

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
AUGUST 26, 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:

Jaimie Trevino, Progress Times
Beth Barnes
Jim Barnes
Irma F Lopez
Edelia Garza
C.J. Sanchez

ABSENT:

STAFF PRESENT:

Paula Banda, Admin. Assistant
Elizabeth Hernandez, Executive Secretary
Aida Lerma, Deputy City Manager
David Flores, Deputy City Manager
Angie Vela, Finance Director
Jaime Acevedo, Planning Director
Susana De Luna, City Planner
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
Frank Cavazos, Deputy 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 Zapta, Health Supervisor
Adela Ortega, Food Pantry Manager
Jonathan Wehrmeister, Judge
Joel Chapa, Police Officer

1. Call to order

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 5:30 p.m.

2. Invocation and Pledge Allegiance

Pastor Bill Duke, First United Methodist Church led the Invocation. BSA Troop 1849 chartered by Our Lady of Guadalupe Catholic Church led the Pledge of Allegiance.

3. Employee of the Month Recognition

Noemi Munguia, Human Resource Director introduced the Employee of the Month for May 2019 Susana De Luna, City Planner for the Planning Department. June 2019 Cristina Garza, Director of Social Impact for the Economic Development Department

4. Proclamation – National Childhood Cancer Awareness

City Secretary Anna Carrillo read the Proclamation – National Childhood Cancer Awareness.

Councilman Ruben Plata moved to approve the Proclamation National Childhood Cancer Awareness Motion was seconded by Councilwoman Jessica Ortega-Ochoa and approved unanimously 5-0.

5. Presentation by Hidalgo County Drainage District #1 – Raul Sesin

Raul Sesin, Hidalgo County Drainage District Manager reported on the projects that are currently underway in the City of Mission. The Mission McAllen Rado Alternate project consists of channel improvements. The Mission Lateral project consists of widening, culvert crossing and detention facilities to increase linear detention and functionality of existing Mission Lateral drain ditch.

6. Report from the Greater Mission Chamber of Commerce

CJ Sanchez, Vice President of the Greater Mission Chamber of Commerce reported on past and upcoming events for the chamber. Hospitality and Tourism meeting would be held on September 3rd at Brick Fire Pizza. Texas Regional Bank would be celebrating 5 years in the City of Mission on September 5th Buenas Tardes Luncheon would be held on September 12. Annual Awards gala would be on October 17.

7. Departmental Reports

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

8. Citizens Participation

Jim Barnes, spoke about the need to have law enforcement at some of the meetings held in the city. Francis M. Ciancarelli, 3709 San Clemente, spoke about the need to have signs replaced around the Los Indios Parkway, fence also needs to be fixed at the city park and the school district. American Legion Post 93 would be hosting a celebration for the USAF's 72nd birthday for Active, Retired and Veterans of the USAF.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Request to Abandon a 20' street right-of-way easement in a 0.124-acre tract of land, more or less, being the West 271.11 feet of an existing 20 foot street right-of-way located adjacent to the North line of Lots 5 & 6, Yewell Subdivision
Adoption of Ordinance # 4814 approving 1.1A**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this abandonment request. The 20' x 271.11' area to be abandoned lies along the west side of Ragland Street

and extends 271.11 west between Lot 33, Sharyland Orchards Subdivision and Lots 5 & 6, Yewell Subdivision. 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 Norie Gonzalez Garza moved to approve and adopt Ordinance No. 4814 Request to Abandon a 20' street right-of-way easement in a 0.124-acre tract of land, more or less, being the West 271.11 feet of an existing 20 foot street right-of-way located adjacent to the North line of Lots 5 & 6, Yewell Subdivision. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4814

AN ORDINANCE OF THE CITY OF MISSION, TEXAS, VACATING AND ABANDONING A TWENTY FOOT (20') STREET RIGHT-OF-WAY LOCATED ADJACENT TO THE NORTH LINE OF LOTS 5 & 6, YEWELL SUBDIVISION, MISSION, HIDALGO COUNTY TEXAS; AUTHORIZING CONVEYANCE OF LAND TO ABUTTING LANDOWNERS; PROVIDING SEVERABILITY, EFFECTIVE DATE AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.

- B. Rezoning: A 6.545 acre tract of land being the North 241' of Lot 27-2, West Addition to Sharyland Subdivision, from (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Leonel Olivarez
Adoption of Ordinance # 4815 approving 1.1B**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located approximately 1500' south of West Mile 2 Road along the west side of Los Ebanos Road. There was public opposition during the P&Z Mtg. and the concerns voiced were in regards to noise. 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.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4815 Rezoning: A 6.545 acre tract of land being the North 241' of Lot 27-2, West Addition to Sharyland Subdivision, from (AO-I) Agricultural Open Interim to (R-1) Single Family Residential. Motion was seconded by Councilman Alberto Vela and approved unanimously 4-1.

Mayor Pro Tem Garza voted against.

ORDINANCE NO. 4815

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 6.545 ACRE TRACT OF LAND BEING THE NORTH 241' OF LOT 27-2,
WEST ADDITION TO SHARYLAND SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO
R-1 (SINGLE FAMILY RESIDENTIAL)

**C. Rezoning: A 7.557 acre tract, and also being a part or portion of Shares 3, 4, and 5, San Jose Subdivision, from (AO-I) Agricultural Open Interim to (R-1A) Large Lot Single Family, Jose Manuel & Ismael Garcia
Adoption of Ordinance # 4816 approving 1.1C**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located approximately 150' north of Trinity Road along the east side of Stewart Road. 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 Norie Gonzalez Garza moved to approve the rezoning and to adopt Ordinance No. 4816 A 7.557 acre tract, and also being a part or portion of Shares 3, 4, and 5, San Jose Subdivision, from (AO-I) Agricultural Open Interim to (R-1A) Large Lot Single Family. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 4816

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A 7.557 ACRE TRACT, AND ALSO BEING A PART OR PORTION OF SHARES 3, 4, AND 5, SAN JOSE SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1A (LARGE LOT SINGLE FAMILY)

**D. Conditional Use Permit: To Move in a Wood Frame Home on Property Zoned (R-4) Mobile & Modular Home District, 2807 Estevan Street, Lot 79, Inspiration Manor Subdivision, R-4, Life of Use, Guadalupe Ramirez
Adoption of Ordinance # 4817 approving 1.1D**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located between Inspiration Road and Gabriel Street along the west side of Estevan Street. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval subject to the CUP being transferable to others.

City Manager recommended approval.

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

There were comments.

Applicant Guadalupe Ramirez spoke in favor, and thanked the City Council.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4817 Conditional Use Permit: To Move in a Wood Frame Home on Property Zoned (R-4) Mobile & Modular Home District, 2807 Estevan Street, Lot 79, Inspiration Manor Subdivision, R-4, Life of use as per Staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4717

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR TO MOVE IN A WOOD FRAME
HOME ON PROPERTY ZONED (R-4) MOBILE & MODULAR HOME DISTRICT,
2807 ESTEVAN STREET, LOT 79, INSPIRATION MANOR SUBDIVISION

**E. Conditional Use Permit: Drive-Thru Service Window – El Tropical, 708 N. Inspiration Road, Ste. 1, Lot 1, Rivalsebas Subdivision, C-3, Veronica Cepeda
Adoption of Ordinance # 4718 approving 1.1E**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located 400' south of E. Expressway 83 Frontage Road along the east side of Inspiration Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval for a period of 1 year to assess this new operation.

City Manager recommended approval.

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

There were comments.

Maria Ester Salinas of 715 Miller spoke in favor.

Councilman Plata moved to approve the cup and to adopt Ordinance No. 4818 Conditional Use Permit: Drive-Thru Service Window – El Tropical, 708 N. Inspiration Road, Ste. 1, Lot 1, Rivalsebas Subdivision, C-3. as per Staff's recommendation. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

ORDINANCE NO. 4718

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE
WINDOW – EL TROPICAL, 708 N. INSPIRATION ROAD, STE. 1,
LOT 1, RIVALSEBAS SUBDIVISION

**F. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Che Puerco Restaurant Bar, 205 N. Shary Road, Ste. A, Lot 1, South Shary Commercial Subdivision, C-3, Naim Entertainment Group, LLC, (c/o Antonio Naim)
Adoption of Ordinance # 4719 approving 1.1F**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was near the NW corner of Shary Road and Selena Street (E. 1st Street) along the west side of Shary Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Staff recommends approval subject to: 1) 2 year re-evaluation at which time the applicant would have to renew his CUP and TABC License, 2) waiver of the 300' separation requirement from the residential homes, 3) Must comply with all Fire, Health, and Building Code requirements, and 4) Acquire a business license.

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. 4819 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Che Puerco Restaurant Bar, 205 N. Shary Road, Ste. A, Lot 1, South Shary Commercial Subdivision, C-3, Naim Entertainment Group, LLC as per Staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0

ORDINANCE NO. 4719

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 – CHE PUERCO RESTAURANT BAR,
205 N. SHARY ROAD, STE. A, LOT 1, SOUTH SHARY

G. Conditional Use Permit Renewal: To keep a 24' x 60' Portable Building, 915 W. Expressway 83, Lot 1, Nido De Aguila Subdivision, P, Luz Para Las Naciones Church Adoption of Ordinance # 4720 approving 1.1G

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located at the SW corner of S. Olmo Street and south side of U.S. Expressway 83 Frontage Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommends approval subject to a 3-year re-evaluation to assess the CUP.

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. 4820 Conditional Use Permit Renewal: To keep a 24' x 60' Portable Building, 915 W. Expressway 83, Lot 1, Nido De Aguila Subdivision, P, Luz Para Las Naciones Church as per Staff's recommendation. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 4720

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING
A CONDITIONAL USE PERMIT RENEWAL TO KEEP A 24' X 60' PORTABLE BUILDING,
915 W. EXPRESSWAY 83, LOT 1, NIDO DE AGUILA SUBDIVISION

H. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Mariscos El 7 Mares, 2301 E. Griffin Parkway, Ste. D, Lots 10-12, Big Orange Subdivision, C-3, Mariscos El 7 Mares, LLC, (c/o Juan Jose Chapa) Adoption of Ordinance # 4721 approving 1.1H

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On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located within an existing commercial plaza located on the NW corner of Citrus Lane and Griffin Parkway. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff recommended approval until June 6, 2021 at which time the applicant would have to renew his CUP and TABC License.

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. 4821 Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Mariscos El 7 Mares, 2301 E. Griffin Parkway, Ste. D, Lots 10-12, Big Orange Subdivision, C-3, Mariscos El 7 Mares, LLC as per Staff's recommendation. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

ORDINANCE NO. 4721

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 – MARISCOS EL 7 MARES,
2301 E. GRIFFIN PARKWAY, STE. D., LOTS 10-12, BIG ORANGE 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 – August 12, 2019 and
Special City Council Meeting – August 19, 2019**

2.2 Acknowledge Receipt of Minutes

**Mission Boys & Girls Club – July 09, 2019
Mission Civil Service Commission – July 11, 2019
Planning and Zoning Commission – July 24, 2019
Citizens Advisory Committee – July 9, 2019
Parks & Recreation Board Meeting – June 11, 2019
Traffic Safety Committee – April 16, 2019**

2.3 Approval of request by County of Hidalgo Elections Department to use City Facilities for early voting and election day for 2019-2020 Elections

County of Hidalgo Elections Department was requesting the use of Bannworth Classroom #1 and Mission City Hall Community Room for early voting and Election Day for the following elections:

- Constitutional Amendment and Local Elections – early voting October 21 thru November 1, 2019
Election Day November 5, 2019
- Primary Election – early voting, February 18 - 28, 2020. Election Day March 3, 2020
- Primary Runoff – early voting, May 18 – May 22, 2020. Election Day May 26, 2020
- General Election – early voting, October 19 – 30, 2020. Election Day November 3, 2020

2.4 Authorization to Execute Third and Final One Year Renewal Option for Offsite Records Storage and Destruction Services with Creative Imaging

The contract terms were for two years with three one-year renewal options, based on 0% Increase in Price. Staff was seeking authorization to extend contract for the third and final one year renewal option with Creative Imaging at a 0% increase in price. Bid No. 15-285-08-26.

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

Sharyland ISD and City desire to enter into the Interlocal Agreement for the purpose of use of the Natatorium Facility at Bannworth Park. The agreement was for the 2019-2020 school year at a cost of \$17,500.00.

The agreement was to be presented to SISD School Board.

2.6 Approval of Resolution No. 1610 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 4th Annual Healthy Families and Healthy Communities 5 K Run/Walk event

On Saturday, September 14, 2019, The Healthy Families and Healthy Communities along with the City of Mission was requesting closure of U.S. Business Highway 83 between west Kika De La Garza Loop and Los Ebanos Road. The Mission Police Department would be responsible for securing the Healthy Families and Healthy Communities 5 K Run/Walk event route to ensure the safety of both motorists and pedestrians.

RESOLUTION NO. 1610

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY OF THE WESTBOUND LANE OF TRAVEL (RIGHT LANE) OF U.S. BUSINESS HIGHWAY 83 BETWEEN WEST KIKA DE LA GARZA LOOP AND LOS EBANOS ROAD FOR THE 4th ANNUAL HEALTHY FAMILIES AND HEALTHY COMMUNITIES 5 K RUN/WALK EVENT AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

2.7 Approval of Resolution No. 1611 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 Speedy 5k run

The agreement was required by the Texas Department of Transportation for the closure of the right lane of travel of FM 494 (Shary Road) from Victoria Drive to U.S. Business 83, and the right lane of travel of U.S. Business 83 from FM 494 to Taylor Road. The Mission Police Department would be responsible for securing the route.

RESOLUTION NO. 1611

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY OF THE WESTBOUND LANE OF TRAVEL (RIGHT LANE) OF U.S. BUSINESS HIGHWAY 83 BETWEEN WEST KIKA DE LA GARZA LOOP AND LOS EBANOS ROAD FOR THE 4th ANNUAL HEALTHY FAMILIES AND HEALTHY COMMUNITIES 5 K RUN/WALK EVENT AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

2.8 Approval of Resolution No. 1612 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 Beer Run 5k run

The agreement was required by the Texas Department of Transportation for the closure of the westbound and eastbound lanes of U.S. Business 83 from Highland Park Avenue to Mayberry Road and eastbound lanes of U.S. Business 83 to Conway Avenue. The Mission Police Department would be responsible for securing the route.

RESOLUTION NO. 1612

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY OF THE WESTBOUND AND EASTBOUND LANES OF U.S. BUSINESS 83 FROM MAYBERRY ROAD TO HIGHLAND PARK AVENUE AND THE EASTBOUND LANES OF U.S. BUSINESS 83 BETWEEN CONWAY AVENUE AND MAYBERRY ROAD FOR THE BEER RUN 5K EVENT AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

2.9 Authorization to enter in a Memorandum of Understanding between the Federal Bureau of Investigation and the City of Mission Police Department for the FY 2019-2020 Rio Grande Valley Safe Streets Task Force

The purpose of this MOU was to delineate the responsibilities of the Rio Grande Valley Safe Streets Task Force. This agreement would dictate the personnel formalize relationships between participating agencies for policy guidance, planning, training, public and media relations and maximize inter-agency cooperation. The mission of the SSTF was to identify and target for prosecution criminal enterprises groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence and any illicit criminal activities.

2.10 Authorization to solicit bids for Bentsen Palm Development Improvements

Staff was seeking authorization to solicit bids for the Bentsen Palm Development sanitary sewer improvements between Shuerbach road and Inspiration road south of Mile 1 South. The construction cost of this project would be reimbursed to the City by the Tax Increment Reinvestment Zone as per the Reimbursement Agreement approved by the City Council on March 11, 2019.

2.11 Authorization to Solicit Bids for Powdered Activated Carbon for the North and South Water Treatment Plants

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

2.12 Authorization to Solicit for Bids for Chlorine Gas for the Public Works Department North and South Water Treatment Plants

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

2.13 Authorization to solicit for bids for Odor Control Chemical for the Public Works Department Waste Water Treatment Plant and Lift Stations

Staff was seeking authorization to solicit bids for the purchase of Odor Control Masking Agent Chemical. Chemical was needed to neutralize odor at the waste water treatment plant and sanitary sewer lift stations. The contract terms would be for one year base term with two one-year renewal options.

Councilwoman Ochoa moved to approve the consent agenda items 2.1 thru 2.13. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.0 Approvals and Authorizations

**3.1 Preliminary Plat Approval: Carrizales Subdivision, A 76.87 acre tract of land out of Block 16, Texan Gardens Subdivision, Rural ETJ,
Developer: Norberto Salinas,
Engineer: South Texas Infrastructure**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this Preliminary & Final Plat Approval for Carrizales Subdivision. The proposed subdivision was located near the NE corner of Mile 6 Road and Western Road. The Board unanimously recommended approval as per Staff's recommendation.

Staff recommended approval subject to: 1) Must meet the Model Subdivision Rules; 2) Comply with the street alignment policy; and 3) Comply with comments from the County Planning Department.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Carrizales Subdivision, A 76.87 acre tract of land out of Block 16, Texan Gardens Subdivision, Rural ETJ subject to staff's recommendations. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

**3.2 Preliminary Plat Approval: Del Oro Subdivision Unit No. 5, A Resubdivision of 10.731 acres of land out of the South end of Porcion 52, PUD,
Developer: Rhodes Enterprises, Inc.(Nick Rhodes),
Engineer: Melden & Hunt, Inc.**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this Preliminary & Final Plat Approval for Del Oro Subdivision Unit No 5. The proposed subdivision was the 5th phase of the Del Oro Subdivision located approximately ¾ mile East of Schuerbach Road and Mile 1 South. The Board unanimously recommended approval as per Staff's recommendation

Staff recommended approval subject to: 1) Must pay capital sewer recovery fees; 2) Dedication of water rights; and 3) Compliance with the Model Subdivision Rules

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Preliminary Plat Approval: Del Oro Subdivision Unit No. 5, A Resubdivision of 10.731 acres of land out of the South end of Porcion 52, PUD subject to staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**3.3 Preliminary Plat Approval: Periquitos Subdivision, A 7.557 acre tract, also being a part or portion of Shares 3, 4, and 5, San Jose Subdivision, AO-I (R-1A proposed),
Developer: Jose Manuel Garcia & Ismael Garcia,
Engineer: BIG Engineering**

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this Preliminary & Final Plat Approval for Periquitos Subdivision. The proposed subdivision was located near the intersection of Trinity and Frio Street along the north side of Trinity. The Board unanimously recommended approval as per Staff's recommendation

Staff Recommended 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 park and capital sewer recovery fees.

Mayor Pro Tem Garza was concern that variance 40' ROW with a pavement width of 20' wasn't enough space for the emergency vehicles

Mayor Pro Tem Garza moved to table the item. 3.3. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.4 Preliminary Plat Approval: Los Ebanos Village Subdivision, A 6.55 acre tract of land being the north 216' of Lot 27-2, West Addition to Sharyland Subdivision, R-1, Developer: Leonel & Amparo L. Olivarez, Engineer: Nain Engineering, LLC

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this Preliminary & Final Plat Approval for Los Ebanos Village Subdivision. The proposed subdivision was the second phase of Crystal Estates located near the NW corner of Los Ebanos Road & Esperanza Avenue. The Board unanimously recommended approval as per Staff's recommendation.

Staff recommended approval subject to: 1) Payment of park fees and sewer capital recovery fees; 2) Water district exclusion; and 3) Comply with all other format findings.

City Manager recommended approval.

Councilman Plata moved to approve Preliminary Plat Approval: Los Ebanos Village Subdivision, A 6.55 acre tract of land being the north 216' of Lot 27-2, West Addition to Sharyland Subdivision, R-1, as per Staff's recommendation Motion was seconded by Councilman Vela and approved unanimously 4-1. Mayor Pro Tem Garza voted against.

3.5 Preliminary & Final Plat Approval: M.E.D.C. Subdivision, A tract of land containing 18.83 acres of land, being a part of portion of the abandoned old Edinburg Canal R.O.W., and Lots 175 & 185, John H. Shary Subdivision, C-3, Developer: Mission Economic Development Corp., Engineer: Javier Hinojosa Engineering

On August 14, 2019 the Planning and Zoning Commission held a Public Hearing to consider this Preliminary & Final Plat Approval for M.E.D.C. Subdivision. The proposed subdivision was located near the NE corner of Shary Road and Victoria Drive. The Board unanimously recommended approval as per Staff's recommendation.

Staff recommended approval subject to: 1) Payment of capital sewer recovery fees; 2) Water District Exclusion; and 3) Comply with all other format findings.

City Manager recommended approval.

Mayor Pro Tem Garza moved to approve Preliminary & Final Plat Approval: M.E.D.C. Subdivision, A tract of land containing 18.83 acres of land, being a part of portion of the abandoned old Edinburg Canal R.O.W., and Lots 175 & 185, as per Staff's recommendation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.6 Tax Collections Report - July, 2019

Finance Director Angie Vela presented the Tax Collection Report-July 2019 for approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Garza moved to approve the Tax Collection Report-March 2019. Motion was seconded by Councilwoman Plata and approved unanimously 5-0.

3.7 Discussion and action on proposed 2019 Tax Rate and Take Record Vote and Schedule Public Hearings

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

The calculated effective tax rate was \$0.4844 per \$100 valuation

The calculated rollback tax rate was \$0.5411 per \$100 valuation

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

First Public Hearing was to be scheduled: September 9, 2019

2nd Public Hearing was to be scheduled: September 16, 2019

City Manager recommended approval.

Councilman Plata moved to approve Discussion and action on proposed 2019 Tax Rate and Take Record Vote and Schedule Public Hearings

Staff and City Manager recommended approval.

Councilman Vela moved to approve the proposed 2019 Tax Rate of \$0.5212. per \$100 valuation Motion was seconded by Councilman Plata and approved unanimously 4-1.

There was a record vote of 4-1 Mayor O'caña voted against it. Council approved the adoption of the proposed 2019 Tax Rate of \$0.5212. per \$100 valuation

3.8 Authorization to accept the FY 2019-2020 Other Victim Assistance Grant (OVAG) from the Office of the Attorney Generals' Crime Victim Services Division.

The grant was a one-year grant for FY 2019-2020. The total amount of the grant was \$42,000.00. This grant would allow the Mission Police Department to continue the services provided by our Crime Victim Liaison program. There was no cash match required by the City of Mission. This grant would be in effect from September 1, 2019 through August 31, 2020.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to accept the FY 2019-2020 Other Victim Assistance Grant (OVAG) from the Office of the Attorney Generals' Crime Victim Services Division. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3.9 Authorization to accept one (1) Belgian Malinois K-9 for the City of Mission Police Department K-9 Program which was donated by an anonymous citizen

The Mission Police Department received a donation of a male Belgian Malinois K-9 from an anonymous citizen. The male K-9 was a 1 year, 5 months old and was black and brown color. This dog was named Primo and he specializes in narcotics detection. He was proficient in marijuana, cocaine, heroin and methamphetamine. The approximate value of the K-9 was \$8,200.00. There would be no cost to the City of Mission. Staff recommends approval to accept donation.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to accept one (1) Belgian Malinois K-9 for the City of Mission Police Department K-9 Program which was donated by an anonymous citizen. Motion was seconded by Mayor Pro Tem Gaza and approved unanimously 5-0.

3.10 Authorization to purchase via State Approved Contract from Baker & Taylor for Library Material (books & media)

Speer Memorial Library was seeking authorization to purchase via State approved contract library material (books and media) from Baker & Taylor. Library material would be made available to all patrons to use and check out for educational and cultural purposes. This material would be purchased from the Library's General Fund. Baker & Taylor was on the State Co Op's 715-M2 Publications, Audiovisual Materials, Books and Cataloging Services contract.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase via State Approved Contract from Baker & Taylor for Library Material (books & media). Motion was seconded by Councilman Vela and approved unanimously 5-0.

3.11 Authorization to Award Contract for Stop Loss Insurance

On July 1, 2019, City Council authorized staff to solicit for proposals for Stop Loss Insurance. Re-Insurance was needed for the 2019-2020 fiscal year to cap any excess cost exceeding our specific deductible for medical and prescription costs. After careful evaluation and assessment, staff was recommending that we award contract to Evolution Risk.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Award Contract for Stop Loss Insurance to Evolution Risk. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Councilwoman Ochoa moved to remove from table item 4.2. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4.0 Unfinished Business

4.1 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 and City Manager recommended approval.

Councilman Vela moved to authorize to engage with negotiations with M2, Engineering PLLC for City of Mission Design Manual Update. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0. Mayor Pro Tem Gaza voted against.

5.0 Routine Matters

5.1 City Manager's Comments

City Manager expressed his condolences to Trooper Moises Sanchez family. City offices would be closed on Monday, September 2 for Labor Day Holiday, and invited the public to the Go Gold Walk to be held September 11 and 25th.

5.2 Mayor's Comments

Mayor O'cana thanked staff for attending the planning meeting for the Veteran's Day Parade. Citizens were now able to apply to FEMA to remove areas from the flood zone and requested to send out a notice to residents that they were eligible to apply to remove the flood zone area.

5.3 City Council Comments

Councilman Plata stated that unfortunately taxes needed to be raised and advised the public that the money would be spent wisely in order to continue to provide great service to the community.

Councilwoman Ochoa thanked Chief Dominguez and his staff for being there for Cpl. Speedy Espericueta's son on his first day of school. Also stated that proposing to raise taxes was an extremely difficult decision it was also in the best interest of our community. We want to maintain and improve infrastructure and our excellent city services for our children, and for our children's children. We would not do that without these changes. We must be fiscally responsible and that includes boosting our general fund balance. We were here to serve our constituents and in order to do that; we had to make this decision. Hand in hand with our community we must create a healthy fund balance for unforeseen events, to enhance public safety and also to continue to produce opportunities for our great City of Mission.

At 7:12 p.m., Councilman Ochoa 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)

Deliberations about Real Property Sec. 551.072

A. A 1.672 acres tract of land along the western edge of Glasscock Hills Subdivision

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

At 7:32 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0.

On Item 6.1A – Mayor Pro Tem Garza moved to authorize City Manager and Mayor to enter into negotiations to convey a 1.672 acres tract of land along the western edge of Glasscock Hills Subdivision. Motion was seconded by Councilman Ochoa and approved unanimously 5-0.

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At 7:32 p.m. Councilman Plata moved to reconvene in open session. Motion was seconded by Mayor Pro Tem Garza and approved unanimously 5-0

At 7:34 p.m. Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 5-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary