



MINUTES

PRESENT:

Dr. Armando O'caña, Mayor
Jessica Ortega, Mayor Pro Tem
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Councilwoman
Alberto Vela, Councilman
Gus Martinez, City Attorney
Randy Perez, City Manager
Anna Carrillo, City Secretary

ALSO PRESENT:

Christina Shinn Roldan
Oscar Saenz
Chris Halpin
Armando Reyes
Brenda Enriquez
Elijah Casas
Craig Verley
Dr. Carol Perez
Emigdio Villanueva
Perri Ann Huntley
Mike Schmidt
Laura Mendiola Macias

ABSENT:

STAFF PRESENT:

David Flores, Deputy City Manager
Aida Lerma, Deputy City Manager
Angie Vela, Finance Director
Michael Elizalde, Grants Administrator
Susie De Luna, Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Management Director
Eduardo Belmarez, Purchasing Director
Roland Rodriguez, I. T. Director
Roxanne Casarez, Public Information Director
Charlie Longoria, Media Relations
Alex Fajaro, Media Relations
Juan Pablo Terrazas, City Engineer
Roberto Salinas, Public Works Director
Jesse Lerma, Civil Service Director
Gilbert Sanchez, Fire Chief
Rene Alvarez, Asst. Fire Chief
Frank Cavazos, Deputy Fire Chief
Roberto Dominguez, Chief of Police
Joanne Longoria, CDBG Director
Daniel Silva, CEO, Mission EDC
Mario Flores, Golf Director
Rick Venecia, Boys & Girls Club Director
Brad Bentsen, Parks & Recreation Director
Mayra Rocha, Library Director
Cynthia Lopez, Museum Director
JC Avila, Fleet Maintenance Director
Noel Barrera, Health Dept. Director
Adela Ortega, Food Pantry Manager
Alex Hernandez, Subdivision Coordinator

CALL TO ORDER

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 4:30 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

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

PRESENTATIONS

1. Proclamation - Nurses Week

Councilman Ruben Plata moved to approve Proclamation - Nurses Week. Motion was seconded by Mayor Pro Tem Jessica Ortega and approved unanimously 5-0.

2. Proclamation - Mental Health Awareness Month

Mayor Pro Tem Ortega moved to approve Proclamation - Mental Health Awareness Month. Motion was seconded by Councilman Plata and approved unanimously 5-0.

3. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez, Mission Chamber of Commerce CEO reported on chamber events that had taken place and will be taking place to include a ribbon cutting ceremony for Cap Energy Solutions. Mission Prosperity Ventures Foundation is accepting scholarship applications. Nominations are being accepted for 2 board of directors' positions that were available.

4. Departmental Reports

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

5. Citizen's Participation

None

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

6. Rezoning: A tract of land containing 0.613 of one acre, being a part or portion of the Gulf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, PUD(AO-P) Permanent Open Space District to PUD(R-1) Single Family Residential, Leonel Cantu, and Adoption of Ordinance

On April 28,2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located near the Loehr Lane/Crystal Intersection along the east side of Crystal Drive. There was public opposition during the P&Z meeting the concerns voiced were in regards to drainage. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

Karen Prewitt, 2101 Mauve spoke against the request her major concern was the drainage issues since this area was located in the flood plain and by adding additional homes the infrastructure that is currently in place would not be able to handle the drainage.

Oscar Saenz, 2103 Crystal Drive spoke against the request his concern was flooding in the area since this location is in the flood plain. He stated that he resides directly next to the area requesting to be rezoned. He was requesting further analysis of the area.

Councilwoman Garza stated that she was concerned about rezoning being considered without studies being done in the area. A workshop was requested to review the area. Juan Pablo Terrazas, City Engineer stated that they would get together with the developer to discuss the plans for this area. After much discussion from the council recommendation was to table the item until more information was available from the developer as to what the drainage plan would be.

Mayor Pro Tem Ortega moved to table the rezoning of A tract of land containing 0.613 of one acre, being a part or portion of the Gulf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, PUD(AO-P) Permanent Open Space District to PUD(R-1) Single Family Residential. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

7. Rezoning: A tract of land containing 0.612 of one acre, being a part or portion of the Gulf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, PUD(AO-P) Permanent Open Space District to PUD(R-1) Single Family Residential, Leonel Cantu, and Adoption of Ordinance

On January 13, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located near the Diane Circle and Crystal Drive intersection along the east side of Meadow Way Drive. There was public opposition during the P&Z Meeting and the concerns voiced were in regards to storm sewer infrastructure, lift station replacement, potholes, increased traffic, noise, safety, secluded area, etc. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Karen Prewitt, 2101 Mauve spoke against the request her major concern was the drainage issues since this area was located in the flood plain and by adding additional homes the infrastructure that is currently in place would not be able to handle the drainage. She also stated that the city's lift station is in this area and if this were to be approved there would be no access to the lift station.

Christina Shinn-Roldan, 2101 Crystal Drive spoke against the request her concern was flooding in the area.

Oscar Saenz, 2103 Crystal Drive spoke against the request his concern was flooding in the area since this location is in the flood plain. He stated that he resides directly next to the area requesting to be rezoned and this rezoning would create overcrowding and congestion.

Councilman Plata moved to table the rezoning of a tract of land containing 0.612 of one acre, being a part or portion of the Gulf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, PUD(AO-P) Permanent Open Space District to PUD(R-1) Single Family Residential. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

8. Rezoning: A tract of land containing 0.551 of one acre, being a part or portion of the Gulf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, PUD(AO-P) Permanent Open Space District to (PUD(R-1) Single Family Residential, Leonel Cantu, and Adoption of Ordinance

On January 13, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located near the Tahoe Drive and Meadow Way Drive intersection along the west side of Meadow Way Drive. There was public opposition during the P&Z Meeting and the concerns voiced were in regards to storm sewer infrastructure, lift station replacement, potholes, increased traffic, noise, safety, secluded area, etc. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

Karen Prewitt, 2101 Mauve spoke against the request her major concern was the drainage issues since this area was located in the flood plain and by adding additional homes the infrastructure that is currently in place would not be able to handle the drainage.

Oscar Saenz, 2103 Crystal Drive spoke against the request his concern was flooding in the area since this location is in the flood plain. He stated rezoning this area could cause congestion and overcrowding.

Christina Shinn-Roldan, 2101 Crystal Drive spoke against the request her concern was flooding in the area. She also stated there should be covenants in place that should be reviewed.

Councilwoman Garza moved to table the rezoning of a tract of land containing 0.551 of one acre, being a part or portion of the Gulf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, PUD(AO-P) Permanent Open Space District to (PUD(R-1) Single Family Residential. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

9. Rezoning: Lots 6, 7, 8, and 9, Block 3, Meadow Creek Country Club, Phase 2A, PUD(R-1T) Townhouse Residential to PUD(R-3) Multi-Family Residential, Leonel Cantu, and Adoption of Ordinance #

On January 13, 2021 the Planning and Zoning held a Public Hearing to consider this rezoning request. The subject site was located approximately 1/4 mile north of J.C. Parkway and Lake View Drive along the west side of Lake View Drive. There was public opposition during the P&Z Meeting and the concerns voiced were in regards to storm sewer infrastructure, lift station

replacement, potholes, increased traffic, noise, safety, secluded area, etc. A petition with 55% in opposition was submitted. The Board unanimously recommended denial of the PUD(R-3) and approved PUD(R-1). A 4/5th vote would be needed in order to approve this request.

Staff and City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

Oscar Saenz, 2103 Crystal Drive spoke against the request his concern was that multi-family would decrease the valuation of the surrounding area.

Christina Shinn-Roldan, 2101 Crystal Drive spoke against the request her concern was that multi-family would decrease the valuation of the surrounding area and would bring overcrowding.

Councilman Plata asked why these items were being presented to the council when staff was aware that the area would not conducive to what was being requested.

Councilman Plata moved to table rezoning Lots 6, 7, 8, and 9, Block 3, Meadow Creek Country Club, Phase 2A, PUD(R-1T) Townhouse Residential to PUD(R-3) Multi-Family Residential. Motion was seconded by Councilwoman Garza and approved unanimously 4-0 with Councilman Vela abstaining since he owned one of the lots.

10. Rezoning: Being a 0.83 acres tract out of and Forming a part of portion of Lot 304, John H. Shary Subdivision, (R-1T) Townhouse Residential to (C-3) General Business, MAR Designs & Construction, Inc., and Adoption of Ordinance #

On April 28,2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the north west corner of Dorado Drive and N. Shary Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended denial.

Staff and City Manager recommended denial.

Mayor O'caña asked if there were any comments for or against the request.

There were no comments.

Councilwoman Garza moved to deny rezoning being a 0.83 acres tract out of and Forming a part of portion of Lot 304, John H. Shary Subdivision, (R-1T) Townhouse Residential to (C-3) General Business. Motion was seconded by Mayor Pro Tem Ortega and denied unanimously 5-0.

11. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Ko Big Sky Social Club, 608 N. Shary Road, Unit 11-13, Lot 1, Alba Plaza, C-3, Ko Big Sky Social Club, LLC, and Adoption of Ordinance #_and Wet Zone Ordinance #

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the northeast corner of E. 6th

Street and Shary Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

The social club would have a bar where members pay a monthly/hourly fee to play poker with friends.

Staff recommended approval subject to: 1) 1 year re-evaluation to assess this new operation; 2) Waiver of the 300' separation requirement from the residential homes; 3) Compliance with the Building, Fire, and Sign codes; and 4) Acquisition of a Business License.

City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

Armando Reyes 703 Sycamore spoke against the request. His concern was the increase of noise, traffic, violence and crime due to the nature of the business.

Mayor Pro Tem Ortega moved to deny CUP Sale & On-Site Consumption of Alcoholic Beverages – Ko Big Sky Social Club. Motion was seconded by Councilman Plata and denied unanimously 5-0.

12. Conditional Use Permit: Drive-Thru Service Window – Twisted Sistas, 1500 W. Business 83, Ste. 1, Lot A, Mission Acres, C-3, Ana Garza, and Adoption of Ordinance # 5020

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located on the NW corner of Los Ebanos and Business Highway 83. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 1 year re-evaluation to assess this new operation; 2) Compliance with the Building, Landscaping, Fire, Sign and Health Codes; and 3) Acquisition of a Business License.

City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

There were no comments.

Mayor Pro Tem Ortega moved to approve CUP and Ordinance 5020 Drive-Thru Service Window – Twisted Sistas 1500 W. Business 83, Ste. 1, Lot A, Mission Acres. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 5020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR DRIVE-THRU SERVICE WINDOW –
TWISTED SISTAS, 1500 W. BUSINESS 83, STE. 1, LOT A, MISSION ACRES

13. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Casa de Pancha, 401 E. Griffin Parkway, Ste. C, Lot 1, Block 1, North Conway No. 1, C-2, Juan Edy Pinter Campos, and Adoption of Ordinance # 5021 and Wet Zone Ordinance # 5022

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located on the NW corner of E. Griffin Parkway and Oblate Street. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommended approval of this CUP for a period of 2 years at which time the applicant will have to renew their TABC license and CUP.

City Manager recommended approval.

Mayor O'caña asked if there were any comments for or against the request.

There were no comments.

Mayor Pro Tem Ortega moved to approve CUP and Ordinance 5021 and Ordinance 5022 Sale & On-Site Consumption of Alcoholic Beverages – La Casa de Pancha, 401 E. Griffin Parkway, Ste. C, Lot 1. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LA CASA DE PANCHA, 401 E. GRIFFIN PARKWAY, STE. C, LOT 1, BLOCK 1, NORTH CONWAY NO. 1

ORDINANCE NO. 5022

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 401 E. GRIFFIN PARKWAY, STE. C, LOT 1, BLOCK 1 NORTH CONWAY NO. 1, LA CASA DE PANCHA

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

- 14. Approval of Minutes**
Regular Meeting– April 26, 2021
- 15. Acknowledge Receipt of Minutes**
Speer Memorial Library Board – January 19, 2021
Mission Economic Development Corporation – March 16, 2021
Citizen’s Advisory Committee – April 13, 2021
Mission Redevelopment Authority – March 23, 2021
Mission Tax Increment Reinvestment Zone – March 23, 2021
Sharyland Golf Advisory Board – March 2, 2021 and – March 24, 2021
Planning & Zoning Commission - January 27, February 10, and March 10, 2021
Mission Historic Preservation Commission – March 25, 2021
Traffic Safety Committee – December 20, 2020
- 16. Approval of Resolution # 1730 in support of Texas Senate Bill 594 relating to the provisions of solid waste disposal services by certain Counties**

The Texas Legislature was considering amending Section 364.011 of the Texas Health and Safety Code regarding the collection of solid waste. The proposed amendment allows for the collection of fees under Section 364.0343 for providing solid waste collection services.

This amendment allows for the collection of such fees by the county tax assessor-collector which shall be included in a tax bill.

Hidalgo County Commissioners Court expressed unanimous support for Senate Bill 594 on March 9, 2021.

RESOLUTION # 1730

RESOLUTION IN SUPPORT OF TEXAS SENATE BILL 594
 RELATING TO THE PROVISIONS OF SOLID WASTE DISPOSAL SERVICES BY
 CERTAIN COUNTIES

- 17. Approval of Resolution # 1731 authorizing the City Manager to enter into an agreement with the State of Texas for construction, maintenance and operation of continuous highway lighting systems within the City of Mission**

The agreement was for the blanket coverage of various projects covering the installation, construction, existence, use, operation and maintenance of certain highway traffic signals/lighting in the City of Mission and authorizing City Manager to enter into an agreement with the State of Texas.

All costs of constructing the lighting system would be by the State, and the lighting system would remain the property of the State. The City would furnish, at its expense, the electrical energy required for proper operation of the lighting system, and would maintain and operate the lighting system, including the furnishing of all equipment and labor and making any replacements which may become necessary, without cost to the State. The City assumed maintenance and operation of the lighting system.

RESOLUTION NO. 1731

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF CONTINUOUS HIGHWAY LIGHTING SYSTEMS WITHIN THE CITY OF MISSION

18. Authorization to solicit proposals for Engineering Services for Inspection, Material Testing and Construction Management for Taylor Road Reconstruction

Staff was seeking authorization to solicit proposals for Engineering Services as per TxDOT'S Local Government Project Procedures (LGPP) and Federal Regulations for Taylor Road Reconstruction from I-2(US 83) to Bus 83.

19. Approval of Ord. # 5023 granting a wet designation for 1728 W. Griffin Parkway, Girasol Estates Subdivision, Lot B, Servi Car El Ronco #2

Staff was requesting the above-mentioned property be wet zoned for the Sale and Off-Premise Consumption of Alcoholic Beverages.

ORDINANCE NO. 5023

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 1728 W. GRIFFIN PARKWAY, LOT B, GIRASOL ESTATES SUBDIVISION, SERVI CAR EL RONCO #2

20. Authorization to enter into an MOU between the City of Mission and the University of Texas Rio Grande Valley regarding its grant application to the EDA for the CARES Act Recovery Assistance program

On November 17, 2020, the City of Mission and Mission Prosperity Ventures serving as a 501(c)(3) co-applicant, submitted its grant application with the request of \$125,000.00 to the EDA for the CARES Act Recovery Assistance program. The project entailed delivering a series of crisis resiliency seminars and follow-up coaching administered by UTRGV interns to local businesses in response to negative impacts of COVID-19. The EDA had requested an executed MOU to solidify the city's partnership with UTRGV to further review our application for potential award.

Mayor Pro Tem Ortega moved to approve the consent agenda items 14 thru 20. Motion was seconded by Councilman Plata and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS**21. Homestead Exemption Variance: Being a 13.99 acre tract of land out of the South 660', irregular tract of land of the South 350.67' and the East 748' of Lot 28-10, West Addition to Sharyland Subdivision, AO-I, Cristel & Pablo Escobar**

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Homestead Exemption Variance. The subject site was located 660' South of E. Mile 2 Road along the West side of Bryan Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommended approval subject to compliance with all homestead exemption variance requirements.

City Manager recommended approval.

Councilman Plata moved to approve the Homestead Exemption Variance: Being a 13.99 acre tract of land out of the South 660', irregular tract of land of the South 350.67' and the East 748' of Lot 28-10, West Addition to Sharyland Subdivision, AO-I, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

22. Homestead Exemption Variance: Being a 0.306 acre tract of land out of the South 178.7', and the East 74.77' out of Lot 23-4, West Addition to Sharyland Subdivision, AO-P, Ricardo Cantu, Jr.

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Homestead Exemption Variance. The subject site was located 417.4' West of Holland Road, along the South side of W. 20th Street. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommended approval subject to compliance with all homestead exemption variance requirements.

City Manager recommended approval.

Mayor Pro Tem Ortega moved to approve the Homestead Exemption Variance: Being a 0.306 acre tract of land out of the South 178.7', and the East 74.77' out of Lot 23-4, West Addition to Sharyland Subdivision, AO-P, as per staff's recommendation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

23. Homestead Exemption Variance: Being a 6.03 acres, more or less, out of Lot 15-3, West Addition to Sharyland, AO-I, Victor Bocanegra

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Homestead Exemption Variance. The subject site was located 122' South of West "I" Street, along the East side of S. Los Ebanos Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommended approval subject to compliance with all homestead exemption variance requirements.

City Manager recommended approval.

Councilwoman Garza asked for rezoning to residential in the future.

Councilman Plata moved to approve the Homestead Exemption Variance: Being a 6.03 acres, more or less, out of Lot 15-3, West Addition to Sharyland, AO-I, as per staff's recommendation. Motion was seconded by Councilman Vela and approved unanimously 5-0.

24. Preliminary Plat Approval: Tierra Linda Subdivision, Being a 5.0 acre out of Lot 26-1, West Addition to Sharyland Subdivision, R-1T, Developer: Ferr International, LLC, Engineer: M. Garcia Engineering, LLC.

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Tierra Linda Subdivision. The subject site was approximately 1320' North of Mile 2 North Road along the Eastside of N. Inspiration Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) Payment of Capital Sewer Recovery & Park Fee's; 2) Provide Water District Exclusion; and 3) Comply with all other format findings.

City Manager recommended approval.

Councilman Vela moved to approve the Preliminary Plat Approval: Tierra Linda Subdivision, Being a 5.0 acre out of Lot 26-1, West Addition to Sharyland Subdivision, R-1T, Developer: Ferr International, LLC, Engineer: M. Garcia Engineering, LLC., as per staff's recommendation. Motion was seconded by Councilman Plata and approved unanimously 5-0.

25. Preliminary Plat Approval: Eduardo's Subdivision No. 24, A 16.92 acre tract of land, out of Lot 46-1, West Addition to Sharyland, Rural ETJ, Developer: Las Diana's Land Development, Engineer: Izaguirre Engineering Group, LLC.

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Eduardo's Subdivision No. 24. The subject site was ½ mile North of West Mile 6 Road and on the Eastside of Inspiration Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) Meeting the Model Subdivision Rules; 2) Complying with the street alignment policy; and 3) Meeting any comments from the County Planning Department.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Eduardo's Subdivision No. 24, A 16.92 acre tract of land, out of Lot 46-1, West Addition to Sharyland, Rural ETJ, Developer: Las Diana's Land Development, Engineer: Izaguirre Engineering Group, LLC, as per staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 5-0.

26. Preliminary Plat Approval: Eduardo's Subdivision No.19, A 22.03-acre tract of land, out of Lot 46-4 & 47-4, West Addition to Sharyland, Rural ETJ, Developer: Izaguirre Real Estates Holdings, Engineer: Izaguirre Engineering Group, LLC.

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Eduardo's Subdivision No. 19. The subject site was located near the Northwest Corner of West Mile 6 ½ Road and Trosper Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) Meeting the Model Subdivision Rules; 2) Complying with the street alignment policy; and 3) Meeting any comments from the County Planning Department.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Eduardo's Subdivision No.19, A 22.03-acre tract of land, out of Lot 46-4 & 47-4, West Addition to Sharyland, Rural ETJ, Developer: Izaguirre Real Estates Holdings, Engineer: Izaguirre Engineering Group, LLC, as per staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 5-0

27. Preliminary Plat Approval: Magnolia Park Subdivision, Being a 7.87 gross acre tract of land out of the South 10 acres of Lot 272, John H. Shary Subdivision, R-1A, Developer: R.G.V. Villa Homes, LLC., Engineer: B.I.G Engineering

On April 28, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Magnolia Park Subdivision. The subject site was located approximately ½ mile of North of E. Griffin Parkway F.M. 495 along the West side of Glasscock Road. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) Payment of Capital Sewer Recovery & Park Fee's; 2) Provide Water District Exclusion; and 3) Comply with all other format findings.

City Manager recommended approval.

Councilman Plata moved to approve the Preliminary Plat Approval: Magnolia Park Subdivision, Being a 7.87 gross acre tract of land out of the South 10 acres of Lot 272, John H. Shary Subdivision, R-1A, Developer: R.G.V. Villa Homes, LLC., Engineer: B.I.G Engineering, as per staff's recommendation. Motion was seconded by Councilman Vela and approved unanimously 5-0

28. Final Plat Approval: Oak Forest Subdivision, Being 2.00 acres out of the North 10 acres of the south 20 acres of Lot 183, John H. Shary Subdivision, R-1T, Developer: Black Diamond Developers, LLC Engineer: M. Garcia Engineering, LLC.

On March 9, 2021 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Oak Forest Subdivision. The subject site was located along the east side of Glasscock Road ½ Mile north of Expressway 83. The Board unanimously recommended approval as per Staff's recommendation.

Staff recommended approval subject to: 1) Must meet the Model Subdivision Rules; 2) Comply with the street alignment policy; 3) Must pay the capital sewer recovery fees; and 4) Must pay street widening fees.

City Manager recommended approval.

Councilman Plata moved to approve the Final Plat Approval: Oak Forest Subdivision, Being 2.00 acres out of the North 10 acres of the south 20 acres of Lot 183, John H. Shary Subdivision, R-1T, Developer: Black Diamond Developers, LLC Engineer: M. Garcia Engineering, LLC, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

29. Authorization to execute agreement with JBA Consulting Engineers, Inc. dba NV5 Consultants for Third-Party Engineering Support during Energy Savings Performance Contract (ESPC) construction and performance phases

NV5 would be applying engineering and economic analysis, reviews and inspections during project design and construction phases. NV5 would also apply operations and maintenance strategies and would assist in project acceptance and periodic measurement & verification of energy savings. Proposed cost for services was \$41,000.

Staff and City Manager recommended approval.

Council asked for this item be reviewed at a workshop.

Mayor Pro Tem Ortega moved to deny to execute agreement with JBA Consulting Engineers, Inc. dba NV5 Consultants for Third-Party Engineering Support during Energy Savings Performance Contract (ESPC) construction and performance phases. Motion was seconded by Councilman Plata and denied unanimously 5-0.

30. Seeking authorization to purchase Air Curtain Burner (air curtain incinerator) from Air Burners Inc.

The Sanitation Department was seeking authorization to purchase an S330 Tier 4 Final Air Curtain Burner for the high temperature burning of land clearing debris, green waste, storm debris and other waste streams in compliance with the requirements of US EPA 40CFR60. Air Burner would be shipped from factory completely assembled ready for immediate use and did not require disassembly for relocation. Air Curtain Burner would assist the department in downsizing the volume of brush and debris hauled to landfill for cost savings in operations. Purchase would be done via GSA #AIR BURNERS, INC [47QMCA20D00C] & [47QMCA20D000B] for a total cost of \$191,217.53 to include both the Air Curtain Burner and two-day on-site operator training and certification.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to authorize the purchase of an Air Curtain Burner (air curtain incinerator) from Air Burners Inc. Motion was seconded by Councilman Plata and approved unanimously 5-0.

31. Authorization to purchase three (3) grapple units from Freightliner of Austin, via TIPS Contract # 200206

Additional grapple trucks would assist the sanitation department to keep up with the regular pickup schedule and the economic growth of the city. Equipment would also allow the sanitation department to implement the necessary preventive maintenance and repairs on our older units to maximize their lifespan. Grapple units would serve as frontline emergency response to yearly unexpected catastrophic weather events such as hurricanes, floods and freeze.

Estimated time of delivery for the first unit was July 2021 and the other two (2) units scheduled for delivery December 2021. Total cost for all three (3) units was \$497,361. Staff and City Manager recommend approval.

Mayor Pro Tem Ortega moved to authorize to purchase three (3) grapple units from Freightliner of Austin, via TIPS Contract # 200206. Motion was seconded by Councilman Plata and approved unanimously 5-0.

32. Authorization to accept grant award of the 2020 Operation Stonegarden Program Grant from the Office of the Governor (OOG)

The grant would allow the Mission Police Officers the opportunity to work overtime to increase patrol presence throughout the City of Mission and especially around the U.S./Mexico border. The grant would further allow the Department to purchase three (3) fully equipped Chevrolet Tahoe units for its operations. The total amount of the grant awarded is \$325,000.00 and did not require a match.

Staff and City Manager recommend approval.

Mayor Pro Tem Ortega moved to accept grant award of the 2020 Operation Stonegarden Program Grant from the Office of the Governor (OOG). Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

33. Authorization to purchase operational equipment from Metro Fire Apparatus Specialists, Inc. Via Buy Board Contract 603-20

The Mission Fire Department was seeking authorization to purchase Powered Air Purifying Respirators with accessories from Metro Fire Apparatus Specialists, Inc. via Texas Buy Board Contract 603-20. On March 8, 2021, The Mission Fire Department received approval to accept a grant from the Department of Homeland Security 2020 Assistance to Firefighter Grant - Covid-19 Supplemental Round 2 Program. The grant amount of \$80,340.91 with a 10% cost share match of \$8,034.09 for a total grant amount of \$88,375.00. A price increase of \$420.00 from original quotation which brought the total amount of purchase to \$88,795.00.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to approve to purchase operational equipment from Metro Fire Apparatus Specialists, Inc. Via Buy Board Contract 603-20. Motion was seconded by Councilman Plata and approved unanimously 5-0.

34. Approval of Mission Fire Department Standard Operation Procedures

Mission Fire Department Standard Operation Procedures were reviewed and revised as per the recommendations made by the Fire Department Collaborative Committee. SOP would be effective May 11, 2021.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to accept and ratify the Mission Fire Department Standard Operation Procedures. Motion was seconded by Councilman Vela and approved unanimously 5-0.

35. Acceptance of the Comprehensive Annual Financial Report (AFR) for the fiscal year ended September 30, 2020

Acceptance of the Comprehensive Annual Financial Report (AFR) for fiscal year ended 09/30/20 for the City of Mission.

Mr. Chad Young, CRI, CPA's and Advisors, representative, presented and answered questions from the council in reference to the audit.

Staff and City Manager recommended approval.

Councilman Plata moved to accept the Comprehensive Annual Financial Report (AFR) for the fiscal year ended September 30, 2020. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

36. March 2021 Tax Collection Report

Acceptance of monthly property tax report for the month of March 2021.

The 2020 total adjusted tax levy for taxes was \$24,309,732.73 and the amount of the collections as of March 31, 2021 is \$22,795,980.38 which represents 93.77% of the total 2020 tax levy.

The total adjusted tax levy for delinquent taxes was \$2,454,113.36 and the amount of collections as of March 31, 2021 was \$376,956.79 which represents 15.36% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Councilman Plata moved to accept the March 2021 Tax Collection Report. Motion was seconded by Councilman Vela and approved unanimously 5-0.

37. Approval of March 2021 Financial Statements

Finance Director Angie Vela presented the March 2021 Financial Statements.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the March 2021 Financial Statements. Motion was seconded by Councilman Vela and approved unanimously 5-0.

38. Approval of Budget Amendments: General Fund, Utility Fund, CDBG Fund, Solid Waste Fund, MC Technology Fund, Designated Purpose Fund & 2018 CO Fund

Finance Director Vela presented budget amendments BA-21-32 thru BA-21-38 for approval. Staff and City Manager recommended approval.

Councilman Plata moved to approved budget amendments BA-21-32 thru BA-21-38 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

39. Discussion and possible action on modifying COVID-19 City of Mission guidelines

This was the opportunity for the City Council to make any modifications to the City's existing guidelines.

Staff and City Manager were seeking council's direction.

There were no changes at this time.

40. Authorize staff to engage Rike, Ogden, Figueroa, Alex Architects, Inc. for project scope, design and construction documents of Veteran's project

Staff was seeking authorization to execute contract with Rike, Ogden, Figueroa, Alex Architects, Inc., for project scope, design and construction documents for Veteran's project in accordance with the Texas Professional Services Procurement Act (V.T.C.A., Government Code Section 2254.001).

In accordance with Texas Government Code Sec. 2254.004 (a) (2) "Contract for Professional Services of Architect, Engineer, or Surveyor," a fair and reasonable fixed percentage rate of 7% of the Total Construction Cost was being proposed.

Veteran's project would be located on a 10-acre tract of land donated by Rhodes Enterprises. Veteran's Committee approved the recommendation of the architect on Monday, May 3, 2021.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega recommended for staff to advertise for Request for Proposals. She felt this was a very important project and wanted to have a scope of services before recommending a firm.

After much discussion from the council no action was taken on this item.

Mayor O'caña was against not taking action on the item due to needing to hire a firm before applying for possible grants.

Councilwoman Garza moved to remove from table item 41. Motion was seconded by Councilman Vela and approved unanimously 5-0.

UNFINISHED BUSINESS**41. TABLED: Rezoning: Lots 31 & 32, Block 1, Town of Madero, AO-I to R-2, Laura A. Brussolo, and Adoption of Ordinance #5024**

On April 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the northwest corner of Bogamilla and Pena Street. There was no public opposition during the P&Z meeting. The Board unanimously recommended denial.

Staff and City Manager recommended denial.

Mayor O'caña asked if there were any comments for or against the request.

There were no comments.

Councilman Plata moved to approve the Rezoning and Ordinance #5024 Rezoning: Lots 31 & 32, Block 1, Town of Madero, AO-I to R-2. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING FOR LOTS 31 & 32, BLOCK 1, TOWN OF MADERO, FROM AO-I
(AGRICULTURAL OPEN INTERIM) TO R-2 (DUPLEX-FOURPLEX RESIDENTIAL)

At 7:14 p.m., Mayor O'caña stepped out of the meeting.

ROUTINE MATTERS

City Manager Comments – Mr. Perez mentioned that the Tire Recycling Event was a success over 300 tires were collected. He informed of a workshop what was going to be held with the Planning & Zoning Commission and the City Council on Thursday, May 20, 2021 at 4 p.m.

Mayor's Comments – none

City Council Comments – Mayor Pro Tem Ortega invited the community to the Texas Citrus Fiesta Parade and other events being held on May 15, 2021.

At 7:17 p.m., Councilman Plata moved to convene in executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001. Motion was seconded by Councilman Vela and approved unanimously 4-0.

At 7:18 p.m., Mayor O'caña rejoined the meeting.

EXECUTIVE SESSION pursuant to V.T.C.A. Gov. Code Sec. 551.001**42. Consultation with Attorney, Sec. 551.001**

- A. All of Lot 1, Block 2, Blake Addition 0.20 of an acre, more or less being a portion of the United Irrigation District Canal right of way, lying adjacent to the East line of Lot 1, Block 2, Blake Addition also known as 1524 Francisco Avenue

43. Deliberation regarding real property Sec. 551.072

- A. Tax Resale Bid: the East 171.41 feet of the West 122.82 feet of the North 305 feet of Lot 31, Melba Carter Subdivision, Hidalgo County, Texas. Approval of Resolution # 1732.
- B. Discussion, Consideration of Counter-offer and possible action on Taylor Rd. Phase II Parcel 21: A partial acquisition of 6,190 square foot or 0.1421 of an acre tract of land situated in the City of McAllen, Hidalgo County, Texas, out of Lot 247, John H. Shary Subdivision.

The City Council will reconvene in open session to take any actions necessary

At 7:35 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilman Vela and approved unanimously 5-0.

On item 42 A- Mayor Pro Tem Ortega moved to deny request as discussed in Executive Session. Motion was seconded by Councilman Vela and denied unanimously 5-0.

On item 43 A- Councilwoman Garza moved to accept the bid and to approve Resolution # 1732. Motion was seconded by Councilman Plata and approved unanimously 5-0.

RESOLUTION NO. 1732

AUTHORIZING TAX RESALE

On item 43 B- Mayor Pro Tem Ortega moved to accept the counter-offer as discussed in Executive Session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ADJOURNMENT

At 7:37 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary