

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
APRIL 13, 2020 3:00 P.M.
MISSION CITY HALL**

City of Mission is inviting you to a scheduled Zoom meeting.

Time: April 13, 2020 03:00 PM Central Time

Join Zoom Meeting (by computer or Mobile App)

<https://zoom.us/j/9904662781?pwd=SGVIL3JZRFRVdENzWXI5VUxFT1ZUQT09>

Meeting ID: 990 466 2781

Password: 833227

or

Dial by telephone

+1 346 248 7799 US

Meeting ID: 990 466 2781

Password: 833227

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:

Jamie Treviño, Progress Times

ABSENT:

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
David Flores, Deputy City Manager
Angie Vela, Finance Director
Susie De Luna, Asst. Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Manager
Eduardo Belmarez, Purchasing Director
Roxanne Casarez, Public Information Director
Charlie Longoria, Media Relations
Juan Pablo Terrazas, City Engineer
Roberto Salinas, Public Works Director
Gilbert Sanchez, Fire Chief
Rene Alvarez, Asst. Fire Chief
Frank Cavazos, Deputy Fire Chief
Robert Dominguez, Chief of Police
JJ Guerrero, Boys & Girls Club Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Cynthia Lopez, Museum Director
JC Avila, Fleet Maintenance Director
Adela Ortega, Food Pantry Manager
Joanne Longoria, CDBG Director
James Cardoza, Emergency Mngmnt. Coord.
Michael Elizalde, Grants Administrator
Jorge Chapa, Parks & Rec. Dept.

1. Call to order

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 3:03 p.m.

2. Invocation and Pledge Allegiance

City Manager Randy Perez led the invocation and the Pledge of Allegiance.

3. Proclamation – Fair Housing Month and National Community Development Week

CDBG Director Joanne Longoria read the Proclamation - Fair Housing Month and National Community Development Week.

Councilwoman Jessica Ortega Ochoa moved to approve the Proclamation Fair Housing Month and National Community Development Week. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

4. Proclamation – “Public Safety Telecommunicators Week”

Chief of Police Roberto Dominguez read the Proclamation “Public Safety Telecommunicators Week.”

Councilwoman Ochoa moved to approve the Proclamation Public Safety Telecommunicators Week. Motion was seconded by Councilman Ruben Plata and approved unanimously 5-0.

5. 2020 Census Announcement

A video presentation stressing the importance of filling out the census was shown.

6. Departmental Reports

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

7. Citizens Participation

None

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

None

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 Emergency Meeting – March 23, 2020, City Council Meeting – March 23, 2020 and City Council Emergency Meeting April 3, 2020

2.2 Acknowledge Receipt of Minutes

Mission Economic Development Corporation – February 18, 2020

Councilman Plata moved to approve the consent agenda items 2.1 thru 2.2. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.0 Approvals and Authorizations

3.1 Final Plat Approval: Del Oro Subdivision Unit No. 5, A Resubdivision of 10.731 acres of land out of the South end of Porcion 52, PUD, Developer: Rhodes Enterprises, Inc. (Nick Rhodes), Engineer: Melden & Hunt, Inc.

On August 26, 2019 the City Council held a Public Hearing to consider the Preliminary Plat Approval for Del Oro Subdivision Unit No. 5. The proposed subdivision was the 5th phase of the Del Oro Subdivision Unit No. 5 located approximately ¾ mile East of Schuerbach Road and Mile 1 South. The Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval subject to: 1) must pay capital sewer recovery fees; 2) Dedication of water rights; and 3) Compliance with the Model Subdivision Rules.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: Del Oro Subdivision Unit No. 5, A Resubdivision of 10.731 acres of land out of the South end of Porcion 52, PUD, Developer: Rhodes Enterprises, Inc. (Nick Rhodes), Engineer: Melden & Hunt, Inc., as per staff's recommendation. Motion was seconded by Mayor Pro Tem Norie Gonzalez Garza and approved unanimously 5-0.

3.2 Final Plat Approval: Mirabelle Subdivision (Private), Being a Resubdivision of 28.259 acres out of Lot 204, John H. Shary Subdivision, (R-1 proposed), Developer: Domain Development, Corp., Engineer: Melden & Hunt, Inc.

On April 8, 2019 the City Council held a Public Hearing to consider this Preliminary Plat Approval for Mirabelle Subdivision previously known as Sharyland View Estates Subdivision. The proposed subdivision was located at the SW corner of Shary Road and Business Highway 83. 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; 3) Must pay the capital sewer recovery fees and park fees; 4) Installation of 5' sidewalks along Business Highway 83; 5) Side setbacks to be at 5' instead of typical 6'; and 6) Include a Plate Note that all overhangs be 2' from property line.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Final Plat Approval: Mirabelle Subdivision (Private), being a Resubdivision of 28.259 acres out of Lot 204, John H. Shary Subdivision, (R-1 proposed), Developer: Domain Development, Corp., Engineer: Melden & Hunt, Inc., as per staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.3 Approval of Resolution # 1654 of the City of Mission, Texas finding that AEP Texas Inc.'s requested increase to its electric transmission and distribution rates and charges within the city should be denied

On April 3, 2020, AEP Texas Inc. ("AEP") filed an Application for Approval of a Distribution Cost Recovery Factor. In the filing, the Company was seeking an increase in distribution revenues of

approximately \$39.87 million. This equaled an approximately \$1.83 increase to the average residential customer's bill from the rates recently approved in the Company's rate case.

The resolution authorized the City to join with the Cities Served by AEP ("Cities") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue. And authorized the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1654 of the City of Mission, Texas finding that AEP Texas Inc.'s requested increase to its electric transmission and distribution rates and charges within the city should be denied. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1654

A RESOLUTION OF THE CITY OF MISSION, TEXAS FINDING THAT AEP TEXAS INC.'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

3.4 Approval of Sanitary Sewer Service Agreement between the City of Mission and Lone Star Citrus Growers

Agreement entailed the permitting of Lone Star Citrus Grower to dispose of industrial wastewater at the City of Mission Industrial Pre-treatment plant for a period of two years. Fees associated with disposal were based on meter readings (gallons), Industrial Waste BOD (biochemical Oxygen Demand) and SS (Suspended Solids) Surcharge as described in the agreement.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Sanitary Sewer Service Agreement between the City of Mission and Lone Star Citrus Growers. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.5 Authorize the purchase of commercial dumpsters, on an as needed basis, with Wastequip Mfg.co. LLC via BuyBoard contract number 599-19 for the City's Sanitation Department

Sanitation Department was requesting to purchase commercial dumpsters, on a as needed basis with Wastequip Mfg. Co. LLC., via Buyboard contract number 599-19. The dumpsters would be used for commercial accounts. On 11/12/2019, agenda item was approved but Buyboard number had changed from 516-16 to 599-19.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize the purchase of commercial dumpsters, on an as needed basis, with Wastequip Mfg.co. LLC via BuyBoard contract number 599-19 for the City's Sanitation Department. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.6 Tax Collections Report - February, 2020

Finance Director Angie Vela presented the Tax Collections Report - February, 2020 to the City Council for approval.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Tax Collections Report- February, 2020. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.7 February 2020 Financial Statements

Finance Director Vela presented the February 2020 Financial Statements to the City Council for approval.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the February 2020 Financial Statements. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.8 Budget Amendment: MEDC Fund

Finance Director Vela presented the Budget Amendment BA-20-20 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Budget Amendment BA-20-20. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.9 Authorization to Execute Second One-Year Renewal Option with Deer Oaks EAP Services

On 07/23/2018, the City of Mission entered into a contractual agreement with Deer Oaks EAP for Employee Assistance Program services. The contract terms were for one year with two one-year renewal options with no increase in rates. There would be no price increase in rates. Staff was seeking authorization to extend contract for second one-year renewal option with Deer Oaks EAP Services. This agreement would extend contract from October 1, 2020 through September 30, 2021.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Execute Second One-Year Renewal Option with Deer Oaks EAP Services. Motion was seconded by Councilman Vela and approved unanimously 5-0.

3.10 Authorization to Execute First One-Year Renewal Option for Basic Life & AD&D, Voluntary Life and LTD

On 06/10/2019, the City of Mission entered into a contractual agreement with UNUM Life Insurance Company of America for Basic Life and AD&D, Voluntary Life and Long Term Disability. The contract terms were for one year with two one-year renewal options with no increase in rates. There would be no increase in rates for this renewal. Staff was seeking authorization to extend contract for first one-year renewal option with Unum Life Insurance Company of America. This agreement would extend contract from October 1, 2020 through September 30, 2021.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Execute First One-Year Renewal Option for Basic Life & AD&D, Voluntary Life and LTD with Unum Life Insurance Company of America. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.11 Authorization to allow the purchase of a firearm to Honorably Retired Peace Officer Jose C. Macias, Mission Police Lieutenant in accordance with Texas Government Code, Section 614.051

Retired Lieutenant Jose C. Macias 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-527. In accordance with Government Code, Section 614.051 being that he had retired honorably from our organization; this section of the law allowed him to purchase his service weapon. The total purchase price would be \$409.00.

Staff Recommendation: Authorize the sale of a Glock 17, 9mm handgun to Honorably Retired Peace Officer Jose C. Macias, Retired Mission Police Lieutenant.

City Manager recommended approval.

Councilwoman Ochoa moved to authorize to allow the purchase of a firearm to Honorably Retired Peace Officer Jose C. Macias, Mission Police Lieutenant in accordance with Texas Government Code, Section 614.051. Motion was seconded by Councilman Vela and approved unanimously 5-0.

3.12 Approval of Resolution #1655 Amending Resolution No. 1653 of the City Council of the City of Mission adopting County of Hidalgo Second Amended Emergency Order Instituting Subsequent Measures due to a Public Health Emergency Regarding COVID-19 Pandemic

This was the Second Amended Emergency Order issued on April 7, 2020 by County Judge, Richard Cortez County of Hidalgo Instituting Emergency Measures due to a Public Health Emergency related to Corona Virus Disease (COVID-19); was hereby adopted in its entirety, specifically as to matters that pertain to the city, and shall remain in effect until the state of disaster was terminated or was to run concurrent with subsequent Emergency Order or extension was issued by the county thereof extending beyond April 30, 2020 at 11:59 p.m.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve Resolution No. 1655 Amending Resolution No. 1653 of the City Council of the City of Mission adopting County of Hidalgo Second Amended Emergency Order Instituting Subsequent Measures due to a Public Health Emergency Regarding COVID-19 Pandemic. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

RESOLUTION # 1655

APPROVAL OF RESOLUTION AMENDING RESOLUTION NO. 1653 OF THE CITY COUNCIL OF THE CITY OF MISSION ADOPTING COUNTY OF HIDALGO SECOND AMENDED EMERGENCY ORDER INSTITUTING SUBSEQUENT MEASURES DUE TO A PUBLIC HEALTH EMERGENCY REGARDING COVID-19 PANDEMIC

3.13 Consideration of best and final proposal regarding Consultant Services for Presidential Permit Renewal – Madero Bridge Project

On March 9, 2020 City Council authorized Mayor and City Manager to negotiate best and final proposal for Presidential Permit consulting services from Rigoberto Villarreal/Acting as Consulting Firm.

Mr. Villarreal submitted his best and final proposal at \$6,000 per month for a six month period and reimbursement for all travel expenses when applicable while conducting duties.

Staff and City Manager recommended approval.

Mayor O'caña mentioned that if contract was approved by council the starting date of the contract would depend on the current COVID-19 situation, this been May 1st, June 1st, or July the 1st.

Mayor Pro Tem Garza moved to approve the best and final proposal regarding Consultant Services for Presidential Permit Renewal – Madero Bridge Project. Motion was seconded by Councilman Plata and approved 4-1, with Councilwoman Ochoa voting against.

4.0 Unfinished Business

None

5.0 Routine Matters

5.1 City Manager's Comments

City Manager Perez requested the cooperation of the public to adhere to the guidelines set forth by the CDC, County and City for the public's safety. Updates were being posted on a daily basis on website and social media portals. A Business Economic Recovery Committee led by the Chamber of Commerce had been established to provide guidance to businesses and look for resources to help businesses during this economic situation.

5.2 Mayor's Comments

Mayor O'caña thanked the City of Mission staff and department Directors for keeping the community safe and asked the community for their continued support during this COVID-19 Pandemic.

5.3 City Council Comments

Mayor Pro Tem Garza, Councilman Plata, Councilman Vela and Councilwoman Ochoa reminded the citizens to stay safe and stay home.

At 3:49 p.m. Mayor Pro Tem Garza 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.

6.0 Executive Session pursuant to V.T.C.A. Gov. Code Sec. 55.001

6.1 Consultation with Attorney Sec. 551.071

- A. "Discussion of Implementation of leave policy regarding any and future scenarios of possible exposure of first responders to pandemic virus "

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

Councilman Plata did not come back to the meeting.

At 4:08 p.m. Councilwoman Ochoa moved to reconvene in open session. Motion was seconded by Councilman Vela and approved unanimously 4-0.

On item 6.1-A, Councilwoman Ochoa moved to draft policy as discussed in Executive Session to include first responders and employees. Motion was seconded by Councilman Vela and approved unanimously 4-0.

7.0 Adjournment

At 4:10 p.m. Councilman Vela moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary