



## **MINUTES**

### **PRESENT:**

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

### **ABSENT:**

Marissa Ortega-Gerlach, Councilwoman

### **ALSO PRESENT:**

Peter Geddes  
Maria Ester Salinas  
Alma Garcia  
Cayla Garza  
Aaron Balli  
David de los Santos  
Roxanne Mendez  
Brenda Enriquez  
Ana Garza  
Ana Liz Pulido  
Lilibeth Padilla  
Armando Pulido  
Fernando Martinez  
Jennifer Vasquez  
Stephanie Vanderer  
Denise Cruz  
Alicia Cavazos

### **STAFF PRESENT:**

David Flores, Asst. City Manager  
Juan Pablo Terrazas, Asst. City Manager  
Andy Garcia, Asst. City Manager  
Adrian Garcia, Fire Chief  
Steven Kotsatos, Health Director  
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  
Jose Luis Silva, Internal Auditor  
Gabriel Ramirez, Subdivision Coordinator

## **REGULAR MEETING**

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

With a quorum being present, Mayor Norie Gonzalez Garza 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**

Mayor Garza filed a conflict of interest regarding executive session item # 6.

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

## PRESENTATIONS

### 1. Recognition of Ana Liz Pulido - James Beard Award Best Chef in Texas – Gomez

Kenia Gomez, Media Relations Director recognized Ana Liz Pulido owner of Ana Liz Taqueria who won the James Beard Award for best Chef in Texas. The JBF Awards honor excellence across the culinary industry from fine dining to casual small businesses in local communities, and annually recognize food industry leaders from across the country. Ana Liz Taqueria takes pride in its authentic Mexican food and tortillas made from scratch using fresh masa made in-house.

### 2. Recognition of Nannette Galvan, Boys & Girls Club RGV Region 2024 Youth Professional of the Year – Venecia

Rick Venecia, Boys and Girls Club Director recognized Nannette Galvan, Boys and Girls club RGV Region 2024 Youth Professional of the Year.

### 3. May 2024 Employee of the Month – Munguia

Noemi Munguia, Human Resource Director presented Diego Jimenez, dispatcher with the Mission Fire Department. Mr. Jimenez was nominated by Fernando Alanis, Dispatch Supervisor and Joey Flores. He was nominated for his lifesaving instruction during a life and death situation with an elderly person who was choking.

### 4. Report from the Rio Grande Valley Humane Society - Jennifer Vasquez

Jennifer Vasquez, Interim Executive Director gave an update on the current operations for the Animal Shelter. Over the last month, there were 239 taken in, 120 of these were cats and 119 were dogs, 76 animals were adopted, 8 were reclaimed, 15 were transferred, 16 were returned to the field leaving the shelter at a rate of 90.38% for the month. Foster placement there were 96 cats, 71 dogs for a total of 167. A vaccine clinic was held for a total of 383.

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

Brenda Enriquez, Greater Mission Chamber of Commerce President, spoke about upcoming events such as: 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>. Nominations were currently being accepted for business of the year.

### 6. Departmental Reports – Perez

Mayor Pro Tem Ruben Plata moved to approve the departmental reports as presented. Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

### 7. Citizen's Participation – Garza

None

## PUBLIC HEARING

### 8. Proposed Annual Action Plan FY 2024-25 – Longoria

The U.S. Department of Housing and Urban Development (HUD) required local jurisdictions to prepare and submit an Annual Action Plan in order to receive federal funds through the Community Development Block Grant Program (CDBG). The Annual Action Plan described the activities that would be undertaken with CDBG funds in furtherance of the objectives set forth in the CPS 2023-27 and in consideration of a change to the CPS to address its strategic direction,

priorities and goals, to impact more residents by re-allocating funds toward infrastructure improvements opposed to housing rehabilitation and homeownership assistance. The draft of this document was available at the Community Development Office and the City's official website.

In accordance with the Citizen Participation Plan, the Citizens Advisory Committee made their recommendations for the Annual Action Plan during a meeting held on May 28, 2024. A notice of public hearing was published in the Progress Times on June 7, 2024 to announce two public hearings and thirty-day comment period to solicit input on the proposed projects for the Annual Action Plan 2024-25. The 2024 CDBG Allocation is \$980,555. The purpose of this public hearing was to solicit public comment on the recommended funding allocations. The department would accept comments through the end of the comment period July 8, 2024.

Emigdio Villanueva requested consideration for the monies to be used for housing projects and not for city projects.

Lenny Garza, Citizens Advisory Committee Chairman stated the committee had studied the requests and he felt they had made the best decisions with the recommendations presented.

No action, public hearing only.

## **PLANNING & ZONING RECOMMENDATIONS**

### **9. Rezoning: Tract 1: The West 20' of Lot 2, and all of Lot 1, Enchanted Valley Subdivision; Tract 2: The West 20' of the East 80' of Lot 2, Enchanted Valley Subdivision, (R-1) Single Family Residential to (C-1) Enchanted Valley Subdivision, Pedro Cruz, Jr., and Adoption of Ordinance # 5493 - De Luna**

On June 19, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately 160' East of Tangelo Street along the south side of E. Griffin Parkway F.M. 495. 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.

Mayor Pro Tem Plata moved to approve Rezoning and Ordinance # 5493 Tract 1: The West 20' of Lot 2, and all of Lot 1, Enchanted Valley Subdivision; Tract 2: The West 20' of the East 80' of Lot 2, Enchanted Valley Subdivision, (R-1) Single Family Residential to (C-1) Enchanted Valley Subdivision, Motion was seconded by Councilman Vela and approved unanimously 4-0.

### **ORDINANCE NO. 5493**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING TRACT 1: THE WEST 20' OF LOT 2, AND ALL OF LOT 1,  
ENCHANTED VALLEY SUBDIVISION; TRACT 2: THE WEST 20' OF THE EAST 80' OF LOT  
2, ENCHANTED VALLEY SUBDIVISION, (R-1) SINGLE FAMILY RESIDENTIAL TO (C-1)  
OFFICE BUILDING

### **10. Rezoning: A 2.850 acre tract being the South 2.85 acres out of Lot 39, Bell Wood Company's Subdivision, (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Aaron H. Balli, Jr., and Adoption of Ordinance # 5510 - De Luna**

On June 19, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site is located approximately 1,288' North of W. Mile 2 Road on the west side of Compton Drive. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to increased traffic congestion, strain on local resources, and added pressure on our already overburdened infrastructure. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

Maria Ester Salinas, spoke against the request citing an overburdened infrastructure with the increase in traffic congestion, strain on local resources.

Stanley Jacobson asked who would be responsible for the widening of the road. Mr. Jacobson was advised this would be addressed during the subdivision process and not the rezoning.

Aaron Balli, developer spoke in favor of the request. He stated he would be making all of the needed improvements if the area was rezoned.

Councilwoman Jessica Ortega stated she had legal questions and requested for this item to be discussed in executive session. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

Mayor Pro Tem Plata moved to approve Rezoning and Ordinance #5510 A 2.850 acre tract being the South 2.85 acres out of Lot 39, Bell Wood Company's Subdivision, (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **ORDINANCE NO. 5510**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A 2.850 ACRE TRACT BEING THE SOUTH 2.85 ACRES OUT OF  
LOT 39, BELL WOOD COMPANY'S SUBDIVISION, (AO-I) AGRICULTURAL OPEN INTERIM  
TO (R-2) DUPLEX-FOURPLEX RESIDENTIAL

#### **11. Conditional Use Permit: Drive-Thru Service Window – Dunkin Donuts, 301 N. Shary Road, Ste. 100, Lot 1, Shary Town Plaza Subdivision, C-3, Lindsey Dumas, and Adoption of Ordinance# 5494- De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 400' north of E. 1<sup>st</sup> Street along the west side of N. Shary Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1) Must comply with all City Codes (Building, Fire, Health, etc.); 2) Installation of a speed bump at the end of the ordering window; 3) Acquisition of a business license prior to occupancy; and 4) CUP not to be transferable to others.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance # 5494 Drive-Thru Service Window – Dunkin Donuts, 301 N. Shary Road, Ste. 100, Lot 1, Shary Town Plaza Subdivision. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5494**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW–  
DUNKIN DONUTS, 301 N. SHARY ROAD, STE. 100, LOT 1, SHARY TOWN PLAZA  
SUBDIVISION

**12. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Xulcan Event Center, 2813 E. Griffin Parkway, Ste. C, Lot 1, Adams Crossing Subdivision, C-3, Atala Izaguirre, and Adoption of Ordinance # 5495 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located near the NW corner of E. Griffin Parkway and Taylor Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval subject to: 1) 2 year re-evaluation at which time the applicant would have to renew their CUP and TABC license; 2) Waiver of the 300' separation requirement from residential homes; 3) Compliance with all City Codes (Building, Fire, Health, and Sign Codes); and 4) CUP not be transferable to others.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance #5495 Sale & On-Site Consumption of Alcoholic Beverages – Xulcan Event Center, 2813 E. Griffin Parkway, Ste. C, Lot 1, Adams Crossing Subdivision. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5495**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR SALE & ON-SITE CONSUMPTION OF  
ALCOHOLIC BEVERAGES – XULCAN EVENT CENTER, 2813 E. GRIFFIN PARKWAY, STE.  
C, LOT 1, ADAMS CROSSING SUBDIVISION

**13. Conditional Use Permit Renewal: Drive-Thru Service Window – Xquinkles Snackland Inspiration, 3009 N. Inspiration Road, Ste. A, Lot C1-A, Taurus Estates #3 Subdivision, C-3, Rosa Maria Uribe, Adoption of Ordinance # 5496 and Wet Zone Ordinance # 5497 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal request. The subject site was located at the NW corner of Inspiration Road and Giselle Street. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1) Continued compliance with all City Codes (Building, Fire, Health, etc.); 2) Compliance with TABC requirements; 3) Waiver of the 300' separation requirement from residential homes; 4) CUP not be transferable to others; and 5) Wet zone property.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance #5496 and Wet Zone Ordinance # 5497 Drive-Thru Service Window – Xquinkles Snackland Inspiration, 3009 N. Inspiration Road,

Ste. A, Lot C1-A, Taurus Estates #3 Subdivision. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5496**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR A DRIVE-THRU SERVICE WINDOW– XQUINKLES SNACKLAND INSPIRATION, 3009 N. INSPIRATION ROAD, STE. A, LOT C1-A, TAURUS ESTATES #3 SUBDIVISION

**ORDINANCE NO. 5497**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING ORDINANCE NO.780 DESIGNATING PLACES WHERE BEER AND OTHER ALCOHOLIC BEVERAGES MAY BE SOLD WITHIN THE CORPORATE LIMITS OF THE CITY OF MISSION TO INCLUDE THE PREMISES LOCATED AT 3009 N. INSPIRATION ROAD, SUITE A – XQUINKLES SNACKLAND INSPIRATION

**14. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – The Bungalows on Shary, 3700 Plantation Grove Blvd., Lots 1 & 2, Sharyland Plantation Grove/Hotel Bungalow, PUD, Cantu Bungalows, LLC, and Adoption of Ordinance # 5498 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal request. The subject site was located on the SW corner of Plantation Grove Blvd. and Santa Lorena. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1) Continued compliance with TABC requirements; 2) No objection to waiver of 300' separation requirement from Las Misiones Apartments; 3) Continued compliance with all City Codes (Building, Fire, Health Codes, etc.) and 4) CUP not to be transferable to others.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance #5498 Sale & On-Site Consumption of Alcoholic Beverages – The Bungalows on Shary, 3700 Plantation Grove Blvd., Lots 1 & 2, Sharyland Plantation Grove/Hotel Bungalow. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5498**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – THE BUNGALOWS ON SHARY, 3700 PLANTATION GROVE BLVD, LOTS 1 & 2, SHARYLAND PLANTATION GROVE HOTEL/BUNGALOW

**15. Conditional Use Permit Renewal: To Keep a Portable Building for Office Use– Medicare-EMS, Services, 511 W. 11th Street, The East tract of Lots 1 & 2, Block 178, Mission Original Townsite, C-4, Medicare-EMS, Inc., and Adoption of Ordinance # 5499 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal request. The subject site was located 200' west of Kika De La

Garza Loop along the south side of W. 11<sup>th</sup> Street. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval subject to: 1) 2 year re-evaluation in order to assess this operation; 2) Continued compliance with all City Codes (Landscaping, maintenance of parking area, etc.) and 3) CUP not transferable to others.

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

David de los Santos spoke in favor of the request.

Mayor Pro Tem Plata moved to approve CUP and Ordinance 5499 To Keep a Portable Building for Office Use– Medicare-EMS, Services, 511 W. 11th Street. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

#### **ORDINANCE NO. 5499**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO KEEP A PORTABLE BUILDING FOR OFFICE  
USE – MEDCARE-EMS, SERVICES, 511 W. 11TH STREET, THE EAST TRACT OF LOTS 1 &  
2, BLOCK 178, MISSION ORIGINAL TOWNSITE

#### **16. Conditional Use Permit: Beauty Salon in a C-1 (Office Building) Zone, 2407 N. Shary Road, Suite B., Lot 2, Joel Ochoa Subdivision (aka Unit “C”, Mezzaluna Condominium), C-1, Clarissa Ordonez, and Adoption of Ordinance# 5500 - De Luna**

On June 19, 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 Fox Run Drive & Shary Road along the north side of Fox Run. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1.)Continued compliance with all City Codes (Building, Fire, etc.) 2.) Acquisition of a business license; and 3.) CUP not be transferable to others.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance # 5500 Beauty Salon in a C-1 (Office Building) Zone, 2407 N. Shary Road, Suite B., Lot 2. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **ORDINANCE NO. 5500**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR A BEAUTY SALON IN A C-1 (OFFICE  
BUILDING) ZONE, 2407 N. SHARY ROAD, SUITE B, LOT 2, JOEL OCHOA SUBDIVISION  
(AKA UNIT “C”, MEZZALUNA CONDOMINIUM)

#### **17. Conditional Use Permit: Home Occupation – 2 Chair Beauty Salon, 804 W. 24th Place, Lot 74, Chaparral Heights Subdivision, R-1, Hermelinda G. Salazar, and Adoption of Ordinance# 5501 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located 150’ west of Holland Road along the north side of 24<sup>th</sup> Place. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1) Continue to comply with the “Home Occupation” regulations; 2) Continue to comply with all City Codes (Building, Fire, etc.); and 3) CUP not transferable to others.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance # 5501 Home Occupation – 2 Chair Beauty Salon, 804 W. 24th Place, Lot 74, Chaparral Heights Subdivision. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5501**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION – 2 CHAIR  
BEAUTY SALON, 804 W. 24<sup>TH</sup> PLACE, LOT 74, CHAPARRAL HEIGHTS SUBDIVISION

**18. Conditional Use Permit: To install 2 level 3 D.C. charger & 2 level 2 chargers (Charging Station’s), 805 E. Expressway 83., Lot 1, Spikes Phase 1 & Lots 2 & 3, Spikes Phase 2, C-3, Spikes, and Adoption of Ordinance# 5502 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately at the northwest corner of E. Expressway 83 and Highland Park along the north side of the Expressway 83. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1) Must comply with all City Codes (Building, Fire, Health, etc.); 2) CUP not be transferable to others.

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

There were no comments.

Mayor Pro Tem Plata moved to approve CUP and Ordinance 5502 To install 2 level 3 D.C. charger & 2 level 2 chargers (Charging Station’s), 805 E. Expressway 83. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5502**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO INSTALL 2 LEVEL 3 D.C. CHARGER & 2  
LEVEL 2 CHARGERS (CHARGING STATION’S), 805 E. EXPRESSWAY 83, LOT 1, SPIKES  
PHASE 1 & LOTS 2 & 3, SPIKES PHASE 2

**19. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Bar-B-Cutie Smokehouse, 2211 E. Griffin Parkway, Suite 100, Elizondo 495 Plaza Subdivision, C-3, Orlando Ochoa, and Adoption of Ordinance# 5503 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located 300’ west of Citrus along the north side of Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval for life of use subject to: 1) Waiver of the 300’ separation requirement from residential neighborhoods; 2) Must continue to comply with all City Codes (Building, Fire, Health, etc.); and 3) CUP not be transferable to others.



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

There were no comments.

Councilman Vela moved to approve CUP and Ordinance 5503 Sale & On-Site Consumption of Alcoholic Beverages – Bar-B-Cutie Smokehouse, 2211 E. Griffin Parkway, Suite 100. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

**ORDINANCE NO. 5503**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – BAR-B-CUTIE SMOKEHOUSE AT 2211 E. GRIFFIN PARKWAY, SUITE 100, ELIZONDO 495 PLAZA SUBDIVISION

**20. Conditional Use Permit: Drive-Thru Service Window – Twisted Sisters, 1500 W. Business 83, Suites 9 & 10, Lot A, Mission Acres, C-3, Ana Rita Garza, Adoption of Ordinance # 5504 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located at the NW corner of Los Ebanos and Business Hwy 83. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval

Staff recommended approval subject to: 1) 3 year re-evaluation to continue to assess this business; 2) Compliance with all City Codes (Building, Landscaping, Fire, etc.); 3) Acquisition of a new business license; and 4) CUP not to be transferable to others.

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

There were no comments.

Councilman Vela moved to approve CUP and Ordinance 5504 Drive-Thru Service Window – Twisted Sisters, 1500 W. Business 83, Suites 9 & 10. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

**ORDINANCE NO. 5504**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW – TWISTED SISTERS, 1500 W. BUSINESS 83, SUITES 9 & 10, LOT A, MISSION ACRES

**21. Discussion and Action to Recommend to the City Council the closure required by Union Pacific Railroad for Leonor Street being approximately 0.09 of a mile East of the intersection of Schuerbach and W. Business Hwy 83 - De Luna**

On February 29, 2024 staff received a request by Melden & Hunt on behalf of the Killam Development for a proposed railroad crossing and (3) road closures for El Milagro Subdivision. Union Pacific Railroad Company requires that for every new railroad crossing there is at least 2 road closures. However, since the proposed new railroad crossing was wider than normal, Union Pacific Railroad is requesting there be 3 road crossing closures. The request before the Board is to consider the closure of the 2800 Block of Leonor Street. This would be the 3rd road crossing closures.

As part of the request the Union Pacific Railroad also requires that the City of Mission enter into an agreement with the Union Pacific Railroad Company for reimbursement of Preliminary Engineering Services. The Killam Development has agreed to cover the \$25,000 fee estimated for this project since the proposal if their own development.

Staff recommends approval

There was public opposition during the P&Z Meeting the concerns voiced were in regards to high traffic congestion during the rush hour and the start during and after school.

A petition was submitted during the meeting, staff was unable to verify petition due to no addresses indicated.

The board unanimously recommended approval.

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

Juan Rodriguez, 2807 Leonor Street spoke against the request voicing concerns in regards to high traffic congestion during the rush hour and the start during and after school.

Maria Ester Salinas, spoke against the request citing the same concerns.

Ruben James de Jesus, P.E. with Melden and Hunt spoke in favor of the request. He stated different options had been looked into and this site was the most feasible.

After further discussion from the council it was requested to recommend other alternative sites.

Councilwoman Ortega moved to table the closure required by Union Pacific Railroad for Leonor Street being approximately 0.09 of a mile East of the intersection of Schuerbach and W.

Business Hwy 83. Motion was seconded by Councilman Vela and approved unanimously 4-0.

## **22. Discussion and Action to Propose Amendment to Appendix A – Zoning, Article X, Section 1.56 – Conditional Use Permits, and Adoption of Ordinance# 5505 - De Luna**

On June 19, 2024 the Planning and Zoning Commission held a Public Hearing to consider the request. Several concerns have been voiced to the Planning Department staff in regards to the following: Signage for Home Occupations, applicants feel they should be allowed a bigger sign like a 4'x4' and percentage and notice requirements on waiver of provisions, applicants feel that percentage and notice requirement is too much. Staff should consider maybe 50% and a 200' radius. There was no public opposition during the P&Z Meeting.

Staff recommended approval

P&Z recommended approval of a 1'1/2 x 1'1/2 sign and amending radius of provisions to a 200' radius instead of the 500' required.

Mayor Garza recommended a 24" x 18" sign with a radius of 200 feet.

Councilman Vela moved to approve Amendment to Appendix A – Zoning, Article X, Section 1.56 – Conditional Use Permits, to 24" x 18" sign with a radius of 200 feet and Adoption of Ordinance# 5505. Motion was seconded by Councilwoman Ortega and approve unanimously 4-0.

## **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*

**23. Approval of Minutes – Carrillo**

Regular Meeting – June 10, 2024

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

Youth Advocacy Advisory Board – May 21, 2024

Boys & Girls Club Board of Directors – May 21, 2024

Mission Economic Development Corporation – April 24, 2024

Mission Redevelopment Authority – April 23, 2024

Mission Tax Increment Reinvestment Zone – April 23, 2024

Zoning Board of Adjustments – February 21, April 10, 2024

**25. Approval of Interlocal Cooperation Agreement between the County of Hidalgo, Texas, and the City of Mission, Texas, on behalf of the Speer Memorial Library in order to provide library services to county residents. – Espinoza**

Hidalgo County and the Hidalgo County Library System (HCLS) annually sign an interlocal agreement in which the 13 municipal libraries agreed to provide services to county residents. In turn, the county budgets annually to provide for the library system. This year, the county budgeted \$237,138. The funds were first used to pay for the Integrated Library System (ILS) which the 13 libraries use to manage borrowers, the collection, and fines. This year, the ILS invoice totaled \$49,932.00. The remaining \$187,206.00 was then divided equally between the 13 HCLS libraries. Each library would be receiving \$14,400.46 in order to help with library operating expenditures, excluding staff, after the signed interlocal was received. In addition, the Speer Memorial Library would receive \$75,000.00 for the payment of Bibliotheca (E-Library project) for library materials, supplies and services, electronic database services, audiovisual equipment, and computer hardware and software for library services for the free use of the City's library by residents of rural areas of the County. This agreement allowed the County to continue to pay and disburse on behalf of Speer Memorial Library for contractual services and library materials.

**26. Approval of Region One Education Service Center (ESC) Memorandum of Understanding (MOU) – Espinoza**

The MOU allowed Region One ESC to use library facilities and Internet services to provide adult education courses free to the public through qualified instructional personnel. Region One personnel will provide instructional materials, supplies, and assessments.

**27. Authorization to extend second and final one year renewal option for the purchase of Flexible Base-Commercial Caliche for the Public Works Department – Bocanegra**

Second & Final One-Year Renewal with Terra Firma; this was the second of two renewal options. The contract terms were for two (2) years with the option to renew for 2 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. 21-335-06-17 from July 9, 2024 thru July 8, 2025.

Flexible Base Commercial Caliche \$11.62/TON, with 5% increase \$12.20/TON

**28. Authorization to Solicit for Bids for Roadside Mowing and Litter Removal Services for the Public Works Department – Bocanegra**

The City of Mission was in contract with RBM Contractors, Inc (Bid No. 22-431-06-23) from July 19, 2023 through July 18, 2024. RBM Contractors would not be renewing contract for Roadside Mowing and Litter Removal Services.

**29. Authorization to execute second and final one-year renewal option with Belmares Lawn Care Service for Palm Tree Trimming – Bentsen**

On August 11, 2023, the City of Mission entered into a contract agreement for the trimming and “skinning” of palm trees on and within city owned properties (Parks/City Facilities) and Right of Ways (ROW) with Belmares Lawn Care Service. Services were to include all supervision, labor, materials, supplies, tools and equipment necessary for the trimming, skinning and disposal of all leaves and shavings. The contract terms were for one, one-year primary with two, one-year renewal options based on a 0% increase for the first and second renewals. Staff was seeking authorization to renew Bid No: 22-466-07-22 for the second and final renewal option with a 0% price increase at an estimated cost of \$12,576.00.

**30. Authorization to enter into an Interlocal Agreement between the City of Mission and the City of Palmview to provide temporary housing for prisoners at a cost of \$54.00 per prisoner, per day – Torres**

The City of Palmview needed services for temporary housing and detention of prisoners awaiting arraignment. The Mission Police Department agreed to make use of the agency’s holding facility for prisoners of the Palmview Police Department, subject to the availability of space based on the facility’s capacity. The temporary housing of prisoners would be at a cost of \$54.00 per prisoner per day. The cost included detention and meal costs. The term of the agreement commenced on June 24, 2024 and ended on June 24, 2025.

**31. Authorization to re-enter into an Interlocal Agreement for the Educational Resource Officer Program between the City of Mission and the Sharyland Independent School District in the amount of \$431,523.39 for the 2024-2025 school year – Torres**

A total of six (6) police officers would be assigned to the Sharyland I.S.D. during the 2024-2025 school year. The total amount of the Interlocal agreement was \$431,523.39 for the purpose of continuing the Educational Resource Officer Program at Sharyland Independent School District.

**32. Authorization to re-enter into an Interlocal Agreement for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District in the amount of \$1,095,087.77 for the 2024 –2025 school year – Torres**

A total of fifteen (15) police officers would be assigned to the Mission C. I.S.D. during the 2024-2025 school year. The total amount of the Interlocal agreement was \$1,095,087.77 for the purpose of continuing the Educational Resource Officer Program at Mission Consolidated Independent School District.

Councilwoman Ortega moved to approve all consent agenda items 23 thru 32 as presented. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**APPROVALS AND AUTHORIZATIONS**

**33. Preliminary Plat Approval: Sonoma Ranch Subdivision, A tract of containing 38.99 acres of land, being a part or portion of Lot 30-9, West Addition to Sharyland, R-1, Developer: Jason E. Garza, Engineer: Javier Hinojosa Engineering - De Luna**

On June 5, 2024 the Mission Planning & Zoning held a Public Hearing to consider the Preliminary & Final Plat Approval for Sonoma Ranch. The subject site was located along the

east side of Mayberry Road approximately 1,320' north of Mile 2. There was no public opposition during the Planning & Zoning Meeting. The Board unanimously recommended approval

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Preliminary Plat Approval: Sonoma Ranch Subdivision. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**34. Approval of Ordinance # 5506 of the City Council of the City of Mission, Texas creating an Audit Committee pursuant to the Charter Amendment approved by voters on May 4, 2024 – Silva**

The purpose of the Audit Committee was to provide independent oversight of the financial reporting processes, internal controls, and audit functions of the municipality, thereby enhancing the accountability and transparency of the municipality's financial operations.

The Audit Committee shall consist of five members to include two City Council members and three members from the community. Members shall be appointed by the Mayor with the approval and consent of the City Council and shall serve for a term of three years. Community members shall have expertise in accounting, finance, or auditing.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance # 5506 of the City Council of the City of Mission, Texas creating an Audit Committee pursuant to the Charter Amendment approved by voters on May 4, 2024. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5506**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION  
CREATING AN AUDIT COMMITTEE PURSUANT TO THE CHARTER AMENDMENT  
APPROVED BY VOTERS ON MAY 4, 2024 ESTABLISHING  
AN AUDIT COMMITTEE

**35. Appointment of two City Council members and three members from the community to the Audit Committee – Carrillo**

The Audit Committee consisted of five voting members to include two City Council members and three members from the community. Members were appointed by the Mayor with the approval and consent of the City Council and served for a term of three (3) years, or until their successors were appointed. Community members should have expertise in accounting, finance, or auditing.

Mayor's recommendation for community members were Efrain Reyna, Joe Vargas and Dr. Charles Austin. City council members Mayor Pro Tem Ruben Plata and Councilwoman Marissa Gerlach.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to Appointment of two City Council members and three members from the community to the Audit Committee. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**36. Approval of Interlocal Agreement between Mission Economic Development Corporation and City of Mission – Roman**

The purpose of this Agreement was to set forth the terms and conditions under which MEDC would make funds available to the City for the undertaking of government functions and implementation of certain projects.

An interest rate would be paid by the City to the MEDC for funds advanced at the annual interest rate offered by TexPool at the time of the effective date of the agreement.

Interest owed to the MEDC will be prorated based on the amount and date of advances to the City. Interest will be calculated on a monthly compounding basis. Calculations will be maintained by the City and provided to the MEDC along with the interest payment by February 28, 2025, unless the City requests a 30-day extension in writing as highlighted in Article III

Approval of funds affected the following accounts:

General Fund – (\$2,000,000 Fund Balance)

General Fund – (\$2,000,000 Due to MEDC)

Staff and City Manager recommended approval

Mayor Pro Tem Plata moved to approve Interlocal Agreement between Mission Economic Development Corporation and City of Mission. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**37. Approval of Ordinance # 5507 allowing for the transfer of funds and respective Budget Amendment(s): General Fund and Capital Projects Fund – Roman**

Budget Amendment - BA 24-11 would be used to allow the Capital Projects Fund to carry out its respective projects for the 2023/2024 Fiscal Year.

General Fund – (-\$514,145 Transfer Out & Fund Balance)

Capital Projects Fund (\$514,145 Transfer In & Retained Earnings)

Capital Projects Account 09-410-74940 – (\$55,128 Other Structures)

Staff and City Manager recommend approval

Councilwoman Ortega moved to approve Ordinance # 5507 allowing for the transfer of funds and respective Budget Amendment(s): General Fund and Capital Projects Fund. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**ORDINANCE NO. 5507**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION ADOPTING A BUDGET AMENDMENT TO THE ORIGINAL OPERATING BUDGET OF THE CITY OF MISSION, TEXAS, FOR THE FISCAL YEAR 2023/2024 AND PROVIDING FOR THE TRANSFER OF FUNDS BETWEEN GENERAL FUND AND CAPITAL PROJECTS FUND

**38. Approval of Ordinance # 5508 allowing the of transfer of funds from the Solid Waste and Utility Fund to the City's General Fund – Roman**

General Fund – (\$2,000,000 Fund Balance)

Utility Fund (\$-1,000,000 Retained Earnings)

Solid Waste Fund – (\$-1,000,000 Fund Balance)

Essential operational expenses, including but not limited to public safety, public health and unforeseen financial obligations that may arise during the fiscal year. Other necessary

expenditures as determined by the City Council to ensure the continued operation and services provided by the City.

The City of Mission shall repay the transferred funds to each Fund no later than last day of February 2025

Staff and City Manager recommend approval.

Councilwoman Ortega moved to approve Ordinance # 5508 allowing the of transfer of funds from the Solid Waste and Utility Fund to the City's General Fund. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **ORDINANCE NO. 5508**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION PROVIDING FOR THE TEMPORARY TRANSFER OF FUNDS FROM THE SOLID WASTE AND UTILITY FUND TO THE CITY'S GENERAL FUND AND PROVIDING FOR THE REPAYMENT OF SUCH FUNDS BY FEBRUARY 2025

#### **39. Acceptance of Quarterly Report of Investments for the Quarter ending December 31, 2023 and Interest Earned for Three Months Ending December 31, 2023 – Roman**

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending December 31, 2023. The total increases to investment balances for the period were \$3,088,211.14 and total decreases were \$4,249,000.00, leaving a total of \$15,177,650.42 in outstanding investments for the quarter ending December 31, 2023. The total interest earned on all funds year to date was \$105,192.76.

This report of the City's investment portfolio was in compliance with State Law and the investment strategy and policy approved by the City Council.

Staff and City Manager recommend approval.

Mayor Pro Tem Plata moved to accept Quarterly Report of Investments for the Quarter ending December 31, 2023 and Interest Earned for Three Months Ending December 31, 2023. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **40. Discussion and Consideration on approval of renewal of the Time Clock Plus (TCP) in the amount of \$58,201.09 for the first year - Roman**

The terms of the original purchase of the TCP program was lapsing and staff was asking for its renewal for a period of three years with the option of renewing for the subsequent two years in 1 year increments. Item was budgeted.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the renewal of the Time Clock Plus (TCP) in the amount of \$58,201.69 for the first year. Motion was seconded by Councilman vela and approved unanimously 4-0.

#### **41. Authorization to approve Change Order #3 for Gabriel Drainage Improvements Project for the City of Mission in the amount of \$2,501.04 – Bocanegra**

The City of Mission was seeking authorization to approve Change Order #3 for Gabriel Drainage Improvements Project for the City of Mission.

Contractor would be adding a Tack Coat & 2-inch Overlay on Girasol St. The amount of this Change Order was \$2,501.04. Therefore, City Staff was recommending Change Order # 3 for the total amount \$2,141,521.41 with approved Change Order.

Staff and City Manager recommend approval.

Mayor Pro Tem Plata moved to approve Change Order #3 for Gabriel Drainage Improvements Project for the City of Mission in the amount of \$2,501.04. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**42. Authorization to award bid for Meter Connect Supplies for the Public Works Department – Bocanegra**

The City of Mission accepted and opened two (2) bid responses for Meter Connect Supplies. Staff recommended awarding to Core & Main who was the lowest responsible bidder meeting all specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one-year base term.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to award bid for Meter Connect Supplies for Public Works Department. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**43. Approval of Ordinance # 5509 of the City Council of the City of Mission Amending Chapter 110, Traffic and Vehicles, Article IX, Miscellaneous Driving Rules, by adding new Section 110.502, Traverse Flooded Street with Vehicle – Terrazas**

Operating vehicles through flooded streets at unreasonable speeds and creating a wake on flooded streets increases the risks of personal injury and damage to properties adjoining such flooded streets. Prohibiting such activity will help to reduce damage to homes and personal property from flooding.

It shall be unlawful for any person to traverse a flooded street in an automobile, truck, boat, or other vehicle or vessel at such speed as to create a wake therein that may or is likely to cause personal injury or damage or increased flooding to the property or premises adjoining such flooded street or streets.

Each violation of this Ordinance would be punishable by a fine not to exceed \$500.00.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Ordinance # 5509 of the City Council of the City of Mission Amending Chapter 110, Traffic and Vehicles, Article IX, Miscellaneous Driving Rules, by adding new Section 110.502, Traverse Flooded Street with Vehicle. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

**ORDINANCE NO. 5509**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION AMENDING CHAPTER 110, TRAFFIC AND VEHICLES, ARTICLE IX, MISCELLANEOUS DRIVING RULES, BY ADDING NEW SECTION 110.502, TRAVERSING FLOODED STREET WITH VEHICLE

**44. Ratification of Los Indios Lift Station emergency repairs in the amount of \$110,000 to the 5125 Company and approval of respective budget amendment – Terrazas**

In accordance with Local Government Code, General Exceptions, Paragraph 252.022 (a)(1)(2) "a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the



municipality” and “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents”, hence staff was seeking authorization as an “Emergency Purchase”.

Sewer backup was being experienced in the Sharyland Plantation area. After evaluating the situation, it was discovered that the discharge pipes were perforated and two pumps were not functioning properly. Thus, resulting in possible sanitary sewer backup to residents’ homes.

Request to ratify payment for repairs to The 5125 Company for \$110,000 and Budget Amendment – BA 24-12.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to ratify payment for Los Indios Lift Station emergency repairs in the amount of \$110,000 to the 5125 Company and approval budget amendment BA 24-12. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **45. Ratification of Wastewater Treatment Plant Wet Well Rehab emergency repairs in the amount of \$159,636.32 to Mor-Wil, LLC and approval of respective budget amendment – Terrazas**

In accordance with Local Government Code, General Exceptions, Paragraph 252.022 (a)(1)(2) “a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality’s residents or to preserve the property of the municipality” and “a procurement necessary to preserve or protect the public health or safety of the municipality’s residents”, hence staff was seeking authorization as an “Emergency Purchase”.

After evaluating the situation, it was discovered that the concrete wet well was eroding and discharge pipes were corroding. Thus, resulting in possible wastewater backup. Delaying the maintenance could have led to more severe damage, requiring extensive and expensive repairs.

Request to ratify payment for repairs to Mor-Wil, LLC for \$159,636.32. and budget amendment BA 24-13.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to ratify payment of Wastewater Treatment Plant Wet Well Rehab emergency repairs in the amount of \$159,636.32 to Mor-Wil, LLC and approval of budget amendment BA 24-13. Motion was seconded by Councilman Vela and approved unanimously 4-0.

#### **UNFINISHED BUSINESS**

46. TABLED: 06/10/2024 - Adoption of Fee Waiver and Discounted Rate Policy for the Mission Event Center - A. Lerma

Item remained on the table.

#### **ROUTINE MATTERS**

City Manager Comments – Donuts with Chief Cesar Torres was held on Tuesday, June 26. 4<sup>th</sup> of July Celebration will be held on July 3 at the Mission Event Center from 6-10 p.m. Sandbag distribution will be taking place every Saturday during hurricane season at the Speer Memorial Library from 8 a.m. to 1 p.m. City Hall will be closed on July 4 in celebration of Independence Day.

City Council Comments – Councilwoman Ortega wished everyone a nice and enjoyable summer.

Mayor's Comments - None

At 6:20 p.m., Mayor Pro Tem Plata moved to convene into Executive Session. Motion was seconded by Councilman Vela and approved unanimously 4-0.

### **EXECUTIVE SESSION**

Upon conclusion of Executive Session at 7:49 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Ortega 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 objectives

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.

No Action

3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters) and Fire Department concerning Meet & Confer Agreement between City of Mission, TX and Mission Firefighters Association International Association of Fire Fighters, Local 3609.

Councilwoman Ortega moved to appoint Mayor Garza, Councilman Vela, City Manager Mike Perez and City Attorney Patricia Rigney to meet with the union regarding amendments to the Meet and Confer Agreements. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

4. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) regarding City of Mission vs. Warehouse Event Center LLC, dba Blackout Private Social Club and Yair C. Cruz, CL-23-2429-H, in the Hidalgo County Court No. 8, Hidalgo County, Texas.

Councilwoman Ortega moved to proceed as discussed in executive session. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

5. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) consideration and possible action to engage Caso Law Firm, PLLC for grant services

Councilman Plata moved to engage Caso Law Firm, LLC. Motion was seconded by Councilman Vela and approved 3-0 with Councilwoman Ortega against.

6. Closed session pursuant to Tex. Gov't Code Section 551.072 (Deliberation regarding real property) Consideration of the use of eminent domain to acquire a tract of land containing 0.283 of one acre situated in the City of Mission, County of Hidalgo, Texas, being part or portion out of Lot 265, John H. Shary Subdivision, according to plat thereof recorded in Volume 1, Page 17, Hidalgo County Map Records, which said 0.283 of one acre being out of a certain tract conveyed to Ricardo Martinez and wife, Petra Martinez, by virtue of a Warranty Deed recorded under Document Number 1047422, Hidalgo County Official Records, Hidalgo County, Texas, to acquire for the public purpose of completing Shary Road Sewer Extension, (Parcel 1)

No Action

7. Closed session pursuant to Tex. Gov't Code Section 551.072 (Deliberation regarding real property) Discussion, Consideration of Counter-offer and possible action on proposed 15.0-foot Utility Easement described as a tract of land containing 0.100 of one acre situated in the City of Mission, County of Hidalgo, Texas, being a part or portion out of Lot 31-6, West Addition To Sharyland, according to the plat thereof recorded in Volume 1, Page 56, Hidalgo County Map Records, which said 0.100 of one acre being a part or portion out of a larger tract of land conveyed to Mo-Lo LTD by virtue of a Warranty Deed recorded under Document Number 842052, Hidalgo County Official Records.

No Action

8. Closed session pursuant to Tex. Gov't Code Section 551.072 (Deliberation regarding real property) determining a public necessity and granting authorization to exercise the use of eminent domain authority to acquire certain real property, giving notice of an official determination to acquire said property described generally as 0.009 of one acre tract of land situated in the City of Mission, Texas, out of Lot 31-6, West Addition to Sharyland, according to the plat thereof recorded in Volume 1, Page 56, of the Map Records, Hidalgo County, Texas, for the public purpose of the city's street and water system improvement project

No Action

### **RECONVENE**

The City Council will reconvene in open session to take any actions if necessary, on any item(s) discussed in closed session

### **ADJOURNMENT**

At 7:54 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilman Vela and approved unanimously 4-0.

\_\_\_\_\_  
Norie Gonzalez Garza, Mayor

ATTEST:

\_\_\_\_\_  
Anna Carrillo, City Secretary