



MINUTES

PRESENT:

Norie Gonzalez Garza, Mayor
Jessica Ortega, Councilwoman
Abiel Flores, Councilman
Alberto Vela, Councilman
Esther Pena, Deputy City Attorney
Randy Perez, City Manager
Anna Carrillo, City Secretary

ALSO PRESENT:

Noel Salinas
Lea Juarez
Victor Anzaldua
Norma De La Garza
Armando O'cana
Esther Salinas
Irma Flores Lopez
Brenda Enriquez
Ana Karen Salinas
Dulce Salinas
Janin De Luna
Aaron T. Brenner
Lizandro Salinas
Homer Garza
Yvonne T. Perez
Scandice Barrera
Jorge Lara
Monica De La Cruz
Ricardo Moreno
Pablo Tagle III
Christopher Garza
Robert Gonzalez
Lupe Garcia
Hilda Flores
Kathy Casillas
Lupe A. Gonzalez
Elma Salinas

STAFF PRESENT:

Jesse Mares, Facility Director
Mayte Zapata, Police Officer
Patty Leija, City Secretary Dept.
Monica Gonzalez, Grants Dept.

ABSENT:

Ruben D. Plata, Mayor Pro-Tem

STAFF PRESENT:

Nellie Hernandez, Asst. City Secretary
David Flores, Asst. City Manager
Aida Lerma, Asst. City Manager
Juan Pablo Terrazas, Asst. City Manager
Angie Vela, Finance Director
Michael Elizalde, Grants Administrator
Susie De Luna, Planning Director
Alex Hernandez, Asst. Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Risk Management Director
Peter Geddes, Procurement Director
Joe Enriquez, Utilities Manager
Roxanne Lerma, Public Information Director
Charlie Longoria, Media Relations
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
Angel Ramos, Veteran's Cemetery Director
Roel Mendiola, Sanitation Dept. Director
J. C. Avila, Fleet Director
Humberto Garcia, Media Relations

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Gonzalez Garza called the meeting to order at 4:33 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

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

DISCLOSURE OF CONFLICT OF INTEREST

None

PRESENTATIONS

1. Proclamation - Breast Cancer Awareness Month

Councilwoman Jessica Ortega moved to approve the Proclamation - Breast Cancer Awareness Month. Motion was seconded by Councilman Abiel Flores and approved unanimously 4-0.

2. Proclamation - Chiropractic Health Month

Councilman Flores moved to approve the Proclamation - Chiropractic Health Month. Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

3. Proclamation - National Code Compliance Month

Councilwoman Ortega moved to approve the Proclamation - National Code Compliance Month. Motion was seconded by Councilman Vela and approved unanimously 4-0.

4. Proclamation - National Animal Safety and Prevention Month

Councilwoman Ortega moved to approve the Proclamation - National Animal Safety and Prevention Month. Motion was seconded by Councilman Vela and approved unanimously 4-0.

5. Presentation - Cayla Garza, Boys & Girls Club Southwest Region 2022 Youth Professional of the Year

Rick Venecia, Boys & Girls Club Director presented Cayla Garza who was awarded the Boys & Girls Club Southwest Region 2022 Youth Professional of the year.

6. Report from the National Butterfly Center - Marianna Wright

Marianna Wright invited the Mayor and City Council to the 2022 Texas Butterfly Festival to be held October 29 thru November 1, 2022.

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 to include the Annual Member Awards to be held on Thursday, October 13 at the Mission Event Center.

8. City Manager's Updates

Randy Perez, City Manager gave a report on current drainage projects.

9. Departmental Reports

Councilwoman Ortega moved to approve the Departmental Reports. Motion was seconded by Councilman Flores and approved unanimously 4-0.

10. Citizen's Participation

Mike Silva, President of the Fire Fighters Association thanked the Mayor and Council for their leadership, assistance and support for the Fire Department.

Kathy Casillas, 1218 Miller Ave. Encouraged everyone to speak out and say what is right and what is wrong.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

11. Rezoning: A tract of land containing 2.24 acres of land, more or less, being part or portion of Lot 25-11, West Addition to Sharyland, AO-I (Agricultural Open Interim) to C-3 (General Commercial), LAG Associates, and Adoption to Ordinance# 5230

On September 28, 2022, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately 706' E. of Bryan Road along the North side of E. Griffin Parkway. There was no public opposition during the P&Z Meeting. The Board unanimously recommended to rezone only the South 330' as C-3 and the remaining 330' to R-1.

Staff recommended: approval only of the south 330' as C-3 and the remaining 330' to R-1.

City Manager recommended approval.

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

Robert and Lupe Gonzalez representing LAG Associates spoke in favor of the request.

After much deliberation from the council, Councilwoman Ortega moved to approve the rezoning and Ordinance 5230 Rezoning: A tract of land containing 2.24 acres of land, more or less, being part or portion of Lot 25-11, West Addition to Sharyland, the South 330' of lot 25-11, West Addition to Sharyland from, (AO-I) Agricultural open interim to (C-3) General Business; and the North 330' of lot 25-11, West Addition to Sharyland, from (AO-I) Agricultural Open Interim to (C-1) office building. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5230

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING THE SOUTH 330' OF LOT 25-11, WEST ADDITION TO SHARYLAND FROM, (AO-I) AGRICULTURAL OPEN INTERIM TO (C-3) GENERAL BUSINESS; AND THE NORTH 330' OF LOT 25-11, WEST ADDITION TO SHARYLAND,

FROM (AO-I) AGRICULTURAL OPEN INTERIM TO (C-1) OFFICE BUILDING

12. Conditional Use Permit: Drive-Thru Service Window, Super Burgers – 2006 E. Griffin Parkway, Lot 2, Block 1, Springfield Phase I Commercial, C-3, Super Burgers, and Adoption of Ordinance# 5231

On September 28, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located near the southeast corner of Griffin Parkway (FM 495) and Glasscock Road just east of Circle K. 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 this new operation; 2) Must comply with all City Codes (Building, Fire, etc.); 3) CUP not 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.

Councilman Flores moved to approve the cup and Ordinance 5231 Conditional Use Permit: Drive-Thru Service Window, Super Burgers – 2006 E. Griffin Parkway, Lot 2, Block 1, Springfield Phase I Commercial, C-3, as per staff's recommendation. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

ORDINANCE NO. 5231

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW –
SUPER BURGERS AT 2006 E. GRIFFIN PARKWAY, LOT 2, BLOCK 1, SPRINGFIELD
PHASE I COMMERCIAL

13. Conditional Use Permit: Mobile Office for Office Use, Planet Fitness – 901 N. Dunlap Avenue, Lots 1-12, Block 158, Mission Original Townsite, C-4, Michael Hendler, and Adoption of Ordinance#5232

On September 28, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located on the southwest corner of W. Tom Landry and Dunlap Avenue. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval for 6 months subject to: 1) Must comply with all City Codes (Building, Fire, etc.); 2) CUP not transferable to others; and 3) 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.

Councilman Vela moved to approve the cup and Ordinance 5232 Conditional Use Permit: Mobile Office for Office Use, Planet Fitness – 901 N. Dunlap Avenue, Lots 1-12, Block 158, Mission Original Townsite, C-4, as per staff's recommendation. Motion was seconded by Councilman Flores and approved unanimously 4-0.

ORDINANCE NO. 5232

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A MOBILE OFFICE FOR OFFICE USE –
PLANET FITNESS AT 901 DUNLAP AVENUE, LOTS 1-12, BLOCK 158, MISSION ORIGINAL
TOWNSITE

**14. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages
C-BICHI – 608 N. Shary Road, Suite 2, Lot 1, Alba Plaza, C-3, CBICHI, LLC, and
Adoption of Ordinance# 5233 and Wet Zone Ordinance#5234**

On September 28, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located ¼ mile south of East Business Highway 83 within a commercial plaza along the east side of Shary Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) 2-year re-evaluation 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 5233 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages C-BICHI – 608 N. Shary Road, Suite 2, Lot 1, Alba Plaza, C-3, CBICHI, LLC, subject to staff's recommendations and wet zone Ordinance 5234. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5233

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 – C-BICHI AT 608 N. SHARY ROAD, SUITE 2, LOT 1, ALBA
PLAZA

ORDINANCE NO. 5234

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 608 N. SHARY RD. SUITE 2, LOT 1, ALBA PLAZA, C-3, CBICHI, LLC

15. Conditional Use Permit: Day Care Center in a Residential Zone at 311 W. Leo Najó, Apts. A, B, C, Being the West ½ of Lots 1 & 2, Block 103, Mission Original Townsite, R-1, Jose M. De La Garza, and Adoption of Ordinance# 5235

On September 28, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located at the SE corner of Cummings and Leo Najó Street along the south side of Leo Najó Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval for 3 years subject to: 1) Must comply with DHS Certification; 2) Must comply with all City Codes (Building, Fire, etc.); and 3) Must Acquire a new business license to include apartment C.

City Manager recommended approval.

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

Esther Salinas spoke in favor of the request and asked if the daycare was equipped for children with special needs.

Applicant responded that the day care was equipped for children with special needs.

Councilwoman Ortega moved to approve the cup and Ordinance 5235 Conditional Use Permit: Day Care Center in a Residential Zone at 311 W. Leo Najó, Apts. A, B, C, Being the West ½ of Lots 1 & 2, Block 103, Mission Original Townsite, R-1, Jose M. De La Garza, subject to staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A DAY CARE CENTER IN A RESIDENTIAL ZONE AT 311 W. LEO NAJO, APTS. A, B, C, BEING THE WEST ½ OF LOTS 1 & 2, BLOCK 103, MISSION ORIGINAL TOWNSITE

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

16. Approval of Minutes

Regular Meeting – September 26, 2022

17. Acknowledge Receipt of Minutes

Planning & Zoning Commission – August 10, 2022 & September 13, 2022

18. Approval of Resolution No. 1796 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 2022 Juan Diego Academy Catholic Regional High School Fall Festival 5k Run/Walk

The Mission Police Department was requesting approval of a resolution to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the 2022 Juan Diego Academy Fall Festival 5k walk/run. The agreement was required by the Texas Department of Transportation for the closure of the northbound lane of travel from 5208 S. FM 494 to the eastbound lane of FM 1016 to FM 396 and returning back to the Juan Diego Academy Catholic Regional High School. The Mission Police Department would be responsible for securing the route to insure the safety of both motorist and pedestrians.

RESOLUTION NO. 1796

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 OF TRAVEL (RIGHT LANE) OF FM 494 FROM 5208 SOUTH FM 494 TO FM 1016, THE EASTBOUND LANE OF TRAVEL (RIGHT LANE) OF FM 1016 TO FM 396, THEN TURNING WEST ON FM 1016 AND ENDING AT THE JUAN DIEGO ACADEMY CATHOLIC REGIONAL HIGH SCHOOL;
AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

19. Approval of Resolution No. 1797 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 6th Annual Maranatha Radio 5K Run/Walk event

On Saturday, October 22, 2022, The El Divino Redentor church along with the City of Mission was requesting closure of U.S. Business Highway 83 between west Kika De La Garza Loop and Los Ebanos Road for the 6th Annual Maranatha Radio 5K event. The Mission Police Department would be responsible for securing the 6th Annual Maranatha Radio 5K Run/Walk event route to ensure the safety of both motorists and pedestrians

RESOLUTION NO. 1797

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY OF THE WESTBOUND LANE OF TRAVEL (RIGHT

LANE) OF U.S. BUSINESS HIGHWAY 83 BETWEEN WEST KIKA DE LA GARZA LOOP AND LOS EBANOS ROAD FOR THE 6th ANNUAL MARANATHA RADIO 5K WALK EVENT AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE;

20. Approval of Resolution No. 1798 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Sharyland High School Homecoming Parade

The parade was scheduled for November 3, 2022. It would commence at the 100 block S. Shary Road and occupy both northbound lanes of travel. It would continue by crossing U.S. Business Highway 83 and proceed northbound to the 1200 block of Shary Road. The Mission Police Department would be responsible for securing the Sharyland High School Homecoming Parade route to ensure the safety of both motorists and pedestrians alike.

RESOLUTION NO. 1798

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 SHARY ROAD (BOTH NORTHBOUND LANES OF TRAVEL) BETWEEN THE 100 BLOCK OF SOUTH SHARY ROAD AND THE 1200 BLOCK OF NORTH SHARY ROAD FOR THE SHARYLAND HIGH SCHOOL HOMECOMING PARADE AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE

21. Approval of Resolution No. 1799 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 City of Mission Veterans Day Parade

The parade would be on November 12, 2022 and commence at the 800 block of west Business 83. It would proceed eastbound on US Business 83, continue eastbound passing through Mayberry Street and end at the 1300 block of East Business 83 and Bryan Road. For the safety of the parade participants, Business 83 eastbound lanes from Bryan Road to 1600 block of eastbound Business would be closed for float unloading. Also, southbound lanes of Bryan Road from Business 83 to the 500 block of Bryan Road would also be closed for float unloading. The Mission Police Department would be responsible for securing the Veterans Day Parade route to ensure the safety of both motorists and pedestrians alike. Road closures were expected to be from 11am to 7pm.

RESOLUTION NO. 1799

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 BUSINESS 83 (BOTH LANES OF TRAVEL)

BETWEEN HOLLAND AVENUE AND STEWART ROAD, ALSO BRYAN ROAD BETWEEN BUSINESS 83 AND MATAMOROS STREET (SOUTHBOUND LANE ONLY) FOR THE CITY OF MISSION VETERANS DAY PARADE AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE.

22. Authorization to accept the FY 2022 Patrick Leahy Bulletproof Vest Partnership Grant from the Bureau of Justice Assistance

The Bureau of Justice Assistance would provide \$14,382 for the purchase of Bulletproof vests through the grant and the City of Mission Police Department would provide a cash match in the amount of \$14,382 for a total of \$28,764. The grant would allow our organization the opportunity to purchase a total of thirty-six (36) patrol level III vests.

23. Authorization to accept donation one (1) Dutch Shepherd K-9 for the City of Mission Police Department K-9 Program from a US Border Patrol Agent

The Mission Police Department received a donation from a US Border Patrol Agent of a male Dutch Shepherd K-9. The K-9 was formerly a US Border Patrol dog. The male K-9 was 1 year, 8 months old and was brindle in color. This dog was named Maly. There would be no cost to the City of Mission.

24. Authorization to pay radio subscription invoice to the Rio Grande Valley Communications Group for FY 2022-2023

The Mission Police Department was requesting authorization to pay the full-time radio subscription for four hundred and twenty (420) police and fire radio units to the Rio Grande Valley Communications Group. This would also include five (5) radio consoles for our Communications Center. This was a one (1) year subscription to the Regional Communications System for a total cost of \$65,520.00.

25. Approval of Mission Police Department Standard Operation Procedure

Mission Police Department Standard Operation Procedure – Mission Police Department General Order, Number 3.03, Code of Conduct was reviewed and revised as per the recommendations made by the Police Department Collaborative Committee. The Code of Conduct SOP was effective on September 28, 2022.

26. Authorization to accept the Electrical Transmission Texas, LLC donation

The Mission Fire Department was presented with a donation from the Electric Transmission Texas, LLC for the amount of \$2,000.00. The funds would be utilized to the purchase rehab equipment for daily operations.

27. Approval of Mission Fire Department Standard Operation Procedure

Mission Fire Department Standard Operation Procedure - Section: Administrative Polices, Number 100.7.10, Code of Conduct was reviewed and revised as per the recommendations made by the Fire Department Collaborative Committee. The Code of Conduct SOP was effective on September 28, 2022.

28. Authorization to purchase janitorial supplies and equipment from Gulf Coast Paper Company for the 2022-2023 fiscal year

Authorization to purchase janitorial supplies and equipment from Gulf Coast Paper Company for the 2022-2023 fiscal year via Buy Board Contract 649-21. Janitorial supplies would be utilized by the various departments within the city to properly upkeep and maintain their facilities.

29. Authorization to solicit bids for roof replacement for Mission City Hall

Staff was seeking authorization to solicit bids for the roof replacement for Mission City Hall. Project consist of complete removal and replacement.

30. Authorization to Award bid for Ready Mix Concrete for the Public Works Department

The City of Mission had accepted and opened 1 Bid response for Ready Mix Concrete. Staff recommended awarding bid to 57 Concrete, LLC who was the lowest responsible bidder meeting all specifications. Recommendation was based solely on an estimated quantity of 425 cubic yards; orders would be placed on an as needed basis throughout the 3-month base term.

31. Authorize City Manager to execute License Agreement between Charco Land Sales, LLC and the City of Mission

El Charco Land Sales, LLC owns approximately 1.50 acres of land adjacent to the Norberto Salinas Park at Madero located at South Conway. El Charco Land Sales had agreed to allow the City of Mission to use the property as a parking lot for overflow parking. The agreement was to be effective until the end of Boys & Girls Club Football season.

32. Authorization to purchase beer, wine and liquor for resale at the Mission Event Center

Staff was requesting to purchase beer, wine & liquor for resale at the Mission Event Center from the following vendors. Glazer's Beer and Beverage, L&F Distributors, Holiday Wine & Liquor and Feldman's Market Center thru September 30, 2023. As per Texas Local Government Code 252.022(D) (14) General Exemptions, "goods purchased by a municipality for subsequent retail sale by the municipality" the goods acquired by the Mission Event Center was exempt from the procurement process.

Mission Event Center budget not to exceed \$42,000

Councilman Flores moved to approve all consent agenda items 16 thru 32 as presented. Motion was seconded by Councilman Vela and approved unanimously 4-0.

APPROVALS AND AUTHORIZATIONS

33. Preliminary Plat Approval: Ragland Village Subdivision, A tract of land containing 1.62 acres of land, more or less, being part or portion of Lots 51 and 55, Sharyland Orchards Subdivision, R-3, Developer: Felipe Cavazos Engineer: Javier Hinojosa Engineering

On September 28, 2022 the Planning & Zoning Commission held a Public Hearing to consider the Preliminary & Final Plat Approval for Ragland Village Subdivision. The subject site was located along the east side of Ragland Road approximately 325' south of U.S. Bus. Hwy 83. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval

Staff recommended approval subject to subdivision complying with all other format findings.

City Manager recommended approval.

Councilman Vela moved to approve the Preliminary Plat Approval: Ragland Village Subdivision, A tract of land containing 1.62 acres of land, more or less, being part or portion of Lots 51 and 55, Sharyland Orchards Subdivision, R-3, Developer: Felipe Cavazos Engineer, subject to staff's recommendations. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

34. Authorization to accept the FY22 Justice and Mental Health Collaboration Program Grant from Bureau of Justice Assistance

The City of Mission Police Department was requesting authorization to accept the FY22 Justice and Mental Health Collaboration Program Grant from Bureau of Justice Assistance. The program allowed the hiring of police officers where the program pays approximately 65% of the officers' salary and was matched by the city at 35% through the third year of the grant. On the fourth year of the grant, the City of Mission would be responsible for 100% of the police officer salaries. The City of Mission Police Department would be hiring two (2) new police officers as a result of this grant. The total grant award was \$229,963.00.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize to accept the FY22 Justice and Mental Health Collaboration Program Grant from Bureau of Justice Assistance. Motion was seconded by Councilman Vela and approved unanimously 4-0.

35. Ordinance # 5236 of the City Council of the City of Mission, Texas amending Ordinance 4878 regarding Electioneering within city property, providing for compliance and setting a fine for violation thereof

The amendments to the ordinance were as follows:

- Allows for a registered Political Action Committee (PAC) to place political signs
- Feather flags and additional yard signs would be allowed if attached to canopy or are hand held. No feather flags would be placed on the ground.
- One 10 x 10 canopy per candidate or PAC. No tents larger than 10 x 10 would be allowed at any city owned property during Early Voting and Election Day. No trailered or self-standing BBQ pits would be allowed.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Ordinance 5236 of the City Council of the City of Mission, Texas amending Ordinance 4878 regarding Electioneering within city property,

providing for compliance and setting a fine for violation thereof. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5236

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING ORDINANCE 4878 REGARDING ELECTIONEERING WITHIN CITY PROPERTY, PROVIDING FOR COMPLIANCE AND SETTING A FINE FOR VIOLATION THEREOF

36. Approval of Amendment to Inter-Local Cooperation Agreement for Tax Assessment and Collection between the City of Mission and Hidalgo County

As per Clause VI, of the Inter-Local Cooperation Agreement for Tax Assessment and Collection between Hidalgo County and City of Mission, the City must be advised of the fee for collection for the next taxable year.

The fee for tax collected from October 1st, 2022 through September 30th, 2023 would increase to \$80,400. The increase was 5%, the threshold as allowed by contract. The last increase from the County was on October 1st, 2017.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the amendment to Inter-Local Cooperation Agreement for Tax Assessment and Collection between the City of Mission and Hidalgo County. Motion was seconded by Councilman Vela and approved unanimously 4-0.

37. August 2022 Tax Collection Report

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

The 2021 total adjusted tax levy for taxes was \$25,991,320.58 and the amount of the collections as of August 31, 2022 was \$25,235,929.38 which represented 97.09% of the total 2021 tax levy. The total adjusted tax levy for delinquent taxes was \$2,389,957.33 and the amount of collections as of August 31, 2022 was \$652,912.76 which represents 27.32% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the August 2022 Tax Collection Report. Motion was seconded by Councilman Vela and approved unanimously 4-0.

38. Approval of Ordinance # 5237 adopting changes to our current retirement plan with Texas Municipal Retirement System

The attached ordinance was necessary to make the recommended changes to the City's current retirement plan as discussed during budget preparation. The city would increase its deposit rate

from 6% to 7% for all employees and decrease the Updated Service Credit from 100% to 50% for the plan. Both changes would go into effect January 1, 2023. Staff and City Manager recommended approval.

Councilman Flores moved to approve Ordinance 5237 adopting changes to our current retirement plan with Texas Municipal Retirement System. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5237

AN ORDINANCE AUTHORIZING AND PROVIDING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM: (1) "UPDATED SERVICE CREDITS" IN SAID SYSTEM ON AN ANNUAL BASIS FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO AT THE EFFECTIVE DATE OF THE AUTHORIZATION ARE EMPLOYEES OF THE CITY OF MISSION; AND (2) AN INCREASE THE RATE OF DEPOSITS TO SAID SYSTEM BY THE EMPLOYEES OF THE CITY; AND ESTABLISHING EFFECTIVE DATES FOR THE CHANGES AUTHORIZED BY THIS ORDINANCE

39. Authorization to purchase medical equipment from Stryker

The Mission Fire Department was seeking authorization to purchase medical equipment for ATV ambulance and would also be utilized as back-up equipment for medic ambulances with a seven (7) year ProCare Prevent Service package. Also purchasing six (6) AED LIFEPAK-1000 to replace current AED's on frontline fire apparatuses which would be compatible with ambulance LIFEPAK-15 monitors from Stryker utilizing ARPA funds. Purchase cost in the amount of \$110,654.71, via sole source vendor of the products.

Staff and City Manager recommended approval.

Councilman Vela moved to authorize to purchase medical equipment from Stryker. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

40. Authorization to purchase of brush truck fire apparatus from Siddons-Martin Emergency Group, LLC via HGAC FS12-19A

The Mission Fire Department was seeking authorization to purchase Brush Truck with three (3) maintenance package from Siddons-Martin Emergency Group, LLC utilizing ARPA Funds for a 2023 Ford-550, Skeeter Type 5 Brush Truck, the total purchase cost was \$245,675.00, via HGAC FS12-19A (SKEETER).

Staff and City Manager recommended approval.

Councilman Flores moved to authorize the purchase of brush truck fire apparatus from Siddons-Martin Emergency Group, LLC via HGAC FS12-19A. Motion was seconded by Councilman Vela and approved unanimously 4-0.

41. Approval of Resolution # 1800 authorization to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of 100' Aerial Platform Fire

Apparatus and designate the Mayor or City Manager as the Authorized Representative

Staff WAS requesting to enter into a Master Lease Purchase Agreement with PNC Equipment for the purchase of a Pierce, 100' Aerial Platform Fire Apparatus. The lease agreement would be for 10 years to include a 10-year maintenance agreement. The first payment would be made in fiscal year 2023-2024.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Resolution 1800 authorization to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of 100' Aerial Platform Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative. Motion was seconded by Councilman Vela and approved unanimously 4-0.

RESOLUTION NO. 1800

AUTHORIZATION TO ENTER INTO A MASTER LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE FOR THE PURCHASE OF 100' AERIAL PLATFORM FIRE APPARATUS AND DESIGNATE THE MAYOR OR CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE

- 42. Authorization to lease the purchase of 100' Aerial Platform Fire Apparatus from Siddons-Martin Emergency Group, LLC via Buy Board Contract 651-21 utilizing leasing agreement between PNC Equipment Group LLC a third-party leasing company**

City Council approved the Resolution to enter into a master lease purchase agreement with PNC Equipment for the purchase of fire apparatus. The Mission Fire Department was seeking authorization to purchase fire apparatus from Siddons-Martin Emergency Group, LLC utilizing leasing agreement of a Pierce, 100' Aerial Platform Apparatus. The total purchase cost was \$1,659,103.11, via Buy Board Contract 651-21 (FIRE). The first lease payment would be made in fiscal year 2023-2024 in the amount of \$180,053.44.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize to lease the purchase of 100' Aerial Platform Fire Apparatus from Siddons-Martin Emergency Group, LLC via Buy Board Contract 651-21 utilizing leasing agreement between PNC Equipment Group LLC a third-party leasing company. Motion was seconded by Councilman Vela and approved unanimously 4-0.

- 43. Approval of Resolution # 1801 authorization to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of Commercial Freightliner Tanker Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative**

Staff was requesting to enter into a Master Lease Purchase Agreement with PNC Equipment for the purchase of a Pierce, Commercial Freightliner 2100 Gallon Tanker Fire Apparatus. The lease agreement would be for 10 years to include a 10-year maintenance agreement. The first payment would be made in fiscal year 2022-2023.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Resolution 1801 authorization to enter into a Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of Commercial Freightliner Tanker Fire Apparatus and designate the Mayor or City Manager as the Authorized Representative. Motion was seconded by Councilman Vela and approved unanimously 4-0.

RESOLUTION NO. 1801

AUTHORIZATION TO ENTER INTO A MASTER LEASE-PURCHASE AGREEMENT WITH PNC EQUIPMENT FINANCE FOR THE PURCHASE OF COMMERCIAL FREIGHTLINER TANKER FIRE APPARATUS AND DESIGNATE THE MAYOR OR CITY MANAGER AS THE AUTHORIZED REPRESENTATIVE

44. Authorization to lease the purchase of Commercial Freightliner Tanker Fire Apparatus from Siddons-Martin Emergency Group, LLC via Buy Board Contract 651-21 utilizing leasing agreement between PNC Equipment Group LLC a third-party leasing company

City Council approved the Resolution to enter into a master lease purchase agreement with PNC Equipment for the purchase of fire apparatus. The Mission Fire Department was seeking authorization to purchase fire apparatus from Siddons-Martin Emergency Group, LLC utilizing leasing agreement of a Pierce, Commercial Freightliner 2100-Gallon Tanker Apparatus. The total purchase cost was \$475,841.00, via Buy Board Contract 651-21 (FIRE). The first lease payment would be made in fiscal year 2022-2023 in the amount of \$54,322.20.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to authorize to lease the purchase of Commercial Freightliner Tanker Fire Apparatus from Siddons-Martin Emergency Group, LLC via Buy Board Contract 651-21 utilizing leasing agreement between PNC Equipment Group LLC a third-party leasing company. Motion was seconded by Councilman Vela and approved unanimously 4-0.

**45. Request by Brillante Academy and Seton Education Partners to allow the placement of 2 high quality modular buildings to be used as classrooms, 706 N. Los Ebanos Road, 12.466 acres out of Lots 19-3 & 20-3, West Addition to Sharyland, PUD, Aaron Brenner and Dr. Janis De Luna
(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)**

On September 28, 2022 the Planning Department received a request from Brillante Academy & Seton Education Partners to allow the placement of 2 high quality modular buildings to be used as classrooms while concurrent construction takes place in order to open August of 2023. Normally, this request would be considered through a conditional use permit but under the P (Public) Zone that option was not available, therefore the need to come before the City Council.

Brillante intends to build a new educational facility throughout the course of the next two years. Due to unprecedented events that have created many challenges impacting the process of building a new school has made them consider alternatives like extending their construction period in order to remain within budget.

Staff did not object to the request as long as they comply with all City codes requirements.

City Manager recommended approval.

After much deliberation from the council, Councilwoman Ortega moved to approve by way of a variance, the request by Brillante Academy and Seton Education Partners to allow the placement of 2 high quality modular buildings to be used as classrooms, 706 N. Los Ebanos Road, 12.466 acres out of Lots 19-3 & 20-3, West Addition to Sharyland, PUD, subject to staff's recommendations. Motion was seconded by Councilman Vela and approved unanimously 4-0.

UNFINISHED BUSINESS

None

ROUTINE MATTERS

City Manager Comments: City Manager Perez made the following comments: Fire Prevention Open House was being held at the Leo Pena Placita until 9 p.m. Dias de los Muertos exhibit would be on display at the Mission Historical Museum. Municipal Drainage Committee meeting would be held at the McAllen Convention Center on Thursday, October 13. Music at the Park would be held on Friday, October 14. Community Roundup was scheduled for Saturday, October 22nd.

Mayor's Comments: Mayor Garza echoed Councilwoman Ortega's comments

City Council Comments: Councilwoman Ortega thanked all city departments for their hard work and for the nominations received at the TML Conference.

At 6:20 p.m., Councilman Vela 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 4-0.

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

46. Consultation with Attorney, Sec. 551.071

A. City of Mission VS. Performance Services, Inc., d/b/a Performance Services of Texas, Inc. Case No. C-1712-22-C

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

At 6:34 p.m., Councilman Flores moved to reconvene in open session. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

On item 46 A, no action was taken.

ADJOURNMENT

At 6:35 p.m., Councilwoman Ortega moved for adjournment. Motion was seconded by Councilman Flores and approved unanimously 4-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary