



MINUTES

PRESENT:

Jessica Ortega, Councilwoman
Ruben D. Plata, Mayor Pro-Tem
Alberto Vela, Councilman
Victor A. Flores, City Attorney
Randy Perez, City Manager
Anna Carrillo, City Secretary

ALSO PRESENT:

Jim & Beth Barnes
Irma Flores Lopez
Joshua Schmidt
Esther Salinas
Dendea Balli
Stanley Jacobson
Maria Alcantara
Valeria Guzman
Dave Hendricks
Ricardo Salinas
Father Roy Snipes

STAFF PRESENT:

Sarah Svedberg, Police Officer
Gabriel Ramirez, Planning Department

ABSENT:

Norie Gonzalez Garza, Mayor
Abiel Flores, Councilman

STAFF PRESENT:

Anais Chapa, Assistant 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
Jesse Mares, Facility Maintenance Supervisor
Noemi Munguia, HR Director
Robert Hinojosa, Risk Management Director
Peter Geddes, Procurement Director
Joe Enriquez, Utilities Manager
Alex Fajardo, Media Relations
Charlie Longoria, Media Relations
Abram Ramirez, IT Director
Abel Bocanegra, P.E., City Engineer
Brad Bentsen, Parks & Recreation Director
Cesar Torres, Chief of Police
Adrian Garcia, Fire Chief
Jesse Lerma, Civil Service Director
Joanne Longoria, CDBG Director
Yenni Espinoza, Assistant Library Director
Cynthia Lopez, Museum 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
Teclo Garcia, MEDC CEO
Kenia Gomez, Media Relations Director
Stephen Kotsatos, Health Director
Amy Tijerina, Events Manager
Christopher Navarrette, Deputy Fire Chief

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Pro Tem Ruben Plata called the meeting to order at 4:36 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 - Francisca Hernandez de Tanguma 100th Birthday

Councilwoman Jessica Ortega moved to approve the Proclamation – Francisca Hernandez de Tanguma 100th Birthday. Motion was seconded by Councilman Alberto Vela and approved unanimously 3-0.

2. Presentation of Sharyland Rattlers 2023 State Semi-Finalists Boys Soccer Team

Randy Perez, City Manager, introduced the head soccer coach for Sharyland who said that it had been a great experience this season for him and his entire team. This had been the second-best season in the school's history and he was honored to be a part of it. He also expressed his gratitude towards the City of Mission for all of their continued support.

3. Proclamation - Mental Health Month

Councilwoman Ortega moved to approve the Proclamation – Mental Health Month. Motion was seconded by Councilman Vela and approved unanimously 3-0.

4. Proclamation - National Police Week

Councilwoman Ortega moved to approve the Proclamation – National Police Week. Motion was seconded by Councilman Vela and approved unanimously 3-0.

5. Proclamation - Emergency Medical Services Week

Councilwoman Ortega moved to approve the Proclamation – Emergency Medical Services Week. Motion was seconded by Councilman Vela and approved unanimously 3-0.

6. Report from the Greater Mission Chamber of Commerce

Brenda Enriquez, Mission Chamber of Commerce CEO, reported on upcoming chamber events such as: Educational Webinar Sessions – May 10th Business Smart Start, May 11th Ribbon Cutting for Club Car Wash, May 11th Evening of Prayer, May 12th- UTRGV Announcement at the CEED Building, Lunch & Learn May 17th – Texas Workforce Solutions, Buenas Tardes luncheon on August 12th. She also stated that they had a great turnout for their golf tournament with a record number of teams that participated.

7. Presentation of Keep Texas Beautiful Affiliation

Roel Mendiola, Sanitation Director, stated that the City of Mission has been recognized as an official affiliate of Keep Texas Beautiful. With this affiliation comes access to great beautification opportunities and will also aid the city in receiving grant monies for future endeavors. Keep Texas Beautiful sent us a road sign to announce that we are an official affiliate to be displayed within our city.

8. Mission Economic Development Corporation Project Updates

Teclo Garcia, CEO for MEDC, provided the city manager and council members with an updated on the overall operations of MEDC. In the six months that he had been with MEDC, he was able to assemble a great team and fill all of the vacancies that the department had. He further explained that the main purpose for the EDC was to attract opportunities for investment, enhance local workforce and create jobs.

9. Departmental Reports

Councilwoman Ortega moved to approve the Departmental Reports. Motion was seconded by Councilman Vela and approved unanimously 3-0.

10. Citizen's Participation – Garza

Richard Bell, resident at Aladdin Villas, stated that he is a new Mission resident and has enjoyed living here. He had two concerns that he wanted to voice. The first concern was in regards to the parking ordinance. He felt that we should not lower our standards on this because it would lead to lowering the value of homes. He asked that we consider keeping our standards high. His second concern was the high volume of traffic traveling at an elevated speed on Stewart Road. He is concerned for the residents' safety as they cross Stewart road by foot, wheelchair, bicycle or golf carts on a daily basis.

Jim Barnes, a resident of Mission, voiced his concern over item 28 on the meeting agenda. This item pertained to a COPS hiring grant that the city is requesting to apply for. He was concerned for any restrictions or requirements that this grant would come with.

Golden Olunkwa, 1405 S. Stewart Road, stated that he was a new Mission resident and has been concerned about the traffic on Stewart Road because no one respects the speed limit on the south side of the road.

Luis Quintanilla, RGV Humane Society Director, wanted to give a quick update on the current operations for the shelter. This day marked the 90th day since the RGV Humane society began running the operations for the city's shelter. In these 90 days, they had taken in 699 animals and 76 animals just in the first week of May. There have been a total of 112 adoptions during this time as well as 112 spayed/neutered animals.

Dendea Balli wanted to thank our city leaders for their support and for making the decision to work with the RGV Humane Society. She stated that the city's biggest issue has been and continued to be overpopulation. She just wanted to ask the city for more support for the animal shelter and for the city to assist in providing the correct information to our community. She urged that we send out a consistent message of transparency to the residents.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

11. Rezoning: The South 5.4 acres of Lot 38, Bell-Woods Company's Subdivision "C", (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Raymundo Patricio Platas Merino, and Adoption of Ordinance# ____ - De Luna

On April 26, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 625' North of W. Mile 2 Road on the West side of Compton Drive. There was public opposition during the P&Z Meeting. The main concerns

were traffic, health and safety issues, and no utilities. The board unanimously recommended denial.

Staff and City Manager recommended denial.

Mayor Pro Tem Plata asked if there were any comments for or against the request.

Ms. Esther Salinas, owner of 3 acres in said location, stated that she is opposed to this request. She said this road was named after an American Hero and that it was a 12ft road that was dead-ended. She voiced that she did not want this historic drive to be turned into a slum since it was already a high-trafficked area with two nearby schools.

Upon motion by Councilman Vela seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilman Vela moved to deny the Rezoning of The South 5.4 acres of Lot 38, Bell-Woods Company's Subdivision "C", (AO-I) Agricultural Open Interim to (R-2) Duplex-Fourplex Residential, Raymundo Patricio Platas Merino, and Adoption of Ordinance. Motion was seconded by Councilwoman Ortega and denied unanimously 3-0.

12. Rezoning: A tract of land being the South 7.8 acres of the North 103.8 acres of a certain 203.8 acres tract of land known as the Fernandez Strip out of Porcion 52 (PUD) Planned Unit Development to (R-2) Duplex-Fourplex Residential, M2 Engineering, PLLC, and Adoption to Ordinance # 5305 - De Luna

On May 8, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 1,700' South of Mile 1 South Road on the West side of Inspiration Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended denial.

Staff and City Manager recommended denial.

Mayor Pro Tem Plata asked if there were any comments for or against the request.

Mr. Salinas stated that this development would be located on South Mile One Road and Inspiration. He mentioned that there were plans in the future to widen Inspiration Road. The plan was to create twenty, four-plex lots for this area. Mr. Salinas also presented the council and city manager with photographs of similar developments that are currently in place along Inspiration Road.

Upon motion by Councilman Vela seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Rezoning of A tract of land being the South 7.8 acres of the North 103.8 acres of a certain 203.8 acres tract of land known as the Fernandez Strip out of Porcion 52 (PUD) Planned Unit Development to (R-2) Duplex-Fourplex Residential, M2 Engineering, PLLC, and Adoption to Ordinance. Motion was seconded by Councilman Vela and approved unanimously 3-0.

ORDINANCE NO. 5305

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING FOR A TRACT OF LAND BEING THE SOUTH 7.8 ACRES OF
THE NORTH 103.8 ACRES OF A CERTAIN 203.8 ACRES TRACT OF LAND KNOWN AS

THE FERNANDEZ STRIP OUT OF PORCION 52, FROM (PUD) PLANNED UNIT DEVELOPMENT TO (R-2) DUPLEX–FOURPLEX FAMILY RESIDENTIAL

13. Conditional Use Permit: Guest House on Property Zoned R-1 (Single Family Residential) at 2304 W. Palm Circle, Being Lot 48, Palm Acres No. 2 Subdivision, R-1, Joshua Schmidt, and Adoption to Ordinance #5306 - De Luna

On April 26, 2023, the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 144' north of Griffin Parkway (FM 495) along the east side of W. Palm Circle. 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 there were any comments for or against the request.

Joshua Schmidt, 2304 W. Palm Circle, is the owner of the lot and stated that the building is existing as a storage, but they would like to convert it to a guest house in order to add a tub and restroom. His wife was recently diagnosed with an illness and having a tub would help them out tremendously.

Upon motion by Councilman Vela seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Conditional Use Permit: Guest House on Property Zoned R-1 (Single Family Residential) at 2304 W. Palm Circle, Being Lot 48, Palm Acres No. 2 Subdivision, R-1, Joshua Schmidt, and Adoption to Ordinance #5306. Motion was seconded by Councilman Vela and approved unanimously 3-0.

ORDINANCE NO. 5306

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR A GUEST HOUSE ON A PROPERTY ZONED R-1 (SINGLE FAMILY RESIDENTIAL) AT 2304 W. PALM CIRCLE, BEING LOT 48, PALM ACRES NO. 2 SUBDIVISION

14. Conditional Use Permit: Drive-Thru Service Windows – Snowball Express #2 at 3124 N. Mayberry Road, Being a tract of land out of the Northwest 1.0 acres of the West 5.18 acres of the North 11.03 acres of Lot 28-9, West Addition to Sharyland, C-2, Elgin Xavier, and Adoption to Ordinance#5307- De Luna

On April 26, 2023, the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located at the SE corner of Mayberry Road and E. Mile 2 Road. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilman Vela moved to table this item due to the applicant having a death in the family and not being able to attend the meeting. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

15. Conditional Use Permit: Home Occupation – Pet Grooming/Styling at 3105 Melody Lane, Being Lot 3, Johnson City Subdivision, R-1, Salvador Regalado, and Adoption of Ordinance # - De Luna

On April 26, 2023, the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 270' south of E. Mile 2 Road along the east side of Melody Lane. There was public opposition during the P&Z Meeting. However, staff has received several calls in opposition. The concerns were increase in traffic, inhumane conditional for the animals, business should be in a commercial area, property needs to be upkept. The board unanimously recommended denial.

Staff and City Manager recommended denial.

Mayor Pro Tem Plata asked if there were any comments for or against the request.

There were no comments.

Upon motion by Councilman Vela seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to deny the Conditional Use Permit: Home Occupation – Pet Grooming/Styling at 3105 Melody Lane. Motion was seconded by Councilman Vela and denied unanimously 3-0.

16. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Olive Garden at 1405 E. Expressway 83, Lots 2 & 3, New Quest Subdivision, C-3, Olive Garden, LLC (c/o Leeanne Calderone), and Adoption of Ordinance #5307 and Wet Zone Ordinance #5308 - De Luna

On April 26, 2023, the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 255' east of Bryan and E. Expressway 83 (IH 2) along the north side of E. Expressway 83. 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 there were any comments for or against the request.

There were no comments.

Upon motion by Councilwoman Ortega seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Olive Garden at 1405 E. Expressway 83, Lots 2 & 3, New Quest Subdivision, C-3, Olive Garden, LLC (c/o Leeanne Calderone), and Adoption of Ordinance #5307 and Wet Zone Ordinance #5308. Motion was seconded by Councilman Vela and approved unanimously 3-0.

ORDINANCE NO. 5307

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – OLIVE GARDEN AT 1405 E. EXPRESSWAY 83, BEING LOTS 2 & 3, NEW QUEST SUBDIVISION

ORDINANCE NO. 5308

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 1405 E. EXPRESSWAY 83, LOTS 2 & 3, NEW QUEST SUBDIVISION.

17. Conditional Use Permit: Home Occupation – Sale of Firearms at 3106 Granite Drive, Being Lot 14, Stonegate Subdivision, R-1, David Balderas, and Adoption to Ordinance# _____ - De Luna

On April 26, 2023, the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 342' north of Stonegate Drive along the east side of Granite Drive. On March 22, 2023 staff received a petition reflecting 50% opposition to the request. The concerns voiced on the petition refer to their being no infrastructure to support commercial enterprise, draw additional traffic to the subdivision, which only has a single outlet and no through traffic, increasing danger for children and pets, no available parking for business, business hours would increase burden on neighborhood, disrupt the peace and quiet neighborhood, and finally the gun shop would adversely affect the value of the homes. There was public opposition during the P&Z Meeting. The main concerns voiced during the hearing were regarding safety, traffic, and property values. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata asked if there were any comments for or against the request.

Esther Salinas stated that she had spoken to the gentleman that was making this request and that he had admitted that he was already selling parts so she was confused and concerned on this request.

David Balderas, 3106 Granite Drive, stated that he was the applicant and that he was applying for an FFL license. He also stated that there are several similar businesses with an FFL permit in the surrounding area already. He did say that he did sell parts, but that it was all done legally. The permit he is trying to obtain would be so that he can sell parts with serial numbers.

Nancy Pehrson, 3105 Granite Drive, lived directly across the street from this address. She advised that they had submitted a signed petition with a total of 69 signatures of residents who were opposed to this request. Ten of the signatures collected were within the radius required by planning which was 100% opposition. She expressed her opposition to having a gun shop in her area and said they felt uncomfortable with it.

Alejandro Flores currently works for a shooting range and stated that he is very familiar with the process of selling parts. He continued by saying that ordering parts was not illegal and there was a very detailed form in which it must be done. The purpose of the FFL license was to be able to order and sell serialized parts. He also stated this was part of the start-up process, and if the business grew then the applicant would consider moving to a retail space.

Albert Balderas, 3106 Granite Drive, was the father of the applicant. He stated he understood the concerns, but he wanted to support his son and offered suggestions such as asking the carriers to deliver packages on the other side of the property so as to not to disturb the neighbors. He also stated that the transactions do not have to be done at home and that his son could deliver the parts elsewhere. The business would have no advertisement posted on the property and his son would have the right to refuse service to anyone based on his own judgement.

Mr. Pehrson, 3105 Granite Drive, lived across the street from the named property. He stated that in the past couple of months there had been a lot of gun violence all over the country, and he does not want to see that in his neighborhood.

Councilwoman Ortega moved to table this item to be discussed at the next council meeting when all members of council would be present. Motion was seconded by Councilman Vela and approved unanimously 3-0.

18. Discussion and Action to Amend Garage Sale Ordinance Amending Chapter 82 – Sales, Article II. – Garage, Porch, Yard, Clubhouse/Recreation 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 #5309 - De Luna

Several concerns had been voiced to the Planning Department staff in regards to the following:

of Tent Sale permits are allowed – current ordinance allowed 2 per year/1 every 6 months

of days Estates Sales were allowed – current ordinance allowed 2 days only

of days allowed for Clubhouse/Recreational Hall Park Sale – current ordinance allowed 1 day

During a workshop held on April 3, 2023 with the City Council the concerns were discussed. Staff proposed to amend the ordinance as follows:

- Tent Sales to be allowed 1 every month for 1 day, but not more than a 3-day sale
- Estate Sales to be allowed up to 4 days but must provide proof
- Clubhouse/Recreational Hall Park Sales to be allowed 1 day but no more than a 3-day sale

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 there were any comments for or against the request.

There were no comments.

Upon motion by Councilwoman Ortega seconded by Councilman Alberto Vela and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve to Amend Garage Sale Ordinance Amending Chapter 82 – Sales, Article II. – Garage, Porch, Yard, Clubhouse/Recreation 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 #5309. Motion was seconded by Councilman Vela and approved unanimously 3-0.

ORDINANCE NO. 5309

AN ORDINANCE AMENDING CHAPTER 82 - SALES, ARTICLE II. - GARAGE, PORCH, YARD, CLUBHOUSE/RECREATION HALL, RUMMAGE, TENT, AND ESTATE SALES, SECTION 82-36. TERM OF GARAGE SALE PERMIT, SECTION 82-37 MAXIMUM NUMBER OF GARAGE SALES, AND SECTION 82-40 PERMITS NUMBER AND SALES PERMIT INFORMATION, TEXAS; AND PROVIDING A PUBLICATION DATE

19. Discussion and Action to Amend the Off-Street Parking Requirements for Commercial Developments, and Adoption of Ordinance #5310 - De Luna

A concern had been voiced to the Planning Department staff regarding the minimum standard requirements for commercial buildings. Most of the existing commercial buildings had outgrown their parking. When most of these commercial establishments were originally presented to staff

they were considered shell buildings for the majority of the time. The parking for a commercial building was based on square footage. It was not until the owner sold or rented the unit that staff had an idea of the proposed use. Off-street parking was calculated based on the use and if the use was unknown then it was calculated based on square footage. The off-street parking requirements for commercial developments inside and outside the Central Business District had not been amended since September 14, 1981.

Staff proposed to upgrade the parking requirements for commercial developments outside the Central Business District to be amended as followed have 1 parking space for every 200 sq.ft. (after the 1st 200 s. ft. equates to 4).

During a workshop held on April 3, 2023 with the City Council the off-street parking concern was discussed. Staff and the City Council considered different locations and saw the need for additional parking but at the same time didn't want to discourage future developments from coming into our City. So, in a matter to compromise the City Council opted to reduce the square footage from 400 sq.ft. to 300 sq.ft.

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 there were any comments for or against the request.

There were no comments.

Upon motion by Councilwoman Ortega seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Amend the Off-Street Parking Requirements for Commercial Developments, and Adoption of Ordinance #5310. Motion was seconded by Councilman Vela and approved unanimously 3-0.

ORDINANCE NO. 5310

AN ORDINANCE AMENDING CHAPTER 110 -TRAFFIC AND VEHICLES, ARTICLE VIII. - STOPPING, STANDING, PARKING, DIVISION 4.- OFF-STREET PARKING, SECTION 110-463 MINIMUM PARKING REQUIREMENTS FOR COMMERCIAL DEVELOPMENT OUTSIDE THE CENTRAL BUSINESS DISTRICT IN MISSION, TEXAS; AND PROVIDING A PUBLICATION DATE

20. Discussion and Action to Adopt the Special Use Permit, and Adoption of Ordinance#5311 - De Luna

A directive was given to staff to work on an ordinance that would give the City Manager the authority to approve a permit for certain special events to help expediate the process. During a workshop held on April 3, 2023 with the City Council the Special Use Permit was discussed. Staff and the City Council considered the different type of events that would qualify for this permit and the process that needed to be followed in order for a permit to be granted. The applicant would still need to submit an application, proposed dates of operation, a site plan showing the parking and would need to be in compliance with all City Codes. The following events would qualify for the Special Use Permit:

- City Sponsored Events
- Pop-up Markets
- 1 Day Events
- City Manager’s discretion

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 there were any comments for or against the request.

There were no comments.

Upon motion by Councilwoman Ortega seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Discussion and Action to Adopt the Special Use Permit, and Adoption of Ordinance#5311. Motion was seconded by Councilman Vela and approved unanimously 3-0.

ORDINANCE NO. 5311

AN ORDINANCE AMENDING ARTICLE IV OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS’, CODE OF ORDINANCES – SPECIAL USE PERMIT -WHEREBY SPECIAL USES ARE SPECIFIED TO BE HEREAFTER ESTABLISHED; AMENDING CHAPTER 10 – AMUSEMENTS AND ENTERTAINMENT, ARTICLE I – IN GENERAL; PROVIDING FOR A SEVERABILITY PROVISION; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE’S APPLICABILITY; PROVIDING INSTRUCTION TO THE CITY SECRETARY TO PUBLISH THESE SPECIAL USE REQUIREMENTS IN THE CITY OF MISSION, TEXAS’ CODE OF ORDINANCES

21. Discussion and Action to Rescind Parking on the Grass Ordinance No. 5001, and Adoption of Ordinance#_____ - De Luna

This ordinance was created because our Code Enforcement Officers were enforcing based on a definition “off-street parking requirements” and not with an actual ordinance restricting the parking on the grass. This ordinance was adopted by the City Council on March 22, 2021. Shortly, after the adoption of this ordinance staff received numerous complaints regarding the adoption of the ordinance. The complaints referred to city was only targeting the older subdivisions that don’t have room for a 2-car driveway. City official received negative feedback. The Post Master had a concern because the residents were parking on the street and blocking the mailboxes making it impossible to deliver the mail. On February 28, 2022 this ordinance was reconsidered either to enforce or rescind and during the meeting the City Council tabled the item and put a moratorium on issuing citations in the meantime while the ordinance was revised. During a workshop held on April 3, 2023 with the City Council the No Parking on the Grass Ordinance was discussed. The consensus from the City Council was to rescind the ordinance but still enforce the junk vehicles parked on the property.

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 there were any comments for or against the request.

Esther Salinas, 709 Oblate, questioned if rescind meant to do away with the current ordinance in place. She said if we did rescind the current ordinance, the value of homes would depreciate. She also stated that this would mean that everyone would be parking in the front of their homes and on the grass and sidewalks which would be an obstruction. She was opposed to rescinding this ordinance.

Upon motion by Councilman Vela seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to table this item. Motion was seconded by Councilman Vela and approved unanimously 3-0.

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

22. Approval of Minutes – Carrillo

Regular Meeting – April 24, 2023, Special Meeting – May 1, 2023

23. Acknowledge Receipt of Minutes – Perez

Citizen's Advisory Committee – March 28, 2023

Mission Economic Development Corporation – April 5, 2023

Mission Redevelopment Authority – March 28, 2023

Mission Economic Development Authority – January 25, 2023

Mission Education Development Council – January 25, 2023

Keep Mission Beautiful – March 7, 2023

Mission Civil Service Commission – March 8, 2023

24. Approval of Resolution #1830 Regarding Waterline Access Agreement with Sharyland Water Supply within city ETJ for LaHoma 107 Retail Partners, Ltd. – 7 Eleven – De Luna

The proposed 7-Eleven was located within the service area of the Sharyland Water Supply Corporation and within the City of Mission's ETJ.

Sharyland Water Supply Corporation had 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. 1830

A RESOLUTION OF THE CITY OF MISSION, TEXAS TO APPROVE A WATERLINE ACCESS AGREEMENT BETWEEN THE SHARYLAND WATER SUPPLY CORPORATION, AND LAHOMA 107 RETAIL PARTNERS, LTD. – 7 ELEVEN

25. Approval of Data Use Agreement between the Department of State Health Services, Vital Statistics Office and the City of Mission – Carrillo

The Data Use Agreement (DUA) with the Department of State Health Services, Vital Statistics Office was required to be executed to continue to allow the city's Vital Statistics Department to continue to have access to create, receive, maintain, process, view, handle, examine, interpret or analyze confidential information from DSHS to the City of Mission.

The City of Mission received birth and death records which are confidential and therefore, the Data Use Agreement was required to be executed in order to comply with federal law.

26. Approval of Resolution #1835 of the City of Mission, Texas approving a professional services contract with Linebarger Goggan Blair & Sampson, LLP for Delinquent Tax Collection Services, under a contingent fee contract, subject to approval by the Office of the Attorney General of Texas, pursuant to Chapter 2254 of the Texas Government Code. – Geddes

Subchapter C of Chapter 2254 of the Texas Government Code required that a political subdivision of the State of Texas, including the City, may enter into contingent fee contracts for legal services only after: (i) the governing body of the political subdivision had provided written notice to the public stating certain provisions enumerated within Chapter 2254; (ii) the governing body of the political subdivision approved such contract in an open meeting called, in part or in whole, for the purposes of considering such contract; (iii) the governing body of the political subdivision stated in writing certain findings made by the governing body upon the approval of such contract; and

Before the contingent fee contract for legal services is effective and enforceable, the City must receive approval of the contract by the Office of the Attorney General of Texas or the contract is otherwise allowed under Chapter 2254.

Having provided adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the Agreement for Delinquent Tax Collection Services with Linebarger Goggan Blair & Sampson, LLP was approved and the Mayor was authorized to execute this Agreement.

RESOLUTION No. 1835

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, APPROVING A PROFESSIONAL SERVICES CONTRACT WITH LINEBARGER GOGGAN BLAIR & SAMPSON, LLP FOR DELINQUENT TAX COLLECTION SERVICES, UNDER A CONTINGENT FEE CONTRACT

27. Authorization to accept grant award for the Animal Welfare Organization's Performing Sheltering and Adoptions program with Petco Love. – Elizalde

On April 18, 2023 the Mission Health Department was awarded a \$30,000 grant for the Animal Welfare Organization Performing Sheltering and Adoptions grant opportunity with Petco Love. The funding would be used for various animal life saving purposes. This grant did not require a match.

28. Approval of resolution No. 1836 authorizing the submittal of the FY23 COPS Hiring Program Grant application to the U.S. Department of Justice, Office of Community Oriented Policing – Elizalde

The City of Mission Police Department was requesting approval of resolution authorizing the submittal of the FY23 COPS Hiring Program Grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services and authorizing Mayor as the Authorized

Representative. The program allowed the hiring of police officers where the program paid 75% of the officers' salary and was matched by the city at 25% through the tenure of the three-year grant. The City of Mission was requesting hiring eight (8) officers from this grant for a total project cost of \$ 1,771,398.16. If awarded, the City of Mission would be required support the project with a 25% match and must commit to maintain the positions for one additional year at 100% expense to the city.

RESOLUTION No. 1836

NOW THEREFORE, BE IT RESOLVED THAT THE CITY OF MISSION APPROVES THE SUBMISSION OF THE GRANT APPLICATION FOR THE MISSION POLICE DEPARTMENT'S FY23 COPS HIRING PROGRAM GRANT TO THE U.S. DOJ – OFFICE OF THE COMMUNITY ORIENTED POLICING SERVICES.

29. Authorization to purchase medical equipment and supplies from Henry Schein via Buy Board Contract # 610-20 – A. Garcia

The Mission Fire Department was seeking authorization to purchase medical equipment and medical supplies from Henry Schein via Buy Board Contract # 610-20 for FY 2022-2023.

Annual purchases were estimated to exceed the \$25,000.00 threshold requiring City Council approval

30. Approval of Resolution #1831, Resolution approving the resolution of Mission Economic Development Corporation authorizing the issuance of bonds on behalf of Waste Management, Inc.; and matters related thereto - T. Garcia

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 Waste Management Inc, under the assistance of MEDC's Private Activity Bond program.

RESOLUTION NO. 1831

RESOLUTION APPROVING THE RESOLUTION OF MISSION ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE ISSUANCE OF BONDS ON BEHALF OF WASTE MANAGEMENT, INC.; AND MATTERS RELATED THERETO

31. Authorization to extend three-month renewal option for the purchase of Ready Mix Concrete for the Public Works Department – Bocanegra

Staff was seeking authorization to extend the Three-Month Renewal Option for Ready Mix Concrete with 57 Concrete. Ready Mix Concrete orders would be placed on an as needed basis throughout the 3-month base term.

32. Authorization to purchase 1000 Residential Refuse Carts from Otto Environmental Systems via HGAC Contract #RC01-21 – Mendiola

Authorization to purchase 1000 residential refuse carts for our Residential Division. Due to the recent storms that had affected our area, the Sanitation Department was requesting these refuse carts to keep up with the demand to replenish all lost/damaged carts pertaining to our residents. Carts would be purchased from Otto Environmental Systems via HGAC contract #RC01-21.

33. Authorization to solicit proposals for the Shary Golf Course Maintenance Building – Mares

Staff was seeking authorization to solicit proposals for the Shary Golf Course Maintenance building.

34. Approval of Resolution #1832 of the City of Mission, Texas setting penalties imposed under Texas Tax Code Sections 33.07 and 33.08. – Vela

Resolution authorized the district's Tax Assessor-Collector to set the penalties under Texas Tax Codes, 33.07 and 33.08 to 15% as presented by the selected firm for Delinquent Tax Collection Services.

RESOLUTION NO. 1832

WHEREAS, CITY OF MISSION WISHES TO DEFRAY ITS COSTS OF COLLECTION, AS AUTHORIZED BY TEX. TAX CODE §§ 33.07 AND 33.08, THAT IT INCURS UNDER A CONTRACT FOR COLLECTION OF DELINQUENT PROPERTY TAXES BETWEEN SAID CITY AND A PRIVATE LAW FIRM ENTERED INTO PURSUANT TO TEX. TAX CODE § 6.30; WHEREAS, UNDER SAID SECTIONS 33.07 AND 33.08, THE GOVERNING BODY OF CITY OF MISSION IS EMPOWERED TO AUTHORIZE THE ADDITION OF A COLLECTION PENALTY IN AN AMOUNT THAT DOES NOT EXCEED THE AMOUNT OF THE COMPENSATION SPECIFIED IN THE CONTRACT WITH THE PRIVATE LAW FIRM;

35. Approval of Resolution #1833 of the City of Mission, Texas setting penalties imposed under Texas Tax Code Section 33.11. – Vela

Resolution authorized the district's Tax Assessor-Collector to set the penalties under Texas Tax Codes, 33.11 to 15% as presented by the selected firm for Delinquent Tax Collection Services.

RESOLUTION NO. 1833

WHEREAS, CITY OF MISSION WISHES TO DEFRAY ITS COSTS OF COLLECTION, AS AUTHORIZED BY TEX. TAX CODE § 33.11, THAT IT INCURS UNDER A CONTRACT FOR COLLECTION OF DELINQUENT PROPERTY TAXES BETWEEN SAID CITY AND A PRIVATE LAW FIRM ENTERED INTO PURSUANT TO TEX. TAX CODE § 6.30; WHEREAS, UNDER SAID SECTION 33.11, THE GOVERNING BODY OF CITY OF MISSION IS EMPOWERED TO AUTHORIZE THE ADDITION OF A COLLECTION PENALTY IN AN AMOUNT THAT DOES NOT EXCEED THE AMOUNT OF THE COMPENSATION SPECIFIED IN THE CONTRACT WITH THE PRIVATE LAW FIRM;

36. Approval of Resolution No. 1834 amending the amount of financial assistance from the Texas Water Development Board (TWDB); authorizing the filing of an application for such assistance and designating the Mayor as the authorized representative. – Terrazas

Staff was requesting to amend the amount of financial assistance from the Texas Water Development Board (TWDB); authorizing the filing for an application for such assistance and designating the Mayor as the authorized representative. The application would be filed and authorized with TWDB in the amount not to exceed \$8,510,000 to provide for the cost of the construction of the North Mission EDAP project.

RESOLUTION NO. 1834

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD;

AUTHORIZING THE FILING OF AN APPLICATION FOR ASSISTANCE; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH.

Councilwoman Ortega asked to remove item 26 from the list and be discussed individually.

Mayor Pro Tem Plata asked to remove item 28 from the list and be discussed individually.

Councilwoman Ortega moved to approve all consent agenda items 22 thru 25, 27, and 29 thru 36 as presented. Motion was seconded by Councilman Vela and approved unanimously 3-0.

Councilwoman Ortega moved to approve item 26. Motion was seconded by Councilman Vela and approved unanimously 3-0.

Councilwoman Ortega moved to approve item 28. Motion was seconded by Councilman Vela and approved unanimously 3-0.

APPROVALS AND AUTHORIZATIONS

37. Variance request by Quintanilla, Headley & Associates on behalf of Ricardo Salinas to the Subdivision Code for unrecorded Papillion Square Subdivision, A 1.977 acre tract of land being a 2.00 acre tract out of Lot 25-11, West Addition to Sharyland a/k/a Papillion Square Subdivision - De Luna

On August 18, 2022 staff received an application for Papillion Square Subdivision. This proposed subdivision was located at the northeast corner of Griffin Parkway (FM 495) and Bryan Road. The developer was proposing a 1-lot subdivision. It is commercially zoned and he would like to do a commercial plaza at this location. On April 20, 2023, Mr. Quintanilla subdivision a new variance request letter and is now asking for the following variances from the Subdivision Requirements:

- Bryan Road Paving widening plus curb and gutter
- Replacement and size increase from 4" to 8" waterline along Bryan Road
- Drainage Improvements along Bryan Road

There was no public opposition during the P&Z Meeting. The Board unanimously recommended denial.

Staff and City Manager recommended denial.

Councilwoman Ortega moved to table this item. Motion was seconded by Councilman Vela and approved unanimously 3-0.

38. Preliminary Plat Approval: El Cordero Subdivision, being a 20 acre tract of land out of Lots 25 & 26, Block 15, Texan Gardens Subdivision, Suburban E.T.J., Developer: Pena Chapa Development, Inc., Engineer: South Texas Infrastructure Group - De Luna

On April 26, 2023 the Mission City Council held a Public Hearing to consider the Preliminary & Final Plat Approval for El Cordero Subdivision. The subject site was located on Western Road approximately 2,700' north of 6 Mile Line Road. There was no public opposition during the P&Z Meeting. The Board unanimously recommended approval.

Staff and City Manager recommended approval.

Councilman Vela moved to approve the Preliminary Plat Approval: El Cordero Subdivision, being a 20 acre tract of land out of Lots 25 & 26, Block 15, Texan Gardens Subdivision, Suburban E.T.J., Developer: Pena Chapa Development, Inc., Engineer: South Texas Infrastructure Group. Motion was seconded by Councilwoman Ortega and approved unanimously 3-0.

39. Final Plat Approval: Capricorn Estates Subdivision, Being a 9.43 acre tract of land, more or less, out of Lot “F”, B.L. Millers Resubdivision of Lots 16-20, Blk 4, Mission Groves Estates, R-1, Developer: LLAAG, LLC, Engineer: Homero L. Gutierrez - De Luna

On February 28, 2022 the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Capricorn Estates Subdivision. The subject site was located 1,470' West of Inspiration Road along the south 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.

Councilwoman Ortega moved to approve the Final Plat Approval: Capricorn Estates Subdivision, Being a 9.43 acre tract of land, more or less, out of Lot “F”, B.L. Millers Resubdivision of Lots 16-20, Blk 4, Mission Groves Estates, R-1, Developer: LLAAG, LLC, Engineer: Homero L. Gutierrez. Motion was seconded by Councilman Vela and approved unanimously 3-0.

40. Authorization to Award Contract for ROW Mowing and Maintenance Services – Bentsen

City Council authorized staff to solicit bids for the mowing and maintenance services of city right of ways. Staff received five (5) competitive bids and was seeking authorization to award to South Texas Landscapes, Irrigation and Pest Control, LLC. who were the lowest responsive and responsible bidders meeting all specifications at a cost of \$175,640.00.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the Authorization to Award Contract for ROW Mowing and Maintenance Services. Motion was seconded by Councilman Vela and approved unanimously 3-0.

41. Approval of Budget Amendment: Capital Projects & MEDC Fund- Vela

Capital Projects Fund – (\$6,212,302.00 Revenues/Expenditures)

MEDC Fund – (\$95,000 Expenditures)

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve the Budget Amendments: Capital Projects & MEDC Fund. Motion was seconded by Councilman Vela and approved unanimously 3-0.

UNFINISHED BUSINESS

None

ROUTINE MATTERS

City Manager Comments – Evening of Prayer will be held on Thursday May 11, 2023 at the Mission Event Center, May 12th UTRGV announcement at the CEED Building, Music at the will be held at La Plazita Park on Friday, May 12th, May 15th Police Memorial Service at Mission PD, May 23rd Mental Health Awareness Caravan to the Mission Event Center

Mayor's Comments – None

City Council Comments – Councilwoman Ortega wanted to extend her gratitude to our Mission Police Department for organizing great events such as the Crime Victims event last week. She stated it was a beautiful and meaningful event and didn't know how they would top it next year. She also extended an invitation to all citizens to join us this Thursday at the Mission Event Center

for the Evening of Prayer. Mayor Pro Tem Plata also invited the public to join us for the night of prayer to be held at the Mission Event Center on Thursday, May 11th.

At 7:03 p.m., Councilwoman Ortega moved to convene into Executive Session to discuss executive session items pursuant to Texas Gov't Code Section 551.071. Motion was seconded by Councilman Vela and approved unanimously 3-0.

EXECUTIVE SESSION

Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with City Attorney) and Section 551.087 (Economic Development Negotiations) related to proposed economic development Project(s) Sprinkles, Courts, and/or Tools. (City Attorney V. Flores, City Manager R. Perez, and MEDC CEO T. Garcia)

Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with City Attorney) and Section 551.087 (Economic Development Negotiations) related to proposed economic development Project Restore. (City Attorney V. Flores and City Manager R. Perez)

Upon conclusion of Executive Session at 7:02 p.m., Councilwoman Ortega moved to reconvene the regular meeting. Motion was seconded by Councilman Vela and approved unanimously 3-0.

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

None

ADJOURNMENT

At 7:40 p.m., Councilwoman Ortega moved for adjournment. Motion was seconded by Councilman Vela and approved unanimously 3-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary