

# CITY COUNCIL SPECIAL MEETING MISSION CITY HALL JULY 03, 2024 at 5:30 PM

# **AGENDA**

Pursuant to V.T.C.A. Gov. Code Section 551.001 et. seq., the City Council of the City of Mission, Texas will hold a special meeting on **Wednesday**, **July 03**, **2024 at 5:30 p.m.** at the City Hall Community Room, 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters.

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

Time: Wednesday, July 03, 2024 05:30 PM Central Time

https://us02web.zoom.us/j/9904662781?pwd=SGVIL3JZRFVRdENzWXI5VUxFT1ZUQT09

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

Meeting ID: 990 466 2781 - Password: 833227

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

# **SPECIAL MEETING**

# CALL TO ORDER AND ESTABLISH QUORUM DISCLOSURE OF CONFLICT OF INTEREST CITIZEN'S PARTICIPATION

# **AGENDA ITEMS**

1. Preliminary Plat Approval: Bryan's Landing Subdivision (Private), A 27.969 acre tract of land out of Lot 29-10, West Addition to Sharyland, R-1A, Developer: Omar Garcia, Engineer: Izaguirre Engineering Group, LLC - De Luna

# **UNFINISHED BUSINESS**

2. TABLED: 06/24/2024 - Adoption of Fee Waiver and Discounted Rate Policy for the Mission Event Center - A. Lerma

# **EXECUTIVE SESSION**

- 1. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) relating to Meet and Confer negotiations with Mission Firefighters Association, IAFF Local 3609
- 2. Closed session pursuant to Tex. Gov't Code Section 551.072 (Deliberation regarding real property) relating to Project Centro, Lots 4-6, Block 131, and Lot 2, Block 132, Mission Original Townsite authorizing the commencement of an action by Mission Economic Development Corporation to acquire the foregoing lots through eminent domain in accordance with Section 505.105 of the Texas Local Government Code.

### **RECONVENE**

The City Council will reconvene in open session to take any actions if necessary, on any item(s) discussed in closed session

# **ADJOURNMENT**

# CERTIFICATE

I, the undersigned City Secretary do certify that the above notice of meeting was posted on the bulletin board of City Hall, 1201 E. 8th Street, Mission, Texas on this the 28th day of June, 2024 at 2:00 p.m.

Anna Carrillo
Anna Carrillo, City Secretary

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

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

Notice is hereby given that on the **03rd day of July, 2024** the City Council of the City of Mission will hold a special meeting at 5:30 p.m. at 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters. The subjects to be discussed are listed on the agenda, which is attached to and made a part of this Notice.

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

# Texas Government Code Section:

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

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

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

On this the **28th day of June, 2024** this Notice was emailed to news media who had previously requested such Notice and an original copy was posted on the bulletin board at City Hall, 1201 E. 8th Street at 2:00 p.m. on said date.

Anna Carrillo, City Secretary

anna Carrilla



# CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

**MEETING DATE:** July 3, 2024

PRESENTED BY: Susana De Luna, Planning Director

**AGENDA ITEM:** Preliminary Plat Approval: Bryan's Landing Subdivision (Private), A 27.969 acre

tract of land out of Lot 29-10, West Addition to Sharyland, R-1A, Developer: Omar

Garcia, Engineer: Izaguirre Engineering Group, LLC - De Luna

# **NATURE OF REQUEST:**

On June 3, 2024 the Mission Planning & Zoning held a Public Hearing to consider the Preliminary & Final Plat Approval for Bryan's Landing Subdivision. The subject site is located on the east side of Bryan Road and is approximately 920' north of E. Mile 2 Road. There was no public opposition during the Planning & Zoning Meeting. The Board unanimously recommended approval

BUGETED: Yes/No/	N/A FUND:	ACC1.#:
BUDGET: \$	EST. COST: \$	CURRENT BUDGET BALANCE: \$
BID AMOUNT: \$		
		nds approval of the plat and its variance subject to: 1) ark Fees; 3) Water District Exclusion; and 4) Assignment
Departmental Approva	ıl: Fire Marshal, Public	Works Director, City Engineer
Advisory Board Recon	nmendation: Pending	
City Manager's Recom	mendation: Approval	MRP
RECORD OF VOTE:	APPROVED:	
	DISAPPROVED:	
	TABLED:	
AYES		
NAYS		
DISSENTING		

# **ITEM # 3.0**

# PRELIMINARY & FINAL PLAT APPROVAL:

Bryan's Landing Subdivision (Private) A 27.969 acre tract of land out of Lot 29-10,

West Addition to Sharyland

R-1A

Developer: Omar Garcia

Engineer: Izaguirre Engineering Group, LLC

# **REVIEW DATA**

# **PLAT DATA**

This site is located on the east side of Bryan Road and is approximately 920' north of E. Mile 2 Road.

— see vicinity map. The developer is proposing a private 103 single family residential lot subdivision. — see plat for actual dimensions, square footages, and land uses.

## VARIANCE

The developer is requesting variances on area requirements for 2 lots (Lot 78 & 103). The minimum lot area for a corner lot is 9,000 sqft. per Zoning Code - Article VIII - Sec.1.37 - No. 5 - Area requirements. Currently, the lots are 8,029.13 sq. ft. and 8,661.01 sq. ft., respectively.

# WATER

The developer is proposing to connect to an existing 4" water line with a proposed 12" line located along the west R.O.W. of Bryan Rd. and extend an 8" water line thru the subdivision providing 1" water services to each lot and looped to an existing 8" main line along the south R.O.W. of Mile 2 Road. There is a total of 12 proposed fire hydrants via direction of the Fire Marshal's office. — see utility plan.

#### **SEWER**

The developer is proposing to connect to an existing 8" line along and within the R.O.W of Bryan Road. A proposed 8" Sanitary Sewer line will run through the subdivision and collect from each lot through a 4" front and center stub out service. The Capital Sewer Recovery Fee is required at \$200.00/Lot which equates to \$20,600.00 (\$200 x 103 Lots).

## STREETS & STORM DRAINAGE

The subdivision will have 2 accesses both from Bryan Road, with all internal streets being 32' Backto-Back within 50' Right of Ways.

Utilizing the 50 year frequency storm event, after development of this subdivision storm water runoff will detained in a detention pond positioned at the southeast corner of the site and maintained by the HOA. The development surface is to be graded to direct storm water surface runoff towards proposed paved curb and gutter streets. Said storm water will be intercepted by type "A" inlets which will outfall into the detention pond. An outfall pipe will be jack and bored under the existing irrigation canal and bleed out into the City of Mission system at the existing 10 year storm event runoff. The City Engineer has reviewed and approved the drainage report.

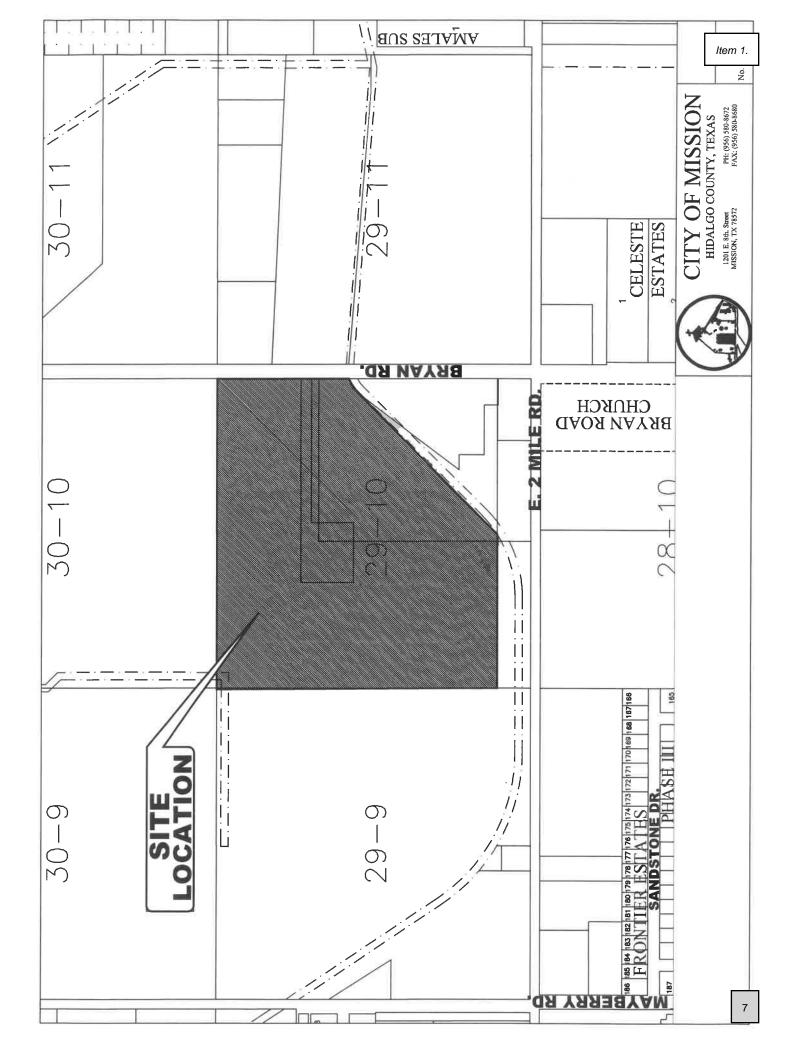
# **OTHER COMMENTS**

- Water District Exclusion, Assignment of Water Rights or payment of \$3000 per ac. ft.
- Escrow Park fees (103 Lots x \$500 = \$51,500.00)
- Must Comply with all other format findings

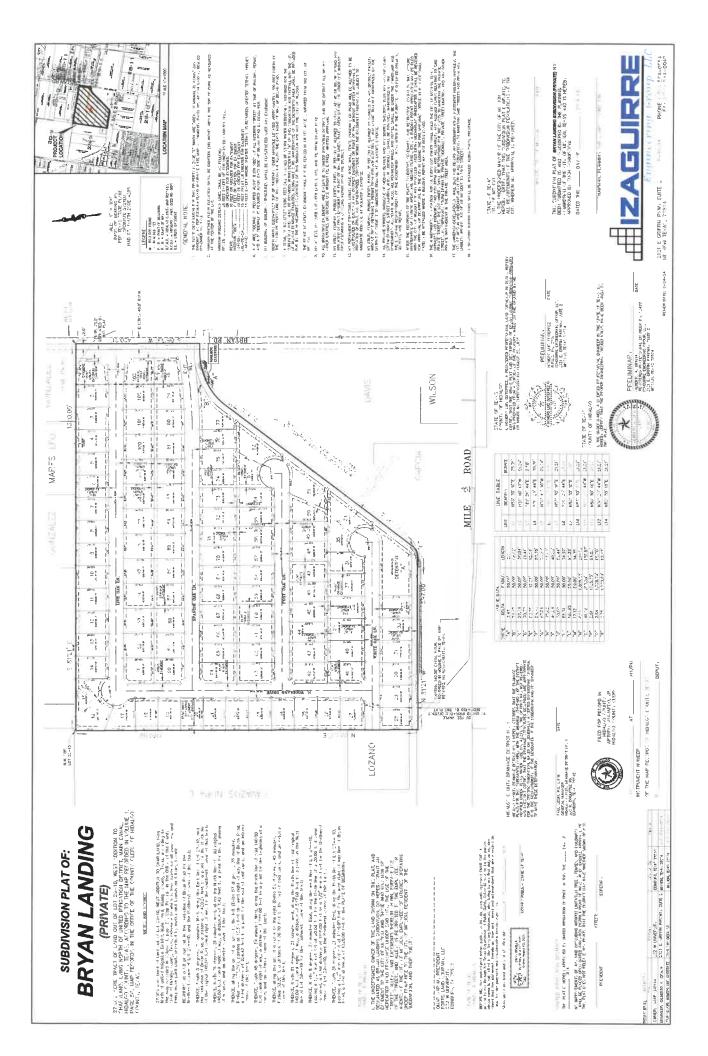
# **RECOMMENDATION**

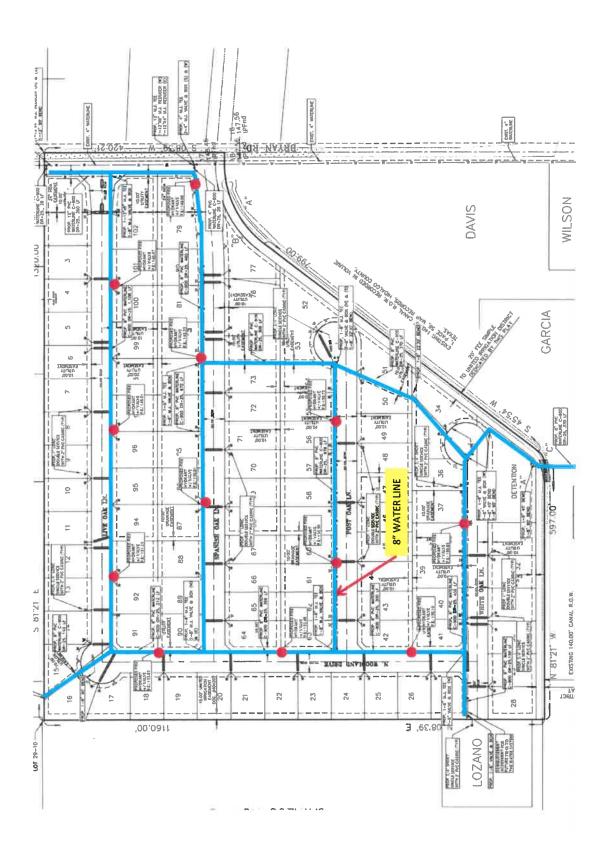
Staff recommends to approval of the plat and its variance subject to:

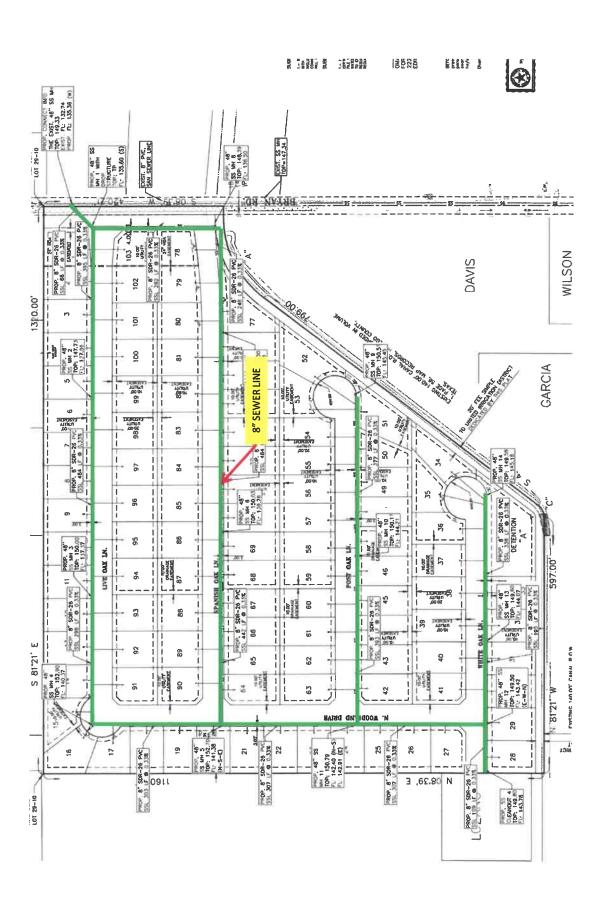
- 1. Capital Recovery Sewer Fees
- 2. Payment of Park Fees
- 3. Water District Exclusion
- 4. Assignment of Water Rights

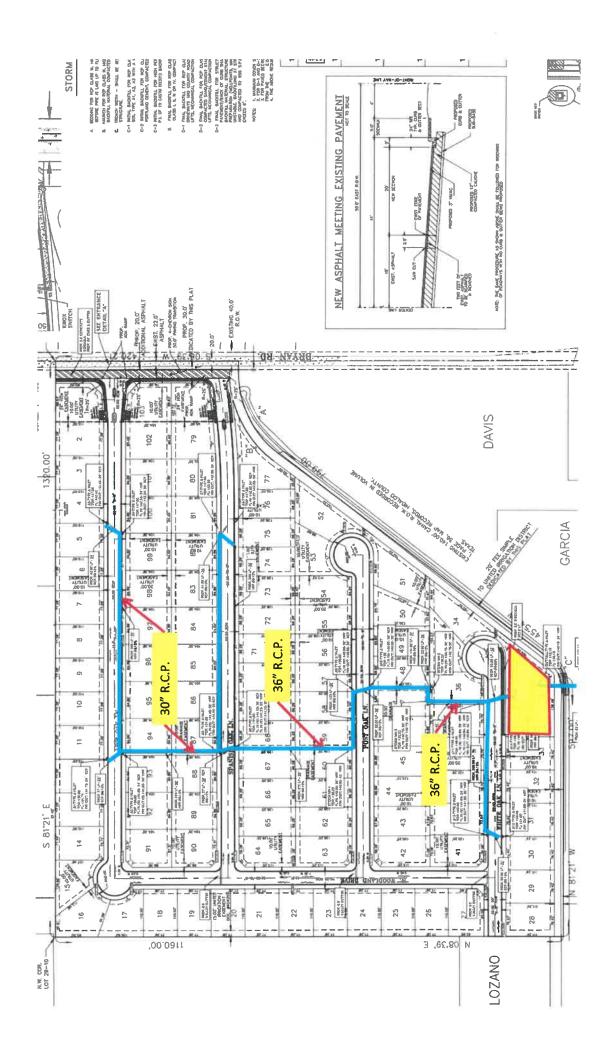












# DRAINAGE REPORT NARRATIVE FOR BRYAN LANDING

# I. PROJECT LOCATION

This 27.969 gross-acre subdivision consists of one hundred and eleven (111) single family residential lots. This site is located within the City of Mission, Texas, on the east side of Bryan Rd. and is approximately 920 feet north of E Mile 2 Rd. Said 27.969 gross-acre tract is out of Lot 29-10, West Addition to Sharyland, Hidalgo County, Texas. According to the map or plat thereof recorded in Volume 1, Pages 56, of the Map Records of Hidalgo County, Texas.

## II. FLOOD PLAIN

Referring to the attached Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel No.480334 0400 C, effective date January 2, 1981, revised November 16, 1982. This site is located within the Flood Zone "C" (unshaded), which is an area determined to be of minimal flooding.

## III. SOIL CONDITIONS

A review of the U.S. Soil Conservation Survey of Hidalgo County indicates that of the subject site soil is classified as Hidalgo-25 (fine sandy loam) and Hidalgo-28 (sandy clay loam).

Hidalgo-25 soil (Hydrologic Group B, Unified Class CL), typically found with 0-1% slopes, consists of a surface layer of dark grayish-brown fine sandy loam about 17 inches thick. The next soil layer down, from 17 to 28 inches thick, is brown sandy clay loam. The next soil layer down, from 28 to 38 inches thick, is pale brown clay loam. The soil down thereafter, to approximately 80 inches, is very pale brown clay loam. This soil: a) is calcareous throughout, b) is well drained, c) has medium available water capacity, d) has slow surface runoff, e) has moderate permeability, f) has an overall moderate shrink-swell potential. See attached Soil Survey Report(s) from the Soil Conservation Service.

Hidalgo-28 soil (Hydrologic Group B, Unified Class CL), typically found with 0-1% slopes, consists of a surface layer of dark grayish-brown sandy clay loam about 17 inches thick. The next soil layer down, from 17 to 28 inches thick, is brown sandy clay loam. The next soil layer down, from 28 to 38 inches thick, is pale brown clay loam. The soil down thereafter, to approximately 80 inches, is very pale brown clay loam. This soil: a) is calcareous throughout, b) is well drained, c) has high available water capacity, d) has slow surface runoff, e) has moderate permeability, f) has an overall moderate shrink-swell potential. See attached Soil Survey Report(s) from the Soil Conservation Service.

# **IV. EXISTING CONDITIONS**

Existing runoff from the subject site is by form of sheet runoff that is intercepted by the Bryan Rd. roadside ditch. Runoff then flows south into existing City of Mission inlets located on E Mile 2 Rd. Said inlets drains into drainage ditch located on the south side of E Mile 2 Rd approximately 1,220 feet east of Bryan Rd. Drain ditch is connected to Mission Lateral section 1064. The Mission Lateral is owner and maintained by HCDD1 drain ditch network that ultimately outfalls into the Arroyo Colorado.

The Rationale Method was utilized to determine the existing 10-year frequency event storm water runoff to be  $Q_{exist}$ = 26.80cfs for this site.

### V. PROPOSED CONDITIONS

Utilizing the 50-year frequency storm event (NOAA Atlas 14), after development of this subdivision storm water runoff will be  $Q_{dev}$ = 103.17cfs for an increased Q = 76.37cfs. Therefore, the total proposed detention volume, in accordance with the City of Mission's and HCDD1's development drainage requirements and policies, is 125,199cubic feet (2.87acre-feet) (Refer to attached Drainage Calculations).

In accordance with the county of Hidalgo's drainage requirements, 125,199 cubic feet (5,028.36 cubic yard) of runoff detention will need to be detained for a 50-year storm event. Detention pond will be positioned at the southeast corner of the development which will be maintained by The Oaks on Bryan HOA.

The development surface is to be graded to direct storm water surface runoff towards proposed paved curb and gutter streets. Said storm water surface runoff will be intercepted by proposed type "A" curb inlets to be installed at appropriate locations. Curb inlets will be connected to an appropriately sized drain pipeline system, which will out fall into a proposed detention pond facility. An outfall pipe will be jack and bored under existing irrigation canal. This system will bleed out into City of Mission system at the existing 10-year storm event runoff to ensure no increase of runoff.

All drainage improvements shall be in accordance with the drainage requirement, regulations, and policies of the City of Mission and Hidalgo County Drainage District No.1.



DEJECTED

APPROVED FOR SUBMITTAL

DITO H.C. PLANNING DEPT.

DITO CITY

DISCHARGE PERMIT REQUIRED

DISTRICT FACILITY

CITY FACILITY

DOTHER

H.C.D.D. No. 1

Sellent U Gracia

GILBERTO A. GRACIA, P.E. Date: May 10, 2024

#### OSCAR LONGORIA

OFFICE (956) 600-7868

ATTORNEY AT LAW
2028 E. GRIFFIN PARKWAY
MISSION, TEXAS
78572

FACSIMILE (956) 600-7870

June 26, 2024

City of Mission 1201 E. 8th St. Mission, Texas 78572

Re: Bryan Landing - Variance Request (Lot Minimum Square Footage)

Dear Mr. Perez,

This letter is to request a variance for Bryan Landing Subdivision. This property has been re-zoned for R1A use, and we have submitted the approved drainage report by Hidalgo County Drainage District No. 1 and the approval letter from United Irrigation District. Given the unconventional dimensions of the tract, we would like to request a variance on some lot square foot area requirements. Given that it is not a perfect rectangle, it is challenging to meet the exact square footage on all the lots of the development. This variance is necessary after making all the requested adjustments to meet the City of Mission, United Irrigation, and HCDD1 requirements and accommodate the property's irregular shape. We would like to note that the average lot square footage of the entire development is 8,795.77 S.F., exceeding the minimum 8,500 square footage requirement.

We respectfully request a variance on the square foot area requirements on Lot 78. The developer is proposing a private gated development with an HOA and restrictions. This variance is a result of the geometry of the property as well as the requirement to sell 20 feet to United Irrigation District.

Please consider this our formal request to approve a variance of the above mentioned lot because the average lot square footage is 8,795.77 SF, exceeding the minimum requirement.

Should you have any questions or require additional information, please do not hesitate to call me.

Sincerely,

Oscar Longoria Attorney at Law

Item 2.



# CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

**MEETING DATE:** July 3, 2024

PRESENTED BY: Aida Lerma, Director, Mission Event Center

**AGENDA ITEM:** TABLED: 06/24/2024 - Adoption of Fee Waiver and Discounted Rate Policy for

the Mission Event Center - A. Lerma

#### **NATURE OF REQUEST:**

The Mission Event Center seeks to implement a policy outlining procedures for organizations requesting fee waivers or discounted rates for facility use to specifically limit the use of the MEC as a general public forum to ensure that the facility remains easily accessible to clients and residents doing business with the MEC. The MEC may offer fee waivers or discounted rates to non-profit organizations, government agencies, or educational institutions meeting the specific requirements outlined in policy.

The different fee waivers or discounted rates include:

Eligibility for 50% Discounted Rate- includes discount on room rental fees, equipment fees, service fees, and refundable damage deposit fee. Under this discounted rate, events must be open and available to the general public, free of charge, provide a public benefit, be non-partisan, be non-commercial and not for profit, be non-controversial and shall avoid advocacy of a particular position in areas of public policy dispute or controversy. Eligibility for 20% Discounted Rate – includes discount only on the room rental fees. Organizations will be responsible for all other applicable fees (equipment fees, service fees, and refundable damage deposit fee). Under this discounted rate, non-profits, government agencies, or educational institutions may host revenue-generating events or provide trainings, seminars and meetings for their members.

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

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

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

# STAFF RECOMMENDATION:

Seeking Council Direction

Departmental Approval: Finance				
Advisory Board Recon	nmendation: N/A			
City Manager's Recommendation: Seeking Council Direction MRP				
RECORD OF VOTE:	APPROVED:			
	DISAPPROVED:			
	TABLED:			
AYES				
NAYS				
DISSENTING				

# Mission Event Center Fee Waiver and Discounted Rate Policy Passed and Approved on \_\_\_\_\_\_

#### **PURPOSE**

The purpose of this policy is to govern the provision of fee waivers or discounted rates for the use of the Mission Event Center ("MEC"). Further, this policy intends to specifically limit the use of the MEC as a general public forum to ensure that the facility remains easily accessible to clients and residents doing business with the MEC.

#### **POLICY**

The MEC may provide Fee Waivers or Discounted Rates for the use of the MEC facility by not-for-profit ("NFP") organizations, other government agencies, or educational institutions (upon request of such organization) when such use can be accommodated without interfering with residents/clients wishing to transact business at the MEC. Costs subject to fee waivers or discounted rates are to include (1) "Room Rental Fees", the base fee charged for the use of a specific space within the MEC facility (to include tables and chairs, and set-up), (2) "Equipment Fees", the fee charged for the use of MECowned equipment (including but not limited to dance floor stage, cocktail tables, LED ambient lighting, etc.), (3) "Service Fees", the fee charged for the use of the MEC kitchen space, and (4) "Refundable Damage Deposits", a deposit collected upon renting an MEC facility space held for any unforeseen damages to the MEC upon use by customers. All security services required by organizations seeking fee waivers or discounted rates will be the responsibility of the requesting organization. Priority may be given to organizations that demonstrate a lack of financial resources and/or promote diversity and inclusivity.

#### Eligibility for 50% Discounted Rates:

Organizations may qualify for a 50% Discounted Rate on Room Rental Fees and other applicable MEC fees including Equipment Fees, Services Fees, and Refundable Damage Deposits if the criteria below are met. Should the event require security services, the organization will be responsible for hiring such security personnel through the Mission Police Department at its own expense. For a 50% Discounted Rate, such organizations must meet the following general guidelines:

- 1. The organization must be an NFP, government agency, or educational institution.
- 2. Any meetings held or information displayed by such organizations must be open and available to the general public, be intended through the various media to provide information to the general public, and/or provide a public benefit to the residents of the City of Mission.
- 3. Any meetings held or information displayed should be free of charge to the public.
- 4. Any meetings and information shall be non-partisan in nature.
- 5. Any meetings and information shall be educational in nature and shall avoid advocacy of a particular position in areas of public policy dispute or controversy.
- 6. Any meetings and information shall be non-commercial and not-for-profit in nature.
- 7. Any meetings and information should be reasonably related to public interests of the City of Mission and its residents.

# **Eligibility for 20% Discounted Rates:**

Under certain circumstances, an NFP, government agency, or educational institution may conduct revenue-generating not-for-profit activities such as fundraisers and/or provide training, seminars, meetings, or information not open to the general public but solely to its organization. Although these organizations will be ineligible for a 50% Discounted Rate or Fee Waiver, they may receive a 20% Discounted Rate on Room Rental Fees. In addition to the discounted Room Rental Fees, organizations will be responsible for 100% of all other applicable MEC fees to include: Equipment Fees, Service Fees, and Refundable Damage Deposits. Should the event require security services, the organization will also be responsible for hiring such security personnel through the Mission Police Department at its own expense.

# Fee Waivers:

NFPs, government agencies, and/or educational institutions in an official partnership with the City of Mission for a joint event may receive a 100% Fee Waiver for Room Rental Fees and all other applicable MEC fees including Equipment Fees, Service Fees, and Refundable Damage Deposits.

# **Application Process:**

For organizations seeking a Fee Waiver or Discounted Rate, a letter must be submitted to include the following information:

1. Letter of request must be submitted in writing for consideration to:

City Mayor

City of Mission

1201 E. 8<sup>th</sup> St.

Mission, Texas 78572

- 2. Letter must include:
  - a. Responsible Representative,
  - b. Name of Organization,
  - c. Contact Information,
  - d. Nature of the Request, and
  - e. Potential Impact on Community and/or Long-Term Positive Outcomes or Public/Community Benefit (if seeking Fee Waiver)
- 3. Letter must be received a minimum of 3 months in advance.
- 4. Applicant may be required to submit a profit and loss statement for the organization/event.
- 5. Applicant may be required to submit sponsorship packet information along with a list of confirmed sponsors.
- 6. NFP organizations must submit proof of their non-for-profit status by providing a copy of their Internal Revenue Service Determination Letter or Certificate of Formation also known as Articles of Incorporation.

Information above needs to be emailed to: <a href="mailto:eventerdirector@missiontexas.us">eventcenterdirector@missiontexas.us</a> or mailed via U.S. Postal service to:

City of Mission
Attn: Mission Event Center Director
1201 E. 8<sup>th</sup> St.
Mission, Texas 78572

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

MEC Director will complete a Facility Request Form and an Event Order (proposal) after discussing dates and logistical needs from the client.

MEC Director will submit the following documents for consideration to the City Mayor and City Manager:

- 1. Letter of Request from Client
- 2. Facility Request Form
- 3. Event Order Form (proposal)

# **Responsibilities of the Applicant:**

- 1. Adhere to the facility's policies, safety regulations and any other relevant rules.
- 2. Provide insurance coverage as required.
- 3. Assist with clean-up after the event.
- 4. Schedule a pre-event meeting with MEC staff to review final details of event as many times as needed and at least three (3) weeks prior to event.
- 5. Agree to and shall indemnify, defend and hold harmless the City of Mission and its appointed officials, and employees (collectively, the "City") against all suits, actions, demands, damages, and expenses of any nature which may be brought or made against the City or which the City may pay, sustain, or incur by reason of the use of the MEC.
- 6. Assume full responsibility for any damages based on actual repair or replacement costs for the facilities or equipment.

# **Review and Approval:**

Each request submitted will be reviewed within ten (10) business days by the City of Mission City Mayor, City Manager, and MEC Director. The review process will consider the eligibility criteria and the impact on the community. Once reviewed, the MEC Director will notify the applicant of the decision.

Decisions are final and may not be appealed.

The City has the right to refuse and may change/modify the use of any facility or meeting room to any person or group if the proposed event conflicts with the intended use of the building, is in conflict with established policies, or is in conflict with any confirmed reservation or unplanned reservation of public necessity.