

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**, January 24, 2024 at 6:00 p.m. at the Mission Council Chambers, 1201 E. 8th Street, Mission, Texas and by Teleconference to consider the following matters.

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

Time: Wednesday, January 24, 2024 at 06:00 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

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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 Government Code.

SPECIAL MEETING

CALL TO ORDER AND ESTABLISH QUORUM

DISCLOSURE OF CONFLICT OF INTEREST

CITIZEN'S PARTICIPATION

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

 Conditional Use Permit: Texas Citrus Fiesta Carnival & Fun Fair, All of Lots 4 & 5, out of Shops at 495 Phase I & the North 11.87 acres out of Lot 25-6, West Addition to Sharyland, C-3 & R-3, January 26, 2024 through January 29, 2024, Texas Citrus Fiesta (c/o Amy Tijerina), and Adoption of Ordinance # _____ - De Luna

AGENDA ITEMS

 Discussion and action, if any, related to the MedCare EMS contract with the City of Mission, including but not limited to authority to negotiate termination of said contract -A. Garcia

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 19th day of January, 2024 at 3:30 p.m.

anna Carrilla

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 **24th day of January, 2024** the City Council of the City of Mission will hold a special meeting at 6:00 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 **19th day of January, 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 3:30 p.m. on said date.

anna, Carrillo

Anna Carrillo, City Secretary



CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

Item 1.

MEETING DATE: January 24, 2024

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Conditional Use Permit: Texas Citrus Fiesta Carnival & Fun Fair, All of Lots 4 & 5, out of Shops at 495 Phase I & the North 11.87 acres out of Lot 25-6, West Addition to Sharyland, C-3 & R-3, January 26, 2024 through January 29, 2024, Texas Citrus Fiesta (c/o Amy Tijerina), and Adoption of Ordinance # _____ - De Luna

NATURE OF REQUEST:

On January 24, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site is located near the NW corner of Conway Avenue and Griffin Parkway (F.M. 495). There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

BUGETED: Yes / No	/ N/A FUND:	ACCT. #:	
BUDGET: \$	EST. COST: \$	CURRENT BUDGET BALANCE: \$	

BID AMOUNT: \$

STAFF RECOMMENDATION: Staff recommends approval subject to: 1) Installation of a perimeter fence/debris stop; 2) Installation of "No Parking" signs along Conway and Griffin Parkway; and 3) Meet Noise, Insurance, and any other related Codes.

Departmental Approval: N/A

Advisory Board Recommendation: P&Z Approval

City Manager's Recommendation: Approval RP

RECORD OF VOTE:	APPROVED: DISAPPROVED: TABLED:			
AYES				
NAYS DISSENTING				

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE TEXAS CITRUS FIESTA CARNIVAL & FUNFAIR, ALL OF LOTS 4 & 5, OUT OF SHOPS AT 495 PHASE I & THE NORTH 11.87 ACRES OUT OF LOT 25-6, WEST ADDITION TO SHARYLAND, C-3 & R-3, JANUARY 26, 2024 THROUGH JANUARY 29, 2024

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit request of January 24, 2024, the Planning and Zoning Commission of the City of Mission upon duly recognized motion and second, voted to recommend to the City Council that the conditional use permit shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 6:00 p.m. Monday, January 24, 2024, in the Council Chambers of the City Hall to consider the following conditional use permit:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT THE FOLLOWING CONDITIONAL USE PERMIT BE GRANTED:

Legal Description	Туре	Conditions of Approval
All of Lots 4 & 5, out	Texas Citrus Fiesta Carnival	1) Installation of a
of Shops at 495 Phase	& Fun Fair	perimeter fence/debris
I & the North 11.87		stop;
acres out of Lot 25-6,		2) Installation of "No
West Addition to		Parking" signs along
Sharyland		Conway and Griffin
		Parkway; and
		3) Meet Noise Insurance

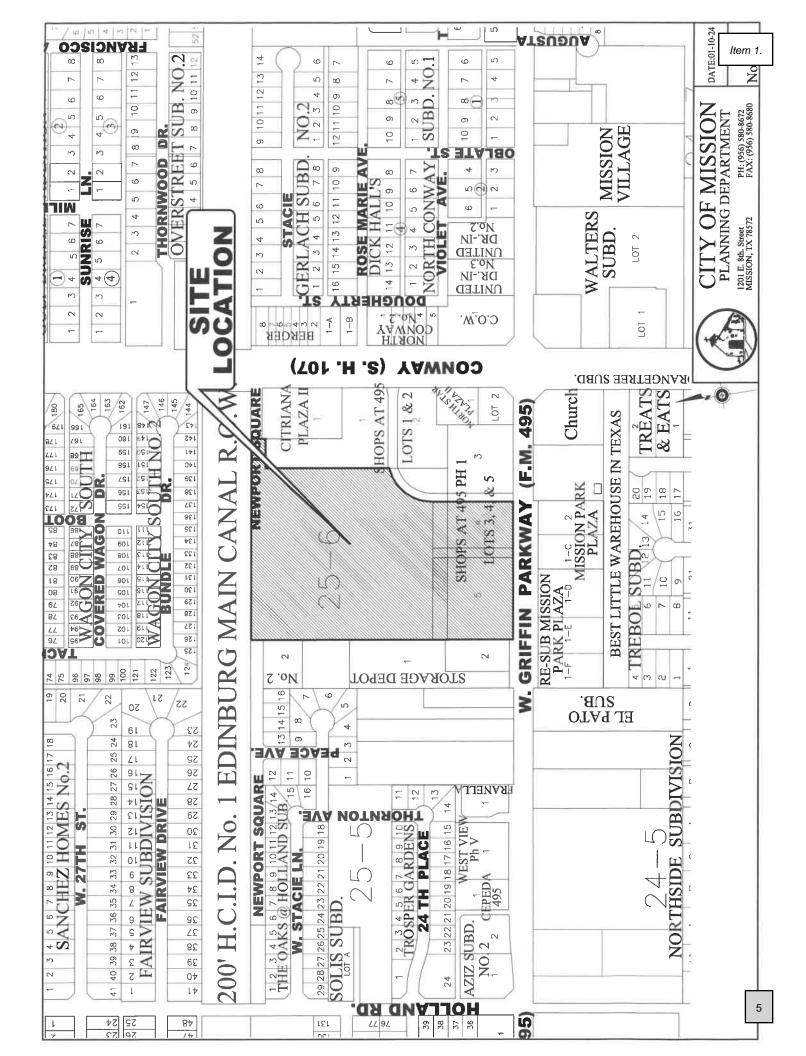
 Meet Noise, Insurance, and any other related Codes.

READ, CONSIDERED AND PASSED, this the 24th day of January, 2024.

ATTEST:

Norie Gonzalez Garza, Mayor

Anna Carrillo, City Secretary



ITEM# <u>1.5</u>

CONDITIONAL USE PERMIT: Texas Citrus Fiesta Carnival & Fun Fair All of Lots 4 & 5, out of Shops at 495 Phase I & the North 11.87 acres out of Lot 25-6, West Addition to Sharyland C-3 & R-3 January 26, 2024 through January 29, 2024 Texas Citrus Fiesta (c/o Amy Tijerina)

REVIEW DATA

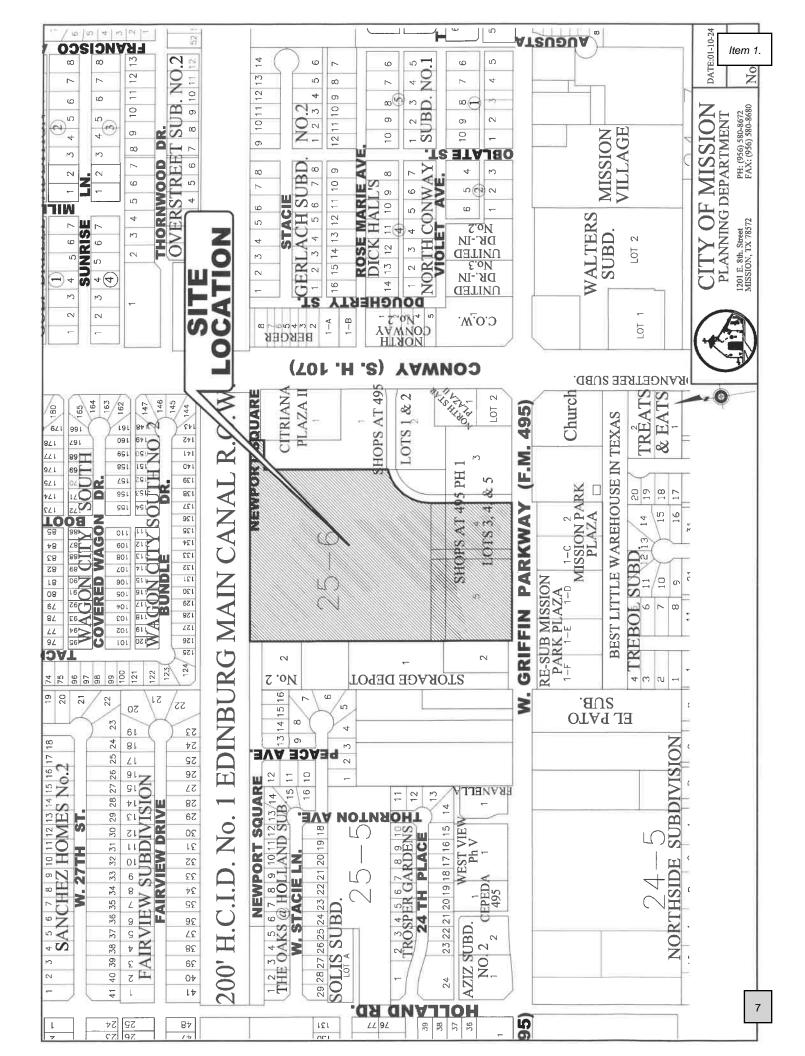
SITE: The subject site is located near the NW corner of Conway Avenue and Griffin Parkway (F.M. 495) – see vicinity map. Texas Citrus Fiesta organizers have been given permission to have their annual events on the vacant lots located on the west side of the 24-hour Emergency Center. They wish to set up for the carnival on Friday, January 26, 2024. The Carnival and Fun Fair will be for 2 days. They will then take down the carnival on the 29th. They are proposing to have 15 kiddie carnival rides and approximately 80 vendors for the Fun Fair.

- Hours of Operation: Saturday, January 27th from 10a.m. until midnight, and Sunday, January 28th from 8a.m. to 6p.m.
- **Parking:** Parking for the event will be on the south side of the property and the carnival and fun fair will be on the north side of the property. Staff encourages that "No Parking" signs be placed along Conway and F.M. 495.
- The Zoning code states that a carnival site should be a minimum of 300' away from any residentially used property from lot line to lot line. This CUP is compliant to this Code, i.e., there are no homes within 300'.

REVIEW COMMENTS: Staff encourages that there be early morning trash pick-up throughout the entire site during the Carnival's tenure. Security will be evident as in past years via Mission PD officers (as hired by TCF) and sufficient restrooms will be available. All provisions of Chapter 10 – Amusements and Entertainment– will need to be complied with, in particular the insurance coverage requirements for such amusements.

RECOMMENDATION: Staff recommends approval subject to:

- 1. Installation of a perimeter fence/debris stop;
- 2. Installation of "No Parking" signs along Conway and Griffin Parkway; and
- 3. Meet Noise, Insurance, and any other related Codes.







AC	ORD
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CERTIFICATE OF LIABILITY INSURANCE

DATE: Item 1.

							0.00.00		6	17/2023	
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.											
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).											
	SUCER		Cen	incate noider in neu or st	CONTAC				_		
	ginbotham Insurance Agency, Inc.				NAME:	Elizabeth	Mane	EAY	-		
500	W. 13TH				(A/C, No	Ext): 817-34	9-2288	(A/C, No)	817-82	0-8928	
For	t Worth TX 76102				ADDRES	s: emane@	higginbothan	n.net			
					INSURER(S) AFFORDING COVERAGE					NAIC #	
					INSURER A : Arch Insurance Company					11150	
INSU				COOLB	INSURE	RB: Lloyd's				15642	
	ol Breeze Rentals 05 LeBanon Lane				INSURE	RC:					
	nburg TX 78539-7748				INSURE	RD:					
	Ū.				INSURE	RE:					
					INSURE	RF:					
CO	/ERAGES CEI	TIFI	CATE	NUMBER: 319368789				REVISION NUMBER:			
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.											
INSR LTR B	TYPE OF INSURANCE	INSD	WVD	POLICY NUMBER ZISMB055105		6/10/2023	(MM/DD/YYYY) 6/10/2024		T	000	
	X CLAIMS-MADE OCCUR			210(0000000		0/10/2023	0/10/2024	EACH OCCURRENCE DAMAGE TO RENTED	\$ 1,000		
	V		1					PREMISES (Ea ocourrence)	\$ 300,0	00	
	× 2,500							MED EXP (Any one person)	\$0		
			1		1			PERSONAL & ADV INJURY	\$ 1,000		
	GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO- JECT LOC							GENERAL AGGREGATE	\$ 2,000		
			l i					PRODUCTS - COMP/OP AGG			
	OTHER:					A14010000		COMBINED SINGLE LIMIT	\$		
A	AUTOMOBILE LIABILITY		ł	PRPKG0102502	1	6/10/2023	6/10/2024	COMBINED SINGLE LIMIT \$ 1,000,000		,000	
	X ANY AUTO OWNED SCHEDULED	1						BODILY INJURY (Per person)			
	AUTOS ONLY AUTOS									\$	
	X HIRED X NON-OWNED AUTOS ONLY							PROPERTY DAMAGE \$			
									\$		
1	UMBRELLA LIAB OCCUR							EACH OCCURRENCE	\$		
	EXCESS LIAB CLAIMS-MADE							AGGREGATE	\$		
	DED RETENTION \$								-		
								PER OTH- STATUTE ER			
	ANYPROPRIETOR/PARTNER/EXECUTIVE	N/A					j	E.L. EACH ACCIDENT	\$		
	OFFICER/MEMBEREXCLUDED? (Mandatory In NH)	N/A						E.L. DISEASE - EA EMPLOYEE	\$		
	If yes, describe under DESCRIPTION OF OPERATIONS below							E.L. DISEASE - POLICY LIMIT	s		
	PARTICIPANT ACCIDENT			ZAH80902		6/10/2023	6/10/2024	EACH CLAIM	\$10,00	00	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) The General Liability policy includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status. The Automobile Liability policy includes a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only subrogation endorsement to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status.											
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CER	TIFICATE HOLDER				CANC	ELLATION					
For Information Purposes Only				SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.							
					Jame AA						
						· © 19	88-2015 AC	ORD CORPORATION.	All righ	ts reserved.	

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C4555-02-000-0001-00 (550706) W0100-00-025-0005-09 (316985) W0100-00-025-0006-02 (316994) FIRST VALLEY BANK ZVINGIT PROSPERITY LLC SHOPS AT 495 LTD WELLS FARGO BANK 4315 LABURNAM RD 4040 BROADWAY STE 508 PO BOX 193775 **RICHMOND TX 77407** SAN ANTONIO TX 78209 SAN FRANCISCO CA 94119 W0100-00-025-0006-05 (316997) S6458-00-000-0001-00 (620581) S6458-00-000-0002-00 (620582) SHOPS AT 495 LTD SECURCARE MOVE IT MCALLEN LLC **USC PROPERTIES 5 LLC** 4040 BROADWAY STE 508 8350 N CENTRAL EXPY #430 7342 WILLOW CREEK DR SAN ANTONIO TX 78209 DALLAS TX 75206 **TYLER TX 75703** M5233-00-000-0002-00 (685471) M5233-00-000-001C-00 (691021) M5233-00-000-001D-00 (732598) DECASAS OTONIEL & EDELMIRA TRUSTEES T - NORTHGATE VILLAGE LTD CAVA DUCK & BETTY 2012 FAMILY TRUST 26000 BUCKS RUN OTONIEL & EDELMIRA DECASAS LVNG TRST9434 VISCOUNT BLVD STE 155 **2019 INOLA ST** SALINAS CA 93908 **EL PASO TX 79925 GLENDORA CA 91740** M5233-00-000-001E-00 (732595) M5233-00-000-001F-00 (20816060) T3638-02-000-0005-00 (790608) GARZA JORGE DBA TAQUERIA LA MEXICANADG MISSION WF LLC GARZA NATHAN D & NICOLE P RESEND PO BOX 3342 2611 HARRISON ST STE 900 603 ROSE MARIE ST MCALLEN TX 78502 WICHITA FALLS TX 76308 **MISSION TX 78574** T3638-02-000-0006-00 (790609) T3638-02-000-0007-00 (790610) T3638-02-000-0016-00 (790619) GALAVIZ BALDEMAR JR & YAHAIRA M RAMOS ALBERTO SAMBRANO ARMANDO & MANUEL BARE 601 ROSE MARIE ST 602 ROSE MARIE AVE 601 NEWPORT SQUARE MISSION TX 78574 MISSION TX 78574 MISSION TX 78574 S6458-02-000-0002-00 (846835) W0100-00-025-0005-17 (1242748) S3293-00-000-0000-00 (1371325) SECURCARE MOVE IT MCALLEN LLC SECURCARE MOVE IT MCALLEN LLC SHOPS AT 495 LTD 8350 N CENTRAL EXPY #430 8350 N CENTRAL EXPY #430 4040 BROADWAY STE 508 DALLAS TX 75206 DALLAS TX 75206 SAN ANTONIO TX 78209 S3293-00-000-0001-00 (1371327) S3293-00-000-0000-05 (1371326) S3293-00-000-0002-00 (1371328) SHOPS AT 495-LOT 1 LTD SHOPS AT 495-LOT 1 LTD SHOPS AT 495-LOT 1 LTD 4040 BROADWAY STE 508 4040 BROADWAY STE 508 4040 BROADWAY STE 508 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 S3293-01-000-0005-00 (1466422) S3293-01-000-0000-7A (1466420) S3293-01-000-0004-00 (1466421) SHOPS AT 495 LTD SHOPS AT 495 LTD SHOPS AT 495 LTD 4040 BROADWAY STE 508 4040 BROADWAY STE 508 4040 BROADWAY STE 508 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 S3293-01-000-0000-3A (1466419) S3293-01-000-0000-1A (1466418) S3293-01-000-000B-00 (1466424) SHOPS AT 495 - LOT 3 LTD SHOPS AT 495 LTD SHOPS AT 495 LTD 4040 BROADWAY STE 508 4040 BROADWAY STE 508 4040 BROADWAY STE 508 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 S3293-01-000-000A-00 (1466423) S3293-01-000-000C-00 (1466425) S3293-01-000-000D-00 (1466426) SHOPS AT 495 LTD SHOPS AT 495 LTD SHOPS AT 495 LTD 4040 BROADWAY STE 508 4040 BROADWAY STE 508 4040 BROADWAY STE 508 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209 SAN ANTONIO TX 78209

Item 1.

S3293-01-000-0003-00 (1466415) SHOPS AT 495 - LOT 3 LTD 4040 BROADWAY STE 508 SAN ANTONIO TX 78209