



## **AGENDA**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et. seq., the City Council of the City of Mission, Texas will hold a regular meeting on **Monday, February 13, 2023 at 4:30 p.m.** at the Mission Council Chambers, 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters.

The public dial information to participate in the telephonic meeting is as follows:

Time: **Monday, February 13, 2023 04:30 PM Central Time**

<https://us02web.zoom.us/j/9904662781?pwd=SGVIL3JZRFRVdENzWXI5VUxFT1ZUQT09>

Meeting ID: 990 466 2781 - Password: 833227

Or Dial by telephone - +1 346 248 7799 US - Meeting ID: 990 466 2781 Password: 833227

At any time during the course of the posted meeting, the Mission City Council may retire into Executive Session under Texas Government Code 551.071 to confer with legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Council under Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during this meeting, the City Council may retire to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more exceptions to the Texas Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code.

### **REGULAR MEETING**

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

#### **INVOCATION AND PLEDGE ALLEGIANCE**

#### **DISCLOSURE OF CONFLICT OF INTEREST**

#### **PRESENTATIONS**

1. Proclamation - American Heart Month - Venecia
2. Presentation - RGVMPPO "State of the System" - Perez
3. Report from the Greater Mission Chamber of Commerce – Enriquez
4. City Manager's Updates - Perez
5. Departmental Reports – Perez
6. Citizen's Participation – Garza

#### **PUBLIC HEARING**

#### **PLANNING & ZONING RECOMMENDATIONS**

7. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Winter Texan Fiesta at 807 N. Conway (aka Leo Peña Placita & Rotary Park), March 3, 2023, C-3, The Greater Mission Chamber of Commerce, and Adoption of Ordinance#\_\_\_\_\_ - De Luna

8. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Carnes Asadas Nuevo Leon at 2211 E. Griffin Parkway, Suite 180, Lot 1, Elizondo 495 Plaza, C-3, Los Primos de Villa, LLC (c/o Nataly D. Barrera), and Adoption of Ordinance#\_\_\_\_\_ and Wet Zone Ordinance # \_\_\_\_\_ - De Luna
9. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – 1942 Bar & Grill at 4001 S. Shary Road, Suite 350, Lot 1, Sharyland Plantation Grove Tech-Center #2, PUD, The Best Flavored Beer, LLC, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
10. Conditional Use Permit: Drive-Thru Service Window – Starbucks Coffee at 2315 N. Conway Avenue, Ste. 10, Lot 1, Shops at 495 Subdivision, C-3, Starbucks Coffee #71386, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
11. Conditional Use Permit: Drive-Thru Service Window – Rocha’s Restaurant #2 at 1724 W. Griffin Parkway, Lots D & E, Girasol Estates Subdivision, C-3, Francisco Lastra, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
12. Conditional Use Permit: Heart of America Carnival at 1200 E. Business 83, Being a tract of land containing 6.56 acres, more or less, being a part or portion of a 6.79-acre tract out of Lot 20-11, West Addition to Sharyland, February 20-26, 2023, C-3, Texas Citrus Fiesta, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
13. Discussion and Action to Amend Chapter 110 - Traffic and Vehicles, Article VIII – Stopping, Standing, Parking, Division 4 – Off Street Parking, Section 110-463 Minimum Parking Requirements for Commercial Developments inside and outside the Central Business District, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
14. Discussion and Action to Amend AO-P (Permanent Open Space District), and Adoption of Ordinance#\_\_\_\_\_ - De Luna
15. Discussion and Action to Adopt the Special Use Permit, and Adoption of Ordinance#\_\_\_\_\_ - De Luna
16. Discussion and Action to Amend Garage Sale Ordinance Amending Chapter 82 – Sales, Article II – Garage, Porch, Yard, Clubhouse/Recreational Hall, Rummage, Tent, and Estate Sales, Section 82-36 Term of Garage Sale Permit, Section 82-37 Maximum Number of Garage Sales, and Adoption of Ordinance#\_\_\_\_\_ - De Luna

## 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*

17. Approval of Minutes – Carrillo  
Regular Meeting – January 23, 2023
18. Acknowledge Receipt of Minutes – Perez  
Mission Economic Development Corporation – November 29, 2022

Mission Redevelopment Authority Board – October 25, 2022 and January 4, 2023

Mission Education Development Council – November 29, 2022

Mission Tax Increment Reinvestment Zone – October 25, 2022 and January 4, 2023

Mission Economic Development Authority, Inc – November 29, 2022

19. Approval of Resolution # \_\_\_\_\_ supporting the proposed Anacua Village application to the Texas Department of Housing and Community Affairs - Carrillo
20. Authorization to award bid for the purchase of Waterline Maintenance Supplies for the Public Works Department – Terrazas
21. Authorization to purchase tires from Southern Tire Mart via Buy Board Contract #636-21 for the Sanitation Department for the 2022-2023 fiscal year- Mendiola
22. Authorization to purchase 560 Residential Refuse Carts from Otto Environmental Systems via HGAC Contract #RC01-21 – Mendiola
23. Authorization to purchase a 20 Cubic Yard Standard Duty Roll Off Container from Wastequip via BuyBoard Contract 599-19 – Mendiola
24. Authorize Mission Fire Department to accept donation of firefighting and rescue equipment from Rio Grande Juice Company – Williams
25. Approval of Resolution No. \_\_\_\_\_ authorizing the submittal of a grant application for the FY2024 Crime Stoppers Assistance Fund to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative -Elizalde
26. Agreement for Interim Administrative Services with Mission Tax Increment Reinvestment Zone Number One (TIRZ) - Perez
27. Authorization to allow the purchase of a firearm to Honorably Retired Peace Officer Gabriel Zuniga, a Mission Police Officer in accordance with Texas Government Code, Section 614.051- Torres
28. Authorization to allow the purchase of a firearm to Honorably Retired Peace Officer Gracie Guerrero, a Mission Police Officer in accordance with Texas Government Code, Section 614.051- Torres
29. Authorization to enter in a Memorandum of Understanding between Office of Criminal District Attorney of Hidalgo and the City of Mission Police Department regarding seized contraband pursuant to Chapter 59 of the Texas Code of Criminal Procedures – Torres
30. Authorization to purchase twenty three (23) bullet-resistant shields from Galls via BuyBoard Contract 670-22 - Torres
31. Authorization to Solicit for bids for Right of Way Mowing and Maintenance Services - Bentsen
32. Authorization to extend first one year renewal option for Liquid Polymer Chemical with Polydyne, Inc. for the Public Works Department North and South Water Treatment Plants - Terrazas

## **APPROVALS AND AUTHORIZATIONS**

33. Preliminary Plat Approval: Las Misiones de San Jorge Subdivision, Being a 48.744 acre tract of land, more or less, out of Lots 9-5, 9-6, 10-6, and 10-5, West Addition to Sharyland, R-2, Developer: Cabe Investments, LP, Engineer: Izaguirre Engineering Group, LLC, – De Luna
34. Preliminary Plat Approval: Amber Grove Subdivision, Being a subdivision of a tract of land containing 5.000 acres, being a part or portion out of Lot 42, Bell-Woods Co's Subdivision "C", R-2, Developer: Real Estate Investments, LLC, Engineer: Melden & Hunt, Inc., – De Luna
35. Final Plat Approval: Sendero Phase II Subdivision, Being a resubdivision of 17.942 acres of land out of the south end of Porcion 52, PUD, Developer: Rhodes Development, Inc., Engineer: Melden & Hunt, Inc. - De Luna
36. Final Plat Approval: Hidden Hills Estates Subdivision, Being a subdivision of 39.188 acres out of Lots 19-3, 20-3, and 20-4, West Addition to Sharyland, R-2, Developer: Luis Valencia, Engineer: Melden & Hunt, Inc. - De Luna
37. Authorization to purchase uniforms and police equipment from Galls through Buy Board contract number 603-20 not to exceed \$125,000.00 during FY 2022-2023 - Torres
38. Authorization to Purchase Playground and Splash Pad Equipment via State Approved Buy Board Vendor– Bentsen
39. Approval of Resolution No: \_\_\_\_\_ determining a public necessity and granting authorization to exercise the use of eminent domain authority to acquire certain real property, giving notice of an official determination to acquire said property described generally as 0.0072 of an acre tract of land situated in the City of McAllen, Texas, out of Lot 1, Taylor Heights Subdivision, as recorded in Vol. 46, Page 118, of the Map Records, Hidalgo County, Texas, for the public purpose of completing the Taylor Road Phase II Construction Project, Parcel 37 - Terrazas
40. Approval of Resolution No: \_\_\_\_\_ determining a public necessity and granting authorization to exercise the use of eminent domain authority to acquire certain real property, giving notice of an official determination to acquire said property described generally as 0.0072 of an acre tract of land situated in the City of Mission, Texas, out of Lot 36, Woodcrest Estates Subdivision, as recorded in Vol. 40, Page 76, of the Map Records, Hidalgo County, Texas, for the public purpose of completing the Taylor Road Phase II Construction Project, Parcel 54 - Terrazas
41. Authorization to accept grant award from the Valley Baptist Legacy Foundation for the Collaborative Grant Program - Elizalde
42. Authorization to purchase via a state approved contract a total of three (3) police vehicles via Buy Board Contract # 601-19 – Torres
43. Authorization to purchase Type 1 Ambulance from Siddons-Martin Emergency Group, LLC – Williams
44. Discussion and Action on Ordinance # \_\_\_\_\_ to repeal Section II of Ordinance No. 4487, authorizing the appointment of a person classified immediately below the department head (Mission Fire Department) as allowed by Chapter 143.014 of the Texas Local Government Code – J. Lerma

45. Discussion and Action on Ordinance # \_\_\_\_ to repeal and replace Ordinance No. 5223 to revise the Civil Service Classifications (Mission Fire Department) list for the remainder of the 2022-2023 fiscal year - J. Lerma

### **UNFINISHED BUSINESS**

None

### **ROUTINE MATTERS**

City Manager Comments

Mayor's Comments

City Council Comments

### **EXECUTIVE SESSION**

1. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to legal issues pertaining to city advisory board service requirements and other related legal matters
2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to legal issues pertaining to Mission Business Park Lot 9, Mission, Texas
3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) related to legal update pertaining to Fire Chief selection process and other related legal matters

### **POSSIBLE ACTION ON ANY ITEM(S) AS DISCUSSED IN EXECUTIVE SESSION**

1. Consideration and action, if any, related to the removal and/or appointment of advisory board members.
2. Consideration and action, if any, to address or settle any legal matters related to Mission Business Park Lot 9, Mission, Texas.
3. Consideration and action, if any, related to the confirmation of appointment by City Manager under Tex. Local Gov't Code Section 143.013(a)(1) of the City of Mission's Fire Chief.

### **ADJOURNMENT**

### **C E R T I F I C A T E**

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 10th day of February, 2023 at 3:30 p.m.

  
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Anna Carrillo, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations for a disability must be made 48 hours prior to this meeting. Please notify the City Secretary's Office at 580-8668.

## NOTICE OF REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MISSION

Notice is hereby given that on the **13th day of February, 2023** the City Council of the City of Mission will hold a regular meeting at 4:30 p.m. at 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

If, during the course of the meeting covered by this Notice, the City Council should determine that a closed or executive meeting or session of the Council is required, then such closed or executive meeting or session as authorized by the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq., will be held by the Council at the date, hour and place given in this Notice or as soon after the commencement of the meeting covered by this Notice as the Council may conveniently meet in such closed or executive meeting or session concerning any and all purposes permitted by the Act, including, but not limited to the following sections and purposes.

Texas Government Code Section:

551.071 (1) (2)	Consultation with Attorney.
551.072	Deliberation regarding real property.
551.073	Deliberation regarding prospective gifts.
551.074	Personnel matters.
551.076	Deliberation regarding security devices or security audits.
551.0785	Deliberations involving medical or psychiatric records of individuals.
551.084	Investigation; exclusion of witness from hearing.
551.087	Deliberation regarding economic development negotiations
551.088	Deliberation regarding test item

Should any final action, final decision, or final vote be required in the opinion of the City Council with regard to any matter considered in such closed or executive meeting or session, then the final action, final decision, or final vote shall be either:

- (a) in the open meeting covered by the Notice upon the reconvening of the public meeting; or
- (b) at a subsequent public meeting of the City Council upon notice thereof; as the Council shall determine.

On this the **10th day of February, 2023** this Notice was emailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street at 3:30 p.m. on said date.

  
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Anna Carrillo, City Secretary