

**NOTICE OF REGULAR MEETING  
MISSION CITY COUNCIL  
MAY 13, 2019 5:30 P.M.  
MISSION CITY HALL**

**PRESENT:**

Dr. Armando O'caña, Mayor  
Jessica Ortega-Ochoa, Councilwoman  
Ruben D. Plata, Councilman  
Norie Gonzalez Garza, Mayor Pro Tem  
Gus Martinez, Councilman  
Bob Galligan, Interim City Attorney  
Anna Carrillo, City Secretary  
Randy Perez, City Manager

**ALSO PRESENT:**

Jaimie Treviño, Progress Times  
Jim & Beth Barnes  
Yvonne T. Perez  
Homer Garza  
Virginia Townsend  
Vincent G. Huebinger  
Cecilia Atkins  
Rich Atkins  
Gloria Hernandez  
Linda Ochoa  
Aaron Ochoa  
DM Castellano  
Erma Ramientos  
Joseph Ramientos  
Miriam Espinoza  
Helen Itill  
Irma Flores  
Lisa Rivera  
Irma Johnson  
Belinda de la Cruz  
Agustin Olivarez  
Sarah Mendiz  
Cristian Mendiz  
Joe Louis Sanchez  
Hilda Flores  
Eduardo Martinez  
ME Salinas  
Norma Sanchez  
Roy Vela

**ABSENT:**

**STAFF PRESENT:**

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

**1. Call to order**

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 5:31 p.m.

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

Pastor Joseph Ramientos from New Hope at the Border Church gave the invocation. Isaac Espinosa, Boy Scout led the Pledge of Allegiance.

## **3. Presentation by Isaac Espinosa, Boy Scout Troop 84**

Isaac Espinoza explained that this project was selected to earn his Eagle Scout Rank to benefit the community by creating shelters for stray cats lining in the area of Lions Park.

## **4. Presentation of Girl Scout Troop 272**

Ernie Zapata presented Eowyn Strop, Sofia Carriaga, Emma Salcedo and Madison MacDonald representing Girl Scout Troop 272 with Certificates of Appreciation. The girls received the Bronze award which was the highest level award received by a Jr. Girl Scout. Their project was to collect essential items for the Mission Animal Shelter. A fundraiser was held at Petco two weekends in April whereby they collected pet beds, toys, canned and dry food, treats and food bowls.

## **5. Proclamation – “Older Americans Month”**

City Secretary Anna Carrillo presented the Proclamation – “Older Americans Month.”

Alex Guerra Amigos Del Valle Executive Director received the proclamation and thanked the council.

Councilman Ruben Plata moved to approve the Proclamation – “Older Americans Month.” Motion was seconded by Councilwoman Jessica Ortega Ochoa and approved unanimously 5-0.

## **6. Proclamation – “Elder Abuse Prevention Month”**

City Secretary Carrillo presented the Proclamation – “Elder Abuse Prevention Month.”

Melissa Castellano, Hugo Gonzalez, Frank Jimenez and Margo Barreiro received the proclamation and thanked the council.

Mayor Pro Tem Norie Gonzalez Garza moved to approve the Proclamation – “Elder Abuse Prevention Month.” Motion was seconded by Councilman Plata and approved unanimously 5-0.

## **7. Proclamation – “Motorcycle Safety Awareness Month**

City Secretary Carrillo presented the Proclamation – “Motorcycle Safety Awareness Month.”

Robert Tony, Andrew Canon and other members of Bikers of Christ received the proclamation and thanked the council.

Councilman Gus Martinez moved to approve the Proclamation – “Motorcycle Safety Awareness Month.” Motion was seconded by Councilman Plata and approved unanimously 5-0.

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

Vice President CJ Sanchez reported on past and upcoming events for the chamber.

## 9. Departmental Reports

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

## 10. Citizens Participation

Rosie Olivarez of 509 Mayberry spoke about PAWS for Cause who advocate for abandoned and neglected animals in the City of Mission and asked for justice for the animals being abused.

Sylvia Rodriguez of 4019 Hillcrest asked for laws to be enforced and penalties be given to owners who neglect and abuse their pets.

Virginia Townsend of 1603 Vintage Ln. expressed her disappointment in having the item regarding possible appointment for Councilman Place 4 in executive session. She expressed this item should have been considered in open session.

Ricardo Saldana, Carlos Garcia and Lisa Rivera from the Texas Citrus Fiesta thanked the City of Mission Parks & Recreation, Police and Fire Dept. staff for their assistance in a successful 1<sup>st</sup> Annual Vaquero Cook-off.

### 1.0 Public Hearing

#### 1.1 Planning & Zoning Recommendations

- A. Rezoning: Lot 6, Block 168, Mission Original Townsite, from (C-1) Office Building to (C-3) General Business, Tomas C. Robles, Adoption of Ordinance # 4787 approving 1.1A**

On April 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the NW corner of E. St. Marie and E. Tom Landry Blvd. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Garza moved to approve the rezoning and to adopt Ordinance No. 4787 Rezoning: Lot 6, Block 168, Mission Original Townsite, from (C-1) Office Building to (C-3) General Business. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

### **ORDINANCE NO. 4787**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING LOT 6, BLOCK 168, MISSION ORIGINAL TOWNSITE, FROM (C-1)  
OFFICE BUILDING TO (C-3) GENERAL BUSINESS

- B. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – 39 Taqueria, 2813 E. Griffin Parkway, Lot 1, Adams Crossing Subdivision, C-3, Jaime Montes  
Adoption of Ordinance # 4788 approving 1.1B  
Adoption of Ordinance # 4789 approving wet zone**

On April 24, 2019 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 Taylor Road and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) Waive the 300' separation requirement from residential neighborhoods, and 2) CUP to be valid for a period of 2 years at which time the applicants TABC license will need to be renewed.

City Manager recommended approval.

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

Gracie Ramirez who was representing the owner was in favor of the request.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4788 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – 39 Taqueria, 2813 E. Griffin Parkway, Lot 1, Adams Crossing Subdivision, C-3, as per staff's recommendations. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4788**

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 – 39 TAQUERIA, 2813 E. GRIFFIN PARKWAY, LOT 1, ADAMS CROSSING SUBDIVISION

Councilman Plata moved to adopt Ordinance No. 4789 granting a wet designation for 39 Taqueria, 2813 E. Griffin Parkway, Lot 1, Adams Crossing Subdivision, C-3. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4789**

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 2813 E. GRIFFIN PARKWAY, LOT 1, ADAMS CROSSING SUBDIVISION, 39 TAQUERIA

- C. Conditional Use Permit: To construct a 110' Monopole Cellular Phone Tower & associated ground equipment within a 50' x 50' leased area on property zoned AO-I (Agricultural Open Interim), 612 S. Schuerbach Road, being a 0.0574 acre out of 7.35 acres out of the S. ½ Lots 6-7 & 8, Block 7, Del Monte, excluding 33' of all Lots excluding the West 35' of Lot 6 and excluding the North East corner 0.41 Acres, AO-I, Verizon Wireless,  
Adoption of Ordinance # 4790 approving 1.1C**

On April 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the Mile One South and Schuerbach Rd intersection along west side of Schuerbach Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) The installation of a mesh screen or solid buffer along the perimeter of the fenced in 50' x 50' area, and 2) Allowing of other cell phone providers to co-locate onto this proposed tower.

City Manager recommended approval.

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

Verizon Representative Vincent Huebinger was in favor of the request.

Mayor Pro Tem Garza moved to approve the cup and to adopt Ordinance No. 4790 Conditional Use Permit: To construct a 110' Monopole Cellular Phone Tower & associated ground equipment within a 50' x 50' leased area on property zoned AO-I (Agricultural Open Interim), 612 S. Schuerbach Road, being a 0.0574 acre out of 7.35 acres out of the S. ½ Lots 6-7 & 8, Block 7, Del Monte, excluding 33' of all Lots excluding the West 35' of Lot 6 and excluding the North East corner 0.41 Acres, AO-I, as per staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 4790**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT A 110' MONOPOLE CELLULAR PHONE TOWER & ASSOCIATED GROUND EQUIPMENT WITHIN A 50' X 50' LEASED AREA ON PROPERTY ZONED AO-I (AGRICULTURAL OPEN INTERIM), 612 S. SCHUERBACH ROAD, BEING A 0.0574 ACRE OUT OF 7.35 ACRES OUT OF THE S. ½ LOTS 6-7 & 8, BLOCK 7, DEL MONTE, EXCLUDING 33' OF ALL LOTS EXCLUDING THE WEST 35' OF LOT 6 AND EXCLUDING THE NORTH EAST CORNER 0.41 ACRES

**D. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Arelis Celebration Hall, 1905 W. Griffin Parkway, Lots 1-4, Southern Oaks, Ph. I Subdivision, C-3, Daisy A. Vela, Adoption of Ordinance # 4791 approving 1.1D**

On April 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 500' west of Inspiration Road along the south side of Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval subject to: Waiver of 300' separation requirement to Residential Neighborhoods and CUP to be valid for a period of 2 years at which time the applicants TABC license will need to be renewed.

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 renewal and to adopt Ordinance No. 4791 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Arelis Celebration Hall, 1905 W. Griffin Parkway, Lots 1-4, Southern Oaks, Ph. I Subdivision, C-3, as per staff's recommendations. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

**ORDINANCE NO. 4791**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – ARELIS CELEBRATION HALL, 1905 W. GRIFFIN PARKWAY, LOTS 1-4, SOUTHERN OAKS, PH. I SUBDIVISION

**E. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Arelis Event Center, 1809 W. Griffin Parkway, Lots 9-11, Southern Oaks, Ph. I Subdivision, C-3, Daisy A. Vela, Adoption of Ordinance # 4792 approving 1.1E**

On April 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 500' west of Inspiration Road along the south side of Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval subject to: Waiver of 300' separation requirement to Residential Neighborhoods and CUP to be valid until 1/23/2021 at which time the applicants TABC license will need to be renewed.

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 renewal and to adopt Ordinance No. 4792 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Arelis Event Center, 1809 W. Griffin Parkway, Lots 9-11, Southern Oaks, Ph. I Subdivision, C-3, as per staff's recommendations. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**ORDINANCE NO. 4792**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL L FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – ARELIS EVENT CENTER, 1809 W. GRIFFIN PARKWAY, LOTS 9-11, SOUTHERN OAKS, PH. I 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 – April 23, 2019 and Special**

**City Council Meeting – May 1, 2019**

**2.2 Acknowledge Receipt of Minutes**

**Mission Education Development Council – January, 15, 2019**

**Mission Economic Development Authority – January, 15, 2019**

**Mission Economic Development Corporation – March 19, 2019**

**Citizens Advisory Committee – April 9, 2019**

**Planning and Zoning Commission – April 10, 2019**

Councilman Plata moved to approve the consent agenda items 2.1 and 2.2. Motion was seconded by Mayor Pro Tem Garza and approved 5-0.

**3.0 Approvals and Authorizations**

**3.1 Preliminary Plat Approval: Mayfair Residence Subdivision Phase I, Being a 11.11 acre tract of land out of Lots 7 & 8 and the East 2.00 acres of Lot 6, Rees Subdivision, R-1**

**Developer: Union Design Developers**

**Engineer: South Texas Infrastructure Group**

On May 8, 2019 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Mayfair Residence Subdivision Phase I. The proposed subdivision was located at the NW corner of Stewart Road and Trinity Road. The Board unanimously recommended approval as per Staff's recommendation.

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

City Manager recommended approval.

Councilman Martinez moved to approve the Preliminary Plat Approval: Mayfair Residence Subdivision Phase I, being a 11.11 acre tract of land out of Lots 7 & 8 and the East 2.00 acres of Lot 6, Rees Subdivision, R-1 Developer: Union Design Developers, Engineer: South Texas Infrastructure Group, as per staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.2 Approval of Interlocal Agreement between AGUA Special Utility District and the City of Mission**

Interlocal Agreement Entailed the transfer of ownership and maintenance of Sanitary Sewer Lift Station located at 2123 30<sup>th</sup> St. (Moorefield Road), Mission, Tx from AGUA SUD to the City of Mission. Sanitary Sewer Lift Station only services the La Hacienda Estates Subdivision, which was located inside the City of Mission City Limits and Sanitary Sewer CCN.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Interlocal Agreement between AGUA Special Utility District and the City of Mission. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.3 Approval to Purchase Two-Horizontal Split Case High Service Pumps for the North and South Water Treatment Plants from a sole source vendor**

Staff was recommending to purchase Two-Horizontal Split Case High Service Weinman Pumps from Dynamic Pump Systems, a sole source vendor. Pursuant to Texas Local Government Code Section 252.022 General Exemptions(7) a procurement of items that were available from only one source, including: (A) items that were available from only one source because of patents, copyrights, secrete processes, or natural monopolies and (D) captive replacement parts or components for equipment;

South Water Treatment Plant Horizontal Split Case Pump would be a 200Hp (2800GPM) and the North Water Treatment Plant Horizontal Split Case Pump would be a 150HP (2500 GPM), which would be replacing the same pumps. Available was a sole source letter from Manufacturer, Crane Pump & Systems, Listing Dynamic Pump Systems as authorized vendor for such pumps in Hidalgo County.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to purchase Two-Horizontal Split Case High Service Pumps for the North and South Water Treatment Plants from Dynamic Pump Systems a sole source vendor, as recommended by staff. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

At 6:45 p.m. Councilman Martinez stepped out.

### **3.4 Authorization to approve first-one year renewal option for Copper Sulfate for the North and South Water Treatment Plants**

On June 2018, the City of Mission entered into contract with Chemtrade Chemicals US, LLC, for Copper Sulfate. Staff was seeking authorization to extend contract for the first-one Renewal option at 5 % increase in price. Contract renewal would be from June 26, 2019 to June 26, 2020.

Staff Recommendation: Extend Contract for the First -One Year renewal Option with Chemtrade Chemicals US, LLC.

City Manager recommended approval.

Councilman Plata moved to authorize first-one year renewal option for Copper Sulfate for the North and South Water Treatment Plants with Chemtrade Chemicals US. LLC, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

### **3.5 Authorization to award bids for the reconstruction of existing Lift Station No. 35 located at the SE corner of US 83 (I2) and Glasscock Rd.**

The City of Mission had accepted and opened five (5) Bid responses for the reconstruction of existing Lift Station No. 35. Staff recommended awarding bid to Garco Industries, Inc, who was the lowest responsible bidder meeting all specifications for \$275,865.27. Lift Station Reconstruction entailed the construction of a wetwell, installation of new pumps with fittings, and electrical control panel.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award bids for the reconstruction of existing Lift Station No. 35 located at the SE corner of US 83 (I2) and Glasscock Rd. to Garco Industries, Inc., as recommended by staff. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

### **3.6 Authorization to award bids for the rehabilitation of existing Clarifier at the Wastewater Treatment Plant**

The City of Mission had accepted and opened two (2) Bid responses for the rehabilitation of existing Clarifier at the Wastewater Treatment Plant. Staff Recommended awarding to American Water Services, LLC, who was the lowest responsible bidder meeting all specification for \$58,939.00. Existing Clarifier structure project entailed the replacement of sludge rakrs, center missing well and restoration of existing walkway.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award bids for the rehabilitation of existing Clarifier at the Wastewater Treatment Plant to American Water Services, LLC, as recommended by staff. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 4-0.

**3.7 Authorization to purchase bulletproof vests via a state approved contract (Buy Board Contract 507-16)**

The City of Mission Police Department was requesting authorization to purchase a total of thirty (30) bulletproof vests from Galls LLC Company, a state contract vendor. These vests would replace bulletproof vests currently in use by Mission Police Officers that were over five (5) years old. The vests would be purchased through our Bulletproof Vest Grant Program at a cost of \$24,450.00. Staff is seeking a favorable recommendation.

City Manager recommended approval.

Councilman Plata moved to authorize to purchase bulletproof vests via a state approved contract (Buy Board Contract 507-16) from Galls LLC Company, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**3.8 Authorization to accept the 2019 Click It or Ticket Grant from the Texas Department of Transportation**

The 2019 Click It or Ticket Grant was designed to provide grant funds to increase seat belt enforcement for both adults and young children throughout our community. The grant amount of \$1,981.28 would be utilized for enforcement purposes. There was no cash match required for this particular grant program. Staff was seeking a favorable recommendation.

City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to accept the 2019 Click It or Ticket Grant from the Texas Department of Transportation, as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 4-0.

At 6:51 p.m. Councilman Martinez rejoined the meeting.

**3.9 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) 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 Recommendation: Authorize the request to enter into the State Plan of Operation with the State of Texas.

City Manager recommended approval.

Mayor Pro Tem Garza 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) property. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.10 Authorization to purchase a Scag Turf Tiger 37HP VANGUARD 61” cut zero turn mower**

Staff was seeking authorization to purchase a Scag Turf Tiger 37HP VANGUARD 61” cut zero-turn mower for Parks Department via State Approved Buy Board Contract # 529-17 from MAE Power Equipment in the amount of \$11,499.00.

Staff and City Manager recommended approval.

Councilman Martinez moved to authorize to purchase a Scag Turf Tiger 37HP VANGUARD 61" cut zero turn mower from MAE Power Equipment, as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.11 Authorize Mayor to execute Right of Way (ROW) Easement to AEP Texas, Inc. for electrical service at the New Mission Tennis Center at Birdwell Park**

Staff was seeking authorization to provide Right of Way (ROW) easement required by AEP Texas for permanent electrical service at the New Mission Tennis Center at Birdwell Park, 2400 North Stewart Road.

Staff and City Manager recommended approval.

Councilman Martinez moved to authorize Mayor to execute Right of Way (ROW) Easement to AEP Texas, Inc. for electrical service at the New Mission Tennis Center at Birdwell Park. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.12 Approval of Supplemental Work for Work Authorization No. 25 with L&G Engineering related to the Inspiration Road/Military Parkway Loop Project**

Supplemental Work Authorization No. 25 entailed professional services for the Inspiration Road/Military Parkway Loop Project. This Supplemental WA#2 was for the removal of Los Ebanos Loop Road from the scope of work as recommended by TXDOT to be treated as an independent separate project. Therefore, it decreases the original amount by (\$129,755.63).

Staff and City Manager recommended approval.

Councilman Plata moved to approve Supplemental Work for Work Authorization No. 25 with L&G Engineering related to the Inspiration Road/Military Parkway Loop Project. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**3.13 Authorization to solicit bids for Drainage Improvement Project for Erma Street**

Staff was seeking authorization to solicit bids for drainage improvement project for Erma Street. Improvements included installing a 42" concrete pipe from Erma Street to drain ditch behind Meadow Creek Subdivision.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to solicit bids for Drainage Improvement Project for Erma Street. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**3.14 Approval of Resolution # 1598 of the City of Mission, Texas approving cooperation with the cities served by AEP to review AEP Texas, Inc's requested approval of an adjustment to its energy efficiency cost recovery factor**

On May 1, 2019 AEP filed with the Commission an application to adjust its 2019 Energy Efficiency Cost Recovery Factor.

This resolution authorized the City to join with the Cities Served by AEP to include the retaining of law firm of Lloyd Gosselink and consultants, to negotiate with the Company, make recommendations to the

City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Staff Recommendation: SUSPEND AEP Texas' requested change in rates for an additional 90 days (a total of 125-days)

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Resolution No. 1598 of the City of Mission, Texas approving cooperation with the cities served by AEP to review AEP Texas, Inc's requested approval of an adjustment to its energy efficiency cost recovery factor. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

**RESOLUTION NO. 1598**

RESOLUTION OF THE CITY OF MISSION SUSPENDING THE JUNE 5, 2019 EFFECTIVE DATE OF AEP TEXAS INC.'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE CITIES SERVED BY AEP TEXAS AND AUTHORIZING INTERVENTION IN AEP TEXAS INC.'S REQUESTED RATE CHANGE PROCEEDINGS BEFORE THE COMMISSION; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

**3.15 Approval of Agreement with EZLinks Golf LLC and Shary Municipal Golf Course**

EZLinks Golf LLC was an internet marketing and tee time reservation company. Shary Municipal Golf Course would be receiving internet marketing solutions and point of sale software and support. Services included a website, email and a mobile app for viewing monthly specials and making tee time reservations. EZLinks would manage and create social media pages for use as advertisement. We would be included in the golf 18 Network, which had over 2,200 golf courses nationwide and a membership of over 2 million golfers. We would also have use of an afterhours call center for booking tee times. We believe that this agreement would help increase play during peak and off peak times. The cost for this service was \$1,500 per month, but would be paid in trade of 2 tee times per day to EZLinks Golf LLC.

Staff and City Manager recommended approval.

Councilman Martinez moved to approve the agreement with EZLinks Golf LLC and Shary Municipal Golf Course, subject to legal review. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.16 Authorization to award bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Departments**

The City of Mission had accepted and opened one (1) Bid response for the purchase of Ready Mix Concrete. Staff Recommended awarding bid to CAPA/Magic Valley Concrete, who was the sole bidder, meeting all specifications with bid at \$105.00/CY. Order would be placed on an as needed basis throughout the one year term.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award bids for the purchase of Ready Mix Concrete for Public Works and Parks & Recreation Departments to CAPA/Magic Valley Concrete, as recommended by staff. Motion was seconded by Councilman Martinez and approved unanimously 5-0.

**3.17 Authorize Staff to Execute Contract to Hinojosa Engineering Inc., for Structural Engineering Services for Speer Memorial Library and Museum Roof Design**

City Council authorized staff to engage Hinojosa Engineering Inc., for Structural Engineering Services for Speer Memorial Library and Museum Roof Design in accordance with the Texas Professional Services Procurement Act (V.T.C.A., Government Code Section 2254.001).

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

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize staff to Execute Contract to Hinojosa Engineering Inc., for Structural Engineering Services for Speer Memorial Library and Museum Roof Design, as recommended by staff. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.18 Authorization to award contract to D&M Leasing for the lease of city vehicles**

Staff received five (5) proposals for the lease of city vehicles and equipment. Proposals were referred to a committee for their evaluation on the basis of the criteria that was adopted for this procurement. Staff was seeking authorization to award contract to D&M Leasing for the lease of city vehicles. D&M Leasing would be providing a fleet management program that entailed maintenance & repair management, cost savings, GPS/Telematics/e-Logs, Fuel Management, and Interactive Dashboard Performance Reporting. Staff would work with D&M Leasing to Phase the program in over an 18-24 month period to lower the average age of the City fleet, reduce operating costs, and achieve long term sustainability. Quarterly reviews and annual assessments would be conducted to ensure programs efficiency.

Staff Recommendation: Authorize staff to award contract to D&M Leasing.

City Manager recommended approval.

Councilman Plata moved to authorize to award contract to D&M Leasing for the lease of city vehicles, as recommended by staff. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

**3.19 Authorize staff to solicit for Request for Information (RFI's) for City of Mission Self-Insured Workers Compensation Insurance**

Staff was seeking authorization to solicit for RFI's for full self-insured workers compensation benefits for city employees. The City would seek RFI's to possibly entertain cost saving measures, complete control/management of claims and achieve long term self-sustainability. City of Mission was inviting Third Party Administrators to submit documentation and workers compensation programs for consideration in order for the City of Mission to gain knowledge and awareness for future procurements.

Staff and City Manager recommended approval.

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Mayor Pro Tem Garza moved to authorize staff to solicit for Request for Information (RFI's) for City of Mission Self-Insured Workers Compensation Insurance. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

### **3.20 Reschedule May 27, 2019 City Council meeting to Wednesday, May 29, 2019**

The office of the City Manager was requesting to reschedule the May 27 City Council meeting to Wednesday, May 29 due to City Hall being closed on Monday for Memorial Day Holiday.

Staff and City Manager recommended approval.

Councilman Martinez moved to approve to reschedule May 27, 2019 City Council meeting to Wednesday, May 29, 2019. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

### **3.21 March 2019 Financial Statements**

Finance Director Angie Vela presented the March 2019 Financial Statements for approval.

Staff and City Manager recommended approval.

Councilman Martinez moved to approve the March 2019 Financial Statements. Motion was seconded by Councilman Plata and approved unanimously 5-0.

### **3.22 Budget Amendments – PD Federal Sharing Fund and Designated Purpose Fund**

Finance Director Vela presented budget amendments BA-19-28 thru BA-19-29 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the budget amendments BA-19-28 thru BA-19-29. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

## **4.0 Unfinished Business**

None

## **5.0 Routine Matters**

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

City Manager Perez thanked staff for their assistance with the Vaquero Cook-off.

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

Welcomed Virginia Townsend back to the City Council meetings.

### **5.3 City Council Comments**

Councilman Martinez asked Chief Dominguez to enforce the laws pertaining to animal cruelty.

Councilwoman Ochoa expressed that the City continues to work and fight animal abuse with a hope to end the abuse.

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

At 7:13 p.m., Councilman Martinez 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 (1)**

- A. Discussion of compliance with Texas Water Code related to EDAP Project**
- B. City of Mission v Homer Salinas; Cause No. C-0432-19E; in the 275<sup>th</sup> Judicial District Court, Hidalgo County, Texas**
- C. IOC Company, L.L.C., v City of Mission; Cause No. C-1915-19-F; in the 332<sup>nd</sup> District Court, Hidalgo County, Texas**
- D. City Manager evaluation format content**

**6.2 Personnel matters Sec. 551.074**

- A. Deliberation and possible action regarding request for benefits from Horacio Peña, Jr.**
- B. Discussion and possible action regarding proposed resignation of Councilman Gus Martinez and possible replacement of Councilman Place 4.**

**6.3 Deliberation regarding real property Sec. 551.072**

- A. Consideration of acquisition of a tract of land containing 0.226-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lot 13-6, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 2)**
- B. Consideration of acquisition of a tract of land containing 0.467-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lot 13-5, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 3)**
- C. Consideration of acquisition of a tract of land containing 0.913-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lots 13-3 and 13-4, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 4)**
- D. Consideration of acquisition of a tract of land containing 0.37-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lots 13-2 and 14-2, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records, in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 5)**
- E. Consideration of acquisition of a tract of land containing 0.906-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lots 13-7, 13-8 and 14-7, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 8)**
- F. Consideration of acquisition of a tract of land containing 0.274-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lot 1, AEP Mayberry Substation Subdivision, according to a map or plat recorded under Document No. 2628923, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 9)**
- G. Consideration of acquisition of a tract of land containing 0.627-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lots 13-9 and 13-10, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 10)**

**H. Consideration of acquisition of a tract of land containing 0.391-acres, situated in the City of Mission, Hidalgo County, Texas, being a part or portion of Lot 13-11, WAS, according to a map or plat recorded in Volume 1, Page 56, Hidalgo County Map Records in relation to the 15.0' utility easement for the City of Mission Reuse Water Line Project (Tract 11)**

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

Councilman Martinez stepped out of the meeting prior to council's discussion on Item 6.2B.

At 9:21 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

On item 6.1 A – No action was taken.

On item 6.1 B – No action was taken.

On item 6.1 C – Councilman Plata moved to authorize City Attorney to file answer to lawsuit. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

On item 6.1 D – Councilman Plata moved to approved evaluation format and content. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

On item 6.2 A – No action was taken.

On item 6.2 B – No action was taken.

On items 6.3A thru 6.3H – Councilman Plata moved to approved appraised values, authorize offers and authorize mayor to sign documents. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

**7.0 Adjournment**

At 9:24 p.m., Mayor Pro Tem Garza moved for adjournment. Motion was seconded by Councilman Plata and approved unanimously 4-0.

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Dr. Armando O'caña, Mayor

ATTEST:

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Anna Carrillo, City Secretary