

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
AUGUST 27, 2018 5:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

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

**ALSO PRESENT:**

Jamie Trevino-Progress Times  
Joe Louis Sanchez  
Irma Flores  
Hilda Flores  
Sharon Ellison  
Raquenel G. Austin  
Alvin Patino II  
Jorge Martinez  
Randy Sanchez  
Jennifer L. Venecia  
J.D. Blackwell  
J.J. Jahr  
Elizabeth Trevino  
Jaime Morales  
Daniel Tijerina  
Diana Guerrero  
Maria Elena Cruz  
Belinda Villarreal  
Belinda Gonzalez  
Belinda Garcia  
Gracie Flores

**ABSENT:**

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Paula Banda, Administrative Asst.  
Aida Lerma, Deputy City Manager  
Randy Perez, Deputy City Manager  
Elizabeth Hernandez, Executive Secretary  
Angie Vela, Finance Director  
Ezeiza Garcia, Asst. Finance Director  
Jaime Acevedo, Planning Director  
Virgil Gonzalez, Asst. Planning Director  
Noemi Munguia, HR Director  
Robert Hinojosa, Risk Manager  
Eduardo Belmarez, Purchasing Director  
Roland Rodriguez, I. T. Director  
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.  
Jody Allan Tittle, Asst. Chief of Police  
Jonathan Wehrmeister, Judge  
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  
JC Avila, Fleet Maintenance Director  
Ernie Zapata, Health Dept. Supervisor  
Adela Ortega, Food Pantry Manager  
Joel Chapa, Jr., Police Officer

**1. Call to order**

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 5:32 p.m.

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

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

## **3. Presentation by Hands & Hearts**

All Hands and Hearts reported that they had been in Mission since July 4th and had, cleaned and cleared 59 properties. Their departure date would be August 31, 2018. There was a total of 237 All hands and Hearts volunteers – who worked more than 7,000 hours, and 41 AmeriCorps disaster relief teams – who cleared over 183 cubic yards of debris. They presented the Mayor and Council with a photograph and thanked them and staff for being helpful during their stay.

## **4. Presentation by Rossybeth Rey, FEMA Public Information Officer**

Rossybeth Rey, FEMA Public Information Officer – Advised the Mayor and Council that the last day for FEMA to be at the sites would be on September 4, 2018.

## **5. Proclamation – MDA Fill the Boot - Mission Local # 3609**

City Secretary Anna Carrillo presented the Proclamation –MDA Fill the Boot - Mission Local # 3609.

Councilman Ruben Plata moved to approve the Proclamation –MDA Fill the Boot - Mission Local # 3609. Motion was seconded by Councilwoman Jessica Ortega Ochoa and approved unanimously 5-0.

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

Robert Rosel, CEO from the Greater Mission Chamber of Commerce reported on the chamber events and ribbon cuttings that had recently taken place.

## **7. Departmental Reports**

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

## **8. Citizens Participation**

None

### **1.0 Public Hearing**

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

- A. Conditional Use Permit: Home Occupation – Licensed Home Daycare on Property Zoned AO-I (Agricultural Open Interim), 905 W. 20<sup>th</sup> Street, A 0.50 acre tract of land out of the E. 10 acres of the N. 15 acres out of Lot 23-4, West Addition to Sharyland Subdivision, AO-I, Diana C. Guerrero  
Adoption of Ordinance # 4672 approving 1.1A**

On August 8, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located on the South side of West 20<sup>th</sup> Street

200' east of Holland Avenue. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff Recommendation: Approval for 2 years.

City Manager recommended approval.

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

Mayor Pro Tem Norie Gonzalez Garza requested to see the layout.

Mr. Acevedo explained the layout.

Mayor Pro Tem Garza recommended for the applicant to install safety gates to prevent the children from roaming the home and make it part of the conditions to the CUP.

Mayor Pro Tem Garza moved to approve the CUP and to adopt Ordinance No. 4672 Conditional Use Permit: Home Occupation – Licensed Home Daycare on Property Zoned AO-I (Agricultural Open Interim), 905 W. 20<sup>th</sup> Street, A 0.50 acre tract of land out of the E. 10 acres of the N. 15 acres out of Lot 23-4, West Addition to Sharyland Subdivision for 2 years as per staff's recommendations. Motion was seconded by Councilman Plata and approved 5-0.

**ORDINANCE NO. 4672**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION – LICENSED HOME DAYCARE ON PROPERTY ZONED AO-I (AGRICULTURAL OPEN INTERIM), 905 W. 20<sup>TH</sup> STREET, BEING A 0.50 ACRE TRACT OF LAND OUT OF THE E. 10 ACRES OF THE N. 15 ACRES OUT OF LOT 23-4, WEST ADDITION TO SHARYLAND SUBDIVISION

**B. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Whistling Duck, 1603 E. Griffin Parkway, Lots 10 & 11, Block 3, Shary Gardens Subdivision, C-3, Whistling Duck, Inc.  
Adoption of Ordinance # 4673 approving 1.1B**

On August 8, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The 5,274 sq. ft. establishment was located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). There was public opposition during the P&Z Meeting and the concerns voiced during the meeting were in regards to traffic, late hours and loud music. 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.

Mrs. Sharon Ellison of 1604 E. 23<sup>rd</sup> ½ St. was expressing her concerns about the traffic, late hours and loud music destroying the street. She stated that she also attended the last Planning & Zoning on August 8<sup>th</sup> meeting and voiced the same concerns there also.

Mr. Jaime Morales one of the owners spoke in favor.

Councilwoman Ochoa asked what the pending tests were.

Mr. Acevedo stated that they were 2 test pending, the sprinklers system and fire alarm inspections.

Councilwoman Ochoa asked Asst. Chief Jody Allan Tittle if the Police Department had ever been called out to this establishment. Asst. Chief Tittle stated not to his knowledge.

Mayor Pro Tem Garza stated that this item was regarding the CUP for Sale & On-Site Consumption of Alcoholic Beverages and not for closing the business.

Councilman Martinez stated that there were noise and nuisance ordinances that must be followed.

Councilman Plata moved to approve the CUP and to adopt Ordinance No. 4673 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Whistling Duck, 1603 E. Griffin Parkway, Lots 10 & 11, Block 3, Shary Gardens Subdivision, C-3 subject to the sprinkler system and fire alarm tests being conducted. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

**ORDINANCE NO. 4673**

**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 – WHISTLING DUCK, 1603 E.  
GRIFFIN PARKWAY, LOTS 10 & 11, BLOCK 3, SHARY GARDENS SUBDIVISION**

**C. Discussion and Action to Amend the Planning and Zoning Commission Bylaws**

On August 8, 2018 the Planning and Zoning Commission held a Public Hearing to consider the following amendments to the Planning and Zoning Commission Bylaws:

Change the time of the Planning and Zoning Commission Meeting from 5:00 p.m. to 5:30 p.m. at Mission City Hall

There was no public input at P&Z's 8/8/18 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 to Amend the Planning and Zoning Commission Bylaws. Motion was seconded by Councilman Plata and approved 5-0.

**D. Public Hearing on proposed Property Tax Rate**

In accordance with the Texas Property Tax Code, the City Council must propose a tax rate for the City of Mission and publish "Notice of Property Tax Rates," no later than September 1<sup>st</sup>. The "Notice of Property Tax Rates", which included the proposed property tax rate of \$0.4862, was published in the Progress Times on August 17, 2018.

This was the opportunity for citizens to speak on the proposed Property Tax Rate.

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

There were no comments.

No action was taken on this item since it was a 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 – August 13, 2018 & Special Meeting August 20, 2018**

### **2.2 Acknowledge Receipt of Minutes**

**Mission Boys & Girls Club – June 06, 2018**

**Traffic Safety Committee – June 19, 2018**

**Citizen's Advisory Committee – July 02, 2018**

**Zoning Board of Adjustments – July 18, 2018**

**Planning and Zoning Commission – July 25, 2018**

**Mission Civil Service Commission – July 30, 2018**

**Shary Golf Advisory Board – July 17, 2018**

### **2.3 Approval of Ordinance # 4674 Of The City Of Mission, Texas Creating a All Inclusive Committee; Specifying The Terms of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of this committee would strive to be an all-inclusive and welcoming city for our citizens. Key values to be examined were engagement, exploration, differences, similarities and creating a climate, culture and environment all inclusive, empowerment, equity access, shared responsibility and social justice for all. Committee shall be composed of seven (7) members to include the City Manager and a City Council representative to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

### **2.4 Approval of Ordinance #4675 Of The City Of Mission, Texas Creating a Beautification Committee; Specifying The Terms of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of committee was to beautify city-owned property through planting and landscaping; to act as catalysis for special projects related to city-wide beautification efforts. The committee would also serve as the driving force behind "Keep Mission Beautiful" which seeks to encourage educate and inform residents and businesses to self-create, develop and maintain landscaping and "green" areas that enrich and beautify the community. Committee shall be composed of seven (7) members to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

**2.5 Approval of Ordinance # 4676 Of The City Of Mission, Texas Creating a Cemetery Board; Specifying the Terms Of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of this board was charged with oversight of the preservation, beautification and enhancement of the City cemeteries. Committee shall be composed of five (5) members to include the City Manager and a City Council representative to be appointed by the Mayor with the advice and consent of the City Council for terms of two (2) years each.

**2.6 Approval of Ordinance #4677 Of The City Of Mission, Texas Creating a Downtown Revitalization Committee; Specifying The Terms of Office; Specifying the Qualifications For Membership; And Ordaining Other Provisions Related To The Subject Matter Thereof**

The purpose of this committee was to revitalize downtown as a vibrant main street, an energetic art movement, abundant natural resources and a robust commitment to local sourcing. It was this committee's dedication to work in helping to keep this momentum strong. Each Committee member was committed to the forward thinking that perpetuate the initiatives of a great City downtown. This committee would be tasked with creating a long-term plan to attract new business and find solutions to vacant buildings. Committee shall be composed of seven (7) members five members from the downtown area to include the City Manager and a City Council representative to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

**2.7 Approval of Ordinance #4678 Of The City Of Mission, Texas Creating a Millennium Advisory Board; Specifying the Terms Of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of board was for youth development and open communication. It was intended for committee members to share their ideas, social conditions and characteristics marked by an increase use and familiarity with communications, media and digital technologies. The millennials differ from both their generational cohort predecessors for flat corporate culture. Committee shall be composed of five (5) members to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

**2.8 Approval of Ordinance # 4679 Of The City Of Mission, Texas Creating a Raw Water Committee; Specifying the Terms Of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of this committee was to ensure the city had raw water at all times available to the City. Raw Water was unfiltered, untreated and did not have any of its minerals, ions, particles, bacteria or parasites removed. Raw Water included but not limited rain water, ground water, water from infiltration wells and water from bodies of lakes and rivers such as the Rio Grande. This committee should update the Mayor and City Council using a Raw Water Master Plan to identify a vision and develop alternatives to meet our community's water needed for the next 20 years. Committee shall be composed of five (5) members to include the City Manager and a City Council representative to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

**2.9 Approval of Ordinance # 4680 Of The City Of Mission, Texas Creating a Recycling Advisory Board; Specifying The Terms of Office; Specifying The Qualifications For Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of this committee was to study disposal and recycling methods and costs. Committee shall be composed of seven (7) members one of which would be the City Manager and a City Council representative to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each

**2.10 Approval of Ordinance # 4681 Of The City Of Mission, Texas Creating a Temporary Aggie and Longhorn Band Committee; Specifying the Terms of Office; Specifying The Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

This committee would serve to host, accommodate and bring both bands to the City jointly with the School Districts. Committee shall be composed of five (5) members to include the Band Directors from Mission CISD, La Joya ISD, Sharyland ISD and the City Manager and a City Council representative to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

**2.11 Approval of Ordinance #4682 Of The City Of Mission, Texas Creating a Wellness Advisory Board; Specifying the Terms Of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The purpose of this committee was to work closely with the health point for work – life balance and wellness. It was intended to improve and guide health, mental health and well-being of our citizens, employees and visitors. It was to provide educational opportunities, skills and wellness programs. This committee was obliged to represent the mental health, activities and wellness interests, concerns, and/or needs of the Citizens as well as the employees of this city while through discussion, review, development and integration of wellness activities and policies. Also, to create a culture of well-rounded citizens, healthy and wellness as part of the total learning environment through good nutrition, regular physical activity, and implementing a coordinated approach to healthy citizens or employees. Committee shall be composed of five (5) members to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each.

**2.12 Approval of Ordinance #4683 Of The City Of Mission, Texas Creating a Rail Bridge Advisory Committee; Specifying the Terms Of Office; Specifying the Qualifications for Membership; And Ordaining Other Provisions Related To the Subject Matter Thereof**

The City of Mission desired to continue the pursuit of constructing, operating and maintaining an international rail bridge, as permitted by the U.S. Department of State; Committee shall be composed of seven (7) members to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each, except that for the seven members first appointed, three of them shall serve for one year, and four of them for two years inclusive of any months required to serve during the current year and to be determined by appointment.

**2.13 Approval of Resolution #1567 of the City Council for the City of Mission amending Resolution No. 1517 adopting the Public Funds Investment Policy and Strategy**

As per Chapter 2256 of the Texas Government Code, known as “Public Funds Investment Act,” the City was required to adopt the investment policy and strategy on an annual basis through resolution.

No changes were made to the Policy.

**2.14 Approval to enter into Interlocal Agreement between City of Mission and Sharyland ISD to jointly undertake the youth services at Jessie Jensen Elementary**

Approval was being requested to enter into Interlocal Agreement between City of Mission and Sharyland ISD to jointly undertake the youth services of the Mission Boys and Girls Club at Jessie Jensen Elementary where it provided after school programs for the area youth.

The agreement had been approved by SISD.

**2.15 Authorization to Solicit bids for the purchase of Sodium Chlorite for North and South Water Plants**

Staff was seeking authorization to solicit bids for the purchase of Sodium Chlorite. Chemical was needed by the Public Works Department as part of the Water Treatment Process. The contract terms would be for one year with two one-year renewal options.

**2.16 Authorization to Solicit bids for the purchase of Liquid Ammonium Sulfate for North and South Water Plants**

Staff was seeking authorization to solicit bids for the purchase of Liquid Ammonium Sulfate. Chemical was needed by the Public Works Department as part of the Water Treatment Process. The contract terms would be for one year with two one-year renewal options.

**2.17 Authorization to extend contract with Arbitrage Compliance Specialists, Inc. for arbitrage services for an additional one year term**

The City was required to perform an annual arbitrage calculation on all its bond issues in order to determine if any funds were due to the I.R.S. under Section 148 of the I.R.S. Code.

On August 2014, the City of Mission, through a solicitation of Request for Qualifications entered into a contract with Arbitrage Compliance Specialists for arbitrage services. Staff was seeking authorization to extend contract for an additional one year term at 0% increase in price. Overall approximate cost \$8,000.00.

**2.18 Approval authorizing Mayor and City Manager to negotiate adjusted rental rates and in-kind contributions for special events held at the Mission Event Center meeting specific criteria**

On December 18, 2017, the city council approved and adopted rental rates for the Mission Event Center. The adopted rates included four categories: Resident, Non-Resident, Non-Profit, and Corporate rates. The request was to authorize the Mayor and City Manager to negotiate an adjusted rate for events that meet the following minimum criteria:

- The event must be capable of attracting tourism or significant participants/spectators that it was likely to provide economic, social or cultural benefits to the City of Mission; or
- The event was held in partnership with the City of Mission; or
- The event would serve a legitimate public purpose and the City of Mission would allow to place sufficient controls to ensure that the purpose would be carried out.
- The Mayor and City Manager must both agree that the special event meets any one of the above criteria.

The City Manager would create a detailed administrative policy for adjusted rates to include the above criteria.



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

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

There were no comments.

Councilwoman Ochoa moved to approve the consent agenda items 2.1-2.19. Motion was seconded by Councilman Plata and approved 5-0.

**3.0 Approvals and Authorizations**

**3.1 Preliminary & Final Plat Approval: Twin Oaks Subdivision, 8.324 acres being a portion of Lots 192 and 202, John H. Shary Subdivision, R-3  
Developer: Mission Twin Oaks, LP  
Engineer: Cross Engineering Consultants**

On August 22, 2018 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Twin Oaks Subdivision. The proposed subdivision was located on the south side of Business 83 between San Antonio Avenue and Glasscock Road.

There was no input at P&Z's 8/22/18 meeting. The P&Z Board unanimously approved the subdivision plat as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) Approval of variance as presented 2) Payment of Park Fees at \$200 x 104 units = \$20,800, 3) Provide Water District Exclusion, and 4) Comply with all other format findings.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Preliminary & Final Plat Approval: Twin Oaks Subdivision, 8.324 acres being a portion of Lots 192 and 202, John H. Shary Subdivision, R-3 as per staff's recommendation. Motion was seconded by Councilman Plata and approved 5-0.

**3.2 Preliminary Plat Approval: Eduardos Subdivision No. 18, A 19.43 acre tract of land, out of Lot 46-4, West Addition to Sharyland Subdivision, ETJ  
Developer: Aniceto Izaguirre  
Engineer: Izaguirre Engineering Group, LLC**

On August 22, 2018 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Eduardos Subdivision No. 18. The proposed subdivision was located near the NW corner of Mile 6 Road and Tropser Road intersection. There was no input at P&Z's 8/22/18 meeting. The P&Z Board unanimously approved the subdivision plat as per Staff's recommendation.

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

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Eduardos Subdivision No. 18, A 19.43 acre tract of land, out of Lot 46-4, West Addition to Sharyland Subdivision, ETJ as per staff's recommendation. Motion was seconded by Councilman Gus Martinez and approved 5-0.

**3.3 Approval of Ordinance #4684 Of The City Of Mission, Texas Amending Article III Emergency Medical Vehicles Division I Section 30-162 (B) Ambulance Board; amending Section 30-162 (b) Ambulance Board Purpose; Membership; Responsibilities**

The board composition shall now include two alternate members and would serve in the absence of one or more regular members. Three voting members shall constitute a quorum.

The two alternate members shall be appointed by City Council for a two year term to expire December 31, 2020 and the addition of the 911 Back-up provider as an ex-officio.

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

Staff and City Manager recommended approval.

Mayor O'cana stated that he would like to have quarterly meetings.

Mr. James Cardoza Emergency Management Coordinator stated that they would start on September 6<sup>th</sup>.

Mayor Pro Tem Garza moved to approve Ordinance No. 4684 Of The City Of Mission, Texas Amending Article III Emergency Medical Vehicles Division I Section 30-162 (B) Ambulance Board; amending Section 30-162 (b) Ambulance Board Purpose; Membership; Responsibilities. Motion was seconded by Councilman Plata and approved 5-0.

**ORDINANCE NO. 4684**

AN ORDINANCE OF THE CITY OF MISSION, TEXAS AMENDING ARTICLE III  
EMERGENCY MEDICAL VEHICLES DIVISION I SECTION 30-162 (B)  
AMBULANCE BOARD; PURPOSE: MEMBERSHIP: RESPONSIBILITIES.

**3.4 Board Appointments: Citizens Advisory Committee Youth Advocacy Advisory Board (Boys & Girls Club), Ambulance Board and Planning & Zoning Commission**

Citizens Advisory Committee: Appoint Elizabeth Trevino to the vacant SE position term to expire December 31, 2019. Appoint Adriana Villarreal to the vacant SW position term to expire December 31, 2019. Transfer Rosie Lopez to the NE position vacated by Carlos Lopez term to expire December 31, 2018. Appoint Roy Vela to the NW position to replace Connie Garza term to expire December 31, 2018.

Youth Advocacy Advisory Board: Appoint Nanette Ortiz to replace Sonia Trevino term to expire December 31, 2018 and appoint Jennifer Lee Venecia to replace Rey Gonzalez term to expire December 31, 2019.

Ambulance Board: Appoint Alvin Patina to replace Mario Lizcano term to expire December 31, 2019. Appoint Rene Lopez, Jr. and Victor Fonseca to the newly created alternate positions. Terms to expire December 31, 2020.

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Planning & Zoning Commission: Appoint Raquenel G. Austin to replace Julio Cerda who resigned term to expire December 31, 2020.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Board Appointments: Advisory Committee Youth Advocacy Advisory Board (Boys & Girls Club), Ambulance Board and Planning & Zoning Commission. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

### **3.5 Award Bids for Housing Assistance Program HAP Phase 17-II**

On July 23, 2018 City Council authorized staff to solicit bids for five homes. The City of Mission had accepted and opened three (3) bid responses for these five (5) homes. Staff recommended to award projects to:

G&G Contractors - \$111,000

Reconstruction:

805 N. Canal Ave. – 2 bdrm 2 bath, 970 sq ft

Rehabilitation:

970 Truman Ave.

807 Nueces St.

A One Insulation - \$131,000

Reconstruction:

4004 Lopez St. – 2 bdrm 2 bath, 970 sq ft

123 Quebec St. – 3 bdrm 2 bath, 1100 sq ft

A One Insulation and G&G Contractors met all the Terms & Conditions and Specifications and came within budget. CAC met on August 14, 2018 and approved staff's recommendation for these homes.

The City had been utilizing 75% of the annual CDBG allocation for several years for housing projects. Since 1994, a total of 438 families to date had been provided some form of housing assistance. Out of the 438 families, 280 families received reconstruction assistance while 158 families received rehabilitation assistance (including CDBG-R, CDBG-DR and SSBG funds).

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award Bids for Housing Assistance Program HAP Phase 17-II to A One Insulation and G&G Contractors. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

### **3.6 Tax Collection Report-July, 2018**

Finance Director Angie Vela presented the Tax Collection Report – July, 2018 for approval.

Staff and City Manager recommended approval.

Councilman Martinez moved to approve the Tax Collection Report – July, 2018. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.7 Discussion and action to withdraw recognition of Mission Professional Law Enforcement Association as the bargaining agent and provide 90 days' written notice, pursuant to Texas Local Government Code §142.065**

Texas Local Government Code §142.065 authorized a governing body of a municipality that had granted recognition of a police officers association under §142.053 to withdraw recognition of the association by providing to the association not less than 90 days' written notice that:

1. the governing body was withdrawing recognition of the association; and
2. any agreement between the governing body and the association would not be renewed.

The City of Mission had previously recognized Mission Professional Law Enforcement Association as the bargaining agent under §142.053. No election had been held under §142.055. The purpose of the request was to allow the city to meet collaboratively with representatives of the police department.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve to withdraw recognition of Mission Professional Law Enforcement Association as the bargaining agent and provide 90 days' written notice, pursuant to Texas Local Government Code §142.065. Motion was seconded by Councilman Plata and approved 5-0.

**3.8 Approval of Ordinance # 4685 of the City Council of the City of Mission, Texas Amending Chapter 90, Solid Waste, Article I, Section 90-56 Fees and Charges "Exhibit A" of the City of Mission Code of Ordinances providing for new residential and apartment garbage rates and providing for an effective date**

In order to finance the sanitation capital infrastructure, it was necessary to increase the sanitation rates; rates had not increased since 2010. The capital infrastructures were financed through revenue bonds. In addition, the City of Mission was required to have a bond ratio of 1.25 as per bond covenants. This ratio enabled the City to obtain better credit ratings from rating agencies such as Moody's Investors and other insurance bonding companies.

The new rates would be in effect on October 1, 2018.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Ordinance No. 4685 of the City Council of the City of Mission, Texas Amending Chapter 90, Solid Waste, Article I, Section 90-56 Fees and Charges "Exhibit A" of the City of Mission Code of Ordinances providing for new residential and apartment garbage rates and providing for an effective date. Motion was seconded by Councilman Plata and approved 5-0.

**ORDINANCE NO. 4685**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION,  
TEXAS AMENDING CHAPTER 90, SOLID WASTE, ARTICLE I, SECTION 90-56 FEES  
AND CHARGES EXHIBIT A OF THE CITY OF MISSION CODE OF ORDINANCES  
PROVIDING FOR NEW RESIDENTIAL AND APARTMENT GARBAGE RATES AND  
PROVIDING FOR AN EFFECTIVE DATE

**3.9 Authorization to accept the 2019 STEP Comprehensive Grant from the Texas Department of Transportation.**

The Mission Police Department was requesting authorization to accept the 2019 Comprehensive Selective Traffic Enforcement Program Grant from the Texas Department of Transportation. The 2019 STEP program was designed to provide grant funds to increase seat belt enforcement, speed enforcement, and DWI enforcement throughout our community. The grant amount of \$71,218.58 would be utilized for the aforementioned enforcement purposes. The in-kind match of \$14,252.90 required by the grant of the City of Mission would not be a cash match but the required amount would be matched by submitting for hours worked by police dispatchers and police jailers working during the grant activities and by accessing fees for the use of Mission Police units to work the STEP program throughout the grant period.

Staff and City Manager recommended approval.

Councilman Martinez moved to authorize to accept the 2019 STEP Comprehensive Grant from the Texas Department of Transportation. Motion was seconded by Councilwoman Ochoa and approved 5-0.

**3.10 Approval of Resolution # 1568 to add Los Ebanos Loop from Los Ebanos Road, 0.85 miles north of Military Parkway east to South Conway (FM 1016) and propose a required Right Of Way along Los Ebanos Loop of 80' on the Hidalgo County MPO Thoroughfare Plan**

On August 14, 2018 Planning was informed of two items that needed to be added to the MPO Thoroughfare Plan for improvements to be proposed to add Los Ebanos Loop from Los Ebanos Road, 0.85 miles north of Military Parkway east to South Conway (FM 1016) and propose a required Right Of Way along Los Ebanos Loop of 80' on the Hidalgo County MPO Thoroughfare Plan.

The HCMPO was requesting a resolution from the City Council in order to include these changes with the MPO Thoroughfare Plan amendments.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve Resolution No.1568 to add Los Ebanos Loop from Los Ebanos Road, 0.85 miles north of Military Parkway east to South Conway (FM 1016) and propose a required Right Of Way along Los Ebanos Loop of 80' on the Hidalgo County MPO Thoroughfare Plan. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

**RESOLUTION NO 1568**

A RESOLUTION OF THE CITY OF MISSION, TEXAS  
TO INCLUDE LOS EBANOS LOOP FROM LOS EBANOS ROAD, 0.85 MILES NORTH OF  
MILITARY PARKWAY EAST TO SOUTH CONWAY WITHIN THE HIDALGO COUNTY  
MPO THOROUGHFARE PLAN

**3.11 Approval of Resolution # 1569 Officially Naming Inspiration Road From US 83 Expressway South To Military Parkway And East, Along Military Parkway, To FM 1016 (Conway Ave.) As "Inspiration Road / Military Parkway Loop"**

The proposed resolution was naming Inspiration Road From US 83 Expressway South To Military Parkway and East, Along Military Parkway, To FM 1016 (Conway Ave.) As

“Inspiration Road / Military Parkway Loop” this would comply with the Texas Department of Transportation Requirements and match the Hidalgo County MPO description of the project.

Staff and City Manager recommended approval.

Council Plata moved to approve Resolution No.1569 Officially Naming Inspiration Road From US 83 Expressway South To Military Parkway And East, Along Military Parkway, To FM 1016 (Conway Ave.) As “Inspiration Road / Military Parkway Loop”. Motion was seconded by Councilwoman Ochoa and approved 5-0.

**RESOLUTION NO. 1569**

A RESOLUTION OFFICIALLY NAMING INSPIRATION ROAD FROM US 83 EXPRESSWAY SOUTH TO MILITARY PARKWAY AND EAST, ALONG MILITARY PARKWAY, TO FM 1016 (CONWAY AVE.) AS “INSPIRATION ROAD / MILITARY PARKWAY LOOP”

**3.12 Authorization to award contract for construction of Mission Tennis Center at Birdwell Park**

City Council authorized Staff to solicit proposals 1-22-18, for the construction of Mission Tennis Center located at Birdwell Park, 2400 North Stewart Road. Construction was to include the construction of 13 new tennis courts, re-surfacing of the existing 3 tennis courts, state of the art lighting and fencing of all courts and perimeter area.

The City of Mission had accepted and opened two (2) proposals for this project. After review and consultation, Staff and City Manager recommended award of contract to Teni-Trak, Inc. who was the lowest responsive and responsible bidder and met all specifications.

Councilman Plata moved to authorize to award contract for construction of Mission Tennis Center at Birdwell Park to Teni-Trak, Inc. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

**3.13 Budget Amendment – General Fund**

Finance Director Vela presented budget amendment BA-18-30 to the City Council for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve budget amendment BA-18-30. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.14 Approval of Performance Services, Inc. to conduct a no-cost preliminary energy & utility assessment**

The assessment was to include: review of energy consuming facilities & plants within the City of Mission. Review City of Mission’s Water and Sewer utilities and access all city utility bills for accuracy and rebates.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Performance Services, Inc. to conduct a no-cost preliminary energy & utility assessment. Motion was seconded by Councilman Plata and approved 5-0.

#### **4.0 Unfinished Business**

##### **4.1 None**

#### **5.0 Routine Matters**

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

City Manager thanked the staff for their help and support of All Hands and Hearts.

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

Mayor O'cana stated that on Thursday at 4 p.m. there would be a meeting with the firefighters to begin a collaborative 10 year plan.

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

Councilwoman Ochoa wished the Mission Eagles and the Veterans Memorial Patriots a great game this Friday for "Battle of Conway".

Councilman Plata was glad that the departmental surveys would be implemented soon and that the survey results would be helpful for the citizens and employees of the City.

Mayor Pro Tem Garza wished the Administration, Staff and Students a happy and successful school year.

Councilman Martinez had no comments.

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

At 6:49 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 Councilman Plata 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. Interlocal Cooperation Agreement amending the percentage allocation of the parties, allotment of the proposed Madero Bridge Board, and establishing rights and responsibilities of the parties to be included in the "Madero Bridge Agreement"**
- B. Discussion and possible action regarding proposed settlement offer in the lawsuit styled Cause No. C-2020-17-J, *The Mission Professional Fire Fighters Association et al. v. City of Mission, Texas et al.*, in the 430<sup>th</sup> District Court of Hidalgo County, Texas**

##### **6.2 Deliberation regarding real property Sec. 551.072**

- A. Discussion and possible action regarding request to remove Subdivision Improvement Lien attached to a 1.35 acre tract of land out of Lot 31-3, West Addition to Sharyland Subdivision, Mission, Hidalgo County, Texas, and said lien being recorded in the Hidalgo County Real Property Records under Document Number 2066595.**

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

At 7:15 p.m. Councilwoman Ochoa stepped out of the meeting.

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At 7:43 p.m., Mayor Pro Tem Garza moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

On item 6.1-A, Councilman Plata moved to authorize Mayor O'cana to negotiate the percentage allocation of the parties to the Interlocal Cooperation Agreement with the City of Mcallen and Hidalgo in reference to the Madero Bridge Agreement. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

On item 6.1-B, Mayor Pro Tem Garza moved to authorize Mayor O'cana to execute Settlement and Release Agreement as presented, with the exception of the ordinance creation date, said creation date for the position would be within the timeframe as set by Chapter 143 of the Texas Local Government Code. Motion was seconded by Councilman Plata and approved unanimously 4-0.

On item 6.2-A, Councilman Plata moved to authorize City Manager to release lien filed in the Hidalgo County Real Property Records under document number 2066595, upon payment of the balance owed. A waiver of those items that were currently exempt under the Homestead Exemption was approved. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

**7.0 Adjournment**

At 7:46 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

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Dr. Armando O'caña, Mayor

ATTEST:

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Anna Carrillo, City Secretary