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## **AGENDA**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et. seq., the City Council of the City of Mission, Texas will hold a regular meeting on **Monday, August 28, 2023 at 4:30 p.m.** at the Mission Council Chambers, 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters.

The public dial information to participate in the telephonic meeting is as follows:

Time: **Monday, August 28, 2023 04:30 PM Central Time**

<https://us02web.zoom.us/j/9904662781?pwd=SGVIL3JZRFVRdENzWXI5VUxFT1ZUQT09>

Meeting ID: 990 466 2781 - Password: 833227

Or Dial by telephone - +1 346 248 7799 US - Meeting ID: 990 466 2781 Password: 833227

At any time during the course of the posted meeting, the Mission City Council may retire into Executive Session under Texas Government Code 551.071 to confer with legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Council under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during this meeting, the City Council may retire to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more exceptions to the Texas Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

## **REGULAR MEETING**

### **CALL TO ORDER AND ESTABLISH QUORUM**

### **INVOCATION AND PLEDGE ALLEGIANCE**

### **DISCLOSURE OF CONFLICT OF INTEREST**

### **PRESENTATIONS**

1. Proclamation - Tiger Fury Kajukenbo Defense Institute World Championship - Carrillo
2. Presentation of Parks & Recreation TAFF Athletes - Bentsen
3. Report from the Rio Grande Valley Humane Society - Perez
4. Report from the Greater Mission Chamber of Commerce – Enriquez
5. Departmental Reports – Perez
6. Citizen's Participation – Garza

### **PUBLIC HEARING**

### **PLANNING & ZONING RECOMMENDATIONS**

7. Rezoning: Tract 1: A 9.00 acre tract of land, more or less, out of Lot 236, John H. Shary Subdivision; Tract 2: A 1.000 acre tract of land, more or less, out of Lot 236, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Elite Development 786, LLC, c/o M2 Engineering, PLLC, and Adoption of Ordinance#\_\_\_\_\_ - De Luna

8. Conditional Use Permit: To Build a Drive-Thru Service Window – 209 N. Shary Road, Being a 3.01 acres tract of land out of & forming part or portion of Lots 184 & 194, John H. Shary Subdivision (aka Lot 1, Shary Town Plaza Subdivision U/R), C-3, Auriel Investments, c/o Mario Reyna, Melden & Hunt, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
9. Conditional Use Permit: To Build Two (2) Drive-Thru Service Windows – 301 N. Shary Road, Being a 3.01 acres tract of land out of & forming part or portion of Lots 184 & 194, John H. Shary Subdivision (aka Lot 2, Shary Town Plaza Subdivision U/R), C-3, Auriel Investments, c/o Mario Reyna, Melden & Hunt, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
10. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taco Palenque, 2420 E. Interstate Highway 2, Lot 5-C, Sharyland Place Subdivision, C-3, Eduardo Castañeda, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
11. Discussion and action, if any, related to amending Appendix A of the City's Code of Ordinances; specifically, Article I, Section 1.2 (Definitions) by adding subsections 13a, 13b, & 13c (BYOB, BYOB Establishment & BYOB permit); Article VIII (Use Districts and Conditional Uses), amending Sections 1.43 (C-3 General Business District), 1.44 (C-4 Heavy Commercial District), 1.44a (C-5 Adaptive Commercial District), 1.45 (I-1 Light Industrial District) and 1.46 (I-2 Heavy Industrial District) to include BYOB Establishments as Conditional Uses; and Article X (Conditional Use Permits), amending Section 1.56 (Conditions of Conditional Use), to include BYOB eligibility criteria; and Adoption of Ordinance#\_\_\_\_\_ - De Luna and V. Flores

## **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*

12. Approval of Minutes – Carrillo  
Regular Meeting – August 14, 2023
13. Acknowledge Receipt of Minutes – Perez  
Shary Golf Advisory Board – June 21, 2023  
Planning and Zoning Commission – June 19, 28, July 12, 2023  
Keep Mission Beautiful – July 11, 2023  
Mission Civil Service Commission – June 29, 2023
14. Approval to enter into Interlocal Agreement between City of Mission and Mission CISD to jointly undertake the youth services at Leal Elementary – Venecia
15. Approval to enter into a Memorandum of Understanding between Mission CISD and Boys & Girls Club of Mission to provide transportation services – Venecia

16. Authorization to re-enter into an Interlocal Agreement between the City of Mission and the City of Penitas to provide temporary housing for prisoners – Torres
17. Authorization to re-enter into an Interlocal Agreement between the City of Mission and the City of Palmhurst to provide temporary housing for prisoners - Torres
18. Approval to surplus eight book carts and donate them to the City of Palmview for their new Public Library - Espinoza
19. Authorization to submit a grant application to the International Mountain Bicycling Association for the Trail Accelerator Grant Program. - Elizalde
20. Authorization for the City of Mission to enter into an agreement to participate in the LIHWAP program administered by Hidalgo County Community Service Agency - Elizalde
21. Authorization to surplus machinery and equipment - Vela

### **APPROVALS AND AUTHORIZATIONS**

22. Preliminary Plat Approval: Turtle Cove Subdivision, Being 7.417 acres out of Lot 33-1, West Addition to Sharyland, R-2, Developer: Town and Country McAllen, LLC, Engineer: Trimad Consultants, LLC - De Luna
23. Preliminary Plat Approval: Palmettos Cove Subdivision, Being 2.122 acres of land being a part or portion of Lot 22-1, West Addition to Sharyland, R-4, Developer: Aaron Balli Jr., Engineer: R.O. Engineering, PLLC - De Luna
24. Approval of Resolution # \_\_\_\_ establishing a six (6) month moratorium on the issuance of any new (or renewed) building permits, business licenses, food permits, conditional use permits and certificates of occupancy for the construction or operation of businesses designed to operate game halls, including among other uses "eight-liners" and/or similar types gaming devices; poker clubs; BYOB establishments; and/or social clubs and other similar operations. - De Luna
25. Approval of Clinical Affiliation Agreement between City of Mission Fire Department and the EMS Training School, LLC dba School of EMS for use of clinical sites - Garcia
26. Authorization to enter into a Mutual Aid Agreement with Trans – Starr EMS L.L.C. for EMS Provider Services – Garcia
27. Authorization to enter into a Mutual Aid Agreement with Skyline E.M.S., Inc. for EMS Provider Services - Garcia
28. Authorization to re-enter into a contract with Carlos Ortegon for Municipal Court Prosecution Services for the City of Mission - Torres
29. Authorization to re-enter into a contract between the City of Mission and Safe Track, LLC, dba Safe Global Services to provide professional services – Torres
30. Authorization to approve the second and final one-year renewal option for Security Guard Services with MLG Protection Services- Torres
31. Authorization to Rescind Approval of Budget Amendment: MEDC Fund- Vela
32. Acceptance of the June 2023 Tax Collection Report - Vela
33. Approval of the June 2023 Financial Statements – Vela

34. Approval of Resolution # \_\_\_\_\_ establishing a commitment to participate in a Texas Department of Transportation Construction Project described as Safety Improvements at Mile 2 Rd. At Holland/Trosper Rd., Stewart Rd., Glasscock Rd., Bryan Rd.; Los Ebanos Rd. at Griffin Parkway, and First St. at Conway Ave - Terrazas
35. Authorization to Award Agent of Record – Munguia
36. Authorization to Award International RX Services - Munguia
37. Discussion and action on proposed 2023 Tax Rate, Take Record Vote and Schedule Public Hearing – Perez
38. Approval of Interlocal Agreement between City of Mission and Sharyland Independent School District for Pool Use - Bentsen
39. Approval to engage with a contractor to repair SCADA System Program - Terrazas

### **UNFINISHED BUSINESS**

40. TABLED 08/14/2023: Rezoning: Being a tract containing 0.36 acre of land situated out of the South one-half of Block 15-8, of the West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57, and further being out of Lot 61, of the unrecorded Melba Carter Subdivision, (R-1) Single Family Residential to (R-2) Duplex-Fourplex Residential, Martin Vega, and Adoption of Ordinance# \_\_\_\_\_ - De Luna

### **ROUTINE MATTERS**

City Manager Comments

Mayor's Comments

City Council Comments

### **EXECUTIVE SESSION**

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) regarding update on Assistant City Manager selection process. (City Manager R. Perez)

### **POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION**

### **ADJOURNMENT**

### **C E R T I F I C A T E**

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 25th day of August, 2023 at 3:30 p.m.



Anna Carrillo, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations for a disability must be made 48 hours prior to this meeting. Please notify the City Secretary's Office at 580-8668.

## NOTICE OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MISSION

Notice is hereby given that on the **28th day of August, 2023** the City Council of the City of Mission will hold a regular meeting at 4:30 p.m. at 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

If, during the course of the meeting covered by this Notice, the City Council should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Council may conveniently meet in such closed or executive meeting or session concerning any and all purposed permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

551.071 (1) (2)	Consultation with Attorney.
551.072	Deliberation regarding real property.
551.073	Deliberation regarding prospective gifts.
551.074	Personnel matters.
551.076	Deliberation regarding security devices or security audits.
551.0785	Deliberations involving medical or psychiatric records of individuals.
551.084	Investigation; exclusion of witness from hearing.
551.087	Deliberation regarding economic development negotiations
551.088	Deliberation regarding test item

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the City Council upon notice thereof; as the Council shall determine.

On this the **25th day of August, 2023** this Notice was emailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street at 3:30 p.m. on said date.

  
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Anna Carrillo, City Secretary