

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
OCTOBER 28, 2019 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  
Alberto Vela, Councilman  
Gus Martinez, City Attorney  
Anna Carrillo, City Secretary  
Randy Perez, City Manager

**ALSO PRESENT:**

Jim & Beth Barnes  
Victor Garza  
Miguel A Nevarez  
Aaron Balli Jr.  
Ricardo Toimel  
Diana Vazquez  
Albert Garza  
Jose Pedraza  
Irene F. Lopez

**ABSENT:**

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Paula Banda, Admin. Assistant  
Aida Lerma, Deputy City Manager  
David Flores, Deputy City Manager  
Elizabeth Hernandez, Executive Secretary  
Angie Vela, Finance Director  
Jaime Acevedo, Planning Director  
Susie De Luna, Planning Dept.  
Noemi Munguia, HR Director  
Eduardo Belmarez, Purchasing Director  
Roland Rodriguez, I. T. Director  
Roxanne Casarez, Public Information Director  
Humberto Garcia, Media Relations  
Charlie Longoria, Media Relations  
Juan Pablo Terrazas, City Engineer  
Roberto Salinas, Public Works Director  
Jesse Lerma, Civil Service Director  
Gilbert Sanchez, Fire Chief  
Rene Alvarez, Asst. Fire Chief  
James Cardoza, Emergency Mngmnt. Coord.  
Robert Dominguez, Chief of Police  
Joanne Longoria, CDBG Director  
Mario Flores, Golf Course Director  
Xavier Sanchez , Boys & Girls Club Supervisor  
Brad Bentsen, Parks & Recreation Director  
Mayra Rocha, Library Director  
Cesar Gutierrez, Sanitation Director  
JC Avila, Fleet Maintenance Director  
Noel Barrera, Health Dept. Director  
Adela Ortega, Food Pantry Manager  
Jonathan Wehrmeister, Judge  
Joel Chapa, Police Officer

**1. Call to order**

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 5:30 p.m.

## **2. Invocation and Pledge Allegiance**

The invocation was given by Rabbi Dr. Claudio J. Kogan, MD, MBE, MED, Director of the Institute of Bioethics and Social Justice at UTRGV. Pledge of allegiance was led by Scouts BSA Troop 272.

## **3. Proclamation – Municipal Court Week**

Judge Jonathan Wehrmeister read the Proclamation Municipal Court Week

Councilwoman Jessica Ortega Ochoa stepped arrived to the meeting at 5:35 p.m.

Councilwoman Ochoa moved to approve the Proclamation Municipal Court Week Motion was seconded by Councilman Ruben Plata and approved unanimously 4-0.

## **4. Presentation by Mission Police Department**

Chief Roberto Dominguez gave a presentation as to the budget adjustments for FY 2019-2020. Capital Outlay Improvements Projects total allocation of \$498,500.00 would be used to improve the operations of the department by making improvements in several areas. Department would be able to focus more on increased training opportunities for our officers as well provide them with the proper equipment and uniforms needed for the officers to successfully provide service to the community.

Mayor Pro Tem Norie Gonzalez Garza arrived to the meeting at 5:50 p.m.

## **5. Report from the Greater Mission Chamber of Commerce**

Brenda Enriquez, President of the Greater Mission Chamber of Commerce reported on past and upcoming events for the chamber. Chamber will be hosting the 25<sup>th</sup> Annual Health Fair on January 4, 2020.

## **6. Departmental Reports**

Councilman Plata moved to approve the departmental reports as presented. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

## **7. Citizens Participation**

Fran Ciancarelli spoke about issues at Sharyland Plantation and concerns he has regarding Mission Crimestoppers.

### **1.0 Public Hearing**

#### **1.1 Planning & Zoning Recommendations**

- A. 2<sup>nd</sup> Public Hearing Proposed Annexation for the following areas: Area 1: A certain tract of land, containing (40) acres, more or less, described by deed records as Lots 12-3, West Addition to Sharyland Subdivision; Area 2: All of Lot 11-1, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive, & All of Lot 11-2, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive; Area 3: The Southeast part of Lot 15-3, West Addition to Sharyland, containing thirteen and thirty-two hundredths (13.32) acres, more or less, also being that part of Lot 15-3, West Addition to Sharyland, a subdivision of parts of Porciones 53 to 57, both inclusive; Area 4: All of that portion of Lots 14-3 and 14-2 lying South and East of Hidalgo County Water Control & Improvements Districts Nos. 7 and 14 Main Canal, West Addition to Sharyland; Area 5: Lot 13-5, West Addition to Sharyland; Area 6: All of Lots 12-2 and**

**13-2, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive; and Area 7: 126.51 acres of land out of Lots 12-4, 12-5, 13-3, & 13-4, West Addition to Sharyland Subdivision of Porciones 53, 54, 55, 56, & 57**

The City Council was required to hold 2 public hearings to acquire public input. The properties were adjacent to Mission City Limits and City Water and City Sewer were used and/or were available. Areas 1-7 were under a voluntary annexation request. This annexation if approved would take effect on January 1, 2020.

The adoption of the annexation would be considered on October 28, 2019

City Manager recommended approval.

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

There were no comments.

No action was needed since this was only a Public Hearing.

**B. Adoption of Annexation for the following areas: Area 1:A certain tract of land, containing (40) acres, more or less, described by deed records as Lots 12-3, West Addition to Sharyland Subdivision; Area 2: All of Lot 11-1, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive,& All of Lot 11-2, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive; Area 3: The Southeast part of Lot 15-3, West Addition to Sharyland, containing thirteen and thirty-two hundredths (13.32) acres, more or less, also being that part of Lot 15-3, West Addition to Sharyland, a subdivision of parts of Porciones 53 to 57, both inclusive; Area 4: All of that portion of Lots 14-3 and 14-2 lying South and East of Hidalgo County Water Control & Improvements Districts Nos. 7 and 14 Main Canal, West Addition to Sharyland; Area 5: Lot 13-5, West Addition to Sharyland; Area 6: All of Lots 12-2 and 13-2, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive; and Area 7: 126.51 acres of land out of Lots 12-4, 12-5, 13-3, & 13-4, West Addition to Sharyland Subdivision of Porciones 53, 54, 55, 56, & 57  
Adoption of Ordinance # 4851 approving 1.1B**

This was the last step of the Annexation cycle. Two public hearings were held to acquire public input. The properties were adjacent to Mission City Limits and City Water and City Sewer were used and/or were available. Areas 1-7 were under a voluntary annexation request. This annexation if approved would take effect on January 1, 2020.

The 2<sup>nd</sup> public hearing was held on October 28, 2019.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman Alberto Vela moved to approve to adopt Ordinance No. 4851 and the Adoption of Annexation for the following areas: Area 1:A certain tract of land, containing (40) acres, more or less, described by deed records as Lots 12-3, West Addition to Sharyland Subdivision; Area 2: All of Lot 11-1, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive,& All of Lot

11-2, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive; Area 3: The Southeast part of Lot 15-3, West Addition to Sharyland, containing thirteen and thirty-two hundredths (13.32) acres, more or less, also being that part of Lot 15-3, West Addition to Sharyland, a subdivision of parts of Porciones 53 to 57, both inclusive; Area 4: All of that portion of Lots 14-3 and 14-2 lying South and East of Hidalgo County Water Control & Improvements Districts Nos. 7 and 14 Main Canal, West Addition to Sharyland; Area 5: Lot 13-5, West Addition to Sharyland; Area 6: All of Lots 12-2 and 13-2, of West Addition to Sharyland, a subdivision of part of Porciones 53 to 57, both inclusive; and Area 7: 126.51 acres of land out of Lots 12-4, 12-5, 13-3, & 13-4, West Addition to Sharyland Subdivision of Porciones 53, 54, 55, 56, & 57. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4851**

AN ORDINANCE TO ANNEX CERTAIN TERRITORY AND TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF MISSION, COUNTY OF HIDALGO, STATE OF TEXAS, BEING DESCRIBED AS **AREA 1:** A CERTAIN TRACT OF LAND, CONTAINING (40) ACRES, MORE OR LESS, DESCRIBED BY DEED RECORDS AS LOTS 12-3, WEST ADDITION TO SHARYLAND SUBDIVISION; **AREA 2:** ALL OF LOT 11-1, OF WEST ADDITION TO SHARYLAND, A SUBDIVISION OF PART OF PORCIONES 53 TO 57, BOTH INCLUSIVE, & ALL OF LOT 11-2, OF WEST ADDITION TO SHARYLAND, A SUBDIVISION OF PART OF PORCIONES 53 TO 57, BOTH INCLUSIVE; **AREA 3:** THE SOUTHEAST PART OF LOT 15-3, WEST ADDITION TO SHARYLAND, CONTAINING THIRTEEN AND THIRTY-TWO HUNDREDTHS (13.32) ACRES, MORE OR LESS, ALSO BEING THAT PART OF LOT 15-3, WEST ADDITION TO SHARYLAND, A SUBDIVISION OF PARTS OF PORCIONES 53 TO 57, BOTH INCLUSIVE; **AREA 4:** ALL OF THAT PORTION OF LOTS 14-3 AND 14-2 LYING SOUTH AND EAST OF HIDALGO COUNTY WATER CONTROL & IMPROVEMENTS DISTRICTS NOS. 7 AND 14 MAIN CANAL, WEST ADDITION TO SHARYLAND; **AREA 5:** LOT 13-5, WEST ADDITION TO SHARYLAND; **AREA 6:** ALL OF LOTS 12-2 AND 13-2, OF WEST ADDITION TO SHARYLAND, A SUBDIVISION OF PART OF PORCIONES 53 TO 57, BOTH INCLUSIVE; AND **AREA 7:** 126.51 ACRES OF LAND OUT OF LOTS 12-4, 12-5, 13-3, & 13-4, WEST ADDITION TO SHARYLAND SUBDIVISION OF PORCIONES 53, 54, 55, 56, & 57

- C. Rezoning: A 0.33 acres of land out of a 9.53 acre tract out of the West 13.335 acre of the South 19.55 acres of Lot 29-8, West Addition to Sharyland Subdivision, from (R-1) Single Family Residential to (R-1T) Townhouse Residential, Juan Reyes Adoption of Ordinance # \_\_\_\_\_ approving 1.1C**

On October 9, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located near the NW corner of 2 Mile Road and Mayberry along the north side of Mayberry. There was no public opposition during the P&Z Mtg. The Board unanimously recommended denial.

Staff and City Manager recommended denial.

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

There were no comments.

Mayor Pro Tem Garza moved to deny. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**D. Rezoning: A 0.58 of one acre tract of land out of Lot 25-9, West Addition to Sharyland Subdivision from (AO-I) Agricultural Open Interim to (C-2) Neighborhood Commercial, Robert Goodwin  
Adoption of Ordinance # 4852 approving 1.1D**

On October 9, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was ¼ mile west of Bryan Road along the northern side of Griffin Parkway (F.M. 495) There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

Emmanuel Marquez, 919 E. Griffin Parkway asked what types of businesses would be in a C-2 Zone and if here would be a separation between his home and the subject property.

Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4852 Rezoning: A 0.58 of one acre tract of land out of Lot 25-9, West Addition to Sharyland Subdivision from (AO-I) Agricultural Open Interim to (C-2) Neighborhood Commercial. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 4852**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A 0.58 OF ONE ACRE TRACT OF LAND OUT OF LOT 25-9, WEST  
ADDITION TO SHARYLAND SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM)  
TO C-2 (NEIGHBORHOOD COMMERCIAL)

**E. Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages – La Curva Taqueria, 2575 E. Griffin Parkway, Suites 12, Lot 1, Tres Picos Subdivision, Ph. I, C-3, Jose Uresti  
Adoption of Ordinance # 4853 approving 1.1E**

On October 9, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located approximately 700' west of Taylor Road on the north side of E. Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommends approval subject to a waiver of the 300's separation requirement from the residential neighborhood and the CUP be approved for 2 years at which time the applicant would have to renew their TABC license and Conditional Use Permit.

City Manager recommended approval.

Mayor O'caña 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. 4853 Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages – La Curva Taqueria, 2575 E. Griffin Parkway, Suites 12, Lot 1, Tres Picos Subdivision, Ph. I, C-3 as per staff recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4853**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A  
CONDITIONAL USE PERMIT FOR THE SALE FOR THE SALE  
AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LA CURVA TAQUERIA, 2575  
E. GRIFFIN PARKWAY, SUITE 12, LOT 1,  
TRES PICOS SUBDIVISION, PH I

- F. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages –  
The Griffin Grill, 1906 E. Griffin Parkway, Lot 19, River Oaks Plaza Subdivision, C-3,  
Ram Culinary Group, LLC, (c/o Richard L. Krauss)  
Adoption of Ordinance # 4854 approving 1.1F  
Adoption of Ordinance # 4855 approving Wet Zone**

On October 9, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 1000' west of Glasscock Road on the south side of E. Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Staff recommends approval subject to a waiver of the 300's separation requirement from the residential neighborhood and that the CUP be approved for 2 years at which time the applicant will have to renew their TABC license and Conditional Use Permit.

City Manager recommended approval.

Mayor O'caña 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. 4854 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – The Griffin Grill, 1906 E. Griffin Parkway, Lot 19, River Oaks Plaza Subdivision, C-3 as per staff recommendation and Ordinance No. 4855 An Ordinance Of The City Council Of The City Of Mission, Texas Amending Ordinance No.780 Designating Places Where Beer And Other Alcoholic Beverages May Be Sold Within The Corporate Limits Of The City Of Mission To Include The Premises Located At 1906 E. Griffin Parkway, Lot 19 River Oaks Plaza Subdivision. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4854**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE SALE & ON-SITE  
CONSUMPTION OF ALCOHOLIC BEVERAGES – THE GRIFFIN GRILL,  
1906 E. GRIFFIN PARKWAY, LOT 19, RIVER OAKS PLAZA SUBDIVISION

**ORDINANCE NO. 4855**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING  
ORDINANCE NO.780 DESIGNATING PLACES WHERE BEER  
AND OTHER ALCOHOLIC BEVERAGES MAY BE SOLD WITHIN THE  
CORPORATE LIMITS OF THE CITY OF MISSION TO INCLUDE THE  
PREMISES LOCATED AT 1906 E. GRIFFIN PARKWAY, LOT 19  
RIVER OAKS PLAZA SUBDIVISION

**G. Conditional Use Permit: To place 4 Portable Buildings for Office Use on property zoned AO-I to be used in conjunction with a Construction Materials Storage Yard, A 15.07 acre tract situated in Porcion No. 55 and being out of and part of Lot 13-6, West Addition to Sharyland Subdivision, AO-I, Victor Garza Adoption of Ordinance # 4856 approving 1.1G**

On October 23, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located approximately 1 mile south of U.S. Expressway 83 along the west side of Conway Boulevard (S.H. 107). There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Staff recommends approval subject to: 1) The installation of a rock pit leading into the facility off Conway; 2) Approval of variance request for septic system with condition that they abandon septic system and connect to City sewer services when available; and 3) Re-evaluation of this CUP in 1 year to assess this new operation.

Victor Garza, applicant spoke in favor of the request and stated that the project was to be used for the levy improvement project and was requesting a 24 month approval. Mr. Garza stated that once the utilities were available at the sight he would remove the septic system.

Carlos Garza, P.E. spoke in favor of the request. He advised the council that the project would meet all TCEQ requirements. This is a flood control project being held by the US Core of Engineers.

Carlos Garza, P.E. stated that he would sign a Memorandum of Understanding stating that once the utilities were available before the two year expiration of the permit they would connect into the system at their expense.

Councilman Plata moved to approve the CUP and to adopt Ordinance No. 4856 Conditional Use Permit: To place 4 Portable Buildings for Office Use on property zoned AO-I to be used in conjunction with a Construction Materials Storage Yard, A 15.07 acre tract situated in Porcion No. 55 and being out of and part of Lot 13-6, West Addition to Sharyland Subdivision, AO-I. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4856**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO PLACE 4 PORTABLE BUILDINGS FOR  
OFFICE USE ON PROPERTY ZONED AO-I TO BE USED IN CONJUNCTION WITH A  
CONSTRUCTION MATERIALS STORAGE YARD, A 15.07 ACRE TRACT SITUATED IN  
PORCION NO. 55 AND BEING OUT OF AND PART OF LOT 13-6, WEST ADDITION TO  
SHARYLAND SUBDIVISION

**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 – October 14, 2019**

**2.2 Acknowledge Receipt of Minutes**

**Citizen's Advisory Committee – August 13, 2019**

**Shary Golf Course Advisory Board – September 17, 2019**

**Mission Boys & Girls Club – September 10, 2019**

**Speer Memorial Library – September 17, 2019**

**2.3 Approval of Resolution # 1624 Regarding Waterline Access Agreement with Sharyland Water Supply within city ETJ for Eduardo's #23 Subdivision**

The proposed Eduardo's #23 Subdivision was located within the service area of the Sharyland Water Supply Corporation and within the City of Mission's ETJ.

Sharyland Water Supply Corporation had adequate-sized water lines to support fire hydrants in the area and requires an agreement be entered between the Corporation, the property owner and the City of Mission before such installation was allowed.

**RESOLUTION NO. 1624**

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND IZAGUIRRE REAL ESTATE HOLDINGS, LLC FOR EDUARDO'S #23 SUBDIVISION

**2.4 Approval of Resolution # 1625 Regarding Waterline Access Agreement with Sharyland Water Supply within city ETJ for Taurus Estates # 22 Subdivision**

The proposed Taurus Estates # 22 Subdivision was located within the service area of the Sharyland Water Supply Corporation and within the City of Mission's ETJ.

Sharyland Water Supply Corporation has adequate-sized water lines to support fire hydrants in the area and requires an agreement be entered between the Corporation, the property owner and the City of Mission before such installation was allowed.

**RESOLUTION NO. 1625**

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND BAZBAR, LLC FOR THE TAURUS ESTATES NO. 22 SUBDIVISION

**2.5 Authorization to solicit proposals for Maintenance and Repairs for Fire Apparatuses by certified Emergency Vehicle Technicians for Fire Department**

Authorization to solicit proposals for Maintenance and Repairs for Fire Apparatuses by certified Emergency Vehicle Technicians for Fire Department for fiscal year 2019-2020

**2.6 Authorization to solicit for competitive proposals for roof replacement for Speer Memorial Library and Mission Historical Museum**

Staff was seeking authorization to solicit competitive proposals for the roof replacement of both the Speer Memorial Library and Mission Historical Museum. Competitive proposals would be requested to obtain best value for the replacement of each roof and apply value engineering for cost savings so we can stay within budget. Projects consist of complete tear off and replacement.

**2.7 Authorization to accept monetary donation from Hunt Valley Development for the Veteran's Day Golf Tournament**



Hunt Valley Development has donated \$500.00 to support the Veteran's Day Golf Tournament. Staff will utilize the funds for door prizes and/or meals for this event.

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

Mayor Pro Tem Garza requested to remove item 2.6 from Consent Agenda.

Councilman Plata moved to approve the consent agenda items 2.1 thru 2.5. and 2.7. Item 2.6 was tabled. Motion was seconded by Councilwoman Ochoa and approved 5-0.

After discussion Mayor Pro Tem Garza recommended tabling item 2.6 until more information was received by the Council regarding this project.

Mayor Pro Tem Garza moved to table the authorization to solicit for competitive proposals for roof replacement for Speer Memorial Library and Mission Historical Museum. Motion was seconded by Councilman Plata and was approved unanimously 5-0.

### **3.0 Approvals and Authorizations**

#### **3.1 Final Plat Approval: Mayberry Court Subd., 5.00 acres out of Lot 27-8, West Addition to Sharyland Subdivision, R-1, Developer: Aaron Balli, Engineer: Hinojosa Engineering**

On July 23, 2018 the City Council held a Public Hearing to consider the Preliminary Plat Approval for Mayberry Court Subdivision. The proposed subdivision was located ½ mile South of E. Mile 2 Road along the west side of Mayberry Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval 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) Must pay the capital sewer recovery fees.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Final Plat Approval Mayberry Court Subd., 5.00 acres out of Lot 27-8, West Addition to Sharyland Subdivision, R-1 as per staff recommendation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

Councilwoman Ochoa stepped out at 7:10 p.m.

#### **3.2 Final Plat Approval: Periquitos Subdivision, A 7.557 acre tract, also being a part or portion of Shares 3, 4, and 5, San Jose Subdivision, AO-I (R-1A proposed), Developer: Jose Manuel Garcia & Ismael Garcia, Engineer: BIG Engineering**

On August 26, 2019 the City Council held a Public Hearing to consider this Preliminary Plat Approval for Periquitos Subdivision. The proposed subdivision was located near the intersection of Trinity and Frio Street along the north side of Trinity. The Board unanimously recommended approval as per Staff's recommendation

Staff Recommendation: Approval subject to: 1) No objection to variance, subject to meeting private street policy; 2) Must meet the Model Subdivision Rules; 3) Comply with the street alignment policy; and 4) Must pay the park and capital sewer recovery fees.

City Manager recommended approval.

Rene Barrera, P.E., explained that there was no possibility to increase the entrance to the subdivision due to the ditch that is in the area. The subdivision would be private and gated.

Mayor Pro Tem Garza stated that she understood that there was not an option with the entrance to the subdivision but recommended that the interior streets meet the subdivision code which is to have the interior streets at 32' back to back.

Mayor Pro Tem Garza moved to approve the Final Plat Approval Periquitos Subdivision, A 7.557 acre tract, also being a part or portion of Shares 3, 4, and 5, San Jose Subdivision, AO-I (R-1A proposed) with the 24' entrance access and require the interior streets be at 32' back to back as per the subdivision code. Motion was seconded by Councilman Plata and approved unanimously 4-0.

**3.3 Reschedule November 11, 2019 City Council meeting to Tuesday, November 12, 2019**

The office of the City Manager was requesting to reschedule the Monday, November 11 City Council meeting to Tuesday, November 12 due to City Hall being closed on Monday for Veteran's Day.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to Reschedule November 11, 2019 City Council meeting to Tuesday, November 12, 2019. Motion was seconded by Councilman Plata and approved unanimously 4-0.

Councilwoman Ochoa stepped in at 7:13 p.m.

**3.4 Approval of Resolution #1626 distributing 120 authorized votes for the election of Appraisal District Board of Directors for 2020-2021**

Mr. Amador Requenez was nominated by the city council to be placed on the ballot for Board of Director. Mayor O'caña was recommending the distribution of 120 authorized votes for Amador Requenez for council consideration.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Resolution No. 1626 distributing 120 authorized votes for the election of Appraisal District Board of Directors for 2020-2021. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**RESOLUTION NO. 1626**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS DISTRIBUTING 120 AUTHORIZED VOTES FOR THE ELECTION OF APPRAISAL DISTRICT BOARD OF DIRECTORS FOR 2018-2019

**3.5 Authorize Staff to Execute Contract to The Warren Group Architects Inc., for Design and Construction Management of Police/Fire Substation**

Staff was seeking authorization to execute contract with The Warren Group Architects Inc., for project design development services and construction management for Police and Fire Substation in accordance with the Texas Professional Services Procurement Act (V.T.C.A., Government Code Section 2254.001).

**Minutes, 10/28/19 pg. 11**

After negotiations with The Warren Group, in accordance with Texas Government Code Sec. 2254.004 (a) (2) "Contract for Professional Services of Architect, Engineer, or Surveyor," a fair and reasonable fixed percentage rate of 7% of the Total Construction Cost was agreed upon. .

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize Staff to Execute Contract to The Warren Group Architects Inc., for Design and Construction Management of Police/Fire Substation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Councilman Plata stepped out at 7:18 p.m.

**3.6 Authorization to purchase ProcureWare Software for the Purchasing Department from Bentley a sole source vendor**

Staff was recommending the purchase of ProcureWare Software from a sole source vendor. ProcureWare was an integrated procurement and bid management system for supplier management, sourcing, and contract management. 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.

The City of Mission would be able to centralize procurement data for informed decision making, drive consistent adoption of procurement best practices across the organization, shorten the purchase time of goods and services, and ensure healthy supplier competition to increase quality and achieve price objectives.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to purchase ProcureWare Software for the Purchasing Department from Bentley a sole source vendor. Motion was seconded by Councilman Ochoa and approved unanimously 4-0.

**3.7 Authorization for emergency payment for repairs on Fire Department apparatuses done at Siddons Martin Emergency group by certified EVT technicians**

Seeking Authorization for emergency payment of \$62,039.53 for repairs on Fire Department apparatuses done at Siddons Martin Emergency group by certified EVT technicians. Technicians working on fire apparatuses were required to be certified Emergency Vehicle Technician (EVT) to minimize costs and liability. The request was in accordance with Texas Local Government Code "General Exemptions," Paragraph 252.022(a)(2), "a procurement necessary to preserve or protect the public health or safety of the municipality's residents."

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize for emergency payment for repairs on Fire Department apparatuses done at Siddons Martin Emergency group by certified EVT technicians. Motion was seconded by Councilman Vela and approved unanimously 4-0.

Councilman Plata stepped in at 7:22 p.m.

**3.8 August 2019 Financial Report**

Finance Director Angie Vela presented the August 2019 Financial Report to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the August 2019 Financial Report. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.9 Tax Collections Report- September, 2019**

Finance Director Vela presented the Tax Collections Report – September 2019 for approval.

The 2018 total adjusted tax levy was \$20,398,967.24 and the amount of the collections as of September 30, 2019 is \$19,757,580.81 which represents 96.86% of the total tax levy.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Tax Collections Report – September 2019 as presented. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.10 Authorization to allow the purchase of a firearm to Honorably Retired Peace Officer Joel Raul Larralde, Retired Assistant Chief of Police in accordance with Texas Government Code, Section 614.051**

Retired Assistant Chief of Police Joel Raul Larralde was respectfully requesting the opportunity to keep his department issued service weapon. He had requested to purchase his Glock 17/Generation 4, 9mm handgun serial number BACG-526. In accordance with Government Code, Section 614.051 being that he had retired honorably from our organization, this section of the law allows him to purchase his service weapon. The total purchase price would be \$409.00 dollars.

Staff and City Manager recommended approval.

Councilwoman Plata moved to authorize to allow the purchase of a firearm to Honorably Retired Peace Officer Joel Raul Larralde, Retired Assistant Chief of Police in accordance with Texas Government Code, Section 614.051. ). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.11 Authorization to pay radio subscription invoice to the Rio Grande Valley Communication Group for FY 2019-2020**

The Mission Police Department was requesting authorization to pay the full time radio subscription for four hundred and twenty six (426) police and fire radio units to the Rio Grande Valley Communications Group. This would also include five (5) radio consoles for our Communications Center. This was a one (1) year subscription to the Regional Communications System for a total cost of \$56,496.00

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to pay radio subscription invoice to the Rio Grande Valley Communication Group for FY 2019-2020. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.12 Authorization to accept the City of Mission Technology Project Grant from the Office of the Governor (OOG)**

The grant would allow the Mission Police Department to purchase a total of fifteen (15) Watch Guard in-car video camera systems which would replace the existing in-car video cameras. Our current in-car video camera systems have been operational since 2009. There was no cash match required for this grant from the City of Mission.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to accept the City of Mission Technology Project Grant from the Office of the Governor (OOG). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.13 Authorization to purchase and enter into a subscription license renewal/upgrade with Insight Public Sector through U.S. Communities Contract – 4400006644**

Insight Public Sector provides the Mission Police with WatchGuard firewall security services and an Advanced Persistent Threats Blocker licenses. The WatchGuard services provides our organization with a firewall to protect all incoming computerized information to our Main Police Station and our South Police Station. The total cost of the agreement would be \$10,931.65 for a three (3) year contract.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase and enter into a subscription license renewal/upgrade with Insight Public Sector through U.S. Communities Contract – 4400006644. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.14 Authorization to purchase fifteen (15) Watchguard In-Car Camera Systems through Buyboard Contract # 524-17.**

The Mission Police Department was awarded a grant through the Office of the Governor to purchase a total of fifteen (15) in-car camera systems. The total amount of the fifteen camera systems was \$89,475.00. The grant would cover the entire amount of the expenditure.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to purchase fifteen (15) Watchguard In-Car Camera Systems through Buyboard Contract # 524-17. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.15 Authorization to purchase a DVD disc publishing system for Watchguard body worn cameras and patrol unit cameras for the Mission Police Department via a state approved contract (Buy Board Contract 524-17)**

The purchase would be through Watchguard, a state vendor. The purchase would be for a disc publishing system compatible with current body worn cameras and in-car camera system. System would be for the copying of discs for evidentiary purposes and at the request of the Hidalgo County District Attorney's Office and the U.S. Attorney's Office. The order also includes Watchguard Technical Services with remote set-up. The total cost would be \$10,000.00. Staff was seeking a favorable recommendation.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize purchase a DVD disc publishing system for Watchguard body worn cameras and patrol unit cameras for the Mission Police Department via a state approved contract (Buy Board Contract 524-17). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.16 Authorization to purchase a Watchguard Interview Room Camera System through Buyboard Contract # 524-17**

The Mission Police Department was in need of replacing our outdated Interview Room Camera System. This system was used to record all witness, victim and suspect statements. The total amount of the expenditure was \$10,840.00.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to purchase a Watchguard Interview Room Camera System through Buyboard Contract # 524-17. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.17 Authorization to Award bid for the purchase of Liquid Ammonium Sulfate for the North and South Water Treatment Plants**

The City of Mission has accepted and opened four (4) bid responses for liquid ammonium sulfate. Staff recommendation was to award bid to Chemtrade Chemical US, LLC., who was the lowest responsible bidder meeting all specification. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term. (\$0.1074/Lb)

Staff and City Manager recommended approval.

Councilman Ploata moved to authorize to Award bid to Chemtrade Chemicals US, LLC for the purchase of Liquid Ammonium Sulfate for the North and South Water Treatment Plants. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.18 Authorization to award bid for Liquid Aluminum Sulfate for the North and South Water Treatment Plants**

The City of Mission has accepted and opened four (4) bid responses for liquid aluminum sulfate. Staff recommendation was to award bid to Chemtrade Chemical US, LLC., who was the lowest responsible bidder meeting all specification. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one year base term. (\$0.0690/Lb)

Staff Recommendation: Award bid to Chemtrade Chemical US, LLC

City Manager recommended approval.

Councilman Plata moved to authorize to award bid to Chemtrade Chemical US, LLC for Liquid Aluminum Sulfate for the North and South Water Treatment Plants. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.19 Authorization to approve second & final one renewal option for Electrical Repair & Maintenance Services for Water Treatment Plants, Wastewater Treatment Plant, Industrial Pre-Treatment Plant, and Water Distribution Division**

Staff was seeking authorization to extend contract for the Second & Final one year renewal option at zero percent increase in rates .This agreement would extend contract from December 20, 2019 to December 19, 2020. The performance of electrical repairs and maintenance would be on a “as needed” basis for the remaining one year renewal option.

Staff Recommendation: Authorization to execute contract for the Second & Final one year renewal option with Saenz Brothers Construction, LLC.

City Manager recommended approval.

Councilman Plata moved to authorize to approve second & final one year renewal option for Electrical Repair & Maintenance Services for Water Treatment Plants, Wastewater Treatment Plant, Industrial Pre-Treatment Plant, and Water Distribution Division with Saenz Brothers Construction, LLC. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

### **3.20 Approval of Golf Ball Retrieval Contract between PG Golf LLC and Shary Municipal Golf Course**

PG Golf LLC was a golf ball retrieval company that recovers golf balls from lakes and water hazards. PG Golf would pay Shary Municipal Golf Course .05 cents per usable ball. The agreement was for a 2 year period starting upon approval. The agreement had been reviewed by the city attorney.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Golf Ball Retrieval Contract between PG Golf LLC and Shary Municipal Golf Course. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **3.21 Approval of the Revision of the Fee Structure for Shary Municipal Golf Course**

The rates for Shary Municipal Golf Course had not been revised since June 2013.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Revision of the Fee Structure for Shary Municipal Golf Course. Motion was seconded by Councilman Plata and approved unanimously 5-0.

### **3.22 Approval of Resolution # 1627 authorizing to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative**

Staff was requesting to enter into a Master Lease Purchase Agreement with PNC Equipment for the purchase of a Pierce, Enforcer Aerial Quint. The lease agreement would be for 10 years to include a 10 year maintenance agreement. Option to purchase would be offered after the 10 years. The first payment would be made in fiscal year 2020-2021 in the amount of \$98,987.54.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Resolution No. 1627 authorizing to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**RESOLUTION # 1627**

AUTHORIZING TO ENTER INTO A MASTER LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE FOR THE PURCHASE OF FIRE APPARATUS AND DESIGNATE THE MAYOR OR CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE

**3.23 Authorization to accept the FY 2019 Emergency Management Performance Grant (EMPG)**

The Office of Emergency Management Division was seeking authorization to accept the Emergency Management Performance Grant (EMPG) for Fiscal Year 2019 in the amount of \$34,441.93 the requirement for this Grant was to pay a portion of the salary of the Emergency Management Staff. The City must maintain an Emergency Management Plan; conduct and document Exercise; submit After Action Reports and Improvement Plan; be in compliance with the National Incident Management System; must be 100% in compliance with NIMS cast objectives and metrics; submit Work Plan Tasks and the timely submission of progress and Financial Reports.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to accept the FY 2019 Emergency Management Performance Grant (EMPG). Motion was seconded by Councilman Vela and approved unanimously 5-0.

**3.24 Authorization to award bids to Mor-Will for Bentsen Palm Development Improvements**

Staff was seeking authorization to award bid for the Bentsen Palm Development sanitary sewer improvements. Staff received six (6) bids and is recommending award to Mor-Will, LLC who was the lowest responsive and responsible bidder in the amount of \$549,077.54. The construction cost of this

project would be reimbursed to the City by the Tax Increment Reinvestment Zone as per the Reimbursement Agreement approved by the City Council on March 11, 2019.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza abstains from voting.

Councilman Plata moved to authorize to award bids to Mor-Will for Bentsen Palm Development Improvements. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0. Mayor Pro Tem Garza abstained.

**3.25 Authorization to Purchase a 2020 Chevy Tahoe for the Media Relations Department via State approved Buy Board Contract # 521-16**

Staff was seeking authorization to purchase a 2020 Chevy Tahoe in the amount of \$39,076.00 via state approved Buy Board Contract #521-16 for the Media Relations Department.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Purchase a 2020 Chevy Tahoe for the Media Relations Department via State approved Buy Board Contract # 521-16. Motion was seconded by Councilwoman Ochoa

**3.26 Budget Amendments – Designated Purpose Fund, MEDC**

Finance Director Vela presented budget amendment BA–20-02 thru 20-03 to the City Council for approval.



## **Minutes, 10/28/19 pg. 16**

Staff and City Manager recommended approval.

Councilman Plata moved to approve the budget amendment BA-20-02 thru 20-03. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **4.0 Unfinished Business**

None

### **5.0 Routine Matters**

#### **5.1 City Manager's Comments**

City Manager Perez invited the community to the Halloween Festival to be held on Thursday, October 31 from 6-9 p.m. at the Leo Pena Placita Park. City Departments were preparing for the 1<sup>st</sup> annual Veteran's Festival with a weekend full of events. The parade would be held on Saturday, November 9 from 3 – 5 p.m. A golf tournament would be held on Monday, November 11 for all Veterans.

#### **5.2 Mayor's Comments**

Mayor O'cana stated that on Saturday, November 9<sup>th</sup> from 9 a.m. to 12 noon the Leo Pena Veteran's Park would be open for visitation. There are 10 propositions that are currently being voted on and advised the citizens to exercise their right to vote.

#### **5.3 City Council Comments**

Councilman Plata asked for a status on the opening of the Tennis Courts.

Councilwoman Ochoa thanked the MEDC staff for putting on an excellent food fest. All proceeds went to the Mission Food Pantry. The Dia de Los Muertos event held by the Mission Historical Museum was a wonderful event.

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

At 7:53 p.m. Councilman Plata moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Councilman Plata stepped out of the meeting at 7:53 p.m.

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

#### **6.1 Deliberations about Real Property Sec. 551.072**

**A. Lot 133, Chaparral Heights, 1 ¼ N. Holland Road**

**B. Consideration of Bids for Tax Resale for the following property:**

**T-1039-09-A – All of Lot 7, Nell Tolle Subdivision**

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

At 8:07 p.m. Mayor Pro Tem Garza moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

On item 6.1 A - Councilwoman Ochoa moved to approve the purchase Lot 133, Chaparral Heights, 1 ¼ N. Holland Road, within parameters discussed in executive session for use as a retention pond. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**Minutes, 10/28/19 pg. 17**

On item 6.1 B- Councilwoman Ochoa moved to approve the Bid for Tax Resale for the following property: T-1039-09-A – All of Lot 7, Nell Tolle Subdivision. Motion was seconded by Councilman Vela and approved unanimously 4-0.

At 8:08 p.m. Councilman Vela moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

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Dr. Armando O'caña, Mayor

ATTEST:

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Anna Carrillo, City Secretary