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## **MINUTES**

### **PRESENT:**

Norie Gonzalez Garza, Mayor via zoom  
Ruben D. Plata, Mayor Pro-Tem  
Jessica Ortega, Councilwoman  
Marissa Ortega-Gerlach, Councilwoman  
Alberto Vela, Councilman  
Patricia A. Rigney, City Attorney  
Mike R. Perez, City Manager  
Anna Carrillo, City Secretary

### **ABSENT:**

### **ALSO PRESENT:**

Melissa Flores  
Victor Anzaldua  
Juan Rodriguez Jr.  
Juan R. Rodriguez Sr.  
Ruben Rodriguez  
Brenda Enriquez  
Ileana Ramirez  
Noel Salinas

### **STAFF PRESENT:**

Anais Chapa, Asst. City Secretary  
David Flores, Asst. City Manager  
Juan Pablo Terrazas, Asst. City Manager  
Andy Garcia, Asst. City Manager  
Vidal Roman, Finance Director  
Alex Hernandez, Assistant Planning Director  
Noemi Munguia, HR Director  
Robert Hinojosa, Director of Organizational Dev.  
Abram Ramirez, IT Director  
Abel Bocanegra, P.E., City Engineer  
Cesar Torres, Chief of Police  
Yenni Espinoza, Library Director  
Kenia Gomez, Media Relations Director  
Brad Bentsen, Parks & Recreation Director  
Ezeiza Garcia, Asst. Finance Director  
Susie De Luna, Planning Director  
Michael Fernuik, Golf Course Director  
Nora Lozano, Police Officer

## **REGULAR MEETING**

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

With a quorum being present, Mayor Norie Gonzalez Garza called the meeting to order at 4:30 p.m.

### **INVOCATION AND PLEDGE ALLEGIANCE**

Councilman Alberto Vela led the invocation and Pledge of Allegiance.

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

None

## PRESENTATIONS

### 1. Report from Mission Economic Development Corporation - Teclo Garcia

Teclo Garcia, MEDC CEO, gave an update on the operations of the EDC. Mr. Garcia spoke about a recent trip to San Luis Potosi in which the Mayor and MEDC employees attended. The visit to San Luis Potosi was incredibly successful as they were able to promote the Anzaldua's bridge as well as sign a memorandum of understanding to improve trade and promote both cities. During this trip, there were several roundtable discussions held to strategically plan for trade partnerships. Mr. Garcia also mentioned that they were working on bringing in several retail businesses, one begin Kahns Grill. The Olive Garden is set to open on July 22<sup>nd</sup> and a ribbon cutting ceremony would be held on this day as well.

### 2. Report from the Greater Mission Chamber of Commerce – Brenda Enriquez

Brenda Enriquez, Greater Mission Chamber of Commerce President, spoke about upcoming events such as: Smart Start Start session on July 11<sup>th</sup>, Investor Luncheon will be held on July 17<sup>th</sup>, Power of Business Planning webinar, July 18<sup>th</sup> there would be a Spanish session for businesses, Buenas Tardes Luncheon would be held on August 14<sup>th</sup>. Ms. Enriquez also mentioned that the nominations for businesses were still open.

### 3. Departmental Reports – Perez

Councilwoman Jessica Ortega moved to approve the departmental reports as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### 4. Citizen's Participation – Garza

None

## PUBLIC HEARING

## PLANNING & ZONING RECOMMENDATIONS

### 5. Rezoning: Being the North 0.42 of an acre, more or less, being the North 140' of the West 150' out of Lot 18-1, West Addition to Sharyland Subdivision, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Jose A. Flores, Jr., and Adoption of Ordinance#5511 - De Luna

On July 3, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located approximately 142' South of W. 2<sup>nd</sup> Street along the east side of N. Inspiration Road. 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 Vela moved to approve Rezoning: Being the North 0.42 of an acre, more or less, being the North 140' of the West 150' out of Lot 18-1, West Addition to Sharyland Subdivision, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Jose A. Flores, Jr., and Adoption of Ordinance#5511. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 5-0.

**ORDINANCE NO. 5511**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING BEING THE NORTH 0.42 OF AN ACRE, MORE OR LESS, BEING  
THE NORTH 140' OF THE WEST 150' OUT OF LOT 18-1, WEST ADDITION TO SHARYLAND  
SUBDIVISION, (AO-I) AGRICULTURAL OPEN INTERIM TO (R-1) SINGLE FAMILY  
RESIDENTIAL

**6. Conditional Use Permit: To Place a Mobile Home “Temporarily” for care of Health Stricken Parent, 716 Campbell Street, Lots 20 & 21, Sunset Addition, R-2, Jessie Jimenez, Adoption of Ordinance #5512 - De Luna**

On July 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located on the southeast corner of Business Hwy 83 and Campbell Avenue. 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 Vela moved to approve the Conditional Use Permit: To Place a Mobile Home “Temporarily” for care of Health Stricken Parent, 716 Campbell Street, Lots 20 & 21, Sunset Addition, R-2, Jessie Jimenez, Adoption of Ordinance #5512. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**ORDINANCE NO. 5512**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO PLACE A MOBILE HOME “TEMPORARILY”  
FOR CARE OF HEALTH STRICKEN PARENT, 716 CAMPBELL STREET, LOTS 20 & 21,  
SUNSET ADDITION

**7. Conditional Use Permit: To Designate an area as a Mobile Food Park for Operations of Mobile Food Units, 307 W. Tom Landry, Being the West ½ of Lots 7 & 8, Block 176, Original Townsite of Mission, C-4, Roberto Gonzalez, Adoption of Ordinance #5513 -De Luna**

On July 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located 75' West of N. Perkins Avenue along the north side of W. Tom Landry. 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.

Councilwoman Ortega inquired about the amount of food parks that we currently have to which Ms. Susie de Luna, Planning Director, responded that there were currently four that were approved, but only three that were operational.

Councilman Vela moved to approve the Conditional Use Permit: To Designate an area as a Mobile Food Park for Operations of Mobile Food Units, 307 W. Tom Landry, Being the West ½

of Lots 7 & 8, Block 176, Original Townsite of Mission, C-4, Roberto Gonzalez, Adoption of Ordinance #5513. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**ORDINANCE NO. 5513**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO DESIGNATE AN AREA AS A MOBILE FOOD PARK FOR OPERATIONS OF MOBILE FOOD UNITS, 307 W. TOM LANDRY, BEING THE WEST ½ OF LOTS 7 & 8, BLOCK 176, ORIGINAL TOWNSITE OF MISSION

**8. Conditional Use Permit: Restaurant in a C-2 Zone – Lola Seafood, 800 E. 1st Street, Lots 88 & 89, Mayberry Plaza UT No. 3, C-2, Victor Guerrero Cardenas, Adoption of Ordinance #5514- De Luna**

On July 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was at the SE corner of Mayberry Road and E. 1<sup>st</sup> Street. 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 Vela moved to approve the Conditional Use Permit: Restaurant in a C-2 Zone – Lola Seafood, 800 E. 1st Street, Lots 88 & 89, Mayberry Plaza UT No. 3, C-2, Victor Guerrero Cardenas, Adoption of Ordinance #5514. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**ORDINANCE NO. 5514**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT RESTAURANT IN A C-2 ZONE – LOLA SEAFOOD, 800 E. 1<sup>ST</sup> STREET, LOTS 88 & 89, MAYBERRY PLAZA UT NO. 3

**9. Conditional Use Permit: Drive-Thru Service Window – Lauris Kitchen, 3604 N. Conway Avenue, Being 0.626 acre tract out of Lot 30-7, West Addition to Sharyland Subdivision, C-3, Juan Martinez, Adoption of Ordinance #5515 - De Luna**

On July 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located in the SE area of Victory and Conway Blvd. 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 Vela moved to approve the Conditional Use Permit: Drive-Thru Service Window – Lauris Kitchen, 3604 N. Conway Avenue, Being 0.626 acre tract out of Lot 30-7, West Addition to Sharyland Subdivision, C-3, Juan Martinez, Adoption of Ordinance #5515. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**ORDINANCE NO. 5515**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT DRIVE-THRU SERVICE WINDOW – LAURIS  
KITCHEN, 3604 N. CONWAY AVENUE, BEING 0.626 ACRE TRACT OUT OF LOT 30-7, WEST  
ADDITION TO SHARYLAND SUBDIVISION

**10. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages –  
Hampton Inn & Suites, 2505 Victoria Drive, Lot 1, Hampton Inn & Suites Subdivision, C-3,  
Victoria Heights, LLC c/o Partiba Kasan, Adoption of Ordinance#5516 & Wet Zone #5517 -  
De Luna**

On July 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located 1,320' East of S. Shary Road along the North side of Victoria Drive. 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 Vela moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Hampton Inn & Suites, 2505 Victoria Drive, Lot 1, Hampton Inn & Suites Subdivision, C-3, Victoria Heights, LLC c/o Partiba Kasan, Adoption of Ordinance#5516 & Wet Zone #5517. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**ORDINANCE NO. 5516**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT SALE & ON-SITE CONSUMPTION OF  
ALCOHOLIC BEVERAGES – HAMPTON INN & SUITES, 2505 VICTORIA DRIVE, LOT 1,  
HAMPTON INN & SUITES SUBDIVISION

**ORDINANCE NO. 5517**

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 2505 VICTORIA DRIVE, LOT 1 – HAMPTON INN  
& SUITES

**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*

**11. Approval of Minutes – Carrillo**

Regular Meeting – June 24, 2024

Special Meeting – July 3, 2024

**12. Acknowledge Receipt of Minutes – Perez**

Mission Economic Development Corporation – May 29, 2024

Citizen’s Advisory Committee – May 28, 2024

**13. Approval of Resolution # 1911 Regarding Waterline Access Agreement with Sharyland Water Supply within City of Mission’s ETJ for Town & Country McAllen, LLC – Turtle Cove Subdivision – De Luna**

The proposed Town & Country McAllen, LLC – Turtle Cove Subdivision is a 7.417 Acre Tract of land out of Lot 33-1 West Addition to Sharyland Subdivision located approximately 900’ from the intersection of Inspiration Road and W. Mile 3 Road 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 requires an agreement be entered between the Corporation, the property owner and the City of Mission before such installation is allowed.

**RESOLUTION NO. 1911**

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND TOWN AND COUNTRY MCALLEN, LLC TURTLE COVE SUBDIVISION

**14. Authorization to solicit bids for Weedy Lot Abatement – De Luna**

Authorize staff to contract with third parties through the bidding process for the purpose of (1) abating nuisances pursuant to Article II of the Code of Ordinances captioned Weedy Lots, Unsanitary, Unsightly Conditions on Private Property, and/ or (2) cutting and removing all weeds, trash and brush from all City properties, easements and right of way and any other properties over which the City has dominion and control, and otherwise maintaining same in a neat and clean condition.

**15. Approval of Interlocal Agreement between Sharyland Independent School District and City of Mission, Texas on behalf of Shary Municipal Golf Course to provide golf course and driving range usage to their respective golf teams - M. Fernuik**

A general working agreement between the City and District to coordinate accessibility and compensation for the District’s use of the Shary Municipal Golf Course by District golf teams, in an effort to maximize resources and provide increased services to the public during the 2024/2025 District school year. Also, to provide an area designated under the Shary Municipal Golf Course Clubhouse for the storage of Golf Clubs and Bags which can be secured. Sharyland ISD agreed to compensate Shary Municipal Golf Course the sum of \$19,000 for this usage once the Interlocal Agreement is signed.

Councilwoman Ortega moved to approve all consent agenda items 11 thru 15 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**APPROVALS AND AUTHORIZATIONS**

**16. Final Plat Approval: Crystal Estates Subdivision IV, being a 14.71-acre parcel of land, out of Lot 27-1, West Addition to Sharyland, R-2, Developer: DG & GG Investments, LLC, Engineer: Ever Engineering, LLC - De Luna**

On June 12, 2023 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Crystal Estates Subdivision IV. The subject site was located east of Inspiration Road approximately 1,400' south of W. 2 Mile Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata asked if these would be townhomes or apartment and also wanted to know if there were any other apartments in the area. Mr. Plata inquired if this would be a street connecting Los Ebanos to Inspiration Road.

Ms. De Luna stated that there were no other apartments in the area and that these would be located between homes.

Mayor Garza stated that these would be either duplexes or fourplexes and there would be a max of four units per lot.

Councilman Vela moved to approve Final Plat Approval: Crystal Estates Subdivision IV, being a 14.71-acre parcel of land, out of Lot 27-1, West Addition to Sharyland, R-2, Developer: DG & GG Investments, LLC, Engineer: Ever Engineering, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**17. Authorization to award bid for Chlorine Gas chemical for the Public Works Department Water Treatment Plants – Bocanegra**

The City of Mission had accepted and opened three (3) bid responses for Chlorine Gas chemical for Water Treatment Plants. Staff recommended to award bid to PVS DX, Inc., who was the lowest responsible bidder meeting all specifications. The term of this contract would be for one (1) year with two (2) one-year renewal options. Recommendation was based solely on estimated quantities and orders would be placed on as needed basis BID # 24-570-06-26.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to award bid for Chlorine Gas chemical for the Public Works Department Water Treatment Plants. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**18. Ratification to solicit and Authorization to Award Contracts for Employee Benefit Plans - Munguia**

The City received twenty-two (22) proposals and accepted twenty-one (21). After evaluating all acceptable proposals, the evaluation team determined the following recommendations for award would be the best and most advantageous to the City of Mission:

Dental – Ameritas

Vision – Ameritas

Group Life – Mutual of Omaha

Voluntary Life – Mutual of Omaha

Long-term Disability – Mutual of Omaha

Short-term Disability – Mutual of Omaha

Flexible Spending Account/Sec 125 – TASC

Medical Transport – MASA

Employee Assistance Program – Deer Oaks

Legal Services – Rejected due to limited response (HR will be seeking authorization to renew this service at the next city council meeting held July 22, 2024)

Supplemental Insurance Cancer – Colonial

Supplemental Insurance Accident – Colonial

Supplemental Insurance Hospital Indemnity – Colonial

Supplemental Insurance Critical Illness – Colonial

Supplemental Insurance Whole Life – Colonial.

Staff and City Manager recommended approval.

Councilman Vela moved to award Contracts for Employee Benefit Plans. Motion was seconded by councilwoman Ortega and approved unanimously 5-0.

### **UNFINISHED BUSINESS**

#### **19. TABLED 06/24/2024 - Discussion and Action to Recommend to the City Council the closure required by Union Pacific Railroad for Leonor Street being approximately 0.09 of a mile East of the intersection of Schuerbach and W. Business Hwy 83 - De Luna**

On February 29, 2024 staff received a request by Melden & Hunt on behalf of the Killam Development for a proposed railroad crossing and (3) road closures for El Milagro Subdivision. Union Pacific Railroad Company required that for every new railroad crossing there were at least 2 road closures. The request before the Board was to consider the closure of the 2800 Block of Leonor Street.

On June 24, 2024 the Planning and Zoning Commission held a Public Hearing to consider this request. This would be the 3<sup>rd</sup> road crossing closure. There was public opposition during the P&Z Meeting. The board unanimously recommended approval.

Councilwoman Ortega moved to untable this item. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Juan Rodriguez, 2807 Leonor Street, expressed his concerns over the proposed closure. He stated that he was in opposition of the request and wanted an explanation as to why or how this particular railroad crossing was chosen to be closed.

Ruben James de Jesus, Project Engineer with Melden & Hunt, explained the process for the road closure. He also stated that there were three proposed closures for this particular project. The other proposed areas would have affected about 100 residents whereas this location would have a much smaller impact. He stated they were in support of the closure as discussed and was available to answer any questions.

Councilman Vela moved to approve the closure required by Union Pacific Railroad for Leonor Street being approximately 0.09 of a mile East of the intersection of Schuerbach and W. Business Hwy 83. Motion was seconded by Councilwoman Gerlach and approved 4-1, with Councilwoman Ortega voting against.

#### **20. TABLED: 07/03/2024 - Adoption of Fee Waiver and Discounted Rate Policy for the Mission Event Center - A. Lerma**

The Mission Event Center sought to implement a policy outlining procedures for organizations requesting fee waivers or discounted rates for facility use to specifically limit the use of the MEC



as a general public forum to ensure that the facility remained easily accessible to clients and residents doing business with the MEC.

The MEC may offer fee waivers or discounted rates to non-profit organizations, government agencies, or educational institutions meeting the specific requirements outlined in policy.

The different fee waivers or discounted rates included:

Eligibility for 50% Discounted Rate- included discount on room rental fees, equipment fees, service fees, and refundable damage deposit fee. Under this discounted rate, events must be open and available to the general public, free of charge, provide a public benefit, be non-partisan, be non-commercial and not for profit, be non-controversial and shall avoid advocacy of a particular position in areas of public policy dispute or controversy.

Eligibility for 20% Discounted Rate – included discount only on the room rental fees. Organizations would be responsible for all other applicable fees (equipment fees, service fees, and refundable damage deposit fee). Under this discounted rate, non-profits, government agencies, or educational institutions may host revenue-generating events or provide trainings, seminars and meetings for their members.

Eligibility for 100% Fee Waiver – included discount on room rental fees and all other applicable fees (equipment fees, service fees, and refundable damage deposit fee). Under this waiver, organizations must be in an official partnership with the City of Mission for a joint event.

No discounts or fee waivers are provided for security services. If security was required for an event, organizations would be responsible for all security fees and hiring such security personnel from the Mission Police Department at its own expense.

Organization may submit one (1) request annually for consideration of either a fee waiver or a discounted rate

This item remained on the table

## **ROUTINE MATTERS**

City Manager Comments – Operation Back to School to be held on Friday, July 19<sup>th</sup> at the Mission Event Center from 6p.m. to 9 p.m.

City Council Comments – Councilwoman Ortega thanked all of the staff for working hard to ensure that our community was safe in preparation for the storm. Mayor Pro Tem Plata thanked Fire Chief Garcia for keeping everyone informed with storm updates. Councilwoman Gerlach echoed the remarks of both Councilwoman Ortega and Mayor Pro Tem Plata.

Mayor's Comments - None

At 5:24 p.m., Councilman Vela moved to convene into Executive Session. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

## **EXECUTIVE SESSION**

Upon conclusion of Executive Session at 6:09 p.m., Councilwoman Ortega moved to reconvene the regular meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters)  
Evaluation of City Manager relating to goals and objectives

No action was taken

2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney)  
related to claim regarding 104 Bouganvilla Street

Councilwoman Ortega moved to approve as discussed in executive session. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney)  
related to Black Diamond Developers, LP and CCC Operations, LLC v. City of Mission, Cause No. C-5276-23-D.

No action was taken

### **ADJOURNMENT**

At 6:10 p.m., Councilwoman Ortega moved for adjournment. Motion was seconded by Councilman Vela and approved unanimously 5-0.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary