



MINUTES

PRESENT:

Norie Gonzalez Garza, Mayor
Ruben D. Plata, Mayor Pro-Tem
Jessica Ortega, Councilwoman
Marissa Ortega-Gerlach, Councilwoman
Alberto Vela, Councilman
Patricia A. Rigney, City Attorney
Mike R. Perez, City Manager
Anna Carrillo, City Secretary

ABSENT:

ALSO PRESENT:

Brenda Enriquez
Esther Salinas
Angela Roja
Hector & Bianca Martinez
Sylvia Alvarez
Margarita Ranger
Elizabeth Chapa
Alma Maldonado
Karina
Jennifer Vasquez
Genoveva Muñoz
Sharon Ellison
Ben D. Olivarez
Valeria Garcia
Elio Garza
Lourdes Lerma
Ramon Sotelo
Juan Chapa
Valeria Garcia
Noel Salinas

STAFF PRESENT:

David Flores, Asst. City Manager
Juan Pablo Terrazas, Asst. City Manager
Andy Garcia, Asst. City Manager
Adrian Garcia, Fire Chief
Michael Elizalde, Exec. Dir. Of Grants & Strategic Dev.
Vidal Roman, Finance Director
Alex Hernandez, Assistant Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Director of Organizational Dev.
Abram Ramirez, IT Director
Michael Fernuik, Golf Course Director
Cesar Torres, Chief of Police
Yenni Espinoza, Library Director
Brad Bentsen, Parks & Recreation Director
Kenia Gomez, Media Relations Director
Roel Mendiola, Sanitation Director
Jose Luis Silva, Internal Auditor
Gabriel Ramirez, Planning Department
Juan Carranco, Police Officer
Ruben Hernandez, Media Relations
Alex Fajardo, Media Relations

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Gonzalez Garza called the meeting to order at 4:46 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

Councilman Alberto Vela led the invocation and Pledge of Allegiance.

DISCLOSURE OF CONFLICT OF INTEREST

None

PRESENTATIONS**1. Proclamation - Childhood Cancer Awareness Month – Tijerina**

Councilwoman Jessica Ortega moved to approve the Proclamation – Childhood Cancer Awareness Month. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

2. Presentation by Keep Mission Beautiful Committee – Mendiola

Roel Mendiola, Sanitation Director, updated the council on Keep Mission Beautiful. Mr. Mendiola highlighted all of the events that Keep Mission Beautiful had put together so far in 2024. He also went over a grant that was awarded to his department that would assist in promoting recycling. A tentative list of events for the remainder of the year, and next year, were discussed as well. Mario Cantu, Chairman of the Keep Mission Beautiful Committee, expressed his excitement for upcoming projects and thanked the Mayor and City Council for their support.

3. Report from the Rio Grande Valley Humane Society - Jennifer Vasquez

Jennifer Vasquez, Executive Director for the Rio Grande Valley Humane Society, gave an update on the current operations for the Animal Shelter. For the month of July, the shelter had a save rate of 89.5%. There was a total intake of 206 animals including both dogs and cats, 83 animals were adopted, 78 were transferred and five were euthanized. Ms. Vasquez stated that they were able to attend the Best Friends National Conference and had applied for grant funding. They also conducted a team building exercise with the city's Health Department Direct and staff. Over the weekend, they held a vaccination clinic in which 275 were vaccinated and would be hosting another one for this coming Saturday.

4. Report from the Greater Mission Chamber of Commerce – Brenda Enriquez

Brenda Enriquez, Greater Mission Chamber of Commerce President, spoke about upcoming events such as: UTRGV SBDC: Introduction to Employee Handbooks Webinar on August 28th, Ribbon Cutting: Jo-Nic Bloom Studio on August 29th, Ribbon Cutting: ExtraSpace Storage August 30th, Ribbon Cutting: Taylor Road Phase 1 on September 12th, Texas Regional Bank 10th Anniversary Celebration on September 12th, Ribbon Cutting: Clear Ice on September 13th, Lunch & Learn: Deconstructing Social Engineering Scams and Shoring your Cyber Defenses on September 18th, Discover Mission Bentsen State Park Showcase on September 21st, Chamber Champion Ambassador Meeting on September 25th and the Annual Member Awards Banquet on October 3rd.

5. Speer Memorial Library 2024 Summer Reading Program Top Readers – Espinoza

Yenni Espinoza, Speer Memorial Library Director, recognized the library's 2024 Summer Reading Program Top Readers. Ms. Espinoza named each of the top readers by elementary grade level, the teen division and the adult division. These individuals spent their summer reading books from the Speer Memorial Library and participated in their Summer Reading Program.

6. Departmental Reports – Perez

Mayor Pro Tem Plata moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

7. Citizen's Participation – Garza

None

PUBLIC HEARING

8. Public Hearing on FY 2024-2025 Preliminary Budget – Perez

The City's preliminary budget for FY 2024-2025 has been made available to the public for review at the City Secretary's office, Speer Memorial Library and on the City's website as required.

This is the opportunity for citizens to speak on the preliminary budget

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Councilwoman Ortega wanted to commend the staff for working diligently on the budget.

Mayor Garza closed the public hearing.

PLANNING & ZONING RECOMMENDATIONS

9. Rezoning: A 4.50 acre tract of land, more or less, carved out of the South ½ of the East 10 acres of the North 20 acres of Lot 29-4, West Addition to Sharyland from (C-1) Office Building to (R-2) Duplex-Fourplex Residential, Redline Development, LLC, and Adoption of Ordinance#5533- De Luna

On August 21, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately 640' North of W. Mile 2 Road on the West side of N. Trosper Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

Emitio Salinas, with Redline Development, stated that they were requesting the rezoning to build some nice apartments in the area. There are already some other duplex, fourplexes in the area.

Mayor Pro Tem Plata moved to approve the Rezoning: A 4.50 acre tract of land, more or less, carved out of the South ½ of the East 10 acres of the North 20 acres of Lot 29-4, West Addition to Sharyland from (C-1) Office Building to (R-2) Duplex-Fourplex Residential, Redline Development, LLC, and Adoption of Ordinance#5533. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5533

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 4.50 ACRE TRACT OF LAND, MORE OR LESS, CARVED OUT OF
THE SOUTH ½ OF THE EAST 10 ACRES OF THE NORTH 20 ACRES OF LOT 29-4, WEST
ADDITION TO SHARYLAND, (C-1) OFFICE BUILDING TO (R-2) DUPLEX-FOURPLEX
RESIDENTIAL

10. Rezoning: All of Lot 7, Block 91, Mission Original Townsite from (R-1) Single Family Residential to (C-3) General Business, BDSO, LLC, and Adoption of Ordinance#5534 - De Luna

On August 21, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located at the Northwest corner of Doherty Avenue and E. Rafael Ramirez Street. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

Ben Olivarez, owner of the property, was requesting that it be rezoned from residential to commercial. The building had always been used for commercial purpose and he was unaware that it had been rezoned to residential. He would appreciate the rezoning in order to sell the property as commercial.

Mayor Pro Tem Plata moved to approve the Rezoning: All of Lot 7, Block 91, Mission Original Townsite from (R-1) Single Family Residential to (C-3) General Business, BDSO, LLC, and Adoption of Ordinance#5534 -. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5534

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING ALL OF LOT 7, BLOCK 91, MISSION ORIGINAL TOWNSITE, (R-1)
SINGLE FAMILY RESIDENTIAL TO (C-3) GENERAL BUSINESS

11. Rezoning: 1.17 acres of land out of the South 6.89 acres of the South 13.78 acres of that part of Lot 23-3, lying South and West of the Mission Main Canal, West Addition to Sharyland from (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Claudia Veronica Cardenas Mora, and Adoption of Ordinance#5535 - De Luna

On August 21, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was approximately 336' North of Fincher Street on the East side of N. Los Ebanos Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Councilman Vela moved to approve the Rezoning: 1.17 acres of land out of the South 6.89 acres of the South 13.78 acres of that part of Lot 23-3, lying South and West of the Mission Main Canal, West Addition to Sharyland from (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Claudia Veronica Cardenas Mora, and Adoption of Ordinance#5535. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

ORDINANCE NO. 5535

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING 1.17 ACRES OF LAND OUT OF THE SOUTH 6.89 ACRES OF THE
SOUTH 13.78 ACRES OF THAT PART OF LOT 23-3, LYING SOUTH AND WEST OF THE
MISSION MAIN CANAL, WEST ADDITION TO SHARYLAND, (AO-I) AGRICULTURAL OPEN
INTERIM TO (R-1) SINGLE FAMILY RESIDENTIAL

12. Conditional Use Permit: Mobile Food Truck – El Muñeco, 2509 Colorado Street, Ste. 205, being Lot 1, Block 2, Santa Lucia Development, C-3, Juan Chapa, Adoption of Ordinance #5536 - De Luna

On August 21, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located near the NW corner of Colorado and

Taylor Road along the north side of Colorado Street There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Mobile Food Truck – El Muñeco, 2509 Colorado Street, Ste. 205, being Lot 1, Block 2, Santa Lucia Development, C-3, Juan Chapa, Adoption of Ordinance #5536. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5536

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A MOBILE FOOD TRUCK –
EL MUÑECO, 2509 COLORADO STREET, STE. 205, LOT 1, BLOCK 2,
SANTA LUCIA DEVELOPMENT

13. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Moon Restaurant Mixology, 1603 E. Griffin Parkway, Lot 11, Block 3, Shary Gardens Subdivision, C-3, American Restaurants, LLC c/o Lourdes Lerma, Adoption of Ordinance #5537 - De Luna

On August 21, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 495). There was public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

Sharon Ellison, 1604 E. 23rd ½ Street, was in opposition of this request. She did not agree with the hours of operation and suggested that midnight would be a more appropriate closing time. Ms. Ellison believed that this was going to have more of a bar atmosphere and did not want for them to have live or acoustic music. She was also upset because they had been working on the restaurant for six months now without being able to complete it.

Roberto Delgado, 2204 Stonegate, asked the council for the opportunity to create and bring this restaurant to Mission. His plan was to create a nice, family atmosphere. Mr. Delgado stated that people had to drive to McAllen or other cities to find places like this. He stated he had listened to Ms. Ellison's concerns and was willing to work with the city to make necessary accommodations on the hours of operations and abide by the noise ordinance.

At 5:29 p.m., Councilwoman Ortega moved to convene into Executive Session to discuss a legal question regarding this item. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

Upon conclusion of Executive Session for this item at 5:41 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

Councilwoman Ortega moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Moon Restaurant Mixology, 1603 E. Griffin Parkway, Lot

11, Block 3, Shary Gardens Subdivision, C-3, American Restaurants, LLC c/o Lourdes Lerma, Adoption of Ordinance #5537 with the condition that they only stay open until midnight and allowing live or acoustic music so long as they abide to the noise ordinance. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5537

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 – MOON RESTAURANT MIXOLOGY, 1603 E. GRIFFIN PARKWAY, LOT
11, BLOCK 3, SHARY GARDENS SUBDIVISION

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

14. Approval of Minutes – Carrillo

Regular Meeting – August 12, 2024

Special Meeting – August 19, 2024

15. Acknowledge Receipt of Minutes – Perez

Shary Golf Advisory Board – June 5, 2024

Planning and Zoning Commission – March 13, April 3, April 17, May 1, May 15, June 19, 2024

Zoning Board of Adjustments – April 24, May 29, June 26, 2024

16. Approval of Resolution #1916 Regarding Waterline Access Agreement with Sharyland Water Supply within City of Mission's ETJ for Comarex, LLC – La Villitas Estates No. 3 Subdivision – De Luna

The proposed La Villitas Estates No. 3 Subdivision was a 9.37 Acre Tract of land out of Lot 45-3 West Addition to Sharyland within the service area of the Sharyland Water Supply Corporation and within the City of Mission's ETJ.

Sharyland Water Supply Corporation had adequate-sized water lines to support fire hydrants in the area and requires an agreement be entered between the Corporation, the property owner and the City of Mission before such installation was allowed.

RESOLUTION NO. 1916

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS
AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND
COMAREX, LLC – LA VILLITAS ESTATES NO. 3 SUBDIVISION

17. Authorization to solicit bids for construction of a water well at Shary Municipal Golf Course - Fernuik

Staff was seeking authorization to solicit bids for all materials, supplies, equipment, tools, services, labor and supervision necessary to complete construction of a water well at Shary Municipal Golf Course. The well would be utilized to provide a secondary source of water to supplement and offset the usage of United Irrigation District water, thereby providing a more sustainable water supply for the course. Preliminary assessments had already been conducted on nearby wells and it had been determined that an estimated depth of 400-450 ft may be necessary to acquire a viable water supply. The cost of a well in this depth range would be approximately \$150,000 based on initial assessments. The Mission Economic Development Corporation (MEDC) had agreed to provide approximately \$250,000 in funding for the golf course in their 24/25 budget which would be used to fund the completion of this water well.

18. Authorization to Purchase Litter Receptacles for the All-Inclusive Lions Park from Park Place Recreation Designs via BuyBoard Contract #679-22 – Bentsen

Staff was seeking authorization to purchase Litter Receptacles for Lions Park from Park Place Recreation Designs, via a State approved Buy Board Vendor # 679-22 at a delivered cost of \$46,206.00.

19. Approval to Solicit Bids for Purchase and Installation Golf Ball Protective Netting for the All-Inclusive Lions Park – Bentsen

Staff was seeking approval to solicit bids for the purchase and installation of golf ball protective netting for the protection of Lions Park All Inclusive Playground, Splash Pad and picnic areas. Proposed area to cover is 650 linear feet by 30 feet in height. Estimated cost was \$60,000.00.

20. Approval of Texas Woman's University School Of Occupational Therapy Doctoral Capstone Memorandum Of Understanding. – Espinoza

In conjunction with the Memorandum of Agreement, this Memorandum of Understanding specified the unique conditions, contributions, and outcomes of an occupational therapy doctoral student's Capstone Experience. This MOU is between Texas Woman's University School of Occupational Therapy Entry-Level Occupational Therapy Doctoral Program located at 5500 Southwestern Medical Ave, Dallas, TX, 75235 and City of Mission, Texas located at 1201 E 8th St, Mission, TX 78572. Community partners at the Capstone Agency agree to have the occupational therapy doctoral learner participate in the Capstone Agency's programming and services for the Student's capstone experience as a requirement for completion of their doctoral degree. This Capstone Experience would begin on 01/13/2025 and end on 04/19/2025.

21. Authorization to allow the purchase of a firearm by Honorably Retired Peace Officer, Robert Rodriguez for the Mission Police Department, in accordance with Texas Government Code, Section 614.051- Torres

Honorably Retired Peace Officer, Robert Rodriguez had requested to purchase his Glock 17/Generation 4, 9mm service weapon, serial # BACG-561 from the Mission Police Department.

22. Approval of Resolution # 1917 authorizing the acceptance of the FY22 Flood Mitigation Assistance Grant administered by TWDB in the amount of \$320,000 – Elizalde

Approval of resolution authorizing the acceptance of a the FY22 Flood Mitigation Assistance Grant administered by the Texas Water Development Board (TWDB). The purpose of this program was to reduce or eliminate the long-term risk of flood damage to repetitive loss (RL) and severe repetitive loss (SRL) structures that are insured under the National Flood Insurance Program (NFIP). This program also sought to reduce or eliminate the dependence on taxpayer-funded federal disaster assistance for disaster recovery. The city's proposed project included technical

assistance for final design and benefit cost analysis for drainage improvement projects. The total project award was \$320,000 which would require a 10% cost match in the amount of \$32,000 and would be supported by the city's FY24-25 CDBG allocation.

RESOLUTION NO. 1917

NOW THEREFORE, BE IT RESOLVED THAT THE CITY OF MISSION APPROVES ACCEPTANCE OF THE GRANT SUB-APPLICATION, DESIGNATES AND COMMITS TO PROVIDE APPLICABLE LOCAL MATCHING FUNDS FOR THE CITY OF MISSION SPIKES

23. Authorization to enter into a Contract with Insignia Software Corporation for the implementation of the Insignia Library System With Speer Memorial Library – Espinoza

This contract was made between Insignia Software Corporation, an Alberta corporation with its principal place of business at #204 1074 103A Street, Edmonton, AB, T6W 2P6, and Speer Memorial Library. Insignia had developed a library automation system and related software provided by Insignia consisting of hardware and software and related services, and the Speer Memorial Library intended to license such hardware, software, and related services at its location.

24. Authorization to Execute First One-Year Renewal Option for Stop Loss Insurance – Munguia

In 2023 the City of Mission entered into a contractual agreement for Stop Loss Insurance with BCBS. The contract term was for one (1) year with four (4) renewal/extension options. Stop Loss is used to cap any excess costs exceeding our specific deductible for medical and prescription costs. Staff is seeking authorization to execute first one-year renewal option with BlueCross BlueShield

Mayor Pro Tem Plata asked to remove item 18 from the list and be discussed individually.

Mayor Pro Tem Plata moved to approve all consent agenda items 14 thru 17 and 19 thru 24 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Mayor Pro Tem Plata asked to see a photograph of the litter receptacles that would be purchased.

Mayor Pro Tem Plata move to approve item 18. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS

25. Approval of Ordinance # 5538 of The City Council of The City of Mission, Texas, Amending Section 114-202, Styled Drought Contingency and Water Conservation Plan, of its Code of Ordinances to incorporate the changes Satisfying the Revised Requirements of Chapter 288 of Title 30 of The Texas Administrative Code (TAC) – D. Flores

The Texas Commission on Environmental Quality (TCEQ) mandated municipal water suppliers to meet all the minimum requirements under TCEQ rules, Title 30 Texas Administrative Code (TAC) Chapter 288; specific; a revision to the Drought Contingency and Water Conservation Plan every five years. The revision included updates in current data such as current water plant capacities, public outreach, drought stage updates, and set water loss goals. Quadrangle division line would remain the same at Bryan Rd. and Bus 83 when a criterion for initiation of drought response Stage is triggered. The basic goal of the plan was to ensure an uninterrupted supply of available water into an amount sufficient to satisfy essential human needs.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Ordinance # 5537 of The City Council of The City of Mission, Texas, Amending Section 114-202, Styled Drought Contingency and Water Conservation Plan, of its Code of Ordinances to incorporate the changes Satisfying the Revised Requirements of Chapter 288 of Title 30 of The Texas Administrative Code (TAC). Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5538

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING SECTION 114-202, STYLED DROUGHT CONTINGENCY AND WATER CONSERVATION PLAN, OF ITS CODE OF ORDINANCES TO INCORPORATE THE CHANGES SATISFYING THE REVISED REQUIREMENTS OF CHAPTER 288 OF TITLE 30 OF THE TEXAS ADMINSTRATIVE CODE (TAC); ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES; ESTABLISHING RESTRICTIONS ON CERTAIN WATER USES; ESTABLISHING PENALTIES FOR THE VIOLATION OF AND PROVISIONS FOR ENFORCEMENT OF THESE RESTRICTIONS; ESTABLISHING PROCEDURES FOR GRANTING VARIANCES; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE

26. Authorization to submit & accept the 2025 STEP Comprehensive Grant in the amount of \$37,000 from the Texas Department of Transportation – Torres

The Mission Police Department was requesting authorization to submit and accept the 2025 Comprehensive Grant from the Texas Department of Transportation. The total grant amount was \$46,417.02, which included a match of \$9,417.02 required by the City of Mission. TXDOT would award a total of \$37,000.00 in funds, which would be utilized for traffic enforcement purposes.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to submit & accept the 2025 STEP Comprehensive Grant in the amount of \$37,000 from the Texas Department of Transportation. Motion was seconded by Councilman Vela and approved unanimously 5-0.

27. Authorization to submit & accept the DWI Phlebotomy Program Grant from the Texas Department of Transportation in the amount of \$149,999.78 for the 2025 fiscal year – Torres

The Mission Police Department was requesting authorization to submit and accept the DWI Phlebotomy Program Grant from the Texas Department of Transportation for the 2025 fiscal year. The total grant amount was \$187,557.88, which included a match of \$37,558.10 required by the City of Mission.

TXDOT would award a total of \$149,999.78 in funds to house a registered nurse at the Mission Police Department and to purchase tablets to be placed in the jail section. Housing the registered nurse would facilitate the blood search warrant process during peak hours (7 pm to 3 am), and keep patrol officers from waiting at hospitals for long periods for blood draws. The registered nurse would be employed/contracted by the Mission Hospital, who would hold all liability (medical & legal). The tablets would allow officers to capture electronic signatures and collect digital information for blood search warrants.

TXDOT was accepting the match as an in-kind match, which would be fulfilled as follows: \$4,942.10 for (120) Administrative hours (including salary & fringe benefits), \$1,580.00 for the budgeted purchase of (200) blood tubes, \$11,036.00 paid towards the budgeted contractual services for

alcohol breath testing (relieve recent contract increase), \$12,600.00 costs for the building use and utilities, and \$7,400.00 in social media awareness/public safety announcements (see attached social media valuations). By matching with in-kind (totaling \$37,558.10), the City of Mission's cash match is zero. The grant period was from October 1st, 2024 to September 30th, 2025.

The City of Mission Police Department was the first in the state to be granted this opportunity due to our Drug Recognition Expert program and No-Refusal City status.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to submit & accept the DWI Phlebotomy Program Grant from the Texas Department of Transportation in the amount of \$149,999.78 for the 2025 fiscal year. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

28. Authorization to submit & accept the 2025 STEP CMV Grant in the amount of \$29,975.00 from the Texas Department of Transportation – Torres

The Mission Police Department was requesting authorization to submit and accept the 2025 CMV Grant from the Texas Department of Transportation. The total grant amount was \$37,789.41, which included a match of \$7,814.41 required by the City of Mission. TXDOT would award a total of \$29,975.00 in funds, which would be utilized for traffic enforcement purposes.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to submit & accept the 2025 STEP CMV Grant in the amount of \$29,975.00 from the Texas Department of Transportation. Motion was seconded by Councilman Vela and approved unanimously 5-0

29. Authorization to purchase (3) 2025 Polaris Ranger Crew XP 1000 Premium in the amount of \$72, 882.00 via TIPS contract #210907- Torres

The Mission Police Department was seeking authorization to purchase a 2025 Polaris Ranger Crew XP 1000 Premium from Boswell Elliff Ford LT Boswell LLC, via TIPS contract # 210907. The purchase cost amount was \$72,882.00. Grant funds from FY 2023 Stonegarden grant would be utilized for this purchase.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to authorize the purchase of (3) 2025 Polaris Ranger Crew XP 1000 Premium in the amount of \$72, 882.00 via TIPS contract #210907. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

30. Authorization to purchase via a sole source vendor, a total of two (2) Skycop Mobile Surveillance Trailers at a cost of \$153,300.00 – Torres

Authorization to purchase two (2) Skycop Mobile Surveillance Trailers from Skycop Incorporated at a cost of \$153,300.00 The two (2) Skycop Mobile Surveillance Trailers would be utilized by our department to monitor heavily populated commercial/residential areas. These two (2) Skycop Mobile Surveillance Trailers would assist with deterring all burglary of vehicles, auto thefts, and any other common crimes in our heavily populated commercial/residential areas.

Grant funds from FY 2023 Stonegarden grant would be utilized for this purchase.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize the purchase via a sole source vendor, a total of two (2) Skycop Mobile Surveillance Trailer. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

31. Authorization to extend Second and Final One-Year renewal option for Striping, Pavement Marking Services for Public Works Department – Bocanegra

Seeking authorization to exercise the Second & Final One-Year Renewal with Valley Striping Corp.; this was the second of two renewal options. The contract terms were One (1) year with the option to renew for 2 additional one-year renewals. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis. The original Price would be maintained. This agreement would extend Bid No. 22-520-08-22 from September 21, 2024 thru September 20, 2025.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to extend Second and Final One-Year renewal option for Striping, Pavement Marking Services for Public Works Department. Motion was seconded by Councilman Vela and approved unanimously 5-0.

32. Authorization to extend Second and Final One-Year renewal option for Sealcoat Pavement Services for Public Works Department – Bocanegra

Seeking authorization to exercise the Second & Final One-Year Renewal with Valley Striping Corp.; this was the second of two renewal options. The contract terms were One (1) year with the option to renew for 2 additional one-year renewals. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis. The original Price would be maintained. This agreement would extend Bid No. 22-519-08-22 from September 21, 2024 thru September 20, 2025.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to extend Second and Final One-Year renewal option for Sealcoat Pavement Services for Public Works Department. Motion was seconded by Councilman Vela and approved unanimously 5-0.

33. Homestead Exemption Variance: .28 acres more or less, out of Lot 192, John H. Shary Subdivision, 310 Union Street, R-1, Valeria Garcia, - De Luna

On August 21, 2024, the Planning and Zoning Commission held a Public Hearing to consider the Homestead Exemption Variance. The subject site was located approximately 360' North of E. 2 ½ Street along the East side of Union Street. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilman Vela moved to approve the Homestead Exemption Variance: .28 acres more or less, out of Lot 192, John H. Shary Subdivision, 310 Union Street, R-1, Valeria Garcia. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

34. Consider a Variance request to allow an installation of septic tank at 3101 S. Conway Avenue, out of Lot 10-7, West Addition to Sharyland Subdivision, as requested by Windfield Communities - De Luna

On August 21, 2024 the Planning and Zoning Commission held a Public Hearing to consider the variance request to allow an installation of a septic tank. The subject site was located on the Northeast corner of S. Conway & future Los Indios Parkway.

On August 9, 2024 staff received a letter from Pablo Martinez, Vice President of Winfield Communities requesting the installation of a septic system at 3101 S. Conway Avenue. The site was previously serviced by an existing OSSF system that was outdated and out of service. Currently, the Milagro Subdivision was under construction and would be available to extend utilities to this location. The structure would serve as a sales and construction office for personnel use as the project develops up until the said lot would need to be cleared for new vertical construction. The building was classified as a temporary sales office for the sale of lots which was considered a permitted use per Article VIII – Use Districts and Conditional Uses.

There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved approve the Variance request to allow an installation of septic tank at 3101 S. Conway Avenue, out of Lot 10-7, West Addition to Sharyland Subdivision, as requested by Windfield Communities. Motion was seconded by Councilman Vela and approved unanimously 5-0.

35. Preliminary Plat Approval: Retama Phase VI Subdivision (Private), 9.173 acres being out of Lot 14, Del Monte Irrigation Co. Subdivision, PUD (R-1), Developer: Rhodes Development, Inc., Engineer: Melden & Hunt, Inc. - De Luna

On August 21, 2024, the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Retama Phase VI Subdivision. The subject site was located on the SE corner of Bentsen Palm Drive and Military Parkway East. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Garza inquired about the collection of water rights and whether they had been dedicated already. Alex Hernandez, Assistant Planning Director, stated they had not dedicated the rights yet, but they had been made aware to do so already.

Mayor Garza stated that this item had already been seen by council in December and by Planning & Zoning in January and was inquiring as to why it was coming back.

Mr. Hernandez stated that they had added additional lots to the subdivision which is why the item needed to be reviewed again.

Councilman Vela moved to approve the Preliminary Plat: Retama Phase VI Subdivision (Private), 9.173 acres being out of Lot 14, Del Monte Irrigation Co. Subdivision, PUD (R-1), Developer: Rhodes Development, Inc., Engineer: Melden & Hunt, Inc. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

36. Board Appointment – Planning and Zoning Commission – Carrillo

Planning and Zoning Board – Appoint Irene B. Thompson to the vacant position due to the resignation of Jasen Hardison term to expire 12/31/2026.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to appoint Irene B. Thompson to the Planning and Zoning Commission. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

37. Discussion and action on proposed 2024 Tax Rate, Take Record Vote and Schedule Public Hearing for September 9, 2024 – Roman

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. This notice provided information about tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate is the highest tax rate a taxing unit can adopt without holding an election. If the proposed tax rate exceeds the no-new-revenue tax rate but does not exceed the voter-approval tax rate, one public hearing was required before the adoption of the tax rate.

The calculated no new revenue tax rate is \$0.5074 per \$100 valuation

The calculated voter approved tax rate not adjusted for unused increment rate is \$0.5362 per \$100 valuation

The calculated voter approved tax rate adjusted for unused increment rate is \$0.5362 per \$100 valuation

The current tax rate is \$0.5276 per \$100 valuation

Public Hearing is to be scheduled: September 9, 2024

Staff and City Manager recommended approval.

Mr. Vidal Roman, advised City Council that they would have vote on two rates, the Maintenance and Operation Rate and the Debt Service Rate.

The City Council proposed the tax rate of \$0.5362 per \$100 valuation.

Vidal Roman, advised City Council that they would have to vote on two rates, the Maintenance and Operation Rate and the Debt Service Rate.

Mayor Pro Tem Plata moved to Take Record Vote for the Debt Service Rate at .0757 and Schedule a Public Hearing for September 9, 2024. Motion was seconded by Councilman Vela and approved as follows: Councilwoman Ortega – Nay, Mayor Pro Tem Plata – Aye, Mayor Norie Garza – Aye, Councilwoman Gerlach – Aye, and Councilman Vela – Aye. Motion was approved 4-1, with Councilwoman Ortega voting against.

Mayor Pro Tem Plata moved to Take Record Vote for the Maintenance and Operation tax rate at .4605 and Schedule a Public Hearing for September 9, 2024. Motion was seconded by Councilman Vela and approved as follows: Councilwoman Ortega – Nay, Mayor Pro Tem Plata – Aye, Mayor Norie Garza – Aye, Councilwoman Gerlach – Aye, and Councilman Vela – Aye. Motion was approved 4-1, with Councilwoman Ortega voting against.

UNFINISHED BUSINESS

38. TABLED 08/12/2024: Conditional Use Permit: Drive-Thru Service Windows & The Sale & On-Site Consumption of Alcoholic Beverages – La Palma Azul, 3501 N. Conway, Ste. 1, Lot 2, IHOP on Conway Subdivision, C-3, Elio C. Garza, Adoption of Ordinance #5539 and Wet Zone Ordinance #5540 - De Luna

On August 7, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 1,355' north of mile 2 Road along the west side of Conway Avenue. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to untable this item. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

Mayor Garza asked about the hours of operation for this business to which Mr. Hernandez stated they were proposing Saturday thru Monday from 11am to 10pm and Sunday from 11am to 8pm.

Mike Perez, City Manager, stated that he would like for the P&Z Board to review the TABC guidelines for businesses of this sort so that our city ordinances would be better aligned to their rules.

Mayor Pro Tem Plata stated that he would feel more comfortable if this was reviewed more often rather than after two years.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Drive-Thru Service Windows & The Sale & On-Site Consumption of Alcoholic Beverages – La Palma Azul, 3501 N. Conway, Ste. 1, Lot 2, IHOP on Conway Subdivision, C-3, Elio C. Garza, Adoption of Ordinance #5538 and Wet Zone Ordinance #5539 with the condition that the CUP be re-evaluated after six months and that they provide their TABC sales reports. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5539

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR DRIVE-THRU SERVICE WINDOWS & SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LA PALMA AZUL, 3501 N. CONWAY AVENUE, STE. 1, LOT 2, IHOP ON CONWAY SUBDIVISION

ORDINANCE NO. 5540

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 3501 N. CONWAY AVENUE, STE 1, LOT 2, IHOP ON CONWAY SUBDIVISION

39. TABLED 08/12/2024 - Preliminary & Final Plat Approval: Crystal Estates Subdivision IV, being a 14.71-acre parcel of land, out of Lot 27-1, West Addition to Sharyland, R-2, Developer: DG & GG Investments, LLC, Engineer: Ever Engineering, LLC - De Luna

On August 7, 2024 the Planning & Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Crystal Estates Subdivision IV. The subject site was located east of Inspiration Road approximately 1,400' south of W. 2 Mile Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Mayor Pro Tem Plata moved to untable this item. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Mayor Pro Tem Plata moved for this item to be sent back to the Planning & Zoning Commission for review. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ROUTINE MATTERS

City Manager Comments – National Night Out on August 29th at the Mission Event Center from 6pm – 9pm, Go For Gold Childhood Cancer Awareness Walk on September 8th at 6pm, Ribbon Cutting for Taylor Road Phase 1 on September 12th at 10am, City Hall would be closed on Monday, September 2nd in observance of Labor Day.

City Council Comments – Councilwoman Ortega wished everyone a nice Labor Day weekend. Councilwoman Gerlach asked everyone to stay safe and enjoy the extended Labor Day weekend.

Mayor's Comments – None

At 6:22 p.m., Mayor Pro Tem Plata moved to convene into Executive Session. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Councilman Vela stepped out of the meeting at 7:26 p.m.

EXECUTIVE SESSION

Upon conclusion of Executive Session at 7:40 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Evaluation of City Manager relating to goals and objectives

No Action

2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to Black Diamond Developers, LP and CCC Operations, LLC v. City of Mission, Cause No. C-5276-23-D.

No Action

3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to engaging Attorney Ed McCarthy to assist in legislative affairs.

No Action

ADJOURNMENT

At 7:41 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary