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## **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  
Lenny Garza  
Dendea Balli  
Victor Anzaldua  
Aaron Balli  
Kathleen Avila  
Laura Warren  
Crystal Chavez  
Fabian Ochoa  
Jennifer Vasquez  
Noel Salinas  
Jose M. Lucio

### **STAFF PRESENT:**

David Flores, Asst. City Manager  
Juan Pablo Terrazas, Asst. City Manager  
Andy Garcia, Asst. City Manager  
Adrian Garcia, Fire Chief  
Steven Kotsatos, Health Director  
Vidal Roman, Finance Director  
Alex Hernandez, Assistant Planning Director  
Noemi Munguia, HR Director  
Robert Hinojosa, Director of Organizational Dev.  
Abram Ramirez, IT Director  
Abel Bocanegra, P.E., City Engineer  
Cesar Torres, Chief of Police  
Yenni Espinoza, Library Director  
Kenia Gomez, Media Relations Director  
Brad Bentsen, Parks & Recreation Director  
Pete Lopez, Parks & Recreation Manager  
JoAnne Longoria, CDBG Director  
Roel Mendiola, Sanitation Director  
Jose Luis Silva, Internal Auditor  
Veronica Longoria, Police Officer  
Patricia Sifuentes, Police Officer

## **REGULAR MEETING**

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

With a quorum being present, Mayor Norie Gonzalez Garza called the meeting to order at 4:33 p.m.

### **INVOCATION AND PLEDGE ALLEGIANCE**

Mayor Pro Tem Ruben Plata led the invocation and Pledge of Allegiance.

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

None

### **PRESENTATIONS**

**1. Proclamation - Mission Regional Medical Center 70th Anniversary – Carrillo**

Mayor Pro Tem Plata moved to approve the Proclamation – Mission Regional Medical Center 70<sup>th</sup> Anniversary. Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

**2. Proclamation - Parks & Recreation Month – Bentsen**

Mayor Pro Tem Plata moved to approve the Proclamation – Mission Regional Medical Center 70<sup>th</sup> Anniversary. Motion was seconded by Councilman Vela and approved unanimously 4-0.

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

Brenda Enriquez, Greater Mission Chamber of Commerce President, spoke about upcoming events such as: Mission Regional Medical Center's 70<sup>th</sup> Anniversary July 25<sup>th</sup> from 5pm-8pm at the Mission Event Center, Membership Mixer on August 7<sup>th</sup> at Bubba's 33 from 5:30pm-7:30pm, Ribbon Cutting for HotWorx on August 8<sup>th</sup> from 5:30pm-6:30pm, Buenas Tardes Luncheon on August 14<sup>th</sup> at the Mission Event Center, and the Annual Member Awards Banquet on October 3<sup>rd</sup> at the Mission Event Center. The nominating committee would be reviewing all board nominations in order to make selections to place on the ballot.

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

Jennifer Vasquez, gave an update on the current operations for the Animal Shelter. Over the last month, there were 149 animals taken in, 112 animals were adopted, 26 were reclaimed, 29 were transferred, 14 were returned to the field leaving the shelter at a rate of 81.88% for the month. Ms. Vasquez also mentioned that they now had three new board members.

**5. Departmental Reports – Perez**

Mayor Pro Tem Plata moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 4-0.

**6. Citizen's Participation – Garza**

None

**PUBLIC HEARING****7. Public Hearing and Approval of Proposed Substantial Amendment for Five-Year Consolidated Plan and Strategy 2023-27 – Longoria**

The U.S. Department of Housing and Urban Development (HUD) required local jurisdictions to prepare and submit a Five-Year Consolidated Plan and Strategy (CPS) and Annual Action Plan (AAP) in order to receive federal funds through the Community Development Block Grant Program (CDBG). The development of the CPS sets goals, objectives and outcomes, identified the needs and priorities of the community, involved an extensive needs assessment and community outreach process. The AAP described the activities that would be undertaken with CDBG funds in furtherance of the objectives set forth in the CPS 2023-2027.

The DRAFT Proposed Substantial Amendment for CPS 2023-27 was available on June 7, 2024 at the Community Development Office and the City's official website. On June 25, 2024 the Citizen's Advisory Committee (CAC) held a public hearing and recommended approval of the proposed Substantial Amendment for the CPS 2023-27 to address a change in its strategic direction to impact more residents by allocating funds to infrastructure improvements opposed to

direct assistance to homeowners, changed the priority for improving public infrastructure from low to high and increased goals for beneficiaries from 0 to 5000 people and keep the priority for rehabilitation of housing stock as high and decrease goals from 30 to 10 households due to re-allocation of funds. The proposed substantial amendment would allow for the CPS 2023-27 to revise priorities to include infrastructure improvements, such as drainage, sanitary and storm sewer, and parks, recreational facilities and revise goals for beneficiaries of funded projects.

The thirty-day comment period commenced on June 7, 2024 and ended on July 10, 2024; The following comments were received: A resident voiced the need for providing support services and housing assistance to homeless individuals. Received written comments on the importance to continue funding the Housing Assistance Program which improves the living conditions primarily for elderly and disabled individuals who lack the resources to maintain their homes. CAC members stressed the continued need for housing as there are several applicants that went through the eligibility process and are waiting to be assisted. They also expressed the need for infrastructure improvements, such as streets, drainage, sanitary and storm sewer, and parks, recreational facilities throughout the city.

Staff and City Manager recommended approval.

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

Brad Bentsen, 2803 Cardinal, stated that he agreed with the strategic direction in which the funds were being allocated. He also commented that he would like to see funds made available for nature trails and future parks and improvements.

Lenny Garza, Chairman of the Citizens Advisory Committee, stated that the board had come to an agreement for the allocation of funds after several meetings with the City Manager, and was excited to move forward with the committee.

Mayor Pro Tem Plata moved to close the Public Hearing and approval of Proposed Substantial Amendment for Five-Year Consolidated Plan and Strategy 2023-27. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

## **PLANNING & ZONING RECOMMENDATIONS**

### **8. Rezoning: Being a 2.50 gross acre tract of land, more or less, out of Lot 43, Bell-Woods CO.'s Subdivision "C", (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Raymundo Platas, and Adoption of Ordinance# 5518- De Luna**

On July 17, 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 and the East side of N. Trospen Road. There was public opposition during the P&Z meeting the concerns voiced were in regards to increased traffic congestion, vandalism, and illegal dumping. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

Esther Salinas, stated that she was opposed to this rezoning for various safety concerns which included: no water, no lights, no sewer and a higher traffic rate for the area. Ms. Salinas stated that five land owners were present at the P&Z Meeting and of the five, four were against this item. It was requested by Ms. Salinas that an investigation be conducted on Planning Director, Ms. Susie De Luna.

Raymundo Platas, developer for this project, thanked the city council for the opportunity to invest in the City of Mission. He had heard of a lot of on-going beautiful projects within the city and he wanted to contribute to the continued growth of the city as well. He stated that he was willing to comply with all city policies and rulings.

Mr. Garza, 3707 N. Los Ebanos, stated his opposition towards this rezoning. He stated there was no sewer or drainage in the area, no gutters and no fire hydrants. He also mentioned that this area was already high in traffic and adding apartments would increase the traffic volume. He did not agree with the idea of rezoning the property.

At 5:02 p.m., Mayor Pro Tem Plata moved to convene into Executive Session to discuss this item further. Motion was seconded by Councilman Vela and approved unanimously 4-0.

Councilwoman Jessica Ortega joined the meeting at 5:06 p.m.

Upon conclusion of Executive Session at 5:20 p.m., Councilman Vela moved to reconvene the regular meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

Mayor Garza stated that she would be addressing all the comments made during the public hearing and would have the city manager investigate the concerns voiced. She also stated, as a reminder, that this was a motion to rezone a property and that conditions for said property could be set during the next step of the process. This would not be the last time that this item would be reviewed before council.

Mayor Pro Tem Plata moved to approve Rezoning: Being a 2.50 gross acre tract of land, more or less, out of Lot 43, Bell-Woods CO.'s Subdivision "C", (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Raymundo Platas, and Adoption of Ordinance# 5518. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

#### **ORDINANCE NO. 5518**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING BEING A 2.50 GROSS ACRE TRACT OF LAND, MORE OR LESS,  
OUT OF LOT 43, BELL-WOODS CO.'S SUBDIVISION "C", (AO-I) AGRICULTURAL OPEN  
INTERIM TO (R-2) DUPLEX-FOURPLEX RESIDENTIAL

**9. Rezoning: Being a 5.39 gross acre tract of land, more or less, consisting of all of the South 342.50' out of Lot 38, Bell-Woods CO's Subdivision "C", (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Raymundo Platas, and Adoption of Ordinance#5519 - De Luna**

On July 17, 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 and the west side of N. Compton Road. There was public opposition during the P&Z meeting the concerns voiced were in regards to increased traffic congestion, vandalism, and illegal dumping. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

Esther Salinas, stated that she was in opposition of this rezoning. Like the previous item the concerns were that the area was a high traffic zone and that no utilities were available. She also mentioned that several of the landowners were against this request as well.

Aaron Balli, stated that when he first started in the business of developing, there was a lot he did not know, but he educated himself on the process. He was aware that the proper infrastructure had to be in place before beginning any type of development.

Mayor Pro Tem Plata stated for the record that he is not related to applicant Raymundo Platas.

Mayor Pro Tem Plata moved to approve the Rezoning: Being a 5.39 gross acre tract of land, more or less, consisting of all of the South 342.50' out of Lot 38, Bell-Woods CO's Subdivision "C", (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Raymundo Platas, and Adoption of Ordinance#5519. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **ORDINANCE NO. 5519**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING BEING A 5.39 GROSS ACRE TRACT OF LAND, MORE OR LESS,  
CONSISTING OF ALL OF THE SOUTH 342.50' OUT OF LOT 38, BELL-WOODS CO.'S  
SUBDIVISION "C", (AO-I) AGRICULTURAL OPEN INTERIM TO (R-2) DUPLEX-FOURPLEX  
RESIDENTIAL

#### **10. Rezoning: All of Lot 6, Block 75, Original Townsite of Mission, (C-2) Neighborhood Commercial to (R-2) Duplex-Fourplex Residential, Ramiro Villegas, ROI ONE, LLC, and Adoption of Ordinance#5520 - De Luna**

On July 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located near the northeast corner of N. Cummings and West 4<sup>th</sup> 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.

Ramiro Villegas, owner of the property, stated that this building had been located here for a very long time and had remained vacant. He would like to downgrade the property to residential to put it to use.

Mayor Pro Tem Plata moved to approve the Rezoning: All of Lot 6, Block 75, Original Townsite of Mission, (C-2) Neighborhood Commercial to (R-2) Duplex-Fourplex Residential, Ramiro Villegas, ROI ONE, LLC, and Adoption of Ordinance#5520. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **ORDINANCE NO. 5520**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING ALL OF LOT 6, BLOCK 75, ORIGINAL TOWNSITE OF MISSION,  
(C-2) NEIGHBORHOOD COMMERCIAL TO (R-2) DUPLEX-FOURPLEX RESIDENTIAL

#### **11. Rezoning: A 14.65 acre tract of land, more or less, being a portion of the South 15.37 acres of Lot 6-10, West Addition to Sharyland to (R-1) Single Family Residential to (I-1) Light Industrial, Victor Trevino, and Adoption of Ordinance#5521 - De Luna**

On July 17, 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 E. Military Road (FM

1016) and S. Bryan 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.

Mayor Pro Tem Plata moved to approve the Rezoning: A 14.65 acre tract of land, more or less, being a portion of the South 15.37 acres of Lot 6-10, West Addition to Sharyland to (R-1) Single Family Residential to (I-1) Light Industrial, Victor Trevino, and Adoption of Ordinance#5521. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### **ORDINANCE NO. 5521**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A 14.65 ACRE TRACT OF LAND, MORE OR LESS, BEING A  
PORTION OF THE SOUTH 15.37 ACRES OF LOT 6-10, WEST ADDITION TO SHARYLAND,  
(R-1) SINGLE FAMILY RESIDENTIAL TO (I-1) LIGHT INDUSTRIAL

**12. Rezoning: A tract of land containing 35.447 acres being out of Lot 61, Amended Map of John H. Shary Subdivision from (AO-I) Agricultural Open Interim to (I-1) Light Industrial, Charco Land Sales, c/o Radcliffe Killam II, and Adoption of Ordinance#5522 - De Luna**

On July 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located at the northeast corner of Anzalduas Hwy and E. Military Road (FM 1016). 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 Rezoning: A tract of land containing 35.447 acres being out of Lot 61, Amended Map of John H. Shary Subdivision from (AO-I) Agricultural Open Interim to (I-1) Light Industrial, Charco Land Sales, c/o Radcliffe Killam II, and Adoption of Ordinance#5522. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### **ORDINANCE NO. 5522**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A TRACT OF LAND CONTAINING 35.447 ACRES BEING OUT OF  
LOT 61, AMENDED MAP OF JOHN H. SHARY SUBDIVISION, (AO-I) AGRICULTURAL OPEN  
INTERIM TO (I-1) LIGHT INDUSTRIAL

**13. Conditional Use Permit: Home Occupation – Our Mission Primary Home Care, LLC, 802 Pamela Drive, Lot 1 & W. 52' of Lot 2, Block 4, Parkview No. 1, R-1, Arnoldo Morgan, Adoption of Ordinance #5523 - De Luna**

On July 17, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located at the Southeast corner of

Pamela Drive and Mayberry 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.

Arnoldo Morgan, owner of said property, stated that his only concern was that the permit was being considered for a one year period. He asked if it was possible to get it approved permanently or for an extended period of time.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Home Occupation – Our Mission Primary Home Care, LLC, 802 Pamela Drive, Lot 1 & W. 52' of Lot 2, Block 4, Parkview No. 1, R-1, Arnoldo Morgan, for a period of one year. Adoption of Ordinance #5523. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5523**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT HOME OCCUPATION – OUR MISSION  
PRIMARY HOME CARE, LLC, 802 PAMELA DRIVE, LOT 1 & W. 52' OF LOT 2, BLOCK 4,  
PARKVIEW NO. 1

**14. Conditional Use Permit: Home Occupation – Lucio Income Tax & Health Insurance Agency, 112 E. 5th Street, Lot 12, Block 78, Mission Original Townsite, R-1, Jose Manuel Lucio III, Adoption of Ordinance #5524 - De Luna**

On July 17, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located at the Southwest corner of E. Rafael Ramirez Street (E. 5<sup>th</sup> Street) and Doherty Avenue. 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: Home Occupation – Lucio Income Tax & Health Insurance Agency, 112 E. 5th Street, Lot 12, Block 78, Mission Original Townsite, R-1, Jose Manuel Lucio III, Adoption of Ordinance #5524. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5524**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT HOME OCCUPATION – LUCIO INCOME TAX &  
HEALTH INSURANCE AGENCY, 112 E. 5<sup>TH</sup> STREET, LOT 12, BLOCK 78, MISSION  
ORIGINAL TOWNSITE

**15. Conditional Use Permit Renewal: To Keep (3) 24' x 70' Portable Buildings Luz Para Las Naciones Church, 915 W. Expressway 83, Lot 1, Nido De Aguila Subdivision, P, Excellence in Leadership, Adoption of Ordinance #5525- De Luna**

On July 17, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal request. The subject site was located at the Southwest corner

of S. Olmo Street and south side of U.S. Expressway 83 Frontage 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.

Councilwoman Gerlach asked if this item had been seen three times prior and asked if there was a delay or what the original plan was.

Susie De Luna, Planning Director, stated that they had not been able to find a location to place these buildings in the time allotted which is why they were requesting another year.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit Renewal: To Keep (3) 24' x 70' Portable Buildings Luz Para Las Naciones Church, 915 W. Expressway 83, Lot 1, Nido De Aguila Subdivision, P, Excellence in Leadership, Adoption of Ordinance #5525. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

### **ORDINANCE NO. 5525**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT RENEWAL TO KEEP (3) 24' X 70' PORTABLE  
BUILDINGS LUZ PARA LAS NACIONES CHURCH, 915 W. EXPRESSWAY 83, LOT 1, NIDO  
DE AGUILA 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*

#### **16. Approval of Minutes – Carrillo**

Regular Meeting – July 8, 2024

#### **17. Acknowledge Receipt of Minutes – Perez**

Traffic Safety Committee – February 16, 2024

Mission Civil Service Commission – May 22, 2024

Speer Memorial Library Board – March 19, 2024

#### **18. Authorization to enter a Memorandum of Understanding with the Texas Department of Public Safety and the Office of Statewide Communications Interoperability – Torres**

The Mission Police Department was requesting authorization to enter a Memorandum of Understanding with the Texas Department of Public Safety and the Office of Statewide Communications Interoperability. The Memorandum of Understanding was required to be considered to receive grant funds for communications equipment. This agreement would be in effect upon approval until the end of the grant life or other required renewal. The final decision for grant funding had not been finalized.



**19. Approval of Resolution # 1912 declaring a vehicle dog kennel surplus and authorizing the disposition of said property to the La Joya Police Department – Torres**

Staff was seeking authorization to surplus a vehicle dog kennel for donation to the La Joya Police Department. The vehicle dog kennel was currently not being used and had been determined to be of no use to the Mission Police Department or the City of Mission.

**RESOLUTION NO. 1912**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY TO FURTHER A PUBLIC PURPOSE; AND ESTABLISHING AN EFFECTIVE DATE

**20. Authorization to purchase 1000 Residential Refuse Carts from Toter LLC via HGAC #RC01-21 – Mendiola**

Authorization to purchase 1000 residential refuse carts for our Residential Division. Due to the city's rapid growth, the Sanitation Department was requesting these refuse carts to keep up with the demand and the city's current services throughout the remainder of the current 2023-2024 Year. Carts would be purchased from Toter LLC via HGAC contract #RC01-21.

**21. Authorization to award bid to JF Filtration Inc. DBA Joe W. Fly Co., Inc for monthly air conditioner filter service for all city facilities – Mares**

The City of Mission had accepted and received three (3) bid responses for the monthly air conditioner filter service. Staff recommended awarding of bid to: JF Filtration Inc. DBA Joe W. Fly Co., Inc. who was the lowest responsible bidder meeting all specifications. The cost was \$25,821.60 for the one-year base term with two one year renewal options.

**22. Authorization to Renew Legal and ID Theft Services with Legal Shield for Employee Benefits – Munguia**

On June 5, 2024, the City solicited for Legal Services and received one (1) response. On 07/08/2024, the proposal was rejected by the evaluation committee due to insufficient competitive responses and agreed to seek authorization to renew with our current provider, Legal Shield, with no increase in rates for Employee Legal and ID Theft services. Renewal dates are 10/01/2024 through 09/30/2025.

**23. Authorization to execute Second & Final One-Year renewal option for Pump Repair & Maintenance Services for Water Treatment Plants, Waste Water Treatment Plant and Water Distribution Divisions – Bocanegra**

Seeking authorization to exercise Second & Final One – Year Renewal with J&E Lift Station Services; this was the second and final of two renewal options. The Contract term was for one (1) year with the option for two additional one-year renewals. The objective was to obtain services of a Pump Repair Shop and On-site Pump Mechanic Services to perform repair and maintenance on a "as needed" basis at the Water Treatment Plants, Waste Water Treatment plant, and Water Distribution Divisions. The agreement would extend Bid No. 22-432-06-24 from July 21, 2024 through July 20, 2025. Prices would remain the same.

Maintenance labor Services: \$28/hr

Repair Labor/Shop Services: \$28/hr

Emergency Repair Labor/Shop Services: \$42/hr

Mark up on parts & materials: 20%

Councilwoman Ortega moved to approve all consent agenda items 16 thru 23 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **APPROVALS AND AUTHORIZATIONS**

#### **24. Preliminary Plat Approval: Sharyland Plantation Village Granada Ph. II Subdivision, Containing 10.04 acres of land, more or less, and partially located within Lot 92, & Lot 102, John H. Shary Subdivision, PUD, Developer: Charco Land Sales, LLC, Engineer: SAMES Engineering - De Luna**

On June 12, 2023 the Mission City Council held a Public Hearing to consider the Preliminary & Final Plat Approval for Sharyland Plantation Village Granada Ph. II Subdivision. The subject site was located north of the intersection of Los Indios Parkway and Grande Canal. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilwoman Ortega stepped out of the meeting at 5:47 p.m.

Mayor Pro Tem Plata moved to approve the Preliminary Plat Approval: Sharyland Plantation Village Granada Ph. II Subdivision, Containing 10.04 acres of land, more or less, and partially located within Lot 92, & Lot 102, John H. Shary Subdivision, PUD, Developer: Charco Land Sales, LLC, Engineer: SAMES Engineering. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **25. Request from Fortis Land Co. to waive water rights requirements for Bryan Landing Subdivision, being a 27.969 acre tract of land out of Lot 29-10, West Addition to Sharyland - De Luna**

On July 15, 2024 staff received a letter requesting a waiver of the water right requirements for Bryan Landing Subdivision.

The City of Mission relies on Ordinance #1110 (a 43-year old ordinance) adopted in September 28, 1981, providing that all subdivisions must assign their water rights to the City and withdraw the land from any water district.

On April 22, 2024 the City of Mission amended ordinance #1110 whereas, if the developer was unable to convey or acquire water rights then they would need to pay a fee to the City of Mission in the amount of \$3,000 per municipal acre foot.

Staff and City Manager recommended approval.

Mayor Garza requested to discuss this item when council convened in Executive Session.

After conclusion of executive session Mayor Pro Tem Plata moved to postpone this item until the next meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

#### **26. Approval of Public Highway At-Grade Crossing Agreement with Union Pacific Railroad Company for the existing at grade public road crossing over Taylor Road in the amount of \$72,500.00 – Terrazas**

The City of Mission utilized the Railroad's property for the existing at grade public road crossing over Taylor Road, (leased to the Rio Valley Switching Company).

The City of Mission desired to undertake as its project the reconstruction and widening of the existing at grade public road crossing for the installation of new signals and sidewalks.

The Railroad right of way being utilized for the existing at grade public road crossing was not sufficient to allow for the reconstruction and widening of the Roadway. Therefore, under this Agreement, the Railroad would be granting additional rights to the City to facilitate the reconstruction and widening of the Roadway.

In support of the project, the City had requested the Lessee's cooperation in connection with installing grade crossing protection device and installing the necessary relays and other materials required to interconnect and coordinate the operation of said railroad grade crossing protection devices with the operation of highway traffic control signals. Work was to be performed at the expense of the city.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Public Highway At-Grade Crossing Agreement with Union Pacific Railroad Company for the existing at grade public road crossing over Taylor Road in the amount of \$72,500.00. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

**27. Authorization to submit letter of support on behalf of the City of Mission to Texas Parks and Wildlife for the maintenance of the proposed Sendero Park - Bentsen**

Authorization to provide a letter of support for park maintenance for the proposed Sendero Park, as a supporting document to Texas Parks and Wildlife by Michael Rhodes. This 25 acre passive park was located on the south side of Perezville Ditch paralleled by Bentsen Palm Community Park, would consist of a 1.5 mile walking/running trail, natural playground equipment, picnic areas, yoga platform, and a platform for bird watching at the Drainage Ditch.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to authorize the submittal of a letter of support on behalf of the City of Mission to Texas Parks and Wildlife for the maintenance of the proposed Sendero Park. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

**28. Approval of Final Annual Action Plan 2024-25 and Authorize City Manager to Execute Subrecipient Agreements for those receiving FY'24 CDBG Allocations – Longoria**

The U.S. Department of Housing and Urban Development (HUD) requires local jurisdictions to prepare and submit an Annual Action Plan (AAP) in order to receive federal funds through the Community Development Block Grant Program (CDBG). The AAP described the activities that would be undertaken with CDBG funds in furtherance of the objectives set forth in the Five-Year Consolidated Plan and Strategy (CPS) 2023-2027. On June 7, 2024, the DRAFT of the AAP was available at the Community Development Office and the City's official website.

As required by HUD, public hearings were held by City Council on June 24, 2024 and Citizen's Advisory Committee (CAC) on June 25, 2024 to solicit input on CAC's proposed funding recommendations for public service agencies and city departments for the AAP. During the public hearings, a resident voiced the need for providing support services and housing assistance to homeless individuals. Received written comments on the importance to continue funding the Housing Assistance Program which improved the living conditions primarily for elderly and disabled individuals who lack the resources to maintain their homes. CAC members stressed the continued need for housing as there are several applicants that went through the eligibility process and were waiting to be assisted. They also understood the change in strategic direction

of the CDBG funding and expressed the need for infrastructure improvements, such as streets, drainage, sanitary and storm sewer, and parks, recreational facilities throughout the city. The thirty-day comment period ended on July 10, 2024.

CAC recommended the following agencies and departments be funded through the FY'24 allocation of \$980,555: (Option B) Recreational Connectivity Trail Project (\$250,000), Astroland Park Phase II Playground Equipment (\$229,125), Astroland Storm Sewer Improvements (\$150,000), Amigos Del Valle (\$43,864), LRGVDC - Area Agency on Aging (\$10,000), CAMP University (\$5,000), To Give International dba Creative Arts Studio (\$3,000), Comfort House (\$1,000), HOPE Medical Services (\$8,000), Children's Advocacy Center (\$18,000), CASA of Hidalgo County (\$1,000), Silver Ribbon (\$3,000), Speer Memorial Library (\$12,455), Affordable Homes of South Texas, Inc. (\$50,000), and Administration (\$196,111). A subrecipient orientation meeting will be scheduled to discuss their responsibilities to ensure compliance with all federal regulations. Upon approval, the Annual Action Plan 2024-25 will be submitted to the U.S. Department of Housing and Urban Development by August 16, 2024.

Staff and City Manager recommended approval.

Councilwoman Ortega rejoined the meeting at 5:58 p.m.

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

### **29. Discussion and possible action on the appointment of two vacant positions on the Audit Committee – Carrillo**

The Audit Committee currently has two vacant positions. These vacancies arose because the individuals who were recently appointed to these positions did not accept or were unable to accept their appointments.

Staff and City Manager recommended approval.

Mayor Garza stated that one of the board members had rescinded his resignation and would remain on the committee; therefore, there was only one vacancy that needed to be filled.

Anna Carrillo stated that Mr. David Penoli had been appointed to fill the vacancy on this committee.

Mayor Pro Tem Plata moved to approve the appointment of Mr. David Penoli to the Audit Committee. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

### **UNFINISHED BUSINESS**

#### **30. TABLED: 07/08/2024 - Adoption of Fee Waiver and Discounted Rate Policy for the Mission Event Center - A. Lerma**

The Mission Event Center sought to implement a policy outlining procedures for organizations requesting fee waivers or discounted rates for facility use to specifically limit the use of the MEC as a general public forum to ensure that the facility remained easily accessible to clients and residents doing business with the MEC.

The MEC may offer fee waivers or discounted rates to non-profit organizations, government agencies, or educational institutions meeting the specific requirements outlined in policy.

The different fee waivers or discounted rates included:

Eligibility for 50% Discounted Rate- included discount on room rental fees, equipment fees, service fees, and refundable damage deposit fee. Under this discounted rate, events must be open and available to the general public, free of charge, provide a public benefit, be non-partisan, be non-commercial and not for profit, be non-controversial and shall avoid advocacy of a particular position in areas of public policy dispute or controversy.

Eligibility for 20% Discounted Rate – included discount only on the room rental fees. Organizations would be responsible for all other applicable fees (equipment fees, service fees, and refundable damage deposit fee). Under this discounted rate, non-profits, government agencies, or educational institutions may host revenue-generating events or provide trainings, seminars and meetings for their members.

Eligibility for 100% Fee Waiver – included discount on room rental fees and all other applicable fees (equipment fees, service fees, and refundable damage deposit fee). Under this waiver, organizations must be in an official partnership with the City of Mission for a joint event.

No discounts or fee waivers are provided for security services. If security was required for an event, organizations would be responsible for all security fees and hiring such security personnel from the Mission Police Department at its own expense.

Organization may submit one (1) request annually for consideration of either a fee waiver or a discounted rate

This item remained on the table

## **ROUTINE MATTERS**

City Manager Comments – Mr. Perez invited representatives from the Warren Group up to the podium to give an update on the status of Public Safety Building #6. The setbacks that were encountered throughout the project were also discussed. Mr. Perez stated that he would like to schedule a ribbon cutting for the facility as soon as two weeks from now.

City Council Comments – Councilwoman Ortega thanked Mr. Teclo Garcia and his staff for making it possible to bring an Olive Garden to Mission. Councilwoman Ortega echoed Ms. Ortega's comments.

Mayor's Comments – No Comments.

At 6:23 p.m., Mayor Pro Tem Plata moved to convene into Executive Session. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

Councilwoman Ortega stepped out of the meeting at 8:21 p.m.

## **EXECUTIVE SESSION**

Upon conclusion of Executive Session at 8:24 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilman Vela 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) Discussion and action, if any, regarding legal representation in City of Mission v. Performance Services, Inc., C-1712-22-C, in the 139th District Court of Hidalgo County, Texas.

Mayor Pro Tem Plata moved to authorize City Attorney to proceed as discussed in executive session. Motion was seconded by Councilman Plata and approved unanimously 4-0.

4. Closed session pursuant to Tex. Gov't Code Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property), in regards to a tract of land containing 20.97 acres, more or less, out of and part of Lot 16-5, West Addition to Sharyland also known as 1306 S. Conway

No Action

### **RECONVENE**

The City Council will reconvene in open session to take any actions if necessary, on any item(s) discussed in closed session

### **ADJOURNMENT**

At 8:26 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary