



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:

Melissa Flores
Charles Wills
Irma Flores
Hilda Flores
Julian Gonzalez
Alfredo Medina
Anita Pulido
Vic Rasary
Victor Anzaldua
Ismael Rodriguez
Lisa Moreno
Tom Alvarado
Dora & Beto De La Garza
Lydia Soza
Alma Garcia
Victoria Plata
David de Los Santos
Yanette Cantu
Lucy Cantu

STAFF PRESENT:

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
Robert Hinojosa, Director of Organizational Dev.
Abram Ramirez, IT Director
Abel Bocanegra, P.E., City Engineer
Cesar Torres, Chief of Police
Yenni Espinoza, Library Director
Jesse Mares, Facilities Supervisor
Roel Mendiola, Sanitation Dept. Director
Jesse Lerma Civil Service Director
Kenia Gomez, Media Relations Director
Teclo Garcia, MEDC CEO
Johnathan Wehrmeister, Municipal Court Judge
Brad Bentsen, Parks & Recreation Director
Cynthia Lopez, Museum Director
Joe Enriquez, Utility Billing Manager
Aida Lerma, Mission Event Center Director
Alex Fajardo, Media Relations
Charlie Longoria, Media Relations
Veronica Longoria, Police Officer
Tony Anderson, Police Officer

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Garza Gonzalez called the meeting to order 4:34 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

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

DISCLOSURE OF CONFLICT OF INTEREST

None

PRESENTATIONS

1. Proclamation - Elder Abuse Prevention Month – Carrillo

Mayor Pro Tem Plata moved to approve the Proclamation – Elder Abuse Prevention Month. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 5-0.

2. Proclamation - Emergency Medical Services Week - A. Garcia

Mayor Pro Tem Plata moved to approve the Proclamation – Emergency Medical Services Week. Motion was seconded by Councilwoman Jessica Ortega and approved unanimously 5-0.

3. Proclamation - National Police Week – Torres

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

4. Presentation of TSPRA Star Awards received by Sharyland ISD - Nancy Barbosa

Nancy Barbosa, Director of Public Relations for Sharyland ISD, wanted to thank the Mayor and City Council for all of their support and the partnership that has been formed between the district and the city. She was delighted to announce that Sharyland ISD had won a TSPRA Star Award in the “Community Engagement” category. The photo that was selected as the winner was of Mission Police Chief Cesar Torres fist bumping a student on the first day of school. This award was a testament to the partnership and commitment by both the district and the city to provide excellence in education, safety and continue community engagement efforts.

5. Presentation of Texas Association of Museum Award – Lopez

Cynthia Lopez, Museum Director, proudly announced that the Museum was the recipient of the Gold Status Award in the Media Innovation category from the Texas Association of Museums. This award was presented to the museum for their traveling “Discover Mission” exhibit which provides a virtual learning experience. This project had received previous awards, but was now also recognized by the Texas Association of Museum Award.

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

Brenda Enriquez, Mission Chamber of Commerce President, spoke about upcoming events such as: April 15th Paddle Club groundbreaking ceremony at 10am, April 15th Lunch & Learn – Human Resources Compliance, Webinar – Art of Marketing on April 16th, Webinar – Small Businesses, April 28th Maximizing Sales seminar, April 30th Business Resource Seminar, April 20th Chamber Mixer. The chamber would also be introducing a new program called “Coffee, Croissants, and Commerce”, and their first meeting will be held at the CEED building on April 25th.

7. Report from Mission Economic Development Corporation - Teclo Garcia

Teclo Garcia, MEDC CEO, spoke about a recent small business competition that was held. It was a seven week program that small business ventures had to go through before battling it out. First place was awarded \$25,000, second \$15,000, third \$10,000 and all other participants were given \$2,000. They had also been able to provide some funding to 15 small businesses through the Ruby Red Ventures program. They also were working on their Downtown Business program that would be able to assist businesses in the downtown area.

8. Departmental Reports – Perez

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

9. Citizen's Participation – Garza

Alejandro Vela, 603 Thornwood Drive, spoke in reference to items 42 and 43 of the agenda. He stated that he was not in favor of increasing personnel for the police force. He felt that the budget should go towards providing additional training for the officers instead.

PUBLIC HEARING**PLANNING & ZONING RECOMMENDATIONS****10. Rezoning: Tract #1 A tract of land containing 1.52 acres, more or less, out of a 3.56 acre tract out of Lot 285, John H. Shary Subdivision; Tract #2 A 1.76 acre tract of land out of Lot 285, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (C-3) General Business, Rolando & Olivia Pena, and Adoption of Ordinance#5483 - De Luna**

On May 1, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately 330' south of E. Mile 2 Road along the east side of Shary Road. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to increased traffic, children's safety, and no restaurants or bar & grill's that would add more noise to the area. A petition reflecting 41% opposition has been submitted to staff. The board unanimously recommended denial of a C-3 (General Business) but approval of a C-1 (Office Building). If the City Council is inclined to overturn P&Z recommendation a 4/5th vote would be required.

Staff and City Manager recommended approval.

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

Charles Wills, 2403 E. 25th St, stated that 64% of the signatures on the petition signed were against the C3 rezoning; however, they were not opposed to it being rezoned to C1.

Mario Del Bosque, 3100 Granite Drive, stated that his garage faced this property directly. At the moment, the area experiences high traffic, and he was concerned that a C3 would increase the noise and traffic. He was opposed to C3 but was in favor of C1.

Manfred Sheuller was the owner of the property behind this tract of land. He stated he was oppose to a C3 rezoning but was in favor of a C1.

Jose Garcia, 2401 E. 25th St, was opposed to rezoning to a C3; however, he was in favor of a C1. His main concern was the increase in noise in the area.

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 Rezoning: Tract #1 A tract of land containing 1.52 acres, more or less, out of a 3.56 acre tract out of Lot 285, John H. Shary Subdivision; Tract #2 A 1.76 acre tract of land out of Lot 285, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (C-1) Office, Rolando & Olivia Pena, and Adoption of Ordinance#5483. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5483

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING TRACT #1: A TRACT OF LAND CONTAINING 1.52 ACRES, MORE OR LESS, OUT OF A 3.56 ACRE TRACT OUT OF LOT 285, JOHN H. SHARY SUBDIVISION, AND TRACT #2: A 1.76 ACRE TRACT OF LAND OUT OF LOT 285, JOHN H. SHARY SUBDIVISION, (AO-I) AGRICULTURAL OPEN INTERIM TO (C-1) OFFICE

11. Conditional Use Permit: Mobile Food Truck – Churros Don Ramon, 2509 Colorado Street, Ste. 201, Lot 1, Block 2, Santa Lucia Development, C-3, Juan Chapa, and Adoption of Ordinance#5484 - De Luna

On May 1, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located near NW corner of Colorado and Taylor Road along the north side of Colorado Street. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

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 Conditional Use Permit: Mobile Food Truck – Churros Don Ramon, 2509 Colorado Street, Ste. 201, Lot 1, Block 2, Santa Lucia Development, C-3, Juan Chapa, and Adoption of Ordinance#5484. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5484

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A MOBILE FOOD TRUCK – CHURROS DON RAMON, 2509 COLORADO STREET, STE. 201, LOT 1, BLOCK 2, SANTA LUCIA DEVELOPMENT

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 – April 22, 2024

13. Acknowledge Receipt of Minutes – Perez

Mission Economic Development Authority – February 7, 2024
Mission Redevelopment Authority – March 26, April 1, 2024
Mission Economic Development Corporation – February 28, March 27, 2024
Mission Tax Increment Reinvestment Zone – March 26, April 1, 2024
Mission Education Development Council – January 24, 2024
Building Board of Adjustments – December 19, 2023
Zoning Board of Adjustments – December 6, 2023, January 22, 2024
Citizen's Advisory Committee – March 26, April 9, 2024
Ambulance Board Meeting – January 16, 2024
Mission Civil Service Commission – March 27, 2024
Special Events and Entertainment Committee – February 7, 2024

14. Authorization to extend First Six-Month Renewal for Ready Mix Concrete for Public Works Department – Bocanegra

Seeking authorization to exercise the First Six-Month Renewal with 57 Concrete, LLC; this was the first of three renewal options. The contract term was for six (6) months with the option to renew for three additional six-month renewals. Recommendation was based solely on estimated quantities and orders would be placed on as needed basis. The agreement would extend Bid No. 24-042-10-30 May 15, 2024 through November 14, 2024.

Ready Mix Concrete price remained the same \$123/ per cubic yard of 3000 PSI Ready Mix Concrete with the Standard Fuel Surcharge per Load of \$25.00

15. Authorization to extend First & Final One-year renewal for Cold Water Meters for Water Distribution – Bocanegra

Seeking authorization to exercise the First & Final One-Year Renewal with Zenner USA; this was the first and final renewal option. The contract term was for one year with the option to renew for one additional one-year renewal. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis. This agreement would extend Bid No. 23-392-05-18 June 15, 2024 through June 14, 2025. It will be at 0% price increase as per terms and conditions.

16. Authorization to Solicit for Bids for the purchase of Meter Connect Supplies for the Public Works Department – Bocanegra

The City of Mission was in contract with Core & Main (Bid No. 23-393-05-18) from June 15, 2023 through June 14, 2024. As the contract was almost ending staff was seeking authorization to solicit bids for the purchase of Meter Connect Supplies. Meter Connect Supplies were needed by the Public Works department for new water meter connections and repairs. The contract terms were for one year with one-year renewal option.

17. Approval of Resolution #1902 to Amend Resolution # 1393 authorizing the City Manager, Finance Director, and Assistant Finance Director as Authorized Representatives for Texas Local Government Investment Pool (TexPool) – A. Garcia

Approval was requested to amend Resolution # 1393 authorizing the City Manager, Finance Director, and Assistant Finance Director to serve as Authorized Representatives on the Texas Local Government Investment Pool (TexPool). Approval was sought to add the following authorized representatives:

- City Manager – Mike R. Perez
- Assistant City Manager/Interim Finance Director – Jorge A. (“Andy”) Garcia
- Assistant Finance Director – Ezeiza Elizabeth Garcia

Further authorization is sought to remove the existing authorized representatives:

- City Manager – Martin Garza
- Assistant Finance Director – Rosendo Perez
- Accountant – Angie Vela

RESOLUTION 1902

RESOLUTION AMENDING TEXPOOL AUTHORIZED REPRESENTATIVES

18. Approval of Engagement Letter Amendment for Fiscal Year 2022/2023 with Carr, Riggs & Ingram, LLC for Non-Attestation Services – A. Garcia

Staff was requesting approval of the Engagement Letter Amendment with Carr, Riggs & Ingram, LLC (RFQ 19-247-07-26 Financial Auditing Services) for Fiscal Year 2022/2023 for Non-Attestation Services to include the following activities: Preparation of financial statements (not including the Introductory Section, Management’s Discussion and Analysis, and the Statistical Section) and the implementation of GASB Statement No. 96, Subscription Based Information Technology Arrangements and GASB Statement No. 87, Leases, government-wide entries as needed.

The estimated cost for such services included: Assistance with preparation of financial statements of the City (Annual Comprehensive Financial Report excluding Introductory Section, MD&A, and Statistical Section) - \$18,750. Assistance with GASB 96 and 87 - \$125 per each leased asset agreement or subscription arrangement for which assistance is requested. Estimated number of lease agreements needed was 23, resulting in an estimated GASB 96 and 87 cost of \$2,875 (if needed). Due to turnover in the Finance Department, it was expected that the use of these non-attestation services would reduce the lead time of the 2022/2023 FY audit’s completion.

19. Authorization to Execute Second and Final One Year Renewal 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 for pest control services on all City buildings. The contract terms were for one year with two one-year renewal options based on 0% increase in price. On July 24, 2023, the City of Mission approved the first one-year renewal option, at no price increase, with Mid Valley Pest Control. Staff was seeking authorization to extend contract for second and final year renewal option with Mid Valley Pest Control. There was no price increase for the second and final renewal. This Agreement would extend Bid No 22-464-07-20 from August 11, 2024 through August 10, 2025.

20. Approval of Resolution #1901, Resolution approving resolution of Mission Economic Development Corporation, authorizing the issuance of bonds on behalf of Republic Services Inc., and matters related thereto – T. Garcia

Lee McCormick, President of Community Development Associates, has facilitated the issuance of revenue bonds by the Mission Economic Development Corporation for the purpose of financing and refinancing projects for Republic Services Inc., under the assistance of MEDC’s Private Activity Bond program.

RESOLUTION NO. 1901**RESOLUTION APPROVING THE RESOLUTION OF MISSION ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF BONDS ON BEHALF OF REPUBLIC SERVICES, INC.; AND MATTERS RELATED THERETO****21. Authorization to enter into a Memorandum of Understanding between South Texas College Police Department and the City of Mission Police Department – Torres**

The Mission Police Department was requesting authorization to enter into a memorandum of understanding with the South Texas College Police Department, for the purpose of clarifying jurisdictional roles and abilities at South Texas College buildings within City of Mission jurisdiction. This agreement outlined the responsibilities and abilities for both agencies. This agreement would be in effect upon approval.

22. Authorization to Enter Interlocal Agreement Between the County of Hidalgo, Texas, and the City of Mission for the establishment of an Emergency Services Paramedic Program partially funded by Hidalgo County American Rescue Plan Act (ARPA) Recovery Funds in the amount of \$83,460, and approval of respective budget amendment. – A. L. Garcia

The Mission Fire Department was seeking to enter an Interlocal Agreement between the County of Hidalgo, Texas, and the City of Mission for the establishment of an Emergency Services Paramedic Program using Hidalgo County American Rescue Plan Act (ARPA) Recovery Funds.

Hidalgo County ARPA Funds in the amount of \$83,460 would be allocated to the City of Mission to cover 50% of Paramedic training costs and would be made available to other municipalities within the County. The funding allocated would provide coverage of 50% of program costs for 26 participants in the Paramedic Program provided by Texas EMS School at a per-student cost of \$6,420 (or \$3,210 with County subsidy). The first round of Paramedic training would begin in May 2024 and will host 14 students, 6 with the City of Mission and 8 with other municipalities. The Interlocal Agreement would allow the City of Mission to acquire a 50% reduction in training costs and the City of Mission would be reimbursed for all other participating organization costs via Hidalgo County and reimbursements from participating organizations.

A budget amendment was needed to recognize incoming revenue from (1) the Interlocal for a Paramedic training course occurring on May 2024 for 14 participants in the amount of \$44,940 (50% of program cost for 14 participants) and (2) reimbursements from participating municipalities of \$25,680 (50% of program costs of 8 participants from other municipalities). The remaining \$38,520 ARPA Funds allocated from the Hidalgo County Interlocal for the remaining 12 participants would be used in the subsequent fiscal year thereby not included in this budget amendment. Additionally, the budget amendment did not include the 50% share for the City of Mission's 6 participants (\$19,260) given that it was budgeted in the current fiscal year. The City of Mission would not incur additional costs for other municipalities and will receive 50% off program costs for its participants.

23. Authorization to accept the 2024 STEP Click It or Ticket Mobilization Grant from the Texas Department of Transportation – Torres

The Mission Police Department was requesting authorization to accept the 2024 STEP Click It or Ticket Mobilization Grant from the Texas Department of Transportation. The grant award amount was \$5,019.14 and would be utilized for traffic (seat belts & child safety seats) enforcement purposes. There was a 21.10% match of \$1,059.14 required by the City of Mission.

24. Approval of Resolution #1903 Regarding Waterline Access Agreement with Sharyland Water Supply within City of Mission's ETJ for Jose Juan Gonzalez Vela & Eloisa Cantu Gonzalez – Lot 23, La Homa Groves Subdivision Unit No. 6 – De Luna

The proposed Lot 23, La Homa Groves Subdivision Unit No. 6 was located near the northwest corner of La Homa Road and W. 5 Mile Road within the service area of the Sharyland Water Supply Corporation and within the City of Mission's ETJ.

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

RESOLUTION NO. 1903

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND JOSE JUAN GONZALEZ VELA & ELOISA CANTU GONZALEZ – LOT 23, LA HOMA GROVES SUBDIVISION UNIT NO. 6

25. Approval of Resolution #1904 to surplus machinery and equipment – A. Garcia

The Surplus Resolution attached lists 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 will be disposed. Finance Department was requesting authorization to surplus the attached list of machinery and equipment.

RESOLUTION NO. 1904

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

Mayor Pro Tem Plata moved to approve all consent agenda items 12 thru 25 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS

26. Preliminary Plat Approval: Stewart Cove Phase II Subdivision, A 2.97 acre tract of land out of the South 24.44 acres of Lot 26-12, West Addition to Sharyland, R-1A, Developer: Aaron H. Balli, Jr., Engineer: Hinojosa Engineering, Inc., - De Luna

On May 1, 2024, the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Stewart Cove Phase II Subdivision. The subject site was located on the southwest corner of N. Stewart Road and Solar Drive. 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: Stewart Cove Phase II Subdivision, A 2.97 acre tract of land out of the South 24.44 acres of Lot 26-12, West Addition to Sharyland,

R-1A, Developer: Aaron H. Balli, Jr., Engineer: Hinojosa Engineering, Inc. Motion was seconded by Councilman Vela and approved unanimously 5-0.

27. Preliminary Plat Approval: The Heights at Inspiration Subdivision Phase I, Being 9.277 acres out of Lot 35-1, West Addition to Sharyland, Suburban ETJ, Developer: Gustavo Cavazos, Engineer: MAS Engineering, LLC, - De Luna

On May 1, 2024, the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for The Heights at Inspiration Subdivision Phase I. The subject site was located on the east side of Inspiration Road 2/3 of a mile north of West Mile 3 Road. 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: The Heights at Inspiration Subdivision Phase I, Being 9.277 acres out of Lot 35-1, West Addition to Sharyland, Suburban ETJ, Developer: Gustavo Cavazos, Engineer: MAS Engineering, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

28. Preliminary Plat Approval: Springwood Manor Estates, A 2.00 acre tract of land out of the north 15.94 acres of Lot 211, John H. Shary Subdivison, R-1T, Developer: RGV Villa Development, LLC, Engineer: Trimad Consultants, LLC, - De Luna

On May 1, 2024, the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Springwood Manor Estates. The subject site was located along N. Stewart Road approximately 850' north of Bus Hwy 83. 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: Springwood Manor Estates, A 2.00 acre tract of land out of the north 15.94 acres of Lot 211, John H. Shary Subdivison, R-1T, Developer: RGV Villa Development, LLC, Engineer: Trimad Consultants, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

29. Discussion and action to nominate and appoint a Mayor Pro-Tem in accordance with Section 3.05 of the City Charter – Carrillo

In accordance with Section 3.05 of the City Charter, the City Council, at its first meeting after election of Councilpersons, shall elect a Mayor Pro-Tem to perform all the duties of the Mayor in the absence and disability of the Mayor.

Staff and City Manager recommended approval.

Mayor Garza moved to nominate and appoint Ruben Plata as Mayor Pro-Tem in accordance with Section 3.05 of the City Charter. Motion was seconded by Councilman Vela and approved unanimously 5-0.

30. Reschedule Monday, May 27, 2024 City Council regular meeting to Tuesday, May 28, 2024 due to City Hall being closed for Memorial Day holiday – Carrillo

The office of the City Manager was requesting to reschedule the Monday, May 27, 2024 City Council regular meeting to Tuesday, May 28, 2024 due to City Hall being closed on Monday, May 27 for Memorial Day Holiday.

Staff and City Manager recommended approval.

Councilman Vela moved to Reschedule Monday, May 27, 2024 City Council regular meeting to Tuesday, May 28, 2024 due to City Hall being closed for Memorial Day holiday. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

31. Approval of Ordinance No. 5485 of the City Council of the City of Mission, Texas allowing for the release of information made confidential by Subsection 143.089(g) of the Texas Local Government Code, to the City Manager and the City Attorney of the municipality with the consent of the governing body – Flores

Subsection 143.089(g) of the Texas Local Government Code designated certain information as confidential, but it also allowed for the release of this confidential information under specific conditions. One such condition was with the consent of the governing body of the municipality. This meant that if the governing body agreed, the confidential information could be shared with the City Manager and the City Attorney of the municipality.

This provision recognized that there may be instances where the City Manager and the City Attorney need access to this confidential information in order to fulfill their duties effectively. By allowing the governing body to grant consent, it ensured that the release of confidential information was done in a controlled and authorized manner, with due consideration given to the sensitivity of the information and the responsibilities of those who require access to it.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve of Ordinance No. 5485 of the City Council of the City of Mission, Texas allowing for the release of information made confidential by Subsection 143.089(g) of the Texas Local Government Code, to the City Manager and the City Attorney of the municipality with the consent of the governing body. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5485

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
ALLOWING FOR THE RELEASE OF INFORMATION MADE CONFIDENTIAL BY
SUBSECTION 143.089(g) OF THE TEXAS LOCAL GOVERNMENT CODE, TO THE
CITY MANAGER AND THE CITY ATTORNEY OF THE MUNICIPALITY WITH THE
CONSENT OF THE GOVERNING BODY

32. Approval of Third Amendment to the Interim Administrative Services Agreement with Mission Tax Reinvestment Zone/ Mission Redevelopment Authority and the City of Mission, and respective budget amendment – T. Garcia

The TIRZ Board of Directors had approved the third amendment to interim administrative services by the City Manager's Office. The TIRZ would compensate the City of Mission \$9,300 per month during the term of the agreement, increased from the previous amount of \$6,000 per month, for the cost of providing said services and support. Second Amendment was to be effective through September 30, 2024. Amendment was approved by the MRA/TIRZ Board on April 23, 2024.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Third Amendment to the Interim Administrative Services Agreement with Mission Tax Reinvestment Zone/ Mission Redevelopment Authority

and the City of Mission, and respective budget amendment. Motion was seconded by Councilman Vela and approved unanimously 5-0.

33. Approval of Lease Agreement with Mission Redevelopment Authority/TIRZ #1 for the building located at 1301 E. 8th Street. – T. Garcia

The Mission Redevelopment Authority (MRA)/TIRZ #1 Board recently acquired the building located at 1301 E. 8th Street, Mission, TX 78572. Staff was seeking approval of a Lease Agreement with MRA/TIRZ #1 to lease a portion of the building located at 1301 E. 8th Street, Mission, TX 78572. The City was seeking to utilize the leased space to locate City personnel. The MRA/TIRZ #1 will lease the building to the City of Mission for a total annual lease cost of \$1/year. The base term for this lease would be from the effective date to December 31, 2030, TIRZ #1 "End of Life"/Maturity Date, eligible for an additional co-terminus extension upon the condition of a TIRZ #1 life extension. The City of Mission would be responsible for utilities, minor repairs, and housekeeping expenses, and the MRA/TIRZ #1 would be responsible for any major repair work to include any alterations or improvements that would add additional value to the MRA/TIRZ #1-owned property. The City of Mission would be responsible for the coordination and procurement of such alterations and improvements, but all work will be reimbursable by the MRA/TIRZ #1 and would be accompanied by a Reimbursement Agreement. Any alterations and improvements to be covered by MRA/TIRZ #1 were to include costs related to design and construction management. MRA would be responsible for the insurance costs of the building. The Mission Redevelopment Authority approved the lease agreement on April 23, 2024.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Lease Agreement with Mission Redevelopment Authority/TIRZ #1 for the building located at 1301 E. 8th Street. Motion was seconded by Councilman Vela and approved unanimously 5-0.

34. Authorization to execute a Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority for the design and construction management of American Disabilities Act compliance, and other improvements related to the building located at 1301 E. 8th Street, and approval of respective budget amendment. – T. Garcia

The public improvements consisted of the design and construction management of an elevator and necessary American with Disabilities Act (ADA) standard improvements at the property leased to the City by the Authority located at 1301 E. 8th Street. The project cost shall be the actual design costs of the Public Improvements that are eligible for financing by the Authority, in an amount not to exceed \$16,000.00. The Reimbursement Agreement was approved by the MRA on April 23, 2024. A budget amendment was required to recognize revenue from the TIRZ reimbursement agreement and the cost of design and architectural services.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to execute a Reimbursement Agreement between the City of Mission and Mission Redevelopment Authority for the design and construction management of American Disabilities Act compliance, and other improvements related to the building located at 1301 E. 8th Street, and approval of respective budget amendment. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

35. Authorization to engage CG5 LLC Architects for project design development services and construction management/ADA structure assessment services for the

newly acquired Mission Redevelopment Authority/TIRZ #1, building located at 1301 E. 8th Street, in accordance with the approved Reimbursement Agreement – T. Garcia

The Mission Redevelopment Authority/TIRZ #1 Board recently acquired the building located at 1301 E. 8th Street, Mission, TX 78572. Staff was seeking authorization to execute a contract with CG5 LLC for project design development services and construction management for the building at 1301 E. 8th Street, Mission, TX 78572 in accordance with the Texas Professional Services Procurement Act (Texas Government Code Sec. 2254.001) The Reimbursement Agreement was approved by the MRA on April 23, 2024. The city as seeking to assess the structure and determine the feasibility of installing an elevator and other accessibility requirements in order to meet the American with Disabilities Act (ADA) standards. In addition to engaging CG5 LLC, staff would also adhere to the city's procurement process for the related work. The MRA/TIRZ #1 would reimburse the City of Mission for costs associated with the engagement and construction of the ADA requirements via the Reimbursement Agreement. After negotiations with CG5 LLC, in accordance with Texas Government Code Sec. 2254.004 (a) (2) "Contract for Professional Services of Architect, Engineer, or Surveyor," a fair and reasonable fixed percentage rate of 8% of the Total Construction Cost (estimated at \$200,000) was agreed upon. Attached you would find the proposed agreement.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to engage CG5 LLC Architects for project design development services and construction management/ADA structure assessment services for the newly acquired Mission Redevelopment Authority/TIRZ #1, building located at 1301 E. 8th Street, in accordance with the approved Reimbursement Agreement. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

36. Authorization to approve Change Order #7 for Taylor Rd Phase 1 for the City of Mission – Bocanegra

The City of Mission was seeking authorization to approve Change Order #7 of the Taylor Rd Phase 1.

CO#7 Due to existing lines and structures in conflict as well as the feasibility of proposed work, contractor was not able to install a proposed manhole on the storm drain line within an existing easement towards the proposed outfall as per original plans and specifications. CO #7 called for the construction of a CIP 10'X10' junction box on the proposed storm drain line at STA 2+00 on the contract. Contract price would increase by \$45,325.20 and an additional 14 days. City Staff was recommending Change Order for the total contract amount of \$6,059,449.71 and 301 working days with all approved Change Orders.

Staff and City Manager recommended approval.

Councilman Vela moved to approve Change Order #7 for Taylor Rd Phase 1 for the City of Mission. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

37. Authorization to accept grant award for the FY24-25 Regional Solid Waste Grant Program with the LRGVDC -Elizalde

The Mission Sanitation Department had been awarded a grant with the Lower Rio Grande Valley Development Council for the FY2024-2025 Regional Solid Waste Grant Program. The total grant award 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 city would support a 10% match for a total of \$3,000. This would bring the total project cost to \$33,000.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to accept grant award for the FY24-25 Regional Solid Waste Grant Program with the LRGVDC. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

38. Adoption of Fee Waiver and Discounted Rate Policy for the Mission Event Center - A. Lerma

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

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

The different fee waivers or discounted rates included:

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

Eligibility for 20% Discounted Rate – included discount only on the room rental fees.

Organizations will be responsible for all other applicable fees (equipment fees, service fees, and refundable damage deposit fee). Under this discounted rate, non-profits, government agencies, or educational institutions may host revenue-generating events or provide trainings, seminars and meetings for their members.

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

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

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

Staff and City Manager recommended approval.

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

39. Authorization to terminate Master Agreement for Professional Services with S&B Infrastructure pertaining to the Environmental Clearance, Traffic Engineering Study and Feasibility Study for the City of Mission and engage R.R.P. Consulting Engineers, LLC to provide services – Terrazas

Master Services Agreement was entered on April 12, 2021 with S&B Infrastructure pertaining to the Environmental Clearance, Traffic Engineering Study and Feasibility Study for the City of Mission Madero Multimodal International Bridge. RRP Consulting Engineers, LLC (RRP) had recently acquired select assets from the transportation and public works business lines previously managed by S&B Infrastructure, LTD., (S&B). Because of this acquisition, S&B had withdrawn from the relevant markets and would no longer have the capacity to fulfill the obligations outlined in the contract with the City of Mission. RRP had been given the authority by S&B to coordinate the termination of the subject contract on their behalf.

RRP had retained the same group of professionals that were at S&B, and are qualified to perform this work. RRP was fully prepared to provide the expertise and support necessary for the timely and efficient execution of the Environmental Clearance Traffic Engineering Study & Feasibility Study.

Staff and City Manager recommended approval.

Mayor Garza requested to discuss this item in executive session to address questions with the city attorney.

Item was discussed on Tuesday, May 14, 2024 after the council reconvened the recessed meeting of Monday, May 13, 2024.

Councilwoman Ortega moved to terminate Master Agreement for Professional Services with S&B Infrastructure pertaining to the Environmental Clearance, Traffic Engineering Study and Feasibility Study for the City of Mission and engage R.R.P. Consulting Engineers, LLC to provide services. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 3-0.

Councilman Vela and Councilwoman Gerlach were not present during motion.

40. Authorization to Lease Four (4) 2024 Tahoes 4x2 PPV and (1) 2023 Dodge Durango Pursuit AWD from D&M Leasing Company (Buyboard #652-21) in the amount of \$435,376.52, and respective budget amendment – Torres

The Mission Police Department was seeking authorization to lease four (4) 2023 Chevy Tahoes 4x2 PPV and (1) 2023 Dodge Durango Pursuit AWD for the Mission Police Department fleet from D&M Leasing Company (Buyboard contract #652-21). The (4) 2023 Chevy Tahoes would be leased for a 36-month term and (1) 2023 Dodge Durango Pursuit AWD would be leased for a 60-month period. Monthly debt service (including principal and interest) would be \$10,870.05. The purchase cost amount was \$435,376.52. This expenditure would derive from Asset Forfeiture funds for the 2023/2024 FY.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Lease Four (4) 2024 Tahoes 4x2 PPV and (1) 2023 Dodge Durango Pursuit AWD from D&M Leasing Company (Buyboard #652-21) in the amount of \$435,376.52, and respective budget amendment. Motion was seconded by Councilman Vela and approved unanimously 5-0.

41. Authorization to terminate contract for OpenGov Budgeting and Planning Software by Carahsoft Technology Corp via DIR Contract (DIR-TSO-3926) – A. Garcia

Staff was seeking authorization to provide a 30-day termination notice for the OpenGov Budgeting and Planning Software by Carahsoft Technology Corp via DIR Contract (DIR-TSO-3926). The current contract resulted in a \$41,380.94 recurring cost annually. After conducting

an assessment of the software against our existing Tyler Tech Budgeting product, it had been determined that Tyler Tech can provide a similar value with unused functionality. This contract would provide a savings of approximately \$12,609.15 for the current 2023/2024 fiscal year if notice was provided by May 14, 2024. Subsequent year savings would be \$41,380.94.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to terminate contract for OpenGov Budgeting and Planning Software by Carahsoft Technology Corp via DIR Contract (DIR-TSO-3926). Motion was seconded by Councilman Vela and approved unanimously 5-0.

UNFINISHED BUSINESS

42. TABLED 04/22/2024 - 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

43. TABLED 04/22/2024 - Ordinance # _____ approval to amend Ordinance #5403 rescinding Eight (8) Positions from the Classified Position of Patrolman for FY 2023-24 – J. Lerma

Mayor Pro Tem Plata moved to untable items 41 and 42. Motion was seconded by Councilman Vela and approved unanimously 5-0.

No action was taken on these items.

ROUTINE MATTERS

City Manager Comments - Vietnam Monument Dedication Ceremony at Rio Grande Valley State Veterans Cemetery on Saturday, May 18, 2024 at 11:00 am, Spring Community Roundup at 1400 S. Conway Saturday, May 18, 2024 at 8:00 am – 12:00 pm, Fire Department – Fire Station No. 4 – Open House & Medic 4 Presentation Fire Station No. 4 – 3408 N. Inspiration Road on May 21, 2024 at 2:00 pm, Mental Health Awareness Event at Mission Event Center on May 22, 2024 at 6:00 pm, RGV State Veterans Cemetery Memorial Day Service at Rio Grande Valley State Veterans Cemetery on May 27, 2024 at 9:00 am, The City of Mission offices will be closed May 27, 2024 in observance of Memorial Day

City Council Comments – Councilwoman Ortega congratulated Mayor Pro Tem Plata and Councilman Vela on their reelection. She also wished JP Terrazas a happy birthday and thanked Mayor Garza for having Mental Health Awareness events. Mayor Pro Tem Plata would like to see an update on Fire Station No. 6. Councilwoman Gerlach wanted to congratulate both Mr. Plata and Mr. Vela. She also encouraged everyone to take advantage of Saturday's Spring Round Up event. Councilman Vela thanked everyone for the well wishes.

Mayor's Comments – No Comments.

At 5:52 p.m., Councilwoman Gerlach moved to convene into Executive Session on item 39 of the agenda and Executive Session items. Motion was seconded by Councilman Vela and approved unanimously 5-0.

At 7:24 p.m., Councilwoman Ortega moved to recess the meeting until 4:45 p.m. on Tuesday, May 14, 2024. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

Councilwoman Gerlach was not present at the May 14, 2024 meeting.

At 4:46 p.m. on Tuesday, May 14, 2024 Councilwoman Ortega moved to convene into Executive Session on item 39 of the agenda and Executive Session items. Motion was seconded by Councilman Vela and approved unanimously 4-0.

At 6:23 p.m., Mayor Pro Tem Plata moved to recess the meeting to meet with the Citizens Advisory Committee. Motion was seconded by Councilman Vela and approved unanimously 4-0.

At 6:23 p.m. after meeting with the Citizens Advisory Committee Mayor Pro Tem Plata moved to convene into Executive Session to finalize the discussion. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

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) Leave of Absence of Assistant Municipal Court Judge
3. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters), discussion regarding interviews of City Attorney candidates.
4. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters), discussion regarding Finance Director candidates.
5. 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.
6. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) Discussion of ownership and deeds related to Shary Municipal Golf Course.
7. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to pending litigation; specifically, City of Mission v. Performance Services, Inc dba Performance Services of Texas, Inc. (13th Court of Appeals, Cause No. 13-22-00485-CV, Trial Court (139th District Court) Cause No. C-1712-22-C)
8. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) and Section 551.087 (Economic Development Negotiations) related to proposed economic incentives for Project Ocean.

Councilman Plata stepped out of the meeting at 7:32 p.m. on Monday, May 13, 2024.

Councilman Vela stepped out of the meeting at 7:39 p.m. on Monday, May 13, 2024

Upon conclusion of Executive Session at 7:44 p.m., Councilwoman Ortega moved to recess until 4:45 p.m. on Tuesday, May 14, 2024. Motion was seconded by Councilwoman Gerlach and approved unanimously 3-0.

Councilman Vela stepped out of the meeting at 6:23 p.m. on Tuesday, May 14, 2024.

Upon conclusion of Executive Session at 7:20 p.m., on Tuesday, May 14, 2024 Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

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 Leave of Absence of Assistant Municipal Court Judge

No Action

3. Action, if any regarding interviews of City Attorney candidates.

Councilwoman Ortega moved to job offer candidate chosen as discussed in executive session. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 3-0.

4. Action, if any regarding Finance Director candidates.

No Action

5. 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.

No Action

6. Consideration and action, if any related to ownership and deeds regarding Shary Municipal Golf Course.

No Action

7. Consideration and action, if any related to pending litigation; specifically, City of Mission v. Performance Services, Inc dba Performance Services of Texas, Inc.

No Action

8. Consideration and action, if any, related to economic incentives for Project Ocean

Mayor Pro Tem Plata moved to approve the Letter of Intent between City of Mission and Miles2Points, LLC and City of Mission and Brownsville Investment LLC. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

ADJOURNMENT

At 7:23 p.m., on Tuesday, May 14, 2024, Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary