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## MINUTES

### PRESENT:

Norie Gonzalez Garza, Mayor  
Ruben D. Plata, Mayor Pro-Tem  
Jessica Ortega, Councilwoman  
Marissa Ortega-Gerlach, Councilwoman  
Alberto Vela, Councilman  
Bob Galligan, Interim City Attorney  
Mike R. Perez, City Manager  
Anna Carrillo, City Secretary

### ALSO PRESENT:

Janie Sanchez  
Victor Anzaldua  
Odilia Enriquez  
Karen Prewitt  
Paul Vazaldua  
Julian Gonzalez  
Dr. Melendez  
Jessica Rodriguez  
Aaron Garza  
Jannette Cavazos  
Norma Cavazos  
Cesia Alfaro  
Gabriel Guerrero  
Omar Garcia  
Eduardo Rodriguez  
Jason Garza  
Dina Arevalo  
Danny Aguilar  
Christina – Marie Roldan-Shinn

### ABSENT:

### STAFF PRESENT:

Anais Chapa, Assistant City Secretary  
David Flores, Asst. City Manager  
Juan Pablo Terrazas, Asst. City Manager  
Andy Garcia, Asst. City Manager  
Angie Vela, Finance Director  
Abel Bocanegra, P.E., City Engineer  
Susie De Luna, Planning Director  
Alex Hernandez, Assistant Planning Director  
Noemi Munguia, HR Director  
Robert Hinojosa, Director of Organizational Dev.  
Abram Ramirez, IT Director  
Cesar Torres, Chief of Police  
Joanne Longoria, CDBG Director  
Yenni Espinoza, Library Director  
Kenia Gomez, Media Relations Director  
Jose Silva, Internal Auditor  
Brad Bentsen, Parks & Recreation Director  
Amy Tijerina, Community Events Director  
Tecló Garcia, MEDC CEO  
Adrian L. Garcia, Fire Chief  
Frank Cavazos, Fire Marshall  
Charlie Longoria, Media Relations  
Alex Fajardo, Media Relations  
Joel Chapa, Police Officer  
Victor Lopez, Police Officer

## REGULAR MEETING

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

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

### **INVOCATION AND PLEDGE ALLEGIANCE**

Councilman Alberto Vela led the invocation and Pledge of Allegiance.

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

None

### **PRESENTATIONS**

#### **1. Proclamation - Maria Dolores Sierra Sanchez 100th Birthday – Carrillo**

Councilwoman Jessica Ortega moved to approve the Proclamation – Maria Dolores Sierra Sanchez 100<sup>th</sup> Birthday. Motion was seconded by Mayor Pro Tem Ruben Plata and approved unanimously 5-0.

#### **2. Proclamation - Telecommunicators Week - Torres/Garcia**

Mayor Pro Tem Plata moved to approve the Proclamation – Telecommunicators Week. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### **3. Proclamation - Autism Acceptance Month – Tijerina**

Mayor Pro Tem Plata moved to approve the Proclamation – Autism Acceptance Month. Motion was seconded by Councilwoman Marissa Gerlach and approved unanimously 5-0.

#### **4. Proclamation - Fill the Boot - A. Garcia**

Mayor Pro Tem Plata moved to approve the Proclamation – Fill the Boot. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### **5. Report from Mission Economic Development Corporation - Teclo Garcia**

Teclo Garcia, Mission EDC CEO, provided a quick update on the current operations of the EDC. He stated that last week they had conducted a ground-breaking ceremony for the Industrial Park at Anzaldua's Park. There was also an opening ceremony for Ubiquity which will be providing new job opportunities for residents. Fifteen small business were awarded funding up to \$15,000 for renovations and equipment. The building has also been utilized a lot more to hold meetings by various agencies and departments. Mr. Garcia provided the following statistics: unemployment is at 5.9% which is lower than last year, retail sales tax was at \$2.1 million which was 11.7% higher than last year, real estate median was at \$209,0000, and traffic at the bridge crossing is up by 128%.

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

Brenda Enriquez, Mission Chamber of Commerce President, spoke about upcoming events such as: Smart Start Session next week, April 17<sup>th</sup> Lunch and Learn: Organizational Ethics, April 18<sup>th</sup> Power of Business Planning Seminar, April 19<sup>th</sup> Ribbon Cutting for Triple 7 Barbershop, April 24<sup>th</sup> Customer Service Seminar, April 24<sup>th</sup> Chamber Mixer, May 3<sup>rd</sup> Chamber's Annual Golf Tournament. They are working on sending out their annual survey and have taken on a huge project of applying for accreditation.

## 7. Departmental Reports – Perez

Mayor Pro Tem Plata moved to approve the departmental reports as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

## 8. Citizen's Participation – Garza

None.

## PUBLIC HEARING

### PLANNING & ZONING RECOMMENDATIONS

#### 9. Discussion and Action to Recommend to the City Council the closure required by Union Pacific Railroad for Leonor Street being the 900 block of Leonor Street, approximately 0.25 of a mile west of the Intersection of Inspiration Road and W. Business Hwy 83 - De Luna

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider this request.

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 was at least 2 road closures. The request before the Board was to consider the closure of the 900 Block of Leonor Street. This would be the 1st of 3 road crossing closures. 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 Garza inquired about the requirement for the closures as it stated that they were requiring three, but two were being proposed.

Susie De Luna, Planning Director, stated that due to the size of the opening being 120 feet, this particular one required 3; however, it was a regular size opening then it would be two.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Councilman Vela moved to approve the closure required by Union Pacific Railroad for Leonor Street being the 900 block of Leonor Street, approximately 0.25 of a mile west of the Intersection of Inspiration Road and W. Business Hwy 83. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### 10. Discussion and Action to Recommend to the City Council the closure required by Union Pacific Railroad of Farm Crossing at 3101 S. Conway Avenue being approximately 0.30 miles north of the intersection of S. Conway Avenue. - De Luna

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider this request.

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 was at least

two road closures. The request before the Board was to consider the closure of Farm Crossing at 3101 S. Conway Avenue. This would be the 3rd of 3 road crossing closures. 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve the closure required by Union Pacific Railroad of Farm Crossing at 3101 S. Conway Avenue being approximately 0.30 miles north of the intersection of S. Conway Avenue. Motion was seconded by Councilman Vela and approved unanimously 5-0

**11. Discussion and Action to Recommend to the City Council the opening of New Los Indios Parkway required by Union Pacific Railroad being approximately 0.25 miles north of the intersection of S. Conway Avenue and Los Indios Road - De Luna**

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider this request.

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 was at least 2 road closures. The request before the Board was to consider the opening of New Los Indios Parkway Railroad Crossing. This would be the 3rd of 3 road crossing closures. 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.

Victor Anzaldúa, Madero resident, stated that he had spoken to several residents after the P&Z meeting about the closure of their main road in Madero. He was in opposition of this request as this is the main entrance to their homes and the park and many emergency vehicles use this road to access.

Karen Prewitt, 2101 Mauve, wanted to remind council that they had voted for apartments to be built in the area. She was concerned for the increase of traffic to the area and was inquiring if there would be any traffic lights.

Jessica Rodriguez, 3535 Beatty St, states she was a long-time resident of Madero and was against the closure of the main road. As this was the main entrance, was concerned about the through traffic such as busses and emergency vehicles.

Aaron Garza, 3535 Beatty St, requested that they leave this road open. The new development area should get their own entrance. He was also concerned for the increase of traffic and the access for emergency vehicles.

Upon motion by Mayor Pro Tem Plata seconded by Councilwoman Ortega and approved unanimously, the public hearing was closed.

Ms. De Luna, Planning Director stated the comments made by the residents was regarding another location that was not being considered at this time due to the item being tabled by the Planning & Zoning.

Councilwoman Ortega moved to approve the opening of New Los Indios Parkway required by Union Pacific Railroad being approximately 0.25 miles north of the intersection of S. Conway Avenue and Los Indios Road. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

**12. Rezoning: A tract of land containing 37.50 acres of land, being part or portion of Lot 30-9, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Carlos Garza, and Adoption of Ordinance #5462- De Luna**

On April 3, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 2 ½ mile north of Mayberry Road along the east side. 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.

Jeannette Cavazos, 1212 Linberg, stated that she and her mother own several acres in this area. They have not been able to develop the area or get a building permit due to being landlocked. For this reason, they were in favor of this request as this would give them the possibility of being able to develop their land.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Rezoning: A tract of land containing 37.50 acres of land, being part or portion of Lot 30-9, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Carlos Garza, and Adoption of Ordinance #5462. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5462**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A TRACT OF LAND CONTAINING 37.50 ACRES OF LAND, BEING  
PART OR PORTION OF LOT 30-9, WEST ADDITION TO SHARYLAND (AO-I) AGRICULTURAL  
OPEN INTERIM TO (R-1) SINGLE FAMILY RESIDENTIAL

**13. Rezoning: A 1.00 acre tract of land out of Lot 263, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-1A) Large Lot Single Family Residential, Everardo P. Sustaita, and Adoption of Ordinance #5463 - De Luna**

On April 3, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located ¼ mile north of E. Griffin Parkway along the east side of Glasscock 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Rezoning: A 1.00 acre tract of land out of Lot 263, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-1A) Large Lot Single Family Residential, Everardo P. Sustaita, and Adoption of Ordinance#5463. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5463**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING A 1.00 ACRE TRACT OF LAND OUT OF LOT 263, WEST  
ADDITION TO SHARYLAND (AO-I) AGRICULTURAL OPEN INTERIM TO (R-1A) LARGE LOT  
SINGLE FAMILY RESIDENTIAL

**14. Conditional Use Permit: Construct (5) Pickle Ball Courts – Incredibowl, 2140 E. Business Highway 83, Lot 1 & 2, Grapefruit Bowl, Inc. Subdivision, C-4, Felipe Cavazos, and Adoption of Ordinance #5464 - De Luna**

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located 200' East of Ragland Road along the South side of E. 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Conditional Use Permit: Construct (5) Pickle Ball Courts – Incredibowl, 2140 E. Business Highway 83, Lot 1 & 2, Grapefruit Bowl, Inc. Subdivision, C-4, Felipe Cavazos, and Adoption of Ordinance#5464. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5464**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT TO CONSTRUCT (5) PICKLE BALL COURTS –  
INCREDIBOWL , 2140 E. BUSINESS HIGHWAY 83, LOT 1 & 2, GRAPEFRUIT BOWL, INC.  
SUBDIVISION

**15. Conditional Use Permit: Drive-Thru Service Window – Matuul, 2006 E. Griffin Parkway, Lot 2, Block 1, Springfield Ph. I Commercial, C-3, Judith A. Ponce, and Adoption of Ordinance #5465 - De Luna**

On April 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 E. Griffin Parkway (FM 495) and Glasscock Road (east of Circle K). 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Conditional Use Permit: Drive-Thru Service Window – Matuul, 2006 E. Griffin Parkway, Lot 2, Block 1, Springfield Ph. I Commercial, C-3, Judith A. Ponce, and Adoption of Ordinance #5465. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5465**

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

**16. Conditional Use Permit: Restaurant in a C-2 Zone – Le Petite Pastries, 1821 N. Shary Road, Ste. 7, Lot 1, Bannworth Business Center, C-2, Cesia Alfaro, and Adoption of Ordinance #5466 - De Luna**

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The 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 and City Manager recommended approval.

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

Cesia Alfaro, owner of the business, stated that she was in favor of this item. She would be the one baking the goodies and would like the opportunity to open her business.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Conditional Use Permit: Drive-Thru Service Window – Matuul, 2006 E. Griffin Parkway, Lot 2, Block 1, Springfield Ph. I Commercial, C-3, Judith A. Ponce, and Adoption of Ordinance #5466. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5466**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT FOR A RESTAURANT IN A C-2 ZONE – LE  
PETITE PASTRIES, 1821 N. SHARY ROAD, STE. 7, LOT 1, BANNWORTH BUSINESS  
CENTER

**17. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Las Tres Coquetas, 515 N. Conway Avenue, Lot 10, Block 92, Mission Original Townsite, C-3, Jose Enriquez, and Adoption of Ordinance #5467 - De Luna**

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located along the west side of Conway between 5<sup>th</sup> Street and 6<sup>th</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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Councilwoman Gerlach asked Ms. De Luna if there were any specific guidelines in place as to the time frame for the approval. She was questioning this because she has seen some for six months, some for a year and some for two years. She wanted to see if they could set some guidelines or provide reasoning as to why they are deviating from the norm of two years.

Mayor Pro Tem Plata moved to approve Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Las Tres Coquetas, 515 N. Conway Avenue, Lot 10, Block 92, Mission Original Townsite, C-3, Jose Enriquez, and Adoption of Ordinance #5467. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5467**

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 – LAS TRES COQUETAS, 515 N. CONWAY AVENUE, LOT 10,  
BLOCK 92, MISSION ORIGINAL TOWNSITE

**18. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Wing Snob, 801 N. Shary Road, Ste. 100, Lot 1A, Mirabelle Subdivision, C-3, Montenergo, LLC c/o Julio Garcia, and Adoption of Ordinance #5468 - De Luna**

On April 3, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 600' south of E. Business Highway 83 along the west side of N. Shary 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Wing Snob, 801 N. Shary Road, Ste. 100, Lot 1A, Mirabelle Subdivision, C-3, Montenergo, LLC c/o Julio Garcia, and Adoption of Ordinance #5468. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**ORDINANCE NO. 5468**

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 – WING SNOB, 801 N. SHARY ROAD, STE. 100, LOT 1A,  
MIRABELLE SUBDIVISION

**19. Conditional Use Permit Renewal: Restaurant in a C-2 Zone – Don Ponchitos Café #5, LLC, 800 E. 1St Street, Lots 88 & 89, Mayberry Plaza UT No. 3, C-2, Jenny Hernandez, and Adoption of Ordinance #5469 - De Luna**



On April 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.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve Conditional Use Permit Renewal: Restaurant in a C-2 Zone – Don Ponchitos Café #5, LLC, 800 E. 1<sup>st</sup> Street, Lots 88 & 89, Mayberry Plaza UT No. 3, C-2, Jenny Hernandez, and Adoption of Ordinance #5469. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **ORDINANCE NO. 5469**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR A RESTAURANT IN A C-2 ZONE  
– DON PONCHITOS CAFÉ #5, LLC, 800 E. 1<sup>ST</sup> STREET, LOTS 88 & 89, MAYBERRY PLAZA  
UT NO. 3

### **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*

#### **20. Approval of Minutes – Carrillo**

Regular Meeting – March 25, 2024

Special Meeting – April 01, 2024

#### **21. Acknowledge Receipt of Minutes – Perez**

Boys & Girls Club Board of Directors – February 20, 2024

Civil Service Commission – January 22, 2024

Mission Redevelopment Authority – February 27, March 8, 2024

Mission Tax Increment Reinvestment Zone – February 27, March 8, 2024

Mission Economic Development Corporation – February 28, 2024

Youth Advocacy Advisory Board – February 20, 2024

Citizen’s Advisory Committee – February 27, 2024

#### **22. Approval to enter into an Election Services Contract with the Hidalgo County Elections Administrator for the May 4, 2024 City of Mission Charter Amendment Election pursuant to Texas Election Code Section 31.092(a) – Carrillo**

Contract for election services between the City of Mission and Hidalgo County Elections Administrator to conduct and supervise the Charter Amendment Election to be held on May 4, 2024

### **23. Approval of Resolution #1899 designating Rio Grande Valley Metropolitan Planning Organization Members – Carrillo**

Resolution appointing the alternate member of the RGV-MPO Board of Directors and designated proxies with all appropriate privileges in the absence of the Mayor and the alternate member.

All members may represent the governmental entity at any and all MPO Policy Committee meetings, but only one may exercise the right to vote.

Mayor Garza was recommending the appointment of Juan Pablo “JP” Terrazas, Assistant City Manager as Primary Alternate and Mike Perez, City Manager as Proxy.

#### **RESOLUTION NO. 1899**

#### **A RESOLUTION DESIGNATING RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION MEMBERS**

Mayor Pro Tem Plata moved to approve all consent agenda items 20 thru 23 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **APPROVALS AND AUTHORIZATIONS**

### **24. Approval of Ordinance #5470 authorizing and approving a transfer from the Designated Purpose Fund (ARPA) to the General Fund in the amount of \$1,885,272.02 – Vela**

The attached ordinance was necessary to allow for the transfer of funds in the amount of \$1,885,272.02 from the Designated Purpose Fund, specifically the “ARPA” funds, to General Fund to be used for government services as allowed by Treasury guidelines. Expenditures appropriated were fleet services, fleet service supplies, fuel and road material supplies. City Council approved a budget amendment for \$1,951,832 on December 18, 2023. Upon reconciliation of the available ARPA funds, staff had summarized expenditures available for transfer in the amount of \$1,885,272.02 as follows:

#### **ARPA Local Fiscal Recovery Fund**

Classification 3 – Professional and Technical Services	686,417.98
Classification 6 – Supplies	1,198,854.04

#### **Grand Total ARPA Local Fiscal Recovery**

<b>(Designated Purpose Fund-15)</b>	<b>1,885,272.02</b>
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Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve Ordinance #5474 authorizing and approving a transfer from the Designated Purpose Fund (ARPA) to the General Fund in the amount of \$1,885,272.02. Motion was seconded by Councilman Vela and approved unanimously 5-0.

#### **ORDINANCE NO. 5474**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AUTHORIZING AND APPROVING A TRANSFER FROM THE DESIGNATED PURPOSE FUND’S AMERICA**

RESCUE PLAN ACT OF 2021 (ARPA) GRANT AWARDED BY THE U.S. TREASURY TO THE GENERAL FUND AS REIMBURSEMENT FOR QUALIFYING GOVERNMENTAL SERVICE EXPENDITURES.

**25. Award Multiple Bids for Five (5) Homes for Housing Assistance Program (HAP) Phase 23-I in the amount of \$436,500.00 – Longoria**

On February 26, 2024, City Council authorized staff to solicit bids for five (5) homes. The City of Mission had accepted and opened five (5) bid responses. Staff recommended awarding these projects to the lowest responsive and responsible bidder for each home as shown below:

Calidad Construction, LLC \$436,500.00

Reconstruction:

408 E. Melba Carter St – \$87,100 (2/2 970 sq. ft.)

1047 N. Los Ebanos Rd – \$88,100 (2/2 970 sq. ft.)

222 N. Slabaugh Ave – \$87,100 (2/2 970 sq. ft.)

615 N. Francisco Ave – \$87,100.00 (2/2 970 sq. ft.)

3731 Garza St – \$87,100 (2/2 970 sq. ft.)

Calidad Construction, LLC met all the Terms & Conditions and Specifications and came within the budget of each project. CAC met on March 26, 2024, and approved staff's recommendation to award multiple projects to the lowest responsive and responsible bidder.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Award Multiple Bids for Five (5) Homes for Housing Assistance Program (HAP) Phase 23-I in the amount of \$436,500.00. Motion was seconded by Councilman Vela and approved unanimously 5-0.

**26. Authorization to Award 1st one-year renewal option with South Texas Landscapes Irrigation and Pest Control LLC for ROW Mowing & Maintenance Services – Bentsen**

On May 10, 2023, the City of Mission entered into a contract agreement with South Texas Landscapes Irrigation and Pest Control LLC for Right-of-Mowing & Maintenance Services. The contract terms were for one-year with two, one-year renewal options based on a 2% increase for the first renewal. Staff was seeking authorization to renew Bid # 23-323-04-14 ROW Contract & Maintenance Services for the first-year renewal option from the original cost of \$175,640.00 with the 2% price increase at a cost of \$179,152.80. A budget amendment may be needed to comply with contractual obligations.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Award 1st one-year renewal option with South Texas Landscapes Irrigation and Pest Control LLC for ROW Mowing & Maintenance Services. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

**27. Authorization to engage Halff Associates, Inc for Civil Engineering and Surveying Services for design of Hoerner Road at a cost of \$98,000 to be reimbursed by Mission Redevelopment Authority/TIRZ #1- Terrazas**

Authorization to engage Halff Associates, Inc. from the city's pool of engineers for Professional Engineering Services. Scope of services was for the extension of Hoerner Road along the west side of Home Depot. The cost of services is \$98,000 which would be reimbursed via a

Reimbursement Agreement approved by the Mission Redevelopment Authority/TIRZ #1 on January 23, 2024 and the City of Mission on February 12, 2024.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to engage Halff Associates, Inc for Civil Engineering and Surveying Services for design of Hoerner Road at a cost of \$98,000 to be reimbursed by Mission Redevelopment Authority/TIRZ #1. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

**28. Approval of Work Authorization No. 25 with Melden and Hunt, Inc. for Walsh Road Improvements at a cost of \$108,333 to be reimbursed by Mission Redevelopment Authority/TIRZ #1 – Terrazas**

Authorization to engage Melden and Hunt, Inc. from the city's pool of engineers for Walsh Road Improvements. Scope of services was for the proposed improvements of Walsh Road from Perez Street to Expressway 83. Project would connect Business 83 and Expressway 83. The cost of Work Authorization No. 25 is in the amount of \$108,333 which would be reimbursed via a Reimbursement Agreement approved by the MRA/TIRZ on January 23, 2024 and the City of Mission on February 12, 2024.

Staff and City Manager recommended approval.

Councilwoman Ortega moved to approve Work Authorization No. 25 with Melden and Hunt, Inc. for Walsh Road Improvements at a cost of \$108,333 to be reimbursed by Mission Redevelopment Authority/TIRZ #1. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

**29. Discussion of amended rules for Citizens Participation – Carrillo**

After researching the rules for citizen participation in various cities, it became evident that there was a need for amended rules to address several concerns and to enhance the effectiveness of citizen engagement.

Staff and City Manager were seeking council direction.

Councilwoman Ortega requested to discuss item 29 in Executive Session.

Councilwoman Ortega moved to place item 29 on the April 22 agenda and to prepare an ordinance. Motion was seconded by Councilman Plata and approved unanimously 5-0.

**UNFINISHED BUSINESS**

**30. TABLED 03/25/2024 - Rezoning: Tract #1: A tract of land containing 0.612 of one acre, being a part of portion of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, 1916 Crystal Drive, PUD(AO-P) Agricultural Open Permanent to PUD(R-1) Single Family Residential, Meadow Creek Development, and Adoption of Ordinance#5470 - De Luna**

On February 14, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located near the Diane Drive/Crystal Drive Intersection along the east side of Crystal Drive. On January 24<sup>th</sup>, 2024 staff received a petition from the property owners within 200' radius reflecting 39% opposition to this request. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to storm sewer infrastructure, lift station replacement, potholes, increased traffic, noise, and safety. The board unanimously recommended approval.

**31. TABLED 03/25/2024 - Rezoning: Tract #2: A tract of land containing 0.551 of one acre, being a part of portion of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, 1931 Meadow Way Drive, PUD(AO-P) Agricultural Open Permanent to PUD(R-1) Single Family Residential, Meadow Creek Development, and Adoption of Ordinance#5471 - De Luna**

On February 14, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located near the Tahoe Drive/Meadow Way Drive intersection along the west side of Meadow Way Drive. On January 24<sup>th</sup>, 2024 staff received a petition from the property owners within 200' radius reflecting 39% opposition to this request. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to storm sewer infrastructure, lift station replacement, potholes, increased traffic, noise, and safety. The board unanimously recommended approval.

**32. TABLED 03/25/2024 - Rezoning: Tract #3: A tract of land containing 0.613 of one acre, being a part of portion of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, 1914 Crystal Drive, PUD(AO-P) Agricultural Open Permanent to PUD(R-1) Single Family Residential, Meadow Creek Development, and Adoption of Ordinance#5472 - De Luna**

On February 14, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located near the Mauve Lane/Crystal Drive intersection along the east side of Crystal Drive. On January 24<sup>th</sup>, 2024 staff received a petition from the property owners within 200' radius reflecting 39% opposition to this request. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to storm sewer infrastructure, lift station replacement, potholes, increased traffic, noise, and safety. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, items 30 thru 32 were un-tabled.

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

Karen Prewitt, 2101 Mauve, stated that she was still against this item as were several of her neighbors. She was concerned about the elevation of the homes.

Gabriel Guerrero, developer, stated that in regards to the elevation concerns, they would be complying with all of the city's requirements for this and any drainage concerns. They were also willing to comply with building only one-story homes in the area if that was the recommendation of the city.

Mayor Pro Tem Plata mentioned that he had attended the town hall meeting and listened to all of the concerns from the residents in the area. He stated that all of their concerns would be taken into consideration when the developer returned to get approval on their subdivision plat.

Mayor Garza asked Ms. De Luna to send out notices to the residents advising them of the subdivision plat approval request.

Mayor Pro Tem Plata moved to approve the rezoning requests for: Tract #1: A tract of land containing 0.612 of one acre, being a part of portion of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, 1916 Crystal Drive, PUD(AO-P) Agricultural Open Permanent to PUD(R-1) Single Family Residential, Meadow Creek Development, and Adoption of Ordinance#5470, Tract #2: A tract of land containing 0.551 of one acre, being a part of portion

of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, 1931 Meadow Way Drive, PUD(AO-P) Agricultural Open Permanent to PUD(R-1) Single Family Residential, Meadow Creek Development, and Adoption of Ordinance#5471, and Tract #3: A tract of land containing 0.613 of one acre, being a part of portion of the Golf Course and Lake Reserve out of Meadow Creek Country Club Phase I-B, 1914 Crystal Drive, PUD(AO-P) Agricultural Open Permanent to PUD(R-1) Single Family Residential, Meadow Creek Development, and Adoption of Ordinance#5472. Motion was seconded by Councilwoman Ortega and approved 4-1 with Councilman Vela voting against.

**ORDINANCE NO. 5470**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A TRACT OF LAND CONTAINING 0.612 OF ONE ACRE, BEING A PART OR PORTION OF THE GULF COURSE AND LAKE RESERVE OUT OF MEADOW CREEK COUNTRY CLUB PHASE I-B, 1916 CRYSTAL DRIVE, PUD(AO-P) AGRICULTURAL OPEN PERMANENT TO PUD(R-1) SINGLE FAMILY RESIDENTIAL

**ORDINANCE NO. 5471**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A TRACT OF LAND CONTAINING 0.551 OF ONE ACRE, BEING A PART OR PORTION OF THE GULF COURSE AND LAKE RESERVE OUT OF MEADOW CREEK COUNTRY CLUB PHASE I-B, 1931 MEADOW WAY DRIVE, PUD(AO-P) AGRICULTURAL OPEN PERMANENT TO PUD(R-1) SINGLE FAMILY RESIDENTIAL

**ORDINANCE NO. 5472**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING OF A TRACT OF LAND CONTAINING 0.613 OF ONE ACRE, BEING A PART OR PORTION OF THE GULF COURSE AND LAKE RESERVE OUT OF MEADOW CREEK COUNTRY CLUB PHASE I-B, 1914 CRYSTAL DRIVE, PUD(AO-P) AGRICULTURAL OPEN PERMANENT TO PUD(R-1) SINGLE FAMILY RESIDENTIAL

**33. TABLED 03/25/2024 - Rezoning: A 27.969 acre tract of land out of Lot 29-10, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-1A) Large Lot Residential, Jorge E. Miranda, and Adoption of Ordinance#5473 - De Luna**

On February 14, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site is located ¼ mile north of Mile 2 Road along the west side of Bryan Road. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to traffic, and car accidents. The board unanimously recommended approval.

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

Omar Garcia, the new owner of said properties, would like to be considered for this rezoning.

Julian Gonzalez, 1204 E. Mile 2 Road, stated that his concerns were still the same as the previous meetings. He also stated that he turned in a petition in which 80% of the signatures collected were in opposition to the rezoning.

Joel Geshay, 1012 E. Mile 2 Road, stated that he was not in favor of this request for various reasons. He was concerned for the water, or lack thereof and the low density in the area. Mr. Geshay was also concerned that no plans had been reviewed. This was a two-lane road and the rezoning would bring increased traffic.

Dr. Ivan Melendez, 3304 N. Bryan Rd, spoke about this piece of land being historic. He also stated his concern with having the rezoning reviewed for approval without actually seeing any plans for the development of the area. He suggested that the process be to review the plans prior to considering the rezoning request.

Eduardo Rodriguez, worked for the developer, wanted to clear up a few things that were stated that he felt were inaccurate. He mentioned that many residents in neighboring areas did not want neighborhoods or multiple homes in their backyard; however, this was private property that was purchased with private money. Mr. Rodriguez felt as though citizens were using their wealth/status as a way to stop this project and as a result felt as though they, as developers, were being treated different. Their plan as developers was to bring in new homes to the area and/or businesses. They have followed the planning department's recommendations and will continue to do so moving forward.

Shelby Geshay, 1012 E. Mile 2 Road, was offended at the remarks made by Mr. Rodriguez. She stated that they were not opposed to having houses built; however, they did not want a subdivision with over 100 homes. They preferred less homes on larger lots. She was also concerned about the high traffic area and for the school children who walk to school along that area.

Julian Gonzalez, 1204 E. Mile 2 Road, stated that he had not once exerted his power or influence as stated by Mr. Rodriguez.

Kristi Davis, 3305 N. Bryan Rd, suggested that everyone take a step back and figure out a plan to work together on this project. She stated the area was beautiful and could be developed to include more greenery and maybe even a walking trail.

Upon motion by Councilwoman Ortega seconded by Mayor Pro Tem Plata and approved unanimously, the public hearing was closed.

At 6:40 p.m., Councilwoman Ortega moved to convene into Executive Session to discuss item 33. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

Upon conclusion of Executive Session pertaining to item 33 at 7:04 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

Councilwoman Ortega stated the residents would be notified and staff would be working diligently with the developers to address the concerns of the residents during the subdivision plat process.

Councilwoman Ortega moved to approve the Rezoning: A 27.969 acre tract of land out of Lot 29-10, West Addition to Sharyland, (AO-I) Agricultural Open Interim to (R-1A) Large Lot Residential, Jorge E. Miranda, and Adoption of Ordinance #5473. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

### **ORDINANCE NO. 5473**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS  
GRANTING A REZONING OF A 27.969 ACRE TRACT OF LAND OUT OF LOT 29-10, WEST  
ADDITION TO SHARYLAND, (AO-I) AGRICULTURAL OPEN INTERIM TO (R-1A) LARGE LOT  
SINGLE FAMILY

### **ROUTINE MATTERS**

City Manager Comments – Charter Amendment Citizen Forums would be held on Thursday, April 11 at 6:00 p.m. at Leal Elementary, Tuesday, April 16 at 6:00 p.m. at John H. Shary Elementary and Thursday, April 18 at 6:00 p.m. at Shimotsu Elementary. A benefit BBQ would be held on April 20 from 11:00 a.m. to 2:00 p.m. for Sgt. Alejandro. Autism Day Event would be held on Saturday, April 20 from 11:00 a.m. to 1:00 p.m. at Bannworth Park.

City Council Comments - Councilwoman Ortega spoke about Paint Mission Beautiful. She was unable to attend; however, she was happy to see that there were a lot of volunteers present and it was a very successful event. She hopes to see this project continue moving forward. She also attended the Wine & Whiskers event on Saturday at the Mission Event Center and said it was a wonderful event as well. Mayor Pro Tem Plata spoke about Paint Mission Beautiful as well and how successful the event was. It was a great team effort and there were plenty of volunteers present. Councilwoman Gerlach wanted to encourage everyone to attend the Autism Awareness event. Councilman Vela echoed Ms. Gerlach's comments and invited everyone to attend the Autism Awareness event.

Mayor's Comments – Mayor Garza wanted to thank everyone for all their hard work and let them know they were appreciated.

At 7:20 p.m., Mayor Pro Tem Plata moved to convene into Executive Session on item 29 of the agenda and Executive Session items. Motion was seconded by Councilman Vela and approved unanimously 5-0.

### **EXECUTIVE SESSION**

1. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) Consideration and possible action relating to Meet and Confer negotiations with Mission Firefighters Association, IAFF Local 3609 and selection of management negotiation team.
2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) regarding Cimarron agreement with Tax Increment Reinvestment Zone (TIRZ) on Cimarron improvements.
3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) regarding contract with Melden & Hunt on Water Treatment Plant.
4. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) regarding Rail Crossing study with R.R.P. Consulting Engineers L.L.C.
5. 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.
6. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Evaluation of City Manager relating to goals and objectives.

Upon conclusion of Executive Session at 8:40 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilman Vela and approved unanimously 5-0.

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

1. Consideration and action, if any, related to Meet and Confer negotiations with Mission Firefighters Association, IAFF Local 3609 and selection of management negotiation team



Councilwoman Ortega moved to select Mike R. Perez, City Manager as the lead negotiator and Mayor Garza and Councilman Vela as part of the negotiating committee with the Mission Firefighters Association, IAFF Local 3609. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

2. Consideration and action, if any, related to Cimarron agreement with Tax Increment Reinvestment Zone

No Action

3. Consideration and action, if any, related to contract with Melden & Hunt

No Action

4. Consideration and action, if any related to R.R.P. Consulting Engineers L.L.C. Rail Crossing study

No Action

5. Consideration and action, if any related to Black Diamond Developers, LP and CCC Operations, LLC v. City of Mission, Cause No. C-5276-23-D

No Action

6. Action, if any, regarding evaluation of City Manager regarding goals and objectives

No Action

#### **ADJOURNMENT**

At 8:45 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary