

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
AUGUST 12, 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
Alberto Vela, Councilman
Gus Martinez, City Attorney
Anna Carrillo, City Secretary
Randy Perez, City Manager

ALSO PRESENT:

Jamie Treviño, Progress Times
Jim & Beth Barnes
Gina Luna
Griselda Gutierrez
Daisy Salazar
Jose Salazar
Justin Luna
Arlene Luna
Mark & Carla Perez
Amadeo Reyna, Jr.
Jae Herrera
Bianca Benavidez
Amy Gonzalez
Chris Gonzalez
A. Crowley
Lidia Lopez
Melinda Guzman
Fances De La Garza
Gervacio Acosta
Arnoldo Solis, III
Nora Arguelles
Jesus Esparza
Jacqueline Perez
Joseph Ramientos
Josh Ramientos
Anna Acosta
Sergio Fonseca
Irma Flores Lopez
Savannah Portillo
A. J. Garcia
Lupita Garza
Ada Bazan
Matt Cochran
Oscar Mat
Victoria Cochran
Carmen Jimenez
Eugene Jimenez
Sylvia Blanco

ABSENT:

STAFF PRESENT:

Nelia Hernandez, Asst. City Secretary
Aida Lerma, Deputy City Manager
David Flores, Deputy City Manager
Angie Vela, Finance Director
Ezeiza Garcia, Asst. Finance Director
Jaime Acevedo, Planning Director
Susie De Luna, Planner
Nereyda Pena, Asst. H.R. Director
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
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 Dept.
Adela Ortega, Food Pantry Manager
Jonathan Wehrmeister, Judge
Juan Mercado & Abiel Garza, Police Officers

ALSO PRESENT:

Amanda Blanco	Veronica Minton
Johnathan O'caña	Bavie Sandoval
Rocio Vallejo	Sujei Rodriguez
Araceli Mereles	Martin Esqueda
Susan Rodriguez	Roman Esqueda
Yadira Garcia	Mary Guerra
Gabriela Padilla	Enereida Perez
Daniel Martinez	Natasha Charles
Daniela Peña	Laura Charles
Claudia Vergel	Francis M. Ciancarelli
Raymond Longoira	

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

Pastor Eluid Garcia from Freedom Life Church led the Invocation. Randy Perez, City Manager led the Pledge of Allegiance.

3. Presentation of Parks & Recreation TAAF Athletes

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

4. Presentation of Boys & Girls Club World Series Teams

Juan Arevalo, Boys & Girls Club Director presented the teams who had participated in the World Series.

5. Presentation by American Cancer Society – April Chapa

April Chapa, Senior Community Development Manager of the South Region of the American Cancer Society, Inc. and Paola Lopez, Marketing Director for Mission Regional Medical Center announced their partnership in the Making Strides Against Breast Cancer walk to be held on October 12, 2019. An invitation was extended to the Mayor and City Council.

6. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez President and CEO reported on past and upcoming events for the chamber. Buenas Tardes Luncheon would be held on September 12. Annual Awards gala would be on October 17. Butterfly festival planning had begun.

7. Departmental Reports

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

8. Citizens Participation

Jesus Mendoza, spoke via cell phone about his sensitivity to microwaves and would be forwarding a letter to Mayor O'cana to advise the Police Department as to measures that needed to be taken if they need to approach his residence.

Jim Barnes, spoke about the possibility of raising taxes and how it would affect the citizens of Mission.

Raymond Longoria, spoke about the City Council awarding an engineering contract without interviewing the companies first. Spoke about the need to raise taxes.

Francis Ciancarelli 3709 San Clemente, spoke about a letter he sent to President Trump on several issues and to establish a Friends/Amigos International Site at the Los Ebanos Ferry.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Conditional Use Permit: Non-Residential Parking, 1101 Slabaugh Avenue, Lot 7, Block 183, Mission Original Townsite, R-1, Jaime Valdez
Adoption of Ordinance # 4810 approving 1.1A**

On July 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 Slabaugh Avenue/W. 11th Street intersection along the west side of Slabaugh Avenue. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Staff recommended approval subject to: 1) The installation of a solid buffer to the north and west; 2) Compliance with landscaping; and 3) The installation of an all-weather surface parking area.

City Manager recommended approval.

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

Agueda Peña Aguiñaga spoke against the request. She was concerned about the traffic and the vehicles parked on the side of the street.

Owner Jaime Valdez spoke in favor of the request.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4810 Conditional Use Permit: Non-Residential Parking, 1101 Slabaugh Avenue, Lot 7, Block 183, Mission Original Townsite, for life of use, subject to staff's recommendations. Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4810

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A
CONDITIONAL USE PERMIT FOR A NON-RESIDENTIAL PARKING, 1101 SLABAUGH AVENUE,
LOT 7, BLOCK 183, MISSION ORIGINAL TOWNSITE

- B. Conditional Use Permit: To Place a Hotdog Stand at Mini Max #5 Convenience Store, 100 N. Mayberry Street, Lot 53, Mayberry Plaza #2 Subdivision, C-2, Moulay Hadroune,
Adoption of Ordinance # _____ approving 1.1B**

On July 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 NE corner of 1st and Mayberry Street within the Mini Max #5 Convenience Store. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff and City Manager recommended denial.

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

There were no comments.

Councilman Plata moved to deny the Conditional Use Permit: To Place a Hotdog Stand at Mini Max #5 Convenience Store, 100 N. Mayberry Street, Lot 53, Mayberry Plaza #2 Subdivision. Motion was seconded by Councilwoman Ochoa and denied 4-1, with Mayor O'caña voting against the denial.

**C. Conditional Use Permit Renewal: Home Occupation – Licensed Child Day Care, 4204 San Roman, Lot 26, Paseo Lindo Phase 2 Subdivision, PUD, Nora Arguelles
Adoption of Ordinance # 4811 approving 1.1C**

On July 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit renewal request. The subject site was located approximately 400' East of Santa Engracia along the South side of San Roman. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff Recommendation: Staff recommended approval subject to: 1) A 3-year re-evaluation in order to monitor the child care facility; 2) Must continue to be DHS certified; and 3) Must continue to comply with the Home Occupation portion of the Zoning Code.

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 cup and to adopt Ordinance No. 4811 Conditional Use Permit Renewal: Home Occupation – Licensed Child Day Care, 4204 San Roman, Lot 26, Paseo Lindo Phase 2 Subdivision, subject to staff's recommendations. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4811

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR A HOME OCCUPATION LICENSED CHILD DAY CARE – 4204 SAN ROMAN, LOT 26, PASEO LINDO PHASE 2 SUBDIVISION

**D. Conditional Use Permit: To Place a Portable Building for Educational Purposes – Tutoring Service, Citizenship & GED Preparation, 511 W. 11th Street, The East fraction of Lots 1 & 2, Block 178, Mission Original Townsite Subdivision, C-4, Agueda P. Aguiñaga,
Adoption of Ordinance # 4812 approving 1.1D**

On July 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 200' west of Kika De La Garza Loop along the south

side of W. 11th Street. There was public opposition during the P&Z Mtg. The concerns voiced were in regards to lack parking. The P&Z Board recommended approval.

Staff Recommendation: Staff recommended approval subject to: 1) 1 year re-evaluation in order to assess this new operation, 2) Installation of paved parking facility, 3) Comply with all building setbacks, 4) Comply with all Building, Fire, and Health codes, 5) Comply with the city's sign, landscaping, and fence buffer codes if applicable, and 6) Acquire a new business license prior to occupancy.

City Manager recommended approval.

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

There were no comments.

Councilwoman Ochoa moved to approve the cup and to adopt Ordinance No. 4812 Conditional Use Permit: To Place a Portable Building for Educational Purposes – Tutoring Service, Citizenship & GED Preparation, 511 W. 11th Street, The East fraction of Lots 1 & 2, Block 178, Mission Original Townsite Subdivision, subject to staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4812

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO PLACE A PORTABLE BUILDING FOR EDUCATIONAL PURPOSES – TUTORING SERVICE, CITIZENSHIP & GED PREPARATION, 511 W. 11TH STREET, LOTS 1 & 2, BLOCK 178, MISSION ORIGINAL TOWNSITE SUBDIVISION

E. Public Hearing on FY 2019-2020 Preliminary Budget

The City's preliminary budget for FY 2019-2020 was presented on July 26, 2019 and had been made available to the public for review at the City Secretary's office and on the City's website as required.

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

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

There were no comments.

No action was taken since this was only 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 – July 22, 2019 and Special City Council Meeting – July 31, 2019

2.2 Acknowledge Receipt of Minutes

Mission Economic Development Corporation Special Meeting – June 4, 2019

Mission Civil Service Commission – June 13, 2019

Drainage Committee – June 19, 2019

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

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

The agreement had been approved by MCISD.

2.4 Approval of Agreement between Mission CISD and the Boys & Girls Club of Mission Activities Program

Mission Consolidated Independent School District wished to provide extracurricular educational and enrichment opportunities to its students in grade 6 and under who might otherwise be financially unable to participate. Boys and Girls Club of Mission seeks to provide services to enable young people to reach their full potential as productive, caring citizens. BGCM sponsors various events and opportunities in the Mission, Texas area MCISD's students would benefit from access to events and resources sponsored by, and available to BGCM members.

Mission CISD had partnered with the Boys & Girls Club Mission to have sports and tournament activities on campuses. The one day activities offered were volleyball, flag football, cross country, basketball and soccer. Participants were 3rd-6th grade students of Mission CISD. Guidelines were set by the BGCM.

Mission CISD approved the agreement on July 11, 2019

2.5 Interlocal Agreement between the City of Mission, Texas and the City of Alton, Texas regarding the use of the Animal Control Facility

The City of Alton was requesting the renewal of the Interlocal Agreement. The fee would remain the same as last year \$70.00 per animal; if an animal needed to be quarantined the fee would be \$200.00 per animal.

2.6 Authorization to surplus vehicles, machinery and equipment and sell via online auction, or dispose

Staff was seeking approval to declare a list of items as surplus. Items had been acquired by the City over the years through purchase, contribution, donation assignment and confiscation. All items had been determined by Department Directors to be of no use to the City. Surplus items were to be sold by way of GovDeals online auction via BUYBOARD Contract #383-11, and those items with no resale value would be disposed.

2.7 Approval of Memorandum of Understanding and Golf Club Storage Agreement with Sharyland Independent School District in regards to the use of the Shary Municipal Golf Course

The City of Mission and Sharyland ISD had developed a memorandum of understanding and Golf Club Storage Agreement where the parties agreed to the following:

- CITY agreed to:
 - Provide playing range privileges and playing privileges to said High Schools for the 2019-2020 School year (August 1, 2019 to May 29, 2020 on days that the Shary Municipal Golf Course was regularly open.

- Provide driving range privileges to and playing privileges to each of the said Junior High Schools for the period of March 1, 2019 to May 29, 2020, on days that the Shary Municipal Golf Course was regularly open.
 - Provide an area designated under the Shary Municipal Golf Course Clubhouse for the storage of Golf Clubs and Bags which can be secured.
 - Golf Course Employees would not have access to unlock storage area.
 - Cage would be open from 7:00 a.m. to closing of the clubhouse.
- Sharyland ISD agreed to:
 - Pay the City of Mission the sum of \$14,000.00 after signing this MOU.
 - Only school coaches would have key to access cage area.
 - Ensure no student was allowed in area without a coach present.
 - Informing students and parents that only the coach had a key and golf course employees do not have access to area.

2.8 Authorize to solicit qualifications for Land Surveying Services

Staff was seeking authorization to solicit qualifications for land surveying services. Surveys would be on an “as needed” basis to include topographic, boundary, platting preliminary, and all other necessary land surveying tasks, as specified by the City.

2.9 Authorize to solicit qualifications for Property Appraisal Services

Staff was seeking authorization to solicit qualifications for property appraisal services. Appraisals would be on an “as needed” basis and were required for the purpose of determining fair market values associated with land purchases, for temporary or permanent easement acquisition for the construction of improvements, and for right-of-way for road construction.

2.10 Authorization to solicit bids for the construction of restroom facilities at Bentsen Palm Community Park and Astroland Park

Staff was seeking authorization to Solicit Bids for the construction of 1 restroom facility at Bentsen Palm Community Park and 1 restroom facility at Astroland Park.

2.11 Authorization to solicit bids for Pre-Employment Screenings

In 2017, the City of Mission solicited bids for pre-employment screenings. The terms of the contract were for one year, with two one-year renewal options. Staff was seeking authorization to solicit for bids for Pre-Employment Screening services. Pre-employment screenings included urine drug screening, medical physical, and pre-placement screening for potential candidates.

2.12 Approval of Amendment to Inter-Local Cooperation Agreement for Tax Assessment and Collection between the City of Mission and Hidalgo County

As per Clause VI, of the Inter-Local Cooperation Agreement for Tax Assessment and Collection between Hidalgo County and City of Mission, the City must be advised of the fee for collection for the next taxable year.

The fee for tax collected from October 1st, 2019 through September 30th, 2020 would remain the same with no increase. The current annual fee was \$76,572. The last increase from the County was on October 1st, 2017.

2.13 The Mission Police Department is requesting authorization to re-enter into an Interlocal Agreement for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the FY 2019-2020 school year

A total of seven (7) police officers would be assigned to the school district during the school year. The total amount of the Inter-local agreement was \$357,161.09 for the purpose of continuing the Educational Resource Officer Program at the Mission CISD.

2.14 The Mission Police Department is requesting authorization to re-enter into an Interlocal Agreement for the Educational Resource Officer Program between the City of Mission and the Sharyland Independent School District for the 2019-2020 school year

A total of six (6) police officers would be assigned to the Sharyland I.S.D. during the school year. The total amount of the Interlocal agreement was \$330,930.46 for the purpose of continuing the Educational Resource Officer Program at Sharyland Independent School District.

2.15 Authorization to enter into a Program Funded State and Local Task Force Agreement and a State and Local HIDTA Task Force Agreement between the United States Department of Justice, Drug Enforcement Administration and the Mission Police Department for FY 2019-2020

The task force agreements outlined the responsibilities for both agencies as we mutually address illicit trafficking of narcotics that had a substantial and detrimental effect on the health and general welfare of the public. The Mission Police Department was responsible for our peace officer's salaries and overtime. The DEA would, subject to availability of funds, reimburse the City of Mission for overtime payments made by it to MPD Officers assigned to the McAllen Task Forces for overtime, up to a sum of \$18,649.00 per officer.

Mayor Pro Tem Garza moved to approve the consent agenda items 2.1 thru 2.15. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.0 Approvals and Authorizations

3.1 Homestead Exemption Variance: A 2.36 acre tract of land out of the Northeast ½ of Lot 28-4, West Addition to Sharyland Subdivision, AO-I, Sergio Fonseca

On July 24, 2019 the Planning and Zoning Commission held a Public Hearing to consider this homestead exemption variance request. This tract was located 300' south of Mile 2 Road along the west side of Holland Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval subject to dedication of 20' of additional ROW along Holland Road and compliance with all homestead exemption variance requirements (i.e., affidavit, etc.).

City Manager recommended approval.

Councilman Plata moved to approve the Homestead Exemption Variance: A 2.36 acre tract of land out of the Northeast ½ of Lot 28-4, West Addition to Sharyland Subdivision. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.2 Authorize staff to reject and resolicit for bids for Weedy Lot Abatement

Staff was seeking authorization to reject and resolicit bids for weedy lot abatement. Staff received two (2) bid responses. Both bidders were lacking information. Lowest bidder did not have references,

solicitation signed, addenda checklist, and pricing for the next lowest bidder was not fair and reasonable in comparison with other municipalities pricing and with internal cost estimate.

Staff and City Manager recommended rejecting and re-soliciting for Bids.

Councilman Plata moved to authorize staff to reject and resolicit for bids for Weedy Lot Abatement. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Mayor Pro Tem Garza asked Mayor O'caña if they could go into executive session under consultation with attorney to discuss items 3.3 & 3.17 of the agenda.

At 7:04 p.m., Mayor O'caña asked council to go into Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for items 3.3, 3.17, 6.1-A and 6.2-A of the agenda for legal questions only.

Mayor Pro Tem Garza moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001 for items 3.3, 3.17, 6.1-A and 6.2-A of the Agenda. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.3 Authorization to engage with negotiations with M2 Engineering, PLLC for City of Mission Design Manual Update

Staff was seeking authorization to engage with negotiations with M2 Engineering, PLLC for City of Mission Design Manual Update (Standards Manual) since they were the only vendor who submitted a bid and met all the required specifications.

Staff Recommendation: Authorization to engage M2 Engineering, PLLC.

Mayor Pro Tem Garza moved to deny the authorization to engage with negotiations with M2 Engineering, PLLC for City of Mission Design Manual Update. Motion was seconded by Councilman Plata.

Mayor O'caña called for discussion from the council.

Mayor Pro Tem Garza mentioned that she moved to deny because she felt that in-house staff could update this manual until the drainage assessment would be completed, and then at that time do the complete manual update. She mentioned that due to the city's current financial situation we should save anywhere we could.

Councilwoman Ochoa asked City Engineer JP Terrazas if he could work on updating the design manual with all the work he had. Mr. Terrazas answered that it would take a lot of research and work to update some standards, and since he was short staff he didn't feel that it could be done in-house.

Mayor O'caña mentioned that this manual was not isolated to the drainage assessment; that this was a comprehensive for the planning & zoning and a guide that was used on a daily basis to operate thru the city and right now they were using the 1988 guide.

Councilman Plata mentioned that council was going to meet in a workshop to go over the budget so maybe it would be better to wait on this item.

City Attorney Gus Martinez asked council if they wanted to table or take no action on the item.

Mayor O'caña mentioned that there was a motion on the floor.

After much deliberation, Mayor Pro Tem Garza moved to table this item. Motion was seconded by Councilman Plata and approved 3-2, with Mayor O'caña and Councilwoman Ochoa voting against.

**3.4 Final Plat Approval: Las Palmas Del Norte No. 3 Phase II Subdivision, A tract of land containing 26.29 acres situated in Hidalgo County, Texas and also being a part or portion of Porcion 50, ETJ,
Developer: Noralinda Garza
Engineer: Javier Hinojosa Engineering**

On February 26, 2018 the City Council held a Public Hearing to consider the Preliminary Plat Approval for Las Palmas Del Norte No. 3 Phase II Subdivision. The proposed subdivision is located 270' south of Mile 5 North Road (F.M. 676) between la Homa Road and Bentsen Palm Drive. The Board unanimously recommended approval as per Staff's recommendation.

Staff Recommendation: Approval subject to: 1) Meeting Model Subdivision Rules, Meet any comments from the County Planning Department, and 3) Add plat note alerting property owners of buildable area.

City Manager recommended approval.

Councilman Plata moved to approve Final Plat Approval: Las Palmas Del Norte No. 3 Phase II Subdivision, A tract of land containing 26.29 acres situated in Hidalgo County, Texas and also being a part or portion of Porcion 50, ETJ, Developer: Noralinda Garza Engineer: Javier Hinojosa Engineering. Motion was seconded by Councilman Vela and approved unanimously 4-0, with Mayor Pro Tem Garza abstaining from voting.

3.5 Approval of Resolution # 1606 of the City of Mission, Texas finding that AEP Texas Inc.'s requested increase to its electric transmission and distribution rates and charges within the city should be denied

On May 1, 2019, AEP Texas Inc. filed an application with cities retaining original jurisdiction seeking to increase system-wide distribution rates by \$38.3 million per year (an increase of 4.2%), and decrease system-wide transmission rates by \$3.16 million (a decrease of 0.7%). According to AEP Texas, the impact of this approval on an average residential customers would be an increase of about \$4.75 per month for customers in the Central Division, and a decrease of \$5.01 for customers in the North Division.

In a prior City action, AEP Texas' rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period had permitted the City, through its participation with Cities Served by AEP Texas, to determine that the proposed rate increase was unreasonable. Consistent with the recommendations of experts engaged by Cities, AEP Texas' request for a rate increase should be denied. The purpose of the Resolution was to deny the rate change application proposed by AEP Texas.

Staff and City Manager recommended approval of resolution.

Mayor Pro Tem Garza moved to approve Resolution No.1606 of the City of Mission, Texas finding that AEP Texas Inc.'s requested increase to its electric transmission and distribution rates and charges within the city should be denied. Motion was seconded by Councilman Plata and approved unanimously 5-0.

RESOLUTION NO. 1606

A RESOLUTION OF THE CITY OF MISSION TEXAS FINDING THAT AEP TEXAS INC.'S REQUESTED INCREASE TO ITS ELECTRIC TRANSMISSION AND DISTRIBUTION RATES AND CHARGES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING 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

3.6 Approval of Resolution # 1607 of the City Council of the City of Mission, Texas authorizing the submittal of a grant application to the Texas Department of Transportation (TxDOT) Federal-aid SRTS

A resolution of the City Council of the City of Mission, Texas authorizing the filing of a grant application to the Texas Department of Transportation (TxDOT) Federal-aid SRTS program; authorizing the Mayor to act on behalf of the City in all matters related to the application; and pledging that if a grant was received, the City would comply with the grant requirements. The City of Mission would be submitting the grant to add safe transportation routes leading to schools in the Mission City Limit.

Staff and City Manager recommended approval of resolution.

Councilman Plata moved to approve Resolution No.1607 of the City Council of the City of Mission, Texas authorizing the submittal of a grant application to the Texas Department of Transportation (TxDOT) Federal-aid SRTS. Motion was seconded by Councilman Vela and approved unanimously 5-0.

RESOLUTION NO. 1607

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FEDERAL-AID SRTS AND AUTHORIZING THE MAYOR TO ACT AS THE AUTHORIZED REPRESENTATIVE REGARDING THE CITY'S PARTICIPATION IN THE GRANT PROGRAM

3.7 Authorization to enter into an agreement with CGI Communications for street banner program

The National Civic League was proud to have CGI Communications as their premier Community Banner Partner. For All-America City recipients, CGI would provide 20 complimentary banners to be displayed on city light or utility poles.

CGI would reinforce the promotion of Mission as a 2019 All-America City by soliciting local business to sponsor additional banners.

This program was voluntary and had no monetary commitment on behalf of the City of Mission. It's a great way to #ShareYourShield and reignite our city's civic pride.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to enter into an agreement with CGI Communications for street banner program. Motion was seconded by Mayor Pro Tem Gaza and approved unanimously 5-0.

3.8 Approval of Ordinance # 4813 of the City Council of City of Mission, Texas amending Article II – City Council Section 2-34 – Procedure for presentations to Council Subsection (a) and providing for an effective date

House Bill 2840 passed during the 86th Legislative Session allowed each member of the public who desired to address the Council regarding an item on an agenda. HB 2840 further allowed for the governmental body to adopt reasonable rules regarding the public's right to address the governmental body on a given agenda item.

This ordinance gave citizens the opportunity to speak on items on the agenda during Citizen's Participation, by signing in and stating which item they would be speaking on. Citizens would be allowed three minutes regardless of the number of voting items they wish to speak on. Persons wishing to speak on an item that was set for a public hearing must speak at the public hearing section of the meeting.

This ordinance shall take effect on September 1, 2019 in accordance with House Bill No. 2840.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Ordinance No. 4813 of the City Council of City of Mission, Texas amending Article II – City Council Section 2-34 – Procedure for presentations to Council Subsection (a) and providing for an effective date. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4813

AN ORDINANCE OF THE CITY COUNCIL OF CITY OF MISSION, TEXAS AMENDING ARTICLE II – CITY COUNCIL. SECTION 2-34 – PROCEDURE FOR PRESENTATIONS TO COUNCIL SUBSECTION (a) AND PROVIDING FOR AN EFFECTIVE DATE

3.9 Approval of Resolution # 1608 adopting and implementing a gross receipt tax (i.e. prize fee) on the conduct of Bingo as authorized under Texas House Bill 914 (86th Leg) and the Texas Occupations Code

The 86th Legislature of the State of Texas had passed House Bill 914, amending certain sections of the Texas Occupations Code. The amended sections allowed certain counties and cities to receive a prize fee from licensed and authorized organizations conducting bingo games. The prize fee was to be collected by the Texas Lottery Commission and likewise shared with the Texas Lottery Commission. The authorized City, in order to be eligible to collect their fee, must pass a resolution opting in to the fee, and must notify all organizations to be collected from of their intent to collect.

Staff and City Manager recommended approval of resolution.

Councilman Plata moved to approve Resolution No. 1608 adopting and implementing a gross receipt tax (i.e. prize fee) on the conduct of Bingo as authorized under Texas House Bill 914 (86th Leg) and the Texas Occupations Code. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1608

RESOLUTION ADOPTING AND IMPLEMENTING A GROSS RECEIPT TAX (i.e Prize Fee) ON THE CONDUCT OF BINGO AS AUTHORIZED UNDER TEXAS HOUSE BILL 914 (86TH Leg.) AND THE TEXAS OCCUPATIONS CODE

3.10 Approval of Resolution #1609 supporting a Texas Department of Transportation construction Project known as the Hidalgo County Loop Project, specifically supporting the 365 Tollway Project

This resolution accompanied a letter submitted to the Texas Transportation Commission supporting the 365 Tollway Project as part of the Hidalgo County Loop. This project would greatly alleviate traffic flow, specifically heavy freight traffic, in and out of Hidalgo County. The City of Mission, centrally located in Hidalgo County, was significantly impacted by the flow of traffic, particularly heavy freight traffic.

Staff and City Manager recommended approval of resolution.

Councilman Plata moved to approve Resolution No. 1609 supporting a Texas Department of Transportation construction Project known as the Hidalgo County Loop Project, specifically supporting the 365 Tollway Project. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

RESOLUTION NO. 1609

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, HIDALGO COUNTY, TEXAS SUPPORTING A TEXAS DEPARTMENT OF TRANSPORTATION CONSTRUCTION PROJECT KNOWN AS THE HIDALGO COUNTY LOOP PROJECT (the "Loop"), SPECIFICALLY SUPPORTING THE 365 TOLLWAY PROJECT (the "Project").

3.11 Authorization to purchase furniture for the Bannworth Gym Expansion through Office Depot via state approved contract NIPA Region 4 ESC R142212

Staff was seeking authorization to purchase furniture in the amount of \$77,882.05 from Office Depot via NIPA Region 4 ESC R142212 for the Bannworth Gym Expansion.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase furniture for the Bannworth Gym Expansion through Office Depot via state approved contract NIPA Region 4 ESC R142212. Motion was seconded by Councilman Vela and approved unanimously 5-0.

3.12 Authorization to reject and rebid for Boys and Girls Club Athletic League Uniforms

On July 1, 2019 Council authorized staff to solicit bids for the purchase and delivery of Athletic League Uniforms for the Boys and Girls Club. Uniforms were needed by the Boys and Girls Club for seasonal athletic leagues. Staff was seeking authorization to reject and re-solicit for bids since lowest bidders were found non-responsive by not submitting bid bond/cashier's check and/or addendums. Responsive bidders pricing was not fair and reasonable.

Staff and City Manager recommended approval to reject and rebid.

Mayor Pro Tem Garza moved to authorize to reject and rebid for Boys and Girls Club Athletic League Uniforms. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

3.13 Authorization to approve repayment to Texas Division of Emergency Management (TDEM) for FEMA Public Assistance (PA) Project related to Disaster Hurricane Dolly, FEMA-DR 1780-TX

The Texas Division of Emergency Management (TDEM) had recently performed a comprehensive reconciliation of funds disbursed to Mission for FEMA Public Assistance (PA) Project related to Disaster Hurricane Dolly, FEMA-DR-1780-TX. The results of the reconciliation indicated that the City of Mission, TX had received funds in excess of the approved federal share for PW 00492. This project was written based on estimates for \$153,624.32. The project was advanced funding of \$53,479.82 on November 13, 2009. However, a compliance review dated June 25, 2018 found that this project had substantiated costs of \$0.00. Due to this, \$53,479.82 was owed to the State.

The City of Mission was proposing repayment of the \$53,479.82 in four equal payments during the Fiscal Year of 2020 as follows:

October 15, 2019, \$ 13,369.96; January 15, 2020, \$ 13,369.95; April 15, 2020, \$ 13,369.96 and July 15, 2020 \$ 13,369.95.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to approve repayment to Texas Division of Emergency Management (TDEM) for FEMA Public Assistance (PA) Project related to Disaster Hurricane Dolly, FEMA-DR 1780-TX. Motion was seconded by Councilman Vela and approved unanimously 5-0.

3.14 Authorization to accept the 2020 STEP Comprehensive Grant from the Texas Department of Transportation

The Mission Police Department was requesting authorization to accept the 2020 Comprehensive Selective Traffic Enforcement Program Grant from the Texas Department of Transportation. The 2020 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 \$64,985.53 would be utilized for the aforementioned enforcement purposes. The City of Mission would be required to contribute a match of \$13,000.53.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to authorize to accept the 2020 STEP Comprehensive Grant from the Texas Department of Transportation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.15 June 2019 Financial Statements

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

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the June 2019 Financial Statements as presented. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.16 Tax Collections Report – June, 2019

Finance Director Vela presented the Tax Collections Report – June 2019 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Tax Collections Report – June 2019 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

3.17 Authorize Staff to Engage Highest Qualified Firm found Acceptable in negotiations for Auditing Services and Authorize City Manager to execute contract incident thereto

On June 10 2019, City Council authorized staff to solicit Request for Proposals (RFP's) for Auditing Services in accordance with the Texas Professional Services Procurement Act (V.T.C.A., Government Code Section 2254.001). Proposals received were referred to an evaluation committee appointed to review and evaluate on the basis of demonstrated competence and qualifications to perform the services.

Staff received seven (7) proposals on July 26, 2019. All proposals were evaluated on set criteria outlined in the RFP.

After careful evaluation, assessment, and interviews the Evaluation Committee deemed six (6) of the seven (7) firms acceptable and qualified to perform auditing services.

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

Staff Recommendation: Staff is seeking direction.

No action was taken on this item. Council requested staff to set up a workshop to review the proposals.

3.18 Consideration of change order for Tabeza Holdings, LLC for Housing Assistance at 205 E Victory

The purpose for the change order was to request consideration for reimbursement of unbudgeted costs for remediation of septic tank found at the construction site during the demolition phase. Due to this unforeseen circumstance, it was necessary to remediate the septic tank and back fill to prepare for the foundation. Staff confirmed the need for change order to remediate the septic tank and recommended approval of this request.

The change order was as follows:

Contract amount	\$56,920.00
Change order	\$ 750.00
Total amount	\$57,670.00

The total amount of the change order was \$750 (1.3% of Original Contract Amount and is less than the 25% cap allowed by the Texas Local Government Code).

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve consideration of change order for Tabeza Holdings, LLC for Housing Assistance at 205 E Victor. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.19 Approval to Purchase Two Hydroflo Pumps for the North and South Water Treatment Plants from a sole source vendor

Staff was recommending purchasing Two Hydroflo 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 are available from only one source, including: (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies and (D) captive replacement parts or components for equipment;

South Water Treatment Plant Raw Water Pump required a 2800 GPM and the North Water Treatment Plant filter transfer pump requires a 4200 GPM, which would be replacing the same pumps. There was a sole source letter from Manufacturer, Hydroflo Pumps, Listing Dynamic Pump Systems as authorized exclusive vendor for such pumps in South Texas.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to Purchase Two Hydroflo Pumps for the North and South Water Treatment Plants from Dynamic Pump Systems a sole source vendor. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

4.0 Unfinished Business

None

5.0 Routine Matters

5.1 City Manager's Comments

City Manager Perez congratulated the Boys & Girls Club Teams who participated in the World Series and the TAFF athletes who participated in College Station

5.2 Mayor's Comments

Mayor O'caña mentioned that Nancy Pelosi had attended services at La Lomita Chapel and thanked the police department for their efforts in the security of Ms. Pelosi.

5.3 City Council Comments

Councilman Vela congratulated the children who participated in the World Series and TAFF games.

Mayor Pro Tem Garza congratulated the children and their parents for their dedication to their children.

Councilwoman Ochoa commended Chief Dominguez and the Police Department for their hard work for the BBQ Fundraiser for the family of Speedy Espericueta and for a successful National Night Out sponsored by Mission Crimestoppers.

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

6.1 Consultation with Attorney Sec. 551.071 (1)

Deliberations about Real Property Sec. 551.072

A. Consideration of release of liens for property Lot 12, Block 81 Mission Original Townsite

6.2 Consultation with Attorney Sec. 551.071 (1)

A. Information on Cause No. C-1854-19-C; Estate of Carlos Hernandez, III, Deceased v. Doctors Hospital at Renaissance, Et al

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

At 7:29 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Minutes, 08/12/19 pg. 17

On Item 6.1-A, Councilman Plata moved to authorize to waive the remaining weedy lot balance of a lot following foreclosure option, for property Lot 12, Block 81 Mission Original Townsite. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

On item 6.2-A, no action was taken.

Mayor O'caña continued with item 3.3. of the agenda.

7.0 Adjournment

At 8:17 p.m. Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ATTEST:

Dr. Armando O'caña, Mayor

Anna Carrillo, City Secretary