



MINUTES

PRESENT:

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

ABSENT:

ALSO PRESENT:

Pete Jaramillo
Emitio Salinas
Irma Flores Lopez
Margaux Steele
Pete Cruz
Noel Salinas
Jennifer Vasquez
Rebecca Ramirez Gearhart
Hilda Flores
Denise Cruz
Alicia Cavazos
Albert Runn

STAFF PRESENT:

Anais Chapa, Assistant City Secretary
David Flores, Asst. City Manager
Juan Pablo Terrazas, Asst. City Manager
Andy Garcia, Asst. City Manager
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
Abram Ramirez, IT Director
Abel Bocanegra, P.E., City Engineer
Cesar Torres, Chief of Police
JC Avila, Fleet Director
Yenni Espinoza, Library Director
Roel Mendiola, Sanitation Dept. Director
Jesse Lerma Civil Service Director
Kenia Gomez, Media Relations Director
Stephen Kotsatos, Health Director
Jose Silva, Internal Auditor
Brad Bentsen, Parks & Recreation Director
Amy Tijerina, Community Events Director
Jesse Lerma, Civil Service/311 Director
Charlie Longoria, Media Relations
Alex Fajardo, Media Relations
Humberto Garcia, Media Relations

STAFF PRESENT:

Joel Chapa, Police Officer
Veronica Longoria, Police Officer
Joshua Longoria, 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 4:30 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

Councilwoman Jessica Ortega led the invocation and Pledge of Allegiance.

DISCLOSURE OF CONFLICT OF INTEREST

None

PRESENTATIONS**1. Proclamation - Olivia Guerra 101st Birthday – Carrillo**

Councilwoman Ortega moved to approve the Proclamation – Olivia Guerra 101st Birthday. Motion was seconded by Mayor Pro Tem Ruben Plata and approved unanimously 5-0.

2. Proclamation - World Wish Day – Carrillo

Mayor Pro Tem Plata moved to approve the Proclamation – World Wish Day. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

3. Proclamation - National Crime Victims' Rights Week – Torres

Councilwoman Ortega moved to approve the Proclamation – National Crime Victims' Rights Week. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

4. Proclamation - National Small Business Week - Brenda Enriquez

Mayor Pro Tem Plata moved to approve the Proclamation – National Small Business Week. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

5. Proclamation - Economic Development Week - Teclo Garcia

Mayor Pro Tem Plata moved to approve the Proclamation – Economic Development Week. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 5-0.

6. March 2024 Employee of the Month – Munguia

Noemi Munguia, Human Resources Director, presented Sergeant Adrian Alejandro as the employee of the month for the month of March. Mr. Alejandro was nominated by Chief Torres and Officer Salinas-Rincon. Sergeant Alejandro had always been a great asset to the department and has always been kind, fair and disciplined. On March 16, 2024, Alejandro was performing his duties when he responded to a call where shots were fired. A subject shot Alejandro, who returned fire. During the incident, Sergeant Alejandro displayed courage, maintained his composure and demonstrated compassion towards the aggressor.

7. Report from the Rio Grande Valley Humane Society - Lillian Kim

Lillian Kim, Board President of the Rio Grande Valley Humane Society, began by thanking the city and council for their support at their gala the previous weekend. She also thanked Councilwoman Ortega for the beautiful words she spoke at the event. Ms. Kim then gave an update on the overall operations of the animal shelter. The save rate for the month of March was 85.24%. There was an intake of 210 animals, 76 were adopted, 47 were reclaimed, 24 were transferred out, 48 were returned to field, 14 were euthanized, 133 animals were fostered, 180 went through the community vaccination clinic and 52 were spayed and neutered. Ms. Kim was excited to announce that an Eagle Scout was able to provide three dog play runs for the animal shelter as part of his Eagle Scout project.

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

Brenda Enriquez, Mission Chamber of Commerce President, spoke about upcoming events such as: April 24th Customer Service Webinar, April 24th Chamber Mixer, April 30th Ground Breaking Ceremony for Serenity Fields, Ribbon Cutting for Fiber Expansion for AT&T, May 23rd Annual Golf Tournament. They are celebration National Small Business Week next week by having \$5 “Shop Local” t-shirts.

9. 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.

10. Citizen's Participation – Garza

Mike Silva spoke about the Fire Based EMS program that was recently launched. Mr. Silva stated that since its initiation, the program had been very successful. The fire department's objective was to provide excellent service and through this program they residents now had a quicker response time. He also provided council with data supporting the fact that the program has been successful since being implemented.

Irma Flores Lopez, 1201 Keralum, stated that she remembered Ms. Olivia Guerra as she visited her story plenty of times when she was younger. Ms. Flores reiterated what Mr. Silva said about the Fire Based EMS services that the fire department was now providing to residents. She felt that the community was in better hands with the fire based EMS services and it was a great investment. She was also glad to see that the city is proactive in providing services and information for crime victims by having events such as the one scheduled for this week. Lastly, she touched base on Item #29 of the agenda from last week's meeting. She was thankful for the opportunity to speak at meetings.

Amy Tijerina, Community Events Director, introduced Mr. Ted Prukop and Kristina Silva of the Texas Citrus Fiesta Board. Mr. Prukop noted that they had over sixty entries for the new Texas Citrus Fiesta Logo contest. After reviewing all entries, Mr. Abraham Solis's design was chosen as the winner. Mr. Solis was awarded \$500 from Texas Citrus Fiesta. Mr. Solis stated he was excited to have his logo chosen. He put a lot of thought and detail into the design because he wanted to symbolize the tradition that had been kept alive all these years.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

11. Rezoning: Lot 103, Ala Blanca Subdivision out of Unit #3, (R-1) Single Family Residential to (C-3) General Business, San Juana E. Casas & Yolanda Casas Luna, and Adoption of Ordinance#5475 - De Luna

On April 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was near the NW corner of Ala Blanca Avenue and Business Highway 83 (Loop 374). 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 Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve the Rezoning: Lot 103, Ala Blanca Subdivision out of Unit #3, (R-1) Single Family Residential to (C-3) General Business, San Juana E. Casas & Yolanda Casas Luna, and Adoption of Ordinance#5475. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5475

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A
REZONING LOT 103, ALA BLANCA SUBDIVISION, (R-1) SINGLE FAMILY RESIDENTIAL
TO (C-3) GENERAL BUSINESS

12. Rezoning: A 0.78 acre tract of land out of Lot 265, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (C-3) General Business, Guadalupe & Alberto Ramon, and Adoption of Ordinance#5476 - De Luna

On April 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately ¼ mile north of E. Griffin Parkway (FM 495) along the east side of Shary Road. There was public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

Emitio Salinas, engineer for project, stated that they wanted to place a commercial are on this lot and then town homes in the back (which would be reviewed on the next item). They would like to have the commercial plaza as a buffer for the townhomes. Due to the size of the lots, the only thing that would be feasible for the area would be townhomes. They would be stand alone townhomes.

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

Mayor Pro Tem Plata moved to approve the Rezoning: A 0.78 acre tract of land out of Lot 265, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (C-3) General Business, Guadalupe & Alberto Ramon, and Adoption of Ordinance#5476. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5476

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 0.78 ACRE TRACT OF LAND OUT OF LOT 265, JOHN H.
SHARY SUBDIVISION, (AO-I) AGRICULTURAL OPEN INTERIM TO (C-3) GENERAL
BUSINESS

13. Rezoning: A 4.06 acre tract of land out of Lot 265, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (R-1T) Townhouse Residential, Guadalupe & Alberto Ramon, and Adoption of Ordinance#5477 - De Luna

On April 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately ¼ mile north of E. Griffin Parkway (FM 495) along the east side of Shary Road. There was public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

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 Rezoning: A 4.06 acre tract of land out of Lot 265, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (R-1T) Townhouse Residential, Guadalupe & Alberto Ramon, and Adoption of Ordinance#5477. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5477

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 4.06 ACRE TRACT OF LAND OUT OF LOT 265, JOHN H.
SHARY SUBDIVISION (AO-I) AGRICULTURAL OPEN INTERIM TO (R-1T) TOWNHOUSE
RESIDENTIAL

14. Conditional Use Permit: Home Occupation – Cruz Home Care, 1302 E. Griffin Parkway, All of Lot 1 & West 40' of Lot 2, Enchanted Valley Subdivision, R-1, Pedro Cruz, Jr., and Adoption of Ordinance#5478 - De Luna

On April 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately ¼ mile north of E. Griffin Parkway (FM 495) along the east side of Shary Road. There was public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

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

Councilwoman Ortega inquired what the future land use map looked like for 495 since she had noticed more businesses coming up along that area.

Ms. De Luna, Planning Director, stated they have seen a lot more interest in commercial businesses along this area.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Home Occupation – Cruz Home Care, 1302 E. Griffin Parkway, All of Lot 1 & West 40' of Lot 2, Enchanted Valley Subdivision, R-1, Pedro Cruz, Jr., and Adoption of Ordinance#5478. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5478

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT HOME OCCUPATION– CRUZ HOME CARE,
1302 E. GRIFFIN PARKWAY, ALL OF LOT 1 & WEST 40' OF LOT 2, ENCHANTED VALLEY
SUBDIVISION

15. Conditional Use Permit: Regulated Consumer Finance Lender Office on property zoned (C-2) Neighborhood Commercial, 1821 N. Shary Road, Ste. 2, Lot 1, Bannworth Business Center, C-2, Lendmark Financial Services, LLC., and Adoption of Ordinance#5479 - De Luna

On April 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately ¼ mile north of E. Griffin Parkway (FM 495) along the east side of Shary Road. There was public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

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

Mayor Pro Tem Plata asked what prompted this type of business to need a conditional use permit given the nature of the business.

Ms. De Luna explained that because it was in a C-2 zone, there were more restrictions as to the type of business allowed; therefore, a conditional use permit was required.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Regulated Consumer Finance Lender Office on property zoned (C-2) Neighborhood Commercial, 1821 N. Shary Road, Ste. 2, Lot 1, Bannworth Business Center, C-2, Lendmark Financial Services, LLC., and Adoption of Ordinance#5479. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT REGULATED CONSUMER FINANCE LENDER
OFFICE ON PROPERTY ZONED (C-2) NEIGHBORHOOD COMMERCIAL, 1821 N. SHARY
ROAD, STE 2, LOT 1, BANNWORTH BUSINESS CENTER

16. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – The Loretto at Mission, 1233 E. Griffin Parkway, Lot 1 & the S. 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, C-2, LAG Associates, LLC, and Adoption of Ordinance#5480 - De Luna

On April 17, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located on the NW corner of Orange Drive and Griffin Parkway. 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 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: Sale & On-Site Consumption of Alcoholic Beverages – The Loretto at Mission, 1233 E. Griffin Parkway, Lot 1 & the S. 25' of Lot 2, Block 1, Bel-Aire Heights Subdivision, C-2, LAG Associates, LLC, and Adoption of Ordinance#5480. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5480

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – THE LORETTO AT MISSION, 1233 E. GRIFFIN PARKWAY, LOT 1 & THE S. 25' OF LOT 2, BLOCK 1, BEL-AIRE HEIGHTS SUBDIVISION

17. Discussion and Action to Amend or Adopt Ordinance for Water Rights., and Adoption of Ordinance#5482- De Luna

On April 17, 2024 the Planning and Zoning Commission held a Public Hearing to consider the request. A directive was given to staff to develop an ordinance to improve the City's ability to more responsibly secure water rights for new subdivisions. 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 Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mike R. Perez, City Manager, explained what the current process was to secure water rights for new subdivisions and how amending the current ordinance or adopting a new one would be affect the fees.

Mayor Garza asked if this item could be tabled for the moment to be further discussed in executive session.

Mayor Pro Tem Plata moved to table Item 17 to be discussed in executive session. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

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

Mayor Pro Tem Plata moved to Amend Ordinance 1110 for Water Rights., and Adoption of Ordinance#5482 to add that if the developer is unable to convey the required water rights, they will be required to pay a fee of \$3,000 to the City of Mission per municipal acre, leaving out the last sentence of paragraph #4, to take effect immediately. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5482

ORDINANCE AMENDING ORDINANCE #1110, ADOPTED IN SEPTEMBER 28, 1981. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING CHAPTER 98 SUBDIVISION, SECTION 98-137.-ASSIGNMENT OF WATER RIGHTS TO CITY BY ADDING A FEE TO DEVELOPERS IF WATER RIGHTS ARE NOT CONVEYED OR ACQUIRED

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

18. Approval of Minutes – Carrillo

Regular Meeting – April 08, 2024

19. Acknowledge Receipt of Minutes – Perez

Speer Memorial Library Board – December 12, 2023

Shary Golf Advisory Board – March 6, 2024

Parks & Recreation Board – March 12, 2024

Boys & Girls Club Board of Directors – March 19, 2024

Youth Advocacy Advisory Board – March 19, 2024

20. Authorization to purchase 1000 Residential Refuse Carts from Otto Environmental Systems 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. Carts would be purchased from Otto Environmental Systems via HGAC contract #RC01-21. Residential carts will now feature a QR code with routing information for both residential and brush as well as tips for proper disposal.

21. Authorization to amend Buy Board Contract from #636-21 to #729-24 for Southern Tire Mart for the purchase of tires for the Sanitation Department for the remainder of the 2023-2024 Fiscal Year- Mendiola

On October 23, 2023 City Council authorized staff to purchase from Southern Tire Mart via BuyBoard #636-21 due to this BuyBoard expiring staff was seeking authorization to purchase via amended BuyBoard #729-24 for the remaining of the contract terms with Southern Tire Mart. Tires would be purchased on an as needed basis for or the Sanitation Department's fleet and special equipment for the remainder of the 2023-2024 Fiscal Year.

22. Authorization to execute second and final one-year renewal option with Scott's Tire Center at 0% increase for Tire Installation, Repair and Service calls for City Vehicles and Special Equipment – Avila

Staff was seeking authorization to execute the second-year and final renewal option with Scott's Tire Center, Bid # 21-236-04-12, to service all City vehicles and special equipment as needed for tire installations and repair/service calls. The contract renewal price would remain the same and will not be increased as per the General Terms and Conditions stipulated on the contract and the company's renewal letter. The renewal of this contract would be from April 30, 2024 through April 29, 2025.

23. Authorization to change Buy Board Contract from #629-20 to #715-23 for LMG Sales for the purchase of Automotive Parts, Fluids, Maintenance equipment and supplies for Fleet Department Preventative Maintenance - Avila

On October 9, 2023 City Council authorized staff to purchase from LMG via Buy Board # 629-20. Buy Board contract # 629-20 expired on 11/30/2023 and was renewed 12/01/2023 with contract # 715-23. Staff was seeking authorization to purchase via BuyBoard Contract #715-23 for the remaining of the contract terms with LMG Sales. Preventative Maintenance Automotive

Parts, Fluids, Maintenance equipment and supplies will be purchased on an as-needed basis for the Fleet Department for the remainder of the 2023-2024 fiscal year.

24. Authorization to extend First One-year renewal for Liquid Aluminum Sulfate for the Water Treatment Plants – Bocanegra

Seeking authorization to exercise the First One-Year Renewal with Chemtrade Chemicals US, LLC; this was the first of two renewal options. The contract term was for one year with the option to renew for two additional one-year renewals. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis. This agreement would extend Bid No. 23-290-03-24 April 12, 2024 through April 11, 2025.

Liquid Aluminum Sulfate with delivery \$0.11432/LB, with 3.2% increase \$0.118/LB

25. Authorization to extend First One-year renewal for Liquid Ammonium Sulfate for the Water Treatment Plants – Bocanegra

Seeking authorization to exercise the First One-Year Renewal with Chemtrade Chemicals US, LLC; this was the first of two renewal options. The contract term was for one year with the option to renew for two additional one-year renewals. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis. This agreement would extend Bid No. 23-291-03-24 April 12, 2024 through April 11, 2025.

Liquid Ammonium Sulfate with delivery \$0.192/LB, with 3.2% increase \$0.198/LB.

26. Authorization to award bid for construction of disaster shelter concrete pad and carport utilizing CDBG funds – A. Garcia

The City of Mission accepted and opened 12 bid responses for construction of disaster shelter concrete pad and carport for emergency use during and post disasters. Recommendation was to award to JAX Construction who is the lowest responsive and responsible bidder meeting all specifications. The concrete pad/carport will 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.

Councilwoman Ortega moved to approve all consent agenda items 18 thru 26 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

At 5:50 p.m., Councilwoman Ortega stepped out of the meeting.

APPROVALS AND AUTHORIZATIONS

27. Final Plat Approval: Washington Lots Subdivision, Being a 0.97 acre tract of land more or less, being the south 845' of the west 1 acre, Lot 92, Mission Acres, R-1, Developer: Julio Cerda, Engineer: South Texas Infrastructure Group - De Luna

On May 10, 2023, the City of Mission entered into a contract agreement with South Texas Landscapes Irrigation and Pest Control LLC for Right-of-Mowing & Maintenance Services. The contract terms were for one-year with two, one-year renewal options based on a 2% increase for the first renewal. Staff was seeking authorization to renew Bid # 23-323-04-14 ROW Contract & Maintenance Services for the first-year renewal option from the original cost of \$175,640.00 with the 2% price increase at a cost of \$179,152.80. A budget amendment may be needed to comply with contractual obligations.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Final Plat Approval: Washington Lots Subdivision, Being a 0.97 acre tract of land more or less, being the south 845' of the west 1 acre, Lot 92, Mission Acres, R-1, Developer: Julio Cerda, Engineer: South Texas Infrastructure Group. Motion was seconded by Councilman Vela and approved unanimously 4-0.

Councilwoman Ortega rejoined the meeting at 5:53 p.m.

28. Preliminary Plat Approval: Conway Village Subdivision, Being a 19.118 acres out of Lot 36-6, West Addition to Sharyland Subdivision, Suburban E.T.J., Developer: Rimaga, LLC, Engineer: Melden & Hunt, LLC., - De Luna

On April 17, 2024, the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Conway Village Subdivision. The subject site was located on the southwest corner of W. St. Francis and Conway Ave. -S.H. 107 (Mission Suburban ETJ). There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Preliminary Plat Approval: Conway Village Subdivision, Being a 19.118 acres out of Lot 36-6, West Addition to Sharyland Subdivision, Suburban E.T.J., Developer: Rimaga, LLC, Engineer: Melden & Hunt, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

29. Approval of Ordinance #5481 Amending Ordinance 4813 regarding Citizens Participation in City Council meetings – Carrillo

The appropriate form must be filled out with the City Secretary prior to calling the meeting to order. Citizen Participation would be limited to agenda items. Public comments regarding an item that was the subject of a public hearing will be heard when the public hearing was held. Speakers must adhere to the time limits (3 minutes) and stay on topic. The Mayor or Presiding Officer, at his or her discretion, may reduce the time as deemed necessary to ensure meeting efficiency. Speaker would follow rules of proper decorum which prohibits any direct or indirect personal attacks towards any member of the council or any city staff the comments made should pertain to city business and should not be threatening in nature. Behavior that failed to yield the floor when the speaker's time was concluded; was not relevant to the agenda item or city business; repeatedly interrupts a Council Member; disturbed the order of the meeting; involved loud, threatening, hostile, abusive, vulgar, or obscene language; or disrupted the Council meeting was prohibited. Any speaker or audience member that violated these rules of conduct or engaged in disruptive behavior may be subject to removal from the meeting. The Mayor or Presiding Officer would enforce these rules, and a person's failure or refusal to comply with an explicit request or order of the Mayor or Presiding Officer may violate the Texas Penal Code, Section 38.13(a). If rules are violated, the microphone will be turned off and the live feed will be stopped.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Ordinance #5481 Amending Ordinance 4813 regarding Citizens Participation in City Council meetings. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5481

AN ORDINANCE AMENDING ORDINANCE 4813 OF THE CITY OF MISSION AMENDING CHAPTER II – ADMINISTRATION; ARTICLE II - CITY COUNCIL SECTION 2-34 – PROCEDURE FOR PRESENTATIONS TO COUNCIL AND SEC. 2-36. – RULES OF DECORUM; REMOVAL OF PERSONS FROM MEETING, SECTION (C); PROVIDING FOR SEVERABILITY CLAUSE; PROVIDING FOR EFFECTIVE DATE.

30. Approval of Resolution #1900 authorizing City Manager or their designee to evaluate premiums and deductibles for all TMLIRP Insurance products and to take any action as necessary – Flores

City staff recommended that the City Council adopt a resolution authorizing the City Manager or their designee to evaluate premiums and deductibles for all TMLIRP Insurance products and to take any action as necessary.

The proposed resolution and requested authority aim to confirm the City Manager's general authority to adjust as needed to the City's insurance premiums and deductibles. There were annual changes in the insurance market and changes in our rates. The City Manager and/or their designee can track such changes and modify premiums and deductibles across all City insurance lines to ensure that City assets are protected at the best price all while minimizing risk.

City staff had identified four deductibles that can be increased providing the City with a lower premium while minimizing risk. The insurance lines are:

Errors & Omissions Liability deductible increase from \$10,000 to \$25,000;

Property deductible increase from \$1,000 to \$25,000;

Auto Physical Deductible increase from \$500 to \$2,500;

Law Enforcement Liability Deductible increase from \$5,000 to \$10,000.

The change in deductible would result in a credit of \$71,775 with TMLIRP which may be applied to ongoing Workers' Compensation deductible payments for the rest of the fiscal year. The change in deductible would also reduce next year's premium by approximately \$179,000.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Resolution #1900 authorizing City Manager or their designee to evaluate premiums and deductibles for all TMLIRP Insurance products and to take any action as necessary. Motion was seconded by Councilman Vela and approved unanimously 5-0.

RESOLUTION NO. 1900

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
AUTHORIZING THE CITY MANAGER OR THEIR DESIGNEE TO EVALUATE
INSURANCE PREMIUMS AND DEDUCTIBLES FOR ALL TMLIRP INSURANCE
PRODUCTS AND TAKE ANY ACTION AS NECESSARY

31. Approval of Change Order #1 to Service Agreement with Siddons Martin Emergency Group, LLC. regarding the first one-year renewal option to service the City of Mission Fire Department's apparatuses and special equipment – Avila

On April 10, 2023 City Council authorized staff to enter into a Service Agreement with Siddons Martin for a one-year term. Staff was seeking authorization to approve Change Order #1 (amendment to Exhibit A, Services & Fees) regarding the first one-year renewal option to service the City of Mission Fire Department's apparatuses and special equipment. The extension of this contract would be from April 27, 2024 through April 27, 2025.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve of Change Order #1 to Service Agreement with Siddons Martin Emergency Group, LLC. regarding the first one-year renewal option to service the City of Mission Fire Department's apparatuses and special equipment. Motion was seconded by Councilman Vela and approved unanimously 5-0.

32. Approval of Resolution No. _____ authorizing to revocation of grant award for FY23 COPS Hiring Program with the U.S. Department of Justice, Office of Community Oriented Policing – Elizalde

On May 8, 2023 the Mission Police Department received authorization under resolution 1836 to apply for the FY23 COPS Hiring Program to the U.S. Department of Justice. On November 2, 2023 the Department received the matching grant award in the amount of \$1,000,000.00. The grant would allow the support of eight (8) new officer hires over a 3-year grant period of performance. Since the acceptance of the grant award, the Department had conducted Civil Service Commission Police Officer Entry-Level Examinations and had not been successful in obtaining qualified individuals. Due to the department quickly approaching the grants reasonable timeline for hiring officers, the department found it in the best interest of the city to rescind the contract award in the interest of the program's initiatives.

33. Ordinance # _____ approval to amend Ordinance #5403 rescinding Eight (8) Positions from the Classified Position of Patrolman for FY 2023-24 – J. Lerma

On November 27, 2023, City Council approved Ordinance #5403, approving eight (8) additional positions for the Classified Position of Patrolman for FY 2023-24. At this time, we were requesting approval to rescind the positions that were awarded through the 2023 COPS Hiring Grant.

Mayor Garza recommended that items 32 and 33 be tabled for further review and discussion.

Mayor Pro Tem Plata moved to table items 32 and 33 to be further discussed. Motion was seconded by Councilman Vela and approved unanimously 5-0.

34. Authorization to award bid to Tabeza Holdings for Construction of Restrooms at Astroland and CWV Park – Bentsen

On February 12, 2024, City Council authorized Staff to solicit bids for construction of three (3) restrooms. The City of Mission had accepted and opened twelve (12) bid responses one (1) of which was deemed incomplete. Staff recommended awarding bid of two (2) restrooms located at Astroland and CWV Park to Tabeza Holdings the lowest responsive and responsible bidder meeting all specifications.

Tabeza Holdings - \$127,724.00

Astroland Park 115 South St. Marie Street - \$60,753.00

CWV Park 115 South Mayberry Rd - \$66,971.00

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to award bid to Tabeza Holdings for Construction of Restrooms at Astroland and CWV Park. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

35. Authorization to award for Agent of Record for Voluntary Products, Group Life, EAP, Section 125 Administration and 457 Plan – Munguia

On March 11, 2024, City Council authorized staff to solicit Request for Proposals for Agent of Record for Voluntary Products (dental, vision, COBRA Administration, long-term disability, short-term disability, voluntary life insurance, Flexible Spending Account (FSA), supplemental insurances (cancer, accident, hospital indemnity and critical illness) medical transport, legal services), Group Life, Employee Assistance Program, Section 125 Administration and 457 Plan. The City of Mission received twelve (12) proposals. Eleven of the twelve proposals were deemed to be acceptable. After evaluating all acceptable proposals, the Committee had determined the top three vendors are: Ortegon Insurance Agency, The Infinitus Group and Lone Star Insurance Services.

Committee recommendation was to award to Lone Star Insurance Services due to their level of service, ease of transition, use of Employee Navigator and Selerix and willingness to negotiate commission rates.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to award Agent of Record for Voluntary Products, Group Life, EAP, Section 125 Administration and 457 Plan to Lone Star Insurance Services. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

36. Authorization to reallocate 2021 Series Bond funding of no more than \$138,636.51 from the Bryan Rd drainage project to the Glasscock Rd drainage project. – Garcia

Authorization to reallocate 2021 Series Bond funding of no more than \$138,636.51 from the Bryan Rd drainage project to the Glasscock Rd drainage project. The Combination Tax and Revenue Certificates of Obligation, Series 2021 and General Obligation Refunding Bonds, Series 2021 have provisioned \$22,000,000 for the streets and drainage projects seen in the attached project listing. Approval was being requested to reallocate no more than \$138,636.51 from the Bryan Rd drainage project (Current Budget = \$1,070,871.93, Actual Expenditures = \$0, Obligated = \$0, Current Balance = \$1,070,871.93), resulting in a new project budget of \$932,235.42, to the Glasscock Rd drainage project (Current Budget = \$4,304,681.61, Actual Expenditures = \$2,821,634.04, Obligated = \$1,483,047.57, Current Balance = \$0), resulting in a new project budget of \$4,443,318.12. The \$138,636.51 would be used to cover the cost of Change Order #2 to the Glasscock Rd drainage project, pending any project credits. The purpose of the bond is to fund costs associated with “(i) street and drainage improvements, utility system improvements, parks improvements, facilities improvements, and land acquisition and (ii) cost of professional services incurred in connection therewith” as stated in the Official Statement for the 2021 Series bond issuance. Current Bond Counsel Ricardo Perez had reviewed and legally cleared the re-allocation on 4/18/2024. The current budget provided below included the cost of the original contract with the contractor Mor-Wil, L.L.C, of \$3,712,513.56 and Change Order #1 of \$179,059.56, in addition to engineering costs and other associated project costs. Upon re-allocation, the new contract price with Mor-Will, L.L.C. would be \$4,030,209.63.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to reallocate 2021 Series Bond funding of no more than \$138,636.51 from the Bryan Rd drainage project to the Glasscock Rd drainage project. Motion was seconded by Councilman Vela and approved unanimously 5-0.

37. Authorization to approve Change Order #2 for Glasscock Drainage Improvements Project – Bocanegra

The City of Mission was seeking approval for Change Order #2 of the Glasscock Drainage Improvements Project. Unforeseen utility conflicts requiring additional material for storm drain lines, utility adjustments, and concrete paving have prolonged the timeline of the project. The contractor was requesting an extension of 90 days. An additional \$138,636.51 would be added to the contract price. Consequently, City Staff recommended Change Order #2 for the total amount of \$4,030,209.63 and 420 calendar days with the Change Order.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Change Order #2 for Glasscock Drainage Improvements Project. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

38. Approval of Budget Amendment BA-25 for \$75,738.12 from General Fund Organizational Expense Department to Finance Department for TCP Clock Project – Garcia

Approval of the attached budget amendments:

01-412-64120 Finance - OFFICE EQUIPMENT= \$70,026.87

01-412-44640 Finance - REPAIRS & MAINT.-MACHINERY= \$5,711.25

01-417-94690 Organizational Expenses - JUDGEMENTS AND DAMAGES= \$(50,000.00)

01-417-94670 Organizational Expenses - AID TO OTHER GOVERNMENTS= \$(25,738.12).

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Approval of Budget Amendment BA-25 for \$75,738.12 from General Fund Organizational Expense Department to Finance Department for TCP Clock Project. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

39. Authorization to purchase biometric time clocks from Timeclock Plus at a cost of \$75,738.12 utilizing NCPA on behalf of Region 14 ESC-TX contract 14-10 – Ramirez

Authorization to purchase biometric time clocks from Timeclock Plus, LLC at a cost of \$75,738.12 utilizing NCPA on behalf of Region 14 ESC-TX contract 14-10. Purchase of 25 new biometric clocks with WiFi adapters and battery back-ups, plus 9 retrofit fingerprinting hardware for 9 existing clocks. \$75,738.12 cost consisted of a one-time \$70,026.87 hardware fee and \$5,711.25 in hardware support and maintenance fees prorated until 08/13/2024. Annual recurring hardware support and maintenance fees for 25 new clocks at renewal would be \$16,722.54.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to purchase biometric time clocks from Timeclock Plus at a cost of \$75,738.12 utilizing NCPA on behalf of Region 14 ESC-TX contract 14-10. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

40. Report by Internal Auditor regarding current status of initiated internal audits conducted and current initiatives – Silva

A summary of activities will be presented to include: setting up the administrative processes to comply with the Institute of Internal Auditors' requirements. Briefing on initiatives taken by the department. Recent activities and report on status of ongoing audits.

Future outlooks: opportunities for implementing departmental risk assessments and strengthening internal controls.

Staff and City Manager recommended approval.

Mr. Jose Silva, Internal Auditor for the City of Mission, discussed the internal auditing process and the importance of it. Mr. Silva went over the various ways that internal controls could be implemented to reduce risk within departments. He touched based on preliminary audits that were currently being conducted within various departments. He presented several strategies that could be implemented to improve controls.

Mr. Perez suggested that a committee be formed, made up of two council members and a business person along with Mr. Silva. The committee would meet to discuss Mr. Silva's findings and make recommendations based on the outcome.

No action was taken on this item.

UNFINISHED BUSINESS

None

ROUTINE MATTERS

City Manager Comments - Wednesday, April 24, 2024 at 6:00 pm, Crime Victim Awareness Walk & Candlelight Vigil Mission Police Dept. – Courtyard, Ramen & Anime Movie Night Wednesday, April 24, 2024 at 6:00 pm Speer Memorial Library, Teen Gamer Night Thursday, April 25, 2024 at 6:00 pm Speer Memorial Library, Mission Charter Amendment Election Community Briefing April 30, 2024 at 6:00 pm Mission Event Center, Evening of Prayer May 2, 2024 at 6:30 pm Mission Event Center, Police Memorial Ceremony May 13, 2024 at 9:30 am Mission Police Department – Courtyard

City Council Comments – Councilwoman Ortega stated that they had held four Charter Amendment Briefings, and with the election coming up, she wanted to encourage everyone to go out and vote. Ms. Ortega also thanked all of the staff that helped organize the Autism Awareness event. Councilwoman Ortega stated the Autism event was awesome. She also wanted to highlight the upcoming Crime Victims Event as it was very important. Councilman Vela extended his thanks to all staff as well.

Mayor's Comments – Mayor Garza thanked all of staff who worked on the Autism event.

At 6:40 p.m., Mayor Pro Tem Plata moved to convene into Executive Session on item 17 of the agenda and Executive Session items. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

EXECUTIVE SESSION

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Evaluation of City Manager relating to goals and objectives.
2. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Evaluation of Municipal Court Judge and possible re-appointment.

3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation Attorney) related to City of Mission v Jordi Claudio Torelli, Ramon Felipe Benavides, Javier R. Romero-Albarran and GSF Land Group, LTD. Cause No. C-5229-19-J.

4. 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.

Upon conclusion of Executive Session at 8:43 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

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

1. Action, if any, regarding evaluation of City Manager regarding goals and objectives.

No Action.

2. Action, if any, regarding evaluation of Municipal Court Judge and possible re-appointment.

Mayor Pro Tem Plata moved to approve the reappointment of Jonathan Wehrmeister as Chief Municipal Court Judge as discussed in Executive Session. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

3. Action, if any regarding City of Mission v Jordi Claudio Torelli, Ramon Felipe Benavides, Javier R. Romero-Albarran and GSF Land Group, LTD. Cause No. C-5229-19-J.

Mayor Pro Tem Plata moved to authorize the City Attorney to proceed as discussed in Executive Session. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

4. Consideration and action, if any related to Black Diamond Developers, LP and CCC Operations, LLC v. City of Mission, Cause No. C-5276-23-D

Councilwoman Ortega moved to authorize the City Manager and City Attorney to proceed as discussed in Executive Session. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ADJOURNMENT

At 8:47 p.m., Councilwoman Ortega moved for adjournment. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary