

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
AUGUST 13, 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:

Jim & Beth Barnes
Marianna T. Wright
Sean Downey
Norma Sanchez
Ricardo Saldaña
JoAnn Bannworth
Raul Saenz
April Chapa
Irma Flores Lopez
Matt Dunne
Gil & Griselda Elizondo
Emmanuel Marquez
Hector Perez, Jr.
Valeria Lopez
Fred Kurth
Margie Briseño

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
Mario Marentes, I.T. Dept.
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
Juan Arevalo, Boys & Girls Club Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Cynthia Lopez, Museum Director
Cesar Gutierrez, Sanitation Director
Alex Meade, MEDC Chief Exec. Officer
Noel Barrera, Health Dept. Director
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 5:30 p.m.

2. Invocation and Pledge Allegiance

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

3. Presentation of Parks & Recreation TAAF Athletes

Parks and Recreation Director Brad Bentsen presented the athletes who received medals at the TAAF games in Track and Field, Swimming and Tennis.

4. Introduction of newly promoted Deputy Chief

Fire Chief Gilbert Sanchez introduced Firefighter Frank Cavazos who had been promoted to Deputy Chief and would now oversee the Fire Prevention Division as Fire Marshal.

5. Presentation by American Cancer Society – April Chapa

April Chapa, Senior Community Development Manager of the South Region of the American Cancer Society, Inc. invited the Mayor and City Council to their annual Making Strides Against Breast Cancer walk to be held on October 13, 2018.

6. Report from Hands and Hearts

All Hands and Hearts reported that they had been in Mission for 45 days and had cleaned and cleared 36 properties. Their departure date would be August 31, 2018.

7. Report from the National Butterfly Center – Dr. Jeffrey Glassberg

Dr. Jeffrey Glassberg, President of the North American Butterfly Association thanked the Mayor, Council and city staff for helping and organizing the Take Back the River Event. The 23rd Annual Butterfly Festival would be held from November 3-6, 2018.

8. 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.

9. Departmental Reports

Mayor Pro Tem Norie Gonzalez Garza moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Jessica Ortega Ochoa and approved unanimously 5-0.

10. Citizens Participation

Coach Walker prayed over the City Council.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

A. Adoption of Ordinance # 4662 Amending Article IV. Section 1.16.4a – Providing for the Board of Adjustment, Quorum, Procedures for Appeals and Powers of the Board

The Planning Department respectfully requested that the City Council consider amending various portions of the Zoning Ordinance in order to better serve the citizens of Mission by

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allowing more notifications to Mission residents of public hearing meetings. This ordinance would increase the radius from 200' to 500' for notices on ZBA (Zoning Board of Adjustments) items. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously approved the proposed amendment.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the adoption of Ordinance No. 4662 Amending Article IV. Section 1.16.4a – Providing for the Board of Adjustment, Quorum, Procedures for Appeals and Powers of the Board. Motion was seconded by Councilman Ruben Plata and approved unanimously 5-0.

ORDINANCE NO. 4662

AN ORDINANCE AMENDING ARTICLE IV. SECTION 1.16.4a. – PROVIDING FOR THE BOARD OF ADJUSTMENT, QUORUM, PROCEDURES FOR APPEALS AND POWERS OF THE BOARD; PROVIDING A CODIFICATION CLAUSE; AND PROVIDING A PUBLICATION DATE

B. Adoption of Ordinance# 4663 Amending Article V. Sections 1.20, 1.21, 1.23, and 1.24 – Amendments, Procedures, Filing Fee and Appeals from Decisions of the Planning and Zoning Commission

The Planning Department respectfully requested that the City Council consider amending various portions of the Zoning Ordinance in order to better serve the citizens of Mission by allowing more notification to Mission residents of public hearing meetings. This ordinance would increase the radius from 200' to 500' for notices on rezonings and the posting of signs at the site locations with public hearing date & time on rezonings. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously approved the proposed amendment.

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 Plata moved to approve the adoption of Ordinance No. 4663 Amending Article V. Sections 1.20, 1.21, 1.23, and 1.24 – Amendments, Procedures, Filing Fee and Appeals from Decisions of the Planning and Zoning Commission. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4663

AN ORDINANCE AMENDING ARTICLE V. SECTIONS 1.20., 1.21., 1.23., AND 1.24. – AMENDMENTS, PROCEDURES, FILING FEE AND APPEALS FROM DECISIONS OF THE PLANNING AND ZONING COMMISSION; PROVIDING A CODIFICATION CLAUSE; AND PROVIDING A PUBLICATION DATE

C. Adoption of Ordinance # _____ Amending Article VIII. – Use District and Conditional Uses

The Planning Department respectfully request that the City Council consider amending various portions of the Zoning Ordinance. This ordinance allowed banks and credit unions to have

Drive-Thru Service Windows & Service Lanes without a conditional use permit requirement. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously approved the proposed amendment.

After deliberation from the council where Mayor Pro Tem Garza recommended that National Franchise businesses be included in this ordinance, Mayor O'caña recommended no action be taken on this item.

D. Adoption of Ordinance# 4664 Amending Article X. Sections 1.50. and 1.56. – Conditional Use Permits

The Planning Department respectfully requested that the City Council consider amending various portions of the Zoning Ordinance in order to better serve the citizens of Mission. This ordinance increases radius from 200' to 500' for notices on conditional use permits. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously approved the proposed amendment.

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 Plata moved to approve the adoption of Ordinance No. 4664 Amending Article X. Sections 1.50. and 1.56. – Conditional Use Permits. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4664

AN ORDINANCE AMENDING ARTICLE X. SECTIONS 1.50. AND 1.56. – CONDITIONAL USE PERMITS; PROVIDING A CODIFICATION CLAUSE; AND PROVIDING A PUBLICATION DATE

E. Adoption of Ordinance# _____ Amending Sign Code Ordinance Section 86-155 Expressway Corridor and Secondary Arterials Corridors

The Planning Department had been asked to consider amending the Sign Code Ordinance to Increase Maximum size allowed for Ground Pole or Tenant Sign on Expressway corridor and secondary arterial corridors from 800 to 1,000 square feet (maximum four faces). There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously approved the proposed amendment along Expressway corridor only and not abutting a residence.

Staff Recommendation: Approval of amendment along Expressway Corridor only and not abutting a residence, when a residence abuts an Expressway Corridor revert back to Secondary Arterial requirements.

Staff and City Manager recommended approval.

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

After much deliberation from the council where they recommended allowing variances to the businesses as they come in, Councilman Gus Martinez moved to deny the adoption of the Ordinance Amending Sign Code Ordinance Section 86-155 Expressway Corridor and Secondary Arterials Corridors. Motion was seconded by Mayor Pro Tem Garza and denied unanimously 5-0.

**F. Rezoning: Being a 19.61 acre tract of land comprised of the South ½ of Lot 262, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), Aec Engineering
Adoption of Ordinance # 4665 approving 1.1F**

On July 25, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located ¼ mile north of Griffin Parkway (F.M. 495) along the west side of Glasscock Road. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously recommended approval of the R-1 request.

Staff Recommendation: Denial of R-1 and recommend approval of R-1A.

City Manager recommended approval.

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

Ms. JoAnn Bannworth of 2506 N. Glasscock Rd. spoke against the request. Her concerns included the increase of traffic, noise, drainage and widening of Glasscock Rd.

Mr. Jim Barnes spoke against the request. His concerns also included the traffic, drainage and widening of Glasscock Rd.

Engineer Carlos Garza of Aec Engineering and representative of the applicant spoke in favor of the request. Mr. Garza explained that an R1 zoning was necessary due to the number of lots they could obtain from it. He also explained to the council the type of development it would bring to the city.

Mr. Ernest Skloss of Stewart Rd. spoke against the request.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4665 Rezoning: Being a 19.61 acre tract of land comprised of the South ½ of Lot 262, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1 (Single Family Residential). Motion was seconded by Councilwoman Ochoa and approved 4-1, with Councilman Gus Martinez voting against the request.

ORDINANCE NO. 4665

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING BEING A 19.61 ACRE TRACT OF LAND COMPRISED OF
THE SOUTH ½ OF LOT 262, JOHN H. SHARY SUBDIVISION, AO-I (ARGICULTURAL
OPEN INTERIM) TO R-1 (SINGLE FAMILY RESIDENTIAL)

At 6:53 p.m., Councilwoman Ochoa stepped out of the meeting.

**G. Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages –
Tinseltown Mission, 2516 E. Expressway 83, Lot 1, Tinseltown Subdivision, C-3,
CNMK Texas Properties, LLC
Adoption of Ordinance # 4666 approving 1.1G
Adoption of Ordinance # 4667 approving wet zone**

On June 27, 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 Expressway 83 and Taylor Road. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously recommended approval as per staff's recommendation.

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Staff Recommendation: 1) A 1 year approval at which time the applicant would have to renew their conditional use permit, 2) must comply with all City and TABC code requirements, 3) wet zone property, and 4) waiver of 300' separation at the site location.

City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the cup and to adopt Ordinance No. 4666 Conditional Use Permit: Sale and On-Site Consumption of Alcoholic Beverages – Tinseltown Mission, 2516 E. Expressway 83, Lot 1, Tinseltown Subdivision, C-3 for 2 years. Motion was seconded by Councilman Plata and approved 4-0.

ORDINANCE NO. 4666

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR THE SALE AND ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – TINSELTOWN MISSION, 2516 E.
EXPRESSWAY 83, LOT 1, TINSELTOWN SUBDIVISION

Councilman Plata moved to approve Ordinance No. 4667 granting a wet zone for the Sale and On-Site Consumption of Alcoholic Beverages – Tinseltown Mission, 2516 E. Expressway 83, Lot 1, Tinseltown Subdivision, C-3. Motion was seconded by Councilman Martinez and approved unanimously 4-0.

ORDINANCE NO. 4667

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 2516 E. EXPRESSWAY
83, LOT 1, TINSELTOWN SUBDIVISION, TINSELTOWN MISSION

At 6:58 p.m., Councilwoman Ochoa rejoined the meeting.

**H. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages –
Tortas Del Jack, 4001 S. Shary Road, Suite 350, Lot 1, Sharyland Plantation
Grove Tech-Center No. 2, PUD, Tortas del Jack, LLC
Adoption of Ordinance # 4668 approving 1.1H**

On July 25, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The 1,500 sq. ft. restaurant site was within an existing plaza located on the SE corner of San Mateo and Shary Road. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: Approval of this CUP for a period of two 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. 4668 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Tortas Del Jack, 4001 S. Shary Road, Suite 350, Lot 1, Sharyland Plantation Grove Tech-Center No. 2, PUD, as per staff's recommendations. Motion was seconded by Councilman Martinez and approved 5-0.

ORDINANCE NO. 4668

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – TORTAS DEL JACK, 4001 S. SHARY
ROAD, SUITE 350, LOT 1, SHARYLAND PLANTATION GROVE TECH-CENTER NO. 2

- I. Conditional Use Permit: Two Drive-Thru Service Windows – Tropical Breeze, 1610 W. Griffin Parkway, Lot 19, Block 1, Oakwood Estates Subdivision, C-3, Margie Jennifer Briseño
Adoption of Ordinance # 4669 approving 1.1I**

On July 25, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located at the NW corner of W. Griffin Parkway and River Oak Avenue along the north side of Griffin Parkway. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously recommended approval as per staff's recommendation.

Staff Recommendation: A 2-year approval at which time the applicant would have to renew their conditional use permit.

City Manager recommended approval.

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

After much deliberation from the council concerning the closing time of the business, Councilwoman Ochoa moved to approve the cup and to adopt Ordinance No. 4669 Conditional Use Permit: Two Drive-Thru Service Windows – Tropical Breeze, 1610 W. Griffin Parkway, Lot 19, Block 1, Oakwood Estates Subdivision, C-3, for 2-years and subject to business closing time at 10p.m. Motion was seconded by Councilman Martinez and approved 5-0.

ORDINANCE NO. 4669

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR TWO DRIVE-THRU SERVICE
WINDOWS – TROPICAL BREEZE, 1610 W. GRIFFIN PARKWAY, LOT 19, BLOCK 1,
OAKWOOD ESTATES SUBDIVISION

- J. Public Hearing on FY 2018-2019 Preliminary Budget**

The City's preliminary budget for FY 2018-2019 was presented on July 23, 2018 and had been made available to the public for review at the City Secretary's office and on the City's website as required.

This was the opportunity for citizens to speak on the preliminary budget.

City Manager recommended approval.

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

There were no comments.

No action was needed on this item since it was only for public hearing.

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 – July 23, 2018

2.2 Acknowledge Receipt of Minutes

Mission Civil Service Commission – June 14, 2018

Animal Rescue & Adoption Advisory Board – July 17, 2017

2.3 Approval of Interlocal Agreement between City of Mission and Sharyland Independent School District regarding the Natatorium Facility at Bannworth Park

Sharyland ISD and City desired to enter into the Interlocal Agreement for the purpose of use of the Natatorium Facility at Bannworth Park. The agreement was for the 2018-2019 school year at a cost of \$15,345.00.

2.4 Approval of Memorandum of Understanding with Sharyland School District in regards to the use of the Shary Municipal Golf Course

The City of Mission and Sharyland ISD had developed a memorandum of understanding where the parties agree to the following:

- CITY agreed to:
 - Provide playing range privileges and playing privileges to said High Schools for the 2018-2019 School year August 1, 2018 to May 31, 2019 on days that the Shary Municipal Golf Course was regularly open.
 - Provide driving range privileges to and playing privileges to each of the said Junior High Schools for the period of March 1, 2019 to May 31, 2019, on days that the Shary Municipal Golf Course was regularly open.
- Sharyland ISD agreed to:
 - Pay the City of Mission the sum of \$14,000.00 after signing this MOU.

2.5 Approval of Golf Club Storage Agreement with Sharyland School District and Shary Municipal Golf Course

The City of Mission and Sharyland ISD had developed an agreement where the parties agree to the following:

- CITY agreed to:
 - Provide an area designated under the Shary Municipal Golf Course Clubhouse for the storage of Golf Clubs and Bags which could be secured.

- Golf Course Employees would not have access to unlock storage area.
- Cage would be open from 7:00 a.m. to closing of the clubhouse.
- Sharyland ISD agreed to:
 - Only school coaches would have key to access cage area.
 - Ensure no student was allowed in area without a coach present.
 - Informing students and parents that only the coach has a key and golf course employees do not have access to area.
- The Agreement would be effective August 1, 2018 thru May 31, 2019. The agreement has been approved by SISD

2.6 Approval of Memorandum of Understanding with Mission School District in regards to the use of the Shary Municipal Golf Course

The City of Mission and Mission CISD had developed a memorandum of understanding where the parties agree to the following:

- CITY agreed to:
 - Provide playing range privileges and playing privileges to said High Schools for the 2018-2019 School year (August 1, 2018 to May 31, 2019 on days that the Shary Municipal Golf Course was regularly open.
 - Provide driving range privileges to and playing privileges to each of the said Junior High Schools for the period of March 1, 2019 to May 31, 2019, on days that the Shary Municipal Golf Course was regularly open.
- Mission CISD agreed to:
 - Pay the City of Mission the sum of \$14,000.00 after signing this MOU.

2.7 Approval of Golf Club Storage Agreement with Mission School District and Shary Municipal Golf Course

The City of Mission and Mission CISD had developed an agreement where the parties agree to the following:

- CITY agreed to:
 - Provide an area designated under the Shary Municipal Golf Course Clubhouse for the storage of Golf Clubs and Bags which could be secured.
 - Golf Course Employees would not have access to unlock storage area.
 - Cage would be open from 7:00 a.m. to closing of the clubhouse.
- Mission CISD agreed to:
 - Only school coaches would have key to access cage area.
 - Ensure no student was allowed in area without a coach present.
 - Informing students and parents that only the coach had a key and golf course employees do not have access to area.
- The Agreement would be effective August 1, 2018 thru May 31, 2019

2.8 The Mission Police Department is requesting authorization to re-enter into an Interlocal Agreement for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the FY 2018-2019 school year

A total of seven (7) police officers would be assigned to the school district during the school year. The total amount of the Inter-local agreement was \$359,201.20 for the purpose of continuing the Educational Resource Officer Program at the Mission CISD.

2.9 The Mission Police Department is requesting authorization to re-enter into an Interlocal Agreement for the Educational Resource Officer Program between the City of Mission and the Sharyland Independent School District for the 2018-2019 school year

A total of six (6) police officers would be assigned to the Sharyland I.S.D. during the school year. The total amount of the Interlocal agreement was \$316,311.44 for the purpose of continuing the Educational Resource Officer Program at Sharyland Independent School District.

2.10 Approval to enter into Interlocal Agreement between City of Mission and Mission CISD to jointly undertake the youth services at Castro Elementary and Leal Elementary

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 2.1-2.10. Motion was seconded by Councilman Plata and approved 5-0.

3.0 Approvals and Authorizations

3.1 Homestead Exemption Variance: The S. 70' – W. 165' – E. 340' of Lot 192, John H. Shary Subdivision, 212 Union Street, AO-I, Hector Perez, Jr.

On July 25, 2018 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. This property was located near the NE corner of Union Street and E. 2 ½ Street along the east side of Union Street. There was no public input at P&Z's 7/25/18 meeting. The P&Z Board unanimously recommended approval subject to compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

Staff Recommendation: Approval subject to compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Homestead Exemption Variance: The S. 70' – W. 165' – E. 340' of Lot 192, John H. Shary Subdivision, 212 Union Street, AO-I, as per staff's recommendation. Motion was seconded by Councilman Plata and approved 5-0.

3.2 Homestead Exemption Variance: The East 139' of the North 459' of the South 660' and the West 14' of the East 139' of the South 201' of Lot 25-9, West Addition to Sharyland Subdivision, AO-I, Emmanuel Marquez

On August 8, 2018 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. This tract was located along the north side of Griffin Parkway (F.M. 495) ¼ mile west of Bryan Road. There was no input at P&Z's 8/8/18 meeting.

The P&Z Board unanimously recommended approval subject to compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

Staff Recommendation: Approval subject to compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Homestead Exemption Variance: The East 139' of the North 459' of the South 660' and the West 14' of the East 139' of the South 201' of Lot 25-9, West Addition to Sharyland Subdivision, AO-I, as per staff's recommendation. Motion was seconded by Councilman Plata and approved 5-0.

3.3 Final Plat Approval: Camino de Abram Subdivision, A 62.28 acre tract of land situated in Nicholas Zamora Survey, A-76, Porcion 48, Rural ETJ, Developer: Everman Development, Inc., Engineer: South Texas Infrastructure

On June 12, 2017 the City Council held a Public Hearing to consider the Preliminary & Final Plat Approval for Camino de Abram Subdivision. The proposed subdivision was located ½ mile north of Mile 3 Road between Abram Road and Brushline Road. There was no public input at the City Council 6/12/18 meeting. The City Council unanimously approved the subdivision plat as per staff's recommendations.

Staff Recommendation: Approval subject to meeting the Model Subdivision Rules and complying with all format findings.

City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: Camino de Abram Subdivision, A 62.28 acre tract of land situated in Nicholas Zamora Survey, A-76, Porcion 48, Rural ETJ, Developer: Everman Development, Inc., Engineer: South Texas Infrastructure, as per staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.4 Final Plat Approval: Abrego Estates, Being a Resubdivision of 1.264 acres out of Lot 182, John H. Shary Subdivision, R-1, Developer: Julio Abrego, Engineer: Melden & Hunt, Inc.

On April 9, 2018 the City Council held a Public Hearing to consider the Preliminary & Final Plat Approval for Abrego Estates. The proposed subdivision was located near the Davina and Selena Street intersection along the north side of Selena Street. There was no public input at the City Council 4/9/18 meeting. The City Council unanimously approved the subdivision plat as per staff's recommendations.

Staff Recommendation: Approval subject to: 1) Must meet the Model Subdivision Rules, 2) Must pay the capital sewer recovery fees, and 3) Installation of a paved knuckle area in front of Lot 6.

City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: Abrego Estates, Being a Resubdivision of 1.264 acres out of Lot 182, John H. Shary Subdivision, R-1, Developer: Julio Abrego, Engineer: Melden & Hunt, Inc., as per staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.5 Approval of Ordinance # 4670 of The City of Mission, Texas Amending Ordinance # 3793 creating a Juvenile Justice and Delinquency Prevention Advisory Board; amending Section 2 Membership and Terms and Section 3 Qualifications for Membership

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The committee shall increase by one member to be composed of fourteen (14) voting members.

Municipal Court Judges would be reduced from three to two members. The Two new board members shall be appointed for an initial one year term.

Amendments to the ordinance shall become effective September 1, 2018.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 4670 of The City of Mission, Texas Amending Ordinance # 3793 creating a Juvenile Justice and Delinquency Prevention Advisory Board; amending Section 2 Membership and Terms and Section 3 Qualifications for Membership. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

ORDINANCE NO. 4670

AN ORDINANCE OF THE CITY OF MISSION, TEXAS AMENDING ORDINANCE # 3793
CREATING A JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD;
AMENDING SECTION 2 MEMBERSHIP AND TERMS SECTION 3 QUALIFICATIONS FOR
MEMBERSHIP

3.6 Board Appointments: Juvenile Justice and Delinquency Prevention Advisory Board, Traffic Safety Committee and Citizens Advisory Committee

Mayor O'caña was recommending the following appointments.

Juvenile Justice Board: Appoint Marisela Gonzales and Dr. Mona Ramirez Parras to the newly created positions. Terms to expire December 31, 2019

Traffic Safety Committee: Appoint Francisco Rivera to the position vacated by Jerry Cruz who had resigned, term to expire December 31, 2018. Appoint Heriberto (Beto) Gonzalez to the position vacated by Rene de la Cruz who had resigned, term to expire December 31, 2020.

Citizens Advisory Committee: Appoint Karina Madrigal to the vacant SW position term to expire December 31/2019

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Board Appointments: Juvenile Justice and Delinquency Prevention Advisory Board, Traffic Safety Committee and Citizens Advisory Committee. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

At 7:23 p.m., Councilman Martinez stepped out of the meeting.

3.7 Authorize the purchase of (1) one 2019 Peterbilt 520 Dura Pack truck via Buyboard contract 521-16 for the City's Sanitation Department

Sanitation Department was requesting to purchase (1) one 2019 Peterbit, 520 Dura Pack truck via buyboard Contract Number 521-16 from Rush Truck Centers of Texas L.P. for the sanitation department.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize the purchase of (1) one 2019 Peterbilt 520 Dura Pack truck via Buyboard contract 521-16 for the City's Sanitation Department from Rush Truck Centers of Texas L.P., as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved 4-0.

3.8 Authorize the purchase of (5) five 2019 Peterbilt 520 Front Loader trucks via Buyboard contract 521-16 for the City's Sanitation Department

Sanitation Department was requesting to purchase (5) five 2019 Peterbilt, 520 Front Loader trucks via buyboard Contract Number 521-16 from Rush Truck Centers of Texas L.P.; the trucks would be used for the newly created commercial pick-up routes for the city.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize the purchase of (5) five 2019 Peterbilt 520 Front Loader trucks via Buyboard contract 521-16 for the City's Sanitation Department from Rush Truck Centers of Texas L.P., as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved 4-0.

3.9 Authorization to Award Contract for Stop Loss Insurance

On June 18, 2018, City Council authorized GEF Financial Group to solicit for bids for Stop Loss Insurance. Re-Insurance was needed for the 2018-2019 fiscal year to cap any excess cost exceeding our specific deductible for medical and prescription costs. After careful evaluation and assessment, GEF was recommending that we award contract to Partner Re.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award Contract for Stop Loss Insurance to Partner Re, as recommended by staff. Motion was seconded by Mayor Pro Tem Garza and approved 4-0.

3.10 Authorization to Execute First-one Year Renewal Option for striping/pavement markings and crack seal services on as needed basis

On August 2017 the City of Mission entered into a contract with Valley Striping for striping/pavement markings and crack seal on asphalt pavement streets through-out the City of Mission for Public Works Department. Staff was seeking authorization to extend contract for the First-one year renewal under the same prices.

Staff Recommendation: Authorization to extend contract for First-one year renewal option to Valley Striping.

City Manager recommended approval.

Councilman Plata moved to authorize to execute First-one Year Renewal Option for striping/pavement markings and crack seal services to Valley Striping on as needed basis, as recommended by staff. Motion was seconded by Mayor Pro Tem Garza and approved 4-0.

At 7:26 p.m., Councilman Martinez rejoined the meeting.

3.11 Authorization to award bids to RDH Site & Concrete for the Street Improvements of Ann Marie/Marinel Lane

Staff was seeking authorization to award bid for the Street Improvement project at Anna Marie/Marinel Lane. Staff received six (6) bids and was recommending award to RDH Site & Concrete who was the lowest responsive and responsible bidder in the amount of \$463,540.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award bids to RDH Site & Concrete for the Street Improvements of Ann Marie/Marinel Lane, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.12 Authorization to reject and re-solicit proposals for 911 Emergency Ambulance Services

City Council authorized staff to solicit bids for 911 Emergency Ambulance Services. The City of Mission had accepted and opened one (1) proposal response from Hidalgo County EMS. Staff was seeking authorization to reject and re-solicit for proposals since Hidalgo County EMS was found non-responsive by not submitting signed and executed Solicitation and Offer Award Form.

Staff Recommendation and City Manager recommended approval.

After much deliberation from the council, Councilman Martinez moved to authorize to reject and re-solicit proposals for 911 Emergency Ambulance Services. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

3.13 Authorization to enter into a State Plan of Operation between the State of Texas and the City of Mission Police Department regarding excess Department of Defense (DOD) personal property

A State Plan of Operation was requested by the State of Texas based on the MRAP vehicle

(SWAT) in possession of our department. This was an annual plan required in order to track said property that was provided to the City of Mission by the Department of Defense.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to enter into a State Plan of Operation between the State of Texas and the City of Mission Police Department regarding excess Department of Defense (DOD) personal property. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.14 Authorization to rescind Section 3 (g) of Ordinance No. 3922 and adopt Ordinance No. regulating speed on Inspiration Road between Interstate 2 and the Three Mile Line

The City of Mission conducted an independent speed survey on the newly renovated portion of Inspiration Road between Interstate 2 and Three Mile Line. Based on the survey, the speed of 35 MPH is recommended between Interstate 2 and Griffin Parkway; and the speed of 45 MPH is recommended between Griffin Parkway and the Three Mile Line in either direction. On Tuesday, August 07th, 2018 the City of Mission Traffic Safety Committee met to consider the aforementioned recommended speeds. The Traffic Safety Committee approved the aforementioned speeds on Inspiration Road. The item is before you for your consideration.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza questioned the split of the speed regulation from 35 MPH to 45 MPH and instead recommended the speed to 40 MPH. Mayor O'caña entertained that motion.

Mayor Pro Tem Garza moved to authorize to rescind Section 3 (g) of Ordinance No. 3922 and adopt Ordinance No. 4671 regulating speed to 40 MPH on Inspiration Road between Interstate 2 and the Three Mile Line. Motion was seconded by Councilman Plata and approved 5-0.

ORDINANCE NO. 4671

AN ORDINANCE OF THE CITY OF MISSION, TEXAS, RESCINDING SECTION 3 (g) OF ORDINANCE NO. 3922 AND ADOPTING ORDINANCE NO. 4671 PROVIDING FOR TRAFFIC CONTROL AS FOLLOWS: THAT NO VEHICLE MAY PROCEED AT A SPEED IN EXCESS OF FORTY (40) MPH ON INSPIRATION ROAD BETWEEN INTERSTATE 2 AND GRIFFIN PARKWAY AND THAT NO VEHICLE MAY PROCEED AT A SPEED IN EXCESS OF FORTY (40) MILES PER HOUR ON INSPIRATION ROAD BETWEEN GRIFFIN PARKWAY AND THE THREE MILE LINE IN EITHER DIRECTION; PROVIDING FOR THE INSTALLATION OF SAID TRAFFIC CONTROL DEVICES AND PROPER SIGNAGE THEREOF AND MAKING PROVISIONS OF THE STATE TRANSPORTATION CODE AND TRAFFIC ORDINANCES OF THE CITY OF MISSION IN REGARD TO PENALTY FOR VIOLATION APPLICABLE THERETO

3.15 Authorization to accept the FY 2018-2019 Other Victim Assistance Grant (OVAG) from the Office of the Attorney Generals' Crime Victim Services Division

The grant was a one-year grant for the FY 2018-2019. The total amount of the grant was \$42,000.00. This grant would allow the Mission Police Department to continue the services provided by our Crime Victim Liaison program. There was no cash match required by the City of Mission.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to accept the FY 2018-2019 Other Victim Assistance Grant (OVAG) from the Office of the Attorney Generals' Crime Victim Services Division. Motion was seconded by Councilman Plata and approved 5-0.

3.16 Reclassify Utility Accounts for the 3rd Quarter of 2016

For review and approval was a summary of the utility account receivable to be reclassified for the amount of \$21,696.00 These amounts were for the three month period of July 2016 through September 2016.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to reclassify Utility Accounts for the 3rd Quarter of 2016. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.17 Authorization to solicit bids for Storm Drainage Inlets, Manholes and Reinforce Concrete Pipe

Staff was seeking authorization to solicit bids for storm drainage inlets, manholes and Reinforce Concrete Pipe (RCP) for maintenance, upgrades and new construction of drainage systems throughout the City of Mission.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for Storm Drainage Inlets, Manholes and Reinforce Concrete Pipe. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

3.18 June 2018 Financial Statements

Finance Director Angie Vela presented the June 2018 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the June 2018 Financial Statements. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.19 Discussion and Action to implement Employee Engagement Surveys for the City of Mission

The Employee Engagement Survey would allow the City to evaluate and improve the goals, communication and leadership of the organization and its departments. Staff had received two proposals one from Organizational Health Diagnostic & Development Corporation which would involve two phases the first of which would be provided at no cost to the city. The second proposal was received from Michael Uhrbrock, Director of Economic Research with UTRGV which would include all departments and analyzing the data, creating the report and presenting the results at a cost of approximately \$5,000.00

Staff and City Manager were seeking direction from the City Council.

Councilman Plata moved to approve to implement Employee Engagement Surveys for the City of Mission. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.20 Authorize the City Manager and Mayor to enter into a contract with Ecolectrics USA to conduct a solar power feasibility study for the City of Mission at no cost

The City of Mission would like to enter into a contract with Ecolectrics USA regarding the use of solar electricity throughout the City of Mission facilities. The study would be provided at no cost to the city.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize the City Manager and Mayor to enter into a contract with Ecolectrics USA to conduct a solar power feasibility study for the City of Mission at no cost. Motion was seconded by Councilwoman Ochoa and approved 5-0.

3.21 Authorize Staff to Engage in negotiations the firm deemed Highest Qualified for Comprehensive Storm Drainage Assessment and Authorize City Manager to execute contract incident thereto

City Council authorized staff to solicit Request for Qualifications (RFQ's) for Comprehensive Storm Drainage Assessment from engineering firms in accordance with the Texas Professional Services Procurement Act (V.T.C.A., Government Code Section 2254.001). Proposals received were referred to an evaluation committee appointed to review and evaluate on the basis of demonstrated competence and qualifications to perform the services.

Staff received four (4) proposals from the following firms L&G Engineering, TEDSI Infrastructure Group, Gessner Engineering, and International Consulting Engineers and found all four (4) of the firms acceptable. The Evaluation Committee comprised of the City Engineer, Public Works Director, and Deputy City Manager evaluated all proposals on set criteria outlined in the Request for Proposals and found L&G Engineering and TEDSI Infrastructure Group, Inc. most qualified.

Staff would engage firm in negotiations for fair and reasonable firm fix rates.

Staff Recommendation: Engage in negotiations and execute a contract for Comprehensive Storm Drainage Assessment.

City Manager was seeking direction from the City Council.

After much deliberation from the council, Councilman Martinez moved to authorize staff to Engage in negotiations the firm deemed Highest Qualified for Comprehensive Storm Drainage Assessment and Authorize City Manager to execute contract incident thereto. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

3.22 Budget Amendments – PD Federal Sharing Fund

Finance Director Vela presented budget amendment BA-18-29 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendment BA-18-29. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

3.23 Discussion and action on proposed 2018 Tax Rate and Take Record Vote and Schedule Public Hearings

In accordance with the Texas Property Tax, Code City Council must propose a tax rate for the City of Mission and publish "Notice of Property Tax Rates," by September 1st. If the proposed tax was lower than the effective tax rate, only one public hearing was required before the adoption of the tax rate. If the propose tax was higher than the effective tax rate, two public hearings were required before the adoption of the tax rate.

The calculated effective tax rate was \$0.4968 per \$100 valuation

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The calculated rollback tax rate was \$0.5397 per \$100 valuation

The current tax rate was \$0.4862 per \$100 valuation

First Public Hearing was to be scheduled: August 27, 2018

2nd Public Hearing was to be scheduled: September 3, 2018

Staff and City Manager recommended approval.

Councilman Plata moved to approve the proposed 2018 Tax Rate of \$0.4862. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

There was a unanimous record vote of 5-0 from the council to approve the adoption of the proposed 2018 Tax Rate of \$0.4862.

4.0 Unfinished Business

4.1 None

5.0 Routine Matters

5.1 City Manager's Comments

City Manager Garza thanked the Parks & Recreation staff, Coaches and everyone involved with the TAAF program.

5.2 Mayor's Comments

Mayor O'caña advised that the city meetings were now being held at 5:30 p.m.

5.3 City Council Comments

Councilwoman Ochoa thanked Museum staff for the Movies on the Lawn series and mentioned that she was glad that the Mission Police Department was being featured on Live PD again.

Councilman Plata had no comments.

Mayor Pro Tem Garza and Councilman Martinez mentioned that they would like to have a workshop to discuss Civil Service and Consultant contracts.

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

At 8:20 p.m., Councilman Martinez moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for item 6.1-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

**A. Discussion regarding Notice of Claim from Plantation Produce Company,
Contract/Bid #: 18AVO32404-10-25.**

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

At 8:35 p.m., Mayor Pro Tem Garza moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

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On item 7.1-A, no action was taken.

7.0 Adjournment

At 8:37 p.m., Mayor Pro Tem Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ATTEST:

Dr. Armando O'caña, Mayor

Anna Carrillo, City Secretary