



## MINUTES

### **PRESENT:**

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

### **ALSO PRESENT:**

Irma Flores Lopez  
Alix Pulido  
JD Villarreal  
Carlos Hernandez  
Karina Cardoza  
Lea Juarez  
Nikki Matick  
Brenda Enriquez  
Julio Cerda  
Romeo Sanchez  
Mellie Becho  
Mario Cantu  
Armando O'cana

### **ABSENT:**

### **STAFF PRESENT:**

Anais Chapa, Assistant City Secretary  
David Flores, Asst. City Manager  
Juan Pablo Terrazas, Asst. City Manager  
Andy Garcia, Asst. City Manager  
Angie Vela, Finance Director  
Adrian Garcia, Fire Chief  
Michael Elizalde, Director of Grants & Strategic Dev.  
Susie De Luna, Planning Director  
Alex Hernandez, Assistant Planning Director  
Noemi Munguia, HR Director  
Robert Hinojosa, Director of Organizational Dev.  
Abram Ramirez, IT Director  
Mary Hernandez, Veterans Cemetery Director  
Abel Bocanegra, P.E., City Engineer  
Cesar Torres, Chief of Police  
Joanne Longoria, CDBG Director  
JC Avila, Fleet Director  
Yenni Espinoza, Library Director  
Jesse Mares, Facilities Supervisor  
Roel Mendiola, Sanitation Dept. Director  
Jesse Lerma Civil Service Director  
Kenia Gomez, Media Relations Director  
Stephen Kotsatos, Health Director  
Michael H. Fernuik, Golf Course Director  
Jose Silva, Internal Auditor  
Brad Bentsen, Parks & Recreation Director  
Miguel Pescador, Purchasing Director  
Cynthia Lopez, Museum Director  
S. Swink, Police Officer

## REGULAR MEETING

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

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

### **INVOCATION AND PLEDGE ALLEGIANCE**

Councilman Alberto Vela led the invocation and Pledge of Allegiance.

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

Councilman Vela signed a disclosure of conflict of interest for agenda item number 38.

### **PRESENTATIONS**

#### **1. Proclamation - Rotary Club of Mission 119th Anniversary – Carrillo**

Councilwoman Jessica Ortega moved to approve the Proclamation – Rotary Club of Mission 119<sup>th</sup> Anniversary. Motion was seconded by Mayor Pro Tem Ruben Plata and approved unanimously 5-0.

#### **2. Proclamation - Black History Month – Carrillo**

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

#### **3. Recognition of Mission High School Junior Class – Torres**

Cesar Torres, Chief of Police, recognized the Mission High School Junior Class for their efforts in helping make the “Kops for Kids” event a great success. The MHS Junior Class puts in a great effort to collect toy donations for this event. Due to their hard work, the Mission Police Department is able to distribute hundreds of toys throughout our community.

#### **4. Presentation of 2023 Annual Crime Report – Torres**

Police Chief Cesar Torres presented the 2023 Annual Crime Report. The annual crime report painted a picture of crime rate and how it was addressed. When a crime was committed, there was a process that followed. An officer took the report which was then assigned to investigations where a case would be opened. The crime analyst would then review said case and report it accordingly. The Mission Police Department had implemented several programs to deter crime. In 2023, a total of 3,563 offense reports were created. In comparison to 2022, the crime rate decreased by a total of 2399%.

#### **5. Paint Mission Beautiful Presentation – Mendiola**

Roel Mendiola, Sanitation Director, presented an upcoming project, “Paint Mission Beautiful”, which is a joint effort between Keep Mission Beautiful and the Community Development Block Grant (CDBG). This project would afford low income, elderly and/or disabled residents an opportunity to have their home repainted and their yards beautified. This would be done by community volunteers and school groups. The program was set to kick off on April 6, 2024.

#### **6. Report from the Greater Mission Chamber of Commerce – Enriquez**

Brenda Enriquez, Mission Chamber of Commerce President, spoke about upcoming events such as: Buenas Tardes Luncheon on Thursday, February 14<sup>th</sup>, Ribbon Cutting for Rally Credit Union on February 20<sup>th</sup>, February 22<sup>nd</sup> Educational Session on branding your business and

membership mixer, February 23<sup>rd</sup> Book Signing, February 29<sup>th</sup> Ribbon Cutting for the Recycling Drop off Center, Friday March 1<sup>st</sup> Annual Winter Texan Fiesta.

### **7. 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.

### **8. Citizen's Participation – Garza**

Alix Pulido, of Freedom Life Church, stated that they were excited to be having their “Love Week” Valentines Campaign. During this time, they have been doing random acts of kindness, giving back to our community. She encouraged everyone to take part in the campaign and spread love and kindness.

JD Villarreal wanted to give his compliments to the city for their work on the Stewart Road project. He was thankful that the city took on this projected and executed it so well despite of bad weather days and delays. He thanked Mr. Bocanegra, City Engineer and the council for all their efforts in making the project a success.

Irma Flores Lopez, 1201 Keralum, stated she was pleasantly surprised to see the updated financial statements online. She reiterated how important it was to be transparent and provide this information to the public. Ms. Flores was also delighted that there were now water fountains at Astroland Park and was excited to see that the restrooms were coming soon. She also stated that she went to a Texas Citrus Fiesta meeting and was delighted to see how everyone greeted her and suggested that the council also greet everyone as we are a friendly city.

## **PUBLIC HEARING**

### **PLANNING & ZONING RECOMMENDATIONS**

#### **9. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taboo Bar & Grill, 608 N. Shary Road, Suites 9 & 10, Lot 1, Alba Plaza, C-3, BGD Investments, LLC, and Adoption of Ordinance#5439- De Luna**

On January 24, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal 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.

Mr. George, owner of Taboo Bar & Grill, stated that while they have been in business, they have not had many issues. The two incidents that occurred and were reported happened outside of the establishment. Other than those two reports, they have not had any other problems.

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

Mayor Pro Tem Plata moved to approve the Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taboo Bar & Grill, 608 N. Shary Road, Suites 9 & 10, Lot 1, Alba Plaza, C-3, BGD Investments, LLC, and Adoption of Ordinance#5439. Motion was seconded by Councilman Vela and approved 5-0.

**ORDINANCE NO. 5439**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE SALE & ON-SITE  
CONSUMPTION OF ALCOHOLIC BEVERAGES – TABOO BAR & GRILL, 608 N. SHARY  
ROAD, SUITES 9 & 10, LOT 1, ALBA PLAZA

**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*

**10. Approval of Minutes – Carrillo**

Regular Meeting – January 22, 2024

Special Meeting – January 24, 2024

**11. Acknowledge Receipt of Minutes – Perez**

Shary Golf Course – December 13, 2023

Citizen's Advisory Committee – December 12, 2023

Parks & Recreation Board – December 12, 2023

Mission Tax Increment Reinvestment Zone – November 28, 2023

Mission Redevelopment Authority – November 28, 2023

Mission Economic Development Corporation – November 29, 2023

Mission Economic Development Authority – November 29, 2023

Mission Education Development Council – October 25, 2023

Ambulance Board Meeting – October 19, 2023

Civil Service Commission – December 13, 2023

**12. Authorization to Solicit bids for Disaster Shelter Concrete Pad and Carport at the Parks and Recreation Building utilizing CDBG funds – Garcia**

Staff was seeking authorization to solicit bids for Disaster Shelter Concrete Pad and Carport at the Parks & Recreation building. The concrete pad/carport would be used to set-up portable shower/restroom trailer for use at the Warming Shelter for evacuees before, during and post disasters. Funding provided through the CARES ACT CDBG-CV to prevent, prepare for and respond to the COVID-19 Coronavirus pandemic.

**13. Approval of Resolution #1879 supporting the proposed Anacua Senior Village, Ltd. application to the Texas Department of Housing and Community Affairs – Carrillo**

Anacua Senior Village, Ltd, intended to submit an application to the Texas Department of Housing and Community Affairs for 2024 Competitive 9% Housing Tax Credits for Anacua Senior Village. This resolution confirms the city's support of the proposed Anacua Senior Village application.

**RESOLUTION NO. 1879**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION  
SUPPORTING THE PROPOSED ANACUA SENIOR VILLAGE LTD, APPLICATION #24137

**14. Approval of Resolution #1880 amending Resolution 1878 Section 5 calling a General Election in Mission, Texas to be held on May 4, 2024 providing for polling places and other matters relating to said election. – Carrillo**

Early voting by personal appearance hours would be conducted from 7 a.m. to 7 p.m. Monday, April 22, 2024, thru Tuesday, April 30, 2024 – 7 a.m. 7 p.m. Polls would be close for voting on Sunday, April 28, 2024

**RESOLUTION NO. 1880**

APPROVAL OF RESOLUTION AMENDING RESOLUTION 1878 SECTION 5 CALLING A  
GENERAL ELECTION IN MISSION, TEXAS TO BE HELD ON MAY 4, 2024; PROVIDING  
FOR POLLING PLACES AND OTHER MATTERS RELATING TO SAID ELECTION.

**15. Approval of Resolution #1881 to conduct joint elections with Mission Consolidated Independent School District in accordance with Texas Education Code Section 11.0581 – Carrillo**

Texas Education Code Section 11.0581 required that School Districts conduct joint elections with the city located in the school district for their Board of Trustees Elections Section 11.0581 stated that the voters of the joint election shall be served by a common place.

**RESOLUTION NO. 1881**

THAT THE CITY AGREES TO HOLD ITS MAY 4, 2024 ELECTIONS JOINTLY WITH THE  
SCHOOL DISTRICT. THAT MISSION HIGH SCHOOL AND PARKS AND RECREATION  
BUILDING SHALL SERVE AS THE ELECTION-DAY COMMON POLLING LOCATIONS FOR  
THE DISTRICT'S JOINT ELECTION WITH THE CITY

**16. Approval of Resolution #1882 to conduct joint elections with Sharyland Independent School District in accordance with Texas Education Code Section 11.0581 – Carrillo**

Texas Education Code Section 11.0581 required that School Districts conduct joint elections with the city located in the school district for their Board of Trustees Elections Section 11.0581 stated that the voters of the joint election shall be served by a common place.

**RESOLUTION NO. 1882**

THAT THE CITY AGREES TO HOLD ITS MAY 4, 2024 ELECTIONS JOINTLY WITH THE  
SCHOOL DISTRICT. THE BOYS & GIRLS CLUB GYM AT BANNWORTH PARK SHALL  
SERVE AS THE ELECTION-DAY COMMON POLLING LOCATIONS FOR THE DISTRICT'S  
JOINT ELECTION WITH THE CITY.

**17. Request by County of Hidalgo Elections Department to use Central Fire Station for the 2024 Elections in the event of an emergency and on November 5, 2024 – Carrillo**

The County Elections Department was requesting the use of Central Fire Station for the 2024 Election Cycle in the event of an emergency and on November 5, 2024 for the General Election.

**18. Authorization to terminate contract between City of Mission Fire Department and EMS Consultant Armando Martinez – A. Garcia**

The Mission Fire Department was requesting authorization to terminate the current contract between the City of Mission Fire Department and EMS Consultant, Armando Martinez effective February 29, 2024.

**19. Authorization to enter an agreement between the Texas Department of Public Safety and the City of Mission Police Department, in reference to the Texas Gang Intelligence Index – Torres**

The Mission Police Department was requesting authorization to enter an agreement with the Texas Department of Public Safety, for the purpose of the Mission Police Department sharing gang intelligence via the Texas Gang Intelligence Index. This agreement would be in effect upon approval and will remain in effect until the next renewal.

**20. Authorization to Solicit Bids for Construction of Restrooms – Bentsen**

Authorization to Solicit for Bids for the Construction of Restrooms at Astroland, CWV and Oblate Parks.

**21. Authorization to extend first one-year renewal for On-Call Geotechnical and Material Testing Services to Millennium Engineers Group, Inc. – Bocanegra**

Seeking authorization to exercise one-year renewal option; this is the first of two renewals.

The City of Mission entered into an agreement with Millennium Engineers Group, Inc. for On-Call Geotechnical and Material Testing Services for the infrastructure projects within the City of Mission and its extraterritorial jurisdiction. The contract term was for one year with two one-year renewal options. This will extend Bid No. 23-092-11-28.

**22. Authorization to enter into a Memorandum of Agreement between The Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. and the City of Mission – Bocanegra**

Memorandum of Agreement by and between City of Mission and The Lower Rio Grande Valley TPDES Stormwater Taskforce Partnership, Inc. for Representative Appointment to the Regional Lower Rio Grande Valley TPDES Stormwater Task Force MOA #R-RGV-TF-2024. Preparation of Texas Water Development Board Flood Infrastructure Fund Program Grant applications.

**23. Approval of Resolution # 1883 recommending the use of WorkInTexas.com as the Primary Employment Platform for Local Employers – Andy Garcia**

The Prosperity Task Force aimed to promote the use of WorkInTexas.com, an online application that offered job seekers immediate and continuous access to job matching services, to assist Hidalgo County residents in the job application and placement processes.

**RESOLUTION NO. 1883**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION RECOMMENDING THE USE OF WORKINTEXAS.COM AS THE PRIMARY EMPLOYMENT PLATFORM FOR LOCAL EMPLOYERS

**24. Approval of Resolution No.1884 authorizing the submittal of a grant application for the FY25 Project Safe Neighborhood Grant Program to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative- Elizalde**

The Mission Police Department was seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY25 Project Safe Neighborhoods Grant Program and

designated the Mayor as the Authorized Representative. The department sought to purchase four (4) Emergency Communication Towers with Beacon Lights. The grant did not have a match requirement.

**RESOLUTION NO. 1884**

BE IT RESOLVED THAT THE CITY OF MISSION APPROVES SUBMISSION OF THE GRANT APPLICATION FOR THE FY25 PROJECT SAFE NEIGHBORHOODS PROGRAM TO THE OFFICE OF THE GOVERNER.

**25. Approval of Resolution No. 1885 authorizing the submittal of a grant application for the FY24 State Homeland Security Program (SHSP) to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative- Elizalde**

The Mission Police Department was seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY24 SHSP- Regular Projects Grant and designated the Mayor as the Authorized Representative. The department sought to purchase portable radios to replace outdated equipment with a request not to exceed \$100,000. The grant did not have a match req

**RESOLUTION NO. 1885**

BE IT RESOLVED THAT THE CITY OF MISSION APPROVES SUBMISSION OF THE GRANT APPLICATION FOR THE SHSP-REGULAR PROGRAM TO THE OFFICE OF THE GOVERNOR

**26. Approval of resolution No. 1886 authorizing the submittal of a grant application for the FY25 Local Border Security Program (LBSP) to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative. – Elizalde**

The Mission Police Department was seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY25 LBSP Grant and designated the Mayor as the Authorized Representative. The grant would allow the Mission Police Department to increase patrol presence throughout the city, especially in and around the U.S./Mexico border through the support of overtime costs. The total project request was \$190,000.00. There was no match requirement.

**RESOLUTION NO. 1886**

BE IT RESOLVED THAT THE CITY OF MISSION APPROVES SUBMISSION OF THE GRANT APPLICATION FOR THE LOCAL BORDER SECURITY PROGRAM TO THE OFFICE OF THE GOVERNOR

**27. Approval of Resolution No. 1887 authorizing the submittal of a grant application for the FY24-25 Regional Solid Waste Grant Program to the LRGVDC and authorizing Mayor as the Authorized Representative – Elizalde**

The Mission Sanitation Department was seeking approval of resolution authorizing the submittal of a grant application for the FY2024-2025 Regional Solid Waste Grant Program to the Lower Rio Grande Valley Development Council and authorizing Mayor as the Authorized Representative. The department's total project request was \$30,000 and would allow the expansion of the city's waste management and recycling operations by acquiring additional roll-offs to be placed in designated areas across the city. The grant recommended a match for competitive purposes, which the department will support in-kind matching.

**RESOLUTION NO. 1887**

RESOLUTION OF LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (LRGVDC) AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT; AUTHORIZING NORIE GONZALEZ GARZA, MAYOR, TO ACT ON BEHALF OF THE CITY OF MISSION IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF MISSION WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND THE STATE OF TEXAS.

**28. Authorization to purchase a total of thirty (30) Standard Duty Front Load Containers and ten (10) Standard Duty Slant Front Load Containers from Wastequip via BuyBoard Contract #686-22 - Mendiola**

Staff was seeking authorization to purchase a total of thirty (30) standard duty front load containers and ten (10) standard duty slant 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. Ten (10) 2 cubic yard, ten (10) 6 cubic yard, ten (10) 4 cubic yard, and ten (10) 8 cubic yard (slant) containers would be purchased from Wastequip via BuyBoard Contract #686-22.

**29. Authorization to surplus machinery and equipment – Vela**

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

Mayor Pro Tem Plata moved to approve all consent agenda items 10 thru 29 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**APPROVALS AND AUTHORIZATIONS****30. Request by Union Design Developers, LP to establish a development bond for the Anzalduas Industrial Park Ph I Subdivision to enable recording process of the subdivision without having all the infrastructure completed – De Luna**

On January 5, 2024, staff received a request by Bruno M. Castillo president of Union Design Developers, LP to have the City Council consider allowing him to establish a development bond for the Anzalduas Industrial Park Ph I Subdivision to enable the recording process of the subdivision without having all the infrastructure completed. The sole purpose of getting the plat recorded was for the sale of lots. Mr. Castillo was also requesting the City's participation in sharing 1/3 of the cost of the improvements totaling \$284,229.86 thru TIRZ Board. If request was approved, Mr. Castillo would be submitting the remaining balance.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Request by Union Design Developers, LP to establish a development bond for the Anzalduas Industrial Park Ph I Subdivision to enable recording process of the subdivision without having all the infrastructure completed. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.



**31. Ordinance #5440 of the City Council of the City of Mission, Texas amending Ordinance 5236 regarding Electioneering within city property, providing for compliance and setting a fine for violation thereof – Carrillo**

The amendments to the ordinance were as follows:

- Political Action Committee (PAC's for the purpose of financing independent expenditures and other independent political activity)
- The placement of one political sign, no larger than four feet by eight feet (4ft x 8ft) on designated areas of City owned property during Early Voting and Election day period
- Allow any type of BBQ pits (trailed or self-standing, flat top grill or gas grills)

Staff and City Manager recommended approval.

Councilman Vela moved to approve Ordinance #5440 of the City Council of the City of Mission, Texas amending Ordinance 5236 regarding Electioneering within city property, providing for compliance and setting a fine for violation thereof. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 5-0.

**ORDINANCE NO. 5440**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING ORDINANCE 5236 REGARDING ELECTIONEERING WITHIN CITY PROPERTY PROVIDING FOR COMPLIANCE AND SETTING A FINE FOR VIOLATION THEREOF

**32. Approval on Second Reading of Resolution #1888 of the City of Mission, ordering and calling a Charter Election on proposed charter amendments, during General Election on May 4, 2024, and other matters relating to said election. - V. Flores**

Second and Final Reading and Adoption of the Charter Election Ballot Provisions and the calling/ordering of said special election. January 22, 2024 was the First Public Hearing on the Proposed Charter Amendments.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Second Reading of Resolution #1888 of the City of Mission, ordering and calling a Charter Election on proposed charter amendments, during General Election on May 4, 2024, and other matters relating to said election. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**RESOLUTION NO. 1888**

A RESOLUTION ORDERING AND CALLING A CHARTER ELECTION ON PROPOSED AMENDMENTS, DURING THE GENERAL ELECTION IN MISSION, TEXAS TO BE HELD ON MAY 4, 2024, AND OTHER MATTERS RELATING TO SAID ELECTION

**33. Authorization to purchase golf course equipment from United Ag & Turf via Sourcewell Grounds Maintenance Contract # 031121-DAC (PG BT CG 76) – Fernuik**

Shary Golf Course was seeking authorization to purchase (1) fairway mower and (2) Aerators from United Ag & Turf via Sourcewell Grounds Maintenance Contract #031121-DAC (PG BT CG 76).

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the purchase golf course equipment from United Ag & Turf via Sourcewell Grounds Maintenance Contract # 031121-DAC (PG BT CG 76). Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**34. Authorization to execute a Fourth Amendment to Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority related to the Police & Fire Substation #6 Project - Terrazas**

This project involved the construction of the Police & Fire Substation #6 Project on Schuerbach Road. A Third Amendment to Reimbursement Agreement was in the amount of \$7.2 million, while the total cost of the project was \$7.6 million, creating a shortage of funds in the amount of \$585,902.80. The shortage was due to engineering costs and testing of materials, which were not factored in when the bid was awarded to The Warren Group. Other amendments were due to change orders related to furniture, road improvements, and equipment. A Fourth Amendment to the Reimbursement Agreement was proposed and approved by the Mission Redevelopment Authority at their Board meeting of January 23, 2024 to address the shortage of funds. The Authority's legal counsel, Sanjay Bapat with Allen Boone Humphries & Robinson LLP, will create the fourth amendment to reimbursement agreement. Attached is supporting documentation.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to Authorize a Fourth Amendment to Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority related to the Police & Fire Substation #6 Project. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

**35. Authorization to execute a Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority related to the Walsh Road Expansion Project - Terrazas**

This project involved engineering services for the construction of a three-quarter mile ( $\frac{3}{4}$ ) expansion of a road from Perez Street to Frontage Road. The Mission Redevelopment Authority (MRA) Board engaged Melden & Hunt Inc. for engineering services at their meeting of November 28, 2023, and a proposal was submitted by Melden & Hunt Inc. for their services on the project in the amount of \$1,764,369.25. The approved a reimbursement agreement between the City of Mission and MRA at their Board meeting of January 23, 2024 in the amount of \$1,764,369.25. The Authority's legal counsel, Sanjay Bapat with Allen Boone Humphries & Robinson, LLP, will create the reimbursement agreement.

Staff and City Manager recommended approval.

Councilman Vela moved to authorize the Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority related to the Walsh Road Expansion Project. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

**36. Authorization to execute a Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority related to the Hoerner Street Project - Terrazas**

This project involved the construction of about  $\frac{1}{4}$  mile extension of Hoerner Street along the west side of Home Depot (approximately 1,100 ft), the connection of water or wastewater lines extension along the project roadway, and storm drain connection to the existing pond at the north end of the street. The Mission Redevelopment Authority Board engaged Halff Associates for the design and surveying services for this project. At their meeting of January 23, 2023, the Authority approved a reimbursement agreement between the City of Mission and the Authority in

the amount of \$98,000. The Authority’s legal counsel, Sanjay Bapat with Allen Boone Humphries & Robinson, LLP, will create the reimbursement agreement.

Staff and City Manager recommended approval.

Councilman Vela moved to authorize the Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority related to the related to the Hoerner Street Project. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**37. Authorization to award contract to Kinloch Equipment & Supply, Inc. for the lease of Specialized Heavy Equipment via Sourcewell Cooperative Purchasing Contract #093021-ELG – Avila**

Staff was seeking authorization to award contract to Kinloch Equipment & Supply, Inc, for the lease of two (2) Elgin RegenX 1 truck mounted regenerative air sweeper and one (1) Elgin RegenX regenerative air street sweeper via Sourcewell Cooperative Purchasing Contract #093021-ELG. Kinloch Equipment & Supply, Inc. would be providing a fleet and maintenance program that entailed repair and maintenance services, and warranty for the term of the lease program. The lease program (entitled “**Mile After Mile™**”) would allow staff to reduce operating costs/downtime, achieve long term sustainability and a high level of equipment availability. Quarterly reviews and assessments would be conducted to ensure the equipment and programs efficiency. Attached was the negotiated proposal from Kinloch Equipment & Supply, Inc., outlining the terms of the lease as well as payment breakdown with the option to purchase at the end of the four (4) year lease term.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to award contract to Kinloch Equipment & Supply, Inc. for the lease of Specialized Heavy Equipment via Sourcewell Cooperative Purchasing Contract #093021-ELG. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**38. Approval of Resolution #1889 supporting the proposed senior development “The Bryan” an application to the Texas Department of Housing and Community Affairs – Longoria**

Rufino Contreras Affordable Housing Corporation, Inc intended to submit an application to the Texas Department of Housing and Community Affairs for 2024 Competitive 9% Housing Tax Credits for The Bryan. This resolution confirmed the city’s support of the proposed senior development The Bryan.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to Approve of Resolution #1889 supporting the proposed senior development “The Bryan” an application to the Texas Department of Housing and Community Affairs. Motion was seconded by Councilwoman Gerlach and approved 4-1, with Councilman Vela abstaining.

**RESOLUTION NO. 1889**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION SUPPORTING THE PROPOSED THE BRYAN APPLICATION #24168

**39. Approval of Amendment No. 1 to Professional Services Agreement between City of Mission and Emergicon, LLC – A. Garcia**

The Mission Fire Department was requesting authorization of Amendment No. 1 with Emergicon, to include services for Medicaid and charity care reimbursements. This agreement would allow the department to receive funds from the Texas Ambulance Supplemental Program for indigent care provided by the City of Mission Fire EMS and administered by the State of Texas Health and Human Services Commission.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Approve of Amendment No. 1 to Professional Services Agreement between City of Mission and Emergicon, LLC. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**40. Approval of Amendment No. 2 to Professional Services Agreement between City of Mission and Emergicon, LLC for Fire/Emergency response billing through Emergifire – A. Garcia**

Emergifire was engaged in the business of providing third-party billing and accounts receivable management specialized professional services related to motor vehicle accidents and other emergency responses for emergency service organizations. The city shall pay Emergifire a fee equivalent to fifteen percent (15%) of all revenues collected by Emergifire on behalf of the city.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Approve of Amendment No. 2 to Professional Services Agreement between City of Mission and Emergicon, LLC for Fire/Emergency response billing through Emergifire. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**41. Approval of Ordinance#5441 Establishing and Implementing a Billing Program through Emergifire, LLC. for the Deployment of Emergency and Non-Emergency Services by the City of Mission Fire Department – A. Garcia**

The Mission Fire Department was seeking approval of an Ordinance with Emergifire, LLC for the implementation of a billing program for the deployment of Emergency and Non-Emergency Services for fire billing and fire prevention fees which meet current industry standards.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Approve Ordinance#5441 Establishing and Implementing a Billing Program through Emergifire, LLC. for the Deployment of Emergency and Non-Emergency Services by the City of Mission Fire Department. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5441**

AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED FOR THE CITY OF MISSION FIRE DEPARTMENT

**42. Authorization to engage with Bickerstaff, Heath, Delgado, and Acosta (Kevin Pagan) for Civil Service Attorney – J. Lerma**

On March 14, 2022, City Council authorized staff to engaged the services of Bickerstaff, Heath, Delgado and Acosta as Civil Service Attorneys. Contract was for a two-year term to expire on March 31, 2024.

Staff and City Manager were recommending to engage Bickerstaff, Heath, Delgado and Acosta for an additional two year term to expire on March 31, 2026. This request was made as per the established guidelines and requirements as outlined in the General Exemption Texas Local Government Code 252.022 (a) (4) procurement for personal, professional, or planning services. Staff and City Manager recommended approval.

Councilman Vela moved to engage with Bickerstaff, Heath, Delgado, and Acosta (Kevin Pagan) for Civil Service Attorney. Motion was seconded by Mayor Pro Tem Plata and approved 4-1, with Councilwoman Ortega voting against.

#### **43. Acceptance of the December 2023 Tax Collection Report – Vela**

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

The 2023 total adjusted tax levy for taxes was \$33,004,426.35 and the amount of the collections as of December 31, 2023 is \$14,167,846.84 which represents 42.93% of the total 2023 tax levy.

The total adjusted tax levy for delinquent taxes was \$2,351,318.91 and the amount of collections as of December 31, 2023 is \$194,826.37 which represents 8.29% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Councilman Vela moved to Accept the December 2023 Tax Collection Report. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

#### **UNFINISHED BUSINESS**

None

#### **ROUTINE MATTERS**

City Manager Comments – February 17<sup>th</sup> Boys & Girls Club Run With Heart 5K at the Mission Hike & Bike Trails, February 17<sup>th</sup> Microchip Clinic from 10am – 1pm at 227 Abelino Farias, February 22<sup>nd</sup> Teen Gamer Night from 6 – 9pm at the Speer Memorial Library, February 19<sup>th</sup> City Offices will be closed in observance of the Presidents' Day Holiday.

City Council Comments – Councilwoman Ortega stated that it was Valentine's week and the best love was to be kind. All council members wished everyone a Happy Valentine's Day.

Mayor's Comments – Happy Valentine's Day. Mayor also thanked Dr. Armando Martinez for all of his assistance throughout the years.

At 5:58 p.m., Mayor Pro Tem Plata moved to convene into Executive Session. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### **EXECUTIVE SESSION**

1. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to City of Mission v. Ricardo Martinez and Petra Martinez, Cause No. CCD-0696-F (City Attorney, V. Flores)
2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to Fatima E. Garcia Guillot v. City of Mission, Cause No. CL-23-4928-E. (City Attorney, V. Flores)
3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to Esther Pena v. City of Mission, Cause No. CL-24-0074-D (City Attorney, V. Flores)

4. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to City of Mission v. Warehouse Event Center, LLC DBA Blackout Private Social Club and MGV Investment Group, LLC, Cause No. C-3374-23-M (City Attorney, V. Flores)

Upon conclusion of Executive Session at 7:10 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

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

1. Consideration and action, if any, related to City of Mission v. Ricardo Martinez and Petra Martinez, Cause No. CCD-0696-F.

Councilwoman Ortega moved to negotiate settlement related to City of Mission v Richard Martinez and Petra Martinez, Cause No. CCD-0696-F as discussed in executive session. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

**ADJOURNMENT**

At 7:11 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary