

**NOTICE OF REGULAR MEETING
MISSION CITY COUNCIL
DECEMBER 16, 2019 5:30 P.M.
MISSION CITY HALL**

PRESENT:

Dr. Armando O'caña, Mayor
Jessica Ortega-Ochoa, Councilwoman
Ruben D. Plata, Councilman
Alberto Vela, Councilman
Gus Martinez, City Attorney
Anna Carrillo, City Secretary
Randy Perez, City Manager

ALSO PRESENT:

Jaime Trevino, Progress Times
Tom Kruger
Elsa Liliana Vargas
Joe & Berta Alvarado
Margaret Fisher
Lee Fisher
Julie Ann Saenz
Gerardo H. Saenz, Jr.
Joe Louis Sanchez
Ricardo Betts
Jonathan Mendez
Cristian Mendez
Laura Requena
Anthony Madrigal
Gustavo Elizondo
Yvonne T. Perez
Gustavo Brito
Jesse Ruiz
Homer Garza
Lucia Herrera
Jorge Flores
Karla Galua
Michael A. Garcia
Gabriel A. Cantu
Irma Flores Loez

ABSENT:

Norie Gonzalez Garza, Mayor Pro Tem

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
Susie De Luna, Asst. Planning Director
Eduardo Belmarez, Purchasing Director
Roland Rodriguez, I. T. Director
Robert Hinojosa, Risk Manager
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
JJ Guerrero , Boys & Girls Club Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Cesar Gutierrez, Sanitation Director
JC Avila, Fleet Maintenance Director
Adela Ortega, Food Pantry Manager
Jonathan Wehrmeister, Judge
Daniel Silva, Executive Director
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

City Manager Randy Perez led the invocation and the Pledge of Allegiance.

3. Employee of the Month – October and November

Aida Lerma, Deputy City Manager introduced the Employee of the Month for October, Alex Hernandez, Planning Department. The November Employee of the month would be presented at the January meeting.

4. Census Announcement

Deputy City Manager Lerma stressed the importance of the Census and that everyone counts. She informed that there were four ways to respond. She also mentioned that the self-response date would be online on March 12, 2020, that there would be no citizenship question and that 4,000 employment opportunities were available.

5. Presentation by Parks & Recreation Department

Brad Bentsen, Parks & Recreation Director reported on the Mayberry Pool Slide, Recreational supplies and Engineering and Architectural Services for Irrigation design for Alex D. Gonzalez Park, Hollis Rutledge Sr. Park, Lions Park and CWV Park.

6. Presentation by Raul Sesin Hidalgo County Drainage District

Raul Sesin reported on the 2018 Bond Project No. 26 Mission Lateral – Phase I from Bentsen Rd to ½ Mile West of Glasscock Rd. He mentioned that notices had been mailed out to the residents that would be affected by the construction of this project.

7. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez, President of the Greater Mission Chamber of Commerce reported on past and upcoming events for the chamber to include the Annual Health Fair which would be held in January.

8. Departmental Reports

Councilman Ruben Plata moved to approve the departmental reports as presented. Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

9. Citizens Participation

Roy Pena from the American Legion thanked all of the departments for all of their assistance in making the Veteran's Day Parade a successful event.

Jesus Meave spoke about the selling of animals on the street which requires for the breeders to have a license. He asked the council to implement an Ordinance banning the sale of dogs and cats on the side of the streets and a mandatory spay and neuter program.

1.0 Public Hearing

1.1 Planning & Zoning Recommendations

- A. Rezoning: A 16.43 acre tract of land out of Lot 7-9, West Addition to Sharyland Subdivision, AO-I (Agricultural Open Interim) to I-1 (Light Industrial), Madero Grid, LLC, (c/o Able Grid Energy Solutions),
Adoption of Ordinance # 4871 approving 1.1A**

On December 11, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The irregular shaped property was located ¼ mile north of Military Road (F.M. 1016)

Minutes, 12/16/19 Pg. 3

between Mayberry and Bryan 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.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4871 Rezoning: A 16.43 acre tract of land out of Lot 7-9, West Addition to Sharyland Subdivision, AO-I (Agricultural Open Interim) to I-1 (Light Industrial), Madero Grid, LLC. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 4871

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 16.43 ACRE TRACT OF LAND OUT LOT 7-9, WEST ADDITION TO
SHARYLAND SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO I-1 (LIGHT
INDUSTRIAL)

**B. Rezoning: Lot 2, Callanan Subdivision, C-4 (Heavy Commercial) to R-3 (Multi-Family Residential), Abel Hernandez,
Adoption of Ordinance # 4872 approving 1.1B**

On December 16, 2019 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the NE corner of Glasscock Road and Business Highway 83. 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.

Romeo Sanchez was against the request. He said that changing the zoning would harm the surrounding area.

Councilman Plata moved to approve the rezoning and to adopt Ordinance No. 4872 Rezoning: Lot 2, Callanan Subdivision, C-4 (Heavy Commercial) to R-3 (Multi-Family Residential). Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 4872

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING LOT 2, CALLANAN SUBDIVISION, FROM C-4
(HEAVY COMMERCIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL)

**C. Conditional Use Permit: Home Occupation – Income Tax Preparation &
Bookkeeping/Accounting, 1316 N. Saint Marie Street, The South ½ of Lot 8, and all
of Lot 9, block 5, Blake Addition Subdivision, R-1,
Elsa L. Vargas,
Adoption of Ordinance # _____ approving 1.1C**

Minutes, 12/16/19 Pg. 4

On December 11, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the NE corner of E. 13th Street and St. Marie Avenue along the east side of St. Marie. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: approval subject to: 1) a 6 month re-evaluation, 2) acquisition of a business license, and 3) compliance with home occupation regulations.

City Manager recommended approval.

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

Romeo Sanchez, Ned Sheats, Margaret Fisher, Bertha Alvarado, Irma Flores and Laura Requenez were against the request. They were concerned about the safety of the community. They mentioned that it was nothing personal against Mrs. Vargas, but that it would be best if she rented a location on a business site because they did not want businesses in a residential area.

Owner Elsa Vargas spoke in favor of the request. She mentioned that she would be taking customers by appointment only. She also mentioned that her business was not illegal and that she was licensed and had a bachelor's degree in accounting.

Councilwoman Jessica Ortega Ochoa suggested Mrs. Vargas to speak to Mr. Daniel Silva from MEDC so that he would guide her into starting her small business.

Councilwoman Jessica Ortega Ochoa moved to deny the Conditional Use Permit: Home Occupation – Income Tax Preparation & Bookkeeping/Accounting, 1316 N. Saint Marie Street, The South ½ of Lot 8, and all of Lot 9, block 5, Blake Addition Subdivision. Motion was seconded by Councilman Plata and denied unanimously 4-0.

D. Conditional Use Permit Renewal: Kona Ice Mobile Food Unit, Various Commercial, Public, Institutional Sites, Jesse Ruiz, Adoption of Ordinance # 4873 approving 1.1D

On December 11, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit renewal request. Kona Ice Mobile Food Unit would be located in various commercial, public and institutional sites. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: approval subject to: 1) 3 years approval, 2) cannot operate from a residential zone, 3) must continue to comply with the building, fire, and health codes, and 3) no chairs or tables are permitted outside.

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. 4873 Conditional Use Permit Renewal: Kona Ice Mobile Food Unit, Various Commercial, Public, Institutional Sites, as per staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4873

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR KONA ICE MOBILE FOOD UNIT,
VARIOUS COMMERCIAL, PUBLIC, INSTITUTIONAL SITES

- E. Conditional Use Permit Renewal: Drive-Thru Service Window – El Tranvia, 2515 S. Colorado, Suite 11, Lot 2, Block 2, Santa Lucia Development Subdivision, C-3, Karla Galvan,
Adoption of Ordinance # 4874 approving 1.1E**

On December 11, 2019 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit renewal request. The subject site was located at the NW corner of Colorado and Taylor Road. There was no public opposition during the P&Z Mtg. The Board unanimously recommended approval.

Staff Recommendation: Approval for life of use subject to CUP not being transferable to others.

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. 4874 Conditional Use Permit Renewal: Drive-Thru Service Window – El Tranvia, 2515 S. Colorado, Suite 11, Lot 2, Block 2, Santa Lucia Development Subdivision, as per staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 4-0.

ORDINANCE NO. 4874

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

2.0 Consent Agenda

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

2.1 Approval of Minutes

City Council Meeting – November 25, 2019

2.2 Acknowledge Receipt of Minutes

Mission Historical Preservation Commission – October 29, 2019

Drainage Committee – September 4, 2019

Mission Civil Service Commission – October 25, 2019

Parks & Recreation Board Meeting – October 8, 2019

Citizen's Advisory Committee – October 8, 2019

Boys & Girls Club Advisory Board – October 8, 2019

Speer Memorial Library Board – October 15, 2019

Ambulance Board Meeting – September 18, 2019

2.3 Approval of Ord. # 4875 granting a wet designation for 2575 E Griffin Parkway Suite 12, La Curva Taqueria, Lot 1 Tres Picos Subd. Ph. 1

Staff was requesting the above mentioned property be wet zoned for the Sale and On – Site Consumption of Alcoholic Beverages.

ORDINANCE NO. 4875

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 2575 E GRIFFIN PARKWAY SUITE 12, LA CURVA TAQUERIA, LOT 1 TRES PICOS SUBD. PH. 1

2.4 Authorization to surplus machinery and equipment and sell Via online auction or dispose

The City of Mission Finance Department was requesting authorization to surplus a list of machinery and equipment. The list contained items staff had determined was no longer of use to the city. All surplus items would be sold at online auction and those items with no resale value would be disposed.

2.5 Authorization to solicit bids for pre-engineered metal building for the Public Works Drainage Department

Staff was seeking authorization to solicit bids for an 80'x 40' pre-engineered metal building (warehouse). Metal building would be use by the Public Works Drainage department.

2.6 Authorization to submit Local Community Walmart Grant Application

Staff was seeking approval to apply for a \$5,000.00 Local Community Grant from WalMart. This was a non-matching grant for park equipment.

2.7 Authorization to apply for FY 2020 Emergency Management Performance Grant (EMPG)

The Office of Emergency Management Division was seeking authorization to apply for the Emergency Management Performance Grant (EMPG) for Fiscal Year 2020 The City must maintain an Emergency Management Plan; conduct and document Exercise; submit After Action Reports and Improvement Plan; be in compliance with the National Incident Management System; must be 100% in compliance with NIMS cast objectives and metrics; submit Work Plan Tasks and the timely submission of progress and Financial Reports.

2.8 Authorization to issue permit to Ambulance Provider Applicants

On December 10, 2019 the City of Mission Ambulance Board met to review (8) Ambulance Company permit applicants for year 2020 and 2021 to conduct business in the City of Mission, ATS EMS, Bravo EMS, Carrousel EMS, Lifeline RGV, Med-Care EMS, Quest EMS, Riverside EMS and Skyline EMS were approved by the Ambulance Board as they had met all the required specifications for permit issuance pursuant to Chapter 30 of the City of Mission Code of Ordinances.

2.9 Authorization to Rescind Purchase of a 2020 Chevy Tahoe for The Media Relations Department And To Acquire A 2020 Ford Explorer XLT RWD Via State Approved Buy Board Contract # 601-19

Staff is seeking authorization to rescind the purchase 2020 Chevy Tahoe due to UAW's strike of General Motors pushing back production on the 2020 Chevy Tahoe. Staff is requesting to acquire a 2020 Ford Explorer XLT RWD via state approved Buy Board Contract #601-19 at a cost of \$36,125.75 for the Media Relations Department.

Councilwoman Ochoa moved to approve the consent agenda items 2.1 thru 2.9. Motion was seconded by Councilman Plata and approved unanimously 4-0.

3.0 Approvals and Authorizations

3.1 Board Appointments – 2050 Committee, All Inclusive Committee, Ambulance Board, Animal Rescue and Adoption Advisory Board, Beautification Committee, Building Board of Adjustments, Cemetery Board, Citizen Advisory Committee, Civil Service Commission, Downtown Revitalization Committee, Drainage Committee, Former Elected Officials Committee, Juvenile Justice and Delinquency Prevention Advisory Board, Millennium Committee, Mission Rail Bridge Advisory Board, Parks and Recreation Board, Planning and Zoning Commission, RAW Water, Recycling Board, Shary Golf Course Advisory Board, Speer Memorial Library Board, Tax Increment Reinvestment Board (TIRZ), Traffic Safety Committee, Youth Advocacy Advisory Board, Wellness Advisory Board, Workforce Readiness Committee and Zoning Board of Adjustments

2050 COMMITTEE

Mayor's Recommendation: Appoint Gustavo A. Brito to the vacant position

ALL INCLUSIVE COMMITTEE

Mayor's Recommendation: Re-appoint Jorge Joel Flores, Zoe Jeremy Alaniz and Melissa Cerda

AMBULANCE BOARD

Mayor's Recommendation: Re-appoint Alvin Patina, Kane Dawson and Tim Brown

ANIMAL RESCUE AND ADOPTION ADVISORY BOARD

"City of Mission Pawsible"

Mayor's Recommendation: Re-appoint Martha A. Portillo, Tina M. Lewis, Angela de la Cruz, Yvonne T. Perez and Homer Garza

BEAUTIFICATION COMMITTEE

Mayor's Recommendation: Re-appoint Maria Ester Salinas, Juan R. Perez, Jr. and Marina Adbullah

BUILDING BOARD OF ADJUSTMENTS

Mayor's Recommendation: Re-appoint Carl Davis and Michael Davis

CEMETERY BOARD

Mayor's Recommendation: Re-appoint Edna Flores and Gloria Martinez

CITIZENS ADVISORY COMMITTEE

Mayor's Recommendation: Re-appoint Irma Fernik, Jorge Martinez, and Adriana Villarreal

CIVIL SERVICE COMMISSION

Mayor's Recommendation: Re-appoint Ruben Femat

DOWNTOWN REVITALIZATION COMMITTEE

Mayor's Recommendation: Re-appoint Margarita de la Fuente and Carlo Garza

DRAINAGE COMMITTEE

Mayor's Recommendation: Re-appoint Ned Sheats and Brenda Wilson

FORMER ELECTED OFFICIALS

Mayor's Recommendation: Re-appoint Richard Perez

JUVENILE JUSTICE AND DELINQUENCY PREVENTION ADVISORY BOARD

Mayor's Recommendation: Re-appoint Marisela Gonzalez, Dr. Mona Parras, Roberto Dominguez, Gilbert Sanchez, Brad Bentsen, Ezekiel Cordova, Cynthia Wilson MCISD

MILLENNIUM COMMITTEE

Mayor's Recommendation: Re-appoint Jesus Solis, Michael A. Garcia and Andy Garcia

MISSION RAIL BRIDGE ADVISORY BOARD

Mayor's Recommendation: Re-appoint Jesus Guerra and appoint Rolando Pena to replace Jim Barnes who resigned.

PARKS AND RECREATION BOARD

Mayor's Recommendation: Re-appoint Maggie Guajardo-Pena and appoint Anuar Contreras to replace Rick Venecia who resigned.

PLANNING & ZONING COMMISSION

Mayor's Recommendation: Re-appoint Ruben J. Arcaute and Debra Lee Alvarez

RAW WATER COMMITTEE

Mayor's Recommendation: Re-appoint Brandon Thompson

RECYCLING BOARD

Mayor's Recommendation: Re-appoint Cristina Garza, Monica Garcia and Crystal Garcia

SHARY GOLF COURSE ADVISORY BOARD

Mayor's Recommendation: Re-appoint Benjamin Lau and appoint John P. Calvillo

SPEER MEMORIAL LIBRARY BOARD

Mayor's Recommendation: Re-appoint Cynthia Leon, Elizabeth Garza and Lourdes Garcia

TAX INCREMENT REINVESTMENT BOARD (TIRZ)

Mayor's Recommendation: Re-appoint David Crook, Amanda Y. O'cana, Estella Saenz and Yirla Ruby Gonzalez Nolan.

TRAFFIC SAFETY COMMITTEE

Mayor's Recommendation: Re-appoint Luis Moreno, and appoint Gilbert Salinas and Rodolfo Trevino

YOUTH ADVOCACY ADVISORY BOARD

Mayor's Recommendation: Re-appoint Jennifer Lee Venecia, April Renee Chapa, Deborah Cordova, Sergio Cruz, Henry Rodriguez, Albert Pena and appoint Joel Angel Garcia

WELLNESS COMMITTEE

Mayor's Recommendation: Re-appoint Monica Jean Alaniz-McGinnis, PhD and Kennetha Foster

WORKFORCE READINESS COMMITTEE

Mayor's Recommendation: Re-appoint Lilia Guerrero and Efrain Reyna, Jr.

ZONING BOARD OF ADJUSTMENTS

Mayor's Recommendation: Re-appoint Jose "Pepe" Garcia and Sam Rodio and appoint Kenneth C. Boyle and Doris Just to the Alternate Positions

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to approve the Board Appointments – 2050 Committee, All Inclusive Committee, Ambulance Board, Animal Rescue and Adoption Advisory Board, Beautification Committee, Building Board of Adjustments, Cemetery Board, Citizen Advisory Committee, Civil Service Commission, Downtown Revitalization Committee, Drainage Committee, Former Elected Officials Committee, Juvenile Justice and Delinquency Prevention Advisory Board, Millennium Committee, Mission Rail Bridge Advisory Board, Parks and Recreation Board, Planning and Zoning Commission, RAW Water, Recycling Board, Shary Golf Course Advisory Board, Speer Memorial Library Board, Tax Increment Reinvestment Board (TIRZ), Traffic Safety Committee, Youth Advocacy Advisory Board, Wellness Advisory Board, Workforce Readiness Committee and Zoning Board of Adjustments. Motion was seconded by Councilman Plata and approved unanimously 4-0.

3.2 Final Plat Approval: 6 Western Vegas Subdivision Unit II, A 4.13 acre tract of land out of Block 16, Texans Gardens Subdivision, ETJ, Developer: Garco, LTD Engineer: Quintanilla, Headley & Associates, Inc.

On March 11, 2019 the City Council held a Public Hearing to consider this Preliminary Plat Approval for 6 Western Vegas Subdivision Unit II. The proposed subdivision was located at the NE corner of Western Road and Mile 6 Road along the east side of Western Road. The Board unanimously recommended approval as per Staff's recommendation

Staff Recommendation: Approval subject to Meeting the Model Subdivision Rules and Meeting any comments from the County Planning Department.

City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: 6 Western Vegas Subdivision Unit II, A 4.13 acre tract of land out of Block 16, Texans Gardens Subdivision, ETJ, Developer: Garco, LTD Engineer: Quintanilla, Headley & Associates, Inc. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.3 Authorization to Award Contract for Mission Design Manual Update

The City of Mission had accepted and opened one (1) bid proposal for Mission Design Manual Update (Standards Manual). Staff evaluated proposal based on set criteria adopted for this procurement and recommended award to M2 Engineering, PLLC for best value at a proposed cost of \$29,925.00.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to award Contract for Mission Design Manual Update to M2 Engineering, PLLC. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.4 Authorization to Execute First One-Year Renewal Option with B2Z Engineering, LLC for GIS Project & Data Maintenance

On January 28, 2019, the City of Mission entered into a contractual agreement with B2Z Engineering, LLC for GIS Project & Data Maintenance. The terms for this contract were for one year with two one-

year renewal options. Per renewal letter, there would be no increase to the original proposal. Staff was seeking authorization to extend contract for first one-year renewal option with B2Z Engineering, LLC.

- Contract expires February 5, 2020
- First one-year renewal option to the contract
- No rate increases by contractors for upcoming year
- Staff and City Manager recommend approval

Staff Recommendation: Authorization of first one-year renewal with B2Z Engineering, LLC.

City Manager recommended approval.

Councilwoman Ochoa moved to authorize to Execute First One-Year Renewal Option with B2Z Engineering, LLC for GIS Project & Data Maintenance. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.5 Interlocal Agreement between the City of Mission and Agua Special Utility District (Agua SUD) Regarding Designating Retail Sewer Service Territory and Coordinating Operations

The Planning Department was seeking authorization to enter into an Interlocal Agreement with Agua Special Utility District (Agua SUD) regarding designating retail sewer service territory and coordinating operations. This Agreement shall commence on December 16, 2019 and shall terminate as soon as Agua SUD provided written notice to City of Mission that sewer service was immediately available.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Interlocal Agreement between the City of Mission and Agua Special Utility District (Agua SUD) Regarding Designating Retail Sewer Service Territory and Coordinating Operations. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.6 Request by Rhodes Enterprises, Inc. to Authorize City Manager to Issue Building Permits Prior to Subdivision Recordation being Del Oro Subdivision Unit No. 5, a Resubdivision of 10.731 acres of land out of the South end of Porcion 52

Rhodes Enterprises was requesting that the City authorize the City Manager's office to issue a building permit to start construction as soon as possible prior to the subdivision being recorded. The proposed subdivision was located approximately $\frac{3}{4}$ mile East of Schuerbach Road and Mile 1 South. The Lower Rio Grande Valley Development Council (911) concern was that the addresses issued for this subdivision were entered into their database until the subdivision got recorded, therefore these addresses would not be recognized by the 911 or Mission Post Office.

Staff Recommendation: seeking direction from City Council.

City Manager recommended approval.

Councilman Plata moved to approve the request by Rhodes Enterprises, Inc. to Authorize City Manager to Issue Building Permits Prior to Subdivision Recordation being Del Oro Subdivision Unit No. 5, a Resubdivision of 10.731 acres of land out of the South end of Porcion 52. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.7 Consider a Variance Request by Verizon Wireless to Place a New Network Node Support Pole approximately 119' from another utility pole instead of the required 300' at 401-A W. Kika De la Garza, P (Institutional Use)

Verizon Wireless would like for the City to consider a variance request to place a new network node support pole approximately 119' from another utility pole instead of the required 300'.

D. New Node Support Poles.

1. **New Node Support Poles Spacing.** New node support poles shall be spaced apart from existing utility poles or Node Support poles at the same as the spacing between utility poles in the immediate proximity, but no less than at a minimum 300 feet from a utility pole or another Node Support Pole to minimize the hazard of poles adjacent to road ways and to minimize effect on property values and aesthetics on the area.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to consider a Variance Request by Verizon Wireless to Place a New Network Node Support Pole approximately 119' from another utility pole instead of the required 300' at 401-A W. Kika De la Garza, P (Institutional Use). Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.8 Consider a Variance request by Verizon Wireless for a New network node pole to be installed since there are no vertical assets within the search ring for attachments at 3114-B S. Shary Road, PUD (Commercial Use)

Verizon Wireless would like for the City to consider a variance request for a new network node pole to be installed since there are no vertical assets within the search ring for attachments. Existing poles either have transformers on them, have double arm distributions, or no room for ground furniture. It was noted that the proposed new network pole was not within 300' of another utility pole as described in Mission's Design Manual.

Utility pole - means a pole that provides:

- (a) electric distribution with a voltage rating of not more than 34.5 kilovolts; or
- (b) services of a telecommunications provider, as defined by Chapter 284, Section 51.002, utility code.

It is approximately 57' from an existing service pole as described in Mission's Design Manual;

Service Pole – means a pole, other than a municipal owned utility pole, owned or operated by a municipality and located in a public right-of-way, including:

- (a) a pole that supports traffic control functions;
- (b) a structure for signage;
- (c) a pole that supports lighting, other than a decorative pole;
- (d) a pole or similar structure owned or operated by a municipality and supporting only network nodes.

Staff and City Manager recommended approval.

Councilman Plata moved to approve to consider a Variance request by Verizon Wireless for a New network node pole to be installed since there are no vertical assets within the search ring for attachments at 3114-B S. Shary Road, PUD (Commercial Use). Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.9 Consideration to close City of Mission offices on Monday, December 23, 2019 due to the Christmas Holidays

Minutes, 12/16/19 Pg. 12

Consideration to close City of Mission offices on Monday, December 23, 2019 due to Christmas Holidays.

Staff and City Manager were seeking Council's consideration.

Councilwoman Ochoa moved to approve to close City of Mission offices on Monday, December 23, 2019 due to the Christmas Holidays. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.10 October 2019 Financial Statements

Finance Director Angie Vela presented the October 2019 Financial Statements to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the October 2019 Financial Statements. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.11 Budget Amendments: CDBG, Designated Purpose, Records Preservation and 2018 CO

Finance Director Vela presented budget amendments BA-20-04 thru BA-20-07 to the City Council for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the budget amendments BA-20-04 thru BA-20-07. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.12 Authorization to Execute Payment for Emergency Sanitary Sewer Repairs at Abelino Farias Street

In accordance with Local Government Code, General Exceptions, Paragraph 252.022 (a)(1)(2) "a procurement made because of a public calamity that required the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality" and "a procurement necessary to preserve or protect the public health or safety of the municipality's residents", hence staff was seeking authorization as an "Emergency Purchase" for 24" gravity sanitary sewer line repairs at Abelino Farias due to a Collapse of such at the proximities of the Wastewater Treatment Plant. Due to the 24" sanitary sewer Gravity Line Collapsing, the potential risk would be sanitary sewer backup to residents' homes and potential vehicular traffic accident.

Request to execute payment for repairs by Morwill, Inc for \$80,521.00.

Request to execute payment for Five (5) Pumps /with suction and discharge hose Rental to Xylem Dewatering Solutions, d.b.a. Godwin Pumps of America for \$23,805.00.

Staff and City Manager recommended approval.

Councilwoman Ochoa moved to authorize to Execute Payment for Emergency Sanitary Sewer Repairs at Abelino Farias Street, as per staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.13 Approval of Amendment #1 to the Advance Funding Agreement (AFA) with Texas Department of Transportation Construction Project known as Taylor Rd. from Mile 2 N to BUS 83

Approval of Amendment #1 to the Advance Funding Agreement (AFA) with Texas Department of Transportation Construction Project known as Taylor Rd. from Mile 2 N to BUS 83. This amendment corrected the limits of the project and matched all corresponding documents.

The Texas Transportation Commission passed Minute Order 115291, authorizing the State to undertake and complete a highway improvement described as the widening of Taylor Rd to 4 lane roadway from Mile 2N to BUS 83 in the City of Mission.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Amendment #1 to the Advance Funding Agreement (AFA) with Texas Department of Transportation Construction Project known as Taylor Rd. from Mile 2 N to BUS 83. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.14 Approval to Purchase one High Production Sandbag Filling Machine for the Public Works Department from a sole source vendor

Staff was recommending purchasing one High Production Sandbag Filling Machine from the Sandbag Store LLC, 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, secret processes, or natural monopolies and (D) captive replacement parts or components for equipment;

Drainage Department was requesting to replace existing mechanical sandbagger with a high production sandbag filling machine for Emergency Sandbag Production and distribution to City of Mission Residents. Available for council's review was a sole source letter from the Sandbag Store, LLC for Burcham Baggers sandbagging machines. The High production setup would allow filling and closing of up to approximately up to 900 bags per hour with a 4 man crew.

Staff Recommendation: Authorization to purchase one high production sandbag filling machine from the Sandbag Store, LLC , a sole source vendor.

City Manager recommended approval.

Councilman Plata moved to approve to Purchase one High Production Sandbag Filling Machine for the Public Works Department from the Sandbag Store, LLC , a sole source vendor. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.15 Approval of Resolution # 1632 authorization to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative

Staff was requesting to enter into a Master Lease Purchase Agreement with PNC Equipment for the purchase of a Pierce, Enforcer Rescue Pumper. The lease agreement would be for 10 years to include a 10 year maintenance agreement. Option to purchase would be offered after 10 years. The first payment would be made in fiscal year 2020-2021 in the amount of \$77,907.52.

Staff Recommendation: Authorization to purchase fire apparatus utilizing leasing agreement from a third party leasing company.

City Manager recommended approval.

Councilman Plata moved to approve Resolution No. 1632 authorization to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

RESOLUTION NO. 1632

AUTHORIZATION TO ENTER INTO A MASTER LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE FOR THE PURCHASE OF FIRE APPARATUS AND DESIGNATE THE MAYOR OR CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE

3.16 Authorization to rescind award Lease of Copiers contract to Kyocera Document Solutions Southwest, LLC in the amount of \$56,687.40, and award in the amount of \$71,897.40

City Council approved awarding bid to Kyocera Document Solutions Southwest, LLC. in the amount of \$56,687.40 on 11/25/2019. Realization of error calculations on the unit price did not include maintenance fees. After clarifying with the vendor the correct amount for the bid was \$71,897.40 and remained the lowest responsible and responsive bidder meeting all specifications at a total cost of \$71,897.40 for the five year lease term.

Staff Recommendation: Authorize staff to award contract to Kyocera Document Solutions Southwest, LLC.

City Manager recommended approval.

After much deliberation from the council, Councilman Plata moved to authorize to rescind award Lease of Copiers contract to Kyocera Document Solutions Southwest, LLC in the amount of \$56,687.40, and award in the amount of \$71,897.40. Motion did not pass since there was not a seconded from the rest of the council.

Councilwoman Ochoa, Mayor O'caña and Councilman Vela voted against to rescind award Lease of Copiers contract to Kyocera Document Solutions Southwest, LLC in the amount of \$56,687.40, and award in the amount of \$71,897.40 and requested staff to rebid the Lease of Copiers contract.

3.17 Authorization to purchase irrigation supplies from Ewing Irrigation, LLC, thru Buy Board Contract #529-17

Authorization to purchase irrigation supplies from Ewing Irrigation, LLC., thru Buy Board Contract #529-17 for automatic irrigation system modifications for Jose D. Gonzalez Park (\$12,000.00), Hollis Rutledge Sr. Park (\$8,000.00), Lions Park (\$6,000.00), the perimeter of Bannworth Gym Expansion (\$6,500.00) and Birdwell Park (\$1,500.00). Estimated cost of materials needed for these projects was \$32,500.00 which exceeded the \$10,000.00 threshold established by Purchasing Department.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase irrigation supplies from Ewing Irrigation, LLC, thru Buy Board Contract #529-17. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.18 Authorization to Execute Second-One Year Renewal Option for Right-of-Way Mowing & Maintenance Services

On February 12, 2017, the City of Mission entered into a contract for mowing, litter/debris removal and maintenance services on City Easements and Rights of Way. Staff was seeking authorization to continue service with TDL Properties, LLC. The contract terms were for one, one year primary with two, one-year renewal options based on 1% increase in price per renewal. Staff was seeking authorization to extend ROW Contract A & B, along with the added newly adopted RPW areas of Mile 2 West of Conway and that of Inspiration Road between Interstate 2 and Mile 3 West. TDL Properties was also committing to perform any additional ROW Mowing areas that may be added at the same base price with the reflection of the 1% price escalation, Contract Year is from 2/20/2020 thru 02/19/2021.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Execute Second-One Year Renewal Option for Right-of-Way Mowing & Maintenance Services. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

3.19 Authorize Mayor to execute an Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and the City of Mission328

Authorize Mayor to execute an Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and City of Mission. The amendment agreement was related to the South Conway Lift Station Project and it was deemed necessary due to additional extension of water lines that would benefit future developments in the area.

Mr. Silva was present at the meeting to answer any questions City Council members would have.

The Board of Directors of the Mission Redevelopment Authority approved the amendment to reimbursement agreement at their December 11, 2019 meeting.

Staff also provided to council the proposed second amendment to reimbursement agreement.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to execute an Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and the City of Mission328. Motion was seconded by Councilman Vela and approved unanimously 4-0.

3.20 Approval of Ordinance # 4876 of The City Council Of The City Of Mission, Texas, Amending The Mission Code Of Ordinances Chapter 30, Article III – Emergency Medical Vehicles, Sections 30-183, Regarding (Fee), Providing For Required Codification And Publication

On December 10, 2019 the City of Mission Ambulance Board met to review, amend and approve changes to sections of Article III Emergency Medical Services, Section 30-183 of the Fee schedule. To increase the bi-yearly application fee from \$500.00 to \$750.00 bi-yearly fee.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance No. 4876 of The City Council Of The City Of Mission, Texas, Amending The Mission Code Of Ordinances Chapter 30, Article III – Emergency Medical Vehicles, Sections 30-183, Regarding (Fee), Providing For Required Codification And Publication. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 4876

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING THE FOLLOWING SECTIONS OF DIVISIONS I AND II OF ARTICLE III CAPTIONED "EMERGENCY MEDICAL VEHICLES" OF IT CODE OF ORDINANCES: SECTIONS 30-183

**3.21 Request by Dr. Zarr to abandon all alley described as a tract of land containing 0.22 of an acre, situated in Hidalgo County, Texas, out of Franella Subdivision
(City Attorney may ask City Council to go into executive session on this item under the "Consultation with Attorney" exception before considering this matter in open session)**

Staff received a request from Dr. Zarr to abandon an alley described as a tract of land containing 0.22 of an acre, situated in Hidalgo County, Texas, out of Franella Subdivision. The proposed site was located near the NE corner of Holland Road and Griffin Parkway (F.M. 495).

Staff Recommendation: Denial, instead engage process to sell a portion of the property and retain an access easement to have access to the back of the property.

City Manager recommended denial.

Councilman Plata moved to approve the request by Dr. Zarr to abandon all alley described as a tract of land containing 0.22 of an acre, situated in Hidalgo County, Texas, out of Franella Subdivision, subject to getting an appraisal value survey. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**3.22 Interlocal Agreement between City of Mission and Hidalgo County Regional Mobility Authority (HCRMA) for the Mission/Madero-Reynosa International Bridge
(City Attorney may ask City Council to go into executive session on this item under the "Consultation with Attorney" exception before considering this matter in open session)**

The City of Mission had requested the HCRMA to provide Program Management Support for environmental clearance of the Mission/Madero International Border Crossing. the HCRMA had the professional and technical expertise necessary to prosecute the development of the projects segments, and pursue the extension of Presidential Permit for the proposed development of the Madero International Crossing and, including preparation of environmental studies and reports, permits, surveys, route studies, schematic designs, and further negotiate project development work (the "Advance Project Development Work") contingent the City shall have the financial resources necessary to provide advanced funding to the HCRMA for such work in full for their contributions

The City agreed to contract and fund the costs of the Work and necessary services, for acquiring the subject extension of the Presidential Permit as provided in this Agreement. The payments shall include all reasonable and direct expenses associated with Advance Project Development Work.

Staff and City Manager were seeking Council's Direction.

After much deliberation from the council, Councilman Plata moved to table this item. Motion was seconded by Councilman Vela and approved unanimously 4-0.

4.0 Unfinished Business

None

5.0 Routine Matters

5.1 City Manager's Comments

City Manager Perez invited the public to the Mission Police Department Annual Kops for Kids. Toys would be distributed to over 350 families. He mentioned that we would be closing our offices for the Christmas Holidays, but services would still be provided. He also thanked the American Legion Riders for their recognition.

5.2 Mayor's Comments

Mayor O'caña wished everyone a Merry Christmas and a Happy New Year.

5.3 City Council Comments

Councilman Vela, Councilman Plata and Councilwoman Ochoa wished everyone a Merry Christmas and a Happy New Year.

At 7:52 p.m. Councilman Plata moved to convene into executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001. Motion was seconded by Councilman Vela and approved unanimously 4-0.

6.0 Executive Session pursuant to V.T.C.A. Gov. Code Sec. 55.001

6.1 Deliberation regarding economic development negotiations Sec. 551.087

- A. Economic Development Agreement between City of Mission and A-S 135 Hwy 83-Bryan Rd., L.P.

6.2 Deliberation regarding real property Sec. 551.072

- A. 2.654 Acres of land out of a certain tract of land containing 5.574 acres out of Porcion 55, HCT (Hardwicke)
- B. 4.135 Acre tract of land out of Porciones 54 & 55, HCT (Hardwicke)
- C. Eagle Height North Holding Pond, HCT E0150-00-000-0000-00 (Jones)
- D. Lot 21 Bougainvillea Plaza, HCT (Gastel)
- E. Lot 22 Bougainvillea Plaza, HCT (Gastel)

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

At 8:06 p.m. Councilman Plata moved to reconvene in open session. Motion was seconded by Councilman Vela and approved unanimously 4-0.

On item 6.1 A, Councilman Plata moved to approve the Economic Development Agreement between City of Mission and A-S 135 Hwy 83-Bryan Rd., L.P., with parameters as discussed in executive session. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

On items 6.2-A, 6.2-B, 6.2-C, 6.2-D, and 6.2-E, Councilman Plata moved to approve to accept donations pending exempt status. Motion was seconded by Councilman Vela and approved unanimously 4-0.

7.0 Adjournment

At 8:08 p.m. Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ochoa and approved unanimously 4-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary