



MINUTES

PRESENT:

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

ALSO PRESENT:

Jim & Beth Barnes
Luis Quintanilla
Martha Vela
Sonia Salinas
Maria Vega
Noel Salinas
Aaron Balli
Monica Gonzalez

STAFF PRESENT:

Veronica Cedillo, Police Officer
J. Garcia, Police Officer
JC Avila, Fleet Director
Jesse Lerma, Civil Service Director
Brad Bentsen, Parks & Recreation Director
Jose Silva, Internal Auditor
Mary Hernandez, Veterans Cemetery Director

ABSENT:

STAFF PRESENT:

Anais Chapa, Assistant City Secretary
David Flores, Asst. City Manager
Adrian Garcia, Fire Chief
Juan Pablo Terrazas, Asst. City Manager
Angie Vela, Finance Director
Michael Elizalde, Grants Administrator
Susie De Luna, Planning Director
Alex Hernandez, Assistant Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Management Director
Peter Geddes, Procurement Director
Joe Enriquez, Utilities Manager
Rick Venecia, Boys & Girls Club Director
Abram Ramirez, IT Director
Abel Bocanegra, P.E., City Engineer
Cesar Torres, Chief of Police
Frank Cavazos, Deputy Fire Chief
Joanne Longoria, CDBG Director
Yenni Espinoza, Assistant Library Director
Cynthia Lopez, Museum Director
Mario Flores, Golf Director
Jesse Mares, Facilities Supervisor
Pete Lopez, Parks & Recreation Supervisor
Roel Mendiola, Sanitation Dept. Director
Jesse Lerma Civil Service Director
Kenia Gomez, Media Relations Director
Stephen Kotsatos, Health Director
Christopher Navarette, Deputy Fire Chief
Nereyda Pena, Assistant HR Director
Aida Lerma, Arts & Cultural Tourism Director

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Garza Gonzalez called the meeting to order at 5:02 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

City Manager Randy Perez led the invocation and Pledge of Allegiance.

DISCLOSURE OF CONFLICT OF INTEREST

None

At 5:03 p.m., Councilman Abiel Flores stepped out of the meeting.

PRESENTATIONS

1. Proclamation - Tiger Fury Kajukenbo Defense Institute World Championship – Carrillo

Councilwoman Jessica Ortega moved to approve the Proclamation – Tiger Fury Kajukenbo Defense Institute World Championship. Motion was seconded by Mayor Pro Tem Ruben Plata and approved unanimously 4-0.

At 5:05 p.m., Council Flores stepped back into the meeting.

2. Presentation of Parks & Recreation TAFF Athletes – Bentsen

Brad Bentsen, Parks and Recreation Director, thanked the Mayor and City Council for their continuous support of the Texas Amateur Athletic Federation Program. Over the years, the program has grown, and the participation is great. This year, there was a total of 171 students compete in Track & Field, 185 in Swimming, and 60 in Tennis. This year, two students, Valeria Garcia and Gerardo Tellez were named the Local Athletes of the Year. Valeria came in first place in six of the swimming events. Gerardo set a new state record for the 50 yard freestyle swimming competition. Overall, all of the athletes did great and many awards were brought home.

3. Report from the Rio Grande Valley Humane Society – Perez

Luis Quintanilla, Executive Director for the Rio Grande Valley Human Society, began his update by thanking the City of Mission's media team. The media team had been instrumental in spreading the word about adoption and clinics. Mr. Quintanilla thought that their partnership had lead to an increase of 180% in adoptions. At the six-month mark (through March of this year) they have been able to take in 1,500 animals. They have also had several spay/neuter clinics that are of low cost or free. The next clinic to be announced will be in the City of Mission and they expected to have about 500 spots available. Overall, they have been making great progress.

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

Brenda Enriquez, Mission Chamber of Commerce CEO, reported on upcoming events such as: This Wednesday, August 30th there would be a Ribbon Cutting for the first Starbucks in Mission at 9am., educational webinar HR: Hot Topics and Red Flags, September 7th there would be a Networking Mixer at Suerte Bar & Grill at 7pm, Sept 15th there would be a Lunch and Learn at the CEED Building. Ms. Enriquez also stated that 30 ballots had been received. Last year, they received a total of 60 ballots, and they would be sending out a reminder to those who have not submitted theirs. The deadline to submit would be on August 31st. The

Chamber, along with Progress Times, will be announcing Business of the Year, Member of the Year on October 12th.

5. Departmental Reports – Perez

Councilwoman Ortega moved to approve the Departmental Reports. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

6. Citizen's Participation – Garza

Aaron Balli, 1620 E. Griffin Parkway, was present to answer any questions pertaining to Item 23.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

7. Rezoning: Tract 1: A 9.00 acre tract of land, more or less, out of Lot 236, John H. Shary Subdivision; Tract 2: A 1.000 acre tract of land, more or less, out of Lot 236, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Elite Development 786, LLC, c/o M2 Engineering, PLLC, and Adoption of Ordinance#5355 - De Luna

On August 9, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located ¼ mile South of E. Griffin Parkway (F.M. 495) along the West side of Taylor Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

Dolores Ueckert, 2601 E. 20th, wanted to speak in favor of this request. She thanked the Planning Department and City Council for listening to the citizen's concerns and considering this item.

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

Mayor Pro Tem Plata moved to approve the Rezoning: Tract 1: A 9.00 acre tract of land, more or less, out of Lot 236, John H. Shary Subdivision; Tract 2: A 1.000 acre tract of land, more or less, out of Lot 236, John H. Shary Subdivision, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Elite Development 786, LLC, c/o M2 Engineering, PLLC, and Adoption of Ordinance#5355. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

ORDINANCE NO. 5355

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING TRACT 1: A 9.00 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 236, JOHN H. SHARY SUBDIVISION & TRACT 2: A 1.000 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 236, JOHN H. SHARY SUBDIVISION, FROM (AO-I) AGRICULTURAL OPEN INTERIM TO (R-1) SINGLE FAMILY RESIDENTIAL

8. Conditional Use Permit: To Build a Drive-Thru Service Window – 209 N. Shary Road, Being a 3.01 acres tract of land out of & forming part or portion of Lots 184 & 194, John H. Shary Subdivision (aka Lot 1, Shary Town Plaza Subdivision U/R), C-3, Auriel

Investments, c/o Mario Reyna, Melden & Hunt, and Adoption of Ordinance#5356 - De Luna

On August 9, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 370' north of 1st Street along the westside of Shary Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

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 approve the Conditional Use Permit: To Build a Drive-Thru Service Window – 209 N. Shary Road, Being a 3.01 acres tract of land out of & forming part or portion of Lots 184 & 194, John H. Shary Subdivision (aka Lot 1, Shary Town Plaza Subdivision U/R), C-3, Auriel Investments, c/o Mario Reyna, Melden & Hunt, and Adoption of Ordinance#5356. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5356

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO BUILD A DRIVE-THRU SERVICE WINDOW, 209 N. SHARY ROAD, BEING A 3.01 ACRES TRACT OF LAND OUT OF & FORMING PART OR PORTION OF LOTS 184 & 194, JOHN H. SHARY SUBDIVISION (AKA LOT 1, SHARY TOWN PLAZA SUBDIVISION U/R)

9. Conditional Use Permit: To Build Two (2) Drive-Thru Service Windows – 301 N. Shary Road, Being a 3.01 acres tract of land out of & forming part or portion of Lots 184 & 194, John H. Shary Subdivision (aka Lot 2, Shary Town Plaza Subdivision U/R), C-3, Auriel Investments, c/o Mario Reyna, Melden & Hunt, and Adoption of Ordinance#5357 - De Luna

On August 9, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 600' north of 1st Street along the westside of Shary Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

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

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 approve the Conditional Use Permit: To Build Two (2) Drive-Thru Service Windows – 301 N. Shary Road, Being a 3.01 acres tract of land out of & forming part or portion of Lots 184 & 194, John H. Shary Subdivision (aka Lot 2, Shary Town Plaza

Subdivision U/R), C-3, Auriel Investments, c/o Mario Reyna, Melden & Hunt, and Adoption of Ordinance#5357. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5357

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO BUILD TWO DRIVE-THRU SERVICE WINDOWS, 301 N. SHARY ROAD, BEING A 3.01 ACRES TRACT OF LAND OUT OF & FORMING PART OR PORTION OF LOTS 184 & 194, JOHN H. SHARY SUBDIVISION (AKA LOT 2, SHARY TOWN PLAZA SUBDIVISION U/R)

10. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taco Palenque, 2420 E. Interstate Highway 2, Lot 5-C, Sharyland Place Subdivision, C-3, Eduardo Castañeda, and Adoption of Ordinance#5358 - De Luna

On August 9, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal request. The subject site was located ¼ mile east of Shary Road along the south side of Interstate Highway 2, north of Kohl's. 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 approve the Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Taco Palenque, 2420 E. Interstate Highway 2, Lot 5-C, Sharyland Place Subdivision, C-3, Eduardo Castañeda, and Adoption of Ordinance#5358. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5358

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – TACO PALENQUE, 2420 E. INTERSTATE HIGHWAY 2, LOT 5-C, SHARYLAND PLACE SUBDIVISION

11. Discussion and action, if any, related to amending Appendix A of the City's Code of Ordinances; specifically, Article I, Section 1.2 (Definitions) by adding subsections 13a, 13b, & 13c (BYOB, BYOB Establishment & BYOB permit); Article VIII (Use Districts and Conditional Uses), amending Sections 1.43 (C-3 General Business District), 1.44 (C-4 Heavy Commercial District), 1.44a (C-5 Adaptive Commercial District), 1.45 (I-1 Light Industrial District) and 1.46 (I-2 Heavy Industrial District) to include BYOB Establishments as Conditional Uses; and Article X (Conditional Use Permits), amending Section 1.56 (Conditions of Conditional Use), to include BYOB eligibility criteria; and Adoption of Ordinance#5359 - De Luna

On August 23, 2023 the Planning and Zoning Commission held a Public Hearing to consider establishing guidelines and regulations for BYOB establishment. 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.

Councilman Flores asked if they were trying to establish rules and guidelines for the businesses that allow for BYOB.

City Attorney Victor A. Flores stated that he was correct.

Mayor Pro Tem Plata moved to approve the amendment of Appendix A of the City's Code of Ordinances; specifically, Article I, Section 1.2 (Definitions) by adding subsections 13a, 13b, & 13c (BYOB, BYOB Establishment & BYOB permit); Article VIII (Use Districts and Conditional Uses), amending Sections 1.43 (C-3 General Business District), 1.44 (C-4 Heavy Commercial District), 1.44a (C-5 Adaptive Commercial District), 1.45 (I-1 Light Industrial District) and 1.46 (I-2 Heavy Industrial District) to include BYOB Establishments as Conditional Uses; and Article X (Conditional Use Permits), amending Section 1.56 (Conditions of Conditional Use), to include BYOB eligibility criteria; and Adoption of Ordinance#5359. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5359

OF THE CITY OF MISSION, TEXAS AMENDING THE CODE OF ORDINANCES, APPENDIX A (ZONING), (A) ARTICLE I, SECTION 1.2 (DEFINITIONS) BY ADDING SUBSECTION 13A, 13B, & 13C (BYOB, BYOB ESTABLISHMENT & BYOB PERMIT) AND (B) ARTICLE VIII (USE DISTRICTS AND CONDITIONAL USES), SECTIONS 1.43 (C-3 GENERAL BUSINESS DISTRICT), 1.44 (C-4 HEAVY COMMERCIAL DISTRICT), 1.44A (C-5 ADDAPTIVE COMMERCIAL DISTRICT), 1.45 (I-1 LIGHT INDUSTRIAL DISTRICT) AND 1.46 (I-2 HEAVY INDUSTRIAL DISTRICT) TO INCLUDE BYOB ESTABLISHMENTS AS CONDITIONAL USES AND (C) ARTICLE X (CONDITIONAL USE PERMITS), SECTION 1.56 (CONDITIONS OF CONDITIONAL USE), TO INCLUDE BYOB ELGIBILITY CRITERIA, AND PROVIDING THE FOLLOWING: ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

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 – August 14, 2023

13. Acknowledge Receipt of Minutes – Perez

Shary Golf Advisory Board – June 21, 2023

Planning and Zoning Commission – June 19, 28, July 12, 2023

Keep Mission Beautiful – July 11, 2023

Mission Civil Service Commission – June 29, 2023

14. Approval to enter into Interlocal Agreement between City of Mission and Mission CISD to jointly undertake the youth services at Leal Elementary – Venecia

Approval was being requested to enter into Interlocal Agreement between City of Mission and Mission CISD to jointly undertake the youth services of the Mission Boys and Girls Club at Leal Elementary where it provided after school programs for the area youth.

Leal Elementary students would be provided after school youth programs at Leal Elementary Campus located at 318 S. Los Ebanos Rd.

15. Approval to enter into a Memorandum of Understanding between Mission CISD and Boys & Girls Club of Mission to provide transportation services – Venecia

Mission CISD was exploring a potential partnership with the Boys and Girls Club of Mission to provide transportation services from select campuses to the Boys and Girls Club facility. This partnership would positively impact the students' social and emotional well-being, as they would have access to various enriching activities and sports offered by the Club. Additionally, this collaboration could enhance participation in the district's Child Nutrition Supper program, ensuring students receive the nutrition they need.

The Boys and Girls Club would charge families for transportation services, and then the District would bill the Boys and Girls Club for the transportation costs incurred. In Mission CISD, there are eight campuses situated within the City of Mission that would be included in this transportation service, Bryan Elementary School, Hilda C. Escobar/Alicia C. Rios Elementary School, Marcell Elementary School, Mims Elementary School, Ollie O'Grady Elementary School, Pearson Elementary School, White Junior High School and Mission Junior High School. Castro Elementary School and Leal Elementary School, already have a Boys and Girls Club either across the street or within the campus.

16. Authorization to re-enter into an Interlocal Agreement between the City of Mission and the City of Penitas to provide temporary housing for prisoners – Torres

The City of Penitas was in need to continue services for the 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 Penitas 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, transportation, and meal costs. The term of the agreement was for one year commencing on October 1, 2023 and ending at midnight on September 30, 2024.

17. Authorization to re-enter into an Interlocal Agreement between the City of Mission and the City of Palmhurst to provide temporary housing for prisoners – Torres

The City of Palmhurst was in need to continue services for the 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 Palmhurst 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, transportation and meal costs. Term of the Agreement is for one year commencing on October 1, 2023 and ending at midnight on September 30, 2024.

18. Approval to surplus eight book carts and donate them to the City of Palmview for their new Public Library – Espinoza

Approval to surplus and donate eight book carts that were no longer in use by the Speer Memorial Library. The surplus carts would be donated to the City of Palmview for their new Public Library.

19. Authorization to submit a grant application to the International Mountain Bicycling Association for the Trail Accelerator Grant Program. – Elizalde

The Parks & Recreation Department was seeking authorization to submit a grant application to the International Mountain Bicycling Association (IMBA) for the Trail Accelerator Grant Program. The program sought to assist trail development efforts through awarding of funds for professional trail planning and consultation services. The Parks & Recreation Department was requesting support for a professional assessment of the Mission Hike and Bike Trail and development planning of extended trail systems from newly acquired land. The department's grant request would not exceed \$10,000 and the program requires a 1:1 match, bringing the total project cost to no more than \$20,000.

20. Authorization for the City of Mission to enter into an agreement to participate in the LIHWAP program administered by Hidalgo County Community Service Agency – Elizalde

The Hidalgo County Community Service Agency (CSA) had been awarded funding from the Texas Department of Housing and Community Affairs, to implement a Low-Income Household Water Assistance Program (LIHWAP). The LIHWAP will be administered by CSA through reviewing individual applications and determining eligibility for utility payment assistance. The City of Mission's utility department would partner with CSA to accept programmatic funding to be applied to eligible vulnerable customers utility accounts.

21. Authorization to surplus machinery and equipment – Vela

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

Mayor Pro Tem Plata moved to approve all consent agenda items 12 thru 21 as presented. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS**22. Preliminary Plat Approval: Turtle Cove Subdivision, Being 7.417 acres out of Lot 33-1, West Addition to Sharyland, R-2, Developer: Town and Country McAllen, LLC, Engineer: Trimad Consultants, LLC - De Luna**

On August 9, 2023 the Mission Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Turtle Cove Subdivision. The subject site was located approximately 900' from the intersection of Inspiration Road and W. Mile 3 Road. There was no public opposition during the Planning and Zoning Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Preliminary Plat Approval: Turtle Cove Subdivision, Being 7.417 acres out of Lot 33-1, West Addition to Sharyland, R-2, Developer: Town and Country McAllen, LLC, Engineer: Trimad Consultants, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

23. Preliminary Plat Approval: Palmettos Cove Subdivision, Being 2.122 acres of land being a part or portion of Lot 22-1, West Addition to Sharyland, R-4, Developer: Aaron Balli Jr., Engineer: R.O. Engineering, PLLC - De Luna

On August 9, 2023 the Mission Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Palmettos Cove Subdivision. The subject site was located approximately 360' east of Inspiration Road north of Barnes Street. There was no public opposition during the Planning and Zoning Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended denial.

The developer was proposing 1 lot with (31) open spaces for RV Park. The owner/developer was requesting variances from city codes for consideration as follows:

Variance 1: Request variance from the R-4 Zoning Code allowing the operation of a mobile home or recreational vehicle park within the limits of the City and be exempt from the required license to operate specific park.

Variance 2: Request variance from R-4 Zoning Code whereas the minimum size of a tract for development into a mobile home subdivision shall be 5 acres, thus allowing for a 2.122-acre mobile home/RV park

Variance 3: Request variance from R-4 Zoning Code to accept lots/spaces less than the minimum square feet and width allowed for M/H sites. Code required a min of 5,000 sq. ft./ 50' width on inner lots and 6,000 sq. ft./60' width for corner lots. The lots within this development will average 1,600 sq. ft. with widths of 32'.

Variance 4: Request variance from Code of ordinance Chapter 54 'Manufactured Homes, Mobile Homes, Recreational Vehicles & Parks' requiring a Recreation Area to be a min. 5% of the gross area. This development will not include a recreation area as specified.

Variance 5: Request variance from Sec. 98-134 "Street" to allow the design and proposed construction of a 28' ROW whereas the code requires streets within a subdivision to be at least 50'.

The site is protected by the existing 8" water line complete with a fire hydrant running to and thru the property which is looped for compliance

The City Engineer had reviewed and approved the drainage report

Mayor Pro Tem Plata moved to approve the Preliminary Plat Approval with variances 1- thru 5: Palmettos Cove Subdivision, Being 2.122 acres of land being a part or portion of Lot 22-1, West Addition to Sharyland, R-4, Developer: Aaron Balli Jr., Engineer: R.O. Engineering, PLLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

24. Approval of Resolution #1848 establishing a six (6) month moratorium on the issuance of any new (or renewed) building permits, business licenses, food permits, conditional use permits and certificates of occupancy for the construction or operation of businesses designed to operate game halls, including among other uses "eight-

liners" and/or similar types gaming devices; poker clubs; BYOB establishments; and/or social clubs and other similar operations. - De Luna

On August 23, 2023 the Planning and Zoning Commission held a Public Hearing to consider allowing a 6-month Moratorium on Approval of Social Clubs, Poker Clubs, BYOB Establishments, and other similar operations. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilman Vela moved to Resolution #1848 establishing a six (6) month moratorium on the issuance of any new (or renewed) building permits, business licenses, food permits, conditional use permits and certificates of occupancy for the construction or operation of businesses designed to operate game halls, including among other uses "eight-liners" and/or similar types gaming devices; poker clubs; BYOB establishments; and/or social clubs and other similar operations. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

RESOLUTION NO. 1848

A RESOLUTION OF THE CITY OF MISSION, TEXAS AUTHORIZING A SIX (6) MONTH MORATORIUM ON THE ISSUANCE OF NEW (OR RENEWED) BUILDING PERMITS, BUSINESS LICENSES, FOOD PERMITS, CONDITIONAL USE PERMITS AND CERTIFICATES OF OCCUPANCY TO BE USED FOR THE CONSTRUCTION OR OPERATION OF BUSINESSES DESIGNED TO OPERATE GAME HALLS, INCLUDING AMONG OTHER USES "EIGHT-LINERS" AND/OR SIMILAR TYPES GAMING DEVICES; POKER CLUBS; BYOB ESTABLISHMENTS; AND/OR SOCIAL CLUBS AND OTHER SIMILAR OPERATIONS WITHIN THE CITY LIMITS OF MISSION, TEXAS.

25. Approval of Clinical Affiliation Agreement between City of Mission Fire Department and the EMS Training School, LLC dba School of EMS for use of clinical sites – Garcia

On August 9, 2023 the Mission Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Turtle Cove Subdivision. The subject site was located approximately 900' from the intersection of Inspiration Road and W. Mile 3 Road. There was no public opposition during the Planning and Zoning Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Preliminary Plat Approval: Turtle Cove Subdivision, Being 7.417 acres out of Lot 33-1, West Addition to Sharyland, R-2, Developer: Town and Country McAllen, LLC, Engineer: Trimad Consultants, LLC. Motion was seconded by Councilman Flores and approved unanimously 5-0.

26. Authorization to enter into a Mutual Aid Agreement with Trans – Starr EMS L.L.C. for EMS Provider Services – Garcia

The Mission Fire Department was seeking authorization to enter Mutual Aid Agreement with Trans – Starr EMS L.L.C. for EMS Provider Services. The agreement shall remain in effect for a period of two years unless cancelled by either EMS provider by giving thirty (30) day written notice.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Mutual Aid Agreement with Trans – Starr EMS L.L.C. for EMS Provider Services. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

27. Authorization to enter into a Mutual Aid Agreement with Skyline E.M.S., Inc. for EMS Provider Services – Garcia

The Mission Fire Department was seeking authorization to enter Mutual Aid Agreement with Skyline E.M.S., Inc. for EMS Provider Services. The agreement shall remain in effect for a period of two years unless cancelled by either EMS provider by giving thirty (30) day written notice.

Staff and City Manager recommended approval.

Councilman Flores moved to approve Mutual Aid Agreement with Skyline E.M.S., Inc. for EMS Provider Services. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

28. Authorization to re-enter into a contract with Carlos Ortegon for Municipal Court Prosecution Services for the City of Mission – Torres

The City of Mission Police Department was respectfully requesting authorization to re-enter into a contract with Carlos Ortegon for Municipal Court Prosecution Services for the City of Mission. The contract identifies the scope of services and other contractual terms and agreements. The total amount of the contract is \$60,000.00. This award was under Texas government code chapter 2254.004 contract for professional services

Staff and City Manager recommended approval.

Councilwoman Ortega stated that she had questions on this item and would like to discuss it during executive session.

Councilwoman Ortega moved to table this item to be discussed in executive session pursuant to Tex Gov't Code Section 551.071 (Legal Matters). Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

Upon reconvening from executive session Mayor Pro Tem Plata moved to un-table. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

Councilwoman Ortega moved to approve to re-enter into a contract with Carlos Ortegon for Municipal Court Prosecution Services for the City of Mission. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

29. Authorization to re-enter into a contract between the City of Mission and Safe Track, LLC, dba Safe Global Services to provide professional services – Torres

Safe Track, LLC, dba Safe Global Services would be retained for the specific purpose of providing security measures along the Mission, Texas and Mexico border. Safe Track, LLC, dba Safe Global Services will provide a number of security /intelligence services to the City of Mission as it related to our proximity to the U.S./Mexican border and the need to be aware of any potential threats to our International Bridge, our border and or our community. The total amount for the yearly contract was \$15,600.00.

Staff is respectfully requesting authorization to enter into contract for FY 2023-2024.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the contract between the City of Mission and Safe Track, LLC, dba Safe Global Services to provide professional services. Motion was seconded by Councilman Vela and approved unanimously 5-0.

30. Authorization to approve the second and final one-year renewal option for Security Guard Services with MLG Protection Services- Torres

The City of Mission Police Department was tasked with acquiring security guard services for different City of Mission Events. Security guard services were utilized by a number of city departments to include the Speer Memorial Library, city events, other city departments, and other areas as needed by the city for different events throughout the fiscal year. Staff was seeking authorization to extend the contract with MLG Protection Services. This contract renewal includes a 3% increase from the current rate, changing the hourly rate from \$11.00 to \$11.33 per hour.

Staff was respectfully requesting authorization to enter into contract for FY 2023-2024.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the second and final one-year renewal option for Security Guard Services with MLG Protection Services. Motion was seconded by Councilman Flores and approved unanimously 5-0.

31. Authorization to Rescind Approval of Budget Amendment: MEDC Fund- Vela

To rescind approval of the attached budget amendment:

MEDC Fund-(\$95,000 Expenditures).

Staff and City Manager recommended approval.

Councilwoman Ortega moved to Rescind Approval of Budget Amendment BA 23-07: MEDC Fund. Motion was seconded by Councilman Vela and approved unanimously 5-0.

32. Acceptance of the June 2023 Tax Collection Report – Vela

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

The 2023 total adjusted tax levy for taxes was \$29,032,749.81 and the amount of the collections as of June 30, 2023 is \$27,885,489.95 which represents 96.05% of the total 2022 tax levy.

The total adjusted tax levy for delinquent taxes was \$2,362,734.73 and the amount of collections as of June 30, 2023 is \$462,552.46 which represents 19.58% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Councilwoman Ortega requested to set up a workshop with the new tax collection company to get an update on the progress since they had come on board.

Councilwoman Ortega moved to accept the June 2023 Tax Collection Report. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

33. Approval of the June 2023 Financial Statements – Vela

Angie Vela, Finance Director presented the June 2023 Adjusted Financials.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata requested that a workshop be set up to go over all the fund balances.

Mayor Pro Tem Plata moved to approve the June 2023 Financial Statements. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

34. Approval of Resolution #1849 establishing a commitment to participate in a Texas Department of Transportation Construction Project described as Safety Improvements at Mile 2 Rd. At Holland/Trosper Rd., Stewart Rd., Glasscock Rd., Bryan Rd.; Los Ebanos Rd. at Griffin Parkway, and First St. at Conway Ave – Terrazas

The parties shall be responsible for Utilities, Environmental Assessment and Mitigation, Architectural and Engineering Services, Construction and Right of Way and Real Property the project would consist of installation of traffic signals at the intersections of Mile 2 Rd. and Holland/Trosper Rd., Stewart Rd., and Glasscock Rd; and the improvements of existing traffic signals at Mile 2 Rd. and Bryan Rd., at Los Ebanos Rd. and Griffin Parkway, and at First St. and Conway Ave.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Resolution #1849 establishing a commitment to participate in a Texas Department of Transportation Construction Project described as Safety Improvements at Mile 2 Rd. At Holland/Trosper Rd., Stewart Rd., Glasscock Rd., Bryan Rd.; Los Ebanos Rd. at Griffin Parkway, and First St. at Conway Ave. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

RESOLUTION NO. 1849

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, HIDALGO COUNTY, ESTABLISHING A COMMITMENT TO PARTICIPATE IN A TEXAS DEPARTMENT OF TRANSPORTATION CONSTRUCTION PROJECT, MORE SPECIFICALLY KNOWN AS A HIGHWAY IMPROVEMENT OR OTHER TRANSPORTATION PROJECT GENERALLY DESCRIBED AS SAFETY IMPROVEMENTS AT MILE 2 RD. AT HOLLAND/TROSPER RD., STEWART RD., GLASSCOCK RD., BRYAN RD.; LOS EBANOS RD. AT GRIFFIN PARKWAY, AND FIRST ST. AT CONWAY AVE. AND AUTHORIZING THE MAYOR TO EXECUTE THE LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT

35. Authorization to Award Agent of Record – Munguia

On March 27, 2023, City Council authorized staff to solicit Request for Bids for Agent of Record. The City of Mission accepted nine (9) bid responses.

Staff and City Manager were seeking council direction.

Councilwoman Ortega moved to award the Agent of Record to Lonestar Insurance Services. Motion was seconded by Mayor Pro Tem Plata and failed 2-3 with Councilman Flores, Councilman Vela and Mayor Garza voting against.

Councilman Flores stated that he would like to further discuss this item as the presentations were barely done earlier. He would like more time to review the information that was presented by each of the vendors.

Councilman Flores moved to table this item. Motion was seconded by Councilman Vela and approved 4-1 with Mayor Pro Tem Plata voting against.

36. Authorization to Award International RX Services – Munguia

On June 26, 2023, City Council authorized staff to solicit for proposals for International Sourcing of FDA Approved Prescription Drugs. A total of 2 proposals were received. After careful evaluation and assessment, staff was recommending we award to International Rx Services for a three (3) year term with two (2) one-year renewal options.

Staff and City Manager recommended approval.

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

37. Discussion and action on proposed 2023 Tax Rate, Take Record Vote and Schedule Public Hearing – Perez

In accordance with the Texas Property Tax, Code City Council must propose a tax rate for the City of Mission and publish "Notice of Property Tax Rates," by September 1st. This notice provided information about tax rates used in adopting the current tax year's tax rate. The no-new-revenue tax rate would impose the same amount of taxes as last year if you compare properties taxed in both years. In most cases, the voter-approval tax rate was the highest tax rate a taxing unit can adopt without holding an election. If the proposed tax rate exceeded the no-new-revenue tax rate but does not exceed the voter-approval tax rate, one public hearing was required before the adoption of the tax rate.

The calculated no new revenue tax rate was \$0.4746 per \$100 valuation

The calculated voter approved tax rate not adjusted for unused increment rate was \$0.5190 per \$100 valuation

The calculated voter approved tax rate adjusted for unused increment rate was \$0.5276 per \$100 valuation

The current tax rate was \$0.5299 per \$100 valuation

Public Hearing was to be scheduled: September 11, 2023.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Take Record Vote and Schedule Public Hearing for September 11, 2023. Motion was seconded by Councilman Vela and approved as follows: Councilwoman Ortega – Aye, Mayor Pro Tem Plata – Aye, Mayor Norie Garza – Aye, Councilman Flores – Aye, and Councilman Vela – Aye. Motion was approved unanimously 5-0.

38. Approval of Interlocal Agreement between City of Mission and Sharyland Independent School District for Pool Use – Bentsen

City of Mission and Sharyland ISD desire to enter into an Interlocal Agreement for the purpose for the use of the Natatorium Facility at Bannworth Park located at 1822 North Shary Road and Mayberry Pool Facility located at 115 South Mayberry Road by both Sharyland ISD Jr. High Schools and both Sr. High Schools. The agreement was for the 2023-2024 school year at a cost of \$18,300.00.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Interlocal Agreement between City of Mission and Sharyland Independent School District for Pool Use. Motion was seconded by Councilman Flores and approved unanimously 5-0.

39. Approval to engage with a contractor to repair SCADA System Program – Terrazas

Requesting approval to engage Control Networks Plus a sole source supplier of QT cellular devices to repair SCADA (Supervisory Control and Data Acquisition) System. The total cost was \$132,500. ARPA Funds would be utilized for this expenditure. This expenditure would be under General Exemption Sec 252.022 (2) of Texas Local Government Code: a procurement necessary to preserve or protect the public health or safety of the municipality's residents.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve to engage with a contractor to repair SCADA System Program. Motion was seconded by Councilman Vela and approved unanimously 5-0.

UNFINISHED BUSINESS

40. TABLED 08/14/2023: Rezoning: Being a tract containing 0.36 acre of land situated out of the South one-half of Block 15-8, of the West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57, and further being out of Lot 61, of the unrecorded Melba Carter Subdivision, (R-1) Single Family Residential to (R-2) Duplex-Fourplex Residential, Martin Vega, and Adoption of Ordinance#_____ - De Luna

Councilman Flores moved to un-table this item. Motion was seconded by Councilman Vela and approved unanimously 5-0.

On June 28, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located at the southwest corner of Melba Carter & Mayberry Road. There was public opposition during the P&Z Meeting. The main concerns were safety and property values. The board unanimously recommended denial. If the City Council is inclined to overturn P&Z recommendation to deny the rezoning a 4/5th vote would be needed in order to approve this request.

Staff and City Manager recommended denial.

Mayor Pro Tem Plata moved to deny Rezoning: Being a tract containing 0.36 acre of land situated out of the South one-half of Block 15-8, of the West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57, and further being out of Lot 61, of the unrecorded Melba Carter Subdivision, (R-1) Single Family Residential to (R-2) Duplex-Fourplex Residential, Martin Vega, and Adoption of Ordinance#_____. Motion was seconded by Councilman Vela and denied 4-1 with Councilman Flores voting against.

ROUTINE MATTERS

City Manager Comments – August 29th RGV Food Bank Food Distribution at Nelle Tolle Park from 9am-11am, August 30th Ribbon Cutting at Starbucks at 9am, September 6th Coffee with a Cop at McDonald's on Shary, September 8th Music at the Park at La Placita from 6pm-9pm, City Hall will be closed on Monday, September 4, 2023.

Mayor's Comments – No Comments.

City Council Comments – Councilwoman Ortega just asked everyone to have a safe, long Labor Day weekend.

At 6:24 p.m., Mayor Pro Tem Plata moved to convene into Executive Session to executive session items 1 pursuant to Texas Gov't Code Section 551.071. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

EXECUTIVE SESSION

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) regarding update on Assistant City Manager selection process. (City Manager R. Perez)

Upon conclusion of Executive Session at 6:24 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilman Vela and approved unanimously 5-0.

The council proceeded with item 28 of the agenda.

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

None

ADJOURNMENT

At 6:55p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary