



MINUTES

PRESENT:

Norie Gonzalez Garza, Mayor
Jessica Ortega, Councilwoman
Ruben D. Plata, Mayor Pro-Tem
Abiel Flores, Councilman
Victor A. Flores, City Attorney
Randy Perez, City Manager
Anna Carrillo, City Secretary

ALSO PRESENT:

Jim & Beth Barnes
Sam Benson
Luis Quintanilla
San Juanita Gonzalez
Art Garza
Brenda Enriquez
Angela Mendiola
Sandalio Garcia
Santiago Rosales
Diego Hurtado
David Escalera
Noel Salinas
Alexandra Santos
Monica Gonzalez

STAFF PRESENT:

Joel Chapa, Police Officer

ABSENT:

Alberto Vela, Councilman

STAFF PRESENT:

Anais Chapa, Assistant City Secretary
David Flores, Asst. City Manager
Adrian Garcia, Fire Chief
Juan Pablo Terrazas, Asst. City Manager
Angie Vela, Finance Director
Michael Elizalde, Grants Administrator
Susie De Luna, Planning Director
Alex Hernandez, Assistant Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Management Director
Peter Geddes, Procurement Director
Joe Enriquez, Utilities Manager
Alex Fajardo, Media Relations
Charlie Longoria, Media Relations
Abram Ramirez, IT Director
Abel Bocanegra, P.E., City Engineer
Cesar Torres, Chief of Police
Frank Cavazos, Deputy Fire Chief
Joanne Longoria, CDBG Director
Yenni Espinoza, Assistant Library Director
Cynthia Lopez, Museum Director
Mario Flores, Golf Director
Jesse Mares, Facilities Supervisor
Marisol Chavero, Police Officer
Roel Mendiola, Sanitation Dept. Director
Jesse Lerma Civil Service Director
Kenia Gomez, Media Relations Director
Stephen Kotsatos, Health Director
Christopher Navarette, Deputy Fire Chief

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Garza Gonzalez called the meeting to order at 4:30 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

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

DISCLOSURE OF CONFLICT OF INTEREST

None

PRESENTATIONS

1. Report from the Rio Grande Valley Humane Society – Perez

Luis Quintanilla, Executive Director for the Rio Grande Valley Human Society, reported that the RGV Humane Society had now been in operation for six months. Over this time period, they had increased the adoption rate by 174% as compared to previous months. They had also been able to reunite 75% of animals in their care to their owners. A total of 1,360 animals had been kept off of the streets, and there have been 0 kills. In the last six months, they had also been able to provide over 600 vaccinations. RGV Humane Society would be hosting a Vaccination Clinic on Saturday, August 19th.

2. Report from the Greater Mission Chamber of Commerce – Enriquez

Brenda Enriquez, Mission Chamber of Commerce CEO, reported on upcoming events such as: E-commerce Roadmap seminar, Love Locks unveiling at the Market Square on Thursday, July 27th, SBA-Disaster Preparedness program on August 12th and the upcoming Buenas Tardes Luncheon. Ms. Enriquez also mentioned that the nominating committee would be meeting this week and would be approving ballots.

3. Legal Department Update - V. Flores

Victor Flores, City of Mission Attorney, provided updates on the progress of the legal department. Since he joined the legal team, they have worked together to restructure the department in an effort to better assist the department's and their needs. Mr. Flores felt that the department was heading in the right direction and was well on its way to achieving its goals. He also informed the council that a survey was sent out to all directors and assistant directors as well as other employees who typically interact with the department. Results of the survey came in and showed positive feedback from those who participated. Overall, the results were that the department was more approachable, knowledgeable and willing to assist.

4. Update on Drainage Projects – Terrazas

J.P. Terrazas, Assistant City Manager, provided updates on various drainage projects underway throughout the city. As part of the update, Mr. Terrazas introduced Mr. Art Garza to give an update on the projects. For Stewart Road, the project was 75% underway and was expected to be completed by the end of August. Esperanza drainage project was about 70% complete. Gabriel drainage project was 85% complete, Glasscock Road project was 10%. Tulip Road project was about 90% complete.

5. Departmental Reports – Perez

Mayor Pro Tem Ruben Plata moved to approve the Departmental Reports. Motion was seconded by Councilwoman Jessica Ortega and approved unanimously 4-0.

6. Citizen's Participation – Garza

Sam Benson, 2305 W. Jackson Ave McAllen Texas, wanted to share an experience he had encountered the day prior. He came in to contact with a woman who had been a victim of domestic violence and was looking for a place to stay. Everywhere she called, she was either turned down or did not receive assistance. Mr. Benson then made a phone call to Chief of Police Cesar Torres to request assistance. Chief Torres was able to connect the victim to Isela Marin, the Crime Victims Liaison, who provided the appropriate assistance.

Angela Mendiola wanted to thank the Chief of Police for the help that she received. She was able to get food and shelter for herself and her children.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

7. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Medelina’s Restaurant at 2224 E. Business Hwy. 83, Being a tract of land containing 1.08 acres of land, being part or portion of Lot 204, John H. Shary Subdivision, C-4, Sandalio R. Garcia, and Adoption of Ordinance#5345 - De Luna

On July 12, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located on the SW corner of Glenwood Avenue and East Business Hwy 83. 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.

Sandalio Garcia, owner of Medelina’s Restaurant, stated that he would like to provide a drink menu for his customers.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Abiel Flores and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Medelina’s Restaurant at 2224 E. Business Hwy. 83, Being a tract of land containing 1.08 acres of land, being part or portion of Lot 204, John H. Shary Subdivision, C-4, Sandalio R. Garcia, and Adoption of Ordinance#5345. Motion was seconded by Councilman Abiel Flores and approved unanimously 4-0.

ORDINANCE NO. 5345

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 – MEDELINA’S RESTAURANT AT 2224 E. BUSINESS HWY 83, BEING A TRACT OF LAND CONTAINING 1.08 ACRES OF LAND, BEING PART OR PORTION OF LOT 204, JOHN H. SHARY SUBDIVISION

8. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Cocktails Latin Bar & Grill at 4001 S. Shary Road, Ste. 350, Lot 1, Sharyland Plantation Grove Tech-Center #2, PUD, The Best Flavored Beer, LLC, and Adoption of Ordinance#5346 - De Luna

On July 12, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located on the SE corner of San Mateo and Shary 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.

Santiago Rosales, owner of Cocktails Latin Bar & Grill, stated that this request had been approved previously at this location; however, they had to change the name of the business. Previously, the intended name was 1942, but due to trademark issues, the name had to be changed. The concept of the business remained the same.

Upon motion by Councilwoman Ortega seconded by Mayor Pro Tem Plata and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Cocktails Latin Bar & Grill at 4001 S. Shary Road, Ste. 350, Lot 1, Sharyland Plantation Grove Tech-Center #2, PUD, The Best Flavored Beer, LLC, and Adoption of Ordinance#5346. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

ORDINANCE NO. 5346

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 – COCKTAILS LATIN BAR & GRILL AT 4001 S. SHARY ROAD,
STE. 350, LOT 1, SHARYLAND PLANTATION GROVE TECH-CENTER #2

9. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Taboo Bar & Grill at 608 N. Shary Road, Suites 9 & 10, Lot 1, Alba Plaza, C-3, BGD Investments, LLC, and Adoption of Ordinance#5347 - De Luna

On July 12, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located ¼ mile south of East Business Highway 83 within a commercial plaza along the east side of Shary 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.

Diego Hurtado, 608 N. Shary Rd, would appreciate the support of the council in approving this request. He was well aware that there had been issues in the past about the music being too loud and for nuisances; however, those issues have been taken care. They have added measures to ensure that these things do not happen again.

Blessen George, owner of Taboo, reiterated what Mr. Hurtado stated. The issues that they encountered were when the business first opened up, but as time has passed, they have figured out ways to eliminate those issues. As of lately, they had not had any problems reported.

Upon motion by Mayor Pro Tem Plata seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Taboo Bar & Grill at 608 N. Shary Road, Suites 9 & 10,

Lot 1, Alba Plaza, C-3, BGD Investments, LLC, and Adoption of Ordinance#5347. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

ORDINANCE NO. 5347

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 – TABOO BAR & GRILL AT 608 N. SHARY ROAD, SUITES 9 & 10, LOT 1, ALBA PLAZA

10. Discussion and action, if any, related to an ordinance providing for a definition of “storage unit facility” and providing for the conditional use of those facilities in Interim Agricultural Use (AO-I), Office Building District (C-1), Neighborhood Commercial District (C-2), and General Business District (C-3), and permitted uses for districts, and Adoption of Ordinance#5348- De Luna

On July 12, 2023 the Planning and Zoning Commission held a Public Hearing to consider this request. 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Flores and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata stepped out of the meeting at 5:27 p.m.

Councilman Flores moved to approve the ordinance providing for a definition of “storage unit facility” and providing for the conditional use of those facilities in Interim Agricultural Use (AO-I), Office Building District (C-1), Neighborhood Commercial District (C-2), and General Business District (C-3), and permitted uses for districts, and Adoption of Ordinance#5348. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

ORDINANCE NO. 5348

OF THE CITY OF MISSION, TEXAS AMENDING THE CODE OF ORDINANCES APPENDIX Z (ZONING), (A) ARTICLE I, SECTION 1.2 (DEFINITIONS) BY ADDING SUBSECTION 54A (STORAGE UNIT FACILITY) AND (B) ARTICLE VIII (USE DISTRICTS AND CONDITIONAL USES), SECTIONS 1.36 (AO-I INTERIM AGRICULTURAL USE DISTRICT), 1.41 (C-1 OFFICE BUILDING DISTRICT), 1.42 (C-2 NEIGHBORHOOD COMMERCIAL DISTRICT), AND 1.43 (C-3 GENERAL BUSINESS DISTRICT) TO INCLUDE STORAGE UNIT FACILITIES AS CONDITIONAL USES AND (C) ARTICLE VIII (USE DISTRICTS AND CONDITIONAL USES), SECTIONS 1.44 (C-4 HEAVY COMMERCIAL DISTRICT), 1.45 (I-1 LIGHT INDUSTRIAL DISTRICT), AND 1.46 (1-2 HEAVY INDUSTRIAL DISTRICT) TO INCLUDED STORAGE UNIT FACILITIES AS PERMITTED USES, AND PROVIDING THE FOLLOWING: ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

11. Discussion and action, if any, related to an ordinance providing for amendments to the city’s Historic Preservation Ordinance under Section 1.47B of its Code of Ordinances (Appendix A) with necessary revisions to ensure compliance with state and city regulations, as recommended by the City’s Historic Preservation Commission, and Adoption of Ordinance#5349- De Luna

On July 12, 2023 the Planning and Zoning Commission held a Public Hearing to consider this amendment request. 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.

Upon motion by Councilwoman Ortega seconded by Councilman Flores and approved unanimously, the public hearing was closed.

Councilman Flores moved to approve the ordinance providing for amendments to the city's Historic Preservation Ordinance under Section 1.47B of its Code of Ordinances (Appendix A) with necessary revisions to ensure compliance with state and city regulations, as recommended by the City's Historic Preservation Commission, and Adoption of Ordinance#5349. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

ORDINANCE NO. 5349

AN ORDINANCE OF THE CITY OF MISSION, TEXAS AMENDING THE CODE OF ORDINANCES, APPENDIX A (ZONING), ARTICLE VIII (USE DISTRICTS AND CONDITIONAL USES), SECTION 1.47B BY PROVIDING REVISIONS TO ENSURE COMPLIANCE WITH STATE AND CITY REGULATIONS GOVERNING THE CITY'S HISTORIC PRESERVATION ORDINANCE AND PROVIDING THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

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 – July 10, 2023

13. Acknowledge Receipt of Minutes – Perez

Citizen's Advisory Committee – June 27, 2023

14. Authorization to extend one-year renewal option for the purchase of Flexible Base-Commercial Caliche for the Public Works Department – Bocanegra

The City of Mission entered into first one-year contract with Terra Firma for the purchase of Flexible Base-Commercial Caliche. The original contract term was for two-years with the option to renew for 2 additional one-year renewals. The extension included a price change of \$11.62 per ton. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one-year renewal term. This agreement would extend Bid No. 21-335-06-17 from July 9, 2023 thru July 8, 2024.

15. Authorization to execute first one-year renewal option for Pump Repair & Maintenance Services for Water Treatment Plants, Waste Water Treatment Plant and Water Distribution Divisions – Bocanegra

Staff was requesting authorization to extend the first one year renewal option with J&E Lift Station Services for Pump Repair & Maintenance Services at a 0% increase.

Maintenance labor Services: \$28/hr ; Repair Labor/Shop Services: \$28/hr; Emergency Repair Labor/Shop Services: \$42/hr; Mark up on parts & materials: 20%

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.

16. Approval of Resolution #1846 of the City Council of the City of Mission, Texas, suspending the August 23, 2023 effective date of the Statement of Intent of Texas Gas Service Company to increase rates within incorporated areas of its service territory to permit the city time to study the request and to establish reasonable rates – D. Flores

RESOLUTION NO. 1846

A RESOLUTION BY THE CITY OF MISSION, TEXAS SUSPENDING THE AUGUST 23, 2023 EFFECTIVE DATE OF THE STATEMENT OF INTENT OF TEXAS GAS SERVICE COMPANY TO INCREASE RATES WITHIN INCORPORATED AREAS OF ITS SERVICE TERRITORY TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; AUTHORIZING PARTICIPATION WITH OTHER RIO GRANDE VALLEY TEXAS MUNICIPALITIES; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

17. Approval of Ordinance #5350 (A) Repealing Article V of Chapter 66 of the City of Mission's Code of Ordinances (Curfew for Minors) to comply with HB 1819, recently adopted by the 88th Texas Legislature – Torres

HB 1819 amended Chapter 370 of the Local Government Code, by adding Section 370.007 to read as follows: JUVENILE CURFEWS PROHIBITED. (a) Notwithstanding any other law, a political subdivision may not adopt or enforce an order, ordinance, or other measure that imposed a curfew to regulate the movements or actions of persons younger than 18 years of age. (b) This section did not apply to a curfew implemented under Chapter 418, Government Code, for purposes of emergency management.

HB 1819 stated a violation of a juvenile curfew ordinance or order may not be prosecuted or adjudicated after the effective date of this Act. If on the effective date of this Act a criminal or civil action was pending for a violation of a juvenile curfew ordinance or order, the action was dismissed on that date. However, a final conviction or adjudication for a violation of a juvenile curfew ordinance or order that exists on the effective date of this Act was unaffected by this Act. HB 1819 takes effect on September 1, 2023.

ORDINANCE NO. 5350**APPROVAL OF ORDINANCE # 5350 (A) REPEALING ARTICLE V OF CHAPTER 66 OF THE CITY OF MISSION'S CODE OF ORDINANCES (CURFEW FOR MINORS) TO COMPLY WITH HB 1819, RECENTLY ADOPTED BY THE 88TH TEXAS LEGISLATURE AND (B) RESERVING ARTICLE V, SECTIONS 66-151 - 66-190 FOR CODIFICATION OF LATER ORDINANCES.****18. Authorization to purchase a total of forty-seven (47) Standard Duty Front Load Containers from Wastequip via BuyBoard Contract #686-22 - Mendiola**

Authorization to purchase a total of forty-seven (47) standard duty front load containers for our Commercial Division. Due to the city's rapid growth, the Sanitation Department was requesting these commercial containers to keep up with the demand and the city's current services. Fifteen (15) 2 cubic yard, sixteen (16) 6 cubic yard, and sixteen (16) 8 cubic yard containers would be purchased from Wastequip via BuyBoard Contract #686-22.

19. Pre-negotiated hourly labor rates and parts mark ups for fleet repairs on all city units to include special equipment and Sanitation units – Mendiola

Staff was requesting approval of pre-negotiated service agreements with South Texas Truck Centers and Action Hydraulic Hoses. Service agreements include fleet repair hourly labor rates and parts mark-ups for all the City's Fleet and special equipment, to include the Sanitation Units, and are valid for the remainder of the 22-23 fiscal year. Services and parts would be acquired on an as needed basis and would be determined solely by the City of Mission. Attached were hourly labor rates and percentage mark ups on parts.

20. Authorization to submit a grant application to Firehouse Subs Public Safety Foundation – Elizalde

The Mission Fire Department's was seeking authorization for the submission of a grant application to Firehouse Subs Public Safety Foundation. The grant would support its community safety initiatives by allowing the Fire Department to expand its program with the purchase of Knox Elock Systems. The system was designed to supply our emergency responders with proper equipment for reduced response time and ultimately increasing the ability to save lives and property. The total grant request was in the amount of \$46,340.43 and did not have a match requirement.

21. Authorization to submit a grant application to the Walmart Foundation for the Local Community Grant Program – Elizalde

The Health Department was requesting authorization for the submission of a grant application to the Walmart Foundation for the Local Community Grant Program. The Department was seeking to purchase various tools and equipment needed to initiate and sustain the city's Community Toolshed Program, which would support community members in the initiative to beautify and maintain the city at their own private residential. The total grant request was in the amount of \$5,000 and did not require a match.

22. Authorization to Execute First One Year Renew Option for Pest Control Services for City of Mission Buildings. – Hinojosa

On August 11, 2022, the City of Mission entered into a Contract with Mid Valley Pest Control. The contract terms were for one year with two one-year renewal options based on 0% increase in price. Staff was seeking authorization to extend contract for first year renewal option with Mid

Valley Pest Control. This Agreement would extend Bid No 22-464-07-20 from August 11, 2023 through August 10, 2024.

Mayor Pro Tem Plata rejoined the meeting at 5:32 p.m.

Councilwoman Ortega moved to approve all consent agenda items 12 thru 22 as presented. Motion was seconded by Councilman Flores and approved unanimously 4-0.

APPROVALS AND AUTHORIZATIONS

23. Appointment of City Council Representative and Alternate to serve on the Board of Directors for the Texas Citrus Fiesta Board – Carrillo

A representative of the Mission City Council would serve as a voting member of the Texas Citrus Fiesta Board of Directors. Recommendation was to appoint Councilwoman Jessica Ortega as the City Council representative and Mayor Norie Garza as the alternate member.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the appointment of City Council Representative and Alternate to serve on the Board of Directors for the Texas Citrus Fiesta Board. Motion was seconded by Councilman Flores and approved unanimously 4-0.

24. Authorization to purchase Class “A” uniforms for Fire Department personnel through Co-op vender Webb’s Uniforms LLC – Garcia

The Mission Fire Department was requesting authorization to purchase through Co-op vender Webb’s Uniforms LLC, Buy Board # 670-22 to purchase Class “A” uniforms for all Fire Department personnel.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the authorization to purchase Class “A” uniforms for Fire Department personnel through Co-op vender Webb’s Uniforms LLC. Motion was seconded by Councilman Flores and approved unanimously 4-0.

25. Approval of Ordinance #5351 of the City Council of the City of Mission, Texas Amending City of Mission Code of Ordinances Section 30-164 Master Fee Schedule for the Mission Fire Department EMS – Garcia

The Mission Fire Department EMS was requesting to amend the Emergency Medical Services master fee schedule. The amended rates were to be within the industry standards. Amended rates would be effective August 1, 2023.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Ordinance #5351 of the City Council of the City of Mission, Texas Amending City of Mission Code of Ordinances Section 30-164 Master Fee Schedule for the Mission Fire Department EMS. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

ORDINANCE NO. 5351

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION,
TEXAS AMENDING SECTION 30-164 OF THE CITY OF MISSION CODE OF ORDINANCES
PROVIDING FOR AN EMERGENCY MEDICAL SERVICES
MASTER FEE SCHEDULE

26. Authorization to purchase 1000 Residential Refuse Carts from Otto Environmental Systems via HGAC Contract #RC01-21 – Mendiola

Authorization to purchase 1000 residential refuse carts for our Residential Division. Due to the continuing growth of the city, the Sanitation Department was requesting these carts to help meet the demand and the city's current services for the remainder of the current year. Carts would be purchased from Otto Environmental Systems via HGAC contract #RC01-21.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the purchase of 1000 Residential Refuse Carts from Otto Environmental Systems via HGAC Contract #RC01-21. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

27. Authorization to purchase 15 (fifteen) 30 Cubic Yard Standard Duty Roll Off Container from Wastequip via BuyBoard Contract 686-22 – Mendiola

Authorization to purchase 15 (fifteen) 30 cubic yard standard duty roll off containers to reduce the cost for our Public Works landfill and for future projects with "Keep Mission Beautiful". The future projects would help our continuing effort to incorporate the community to help keep our city clean. The roll off containers would be purchased from Wastequip via BuyBoard Contract #686-22.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the purchase of 15 (fifteen) 30 Cubic Yard Standard Duty Roll Off Container from Wastequip via BuyBoard Contract 686-22. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

28. Approval of Ordinance No. 5352 providing for a Three-Way Stop intersection at Sierra Court and Stonegate Drive - Torres

The Mission Police Department received a request for approval of an ordinance establishing a Three-Way Stop Intersection of Sierra Court and Stonegate Drive. The purpose of the Three-way stop is for increased safety for Mission I.S.D. school bus route. On June 5, 2023 the Traffic Safety Committee reviewed the request and voted to recommend the placing of a three-way stop intersection.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Ordinance No. 5352 providing for a Three-Way Stop intersection at Sierra Court and Stonegate Drive. Motion was seconded by Councilman Flores and approved unanimously 4-0.

ORDINANCE NO. 5352

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, PROVIDING FOR A TRAFFIC CONTROL DEVICE BEING A THREE-WAY STOP INTERSECTION AT SIERRA COURT AND STONEGATE DRIVE; PROVIDING FOR INSTALLATION OF SAID TRAFFIC CONTROL DEVICES BEING STOP SIGNS AND PROPER SIGNAGE THEREOF AND MAKING PROVISIONS OF THE STATE TRANSPORTATION CODE AND TRAFFIC ORDINANCE OF THE CITY OF MISSION IN REGARDS TO PENALTY FOR VIOLATION APPLICABLE THERETO;

29. Approval of Final Five-Year Consolidated Plan & Strategy 2023-27, Final Annual Action Plan 2023-24 and Authorize City Manager to execute Subrecipient Agreements for those receiving FY'23 CDBG Allocations – Longoria

The U.S. Department of Housing and Urban Development (HUD) requires 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 Five-Year Consolidated Plan and Strategy set goals, objectives and outcomes, identified the needs and priorities of the community, involved an extensive needs assessment and community outreach process. The Annual Action Plan described the activities that would be undertaken with CDBG funds in furtherance of the objectives set forth in the CPS 2023-2027. On June 2, 2023, the DRAFT of this document 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 12, 2023 and Citizen's Advisory Committee on June 27, 2023 to solicit input on CAC's proposed funding recommendations for public service agencies and city departments for the CPS and AAP. During the public hearings, several neighborhood residents expressed the need for sidewalks and street lighting in the southwest area; affordable recreational programs for seniors; playground equipment, water fountain and restroom at a neighborhood park (Astroland Park); recycle bins and additional all-inclusive park areas. Several agencies expressed concerns with decreases in funding for rent/utility assistance program for disabled individuals and seniors and services for abused/neglected children. Another agency requested reconsideration of funding for educational, music, art and dance programs for youth. The thirty-day comment period ended on July 3, 2023.

CAC recommended the following agencies and departments be funded through the FY'23 allocation of \$962,344: **Amigos Del Valle (\$30,000), LRGVDC - Area Agency on Aging (\$2,000), CAMP University (\$3,000), HOPE Medical Services (\$3,000), Comfort House (\$3,000), Children's Advocacy Center (\$15,000), Silver Ribbon (\$1,000), Affordable Homes of South Texas, Inc. (\$80,000), Housing Assistance Program (\$537,581) and Administration and Project Delivery (\$183,930, \$103,833)**. A subrecipient orientation meeting would be scheduled to discuss their responsibilities to ensure compliance with all federal regulations. Upon approval, the Five-Year Consolidated Plan and Strategy 2023-27 and the Annual Action Plan 2023-24 would be submitted to the U.S. Department of Housing and Urban Development by August 16, 2023.

Staff and City Manager recommended the following agencies and departments be funded through the FY'23 allocation of \$962,344: **Amigos Del Valle (\$17,000), LRGVDC - Area Agency on Aging (\$3,000), CAMP University (\$3,000), HOPE Medical Services (\$3,000), Comfort House (\$3,000), Children's Advocacy Center (\$11,000), Silver Ribbon (\$3,000), Affordable Homes of South Texas, Inc. (\$100,000), Housing Assistance Program (\$515,581.00) and Administration and Project Delivery (\$183,930, \$103,833)**.

Councilwoman Ortega moved to approve the Final Five-Year Consolidated Plan & Strategy 2023-27, Final Annual Action Plan 2023-24 as recommended by City Manager and Authorize City Manager to execute Subrecipient Agreements for those receiving FY'23 CDBG Allocations. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

30. Authorize Staff to engage in negotiations with the architect for Lions Park Improvements Project Phase II and Authorize City Manager to execute contract incident thereto – Geddes

The City of Mission had received qualifications from CG5 demonstrating their capabilities to design Lions Park Improvements Project Phase II. CG5 was proposed as the architect on the basis of demonstrated competence and qualifications to perform the services and the principal architect's experience with Lions Park Phase I. Architectural/Engineering Services would be charged at a fixed percentage rate of the awarded Construction Costs for Mission Lions Park Phase II.

Staff recommendation: Engage CG5 in negotiations and execute a contract for the architecture and engineering design Lions Park Improvements Project Phase II under Texas government code chapter 2254.004 contract for professional services.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize staff to engage in negotiations with the architect for Lions Park Improvements Project Phase II and Authorize City Manager to execute contract incident thereto. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

31. Authorization to approve Change Order #1 & #2 for Tulip Drainage Improvements Project for the City of Mission – Bocanegra

The City of Mission was seeking authorization to approve Change Order #1 for Tulip Improvements Project, it consisted of an increase of 54 calendar days due to adverse weather. Also Change Order #2, net amount increase for the project would be \$179,236.96 with an additional 40 calendar days. Therefore, City Staff was recommending Change Order # 1 and #2 for the total amount \$1,997,883.28 and 274 calendar days with approved Change Orders.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Change Order #1 & #2 for Tulip Drainage Improvements Project for the City of Mission. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

32. May 2023 Tax Collection Report – Vela

Acceptance of monthly property tax report for the month of May 2023.

The 2023 total adjusted tax levy for taxes was \$29,039,494.19 and the amount of the collections as of May 31, 2023 is \$27,670,695.27 which represented 95.29% of the total 2022 tax levy.

The total adjusted tax levy for delinquent taxes was \$2,369,448.11 and the amount of collections as of May 31, 2023 is \$394,771.84 which represented 16.66% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Change Order #1 & #2 for Tulip Drainage Improvements Project for the City of Mission. Motion was seconded by Councilman Flores and approved unanimously 4-0

33. Approval of May 2023 Financial Statements – Vela

May 2023 Adjusted Financials (attached).

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the May 2023 Financial Statements. Motion was seconded by Councilman Flores and approved unanimously 4-0.

34. Approval of an Ordinance #5353 amending Ordinance #5223 adopting six (6) additional personnel to the classified position of firefighter for the Mission Fire Department – J. Lerma

On September 12, 2022, the Mission Fire Department had requested and established 42 positions for the classified position of Firefighter by the adoption of Ordinance #5223 for the FY 2022-23. The department was now requesting an additional six (6) positions to the Firefighter position. These additional firefighters would assist with the transition to a fully functional Fire Based EMS Fire Department.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Ordinance #5353 amending Ordinance #5223 adopting six (6) additional personnel to the classified position of firefighter for the Mission Fire Department. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

ORDINANCE NO.5353

AN ORDINANCE AMENDING ORDINANCE #5223 ADOPTING THE ADDITION OF SIX (6) PERSONNEL TO THE CLASSIFIED POSITION OF FIREFIGHTER FOR THE MISSION FIRE DEPARTMENT FOR FISCAL YEAR 2022-23

35. Approval of Budget Amendment: General Fund – Vela

Approval of budget amendment: BA 23-10

General Fund (Fire) – (\$85,536.00 Expenditures)

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve budget amendment BA 23-10 for the general fund. Motion was seconded by Councilman Flores and approved unanimously 4-0.

36. Presentation of the Preliminary Budget for the Fiscal Year 2023-2024 – Perez

As per City Charter, the City Manager, between sixty (60) and ninety (90) days prior to the beginning of each fiscal year, shall submit to the City Council a proposed budget, in which the budget shall provide a complete financial plan for the fiscal year.

Presented was the Preliminary Budget with City Manager recommendations.

Staff and City Manager recommended approval.

Councilwoman Ortega moved for the acceptance of the presentation of the preliminary budget for Fiscal Year 2023-2024. Motion was seconded by Councilman Flores and approved unanimously 4-0.

37. Set Public Hearing date for FY 2023-24 Annual Budget – Perez

City Manager was requesting to set the Public Hearing on FY 2023-24 Annual Budget on Monday, August 14, 2023 as required by City Charter.

Section 9.06 – Notice of public hearing on budget. At the meeting of the City Council at which the budget was being submitted, the City Council shall fix the time and place of a public hearing on the budget and shall cause to be published in newspaper of general circulation within the City of Mission, a notice of the hearing setting forth the time and place thereof at least ten (10) days before the date of such hearing. The public hearing was to give interested parties the opportunity to be heard.

The public hearing date, time and location will be published in the local newspaper.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the set public hearing date of Monday, August 14, 2023 for the FY 2023-24 Annual Budget. Motion was seconded by Councilman Flores and approved unanimously 4-0.

38. Authorization to approve Change Order #2 HCRMA Utility Move Project – Terrazas

The City of Mission was seeking authorization to approve Change Order #2 for HCRMA Utilities Move Project for the Public Works Department. There were unexpected changes on field and adjustments on field operations. City Staff was recommending Change Order #2 for the amount of \$237,727.58.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Change Order #2 HCRMA Utility Move Project. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

39. Authorization to approve Change Order #3 HCRMA Utility Move Project- Terrazas

The City of Mission was seeking authorization to approve Change Order #2 for HCRMA Utilities Move Project for the Public Works Department. There were unexpected changes on field and adjustments on field operations. City Staff was recommending Change Order #2 for the amount of \$237,727.58.

Staff and City Manager recommended approval.

Councilman Flores moved to approve Change Order #3 HCRMA Utility Move Project. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

UNFINISHED BUSINESS

40. TABLED 07/10/2023: 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

There was no action taken on this item as it was not untabled.

ROUTINE MATTERS

City Manager Comments – July 25, 2023 RGV Food Bank will be having a food distribution event at the Norberto Salinas Park, July 26, 2023, The Mission Police Department will be unveiling their “Safety Zone” at the Police Department, July 27, 2023 Love Locks of Mission will be taking place at the Market Square, July 29, 2023 Texas Citrus Fiesta will be hosting a car show at the Mission Event Center.

Mayor's Comments – None

City Council Comments - None

At 6:02 p.m., Councilwoman Ortega moved to convene into Executive Session to executive session items 1 and 2 pursuant to Texas Gov't Code Section 551.071. Motion was seconded by Councilman Vela and approved unanimously 4-0.

EXECUTIVE SESSION

1. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with City Attorney) and Section 551.087 (Economic Development Negotiations) related to the following:

- a. Project Pliers b. Project Superman, and c. Project Placita.

(City Attorney V. Flores, City Manager R. Perez, and MEDC CEO T. Garcia)

2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with City Attorney) related to pending litigation; specifically, City of Mission v. Warehouse Event Center LLC dba Blackout Private Social Club (CL-23-2429-H, County Court at Law #8). (City Attorney V. Flores)

Upon conclusion of Executive Session at 6:39 p.m., Councilman Flores moved to reconvene the regular meeting. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

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

1. Consideration and action, if any, related to Project Pliers, Superman, and/or Placita.

Mayor Pro Tem Plata moved to authorize City Manager to proceed with formalizing the economic incentives as presented in executive session for Project Pliers, Superman and Placita. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

ADJOURNMENT

At 6:40 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilman Flores and approved unanimously 4-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary