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## MINUTES

### PRESENT:

Norie Gonzalez Garza, Mayor  
Jessica Ortega, Councilwoman  
Ruben D. Plata, Mayor Pro-Tem  
Abiel Flores, Councilman  
Alberto Vela, Councilman  
Gus Martinez, City Attorney  
Randy Perez, City Manager  
Anna Carrillo, City Secretary

### ALSO PRESENT:

Gracie De Luna  
Lupita Gonzalez  
Carolina Banks  
Magdalena Solis  
Carolina Lopez  
Natalia Pequeno  
Samuel Munoz  
Sergio Hernandez  
Ana Lilia Hernandez  
Juan Humberto Marquez  
Noemi Martinez  
Marla Martinez  
Rogelio Rocha Jr.  
Jim & Beth Barnes  
J. Avellaneda  
Kathy Palmer  
Jessica Garcia  
Sebastian Salinas  
Andres Palma  
Hector Gonzalez  
Victor Anzaldua  
William Renner  
Alex Leal

### STAFF PRESENT:

Brenda Casarez, Police Officer  
Nereyda Pena, Asst. H.R. Director  
Humberto Garcia, Media Relations

### ABSENT:

### STAFF PRESENT:

Nellie Hernandez, Asst. City Secretary  
David Flores, Asst. City Manager  
Aida Lerma, Asst. City Manager  
Juan Pablo Terrazas, Asst. City Manager  
Esther Pena, Deputy City Attorney  
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 Lerma, Public Information Director  
Alex Fajardo, Media Relations  
Abram Ramirez, IT Director  
Abel Bocanegra, P.E., City Engineer  
Brad Bentsen, Parks & Recreation Director  
Jesse Lerma, Civil Service Director  
Cesar Torres, Chief of Police  
Gilbert Sanchez, Fire Chief  
Rene Alvarez, Asst. Fire Chief  
Frank Cavazos, Deputy Fire Chief  
Joanne Longoria, CDBG Director  
Mayra Rocha, Speer Memorial Library Director  
Cynthia Lopez, Museum Director  
Adela Ortega, Mission Food Pantry Director  
Mario Flores, Golf Director  
Rick Venecia, Boys & Girls Club Director  
Noel Barrera, Health Dept. Director  
Angel Ramos, Veteran's Cemetery Director  
Roel Mendiola, Sanitation Dept. Director  
J.C. Avila, Fleet Director

## **CALL TO ORDER AND ESTABLISH QUORUM**

With a quorum being present, Mayor Norie Gonzalez Garza called the meeting to order at 4:34 p.m.

## **INVOCATION AND PLEDGE ALLEGIANCE**

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

## **DISCLOSURE OF CONFLICT OF INTEREST**

Councilman Abiel Flores filed the proper paper work with the City Secretary due to a conflict of interest on item #29 of the agenda.

## **PRESENTATIONS**

### **1. Proclamation - Deaf Awareness Month**

City Secretary Anna Carrillo presented the Proclamation – Deaf Awareness Month.

Mayor Pro-Tem Ruben Plata moved to approve Proclamation - Deaf Awareness Month. Motion was seconded by Councilwoman Jessica Ortega and approved unanimously 5-0.

### **2. Proclamation - National Day of Remembrance**

City Secretary Carrillo presented the Proclamation – National Day of Remembrance.

Mayor Pro-Tem Plata moved to approve Proclamation - National Day of Remembrance. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

### **3. Presentation of Hailey Garcia, Local Athlete of the Year**

Brad Bentsen, Parks & Recreation Director presented a plaque to Hailey Garcia as Local Athlete of the Year for the Texas Amateur Athletic Federation.

### **4. July 2022 Employee of the Month**

Noemi Munguia, Human Resource Director presented the July 2022 Employee of the month Evodio Rios, Reference Clerk at Speer Memorial Library.

### **5. August 2022 Employee of the Month**

Noemi Munguia, Human Resource Director presented the August 2022 Employee of the month Angel Garcia Jr., Code Enforcement Officer.

### **6. Invitation for 16 De Septiembre Festival by Camara de Comercio Internacional**

Aida Lerma, Assistant City Manager introduced Carlos Marin, president of the Camera de Comercio Internacional who invited the council and the public to the Noche Mexicana that would be taking place on Saturday, September 17 at the Mission Event Center.

## 7. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez, Mission Chamber of Commerce CEO reported on chamber events that had taken place and would be taking place in the near future. Some of these events included a Workforce Development, Discover Mission Mixer, Business Development Session and the Annual Awards.

## 8. Departmental Reports

Councilwoman Ortega moved to approve Departmental Reports. Motion was seconded by Mayor Pro-Tem Plata and approved unanimously 5-0.

## 9. Citizen's Participation

Jesus Mendoza spoke via cell phone and requested an ordinance to criminalize bullying and spoke about the dangers of microwave sensitivity.

## PUBLIC HEARING

### 10. Public Hearing on 2022 Proposed Property Tax Rate

The notice of 2022 Tax Year Proposed Property Tax Rate for City of Mission was published in the Progress Times on Friday, September 2, 2022.

The proposed 2022 tax rate was \$0.5299 per \$100.

The public hearing was to give the opportunity for citizens to speak on the proposed tax rate.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

No action, Public Hearing only.

## PLANNING & ZONING RECOMMENDATIONS

### 11. Rezoning: A 1.258 acre tract of land, more or less, out of the South 10 acres of the North 20 acres of Lot 254, John H. Shary Subdivision, (C-1) Office Building to (C-3) General Business, Villa Kapital, LLC, and Adoption of Ordinance# \_\_\_\_\_

On August 24 2022, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located on the southwest corner of Fox Run Ave. and Shary Road. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to: noise, traffic increase property values, children safety, and lighting. The Board unanimously recommended denial.

Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

Staff mentioned that the applicant requested no action be taken and asked for more time to explore other options regarding this request.

Kandy Reed, Marcus Barbosa, Estrella del Angel and Jenny Avellaneda all property owners at Fox Run spoke against the request. Some of their concerns included safety, devaluation of their properties, traffic congestion and noise.

No action was taken.

**12. Conditional Use Permit: To Place a Portable Building for Office Use – Dispatch Office, 115 Del Mar Street, Lots 1 & 2, San Rose Subdivision, C-3, Maria G. Alonzo, and Adoption of Ordinance# 5209**

On August 24, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located approximately 140' east of Lomita Avenue along the north side of Del Mar Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 1 year re-evaluation in order to assess this new operation; 2) Must comply with all City Codes (Building, Fire, etc.); 3) CUP not to be transferable to others; and 4) Must acquire a business license prior to occupancy.

City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Councilwoman Ortega moved to approve the cup and Ordinance 5209 Conditional Use Permit: To Place a Portable Building for Office Use – Dispatch Office, 115 Del Mar Street, Lots 1 & 2, San Rose Subdivision, C-3, subject to staff's recommendations. Motion was seconded by Councilman Flores and approved unanimously 5-0.

**ORDINANCE NO. 5209**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO PLACE A PORTABLE BUILDING FOR  
OFFICE USE - DISPATCH OFFICE AT 115 DEL MAR STREET, LOTS 1 & 2, SAN ROSE  
SUBDIVISION

**13. Conditional Use Permit: To Keep a Portable Building for Office Use – Medicare EMS, 511 W. 11th Street, The East tract of Lots 1 & 2, Block 178, Mission Original Townsite, C-4, Medicare EMS, Inc., and Adoption of Ordinance# 5210**

On August 24, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located 200' west of Kika De La Garza Loop along the south side of W. 11th Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 1 year re-evaluation in order to assess this new operation; 2) Must comply with all City Codes (Building, Fire, etc.); 3) Portable Building to be skirted; 4) CUP not transferable to others; and 5) Must acquire a business license prior to occupancy.

City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Councilwoman Ortega moved to approve the cup and Ordinance 5210 Conditional Use Permit: To Keep a Portable Building for Office Use – Medcare EMS, 511 W. 11th Street, The East tract of Lots 1 & 2, Block 178, Mission Original Townsite, C-4, Medcare EMS, Inc., subject to staff's recommendations. Motion was seconded by Mayor Pro-Tem Plata and approved unanimously 5-0.

### **ORDINANCE NO. 5210**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO PLACE A PORTABLE BUILDING FOR  
OFFICE USE - MEDCARE EMS AT 511 W. 11TH STREET, THE EAST TRACT OF LOTS 1 &  
2, BLOCK 178, MISSION ORIGINAL TOWNSITE

#### **14. Conditional Use Permit: Drive-Thru Service Window – Panaderia Donato, 3003 N. Conway Avenue, Lot 1, Husain Subdivision, C-3, Jorge A. Melesio, and Adoption of Ordinance# 5211**

On August 24, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located approximately ¼ of a mile south of W. Mile 2 Road along the west side of Conway Avenue. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 1 year re-evaluation in order to assess this new operation; 2) Must comply with all City Codes (Building, Fire, etc.); 3) Must acquire a business license prior to occupancy; and 4) CUP not to be transferable to others.

City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Councilman Flores moved to approve the cup and Ordinance 5211 Conditional Use Permit: Drive-Thru Service Window – Panaderia Donato, 3003 N. Conway Avenue, Lot 1, Husain Subdivision, C-3, Jorge A. Melesio, subject to staff's recommendations. Motion was seconded by Mayor Pro-Tem Plata and approved unanimously 5-0.

**ORDINANCE NO. 5211**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW - PANADERIA DONATO AT 3003 N. CONWAY AVENUE, LOT 1, HUSAIN SUBDIVISION

**15. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Taqueria Los Cuates USA, 2005 W. Mile 3 Road, Ste. 1500, Lot 7, Block 4, Taurus Estates No. 9 Phase I, C-3, Ana L. Castillo, and Adoption of Ordinance # 5212 and Wet Zone Ordinance # 5213**

On August 24, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located approximately 1/8 of a mile west of Inspiration Road along the south side of W. Mile 3 Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 2 years re-evaluation at which time the applicant would have to renew his CUP & TABC License; 2) Must comply with all City Codes (Building, Fire, etc.); and 3) Waiver of the 300' separation requirement from residential homes.

City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Councilwoman Ortega moved to approve the cup and Ordinance 5213 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Taqueria Los Cuates USA, 2005 W. Mile 3 Road, Ste. 1500, Lot 7, Block 4, Taurus Estates No. 9 Phase I, C-3, Ana L. Castillo, subject to staff's recommendations and wet zone Ordinance # 5213. Motion was seconded by Mayor Pro-Tem Plata and approved unanimously 5-0.

**ORDINANCE NO. 5212**

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 - TAQUERIA LOS CUATES USA AT 2005 W. MILE 3 ROAD, STE. 1500, LOT 7, BLOCK 4, TAURUS ESTATES NO. 9 PHASE I

**ORDINANCE NO. 5213**

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 2005 W. MILE 3 RD., STE. 1500, LOT 7, BLOCK 4, TAURUS ESTATES NO. 9 PH 1, C-3, TAQUERIA LOS CUATES USA

**16. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Black Widow Bar & Grill, 308 N. Shary Road, Ste. C, Lot 1, Sundance Crossing, C-3, Black Widow Bar & Grill, LLC, and Adoption of Ordinance # 5214 and Wet Zone Ordinance #5215**

On August 24, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located approximately 214' south of E. 4th Street along the east side of Shary Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 2 years re-evaluation at which time the applicant would have to renew his CUP & TABC License; 2) Must comply with all City Codes (Building, Fire, etc.); 3) Waiver of the 300' separation requirement from residential homes; 4) Must acquire a business license prior to occupancy; and 5) Wet zone property.

City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

Mayor Pro-Tem Plata moved to approve the cup and Ordinance 5214 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Black Widow Bar & Grill, 308 N. Shary Road, Ste. C, Lot 1, Sundance Crossing, C-3, Black Widow Bar & Grill, LLC, subject to staff's recommendations and wet zone Ordinance # 5215. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

**ORDINANCE NO. 5214**

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 - BLACK WIDOW BAR & GRILL AT 308 N. SHARY ROAD, STE.  
C, LOT 1, SUNDANCE CROSSING

**ORDINANCE NO. 5215**

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 308 N. SHARY ROAD, STE. C, LOT 1, SUNDANCE CROSSING,  
C-3, BLACK WIDOW BAR & GRILL

**17. Conditional Use Permit: To Designate an area as a Mobile Food Park for Operation of Mobile Food Units, 511 N. Shary Road, An 11.10 acre tract of land out of the Lot 194, John H. Shary, C-4, Carlos Garcia, Jr., and Adoption of Ordinance# \_\_\_\_\_**

On August 24, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located 1,460' South of E. Business Highway 83 along the West side of N. Shary Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommends approval subject to: 1) 1 year re-evaluation in order to assess this new operation; 2) Must comply with all City Codes (Building, Fire, etc.); 3) Must acquire a business license prior to occupancy; and 4) Must comply with noise ordinance.

City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request.

There were no comments.

After much deliberation from the council no action was taken on this item and staff was directed to meet with the applicant to obtain more information in regards to this request.

### **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*

### **18. Approval of Minutes**

Regular Meeting – August 22, 2022 and Special Meeting August 29, 2022

### **19. Acknowledge Receipt of Minutes**

Animal Rescue & Adoption Advisory Board – June 7, July 5, & August 9, 2022

Mission Redevelopment Authority & Mission TIRZ - June 28 & July 26, 2022

Mission Education Development Council – May 17, 2022

Mission Economic Development Corporation – July 19, & August 2, 2022

Civil Service Commission – August 1, 2022

Citizen's Advisory Committee – July 26, 2022

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

The City of Mission provided a list that contained items staff had determined were no longer of use to the city. All surplus items would be sold at online auction and those items with no resale value would be disposed. Finance Department was requesting authorization to surplus the list of machinery and equipment.



**21. Approval of Resolution # 1789 of the City Council for the City of Mission amending Resolution No. 1744 adopting the Public Funds Investment Policy and Strategy**

As per Chapter 2256 of the Texas Government Code, known as “Public Funds Investment Act,” the City was required to adopt the investment policy and strategy on an annual basis through resolution.

There were no changes to the investment policy this fiscal year.

**RESOLUTION NO. 1789**

A RESOLUTION OF THE MISSION CITY COUNCIL AMENDING RESOLUTION No. 1744  
AMENDING THE PUBLIC FUNDS INVESTMENT POLICY AND STRATEGY

**22. Acceptance of Quarterly Report of Investments for the Quarter ending June 30, 2022 and Interest Earned for Nine Months Ending June 30, 2022**

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, 2022. The total increases to investment balances for the period were \$509,408.11 and total decreases were \$249,000.00, leaving a total of \$22,472,132.05 in outstanding investments for the quarter ending June 30, 2022. The total interest earned on all funds year to date was \$89,787.93.

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.

**23. Authorization to submit a Letter of Intent to apply to the Valley Baptist Legacy Foundation for the Collaborative Grant**

The City of Mission Parks and Recreation Department was seeking authorization for the submission of a letter of intent to apply to the Valley Baptist Legacy Foundation for the collaborative Grant opportunity. The city was requesting up to \$500,000 for the purpose of outdoor recreational trail development. Invitations for grant application submission were scheduled to be received by March of 2023. The grant had no match requirement.

**24. Authorization to accept American Electric Power Foundation (AEP) Grant**

Authorization to accept Grant from American Electric Power Foundation (AEP) in the amount of \$30,000.00 for the funding of Smart Play Fire Station with Braille and a 3’ x 4’ “Let’s Sign” panel with 10 Braille strips. This equipment was to be installed at Mission Lions Park All Inclusive Playground.

**25. Approval of Ordinance # 5216 adopting the Mission Economic Development Corporation Fiscal Year 2022-2023 Annual Budget**

Resolution # 2022-04 that was approved by MEDC on Wednesday September 7, 2022. I am recommending approval of the MEDC Budget.

**ORDINANCE NO. 5216**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS ADOPTING APPROPRIATIONS FOR THE SUPPORT OF THE MISSION ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023

**26. Approval of Ordinance # 5217 adopting the Mission Economic Development Authority Fiscal Year 2022-2023 Annual Budget**

Resolution # 2022-01 that was approved by MEDA on Wednesday, September 7, 2022. I am recommending approval of the MEDA Budget.

Mission Economic Development Authority Appropriations - \$499,485

**ORDINANCE NO. 5217**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS ADOPTING APPROPRIATIONS FOR THE SUPPORT OF THE MISSION ECONOMIC DEVELOPMENT AUTHORITY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023

**27. Authorization to Award bids for Sealcoat Pavement Services and Striping Pavement Services for the Public Works Department**

The City of Mission had accepted and opened 2 Bid responses for Sealcoat Pavement Services. Staff recommended awarding bid to Valley Striping Corp. who was the lowest responsible bidder meeting all specifications in the amount \$0.139 per square foot. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one-year base term. Contract terms were for one year with one-year renewal option.

**28. Authorization to Award bid for Striping, Pavement Marking Services for the Public Works Department**

The City of Mission had accepted and opened one (1) bid response for Striping, Pavement Marking Services. Staff recommended awarding bid to Valley Striping Corp. who was the sole bidder meeting all specifications. Recommendation was based solely on estimated quantities and orders would be placed on an as needed basis throughout the one-year base term. Contract terms were for one year with two one-year renewal options.

Mayor Pro Tem Plata asked to remove item 21 from the list and be discussed individually.

Councilwoman Ortega moved to approve consent agenda items 18 thru 20 and 22 thru 28. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Mayor Pro-Tem Plata moved to approve consent agenda item 21. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

At 5:55 p.m., Councilman Flores stepped out of the meeting.

**APPROVALS AND AUTHORIZATIONS****29. Final Plat Approval: Inspiration Cove Subdivision, Being a 5.0-acre tract of land out of Lot 29-1, West Addition to Sharyland Subdivision, R-2, Developer: Rosie Balli Dunn, Engineer: R.O. Engineering, PLLC**

On September 13, 2021 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Inspiration Cove Subdivision. The subject site was located 280 ft North from the intersection of W. Mile 2 Road and N. Inspiration Road along the East side of Inspiration Road. There was no public opposition during the City Council meeting. The Board unanimously recommended approval.

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

City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve the Final Plat Approval: Inspiration Cove Subdivision, Being a 5.0-acre tract of land out of Lot 29-1, West Addition to Sharyland Subdivision, R-2, Developer: Rosie Balli Dunn, Engineer: R.O. Engineering, PLLC, subject to staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**30. Approval of Ordinance # 5218 adopting the Fiscal Year 2022-2023 Annual Budget**

The Tax Rate for the fiscal year 2022-2023 was \$0.5299 per \$100 property value. In addition to establishing the tax rate, this ordinance provided a \$10,000 exemption for the elderly and a \$10,000 exemption for the disabled. The City would also continue the tax freeze established in 2005 for the elderly and disabled, ensuring the total amount of ad valorem taxes paid would not increase.

Interest & Sinking Rate (I&S)      0.0742

Maintenance & Operation (M&O)      \$0.4557

Total Tax Rate \$0.5299

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve Ordinance # 5218 adopting the Fiscal Year 2022-2023 Annual Budget. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

**ORDINANCE NO. 5218**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS LEVYING AN AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MISSION FOR THE FISCAL YEAR 2022-2023; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; AND PROVIDING FOR EXEMPTIONS FOR THE ELDERLY AND FOR THE DISABLED.

At 5:59 p.m., Councilman Flores rejoined the meeting.

### **31. Ordinance # 5219 Adopting the Tax Rate**

The Tax Rate for the fiscal year 2022-2023 was \$0.5299 per \$100 property value. In addition to establishing the tax rate, this ordinance provided a \$10,000 exemption for the elderly and a \$10,000 exemption for the disabled. The City would also continue the tax freeze established in 2005 for the elderly and disabled, ensuring the total amount of ad valorem taxes paid would not increase.

Interest & Sinking Rate (I&S)	\$0.0742
Maintenance & Operation (M&O)	\$0.4557
Total Tax Rate	\$0.5299

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve Ordinance # 5219 Adopting the Tax Rate. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **ORDINANCE NO. 5219**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS LEVYING AN AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MISSION FOR THE FISCAL YEAR 2022-2023; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID; AND PROVIDING FOR EXEMPTIONS FOR THE ELDERLY AND FOR THE DISABLED.

### **32. Authorization to amend the Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the 2022-2023 school year**

The Mission Police Department was requesting authorization to amend the Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the 2022-2023 school year. A total of fifteen (15) police officers would be assigned to the school district during the school year. The total cost for the estimated amount was to be determined once the officers were selected for the newly requested positions. Staff was recommending a favorable recommendation for the purpose of continuing the Educational Resource Officer Program at Mission CISD.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to authorize to amend the Memorandum of Understanding for the Educational Resource Officer Program between the City of Mission and the Mission Consolidated Independent School District for the 2022-2023 school year. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**33. Ordinance # 5220 Approval of Classified Positions for the Mission Police Department for FY 2022-23**

As per Chapter 143 of the Texas Local Government Code, classified positions have to be approved for every FY. Ordinance would expire on September 30, 2023.  
Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve of Ordinance # 5220 of Classified Positions for the Mission Police Department for FY 2022-23. Motion was seconded by Councilman Flores and approved unanimously 5-0.

**ORDINANCE NO. 5220**

AN ORDINANCE ADOPTING THE CLASSIFICATIONS FOR THE MISSION POLICE DEPARTMENT FOR FISCAL YEAR 2022-23

**34. Ordinance # 5221 Approval of Base salaries and incentive package for the Mission Police Department FY 2022-23**

As Required by Chapter 143 of the Texas Local Government Code. Base salaries and incentive pay package must be approved by governing body on a yearly basis. Ordinance expires on September 30, 2023.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve of Ordinance # 5221 of Base salaries and incentive package for the Mission Police Department FY 2022-23. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5221**

AN ORDINANCE PROVIDING FOR THE BASE SALARIES FOR CIVIL SERVICE EMPLOYEES OF THE MISSION POLICE DEPARTMENT; PROVIDING FOR EMPLOYEE INCENTIVE PAY FOR MEMBERS OF THE MISSION POLICE DEPARTMENT SUCH INCENTIVE PAY BEING LONGEVITY PAY, SENIORITY PAY, CERTIFICATION PAY, EDUCATIONAL PAY, ASSIGNMENT PAY, AND CLOTHING ALLOWANCE; ESTABLISHING THE RATE OF PAY FOR SUCH INCENTIVE PAYS, ESTABLISHING THE CRITERIA FOR QUALIFICATIONS FOR SUCH PAY; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREFORE

**35. Ordinance # 5222 Approval of Classified Positions for the Mission Fire Department for FY 2022-23**

As per Chapter 143 of the Texas Local Government Code, classified positions had to be approved for every FY. Ordinance would expire on September 30, 2023.  
Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve of Ordinance # 5222 of Classified Positions for the Mission Fire Department for FY 2022-23. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5222**

AN ORDINANCE ESTABLISHING THE CLASSIFICATIONS FOR THE MISSION FIRE DEPARTMENT FOR THE FISCAL YEAR 2022-23

**36. Ordinance # 5223 Approval of Base salaries and incentive package for the Mission Fire Department FY 2022-23**

As Required by Chapter 143 of the Texas Local Government Code. Base salaries and incentive pay package must be approved by governing body on a yearly basis. Ordinance expires on September 30, 2023.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve of Ordinance # 5223 of Classified Positions for the Mission Fire Department for FY 2022-23. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5223**

AN ORDINANCE PROVIDING FOR THE BASE SALARIES FOR CIVIL SERVICE EMPLOYEES OF THE MISSION FIRE DEPARTMENT; PROVIDING FOR EMPLOYEE INCENTIVE PAY FOR MEMBERS OF THE MISSION FIRE DEPARTMENT SUCH INCENTIVE PAY BEING LONGEVITY PAY, SENIORITY PAY, CERTIFICATION PAY, EDUCATIONAL PAY, AND ASSIGNMENT PAY; ESTABLISHING THE RATE OF PAY FOR SUCH INCENTIVE PAYS, ESTABLISHING THE CRITERIA FOR QUALIFICATIONS FOR SUCH PAY; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREFORE

**37. Authorization to award bids for Project Tulip (ML06m) Drainage Improvement Project**

The City of Mission had accepted and opened three (3) bid responses for the following drainage improvement project: project Tulip (ML06m). Staff recommended awarding bid to Mor-Wil, LLC. who was the lowest responsible bidder meeting all specifications Construction Cost Base Bid of \$1,351,046.32; plus Alternate No. 1 of \$467,600.00 for a total bid amount of \$1,818,646.32.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to authorize to award bids for Project Tulip (ML06m) Drainage Improvement Project to Mor-Wil, LLC., plus Alternate No. 1, as recommended by staff. Motion was seconded by Councilman Flores and approved unanimously 5-0.

**38. Authorization to award bids for Project Glasscock (ML06n) Drainage Improvement Project**

The City of Mission had accepted and opened 2 Bid responses for the following drainage improvement project: Project Glasscock (ML06n). Staff recommended awarding bid to Mor-Wil, Inc. who was the lowest responsible bidder meeting all specifications. Construction Cost Base Bid of \$3,176,227.04, plus Alternate Bid 1 of \$432,578.59 and an Alternate Bid 2 of \$103,707.93 for a total bid amount of \$3,712,513.56.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to authorize to award bids for Project Glasscock (ML06n) Drainage Improvement Project to Mor-Wil, Inc., plus Alternate Bid 1, as recommended by staff. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**39. Authorization to award bid for Taylor Road Construction Management**

The City of Mission had accepted and opened 5 solicitation responses for the following: Taylor Road Construction Management. Staff recommended awarding bid to Sam-Construction Services, LLC. who was the highest ranked provider meeting all qualifications.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize to award bid for Taylor Road Construction Management to Sam-Construction Services, LLC, as recommended by staff. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**40. Approval of Change Order No. 1 for the construction of the Esperanza Drainage Improvements Project as part of the 2021 Bond Drainage Projects for the City of Mission**

The City of Mission was seeking authorization to approve Change Order No. 1 for the Esperanza Drainage Improvement Project as part of the 2021 Bond Drainage Projects.

Property was donated to the City of Mission by the La Joya I.S.D. in order to construct a detention pond and additional drainage improvements. The contractor had agreed to perform the additional work by this change order that consists of excavation of the detention pond and installation of additional manholes, concrete headwall pipes, chain link fences, etc.

Original contract price was \$5,411,430.00. New contract price including this change order was \$5,701,962.90

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve of the Change Order No. 1 for the construction of the Esperanza Drainage Improvements Project as part of the 2021 Bond Drainage Projects for the City of Mission. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**41. Approval of Budget Amendment: Utility Fund and Designated Purpose Fund**

Finance Director Angie Vela presented Budget Amendments BA-22-13 thru BA-22-18.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve the Budget Amendments BA-22-13 thru BA-22-18. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**42. July 2022 Tax Collection Report**

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

The 2021 total adjusted tax levy for taxes was \$26,012,671.99 and the amount of the collections as of July 31, 2022 was \$25,201,175.84 which represented 96.88% of the total 2021 tax levy. The total adjusted tax levy for delinquent taxes was \$2,390,020.21 and the amount of collections as of July 31, 2022 was \$613,017.95 which represented 25.65% of the total tax levies from previous years.

Staff and City Manager recommended approval.

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

**43. Approval of Resolution # 1790 of the City Council of the City of Mission, Texas, authorizing use of the power of eminent domain to acquire property described as a 5,620 square foot or 0.1290 of an acre tract of land situated in The City of McAllen, Hidalgo County, Texas, out of Lot 297, John H. Shary Subdivision for the Taylor Road Phase II Project from Brentwood Drive to Mile 2 North Project**

The City of Mission City Attorney's Office, in conjunction with the City of McAllen City Attorney's office, was authorized and directed to proceed with condemnation proceedings under Chapter 21, Texas Property Code for the acquisition of the property and to prepare any and all documents it deems necessary in relation thereto.

The City Council of the City of Mission, officially authorize the City Manager to take any and all action he deems necessary and appropriate including the execution of all documents needed to consummate this transaction

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve the Resolution 1790 of the City Council of the City of Mission, Texas, authorizing use of the power of eminent domain to acquire property described as a 5,620 square foot or 0.1290 of an acre tract of land situated in The City of McAllen, Hidalgo County, Texas, out of Lot 297, John H. Shary Subdivision for the Taylor Road Phase II Project from Brentwood Drive to Mile 2 North Project. Motion was seconded by Councilman Vela and approved unanimously 5-0.



**RESOLUTION NO. 1790**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE PROPERTY DESCRIBED AS A 5,620 SQUARE FOOT OR 0.1290 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, OUT OF LOT 297, JOHN H. SHARY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 17, OF THE MAP RECORDS, HIDALGO COUNTY, TEXAS, AND BEING OUT OF A 0.888 OF AN ACRE TRACT OF LAND, CONVEYED BY CORRECTION GENERAL WARRANTY DEED, DATED SEPTEMBER 17, 2014, FROM DEBORAH M. PEGRAM, FKA DEBORAH M. BARRERA TO ISRAEL TORRES AND NORMA A TORRES, HUSBAND AND WIFE, AS DESCRIBED IN DOCUMENT NUMBER 2548888, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS FOR THE TAYLOR ROAD PHASE II PROJECT FROM BRENTWOOD DRIVE TO MILE 2 NORTH PROJECT.

- 44. Approval of Resolution # 1791 of the City Council of the City of Mission, Texas, authorizing use of the power of eminent domain to acquire property described as three tracts of land, each a 4,450 square foot or 0.1022 of an acre tract of land situated in The City of McAllen, Hidalgo County, Texas, out of Adobe Wells Mobile Park for the Taylor Road Phase II Project from Brentwood Drive to Mile 2 North Project**

The City of Mission City Attorney's Office, in conjunction with the City of McAllen City Attorney's office, was authorized and directed to proceed with condemnation proceedings under Chapter 21, Texas Property Code for the acquisition of the property and to prepare any and all documents it deems necessary in relation thereto.

The City Council of the City of Mission, officially authorize the City Manager to take any and all action he deems necessary and appropriate including the execution of all documents needed to consummate this transaction.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve the Resolution 1791 of the City Council of the City of Mission, Texas, authorizing use of the power of eminent domain to acquire property described as three tracts of land, each a 4,450 square foot or 0.1022 of an acre tract of land situated in The City of McAllen, Hidalgo County, Texas, out of Adobe Wells Mobile Park for the Taylor Road Phase II Project from Brentwood Drive to Mile 2 North Project. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**RESOLUTION NO. 1791**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE PROPERTY DESCRIBED AS THREE TRACTS OF LAND, EACH A 4,450 SQUARE FOOT OR 0.1022 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, OUT OF ADOBE WELLS MOBILE PARK, AS RECORDED IN VOLUME 19, PAGE 100, FOR THE MAP RECORDS, HIDALGO COUNTY, TEXAS, AND BEING OUT OF A TRACT OF LAND, CONVEYED BY DEED WITHOUT WARRANTY, FILED MAY 2, 1988, FROM THE ESTATE OF WALLACE R. MCCLENDON, DECEASED, AND HELEN GENE MCCLENDON TO ADOBE WELLS HOMEOWNERS ASSOCIATION, INC., AS RECORDED

IN VOLUME 2591, PAGE 378, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS  
FOR THE TAYLOR ROAD PHASE II PROJECT FROM BRENTWOOD DRIVE TO MILE 2  
NORTH PROJECT

**45. Approval of Resolution # 1792 of the City Council of the City of Mission, Texas, authorizing use of the power of eminent domain to acquire property described as a 8,467 square foot or 0.1944 of an acre tract of land situated in the City of McAllen, Hidalgo County, Texas, out of Adobe Wells Mobile Park for the Taylor Road Phase II Project from Brentwood Drive to Mile 2 North Project**

The City of Mission City Attorney's Office, in conjunction with the City of McAllen City Attorney's office, was authorized and directed to proceed with condemnation proceedings under Chapter 21, Texas Property Code for the acquisition of the property and to prepare any and all documents it deems necessary in relation thereto.

The City Council of the City of Mission, officially authorize the City Manager to take any and all action he deems necessary and appropriate including the execution of all documents needed to consummate this transaction.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to approve the Resolution 1792 of the City Council of the City of Mission, Texas, authorizing use of the power of eminent domain to acquire property described as a 8,467 square foot or 0.1944 of an acre tract of land situated in the City of McAllen, Hidalgo County, Texas, out of Adobe Wells Mobile Park for the Taylor Road Phase II Project from Brentwood Drive to Mile 2 North Project. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**RESOLUTION NO. 1792**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING USE OF THE POWER OF EMINENT DOMAIN TO ACQUIRE PROPERTY DESCRIBED AS A 8,467 SQUARE FOOT OR 0.1944 OF AN ACRE TRACT OF LAND SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS OUT OF ADOBE WELLS MOBILE PARK, AS RECORDED IN VOLUME 19, PAGE 100, OF THE MAP RECORDS, HIDALGO COUNTY, TEXAS, AND BEING OUT OF A TRACT OF LAND, CONVEYED BY DEED WITHOUT WARRANTY, FILED MAY 2, 2988, FROM THE ESTATE OF WALLACE R. MCCLENDON, DECEASED, AND HELEN GENE MCCLENDON TO ADOBE WELLS HOMEOWNERS ASSOCIATION, INC., AS RECORDED IN VOLUME 2591, PAGE 378, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS FOR THE TAYLOR ROAD PHASE II PROJECT FROM BRENTWOOD DRIVE TO MILE 2 NORTH PROJECT

**46. Authorization to Award Contract for Stop Loss Insurance**

In 2021 the City of Mission entered into a contractual agreement for Stop Loss Insurance. Due to industry standards, the contract term was for one (1) year. City Council authorized staff to solicit for proposals for Stop Loss Insurance for the 2022-2023 fiscal year to cap any excess costs exceeding our specific deductible for medical and prescription costs. After evaluation, staff was recommending we award contract to Blue Cross Shield of Texas.

Staff and City Manager recommended approval.

Councilman Flores moved to authorize to award Contract for Stop Loss Insurance to Blue Cross Shield of Texas, as recommended by staff. Motion was seconded by Mayor Pro-Tem Plata and approved unanimously 5-0.

**47. Authorization to terminate Mission Food Pantry Lease Agreement and Approval of Memorandum of Understanding between the City of Mission and the Food Bank of the Rio Grande Valley**

Mission Food Pantry Lease Agreement allowed for termination of lease upon (90) ninety-day prior written notice.

Food Bank of the Rio Grande Valley MOU would further strengthen the partnership between the Food Bank of the Rio Grande Valley and the City of Mission and further promote the shared goals of each entity for a better quality of life for Mission residents and surrounding areas. This MOU was regarding the delegation of duties and responsibilities of the Mission Food Pantry located at the Catholic War Veterans Park, 115 South Mayberry Street, Mission, Texas.

Food bank would provide staffing of up to two employees that will run the daily operations of the Mission Food Pantry. Operate the Mission Food Pantry from 8am to 5pm, Monday to Friday; or as needed in the event of disaster declaration or public health need.

City would be responsible for ownership, maintenance cost, utility costs, security, and insurance for the building and grounds.

Allow the Food Bank RGV to rename the building and grounds known as Mission Food Pantry to the Food Bank RGV - Mission Resource Center.

Staff and City Manager recommended approval.

Mayor Pro-Tem Plata moved to authorize to terminate Mission Food Pantry Lease Agreement and Approval of Memorandum of Understanding between the City of Mission and the Food Bank of the Rio Grande Valley. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**UNFINISHED BUSINESS**

None

**ROUTINE MATTERS**

City Manager Comments: City Manager Perez mentioned of the following events. National Fitness Campaign Ribbon Cutting to be held on Wednesday, September 14 at Hollis Rutledge Park. Hispanic Heritage Month Mixer would be held on Thursday, September 15. Duchess competition applications are being accepted.

Mayor's Comments: None

City Council Comments: None

At 6:50 p.m., Mayor Pro-Tem Plata moved to convene in executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

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

48. Deliberation regarding economic development negotiations Sec. 551.087

A. Economic Incentive Agreement for the Shops at 495

49. Personnel matters Sec. 551.074

A. City Attorney evaluation

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

At 7:22 p.m., Mayor Pro-Tem Plata moved to reconvene in open session. Motion was seconded by Councilman Vela and approved unanimously 5-0.

On item 48 A: Mayor Pro-Tem Plata moved to approve to accept the Incentive Agreement. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

On item 49 A: No Action was taken.

**ADJOURNMENT**

At 7:23 p.m., Councilwoman Ortega moved for adjournment. Motion was seconded by Mayor Pro-Tem Plata and approved unanimously 5-0.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary