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**MINUTES**

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:**

Richard Becerra  
Adalberto Lopez  
Aisha Gonzalez  
Berenice Garcia  
Josh Belgum  
Michelle Carpenter  
Dave Hendricks  
Jessica Iglesias  
Moiseis Iglesias  
Irma Flores Lopez  
Ester Salinas  
Lisa Salinas  
Kathy Casillas  
Georgina Villarreal  
Rogelio Villarreal

**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  
Roland Rodriguez, I. T. Director  
Roxanne Casarez, Public Information Director  
Charlie Longoria, Media Relations  
Alex Fajaro, Media Relations  
Juan Pablo Terrazas, City Engineer  
Jesse Lerma, Civil Service Director  
Gilbert Sanchez, Fire Chief  
Rene Alvarez, Asst. Fire Chief  
Frank Cavazos, Deputy Fire Chief  
James Cardoza, Emergency Mngmnt. Coord.  
Roberto Dominguez, Chief of Police  
Joanne Longoria, CDBG Director  
Daniel Silva, CEO, Mission EDC  
Brad Bentsen, Parks & Recreation Director  
Mayra Rocha, Library Director  
Cynthia Lopez, Museum Director  
JC Avila, Fleet Maintenance Director  
Adela Ortega, Food Pantry Manager  
Angel Ramos, Veteran's Cemetery Director  
Roel Mendiola, Sanitation Dept.

**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. Presentation by Sharyland Independent School District**

Sharyland School Board member Ricky Longoria and President Dr. Noel Oliveira talked about the Sharyland Prayer Walk that would be taking place on August 7<sup>th</sup>. The route would be from FM 494 from Sharyland High School to the Shary Memorial Chapel located at 4900 N. Shary Road then back to Sharyland High School.

### **2. Report from the Greater Mission Chamber of Commerce –**

Brenda Enriquez, Mission Chamber of Commerce CEO reported on chamber events that had taken place and would be taking place to include the grand opening and ribbon cutting ceremony for South Texas Health Systems. Hotel occupancy is up substantially from last year.

### **3. Departmental Reports**

Councilman Ruben Plata moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Norie Gonzalez Garza and approved unanimously 5-0.

### **4. Citizen's Participation**

Mike Silva spoke about the need to implement the Fire/EMS for the City as a secondary EMS response.

Jorge Flores spoke about the implementation of the fire base EMS contingency plan.

Beto Juarez spoke about the implementation of the Fire/EMS for the City of Mission.

## **PUBLIC HEARING**

### **PLANNING & ZONING RECOMMENDATIONS**

#### **5. Rezoning: Lot 6, Block 75, Mission Original Townsite, R-1 (Single Family Residential) to C-2 (Neighborhood Commercial), City Initiated, and Adoption of Ordinance # 5051**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located near the northeast corner of W. 4<sup>th</sup> Street and Cummings Avenue along the north side of 4<sup>th</sup> Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Garza moved to approve Rezoning and Ordinance # 5051 Rezoning: Lot 6, Block 75, Mission Original Townsite, R-1 (Single Family Residential) to C-2 (Neighborhood Commercial). Motion was seconded by Councilman Plata and approve unanimously 5-0.

**ORDINANCE NO. 5051**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING FOR LOT 6, BLOCK 75, MISSION ORIGINAL TOWNSITE FROM  
R-1 (SINGLE FAMILY RESIDENTIAL) TO C-2 (NEIGHBORHOOD COMMERCIAL)

**6. Rezoning: Lots 1 & 2, Valle Hermoso Estates, C-2 (Neighborhood Commercial) to C-3 (General Business), Georgina Villarreal, and Adoption of Ordinance #**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the southeast corner of Bentsen Palm Drive and Mile 1 South. There was public opposition during the P&Z Meeting the concerns voiced were in regards property was not suited for commercial, it would not be in the best interest to the residents, and it would be a potential health risk for the residents. The Board unanimously recommended denial. A petition with 29% opposition was submitted. If City Council was inclined to approve the rezoning a 4/5 vote would be required.

Staff and City Manager recommended denial.

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

Applicant Georgina Villarreal spoke in favor of the request.

Councilman Vela moved to deny the Rezoning Lots 1 & 2, Valle Hermoso Estates, C-2 (Neighborhood Commercial) to C-3 (General Business). Motion was seconded by Councilwoman Garza and denied 4-1, with Mayor O'caña voting against.

**7. Rezoning: A 2.90 acre tract out of a 5.39 acres tract of land out of Lot 173, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to C-3 (General Business), Kyle R. Burns (Burns Income Properties, LTD), and Adoption of Ordinance # 5052**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located 200' North of East Inner State Highway 2 along the west side of Hoerner Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

At 5:05 p.m., Councilman Plata stepped out of the meeting.

Councilwoman Garza moved to approve rezoning and Ordinance # 5052 Rezoning: A 2.90 acre tract out of a 5.39 acres tract of land out of Lot 173, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to C-3 (General Business). Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

**ORDINANCE NO. 5052**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING FOR A 2.90 ACRE TRACT OUT OF A 5.39 ACRES TRACT OF LAND OUT OF LOT 173, JOHN H. SHARY SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

At 5:07 p.m., Councilman Plata rejoined the meeting.

**8. Conditional Use Permit: 2 Drive-Thru Services Doors – The Health Nut, 301 E. Expressway 83, Lot 4, El Pueblo No. 1, C-3, Joaquin Pena, and Adoption of Ordinance # 5053**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located approximately 840' off of Conway Avenue along the northside of the Frontage Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

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

City Manager recommended approval.

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

There were no comments.

Councilwoman Garza moved to approve the CUP and Ordinance # 5053, Conditional Use Permit: 2 Drive-Thru Services Doors – The Health Nut, 301 E. Expressway 83, Lot 4, for two years re-evaluation. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5053**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR 2 DRIVE-THRU SERVICE DOORS – THE HEALTH NUT, 301 E. EXPRESSWAY 83, LOT 4, EL PUEBLO NO. 1

**9. Conditional Use Permit: Drive-Thru Service Window – Dak's Snacks, 810 N. Schuerbach Road, Ste. "D", Lot 1, Sylvia Plaza Subdivision, C-2, Cristina Salazar, and Adoption of Ordinance # 5054**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located at the SE corner of Schuerbach Road and Business 83. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval for a period of 1 year.

City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Ortega moved to approve the CUP and Ordinance # 5054, Conditional Use Permit: Drive-Thru Service Window – Dak's Snacks, 810 N. Schuerbach Road, Ste. "D", Lot 1, Sylvia Plaza Subdivision, C-2, for 1 year as per staff's recommendation. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

#### **ORDINANCE NO. 5054**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR DRIVE-THRU SERVICE WINDOW – DAK'S SNACKS, 810 N. SCHUERBACH ROAD, STE. "D", LOT 1, SYLVIA PLAZA SUBDIVISION

#### **10. Conditional Use Permit: Restaurant & Sale & On-Site Consumption of Alcoholic Beverages in a property zoned (C-2) neighborhood Commercial – El Puerto Del Tio Jerry Seafood Restaurant, 4009 N. Inspiration Road, Lot 9, Block 5, Taurus Estates Subdivision No. 9, Ph I, C-2, Gerardo Chapa, Jr., and Adoption of Ordinance# 5055**

On July 14, 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 Inspiration Road and Azalea 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 to assess this new operation, at which time he would need to renew his TABC and CUP permit; 2) Must comply with all Fire, Health, Building, and Sign Code requirements; 3) Acquire a business license; and 4) Enclose dumpster.

City Manager recommended approval.

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

There were no comments.

Councilwoman Garza moved to approve the CUP and Ordinance # 5055, Conditional Use Permit: Restaurant & Sale & On-Site Consumption of Alcoholic Beverages in a property zoned (C-2) neighborhood Commercial – El Puerto Del Tio Jerry Seafood Restaurant, 4009 N.

Inspiration Road, Lot 9, Block 5, Taurus Estates Subdivision No. 9, Ph I, C-2, for 2-year re-evaluation as per staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 5055**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A RESTAURANT & SALE AND ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A PROPERTY ZONED (C-2) NEIGHBORHOOD COMMERCIAL – EL PUERTO DEL TIO JERRY SEAFOOD RESTAURANT, 4009 N. INSPIRATION ROAD, LOT 9, BLOCK 5, TAURUS ESTATES SUBDIVISION NO. 9, PH. I

**11. Conditional Use Permit: To Place a Mobile Food Truck – Tacos, Hamburgesas, y Cerveza by Ricardo's Restaurant, 2224 E. Business Hwy 83, Being a tract of land containing 1.08 acres of land, being part or portion of Lot 204, John H. Shary Subdivision, C-4, Esperanza Serna, and Adoption of Ordinance# 5056**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located on the SW corner of Glenwood Avenue and East Business Hwy 83. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) 1-year re-evaluation to assess this new operation; 2) compliance with all city codes including health, fire department and TABC requirements; 3) Comply with landscaping regulations; and 4) obtaining a business license.

City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the CUP and Ordinance # 5056, Conditional Use Permit: To Place a Mobile Food Truck – Tacos, Hamburgesas, y Cerveza by Ricardo's Restaurant, 2224 E. Business Hwy 83, Being a tract of land containing 1.08 acres of land, being part or portion of Lot 204, John H. Shary Subdivision, C-4, for 1-year re-evaluation as per staff's recommendations. Motion was seconded by Councilwoman Garza and approved 4-1, with Mayor Pro Tem Ortega voting against.

**ORDINANCE NO. 5056**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO PLACE A MOBILE FOOD TRUCK – TACOS, HAMBURGESAS, Y CERVEZA BY RICARDO'S RESTAURANT, 2224 E. BUSINESS HWY 83, BEING A TRACT OF LAND CONTAINING 1.08 ACRES OF LAND, BEING PART OR PORTION OF LOT 204, JOHN H. SHARY SUBDIVISION



**12. Conditional Use Permit: Guest/Pool House on Property Zoned Large Lot Single Family Residential, 1204 Frio Drive, Lot 70, Los Jardinez De Cimarron Subdivision, R-1A, Eddy Betancourt, and Adoption of Ordinance# 5057**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located at the SW corner of Frio Street and Pecos Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) No separate utility and electrical connections; 2) Transferability to other future owners imposing the same conditions imposed to this applicant; and 3) not to be used for rental purposes.

City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve the CUP and Ordinance # 5057, Conditional Use Permit: Guest/Pool House on Property Zoned Large Lot Single Family Residential, 1204 Frio Drive, Lot 70, Los Jardinez De Cimarron Subdivision, R-1A, as per staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5057**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR GUEST/POOL HOUSE ON PROPERTY  
ZONED LARGE LOT SINGLE FAMILY RESIDENTIAL, 1204 FRIO DRIVE, LOT 70, LOS  
JARDINEZ DE CIMARRON SUBDIVISION

**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*

**13. Approval of Minutes**

**Regular Meeting – July 12, 2021**

**Special Meeting – July 15, 2021**

**14. Acknowledge Receipt of Minutes**

**Mission Civil Service Commission – April 9 and May 13, 2021**

**Citizen's Advisory Committee – June 8, 2021**

**Youth Advocacy Advisory Board – June 8, 2021**

**Boys & Girls Club – June 8, 2021**

**Planning and Zoning Commission – May 26, 2021**

**Mission Historical Museum – May 17, 2021  
Traffic Safety Committee – May 18, 2021**

**15. Approval of Resolution No. 1738 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Sharyland Independent School District Back to School Walk**

The Mission Police Department was requesting approval of a resolution to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Sharyland Independent School District Back to School Walk. The agreement was required by the Texas Department of Transportation for the closure of the northbound outside lane of travel on FM 494 from Sharyland High School located at 1216 N. Shary Road to the Shary Memorial Chapel located at 4900 N. Shary Road. Then the walk would continue on the southbound outside lane of travel from 4900 N. Shary Road back to Sharyland High School. The Mission Police Department would be responsible for securing the route to insure the safety of both motorist and pedestrians

**RESOLUTION NO. 1738**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY OF THE NORTHBOUND LANE (RIGHT LANE) OF FM 494 BETWEEN 1200 BLOCK OF NORTH SHARY ROAD AND THE 4900 BLOCK OF NORTH SHARY AND THE SOUTHBOUND LANE (RIGHT LANE) OF FM 494 BETWEEN THE 4900 BLOCK OF NORTH SHARY ROAD AND THE 1200 BLOCK OF NORTH SHARY, FOR THE PURPOSE OF THE SHARYLAND INDEPENDENT SCHOOL DISTRICT BACK TO SCHOOL WALK AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

**16. Authorization to enter into a Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives regarding the eTrace Internet Based Firearm Tracing Application**

The Mission Police Department was requesting authorization to enter into a Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives regarding the eTrace Internet Based Firearm Tracing Application. Entering into this M.O.U. would help Mission Police trace a firearm to develop investigative leads that may link a suspect to a firearm in a criminal investigation. ATF's National Tracing Center (eTrace) assists law enforcement agencies by tracing the origin of source firearms that had been recovered in police activities.

**17. Authorization to re-enter into an Memorandum of Understanding with the Texas Department of Public Safety Motor Carrier Bureau for Certification of Commercial Vehicle Enforcement Authority from August 1, 2021 to August 1, 2023**

The Mission Police Department was requesting authorization to re-enter into a Memorandum of Understanding with the Texas Department of Public Safety Motor Carrier Bureau for Certification of Commercial Vehicle Enforcement Authority from August 1, 2021 to August 1, 2023. Renewal



of this MOU was to prevent the loss of authority to conduct Commercial Vehicle Safety Alliance inspections by Mission Police Departments Traffic Bureau.

**18. Authorization to solicit for bids for roof replacement for Mission Fire Department, Substation #4**

Staff was seeking authorization to solicit bids for the roof replacement for the Mission Fire Department, Substation #4. Project consisted of complete removal and replacement.

**19. Authorization to submit a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services for the FY21 Community Policing Development Program**

The Mission Police Department was seeking authorization for the submission of a grant application to the U.S. Department of Justice, COPS Office for the FY21 Community Policing Development Program. The grant supports law enforcement agencies seeking accreditation. The department seeks to obtain an accreditation management software that would provide opportunity for substantial accountability and transparency of law enforcement officers in preparation of accreditation. The total grant project was \$21,116.34 and did not require a match.

**20. Authorization to submit a grant application to the Walmart Foundation for the Local Community Grant Program**

The Mission Fire Prevention Division was requesting authorization for the submission of a grant application to the Walmart Foundation for the Local Community Grant Program. The Division was seeking to purchase smoke detectors and supplies to deliver another successful community fire safety event. The total project cost was \$5,000 and requires no match.

**21. Authorization to solicit proposal for depository bank services**

The City's current depository contract would terminate on 11/30/21. As per Local Government Code Section 105, the City must request proposals for depository bank services and as per the City's Investment Policy Section VI: A the depository must be selected at least every four years.

**22. Authorization to solicit bids for portable restroom/shower trailers**

The Office of Emergency Management was seeking authorization to solicit bids for portable restrooms/shower trailers for the general public for pre and post disasters. The portable equipment would be used as a secondary hygiene station at our shelters locations when services were not available. This would help combat COVID-19 related efforts and CDC requirements. The purchase would be via CDBG FY2020 CV-3 grant.

**23. Authorization to solicit bids for portable trailer mounted generator**

The Office of Emergency Management was seeking authorization to solicit bids for a portable trailer mounted generator for emergency use for during and post disasters. The generator would serve as a backup power source for several city buildings which would be retrofitted with a

transfer plug for use. This would help combat COVID-19 related efforts and CDC requirements. The purchase would be via CDBG FY2020 CV-3 grant.

#### **24. Authorization to solicit for bids for Video Message Board**

The Office of Emergency Management was seeking authorization to solicit bids for a portable video trailer mounted message board for use as a communications platform for the general public for pre and post disasters. The video message board would serve as a secondary layer of information for alert action messages and vital information. This would help combat COVID-19 related efforts and CDC requirements. The purchase would be via CDBG FY2020 CV-3 grant.

#### **25. Authorization to solicit bids for Weedy Lot Abatement**

Authorize staff to contract with third parties through the bidding process for the purpose of (1) abating nuisances pursuant to Article II of the Code of Ordinances captioned Weedy Lots, Unsanitary, Unsightly Conditions on Private Property, and/ or (2) cutting and removing all weeds, trash and brush from all City properties, easements and right of way and any other properties over which the City has dominion and control, and otherwise maintaining same in a neat and clean condition.

#### **26. Authorization to solicit bids for the Enhanced Lighting Project at the Mission Event Center**

The Enhanced Lighting Project at the Mission Event Center would provide a competitive advantage to be able to host special events such as concerts, pageants and much more. This project entails the addition of lights that can provide multiple colors, patterns, “runway” style and spot lighting as needed for different events.

#### **27. Authorization to surplus machinery and equipment**

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 the list of machinery and equipment.

#### **28. Authorization to solicit qualifications for an assessment for broadband infrastructure and service to underserved residents in accordance with the America Rescue Plan Act (ARPA)**

The pandemic had underscored the importance of access to universal, high-speed, reliable, and affordable broadband coverage. Many citizens had no broadband service or where existing services do not deliver minimally acceptable speeds. The Treasury’s Interim Final Rule provided that investments in broadband be made in areas that were currently unserved or underserved—in other words, lacking a wireline connection that reliably delivered minimum speeds of 25 Mbps download and 3 Mbps upload. In view of the wide disparities in broadband access, assistance to households to support internet access or digital literacy was an eligible use to respond to the public health and negative economic impacts of the pandemic, as detailed above.

At 5:22 p.m., Mayor O'caña stepped out of the meeting.

Items 18, 21, & 26 were removed from the list and discussed individually.

After deliberation from the council, Councilwoman Garza moved to approve the consent agenda item 18. Motion was seconded by Councilman Plata and approved unanimously 4-0.

After deliberation from the council, Councilwoman Garza moved to approve the consent agenda item 21. Motion was seconded by Councilman Plata and approved unanimously 4-0.

After deliberation from the council, Councilwoman Garza moved to approve the consent agenda item 26. Motion was seconded by Councilman Plata and approved unanimously 4-0.

Councilwoman Garza moved to approve the consent agenda items 13 thru 17, 19, 20, 22 thru 25 and 27 and 28. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **APPROVALS AND AUTHORIZATIONS**

#### **29. Homestead Exemption Variance: Being a 1.0 acre tract of land out of the east 126.41' out of Lot 97, Sharyland Orchards Subdivision, R-1A, Cynthia and Eloy Benavides**

On July 14, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Homestead Exemption Variance. The subject site was located 445' West of Shary Road, along the North side of Scout Lane. There was no public opposition during the P&Z meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Homestead Exemption Variance: Being a 1.0 acre tract of land out of the east 126.41' out of Lot 97, Sharyland Orchards Subdivision. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **30. Preliminary Re-Plat Approval: Lot 130A and Lot 130B, Replat of Lots 130, 131 & 132, Mountain View Subdivision Phase I, Being a 0.68 acre tract of land, more or less, consisting of all of Lots 130, 131, 132, Mountain View Subdivision Phase I, R-1, Developer: Cesar & Michelle Elizondo, Narciso Salinas, Engineer: Salinas Engineering & Associates**

On July 14, 2020 the Mission City Council held a Public Hearing to consider the Preliminary & Final Re-Plat Approval for Mountain View Subdivision Phase I. The subject site was located on the NW area of Ramirez St. and Amethyst Avenue. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor O'cana rejoined the meeting at 5:28 p.m.

Councilman Plata moved to approve Preliminary Re-Plat Approval: Lot 130A and Lot 130B, Replat of Lots 130, 131 & 132, Mountain View Subdivision Phase I, being a 0.68 acre tract of land, more or less, consisting of all of Lots 130, 131, 132, Mountain View Subdivision Phase I, R-1. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**31. Authorization to re-enter into an Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the 2020-2021 school year**

The Mission Police Department was requesting authorization to re-enter into a Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the 2021-2022 school year. A total of seven (7) police officers would be assigned to the school district during the school year. The total amount of the Inter-local agreement was \$401,762.20.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to re-enter into a Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the 2020-2021 school year. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**32. Authorization to re-enter into an Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Sharyland Independent School District for the 2021-2022 school year**

A total of six (6) police officers would be assigned to the Sharyland I.S.D. during the school year. The total amount of the Interlocal agreement was \$379,920.35 for the purpose of continuing the Educational Resource Officer Program at Sharyland Independent School District.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to re-enter into a Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Sharyland Independent School District for the 2021-2022 school year. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**33. Authorization to extend the Line of Duty Illness leave of Mission Police Lieutenant pursuant to Texas Local Government Code § 143.073**

The Mission Police Department was requesting authorization to extend the Line of Duty Illness leave of a Mission Police Lieutenant pursuant to Texas Local Government Code § 143.073. Texas Local Government Code § 143.073 permits a police officer to a leave of absence for an illness or injury related to the person's line of duty with full pay for a period up to one year if necessary. It also allowed an injured police officer to request an extension of injury leave of absence upon the expiration of the one year period. At the end of the one year period the municipality's governing body may extend the line of duty illness leave at full pay or reduced pay.

Staff and City Manager were requesting to extend line of duty illness at fully pay for an additional six months.

Councilwoman Garza moved to approve the line of duty illness leave of Mission Police Lieutenant pursuant to Texas Local Government Code § 143.073. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**34. Approval of Ordinance No. 5058 providing for a Three-Way Stop intersection at Holland Avenue and Barnes Street**

The Mission Police Department received a request for approval of an ordinance establishing a Three-Way Stop Intersection of Holland Avenue and Barnes Street. The homeowner at 800 Barnes had complained about vehicles leaving the roadway and striking his fence line twice. In addition, Traffic Safety Committee members had been receiving complaints about the current signage at the said intersection. On July 20, 2021 the Traffic Safety Committee reviewed the request and voted to recommend the placing of a three-way stop intersection.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve Ordinance 5058 providing for a Three-Way Stop intersection at Holland Avenue and Barnes Street. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**ORDINANCE NO 5058**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, PROVIDING FOR A TRAFFIC CONTROL DEVICE BEING A THREE-WAY STOP INTERSECTION AT HOLLAND AVENUE AND BARNES STREET; PROVIDING FOR INSTALLATION OF SAID TRAFFIC CONTROL DEVICES BEING STOP SIGNS AND PROPER SIGNAGE THEREOF AND MAKING PROVISIONS OF THE STATE TRANSPORTATION CODE AND TRAFFIC ORDINANCE OF THE CITY OF MISSION IN REGARDS TO PENALTY FOR VIOLATION APPLICABLE THERETO;

**35. Approval of the implementation of a speed humps on Nicole Drive between Shary Road and Taylor Road in accordance with City of Mission Code of Ordinances, Division 5, Speed humps, Section 110.351 to Section 110.354**

The Mission Police Department received several concerns from homeowners of the 2300 to the 2800 block of Nicole Drive. Representative of the area filed an application with the City of Mission for the aforementioned speed humps. After review of the application by the City of Mission Planning Department, it was confirmed that over sixty-six percent of the homeowners were in favor of the placing of speed humps on their street. On July 26, 2021, the Traffic Safety Committee met and reviewed the request. It was the recommendation of the Traffic Safety Committee to implement the requested speed humps on Nicole Drive from Shary Road to Taylor Road.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve the implementation of a speed humps on Nicole Drive between Shary Road and Taylor Road in accordance with City of Mission Code of Ordinances, Division 5, Speed humps, Section 110.351 to Section 110.354. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **36. Presentation of the Preliminary Budget for the Fiscal Year 2021-2022**

As per City Charter, the City Manager, between sixty (60) and ninety (90) days prior to the beginning of each fiscal year, shall submit to the City Council a proposed budget, in which the budget shall provide a complete financial plan for the fiscal year.

Presented was the Preliminary Budget with recommendations.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to accept the presentation of Preliminary Budget for Fiscal Year 2021-2022. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

### **37. Set Public Hearing date for FY 2021-22 Annual Budget**

City Manager was requesting to set the Public Hearing on FY 2020-21 Annual Budget on Monday, August 09, 2021 as required by City Charter.

Section 9.06. - Notice of public hearing on budget. At the meeting of the City Council at which the budget was submitted, the City Council shall fix the time and place of a public hearing on the budget and shall cause to be published in a newspaper of general circulation within the City of Mission, a notice of the hearing setting forth the time and place thereof at least ten (10) days before the date of such hearing.

Mayor Pro Tem Ortega stepped out of the meeting at 5:38 p.m.

The public hearing was to give interested parties the opportunity to be heard. The public hearing date, time and location would be published in the local newspaper.

City Manager recommended approval.

Councilman Garza moved to approve to Set Public Hearing date for FY 2021-22 Annual Budget. Motion was seconded by Councilman Vela and approved unanimously 4-0.

Mayor Pro Tem Ortega rejoined the meeting at 5:40 p.m.

### **38. Authorization to purchase via BuyBoard from Lone Star Furnishings, LLC for furniture for new Teen Department**

Authorization to purchase furniture from Lone Star Furnishings, LLC to furnish a new Teen Department at the Speer Memorial Library. Lone Star Furnishings, LLC was the BuyBoard vendor and would be purchasing furniture under contract # 584-19. These funds were from various grants.



Staff and City Manager recommend approval.

Councilman Plata moved to authorize to purchase via BuyBoard from Lone Star Furnishings, LLC for furniture for new Teen Department. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**39. Authorization to purchase via sole source from CloudLink by Bibliotheca for electronic services and library material**

Authorization to purchase electronic library material (eBooks, eAudiobooks, etc.) from Bibliotheca to use on their CloudLibrary platform that would be made available for checkout to patrons from a computer or electronic device as long as they have a library card from one of the public libraries in Hidalgo County. Bibliotheca provided certain products that would only be acquired through them; namely the CloudLibrary platform and CloudLink subscription, which was designed and manufactured exclusively by Bibliotheca. These funds were from the County of Hidalgo who funded our county eLibrary project. An interlocal was placed between the County of Hidalgo and the City of Mission that was approved on March 8, 2021. This agreement allows the County to continue to pay funds on behalf of and disburse funds to Speer Memorial Library for contractual services and library materials.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to purchase via sole source from CloudLink by Bibliotheca for electronic services and library material. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**40. Authorization to Purchase a 420 07A Backhoe Loader from Holt Cat via BuyBoard Contract #597-19**

Requesting authorization to purchase one (1) new Caterpillar, Model 420 ITC4E Backhoe Loader with all the standard equipment in the amount of \$121,850.00 from Holt Cat through BuyBoard Contract #597-19. This unit would be for our Public Works Department, and would replace a unit that was stolen earlier in the year. A claim was filed with TML, and would be receiving \$80,000 for this claim.

Staff and City Manager recommend approval.

Mayor Pro Tem Ortega moved to purchase a 420 07A Backhoe Loader from Holt Cat via BuyBoard Contract #597-19. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**41. Authorization to pay Doggett Freightliner for repairs to Streets Sweeper #168**

Authorization to pay Doggett Freightliner in the amount of \$26,686.03 for the completed repairs to Streets Sweeper Unit #168. This sweeper was struck by lightning causing substantial damage to the unit. A claim was filed with TML, and have received a total reimbursement of \$26,191.47 for completed repairs.

Staff and City Manager recommend approval.

Mayor Pro Tem Ortega moved to authorize to pay Doggett Freightliner for repairs to Streets Sweeper #168. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**42. Authorization to engage Third Party Engineering Firm for professional services for Design, Construction Management, Inspection and Material Testing for seven drainage projects**

As recommended by City Council at the July 15, 2021 Special City Council meeting to engage a third-party engineering firm to oversee the design, construction management, inspection and material testing for Project Stewart A (ML06k); Project Gabriel (ML05b); Project Glasscock (ML06n); Project Esperanza (ML02); Project Leandro (ML05a) Project Elm (MI13b) and Project Tulip (ML06n).

Staff and City Manager were seeking council direction.

Mayor Pro Tem Otega moved to hire an additional City Engineer to oversee these projects. Motion was seconded by Councilman Vela.

Councilwoman Garza stated that she preferred to hire a third party engineering firm, she felt that what was needed was a team of engineers not just one engineer. Councilman Plata recommended the city to hire two professional engineers and a project manager to oversee these projects. Councilwoman Garza requested to have the additional staff hired within the next 30 day.

After much discussion from the council, Mayor Pro Tem Ortega and Councilman Vela rescinded their previous motion.

Mayor Pro Tem Ortega moved to hire a team adequate to oversee these projects within the next 30 days. Motion was seconded by Councilman Vela and approved 4-1 with Councilwoman Garza against.

**43. Authorization to rescind previous recommendation and engage qualified firm for professional engineering services for Project Gabriel (ML05b)**

No Action was taken on this item.

**44. Approval of Budget Amendments: General, Utility and MEDC Fund**

Angie Vela, Finance Director presented budget amendments BA-21-44 thru BA-21-46 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approved budget amendments BA-21-44 thru BA-21-46 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

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

Mayor O'cana recommended to allow three (3) individuals at city facilities at one given time, follow social distancing and the wearing of facial coverings by citizens and staff while inside the city facilities. Emergency Operations Center is to be activated to answer any questions the citizens may have. COVID-19 guidelines have been initiated and implemented for city staff.

Councilman Plata moved to modify COVID-19 guidelines as recommended. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**UNFINISHED BUSINESS**

None

**ROUTINE MATTERS**

City Manager Comments – City Manager Perez reported on a successful Community Roundup a total of 27 tons of debris was collected. Mission Police Department, Mission Crime stoppers and Discoll Health sponsored a back to school backpack giveaway the event was a success with over 1000 backpacks were distributed. Vaccination clinic was held approximately 80 citizens received the vaccine. He invited the public to the street dedication for Oton Guerrero to be held on Wednesday, July 28. Mission Historical Museum will be hosting Movie Night on Thursday, July 29 at the Mission Event Center. Texas Citrus Fiesta will be hosting a car show on July 31. Mosquito spraying continues. Congratulated Juan Pablo Terrazas for being promoted to Assistant City Manager.

Mayor's Comments – Mayor O'cana stated that a delegation from Mazatlan, Sinaloa will be at the City on Wednesday and Thursday of this week. He advised that the formal sister city signing with Mazatlan will be on September 24, 25 and 26<sup>th</sup>. Encouraged citizens to get vaccinated.

City Council Comments – None

**ADJOURNMENT**

At 6:23 p.m., Councilman Plata moved for adjournment. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

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Dr. Armando O'caña, Mayor

ATTEST:

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Anna Carrillo, City Secretary