



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:

Brenda Enriquez
Jessica Iglesias
Hector Maldonado
Corina Alaniz
E. Gonzalez
Omar Garcia
Ester Salinas
Irma Flores
Aiden Morales
Jessenia Herzberg
Chris Mendiola
Sharon Ellison
Vicente Solano
Mike Mendiola
Matt Kendon

ABSENT:

STAFF PRESENT:

Nellie Hernandez, Asst. City Secretary
David Flores, Asst. City Manager
Aida Lerma, Asst. City Manager
Juan Pablo Terrazas, Asst. City Manager
Angie Vela, Finance Director
Michael Elizalde, Grants Administrator
Susie De Luna, Planning Director
Alex Hernandez, Asst. 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 Fajardo, Media Relations
Roberto Salinas, Public Works 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
Angel Ramos, Veteran's Cemetery Director
Roel Mendiola, Sanitation Director
Jesse Marez, Facility Maintenance Manager
Crissy Cantu, Purchasing Buyer
Joel Chapa, Police Officer

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 - Childhood Cancer Awareness Month

Councilman Ruben Plata moved to approve Proclamation - Childhood Cancer Awareness Month Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

At 4:40 Councilwoman Norie Gonzalez Garza joined the meeting.

2. Proclamation - Prostate Cancer Awareness Month

Councilman Plata moved to approve Proclamation - Prostate Cancer Awareness Month. Motion was seconded by Councilman Vela and approved unanimously 5-0.

3. 1st Annual Teacher Supply Bash

Jessica Iglesias, from Go Mission organization reported on a successful Teacher Supply Bash and thanked the Council and staff for their assistance.

4. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez, Mission Chamber of Commerce CEO informed the council on Special ribbon cutting for the Bingo. Brenda Enriquez, Mission Chamber of Commerce CEO reported on the Buenas Tardes luncheon to be held on Thursday, September 16, 2021 at the Mission Event Center. She informed the council on the upcoming ribbon cutting for South Texas Bingo. She also reported on upcoming chamber events.

5. Departmental Reports

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

6. Citizen's Participation

Jessenia Herzberg, from Hope Family Health Center reported on Free Medical Services available to residents.

Irma Flores Lopez, 1201 Keralum, spoke about an article published in the Progress Times regarding the FBI probe and about conflict of interest.

Matt Kendon 316, S. Bryan Road spoke about Lift Station #23.

Sharon Ellison spoke about the retention pond on Stewart Road and asked if a fence would be placed around the area. She also spoke on the need to set a decibel level on music.

**PLANNING & ZONING RECOMMENDATIONS
PUBLIC HEARING**

7. **Rezoning: A 0.281 acre, more or less, being the East 50' of the South 246.10' out of the 12.575 acres, more or less, out of Lot 245, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), Gladis Marquez, and Adoption of Ordinance# -5059**

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located approximately ¼ mile east of Shary Road along the northside of E. 22nd Street. There was no public opposition during the P&Z Meeting. 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.

There were no comments.

Councilman Plata moved to approve the rezoning and Ordinance No. 5059 Rezoning: A 0.281 acre, more or less, being the East 50' of the South 246.10' out of the 12.575 acres, more or less, out of Lot 245, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1 (Single Family Residential). Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

ORDINANCE NO. 5059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 0.281 ACRE, MORE OR LESS, BEING THE EAST 50' OF THE
SOUTH 246.10', OUT OF THE 12.575 ACRES, MORE OR LESS, OUT OF LOT 245, JOHN H.
SHARY SUBDIVISION, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1 (SINGLE
FAMILY RESIDENTIAL)

8. **Rezoning: A 0.51 of an acre tract of land out of Lot 17-11, West Addition to Sharyland, AO-I (Agricultural Open Interim) to C-3 (General Business), A-S 135 Hwy 83 Bryan Rd., LP, and Adoption of Ordinance# 5060**

On August 11, 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 Bryan Road and U.S. Expressway 83 Frontage Road. There was public opposition during the P&Z Meeting the concern voiced was in regards to not having enough room for future development. 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.

There were no comments.

Councilman Plata moved to approve the rezoning and Ordinance No. 5060 Rezoning: A 0.51 of an acre tract of land out of Lot 17-11, West Addition to Sharyland, AO-I (Agricultural Open Interim) to C-3 (General Business), A-S 135 Hwy 83 Bryan Rd., LP. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING A 0.51 OF AN ACRE TRACT OF LAND OUT OF LOT 17-11,
WEST ADDITION TO SHARYLAND, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3
(GENERAL BUSINESS)

9. Rezoning: A 12.451 acre tract of land, more or less, out of the east portion of Lot 4, Mrs. E.V. Flores Subdivision out of Porcion 52, AO-I (Agricultural Open Interim) & C-3 (General Business) to I-1 (Light Industrial), Valley Steel Recycling, LLC, and Adoption of Ordinance#

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located near the southwest corner of Inspiration Road and Business Highway 83 along the south side of Business Highway 83. There was public opposition during the P&Z Meeting the concerns voiced were in regards to rodents and safety. The Board unanimously recommended denial.

Staff and City Manager recommended approval.

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

Adrian Villarreal of 1705 N. 1st St., spoke in favor of the request. He advised the council that the company is not new to the industry and they are the largest steel company in the country. State of the art environmentally friendly equipment would be utilized for this project.

Alec Garza, from Valley Steel Recycling spoke in favor of the request and assured that the concern of possible rodents would be addressed. He also stated that the property would not be able to be seen due to the number of trees that were surrounding the property.

Sharon Ellison – 1604 E. 23 ½ Street, Mission spoke against the request.

Ms. Garcia the Remax Property representative who represented the seller spoke in favor of the request.

Councilman Plata moved to approve the rezoning request. Motion died due to lack of a second. Councilwoman Garza moved to deny the rezoning A 12.451 acre tract of land, more or less, out of the east portion of Lot 4, Mrs. E.V. Flores Subdivision out of Porcion 52, AO-I (Agricultural Open Interim) & C-3 (General Business) to I-1 (Light Industrial), Valley Steel Recycling, LLC. Motion was seconded by Councilman Vela and approved 4-1. Councilman Plata voted against the denial.

- 10. Rezoning: Being 14.00 acre tract of land, same being out of and forming part or portion of Lot 31-3, West Addition to Sharyland, Porciones 53 to 57, and 20.00 acres tract of land out of Lots 45 & 46, of Bellwoods Company Subdivision “D”, being a Resubdivision of Lot 31-4, West Addition to Sharyland, AO-I (Agricultural Open Interim) to R-1 (Single Family Residential), Omar F. Garcia, and Adoption of Ordinance# 5061**

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located approximately ¼ mile east of Los Ebanos Road extending to Trosper Road. There was no public opposition during the P&Z Meeting. 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.

There were no comments.

Councilman Plata moved to approve the rezoning and Ordinance No. 5061 Rezoning: Being 14.00 acre tract of land, same being out of and forming part or portion of Lot 31-3, West Addition to Sharyland, Porciones 53 to 57, and 20.00 acres tract of land out of Lots 45 & 46, of Bellwoods Company Subdivision “D”, being a Resubdivision of Lot 31-4, West Addition to Sharyland, AO-I (Agricultural Open Interim) to R-1 (Single Family Residential). Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

ORDINANCE NO. 5061

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING BEING 14.00 ACRE TRACT OF LAND, SAME BEING OUT OF AND FORMING PART OR PORTION OF LOT 31-3, WEST ADDITION TO SHARYLAND, PORCIONES 53 TO 57, AND 20.00 ACRES TRACT OF LAND OUT OF LOTS 45 & 46, OF BELLWOODS COMPANY SUBDIVISION “D”, BEING A RESUBDIVISION OF LOT 31-4, WEST ADDITION TO SHARYLAND, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1 (SINGLE FAMILY RESIDENTIAL)

- 11. Rezoning: A 8.9318 gross acre tract of land out of Lot 266, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), F Simon Texas, LLC, and Adoption of Ordinance# 5062**

On June 23, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located ¾ mile north of FM 495 along the west side of Taylor Road and north of the Edinburg Main Canal. There was public opposition during the P&Z Meeting the concerns voiced were in regards to: property value, privacy, and flooding. 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.

Alfred Denum owner of the property spoke in favor of the request. He stated he had spoken to the residents who were against the request and the concerns were discussed.

Milo Salinas, 2013 N. 42nd Street, McAllen, Texas. Mr. Salinas stated he was the project manager; a feasibility study had been conducted and there is no issue with drainage.

Councilman Plata moved to approve the rezoning and Ordinance No. 5062 Rezoning: A 8.9318 gross acre tract of land out of Lot 266, John H. Shary Subdivision, AO-I (Agricultural Open Interim) to R-1T (Townhouse Residential), F Simon Texas, LLC. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

ORDINANCE NO. 5062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING FOR A 8.9318 GROSS ACRE TRACT OF LAND OUT OF LOT
266, JOHN H SHARY SUBDIVISION FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-
1T (TOWNHOUSE RESIDENTIAL)

12. Conditional Use Permit: Drive-Thru Service Window – La Cruda, 1702 E. Griffin Parkway, Ste. A, Being the E. 51’ of Lot 8B, Stewart Village, Phase I, C-3, Sylvia S. Luque, and Adoption of Ordinance# _____

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the SE corner of Stewart and F.M. 495 at the Stewart Village Commercial Plaza. There was public opposition during the P&Z Meeting the concerns voiced were in regards to not enough room for the drive-thru. 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.

Sylvia Luque, applicant stated she had previously had a restaurant that closed due to the pandemic. She was requesting the window for safety purposes.

Sharon Ellison, 1604 E. 23 ½ Street, Mission stated her opposition

Councilman Plata moved to deny the rezoning Conditional Use Permit: Drive-Thru Service Window – La Cruda, 1702 E. Griffin Parkway, Ste. A, Being the E. 51’ of Lot 8B, Stewart Village, Phase I, C-3. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

13. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – La Cruda, 1702 E. Griffin Parkway, Ste. A, Being the E. 51’ of Lot 8B, Stewart Village, Phase I, C-3, Sylvia S. Luque, and Adoption of Ordinance #5063 and Wet Zone Ordinance #5064

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the SE corner of Stewart and F.M. 495 at the Stewart Village Commercial Plaza. There was public opposition during the P&Z

Meeting the concerns voiced were in regards to not enough room for the drive-thru. 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 CUP and Ordinance 5063 and Ordinance 5064 Sale & On-Site Consumption of Alcoholic Beverages – La Cruda, 1702 E. Griffin Parkway, Ste. A, Being the E. 51' of Lot 8B, Stewart Village, Phase I, C-3. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5063

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LA CRUDA, 1702 E GRIFFIN PARKWAY, STE. A, BEING THE E. 51' OF LOT 8B, STEWART VILLAGE, PHASE I

ORDINANCE NO. 5064

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LA CRUDA, 1702 E GRIFFIN PARKWAY, STE. A, BEING THE E. 51' OF LOT 8B, STEWART VILLAGE, PHASE I

- 14. Conditional Use Permit: To Place 7 Complimentary Storage Units (Pods) to be used as Dining & Beverage Areas – Ricardo's Restaurant Mobile Food Truck, 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# 5065**

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located near the SW corner of Glenwood Avenue and the East Business Hwy. 83. There was no public opposition during the P&Z Meeting. 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.

Maria Esther Salinas, 715 Miller, Mission, spoke in favor and requested for the area to be ADA compliant.

Felipe Cavazos, 1601 Palazzo, Mission, spoke in favor of the request and assured the council that the area would be ADA compliant. He stated that this was a park with one food truck.

Councilwoman Garza moved to approve CUP and Ordinance 5065 To Place 7 Complimentary Storage Units (Pods) to be used as Dining & Beverage Areas – Ricardo’s Restaurant Mobile Food Truck, 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. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5065

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO PLACE 7 COMPLIMENTARY STORAGE UNITS (PODS) TO BE USED AS DINING & BEVERAGE AREAS – RICARDO’S RESTAURANT MOBILE FOOD TRUCK, 2224 E. BUSINESS HWY. 83, BEING A TRACT OF LAND CONTAINING 1.08 ACRES OF LAND, BEING A PART OR PORTION OF LOT 204, JOHN H. SHARY SUBDIVISION

15. Conditional Use Permit: To Keep a Storage Container (POD) For the Sale & On-Site Consumption of Alcoholic Beverages –Brick Fire Xpress, 801 N. Bryan Road, B3, Lot 1, Tamkin Subdivision, I-1, Brick Fire Xpress, LLC, and Adoption of Ordinance# 5066-

On August 11, 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 Bryan Road and Business Highway 83. There was no public opposition during the P&Z Meeting. 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.

There were no comments.

Councilman Plata moved to approve CUP and Ordinance 5066 To Keep a Storage Container (POD) For the Sale & On-Site Consumption of Alcoholic Beverages –Brick Fire Xpress, 801 N. Bryan Road, B3, Lot 1, Tamkin Subdivision, I-1. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5066

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO KEEP A STORAGE CONTAINER (POD) FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – BRICK FIRE XPRESS, LLC, 801 N. BRYAN ROAD, B3, BEING LOT 1, TAMKIN SUBDIVISION

16. Conditional Use Permit: To keep a Mobile Food Unit – HICO BBQ Company, 2406 E. Griffin Parkway, Being Lots 2-14, Northeast Junction, C-3, Christopher Mendiola, and Adoption of Ordinance# 5067

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit request. The subject site was located approximately ¼ mile off of the SE corner of Shary Road & E. Griffin Parkway. There was no public opposition during the P&Z Meeting. The Board unanimously recommended denial.

Staff and City Manager recommended denial.

Staff noted the food truck was currently in operation without the proper permits. Also, allowing the food truck to remain at the current location would impede the maneuvering of vehicles in the parking lot. The food truck was currently taking up three parking spaces.

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

Christopher Mendiola, 2203 East 20th Street, Mission applicant stated he was catering and was asked by the owner of Skean Dhu to have a food truck at the location. Mr. Mendiola stated he had applied at the Mission Food Park but was denied due to there already being a BBQ Food Truck. He stated he did receive a permit from the Health Department and the Fire Department but was unaware he had to apply for a CUP.

Vicente Solano, 3108 Melody Lane, Mission spoke in favor of the request.

Daniel Silva, CEO, Mission EDC stated that the food park was run with only having one food vendor per type of business.

Mayor Pro Tem Ortega asked if the owner could apply for the permit. Ms. De Luna, Planning Director stated the issue was the location which had limited number of parking spaces that were allowed for the business. Councilwoman Vela asked if the grassy area could be used to place the food park in order to not use the parking spaces.

Councilwoman Garza recommended the possibility of requesting parking spaces from the neighbor to the east. She recommended to approve the CUP subject to finding an alternative location.

Councilwoman Garza moved to approve CUP and Ordinance 5067 To keep a Mobile Food Unit – HICO BBQ Company, 2406 E. Griffin Parkway, Being Lots 2-14, Northeast Junction, C-3., subject to finding an alternative location for mobile unit within site. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 5067

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT TO KEEP A MOBILE FOOD UNIT – HICO BBQ
COMPANY, 2406 E. GRIFFIN PARKWAY, BEING LOTS 2-14, NORTHEAST JUNCTION

17. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Whistling Duck, 1603 E. Griffin Parkway, Lots 10 & 11, Block 3, Shary Gardens Subdivision, C-3, Whistling Duck, Inc., and Adoption of Ordinance# 5068

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit renewal request. The subject site was located near the NW corner of Garden View Drive and Griffin Parkway (F.M. 195). There was public opposition during the P&Z Meeting the concerns voiced were in regards to loud music and garbage. 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.

Sharon Ellison, 1604 E. 23 ½ Street, Mission spoke against the request due to the loud music when bands were playing. She stated that they do not follow the hours of operation being presented. Her main concern was the noise and garbage.

Jaime Morales spoke on behalf of the business and stated that a sound buffer had been installed and that he is waiting on the ordinance to follow the decibel as per ordinance. Mr. Morales was receptive to changing the hours of operation

Maria Esther Salinas, 3303 Compton spoke against the request.

Councilwoman Garza moved to approve CUP and Ordinance 5068 Sale & On-Site Consumption of Alcoholic Beverages – Whistling Duck, 1603 E. Griffin Parkway, Lots 10 & 11, Block 3, Shary Gardens Subdivision, C-3, Whistling Duck, Inc. subject to compliance to the future decibel Ordinance that would be approved by council. Motion was seconded by Councilman Plata and approved unanimously 5-0.

ORDINANCE NO. 5068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR SALE & ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – WHISTLING DUCK, 1603 E. GRIFFIN
PARKWAY, LOTS 10 & 11, BLOCK 3, SHARY GARDENS SUBDIVISION

18. Conditional Use Permit Renewal: Drive-Thru Service Window – Tio Jerry Supermarket, 4009 N. Inspiration Road, Lot 9, Block 5, Taurus Estates Subdivision No. 9, Ph. I, C-2, Gerardo Chapa, Jr., and Adoption of Ordinance# 5069-

On August 11, 2021 the Planning and Zoning Commission held a Public Hearing to consider this conditional use permit renewal 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 and City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve CUP and Ordinance 5069 Drive-Thru Service Window – Tio Jerry Supermarket, 4009 N. Inspiration Road, Lot 9, Block 5, Taurus Estates Subdivision No. 9, Ph. I, C-2. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT RENEWAL DRIVE THRU SERVICE WINDOW –
TIO JERRY SUPERMARKET, 4009 N. INSPIRATION ROAD, LOT 9, BLOCK 5, TAURUS
ESTATES SUBDIVISION NO. 9, PH. I

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

19. Approval of Minutes

Regular Meeting – August 09, 2021

Special Meeting – August 19, 2021

20. Acknowledge Receipt of Minutes – Perez

Parks & Recreation Board – June 8, 2021

Shary Municipal Golf Course – April 28, 2021

Youth Advocacy Advisory Board – July 13, 2021

Boys & Girls Club of Mission – July 13, 2021

Mission Historical Museum – July 16 and August 19, 2021

21. Approval of Resolution # _____ Regarding Waterline Access Agreement with Sharyland Water Supply within city ETJ for La Homa Citrus Grove UT #1 Subdivision

Staff requested no action on this item.

22. Request by County of Hidalgo Elections Department to use City Facilities for early voting and election day for the November 2, 2021 Constitutional Amendment Election

Approval was being requested for the use of Bannworth Gym and Mission Parks & Recreation Gym for early voting and Election Day for the Constitutional Amendment Election – early voting would begin on October 18 thru October 29, 2021 and Election Day November 2, 2021.

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

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 Castro Elementary and Leal Elementary where it provides after school programs for the area youth. Castro Elementary students would be provided after school youth programs at the City's CWV unit located at 115 S. Mayberry St. MCISD would provide transportation on bad weather days. Leal Elementary students would be provided after school youth programs at Leal Elementary Campus located at 318 S. Los Ebanos Rd.

24. Approval of Resolution No. 1740 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 Beer Run 5k run

The agreement was required by the Texas Department of Transportation for the closure of the westbound and eastbound lanes of U.S. Business 83 from Highland Park Avenue to Mayberry Road and eastbound lanes of U.S. Business 83 to Conway Avenue. The Mission Police Department would be responsible for securing the route.

RESOLUTION NO. 1740

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 WESTBOUND AND EASTBOUND LANES OF U.S. BUSINESS 83 FROM MAYBERRY ROAD TO HIGHLAND PARK AVENUE AND THE EASTBOUND LANES OF U.S. BUSINESS 83 BETWEEN CONWAY AVENUE AND MAYBERRY ROAD FOR THE BEER RUN 5K EVENT AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE

25. Authorization to solicit proposals for Security Guard Services for the City of Mission

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 for different events throughout the fiscal year. Staff recommended approval for the solicitation of proposals to acquire security guard services.

26. Authorization to submit a grant application to Petco LOVE for the FY21 Animal Welfare Organizations Performing Sheltering and Adoptions grant

The City of Mission Health Department was seeking authorization for the submission of a grant application for the FY21 Animal Welfare Organization Program with Petco LOVE. The grant allowed projects that promote lifesaving efforts by increasing adoption programs, resources, and enhance return to owner initiatives. The city would request \$50,000 in support of its spay-neuter program, expansion and enhancement of kennel area, animal vaccines, and adoption costs to the community. The grant had no match requirement.

27. Authorization to modify scope to include Door Enhancement to the Enhanced Lighting Project at the Mission Event Center

The Mission Event Center strives to provide better access to guests by providing an entrance area with automatic push button doors.

28. Authorization to Solicit Bids for the purchase of Sand backfill Material for the Public Works Department

Staff was seeking authorization to solicit bids for the purchase of Sand Backfill material for Streets and Water Distribution under Public Works Department. Sand Backfill Material would be used for daily Maintenance Operations. Contract terms would be for one year with one-year renewal option.

29. Authorization to solicit bids for roadway and drainage improvements for Shary Business Park Subdivision

Staff was requesting authorization to solicit bids for the construction of roadway and drainage improvements related to the Shary Business Park Subdivision. The Mission EDC applied to the United States Economic Development Administration (EDA) seeking funding to construct utility improvements for an industrial park. The EDA awarded a \$3 million grant for these improvements in September 2020.

30. Approval of Interlocal Agreement between City of Mission and Sharyland Independent School District regarding the Natatorium Facility at Bannworth Park and Mayberry Pool Facility

Sharyland ISD and City desire to enter into the Interlocal Agreement for the purpose of use of the Natatorium Facility at Bannworth Park and Mayberry Pool Facility by both Sharyland ISD Jr. High Schools and both Sr. High Schools. The agreement was for the 2020-2021 school year at a cost of \$12,470.00.

The agreement was to be presented to SISD School Board.

31. Authorization to enter into an agreement with Mr. Apolonio Chapa for Planning and Utility Services

Authorization was being requested for the City of Mission to enter into an agreement with Mr. Apolonio Chapa for plan review of new residential subdivisions, commercial development and provide utility location services to the City. Mr. Chapa had 42 years of experience in the utility field and was uniquely qualified to locate water, sanitary sewer, and drainage lines within the City of Mission.

Mr. Chapa shall invoice the city for his services at a rate of \$43.00 per hour not to exceed 20 hours per week.

Mayor O'caña asked to remove item 21 from the list and take no action since no subdivision plans had been submitted.

Councilwoman Garza asked to remove item 27 from the list and discussed individually.

Councilman Plata moved to approve the consent agenda items 19, 20, 22 thru 26, and 28 thru 31. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Councilwoman Garza moved to approve consent agenda item 27. Motion was seconded by Councilman Plata and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS

32. Authorization to enter into an Interlocal Agreement between the City of Mission and the City of Palmhurst to provide temporary housing for prisoners

The City of Palmhurst was in need to continued services for the temporary housing and detention of prisoners awaiting arraignment. The Mission Police Department agreed to make use of their holding cells for prisoners of the Palmhurst Police Department subject to the availability of space based on the facilities 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 was for one year commencing on October 1, 2021 and ending at midnight on September 30, 2022.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to enter into an Interlocal Agreement between the City of Mission and the City of Palmhurst to provide temporary housing for prisoners. Motion was seconded Councilwoman Garza and approved unanimously 5-0.

33. Authorization to enter into an Interlocal Agreement between the City of Mission and the City of Penitas to provide temporary housing for prisoners

The City of Penitas was in need to continued services for the temporary housing and detention of prisoners awaiting arraignment. The Mission Police Department agreed to make use of their holding cells for prisoners of the Penitas Police Department subject to the availability of space based on the facilities 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, 2021 and ending at midnight on September 30, 2022.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to enter into an Interlocal Agreement between the City of Mission and the City of Penitas to provide temporary housing for prisoners. Motion was seconded Councilman Plata and approved 4-0, with Mayor O'caña abstaining from voting. Mayor O'caña filed a conflict disclosure statement.

At 6:32 p.m., Councilman Plata stepped out of the meeting.

34. Approval of July 2021 Financial Statements

Angie Vela, Finance Director presented the July 2021 Financial Statements.

Staff and City Manager recommend approval.

Councilwoman Garza moved to approve July 2021 Financial Statements. Motion was seconded by Councilman Vela and approved unanimously 4-0.

35. July 2021 Tax Collection Report

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

The 2020 total adjusted tax levy for taxes was \$24,295,275.70 and the amount of the collections as of July 31, 2021 was \$23,490,812.17 which represented 96.69% of the total 2020 tax levy. The total adjusted tax levy for delinquent taxes was \$2,414,650.81 and the amount of collections as of July 31, 2021 was \$585,416.33 which represented 24.24% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Councilwoman Garza moved to approve the July 2021 Tax Collection Report. Motion was seconded Councilman Vela and approved unanimously 4-0.

At 6:33 p.m., Councilman Plata rejoined the meeting.

36. Acceptance of Quarterly Report of Investments for the Quarter ending June 30, 2021 and Interest Earned for Nine Months Ending June 30, 2021

Acceptance of quarterly report required by the Public Funds Investment Act Section 2256.023 of the Texas Government Code on the total investments for the quarter ending June 30, 2021. The total increases to investment balances for the period were \$11,486,362.38 and total decreases were \$2,238,000.00, leaving a total of \$24,203,233.74 in outstanding investments for the quarter ending June 30, 2021. The total interest earned on all funds year to date was \$57,331.41.

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

Staff and City Manager recommended approval.

Mayor Pro Tem Jessica Ortega moved to approve the Quarterly Report of Investments for the Quarter ending June 30, 2021 and Interest Earned for Nine Months Ending June 30, 2021. Motion was seconded Councilwoman Garza and approved unanimously 5-0.

37. Approval of Budget Amendments: General and Designated Purpose Fund

Finance Director Vela presented budget amendments BA-21-51 thru BA-21-53 for approval.

Staff and City Manager recommended approval.

Councilman Plata moved to approve budget amendments BA-21-51 thru BA-21-53. Motion was seconded by Councilman Vela and approved unanimously 5-0.

38. Discussion and action on proposed 2021 Tax Rate and Take Record Vote and Schedule Public Hearing

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 provides 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 exceeds 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 \$0.5273 per \$100 valuation

The calculated voter approved tax rate not adjusted for unused increment rate was \$0.5590 per \$100 valuation

The calculated voter approved tax rate adjusted for unused increment rate was \$0.5781 per \$100 valuation

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

Public Hearing was to be scheduled: September 13, 2021.

City Manager's recommendation was 0.5590 per \$100 valuation.

Mayor O'caña moved to approve the proposed 2021 Tax Rate of \$0.5299 per \$100.00 valuation take Record Vote and Schedule Public Hearing for September 13, 2021. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

There was a record vote of 5-0 to approved the adoption of the proposed 2021 Tax Rate of \$0.5299 per \$100 valuation

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 was seeking Council's Direction.

Randy Perez, City Manager highly recommended the continued wearing of facial coverings and practicing of social distance.

Mayor O'caña recommended to make it mandatory for employees to wear facial coverings when dealing with the public.

Councilman Plata moved to approve city manager's and mayor's recommendations. Motion was seconded by Councilman Vela and approved unanimously 5-0.

40. Authorization to award bid for Training Program Provider

Staff was requesting authorization to award bid for a Training Program Provider for the Texas Talent Connection Grant, funded by Wagner-Peyser 7(b), from the Governor's Office, and administered by Texas Workforce Commission for the Cyber Mission Project. The project was managed by the Mission Economic Development Corporation (MEDC) and would provide cyber security training to 130 participants. This would be the third and final year of funding for the program. The MEDC Board accepted the \$482,800 grant on January 19, 2021.

Staff and City Manager recommend approval.

Councilwoman Garza moved to authorize to award bid for Training Program Provider. Motion was seconded by Councilman Plata and approved unanimously 5-0.

41. Interlocal Cooperation Agreement for the Management and Operation of the Rio Grande Valley State Veterans Cemetery

On 08/05/2021 at the VLB Meeting, the Board approved to enter into a three-year term with the option for renewal and budget negotiation before the anniversary date each year beginning October 1, 2021 through September 30, 2024.

Staff and City Manager recommend approval.

Councilwoman Garza moved to approve the Interlocal Cooperation Agreement for the Management and Operation of the Rio Grande Valley State Veterans Cemetery. Motion was seconded by Councilman Plata and approved unanimously 5-0.

UNFINISHED BUSINESS – None

ROUTINE MATTERS – City Manager Comments – City Manager Perez mentioned the Celebration of Life Tree Dedication to be held on August 24, 2021 at 9:00 a.m. for Officer Jorge Cabrera. The Mission Police Department would be hosting a Childhood Cancer Awareness Walk on Wednesday, September 1, 2021 at 7:00 p.m.

Mayor's Comments – Mayor O'caña stressed the importance of getting vaccinated.

City Council Comments – None

At 6:46 p.m., Councilwoman Garza 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 5-0.

EXECUTIVE SESSION pursuant to V.T.C.A. Gov. Code Sec. 551.001**42. Consultation with Attorney, Sec. 551.071**

- A. Authorization to hire outside legal counsel for Cause No. C- 3074-21-G, Norberto Salinas v City of Mission and Armando O'cana, in his official capacity
- B. City of Mission v Homer Salinas update

43. Deliberation regarding economic development negotiations, Sec. 551.087

A. Update on Mission Madero International Bridge and presentation on proposed High-Speed Rail project and proposed multi-county loop

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

At 8:35 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

On item 42 A- Councilwoman Garza moved to authorize City Attorney to hire outside legal counsel as discussed in executive session. Motion was seconded by Councilman Plata and approved unanimously 5-0

On item 42 B- No Action

On item 43 A- Councilman Plata moved to table presentation to the RGVMPPO. Motion was seconded by Councilwoman Garza and approved 4-1, with Mayor O'cana voting against.

ADJOURNMENT

At 8:37 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary