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**MINUTES**  
**ABSENT**

**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:**

Rey Medrano, Police Officer  
Gabriel Ramirez, Planning Dept.  
Omar Cantu, Public Works Dept.  
Irene Garza  
Vicente Contreras  
Eliel Gonzalez  
Nohemi Martinez  
Narcedalia Flores

**STAFF PRESENT:**

Joe Enriquez, Utilities Manager  
Roxanne Casarez, Public Information Dir.

**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  
Pat Martinez, Planning Dept.  
Noemi Munguia, HR Director  
Robert Hinojosa, Risk Management Director  
Peter Geddes, Procurement Director  
Angel Ramos, Veteran's Cemetery Director  
Filemon Olvera, Water & Wastewater Superv.  
Charlie Longoria, Media Relations  
Alex Fajardo, Media Relations  
Abram Ramirez, IT Director  
Roel Mendiola, Sanitation Dept. 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  
Ernie Zapata, Health Dept. Supervisor  
Adela Ortega, Food Pantry Manager

## **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 on Anacua Village Project**

Arnold Padilla, Mission Housing Authority Director reported on disposition of Anacua Housing Development and redevelopment activity to replace units with a modern development. Application will be submitted to the Texas Department of Housing & Community Affairs for funding through the Low-Income Housing Tax Credit Program. A resolution was requested to be considered at the next council meeting in support of the application.

### **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 will be taking place. The 2021 Annual Health & Wellness Fair will be held on December 9 and 10, 2021. Ribbon Cutting ceremonies for next week will be for Las Fuentes Medical Clinic and Queen B Social Event Center.

### **3. Departmental Reports**

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

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

Jesus Mendoza, 2202 E. 28<sup>th</sup> Street spoke about passing an ordinance preventing the use of direct radiation and electronic weapons.

Rosie Olivarez, thanked the Animal Control staff for all they do for the city and presented them with a token of appreciation.

Yvonne Perez spoke on behalf of the Animal Adoption and Rescue Advisory Board and thanked the Animal Control staff for their hard work.

At 4:59 p.m., Mayor O'caña continued on to item #39 of the agenda.

## **PUBLIC HEARING**

### **PLANNING & ZONING RECOMMENDATIONS**

#### **5. Rezoning: Lot 38 & the South 411.4' of Lot 39, Melba Carter Subdivision (U/R), R-1 (Single Family Residential) to C-3 (General Business) and Adoption of Ordinance#**

On October 27, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located approximately 700' east of Conway Blvd. along the south side of Melba Carter. There was public opposition during the P&Z Meeting the

concerns voiced were traffic and children's safety. A petition in favor of the rezoning was submitted. The Board unanimously recommended denial of the C-3. If the city council was inclined to approve the rezoning a 4/5<sup>th</sup> vote would be needed in order to approve this request.

Staff and City Manager recommended denial.

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

Applicant Efrain Salinas spoke in favor of the request. He stated that he was aware of the neighbor's concerns and was willing to comply with whatever needed to be done to resolve the issues. He added that he planned to improve the area and place signs on the road for the trucks to exit thru the commercial side only.

Nohemi Martinez, Irene Garza, Gloria Bocanegra and Narcedalia Flores surrounding neighbors spoke against the request. Some of their concerns included safety, traffic and drainage issues.

Hector and Abelardo Morin surrounding neighbors spoke in favor of the request.

Mayor Pro Tem Ortega moved to deny the Rezoning: Lot 38 & the South 411.4' of Lot 39, Melba Carter Subdivision (U/R), R-1 (Single Family Residential) to C-3 (General Business). Motion was seconded by Councilman Alberto Vela and approved 4-1, with Councilman Plata voting against the denial.

**6. Rezoning: All of Lots 1, 2, and 3, of Chaparral Terrace Subdivision, R-1 (Single Family Residential) to R-2 (Duplex-Fourplex Residential) and Adoption of Ordinance#**

On October 27, 2021 the Planning and Zoning Commission held a Public Hearing to consider this rezoning request. The subject site was located on the northeast corner of W. Griffin Parkway F.M.495 and Crimson Avenue along the east side of Crimson Avenue. There was no public opposition during the P&Z Meeting. The Board unanimously recommended denial of the R-2. If the city council was inclined to approve the rezoning a 4/5<sup>th</sup> vote would be needed in order to approve this request.

Staff and City Manager recommended denial.

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

Vicente Contreras who was representing the applicant spoke in favor of the request. He mentioned that what was being proposed were 3 duplexes similar in shape to homes. He added that this would be good for the neighborhood.

Lou Contreras spoke in favor of the request. She mentioned that the duplexes would be a good fit to the surrounding community.

Councilwoman Norie Gonzalez Garza moved to deny the Rezoning: All of Lots 1, 2, and 3, of Chaparral Terrace Subdivision, R-1 (Single Family Residential) to R-2 (Duplex-Fourplex Residential). Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**7. Conditional Use Permit: To Designate an Area as a Mobile Food Park for Operations of Mobile Food Units, 719 Ragland, A tract of land out of the Northwest 9.96 acres of Lot 203, John H. Shary Subdivision, C-3, Jorge Eduardo Careaga, and Adoption of Ordinance# 5103**

On October 27, 2021 the Planning and Zoning commission held a Public Hearing to consider this conditional use permit request. The subject site was located 800' south of Business Highway

83 along the west side of Ragland 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 the Building, Fire and Sign Codes; 3) Acquisition of a Business License; and 4) Must comply with noise ordinance.

City Manager recommended approval.

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

Applicant Jorge Careaga spoke in favor of the request. He stated that this project would help bring more business to the city which in turn would reactivate the economy. He mentioned that he would be in charge of the management for the business.

Councilman Plata moved to approve the CUP and Ordinance # 5103 Conditional Use Permit: To Designate an Area as a Mobile Food Park for Operations of Mobile Food Units, 719 Ragland, A tract of land out of the Northwest 9.96 acres of Lot 203, John H. Shary Subdivision, subject to staff's recommendations. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5103**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO DESIGNATE AN AREA AS A MOBILE FOOD  
PARK FOR OPERATIONS OF MOBILE FOOD UNITS AT 719 RAGLAND, A TRACT OF  
LAND OUT OF THE NORTHWEST 9.96 ACRES OF LOT 203, JOHN H. SHARY  
SUBDIVISION

- 8. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages out of a Storage Container – Tacos & Beer 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# and Wet Zone Ordinance# 5104**

On October 27, 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) CUP to be valid for a period of 2 years at which time the applicant would need to renew his CUP and TABC license; 2) Wavier of the 300' separation requirement from residential neighborhoods; 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.

Councilman Plata moved to approve the CUP and Ordinance # 5104 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages out of a Storage Container – Tacos & Beer 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, subject to staff's recommendations and Wet Zone Ordinance # 5105. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**ORDINANCE NO. 5104**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES OUT OF A STORAGE CONTAINER – TACOS & BEER BY RICARDO'S RESTAURANT AT 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

**ORDINANCE NO. 5105**

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 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, TACOS & BEER BY RICARDO'S RESTAURANT

**9. Conditional Use Permit: To keep a Portable Building for Sales Office Use – Universal Landscaping Supply, 1609 E. Expressway 83, Lots 3-6, Mission Palms Plaza, C-4, Eliel Gonzalez, and Adoption of Ordinance# 5106**

On October 27, 2021 the Planning and Zoning commission held a Public Hearing to consider this conditional use permit request. The subject site was located 600' east of Stewart Road along the northside of East Expressway 83 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 in order to assess the new business operation; 2) Re-striping & maintenance of the parking area; 3) Installation of skirting for the portable building; 4) Compliance with Building, Fire, and Sign Codes; and 5) Acquisition of a Business License

City Manager recommended approval.

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

Applicant Eliel Gonzalez spoke in favor of the request.

Councilwoman Garza moved to approve the CUP and Ordinance # 5106 Conditional Use Permit: To keep a Portable Building for Sales Office Use – Universal Landscaping Supply, 1609 E. Expressway 83, Lots 3-6, Mission Palms Plaza, C-4, subject to staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**ORDINANCE NO. 5106**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO KEEP A PORTABLE BUILDING FOR SALES OFFICE USE – UNIVERSAL LANDSCAPING SUPPLY AT 1609 E. EXPRESSWAY 83, LOTS 3-6, MISSION PALMS PLAZA

**10. Conditional Use Permit: Texas Citrus Fiesta Vaquero Cook-Off & Fun Fair on November 20, 2021, 1200 E. Business Highway 83, being a tract of land containing 6.56 acres, more or less, being a part or portion of a 6.79-acre tract out of Lot 20-11, West Addition to Sharyland Subdivision, C-3, Texas Citrus Fiesta, and Adoption of Ordinance# 5107**

On October 27, 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 Bryan road and E. Business Hwy 83. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) Installation of a perimeter fence/debris stop; 2) Installation of “No Parking” signs along E. Business Hwy 83 and Bryan Road; 3) Meet Noise, Amusement & Entertainment, Insurance, and any other related codes; and 4) Wavier of the 300’ separation requirement from residential neighborhoods.

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 the CUP and Ordinance # 5107 Conditional Use Permit: Texas Citrus Fiesta Vaquero Cook-Off & Fun Fair on November 20, 2021, 1200 E. Business Highway 83, being a tract of land containing 6.56 acres, more or less, being a part or portion of a 6.79-acre tract out of Lot 20-11, West Addition to Sharyland Subdivision, subject to staff’s recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0.

#### **ORDINANCE NO. 5107**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TEXAS CITRUS FIESTA VAQUERO COOK-OFF & FUN FAIR ON NOVEMBER 20, 2021 AT 1200 E. BUSINESS HIGHWAY 83, BEING A TRACT OF LAND CONTAINING 6.56 ACRES, MORE OR LESS, BEING PART OR PORTION OF A 6.79 ACRE TRACT OUT OF LOT 20-11, WEST ADDITION TO SHARYLAND SUBDIVISION

#### **11. Conditional Use Permit Renewal: To keep a Portable Building for Educational Purposes, 511 W. 11th Street, Lots 1 & 2, Blk. 178, Mission Original Townsite, R-1, Agueda P. Aguiñaga, and Adoption of Ordinance# 5108**

On October 27, 2021 the Planning and Zoning commission held a Public Hearing to consider this conditional use permit renewal request. The subject site was located 200’ west of Kika De La Garza Loop along the south side of W. 11<sup>th</sup> Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) 1 year re-evaluation in order to assess business; 2) Comply with all Building, Fire Codes; Sign, and landscaping codes.

City Manager recommended approval.

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

Mr. Duran spoke in favor of the request.

Councilman Plata moved to approve the CUP and Ordinance 5108 Conditional Use Permit Renewal: To keep a Portable Building for Educational Purposes, 511 W. 11th Street, Lots 1 & 2, Blk. 178, Mission Original Townsite, subject to staff’s recommendations. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.



**ORDINANCE NO. 5108**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RENEWAL TO KEEP A PORTABLE BUILDING FOR EDUCATIONAL PURPOSES AT 511 W. 11<sup>TH</sup> STREET, LOTS 1 & 2, BLOCK 178, MISSION ORIGINAL TOWNSITE

**12. Discussion and Action to Rescind Ordinance No. 4883 & 4963 as it relates to open carports, patios, and porches setback requirements, and Adoption of Ordinance# 5109**

On October 27, 2021 the Planning and Zoning Commission held a Public Hearing to consider rescinding ordinances No. 4883 & No. 4963. A direction was given to staff to revert back the setback requirements for open carports, patios, and porches. 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.

Councilwoman Garza moved to Rescind Ordinance No. 4883 & 4963 as it relates to open carports, patios, and porches setback requirements, and Adopt Ordinance # 5109. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5109**

AN ORDINANCE AMENDING THE CITY OF MISSION, TEXAS' CODE OF ORDINANCES' APPENDIX A - ZONING, ARTICLE XIII – EXCEPTIONS AND MODIFICATIONS - SECTION 1.59(2)(f) TO RE-ESTABLISH TYPICAL BUILDING SETBACKS TO ANY AND ALL STRUCTURES CLASSIFIED AS OPEN CARPORTS, PATIOS, AND PORCHES FOR RESIDENTIAL PURPOSES WHEN FRONTING A MAJOR THOROUGHFARE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A CUMULATIVE PROVISION; PROVIDING FOR A SEVERABILITY PROVISION; PROVIDING FOR THE CODIFICATION OF THE CODES' AMENDMENTS; AND PROVIDING FOR THIS ORDINANCE'S CAPTION TO BE PUBLISHED IN A NEWSPAPER OF LOCAL CIRCULATION IN ACCORDANCE TO POLICY AND PROTOCOL

**13. Preliminary & Final Plat Approval: Burns Mission Subdivision, Re-Plat of a 5.57 acre tract of land being all of Lots 1 & 2, Gallagher Subdivision, and part of a 5.39 acre tract of land out of Lot 173, John H. Shary Subdivision, C-3, Developer: Kyle Richard Burns, Engineer: M Garcia Engineering**

On October 27, 2021 the Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Burns Mission Subdivision. The subject site was located on the northwest corner of US Expwy 83 (E. I 2) and Hoerner Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to complying with all typical format findings and recording of Restrictions.

City Manager recommended approval.

Councilwoman Garza moved to approve the Preliminary & Final Plat Approval Burns Mission Subdivision, Re-Plat of a 5.57acre tract of land being all of Lots 1 & 2, Gallagher Subdivision,

and part of a 5.39 acre tract of land out of Lot 173, John H. Shary Subdivision, subject to staff's recommendations. Motion was seconded by Councilman Plata and approved unanimously 5-0

## **CONSENT AGENDA**

*All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately. The City Council May Take Various Actions; Including But Not Limited To Rescheduling An Item In Its Entirety For A Future Date Or Time. The City Council May Elect To Go Into Executive Session On Any Item Whether Or Not Such Item Is Posted As An Executive Session Item At Any Time During The Meeting When Authorized By The Provisions Of The Open Meetings Act*

### **14. Approval of Minutes**

**Regular and Special Meeting – October 25, 2021**

**Special Meeting – November 01, 2021**

### **15. Acknowledge Receipt of Minutes**

**Drainage Committee – August 18, 2021**

**Mission Tax Increment Reinvestment Zone – September 28, 2021**

**Mission Redevelopment Authority – September 28, 2021**

### **16. Authorization to submit grant application to Superior HealthPlan for the Community Providers Grant Program**

The Mission Fire Prevention Division was requesting authorization for the submission of a grant application to Superior HealthPlan for the Community Providers Grant Program. The Division was seeking to purchase smoke detectors and supplies needed to deliver a successful community fire safety event for vulnerable community members. The total grant request was \$5,000 and required no match.

### **17. Approval of Resolution # 1748 of the City of Mission adopting the Hidalgo County Hazard Mitigation Plan Update**

The Office of Emergency Management was seeking approval to adopt the Hidalgo County Hazard Mitigation Plan. FEMA requires communities to adopt a hazard mitigation action plan to be eligible for the full range of pre-disaster and post-disaster federal funding for mitigation purposes and the awarding of grants. The City of Mission was one of 22 participating entities in Hidalgo County.

## **RESOLUTION NO. 1748**

### **APPROVAL OF HAZARD MITIGATION ACTION PLAN UPDATE**

### **18. Authorization to accept the 2021 Rifle Resistant Body Armor grant from the Office of the Governor Homeland Security Grant Division for FY-2021 grant year (Grant #3494603)**

The Mission Police Department had been awarded a total of \$11,973.00. These monies would be utilized to provide Mission Police Officers with rifle resistant body armor. The grant would be in effect from October 01, 2021 through September 30, 2022.

### **19. Authorization to accept the 2021 Homeland Security Grant Program funds for SWAT equipment from the Office of the Governor, Grant #4322701**



Authorization to accept grant funds from the Office of the Governor–Homeland Security Grant Program for the purchase of SWAT tactical equipment. The funds would be used to purchase additional protective gear and tactical equipment. The total amount of the grant award was \$19,592.33.

**20. Authorization to accept 2021 Homeland Security Grant Program funds from the Office of the Governor for Facial Recognition Software, Grant 4042602**

Authorization to accept grant funds from the Office of the Governor–Homeland Security Grant Program for the purchase of facial recognition software. The funds would be used to enhance our current AFIX machine with facial identification capabilities. The purchase would include software and installation. The total amount of the grant award was \$40,766.75.

**21. Authorization to accept 2021 Community Policing Development (CPD) Accreditation Solicitation grant from the Office of Community Oriented Policing Services**

Authorization to accept grant funds from the Office of Community Oriented Policing Services under the funding opportunity for Community Policing Development Accreditation. The grant would be used to purchase Power DMS, a document management platform that creates a connection between policies, accreditation, and training. The total amount of the grant award was \$21,116.00.

**22. Authorization to accept the 2022 Impaired Driving Mobilization Grant from the Texas Department of Transportation**

The Mission Police Department was requesting authorization to accept the 2022 STEP Impaired Driving Mobilization Grant from the Texas Department of Transportation. The grant amount award was \$12,495.49 and would be utilized for DWI enforcement during specific holiday periods. There was a required cash match of \$ 2,499.49 required by the City of Mission.

**23. Authorization to accept the 2022 STEP Comprehensive Grant from the Texas Department of Transportation**

The Mission Police Department was requesting authorization to accept the 2022 Comprehensive Selective Traffic Enforcement Program Grant from the Texas Department of Transportation. The grant award amount was \$51,307.57 and would be utilized for traffic enforcement purposes. There was an in-kind match of \$ 10,307.57 required by the City of Mission.

**24. Approval of Resolution No. 1749 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 Chick-fil-A Half Marathon**

The agreement was required by the Texas Department of Transportation for the closure of the right lane of travel of FM 494 (Shary Road) to FM 495 (Griffin Parkway), west to Bryan Road, southbound to U.S. Business Highway 83, west on U.S. Business Highway 83 to Conway Ave., northbound Conway Ave. to 2 Mile Line Road, east to FM 494 and south on FM 494 to the Mission Event Center. The event would take place on December 11, 2021. The Mission Police Department would be responsible for securing the route.

**RESOLUTION NO. 1749**

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 (SHARY ROAD) FROM VICTORIA STREET TO FM 495 (GRIFFEN PARKWAY), WEST ON FM 495 (RIGHT LANE) TO FM 396 (BRYAN ROAD), SOUTHBOUND ON FM 396 (RIGHT LANE) TO U.S. BUSINESS HIGHWAY 83, WEST ON U.S. BUSINESS HIGHWAY 83 (RIGHT LANE) TO TEXAS HIGHWAY 107 (CONWAY AVE.), NORTHBOUND ON TEXAS HIGHWAY 107 (RIGHT LANE) TO MILE 2 ROAD, EAST ON MILE 2 ROAD (RIGHT LANE) TO FM 494 (SHARY ROAD) AND SOUTHBOUND ON FM 494 (RIGHT LANE) ENDING AT 200 NORTH SHARY ROAD FOR THE CHICK-FIL-A HALF MARATHON EVENT AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

Councilman Plata asked to removed item 24 from the list and discuss individually.

Councilman Plata moved to approve consent agenda items 14 thru 23. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

Councilman Plata moved to approve consent agenda item 24. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **APPROVALS AND AUTHORIZATIONS**

#### **25. Consideration to close City of Mission offices on Wednesday, November 24, 2021 due to the Thanksgiving Holiday and Friday, December 31, 2021 due to New Year's Holiday**

City of Mission offices would be closed beginning at 12 noon on Wednesday, November 24, 2021 and Friday, December 31, 2021. Consideration was being requested to close City Hall offices all day on those days.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to approve to close City of Mission offices on Wednesday, November 24, 2021 due to the Thanksgiving Holiday and Friday, December 31, 2021 due to New Year's Holiday. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

#### **26. Approval of Resolution # 1750 distributing 130 authorized votes for the election of Appraisal District Board of Directors for 2022-2023**

Mr. Amador Requenez was nominated by the city council to be placed on the ballot for Board of Director. Mayor O'caña was recommending the distribution of 130 authorized votes for Amador Requenez for council consideration.

Staff and City Manager recommended approval.

Councilman Vela recommended 30 Votes for Eddy Betancourt and 100 Votes for Amador Requenez.

Councilman Vela moved to approve the Resolution #1750 distributing 30 Votes for Eddy Betancourt and 100 Votes for Amador Requenez for the election of Appraisal District Board of Directors for 2022-2023. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **RESOLUTION NO. 1750**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
DISTRIBUTING 130 AUTHORIZED VOTES FOR THE ELECTION OF APPRAISAL  
DISTRICT BOARD OF DIRECTORS FOR 2022-2023

**27. Authorization to purchase breathing air compressors from Metro Fire Apparatus Specialists, Inc. Via HGAC Contract # EE08-19**

The Mission Fire Department was seeking authorization to purchase 10 horse power, four stage breathing air compressors and fill station with equipment accessories from Metro Fire Apparatus Specialists, Inc. Breathing air compressor systems would outfit two substations, Station #3, and Station #4. Purchase cost in the amount of \$70,562.00, Via HGAC Contract # EE08-19.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to authorize to purchase breathing air compressors from Metro Fire Apparatus Specialists, Inc. Via HGAC Contract # EE08-19. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**28. Authorization to purchase nine (9) Automized Refuse trucks via BuyBoard Contract # 601-19 for Sanitation Department**

Authorization to purchase nine (9) Automized Refuse Trucks from Santex Truck Center DBA Kyrish Truck Center via BuyBoard Contract #601-19 at a cost of \$351,574.00 per unit plus a BuyBoard fee of \$400 per purchase order, totaling \$3,164,566.00 for the 9 units. The acquisition of these units would enable our department to improve its daily operations.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase nine (9) Automized Refuse trucks from Santex Truck Center DBA Kyrish Truck Center via BuyBoard Contract # 601-19 for Sanitation Department. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**29. Authorization to purchase one (1) Peterbilt 337 Grapple Truck from Rush Truck Center via BuyBoard Contract #601-19**

Authorization to purchase one (1) Peterbilt 337 Grapple Truck from Rush Truck Center via BuyBoard Contract#601-19. The total cost of the unit will be \$179,181.44. The purchase of this additional unit will aid the department in providing the best service possible to our citizens as well as improve our daily operations.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to purchase one (1) Peterbilt 337 Grapple Truck from Rush Truck Center via BuyBoard Contract #601-19. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**30. Authorization to award bid for portable restroom/shower trailers**

The City of Mission accepted and opened 4 bid responses for a portable restroom/shower trailers for emergency use during and post disasters. Recommendation was to award to Ready2Go Restroom Trailers Sales, LLC. who was the lowest responsible bidder meeting all specifications. The portable equipment would be used as a secondary hygiene station at our shelter locations when services were not available. This would help combat COVID-19 related efforts and CDC requirements. The purchase would be through Round 3 of the CARES Act – Community Development Block Grant Program - Coronavirus (CDBG-CV3) to prevent, prepare for, and respond to the Coronavirus pandemic COVID-19.

Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to award bid for portable restroom/shower trailers to Ready2Go Restroom Trailers Sales, LLC. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **31. Authorization to award bid for portable trailer mounted generator**

The City of Mission accepted and opened two bid responses for a portable trailer mounted generator for emergency use during and post disasters. Recommendation was to award to Romco Equipment who was the lowest responsible bidder meeting all specifications. 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 through Round 3 of the CARES Act – Community Development Block Grant Program - Coronavirus (CDBG-CV3) to prevent, prepare for, and respond to the Coronavirus pandemic COVID-19.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to award bid for portable trailer mounted generator to Romco Equipment. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **32. Authorization to reject and re-solicit bids for Video Message Board**

Due to the lowest responsible bidder being over budget, staff was asking for authorization to reject and re-solicit bids for messages board(s) to be used during emergencies, events, and post disasters. The specifications for the message board would be amended reducing the size to 15'x 8' of the message board(s). This would help combat COVID-19 related efforts and CDC requirements. The purchase would be through Round 3 of the CARES Act – Community Development Block Grant Program - Coronavirus (CDBG-CV3) to prevent, prepare for, and respond to the Coronavirus pandemic COVID-19

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to reject and re-solicit bids for Video Message Board. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **33. 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.

City Manager was Seeking Council Direction.

Three vaccination clinics have been scheduled where the Thrive incentive cards will be issued out. Changes being requested is to add children to be eligible to receive the incentive card.

Councilman Plata moved to approve the Discussion and possible action on modifying COVID-19 City of Mission guidelines. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **34. Approval of Change Order #3 related to the South Conway Lift Station Sanitary Sewer & Waterline Improvements Project**

Staff was seeking authorization for Change Order No. 3 in the amount of \$70,000 for dewatering the area where the Liftstation was going to be placed. The contractor encounter water seepage underneath the drainage canal and utility conflicts. However, they would need to place coffer dams on both side of the canal to reduce the flow of water seepage and install metal plates

and additional well points to be able to install the Liftstation. The Mission Redevelopment Authority/TIRZ #1 Board of Directors approved Change Order No. 3 at their Board meeting of September 28, 2020 and would be reimbursed to the City. Contractor was Morwill, LLC. Melden & Hunt was the designer.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to approve the Change Order #3 related to the South Conway Lift Station Sanitary Sewer & Waterline Improvements Project. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**35. Discussion and possible action on invoice from Morwill, LLC for South Conway Lift Station Sanitary Sewer & Waterline Improvements Project**

**(City Attorney may ask City Council to go into executive session on this item under the “Consultation with Attorney” exception before considering this matter in open session)**

The amount of \$202,037.28 was for material Increase due to shortage and high demand. The Contractor incurred higher prices for PVC pipe due to vendors declared force majeure. However, some of the factors that cause materials to increase in price were the Pandemic, Winter Storm Uri 2021 Freeze, and Hurricane IDA.

The Mission Redevelopment Authority/TIRZ #1 Board of Directors would reimburse the City.

Staff and City Manager recommended approval.

Councilman Plata moved to the invoice from Morwill, LLC for South Conway Lift Station Sanitary Sewer & Waterline Improvements Project. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

**36. Approval of Work Authorization No. 17 with Melden & Hunt for Bentsen Palm Development Improvements**

Work Authorization No. 17 entails professional services (Government Code Section 2254 – Professional Services Procurement Act) for plans and specifications for Bentsen Palm Development Phase III sanitary sewer improvements.

Mission Redevelopment Authority/TIRZ #1 approved the reimbursement agreement for this project.

Staff and City Manager recommended approval.

Councilman Plata moved to approve the Work Authorization No. 17 with Melden & Hunt for Bentsen Palm Development Improvements. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

**37. Authorization to award bid for Sodium Chlorite Chemical for the Public Works Department North and South Water Treatment Plants**

The City of Mission had accepted and opened 5 bid responses for Sodium Chlorite chemical. Staff recommendation was to award bid to International Dioxide who was the lowest responsible bidder meeting all specification. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis for a one year base term. (cost \$ 0.682/lb). Additionally, vendor agrees to transfer ownership of two bulk storage tanks to City upon approval of contract.



Staff and City Manager recommended approval.

Councilwoman Garza moved to authorize to award bid for Sodium Chlorite Chemical for the Public Works Department North and South Water Treatment Plants to International Dioxide. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **38. Authorization to Award Bid for Weedy Lot Abatement**

The City of Mission had accepted and opened five (5) bid responses for Weedy Lot Abatement. Staff recommended to award multiple bids to the following 4: South Texas Landscapes, OCL Enterprises, LLC, TDL Properties, LLC, and Condes Landscaping since they were the (4) lowest responsible bidders meeting all specifications. Services would include all supervision, labor materials, supplies, tools and equipment necessary for the cleaning and clearing, loading and disposal of all trash, debris, rubbish, organic debris, municipal solid waste, special waste and tires. The contract would mow all grasses, weeds, and underbrush. The contract term would be for one-year base term with two one-year renewal options.

Staff and City Manager recommended approval.

Councilman Plata moved to authorize to Award Bid for Weedy Lot Abatement to South Texas Landscapes, OCL Enterprises, LLC, TDL Properties, LLC, and Condes Landscaping, as per staff's recommendation. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

### **39. Approval of Ordinance No. 5102 providing for a No Parking and No Standing Zone at the 1100 & 1200 Block of South Schuerbach Road between the hours of 7:00 a/m to 9:00 a/m and 2:00 p/m to 5:00 p/m on the days that IDEA schools are in session**

The Mission Police Department received a request for a No Parking and No Standing Zone at the 1100 & 1200 Block of South Schuerbach Road between the hours of 7:00 a/m to 9:00 a/m and 2:00 p/m to 5:00 p/m on the days that IDEA had school in session. On November 03, 2021 the Mission Traffic Safety Committee met to review the request and approved the placing of the No Parking and No Standing Zone. The ordinance was request in order to assist residents along Schuerbach Road affected by the standing of vehicles trying to pick-up students at the South IDEA campus.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Ordinance 5102 providing for a No Parking and No Standing Zone at the 1100 & 1200 Block of South Schuerbach Road between the hours of 7:00 a/m to 9:00 a/m and 2:00 p/m to 5:00 p/m on the days that IDEA schools are in session. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **ORDINANCE NO. 5102**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, PROVIDING FOR A TRAFFIC CONTROL DEVICE BEING A FOUR-WAY STOP INTERSECTION AT ELM AND PECAN 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

### **40. Approval of Ordinance No. \_\_\_\_\_ providing for a four-way stop intersection at Elm and Pecan Streets**

The Mission Police Department received a request for a four-way stop intersection on Elm and Pecan Street. The request was made because of speeders in the area. On November 03, 2021 the Mission Traffic Safety Committee met to review the request and voted against the formation of a four-way stop intersection. The Traffic Safety Committee recommended the placing of rumble strips on the roadway to slow down traffic. Staff recommends denial.

Staff and City Manager recommended denial.

Councilman Plata moved to deny the Ordinance providing for a four-way stop intersection at Elm and Pecan Streets. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

At 5:07 p.m., Mayor O'caña continued on to item #5 of the agenda.

**41. Authorization to purchase computers via DIR Contract #TX DIR-TSO-3763**

Authorization to purchase a total of twenty-six (26) desktop computers. The computers would be used to replace current end of life computers not supporting Windows 10 upgrade. The upgrade was needed due to current operating system being end of life which poses security risks and it was a requirement for Incode upgrade. The total cost of computers was \$27,699.10 via DIR Contract #TX DIR-TSO-3763.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega authorize to purchase computers via DIR Contract #TX DIR-TSO-3763.

Motion was seconded by Councilman Plata and approved unanimously 5-0.

**UNFINISHED BUSINESS**

**42. TABLED 10/25/2021: Authorization to solicit proposals for the construction of the new City of Mission Public Safety Facility**

No action was taken.

**43. TABLED 10/25/2021: Authorization to purchase via sole source from Aqua Metric Sales Company for digital water meters**

No action was taken.

**44. TABLED 10/25/2021: Authorization to award bid for construction of the Animal Shelter Office and Warehouse/Storage**

No action was taken.

**ROUTINE MATTERS**

City Manager Comments – Mr. Perez informed about the Employee Veterans Luncheon to be held on Tuesday, November 9 at the Mission Event Center. Veterans will be treated to a Lunch Plate on Veterans Day at the Mission Event Center from 11 a.m. to 2 pm. Crime Stoppers Turkey Drive Giveaway will be held on November 17 at the Parks and Recreation. Christmas Tree Lighting Ceremony will be held on November 19 from 6 – 9 p.m. and on November 20 from 2-6 p.m. at the Leo Pena Placita Park.

Mayor's Comments – Mayor O'caña thanked and congratulated the Veterans.

City Council Comments - City Council members thanked the Veterans Committee for the placement of the flags in the city. Thanked the Veterans for their service to our country.

At 6:50 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 Mayor Pro Tem Ortega and approved unanimously 5-0.

**EXECUTIVE SESSION** pursuant to V.T.C.A. Gov. Code Sec. 551.001

**45. Consultation with Attorney, Sec. 551.071**

**A. Update on Cause No. C-3074-21-G, Norberto Salinas v City of Mission and Armando O'cana, in his official capacity**

**B. Discussion and deliberation on policy relating to employee use of city vehicles and non-employee access to city vehicles**

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

At 8:22 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

On item 45 A – No action.

On item 45 B - Councilwoman Garza moved to have city manager enforce the current personnel policy regarding the use of city vehicles. Motion was seconded by Councilman Plata and approved unanimously 5-0

**ADJOURNMENT**

At 8:23 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilman Vela and approved unanimously 5-0.

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Dr. Armando O'caña, Mayor

ATTEST:

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Anna Carrillo, City Secretary