

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
NOVEMBER 26, 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  
Randy Perez, Interim City Manager

**ALSO PRESENT:**

Jamie Treviño, Progress Times  
Jim Barnes  
Jerry Moreno  
Josie L Chapa  
Marianna Wright  
Hilda Flores  
Margarita De La Fuente  
Gary Cooper  
Joshua Torres  
Irma Flores  
Cynthia Pacheco

**ABSENT:**

**STAFF PRESENT:**

Nelia Hernandez, Asst. City Secretary  
Paula Banda, Administrative Assistant  
Aida Lerma, Deputy City Manager  
Elizabeth Hernandez, Executive Secretary  
Angie Vela, 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  
Frank Cavazos, Deputy Fire Chief  
James Cardoza, Emergency Mngmnt. Coord.  
Jody Tittle, Asst. Chief of Police  
Joanne Longoria, CDBG Director  
Mario Flores, Golf Course Director  
Juan Arevalo, Boys & Girls Club Director  
Brad Bentsen, Parks & Recreation Director  
Pete Lopez, Parks & Recreation Manager  
Mayra Rocha, Library Director  
Cynthia Lopez, Museum Director  
Cesar Gutierrez, Sanitation Director  
JC Avila, Fleet Maintenance Director  
Noel Barrera, Health Dept. Director  
Adela Ortega, Food Pantry Manager  
Gilbert Dillerd, 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**

Interim City Manager Randy Perez gave the invocation and led the meeting with the pledge of allegiance.

## **3. Recognition of Mission Veterans Football and Volleyball Team**

The Veterans Memorial Patriots were the District Champions, Bi-District Champions, Area Champions, and were advancing to the Regional Semi-Finals Saturday against Corpus Christi Veterans Memorial High School at the Alamodome. Mission Veterans Patriots were undefeated in district play. The team was led by Head Football Coach David Gilpin. - Mission Veterans Memorial Patriot Volleyball Team was the 2018: undefeated District Champion, Bi-District Champions, and advanced to the Regional Quarter-Finals. The team was led by Head Coach Diana Lerma, Asst. Coach Vivian Ray and J.V. Coaches Robert Nino, Libby Vazquez and Joe Ramos. Coach Lerma crossed a major milestone, with 600 career wins this season. She ended the season with 617 career wins. They completed the season with an overall record of 39-5 and undefeated in District play with a record of 14-0.

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

Brenda Enriquez President and CEO reported on past and upcoming events for the chamber to include the Health Fair on January 12, 2019 and the Winter Texan Fiesta on February 23.

## **5. Departmental Reports**

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

## **6. Citizens Participation**

Marianna Wright reported on a successful Butterfly Festival. She also requested signage to be placed on the highway leading to the Veterans Cemetery, Butterfly Park and Bentsen State Park.

Tiffany Kirsten and Eric Cooper invited the community to the Community Night Out on Saturday, December 8 from 4 to 10 p.m. at Bentsen State Park to help raise awareness for No Border Wall.

Irma Flores, Hilda Flores and Cynthia Pacheco presented the Mayor, Council and community with a cake to celebrate the 110 Anniversary of the City of Mission

### **1.0 Public Hearing**

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

- A. Rezoning: A 0.85 acre tract of land out of Lot 29-4, West Addition to Sharyland Subdivision, from C-3 (General Business) to R-1 (Single Family Residential), Baudelio Cortinas  
Adoption of Ordinance # 4729 approving 1.1A**

On November 14, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was at the NW corner of West 2 Mile Road and Trospen Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and Interim 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 Norie Gonzalez Garza moved to approve the Rezoning: A 0.85 acre tract of land out of Lot 29-4, West Addition to Sharyland Subdivision, from C-3 (General Business) to R-1 (Single Family Residential). Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4729**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING OF A 0.85 ACRE TRACT OF LAND OUT OF LOT 29-4, WEST  
ADDITION TO SHARYLAND SUBDIVISION, FROM C-3 (GENERAL BUSINESS) TO R-1  
(SINGLE FAMILY RESIDENTIAL)

- B. Rezoning: A 0.88 acre tract of land out of Lot 246, John H. Shary Subdivision, from AO-I (Agriculture Open Interim) to R-3 (Multi-Family Residential), Romeo De Leon  
Adoption of Ordinance # 4730 approving 1.1B**

On November 14, 2018 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located at the west side of Taylor Road between Summer Breeze Ave. and East 20<sup>th</sup>. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and Interim 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 Rezoning: A 0.88 acre tract of land out of Lot 246, John H. Shary Subdivision, from AO-I (Agriculture Open Interim) to R-3 (Multi-Family Residential). Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**ORDINANCE NO. 4730**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING OF A 0.88 ACRE TRACT OF LAND OUT OF LOT 246, JOHN  
H. SHARY SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-3  
(MULTI-FAMILY RESIDENTIAL)

- C. Conditional Use Permit: To have a Drive-Thru Service Window – El Tranvia, 2515 S. Colorado, Suite 11, Lot 2, Block 2, Santa Lucia Development Subdivision, C-3, Guillermo Cortez  
Adoption of Ordinance # 4731 approving 1.1C**

On November 14, 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 Colorado and Taylor Road. There was no public opposition during the P&Z Meeting. The Board unanimously approved the conditional use permit.

Staff Recommendation: Approval for 1 year re-evaluation subject to: 1) CUP was non-transferable to others; and 2) Compliance with Building, Fire, Sign, and Health Codes

Interim 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. 4731 Conditional Use Permit: To have a Drive-Thru Service Window – El Tranvia, 2515 S. Colorado, Suite 11, Lot 2, Block 2, Santa Lucia Development Subdivision, C-3 as per staff recommendations. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4731**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO HAVE A DRIVE-THRU SERVICE  
WINDOW – EL TRANVIA, 2515 S. COLORADO, SUITE 11, LOT 2, BLOCK 2, SANTA  
LUCIA DEVELOPMENT SUBDIVISION

**D. Conditional Use Permit: To have a Drive-Thru Service Window, 715 E. 6<sup>th</sup> Street, Lots 5 and 6, Block 112, Mission Original Townsite, C-2, Margarita De La Fuente Adoption of Ordinance # 4732 approving 1.1D**

On November 14, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located at the NE corner of Keralum Avenue and E. 6<sup>th</sup> Street. There was public opposition during the P&Z Meeting. The Board unanimously recommended approval of the conditional use permit.

Staff Recommendation: Approval for 1 year re-evaluation from time of issuance of business license subject to: 1) Business was to cease drive-thru operations at 9:00 p.m.; 2) Conditional Use Permit was non-transferable to others; and 3) Compliance with Building, Fire, Sign, and Health Codes.

Interim City Manager recommended approval.

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

Josie L. Chapa of 601 Keralum Ave. spoke against the request.

Applicant Margarita De la Fuente spoke in favor of the request.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4732 Conditional Use Permit: To have a Drive-Thru Service Window, 715 E. 6<sup>th</sup> Street, Lots 5 and 6, Block 112, Mission Original Townsite, C-2 as per staff recommendations. Motion was seconded by Councilman Gus Martinez and approved unanimously 5-0.

**ORDINANCE NO. 4732**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO HAVE A DRIVE-THRU SERVICE  
WINDOW, 715 E. 6<sup>TH</sup> STREET, BEING LOTS 5 & 6, BLOCK 112, MISSION ORIGINAL  
TOWNSITE

**E. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Taqueria El Zarape #9, 2423 E. Expressway 83, Suite 100, Lot 2, Block A, Shary-Taylor Expressway Commercial Subdivision, C-4, Taqueria El Zarape Adoption of Ordinance # 4733 approving 1.1E**

On November 14, 2018 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located ¼ mile east of Shary Road along the north side of the frontage road along Expressway 83, just east of Chili's. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval of the conditional use permit.

Staff Recommendation: Approval for a period of two years from issuance of TABC license at which time the Conditional Use Permit and TABC License will need to be renewed.

Interim City Manager recommended approval.

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

There were no comments.

Councilman Martinez moved to approve the cup and to adopt Ordinance No. 4733 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Taqueria El Zarape #9, 2423 E. Expressway 83, Suite 100, Lot 2, Block A, Shary-Taylor Expressway Commercial Subdivision, C-4 , C-2 as per staff recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4733**

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 – TAQUERIA EL ZARAPE #9, 2423 E.  
EXPRESSWAY 83, SUITE 100, LOT 2, BLOCK A, SHARY-TAYLOR EXPRESSWAY  
COMMERCIAL SUBDIVISION

**2.0 Consent Agenda**

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

**2.1 Approval of Minutes**

**City Council Meeting – November 13, 2018 and  
Special City Council Meeting – November 16, 2018**

**2.2 Acknowledge Receipt of Minutes**

**Mission Historical Museum – October 14, 2017  
Mission Education Development Council – August 21, 2018  
Zoning Board of Adjustments – September 19, 2018  
Mission Civil Service Commission – September 20, 2018  
Speer Memorial Library – October 16, 2018  
Mission Economic Development Corporation – October 23, 2018  
Planning and Zoning Commission – October 24, 2018**

### **2.3 Authorization for Mayor to submit Rio Grande Valley Walk of Fame Nominee**

The City of Hidalgo was requesting for the City of Mission to submit a name from our community leaders to be inducted to the Rio Grande Valley Walk of Fame.

The induction ceremony was to take place during the BorderFest Festivities which was March 1-3, 2019

### **2.4 Approval of Resolution No. 1582 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Chick-fil-A Half Marathon**

The agreement was required by the Texas Department of Transportation for the closure of the right lane of travel of FM 494 (Shary Road) to FM 495 (Griffin Parkway), west to Bryan Road, southbound on Bryan Road to U.S. Business Highway 83, west on U.S. Business Highway 83 to Conway Avenue, northbound on Conway Avenue to Mile 2 Road, east on Mile 2 Road to FM 494 (Shary Road) and south on FM 494 to the Mission Event Center. The Mission Police Department would be responsible for securing the route.

### **2.5 Approval of Interlocal Agreement between City of Mission and Mission Consolidated Independent School District regarding Mission Lions Park and Hollis Rutledge Sr. Park**

Mission Consolidated ISD and City desire to enter into this Interlocal Agreement for the purpose of use of baseball fields at Mission Lions Park and Hollis Rutledge Sr. Park. The agreement was for the 2018-2019 school year for the baseball and softball practice at a cost of \$1,620.00.

The agreement had been reviewed and was approved at Mission School Board Meeting on November 14, 2018.

### **2.6 Approval of Interlocal Agreement between City of Mission and Mission Consolidated Independent School District regarding the Natatorium Facility at Bannworth Park and Mayberry Pool**

Mission CISD and City desire to enter into the Interlocal Agreement for the purpose of use of the Natatorium Facility at Bannworth Park and Mayberry Pool. The agreement was for the 2018-2019 school year.

The agreement has been approved by MCISD.

Councilman Martinez moved to approve the consent agenda items 2.1 thru 2.4. Motion was seconded by Councilwoman Ochoa and unanimously 5-0.

After deliberation Councilman Martinez moved to table the item 2.5 and 2.6. Motion was seconded by Councilwoman Ochoa and approved 5-0.

### **Approvals and Authorizations**

#### **3.1 Cancel 2<sup>nd</sup> December regular City Council meeting scheduled for December 24, 2018 and reschedule December 10, 2018 City Council meeting to December 17, 2018**

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The office of the City Manager was requesting the cancellation of the second regular City Council meeting scheduled for December 24, 2018 due to City being closed for Christmas Holiday and to reschedule the meeting of December 10, 2018 to December 17, 2018.

A special meeting would be held if the need arises.

Staff and Interim City Manager recommended approval.

Councilman Plata moved to authorize to Cancel 2<sup>nd</sup> December regular City Council meeting scheduled for December 24, 2018 and reschedule December 10, 2018 City Council meeting to December 17, 2018. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.2 Discussion and action on proposed increase to education pay for the Mission Fire Department**

The Mission Fire Department Education Pay would be increased to be at the same level as the Mission Police Department Education Pay.

<b>Education Pay</b>	<b>Current</b>	<b>Proposed</b>
30 Earned Credit College Hours or More	\$400 annually	\$800 annually
60 Earned Credit College Hours or More	\$600 annually	\$1,300 annually
90 Earned Credit College Hours or More	\$1,000 annually	\$1,800 annually
Bachelor's Degree (4 year College Degree)	\$1,600 annually	\$2,400 annually

Staff Recommendation: Seeking council direction

City Manager recommended approval.

Councilman Plata moved to approve the Discussion and action on proposed increase to education pay for the Mission Fire Department. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**3.3 Approval of Ordinance # 4734 Amending Ordinance 4695 Approval of Base salaries and incentive package for the Mission Fire Dept. FY 2018-19**

As Required by Chapter 143 of the Texas Local Government Code. Base salaries and incentive pay package must be approved by governing body on a yearly basis. Ordinance expires on September 30, 2019.

Staff and Interim City Manager recommended approval.

Councilman Plata moved to approve to adopt Ordinance No. 4734 Amending Ordinance 4695 Approval of Base salaries and incentive package for the Mission Fire Department FY 2018-19. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

**ORDINANCE NO. 4734**

AN ORDINANCE AMENDING ORDINANCE #4695 THAT PROVIDES FOR THE BASE SALARIES AND INCENTIVE PAY FOR CIVIL SERVICE EMPLOYEES OF THE MISSION FIRE DEPARTMENT FOR FY 2018-19; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREFORE.

### **3.4 Authorization to accept final completion of Inspiration Roadway Project**

On October 8, 2018, the Inspiration Roadway Project from I2/US 83 to FM 1924/Mile 3, was submitted to the City of Mission for final acceptance. On November 16, 2018, City staff and our Consultant, L&G Engineering certified that the referenced project had been constructed in substantial compliance with plans and specifications.

Staff was seeking authorization to accept final completion of the Inspiration Roadway project. Final acceptance would allow the City to receive final audit and approval from TXDOT.

Interim City Manager recommended approval.

Councilman Plata moved to authorize to accept final completion of Inspiration Roadway Project. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

### **3.5 Authorization to solicit bids for the Expansion of Bannworth Gym**

Staff was seeking authorization to solicit bids for the expansion of Bannworth Gym to add classrooms for the Boys and Girls Club.

Staff and Interim City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for the Expansion of Bannworth Gym. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

### **3.6 Authorization to approve first-one year renewal option for Electrical Repair & Maintenance Services for Water Treatment Plants, Wastewater Treatment Plant, Industrial Pre-Treatment Plant, and Water Distribution Division**

Staff was seeking authorization to extend contract for the first-one year renewal option at zero percent increase in rates. This agreement would extend contract from December 2018 to November 2019. The performance of electrical repair and maintenance would be on a “as needed” basis for one year renewal option.

Staff Recommendation: Authorization to execute contract for the first-one year renewal option with Saenz Brothers Construction.

Interim City Manager recommended approval.

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

### **3.7 Budget Amendments: General Fund-Organizational/Fleet/Health, General Fund-Fire, CDBG Fund, PD State Sharing Fund/ PD Federal Sharing Fund and Designated Purpose Fund**

Finance Director Angie Vela presented budget amendments BA-19-06 thru BA-19-11 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the budget amendments BA-19-06 thru BA-19-11. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.8 Approval of Ordinance # 4735 Amending Personnel Policy Manual Policy No. 500.06 Vacation**

In reviewing the City's Personnel Policy Manual, staff had proposed a revision/update to the Vacation policy. The proposed ordinance would amend and restate the PPM effective 10/01/2018. Staff reviewed said revision, and concurs with the recommendation to approve said policy revision. Staff recommends approval of the proposed revision for Policy No. 500.02 Vacation.

Staff and Interim City Manager recommended approval.

Councilwoman Ochoa moved to approve to adopt Ordinance No. 4735 Amending Personnel Policy Manual Policy No. 500.06 Vacation. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

**ORDINANCE NO. 4735**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING ORDINANCE NO. 4728 TO AMEND AND RESTATE THE PERSONNEL POLICY MANUAL FOR EMPLOYEES OF THE CITY OF MISSION, TEXAS; PROVIDING FOR A PUBLICATION CLAUSE AND AN EFFECTIVE DATE**

**3.9 Acceptance of City of Edinburg rates for disposal of ashes**

Sanitation Department was requesting to accept proposal from the City of Edinburg of \$11.67 per cubic yard for ash disposal for the 2018-2019 fiscal year.

Staff and Interim City Manager recommended approval.

Councilwoman Ochoa moved to authorize the Proposal from the City of Edinburg for the disposal of ashes. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.10 Authorization to solicit qualifications for structural engineering services and administrative tasks for Speer Memorial Library and Museum Roof design**

Staff was seeking authorization to solicit qualifications for structural engineering services and administrative tasks. Specifically the preparation of construction design documents with an electronic copy of the plans, specifications and estimate. Includes final design plans, project specifications, quantity and cost estimates and all compliance efforts needed to meet Local, State, and Federal Building Requirements.

Staff and Interim City Manager recommended approval.

Councilman Plata moved to authorize to solicit qualifications for structural engineering services and administrative tasks for Speer Memorial Library and Museum Roof design. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.11 Approval of Ordinance # 4736 of the City Council of the City of Mission, Texas, Establishing the Affordable Housing Permit Waiver Program and Authorizing the Waiver of City Building Permit Fees and Water Meter Costs**

The City of Mission was determined to provide development incentives to non-profit organizations whose mission was to provide more options for affordable housing, alleviate and improve the living conditions of low income residents, and further improve surrounding economic development;

The City wishes to establish The Affordable Housing Permit and Water Meter Fee Waiver program.

The following fees were hereby waived for qualifying applicants:

- Residential Building Permit Fees;
- Plumbing, Electrical and Mechanical Permit fees; and
- Water Meter Fees;

To be eligible for a waiver, applicants must meet the following:

- Must be a Non-Profit in good standing;
- The purpose of the non-profit must include improving substandard housing conditions;
- The organization must have guidelines for participation that comply with federal HUD income guidelines.

Staff and Interim City Manager recommended approval.

Mayor Pro Tem Garza moved to approve to adopt Ordinance No. 4736 of the City Council of the City of Mission, Texas, Establishing the Affordable Housing Permit Waiver Program and Authorizing the Waiver of City Building Permit Fees and Water Meter Costs. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4736**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, ESTABLISHING THE AFFORDABLE HOUSING PERMIT WAIVER PROGRAM AND AUTHORIZING THE WAIVER OF CITY BUILDING PERMIT FEES AND WATER METER COSTS; AND PROVIDING FOR A PUBLICATION DATE

**3.12 Authorization to enter into a Reclaimed Water Use Agreement with Cimarron Country Club for Irrigation Purposes**

The City of Mission was currently working on the waste water treatment plant expansion and a component of the expansion was to have the capability to reuse the water effluent of the waste water treatment plant for irrigation purposes. Cimarron Country Club requested service and had agreed to pay a minimum annual charge for its share of costs for construction, as well as for the water delivered under this agreement. The City shall charge Cimarron Country Club a minimum annual payment of \$57,600 to be made in 12 equal monthly payments of \$4,800 on the first day of each month. The City shall begin to deliver reclaimed water within 180 days after the effective date of the agreement or when Cimarron was capable of receiving the reclaimed water. Cimarron would be allotted Fifteen Million (15,000,000) gallons in a given month, at the rate of ten cents (\$.10) per one thousand (1,000) gallons. For gallons used between Fifteen Million and

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One (15,000,001) through Twenty Million (20,000,000), user agrees to pay the rate of twenty cents (\$.20) per one thousand (1,000) gallons, and then any such overage above Twenty Million (20,000,000) gallons would be charged and billed at a rate of thirty cents (\$0.30) per one thousand (1,000) gallons on a monthly basis until the next monthly installment was paid.

Staff and Interim City Manager recommended approval.

Councilwoman Ochoa moved to authorize to enter into a Reclaimed Water Use Agreement with Cimarron Country Club for Irrigation Purposes. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.13 Authorize the Acting City Manager to enter into an agreement with Garza Consulting for Technical, Training and assistance with the Rail Bridge Permit**

Training would consist of Mexican Cartels, Organized Crime, Transnational Gangs (MS 13 / M 18) and current events in Mexico as well as assisting with any issues concerning the proposal for the railroad project from Mexico into the Mission area.

Training/Presentation on Cartels, Transnational Gangs and/or current events in Mexico would be charged at \$150.00 per hour. Research Assistance on border issues and Railroad issues via telephonic or meetings \$25.00 per hour.

Staff and Interim City Manager recommended approval.

City Attorney Abiel Flores advised the council to go into executive session for further consultation regarding this item.

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

At 7:14 p.m., Councilman Plata moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for item 3.13 and item 6.1A. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

At 7:43 p.m., Councilman Martinez moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

Councilwoman Ochoa moved to authorize the Acting City Manager to enter into an agreement with Garza Consulting for Technical, Training and assistance with the Rail Bridge Permit. Motion was seconded by Councilman Martinez and approved unanimously 3-2 with Councilman Plata and Mayor Pro Tem Garza voting against the request.

**3.14 Authorization to solicit proposals to revise City of Mission Standards Manual**

Authorize staff to contract with third parties through the bidding process for the purpose of updating City of Mission Standards Manual.

Staff and Interim City Manager recommended approval.

Councilwoman Ochoa moved to authorize to solicit proposals to revise City of Mission Standards Manual. Motion was seconded by Councilman Plata and approved unanimously 5-0.

### **3.15 Authorize Acting City Manager to execute Letter of Intent to enter into an Investment Grade Audit with Performance Services, Inc.**

Performance Services, Inc. was to identify and implement a Guaranteed Energy Savings Performance Contract as per Local Government Code 302.001.

Following completion of the IGA and submission of a Project Proposal from PSI which met the Project Objectives, Owner would agree to enter into an Installation Contract via The Interlocal Purchasing System, Contract #170103, for PSI to provide Owner with equipment installation, construction management, financing, a savings guarantee, and measurement verification services.

If the City of Mission would decide not to enter into the Installation Contract, the City of Mission agreed to pay \$85,371 to PSI, which was the value of their anticipated engineering and related costs associated with developing the Investment Grade Audit.

Staff and Interim City Manager was seeking Council direction on this item.

Interim City Manager recommended approval.

Councilman Martinez asked for clarification on the project proposal.

Mayor Pro Tem Garza was concerned if the City of Mission decided not to enter into the Installation Contact that the City had to pay the amount of the original agreement of \$85,371.00 without receiving any type of service.

Councilman Plata asked if PSI Company was the only company that rendered these services.

Councilwoman Ochoa moved to authorize the Acting City Manager to execute Letter of Intent to enter into an Investment Grade Audit with Performance Services, Inc. Motion was seconded by Councilman Martinez and approved unanimously 3-2. with Councilman Plata and Mayor Pro Tem Garza voting against the request.

## **4.0 Unfinished Business**

### **4.1 None**

## **5.0 Routine Matters**

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

Interim City Manager Perez invited the community to the City of Mission Holiday Lights and Delights to be held on Friday, November 30 at 6 p.m. at the Leo Pena Plazita.

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

Mayor O'caña wished the Veterans Memorial Patriots Football Team the best.

### **5.3 City Council Comments**

Councilman Martinez thanked all of the individuals who had applied to be on a board or committee.

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Mayor Pro Tem Garza had no comments.

Councilman Plata had no comments.

Councilwoman Ochoa was excited to hear about the Mission Food Pantry Blessings Box and encouraged all citizens to take part in this wonderful endeavor.

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

**6.1 Consultation with Attorney Sec. 551.071**

**A. Regarding Waterline Access Agreements with Sharyland Water Supply within city ETJ**

On item 6.1-A, No action was taken.

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

At 7:43 p.m., Councilman Martinez moved to reconvene in open session. Motion was seconded by Councilman Plata and approved unanimously 5-0. The council resumed with item 3.13 of the agenda.

**7.0 Adjournment**

At 7:58 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

ATTEST:

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Dr. Armando O'caña, Mayor

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Anna Carrillo, City Secretary