



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:

Joe Salazar, Finance Dept.
Ezeiza Garcia, Finance Dept.
Judge Wehrmeister
Mike Silva, Fire Dept.
Joel Magallan, IT Dept.
Dave Hendricks
Jessica Iglesias
Eddie Rivera
Lucia Rivera
Irma Flores Lopez
Brianna Villanueva
Bryan Dahlbug
Danielle Valdez
David L. Flores
Kevin Pagan
Maribel Velasquez
Javier Ramon
Moises Iglesias
Ramon Navarro
Brenda Enriquez
Maria Ester Salinas
Mart & Bev Risley
Philip Muzzklo
Debra Lee Alvarez
Judy L. Kreps

ABSENT:

STAFF PRESENT:

Nellie Hernandez, Asst. City Secretary
David Flores, 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
Peter Geddes, Procurement Director
Joe Enriquez, Utilities Manager
Roxanne Casarez, Public Information Director
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
Frank Cavazos, Deputy Fire Chief
Roberto Dominguez, Chief of Police
Daniel Silva, CEO, Mission EDC
Mario Flores, Golf Director
Rick Venecia, Boys & Girls Club Director
Cynthia Lopez, Museum Director
Adela Ortega, Food Pantry Manager
Roel Mendiola, Sanitation Dept.
Abel Bocanegra, Engineer in Training
Angel Ramos, Veteran's Cemetery Director
Jesse Mares, Facilities Director
Joel Chapa, Police Officer

CALL TO ORDER

With a quorum being present, Mayor Dr. Armando O'caña called the meeting to order at 4:31 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

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

PRESENTATIONS

1. Proclamation - Multiple Sclerosis Awareness and Education Month

Councilwoman Norie Gonzalez Garza moved to approve the Proclamation - Multiple Sclerosis Awareness and Education Month. Motion was seconded by Mayor Pro Tem Jessica Ortega and approved unanimously 5-0.

2. Hidalgo County Regional Mobility Authority 365 Tollway Project Update

Ramon Navarro, IV, P.E., CFM Project Engineer with the HCRMA gave the council an overview on the 365 TOLL Project. The HCRMA 365 Tollway will be a 12.2-mile tolled facility inclusive of thirteen (13) grade-separated interchanges and one (1) floodway bridge structure; USIBWC levee relocations; and roadway work. The Project would consist of grading, cement treated flexible base, lime treated subgrade, retaining walls, drainage, irrigation structures, traffic signals, illumination, signing, pavement markings, toll gantries & tolling equipment and electrical. Contract time is 1,264 days with a project budget of \$281,723,797.95.

At 4:48 p.m., Mayor Pro Tem Ortega stepped out of the meeting.

3. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez, Mission Chamber of Commerce CEO reported on recent chamber events. Ground Breaking at El Sendero by Bentsen Palm will be held on March 23, at 10:00 a.m. Spring market will be held on March 25 at Market Square.

4. Departmental Reports

Councilman Ruben Plata moved to approve the departmental reports as presented. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

At 4:55 p.m., Mayor Pro Tem Ortega rejoined the meeting.

5. Citizen's Participation

Maria Ester Salinas spoke against agenda item 8, Conditional Use Permit: La Muñequita Ranch Event Center.

Irma Flores Lopez, 1201 Keralum thanked staff for a successful event that was held at Astroland Park, the lack of citizens participation, procurement not being followed regarding PSI, regulation

for campaign signs, serving on boards and committees, and thanked the Fire Department for the ambulance that is needed in Mission.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

6. Rezoning: Being all of Lot 3, Block 243, Mission Original Townsite Subdivision, (C-3) General Business to (R-2) Duplex-Fourplex Residential, Javier Flores, and Adoption to Ordinance# - 5147

On February 23, 2022 the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 100' south of Kika De La Garza along the east side of N. Dunlap Avenue. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval of the R-1 request.

Staff and 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 rezoning and Ordinance No. 5147 Rezoning: Being all of Lot 3, Block 243, Mission Original Townsite Subdivision, (C-3) General Business to (R-2) Duplex-Fourplex Residential. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

ORDINANCE NO. 5147

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING ALL OF LOT 3, BLOCK 243, MISSION ORIGINAL TOWNSITE
SUBDIVISION, FROM (C-3) GENERAL BUSINESS TO
(R-2) DUPLEX-FOURPLEX RESIDENTIAL

7. Rezoning: A tract of land being the North 15.0 gross acres of land, more or less out of Lot 27-1, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-3) Multi-Family Residential, Glenda Gaona, and Adoption to Ordinance # - 5148

On February 23, 2022 the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located ¼ Mile South of W. Mile 2 Road and N. Inspiration along the East side of N. Inspiration Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended denial of the R-3 request. The proposed zone did not comply with the City's Future Land Use Map, and surrounding land uses.

Staff and City Manager recommended denial.

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

Delfino Gaona spoke in favor of the request.

Councilman Plata moved to approve rezoning and Ordinance 5148 Rezoning: A tract of land being the North 15.0 gross acres of land, more or less out of Lot 27-1, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

ORDINANCE NO. 5148

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING A TRACT OF LAND BEING THE NORTH 15.0 GROSS ACRES OF LAND, MORE OR LESS OUT OF LOT 27-1, WEST ADDITION TO SHARYLAND, FROM (AO-I) AGRICULTURAL OPEN INTERIM TO (R-2) DUPLEX-FOURPLEX RESIDENTIAL

8. Conditional Use Permit: La Muñequita Ranch Event Center in a Property Zoned (AO-I) Agricultural Open Interim, 3608 Compton Drive, The North 4 acres of Lot 35, and the South 1.98 acres of Lot 34, Bell-Wood Company's Subdivision "C", AO-I, Dina Salinas-Valdez, and Adoption of Ordinance# - 5149

On March 9, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located 1/4 mile north of 2 Mile Road along the east side of Compton Road. There was public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommend approval subject to: CUP to be valid for a period of 2 years at which time the applicant would need to renew the CUP. Resurface & re-stripe area designated for parking. meet noise, insurance, and any other related codes, and acquisition of a business license. Have security on-site and septic tank to meet capacity.

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

Dina Salinas Valdez spoke in favor of the request.

After discussion from the council regarding the width of street, recommendation was for the city to pave the street to 24 feet.

Councilman Plata moved to approve the CUP and Ordinance No. 5149 Conditional Use Permit: La Muñequita Ranch Event Center in a Property Zoned (AO-I) Agricultural Open Interim, 3608 Compton Drive, subject to staff's recommendations. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

ORDINANCE NO. 5149

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT LA MUNEQUITA RANCH EVENT CENTER IN A PROPERTY ZONED (AO-I) AGRICULTURAL OPEN INTERIM AT 3608 COMPTON DRIVE, THE NORTH 4 ACRES OF LOT 35, AND THE SOUTH 1.98 ACRES OF LOT 34, BELL-WOOD COMPANY'S SUBDIVISION "C"

9. Discussion and Possible action to Designate Honorary Street Name

On February 23, 2022 the Planning and Zoning Commission held a Public Hearing in order to consider Designating Honorary Street Name. Staff received a written request to have the name of their family member, Savas Sandoval, Jr. as an honorary name on Pecan Avenue from Business 83 northward to Oak Drive, a distance of 660'. Mr. Savas Sandoval Jr. 100th birthday was earlier this month.

His family respectfully requests that an honorary street name be approved on a 2 block stretch of Business 83 northward to Oak Drive where it intersected with 3 streets (inclusive of Tom Landry and Ash Street).

An honorary street name would have no change in address for anyone. 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

Mayor Pro Tem Ortega moved to approve designation of honorary street name. Motion was seconded by Councilman Plata and approved unanimously 5-0.

10. Discussion and Action on Valley View Estates & Valley View Citrus Grove Addition

On March 9, 2022 the Planning and Zoning Commission held a Public Hearing on Valley View Estates & Valley View Citrus Grove Addition. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval of this request.

Staff discovered that 90% of both Subdivisions were in violation such violations included: double occupancy, construction w/no permits, not meeting setbacks, exceed # of storage sheds allowed, junk vehicles & health and sanitation. 150 violations could not be proven based on records retention and software not backedup. Research was done using Incode Permitting Software & Appraisal District Records. As a comprise to work with the residents from both Subdivisions, staff and City Attorney suggested the following: 1) alert resident of violations, 2) sign a hold harmless agreement listing all the violations and record document w/Hidalgo County Clerk's Office, 3) secure a building permit, 4) on any new construction they must submit a letter of approval from HOA prior to obtaining a building permit, and 4) pay a fee of \$45 for permit and recording fee. Staff had met with several residents from the Subdivision and most of them agreed except on the fee. Staff took this suggestion to P&Z was receptive to staff's suggestion except on the fee, they feel that there should be no fee assessed. P&Z suggested that the HOA should include in their covenants or restrictions a note that states that a letter of approval from HOA must be included with all building permit applications.

Staff and City Manager were Seeking Council direction.

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

Judy Krepts, President of the Homeowners Association was in agreement with the recommendations that were proposed with a file fee of \$45.00 filing fee of hold harmless agreement.

Philip Muzzklo, spoke against the filing fee being charged. He stated the previous owner had installed the shed and he should not be responsible to pay.

Councilman Plata moved to approve recommendation regarding Valley View Estates and Valley View Citrus Grove Addition. Motion was seconded by Councilman Vela and approved 4-1 with Mayor Pro Tem Ortega voting against.

11. Preliminary & Final Re-Plat Approval: Replat of Lot 8 and Lot 9, M.E.D.C. Subdivision, A tract of land containing 2.79 acres, more or less, being Lot 8 and Lot 9, M.E.D.C. Subdivision, C-3, Developer: Mission Economic Development Corp, Engineer: Javier Hinojosa Engineering

On March 9, 2022 the Mission Planning and Zoning Commission held a Public Hearing to consider the Preliminary & Final Re-Plat Approval for Lot 8 and Lot 9, M.E.D.C. Subdivision. The subject site was located at the northeast corner of Victoria Drive and Grapefruit Boulevard. 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 approve Preliminary & Final Re-Plat Approval: Replat of Lot 8 and Lot 9, M.E.D.C. Subdivision. 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

12. Approval of Minutes

Regular Meeting – February 28, 2022

13. Acknowledge Receipt of Minutes

Citizen's Advisory Committee – January 25, 2022

Mission Civil Service Commission – February 16, 2022

14. Approval of resolution No. 1767 authorizing the submittal of a grant application for the FY23 Local Border Security Program (LBSP) to the Office of the Governor (OOG), Criminal Justice Division and authorizing Mayor as the Authorized Representative

The Mission Police Department was seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY23 LBSP Grant and designates the Mayor as the Authorized Representative. The grant would allow the Mission Police Department to increase patrol presence throughout the city, especially in and around the U.S./Mexico border through the support of overtime costs. The total project request is \$190,000.00, which there was no cash match requirement.

RESOLUTION # 1767

Mission Police Department's Local Border Security Program

15. Authorization to accept grant award from Superior HealthPlan

The Mission Fire Prevention Division was awarded a grant in the amount of \$5,000 and sought authorization to accept grant award from Superior Healthplan. The grant would support the Division's community smoke alarm program, which the funding would allow the purchasing of 300 smoke detectors and installation supplies to help the vulnerable population. The project sponsorship would aid the Divisions goal to serve over 125 vulnerable households. This grant opportunity did not have any match requirements.

16. Approval of Ordinance # 5150 granting a wet designation for 1327 E. IH 2, Gastel Plaza Subd. Lot – 1, Stripes Store #41871H

Staff was requesting the above-mentioned property be wet zoned for the Sale of Wine and Malt Beverage Retail Dealer's Off Premise Permit.

ORDINANCE NO. 5150

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 1327 E. IH 2, GASTEL PLAZA SUBD. LOT – 1, STRIPES STORE #41871H

Mayor Pro Tem Ortega moved to approve consent agenda items 12 thru 16. Motion was seconded by Councilman Plata and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS

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

On April 12, 2021 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Magnolia Park Subdivision. The subject site is located approximately ½ mile North of E. Griffin Parkway F.M. 495 along the West side of Glasscock Road. There was no public opposition during the City Council meeting. The Board unanimously recommended approval.

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

City Manager recommended approval.

Councilman Plata moved to approve Final Plat Approval: Magnolia Park Subdivision, as per staff's recommendations. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

18. Second Reading of Ordinance granting to One Gas, Inc., acting by and through its Texas Gas Service Company Division, and its successors and assigns, for a period of twenty (20) years from approval and acceptance of this Ordinance

Texas Gas Service Company, a division of ONE Gas Inc. (TGS), would like to renew its franchise with the City of Mission. The current franchise expires on April 22, 2022.

Pursuant to Section 7 of the current franchise, Ordinance 2745, TGS hereby provides written notice of its desire to renew its franchise agreement with City of Mission. The proposed franchise agreement was for 20-years.

This was the second reading of the ordinance, with final approval of Ordinance on March 28, 2022 (30 days after 1st reading). Ordinance to take effect on April 28, 2022

City Manager recommended approval.

No action was needed, this was only the 2nd reading.

19. Authorization to declare the month of April as Amnesty month for the City of Mission Municipal Court

City of Mission Municipal Court was requesting April 1 – April 30, 2022 to be recognized as Amnesty Month. Citizens were able to come in and pay their outstanding traffic and other pending violations without fear of being arrested upon their appearance in court. Failure to appear and warrant fees would be waived for citizens who voluntarily came in during Amnesty Month. Payment plans would also be made available if needed.

Staff and City Manager recommended approval.

Councilman Plata moved to declare the month of April as Amnesty month for the City of Mission Municipal Court. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

20. January 2022 Tax Collection Report

Acceptance of monthly property tax report for the month of January 2022.

The 2021 total adjusted tax levy for taxes was \$26,055,155.01 and the amount of the collections as of January 31, 2022 was \$21,950,538.49 which represented 84.25% of the total 2021 tax levy.

The total adjusted tax levy for delinquent taxes was \$2,417,510.65 and the amount of collections as of January 31, 2022 was \$195,958.64 which represented 8.11% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Mayor Pro Tem Ortega moved to approve January 2022 Tax Collection Report. Motion was seconded by Councilman Plata and approved unanimously 5-0.

21. Approval of November 2021 Financial Statements

Finance Director Vela presented the November 2021 Financial Statements.

Staff and City Manager recommended approval.

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

22. Approval of amendment to Interlocal Cooperation Agreement between the City of Mission, Hidalgo County and Hidalgo County Drainage District No. 1

On October 25, 2021 the City Council approved the Interlocal Agreement to undertake certain drainage improvements to the Tierra Dorada Drain along portions of Shuerbach Road and Moorefield Road. The improvements would assist in addressing flood control measures for the benefit of the residents of the Mission, Hidalgo County and the those serviced by the District.

The amendment allowed the entities to designate a portion of the funds received from the American Rescue Plan Act Stormwater System Improvement program for this project.

Staff and City Manager recommended approval.

Councilman Plata moved to approve amendment to Interlocal Cooperation Agreement between the City of Mission, Hidalgo County and Hidalgo County Drainage District No. 1. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

23. Approval of Interlocal Cooperation Agreement between the City of Mission, and McAllen Public Utility

The City of Mission would be undertaking roadway widening improvements on Taylor Rd. between US. Business 83 and Interstate 2. (U.S. 83) PUB desired for Mission to include, as part of its request for bids to construct the Project, the installation of an eight (8) inch water line along Taylor Road from U.S. Business 83 southward to its intersection with Interstate 2 (U.S. 83) as an additive alternative for the Project and would pay 100% of all costs associated with the construction and installation of the Water Line.

PUB would pay any and all costs to construct the Water Line, including, but not limited to, costs for materials, labor, and equipment in the amount of \$264,000.

PUB and Mission were authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Tex. Gov't Code 791.001 et. seq., which authorized local governments to contract with each other to perform governmental functions and services under the terms of the Act.

Staff and City Manager recommended approval.

Councilman Plata moved to approve Interlocal Cooperation Agreement between the City of Mission, and McAllen Public Utility. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

24. Authorization to award contract for Civil Service Attorney

Staff received two (2) proposals for Civil Service Attorney. Committee evaluated proposals submitted by Bickerstaff, Heath, Delgado, Acosta, LLP and Denton, Navarro, Rocha, Bernal & Zech, P.C. The firms were found qualified to perform the service. City Attorney recommended Bickerstaff, Heath, Delgado, Acosta LLP.

Staff and City Manager recommended approval.

Councilman Plata moved to award contract for Civil Service Attorney to Bickerstaff, Heath, Delgado, Acosta, LLP. Motion was seconded by Councilwoman Garza and approved unanimously 5-0.

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

City Manager Randy Perez was recommending the opening of the lobby at the Water Department, Thrive card distributions was scheduled for March 15, 16 and March 30 to the citizens of Mission who had received their booster vaccine. Children who had been vaccinated would be receiving a \$50.00 thrive card on Friday, March 18 at Bannworth Park. Vaccine clinics would be held on March 29 and April 5, 2022.

Staff and City Manager were seeking council direction.

Councilman Plata moved to approve recommendations on modifying COVID-19 guidelines. Motion was seconded by Mayor Pro Tem Ortega and approved unanimously 5-0.

UNFINISHED BUSINESS

Item 26 was not removed from the table; therefore, no action was taken.

26. TABLED 02/28/2022: Discussion and Action to Rescind Ordinance #5001 as it relates to No Parking on Grass for Residential Properties, and Adoption of Ordinance #

ROUTINE MATTERS

City Manager Comments – Invited the citizens to the City of Mission Staycation events taking place at a different city park each day. Street dedication for Mr. Savas Sandoval would take place on March 22 at 10:30 a.m. Esperanza homes ground breaking would take place on March 23 at 10:30 a.m.

Mayor's Comments – Thanked Parks & Recreation staff, animal control officers and the Mission Pawsible Animal Rescue and Adoption Advisory Board for a successful pet vaccination clinic.

City Council Comments – Councilman Plata attended events at Villa del Carbon on behalf of the Sister City Committee.

At 6:12 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 Mayor Pro Tem Ortega and approved unanimously 5-0.

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

27. Consultation with Attorney, Sec. 551.071

A. Update on Energy Savings Contract and other matters incident thereto

B. Update on Officer Report # 2021-26610

C. Jose Guadalupe Vargas aka Joe Vargas vs City of Mission Cause No. C-0723-22-E

28. Personnel Matters Sec. 551.074

A. Chief of Police position

B. Deliberation and possible action regarding employment agreement with Municipal Court Judge and Associate Municipal Court Judge

Councilman Vela stepped out of the meeting at 7:31 p.m.

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

At 7:34 p.m., Councilwoman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

On item 27 A – No action

On item 27 B – No action

On item 27 C – No action

On item 28 A – No action

On item 28 B – Councilman Plata moved to increase salaries of Associate & Presiding Judges as discussed and directed in executive session. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

At 7:36 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Garza and approved unanimously 4-0.

Dr. Armando O'caña, Mayor

ATTEST:

Anna Carrillo, City Secretary