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## **MINUTES**

### **PRESENT:**

Norie Gonzalez Garza, Mayor via Zoom  
Ruben D. Plata, Mayor Pro-Tem  
Jessica Ortega, Councilwoman  
Marissa Ortega-Gerlach, Councilwoman  
Alberto Vela, Councilman  
Patricia A. Rigney, City Attorney  
Mike R. Perez, City Manager  
Anna Carrillo, City Secretary

### **ABSENT:**

### **ALSO PRESENT:**

Travis Valadez  
Connie Garza  
Cesar Gutierrez  
Candace Rodriguez  
Karen Prewitt  
Ronnie Ontiveros  
Dr. Sudershan Pasupuleti

### **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  
Vidal Roman, Finance Director  
Alex Hernandez, Assistant Planning Director  
Noemi Munguia, HR Director  
Robert Hinojosa, Director of Organizational Dev.  
Abram Ramirez, IT Director  
Abel Bocanegra, P.E., City Engineer  
Cesar Torres, Chief of Police  
Yenni Espinoza, Library Director  
Kenia Gomez, Media Relations Director  
Brad Bentsen, Parks & Recreation Director  
Ezeiza Garcia, Asst. Finance Director  
Kenneth Martinez, Police Officer  
Veronica Longoria, Police Officer  
Joel Chapa, Police Officer  
Patricio Martinez, Planning Department  
Ignacio Salazar, Water Plant  
Ralph De La Rosa, Water Plant Supervisor

## **REGULAR MEETING**

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

With a quorum being present, Mayor Pro Tem Ruben Plata called the meeting to order at 4:31 p.m.

### **INVOCATION AND PLEDGE ALLEGIANCE**

Councilman Alberto Vela led the invocation and Pledge of Allegiance.

## **DISCLOSURE OF CONFLICT OF INTEREST**

Mayor Pro Tem Ruben Plata filed a conflict of interest regarding executive session item #2.

## **PRESENTATIONS**

### **1. Proclamation - Age Friendly Rio Grande Valley Initiative – Carrillo**

Councilwoman Jessica Ortega moved to approve the Proclamation – Age Friendly Rio Grande Valley Initiative. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **2. Proclamation - National Homeownership Month – Longoria**

Councilwoman Ortega moved to approve the Proclamation – National Homeownership Month. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **3. April 2024 Employee of the Month – Munguia**

Noemi Munguia, Human Resources Director, presented Mr. Ignacio Salazar, Chief Water Plant Operator as the Employee of the Month for the month of April. Mr. Salazar was nominated by Mr. Ralph De La Rosa for his outstanding customer service and his hard work and dedication. Mr. Salazar was always assisting employees and provided them with additional training. He was also very patient and provides external customers with excellent service as well.

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

Candace Rodriguez, Greater Mission Chamber of Commerce Communications Director, spoke about upcoming events such as: UTRGV SBDC: Language of Business webinar on June 13<sup>th</sup>, Joint Mixer at Elivated Drip Spa on June 20<sup>th</sup>, Coffee, Croissants and Commerce on June 25<sup>th</sup>, Ribbon Cutting for Lendmark Financial Services on June 26<sup>th</sup>, UTRGV SBDC: Using Social Media to Boost Sales webinar on June 26<sup>th</sup>, Buenas Tardes Luncheon on August 14<sup>th</sup>, and the annual Member Awards Banquet on October 3<sup>rd</sup>. Ms. Rodriguez also stated that board nominations were open with four seats available on the board, three of which board members were running for re-election. She also mentioned that they would be having a summer intern from UT Austin that would be helping them.

### **5. Departmental Reports – Perez**

Councilwoman Ortega moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 5-0.

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

None

## **PUBLIC HEARING**

## **PLANNING & ZONING RECOMMENDATIONS**

None

## **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*

**7. Approval of Minutes – Carrillo**

Regular Meeting – May 28, 2024

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

Citizens Advisory Committee – April 23, 2024, April 30, 2024 and May 14, 2024

**9. Authorization to Solicit for bids for Chlorine Gas chemical for the Public Works Department North and South Water Treatment Plants – Bocanegra**

Staff was seeking authorization to solicit bids for the purchase of Chlorine Gas for Public Works. Chlorine Gas was needed by the Public Works Department as part of the Water Treatment Process

**10. Approval of Resolution # 1907 of the City of Mission, Texas finding that AEP Texas Inc.'s requested increase to its electric transmission and distribution rates and charges within the city should be denied – Flores**

On February 29, 2024, AEP Texas Inc. filed an application with cities retaining original jurisdiction seeking to increase system-wide distribution rates by \$100.4 million per year (an increase of 13.1%), and increase to system-wide transmission rates by \$63.1 million (a decrease of 9.29%). According to AEP Texas, the impact of this approval on an average residential customer would be an increase of about \$4.59 per month.

In a prior City action, AEP Texas' rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with Cities Served by AEP Texas, to determine that the proposed rate increase was unreasonable. Consistent with the recommendations of experts engaged by Cities, AEP Texas' request for a rate increase should be denied.

**RESOLUTION NO. 1907**

A RESOLUTION OF THE CITY OF MISSION TEXAS FINDING THAT AEP TEXAS INC.'S REQUESTED INCREASE TO ITS ELECTRIC TRANSMISSION AND DISTRIBUTION RATES AND CHARGES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL

**11. Approval of Resolution # 1908 of the City of Mission, Texas suspending the July 12, 2024 effective date of the proposal by Texas Gas Service Company – Rio Grande Valley Service Area, to implement interim GRIP rate adjustments for utility investment in 2023 – Flores**

On May 13, Texas Gas Service Company made Interim Rate Adjustment or "GRIP" filings with the cities in its Rio Grande Valley Service Area. The Company was seeking recovery of \$3,654,076 in invested capital. The current filing would increase rates to residential customers by \$3.03 per month. This would increase the current residential customer charge from \$18.00 to \$21.03 per month.

The increase was currently scheduled to go into effect on July 12, 2024.

Under the GRIP statute, cities may not challenge the Company's request. Approval of the Resolution will suspend the effective date of the rate increase by 45 days.

**RESOLUTION NO. 1908**

A RESOLUTION BY THE CITY OF MISSION, TEXAS SUSPENDING THE JULY 12, 2024 EFFECTIVE DATE OF THE PROPOSAL BY TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC. – RIO GRANDE VALLEY SERVICE AREA, TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2023 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

**12. Authorization to accept the 2024 STEP Operation Slow Down Grant from the Texas Department of Transportation – Torres**

The Mission Police Department was requesting authorization to accept the 2024 STEP Operation Slow Down Grant from the Texas Department of Transportation. The grant award amount was \$5,019.14 and would be utilized for traffic (speeding and hazardous driving) enforcement purposes. There was a 21.10% match of \$1,059.14 required by the City of Mission.

**13. Approval of Resolution # 1909 to Amend Resolution # 1902 authorizing the Finance Director as an Authorized Representative for Texas Local Government Investment Pool (TexPool) – Roman**

Approval is requested to amend Resolution # 1902 authorizing the new Finance Director to serve as an Authorized Representative on the Texas Local Government Investment Pool (TexPool). Approval is sought to add the following authorized representatives:

- Finance Director – Vidal Roman

**14. Approval of Resolution # 1910 of the City Council of the City of Mission declaring certain city property surplus and authorizing the disposition of said property to further a public purpose – Roman**

The Surplus Resolution listed items staff had determined were no longer of use to the city. This request was to authorize the surplus of (16) leased units that would be released back to D&M Leasing for action. All other surplus items would be sold at online auction and those items with no resale value would be disposed.

**RESOLUTION NO. 1910**

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

**15. Amend contract for construction of disaster shelter concrete pad and carport – A.L. Garcia**

The City of Mission awarded bid to JAX Construction for construction of disaster shelter concrete pad and carport on April 22, 2024 and issued Notice of Award on April 28, 2024. This amendment would include requirements for Davis Bacon Act as an addition to the Terms and Conditions set forth on BID NO: 24-317-03-25. Item 67 Payrolls and Basic Records and Item 68 Wage Rates (WD#TX20240255 for Construction of Building published on January 5, 2024).

Councilwoman Ortega moved to approve all consent agenda items 7 thru 15 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Councilwoman Ortega stepped out of the meeting at 4:54 p.m.

## APPROVALS AND AUTHORIZATIONS

**16. Final Plat Approval: El Cordero Subdivision, being a 20 acre tract of land out of Lots 25 & 26, Block 15, Texan Gardens Subdivision, Suburban E.T.J., Developer: Pena Chapa Development, Inc., Engineer: South Texas Infrastructure Group - De Luna**

On May 8, 2023 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for El Cordero Subdivision. The subject site was located on Western Road approximately 2,700' north of 6 Mile Line Road. There was no public opposition during the City Council. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilman Vela moved to approve Final Plat Approval: El Cordero Subdivision, being a 20 acre tract of land out of Lots 25 & 26, Block 15, Texan Gardens Subdivision, Suburban E.T.J., Developer: Pena Chapa Development, Inc., Engineer: South Texas Infrastructure Group. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

Councilwoman Ortega rejoined the meeting at 4:56 p.m.

**17. Final Plat Approval: El Crucero III Subdivision, being a resubdivision of a 21.50 acre tract of land out of Lot 18 and 19, Block 11, Texan Gardens Subdivision, Suburban E.T.J., Developer: Pena Chapa Development, Inc., Engineer: South Texas Infrastructure Group - De Luna**

On June 26, 2023 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for El Crucero III Subdivision. The subject site was located on the SW corner of 5 Mile Rd. and Texan Road (Mission Suburban E.T.J.). There was no public opposition during the City Council. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilman Vela moved to approve Final Plat Approval: El Crucero III Subdivision, being a resubdivision of a 21.50 acre tract of land out of Lot 18 and 19, Block 11, Texan Gardens Subdivision, Suburban E.T.J., Developer: Pena Chapa Development, Inc., Engineer: South Texas Infrastructure Group. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**18. Authorization to Lease (2) 2024 Dodge Durango 4WD 4dr Wgn SXT to be used as patrol units and (1) 2024 Dodge Durango 4WD 4dr Wgn SXT to be used as a K9 Unit from D&M Leasing Company (Buyboard #652-21) in the amount of \$243,031.25, and approval of respective budget amendment – C. Torres**

The Mission Police Department was seeking authorization to lease two (2) 2024 Dodge Durango to be used as patrol units and (1) 2024 Dodge Durango to be used as a K9 unit for the Mission Police Department fleet from D&M Leasing Company (Buyboard contract #652-21). The (3) 2024 Dodge Durangos would be leased for a 36-month term. Monthly debt service (including principal and interest) is estimated to be \$7,169.56 pending adjustments in the salvage value of vehicles at end of lease term. The purchase cost amount was \$243,031.25.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize the Lease of (2) 2024 Dodge Durango 4WD 4dr Wgn SXT to be used as patrol units and (1) 2024 Dodge Durango 4WD 4dr Wgn SXT to be used as a K9 Unit from D&M Leasing Company (Buyboard #652-21) in the amount of

\$243,031.25, and approval of respective budget amendment. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**19. Authorization to approve Change Order #8 for Taylor Rd Phase 1 for the City of Mission in the amount of \$19,382.94 – Bocanegra**

The City of Mission was seeking authorization to approve Change Order #8 of the Taylor Rd Phase 1.

Plans called for the installation of a drainage line underneath Rail Road ROW (UPRR) at Bus. 83 and Taylor Rd intersection using jack & bore method. Several other requirements were needed to continue operations. A Geo-Tech report and a risk/settlement analysis determined that existing ground is going to settle for more than 1/8". To avoid settlement of existing ground, contractor would need to inject flowable fill as a precautionary measure. This Change Order would introduce this new line item to properly compensate contractor for the installation of flowable fill and any cost inquired for the installation of it. Contract price would increase by \$19,382.94 and no additional days. City Staff was recommending Change Order for the total contract amount of \$6,078,832.65 and 301 working days with all approved Change Orders.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Change Order #8 for Taylor Rd Phase 1 for the City of Mission in the amount of \$19,382.94. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**20. Approval to enter into Affiliation Agreement Between Texas State Technical College (TSTC) and Mission Fire Department – Garcia**

Approval to enter into an affiliation agreement between Texas State Technical College (TSTC) and the Mission Fire Department. This partnership aimed to enhance the educational and training opportunities for TSTC students and provide mutual benefits to both institutions.

Texas State Technical College (TSTC) was committed to providing hands-on, practical education to prepare students for technical careers. The Mission Fire Department was dedicated to ensuring the safety and well-being of the community through emergency services and public safety education. An affiliation agreement between these two entities would facilitate student internships, practical training, and collaborative initiatives that enhanced educational outcomes and community service.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to enter into Affiliation Agreement Between Texas State Technical College (TSTC) and Mission Fire Department. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**UNFINISHED BUSINESS**

**21. TABLED: 05/28/2024 - Adoption of Fee Waiver and Discounted Rate Policy for the Mission Event Center - A. Lerma**

Item 21 remained tabled.

**ROUTINE MATTERS**

City Manager Comments – Music at Park will be on June 15<sup>th</sup> at Bannworth Park, Donuts with Chief will be on June 21<sup>st</sup>.

City Council Comments – Councilwoman Ortega extended her condolences to Judge Mauro Reyna’s family and also reminded everyone to live life to its fullest and be kind to one another. Mayor Pro Tem Plata introduced the new city attorney Patricia Rigney.

Mayor's Comments – Mayor Garza extended her condolences to the Reyna family and expressed her gratitude for Mr. Reyna’s years of service and dedication. Mayor also mentioned that she was in San Luis Potosi with MEDC staff.

At 5:04 p.m., Councilman Vela moved to convene into Executive Session. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

Mayor Garza left the meeting at 5:53 p.m.

### **EXECUTIVE SESSION**

Upon conclusion of Executive Session at 5:53 p.m., Councilwoman Ortega moved to reconvene the regular meeting. Motion was seconded by Councilman Vela and approved unanimously 4-0.

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Evaluation of City Manager relating to goals and objective

No Action

2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to Black Diamond Developers, LP and CCC Operations, LLC v. City of Mission, Cause No. C-5276-23-D.

Councilwoman Ortega moved to proceed as discussed in executive session related to Black Diamond Developers, LP and CCC Operations, LLC v City of Mission. Motion was seconded by Councilwoman Gerlach and approved 3-0 with Mayor Pro Tem Plata abstaining.

3. Closed session pursuant to Tex. Gov't Code Section 551.087 (Deliberation regarding Economic Development Negotiations) related to 380 Grant Agreement by and between the City of Mission and Points2Miles, LLC.

Councilwoman Ortega moved to approve 380 Grant Agreement by and between the City of Mission and Points2Miles, LLC. Motion was seconded by Councilman Vela and approved unanimously 4-0.

4. Closed session pursuant to Tex. Gov't Code Section 551.087 (Deliberation regarding Economic Development Negotiations) related to 380 Grant Agreement by and between the City of Mission and Brownsville Investments, LLC.

Councilman Vela moved to approve 380 Grant Agreement by and between the City of Mission and Brownsville Investments, LLC. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

5. Closed session pursuant to Tex. Gov't Code Section 551.072 (Deliberation regarding real property) related to Texan Gardens Lot 3, Block 9, 10 AC and Lot 4, Block 9, 10 AC.

Councilman Vela moved to authorize City Manager and Assistant City Manager to visit with Hidalgo County Drainage District and to proceed as discussed in executive session related to Texan Gardens Lot 3, Block 9, 10 AC and Lot 4, Block 9, 10 AC. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

6. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with City Attorney) related to various pending litigation matters to be submitted to external auditors.

No Action

7. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Assistant Municipal Court Judge and possible appointment(s).

Councilman Vela moved to appoint Abiel Flores and Anthony Ortega as Assistant Municipal Court Judges. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

**ADJOURNMENT**

At 5:57 p.m., Councilwoman Ortega moved for adjournment. Motion was seconded by Councilman Vela and approved unanimously 4-0.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary