

CITY COUNCIL REGULAR MEETING MISSION CITY HALL NOVEMBER 28, 2022 at 4:30 PM

MINUTES

PRESENT:

Norie Gonzalez Garza, Mayor Jessica Ortega, Councilwoman Ruben D. Plata, Mayor Pro-Tem Alberto Vela, Councilman Esther Pena, Deputy City Attorney Randy Perez, City Manager Anna Carrillo, City Secretary

ALSO PRESENT:

Noel Salinas Jesus Mendiola Kathy Castillas Lee McCormick Ester Salinas Victor Anzaldua

STAFF PRESENT:

Teclo Garcia, MEDC CEO Joel Chapa, Police Officer Daniel Garza, Health Director Pete Lopez, Parks & Rec. Supervisor Joe Salazar, Finance Dept.

ABSENT:

Abiel Flores, Councilman

STAFF PRESENT:

Paula Banda, Administrative Assistant 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 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 J. C. Avila, Fleet Director Charlie Longoria, Media Relations Roel Mendiola, Sanitation Dept. 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

None

PRESENTATIONS

1. 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 Health Fair which was scheduled for December.

2. Departmental Reports

Mayor Pro Tem Ruben Plata moved to approve the Departmental Reports. Motion was seconded by Councilwoman Jessica Ortega and approved unanimously 4-0.

3. Citizen's Participation

Kathy Casillas – spoke about giving encouragement to all. Jesus Mendoza – spoke about the effects of microwave and exposure of radiation and the harm that they cause to the individual.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

4. Rezoning: A 1.999 acre tract of land being a part or portion of Lot "D", B.L. Millers Re-Subdivision of Lots 16, 17, 18, 19, & 20, Block 4, Mission Grove Estates, (AO-I) Agricultural Open Interim to (C-3) General Business, Gilberto Maldonado, and Adoption to Ordinance# 5254

On November 16, 2022, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 1,066' West of Inspiration Road along the north side of W. Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and 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 rezoning and Ordinance 5254 rezoning a 1.999 acre tract of land being a part or portion of Lot "D", B.L. Millers Re-Subdivision of Lots 16, 17, 18, 19, & 20, Block 4, Mission Grove Estates, (AO-I) Agricultural Open Interim to (C-3) General Business. Motion was seconded by Councilman Alberto Vela and approved unanimously 4-0.

ORDINANCE NO. <u>5254</u>

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING BEING A 1.999 ACRE TRACT OF LAND BEING A PART OR PORTION OF LOT "D", B.L. MILLERS RE-SUBDIVISION OF LOTS 16, 17, 18, 19 & 20, BLOCK 4, MISSION GROVE ESTATES, FROM (AO-I) AGRICULTRUAL OPEN INTERIM TO (C-3) GENERAL BUSINESS

5. Conditional Use Permit: The Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event – Mission Historical Museum 20th Anniversary December 8th 2022, at 900 Doherty Avenue, Lots 1-7, Block 161, Mission Original Townsite, C-3, Mission Historical Museum, c/o Cynthia Stojanovic, and Adoption of Ordinance# 5255

On November 16, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located on the NW corner of Doherty Avenue and Business Highway 83. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

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

There were no comments.

Councilman Plata moved to approve CUP and Ordinance 5255 for the Complimentary Offering of Alcoholic Beverages for On-Site Consumption for a Social and/or Cultural Event – Mission Historical Museum. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5255

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE COMPLIMENTARY OFFERING OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION FOR SOCIAL AND/OR CULTURAL EVENT – MISSION HISTORICAL MUSEUM 20TH ANNIVERSARY DECEMBER 8TH 2022, AT 900 DOHERTY AVENUE

6. Conditional Use Permit: Regulated Consumer Finance Lender Office on property zoned (C-2) Neighborhood Commercial, at 1821 N. Shary Road, Ste. 2, Lot 1, Bannworth Business Center, C-2, Lendmark Financial Service, LLC, and Adoption of Ordinance# 5256

On November 16, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located along the west side of Shary Road between Village Drive and Mulberry Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) 1-year re-evaluation to assess this new operation; 2) Must comply with all City Codes (Building, Fire, Health, etc.); and 3) Acquire a business license prior to business occupancy.

City Manager recommended approval.

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

David Ramos representing Landmark Financial Service, LLC was present to answer any questions.

Councilman Vela moved to approve CUP and Ordinance 5256 Regulated Consumer Finance Lender Office on property zoned (C-2) Neighborhood Commercial, at 1821 N. Shary Road, Ste. 2, Lot 1, Bannworth Business Center. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

ORDINANCE NO. 5256

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A REGULATED CONSUMER FINANCE LENDER OFFICE ON PROPERTY ZONED (C-2) NEIGHBORHOOD COMMERCIAL AT 1821 N. SHARY ROAD, STE. 2, BEING LOT 1, BANNWORTH BUSINESS CENTER

7. Conditional Use Permit: Restaurant (The Sandwichon House) on property zoned (C-2) Neighborhood Commercial, at 1821 N. Shary Road, Ste. 7, Lot 1, Bannworth Business Center, C-2, Tomas Aguirre, and Adoption of Ordinance# 5257

On November 16, 2022 the Planning and Zoning Commission held a Public Hearing to consider this Conditional Use Permit request. This subject site was located along the west side of Shary Road between Village Drive and Mulberry Street. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff recommended approval subject to: 1) 1-year re-evaluation to assess this new operation; 2) Must comply with all City Codes (Building, Fire, Health, etc.); and 3) Acquire a business license prior to business occupancy.

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 CUP and Ordinance 5257 Restaurant (The Sandwichon House) on property zoned (C-2) Neighborhood Commercial. Motion was seconded by Councilman Vela and approved unanimously 4-0.

ORDINANCE NO. 5257

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A RESTAURANT (THE SANDWICHON HOUSE) ON PROPERTY ZONED (C-2) NEIGHBORHOOD COMMERCIAL AT 1821 N. SHARY ROAD, STE. 7, BEING LOT 1, BANNWORTH BUSINESS CENTER

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

8. Approval of Minutes

Regular Meeting - November 14, 2022 & Special Meeting - November 21, 2022

9. Acknowledge Receipt of Minutes

Planning and Zoning Commission- August 10, September 13 & 28, 2022

Zoning Boards of Adjustments – December 15, 2020 & March 16, 2022, July 20,2022, August 17, 2022

10. Approval of request by State Representative Sergio Munoz for Lease Agreement at 121 East Tom Landry

Texas House of Representatives' district office had provided the City of Mission with the contract that the Committee on House Administration approved for office leases.

State Representative Sergio Munoz was requesting to continue to lease the office located at 121 East Tom Landry. The lease agreement was for two years beginning on January 10, 2023 and expiring on January 14, 2025 at a cost of \$250.00 per month.

Such a lease is in the public interest of the City of Mission.

11. Authorization to Award bid for Odor Control Chemical for the Waste Water Treatment Plants

The City of Mission had accepted and opened three (3) Bid responses for Odor Control Chemical. Staff recommended awarding bid to Kay Jay Services who was the lowest responsible 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.

12. Approval of Resolution # 1802, A resolution approving the resolution of Mission Economic Development Corporation authorizing the issuance of one or more series of revenue bonds and the loan of the proceeds thereof to Texoma Communications, LLC; approving documents relating thereto; and approving other matters in connection therewith

Lee McCormick, President of Community Development Associates, has facilitated the issuance of revenue bonds by the Mission Economic Development Corporation for the purpose of financing and refinancing projects for Texoma Communications, LLC, and Affiliates, under the assistance of MEDC's Private Activity Bond program.

Mr. McCormick was available to answer any questions City Council members had.

RESOLUTION # 1802

RESOLUTION APPROVING THE RESOLUTION OF MISSION ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF BONDS ON BEHALF OF TEXOMA COMMUNICATIONS, LLC; AND MATTERS RELATED THERETO

13. Authorization to enter in a Memorandum of Understanding between Rio Grande Valley Texas Anti-Gang Program and the City of Mission Police Department

The purpose of this MOU was to set forth an agreement and the relationship between the Rio Grande Valley Texas Anti-Gang Program and the Mission Police Department. This agreement would dictate the personnel, formalize relationships between participating agencies for guidance, equipment, planning, training and maximize inter-agency cooperation.

14. Authorization to purchase a Castus playback server from a sole source vendor

The Media Relations Department was in need of a next generation video scheduling and broadcast automation server. It would integrate multi-channel scheduled playout, multi-input ingest capability, graphic overlays, and video editing into one web interface. The playback server would include closed captioning, and web streaming for the city website for three years.

15. Approval of Resolution # <u>1803</u> Regarding Waterline Access Agreement with Sharyland Water Supply within city ETJ for Las Hermanas Land Development LLC - Eduardo's #16 Phase II Subdivision

The proposed Las Hermanas Land Development LLC - Eduardo's #16 Phase II Subdivision was located within the service area of the Sharyland Water Supply Corporation and within the City of Mission's ETJ.

Sharyland Water Supply Corporation has adequate-sized water lines to support fire hydrants in the area and required an agreement be entered between the Corporation, the property owner and the City of Mission before such installation was allowed.

RESOLUTION NO. 1803

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND LAS HERMANAS LAND DEVELOPMENT, LLC – EDUARDO'S SUBDIVISION NO. 16 PHASE II

16. Authorization to submit grant application to BJA for the Southwest Border Rural Law Enforcement Assistance Program

The Mission Police Department was seeking authorization to submit a grant application to the Bureau of Justice Assistance for the Southwest Border Rural Law Enforcement Program. The department was requesting to purchase critical equipment needed to safeguard its border and city operations. The total project request was \$35,000 and does not have a match requirement.

17. Authorization to submit grant application to TDEM for the FY22 Building Resilient Infrastructure and Communities Grant Program

Authorization to submit a grant application to the Texas Division of Emergency Management (TDEM) for the FY22 Building Resilient Infrastructure and Communities Grant Program (BRIC). The purpose of this program was to provide support to communities for hazard mitigation activities that promote climate adaptation and resilience with respect to the growing hazards associated with climate change. The city's proposed project included technical assistance for final design and benefit cost analysis for drainage improvement projects. The total project cost would be no more than \$1,000,000 which will require a 25% cost match.

18. Authorization to submit grant application to TWDB for the FY22 Flood Mitigation Assistance Grant Program

Authorization to submit a grant application to the Texas Water Development Board (TWDB) for the FY22 Flood Mitigation Assistance Grant Program. The purpose of this program was to reduce or eliminate the long-term risk of flood damage to repetitive loss (RL) and severe repetitive loss (SRL) structures that are insured under the National Flood Insurance Program (NFIP). This program also seeked to reduce or eliminate the dependence on taxpayer-funded federal disaster assistance for disaster recovery. The city's proposed project included technical assistance for final design and benefit cost analysis for drainage improvement projects. The total project cost would be no more than \$1,000,000 which will require a 25% cost match.

19. Approval to Rescind Resolution #1159 and approve Resolution # 1804 authorizing City of Mission to accept payment by credit card and to set a processing fee for credit card or electronic payments

The resolution was necessary to allow City of Mission to accept payment by credit card in person and to authorize a processing fee of five percent (5%) for credit card or electronic payments. The resolution is replacing a prior resolution already in place. The new resolution had been amended to also exempts Boys & Girls Club and Parks & Recreation from collecting the fees for summer & recreational programs.

RESOLUTION NO. 1804

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AUTHORIZING CITY OF MISSION TO ACCEPT PAYMENT BY CREDIT CARD AND TO SET A PROCESSING FEE FOR CREDIT CARD OR ELECTRONIC PAYMENTS

20. Authorization to purchase assorted pool chemicals, Acid Feeder Systems, and Integrated Electronic Systems from Aquatic Commercial Solutions via State Approved Buy Board Contract

Authorization to purchase from Aquatic Commercial Solutions, Inc. for the purchase of assorted pool chemicals, Acid Feeder Systems, and Integrated Electronic Systems (IES) via State Approved Buy Board Contract # 613-20 in the amount of \$45,000.00. These systems would monitor and control the ph level and chlorine concentrations of Bannworth Natatorium, Mayberry Pool, Tatan Park Splash Pad and Mission Event Center fountain.

Councilwoman Ortega moved to approve consent agenda items 8 thru 21 as presented. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

APPROVALS AND AUTHORIZATIONS

21. Preliminary Plat Approval: Maluz II Subdivision, Being a 20 acre tract of land out of Lot 17, Block 3, Texan Gardens Subdivision, Suburban ETJ, Developer: Julio Cerda, Engineer: South Texas Infrastructure Group.

On November 16, 2022, the City Council held a Public Hearing to consider the Preliminary & Final Plat Approval for Maluz II Subdivision. The subject site was located at the intersection of 4 Mile Road, and Iowa Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval subject to meeting the Model Subdivision Rules and meeting any comments from the County Planning Department.

City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Preliminary Plat Approval: Maluz II Subdivision, Being a 20 acre tract of land out of Lot 17, Block 3, Texan Gardens Subdivision, Suburban ETJ. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

22. Preliminary Plat Approval: Carrizales Subdivision No. 3, A 24.34 acre tract of land being all of Lots 13 and 14, Block 5, Texan Gardens Subdivision, Suburban ETJ, Developer: Carrizales, LLC, Engineer: Quintanilla, Headley, and Associates, Inc.

On November 16, 2022, the City Council held a Public Hearing to consider the Preliminary & Final Plat Approval for Carrizales Subdivision No. 3. The subject site was located on the west side of

lowa Road 1,080' south of Mile 5 North Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff recommended approval subject to meeting the Model Subdivision Rules, complying with the street alignment policy, and meeting any comments from the County Planning Department.

City Manager recommend approval.

Mayor Pro Tem Plata moved to approve Preliminary Plat Approval: Carrizales Subdivision No. 3, A 24.34 acre tract of land being all of Lots 13 and 14, Block 5, Texan Gardens Subdivision, Suburban ETJ. Motion was seconded by Councilman Vela and approved unanimously 4-0.

23. Final Plat Approval: Eduardo's Subdivision No. 16 Phase II, A 3.19 acre tract of land, more or less, out of the South 5.00 acres, of the South 10 acres of Lot 35-4, West Addition to Sharyland Subdivision, Suburban ETJ, Developer: Ingrid Astrid Izaguirre Engineer: Izaguirre Engineering Group, LLC,

On April 11, 2022 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Eduardo's Subdivision No. 16 Phase II. The proposed subdivision is located along the west side of Trosper Road approximately ½ mile north of Mile 3 Road. There was no public opposition during the Planning and Zoning meeting. The Board unanimously recommended approval.

Staff recommended approval subject to meeting the Model Subdivision Rules, complying with the street alignment policy, and meeting any comments from the County Planning Department.

City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Final Plat Approval: Eduardo's Subdivision No. 16 Phase II, A 3.19 acre tract of land, more or less, out of the South 5.00 acres, of the South 10 acres of Lot 35-4, West Addition to Sharyland Subdivision, Suburban ETJ. Motion was seconded by Councilman Vela and approved unanimously 4-0.

24. Authorize Mayor to execute a Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and the City of Mission related to Phase 2 of Inspiration and Military Parkway

Authorize Mayor to execute a Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone No. One, and the City of Mission. Reimbursement Agreement was related to Phase 2 to Inspiration and Military Parkway project. Reimbursement Agreement was approved by the MRA/TIRZ#1 Board of Directors at the October 25th board meeting in an amount not to exceed \$3,728,854.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve and authorize Mayor to execute a Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and the City of Mission related to Phase 2 of Inspiration and Military Parkway. Motion was seconded by Councilman Vela and approved unanimously 4-0.

25. Authorize Mayor to execute a 1st Amendment to the Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and the City of Mission related to the Inspiration and Military Parkway Project

Authorize Mayor to execute a 1st Amendment to Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone No. One, and the City of Mission. 1st Amendment to Reimbursement Agreement was related to the Inspiration and Military Parkway project. 1st Amendment

to the Reimbursement Agreement was approved by the MRA/TIRZ#1 Board of Directors at the October 25th board meeting in an amount not to exceed \$58,777.31.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to authorize and approve Mayor to execute a 1st Amendment to the Reimbursement Agreement between Mission Redevelopment Authority, Reinvestment Zone Number One and the City of Mission related to the Inspiration and Military Parkway Project. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

26. Authorization to approve Change Order # 2 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 for the Esperanza Drainage Improvement Project as part of the 2021 Bond Drainage Projects for the City of Mission.

Due to the revision of project plans, the decision was made to keep existing access roads and still be able to accommodate for the detention pond. Additionally, two (2) concrete piles were added to support existing sanitary sewer lines. Because of these revisions and additions, the amount for the project increased by \$34,864.34. Therefore, City Staff was recommending Change Order for the total amount of \$5,736,827.24.

City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Change Order # 2 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 4-0.

UNFINISHED BUSINESS

None

ROUTINE MATTERS

City Manager Comments - One Stop Shop, Wednesday, November 30, 2022 / 3:00pm – 7:00pm at Mission Parks and Recreation. Advisory Board Appreciation Luncheon, Thursday, December 1, 2022 from 11:30 am – 1:00 pm, Mission Event Center. Christmas Lighting Thursday, December 1, 2022 at 6:00 pm, Friday, December 2, 2022 at 6:00pm at Leo Pena Placita Park. Employee Service Award Breakfast, December 13, 2022 at 8:00 am Mission Event Center. Merry & Bright Light Up Mission Residents Registration – November 30 - December 19, 2022, Judging December 20, 2022 6:30 pm. Pictures with Santa / Mission Police Department, December 17, 2022 at 11:00 am at Mission Police Department. Kops for Kids / Mission Police Department, December 21, 2022 at 2:00 pm at Mission Police Department.

Mayor's Comments - None

City Council Comments - None

At 5:10 p.m., Councilman Plata moved to convene in executive session pursuant to V.T.C.A. Gov. Code Sec. 551.001. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

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

27. Personnel matters Sec. 551.074

A. Deliberation regarding the appointment, employment, duties of Acting City Attorney, and matters incident thereto.

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

At 5:40 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

On Item 27 A - No Action

ADJOURNMENT

At 5:40 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ortega and approved unanimously 4-0.

	Norie Gonzalez Garza, Mayor
ATTEST:	
Anna Carrillo, City Secretary	