



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 regular meeting on **Monday, January 22, 2024 at 4:30 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: **Monday, January 22, 2024 04:30 PM Central Time**

<https://us02web.zoom.us/j/9904662781?pwd=SGVIL3JZRFRVdENzWXI5VUxFT1ZUQT09>

Meeting ID: 990 466 2781 - Password: 833227

Or Dial by telephone - +1 346 248 7799 US - 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.

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

INVOCATION AND PLEDGE ALLEGIANCE

DISCLOSURE OF CONFLICT OF INTEREST

PRESENTATIONS

1. Presentation of Award received by City Secretary's Vital Statistics Department - Carrillo
2. December 2023 Employee of the Month - Munguia
3. Report from the Rio Grande Valley Humane Society - Perez
4. Report from the Greater Mission Chamber of Commerce – Enriquez
5. Departmental Reports – Perez
6. Citizen's Participation – Garza

PUBLIC HEARING

7. Public Hearing and approval on First Reading of Resolution #____ of the City of Mission, ordering and calling a Charter Election on proposed charter amendments, during General Election on May 4, 2024, and other matters relating to said election. - V. Flores

PLANNING & ZONING RECOMMENDATIONS

8. Rezoning: A 0.33 acres of land out of a 9.53 acre tract out of the West 13.335 acre of the South 19.55 acres of Lot 29-8, West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Juan Reyes, and Adoption of Ordinance#_____ - De Luna
9. Rezoning: A 48.75 acre tract of land, more or less, out of Lots 9-5, 9-6, 10-6, and 10-5, West Addition to Sharyland, (R-2) Duplex-Fourplex Residential to (R-3) Multi-Family Residential, Cabe Investments, LP, and Adoption of Ordinance#_____ - De Luna
10. Rezoning: All of Lot 1, Bodine Subdivision No. One, (C-2) Neighborhood Commercial to (C-3) General Business, Norma L. Cavazos, and Adoption of Ordinance#_____ - De Luna
11. Conditional Use Permit: Drive Thru Service Window – MrKORN Gourmet Corn and More, 722 E. 8th Street, Ste. G, Lots 11 & 12 & 20' strip adj. to Lots Block 113, Mission Original Townsite , C-3, MrKORN Gourmet Corn and More, LLC c/o Kenya Morin, and Adoption of Ordinance#_____ - De Luna
12. Conditional Use Permit: Drive Thru Service Window & Sale & On-Site Consumption of Alcoholic Beverages – Los Cuates Taco Shop, 2515 S. Colorado, Ste. 11, Lot 2, Block 2, Santa Lucia Development, C-3, Ana Castillo, and Adoption of Ordinance#_____ and Wet Zone Ordinance # _____ - De Luna
13. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Chisme Bar & Grill, 1512 E. Expressway 83, Suites 108 & 109, Lot 1, Re-Subdivision of Plaza Cantera (aka Lot 2A and 3, Stewart Plaza Subdivision), C-3, MN 2016, LLC c/o Molamma B. George, and Adoption of Ordinance#_____ - De Luna
14. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Buffalo Wings & Rings, 907 S. Shary Road, Lot 2A, Colorado Subdivision, C-3, MS & PS, LLC, and Adoption of Ordinance#_____ - De Luna
15. Conditional Use Permit Renewal: Sale & On-Site Consumption of Alcoholic Beverages – Yoko's Sushi Restaurant, 122 S. Shary Road, Ste. K, Lot 2, Home Depot Subdivision #2, C-4, Yoko's Sushi Restaurant, LLC, and Adoption of Ordinance#_____ - De Luna
16. Discussion and action, if any, related to amending Appendix A of the City's Code of Ordinances; specifically, adding Article IV-A (Accommodations Review Board) intended to provide persons with disabilities reasonable accommodations to the City's zoning, subdivision, building code and other regulations to ensure that all persons have equal opportunity to use and enjoy a residence, and Adoption of Ordinance # _____. (V. Flores and S. De Luna)

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

17. Approval of Minutes – Carrillo
Regular Meeting – January 8, 2024
18. Acknowledge Receipt of Minutes – Perez
Planning & Zoning Commission – October 25, November 20, 2023
Building Board of Adjustments & Appeals – August 22, October 31, 2023
19. Approval of Pre-negotiated hourly labor rates and parts mark ups for fleet repairs on all city units to include special equipment and Sanitation Units- Mendiola
20. Approval of Ordinance # _____ amending Ordinance 5239; amending Section 2 Membership of the Keep Mission Beautiful Beautification Committee - Carrillo
21. Board Appointments – Keep Mission Beautiful Beautification Committee, Tax Increment Reinvestment Zone - Carrillo
22. Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY25 Bullet Resistant Shield Grant Program to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative. - Elizalde
23. Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY25 Criminal Justice Grant Program to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative. - Elizalde
24. Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY25 Rifle-Resistant Body Armor Grant Program to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative. - Elizalde
25. Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY24 State Homeland Security Program-LETPA Grant Program to the Office of the Governor and authorizing Mayor as the Authorized Representative. – Elizalde
26. Authorization to enter into a Memorandum of Understanding between Texas A&M Engineering Extension Service (TEEX) on behalf of Texas A&M Task Force 1 and the City of Mission Fire Department – A. Garcia

APPROVALS AND AUTHORIZATIONS

27. Approval of Resolution # _____ calling a General Election in Mission, Texas to be held on May 4, 2024 providing for the election of Councilmembers for Places Two and Four; providing for polling places and other matters relating to said election. – Carrillo
28. Authorization to submit grant application to TWDB for the Flood Mitigation Assistance (FMA) Grant Program – Bocanegra
29. Authorization to Award Contract for FMA & BRIC Program Development, Grant Administration, Civil Engineering, and Project Management Services - Bocanegra

UNFINISHED BUSINESS

None

ROUTINE MATTERS

City Manager Comments
Mayor's Comments
City Council Comments

EXECUTIVE SESSION

1. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation Attorney) related to pending litigation; specifically, City of Mission v. Performance Services, Inc dba Performance Services of Texas, Inc. (13th Court of Appeals, Cause No. 13-22-00485-CV, Trial Court (139th District Court) Cause No. C-1712-22-C). (City Attorney, V.Flores)
2. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters), update on Personnel Matters. (City Manager R. Perez)

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

C E R T I F I C A T E

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 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 REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MISSION

Notice is hereby given that on the **22nd day of January, 2024** the City Council of the City of Mission will hold a regular meeting at 4:30 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 purposes 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**

MEETING DATE: January 22, 2024
PRESENTED BY: Randy Perez, City Manager
AGENDA ITEM: Departmental Reports – Perez

NATURE OF REQUEST:

- Planning & Zoning – December 2023
- Code Enforcement – December 2023
- Permits & Inspections – December 2023
- Mission Historical Museum – December 2023
- Risk Management – December 2023
- Mission Municipal Court – December 2023
- Mission Event Center – December 2023
- Speer Memorial Library – December 2023
- Mission Fire Department – December 2023
- Sanitation – December 2023
- Mission Police Department – December 2023

BUDGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION: Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

MEMORANDUM

TO: RANDY PEREZ, CITY MANAGER
FROM: SUSANA DE LUNA, PLANNING DIRECTOR
DATE: JANUARY 5, 2024
SUBJ: MONTHLY REPORT DECEMBER 2023

ACTIVITY REPORT FOR THE PLANNING DIVISION IS PROVIDED FOR THE PREVIOUS MONTH.

DECEMBER 2023

REZONINGS: 1
CONDITIONAL USE PERMIT: 9
HOMESTEAD APPROVALS: 0
SUBDIVISIONS: 4
SINGLE LOT VARIANCES: 0
VARIANCES (ZBA): 15
SITE PLAN APPROVALS: 0
OTHER P&Z REQUESTS: 1

**CODE ENFORCEMENT
MONTHLY REPORT
DEC 2023**

Item 5.

	Notices Sent
COMPLAINTS RECEIVED	104
WEEDY LOT LETTERS	65
PROPERTIES SENT TO MOWER'S LIST	51
PROPERTIES MOWED	2
SIGNS	84
JUNKED VEHICLES / BOATS	4
CONSTRUCTION W/OUT A PERMIT/SETBACKS	5
HEALTH & SANITATION/STAGNANT WATER/OVERGROWN VEG./GARBAGE/ DEAD TREES	19
HOME OCCUPATION	0
SIGHT OBSTRUCTION (SIDEWALKS / RIGHT-A-WAY)	6
UNSAFE/UNSECURED BLDG	4
DOUBLE OCCUPANCY/HOOKED UP RV	3
ILLEGAL DUMPING	0
NON RESIDENTIAL PARKING/SEMI TRUCKS	3
NO BUSINESS LICENSE/CUP REQ'D / NO GARAGE SALE PERMITS-WARNINGS 9	0
STORAGE OF VEHICLES/BOATS/TRAILERS	3
DEMOLITION FOR UNSAFE BUILDINGS	0
POTHoles /PARKING LOT MAINTENANCE/LIGHTING	0
IPMC VIOLATIONS	3
ZBA VIOLATIONS / ZONING / DAILY VIOLATIONS	2
PARKING ON LAWN	21
CASES FILED IN COURT / PENDING APPROVAL WITH ATTORNEY 0	36
CASES SEEN IN COURT	95
CASES CLOSED	100
CALL IN'S	63
WALK-IN'S	13
311-COMPLAINTS	7
INTERNAL COMPLAINTS/ E-MAILS	15

**Building Permit and Inspections
Activity Report for
The Month of December 2023**

Total # of Building Permits	Building Permit Value	Building Permit Fee	Types of Building Permits
21	\$3,891,705.00	\$9,007.00	New Dwelling
			Commercial
			Assembly
12	\$3,506,820.00	\$15,016.43	Apartments
			Warehouse
			Move Out Houses/Move Within
			Move In Houses
			Move in Mobile Homes
			Schools
2	\$144,086.00	\$610.00	Swimming Pools
5	\$19,150.00	\$175.00	Sheds
4	\$9,600.00	\$220.00	Signs
9	\$29,061.84	\$355.20	Fence
			Tower
			Gas Tanks Pumps
2	\$80,003.00	\$110.00	Demolition
			Water Well/Recreation Const.
55	\$ 7,680,425.84	\$ 25,493.63	Totals

Additions / Remodeling			
26	\$1,147,236.21	\$4,178.00	Residential Buildings
7	\$492,000.00	\$2,573.75	Commercial Buildings
			Apartment Buildings
1	\$140,000.00	\$329.00	Assembly Buildings
			School Buildings
6	\$51,300.00	\$282.95	Awnings/Decks
13	\$93,112.00	\$1,092.00	Carports/Concrete
12	\$802,953.00	\$85.00	Porches/Driveways/Sidewalks
			Garages/Canopies
			Hobby Shops
65	\$ 2,726,601.21	\$ 8,540.70	Totals

Total Building Permits	120
Total Building Valuation	\$10,407,027.05
Total Building Permit Fees	\$34,034.33

Prepared By: Rachel Alvarez
Date: 1/3/2024

Monthly Report for December 2023**III. Other Fees****A. Business License Application**

Number	17
Permit Fees	<u>\$850.00</u>

B. Garage Sale Permits

Number	255
Permit Fees	<u>\$2,615.00</u>

C. Health Cards

Number	0
Permit Fees	<u>\$0.00</u>

D. Bullder Registration

Number	0
Permit Fees	<u>\$0.00</u>

E. Electrician Registration

Number	0
Permit Fees	<u>\$0.00</u>

F. Plumbing Registration

Number	0
Permit Fees	<u>\$0.00</u>

G. Mechanical Registration

Number	0
Permit Fees	<u>\$0.00</u>

H. House Inspections

Number	0
Permit Fees	<u>\$0.00</u>

I. Planning & Zoning Applications

Number	21
Permit Fees	<u>\$5,550.00</u>

MISSION HISTORICAL MUSEUM

Departmental Report December 2023

"It's a side of museums that many people don't see and sometimes don't understand when they see it in your budget. It's something that happens out of the way and it's not flashy but we're ensuring the long-term health of the cultural legacy of the area."



PERFORMANCE INDICATORS:

FY 2023-2024			
Performance Indicators	October	November	December
General Attendance	62	70	55
Programs	1,350	0	65
Tours	0	6	0
Social Media	19,420	1166	8,378
Outreach	0	90	0
Meetings Hosted	0	0	0
Total:	20,832	1,332	8,498

of people served December 1– December 31)

Public and Educational Programs/Events

Past Programs/Events:

Dec 6th Holiday Exhibit Opens
 Dec 9th MHM Lecture Series
 Dec 21st Craft day

Upcoming Programs/Events:

Jan 13th MHM Lecture Series
 Jan 13th Quilt Show Opening
 Jan Turning of the Quilts Program
 Feb She Came to the Valley Movie Screening

Other Items:

Ongoing History of Mission Loteria (possible work with chamber)
 Completed TAMMIE award submission
 Ongoing Summer '24 Exhibit development

Risk Management Departmental Monthly Report – December 2023

General Liability Claims

There were 0 liability claims filed against the City during the month of December.

Law Enforcement Liability Claims

There were 0 law enforcement liability claims filed against the City during the month of December.

Auto Liability Claims

There was 1 auto liability claim filed against the City during the month of December.

City Property Claims

There was 0 property claims for the city during the month of December.

Worker's Comp

There have been 4 Workers' Compensation claims filed during the month of December.

- 2 were a Civil Service Employee.
- 2 were Non-Civil Service Employees.

As of December 31st, we have 4 employees out on injury leave and 5 employees on Light/Modified Duty. A total of 4 employees returned to full duty in December.

MISSION MUNICIPAL COURT

MC-23

Y-T-D COMPARISON	2023	2022	DEC COMPARISON	2023	2022
FEES & FINES TOTAL	\$337,325.61	\$401,666.21	FEES & FINES TOTAL	\$121,510.11	\$136,679.02
LOCAL FINES	\$112,471.26	\$129,324.47	LOCAL FINES	\$40,286.79	\$43,870.36
LOCAL COSTS AND FEES	\$28,910.20	\$32,236.54	LOCAL COSTS AND FEES	\$10,087.61	\$9,248.52
COLLECTIONS FOR STATE	\$197,944.15	\$240,105.20	COLLECTIONS FOR STATE	\$71,135.71	\$83,560.14
TOTAL COLLECTIONS	\$337,325.61	\$401,666.21	TOTAL COLLECTIONS	\$121,510.11	\$136,679.02

VIOLATIONS FILED

STATE LAW	1475	1375	TOTAL VIOLATIONS	1,325	844
TRAFFIC	1792	2089	CASES:		
PARKING	12	4	TOTAL PAID	562	640
EDUCATION CO	26	1	OTHER COMPLETED	240	229
CITY ORDINANC	140	153	TOTAL	802	869
TOTAL	3445	3622			

COMPLETE CASES

TOTAL PAID	1565	1783	ISSUED	1,175	1,474
OTHER COMPLETED	619	779	CLEARED	963	1024
TOTAL	2184	2562			

WARRANTS:

ISSUED

STATE LAW	1772	2374
TRAFFIC	1197	1767
PARKING	7	8
EDUCATION CO	2	3
CITY ORDINANC	53	118
TOTAL	3031	4270

CLEARED

STATE LAW	1629	1916
TRAFFIC	1153	1386
PARKING	3	5
EDUCATION CO	3	16
CITY ORDINANC	53	145
TOTAL	2841	3468

A total of 46 Juvenile Cases were filed.
992 hours of community service hours were granted

Mission Event Center Event Revenue Ledger
12/01/2023 - 12/31/2023

Event - Name	Event	Room Rental Charges	Alcoholic Beverage Charges	Other charges (equipment, PD, catering)	Refundable Damage Deposit	Event GIRARD Total	Adjustments and Discounts	Payments Received	Balance Due
Rodriguez/Rivera Wedding	12/02/2023	\$2,500.00	\$3,548.00	\$975.00	\$500.00	\$7,523.00	\$0.00	\$7,523.00	\$0.00
City of Mission Human Resources Service Award	12/05/2023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,700.00)	\$0.00	\$0.00
Palenque Group Posada	12/06/2023	\$9,250.00	\$1,705.00	\$1,000.00	\$500.00	\$9,455.00	\$0.00	\$9,455.00	\$0.00
Mission Chamber of Commerce Health Fair	12/07/2023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
L & F Distributors	12/09/2023	\$2,500.00	\$6,916.00	\$875.00	\$500.00	\$10,591.00	\$0.00	\$10,591.00	\$0.00
Builders First Sources Appreciation Breakfast	12/12/2023	\$2,500.00	\$0.00	\$375.00	\$500.00	\$3,375.00	\$0.00	\$500.00	\$2,875.00
Texas Department of Transportation Safety Banquet	12/13/2023	\$4,350.00	\$0.00	\$375.00	\$600.00	\$5,225.00	\$0.00	\$0.00	\$5,225.00
Class of 2023 White Coat Ceremony	12/15/2023	\$2,500.00	\$3,842.00	\$925.00	\$500.00	\$7,567.00	\$0.00	\$7,567.00	\$0.00
STS Training Seminar	12/17/2023	\$2,500.00	\$0.00	\$375.00	\$500.00	\$3,375.00	\$0.00	\$3,375.00	\$0.00
Naturalization Ceremony	12/18/2023	\$2,850.00	\$0.00	\$350.00	\$0.00	\$3,200.00	\$0.00	\$3,200.00	\$0.00
Holiday Performance	12/20/2023	\$2,200.00	\$0.00	\$500.00	\$500.00	\$3,200.00	\$0.00	\$3,200.00	\$0.00
KOPS FOR KIDS Toy Drive	12/21/2023	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	(\$2,850.00)	\$0.00	\$0.00
Subway Christmas Party	12/22/2023	\$350.00	\$0.00	\$375.00	\$500.00	\$1,225.00	\$0.00	\$1,225.00	\$0.00
Vernett Wedding	12/29/2023	\$4,000.00	\$1,031.00	\$550.00	\$500.00	\$6,081.00	\$0.00	\$6,081.00	\$0.00
TOTAL		\$32,500.00	\$18,842.00	\$6,475.00	\$5,000.00	\$80,517.00	(\$4,550.00)	\$52,717.00	\$9,100.00

SPEER MEMORIAL LIBRARY

DOOR COUNT

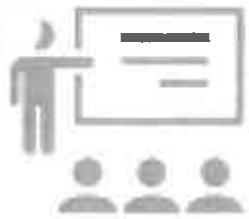


5,293

DECEMBER
2023



17,986
BOOKS CHECKED OUT



344

ADULT PROGRAM AUDIENCE



VOLUNTEER HOURS WORKED

227



TEENS PROGRAM AUDIENCE

41



1,178

GENERAL AUDIENCE

USE OUR
ONLINE RESOURCES



WWW.MISSION.LIB.TX.US



MISSION FIRE DEPARTMENT

MONTHLY REPORTS

DECEMBER 2023



“Dedicated to the Community we Protect... and Serve”

Mission Fire Department

Mission, TX

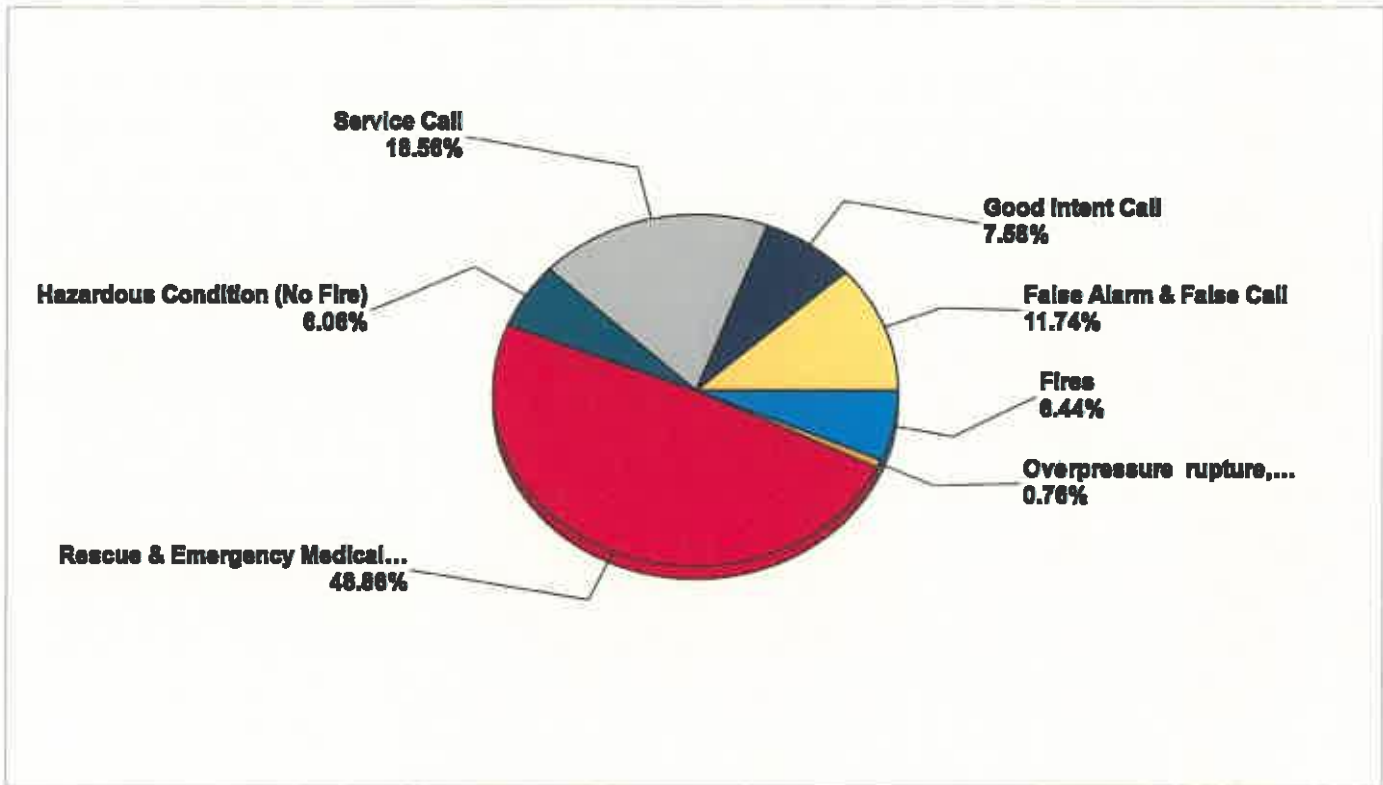
This report was generated on 1/5/2024 10:55:03 AM



Item 5.

Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 12/01/2023 | End Date: 12/31/2023



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	17	6.44%
Overpressure rupture, explosion, overheating - no fire	2	0.76%
Rescue & Emergency Medical Service	129	48.86%
Hazardous Condition (No Fire)	16	6.06%
Service Call	49	18.56%
Good Intent Call	20	7.58%
False Alarm & False Call	31	11.74%
TOTAL	264	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



emergencyreporting.com

Doc Id: 553

Page # 1 of 3

Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	2	0.76%
111 - Building fire	3	1.14%
113 - Cooking fire, confined to container	1	0.38%
118 - Trash or rubbish fire, contained	1	0.38%
131 - Passenger vehicle fire	4	1.52%
140 - Natural vegetation fire, other	1	0.38%
142 - Brush or brush-and-grass mixture fire	1	0.38%
143 - Grass fire	2	0.76%
150 - Outside rubbish fire, other	1	0.38%
151 - Outside rubbish, trash or waste fire	1	0.38%
221 - Overpressure rupture of air or gas pipe/pipeline	1	0.38%
251 - Excessive heat, scorch burns with no ignition	1	0.38%
311 - Medical assist, assist EMS crew	6	2.27%
320 - Emergency medical service, other	11	4.17%
321 - EMS call, excluding vehicle accident with injury	88	33.33%
322 - Motor vehicle accident with injuries	12	4.55%
323 - Motor vehicle/pedestrian accident (MV Ped)	1	0.38%
324 - Motor vehicle accident with no injuries.	9	3.41%
331 - Lock-In (if lock out, use 511)	2	0.76%
410 - Combustible/flammable gas/liquid condition, other	1	0.38%
411 - Gasoline or other flammable liquid spill	1	0.38%
412 - Gas leak (natural gas or LPG)	5	1.89%
420 - Toxic condition, other	1	0.38%
440 - Electrical wiring/equipment problem, other	2	0.76%
444 - Power line down	1	0.38%
445 - Arcing, shorted electrical equipment	4	1.52%
460 - Accident, potential accident, other	1	0.38%
500 - Service Call, other	6	2.27%
510 - Person in distress, other	1	0.38%
511 - Lock-out	3	1.14%
520 - Water problem, other	1	0.38%
531 - Smoke or odor removal	2	0.76%
542 - Animal rescue	3	1.14%
550 - Public service assistance, other	5	1.89%
553 - Public service	6	2.27%
554 - Assist invalid	19	7.2%
561 - Unauthorized burning	2	0.76%
571 - Cover assignment, standby, moveup	1	0.38%
600 - Good intent call, other	3	1.14%
611 - Dispatched & cancelled en route	5	1.89%
622 - No incident found on arrival at dispatch address	1	0.38%
631 - Authorized controlled burning	3	1.14%
651 - Smoke scare, odor of smoke	4	1.52%
652 - Steam, vapor, fog or dust thought to be smoke	2	0.76%
653 - Smoke from barbecue, tar kettle	2	0.76%
730 - System malfunction, other	1	0.38%
731 - Sprinkler activation due to malfunction	1	0.38%
733 - Smoke detector activation due to malfunction	3	1.14%
735 - Alarm system sounded due to malfunction	7	2.65%
736 - CO detector activation due to malfunction	1	0.38%
740 - Unintentional transmission of alarm, other	1	0.38%
741 - Sprinkler activation, no fire - unintentional	2	0.76%
743 - Smoke detector activation, no fire - unintentional	7	2.65%
745 - Alarm system activation, no fire - unintentional	7	2.65%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
748 - Carbon monoxide detector activation, no CO	1	0.38%
TOTAL INCIDENTS:	264	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.

Mission Fire Department

Mission, TX

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Item 5.

Incident Statistics with Alarm to Arrival

Start Date: 12/01/2023 | End Date: 12/31/2023

INCIDENT COUNT

INCIDENT TYPE	# INCIDENTS
EMS	129
FIRE	135
TOTAL	264

TOTAL TRANSPORTS (N2 and N3)

APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
TOTAL			

PRE-INCIDENT VALUE

\$145,000.00

LOSSES

\$85,000.00

CO CHECKS

736 - CO detector activation due to malfunction	1
746 - Carbon monoxide detector activation, no CO	1
TOTAL	2

MUTUAL AID

Aid Type	Total
Aid Given	1

OVERLAPPING CALLS

# OVERLAPPING	% OVERLAPPING
80	30.3

LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)

Station	EMS	FIRE
Central	0:08:08	0:10:48
Station 2	0:08:04	0:08:20
Station 3	0:08:23	0:07:12
Station 4	0:07:55	0:07:21
Station 5	0:07:12	0:11:16
AVERAGE FOR ALL CALLS		0:08:11

LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Alarm to Arrival)

Station	EMS	FIRE
Central	0:08:34	0:11:32
Station 2	0:08:26	0:10:14
Station 3	0:10:17	0:07:33
Station 4	0:09:26	0:07:30

Custom Report. Only Reviewed Incidents Included. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of Incidents where apparatus transported. # Patient Transports = All patients transported by EMS. #Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.



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Station 5	0:07:12	0:13:50
AVERAGE FOR ALL CALLS		0:08:45
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)		
Station	EMS	FIRE
Central	0:01:29	0:03:48
Station 2	0:01:35	0:02:27
Station 3	0:01:17	0:01:14
Station 4	0:01:21	0:01:32
Station 5	0:01:04	0:01:43
AVERAGE FOR ALL CALLS		0:01:28
AGENCY	AVERAGE TIME ON SCENE (MM:SS)	
Mission Fire Department	27:38	

Custom Report. Only Reviewed Incidents included. CO Checks only includes Incident Types: 424, 736 and 734. # ApparatusTransports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. #Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.

Mission Fire Department

Mission, TX

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Item 5.

Incident Type Count per Station for Date Range

Start Date: 12/01/2023 | End Date: 12/31/2023

INCIDENT TYPE	# INCIDENTS
Station: 1 - CENTRAL	
111 - Building fire	2
320 - Emergency medical service, other	10
321 - EMS call, excluding vehicle accident with injury	55
323 - Motor vehicle/pedestrian accident (MV Ped)	1
324 - Motor vehicle accident with no injuries.	2
410 - Combustible/flammable gas/liquid condition, other	1
445 - Arcing, shorted electrical equipment	1
500 - Service Call, other	6
520 - Water problem, other	1
531 - Smoke or odor removal	1
542 - Animal rescue	1
550 - Public service assistance, other	4
553 - Public service	3
554 - Assist invalid	7
561 - Unauthorized burning	1
600 - Good intent call, other	1
611 - Dispatched & cancelled en route	2
622 - No incident found on arrival at dispatch address	1
653 - Smoke from barbecue, tar kettle	1
733 - Smoke detector activation due to malfunction	1
735 - Alarm system sounded due to malfunction	2
743 - Smoke detector activation, no fire - unintentional	1
745 - Alarm system activation, no fire - unintentional	1
# Incidents for 1 - Central:	106

Station: 2 - STATION 2	
131 - Passenger vehicle fire	1
143 - Grass fire	1
251 - Excessive heat, scorch burns with no ignition	1
311 - Medical assist, assist EMS crew	4
321 - EMS call, excluding vehicle accident with injury	5
322 - Motor vehicle accident with injuries	2
324 - Motor vehicle accident with no injuries.	3
412 - Gas leak (natural gas or LPG)	1
440 - Electrical wiring/equipment problem, other	1
444 - Power line down	1

ily REVIEWED incidents included.



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INCIDENT TYPE	# INCIDENTS
460 - Accident, potential accident, other	1
510 - Person in distress, other	1
511 - Lock-out	2
531 - Smoke or odor removal	1
553 - Public service	2
554 - Assist invalid	4
611 - Dispatched & cancelled en route	2
651 - Smoke scare, odor of smoke	3
652 - Steam, vapor, fog or dust thought to be smoke	2
653 - Smoke from barbecue, tar kettle	1
730 - System malfunction, other	1
731 - Sprinkler activation due to malfunction	1
733 - Smoke detector activation due to malfunction	1
735 - Alarm system sounded due to malfunction	2
741 - Sprinkler activation, no fire - unintentional	1
743 - Smoke detector activation, no fire - unintentional	1
745 - Alarm system activation, no fire - unintentional	1
# Incidents for 2 - Station 2:	47

Station: 3 - STATION 3	
100 - Fire, other	1
113 - Cooking fire, confined to container	1
131 - Passenger vehicle fire	1
140 - Natural vegetation fire, other	1
142 - Brush or brush-and-grass mixture fire	1
143 - Grass fire	1
321 - EMS call, excluding vehicle accident with injury	9
322 - Motor vehicle accident with injuries	4
324 - Motor vehicle accident with no injuries.	1
331 - Lock-In (if lock out , use 511)	1
412 - Gas leak (natural gas or LPG)	4
420 - Toxic condition, other	1
445 - Arcing, shorted electrical equipment	1
511 - Lock-out	1
542 - Animal rescue	1
553 - Public service	1
554 - Assist invalid	5
600 - Good intent call, other	1
735 - Alarm system sounded due to malfunction	1
741 - Sprinkler activation, no fire - unintentional	1
743 - Smoke detector activation, no fire - unintentional	2
745 - Alarm system activation, no fire - unintentional	2

ily REVIEWED Incidents included.

INCIDENT TYPE	# INCIDENTS
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746 - Carbon monoxide detector activation, no CO	1
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# Incidents for 3 - Station 3:	43
---------------------------------------	-----------

Station: 4 - STATION 4

118 - Trash or rubbish fire, contained	1
131 - Passenger vehicle fire	1
151 - Outside rubbish, trash or waste fire	1
221 - Overpressure rupture of air or gas pipe/pipeline	1
311 - Medical assist, assist EMS crew	2
321 - EMS call, excluding vehicle accident with injury	14
322 - Motor vehicle accident with injuries	5
324 - Motor vehicle accident with no injuries.	2
445 - Arcing, shorted electrical equipment	1
554 - Assist invalid	2
561 - Unauthorized burning	1
611 - Dispatched & cancelled en route	1
631 - Authorized controlled burning	3
651 - Smoke scare, odor of smoke	1
736 - CO detector activation due to malfunction	1
745 - Alarm system activation, no fire - unintentional	1

# Incidents for 4 - Station 4:	38
---------------------------------------	-----------

Station: 5 - STATION 5

100 - Fire, other	1
111 - Building fire	1
131 - Passenger vehicle fire	1
150 - Outside rubbish fire, other	1
320 - Emergency medical service, other	1
321 - EMS call, excluding vehicle accident with injury	5
322 - Motor vehicle accident with injuries	1
324 - Motor vehicle accident with no injuries.	1
331 - Lock-in (if lock out , use 511)	1
411 - Gasoline or other flammable liquid spill	1
440 - Electrical wiring/equipment problem, other	1
445 - Arcing, shorted electrical equipment	1
542 - Animal rescue	1
550 - Public service assistance, other	1
554 - Assist invalid	1
571 - Cover assignment, standby, moveup	1
600 - Good Intent call, other	1
733 - Smoke detector activation due to malfunction	1
735 - Alarm system sounded due to malfunction	2

Only REVIEWED incidents included.

INCIDENT TYPE	# INCIDENTS
740 - Unintentional transmission of alarm, other	1
743 - Smoke detector activation, no fire - unintentional	3
745 - Alarm system activation, no fire - unintentional	2
# Incidents for 5 - Station 5:	30

Item 5.

ly REVIEWED incidents included.



Mission Fire Department

Mission, TX

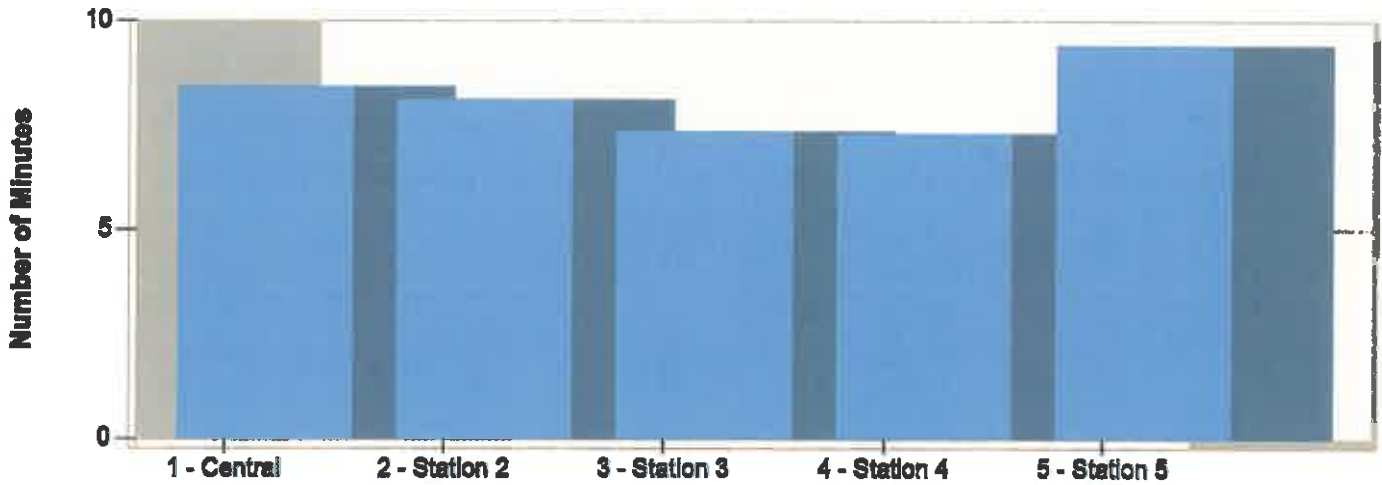
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Item 5.

Average Response Time per Station for Date Range

Start Date: 12/01/2023 | End Date: 12/31/2023



STATION	AVERAGE RESPONSE MM:SS (Dispatch to Arrived)
1 - Central	8:26
2 - Station 2	8:08
3 - Station 3	7:22
4 - Station 4	7:19
5 - Station 5	9:26

AVERAGE RESPONSE TIME calculated from the average time difference between DISPATCH and ARRIVED times on Basic Info 4. Only REVIEWED incidents included.



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Mission Fire Department

Mission, TX

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Item 5.

Count of Overlapping Incidents for Date Range

Start Date: 12/01/2023 | End Date: 12/31/2023

# OVERLAPPING	% OVERLAPPING	TOTAL
80	30.3	264

OVERLAPPING INCIDENT DETAILS

ALARM	CLEAR/CANCEL	INCIDENT #	INCIDENT TYPE	STATION	ZONE
12/1/2023					
12/1/2023 4:46:00 PM	12/1/2023 6:06:00 PM	2023-3721	100	Station 3	
12/1/2023 5:26:00 PM	12/1/2023 5:53:00 PM	2023-3722	320	Central	
12/1/2023 5:57:00 PM	12/1/2023 6:24:00 PM	2023-3723	745	Central	
12/1/2023 6:52:00 PM	12/1/2023 7:06:00 PM	2023-3724	550	Central	
12/1/2023 7:03:00 PM	12/1/2023 7:16:00 PM	2023-3725	323	Central	
12/7/2023					
12/7/2023 9:14:00 AM	12/7/2023 9:50:00 AM	2023-3764	500	Central	
12/7/2023 9:50:00 AM	12/7/2023 10:01:00 AM	2023-3765	651	Station 2	
12/7/2023 1:30:00 PM	12/7/2023 1:59:00 PM	2023-3767	321	Station 4	
12/7/2023 1:45:00 PM	12/7/2023 2:06:00 PM	2023-3768	651	Station 2	
12/7/2023 7:40:00 PM	12/7/2023 8:16:00 PM	2023-3770	131	Station 4	
12/7/2023 8:01:00 PM	12/7/2023 8:36:00 PM	2023-3771	321	Station 3	
12/9/2023					
12/9/2023 12:03:00 PM	12/9/2023 12:33:00 PM	2023-3777	500	Central	
12/9/2023 12:09:00 PM	12/9/2023 12:29:00 PM	2023-3778	320	Central	
12/9/2023 7:26:00 PM	12/9/2023 7:51:00 PM	2023-3783	321	Central	
12/9/2023 7:42:00 PM	12/9/2023 8:16:00 PM	2023-3784	445	Central	
12/9/2023 7:44:00 PM	12/9/2023 8:10:00 PM	2023-3785	321	Central	
12/9/2023 8:03:00 PM	12/9/2023 9:24:00 PM	2023-3786	440	Station 5	
12/11/2023					
12/11/2023 8:16:00 AM	12/11/2023 8:45:00 AM	2023-3799	320	Station 5	
12/11/2023 8:23:00 AM	12/11/2023 8:36:00 AM	2023-3800	444	Station 2	
12/15/2023					
12/15/2023 7:14:00 PM	12/15/2023 8:04:00 PM	2023-3828	324	Station 2	
12/15/2023 7:52:00 PM	12/15/2023 8:16:00 PM	2023-3829	321	Station 4	
12/17/2023					
12/17/2023 7:48:00 AM	12/17/2023 11:26:00 AM	2023-3837	111	Central	
12/17/2023 8:06:00 AM	12/17/2023 8:36:00 AM	2023-3838	321	Central	
12/17/2023 11:25:00 AM	12/17/2023 11:42:00 AM	2023-3839	553	Station 3	
12/17/2023 8:52:00 PM	12/17/2023 9:13:00 PM	2023-3845	554	Station 4	
12/17/2023 8:55:00 PM	12/17/2023 9:18:00 PM	2023-3846	321	Central	
12/17/2023 8:56:00 PM	12/17/2023 9:18:00 PM	2023-3847	321	Central	District 2

Percentage of incidents overlapping from total incidents in month, year. Compared incident time range as either Alarm to Cancel or Alarm to Clear for incidents that have either Cancel or Clear time recorded. Reviewed calls only. Group by date. Displays date, incident number, incident type (numeric only), zone, and station.



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OVERLAPPING INCIDENT DETAILS

ALARM	CLEAR/CANCEL	INCIDENT #	INCIDENT TYPE	STATION	ZONE
12/17/2023 9:01:00 PM	12/17/2023 9:13:00 PM	2023-3848	321	Central	
12/17/2023 11:13:00 PM	12/18/2023 12:04:00 AM	2023-3850	412	Station 3	
12/17/2023 11:38:00 PM	12/17/2023 11:59:00 PM	2023-3851	652	Station 2	District 2
12/18/2023					
12/18/2023 8:36:00 AM	12/18/2023 9:49:00 AM	2023-3854	322	Station 3	
12/18/2023 9:04:00 AM	12/18/2023 3:05:00 PM	2023-3855	143	Station 2	
12/18/2023 12:05:00 PM	12/18/2023 12:11:00 PM	2023-3856	321	Station 4	
12/18/2023 12:15:00 PM	12/18/2023 12:16:00 PM	2023-3857	611	Central	
12/18/2023 6:46:00 PM	12/18/2023 6:58:00 PM	2023-3859	554	Central	
12/18/2023 6:48:00 PM	12/18/2023 7:13:00 PM	2023-3860	320	Central	
12/20/2023					
12/20/2023 10:33:00 AM	12/20/2023 11:01:00 AM	2023-3867	321	Station 2	
12/20/2023 10:55:00 AM	12/20/2023 11:07:00 AM	2023-3868	554	Station 3	
12/20/2023 6:21:00 PM	12/20/2023 7:03:00 PM	2023-3870	321	Central	
12/20/2023 6:44:00 PM	12/20/2023 7:09:00 PM	2023-3871	321	Central	
12/21/2023					
12/21/2023 11:43:00 AM	12/21/2023 4:28:00 PM	2023-3876	111	Station 5	
12/21/2023 11:57:00 AM	12/21/2023 12:33:00 PM	2023-3879	412	Station 3	
12/21/2023 3:30:00 PM	12/21/2023 3:43:00 PM	2023-3880	745	Station 3	
12/22/2023					
12/22/2023 10:26:00 PM	12/22/2023 11:01:00 PM	2023-3886	321	Central	
12/22/2023 10:49:00 PM	12/22/2023 11:23:00 PM	2023-3887	324	Station 5	District 5
12/24/2023					
12/24/2023 3:24:00 AM	12/24/2023 4:10:00 AM	2023-3896	324	Station 2	
12/24/2023 3:42:00 AM	12/24/2023 4:10:00 AM	2023-3897	321	Central	
12/24/2023 4:06:00 AM	12/24/2023 4:28:00 AM	2023-3898	321	Central	
12/24/2023 4:21:00 AM	12/24/2023 4:54:00 AM	2023-3899	735	Station 5	
12/24/2023 7:08:00 AM	12/24/2023 7:31:00 AM	2023-3901	554	Station 2	
12/24/2023 7:26:00 AM	12/24/2023 7:41:00 AM	2023-3902	554	Station 3	
12/24/2023 4:27:00 PM	12/24/2023 4:50:00 PM	2023-3906	321	Central	
12/24/2023 4:31:00 PM	12/24/2023 4:50:00 PM	2023-3907	321	Central	
12/25/2023					
12/25/2023 5:56:00 PM	12/25/2023 6:53:00 PM	2023-3914	143	Station 3	
12/25/2023 6:27:00 PM	12/25/2023 6:41:00 PM	2023-3915	654	Station 2	
12/26/2023					
12/26/2023 4:17:00 PM	12/26/2023 4:45:00 PM	2023-3921	321	Station 2	
12/26/2023 4:36:00 PM	12/26/2023 4:41:00 PM	2023-3922	611	Station 2	District 2
12/26/2023 9:37:00 PM	12/27/2023 12:21:00 AM	2023-3926	111	Central	
12/26/2023 11:26:00 PM	12/26/2023 11:52:00 PM	2023-3927	651	Station 4	Central District
12/26/2023 11:38:00 PM	12/26/2023 11:45:00 PM	2023-3928	321	Station 5	
12/27/2023					
12/27/2023 1:54:00 AM	12/27/2023 2:22:00 AM	2023-3930	321	Central	

Percentage of incidents overlapping from total incidents in month, year. Compared incident time range as either Alarm to Cancel or Alarm to Clear for incidents that have either Cancel or Clear time recorded. Reviewed calls only. Group by date. Displays date, incident number, incident type (numeric only), zone, and station.

OVERLAPPING INCIDENT DETAILS

ALARM	CLEAR/CANCEL	INCIDENT #	INCIDENT TYPE	STATION	ZONE
12/27/2023 2:16:00 AM	12/27/2023 2:37:00 AM	2023-3931	321	Station 4	District 4
12/27/2023 2:27:00 AM	12/27/2023 2:45:00 AM	2023-3932	321	Central	
12/27/2023 8:02:00 AM	12/27/2023 8:31:00 AM	2023-3934	321	Station 3	
12/27/2023 8:07:00 AM	12/27/2023 8:35:00 AM	2023-3935	321	Central	
12/27/2023 4:23:00 PM	12/27/2023 4:37:00 PM	2023-3939	321	Station 3	
12/27/2023 4:38:00 PM	12/27/2023 4:44:00 PM	2023-3940	554	Station 3	
12/28/2023					
12/28/2023 4:57:00 PM	12/28/2023 5:20:00 PM	2023-3950	321	Central	
12/28/2023 5:17:00 PM	12/28/2023 5:36:00 PM	2023-3951	311	Station 2	District 2
12/29/2023					
12/29/2023 5:12:00 PM	12/29/2023 5:59:00 PM	2023-3955	324	Central	
12/29/2023 5:56:00 PM	12/29/2023 6:18:00 PM	2023-3956	322	Station 4	
12/29/2023 6:13:00 PM	12/29/2023 7:17:00 PM	2023-3957	131	Station 2	
12/30/2023					
12/30/2023 7:51:00 AM	12/30/2023 8:04:00 AM	2023-3963	745	Station 5	
12/30/2023 7:53:00 AM	12/30/2023 8:13:00 AM	2023-3964	600	Station 3	
12/30/2023 8:54:00 AM	12/30/2023 9:27:00 AM	2023-3965	321	Central	
12/30/2023 9:01:00 AM	12/30/2023 9:27:00 AM	2023-3966	321	Station 4	District 4
12/30/2023 1:12:00 PM	12/30/2023 1:44:00 PM	2023-3967	571	Station 5	
12/30/2023 1:40:00 PM	12/30/2023 2:31:00 PM	2023-3968	743	Station 3	
12/30/2023 6:20:00 PM	12/30/2023 6:47:00 PM	2023-3970	500	Central	
12/30/2023 6:40:00 PM	12/30/2023 7:03:00 PM	2023-3971	554	Station 3	

Percentage of incidents overlapping from total incidents in month, year. Compared incident time range as either Alarm to Cancel or Alarm to Clear for incidents that have either Cancel or Clear time recorded. Reviewed calls only. Group by date. Displays date, incident number, incident type (numeric only), zone, and station.



Mission Fire Department Career Development Section *Monthly Report for December 2023*

To: Adrian Garcia, Fire Chief *KLH*
From: Richard A. Cruz, Deputy Chief
Re: Career Development Section Report for December 2023

EMS training has been our top priority this month. We have been training around the clock to keep our skills sharp. We have been utilizing our newly purchased training equipment to be able to perform hands-on skills and train.

The CDS hosted a class for the Regional Fire Academy. The class was on Fire Extinguishers and extinguishing agents. We continue to assist in the training of local firefighters.

In the month of December, the CDS coordinated a multi-agency training with McAllen Fire Department. Throughout the month, we spent 9 days conducting Live Fire Training evolutions. At this training, crews practiced forcible entry techniques, hose advancement, pumping operations, water supply and fire suppression. All of our suppression crews were able to rotate on their assigned shift days to conduct 3 evolutions per session, rotating different assignments on each evolution.

Crews at their respective stations also have been doing in-service training as single-engine companies. Training has included: SCBA's, search and rescue, rescue equipment familiarization, ropes and knots, pumping fire apparatus, hose practices, ladders, and other topics.

Training Hours for December 2023 - TOTAL: 584

- Fire: 538 hours**
- Classroom/Online: 0 hours*
- Hands-On/Skills: 538 hours Drone: 0 hours*
- EMS: 46 hours**
- Special Ops: 0 hours**
- Haz-Mat: 0 hours**

"Train Like Your Life Depends on it...Because It Does!"

Training Hours for Year-to-Date 2023 - TOTAL: 2,756

Fire: 1,076 hours
Classroom/Online: 20 hours
Hands-On/Skills: 1,028 hours Drone: 20 hours
EMS: 481 hours
Special Ops: 0 hours
Haz-Mat: 696 hours

Respectfully,



Richard A. Cruz
Deputy Chief
Career Development Section

“Train Like Your Life Depends on it...Because It Does!”

MISSION FIRE DEPARTMENT

Emergency Ambulance Response Report

DECEMBER 2023



“Dedicated to the Community we Protect... and Serve”



Previous Month ▾ Dec 1, 2023 – Dec 31, 2023 ▾

- Courts % Rows % Columns % All

Week Ending	12/3/23	12/10/23	12/17/23	12/24/23	12/31/23	1/7/24	1/14/24	1/21/24	1/28/24	2/4/24	2/11/24	2/18/24	2/25/24	Total
Abdominal Pain	0.87%	0.87%	0.87%		2.61%									5.22%
Acute Pain, not elsewhere classified					0.87%									0.87%
Acute Respiratory Distress (Dyspnea)		0.87%			2.61%									3.48%
Allergic Reaction					0.87%									0.87%
Altered Mental Status	0.87%		2.61%	1.74%	1.74%									6.96%
Angina pectoris		0.87%												0.87%
Anxiety reaction/Emot... Upset	0.87%				0.87%									1.74%
Back Pain				2.61%	0.87%									3.48%
Cardiac arrest		0.87%		0.87%	0.87%									2.61%
Chest Pain / Discomfort			0.87%		1.74%									2.61%
Constipation			0.87%											0.87%
Diabetic Hyperglycemia					0.87%									0.87%
Diabetic Hypoglycemia				0.87%										0.87%
Diarrhea					0.87%									0.87%
Dizziness	1.74%		0.87%											2.61%
Extremity Pain	2.61%	0.87%	0.87%	0.87%										5.22%
Eye Pain		0.87%												0.87%
Febrile Seizures		0.87%												0.87%
Fever		0.87%												0.87%
Generalized Weakness	1.74%	0.87%	1.74%	3.48%	4.35%									12.17%
Headache				0.87%										0.87%
Hypotension				0.87%										0.87%
Injury	1.74%	2.61%	6.09%	4.35%	3.48%									18.26%
Laceration/Ab... (minor surface trauma)			0.87%	0.87%										1.74%
Nausea		0.87%			0.87%									1.74%

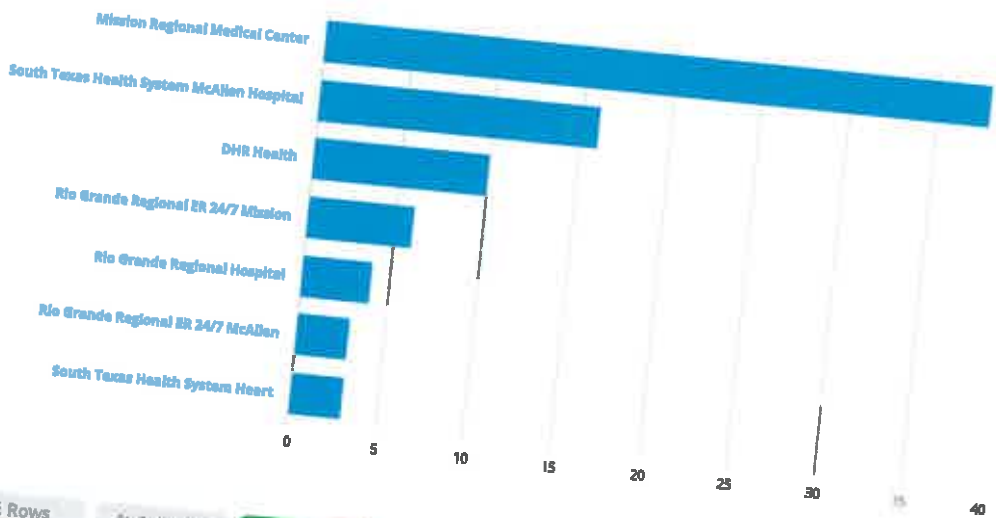
Week Ending	12/3/23	12/10/23	12/17/23	12/24/23	12/31/23	1/7/24	1/14/24	1/21/24	1/28/24	2/4/24	2/11/24	2/18/24	2/25/24	Total
No Complaints or Injury/Illness Noted		0.87%	3.48%		4.35%									8.7%
Obvious Death			0.87%		0.87%									1.74%
Pain (Non-Traumatic)		0.87%		0.87%										1.74%
Pelvic and Perineal Pain				0.87%										0.87%
Pregnancy related conditions					0.87%									0.87%
Pulmonary Embolism				0.87%										0.87%
Respiratory disorder				0.87%										0.87%
Respiratory Failure		1.74%												1.74%
Stroke				0.87%	0.87%									1.74%
Suicidal Ideation		0.87%												0.87%
Syncope / Fainting		0.87%			0.87%									1.74%
Total	10.43%	16.52%	20%	21.74%	31.3%									100%

Item 5.

Previous Month ▾ Dec 1, 2023 - Dec 31, 2023 ▾

80
RECORDS
In Selected Time Slice

31
DAYS
In Selected Time Slice



Counts % Rows % Columns % All

Week Ending	12/3/23	12/10/23	12/17/23	12/24/23	12/31/23	1/7/24	1/14/24	1/21/24	1/28/24	2/4/24	2/11/24	2/18/24	2/25/24	Total
DHR Health		1.25%	5%	5%	1.25%									
Mission Regional Medical Center	5%	10%	5%	11.25%	16.25%									12.5%
Rio Grande Regional ER 24/7 McAllen	1.25%			1.25%	1.25%									47.5%
Rio Grande Regional ER 24/7 Mission			2.5%	1.25%	3.75%									3.75%
Rio Grande Regional Hospital	1.25%	2.5%	1.25%											7.5%
South Texas Health System Heart		1.25%	1.25%		1.25%									5%
South Texas Health System McAllen Hospital	2.5%	5%	1.25%	5%	6.25%									3.75%
Total	10%	20%	16.25%	23.75%	30%									20%
														100%

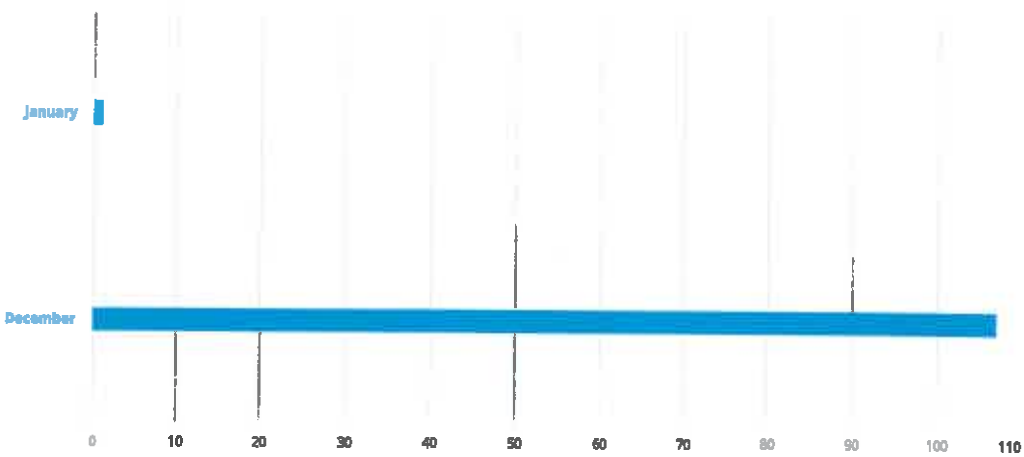
Previous Month ▾ Dec 1, 2023 - Dec 31, 2023 ▾

70%
TRANSPORTS
Percentage of Patient Encounters

22%
NON TRANSPORTS
Percentage of Patient Encounters

6%
OTHER DISPOSITIONS
Percentage of Patient Encounters

108
RECORDS
In Selected Time Slice



31
ROWS
In Selected Time Slice

Week Ending:	12/3/23	12/10/23	12/17/23	12/24/23	12/31/23	1/7/24	1/14/24	1/21/24	1/28/24	2/4/24	2/11/24	2/18/24	2/25/24	Total
January					1									1
December	12	22	17	23	33									107
Total	12	22	17	23	34									108



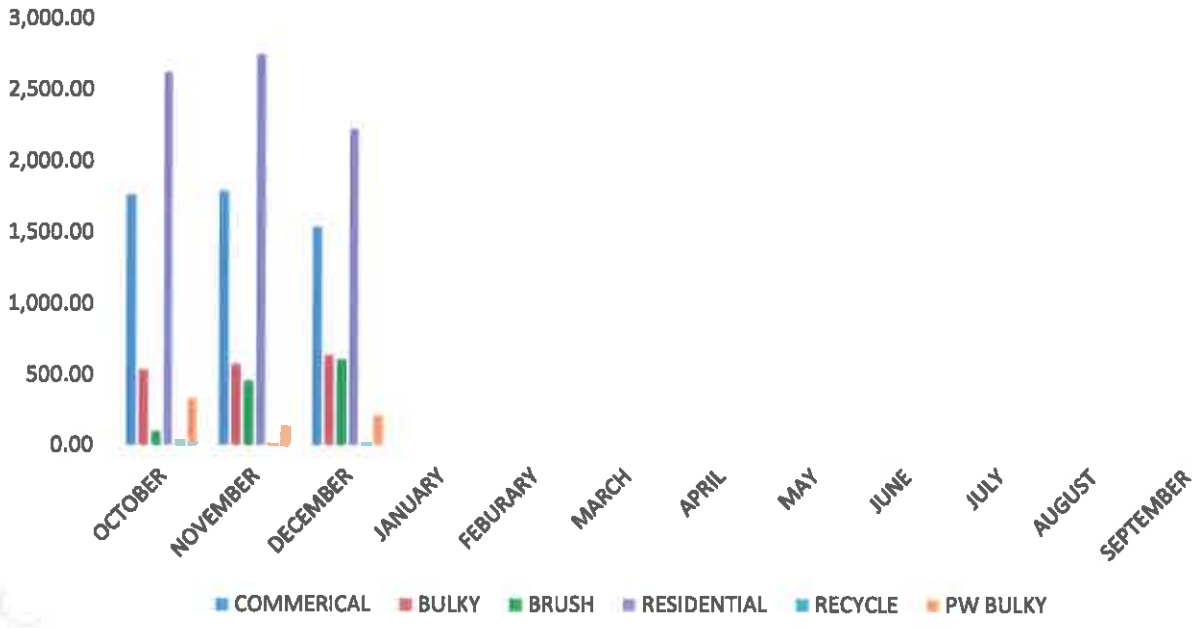
	Oct-23	Nov-23	Dec-23	Totals
Gross Charges	\$142,800.00	\$85,865.00	\$124,980.00	\$353,645.00
Cash Collections	(\$40,403.97)	(\$15,033.71)	(\$37,891.48)	(\$93,419.06)
Gross Charge/Typ	\$1,373.08	\$1,368.25	\$1,358.26	\$1,365.42
Cash/Typ (CPT)	\$388.50	\$238.63	\$412.84	\$380.69
Payer Mix				
Medicare	41.3%	50.9%	18.5%	35.5%
Medicaid	18.3%	14.3%	10.9%	14.7%
Insurance	9.6%	15.9%	6.5%	10.0%
Private Pay	20.2%	14.3%	6.5%	13.8%
Level of Service				
ALS - Advanced Life Support A0427	77.86%	55.56%	60.87%	68.41%
ALS Non Emergency A0428	0.00%	1.59%	0.00%	0.56%
ALS-2 Emergency A0433	0.00%	9.52%	6.52%	4.63%
BLS - Basic Life Support A0429	22.12%	33.33%	32.61%	28.57%
Level of Service Volume				
Total	104	63	92	259
ALS - Advanced Life Support A0427	81	35	56	172
ALS Non Emergency A0428	0	1	0	1
ALS-2 Emergency A0433	0	6	6	12
BLS - Basic Life Support A0429	23	21	30	74
Ground Mileage A0425	567	302	464	1,322

SANITATION DEPARTMENT

In the month of December, the City of Mission Sanitation Department disposed of a combined 5270.98 tons of trash/bulky items. In addition, a total of 5964 cubic yards of brush was collected at our sanitation landfill.

Month	TONS RESIDENTIAL	CUBIC YARDS BRUSH	TONS BULKY	TONS COMMERCIAL	TONS BRUSH	TONS RECYCLE	TONS PW BULKY
OCTOBER	2,630.89	7,952.00	541.01	1,770.93	107.352	39.12	336.86
NOVEMBER	2,756.31	7224.00	580.63	1797.15	462.59	16.47	137.01
DECEMBER	2,229.85	5964.00	642.14	1543.28	610.16	23.65	221.90
JANUARY							
FEBURARY							
MARCH							
APRIL							
MAY							
JUNE							
JULY							
AUGUST							
SEPTMBER							
Total	7617.05	21140	1763.78	5111.36	1180.1	79.24	695.77

2023 - 2024 SANITATION PICK UP (TONS)



Mission Police Department



Monthly Report December 2023



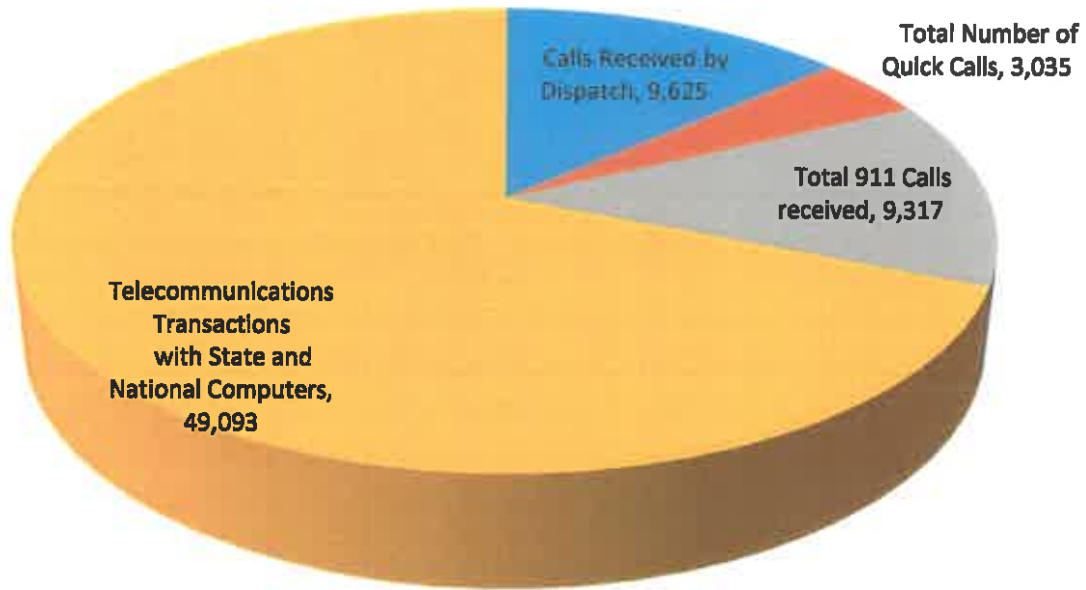
Mission Police Department

Monthly Report for December 2023



Communications Division

	Dec 23	FY 23-24 YTD
Calls Received by Dispatch	3,325	9,625
Total Number of Quick Calls	1,619	3,035
Total 911 Calls received	3,320	9,317
Telecommunications Transactions with State and National Computers	16,693	49,093





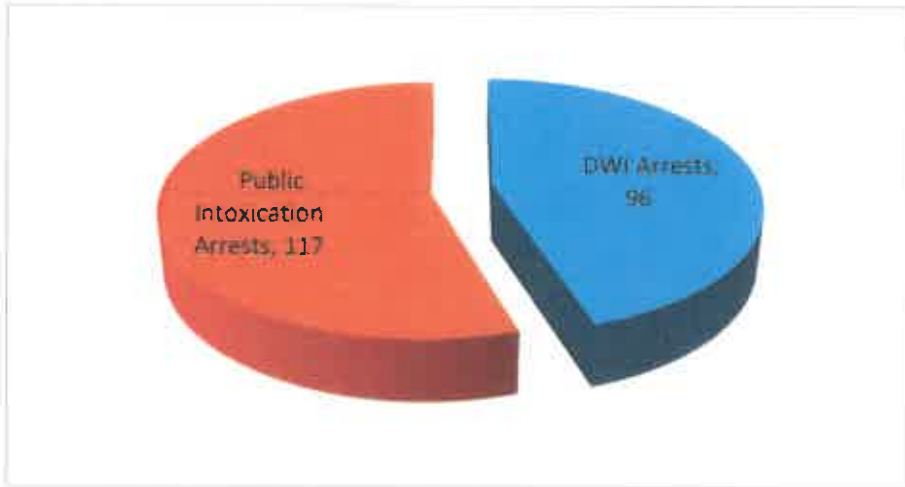
Mission Police Department Monthly Report for December 2023



Patrol Division

DWI Arrests
Public Intoxication Arrests

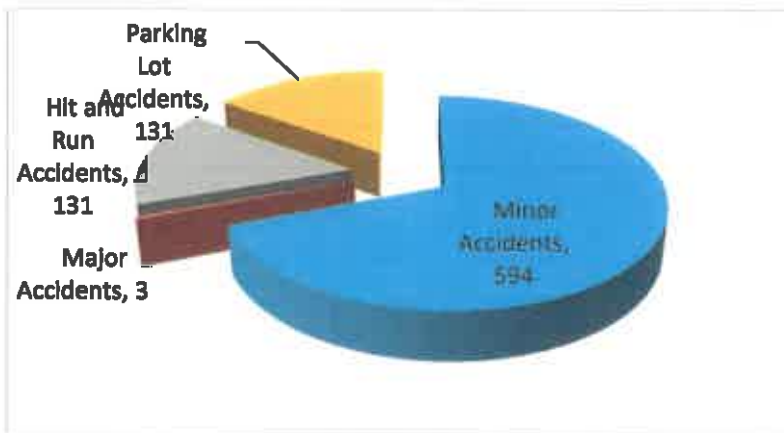
<u>Dec 23</u>	<u>FY 23-24 YTD</u>
42	96
44	117



Traffic Division

Minor Accidents
Major Accidents
Hit and Run Accidents
Parking Lot Accidents

<u>Dec 23</u>	<u>FY 23-24 YTD</u>
221	594
2	3
51	131
44	131





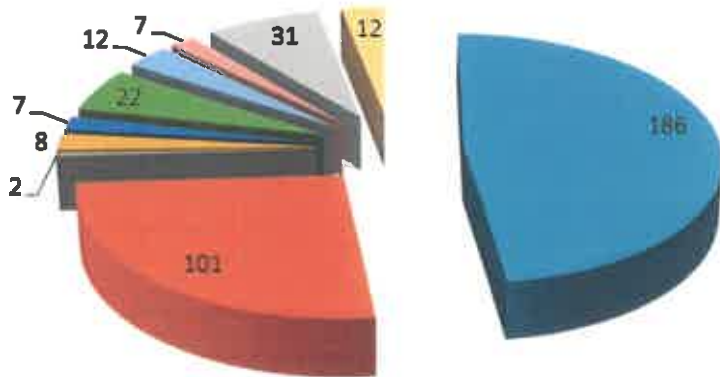
Criminal Investigations Criminal Case Submissions



Adult Misdemeanor Cases Submitted to DA's Office
Adult Felony Cases Submitted to DA's Office
Adult Cases Submitted to Mission Municipal Court
Adult Misdemeanor Arrests
Adult Felony Arrest
Juvenile Misdemeanor Cases Submitted to Juvenile Probation Department
Juvenile Felony Cases Submitted to Juvenile Probation Department
Juvenile Cases Submitted to Mission Municipal Court
Juvenile Misdemeanor Arrests
Juvenile Felony Arrests
Total Open Cases

	Dec 23	FY 23-24 YTD
Adult Misdemeanor Cases Submitted to DA's Office	103	186
Adult Felony Cases Submitted to DA's Office	47	101
Adult Cases Submitted to Mission Municipal Court	2	2
Adult Misdemeanor Arrests	2	8
Adult Felony Arrest	1	7
Juvenile Misdemeanor Cases Submitted to Juvenile Probation Department	5	22
Juvenile Felony Cases Submitted to Juvenile Probation Department	4	12
Juvenile Cases Submitted to Mission Municipal Court	0	7
Juvenile Misdemeanor Arrests	5	31
Juvenile Felony Arrests	4	12
Total Open Cases	290	290

Dec 23



- Adult Misdemeanor Cases Submitted to DA's Office
- Adult Felony Cases Submitted to DA's Office
- Adult Cases Submitted to Mission Municipal Court
- Adult Misdemeanor Arrests
- Adult Felony Arrest
- Juvenile Misdemeanor Cases Submitted to Juvenile Probation Department



Mission Police Department

Monthly Report for December 2023

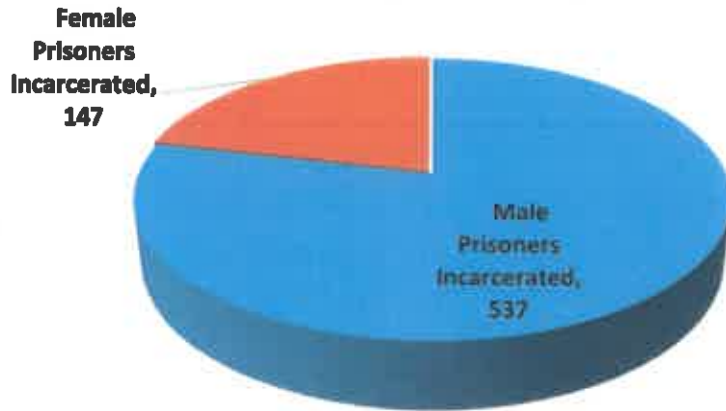


Jail Division

Adults

Male Prisoners Incarcerated
Female Prisoners Incarcerated
Total

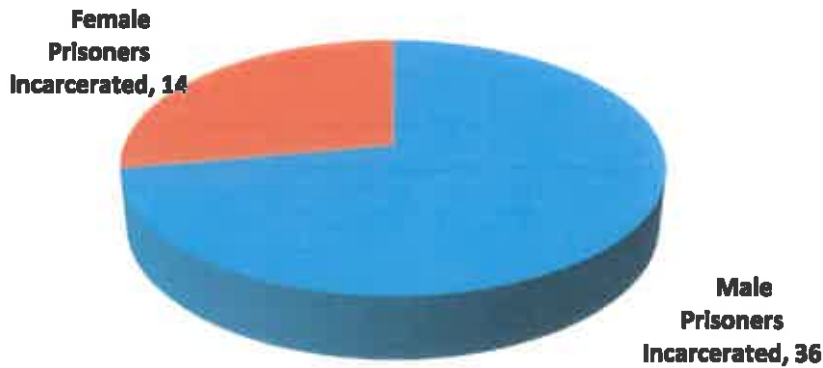
	<u>Dec 23</u>	<u>FY 23-24 YTD</u>
Male Prisoners Incarcerated	207	537
Female Prisoners Incarcerated	52	147
Total	259	684



Juveniles

Male Prisoners Incarcerated
Female Prisoners Incarcerated
Total

	<u>Dec 23</u>	<u>FY 23-24 YTD</u>
Male Prisoners Incarcerated	14	36
Female Prisoners Incarcerated	4	14
Total	18	50





Narcotics Division -DEA

	Dec 23	FY 23-24 YTD
Seizures		
Marihuana (lbs)	0.00	0.13
(Street Value -\$506.00 per pound)	\$0.00	\$65.78
Cocaine (kilos)	16.2	39.36
(Street Value -\$21,000.00 per Kilo)	\$340,200.00	\$826,560.00
Fentanyl	0	0.00
(Street Value -\$30,000.00 per Kilo)	\$0.00	\$0.00
Heroin (kilos)	0	0.00
(Street Value -\$17,680.00 per Kilo)	\$0.00	\$0.00
Methamphetamine (kilos)	0	764.00
(Street Value -\$11,925.00 per Kilo)	\$0.00	\$15,203,600.00
Currency Seizures:	\$18,800.00	\$533,441.00
Vehicle Seizures:	1	2
Arrest:	0	6

Narcotics Division -Immigration & Customs Enforcement

	Dec 23	FY 23-24 YTD
Seizures		
Marihuana (lbs)	0	0.00
(Street Value -\$506.00 per pound)	\$0.00	\$0.00
Cocaine (kilos)	14.3	73.25
(Street Value -\$21,000.00 per Kilo)	\$300,300.00	\$1,538,250.00
Heroin (kilos)	0	0.00
(Street Value -\$17,680.00 per Kilo)	\$0.00	\$0.00
Methamphetamine (kilos)	0	0.00
(Street Value -\$11,925.00 per Kilo)	\$0.00	\$0.00
Currency Seizures:	\$1,328,112.00	\$2,002,677.00
Vehicle Seizures:	0	0
Arrest:	5	21



Mission Police and Criminal Investigations

Narcotics

	<u>Dec 23</u>	<u>FY 23-24 YTD</u>
Marihuana (pounds)	0.08	0.59
(Street Value -\$506.00 per pound)	\$38.96	\$296.52
Cocaine (kilos)	0.0160	0.06
(Street Value -\$21,000.00 per Kilo)	\$336.00	\$1,239.00
Currency	\$0.00	\$0.00

U.S. Marshal Task Force

	<u>Dec 23</u>	<u>FY 23-24 YTD</u>
Fugitive Apprehension	0	0
Mission CIB Warrants	0	0
68-A Vehicle Inspections	0	0



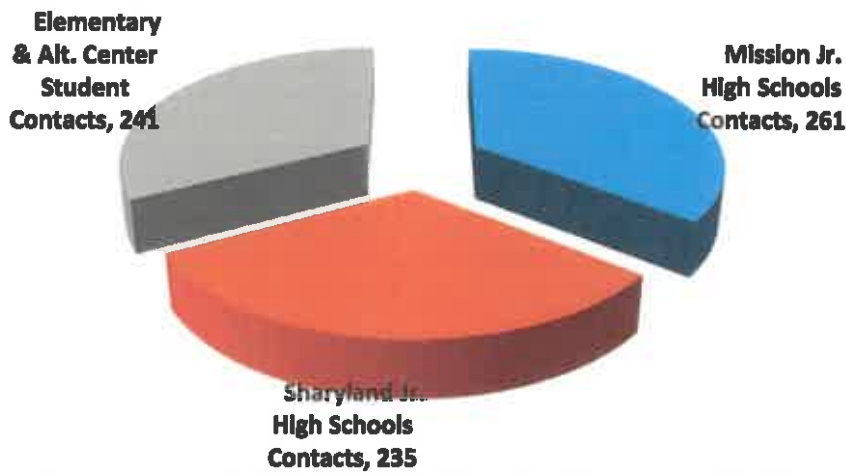
Mission Police Department

Monthly Report for December 2023



Educational Resource Officer Program

	Dec 23	FY 23-24 YTD
Mission Jr. High Schools Contacts	65	261
Sharyland Jr. High Schools Contacts	71	235
Elementary & Alt. Center Student Contacts	72	241



	Dec 23	FY 23-24 YTD
Mission High Schools	108	463
Sharyland High Schools	86	306



Adult & Juvenile Cases Submitted by Police Officers Assigned to Mission & Sharyland Schools



Adult Cases Submitted to Mission Municipal Court

Adult Misdemeanor Arrests

Adult Felony Arrests

Juvenile Misdemeanor Cases Submitted to Juvenile Probation Department

Juvenile Felony Cases Submitted to Juvenile Probation Department

Juvenile Cases Submitted to Mission Municipal Court

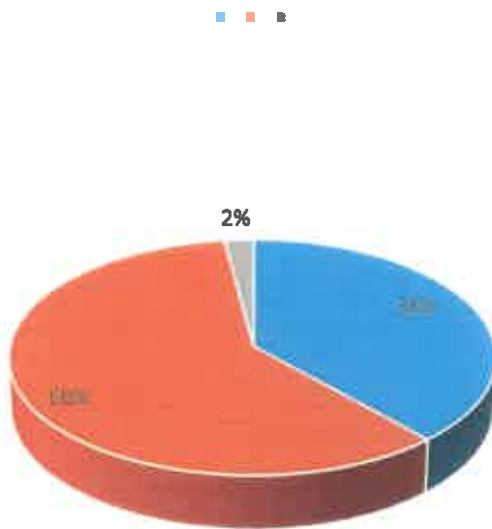
Juvenile Cases Submitted to JP Court

Juvenile Misdemeanor Arrests

Juvenile Felony Arrests

<u>Dec 23</u>	<u>FY 23-24 YTD</u>
4	18
6	28
0	1
3	13
1	4
21	51
5	10
10	57
1	3

FY 23-24 YTD



FY 23-24 YTD

- Juvenile Misdemeanor Cases Submitted to Juvenile Probation Department
- Juvenile Felony Cases Submitted to Juvenile Probation Department
- Juvenile Cases Submitted to Mission Municipal Court
- Juvenile Cases Submitted to JP Court
- Juvenile Misdemeanor Arrests
- Juvenile Felony Arrests





Mission Police Department

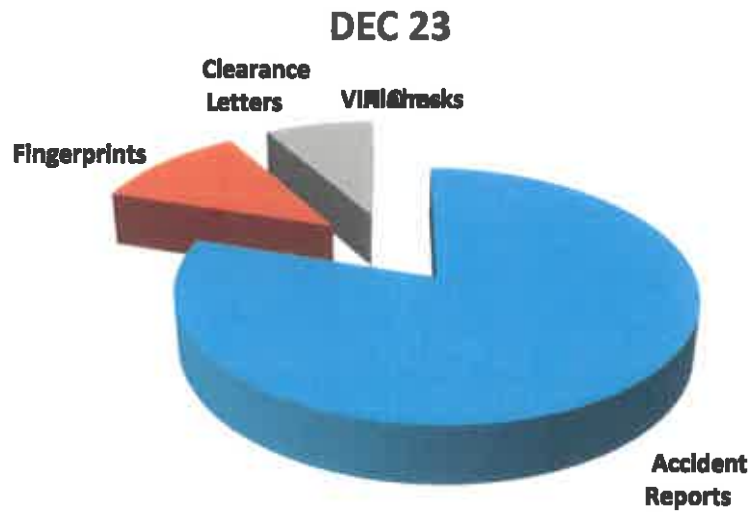
Monthly Report for December 2023



Records Division

The following entries from our records division are actual persons visiting the Mission Police Department facility to obtain copies of reports; getting fingerprinted; job applications; clearance letter for job applications; vehicle identification number clearance letters for people buying used motor vehicles; persons visiting our warrant officers, criminal investigations or administrative personnel for assistance in police related matters.

	<u>Dec 23</u>	<u>FY 23-24 YTD</u>
Accident Reports	Pending	182
Fingerprints	Pending	27
Clearance Letters	Pending	19
Alarms	Pending	0
VIN Checks	Pending	0
TOTAL	0	228





CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Victor Flores, City Attorney

AGENDA ITEM: Public Hearing and approval on First Reading of Resolution #____ of the City of Mission, ordering and calling a Charter Election on proposed charter amendments, during General Election on May 4, 2024, and other matters relating to said election. - V. Flores

NATURE OF REQUEST:

On September 25, 2023, the City Council established a Charter Review Committee ("CRC"), charged with considering and making recommendations to the City Council on any proposed amendments to the City's Charter. The CRC convened throughout 2023 and early 2024, concluding with their report that was presented to City Council during the January 8, 2024 City Council Workshop. The attached draft has been unanimously recommended by the CRC. In addition, the proposed ballot language has been reviewed by the City Attorney to ensure that it conforms with state law.

January 22, 2024 will be the First Public Hearing on the Proposed Charter Amendments. Based on public input and other recommendations from City Council, upon preliminary approval by Council, this item will be brought back to the City Council on February 12, 2024, for Second and Final Reading and Adoption of the Charter Election Ballot Provisions and the calling/ordering of said special election.

STAFF RECOMMENDATION:

Staff seeks input from the public and recommendations by City Council.

Departmental Approval: N/A

Advisory Board Recommendation: CRC Approval

City Manager's Recommendation: Approval *RF*

RECORD OF VOTE:

APPROVED:	_____
DISAPPROVED:	_____
TABLED:	_____

_____ AYES

_____ NAYS

_____ DISSENTING _____

RESOLUTION NO. ____**A RESOLUTION ORDERING AND CALLING A CHARTER ELECTION ON PROPOSED AMENDMENTS, DURING THE GENERAL ELECTION IN MISSION, TEXAS TO BE HELD ON MAY 4, 2024, AND OTHER MATTERS RELATING TO SAID ELECTION.**

WHEREAS, the Mission City Charter was adopted by election in 1961, creating the first home-rule charter; and

WHEREAS, the Mission City Charter has only been amended previously on January 17, 1987 and May 10, 2008; and

WHEREAS, on or about September 25, 2023, the Mission City Council established a Charter Review Committee, charged with considering and making recommendations to the City Council, including but not limited to technical and other updated amendments; and

WHEREAS, the Charter Review Committee convened several times throughout the remainder of 2023 and finally presented its Committee Report to the Mission City Council on January 8, 2024 during a City Council Workshop; and

WHEREAS, on January 22, 2024, during a public hearing, the Mission City Council conducted a First Reading on the Mission Charter Propositions to be placed on the Election Ballot; and

WHEREAS, on February 12, 2024, during another public hearing, the Mission City Council conducted a Second and Final Reading on the Mission Charter Propositions to be placed on the Election Ballot; and

WHEREAS, the Mission City Council desires to submit the hereinafter set forth amendments to said Charter to the electorate of the City of Mission; and

WHEREAS, pursuant to the requirement of Article 3 of the Charter of the City of Mission an election is to be called to be held in the City of Mission, Texas, on the fourth (4) of May, 2024, for the purpose of electing Councilmembers for Places Two and Four for the City of Mission, Texas (hereinafter called "General Election"); and

WHEREAS, the Mission City Council deems it efficient and expedient to submit the proposed amendments to the existing Mission City Charter to its voters on the General Election date, as stated above.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS:

In compliance with the Mission City Charter and in accordance with the Constitution and laws of the State of Texas, the City Council hereby orders that a special election, hereinafter, "election" be held in conjunction with the General Election on May 4, 2024, between the hours of 7:00 AM and 7:00 PM, which is within the time prescribed by law, at the places designated for the General Election, for the purpose of submitting to the qualified voters of the City of

Mission, for adoption or rejection, the proposed amendments as shown in detail in Exhibit “A” to the existing Mission City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MISSION:

SECTION 1. PROPOSITIONS: The official ballots to be used in said election shall be prepared in accordance with the Texas Elections Code, and shall have printed thereon the following PROPOSITIONS to be expressed substantially as follows:

MISSION PROPOSITION A

Shall Section 1.01 of the City Charter be amended to provide that the provisions of the charter shall be construed liberally to favor the City of Mission?

FOR []
AGAINST []

MISSION PROPOSITION B

Shall Article 1 of the City Charter be amended to simplify the provisions relating to expansion and contraction of the city’s boundaries by deleting Sections 1.03 through 1.06, providing that the procedures for annexation are to be conducted according to the provisions of state law, and renumbering the remaining sections?

FOR []
AGAINST []

MISSION PROPOSITION C

Shall Section 2.01 of the City Charter be amended to simplify the enumeration of the city’s powers and to provide that it will have the power of local government to the fullest extent permitted by law?

FOR []
AGAINST []

MISSION PROPOSITION D

Shall Section 3.01.C of the City Charter be amended to provide, to the extent permitted by law, that the regular municipal elections for the City of Mission to elect a Mayor and/or member of City Council shall be held during the November uniform election date?

FOR []
AGAINST []

MISSION PROPOSITION E

Shall Section 3.01.H of the City Charter be amended to establish a term limit for the office of mayor of three (3) four-year terms?

FOR []
AGAINST []

MISSION PROPOSITION F

Shall Section 3.06 of the City Charter be amended to revise the process for filling vacancies on the city council to be consistent with the requirements of the Texas Constitution?

FOR []
AGAINST []

MISSION PROPOSITION G

Shall Section 3.09 of the City Charter be amended to provide meetings of the city council must be conducted in accordance with the Texas Open Meetings Act?

FOR []
AGAINST []

MISSION PROPOSITION H

Shall Section 3.11 of the City Charter be amended to revise the process for publishing city ordinances to also include other means as allowed by state law?

FOR []
AGAINST []

MISSION PROPOSITION I

Shall Section 3.14 of the City Charter be amended to provide that audits of the city's books and accounts are to be filed with the City Secretary?

FOR []
AGAINST []

MISSION PROPOSITION J

Shall Section 3.15 of the City Charter be added to establish the position of internal auditor?

FOR []
AGAINST []

MISSION PROPOSITION K

Shall Sections 4.02 and 4.08 of the City Charter be amended to clarify that the chief of police and the fire chief are appointed by and responsible to the city manager and revising the existing language so that the sections relating to the fire and police departments are consistent?

FOR []
AGAINST []

MISSION PROPOSITION L

Shall Section 4.05.B of the City Charter be amended to remove the requirement that Mission Municipal court judges be qualified voters of the City of Mission?

FOR []
AGAINST []

MISSION PROPOSITION M

Shall Section 4.05.B of the City Charter be amended to remove the requirement that the City Secretary or an assistant City Secretary be ex officio clerk of the municipal court?

FOR []
AGAINST []

MISSION PROPOSITION N

Shall various sections of the City Charter, including Section 4.05 (terms of municipal law judges), Section 5.01 (conduct of elections), Section 9.18 (appraisal and rendition of property), Section 11.02 (financial interest in transactions with the city) and Section 11.03 (drilling operations in the city), to define the city’s responsibilities and limitations in terms of the controlling state statute?

FOR []
AGAINST []

MISSION PROPOSITION O

Shall Section 4.06 of the City Charter be amended to define the duties of the city attorney and provide guidelines to limit the use of outside counsel?

FOR []
AGAINST []

MISSION PROPOSITION P

Shall the City Charter be amended by revising Section 5.03 to set out the qualifications and procedures for candidates filing to run for the office of mayor or councilmember, deleting Section 5.04 (official ballot), Section 5.05 (laws governing city elections), and Section 5.06 (canvassing elections) as matters governed by state statute, and renumbering the remaining section in article 5 accordingly?

FOR []
AGAINST []

MISSION PROPOSITION Q

Shall the City Charter be amended by revising various sections of Article 7 to clarify the procedure for calling an initiative or referendum election where an ordinance is sought to be adopted or repealed pursuant to a citizen petition including making clear that the power of referendum does not extend ordinances appropriating money, to clarify the rule for interpreting inconsistent ordinances adopted at the same election, to change the period during which an initiated ordinance may not be amended or repealed by the city council to two rather than four years, and to conform publication standards to those set out in state law?

FOR []
AGAINST []

MISSION PROPOSITION R

Shall Section 8.01 of the City Charter be amended to define the authority of the Planning and Zoning Commission to advise the City Council on zoning matters and to provide that the City of Mission and its Planning and Zoning Commission shall have authority of planning and zoning and of subdivision and platting of land to the full extent permitted by the Constitution and laws of the State of Texas.

FOR []
AGAINST []

MISSION PROPOSITION S

Shall Article 9 of the City Charter be amended to clarify the time by which the city manager is to present a proposed budget, to clarify the time and place of a public hearing on the budget, to delete the requirement that the annual budget include a contingency appropriation of up to three percent of the total budget, to clarify that the estimated expenditures in the budget shall not exceed estimated revenues, to provide for public availability of copies of the budget, to conform the subject of and procedures for taxation to the requirements of the State of Texas Property Tax Code, and to make non-substantive typographic changes. (§§ 9.02, 9.07, 9.11, 9.13, 9.14, 9.18, and 9.22)

FOR []
AGAINST []

MISSION PROPOSITION T

Shall the City Charter be amended to delete Section 9.16 relating to a City Department of Taxation and Section 9.19 authorizing the establishment of a joint tax office by joining with other taxing entities?

FOR []
AGAINST []

MISSION PROPOSITION U

Shall the City Charter be amended to delete the requirement that a city treasurer be appointed?

FOR []
AGAINST []

MISSION PROPOSITION V

Shall the City Charter be amended to delete the requirement that a City Health Officer be appointed?

FOR []
AGAINST []

SECTION 2: Said election shall be conducted and held in accordance with the Charter of the City of Mission and the laws of the State of Texas and with a voting system certified by the Texas Secretary of State.

SECTION 3: BILINGUAL ELECTION MATERIALS: All election materials (including notice of the election, ballots, instructions cards, affidavits, and other forms which voters may be required to sign) and all early and later voting materials shall be printed in both English and Spanish, or Spanish translation thereof, and/or other assistance shall be provided, as required

by the Texas Elections Code and by all federal requirements as required by applicable state and federal laws, each as amended.

SECTION 4: QUALIFIED VOTERS: Only duly qualified voters of the City of Mission determined to be eligible to vote in the General Election shall be permitted to vote in this election, and the ballots and manner of holding such election shall be governed by the law governing other general elections, except where otherwise provided by the Constitution, statutes, and the Mission City Charter.

SECTION 5: EARLY VOTING: Early voting by personal appearance will be conducted by the County of Hidalgo Elections Administrator and will be held at the following locations and times (times may be amended pending consensus from all entities):

- Mission Parks & Recreation Conference Room, 721 N. Bryan Road
- Mission Boys & Girls Club Gym at Bannworth Park, 1822 N. Shary Road
 - Monday, April 22, 2024 – 8 a.m. – 6 p.m.
 - Tuesday, April 23, 2024 – 8 a.m. – 6 p.m.
 - Wednesday, April 24, 2024 – 8 a.m. – 6 p.m.
 - Thursday, April 25, 2024 – 8 a.m. – 6 p.m.
 - Friday, April 26, 2024 – 8 a.m. – 6 p.m.
 - Saturday, April 27, 2024 – 8 a.m. – 6 p.m.
 - Monday, April 29, 2024 – 7 a.m. – 7 p.m.
 - Tuesday, April 30, 2024 – 7 a.m. 7 p.m.

Every qualified voter who desires to cast an early vote and expects to be absent on the day of said election, or is otherwise entitled to vote early under the provisions of the applicable statutes of the State of Texas, shall upon proper application be entitled to an official ballot and the right to cast such ballot in accordance with the early voting laws of the State of Texas, particularly Title 7, Texas Election Code.

Applications for early ballots to be voted by mail shall be made to Early Voting Clerk, Hilda Salinas Elections Administrator, P.O. Box 659, 213 S. Closner, Edinburg, TX 78540-0659 or her designated assistant who shall conduct the early voting in said election in the manner prescribed by the applicable statutes of the State of Texas. The period for accepting applications for early ballots to be voted by mail for the General Election is hereby scheduled through April 23, 2024.

SECTION 6: ELECTION DAY: The polls will be open Election Day from 7:00 a.m. – 7:00 p.m. on Saturday, May 4, 2024 at the following locations:

- Mission Parks & Recreation, 721 N. Bryan Road
- Mission Boys & Girls Club Gym at Bannworth Park, 1822 N. Shary Road
- Mission High School Neuhaus Gym, 1802 W. 18th (Cleo Dawson)

SECTION 7: NOTICE: The City Secretary is hereby directed to give notice of said election by posting said notice at the City Hall and to give notice by publication and otherwise as required by law.

SECTION 8: EFFECTIVE DATE: This Resolution shall become effective immediately upon its adoption.

INTRODUCED at a **PUBLIC HEARING AND PASSED** by City Council on **FIRST READING** on the 22nd day of January, 2024.

PASSED, APPROVED and **ADOPTED** by City Council on **SECOND AND FINAL READING** on this the ____ day of February, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

Victor A. Flores, City Attorney

PART I
HOME RULE CHARTER¹

PREAMBLE

We, the citizens of Mission, Texas, in order to establish a home rule municipal government, provide for the future progress of our City and obtain more fully the benefits of local self-government, do hereby adopt this home rule Charter in accordance with the Constitution and Statutes of the State of Texas; and do hereby declare the residents of the City of Mission in Hidalgo County, Texas, living within the legally established boundaries of the said City, to be a political subdivision of the State of Texas, incorporated forever under the name and style of the "City of Mission" with such powers, rights and duties as are herein provided.

ARTICLE 1. FORM OF GOVERNMENT AND BOUNDARIES

Section 1.01. Form of government.

The municipal government provided by this Charter shall be known as the "Council-Manager Government." Pursuant to its provisions and subject only to the limitations imposed by the state constitution, the statutes of this state and by this Charter, all powers of the City shall be vested in an elective council, hereinafter referred to as the "City Council" which shall enact local legislation, adopt budgets, determine policies and appoint the City Manager, who in turn shall execute the laws and administer the government of the City. All powers of the City shall be exercised in the manner prescribed by this Charter, or if the manner be not prescribed in such manner as may be prescribed by ordinance, the state constitution or the statutes of the state.

[The powers of the City of Mission under this Charter shall be construed liberally in favor of the City, and the specific mention of a particular general powers in the Charter shall not be construed as limiting in any way the general powers stated herein.](#)

State law reference(s)—Home rule cities, V.T.C.A., Local Government Code § 5.003.

Section 1.02. Boundaries.

The boundaries of the City of Mission shall be the same as they have heretofore been established and as they existed on the first day of August, 1961, which boundaries are more fully set out on an official map, and described by metes and bounds in a document titled "Boundaries of the Corporate Limits of the City of Mission,

¹Editor's note(s)—Printed herein is the city's Home Rule Charter, as adopted at an election held on August 29, 1961. The original arrangement, article and section numbers and catchlines have been retained. Amendments to this Charter are indicated by history notes in parentheses following the amended section. The absence of a history note indicates that the provision is unchanged from the original Charter. For stylistic purposes, a uniform system of headings, catchlines and citation to state statutes has been used. Material added by the editor for clarity has been included in brackets; obvious misspellings have been corrected without notation.

State law reference(s)—Adoption, amendment, etc., of Home Rule Charters, V.T.C.A., Local Government Code § 9.001 et seq.

Hidalgo County, Texas" being Ordinance No. 465 filed in the City Hall of the City of Mission, Texas, and as such boundaries have thereafter been, or shall hereafter be, lawfully amended through annexation or otherwise.

(Amended 1-17-1987)

Section 1.03. Extension of Boundaries.

The City Council shall have the power, by ordinance, to fix the boundary limits of the City of Mission; and to provide for the alteration and extension of said boundary limits, and the annexation of additional territory lying adjacent to the City, with or without the consent of the territory and inhabitants annexed. The City's power of annexation shall be conducted in accordance with applicable state law or ordinance.

Section 1.04. Contraction of Boundaries.

Whenever there exists within the corporate limits of the City of Mission any territory not suitable or necessary for City purposes, the City Council may, upon a petition signed by a majority of the qualified voters residing in such territory if the same be inhabited, or without any such petition if the same be uninhabited, by ordinance duly passed, discontinue said territory as part of said City; said petition and ordinance shall specify accurately the metes and bounds of the territory sought to be eliminated from the City and shall contain a plat designating such territory so that the same can be definitely ascertained; and when said ordinance has been duly passed the same shall be entered upon the minutes and records of said City, but said territory shall still be liable for its pro rata share of any debts incurred while said area was a part of said City, and the City shall continue to levy, assess and collect taxes on the property within said territory to pay the indebtedness incurred while said area was a part of the City as though the same had not been excluded from the boundaries of the City.

~~Section 1.03. Extension of city limits upon petition.~~

~~The boundaries and limits of the City of Mission, as now or hereafter existing, may be extended so as to include within the corporate limits of said city, any territory or several areas adjoining such limits as then existing, whenever a majority of the inhabitants within such territory, area or areas, qualified to vote for members of the State Legislature, shall petition the City Council, in writing, to become a part of said City and attach to said petition the affidavit of one (1) or more of their number to the effect that said petition is signed by a majority of such qualified voters; and thereupon the City Council, at any regular session held not sooner than ten (10) days after the presentation of such petition, may, by ordinance, annex such territory, area or several areas to the City of Mission, and thenceforth the said territory, area or several areas so annexed shall be a part of the City of Mission, and the inhabitants thereof shall be entitled to all rights and privileges of other citizens and shall be bound by the acts, ordinances, resolutions and regulations of the said City made in conformity thereto and passed in pursuance of this Charter, or any amendment thereof.~~

~~State law reference(s)—Annexations, V.T.C.A., Local Government Code § 43.021 et seq.~~

~~Section 1.04. Extended city limits by action of city council.~~

~~The City Council shall have the authority and power to, by ordinance, fix the boundary limits of the City of Mission, and to provide for the extension of said boundary limits and the annexation of additional territory lying adjacent to said City, with or without the consent of the inhabitants of the territory annexed: Provided, that upon the introduction of any such ordinance and before final passage thereof, there shall have been given the notice thereof and the hearing thereon provided in the next succeeding section hereof. When said ordinance is finally passed, the said territory so annexed shall be a part of the City of Mission and the inhabitants shall be bound by the acts, ordinances, resolutions and regulations of said City made in conformity thereto and passed in pursuance of the Charter, or any amendment thereof.~~

Section 1.05. Notice and hearing on extension of boundaries.

Before enacting the ordinance provided and referred to in either of the preceding sections numbered 1.03 and 1.04, the City Council shall hold a public hearing after notice thereof given by publication in one (1) issue of some newspaper of general circulation within the City of Mission, Texas, at least ten (10) days prior to the date set for such hearing, setting forth therein the territory, area, or several areas proposed to be brought within the City limits (at which hearing the inhabitants of such territory, area or areas, and the owners of property within the same, may in person or by counsel offer evidence and present their views in favor of or against such inclusion, in addition to the presentation of evidence for or against the same on the part of the then existing City of Mission, the inhabitants and taxpayers thereof) and upon such hearing shall find from the evidence submitted that the inclusion of such territory, area, areas, or some portion thereof, to be described in the findings of the Council, is adjacent to the City limits and that the inclusion thereof within said limits would be a benefit to the owners of the property therein, and that the inclusion of such territory or portions thereof would likewise be a benefit to the then existing City of Mission. The findings made by the City Council, after such notice and hearing shall be final and conclusive as to the facts so found and shall be a sufficient and legal basis for the enactment of the ordinances above provided for. In the event State law requires a home rule city to follow a different procedure for notice and hearing prior to annexation than that prescribed in this section, the State law shall control.

(Amended 1-17-1987)

Section 1.06. Contraction of boundaries.

Whenever there exists within the corporate limits of the City of Mission any territory not suitable or necessary for City purposes, the City Council, may, upon a petition signed by a majority of the qualified voters residing in such territory if the same be inhabited, or without any such petition is [if] the same be uninhabited, by ordinance duly passed discontinue said territory as part of said City. Said petition and ordinance shall specify accurately the metes and bounds of the territory sought to be eliminated from the City and shall contain a plat designating such territories so that the same can be definitely ascertained; and when said ordinance has been duly passed the same shall be entered upon the minutes and records of said City, and from and after the entry of such ordinance said territory shall cease to be a part of said City, but said territory shall still be liable for its pro rata share of any debts incurred while said area was a part of said City, and the City shall continue to levy, assess and collect taxes on the property within said territory to pay the indebtedness incurred while said area was a part of the City as though the same had not been excluded from the boundaries of the City.

ARTICLE 2. POWERS OF THE CITY

Section 2.01. General.

The City of Mission shall have the power of local self-government to the furthest extent permitted by law. ~~may use a corporate seal; may sue and be sued; may contract and be contracted with; may implead and be impleaded in all courts in all matters whatsoever; may cooperate with the government of the State of Texas, or any agency thereof, the federal government or any agency thereof, or any political subdivision of the State of Texas; and~~ The City shall have all the powers granted to cities by the constitution and Laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers granted, including those necessary to preserve the government, interests, health, welfare and good order of the City and its inhabitants. All powers shall be exercised and enforced in the manner prescribed by the laws of the State of Texas, in this Charter and the City's ordinances.

The City of Mission may exercise any of its powers to perform any of its functions, and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise with the State of Texas or any agency thereof, or with the Federal Government or any agency thereof, or with the government of any county, city or political subdivision to accomplish any lawful municipal purpose.

The City of Mission shall have the power to, among other things, construct and maintain, within or without its corporate limits, streets, flood control and sanitary facilities, and water and storm drainage facilities, in, over, under or upon all public property or easements granted for that purpose and to levy assessments for the costs of such improvements. The City shall have the power to collect attorney's fees for the collection of assessments as allowed under state law. It shall have the power to cause liens to be established for the purpose of securing the payment of such levies and shall have the power to compel the use of such improvements by the citizens of the City of Mission. The City may own or acquire property within or without its boundaries for any municipal purpose in fee simple or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation and may sell, lease, hold, manage, control and police any property now owned by it or which it may hereafter acquire whether inside or outside the city limits, and shall have the right to lease or let its property whether inside or outside the city limits, subject to the limitation hereinafter set out, and may construct, own, lease, operate and regulate public utilities, may assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation; may borrow money on the faith and credit of the City by issuance and sale of bonds, warrants or notes for the City and such bonds may be issued for any and all purposes for which home rule and general law cities are authorized to issue bonds, and for any other public purpose or improvement, and in the manner and form provided by law; may issue any bonds which may be voted on the same day on which the election is held for the adoption of this Charter; may appropriate the money of the City for all lawful purposes; may regulate and control the use, for whatever purpose, of the streets and other public places, may make and enforce all police, health, sanitary and other regulations; and may pass such ordinances as may be expedient for the protection and maintenance of good government, peace and welfare of the City, for performance of the functions thereof, for the order and security of its residents; and may provide suitable penalties for the violations of any ordinance enacted by the City of Mission; and, except as prohibited by the constitution and laws of this State or restricted by this Charter, the City may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

Section 2.02. General powers adopted.

The enumeration of the particular powers in this Charter shall not be held or deemed to be exclusive but in addition to the powers enumerated herein or implied hereby appropriate to the exercise of such powers, the City shall have and may exercise all power of local self-government and all other powers which, under the Constitution and laws of the State of Texas, it would be competent for this Charter specifically to enumerate. The City of Mission shall have and may exercise all powers enumerated in Vernon's Ann. Civ. St. art. 1175, chapter 13, title 28, as now or hereafter amended.

Section 2.03. Eminent Domain.

The City shall have the full power and right to exercise the power of eminent domain when necessary or desirable to carry out any of the powers conferred upon it by this Charter or by the Constitution and laws of the State of Texas. The City may exercise the power of eminent domain in any manner authorized or permitted by the Constitution and laws of this State. The power of eminent domain hereby conferred shall include the right of the City to take the fee in land so condemned and such power and authority shall include the right to condemn public property for such purposes. The City shall have and possess the power of condemnation for any municipal or public purposes even though not specifically enumerated in this Charter.

State law reference(s)—Eminent domain, V.T.C.A., Local Government Code § 251.001 et seq.

ARTICLE 3. THE GOVERNING BODY

Section 3.01. Number, selection and term.

The legislative and governing body of the City of Mission, Texas, shall be known as "The City Council of the City of Mission, Texas." Said City Council shall be composed of the Mayor and four (4) Councilmembers.

- A. The Mayor and all other members of the City Council shall be elected from the City of Mission, Texas, at large.
- B. The members of the City Council, excluding the Mayor, shall be numbered as to places one (1) through four (4).
- C. To the extent permitted by law, the regular municipal election for the City of Mission to elect a Mayor and/or member of City Council shall be held during the November uniform election date. ~~The regular election for 1987 shall be held the first Saturday in April. The regular election day for the year 1989 and subsequent years shall be held the third Saturday in January [first Saturday in May].~~ The term of office for all members of the City Council shall be for four (4) years and until the successor to the office is elected and qualified.

Transition language: At the next available election date allowed by state law

- D. All qualified candidates desiring to run for election to the City Council shall announce their candidacy for a certain numbered place or for the position of Mayor and shall file for such position in the manner required by the election laws of the State of Texas. At every regular election and at every special election called to fill one (1) or more vacant positions on the City Council, election to each position on the Council shall be by a majority of all the votes cast for such position at such election. In every such election each qualified voter shall vote for not more than one (1) candidate for each Council position to be filled. Where in an election to a position on the Council, no candidate receives a majority of all votes cast for such position at such election, a runoff election shall be ordered and conducted in the manner required by the election laws of the State of Texas.
- E. Council and Mayor shall be elected by staggered terms. At the regular City election in 1987 the Mayor and places one (1) and three (3) on the Council will run for two-year terms and places two (2) and four (4) shall at said election run for three-year terms.
- F. The Mayor shall be the presiding officer of the City Council, shall be recognized as the head of the City Government for all ceremonial purposes and by the governor for purposes of military law, but shall have no regular administrative duties. The Mayor must vote on all matters under consideration by the City Council, except as provided in section 3.10 of this Charter. The Mayor shall not have the power of veto.
- G. All members of the City Council shall be subject to removal from office under the terms and conditions of the recall provisions of this Charter.
- H. Mayor Term Limits: A person may not be elected to, or serve on, the City Council as the mayor for more than three (3), consecutive or nonconsecutive, four-year terms. Any person serving as mayor, either elected or appointed, for an unexpired term created by a vacancy prescribed by law shall not have such term apply to maximum term limit provided herein. A person subject to mayor term limits shall not be prevented from becoming a candidate for Councilmember. Term limits shall not apply to any of the other four (4) Councilmember positions.

Editor's note(s)—Former section 3.01(c) was amended by a Charter amendment adopted at an election held on May 4, 2024. Previous language provided that the City of Mission's regular municipal elections be held on the first Saturday in May. The May 2024 amendment provided that the regular election date be changed to the November uniform election date, subject to approval and authorization by the Texas Legislature.

(Amended 1-17-1987; Elec. of 5-10-2008)

State law reference(s)—Uniform election date, V.T.C.A., Election Code § 41.001.

Section 3.02. Qualifications.

Each member of the City Council shall be a resident citizen of the City of Mission, shall be a qualified voter of the State of Texas, shall have been such resident citizen of the City of Mission for a period of not less than six (6) months immediately preceding his election, and shall not be indebted to the City of Mission at the time he takes office. If the Mayor or any Councilman fails to maintain the foregoing qualifications the City Council must, at its next regular meeting, declare a vacancy to exist and shall fill said vacancy as set forth in section 3.06 of this Charter.

(Amended 1-17-1987)

Section 3.03. Council to be judge of election qualification.

The City Council shall be the judge of the election and qualification of its own members and other elected officials of the City.

Section 3.04. Compensation.

The Mayor and Councilmen shall receive such salary as may be fixed by the Council not to exceed the sum of twelve hundred dollars (\$1,200.00) per year for the Mayor and three hundred dollars (\$300.00) per year for each Councilman, said amounts payable in monthly installments.

Section 3.05. Mayor Pro Tem.

The City Council, at its first meeting after election of Councilmen, shall elect one (1) of its number Mayor Pro Tem, and he shall perform all the duties of the Mayor in the absence or disability of the Mayor.

Section 3.06. Vacancies.

When a vacancy occurs, in the City Council and the respective unexpired term is twelve (12) months or less, the remaining members thereof must, within ten days, appoint, by majority vote, a qualified person to fill the unexpired term of such vacancy; ~~However, as required by law, should the respective unexpired term be longer than twelve (12) months, the unexpired term shall be filled by an election ordered and conducted in accordance with the election laws of the State of Texas. provided, however, the City Council shall not appoint more than one (1) Council member in any twelve-month period, and in the event of the occurrence of a vacancy in the City Council within a twelve-month period in which a vacancy in the City Council has been filled by the City Council, or in the event that more than one (1) vacancy shall occur at the same time, then in any such event a special election shall be held for the purpose of electing the successor or successors, and such election shall be ordered and conducted in accordance with the elections laws of the State of Texas. Should all positions on the City Council become vacant at one (1) time, then in such event, the County Judge of Hidalgo County, Texas, is hereby~~

~~empowered and directed to issue notice of such special election for and on behalf of said City, and to appoint qualified persons as election officials.~~

(Amended 1-17-1987)

Section 3.07. Powers of the City Council.

All powers of the City and the determination of all matters of policy shall be vested in the City Council. Without limitation of the foregoing, and among the other powers that may be exercised by the City Council, the following are hereby enumerated for greater certainty:

- A. Adopt the budget of the City.
- B. Authorize the issuance of bonds by a bond ordinance.
- C. Inquire into the conduct of any office, department or agency of the City and make investigations as to municipal affairs.
- D. Provide for such additional boards and commissions, not otherwise provided for in this Charter, as may be deemed necessary, and appoint the members of all such boards and commissions. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by City ordinance, or by law.
- E. Adopt and modify the zoning plan and the building code of the City.
- F. Adopt and modify the official map of the City.
- G. Buy and pay for life insurance and hospitalization insurance for City employees.
- H. Adopt, modify and carry out plans proposed by the Planning and Zoning Commission for the replatting, improvement and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.
- I. Regulate, license and fix the charges or fares made by any person, firm or corporation owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets and alleys of the City.
- J. Provide for the establishment and designation of fire limits and prescribe the kind and character of the buildings and structures or improvements to be erected therein, and provide for the erection of fireproof buildings within said limits, and provide for the condemnation of dangerous structures or buildings or dilapidated buildings or buildings calculated to increase the fire hazard and prescribe the manner of their removal or destruction within said limits.
- K. Fix the salaries and compensation of the City officers and employees.
- L. Provide for sanitary garbage disposal and set fees and charges therefor and provide penalties for failure to pay such fees and charges.
- M. Exercise exclusive dominion, control and jurisdiction in, upon and over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the City and provide for the improvement of same as provided by Vernon's Ann. Civ. St. art. 1105b, as now or hereafter amended, and the right to close and abandon any street or alley within the City.
- N. Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Mission.
- O. Define all nuisances and prohibit the same within the city and outside the City limits for a distance of five thousand (5,000) feet.

- P. The City Council may annually appropriate money from the general fund of the City to the extent permitted by law for the establishment and maintenance of a public library, Board of City Development, or other public organization or activity having a valid municipal purpose, provided the council retain sufficient control over such organizations and activities to ensure that such money is used for a valid municipal purpose.
- Q. The Mayor makes the appointments that are specified by State or federal law and that all other appointments be made by the Council as a whole and that a process be established to have applications whereby citizens have the opportunity to apply for service on boards.

(Amended 1-17-1987)

Section 3.08. City Council not to interfere in appointments.

Neither the City Council nor any of its members shall direct the appointment of any person to office by the City Manager or by any of his subordinates. Except for the purpose of inquiry the City Council and its members shall deal with the administrative services solely through the City Manager and neither the City Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately.

Section 3.09. Meetings of the city council.

The City Council shall hold at least one regular meeting in each month at a time to be fixed by it for such regular meetings, and may hold as many additional regular meetings during the month as may be necessary for the transaction of the business of the City and its citizens. All regular meetings of the City Council shall be public and shall be held at a place designated in advance. The Mayor or any two members of the City Council may call special meetings of the City Council at any time. [All meetings of the City Council must be conducted in accordance with the Texas Open Meetings Act, as amended, or successor statute.](#)

Section 3.10. Rules of procedure.

The City Council shall determine its own rules of procedure and may compel the attendance of its members. Three-fifths (3/5) of the qualified members of the City Council shall constitute a quorum to do business and the affirmative vote of a majority of those present shall be necessary to adopt any ordinance or resolution, provided, however, that a majority of the City Council shall be necessary to adopt any ordinance or resolution providing criminal penalties, levying a tax or assessment, annexing territory to the City of Mission, and changing or adopting a public utility rate. Proceedings of all meetings, regular or special shall be electronically recorded and maintained as a record for five (5) years. Minutes of the proceedings of all meetings, regular or special, shall be taped and maintained as a record and shall be kept, to which any citizen may have access at all reasonable times and which shall constitute one (1) of the archives of the City; provided, however, in lieu of reading the minutes of each Council meeting for approval, the City Secretary may, with the consent of the City Council, furnish each member of the City Council with exact copies of the minutes of previous meetings at least three (3) days prior to the meeting at which such minutes are to be subject to approval. Such minutes shall then be subject to approval, rejection, deletion or addition by the members of the City Council without the necessity of reading the full text of the minutes of the meeting at such meeting at which such minutes are subject to approval. The vote upon the passage of all ordinances, resolutions and motions shall be taken by the "Ayes" and "Nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be recorded in a book kept for that purpose under full caption, and shall be authenticated by the signature of the presiding officer and the person performing the duties of City Secretary. No member of the City Council present at a meeting shall be excused from voting, and each member of the City Council present at the meeting must announce his vote on question, ordinance, or resolution, placed before the City Council; provided, however, a Council member shall be excused from voting whenever the Council member is required by law to abstain from voting, whenever the subject matter under

consideration involves his own official conduct, or where his personal financial interests are involved, and on these particular matters, he shall not vote, but shall give his reasons for not voting, which said reasons shall be spread upon the minutes of the City Council.

(Amended 1-17-1987)

Section 3.11. Procedure for passage of ordinances.

Every ordinance shall be introduced in written or printed form and, upon passage, shall take effect immediately or at the time indicated in the ordinance unless otherwise provided therein; provided that any ordinance imposing a penalty, fine or forfeiture for a violation of its provisions shall become effective from and after its publication one (1) time as provided herein; subject to the provisions of Article 7 of this Charter. The City Secretary shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of the provisions thereof, by causing the caption or title, including the penalty, of any such ordinance to be published in a newspaper of general circulation in the City of Mission at least once after the passage of such ordinance [or as otherwise allowed by state law](#). He shall note on every ordinance, the caption of which is hereby required to be published, and on the record thereof, the fact that the same has been published as required by the Charter and the date of such publication, which shall be prima facie evidence of the legal publication and promulgation of such ordinance; provided that the provisions of this section shall not apply to the correction, amendment, revision and codification of the ordinances of the City for publication in book or pamphlet form. Except as otherwise provided in Article 7 and Article 10 of this Charter, it shall not be necessary to the validity of any ordinance that it shall be read more than one (1) time or considered at more than one (1) session of the City Council. Every ordinance shall be authenticated by the signature of the Mayor and City Secretary and shall be systematically recorded and indexed in an ordinance book in a manner provided by the Council. It shall only be necessary to record the caption or title of ordinances in the minutes or journal of Council meetings. The City Council shall have power to cause the ordinances of the City to be corrected, amended, revised, codified and printed in Code form as often as the Council deems advisable, and such printed Code, when adopted by the Council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed Code shall be admitted in evidence in all courts and places without further proof.

Section 3.12. Official bonds for City employees.

The City Manager and the City Secretary and such other city officers and employees as the City Council may require shall, before entering upon the duties of their offices enter into a good and sufficient fidelity bond in the sum to be determined by the City Council, payable to the City of Mission and conditioned upon the faithful discharge of the duties of such persons and upon the faithful accounting of all moneys, credits and things of value coming into the hands of such persons, and such bonds shall be signed as surety by some company authorized to do business under the laws of the State of Texas, and the premium of such bonds shall be paid by the City of Mission, and such bonds must be acceptable to the City Council.

Section 3.13. Investigation by the City Council.

The City Council shall have power to inquire into the conduct of any office, department, agency, officer or employee of the City and to make investigations as to municipal affairs, and for that purpose may subpoena witnesses, administer oaths and compel the production of books, papers, and other evidence. Failure to obey such subpoena or to produce books, papers or other evidence as ordered under the provisions of this section shall constitute a misdemeanor and shall be punishable by fine not to exceed two hundred dollars (\$200.00).

Section 3.14. Audit and examination of City books and accounts.

At the close of each fiscal year, and at such other times as the City Council may deem necessary the books and accounts of the City shall be audited by a Certified Public Accountant, who shall be selected by the City Council. All audit reports shall be filed with the City ~~Council~~Secretary, shall be available for public inspection, and shall be made a part of the archives of the City. The City Council shall make available a semiannual simplified financial report to be published in the local newspaper.

(Amended 1-17-1987)

Section 3.15. Internal Auditor.

The Internal Auditor shall be appointed by the City Council and, for auditing purposes, shall have direct functional reporting to the City Council by means of the City's Audit Committee. This Charter shall not prevent the Internal Auditor from reporting directly to City Council or any other level within the organization that allows the internal audit activity to fulfill its responsibilities. In addition to any audits permitted under the terms of this section, the Mayor or any two members of City Council may request that the Internal Auditor conduct an audit, whereinafter the auditor shall report any such results to Council in compliance with all other terms of this section.

The Internal Auditor's Office shall conduct audits of city departments in accordance with generally acceptable accounting principles and *The International Professional Practices Framework (IPPF)* promulgated by *The Institute of Internal Auditors (IIA)*, its Code of Ethics and the Definition of Internal Auditing.

The results of any audit(s) shall be reported by the auditor to the City's Audit Committee and City Manager; any preliminary audit findings or other draft documents and work papers of the auditor or the audit committee shall be confidential and shall not be released; for the day-to-day administrative matters, the Internal Auditor's Office shall report to the City Manager or its designee.

ARTICLE 4. ADMINISTRATIVE SERVICES

Section 4.01. City Manager is Chief Executive Officer.

- A. The Chief Executive Officer of the City of Mission shall be head of the administrative and executive affairs of the City and shall be designated and known as the City Manager, who shall be appointed by the City Council. The City Manager shall be a person qualified by training, experience, and ability to perform executive and administrative functions and duties and municipal governmental affairs. It shall not be required at the time of appointment to the office of City Manager that the Chief Executive be a resident of the City of Mission but during tenure of office the City Manager shall be a resident citizen of the City of Mission. The City Manager shall be responsible to the City Council for the efficient administration of the affairs of the City of Mission and shall hold office at the will of the City Council. The City Manager may be removed by majority vote of all the members of the City Council. The action of the City Council suspending or removing the City Manager shall be final. The City Manager shall attend all meetings of the City Council, with the right to take part in the discussions, but having no vote, but when the City Council is considering his removal in executive session, the City Manager may be excluded. The City Manager may receive such compensation for services as Chief Executive Officer as may be fixed by the City Council. During the absence or disability of the City Manager the City Council shall designate a properly qualified person to perform the duties of the office.

- B. It shall be the power and the duty of the Chief Executive Officer of the City of Mission to appoint, and when necessary for the welfare of the City, remove any employee of the City, except as otherwise provided by this Charter, to exercise control over all departments and divisions that may be created by the City Council and to supervise and direct all officers and employees of the City appointed by him in the final discharge of their duties, to recommend to the City Council for adoption or repeal such measures, resolutions, and ordinances that he may deem necessary or expedient, to keep the City Council fully advised as to financial conditions and needs of the City, and make such recommendations as may seem desirable, to prepare and submit to the City Council the annual budget and supplements thereto, and to perform such duties as may be prescribed by this Charter or may be required of him by the City Council, not inconsistent with this Charter.

Section 4.02. Department of Police.

The City shall continue to maintain and support a competent and adequate Police Department for the protection of property and lives within the corporate limits. The Department Head of the Mission Police Department, the Chief of Police, shall be appointed by the City Manager and confirmed by the City Council. ~~There shall be established and maintained a Department of Police to preserve order within the City and to secure the residents of said City from violence and the property therein from injury of loss.~~

~~A. Chief of Police. The Chief of Police shall be the Chief Administrative Officer of the Department of Police.~~ He-The Chief of Police shall, with the approval of the City Manager, appoint and remove the employees of said department and shall perform such duties as may be required of him by the City Council. ~~The Chief of Police shall be appointed by the City Manager for an indefinite term.~~ The Chief of Police shall be responsible to the City Manager for the administration of his department and the carrying out of the directives of the City Council.

~~B. — Special police. No persons except as otherwise provided by general law of this Charter or the ordinances passed pursuant thereto shall act as special police or special detectives.~~

Section 4.03. City Secretary.

The City Manager may appoint a competent person as City Secretary and such assistants as the City Council shall deem advisable. The City Secretary or an Assistant Secretary, shall keep the minutes of the proceedings of Council meetings, and shall authenticate by his signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as the City Manager shall assign to him, and those elsewhere provided for in this Charter and the laws of the State of Texas.

Section 4.04. ~~City Treasurer.~~ Reserved.

Editor's note(s)—Former section 4.04 was deleted by a Charter amendment adopted at an election held on May 4, 2024. The deleted provisions pertained to matters related to the appointment of a City Treasurer.

~~The City Manager shall appoint a competent person as City Treasurer and such assistants as the City Council may deem advisable. The City Treasurer shall perform the duties delegated to him by the City Manager and those which may be imposed upon him by the laws of the State of Texas. The duties of City Treasurer, City Secretary and City Tax Assessor and Collector may be performed by the same individual.~~

Section 4.05. Municipal court.

- A. There shall be established and maintained a court designated as a municipal court for the trial of misdemeanor offenses, with all such powers and duties as are now or hereafter may be prescribed by the laws of the State of Texas relative to municipal courts.

- B. The judge or judges of said court shall be a qualified voter ~~or voters of the City of Mission~~ in the state of Texas, shall be appointed by the City Council, shall hold his office at the pleasure of the City Council, shall receive such salary as may be fixed by the City Council, shall be under the administrative direction of the City Manager and said judge shall not be an elected official. ~~The City Secretary or an assistant City Secretary shall be ex officio clerk of said court.~~
- C. The Clerk of said court and his deputy shall have the power to administer oaths and affidavits, make certificates, affix the seal of said court thereto; and generally do and perform any and all acts usual and necessary by the Clerk of courts in issuing process of said courts and conducting the business thereof.
- D. The City Council by ordinance may provide for the appointment of one (1) or more judges to serve if the regular judge, the presiding judge, or an associate judge is temporarily unable to act.
- E. Each judge of said court shall be a duly licensed attorney if some such suitable attorney is available and provided that this shall not be a disqualification of the person serving in such capacity at the time of the adoption of this Charter.
- F. The judge or judges of said court shall serve for a term of two years. A municipal court judge who is not reappointed by the 91st day following the expiration of a term of office shall, absent action by the appointing authority, continue to serve for another term of office beginning on the date the previous term of office expired, as prescribed by Chapter 29 of the Texas Government Code as now or hereafter amended.

(Amended 1-17-1987)

Cross reference(s)—Municipal court, ch. 58.

Section 4.06. City Attorney.

The City Council shall appoint a competent and duly licensed attorney practicing law in ~~the City of Mission,~~ the state of Texas, who shall be the City Attorney. He shall receive for his services such compensation as may be fixed by the City Council, and shall hold his office at the pleasure of the City Council. ~~The City Attorney, or such other attorney selected by him with the approval of the City Council, shall represent the City in all litigation.~~ He shall be the legal advisor of and counsel for, the City of Mission and all officers and departments thereof.

The City Attorney shall, with the approval of the City Manager, appoint and remove the employees of said department and shall perform such duties as may be required of him by the City Council.

The City Attorney's Office shall oversee legal services for the City of Mission, its boards, committees, or other City commissioned entities for the purpose of accomplishing common goals of eliminating duplication of services, creating administrative efficiency, providing for joint legal service efforts, and ensuring the quality of legal service to the city at the least cost in terms of fees and tax rates. Outside counsel may be retained in cases of extraordinary importance, legal specialization required, assignment by insurance or bond requirements, or in an emergency. In such a contingency, the City Council shall fix in advance, as far as practicable, the compensation to be allowed under such extra or outside counsel by resolution.

Cross reference(s)—Municipal Court, ch. 58.

Section 4.07. ~~Department of Health and Sanitation.~~ Reserved.

Editor's note(s)—Former section 4.07 was deleted by a Charter amendment adopted at an election held on May 4, 2024. The deleted provisions pertained to matters related to the creation of the Department of Health and Sanitation.

~~The City Council shall appoint a City Health Officer who shall be a licensed physician qualified to practice medicine in the State of Texas and a resident of the City of Mission. The City Health Officer shall advise the City Council on a program of public health; shall cooperate in the preparation of a sanitary code; shall cooperate with nearby cities on problems of health and sanitation; shall cooperate with the Commissioner's Court of Hidalgo County and its agencies, and with the State Health Department and other departments of state government in matters pertaining to health and sanitation.~~

Section 4.08. Fire Department.

The City shall continue to maintain and support a competent and adequate Fire Department for the protection of property and lives from fire within the corporate limits. The Department Head of the Mission Fire Department, the Fire Chief, shall be appointed by the City Manager and confirmed by the City Council. The Fire Chief shall, with the approval of the City Manager, appoint and remove the employees of said department and shall perform such duties as may be required of him by the City Council. The Fire Chief shall be responsible to the City Manager for the administration of his department and the carrying out of the directives of the City Council.

Section 4.09. Other departments.

The City Council may abolish or consolidate such offices and departments as it may deem to be to the best interest of the City, and may divide the administration of any such departments as it may deem advisable; may combine the Police and Fire Departments into one (1) department, may create new departments and may discontinue any offices or departments at its discretion, except those specifically established by this Charter.

ARTICLE 5. NOMINATIONS AND ELECTIONS

Section 5.01. Elections.

All City of Mission elections shall be conducted in accordance with the Texas Election Code as amended. The City Council shall fix the places for holding ~~the regular~~ city elections. The City Council may by resolution order a special election, fix the date and places for holding same and provide for all means for holding such special election. Notice of the election shall be provided as required by the election laws of the State of Texas.

~~(Amended 1-17-1987)~~

Section 5.02. Regulation of elections.

The City Council shall make all regulations which it considers needful or desirable not inconsistent with this Charter and the Laws of the State of Texas, for the conduct of municipal elections, for the prevention of fraud in such elections and for the recount of ballots in case of doubt or fraud. Municipal elections shall be conducted by the appointed election authorities who shall also have power to make regulations not inconsistent with this Charter or with any regulations made by the City Council or the laws of the State of Texas.

Section 5.03. Filing for office.

A. Candidates for Mayor or Council Member shall file an application for office in accordance with the Texas Election Code as amended.

1) Such application shall be accompanied by a filing fee of five hundred dollars (\$500.00). The name of any candidate of the city shall be printed upon the ballot by payment, by cashier's check, of a filing fee by the candidate or by petition, as hereinafter prescribed, and shall have been filed in its behalf with the city

secretary. Such a petition, is required to be filed in connection with a candidate's application for a place on the ballot for an office, the minimum number of signatures that must appear on the petition is the greater of: (1) 25; or (2) one-half of one percent of the total vote received in the territory from which the office is elected by all candidates for mayor in the most recent mayoral general election.

2) The signatures to the nomination petition will be on the most current "Petition in Lieu of Filing Fee for Candidate Filing" form or its equivalent as prescribed by the Texas Election Code and Texas Secretary of State.

3) All nomination papers comprising a petition shall be assembled and filed with the city secretary together with the candidate's sworn application as one instrument, no earlier than the first day to file an application for a place on the ballot and no later than the last day for a candidate to file an application for a place on the ballot, as prescribed the Texas Election Code. If an application is accompanied by a petition, the petition is considered part of the application, and the review must be completed as soon as practicable after the date the application is received by the authority. As soon as practicable after the filing an application for a place on the ballot and the filing of a nomination petition or payment of a filing fee, the City Secretary shall notify the person who filed an application and such petition or filing fee whether or not the petition is found to be signed by the required number of qualified voters and whether the application complies with the requirements as to form, content, and procedure.

B. Candidates for Mayor or Council Member shall meet the following qualifications:

1) Be a qualified voter in the City and State at the time of taking office, as determined by state law.

2) Be a resident of the City of Mission.

3) Have resided continuously in the corporate limits of the City for six (6) months immediately preceding the date of the election.

4) Not be in violation of any provision of this Charter.

5) Be eighteen (18) years of age or older on the first day of the term to be filled at the election.

6) Satisfy any of the eligibility requirements prescribed by law for the office for which they are a candidate.

C. No candidate for Mayor or Council Member may file in a single election for more than one (1) office or position as provided by this Charter or state law.

D. No employee of the City shall continue in any City employee position after filing for an elective office in the Charter. Any person having the qualifications set forth for councilman in this Charter shall have the right to file an application to have his name placed on the official ballot as a candidate for any elective office. Such application in writing by such candidate and accompanied by his loyalty affidavit as prescribed by the laws of the State of Texas filed with the City Secretary not later than 5:00 p.m. of the 45th day before election day, shall entitle such applicant to a place on the official ballot.

(Amended 1-17-1987)

Section 5.04. The official ballot.

The names of all candidates for office except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots without party designations in the order determined in a drawing of lots conducted by the City Council. All official ballots shall be printed at least twenty (20) days prior to the date of any general or special election, and absentee voting shall be governed by the general election laws of the State of Texas.

Section 5.05. Laws governing city elections.

~~All City elections shall be governed by this Charter and by the laws of the State of Texas governing elections.
(Amended 1-17-1987)~~

Section 5.06. Conducting and canvassing elections.

~~The election judges and other necessary election officials for conducting all such elections shall be appointed by the City Council. The election judges shall conduct the election, determine, record and report the results as provided by the general election laws of the State of Texas. Not earlier than the second day or later than the sixth day after election day, the City Council shall meet, open returns, canvass and officially declare the result of the election as to candidates and questions, and issue certificates of election to candidates elected. Officers of the City when elected shall take office from and after their certification of election and after taking and subscribing the oath of office.~~

~~(Amended 1-17-1987)~~

Section 5.047. Oath of office.

Every officer of the City shall, before entering upon the duties of his office, take and subscribe to the following oath or affirmation to be filed and kept in the office of the City Secretary:

"I _____, solemnly swear (or affirm) that I will faithfully execute the duties of the office of _____, the City of Mission, State of Texas, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State and the Charter and ordinances of this City; and I furthermore solemnly swear (or affirm), that I have not directly or indirectly paid, offered, or promised to pay, contributed or promised to contribute any money or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote of the election at which I was elected or if the office is one of appointment, to secure my appointment. So help me God."

ARTICLE 6. RECALL OF OFFICERS²

Section 6.01. Scope of recall.

Any elected City officials whether elected to office by the qualified voters of the City or appointed by the City Council to fill a vacancy, shall be subject to recall and removal from office by the qualified voters of the City on the grounds of incompetency, misconduct, or malfeasance in office.

Section 6.02. Petitions for recall.

Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of City Secretary; which said petition shall be signed by qualified voters of the City equal in number to at least thirty (30) percent of the number of votes cast at the last regular municipal election, but in no event less than two hundred (200) petitioners. For a petition signature to be valid, a petition must contain, in addition to the signature, the

²Cross reference(s)—Administration, ch. 2.

signer's printed name; the signer's voter registration number, and if the incorporated area of the City is situated in more than one (1) County, the County of registration; the signer's residence address; the date of signing; and, any other matter required by applicable State law. A separate petition is required for each City official.

(Amended 1-17-1987)

Section 6.03. Form of recall petition.

- A. The recall petition mentioned above must be addressed to the City Council of the City of Mission, must distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated, and, if there be more than one (1) ground, such as for incompetency, misconduct or malfeasance in office, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of the matters and things with which he is charged. The signatures shall be verified by oath in the following form:

"STATE OF TEXAS COUNTY OF HIDALGO

"I, _____, being first duly sworn, on oath depose and say that I am one of the signers of the above petition; and that the statements made therein are true, and that each signature appearing thereon was made in my presence on the day and date it purports to have been made, and I do solemnly swear that the same is the genuine signature of the person whose name it purports to be _____

"Sworn and subscribed to before me this _____ day of _____, 20____.

	Notary Public in and for Hidalgo County, Texas
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- B. Should it be proved to the satisfaction of the City Council that the affidavit above stated is false, then in such event, it shall be the duty of the City Secretary to cause criminal charges to be filed against the affiant.

Section 6.04. Various papers constituting petition.

The petition may consist of one (1) or more copies, or subscription lists, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of petition, or upon other papers attached thereto. Verifications provided for in the next preceding section of this article may be made by one (1) or more petitioners, and the several parts of copies of the petition may be filed separately and by different persons; but no signatures to such petition shall remain effective or be counted which were placed thereon more than forty-five (45) days prior to the filing of such petition or petitions with the person performing the duties of the City Secretary. All papers comprising a recall petition shall be filed with the person performing the duties of City Secretary on the same day, and the said Secretary shall immediately notify, in writing, the officer so sought to be, removed, by mailing such notice to his Mission address.

Section 6.05. Presentation of petition to City Council.

Within five (5) days after the date of filing of the papers constituting the recall petition, the person performing the duties of the City Secretary shall present such petition to the City Council of the City of Mission.

Section 6.06. Public hearing to be held.

The officer whose removal is sought may, within five (5) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him to present facts pertinent to the charges

specified in the recall petition. In this event, the City Council shall order such public hearing to be held, not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

Section 6.07. Election to be called.

If the officer whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and fix a date for such recall election, the date of which election shall be not less than twenty-five (25) nor more than thirty-five (35) days from the day such petition was presented to the City Council, or from the date of public hearing, if one was held.

Section 6.08. Ballots in recall election.

Ballots used in recall elections shall conform to the following requirements:

- (a) With respect to each person whose removal is sought, the question shall be submitted "Shall (name of person) be removed from the office (name of office) by recall?."
- (b) Immediately below each such question there shall be printed the following words, one above the other, in the order indicated "Yes", "No."

Section 6.09. Result of recall election.

If a majority of the votes cast at a recall election shall be "No", that is, against the recall of the person named on the ballot, he shall continue in office for the remainder of his unexpired term, subject to recall as before. If a majority of the votes cast at such an election be "yes", that is for the recall of the person named on the ballot, he shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy filled as vacancies in the City Council are filled, in this Charter.

Section 6.10. Recall, restrictions thereon.

No recall petition shall be filed against any officer of the City of Mission within three (3) months after his election, nor within three (3) months after an election for such officer's recall.

Section 6.11. Failure of City Council to call an election.

In case all of the requirements of this Charter shall have been met and the City Council shall fail or refuse to receive the recall petition, or order such recall election, or discharge any other duties imposed upon said City Council by the provisions of this Charter with reference to such recall, then the County Judge of Hidalgo County, Texas, shall be hereby empowered and directed to discharge any of such duties herein provided to be discharged by the person performing the duties of City Secretary or by the City Council.

ARTICLE 7. LEGISLATION BY THE PEOPLE, INITIATIVE AND REFERENDUM

Section 7.01. General power.

The qualified voters of the City of Mission, in addition to the method of legislation hereinbefore provided, shall have the power of direct legislation by the initiative and referendum.

Section 7.02. Initiative.

Qualified voters of the City of Mission may initiate legislation by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. Such petition must be signed by qualified voters of the City equal in number to thirty (30) percent of the number of votes cast at the last [preceding](#) regular municipal election of the City, ~~or two~~ [and in no case less than two](#) hundred (200) [voters, whichever is greater,](#) and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed as provided in this Charter, and shall be verified by oath in the manner and form provided for recall petitions in section 6.03 of this Charter. The petition may consist of one (1) or more copies as permitted for recall petitions in this Charter. Such petition shall be filed with the person performing the duties of City Secretary. [If the petition is found to satisfy the requirements established herein by the City Secretary, then the City Secretary shall certify that fact to the City Council at the next regular meeting.](#) ~~Within five (5) days after the filing of such petition, the person performing the duties of City Secretary shall present said petition and proposed ordinance or resolution to the City Council.~~

Upon presentation of the petition and draft of the proposed ordinance or resolution, it shall become the duty of the City Council, within ten (10) days after receiving it, to pass and adopt said ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election to be held ~~within~~ [not less than](#) thirty (30) days [nor more than sixty \(60\) days](#) thereafter, at which the qualified voters of the City of Mission shall vote on the question of adopting or rejecting the proposed legislation. ~~However, if any other municipal election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election.~~

Section 7.03. Referendum.

Qualified voters of the City of Mission, may require that any ordinance or resolution, with the exception of ordinances or resolutions levying taxes and ordinances and resolutions relating to the issuance, sale and delivery of bonds, [appropriating money,](#) or warrants, passed by the City Council be submitted to the voters of the City of Mission for approval or disapproval, by submitting a petition ~~for this purpose within thirty (30) days after the final passage of said ordinance or resolution, or within thirty (30) days after its publication. Said petition shall be addressed, prepared, signed and verified as required for petitions initiating legislation and shall be submitted to the person performing the duties of City Secretary. Upon the filing of such petition, the person performing the duties of City Secretary shall present said petition to the City Council at its next meeting. Thereupon the City Council shall reconsider such ordinance or resolution, and if it does not entirely repeal the same, shall submit it to popular vote as provided~~ [in accordance with the provisions required for an initiative petition provided](#) in section 7.02 of this Charter. Pending the holding of such election such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters thereon at such election shall vote in favor thereof.

Section 7.04. Voluntary submission of legislation by the City Council.

The City Council, upon its own motion and by a majority vote of its members, may submit to popular vote at any election for adoption or rejection any proposed ordinance or resolution or measure, or may submit for repeal any existing ordinance, resolution, or measure, in the same manner and with the same force and effect as provided in this article for submission on petition, and may at its discretion call a special election for this purpose.

Section 7.05. Form of ballots.

The ballots used upon such proposed and referred ordinances, resolutions, or measures shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words "for the ordinance" and "against the ordinance" or "for the resolution" and "against the resolution."

Section 7.06. Publication of proposed and referred ordinances.

The person performing the duties of the City Secretary shall publish ~~at least once in a newspaper of general circulation in the City the proposed or referred ordinance or resolution at least fifteen (15) days before the date of the election, and shall give such other notices~~ the proposed or referred ordinance or resolution to comply with the minimum standards imposed by state law and do such other things relative to such election as are required in general municipal elections or by the ordinance or resolution calling said election.

Section 7.07. Adoption of ordinances.

If a majority of the qualified voters voting on any proposed ordinance or resolution or measure shall vote in favor of, it shall thereupon, or at any time fixed therein, become effective as a law or as a mandatory order to the City Council.

Section 7.08. Inconsistent ordinances.

If a provision of two (2) or more ordinances or resolutions approved at the same election are inconsistent, they shall go into effect in respect of such of their provisions as are not in conflict and the ordinance or resolution receiving the highest number of votes shall prevail insofar as their provisions conflict.

Section 7.09. Ordinances passed by popular vote, repeal or amendment.

No ordinance or resolution which may have been passed by the City Council upon a petition or adopted by popular vote under the provisions of this article shall be repealed or amended except by the City Council in response to a referendum petition or by submission as provided in section 7.04 of this Charter for a period of ~~four~~ two (42) years, after which time the ordinance or resolution may be amended or repealed by the City Council, in the same manner that other ordinances or resolutions are amended or repealed.

Section 7.10. Further regulations by City Council.

The City Council may pass ordinances or resolutions providing other and further regulations for carrying out the provisions of this article consistent herewith.

Section 7.11. Franchise ordinances.

~~Nothing contained in t~~This article shall not be construed to be in conflict with any of the provisions of Article 10 of this Charter pertaining to ordinances granting franchises when valuable rights shall have accrued thereunder.

ARTICLE 8. MUNICIPAL PLANNING AND ZONING³

³Cross reference(s)—Planning and zoning, ch. 74; subdivisions, ch. 98; zoning, Appendix A.

State law reference(s)—Municipal planning and zoning, V.T.C.A., Local Government Code § 211.001 et seq.

(Supp. No. 26)

Section 8.01. The Planning and Zoning Commission.

(a) The Planning and Zoning Commission of the City of Mission shall hereafter consist of seven (7) members appointed by the City Council. Every member of the Planning and Zoning Commission shall be a resident citizen of the City of Mission and shall be a qualified voter.

~~(a)~~(b) _____ The Planning and Zoning Commission shall act as an advisory body to the City Council relating to divide the city into zones or districts, and to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lots that may be occupied, the size of the yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes in such zones or districts; and in the case of designated places and areas of historic and cultural importance, to regulate and restrict the construction, alteration, reconstruction, or razing of buildings and other structures; and also to formulate and adopt other policies and plans relative to the future growth and development of the city. The city shall also have all other powers relating to city planning and zoning, and all powers relating to subdivision and platting of land, both within and without the city, subject only to the limitations imposed by the constitution and laws of the sState of Texas ~~public and civic improvements, City planning and zoning, the opening, widening and changing of streets and highways, routing and extending public utilities, controlling and regulating traffic upon the public streets, and other matters relating to municipal planning and development deemed by the City Council beneficial to the City of Mission.~~ The Planning and Zoning Commission of the City of Mission shall also have and exercise such powers over platting and subdividing lands, both within and without the City, and within an area extending five (5) miles beyond the City limits as may be prescribed by ordinance of the City Council and shall exercise such additional powers and have such additional duties and responsibilities as may be prescribed by ordinance of the City Council not inconsistent with subject only to the limitations imposed by the Constitution and laws of the State of Texas ~~and the provisions of this Charter.~~

(Amended 1-17-1987)

Cross reference(s)—Planning and zoning board, ch. 54, art. II.

Section 8.02. Zoning Board of Adjustments.

The City Council may provide by ordinance for a Zoning Board of Adjustment. The Board shall have all powers granted in Vernon's Ann. Civ. St. art. 1011g of the State of Texas as now or hereafter amended, which shall include the power to hear and determine appeals from refusal of building permits, and to permit exceptions to or variations from the zoning regulations in classes of cases or situations in accordance with the principles, conditions and procedure specified in the zoning ordinance.

Cross reference(s)—Board of adjustment, App. A, art. IV.

ARTICLE 9. MUNICIPAL FINANCE⁴

Section 9.01. Fiscal year.

The fiscal year of the City of Mission shall begin on the first day of October and shall end on the last day of September of each calendar year. Such fiscal year shall also constitute the budget and accounting year.

⁴Cross reference(s)—Taxation, ch. 102.

Section 9.02. Preparation and submission of budget.

The City Manager, ~~between sixty (60) and ninety (90) days~~ prior to the beginning of each fiscal year, shall submit to the Council a proposed budget, which budget shall provide a complete financial plan for the fiscal year, and shall contain the following:

- (a) A budget message, explanatory of the budget, which message shall contain an outline of the proposed financial policies of the city for the fiscal year, and shall set forth the reasons for salient changes from the previous year in expenditure and revenue items, and shall explain any major changes in financial policy;
- (b) A consolidated statement of anticipated receipts and proposed expenditures for all funds;
- (c) An analysis of property valuations;
- (d) An analysis of tax rate;
- (e) Tax levies and tax collections by years for at least five (5) years;
- (f) General fund resources in detail;
- (g) Special fund resources in detail;
- (h) Summary of proposed expenditures by function, department and activity;
- (i) Detailed estimates and expenditures shown separately for each activity to support [subsection] (h) above;
- (j) A revenue and expense statement for all types of bonds;
- (k) A description of all bond issues outstanding, showing rate of interest, date of issue, maturity date, amount authorized, amount issued, and amount outstanding;
- (l) A schedule of requirements for the principle and interest of each issue of bonds;
- (m) The appropriation ordinance;
- (n) The tax levying ordinance.

Section 9.03. Anticipated revenues compared with other years in budget.

In preparing the budget, the City Manager shall place in parallel columns opposite the several items of revenue; the actual amount of each item for the last complete fiscal year, the estimated amount of the current fiscal year, and the expected amount for the ensuing year.

Section 9.04. Proposed expenditures compared with other years.

The City Manager in the preparation of the budget shall place in parallel columns opposite the various items of expenditures; the actual amount of such items of expenditures for the last completed fiscal year, the estimated amount for the current fiscal year and the proposed amount for the ensuing fiscal year.

Section 9.05. Budget a public record.

The budget and all supporting schedules shall be filed with the person performing the duties of City Secretary, submitted to the City Council, and shall be a public record. The City Manager shall provide copies for distribution to all interested persons.

Section 9.06. Notice of public hearing on budget.

At the meeting of the City Council at which the budget is submitted, the City Council shall fix the time and place of a public hearing on the budget and shall cause to be published in a newspaper of general circulation within the City of Mission, a notice of the hearing setting forth the time and place thereof at least ten (10) days before the date of such hearing.

Section 9.07. Public hearing on budget.

At the time and place set forth in the notice required by section 9.06, ~~or at any time and place to which such public hearing shall from time to time be adjourned~~, the City Council shall hold a public hearing on the budget submitted and all interested persons shall be given an opportunity to be heard for or against any item or the amount of any item therein contained.

Section 9.08. Proceeding on budget after public hearing.

After the conclusion of such public hearing, the City Council may insert new items or may increase or decrease the items of the budget, except items in proposed expenditures fixed by law, but where it shall increase the total proposed expenditures, it shall also provide for an increase in the total anticipated revenue at least to equal such proposed expenditures.

Section 9.09. Vote required for adoption.

The budget shall be adopted by the favorable vote of a majority of the members of the whole City Council.

Section 9.10. Date of final adoption.

The budget shall be finally adopted not later than fifteen (15) days prior to the beginning of the fiscal year, and should the City Council fail to so adopt a budget, the then existing budget together with its tax levying ordinance and its appropriation ordinance shall be deemed adopted for the ensuing fiscal year.

Section 9.11. Effective date of budget; certification; copies made available.

Upon final adoption, the budget shall be in effect for the fiscal year. A copy of the budget, as finally adopted, shall be filed with the person performing the duties of City Secretary, the County Clerk of Hidalgo County, and the State Comptroller of Public Accounts at Austin. The final budget shall be printed, ~~mimeographed~~ or otherwise reproduced and copies shall be made available for the use of all offices, departments and agencies and for the use of interested persons and civic organizations [as provided in the Texas Public Information Act, as may be amended](#).

Section 9.12. Budget established appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

Section 9.13. [Reserved.](#)

[Editor's note\(s\)—Former section 9.13 was deleted by a Charter amendment adopted at an election held on May 4, 2024. The deleted provisions pertained to matters related to a Contingent Appropriation Authority.](#)

Contingent appropriation.

~~Provisions shall be made in the annual budget and in the appropriation ordinance for a contingent appropriation in an amount not more than three (3) percent of the total budget, to be used in case of unforeseen items of expenditure. Such contingent appropriation shall be under the control of the City Manager and distributed by him, after approval of the City Council. Expenditure from this appropriation shall be made only in case of established emergencies and a detailed account of such expenditures shall be recorded and reported. The proceeds of the contingent appropriation shall be disbursed only by transfer to other departmental appropriations, the spending of which shall be charged to the departments or activities for which the appropriations are made.~~

Section 9.14. The total estimated expenditures shall not exceed estimated resources.

The total estimated expenditures of the general fund, [enterprise funds](#), and debt service fund shall not exceed the total estimated resources of each fund (prospective income plus cash on hand). The classification of revenue and expenditure accounts shall conform as nearly as local conditions will permit to the uniform classification as promulgated by the National Committee on Governmental Accounting or some other nationally accepted classification.

Section 9.15. Other necessary appropriations.

The City budget may be amended and appropriations altered in accordance therewith in cases of public necessity, the actual fact of which shall have been declared by the City Council.

Section 9.16. [Reserved.](#) ~~Department of Taxation.~~

[Editor's note\(s\) – Former Section 9.16 was deleted by a Charter amendment adopted at an election held on May 4, 2024. The deleted provisions pertained to matters related to the Department of Taxation.](#)~~The Department of Taxation for the City of Mission shall be under the control and direction of the City Assessor and Collector, which office shall be held by appointment of the City Manager. The [City] Assessor and Collector shall give a surety bond for faithful performance of his duties, including compliance with all controlling provisions of the state law bearing upon the functions of his office, in a sum which shall be fixed by the City Council of not less than five thousand dollars (\$5,000.00).~~

Section 9.17. Power to tax.

The City Council shall have the power under the provisions of the State law to levy, assess and collect an annual tax upon real and personal property within the City as well as all other lawful subjects of taxation to the maximum provided by the Constitution and general laws of the State of Texas.

Section 9.18. Property subject to tax.

~~All real and personal property within the City of Mission as well as all other lawful subjects of taxation shall be subject to annual taxation. The City Assessor and Collector shall assess the value of such property in accordance with the laws of the State of Texas governing taxation~~[The responsibility for appraisal of all property and preparation and submission of the appraisal roll shall be accomplished in compliance with the provisions of the Property Tax Code of the State of Texas, provided, however, that all property within the City of Mission not expressly exempted by law, shall be rendered for taxation in accordance with all applicable state statutes as now or hereinafter amended, and such statutes control over the provisions of the city charter in the event of conflict.](#)

Section 9.19. ~~Reserved. Joint tax office.~~

Editor's note(s) – Former Section 9.19 was deleted by a Charter amendment adopted at an election held on May 4, 2024. The deleted provisions pertained to matters related to a Joint Tax Office. The City of Mission may join any other taxing body to form a joint tax office with a joint assessor-collector.

~~(Amended 1-17-1987)~~

Sections 9.20, 9.21. Reserved.

Editor's note(s)—Former sections 9.20 and 9.21, pertaining to powers and duties of board of equalization, were deleted by a Charter amendment adopted at an election held on January 17, 1987.

Section 9.22. Taxes; when due and payable.

All taxes due the City of Mission shall be payable at the office of the City's ~~a~~ Assessor-~~C~~ collector and may be paid at any time after the tax rolls for the year have been approved, which shall not be later than October 1. Taxes shall be paid before February 1, and all such taxes not paid prior to such date shall be deemed delinquent and shall be subject to such penalty and interest as authorized by ordinance. Failure to levy and assess taxes through omission in preparation of the approved tax roll shall not relieve the person, firm or corporation so omitted from obligation to pay such current or past-due taxes as shown to be payable by recheck of the rolls and receipts for the years in question.

Section 9.23. Tax liens.

All property, real, personal, and mixed situated in the City of Mission shall stand charged with a special lien in favor of the City for the taxes due thereon, which lien, charge or encumbrance the City is entitled to enforce and foreclose in any court having jurisdiction over the same or in any other manner provided by law. Such lien shall be prior to all other claims, and no gift, sale, assignment or transfer of any kind, or judicial writ of any kind, can ever defeat such lien.

Section 9.24. Reserved.

Editor's note(s)—Former section 9.24 was deleted by a Charter amendment adopted at an election held on January 17, 1987. The deleted provisions pertained to compensation for members of the board of equalization.

ARTICLE 10. FRANCHISE AND PUBLIC UTILITIES⁵**Section 10.01. Powers of the City.**

In addition to the City's power to buy, own, construct, lease, maintain, operate and regulate public utilities and to manufacture, distribute and sell the output of such utility operations, the City shall have further powers as may now or hereafter be granted under the Constitution and laws of the State of Texas.

⁵Cross reference(s)—Utilities, ch. 114; franchises, App. B.

Section 10.02. Franchise power of City Council.

The City Council shall have power by ordinance to grant, amend by mutual agreement, renew and extend, all franchises of all public utilities of every character within the City of Mission. All ordinances granting, amending, renewing, or extending franchises for public utilities shall be read at two (2) separate regular meetings of the City Council, and shall not be finally passed until thirty (30) days after the first reading; and no such ordinance shall take effect until thirty (30) days after its final passage; and the full text of such ordinances shall be published once within fifteen (15) days following the first reading in a newspaper of general circulation within the City of Mission, and the expense of such publication shall be borne by the proponent of the franchise. No public utility franchise shall be granted for a term of more than twenty (20) years nor be transferable except with the approval of the City Council expressed by ordinance. The term "transferable" as used herein shall not be construed in such a manner as to prevent the utility from pledging said franchise as security for a valid debt or mortgage.

Section 10.03. Franchise value not to be allowed.

No value shall be assigned to any franchise granted by the City of Mission under this Charter in fixing reasonable rates and charges for utility service within the City and in determining the just compensation to be paid by the City for public utility property which the City may acquire by condemnation or otherwise.

Section 10.04. Right of regulation.

All grants, renewal, extensions or amendments of public utility franchise, whether it be so provided in the ordinance or not, shall be subject to the right of the City Council of the City of Mission to exercise the following enumerated powers, which powers the City Council shall have no power to waive by omitting to include same in the franchise ordinance, or by including a provision in the franchise ordinance in derogation thereof:

- (a) To repeal the same by ordinance, after thirty (30) days' advance notice, (during which time the grantee shall have the opportunity to correct any default), and hearing upon the failure of grantee to comply with the ordinances, franchise and Charter of the City of Mission; and from which decision of the City Council, the grantee shall have the right to appeal to the courts of this State;
- (b) To require proper and adequate extension of plant and service, and the maintenance of the plant and fixtures at the highest reasonable standard of efficiency;
- (c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;
- (d) To examine and audit at any time during regular business hours the accounts and other records of any such utility which are relevant to the City's right of regulation, and to require annual and other reports, including reports on operation within the City of Mission;
- (e) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare, and accommodation of the public;
- (f) To require such compensation and rental as may be permitted by the laws of the State of Texas.

(Amended 1-17-1987)

State law reference(s)—Municipal regulation, V.T.C.A., Utilities Code § 103.001 et seq.

Section 10.05. Regulations of rates and services.

The City Council shall have the power, after due notice and hearing to regulate by ordinance the rates and services of every public utility operating in the City of Mission; shall have the power to employ expert advice and assistance in determining a reasonable rate and equitable profit to the public utility; and shall have the power to require within the franchise grant, or any extension, or renewal thereof, or as a condition precedent to any hearing concerning rates and service of any public utility operating within the said City, that the movant seeking the rate or service change pay the reasonable cost of the service of a rate consultant of the choice of the City Council.

Section 10.06. Grant not to be exclusive.

No grant or franchise to construct, maintain or operate a public utility and no renewal or extension of such grant shall be exclusive.

Section 10.07. Consent of property owners.

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance or operation of any public utility; ~~but nothing in~~ this Charter or in any franchise granted thereunder shall ~~ever not~~ be construed to deprive any such property owner of any right of action for damage or injury to his property as now or hereafter provided by law.

Section 10.08. Extensions.

All extensions of public utilities within the City limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this Charter and in the original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in section 10.04 of this Charter. In case of an extension of a public utility operated under a franchise hereafter granted such right shall be terminable at the same time and under the same conditions as the original grant.

Section 10.09. Other conditions.

All franchises heretofore granted or recognized as contracts between the City of Mission and the grantee, and the contractual rights as contained in any such franchise shall not be impaired by the provisions of this Charter, except that the power of the City of Mission to exercise the right to eminent domain in the acquisition of utility property is in all things reserved and except the general power of the City heretofore existing and herein provided for to regulate the rates and services of a grantee which shall include the right to require property and adequate extension of plant and service of the plant and fixtures at the highest reasonable standard of efficiency. Every public utility franchise hereafter granted shall be held subject to all the terms and conditions contained in the various sections of this article whether or not such terms are specifically mentioned the franchise, and no such term or condition shall be waived by failing to include same in the franchise ordinance, or by the inclusion of a provision in the franchise ordinance in degradation of same.

(Amended 1-17-1987)

Section 10.10. Accounts of municipally owned utilities.

Accounts shall be kept for each utility owned or operated by the City in such manner as to show the true and complete financial results of such City ownership and operation, including all assets and all liabilities, appropriately

subdivided by classes, depreciation reserve, other reserves and surplus; also revenues, operating expenses, including depreciation, interest payments, rental and other disposition of annual income. The accounts shall show actual capital cost to the City of each public utility owned, also the cost of all extensions, additions and improvements and the source of funds expended for such capital purposes. They shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any city government department. The City Council shall cause an annual report to be made by a certified public accountant and shall publish such report showing the financial results of such City ownership and operation, giving the information specified in this section and such other data as the City Council shall deem expedient.

Section 10.11. Sales of water, sewer and other services.

- (a) The City Council shall have the power and authority to sell and distribute water, and to sell and provide sewer services to any person, firm or corporation inside or outside the limits of the City of Mission, and to permit them to connect with said system under contract with the City, under such terms and conditions as may appear to be for the best interest of the City; provided the charges fixed for such services outside the City limits shall be reasonable when considered in the light of all circumstances, to be determined by the City Council.
- (b) The City Council shall have the power and authority to prescribe the kind of water or sewer pipes within or beyond the limits of the City of Mission, where it furnished the service and to inspect the same and require them to be kept in good order and condition at all times and to make such rules and regulations as shall be necessary and proper, and prescribe penalties for noncompliance with same.
- (c) The City Council shall have the power to provide for a sanitary sewer and water system and require property owners to connect their premises with sewer, provide for penalties for failure to make such a connection and provide by ordinance for fixing a lien against the premises of any property owner who fails or refuses to make sanitary sewer connections and to charge the cost against said owner and make it a personal liability.

ARTICLE 11. GENERAL POWERS

Section 11.01. Reserved.

Editor's note(s)—Former section 11.01, pertaining to publicity of records, was deleted by a Charter amendment adopted at an election held on January 17, 1987.

Section 11.02. Personal interest.

~~No member of City Council, officer or employee of the City shall have a financial interest, directly or indirectly, in the sale to the City of any land, or rights in any land, materials, supplies or services, except as authorized in accordance with the constitution and laws of the State of Texas. No officer or employee of the City shall have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of and [any] land, or rights or interest in any land, materials, supplies or service. The above provision shall not apply in any case where the sale to the City of any land or an interest therein is made in a condemnation proceeding or under threat of condemnation, or where the interest is represented by ownership of stock in a corporation involved, provided such stock ownership amounts to less than one (1) percent of the corporation's stock. Any violation of this section shall constitute malfeasance in office, and any officer or employee of the City found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, expressed or implied, of the person or corporation contracting with the City shall render the contract voidable by the City Manager or the City Council.~~

~~(Amended 1-17-1987)~~

Section 11.03. Drilling operations.

As may be permitted by state law, including but not limited to the Texas Natural Resources Code, ~~The~~ the City Council may, by ordinance, prohibit the drilling of oil, gas and other mineral wells, or may provide regulations for the drilling, spacing, completion and operation of oil, gas and other mineral wells. The City Council may, by ordinance, prohibit the drilling of water wells for commercial, industrial and agricultural purposes, and may provide regulations for the drilling and use of water wells for commercial, industrial and agricultural and domestic purposes.

Section 11.04. Nepotism.

No person shall be employed by the City in contravention of any applicable nepotism statutes.

(Amended 1-17-1987)

State law reference(s)—Nepotism, V.T.C.A., Government Code § 573.041 et seq.

Section 11.05. Provisions relating to assignment, execution and garnishment.

The property, real and personal, belonging to the City shall not be liable to be sold or appropriated under writ of execution or cost bill. The funds belonging to the City, in the hands of any person, firm or corporation, shall not be liable to garnishment, attachment, or sequestration; nor shall the City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City or any off its officers or agents shall be required to answer any such writ to garnishment on any account whatever. The City shall not be obligated to recognize any assignment of wages or funds by its employees, agents, or contractors.

Section 11.06. City not required to give security or executive bond.

It shall not be necessary in any action, suit or proceeding in which the City of Mission is a party, for any bond, undertaking, or security to be demanded or executed by or on behalf of said City in any of the State courts, but in all such actions, suits, appeals, or proceedings same shall be conducted in the same manner as if such bond, undertaking or security had been given as required by law.

Section 11.07. Special provisions covering damage suits.

Before the City shall be liable for damage on a claim or suit for personal injury, or damage to property, the person who is injured, or whose property is damaged, or someone in his behalf, shall give the City Manager or the person performing the duties of City Secretary, notice in writing within six (6) months after the occurrence of the alleged injury, or damage, stating specifically in such notice when, where and how the injury or damage was sustained, and setting forth the extent of the injury of [or] damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the City for personal injury or damage to property prior to the expiration of sixty (60) days after the notice hereinabove described has been filed with the City Manager or other person performing the duties of City Secretary, and not later than one (1) year after the occurrence of the injury or damage to the property. In case of injuries resulting in death, before the City shall be liable in damages therefor the person or persons claiming such damages shall within thirty (30) days after the death of the injured person give notice as above required in case of personal injury. Provided, however, that nothing herein contained shall be construed to mean that the City of Mission waives any rights, privileges, defenses, or immunities in tort actions which are provided under the common law, and the Constitution and general law of the State of Texas.

(Amended 1-17-1987)

State law reference(s)—Tort liability, V.T.C.A., Civil Practice and Remedies Code § 101.101 et seq.

Section 11.08. Bid procedure.

The City Council shall hereafter make no contract without first complying with all applicable laws requiring the submission of contracts to competitive bids.

(Amended 1-17-1987)

Sections 11.09, 11.10. Reserved.

Editor's note(s)—Former sections 11.09 and 11.10, pertaining to contracts let on lump sum or unit price basis, and contract changes, were deleted by Charter amendments adopted at an election held January 17, 1987.

Section 11.11. Separability clause.

If any section or part of section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Section 11.12. Effect of this Charter on existing law.

All ordinances, resolutions, rules and regulations now in force under the City Government of Mission and not in conflict with the provisions of this Charter, shall remain in force under this Charter until altered, amended or repealed by the Council after this Charter takes effect; and all rights of the City of Mission under existing franchises and contracts are preserved in full force and effect to the City of Mission. Upon the valid adoption of this Charter the Charter adopted by the City of Mission November 9, 1928, as amended shall be repealed and no longer of force and effect.

Section 11.13. Interim municipal government.

The members of the governing body holding office when this Charter is adopted shall continue in office under the terms of Article 3 hereof for the balance of the terms to which they were elected under the terms of the former Charter, and be known as Mayor and councilmen hereafter. Immediately after the adoption of this Charter the members of the then existing governing body, including the Mayor, shall draw for places one (1) through four (4), and the election to be held the first Tuesday in April 1962 shall be to fill the places of the Mayor and the members whose terms expire in 1962.

Section 11.14. Applicability of general laws.

The Constitution of the State of Texas, the statutes of said State applicable to home rule municipal corporation, as now or hereafter enacted, this Charter and ordinances enacted pursuant hereto shall, in the order mentioned, be applicable to the City of Mission, but the City shall also have the power to exercise any, and all powers conferred by the laws of the State of Texas upon any other kind of city, town or village, not contrary to the provisions of said home rule statutes, Charter and ordinances, but the exercise of any such powers by the City of Mission shall be optional with it, and it shall not be required to conform to the law governing any other cities, towns or villages unless and until by ordinance it adopts same.

Section 11.15. Amending the Charter.

Amendments to this Charter may be framed and submitted to the voters of the City in the manner provided by Chapter 13 of Title 28 of the Revised Civil Statutes of Texas, 1925, as now or hereafter amended.

Section 11.16. Submission of Charter to voters.

The Charter Commission in preparing this Charter finds and decides that it is impracticable to segregate each subject so as to, permit a vote of "yes" or "no" on the same, for the reason that the Charter is so constructed that in order to enable it to work and function it is necessary that it should be adopted in its entirety. For these reasons, the Charter Commission directs that the said Charter be voted upon as a whole and that it shall be submitted to the qualified voters of the City of Mission at an election to be held for that purpose on the twenty-ninth day of August, 1961. Not less than thirty (30) days prior to such election, the City Council shall cause the City Secretary to mail a copy of this Charter to each qualified voter of the City of Mission as appears from the latest tax collector's roll. If a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall become the Charter of the City of Mission, and after the returns have been canvassed, the same shall be declared adopted and the City Secretary shall file an official copy of the Charter with the records of the City. The [City] Secretary shall furnish the Mayor a copy of said Charter, which copy of the Charter so adopted, authenticated and certified by his signature and the seal of the City shall be forwarded by the Mayor to the Secretary of the State of Texas and shall show the approval of such Charter by majority vote of the qualified voters voting at such election.

We, the undersigned members of the Charter Revision/Amendment Committee heretofore duly appointed to prepare amendments to the Charter for the City of Mission, Texas, do hereby certify that this publication constitutes a true copy of the proposed Charter amendments for the City of Mission, Texas, as adopted by the members thereof.

Pat Thompson, Chairman

Miguel Olivarez, Vice-Chairman

Judith Femat

Ernesto Pena, Jr.

Dean Garrett

Frank Perez

Fernando Salinas

June Brann

Lupe Ozuna

Inez Garcia

Bertha Cavazos

Ralph Findley

Sylvia Pedraza

Linday Nickel

Jeff Howell

(Amended 1-17-1987)



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Rezoning: A 0.33 acres of land out of a 9.53 acre tract out of the West 13.335 acre of the South 19.55 acres of Lot 29-8, West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57, (AO-I) Agricultural Open Interim to (R-1) Single Family Residential, Juan Reyes, and Adoption of Ordinance#_____ - De Luna

NATURE OF REQUEST:

On January 10, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site is located ¼ mile west of Mayberry Road along the north side of Mile 2 Road. 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: Approval.

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 REZONING BEING A 0.33 ACRES OF LAND OUT OF A 9.53 ACRE TRACT OUT OF THE WEST 13.335 ACRE OF THE SOUTH 19.55 ACRES OF LOT 29-8, WEST ADDITION TO SHARYLAND OF PORCIONES 53, 54, 55, 56 & 57, (AO-I) AGRICULTRUAL OPEN INTERIM TO (R-1) SINGLE FAMILY RESIDENTIAL

WHEREAS, the City Council of the City of Mission finds that during consideration of the rezoning request of January 10, 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 rezoning shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, January 22, 2024, in the Council Chambers of the City Hall to consider the following rezoning:

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

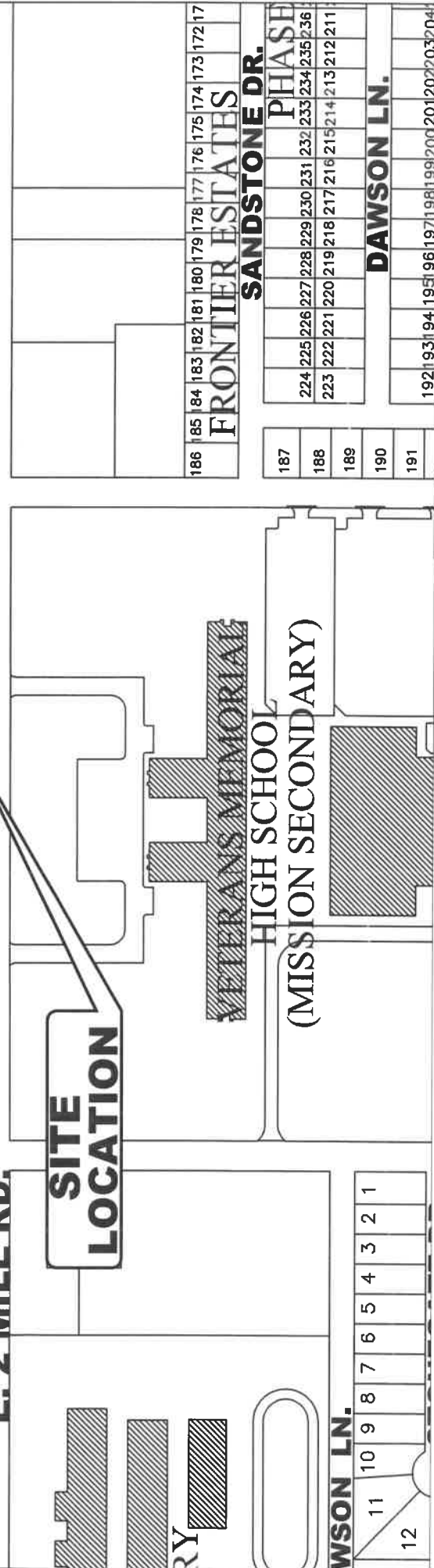
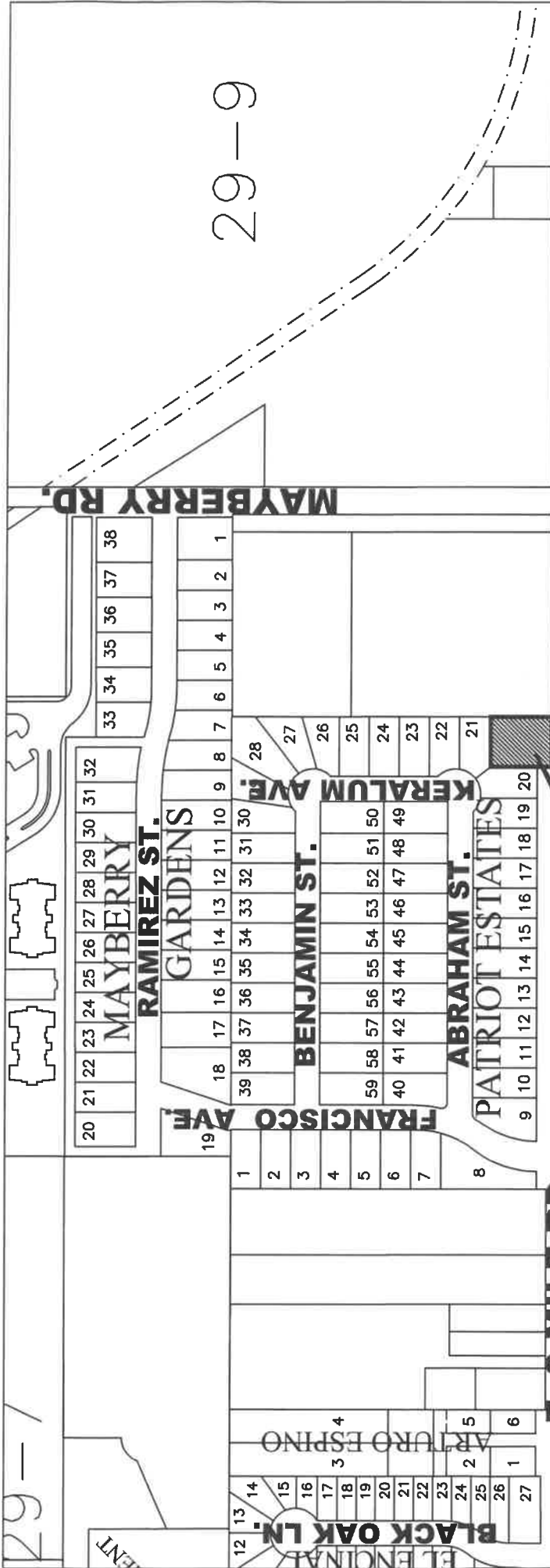
Legal Description	From	To
A 0.33 acres of land out of a 9.53 acre tract out of the West 13.335 acre of the South 19.55 acres of Lot 29-8, West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57	AO-I	R-1

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary



29-9

Item 8.

No.



CITY OF MISSION
 HIDALGO COUNTY, TEXAS
 1201 E. 8th Street
 MISSION, TX 78372
 PH: (956) 580-8672
 FAX: (956) 580-8680

ITEM# 1.5

REZONING: A 0.33 acres of land out of a 9.53 acre tract out of the West 13.335 acre of the South 19.55 acres of Lot 29-8, West Addition to Sharyland of Porciones 53, 54, 55, 56 & 57
AO-I to R-1
Juan Reyes

REVIEW DATA

SITE: The subject site is located ¼ mile west of Mayberry Road along the north side of Mile 2 Road –see vicinity map.

SURROUNDING ZONES: N: R-1 – Single Family Residential
E: AO-I – Agricultural Open Interim
W: R-1 – Single Family Residential
S: P – Public

EXISTING LAND USES: N: Residential
E: Vacant
W: Residential
S: Veterans High School

Site: Vacant

FLUM: Lower Density Residential (LD)

REVIEW COMMENTS: The proposed zone complies with the City’s Future Land Use Map, and surrounding land uses.

RECOMMENDATION: Staff recommends approval.

29-9

MAYBERRY RD.

20 21 22 23 24 25 26 27 28 29 30 31 32
MAYBERRY

18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1
RAMIREZ ST.
GARDENS

39 38 37 36 35 34 33 32 31 30
BENJAMIN ST.

59 58 57 56 55 54 53 52 51 50
40 41 42 43 44 45 46 47 48 49
ABRAHAM ST.

9 10 11 12 13 14 15 16 17 18 19 20
PATRIOT ESTATES

12 13 14 15 16 17 18 19 20
BLACK OAK LN.
ARTURO ESPINO

1 2 3 4 5 6 7 8
E. 2 MILE RD.

186 185 184 183 182 181 180 179 178 177 176 175 174 173 172 171
FRONTIER ESTATES

187
188
189
190
191
SANDSTONE DR.
PHASE

224 225 226 227 228 229 230 231 232 233 234 235 236
223 222 221 220 219 218 217 216 215 214 213 212 211
DAWSON LN.

192 193 194 195 196 197 198 199 200 201 202 203 204
CITY OF MISSION
HIDALGO COUNTY, TEXAS

1201 E. 8th Street
MISSION, TX 78572
PH: (956) 580-8672
FAX: (956) 380-8680

Item 8.
No.

SITE LOCATION

VETERANS MEMORIAL HIGH SCHOOL (MISSION SECONDARY)

WSON LN.

11 10 9 8 7 6 5 4 3 2 1
12





M5235-00-000-0001-00 (550720)
MISSION CONSOLIDATED ISD
1116 N CONWAY AVE
MISSION TX 78572

W0100-00-029-0008-06 (317276)
REYES JUAN RAMON
521 E MILE 2 ROAD
MISSION TX 78574

W0100-00-029-0008-10 (657721)
PENA ROSA MARIA
PO BOX 1771
MISSION TX 78573

P4654-00-000-0017-00 (693127)
RESENDEZ JEANETTE MARIE
606 ABRAHAM ST
MISSION TX 78573

P4654-00-000-0018-00 (693128)
SOLIS DAGOBERTO & MELISSA
DAGOBERTO SOLIS JR
608 ABRAHAM ST
MISSION TX 78573

P4654-00-000-0019-00 (693129)
CRUZ JESUS & HELEN DIANA
610 ABRAHAM ST
MISSION TX 78573

P4654-00-000-0020-00 (693130)
MEDINA JUAN ANTONIO & AMALIA MEDINA
612 ABRAHAM ST
MISSION TX 78573

P4654-00-000-0021-00 (693131)
EKORTARH YANICK
102 BELAIRE DR APT NO 1
LAREDO TX 78041

P4654-00-000-0022-00 (693132)
STEVENS HENRY & CECILE TRSTS
STEVENS FAMILY TRUST
3202 KERALUM AVE
MISSION TX 78573

P4654-00-000-0023-00 (693133)
FLORES AARON JR & ALICIA A
3204 KERALUM AVE
MISSION TX 78573

P4654-00-000-0024-00 (693134)
SIERRA MARISOL
3206 KERALUM AVE
MISSION TX 78573

P4654-00-000-0048-00 (693158)
ADAME SILVIA O
607 ABRAHAM ST
MISSION TX 78573

P4654-00-000-0049-00 (693159)
MEYER SCOTT WADE II & BIANCA LIZETTE
609 ABRAHAM STREET
MISSION TX 78573



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Rezoning: A 48.75 acre tract of land, more or less, out of Lots 9-5, 9-6, 10-6, and 10-5, West Addition to Sharyland, (R-2) Duplex-Fourplex Residential to (R-3) Multi-Family Residential, Cabe Investments, LP, and Adoption of Ordinance#____ - De Luna

NATURE OF REQUEST:

On January 10, 2024, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site is located at the Southwest corner of Military Parkway and S. Conway Blvd. (F.M. 1016). 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: Approval.

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 REZONING A 48.75 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOTS 9-5, 9-6, 10-6, AND 10-5, WEST ADDITION TO SHARYLAND, (R-2) DUPLEX-FOURPLEX RESIDENTIAL TO (R-3) MULTI-FAMILY RESIDENTIAL

WHEREAS, the City Council of the City of Mission finds that during consideration of the rezoning request of January 10, 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 rezoning shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, January 22, 2024, in the Council Chambers of the City Hall to consider the following rezoning:

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

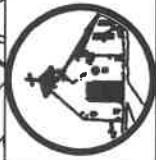
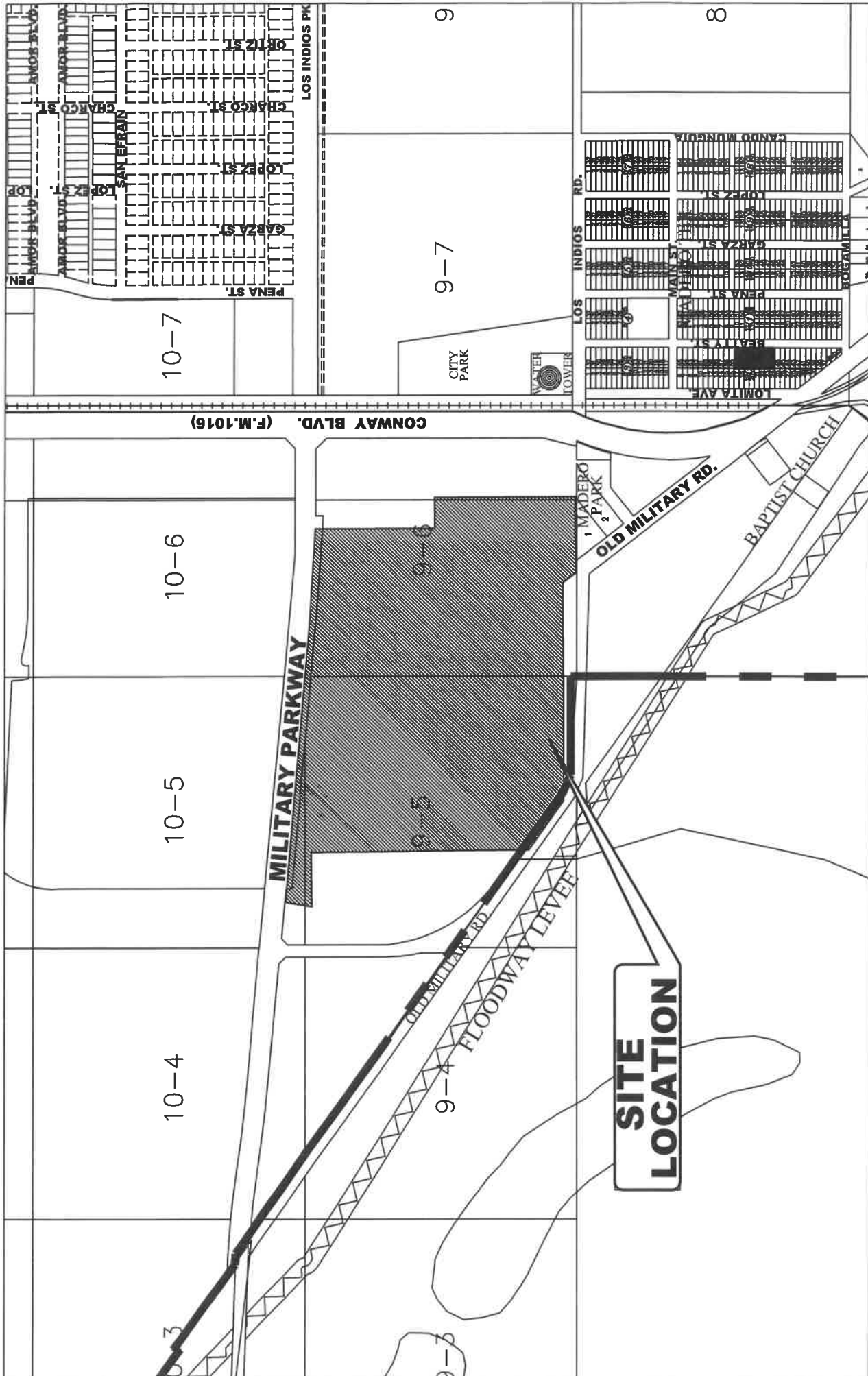
Legal Description	From	To
A 48.75 acre tract of land, more or less, out of Lots 9-5, 9-6, 10-6, and 10-5, West Addition to Sharyland	R-2	R-3

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary



CITY OF MISSION
 HIDALGO COUNTY, TEXAS

1201 E. 8th Street
 MISSION, TX 78372

PH: (956) 580-8672
 FAX: (956) 580-8680

Item 9.

No

ITEM# 1.6

REZONING: A 48.75 acre tract of land, more or less,
out of Lots 9-5, 9-6, 10-6, and 10-5,
West Addition to Sharyland
R-2 to R-3
Cabe Investments, LP

REVIEW DATA

The subject site is located at the Southwest corner of Military Parkway and S. Conway Blvd. (F.M. 1016) – see vicinity map.

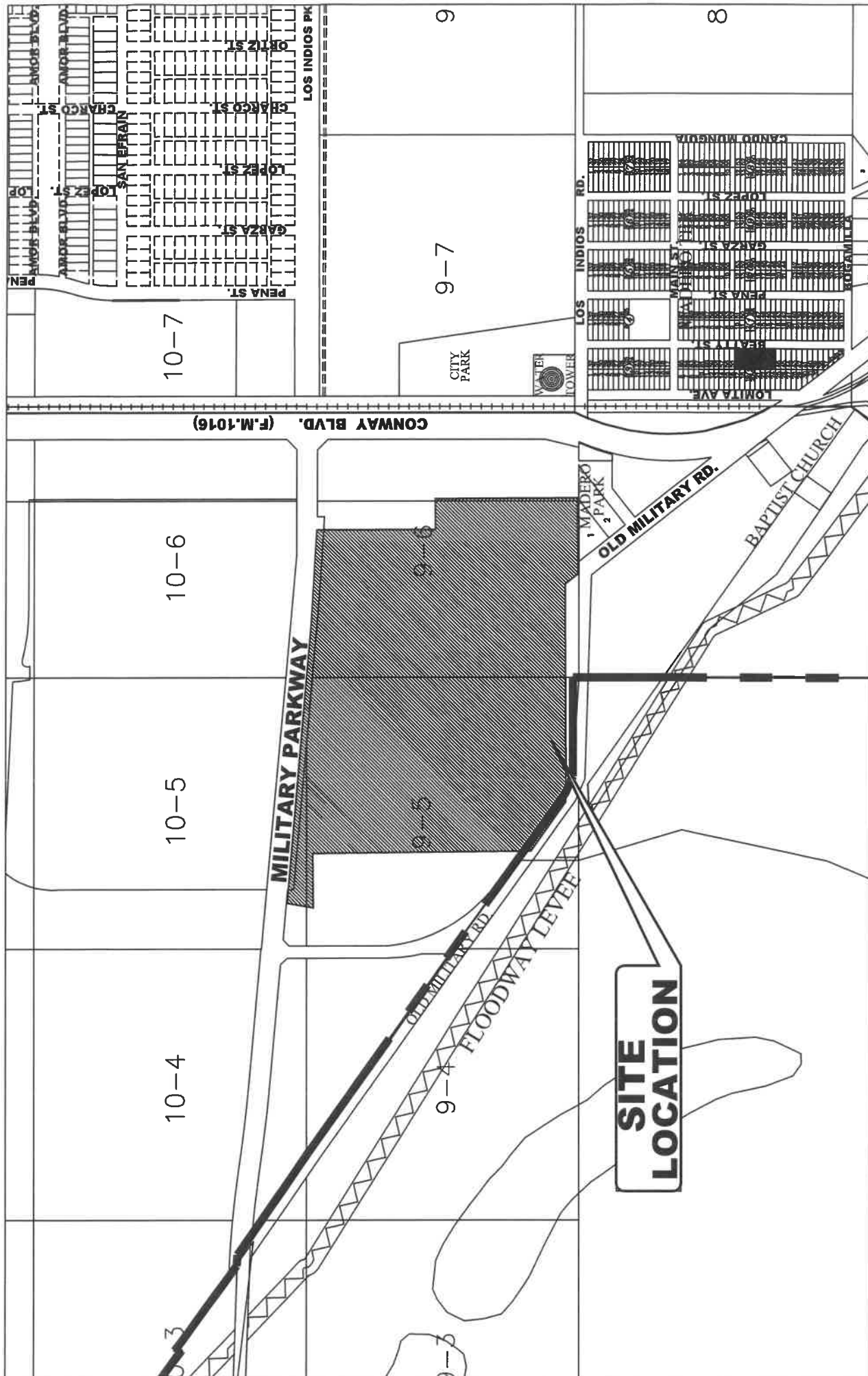
SURROUNDING ZONES:	N:	I-1	– Light Industrial
	E:	I-1	– Light Industrial
	W:	I-1	– Light Industrial
	S:	AO-I	– Agricultural Open Interim

EXISTING LAND USES:	N:	Vacant
	E:	Vacant
	W:	Vacant
	S:	Vacant
	Site:	Vacant

FLUM: Planned Unit Development (PUD)

REVIEW COMMENTS: The proposed zone does not comply with the City’s Future Land Use Map, and surrounding land uses. Staff notes that the Future Land Use Map designation is Planned Unit Development due to Tony Domit’s proposed PUD development back in 2006. However, since no subdivision was ever finalized in the original PUD, the City initiated a zoning change for this area to Industrial back in May 2018 due to the construction of the Anzaldua’s International Bridge. The City recently approved an R-2 zone in September of 2022, now the request is to consider a multi-family. Staff does not object to the proposal since the property is approximately 230’ away from Conway Blvd.

RECOMMENDATION: Staff recommends approval.



CITY OF MISSION
 HIDALGO COUNTY, TEXAS

1201 E. 8th Street
 MISSION, TX 78572
 PH: (956) 580-8672
 FAX: (956) 580-8680

Item 9.



M0355-00-000-0001-00 (499720)
VILLALOBOS JUAN A ET AL
PO BOX 52371
MCALLEN TX 78505

M0355-00-000-0002-00 (499721)
UNION DESIGN DEVELOPERS LP
4314 S CONWAY AVE
MISSION TX 78572

W0100-00-008-0006-00 (316384)
U S FISH & WILDLIFE SERVICE
PO BOX 1306
ALBUQUERQUE NM 87103

W0100-00-008-0006-01 (316385)
L C CASTILLO CORPORATION
1500 TRINITY ST
MISSION TX 78572

W0100-00-008-0006-05 (316386)
SCHUMACK RICHARD
3002 TULIP AVE
MISSION TX 78574

W0100-00-009-0005-00 (316404)
DOMIT & KAMEL LP
ATT FRANCISCO BUNT
8214 TALBOT LN
AUSTIN TX 78746

W0100-00-009-0005-01 (316405)
CABE INVESTMENTS LP
4900 W EXPWY 83 STE 239
MCALLEN TX 78501

W0100-00-009-0006-00 (316407)
OPTIONS DEVELOPMENT PARTNERS LP
3805 PLANTATION GROVE BLVD STE 35
MISSION TX 78572

W0100-00-010-0005-01 (316430)
CJ-FALL LLC
4900 W EXPWY 83 STE 239
MCALLEN TX 78501

W0100-00-010-0006-07 (316432)
AMAYA FERNANDO V
501 N BRIDGE ST NO 337
HIDALGO TX 78557

W0100-00-008-0006-11 (675251)
LC CASTILLO CORP
4314 S CONWAY AVE
MISSION TX 78572

W0100-00-010-0004-10 (722993)
BIRAIN USA LLC
314 RIO GRANDE DR
MISSION TX 78572

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING BEING ALL OF LOT 1, BODINE SUBDIVISION NO. ONE,
(C-2) NEIGHBORHOOD COMMERCIAL TO (C-3) GENERAL BUSINESS**

WHEREAS, the City Council of the City of Mission finds that during consideration of the rezoning request of January 10, 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 rezoning shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, January 22, 2024, in the Council Chambers of the City Hall to consider the following rezoning:

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

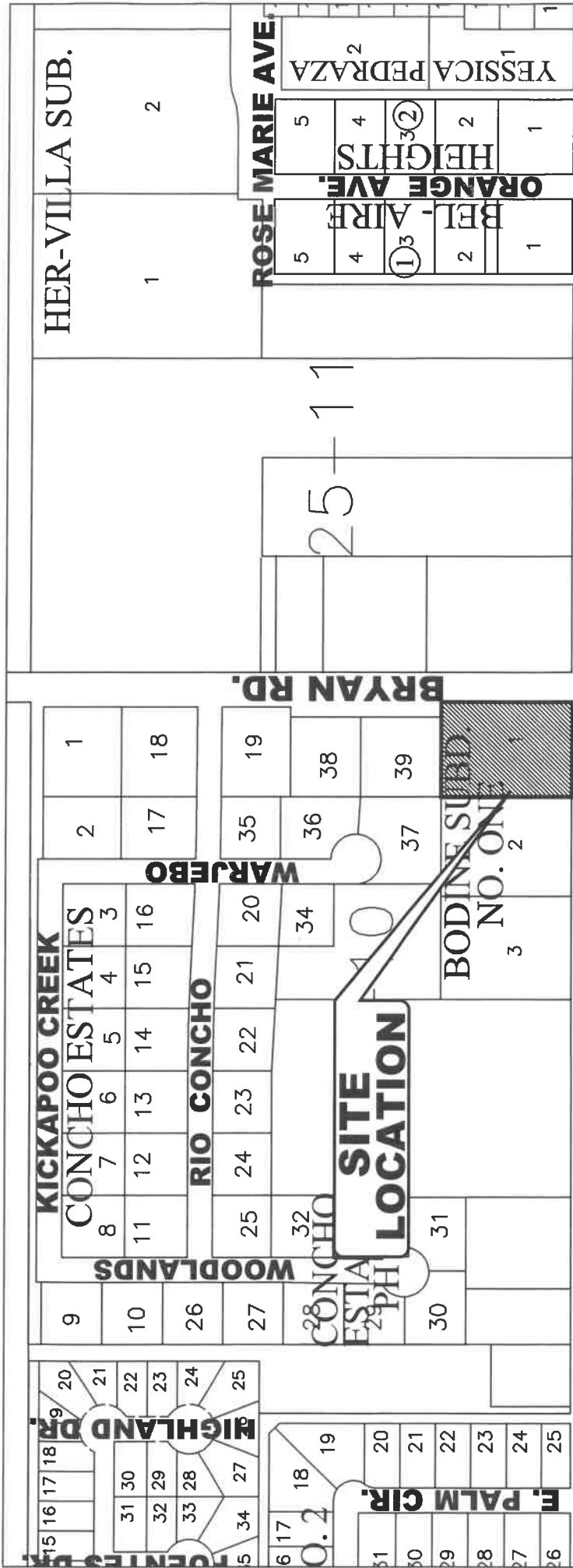
Legal Description	From	To
All of Lot 1, Bodine Subdivision No. One	C-2	C-3

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary



CITY OF MISSION
 HIDALGO COUNTY, TEXAS
 1201 E. 8th Street
 MISSION, TX 78372
 PH: (956) 580-8672
 FAX: (956) 580-8680

Item 10.

No.

ITEM# 1.7

REZONING: All of Lot 1, Bodine Subdivision No. One
C-2 to C-3
Norma L. Cavazos

REVIEW DATA

The property is located at the NW corner of E. Griffin Parkway and Bryan Road—see vicinity map. The tract has 200’ of frontage to E. Griffin Parkway (F.M. 495) and 270’ frontage to Bryan Road. Griffin Parkway is a 5-lane major thoroughfare and Bryan Road is designated as a major thoroughfare.

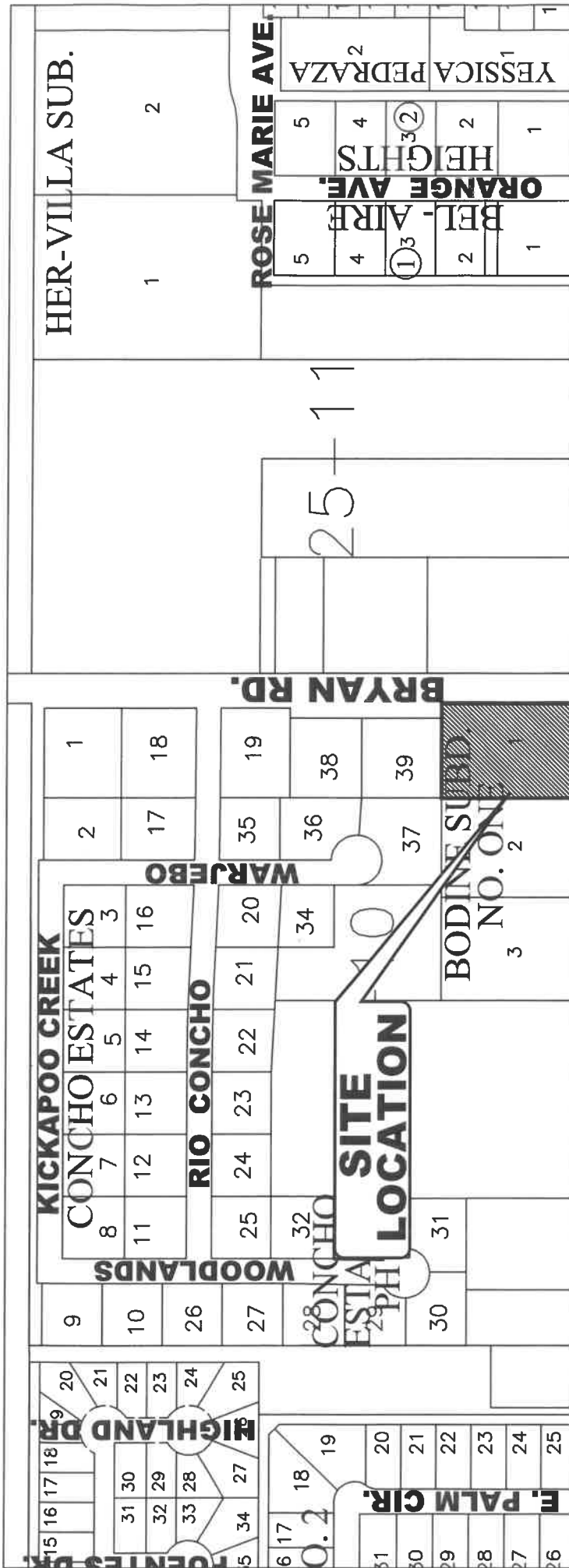
SURROUNDING ZONES: N: R-1A – Large Lot Single Family
E: C-3 – General Business
W: R-1 – Single Family Residential
S: C-1 – Office Building

EXISTING LAND USES: N: Residential
E: Vacant Commercial
W: Residential
S: Medical Offices & Related
Site: Mixture of Commercial & Multi-Family

FLUM: Lower Density Residential (LDA)

REVIEW COMMENTS: The proposed zone does not comply with the City’s Future Land Use Map, and surrounding land uses. Staff notes that the Future Land Use Map can be amended to reflect a commercial use. The City approved a C-2 (Neighborhood Commercial) zone for this property in October of 2018. Staff notes that slowly residential properties along Griffin Parkway are transitioning to commercial. Staff mailed notices to property owners within a 200’ radius of the site to solicit comments in favor or against this request. As of the date of this write-up, staff has not received any comments.

RECOMMENDATION: Staff recommends approval.



CITY OF MISSION
 HIDALGO COUNTY, TEXAS
 1201 E. 8th Street
 MISSION, TX 78572
 PH: (956) 580-8672
 FAX: (956) 580-8680

Item 10.

No.



B3350-01-000-0001-00 (126391)
CAVAZOS NORMA LYDIA
2301 N BRYAN RD
MISSION TX 78574

B3350-01-000-0002-00 (126392)
BARRERA ALICIA YOLANDA
1021 E GRIFFIN PKWY
MISSION TX 78572

B3350-01-000-0003-00 (126393)
MISSION REAL PROPERTIES INC
PO BOX 949
MISSION TX 78573

W0100-00-024-0011-00 (316955)
ANZALDUA MARIO R
1700 TRINITY ST
MISSION TX 78572

W0100-00-024-0011-08 (316962)
ANZALDUA FAMILY LP
1700 TRINITY ST
MISSION TX 78572-7441

W0100-00-025-0010-03 (317014)
SCHROEDER JANN E TRUSTEE
JAMES J SCHROEDER MARTIAL TRUST
PO BOX 909
MISSION TX 78573

W0100-00-025-0011-06 (317027)
MEDUSA INVESTMENTS LLC
2011 N CONWAY
MISSION TX 78572

W0100-00-025-0011-07 (317028)
SKLOSS HERMAN
2302 N BRYAN RD
MISSION TX 78574

W0100-00-025-0011-08 (317029)
RIVERA ALFREDO
2310 N BRYAN RD
MISSION TX 78574

B4860-00-000-0002-00 (653657)
GALEN DEVELOPMENT LLC
1113 E GRIFFIN PKWY
MISSION TX 78572

C7882-02-000-0036-00 (674245)
CRUZ MARIO ALBERTO & LINA C
2314 WARJEBO TRL
MISSION TX 78574

C7882-02-000-0037-00 (674246)
EICHELBERGER COREY & LESLIE ANNE
2310 WARJEBO TRAIL
MISSION TX 78574

C7882-02-000-0038-00 (674247)
SALINAS GABRIEL & MARLEN
2313 N BRYAN RD
MISSION TX 78574

C7882-02-000-0039-00 (674248)
PARRA ANTONIO & ENEDELIA
2311 N. BRYAN RD
MISSION, TX 78503

A1130-00-000-107B-00 (667828)
ONE MARINA LTD PRTNSHP
C/O MARTHA INTERIANO
1022 E GRIFFIN PKWY STE 204
MISSION TX 78572



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Conditional Use Permit: Drive Thru Service Window – MrKORN Gourmet Corn and More, 722 E. 8th Street, Ste. G, Lots 11 & 12 & 20’ strip adj. to Lots Block 113, Mission Original Townsite , C-3, MrKORN Gourmet Corn and More, LLC c/o Kenya Morin, and Adoption of Ordinance#_____ - De Luna

NATURE OF REQUEST:

On January 10, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site is located on the Southwest corner of N. Mayberry Road and E. 8th Street. 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) 1 year re-evaluation to assess the new business; and 2) Compliance with all City Codes (Building, Health, Fire, etc.)

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 DRIVE THRU SERVICE WINDOW – MrKORN GOURMET CORN AND MORE AT 722 E. 8TH STREET, STE. G, LOTS 11 & 12 & 20’ STRIP ADJ. TO LOTS, BLOCK 113, MISSION ORIGINAL TOWNSITE

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit request of January 10, 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 4:30 p.m. Monday, January 22, 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	Type	Conditions of Approval
722 E. 8 th Street, Ste. G Lots 11 & 12 & 20’ strip adj. to Lots, Block 113, Mission Original Townsite	Drive-Thru Service Window – MrKORN Gourmet Corn and More	1) 1 year re-evaluation to assess the new business; and 2) Compliance with all City Codes (Building, Health, Fire, etc.)

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

ITEM# 1.8

CONDITIONAL USE PERMIT: Drive-Thru Service Window
 – MrKORN Gourmet Corn and More
 722 E. 8th Street, Ste. G
 Lots 11 & 12 & 20' strip adj.
 to Lots, Block 113, Mission Original Townsite
 C-3
 MrKORN Gourmet Corn and More, LLC
 c/o Kenya Morin

REVIEW DATA

The subject site is located on the Southwest corner of N. Mayberry Road and E. 8th Street—see vicinity map. The applicant has been in business in this commercial plaza since May 6, 2022. In October 2023, the landlord acquired a conditional use permit to construct a drive-thru service window to the suite that the applicant is leasing in an effort to help boost this commercial plaza. Since the applicant would like to utilize the drive-thru service window, therefore the need for a conditional use permit. Access to the drive-thru service window is provided off of East 8th Street.

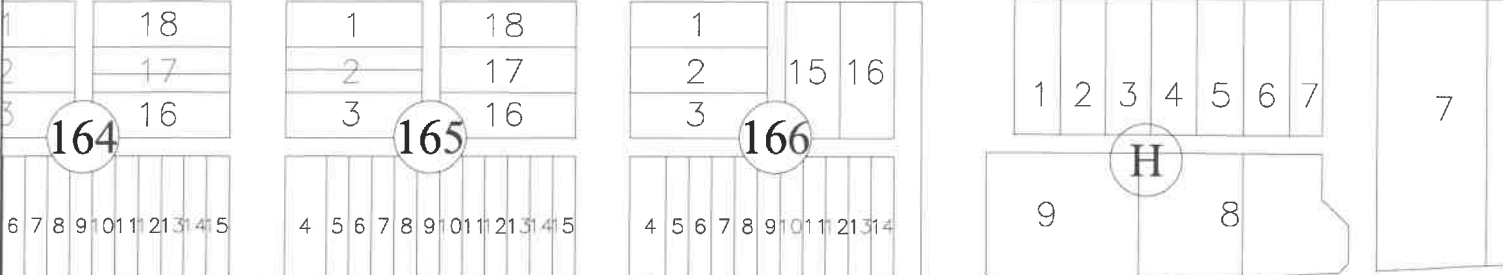
- **Days/Hours of operation:** Tuesday – Sunday from 12pm to 9pm, closed on Mondays
- **Staff:** 2 employees will man this operation
- **Parking:** Based on the square footage of the building, a total of 16 parking spaces are required for the plaza. The applicant has 16 parking spaces including the handicap parking and 2 in the drive-thru window, thus meeting code.

REVIEW COMMENTS: Staff mailed out 20 notices to property owners within 200' radius and staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

1. 1 year re-evaluation to assess the new business, and
2. Compliance with all City Codes (Building, Health, Fire, etc.)

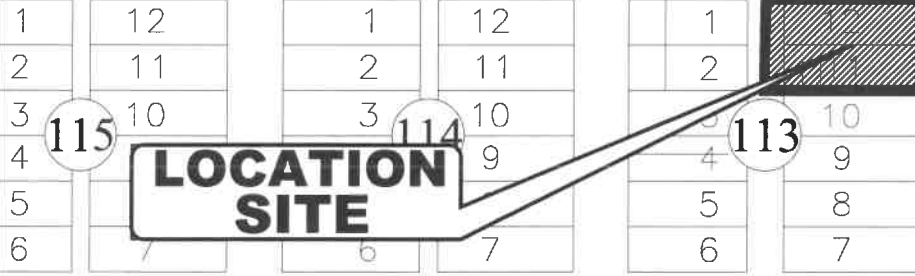
E. TOM LANDRY BLVD.



BUS. HWY 83 (E. 9th. St.)

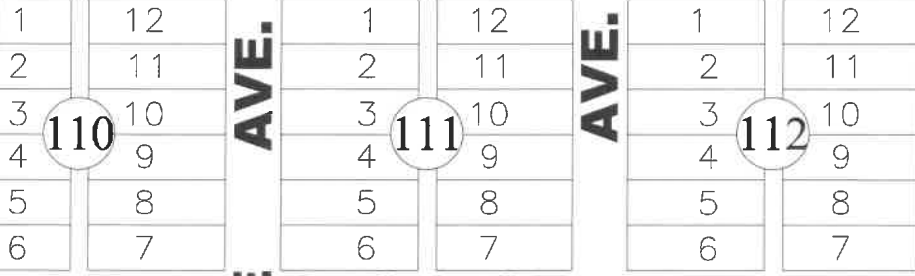


E. 8th ST.



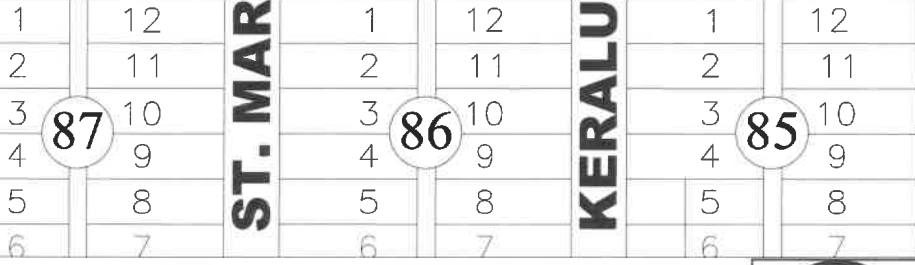
LOCATION SITE

LEO NAJO ST.



DILLARD SUBD.

E. 6th ST.



LAREDO ST.



CITY OF MISSION
HIDALGO COUNTY, TEXAS

1201 E. 8th Street
MISSION, TX 78572

PH: (956) 580-8672
FAX: (956) 580-8680



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MRKORN

GOURMET CORN AND MORE



CORN

	+Tax
S Cup (8 oz)	\$4.5
L Cup (12 oz)	\$5.5
Entero	\$4.5
MrKORN	\$10

DRESSINGS

- Salsa Macha 🔥🔥🔥🔥🔥
- Chimichurri 🔥🔥🔥🔥🔥
- Habanero 🔥🔥🔥🔥
- Chipotle 🔥🔥🔥
- Buffalo 🔥🔥
- Traditional 🔥
- Lemon Pepper
- Ranch

CHEESE

- Fresco Cheese
- Nacho Cheese
- Melting Cheese

TOPPINGS

- Hot Cheetos
- Takis Fuego
- Rancheritos
- Ruffles
- Spicy Peanuts
- Sweet Peanuts
- Doritos
- Sesame Seeds

SNACKS

	+Tax
Nachos	\$4.5
Tajinachos	\$5.0
Hot cheetos with cheese	\$3.0
Tajicheetos	
Gummies with chamoy	\$3.5
Tostielotes	\$3.5
Tostihuates	\$6.0
	\$5.0

	+Tax
Frituras Paraiso	\$6.0
Krazy Chips	\$5.55
Pickle sushi roll	\$5.75
Krazy cornuts	\$3.5
Mangonada	\$5.5
Ice cream cup	\$3.5

REFRESHMENTS

	-Tax
Agua Fresca	\$4.5
Joya	\$3.0
Rusa	\$7.0
Oreo Shake	\$5.5

SHAVED ICE

TRADITIONAL	SPECIALTY
12oz \$2.50 16oz \$3.00	12oz \$4.25 16oz \$5.25
-Blueberry	-Mexican Vanilla
-Blue Coco	-Limon
-Bubble Gum	-3 Leches
-Cotton Candy	-Tamarindo
-Grape	-Chamoyada
-Pineapple	
-Rainbow	
-Strawberry	



📞 956-600-7913

📍 722 E 8th St. Mission TX, 78572

D4800-00-000-0006-00 (159493)
 TORRES IRMA KANDY VALDOVINOS
 JEFFREY VALDOVINOS
 708 N MAYBERRY ST
 MISSION TX 78572

D4800-00-000-0006-01 (159494)
 BALDERAS ISMAEL
 1404 BARCELONA
 MISSION TX 78572

D4800-00-000-0007-00 (159497)
 BALDERAS ISMAEL
 1404 BARCELONA ST
 MISSION TX 78572

M5200-00-113-0001-00 (239467)
 LONGORIA ROSA HUERTA
 702 E 8TH ST
 MISSION TX 78572

M5200-00-113-0002-00 (239468)
 RAMIREZ BENITO
 2001 W 30TH ST
 MISSION TX 78574

M5200-00-113-0003-00 (239469)
 ORTEGA DINA DEE
 722 E 8TH ST STE C
 MISSION TX 78572

M5200-00-113-0004-00 (239470)
 CANTU HECTOR R
 704 N KERALUM AVE
 MISSION TX 78572

M5200-00-113-0005-00 (239471)
 MARTINEZ MARIA IRMA
 700 N KERALUM AVE
 MISSION TX 78572

M5200-00-113-0007-00 (239472)
 CARDENAS MARIA PLACIDA
 701 N MAYBERRY ST
 MISSION TX 78572

M5200-00-113-0008-00 (239473)
 CARDENAS MARIA PLACIDA
 701 N MAYBERRY ST
 MISSION TX 78572

M5200-00-113-0008-10 (239474)
 SEPULVEDA EUGENIO D & MARIA G
 705 N MAYBERRY ST
 MISSION TX 78572

M5200-00-113-0009-00 (239475)
 MARES PEDRO
 709 MAYBERRY ST
 MISSION TX 78572

M5200-00-113-0010-00 (239476)
 MARES DAVID
 709 MAYBERRY ST
 MISSION TX 78572

M5200-00-113-0011-00 (239477)
 AMADOR NOE SALINAS &
 JULIAN ARELLANO
 520 E 11TH ST
 MISSION TX 78572

M5200-00-140-0005-00 (239617)
 CRUZ ANNA MARIA SOTO & AARON
 808 N KERALUM AVE
 MISSION TX 78572

M5200-00-140-0006-00 (239618)
 CRUZ ISMAEL C
 3329 SPRING MEADOW LN
 GRAND PRAIRIE TX 75052

M5200-00-140-0007-00 (239619)
 GARCIA MIGUEL ANTONIO
 1204 BLUEBIRD AVE
 MCALLEN TX 78504

M5200-00-140-0008-00 (239620)
 TREVINO NOE & MARIA E
 1411 ELM DR
 MISSION TX 78572

W0100-00-020-0009-00 (316771)
 HOUSING AUTHORITY OF THE
 CITY OF MISSION
 906 E 8TH ST
 MISSION TX 78572

D4800-00-000-0005-04 (793518)
 SOUTHERN PERA INVESTMENTS LTD CO
 PO BOX 614
 PHARR TX 78577

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT FOR THE DRIVE THRU SERVICE WINDOW & SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES – LOS CUATES TACO SHOP AT 2515 S. COLORADO, STE. 11, LOT 2, BLOCK 2, SANTA LUCIA DEVELOPMENT

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit request of January 10, 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 4:30 p.m. Monday, January 22, 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	Type	Conditions of Approval
2515 S. Colorado, Ste. 11 Lot 2, Block 2, Santa Lucia Development	Drive-Thru Service Window & Sale & On-Site Consumption of Alcoholic Beverages – Los Cuates Taco Shop	<ol style="list-style-type: none"> 1) 1 year re-evaluation in order to assess the new business 2) Installation a speed bump at the end of drive-thru window 3) Compliance with all City Codes (Building, Fire, Health, etc.); and 4) CUP is not transferable to others

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

ORDINANCE NO. _____

**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**

2515 S. COLORADO, STE. 11 - LOS CUATES TACO SHOP

WHEREAS, City Ordinance No.780, passed and approved by the City Council of the City of Mission on October 7, 1974 designates certain places where beer and other alcoholic beverages may be sold within the corporate limits of the city; and

WHEREAS, a request has been submitted for the designation of a "wet area", for the property located at:

2515 S. COLORADO, STE. 11
LOS CUATES TACO SHOP

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT:

1. The property located at 2515 S. Colorado, Ste 11, Los Cuates Taco Shop, is designated as "wet area".
2. Said property located at 2515 S. Colorado, Ste 11, Los Cuates Taco Shop, shall be included in the designated areas where alcoholic beverages may be sold within the city.

READ, CONSIDERED AND APPROVED this 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

ITEM# 1.9

CONDITIONAL USE PERMIT: Drive-Thru Service Window and Sale & On-Site Consumption of Alcoholic Beverages – Los Cuates Taco Shop
 2515 S. Colorado, Ste. 11
 Lot 2, Block 2, Santa Lucia Development
 C-3
 Ana Castillo

REVIEW DATA

The subject site is located at the NW corner of Colorado and Taylor Road—see vicinity map. The applicant is leasing a 1,778 sq. ft. suite within this commercial development that includes a drive-thru service window and would like to utilize it for a proposed Taqueria. The applicant is also proposing to offer alcoholic beverages with their meals. Access to the site will be provided off of Colorado or Taylor through existing 24’ driveways. Customers can park within the shared parking area to dine in or they can use the drive-thru service window to pick up their order. The menu consists of: Tacos, espadas, quesadillas, burritos, protein bowl, lettuce tacos, soups and salads. On the weekends they plan to offer Barbacoa, carnitas, and chicharron.

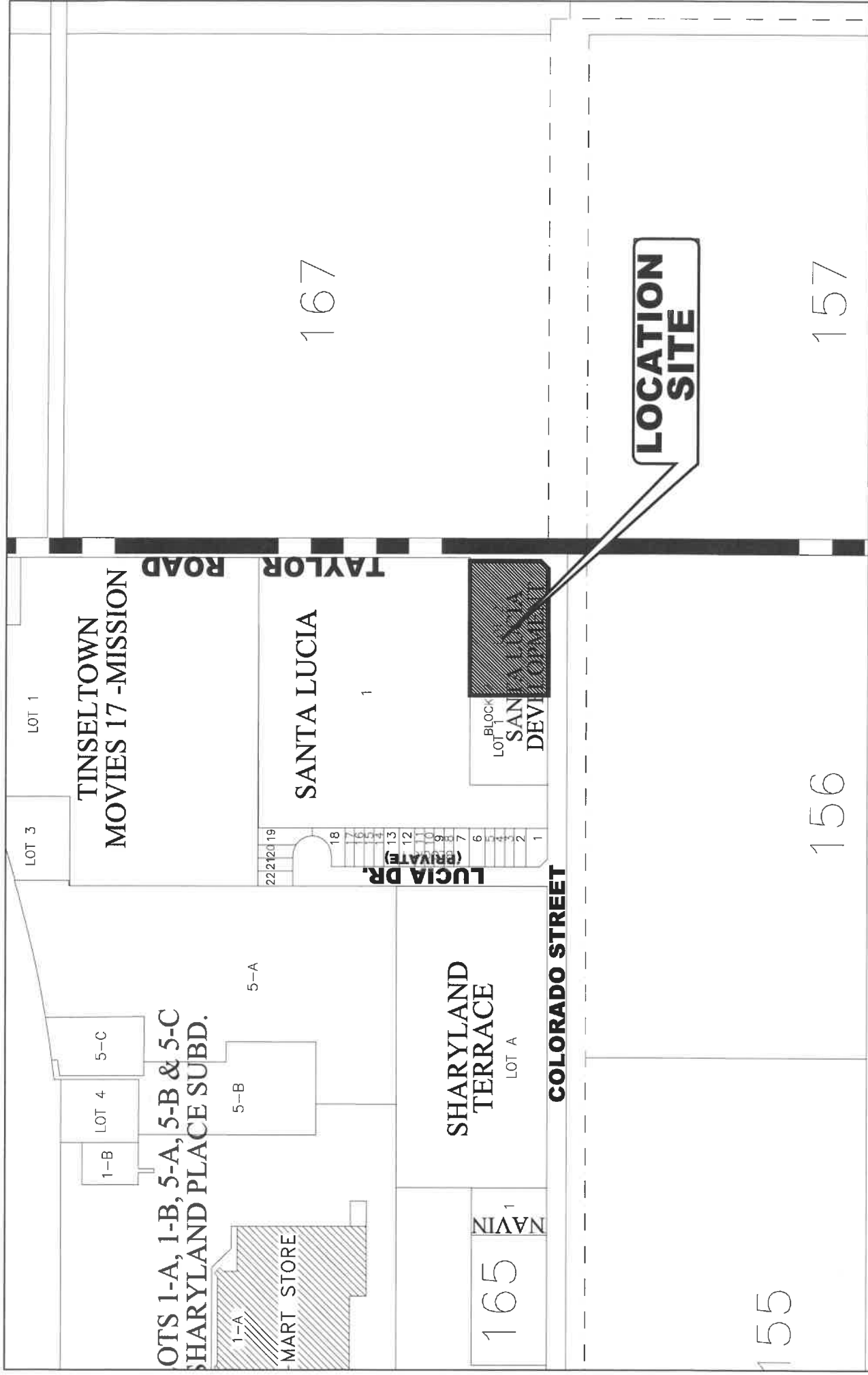
- **Days/Hours of operation:** Tuesday – Saturday from 12noon to 2am, and Sunday from 6am to 10pm
- **Staff:** a total of 15 employees will man this operation
- **Parking & Landscaping:** In reviewing the floor plan, there is a total of 46 seating spaces, which require 15 parking spaces. It is noted that the parking is held in common and there is a total of 74 parking spaces that are shared with the other businesses within the commercial plaza. The landscaping requirements are been met.
- **Sale of Alcohol:** Sec. 6-4 which states that no alcoholic beverages be sold within 300’ of a church, public or private school, or public hospital, within the corporate limits of the city. Staff notes that there is a school however, it outside our city limits.

REVIEW COMMENTS: Staff mailed out 4 notices to property owners within 200’ radius and staff has not received any comments in favor or against this request. Since this site has been previously used for a restaurant with the use of the drive-thru, staff does not object to a new applicant re-opening the site for a new similar restaurant.

RECOMMENDATION: Approval subject to:

1. 1 year re-evaluation in order to assess the new business.
2. Installing a speed bump at the end of drive-thru window.
3. Compliance with all City Codes (Building, Fire, Health, etc.), and
4. CUP is not transferable to others.

CITY OF MISSION
HIDALGO COUNTY, TEXAS
1201 E. 8th Street
MISSION, TX 78572
PH: (956) 380-8672
FAX: (956) 380-8680



Texas Parks & Wildlife Photo HERE, Garmin INCORPORATED USGS F1050



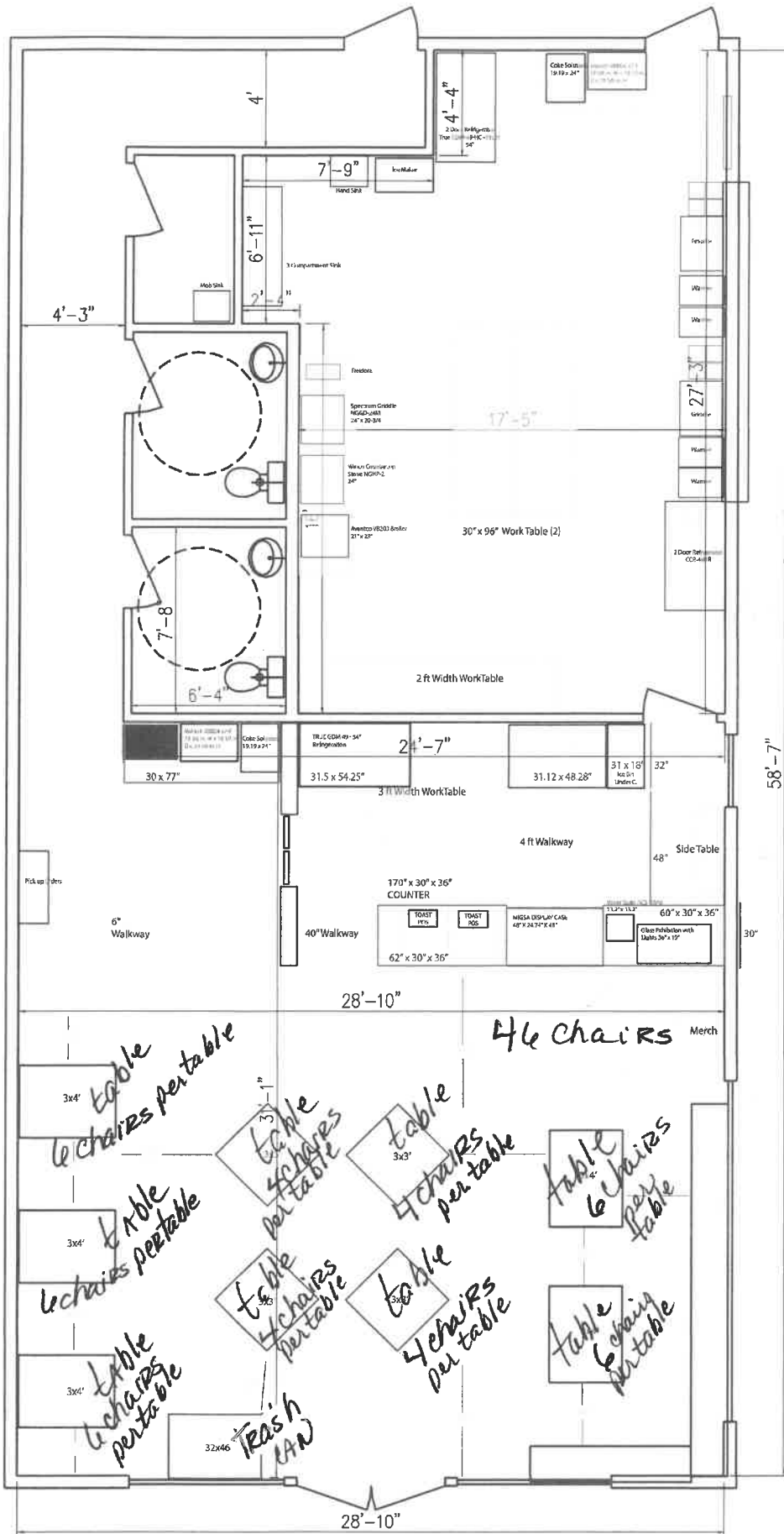
**SITE
LOCATION**

TAYLOR RD.

COLORADO ST.







DI AN #1770

LOS CUATES TACO SHOP

“MENU”

TACOS \$3.25 x piece / \$14.94 order (5 pieces)

- Fajita
- Trompo

(Add your choice of cheese)

ESPADAS \$3.25 x piece / \$14.94 order (5 pieces)

- Fajita
- Trompo
- Queso Panela

(Add your choice of cheese)

QUESADILLAS \$3.25 x piece / \$14.94 order (5 pieces)

- Fajita
- Trompo
- Queso Panela

(Add your choice of cheese)

BURRITO \$12.95

- Fajita
- Trompo
- Vegan

(Comes with cheese, refried beans, and Mexican rice)

PROTEIN BOWL \$12.95

- Spring mix, rice, black beans, corn, queso fresco, & avocado

(Add your choice of protein: fajita, trompo, campechana, chicken, or vegan)

LETTUCE TACOS \$3.25 x piece / \$14.94 order (5 pieces)

- Fajita
- Trompo
- Vegan
- Queso Panela

SALADS OR SOUP: \$12.95

- Spring mix, cilantro lime dressing, roasted veggies, pico de gallo, queso fresco (protein of choice)

SIDES: \$5.95

- Esquites Mexico (elote desgranado, mayonesa, chile, crema, queso)
- Esquite Especial (elote desgranado con mayonesa, chimichurri, queso, y papas)
- Choriqueso
- Refried Beans
- Special Fries (chimichurri de la casa, queso, cilantro)
- Guacamole
- Sauced Onions
- Mexican Rice

AGUAS FRESCAS: \$4.95

- Jamaica Natural
- Limon con Pepino y Chia
- Horchata
- Tamarindo
- Jugar con Ediciones limitadas; ponche, fresa, piña, naranja, etc..

MEXICAN BEVERAGES: \$4.95

- Coca Mexicana
- Joya de Manzana
- Joya Ponche
- Joya Durazno
- Joya Piña

SAUCE AND CONDIMENT SIDES: \$0.55

- Chimichurri
- Pico de Gallo
- Lime

WEEKEND SPECIALS: \$9.95 per pound

- Barbacoa
- Carnitas
- Chicharron
- Chicharron en Salsa Verde

- Tacos (huevo, machacado, barbacoa, chicharron) **\$3.25 x piece / \$14.94 order (5 pieces)**

TO-GO BOXES: \$19.95

- Build your own to-go box
 - Choice of Protein
 - Tortillas
 - Salsas

POSTRES/DESSERTS \$7.00

- Pan de Elote
- Pan de Cajeta
- Carlota

BEER/COCKTAILS:

- Micheladas **\$8.50**
- Cheladas **\$8.50**
- Salsas Negras **\$8.50**
- Clamato Preparado **\$8.50**
- Cervezas Mexicanas **\$5.00**
- Cervezas Draft **\$4.00**
- Margaritas (limon, tamarindo, jamaica, etc) **\$9.50**
- Vampiritos **\$8.50**
- Litros estilo Nuevo Leon **\$8.50**



Join TABC in the fight against human trafficking

L-CERT (7/2022)

Submit this form to the proper officials to obtain certification for the type of license/permit for which you are applying as required by TX Alc. Bev. Code, Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13. This Required Certifications form must be submitted with your Initial Application form.
 Contact your local TABC office for assistance.

LOCATION INFORMATION

1. Trade Name of Location (Name of restaurant, bar, store, etc.)			
Los Cuates <i>Taco Shop</i>			
2. Owner of Business/Applicant (Name of Corporation, LLC, etc.)			
Taqueria Los Cuates USA LLC			
3. Type of Owner			
<input type="checkbox"/> Corporation	<input checked="" type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Partnership	
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Limited Liability Partnership	<input type="checkbox"/> Other: _____	
4. Location Address			
2515 Colorado Street Suite 11			
City	County	State	Zip Code
Mission	Hidalgo	TX	78572
5. Mailing Address			
2515 Colorado Street Suite 11			
City	County	State	Zip Code
Mission	Hidalgo	TX	78572
6. Business Telephone Number		Alternate Telephone Number	E-mail Address
		956-538-7522	taquerialoscuates956@gmail.com
7. Application for:			
<input type="checkbox"/> Original	<input type="checkbox"/> Reinstatement	License/Permit Number _____	<input type="checkbox"/> Reinstatement and Change of Trade Name
	<input checked="" type="checkbox"/> Change of Location	License/Permit Number _____	License/Permit Number _____
			<input type="checkbox"/> Change of Location and Trade Name
			License/Permit Number _____
8A. Type of Off-Premise Retailer License/Permit:			
<input type="checkbox"/> BF Retail Dealer's Off-Premise License	<input type="checkbox"/> E Local Cartage Permit	<input type="checkbox"/> P Package Store Permit	
<input type="checkbox"/> BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit	<input type="checkbox"/> ET Third-Party Local Cartage Permit	<input type="checkbox"/> Q Wine Only Package Store	
<input type="checkbox"/> LP Local Distributor's Permit			
8B. Type of On-Premise Retailer License/Permit			
<input type="checkbox"/> BE Retail Dealer's On-Premise License	<input type="checkbox"/> E Local Cartage Permit	<input type="checkbox"/> MB Mixed Beverage	
<input checked="" type="checkbox"/> BG Wine and Malt Beverage Retail Dealer's On-Premise Permit	<input type="checkbox"/> FB Food and Beverage Certificate	<input type="checkbox"/> WP Waterpark Permit	
<input type="checkbox"/> BP Brewpub License	<input checked="" type="checkbox"/> LH Late Hours Certificate		
8C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit			
<input type="checkbox"/> BB General Distributor's License	<input type="checkbox"/> D Distillers and Rectifiers Permit - allows on-premise consumption	<input type="checkbox"/> S Nonresident Seller's Permit	
<input type="checkbox"/> BC Branch Distributor's License	<input type="checkbox"/> DS Out-of-State Winery Direct Shipper's Permit	<input type="checkbox"/> SD Brewer's Self-Distribution License	
<input type="checkbox"/> BN Nonresident Brewer's License	<input type="checkbox"/> G Winery - allows on-premise consumption	<input type="checkbox"/> W Wholesaler's Permit	
<input type="checkbox"/> BW Brewer's License	<input type="checkbox"/> J Bonded Warehouse	<input type="checkbox"/> X General Class B Wholesaler Permit	
<input type="checkbox"/> JD Bonded Warehouse (Dry Area)			
9. For On or OFF-Premise Applicants, Indicate Primary Business Type at this Location			
<input type="checkbox"/> Bar	<input type="checkbox"/> Grocery/Market	<input type="checkbox"/> Package Store	<input type="checkbox"/> Sexually Oriented
<input type="checkbox"/> Civic Center	<input type="checkbox"/> Hotel	<input type="checkbox"/> Public Entertainment Fac. (PEF as defined in Sec. 108.73)	<input type="checkbox"/> Sporting Arena
<input type="checkbox"/> Convenience Store	<input type="checkbox"/> Motel	<input type="checkbox"/> Racetrack	
<input type="checkbox"/> Delivery Company	<input type="checkbox"/> Movie Theater	<input checked="" type="checkbox"/> Restaurant	

Trade Name: _____

Los Cuates Taco St

Item 12.

Location Address: 2515 Colorado Street Suite 11

City: Mission

County: Hidalgo

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> BF	The legal sale of malt beverages for off-premise consumption only <input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
<input type="checkbox"/> BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____, TEXAS

City Secretary/Clerk

City

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the city secretary... shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> MB	Mixed Beverage Permit
<input type="checkbox"/> MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
<input type="checkbox"/> BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
<input type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
<input type="checkbox"/> BE*	Retail Dealer's On-Premise License
<input type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____, _____, TEXAS

City Secretary/Clerk

City

SEAL

Certification for Late Hours Certificate (LH)

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of mixed beverages between midnight and 2:00 A.M.;
OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of malt beverage between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 24 th Decennial Census of the United States as released by the Bureau of the Census on April 1, 2020;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2020).

SIGN

HERE _____, _____, TEXAS

City Secretary/Clerk

City

SEAL

Trade Name: Los Cuates Taco

Location Address: 2515 Colorado Street Suite 11 City: Mission County: Hidalgo

Wholesaler, Distributor or Manufacturer Certifications
Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit requests certification, the city secretary... shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary for: J

CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN
HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20__, that this location address is is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN
HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BW & D

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, **and**

does does not allow for on-premise consumption **and**
 does does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR

I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN
HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Certificate of City Secretary for: BB, BC, W & X

Applicants Per Sec. 251.79 "a wholesaler's permit, general class B wholesaler's permit, or a general or branch distributor's license may be issued and licensed premises maintained **in any area where the sale of any alcoholic beverage is legal.**"

I hereby certify on this ____ day of _____, 20__, that this location address is is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR

I hereby refuse on this ____ day of _____, 20__ to certify this location.

SIGN
HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Trade Name: _____

Los Cuates Taco Shop

Item 12.

Location Address: 2515 Colorado Street Suite 11

City: Mission

County: Hidalgo

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
<input type="checkbox"/> BF	The legal sale of malt beverages for off-premise consumption only <input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
<input type="checkbox"/> BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
<input type="checkbox"/> BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____ County
County Clerk

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
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<input type="checkbox"/> BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
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<input type="checkbox"/> BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	<input type="checkbox"/> greater than 5% alcohol by volume OR <input type="checkbox"/> 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: <input type="checkbox"/> legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR <input type="checkbox"/> legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____, _____ County
County Clerk

SEAL

Certification for Late Hours Certificate (LH)

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OR	
<input type="checkbox"/>	The governing body of this city or county has by ordinance or order authorized the sale of malt beverage between midnight and _____ A.M.;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 500,000 or more according to the 24 th Decennial Census of the United States as released by the Bureau of the Census on April 1, 2020;
OR	
<input type="checkbox"/>	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2020).

SIGN

HERE _____, _____ County
County Clerk

SEAL

Trade Name: _____

Los Cuates Tacos

Item 12.

Location Address: 2515 Colorado Street Suite 11

City: Mission

County: Hidalgo

Wholesaler, Distributor or Manufacturer Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit...requests certification, the county clerk...shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order....

Certificate of County Clerk for: J

CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

SIGN
HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for Winery (G) Applicants

Per Sec. 16.011, "A winery permit may be issued for premises in an area in which the sale of wine has not been authorized by a local option election..."

I hereby certify on this ____ day of _____, 20__, that this location address is is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR
 I hereby refuse on this ____ day of _____, 20__ to certify this location.
SIGN
HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for: BW & D

I hereby certify on this ____ day of _____, 20__, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages, **and**

does does not allow for on-premise consumption **and**
 does does not allow for off-premise consumption in accordance with 501.035 of the Election Code.

OR
 I hereby refuse on this ____ day of _____, 20__ to certify this location.
SIGN
HERE _____, _____ County
County Clerk

SEAL

Certificate of County Clerk for: BB & BC, W & X

Applicants Per Sec. 251.79 "a wholesaler's permit, general class B wholesaler's permit, or a general or branch distributor's license may be issued and licensed premises maintained **in any area where the sale of any alcoholic beverage is legal.**"

I hereby certify on this ____ day of _____, 20__, that this location address is is not in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

OR
I hereby refuse on this ____ day of _____, 20__ to certify this location.
SIGN
HERE _____, _____ County
County Clerk

SEAL

Trade Name: _____

Los Tacos Taco Shop

Location Address: 2515 Colorado Street Suite 11

City: Mission

County: Hidalgo

Item 12.

**Publisher's Affidavit for All Applicants Except BN, DS, S
TX Alc. Bev. Code, Section 11.39 and 61.38**

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE Click here to see example of newspaper publication
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
Publisher or designee certifies attached notice was published in newspaper stated on dates shown.		
Signature of publisher or designee Sworn to and subscribed before me on this date (MM/DD/YYYY)		
Signature of Notary Public		

SEAL

**Comptroller of Public Accounts Certificate for All Applicants
TX Alc. Bev. Code, Section 11.46 (b) & 61.42 (b)**

This is to certify on this _____ day of _____, 20_____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN HERE

FIELD OFFICE

SEAL

S2950-00-000-0156-00 (280830)
SHIN FOUNDATION I LTD
1401 W ESPERANZA AVE
MCALLEN TX 78501

S1818-00-000-0001-00 (961125)
SANTA LUCIA AT BENTSEN LAKES LLC
2603 E 3 MILE RD
PALMHURST TX 78573

S1819-00-002-0001-00 (1071582)
MDM REAL ESTATE DEV LLC
329 MCCOLL RD
MCALLEN TX 78501

S1819-00-002-0002-00 (1071583)
MDM REAL ESTATE DEV LLC
329 MCCOLL RD
MCALLEN TX 78501



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Chisme Bar & Grill, 1512 E. Expressway 83, Suites 108 & 109, Lot 1, Re-Subdivision of Plaza Cantera (aka Lot 2A and 3, Stewart Plaza Subdivision), C-3, MN 2016, LLC c/o Molamma B. George, and Adoption of Ordinance#_____ - De Luna

NATURE OF REQUEST:

On January 10, 2024 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site is located on the SW corner of Stewart Road and Expressway 83. 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) 6 months re-evaluation to assess this new operation; 2) Waiver of the 300' separation requirement from residential uses; 3) Provide a sound buffer to avoid noise from traveling; 4) Continued compliance with all City Codes (Building, Fire, Health codes, Noise, etc.); 5) CUP not to be transferable to others; and 6) Acquisition of a business license prior to occupancy.

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 SALE & ON-SITE
CONSUMPTION OF ALCOHOLIC BEVERAGES – CHISME BAR & GRILL AT 1512
E. EXPRESSWAY 83, SUITES 108 & 109, LOT 1, RE-SUBDIVISION OF PLAZA
CANTERA (AKA LOT 2A AND 3, STEWART PLAZA SUBDIVISION)**

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit request of January 10, 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 4:30 p.m. Monday, January 22, 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	Type	Conditions of Approval
1512 E. Expressway 83, Suites 108 & 109 Lot 1, Re-Subdivision of Plaza Cantera (aka Lot 2A and 3, Stewart Plaza Subdivision)	Sale & On-Site Consumption of Alcoholic Beverages – Chisme Bar & Grill	<ol style="list-style-type: none"> 1) 6 months re-evaluation to assess this new operation; 2) Waiver of the 300’ separation requirement from residential uses; 3) Provide a sound buffer to avoid noise from traveling 4) Continued compliance with all City Codes (Building, Fire, Health codes, Noise, etc.) 5) CUP not to be transferable to others; and 6) Acquisition of a business license

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

ITEM# 2.0

CONDITIONAL USE PERMIT: Sale & On-Site Consumption of Alcoholic Beverages – Chisme Bar & Grill
 1512 E. Expressway 83, Suites 108 & 109
 Lot 1, Re-Subdivision of Plaza Cantera
 (aka Lot 2A and 3, Stewart Plaza Subdivision)
 C-3
 MN 2016, LLC
 c/o Molamma B. George

REVIEW DATA

The site is located on the SW corner of Stewart Road and Expressway 83 -**see vicinity map**. The applicant is leasing two suites within the commercial plaza for the proposed Bar & Grill. Access to the site is provided from a 38' driveway off of Expressway 83. The applicant proposes to have a restaurant with a large dining area and bar where customers can relax and enjoy a delicious botana. The menu consists of: Indian and American appetizers, wings, burgers, tacos, Asian chines, and bread. The applicant is proposing to have 14 booths, 25 tables, a bar, and a stage, where he proposes to have live music, mariachi, and karaoke.

- **Days/Hours of Operation:** Every day from 11:00 a.m. to 2:00 a.m.
- **Staff:** 20 employees
- **Parking & Landscaping:** In reviewing the floor plan, the applicant is proposing 159 seating spaces, which require 53 parking spaces (159 seating spaces/3 = 53 parking spaces). It is noted that the parking area is held in common and there is a total of 219 parking spaces that are shared with the other businesses within the commercial plaza.
- **Sale of Alcohol:** The restaurant includes a 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the property line of any churches, schools, publicly owned property, and residences. There are 3 residential lots that are within the 300'. However, P&Z and City Council have waived the separation requirement during other similar CUP's approval.

REVIEW COMMENTS: Staff mailed out 14 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Staff notes that other CUPS for the sale and on-site consumption of alcoholic beverages for this location have been approved for other businesses in the past.

RECOMMENDATION:

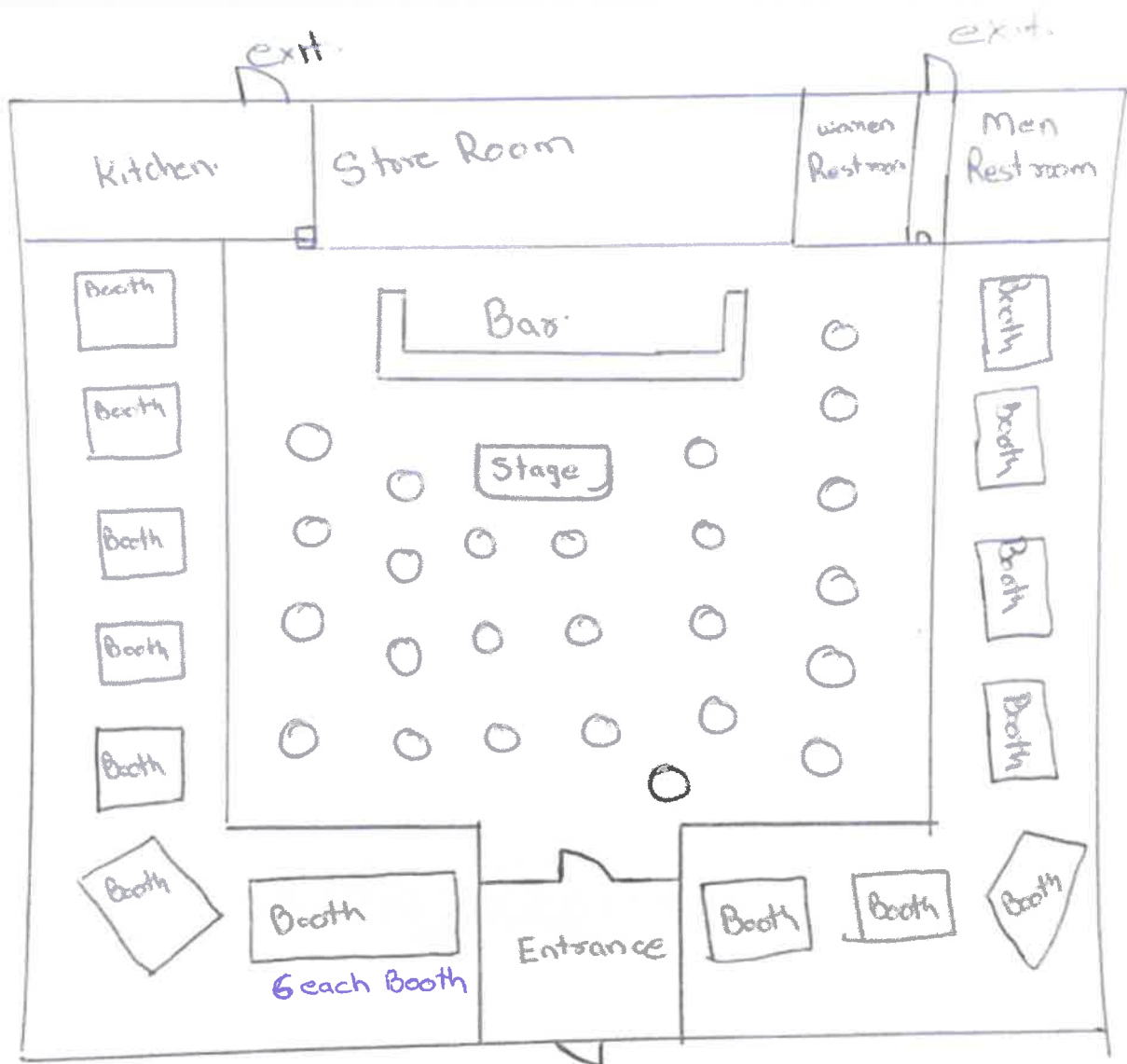
Staff recommends approval subject to:

1. 6 months re-evaluation to assess this new operation,
2. Waiver of the 300' separation requirement from residential uses,
3. Provide a sound buffer to avoid noise from traveling,
4. Continued compliance with all City Codes (Building, Fire, Health codes, Noise, etc.),
5. CUP not to be transferable to others, and
6. Acquisition of a business license prior to occupancy.



FLOOR PLAN

Chisme Bar & Grill Floor Map



14 Booths with 6 seating each. 84
 25 Tables with 3 seating each. = 75
159



CHISME

BAR AND GRIL



Appetizers IND-MEX

- Chicken Tandoori
- Malai Kabab
- Pollo 65
- Pollo Chili Dry
- Pollo Chili Gravy
- Aguachile
- Quesadilla
- BBQ Chicken Nachos
- Tostada de Ceviche
- Cheese stick Platter



Wings

- Chicken wings Boneless
- Chicken Wings Tradicional
- Tacos de Bistec
- Tacos de Trompo
- Burger Jumbo
- Burger Chicken
- Burger AllAmerican



Asian Chines

- Soup Chicken
- Fried Noodle Hakkah
- Fried Rice Egg
- Fried Rice Chicken & Shrimp



Bread

- Garlic Naan
- Regular Naan
- Tortillas



TEXAS ALCOHOLIC BEVERAGE COMMISSION
Texans Helping Businesses & Protecting Communities

Item 13.

ON-PREMISE PREQUALIFICATION PACKET

L-ON (10/2020)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13
Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.
All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website: www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number
 Reinstatement Reinstatement and Change of Trade Name License/Permit Number
 Change of Location Change of Location and Trade Name License/Permit Number

2. Type of On-Premise License/Permit
- | | |
|---|---|
| <input type="checkbox"/> BG Wine and Beer Retailer's Permit | <input checked="" type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input checked="" type="checkbox"/> MB Mixed Beverage Permit | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input type="checkbox"/> O Private Carrier's Permit -Brewpubs (BP) with a BG only | <input type="checkbox"/> E Local Cartage Permit - Wine/Beer retailers (BG) Only |

3. Indicate Primary Business at this Location
- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel | <input type="checkbox"/> Bar |
| <input type="checkbox"/> Grocery/Market | <input type="checkbox"/> Sexually Oriented | <input type="checkbox"/> Miscellaneous |

4. Trade Name of Location (Name of restaurant, bar, store, etc.)
Chisme Bar & Grill

5. Location Address
1512 Hwy 83E, Suites 108-109

City Mission	County Hidalgo	State TX	Zip Code 78572
------------------------	--------------------------	--------------------	--------------------------

6. Mailing Address 1001 Travis Street	City Mission	State TX	Zip Code 78572
---	------------------------	--------------------	--------------------------

7. Business Phone No. 956-429-7903 Her	Alternate Phone No. 956-271-7496	E-mail Address Blessong88@gmail.com
--	--	---

OWNER INFORMATION

8. Type of Owner
- | | | |
|--|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

9. Owner of Business/Applicant (Name of Corporation, LLC, etc.)
MN 2016 LLC

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your permit/license.

10. Contact Person: Molamma B. George	Relation to Business: Manager
Phone (mandatory): 956-429-7903	Email (mandatory): Blessong88@gmail.com

TABC DATESTAMP

11. Are you, the applicant, a veteran-owned business? Yes No

12. Are you, the applicant, a Historically Underutilized Business (HUB)? Yes No

13. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)

Individual/Individual Owner	Limited Liability Company/All Officers or Managers		
Partnership/All Partners	Joint Venture/Venturers		
Limited Partnership/All General Partners	Trust/Trustee(s)		
Corporation/All Officers	City, County, University/Official		
Last Name George	First Name Molamma	MI B.	Title Manager
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION
Section 109.31 et seq.

14. Will your business be located within 300 feet of a church or public hospital? Yes No

NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.

15. Will your business be located within 300 feet of any private/public school, day care or child care facility? Yes No
If "YES," are the facilities located on different floors or stories of the building? Yes No

NOTE: For private/public schools, day care centers and child care facilities, measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.

NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.

NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.

16. Will your business be located within 1,000 feet of a private school? Yes No

17. Will your business be located within 1,000 feet of a public school? Yes No

60-DAY SIGN

18. If required under Section 11.391 and 61.381, provide exact date the required sign was posted at the location. Exact Date (MM/DD/YYYY)
09-04-2023

ALL APPLICANTS

19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE
I, the applicant, have confirmed I am not located in the city limits of any city, therefore, city certifications are not required.

COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION

Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.


All required forms have been completed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have reviewed all forms to ensure they are complete.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
I have obtained all required local and state certifications (pages 3-5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All application packets have been notarized.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Phone numbers and email address for contact person are up to date.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
All additional documentation as required by the application packets is attached.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If required, out of state criminal history checks are attached (PHS #7).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Certification of publication in local newspaper has been completed (page 5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
A copy of the newspaper publication is attached (page 5).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:	WHO MUST SIGN:
Proprietorship	Individual Owner
Partnership	Partner
Corporation	Officer
Limited Partnership	General Partner
Limited Liability Partnership	General Partner
Limited Liability Company	Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "... a person who knowingly makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT NAME Molamma B. George SIGN HERE 

TITLE M

Before me, the undersigned authority, on this DECEMBER 17 day of 20, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE 
NOTARY PUBLIC

SEAL

CERTIFICATE OF CITY SECRETARY FOR MB, RM, BG & BE

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the city secretary or clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by ordinance.

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

- MB** Mixed Beverage Permit
- RM** Mixed Beverage Restaurant Permit with Food and Beverage Certificate
- BG** Wine and Beer Retailer's Permit
- BG/FB** Wine and Beer Retailer's Permit with Food and Beverage Certificate (BG must also hold a Food and Beverage Certificate)

Election for given location was held for:

- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- OR
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

BE Beer Retail Dealer's On-Premise License

OR

I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN HERE _____, TEXAS
City Secretary/Clerk City

SEAL

S2950-00-000-0161-10 (280841)
RRR DEVELOPMENT LP
PO BOX 86
HIDALGO TX 78557

T3510-00-000-0044-00 (668047)
TRISTAN YRIS VIOLETA ROBLES
1603 SEBASTIAN ST
MISSION TX 78572

T3510-00-000-0045-00 (668048)
ZAPATA GERARDO DANIEL
1601 SEBASTIAN ST
MISSION TX 78572

S6215-00-000-0005-00 (686765)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS STREET
MISSION TX 78572

S6215-00-000-002A-00 (686778)
MGV INVESTMENT GROUP LLC
4712 VERMONT AVE
MCALLEN TX 78503

S6215-00-000-002B-00 (686779)
BLUE SUNRISE INVESTMENTS LLC
312 W NOLANA LOOP
PHARR TX 78577

S6215-00-000-005A-00 (686792)
LESKO REAL ESTATE INVESTORS LTD
1205 TRAVIS ST
MISSION TX 78572

S6215-00-000-005F-00 (686784)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS ST
MISSION TX 78572

S6215-00-000-005G-00 (686785)
DLT DEVELOPMENT LLC
3907 SANTA VERONICA
MISSION TX 78572

S6215-00-000-005H-00 (686786)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS STREET
MISSION TX 78572

S6215-00-000-005I-00 (686793)
CARDENAS OSCAR & LESVIA
1205 TRAVIS ST
MISSION TX 78572

S6215-00-000-005J-00 (686787)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS STREET
MISSION TX 78572

S6215-00-000-005M-00 (686790)
LESKKO REAL ESTATE INVESTORS LTD
1205 TRAVIS ST
MISSION TX 78572

C1115-00-000-0108-00 (1178292)
MGV INVESTMENT GROUP LLC
4712 VERMONT AVE
MCALLEN TX 78503

ORDINANCE NO. _____

**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 – BUFFALO WINGS & RINGS AT
907 S. SHARY ROAD, LOT 2A, COLORADO SUBDIVISION**

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit renewal request of January 10, 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 renewal shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, January 22, 2024, in the Council Chambers of the City Hall to consider the following conditional use permit renewal:

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	Type	Conditions of Approval
907 S. Shary Road Lot 2A, Colorado Subdivision	Sale & On-Site Consumption of Alcoholic Beverages – Buffalo Wings & Rings	1) Life of Use 2) Compliance with all City Codes (Building, Health, Fire, etc.); and 3) CUP not to be transferable to others

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

ITEM# 2.1

CONDITIONAL USE PERMIT RENEWAL: Sale and On-Site Consumption of Alcoholic Beverages – Buffalo Wings & Rings
 907 S. Shary Road
 Lot 2A, Colorado Subdivision
 C-3
 MS & PS, LLC

REVIEW DATA

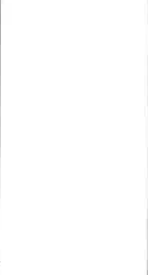
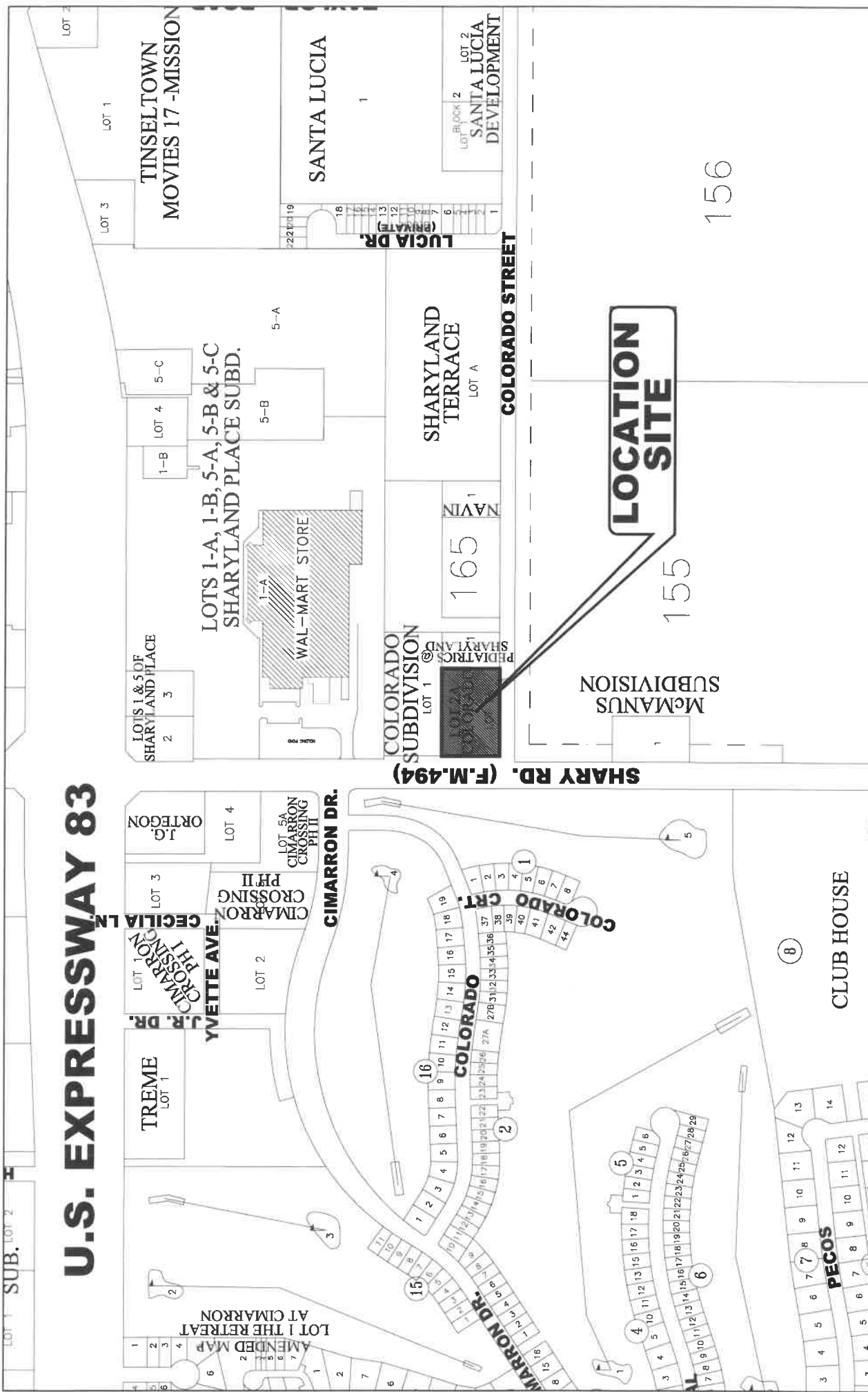
The 5,171 sq. ft. restaurant is located on the NE corner of Shary Road and Colorado Street - see **vicinity map**. Access to the restaurant is from both Shary and Colorado Street. Buffalo Wings & Rings has been in operation at this location with a conditional use permit since 2009. The applicant would like to continue to offer alcoholic beverages with his meals. The applicant would like to renew his conditional use permit. The last CUP approved for this location was on November 25, 2019 for a period of 4 years. Staff notes that this would be the applicant's 5th renewal.

- **Days/Hours of Operation:** Every day from 11a.m. to 12a.m. Alcoholic beverages are only served during allowable State selling hours.
- **Employees:** 40 - 42 in different shift
- **Parking & Landscaping:** The 5,171 sq.ft. restaurant has a total of 237 seating spaces, which require 79 parking spaces ($237 \text{ seating spaces} / 3 = 79 \text{ parking spaces}$). There are 94 existing spaces, exceeding code by 15. They are also in compliance with the landscaping code. Staff notes that parking lot has to be restriped and maintained for potholes.
- **Sale of Alcohol:** This restaurant does have a bar component which requires that there be no churches, schools, or residences within 300' of the restaurant. There are no such uses within 300'.

REVIEW COMMENTS: Staff mailed out 8 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Staff has also requested a report from Mission P.D. in regards to any incidents which may have occurred in relation to the sale and on-site consumption of alcohol. We should have that report by the meeting date.

RECOMMENDATION: Staff recommends approval for life of use subject to:
 1) Compliance with all City Codes (Building, Health, Fire, etc.), and
 2) CUP not to be transferable to others.

U.S. EXPRESSWAY 83



CITY OF MISSION
 HIDALGO COUNTY, TEXAS
 1201 E. 8th Street
 MISSION, TX 78572
 PH: (956) 580-8672
 FAX: (956) 580-8680

Item 14.

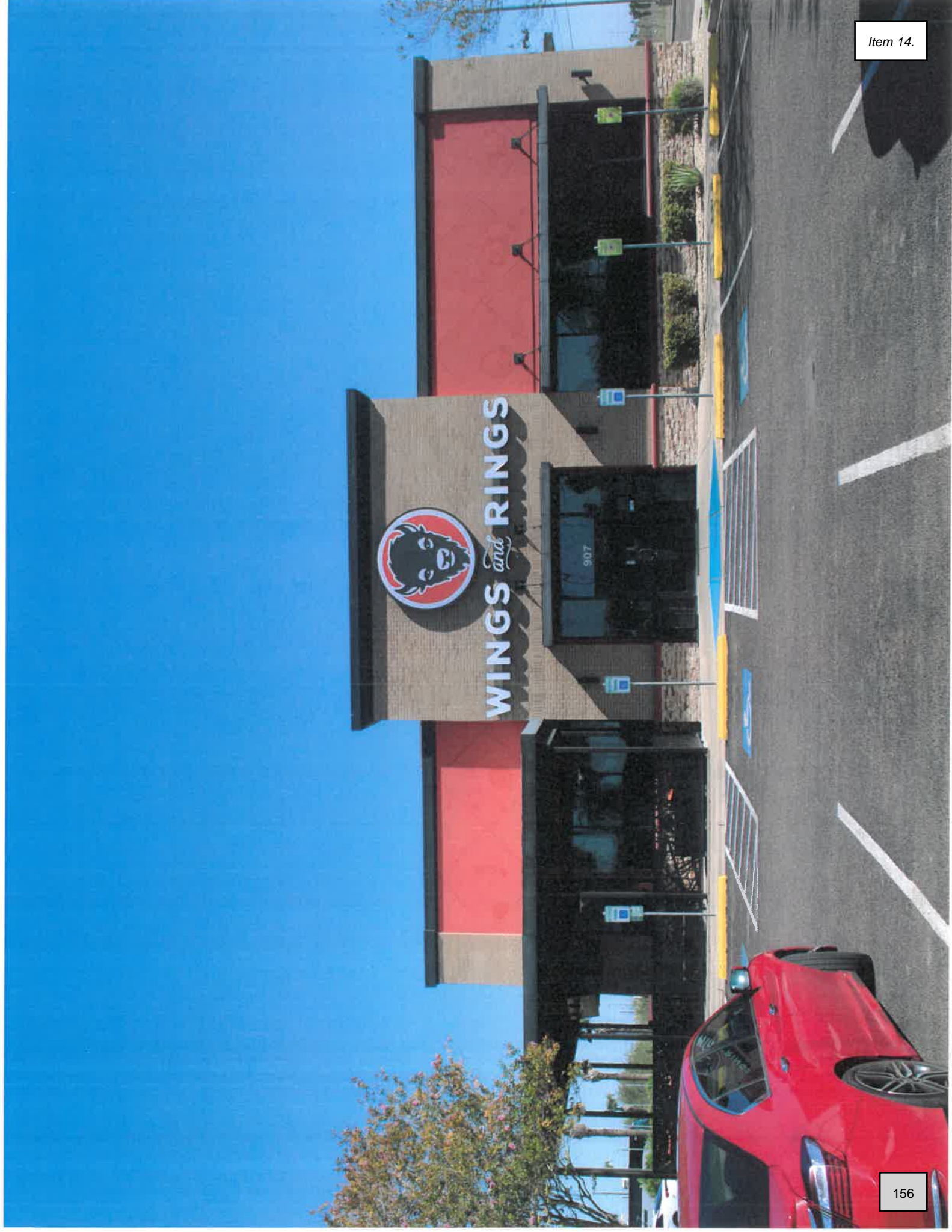


LOCATION SITE

COLORADO ST.

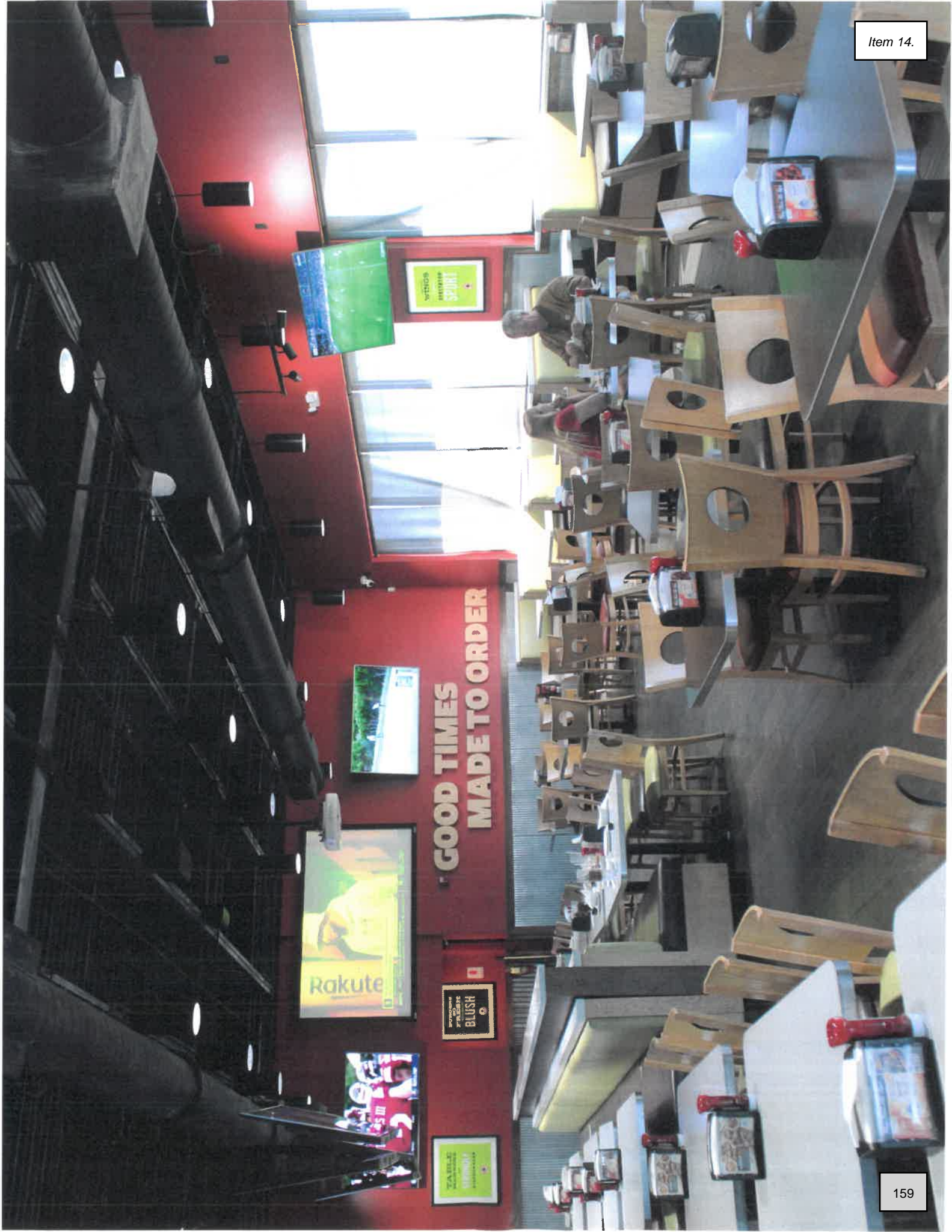
SHARY RD.











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Item 14.

License #:	MB735139		
AIMS License Type:	MB		
AIMS License #:	102299564		
Trade Name:	BUFFALO WINGS & RINGS		
Owner:	MS & PS LLC		
Location Address:	907 S SHARY ROAD	Mailing Address:	1522 Woods Dr
	MISSION , TX 78572		Mission , TX 785721440
	UNITED STATES		United States
County:	Hidalgo	Orig. Issue Date:	10/23/2009
Status:	Active	Exp. Date:	10/22/2025
		Wine Percent:	
Location Phone No.:			
Subordinates:	LH		
Related To:		Gun Sign:	BLUE

C4440-01-000-0000-00 (135318)
BLACK DIAMOND DEVELOPERS LLC
2807 SANTA ERICA
MISSION TX 78572

S2950-00-000-0155-10 (280828)
SHIN FOUNDATION INC
1901 S TAYLOR RD
MCALLEN TX 78503

S2950-00-000-0165-20 (280845)
SUSTAITA EVERARDO M
9100 S AUSTIN DR
PHARR TX 78577

C7860-00-000-0001-00 (629938)
SIMRAN HOSPITALITY LLC
901 S SHARY RD
MISSION TX 78572

S3003-00-000-001A-00 (722791)
WAL-MART REAL ESTATE BUSINESS
PO BOX 8050
BENTONVILLE AR 72712

S2950-00-000-0165-15 (816067)
SUSTAITA EVERARDO PICENO
9100 S AUSTIN DR
PHARR TX 78577

C7860-00-000-002A-00 (790017)
CARMANT LLC
1522 WOODS ST
MISSION TX 78572

P5327-00-000-0001-00 (816344)
ORFANOS G ATHANASI MD & RICARDO
3013 LAKE SHORE DR
EDINBURG TX 78539

ORDINANCE NO. _____

**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 – YOKO’S SUSHI RESTAURANT
AT 122 S. SHARY ROAD, STE. K, LOT 2, HOME DEPOT SUBDIVISION #2**

WHEREAS, the City Council of the City of Mission finds that during consideration of the conditional use permit renewal request of January 10, 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 renewal shown below be granted.

WHEREAS, The City Council of the City of Mission, held a public hearing at 4:30 p.m. Monday, January 22, 2024, in the Council Chambers of the City Hall to consider the following conditional use permit renewal:

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	Type	Conditions of Approval
122 S. Shary Road, Ste. K Lot 2, Home Depot Subdivision #2	Sale & On-Site Consumption of Alcoholic Beverages – Yoko’s Sushi Restaurant	1) Life of Use 2) Compliance with all City Codes (Building, Health, Fire, etc.); and 3) CUP not to be transferable to others

READ, CONSIDERED AND PASSED, this the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

ITEM# 2.2

CONDITIONAL USE PERMIT RENEWAL: Sale & On-Site Consumption of Alcoholic Beverages – Yoko’s Sushi Restaurant
 122 S. Shary Rd. Ste. K
 Lot 2, Home Depot Subdivision #2
 C-4
 Yoko’s Sushi Restaurant LLC

REVIEW DATA

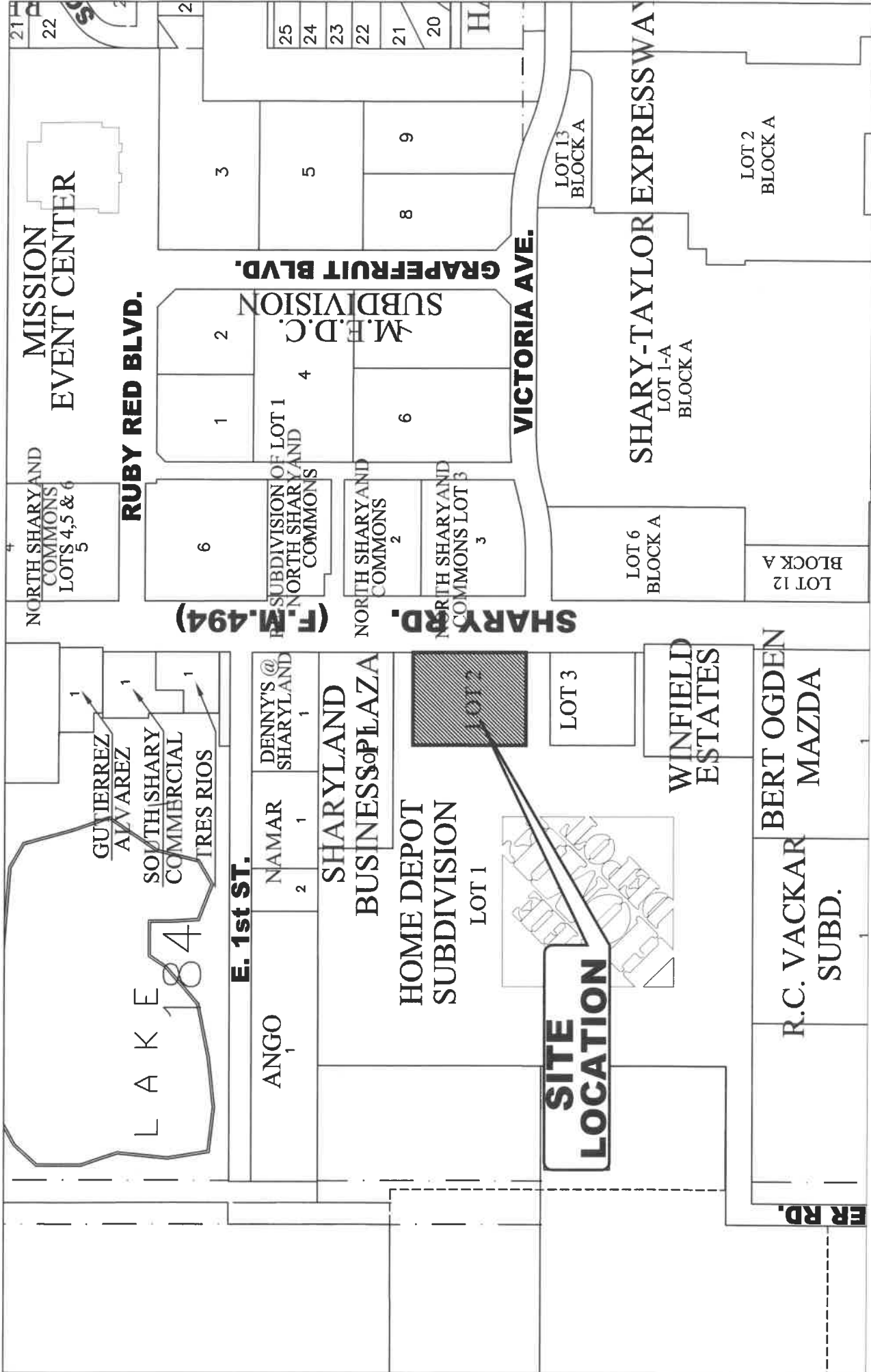
The 1,400 sq.ft. restaurant is located 1,200’ north of Expressway 83 along the west side of Shary Road within a commercial plaza – **see vicinity map**. Access to the site is from two primary driveways off of Shary Road. Yoko’s Sushi Restaurant is a family-oriented restaurant that has been in operation with a conditional use permit since 2009. The applicant would like to continue to offers alcoholic beverages with their meals. The applicant would like to renew his conditional use permit. The last CUP approved for this location was on December 13, 2021 for a period of 2 years. Staff notes that this would be the applicant’s 5th renewal.

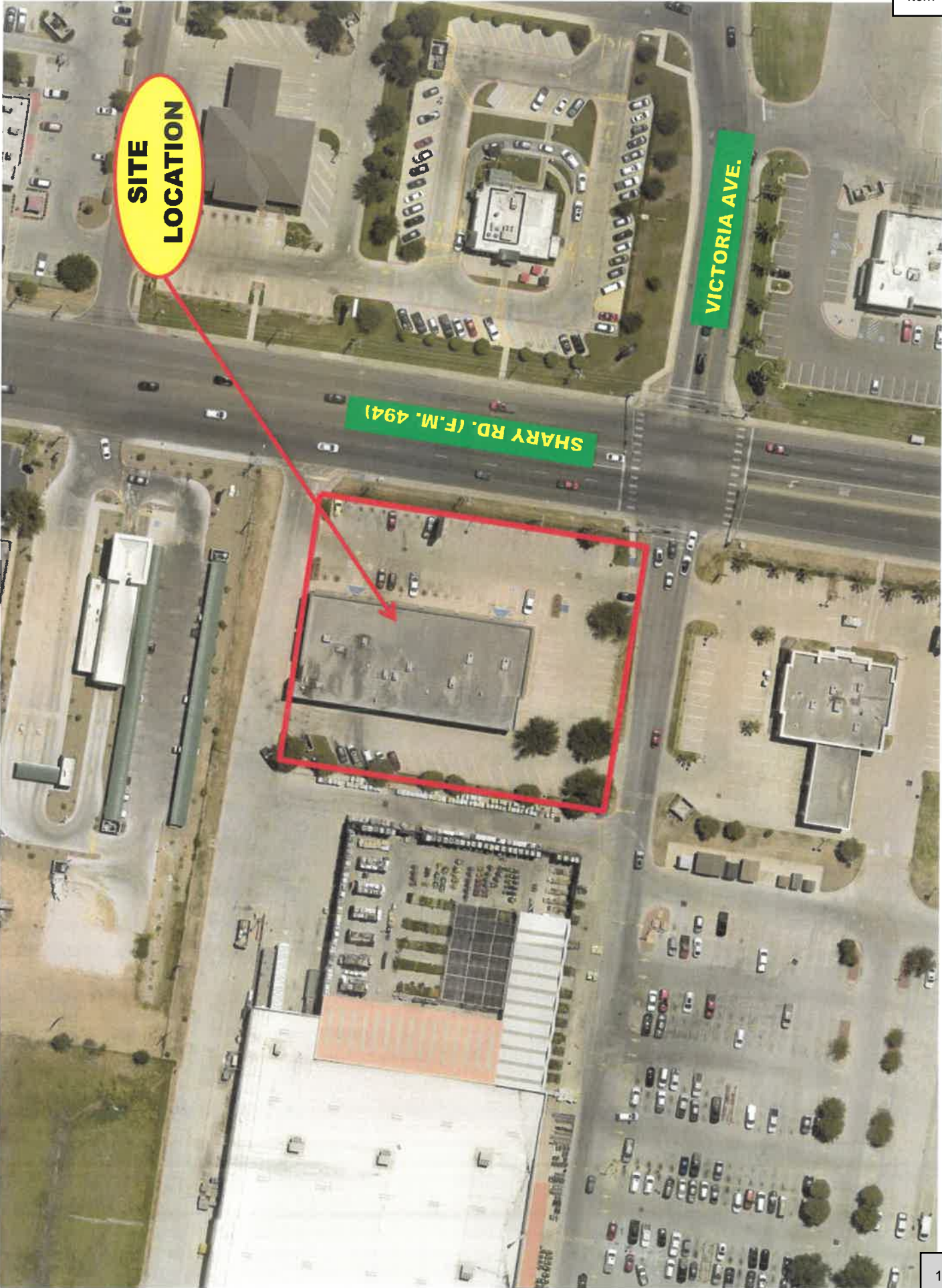
- **Days/ Hours of Operation:** Sunday – Wednesday from 11:00a.m. to 10:00p.m. and Thursday - Saturday from 11:00a.m. to 2:00a.m. Alcoholic beverages are only served during allowable State selling hours.
- **Staff:** 6 employees
- **Parking:** The 1,400 sq.ft. restaurant has a total of 58 seating spaces, which require 19 parking spaces (58 seating spaces/3 = 19.3 parking spaces). A total of 80 parking spaces are held in common within the commercial plaza. Staff notes that the parking needs to be re-striped.
- **Sale of Alcohol:** This restaurant does have a bar component which requires that there be no churches, schools, or residences within 300’ of the restaurant. There are no such uses within 300’.

REVIEW COMMENTS: Staff mailed out 7 notices to property owners within 200’ radius and staff has not received any comments in favor or against this request. The hours of operation are consistent with other family restaurant in the area. Staff has also requested a report from Mission P.D. in regards to any incidents which may have occurred in relation to the sale and on-site consumption of alcohol. We should have that report by the meeting date. Since the sale of alcohol is not the primary item of purchase, staff does not object to an extended approval term.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with all City Codes (Building, Health, Fire, etc.), and
- 2) CUP not to be transferable to others.



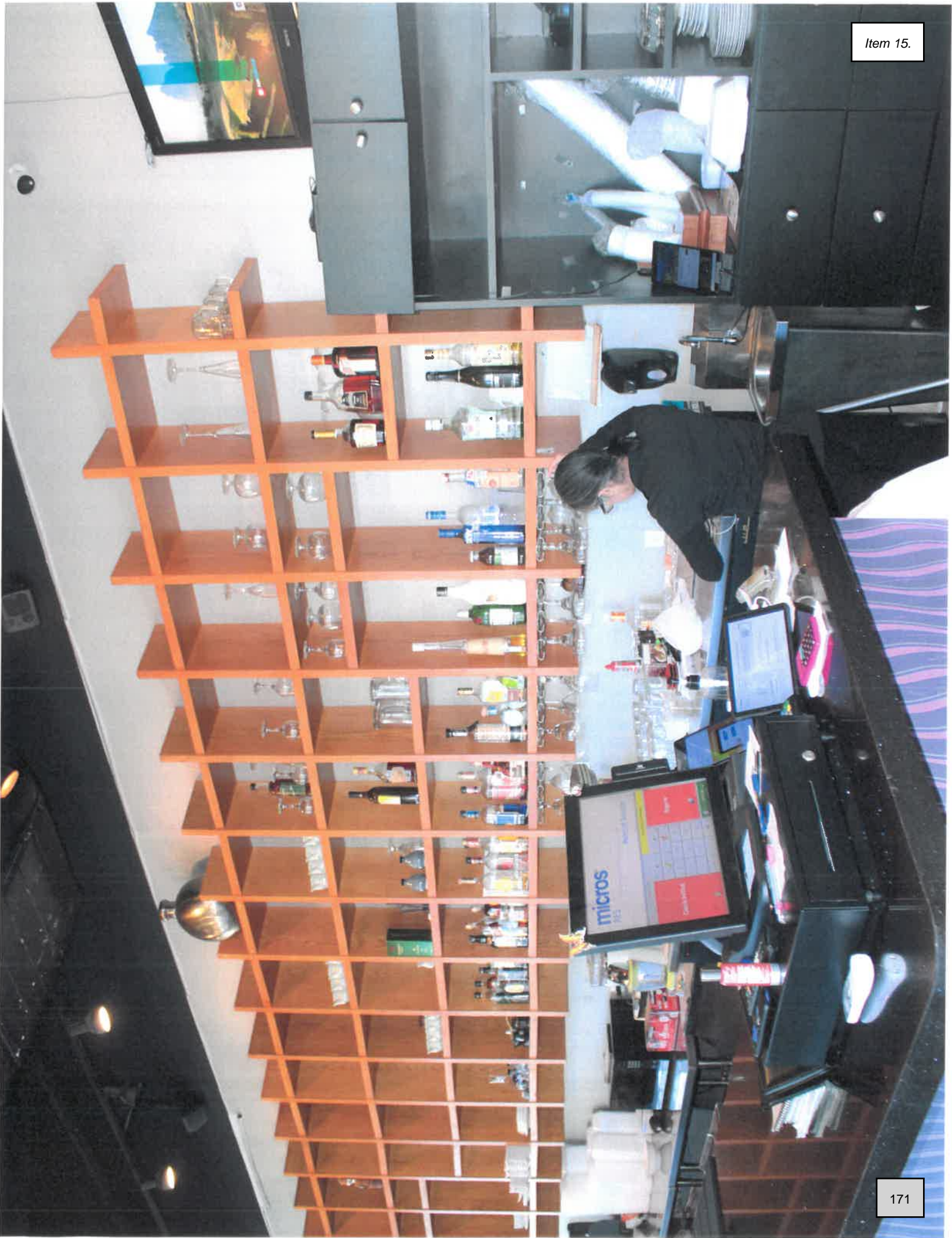












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[Print Results](#)

Item 15.

License #:	MB737576		
AIMS License Type:	MB		
AIMS License #:	102329310		
Trade Name:	YOKO'S SUSHI RESTAURANT		
Owner:	YOKO'S SUSHI RESTAURANT LLC		
Location Address:	122 S SHARY ROAD SUITE K MISSION , TX 78572 UNITED STATES	Mailing Address:	122 S SHARY RD 'K' MISSION , TX 78572 United States
County:	Hidalgo	Orig. Issue Date:	11/25/2009
Status:	Active	Exp. Date:	11/24/2025
		Wine Percent:	
Location Phone No.:			
Subordinates:			
Related To:		Gun Sign:	BLUE

S2981-00-000-0001-00 (582128)
QQ RIO GRANDE VALLEY LLC
1380 LEAD HILL BLVD SUITE 260
ROSEVILLE CA 95661

H4226-02-000-0001-00 (717055)
HD DEVELOPMENT PROPERTIES LP
2455 PACES FERRY RD SE
ATLANTA GA 30339

H4226-02-000-0002-00 (717056)
PCDF PROPERTIES LLC
PO BOX 771149
HOUSTON TX 77215

H4226-02-000-0003-00 (717057)
SECURITY SERVICE FEDERAL CREDIT
15000 IH-10 W
SAN ANTONIO TX 78249

S2979-00-00A-0006-00 (707595)
SHARY RETAIL LTD
PO BOX 924133
HOUSTON TX 77292

N6761-00-000-0002-00 (897387)
INTERNATIONAL BANK OF COMMERCE
1S BROADWAY ST
MCALLEN TX 78501

N6761-00-000-0003-00 (1125313)
R B SANDRINI FARMS LP
10889 CASEY AVE
DELANO CA 93215



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Susana De Luna, Planning Director

AGENDA ITEM: Discussion and action, if any, related to amending Appendix A of the City's Code of Ordinances; specifically, adding Article IV-A (Accommodations Review Board) intended to provide persons with disabilities reasonable accommodations to the City's zoning, subdivision, building code and other regulations to ensure that all persons have equal opportunity to use and enjoy a residence, and Adoption of Ordinance # _____. (V. Flores and S. De Luna)

NATURE OF REQUEST:

On January 10, 2024, the Planning and Zoning Commission held a public hearing to consider creating a Reasonable Accommodation Review Board to provide persons with a disability a venue to request reasonable accommodations to the City's zoning, subdivision, building code, fire code, and other regulations when it's necessary to eliminate barriers to housing opportunities to ensure a person with a disability has an equal opportunity to use and enjoy their residence. The creation of a Reasonable Accommodation Review Board was initiated and proposed by the City's Ordinance Review Committee. 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.

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 OF MISSION, TEXAS, AMENDING CODE OF ORDINANCES APPENDIX A (ZONING); SPECIFICALLY, ADDING ARTICLE IV-A (ACCOMMODATIONS REVIEW BOARD); PROVIDING FOR ENACTMENT; AN EFFECTIVE DATE; SEVERABILITY; CODIFICATION AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Mission is a home-rule municipality; and

WHEREAS, the Mission City Council may adopt ordinances that protect the health, safety and general peace and order of the municipality; and

WHEREAS, the City Commission has determined that it is in the best interest of the residents of Rio Grande City to provide persons with a disability with reasonable accommodations in the City's zoning, subdivision, building code, fire code, and other regulations, policies, practices and procedures when it is necessary to eliminate barriers to housing opportunities to ensure that a person with a disability has an equal opportunity to use and enjoy a residence.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, THAT:

Section 1: Enactment. Appendix A of the City of Mission's Code of Ordinances is amended by adding Article IV-A (Accommodations Review Board), as follows:

Chapter 1. Accommodations Review Board

Section 1.01 - Generally.

The accommodations review board shall consist of the members of the Zoning Board of Adjustment and alternate members of the Zoning Board of Adjustment and the chairperson shall be the chairperson of the Zoning Board of Adjustment. All members of the accommodations review board are subject to Article III, Boards, Committees, Commissions.

Section 1.02. - Duties, responsibilities and meetings.

The accommodations review board shall be responsible for reviewing requests for reasonable accommodation and granting or denying reasonable accommodations as described below. The chair, or, in his or her absence the acting chair, may administer oaths and compel the attendance of witnesses. The accommodations review board shall hold meetings as needed for the conduct of its business, and may establish rules and regulations for the performance of its duties. Such meetings will generally be held before or after regular meetings of the Zoning Board of Adjustment. A majority of the regular membership of the accommodations review board shall constitute a quorum. A quorum must be present to convene a meeting and to take action.

Chapter 2. Reasonable Accommodations

Section 1.03 – Purpose.

The city, pursuant to the Fair Housing Amendments Act of 1988 ("FHAA") 42 U.S.C. § 3601, et seq., as amended, and the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. § 12101, et seq., as amended, intends to provide persons with a disability with reasonable accommodations in the city's zoning, subdivision, building code, fire code, and other regulations, policies, practices, and procedures when it is necessary to eliminate barriers to housing opportunities to ensure a person with a disability has an equal opportunity to use and enjoy a dwelling.

Section 1.04. – Applicability.

1. The provisions of this article apply to residential uses that will be used by persons with disabilities.
2. The reasonable accommodation granted shall be considered personal to the individual(s) and shall not run with the land. If the structure or property impacted by the reasonable accommodation is sold, or otherwise changes ownership, a reasonable accommodation granted to the previous owner is not transferable to the new owner. Notwithstanding, the reasonable accommodation shall be in force and effect as long as the person(s) or group of persons with disabilities for whom the reasonable accommodation was sought resides in the structure or on the property that is the subject of the reasonable accommodation.
3. Nothing in this article will require the city to expend any funds to achieve a reasonable accommodation except and to the extent required by state or federal law.
4. Nothing in this article will alter a person with disabilities' obligation to comply with other applicable federal, state and city regulations.

Sec. 1.05. - Definitions.

Person with disabilities, for the purposes of this article, has the meaning set forth in the federal Fair Housing Act and the Americans with Disabilities Act, as amended.

Reasonable accommodation (inclusive of modification) means the act of making a dwelling unit or housing facility(ies) readily accessible to and usable by a person with disabilities, through the removal of constraints imposed by the city's requirements.

Requirement means a provision of city ordinance or resolution or an administrative policy, program or procedure.

Sec. 1.06. - Method of submitting a request for a reasonable accommodation; fees; confidentiality.

1. A request for a reasonable accommodation may be submitted by any person(s), his or her representative, a developer, or provider of housing for persons with disabilities.

2. A request for a reasonable accommodation may be submitted at any time that the reasonable accommodation may be necessary to ensure equal access to housing.

3. A request for a reasonable accommodation should be submitted in writing to the City Planning Director on a form provided by the planning department:

(a) There is no fee for an application requesting a reasonable accommodation.

(b) The city will retain any information identified by an applicant as confidential in compliance with applicable law and will not disclose the information unless required by law.

(c) If an individual needs assistance in making a request for a reasonable accommodation, the city's Planning Department will provide assistance to ensure that the application process is accessible to the individual.

Sec. 1.07 - Application.

An applicant shall submit the following information before an application for a reasonable accommodation is considered to be complete:

(a) The applicant's name, mailing address, street address, telephone number, and e-mail address.

(b) The applicant's relation to the individual or individuals with a disability, if applicable.

(c) The address of the property to which the requested reasonable accommodation would apply.

(d) If the disability is not obvious, information substantiating that the individual who would obtain the benefit of the reasonable accommodation is disabled.

(e) The city requirement(s) from which a reasonable accommodation is being requested.

(f) If the need for the reasonable accommodation is not readily apparent, a brief explanation of why the requested reasonable accommodation is necessary for the individual or individuals with disabilities to have equal access to housing.

Sec. 1.08. - Review of application for reasonable accommodation; required findings; appeals.

1. Upon receipt of a complete application for a reasonable accommodation, the Accommodation Review Board ("Board"), shall review the application and issue a ruling that grants, grants with conditions, or denies the application.

2. The Board shall hear and consider evidence offered by any interested person. The board's decision must be by a majority vote.

3. The Board may impose reasonable conditions on any reasonable accommodation granted consistent with the purpose of this article.

4. The Board's decision must be consistent with the FHAA and the determination of whether a request for an accommodation is reasonable is based on a consideration of the following factors:

(a) Whether the housing that is the subject of the request will be used by one (1) or more individuals with a disability.

(b) Whether the requested accommodation is necessary to make specific housing available to one (1) or more individuals with a disability.

(c) Whether the requested accommodation would impose an undue financial or administrative burden to the city.

(d) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city requirement.

5. The Board's determination is final once it is approved by the majority of the Board and filed with the Planning Department's office.

6. If the Board denies an application for a reasonable accommodation, the action is final.

7. Nothing herein shall prohibit the applicant, or persons on whose behalf a specific application was filed, from reapplying for a reasonable accommodation based on additional grounds or changed circumstances. Nor shall this provision be construed to affect in any way the rights of a person to challenge the denial of a request for reasonable accommodation as violating the Fair Housing Act, the ADA or any other applicable state, federal or local law.

Section 2. Severability. Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court with appropriate jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

Section 3. Effective Date. This ordinance will take effect immediately upon approval of the City Council and remain in full force and effect from and after its passage.

Section 4. Codification. The City Secretary of the City of Mission is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances.

Section 5. Proper Notice and Meeting. The City Council finds and determines that the meeting at which this Ordinance was passed was open to the public, and that public notice of the

time, place, and purpose of said meetings were duly given as required by the Texas Open Meetings Act, Tex. Gov't Code Chapter 551.

CONSIDERED, PASSED AND APPROVED this 22nd day of January, 2024.

Norie Gonzalez-Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

Victor A. Flores, City Attorney

ITEM# 2.3

Consideration and action related to proposed Zoning Ordinance Amendment, creating Article IV-A, providing for the Accommodations Review Board, Method for Submitting Reasonable Accommodations Requests, and Establishing Reasonable Accommodations Standards for Review and Appeal.



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Anna Carrillo, City Secretary
AGENDA ITEM: Approval of Minutes – Carrillo
 Regular Meeting – January 8, 2024

NATURE OF REQUEST:

See Attached Minutes

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval *RP*

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____



MINUTES

PRESENT:

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

ALSO PRESENT:

Beth Barnes
Lea Juarez
Noel Salinas
Jacob Espinoza
Mario Munoz
Art Garza
Matt Wilson
Javier Covarrubias
Omar Rodriguez
Patricia Perez Gallardo
Maurice Hernandez

STAFF PRESENT:

R. Gonzalez, Police Officer
Amy Tijerina, Events Manager
Mary Hernandez, Veterans Cemetery Director
Cynthia Lopez, Museum Director

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
Adrian Garcia, Fire Chief
Michael Elizalde, Director of Grants & Strategic Dev.
Susie De Luna, Planning Director
Alex Hernandez, Assistant Planning Director
Noemi Munguia, HR Director
Robert Hinojosa, Director of Organizational Dev.
Joe Enriquez, Utilities Manager
Rick Venecia, Boys & Girls Club Director
Abram Ramirez, IT Director
Abel Bocanegra, P.E., City Engineer
Cesar Torres, Chief of Police
Frank Cavazos, Deputy Fire Chief
Joanne Longoria, CDBG Director
JC Avila, Fleet Director
Yenni Espinoza, Library Director
Jesse Mares, Facilities Supervisor
Aida Lerma, Arts & Cultural Tourism Director
Roel Mendiola, Sanitation Dept. Director
Jesse Lerma Civil Service Director
Kenia Gomez, Media Relations Director
Stephen Kotsatos, Health Director
JC Avila, Fleet Director
Jose Silva, Internal Auditor
Brad Bentsen, Parks & Recreation Director

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Garza Gonzalez called the meeting to order at 4:35 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

Councilwoman Jessica Ortega led the invocation and Pledge of Allegiance.

DISCLOSURE OF CONFLICT OF INTEREST

None

PRESENTATIONS

1. Proclamation - Cervical Health Awareness Month – Carrillo

Councilwoman Ortega moved to approve the Proclamation – Cervical Health Awareness. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

2. Proclamation - Fire Fighters Cancer Awareness Month - A. Garcia

Councilwoman Ortega moved to approve the Proclamation – Fire Fighters Cancer Awareness Month. Motion was seconded by Mayor Pro Tem Ruben Plata and approved unanimously 5-0.

3. November 2023 Employee of the Month – Munguia

Noemi Munguia, Human Resources Director, presented Monica Gonzalez as the Employee of the Month for the month of November. Ms. Gonzalez was nominated by Michael Elizalde, Executive Director of Grants and Strategic Development, for her professionalism and her natural ability to be a public servant. Ms. Gonzalez always had a positive attitude and a willingness to help everyone meet their needs by finding visionary programs to assist with departmental needs. She was constantly advocating for the city's needs.

4. Presentation by American Legion Post 93 – Venecia

Mr. J.J. Garza, 2nd Vice Command of American Legion Post 93, presented the Mission Boys & Girls Club with a \$5,000 donation. Mr. Garza stated that every year American Legion Post 93 makes several donations to different entities. This year, they had already donated to Red Cross and now the Boys & Girls Club of Mission. They were also hoping to donate to the Boys Scouts.

5. Presentation by Texas Citrus Fiesta – Tijerina

Amy Tijerina, Events Manager, was honored to present the Texas Citrus Board Members and some of the Royal Court. Ms. Tijerina introduced Amanda O'caña, Texas Citrus Fiesta Board Vice President. Ms. O'caña thanked the city and the council for its continuous support. She stated that it would be an exciting month with a lot of events celebrating the Texas Citrus Fiesta. On behalf of the board and royal court, she presented Mayor Garza with a basket of goodies.

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

Brenda Enriquez, Mission Chamber of Commerce President, spoke about upcoming events such as: Murdochs Job Fair on January 9th & 10th at the Mission Chamber of Commerce, Ribbon Cutting on January 12th for El Patio De La Casa De Mi Abuela, Ribbon Cutting on

January 29th for Lilly's Beauty Lounge, Power of Business Planning Webinar and Smart Start series.

7. Departmental Reports – Perez

Mayor Pro Tem Ruben Mayor Pro Tem Plata moved to approve Departmental Reports. Motion was seconded by Councilman Vela and approved unanimously 5-0.

8. Citizen's Participation - Garza

None

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

9. Rezoning: A tract of land containing 6.33, being a part or Porcion 52, (PUD) Planned Unit Development to (R-3) Multi-Family Residential, Amigos Del Valle, Inc., and Adoption of Ordinance #5413 - De Luna

On November 20, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located ½ mile south of Mile One South and Inspiration Road along the west side of Inspiration. 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 tract of land containing 6.33, being a part or Porcion 52, (PUD) Planned Unit Development to (R-3) Multi-Family Residential, Amigos Del Valle, Inc., and Adoption of Ordinance #5413. Motion was seconded by Councilman Vela and approved 4-1, with Mayor Garza abstaining due to serving on the Amigos del Valle Board.

ORDINANCE NO. 5413

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING BEING A TRACT OF LAND CONTAINING 6.33 ACRES, BEING
A PART OR PORTION OF PORCION 52, (PUD) PLANNED UNIT DEVELOPMENT TO (R-3)
MULTI-FAMILY RESIDENTIAL

10. Rezoning: A 0.2066 acre tract of land, more or less, out of Lot 192, John H. Shary Subdivision, of Porciones 58, 59, & 60 (aka Lot 3, Glasscock Acres U/R), (R-1) Single Family Residential to (R-2) Duplex-Fourplex Residential, Jacob Lee Espinoza, and Adoption of Ordinance #_____ - De Luna

On November 20, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 100 feet North of E. 4th Street along the West side of N. Glasscock Road. There was public opposition during the P&Z Meeting. The concerns voiced were in regards to drainage, fire protection and trash. The board unanimously recommended approval.

Staff and City Manager recommended denial.

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

Jacob Espinoza, applicant, stated that he wanted to build apartments in this area and was willing to comply with any city requirements.

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

Councilwoman Ortega moved to deny the Rezoning: A 0.2066 acre tract of land, more or less, out of Lot 192, John H. Shary Subdivision, of Porciones 58, 59, & 60 (aka Lot 3, Glasscock Acres U/R), (R-1) Single Family Residential to (R-2) Duplex-Fourplex Residential, Jacob Lee Espinoza, and Adoption of Ordinance #____. Motion was seconded by Councilman Vela and denied unanimously 5-0.

11. Rezoning: A 2.0 gross acre tract of land, more or less, carved out of a part of Lots 4 & 5, J.E. Leslie Subdivision, (C-3) General Business to (R-1T) Townhouse Residential, Olbein J. Ramos Jr., and Adoption of Ordinance #5414 - De Luna

On November 20, 2023, the Planning and Zoning Commission held a Public Hearing to consider the rezoning request. The subject site was located 490' South of E Business Highway 83 along the West side of N. Taylor 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 Councilwoman Ortega and approved unanimously, the public hearing was closed.

Councilwoman Ortega moved to approve the Rezoning: A 2.0 gross acre tract of land, more or less, carved out of a part of Lots 4 & 5, J.E. Leslie Subdivision, (C-3) General Business to (R-1T) Townhouse Residential, Olbein J. Ramos Jr., and Adoption of Ordinance #5414. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

ORDINANCE NO. 5414

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING BEING A 2.0 GROSS ACRE TRACT OF LAND, MORE OR LESS,
CARVED OUT OF A PART OF LOTS 4 & 5, J.E. LESLIE SUBDIVISION, (C-3) GENERAL
BUSINESS TO (R-1T) TOWNHOUSE RESIDENTIAL

12. Conditional Use Permit: Build a Pool House, 2505 San Lorenzo, Lot 17, Sharyland Plantation Village San Miguel Ph. 8, PUD, Arnulfo R. Achirica, and Adoption of Ordinance # 5415 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 460' off of the Santa Monica & San Lorenzo intersection along the north side of San Lorenzo. 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 Councilwoman Ortega and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Build a Pool House, 2505 San Lorenzo, Lot 17, Sharyland Plantation Village San Miguel Ph. 8, PUD, Arnulfo R. Achirica, and Adoption of Ordinance #5415. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5415

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT BUILD A POOL HOUSE, 2505 SAN LORENZO,
LOT 17, SHARYLAND PLANTATION VILLAGE SAN MIGUEL PH. 8

13. Conditional Use Permit: Mobile Food Truck – Kabubi Arabian Tacos & Gyros, 2509 Colorado Street, Ste. 202, Lot 1, Block 2, Santa Lucia Development, C-3, Michel J. Abou Yakzan, and Adoption of Ordinance #5416 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located near the NW corner of Colorado and Taylor Road along the north side of Colorado 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 Councilwoman Ortega and approved unanimously, the public hearing was closed.

Mayor Pro Tem Plata moved to approve the Conditional Use Permit: Mobile Food Truck – Kabubi Arabian Tacos & Gyros, 2509 Colorado Street, Ste. 202, Lot 1, Block 2, Santa Lucia Development, C-3, Michel J. Abou Yakzan, and Adoption of Ordinance #5416. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5416

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT MOBILE FOOD TRUCK – KABUBI ARABIAN
TACOS & GYROS AT 2509 COLORADO STREET, STE. 202, LOT 1, BLOCK 2, SANTA
LUCIA DEVELOPMENT

14. Conditional Use Permit: Xulcan Event Center, 2813 E. Griffin Parkway, Suite C, Lot 1, Adams Crossing, C-3, Xulcan Event Center c/o Antonio Izaguirre, and Adoption of Ordinance #5417 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located at the NE corner of Griffin Parkway & Taylor 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 the Conditional Use Permit: Xulcan Event Center, 2813 E. Griffin Parkway, Suite C, Lot 1, Adams Crossing, C-3, Xulcan Event Center c/o Antonio Izaguirre, and Adoption of Ordinance #5417. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5417

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT XULCAN EVENT CENTER AT 2813 E. GRIFFIN
PARKWAY, SUITE C, LOT 1, ADAMS CROSSING

15. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Tommasino Pizza, Pasta & Vino, 2100 E. Griffin Parkway, Lots 1 & 2, Block 2, Springfield Ph. I Commercial, C-3, Tommasino Ristorante, LLC c/o Javier D. Covarrubias, Adoption of Ordinance #5418 and Wet Zone Ordinance #5419 - De Luna

On December 13, 2023 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 Creek Run and Griffin Parkway (FM 495) along the south side of Griffin Parkway. 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 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Tommasino Pizza, Pasta & Vino, 2100 E. Griffin Parkway, Lots 1 & 2, Block 2, Springfield Ph. I Commercial, C-3, Tommasino Ristorante, LLC c/o Javier D. Covarrubias, Adoption of Ordinance #5418 and Wet Zone Ordinance #5419. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5418

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 – TOMMASINO PIZZA, PASTA & VINO AT 2100 E. GRIFFIN
PARKWAY, LOTS 1 & 2, BLOCK 2, SPRINGFIELD PH. I COMMERCIAL

ORDINANCE NO. 5419

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
2100 E. GRIFFIN PARKWAY - TOMASSINO PIZZA, PASTA & VINO

16. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Las Calles De Mexico Taqueria, 308 N. Shary Road, Ste. A, Lot 1, Sundance Crossing, C-3, Las Calles De Mexico, LLC c/o Stephanie Carrillo, Adoption of Ordinance #5420 and Wet Zone Ordinance #5421 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located approximately 214' south of E. 4th Street along the east side of 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 the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Las Calles De Mexico Taqueria, 308 N. Shary Road, Ste. A, Lot 1, Sundance Crossing, C-3, Las Calles De Mexico, LLC c/o Stephanie Carrillo, Adoption of Ordinance #5420 and Wet Zone Ordinance #5421. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5420

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 CALLES DE MEXICO TAQUERIA AT 308 N. SHARY
ROAD, STE. A, LOT 1, SUNDANCE CROSSING

ORDINANCE NO. 5421

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
308 N SHARY ROAD, STE. A – CALLES DE MEXICO TAQUERIA

17. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Whistling Duck, 1603 E. Griffin Parkway, Lots 10 & 11, Block 3 Shary Gardens Subdivision, C-3, Whistling Duck, Inc., and Adoption of Ordinance#5422 - De Luna

On December 13, 2023 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 Garden View Drive and 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. 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 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages – Whistling Duck, 1603 E. Griffin Parkway, Lots 10 & 11, Block 3 Shary Gardens Subdivision, C-3, Whistling Duck, Inc., and Adoption of Ordinance#5422. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5422

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 – WHISTLING DUCK AT 1603 E. GRIFFIN PARKWAY, LOTS 10 & 11, BLOCK 3, SHARY GARDENS SUBDIVISION

18. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages– The Grove at Sharyland Bar & Grill, 2402 Brock Street, Unit 2, Lots 21 & 22, Sharyland Center (aka Shary Business Center Condos Unit 3), C-3, Grove at Sharyland c/o Mauricio Hernandez, and Adoption of Ordinance#5423 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located within a commercial plaza approximately 420' south of Griffin Parkway along the east side of 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.

Councilman Vela moved to approve the Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages– The Grove at Sharyland Bar & Grill, 2402 Brock Street, Unit 2, Lots 21 & 22, Sharyland Center (aka Shary Business Center Condos Unit 3), C-3, Grove at Sharyland c/o Mauricio Hernandez, and Adoption of Ordinance#5423. Motion was seconded by Councilwoman Marissa Ortega-Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5423

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 – THE GROVE AT SHARYLAND BAR & GRILL AT 2402 BROCK STREET, UNIT 2, LOTS 21 & 22, SHARY BUSINESS CENTER (AKA SHARY BUSINESS CENTER CONDOS UNIT 3)

19. Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages & Drive Thru Service Window – El Ronco Servi-Car, 1728 W. Griffin Parkway, Lot B, Girasol Estates Subdivision, C-3, Ismael Reyes, and Adoption of Ordinance#5424 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit request. The subject site was located on the NW corner of Salinas Drive & W. Griffin Parkway. 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 Conditional Use Permit: Sale & On-Site Consumption of Alcoholic Beverages & Drive Thru Service Window – El Ronco Servi-Car, 1728 W. Griffin Parkway, Lot B, Girasol Estates Subdivision, C-3, Ismael Reyes, and Adoption of Ordinance#5424. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5424

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 & DRIVE THRU SERVICE WINDOW – EL RONCO SERVI-CAR
AT 1728 W. GRIFFIN PARKWAY, LOT B, GIRASOL ESTATES SUBDIVISION

20. Conditional Use Permit Renewal: Drive Thru Service Window – Panaderia Donato, 3003 N. Conway Avenue, Lot 1, Husain Subdivision, C-3, Jorge A. Melesio, and Adoption of Ordinance#5425 - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the Conditional Use Permit Renewal request. The subject site was located approximately ¼ of a mile south of W. Mile 2 Road along the west side of Conway Avenue. There was no public opposition during the P&Z Meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval. Mayor Garza asked if there were any comments for or against the request.

There were no comments.

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 Conditional Use Permit Renewal: Drive Thru Service Window – Panaderia Donato, 3003 N. Conway Avenue, Lot 1, Husain Subdivision, C-3, Jorge A. Melesio, and Adoption of Ordinance#5426, for life of use. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5425

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT RENEWAL FOR THE DRIVE THRU SERVICE
WINDOW – PANADERIA DONATO AT 3003 N. CONWAY AVENUE, LOT 1, HUSAIN
SUBDIVISION

21. Preliminary Final Re-Plat Approval: KMDG Subdivision, Being a 1.364 acre tract, A replat of Lots 3-9, of Morwill Heights Subdivision, C-3, Developer: Luis L. Khit, Engineer: SOTEX Engineering, LLC - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the replat. The subject site was located approximately 430' south of E. 8th Street on the west side of Bryan 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 the Preliminary Final Re-Plat Approval: KMDG Subdivision, Being a 1.364 acre tract, A replat of Lots 3-9, of Morwill Heights Subdivision, C-3, Developer: Luis L. Khit, Engineer: SOTEX Engineering, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

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

Special Meeting – December 18, 2023 and December 28, 2023

Regular Meeting – December 18, 2023

23. Acknowledge Receipt of Minutes – Perez

Mission Civil Service Commission – November 6, 2023

Youth Advocacy Advisory Board – October 10, 2023

Mission Tax Increment Reinvestment Zone – October 24, 2023

Mission Redevelopment Authority – October 24, 2023

Mission Economic Development Corporation – October 25, 2023

Mission Economic Development Authority – August 30, 2023

Parks & Recreation Board – October 10, 2023

Keep Mission Beautiful – October 17, 2023

24. Approval of Resolution No. 1872 authorizing the Mission Police Department to submit an Agreement for the Temporary Closure of State Right-of-Way to the Texas Department of Transportation for the Texas Citrus Fiesta Parade – Torres

The Texas Citrus Parade was scheduled for January 27, 2024. The agreement was required by the Texas Department of Transportation for the closure of Texas Highway 107 (Conway Avenue) between the Two and a Half Mile Line and Interstate 2, the 100 and 200 Block of West Tom Landry and the 100 and 200 Block of West Business Highway 83. The Mission Police Department was responsible for securing the route to ensure the safety of both motorists and pedestrians.

RESOLUTION NO. 1872

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AUTHORIZING THE SUBMITTAL TO THE TEXAS DEPARTMENT OF TRANSPORTATION BY THE MISSION POLICE DEPARTMENT OF AN AGREEMENT FOR THE TEMPORARY CLOSURE OF STATE RIGHT OF WAY FOR THE TEXAS CITRUS FIESTA PARADE AND AUTHORIZING THE ISSUANCE OF A PUBLIC PERMIT THEREFORE

25. Approval of Interlocal Agreement between City of Mission and Mission Consolidated Independent School District for Pool Use – Bentsen

City of Mission and Mission CISD desired to enter into an Interlocal Agreement for the purpose for the use of the Natatorium Facility at Bannworth Park located at 1822 North Shary Road and Mayberry Pool Facility located at 115 South Mayberry Road by both Mission CISD Jr. High Schools and Sr. High Schools. The agreement was for the 2023-2024 school year at a cost determined by pool use at the end of the 2023-2024 swim season if needed.

26. Authorization to purchase subscription renewals, maintenance and repair hours, equipment, supplies, and related products and service from Insight utilizing DIR-TSO-4167, DIR-CPO-5030, DIR-CPO-4877, DIR-TSO-3763, DIR-TSO-4160, DIR-TSO-4343, OMNIA Contract - # 23-6692-03 – Ramirez

Authorization to purchase subscription renewals, maintenance and repair hours, equipment, supplies, and related products and service from Insight utilizing DIR-TSO-4167, DIR-CPO-5030, DIR-CPO-4877, DIR-TSO-3763, DIR-TSO-4160, DIR-TSO-4343, OMNIA Contract - # 23-6692-03.

2023-2024 budget year spend estimated to be 40,000 exceeding the \$25,000 threshold requiring city council approval.

27. Authorization to purchase subscription renewals, maintenance and repair hours, equipment, supplies, and related products and service from Telepro utilizing TIPS Contract # 230105 and 230202 – Ramirez

Authorization to purchase subscription renewals, maintenance and repair hours, equipment, supplies, and related products and service from Telepro utilizing TIPS Contract # 230105 and 230202.

2023-2024 budget year spend estimated to be 60,000 exceeding the \$25,000 threshold requiring City Council Approval.

28. Authorization to Solicit for bids for Electrical Repair & Maintenance Services for Water Treatment Plants, Wastewater Treatment Plant & Water Distribution – Bocanegra

Staff was seeking authorization to solicit bids for Electrical Repair & Maintenance Services (Emergency Services) needed by the Public Works Department for Water Treatment Plants, Wastewater Treatment Plant & Water Distribution.

29. Approval of First Amendment to the Funding Agreement with the Greater Mission Chamber of Commerce, Inc. – Vela

The City agreed to pay the Chamber Hotel Occupancy Tax Funds in the annual sum of \$310,000.00 payable in quarterly installments. Such payments would be dependent upon and shall not exceed the availability of Hotel Occupancy Revenues for the fiscal year contracted.

Payment for services to the Chamber shall be based upon requests for reimbursement with proper documentation. Payment would be made in compliance with and as required by state legislative law, and as amended. The City shall have the right to audit and inspect the Chamber's record in order to verify expenditures.

30. Authorization to purchase a 2024 Polaris Xpedition via TIPS contract 210907- Torres

The Mission Police Department was seeking authorization to purchase a 2024 Polaris Xpedition from Boswell Elliff Ford LT Boswell LLC, via TIPS contract # 210907. The purchase cost amount was \$47,694.00. The purchase would be paid with Police Federal Sharing.

31. Approval of Ordinance # 5426 amending Chapter 50 Libraries, Article II, Section 50-32 Composition; Appointment of the City of Mission Code Ordinances – Carrillo

Speer Memorial Library Board had requested to change the number of members from nine (9) to seven (7) members. Reducing the number of members will facilitate meeting quorum to conduct meetings.

ORDINANCE NO. 5426

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING CHAPTER 50 LIBRARIES, ARTICLE II SECTION 50-32 COMPOSITION; APPOINTMENT

32. Approval of Ordinance #5427 amending Chapter 70 Parks and Recreation, Article II, Parks and Recreation Board, Section 70-42, Composition of the City of Mission Code Ordinances - Carrillo

Parks and Recreation Board currently consists of seven members, recommendation was to increase to a nine-member board. The increase of members would add additional support to the new All-Inclusive Park, programs and activities as needed by the community.

ORDINANCE NO. 5427

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS AMENDING CHAPTER 70 PARKS AND RECREATION, ARTICLE II PARKS AND RECREATION BOARD, SECTION 70-42 COMPOSITION

Mayor Pro Tem Plata moved to approve all consent agenda items 22 thru 32 as presented. Motion was seconded by Councilman Vela and approved unanimously 5-0.

APPROVALS AND AUTHORIZATIONS

33. Preliminary Plat Approval: Retama Phase VI Subdivision, Being 9.173 acres out of Lot 14 Del Monte Irrigation Co. Subdivision, PUD (R-1), Developer: Rhodes Development, Inc., Engineer: Melden & Hunt, Inc. - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the subdivision. The subject site was located on the SE corner of Bentsen Palm Dr. and Military Parkway East. 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 moved to approve the Preliminary Plat Approval: Retama Phase VI Subdivision, Being 9.173 acres out of Lot 14 Del Monte Irrigation Co. Subdivision, PUD (R-1), Developer: Rhodes Development, Inc., Engineer: Melden & Hunt, Inc. Motion was seconded by Councilman Vela and approved unanimously 5-0.

34. Preliminary Plat Approval: Holland Terrace Subdivision, Being a Subdivision of a 4.50 acre tract of land out of Lot 25-5, West Addition to Sharyland Subdivision, R-1T, Developer: JJAB Family Limited Partnership, Engineer: Spoor Engineering Consultants, Inc. - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the subdivision. The subject site was located on the east side of Holland Avenue approximately 600' north of Griffin Parkway. 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 Preliminary Plat Approval: Holland Terrace Subdivision, Being a Subdivision of a 4.50 acre tract of land out of Lot 25-5, West Addition to Sharyland Subdivision, R-1T, Developer: JJAB Family Limited Partnership, Engineer: Spoor Engineering Consultants, Inc. Motion was seconded by Councilman Vela and approved unanimously 5-0.

35. Preliminary Plat Approval: La Villita Estates No. 3, A 9.37 acre tract of land out of Lot 45-3, West Addition to Sharyland, Rural E.T.J, Developer: COMAREX, LLC, Engineer: Pablo Soto, Jr. P.E. - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the subdivision. The subject site was located 330' east of the intersection of Mile 6 North Road and Los Ebanos Road on the north side of Mile 6 North Road (Mission Rural ETJ). 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 moved to approve the Preliminary Plat Approval: La Villita Estates No. 3, A 9.37 acre tract of land out of Lot 45-3, West Addition to Sharyland, Rural E.T.J, Developer: COMAREX, LLC, Engineer: Pablo Soto, Jr. P.E.. Motion was seconded by Councilman Vela and approved unanimously 5-0.

36. Final Plat Approval: Brushline Meadows Subdivision, A 17.62 acre tract of land being all of Lot 91, and the south 7.62 acres out of Lot 92, The Nick Doffing Co. Subdivision No. 1, Rural ETJ, Developer: 1960 Investment Company, LLC, Engineer: Nain Engineering, LLC - De Luna

On October 24, 2022, the Mission City Council held a Public Hearing to consider the Preliminary Plat Approval for Brushline Meadows Subdivision. The subject site was located at the southeast corner of Mile 7 North and Brushline Road. There was no public opposition during the City Council meeting. The board unanimously recommended approval.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Final Plat Approval: Brushline Meadows Subdivision, A 17.62 acre tract of land being all of Lot 91, and the south 7.62 acres out of Lot 92, The Nick Doffing Co. Subdivision No. 1, Rural ETJ, Developer: 1960 Investment Company, LLC, Engineer: Nain Engineering, LLC. Motion was seconded by Councilman Vela and approved unanimously 5-0.

37. Consider a Variance request to allow an installation of septic tank on Lot 49, Misiones de San Jorge as requested by Cesar Cabello from CABA Investments, LP - De Luna

On December 13, 2023 the Planning and Zoning Commission held a Public Hearing to consider the variance request. The subject site was located along the south side of Military Parkway, approximately 400' west of F.M. 1016 (Conway Avenue)

On November 8, 2023 staff received a letter from Cesar Cabello, Acting Manager for CABA Investment, LP requesting the installation of a septic system at the proposed subdivision of Las Misiones de San Jorge Lot 49. Currently, the project was under construction. As per statement,

the system would service a 14'10"x48'10" portable structure which would serve as a sales and construction office for personnel use as the project developed up until the said lot would need to be cleared for vertical construction. The building was classified as a temporary sales office for the sale of lots which was considered a permitted use per Article VIII – Use Districts and Conditional Uses.

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 moved to approve the Variance request to allow an installation of septic tank on Lot 49, Misiones de San Jorge as requested by Cesar Cabello from CABA Investments, LP. Motion was seconded by Councilman Vela and approved unanimously 5-0.

38. Approval of October 2023 Financial Statements – Vela

October 2023 Unadjusted Financials (attached).

Staff and City Manager recommended approval.

Councilman Vela moved to approve the October 2023 Financial Statements. Motion was seconded by Councilwoman Ortega-Gerlach and approved unanimously 5-0.

39. Approval of the November 2023 Tax Collection Report - Vela

Acceptance of monthly property tax report for the month of November 2023.

The 2023 total adjusted tax levy for taxes was \$32,462,336.25 and the amount of the collections as of November 30, 2023 is \$1,639,540.68 which represents 5.05% of the total 2023 tax levy.

The total adjusted tax levy for delinquent taxes was \$2,398,215.37 and the amount of collections as of November 30, 2023 is \$178,673.42 which represents 7.45% of the total tax levies from previous years.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the November 2023 Tax Collection Report. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

40. Board Appointments – Ambulance Board, Building Board of Adjustments, Citizen Advisory Committee, Civil Service Commission, Mission Economic Development Authority, Mission Economic Development Corporation, Mission Education Development Council, Mission Historic Preservation Commission, Parks and Recreation Board, Planning and Zoning Commission, Shary Golf Course Advisory Board, Special Events & Entertainment Committee, Speer Memorial Library Board, Tax Increment Reinvestment Zone, Traffic Safety Committee, Youth Advocacy Advisory Board, and Zoning Board of Adjustments – Carrillo

Attached was the list of Board and Committee Appointments along with the recommendations by Mayor Norie Garza.

AMBULANCE BOARD – Re-appoint Kane Dawson, Alvin Patina, Dr. Ivan Melendez and Tim Brown

BUILDING BOARD OF ADJUSTMENTS – Re-appoint Michael Davis and appoint Hector Gonzalez to replace Carl Davis.

CITIZENS ADVISORY COMMITTEE – Re-appoint Alma Garcia and Cynthia Pacheco and appoint Emigdio Villanueva, Jr and Monika Rosales-Flores to the vacant positions.

CIVIL SERVICE COMMISSION – Re-appoint Jerry Saenz and appoint Guillermo Delgadillo to replace Michael Davis.

MISSION ECONOMIC DEVELOPMENT AUTHORITY – Appoint Councilwoman Gerlach as alternate to Mayor position.

MISSION ECONOMIC DEVELOPMENT CORPORATION & MISSION EDUCATION DEVELOPMENT COUNCIL – Appoint Julian Alvarez to replace Noel Salinas and appoint Councilman Gerlach as alternate to Mayor position.

MISSION HISTORIC PRESERVATION COMMISSION – Appoint Irma Flores Lopez to the vacant position.

PARKS & RECREATION BOARD – Re-appoint Cris Voss, Melissa Y. Reyna and Jesus Mendiola. Appoint Diego Gutierrez and Julissa Barrera Martin to the two new positions.

PLANNING & ZONING COMMISSION – Re-appoint Raquenel Austin and Jasen Hardison. Appoint Omar Guevara to replace Ruben Arcuate, appoint Connie Garza as a regular member and appoint Steven Alaniz to the alternate position.

SHARY GOLF COURSE ADVISORY BOARD – Re-appoint Toby Garza, Isaac Martinez and Jose G. Salinas.

SPECIAL EVENTS & ENTERTAINMENT COMMITTEE – Appoint Mike & Estella Flores, Kay Wolf, Paola Lopez, Kristi Collier and Marianna T. Wright.

SPEER MEMORIAL LIBRARY BOARD – Re-appoint Beth Blanton and appoint Rose Mary Gallagher to the vacant position.

TAX INCREMENT REINVESTMENT BOARD – Re-appoint Hector Moreno, Albert Chapa and Efrain Reyna, Jr. and appoint Dennis Burleson to replace Amanda O'cana.

TRAFFIC SAFETY COMMITTEE – Re-appoint Luis Dovalina, Apolinar Solis and Luis Enrique Lopez.

YOUTH ADVOCACY ADVISORY BOARD – Re-appoint Jennifer Lee Venecia, Rebecca R. Lopez, Sergio Cruz, Rolando Reyna III and Henry Rodriguez. Appoint Amy Ortega and Peter Geddes.

ZONING BOARD OF ADJUSTMENTS – Re-appoint Dolly Elizondo and Andrew C. Riddle as members. Re-appoint Humberto Garza and Michael R. De Leon as alternate members.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve the Board Appointments – Ambulance Board, Building Board of Adjustments, Citizen Advisory Committee, Civil Service Commission, Mission Economic Development Authority, Mission Economic Development Corporation, Mission Education Development Council, Mission Historic Preservation Commission, Parks and Recreation Board, Planning and Zoning Commission, Shary Golf Course Advisory Board, Special Events & Entertainment Committee, Speer Memorial Library Board, Tax Increment Reinvestment Zone, Traffic Safety Committee, Youth Advocacy Advisory Board, and Zoning Board of Adjustments. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

UNFINISHED BUSINESS

38. TABLED 12/18/2023 - Discussion regarding City Projects and Funding Sources, and possible action, if any, related to the same, including but not limited to approval of any budget amendments – Perez

Discussion regarding City Projects and Funding Sources, and possible action, if any, related to the same, including but not limited to approval of any budget amendments

Staff and City Manager recommended approval.

Upon motion by Mayor Pro Tem Plata seconded by Councilman Vela and approved unanimously, this item was untabled.

Councilwoman Ortega-Gerlach moved to approve the designated purpose fund budget amendment BA23-25. Motion was seconded by Councilwoman Ortega and approved 4-1, with Mayor Pro Tem Plata voting against.

ROUTINE MATTERS

City Manager Comments – The city would be promoting the “It’s Time Texas Challenge”, January 13th – Mayors Walk at 10am at Bannworth Park, January 14th – Farmers Market at Bannworth Park, January 20th – TCF Royal Ball at 7pm at the Mission Event Center, January 25th – TCF Royal Coronation at 7pm at the Mission Event Center, January 27th – TCF Parade at 12pm down Conway, In observance of Martin Luther King Day, city offices will be closed on Monday, January 15th.

Mayor's Comments – Mayor expressed her deepest condolences to Ms. Barnes and stated how much she appreciated Mr. Barnes for the time he took to do research and to reach out with suggestions. Mr. Barnes would be missed, but the council would always be there for Ms. Barnes as a support system.

City Council Comments – All of the council members extended their condolences to Ms. Barnes. Councilwoman Ortega also recognized Mr. Rick Venecia, Boys & Girls Club Director for being appointed to the National Board of Directors for the Boys & Girls Club. Mayor Pro Tem Plata stated that he could not support the council’s decision on the budget amendment. He felt that their needed to be more transparency in these types of financial matters.

At 6:05 p.m., Mayor Pro Tem Plata moved to convene into Executive Session. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

EXECUTIVE SESSION

1. Closed session pursuant to Tex. Gov’t Code Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property), potential settlement and acquisition of Parcel 37, Taylor Road Phase 2. (City Attorney, V. Flores)
2. Closed session pursuant to Tex. Gov’t Code Section 551.074 (Personnel Matters), update on Personnel Matters. (City Manager R. Perez)
3. Closed session pursuant to Tex. Gov’t Code Section 551.071 (Consultation with Attorney) related to Black Diamond Developers, LP and CCC Operations, LLC v. City of Mission, Cause No. C-5276-23-D. (City Attorney, V. Flores)

Upon conclusion of Executive Session at 7:23 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

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

1. Consideration and action, if any, related to the settlement and/or acquisition of Parcel 37, Taylor Road Phase 2. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Councilwoman Ortega moved to grant city attorney to acquire Parcel 27, Taylor Road Phase 2 as discussed in executive session. Mot

2. 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.

Mayor Pro Tem Plata moved to direct city attorney to proceed with defense of the city as discussed in executive session. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ADJOURNMENT

At 7:24 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilman Vela and approved unanimously 5-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Randy Perez, City Manager

AGENDA ITEM: Acknowledge Receipt of Minutes – Perez
Planning & Zoning Commission – October 25, November 20, 2023
Building Board of Adjustments & Appeals – August 22, October 31, 2023

NATURE OF REQUEST:

See Attached Minutes

BUGETED: N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager’s Recommendation: Approval RP

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

**BUILDING BOARD OF ADJUSTMENTS AND APPEALS
OCTOBER 31, 2023
CITY COUNCIL CHAMBERS @ 4:00 P.M.**

BBOA PRESENT

Michael Davis
Abel Beltran
Carl Davis
Victor Meza
Ken Jones

STAFF PRESENT

Susana De Luna
Irasema Dimas
Jessica Munoz
Victor Flores

GUEST PRESENT**CALL TO ORDER**

Chairman Carl Davis called the meeting to order at 4:13 p.m.

CITIZENS PARTICIPATION

There was no citizens' participation upon inquiry.

APPROVAL OF MINUTES FOR AUGUST 22, 2023

Chairman Carl Davis asked the Board if there were any corrections to the minutes. There being none, Mr. Jones moved to approve the minutes as presented. Mr. Davis seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #4**Unsafe Structure:****Start: 4:22****End: 4:29****2502 W. Business Hwy 83.****Lots 131 & 132, Ala Blanca UT No. 4****C-3****Joel A. Rodriguez**

Ms. Dimas stated that the **2021 International Property Maintenance Code (IPMC) Section 111.1.1 Unsafe Structure**. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Ms. Dimas stated that this property had been abandoned since 2017. She mentioned that the house was on fire in 2017. She added that staff sent out numerous letters to the property owner and no response from the property owner. She added that several conversations between former city attorney and his attorney stated that they were trying to demolish, but were waiting for the insurance to clear. It's been seven years and nothing has been done. She mentioned that based on the pictures, the property is collapsing.

Chairman Carl Davis asked to pinpoint the map?

Chairman Carl Davis asked staff what was the recommendation?

Ms. Dimas stated that staff's recommendation was after six years of attempting to work with the property owner to rectify this unsafe structure, we have been unsuccessful to make any contact with the property owner. We are declaring the commercial property in despair and needs to be demolished.

Chairman Carl Davis asked if staff mentioned legal counsel.

Ms. Dimas stated that was back in 2017.

Chairman Carl Davis asked what was the hold up?

City Attorney Mr. Victor Flores stated that before Mr. Martinez there was another attorney Mr. Tijerina. He added that Mr. Tijerina filed the initial pleadings to district court. He added that he was listed as the attorney of record, I don't think Mr. Martinez and this is just me assuming that Mr. Martinez received those notices from the court. He added that after a certain prescribed period, it's dismissed for wanted prosecution.

Chairman Carl Davis asked if there was public participation on this item at 2502 W. Business Hwy 83, being Lots 131 & 132, Ala Blanca UT No. 4.

There was none.

There being no further discussion, Mr. Carl Davis entertained a motion Mr. Michael Davis moved to make this structure an unsafe building. Mr. Victor Meza seconded the motion. Upon a vote, the motion was unanimously approved.

Chairman Carl Davis entertained a motion to demolish the structure at 2502 W. Business Hwy 83. Mr. Ken Jones moved to demolish the unsafe structure. Mr. Victor Meza seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #5

Unsafe Structure:	2312 N. Citrus
Start: 4:13	Lot 8, Big Orange
End: 4:16	R-1
	Stephen & Emily Spoor

Ms. Dimas stated that this property had been abandoned for a while and several letters have been mailed to Mr. Spoor. She added that Mr. Spoor came into the office on October 30, 2023, and stated that he was going to demolish the house. She added that Mr. Spoor was going to obtain quotes to demolish the home. She also made him aware of a program that the city has.

There being no discussion, Mr. Ken Jones moved to "Table" this item. Mr. Victor Meza seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 6

Unsafe Structure:	1542 W. Business Hwy 83
Start: 4:29	E. 75'x125' of S. 125' of Lot 5,

End: 4:32

**& W. 50'x125' of Lot 6, Mission Acres
C-3
Isauro Garcia**

Ms. Dimas stated that this property had been abandoned since back in 2014. The property owner contacted a previous code enforcement officer asking time to demolish the structure himself. Mr. Isauro Garcia unfortunately passed away in January this year. She mentioned that the property has dilapidated more throughout the years.

Mr. Ken Jones asked when the city does the demolition, does the city put the cost of the demolition.

Ms. Dimas stated that a lien would be issued for that property.

Chairman Carl Davis asked if a family member or anyone had been notified?

Ms. Dimas stated "yes" I sent out a letter to Mr. Isauro Garcia and relatives but no one contact the city.

City Attorney Mr. Victor Flores stated that we also published in the newspaper.

Ms. Dimas stated that "yes".

There being no further discussion, Mr. Carl Davis entertained a motion Mr. Ken Jones moved to make this structure an unsafe building. Mr. Michael Davis seconded the motion. Upon a vote, the motion was unanimously approved.

Chairman Carl Davis entertained a motion to demolish the structure at 1542 W. Business 83. Mr. Michael Davis moved to demolish the unsafe structure. Mr. Victor Meza seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 7

**Unsafe Structure:
Start: 4:32
End: 4:35**

**4033 Garza
Lots 26, 27, & 28, Block 9
Madero Tex Townsite
AO-I
Teresa Navarro**

Ms. Dimas stated that this property has been vacant for a long time. She added that the city initiated a case back in 2017. She mentioned that Mrs. Navarro passed away. She stated that Mr. Lerma met back in the day with a relative that used to live across the street and unfortunately that relative passed away. She also mentioned that the city had cleaned the property several times and 20 liens have been placed on the property. She added that this item was also published on the newspaper and sent letters but no one has responded.

There being no discussion, Mr. Carl Davis entertained a motion Mr. Michael Davis moved to make this structure an unsafe building. Mr. Ken Jones seconded the motion. Upon a vote, the motion was unanimously approved.

Chairman Carl Davis entertained a motion to demolish the structure at 4033 Garza. Mr. Michael Davis moved to demolish the unsafe structure. Mr. Ken Jones seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM # 8

Unsafe Structure:

Start: 4:16

End: 4:22

801 E. Tom Landry

Lot 1, Block A, Wright Addition

R-2

Leonel A. Zamora

City Attorney Mr. Victor Flores stated that the city received a letter of representation from legal council representing Mr. & Mrs. Zamora stating that after speaking with their legal office, there are wanting to discuss with the city on how to either abate or demolish the structure. He added that his recommendation was to table this item.

Mr. Michael Davis stated that he thought that the board job was just to say it was an unsafe structure it has to go.

City Attorney Mr. Victor Flores stated that once it was ordered to get demolished, we would have to go through the process. He added that once the order is issued, it kind of triggers us to go to civil district court to demolish.

Mr. Michael Davis asked how long was that process?

City Attorney Mr. Victor Flores stated 6 to 9 months

Mr. Michael Davis stated so for every time we meet, we're going to have two or three homes like this?

City Attorney Mr. Victor Flores stated possibly. He added that our recommendation would be to table on these two instances, however there are going to be other instances where they're, reluctant to participate.

Mr. Michael Davis stated that the other unsafe structures don't have representative today. He added What's the process for demolishing once you don't allow them a chance to do it themselves at their cost.

City Attorney Mr. Victor Flores stated that everything was governed by the 1985. He added that's what is used across the board and 1985 standard abatement building code. He mentioned that really dictates what the process is. The notifications that are given and the right to appeal, that has to go in order. He stated that if they don't appeal it within 60 days, we have the right to take that order over to the district court and enter that as a finding of law and then give the city authority by court order to actually demolish it.


Mr. Abel Beltran joined the meeting.

There being no further discussion, Mr. Michael Davis moved to table the request. Mr. Ken Jones seconded the motion. Upon a vote, the motion was unanimously approved.

Chairman Carl Davis stated that there was no public participation.

**ITEM #0.0
ADJOURNMENT**

There being no other business, Mr. Michael Davis moved to adjourn. Mr. Ken Jones seconded the motion. Upon a unanimous vote, the meeting was adjourned at 4:37 p.m.

A handwritten signature in black ink, appearing to read 'Carl Davis', is written over a horizontal line.

**Carl Davis, Chairman
Building Board of Adjustments & Appeals**

**BUILDING BOARD OF ADJUSTMENTS AND APPEALS
AUGUST 22, 2023
CITY COUNCIL CHAMBERS @ 3:00 P.M.**

BBOA PRESENT

Michael Davis
Abel Beltran
Carl Davis
Victor Meza
Ken Jones

STAFF PRESENT

Susana De Luna
Irasema Dimas
Jessica Munoz
Victor Flores

GUEST PRESENT**CALL TO ORDER**

Vice-Chairman Davis called the meeting to order at 4:03 p.m.

CITIZENS PARTICIPATION

There was no citizens' participation upon inquiry.

Item# 1.1**ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

Mr. Susana De Luna stated that it was common procedure to elect a Chairman and a Vice-Chairman every year.

Chairman Carl Davis asked if there was any nomination for Chairman. Mr. Ken Jones nominated Mr. Carl Davis for Chairman. Mr. Michael Davis seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Carl Davis asked if there was any nomination for Vice-Chairman. Mr. Ken Jones nominated Mr. Victor Meza for Vice-Chairman. Mr. Michael Davis seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #4**Discussion and Possible Action to Ratify granting authority to Chairperson to approve mobile homes older than 10 Years**

Ms. De Luna stated for the past 10 years the appointed Chairperson had been approving mobile homes that are 10 years or older without having a meeting. The process has been: 1) sending the building inspector to inspect the mobile home at the current location (before moving to Mission), 2) creating a report that is attached to the application and presented to the Chairperson for approval, 3) Planning Director approves the application to move the mobile home to Mission, 4) Move-In Permit is issued subject to signing an affidavit. This process has been working throughout the years, but it was recently

discovered that the process was not reflected on the minutes and that is the reason why, staff is trying to ratify the process.

Mr. Carl Davis stated that this is what we've been doing. He added since the inspectors have been doing their job I would just approve what they would.

Mr. Carl Davis asked the City Attorney that if they could keep doing it via email.

City Attorney Mr. Victor Flores introduced himself to the board. He added that since it was a past practice and we didn't have anything on the minutes you can do it. He also added that at any time it could be rescind.

There being no further discussion, Mr. Victor Meza moved to approve the process for mobile homes that are 10 years or older without having a meeting. Mr. Ken Jones seconded the motion. Upon a vote, the motion was unanimously approved.

ITEM #5

Discussion with City Attorney on Building Board of Adjustments Bylaws, Procedures, and other city ordinances and state law related to the Board.

City Attorney Mr. Victor Flores stated that Ms. Irasema Dimas and Ms. Susana De Luna came up with some properties that that by all intents and purposes are substandard, and should probably be brought to this board for consideration for demolition, possibly, under state law, their property owners are afforded due process, right. He added and so this is the due process of the statute, state law and, and in our ordinances govern is that that due process is before this board. He mentioned that it would just be reengaging of that process all over again. Mr. Carl Davis asked if the board had any questions.

Mr. Michael Davis asked is this for demolition.

City Attorney Mr. Victor Flores stated that the process generally is that staff will do their due diligence and decide that certain buildings is a substandard and not suitable for habitation. He added that it should be ordered to be demolished. He added that they will present it as a case.

Mr. Michael Davis stated it's been awhile since we've had a situation like that.

Ms. De Luna stated that we have like 50 homes. She added maybe we could consider 10 at a time.

City Attorney Victor Flores stated we can consider five. He added that the way we've done it with other cities is we are thorough to present all the information to each of you. He mentioned we try to present cases that are absolutely in needs to be demolished.

Mr. Michael Davis asked Ms. De Luna for the process for the demolition.

Ms. De Luna stated is that a letter is sent to the property owner, advising that their home is not in livable conditions.

Mr. Michael Davis asked whose decision is that.

Ms. De Luna stated the inspector. She added the inspector goes out there to do a report or an assessment of the home.

Chairman Mr. Carl Davis asked how long is this process.

City Attorney Mr. Victor Flores stated that my experience, it varies, but you're looking at anywhere between three to six months, and I say six months because nobody wants to order someone to demolish their home. At the same time, when staff issues a report and say, this is a safety hazard for occupancy. He added when staff communicates that to the homeowner, it's kind of just getting an average letter in the mail. But when somebody comes before a board has to present their case, and then that board says no, we're going to give you three months to actually bring it up to code, come back, and then we'll decide.

Mr. Abel Beltran asked that if they were rental homes?

Ms. Dimas stated that they were not rental home. She added that their homes that are abandoned or buildings that were caught on fire and the property owner decided not to do anything.

City Attorney Mr. Victor Flores stated that for this process we would bring the property owner.

Ms. De Luna stated that what the city allows is to enter into some sort of agreement, where the city demolishes the home, but they put a lien on the property or a payment plan. But they get the property owner's approval prior to being demolished.

Mr. Michael Davis asked that if the city had a program that helps somebody in need to help them rebuild.

Ms. De Luna stated that they would need to go through CDBG. But they need to meet a certain criteria.

City Attorney Mr. Victor Flores stated I just want to bring it forward to the board and just advising you will, you know, first of all, just actually direction on how many cases you might want. I recommend about five at most because you're going to be actual hearings, you'll be able to ask questions, they'll be able to

present their evidence and those sometimes slight, you know, exigent circumstances, financial hardships, things of that nature. To which you know, the Board may say, you know what, it really is a hazard and danger.

Mr. Michael Davis asked that if the fire department ever go out and tell the property owners that they have to leave.

Ms. Dimas stated that if there's a problem with any electrical or if something caught on fire.

City Attorney Victor Flores stated that we can actually have, a fire marshal or somebody for the fire department at these hearings.

Ms. De Luna stated that staff wanted to know what day would be better and what time would work for you.

Discussion amongst the board.

Mr. Carl Davis asked how many do we have.

Ms. De Luna stated we could have one meeting a month to discuss five properties at a time.

City Attorney Mr. Victor Flores stated that he'll ask staff to bring the more severe cases first.

Ms. Dimas stated that most of these houses have been like this since 2014 or 2015. She added we declared them unsafe.

City Attorney Mr. Victor Flores stated the reason for one a month is because we will also have city council meetings and planning and zoning.

Chairman Carl Davis stated that Tuesday would be a good day to meet.

Ms. De Luna asked that if four o'clock would be a good time?

All board members agreed to four o'clock Tuesday's.

Ms. De Luna stated if the last Tuesday of each month be ok.

All board members agreed to the last Tuesday of each month.

**ITEM #6.0
ADJOURNMENT**

There being no other business, Mr. Michael Davis moved to adjourn. Mr. Ken Jones seconded the motion. Upon a unanimous vote, the meeting was adjourned at 4:23 p.m.



Carl Davis, Chairman
Building Board of Adjustments & Appeals

**PLANNING AND ZONING COMMISSION
OCTOBER 25, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Raquenel Austin
Diana Izaguirre
Connie Garza
Kevin Sanchez
J.D Villarreal
Jasen Hardison

P&Z ABSENT

Steven Alaniz
Ruben Arcaute

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez

GUEST PRESENT

Aleyda Rivas
Alejandro Rivas
Eduardo Careaga
Leo Salazar

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:33 p.m.

CITIZENS PARTICIPATION

Chairwoman Izaguirre asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR OCTOBER 11, 2023

Chairwoman Izaguirre asked if there were any corrections to the minutes for September 11, 2023. Mrs. Garza moved to approve the minutes. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:34 p.m.

Ended: 5:36 p.m.

Item #1.1

Conditional Use Permit:

Mobile Food Truck- Los Tacos de La Ganadera
2509 Colorado Street, Ste. 205
Lot 1, Block 2, Santa Lucia Development
C-3
La Ganadera
(c/o Jose C. De Leon)

Ms. De Luna went over the write-up stating the subject site is located approximately near the NW corner of Colorado and S. Taylor Road along the north side of Colorado Street – see vicinity map. The applicant is leasing a space on the recently approved Mobile Food Park and would like to place his mobile food truck to offer a variety of tacos. Access to the site will be provided off of Colorado or S. Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Every day from 7am to 12pm & 5pm to 11:30pm
- **Employees:** 3
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.) and
- 3) Must acquire a business license prior to occupancy.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the conditional use permit as per staff's recommendation. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:36 p.m.

Ended: 5:38 p.m.

Item #1.2

Conditional Use Permit:

Sale & On-Site Consumption of Alcoholic
Beverages - The Mix
2509 Colorado Street, Ste. 102
Lot 1, Block 2, Santa Lucia Development
C-3
The Mix Beer & Wine, LLC

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Colorado and S. Taylor Road along the north side of Colorado Street – see vicinity map. The applicant is leasing a container on the recently approved Mobile Food Park and would like to sell Alcoholic Beverages. The existing food trucks would be selling the food. Access to the site will be provided off of Colorado or S. Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Monday – Sunday from 3:00 pm to 12 midnight
- **Employees:** 2 employees
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.),
- 3) Must comply with TABC requirements, and
- 4) Must acquire a business license prior to occupancy.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Austin moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit as per staff's recommendation. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:00 p.m.

Ended: 5:00 p.m.

Item #1.3

Conditional Use Permit:

Rise Event Center
416 W. 9th Street
Lots 5 & 6, Block 149,
Mission Original Townsite
C-4
Maria Del Rosario Mata

No Action Taken

Started: 5:38 p.m.

Ended: 5:44 p.m.

Item #1.4

Conditional Use Permit:

Outdoor Padel Court/Any Recreational Activity
719 Ragland
A tract of land out of the Northwest 9.96
Acres of Lot 203, John H. Shary Subdivision
C-3
Jorge Eduardo Careaga

Ms. De Luna went over the write-up stating the subject site is located 800' south of E. Business Highway 83 along the west side of Ragland Road. In an effort to attract more recreational activities to the city the applicant is proposing to add a 68' x 72' concrete pad to install 2 padel courts on the south side of the restaurant. Staff notes that on March 13, 2023 the City Council approved a conditional use permit for an outdoor soccer field at this same location. Access to the site will be via 2 existing driveways off of Ragland Road.

- **Section 1.43-C-3(General Business)(3)(g)** states that "Amusement parks, circus or carnival grounds, commercial amusement, or recreation development, or other temporary structure used for temporary purposes" are allowed with a Conditional Use Permit.
- **Hours of Operation:** Monday – Sunday from 9 am to 11 pm
- **Parking & Landscaping:** In reviewing the site plan, there is a total of 26 parking spaces including 4 for handicap and he is proposing to add an additional 15 parking spaces along the northwest corner of the property. Landscaping and lighting will need to be compiled with.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes. All commercial properties adjoining any residential use must install a 6' solid buffer along the perimeter of the property.

REVIEW COMMENTS: Staff mailed out 31 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff's only concern is that if all outdoor recreation activities and the restaurant are used at the same time there will be an issue with parking.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 6-month re-evaluation to assess the multiple operations,
- 2) Compliance with the Building, Fire and Sign Codes.
- 3) Must comply with 6' buffer requirement.
- 4) Acquisition of a Business License, and
- 5) Must comply with noise ordinance.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Jorge Careaga stated that Ms. De Luna stated that the operating hours will not be the same due to customers going to play instead of eating, Mr. Careaga stated which is fine because, the restaurant will be open in morning and afternoon only, he mentioned that he'll be adding more parking spaces.

Chairwoman Izaguirre questioned Ms. De Luna on whether landscaping will be done?

Ms. De Luna stated yes, he will comply with landscaping.

Mr. Jorge Careaga stated hes only cleaned the property and will comply with landscaping.

Mr. Sanchez questioned if adding landscaping to the conditional use permit is required?

Ms. De Luna stated Mr. Careaga would have to comply with landscaping and lighting during the business license process.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to the approve the conditional use permit as per staff's recommendation. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:46 p.m.

Item #1.5

Conditional Use Permit:

Sale and On-Site Consumption of
 Alcoholic Beverages – The Griffin Grill
 1906 E. Griffin Parkway
 Lot 19, River Oaks Plaza
 C-3
 Ram Culinary Group, LLC (c/o Richard L. Krauss)

Ms. De Luna went over the write-up stating the subject site is located within a commercial plaza located 1000' west of N. Glasscock Road on the south side of E. Griffin Parkway. The applicant would like to reapply for the Conditional Use Permit for the Sale and On-Site Consumption of Alcoholic Beverages. Staff notes that this restaurant includes a small bar component. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was

on October 28, 2019 for a period of 1 year. Staff notes that this would be the applicant's 2nd renewal.

- **Hours of Operation:** Monday - Wednesday from 8 a.m. to 3 p.m., Thursday – Saturday 8 a.m. to 9 p.m. and Sunday 9 a.m. to 2 p.m.
- **Staff:** 12 Employees in different shift
- **Parking:** The 1,860 sq. ft. building has a total of 44 seating spaces for the restaurant. A total of 25 spaces are required for this site (1,860 sq. ft./75sq.ft.= 24.8 parking spaces). It is noted that a total of 348 parking spaces are held in common within the commercial development.
- Landscaping has been provided as a part of the overall commercial plaza.
- Section 1.56-3 of the Zoning Code cites that 'Bars' must be 300' from the nearest residence, church, school or publicly owned property. This site is located about 150' from River Oaks Estates, which is considered residential, therefore a waiver of the 300' separation requirements would be needed. Staff notes that P&Z and City Council have waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: Staff mailed out 28 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. It is also noted that there have not been any reported PD issues during the CUP's existing tenure. Since the restaurant is not open after 12a.m., and the sale of alcohol is not the primary item of purchase, staff does not object to an extended approval term.

RECOMMENDATION: Staff recommends approval for life of use subject to:
1) Waiver of the 300's separation requirement from the residential neighborhood,
2) Compliance with all City Codes (Building, Health, Fire, etc.), and
3) CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit as per staff's recommendation. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:46 p.m.

Ended: 5:49 p.m.

Item #1.6

Conditional Use Permit:

Drive-Thru Service Window –
La Herradura Taqueria
2310 E. Expressway 83, Ste. 8
Lot 3, Cimarron Crossing Ph. 2
C-3
Gerardo Garcia

Ms. De Luna went over the write-up stating the subject site is located approximately 250' west of S. Shary Road on the south side of E. U.S. Expressway 83. La Herradura Taqueria is a family-oriented restaurant that sells a variety of tacos. The applicant would like to renew the conditional

use permit to continue utilizing the existing drive-thru service window. Access to the site is provided via a common access drive that runs throughout the commercial plaza. Access to the drive-thru service window is from the south 'rear' of the plaza and allows stacking for approximately 3 vehicles. The last CUP approved for this location for the use of the Drive- Thru Service Window was on June 21, 2022 for a period of 1 year. Staff notes that this would be the applicant's 1st renewal.

- **Hours of Operation:** Sunday – Wednesday from 11:00 a.m. to 2:30 a.m. and Thursday – Saturday from 11:00 a.m. to 3:30a.m.
- **Staff:** 10 employees in different shift
- **Parking & Landscaping:** In reviewing the floor plan, the 1,380 sq.ft. building will have a total of 24 seating spaces for the restaurant. A total of 18 spaces are required for this site (1,380sq.ft./75 sq.ft.=18.4 parking spaces). It is noted that a total of 66 parking spaces are held in common within the commercial plaza. Landscaping has been provided as a part of the overall commercial plaza.
- Must comply with all Building, Fire, and Health codes, prior to obtaining a business license.

REVIEW COMMENTS: Staff mailed out 7 notices to property owners within 200' radius and staff has not received any comments in favor or against this request. Since the site has been previously used for a restaurant with the use of a drive-thru with no issues, Staff does not object to renewing their CUP.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 3 yr. approval in order to continue to assess this operation;
- 2) Must comply with all City Codes (Building, Fire, Health Codes, etc.) and
- 3) CUP not transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Austin moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Chairwoman Izaguirre questioned on whether or not they would be fixing the roof?

Ms. De Luna Stated that the plaza owners are taking care of that.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to approve the conditional use permit as per staff's recommendation. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:49 p.m.

Ended: 5:54 p.m.

Item #1.7

Conditional Use Permit

Renewal:

Sale & On-Site Consumption of Alcoholic
 Beverages – Extreme Pizza
 608 N. Shary Road, Units 4 & 5
 Lot 1, Alba Plaza Subdivision
 C-3
 Argos Foods, LLC

Ms. De Luna went over the write-up stating the subject site is located ¼ mile south of East Business Highway 83 within a commercial plaza along the east side of N. Shary Road. Extreme Pizza is a family-oriented restaurant that sells pizza, chicken wings, sandwiches, salads, and desserts. They would like to renew their conditional use permit to continue offering alcoholic beverages with their meals. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on October 11, 2021 for a period of 2 years. Staff notes that this would be the applicant's 2nd renewal.

- **Hours of operation:** Tuesday through Sunday from 10a.m. to 11p.m.
- **Employees:** 9 employees
- **Parking:** Parking is held in common and is meeting code at this commercial plaza.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within this radius; P&Z and City Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: The restaurant has been in operation since 2019 with no complaints. The hours of operation are consistent with other family restaurant in the area. Staff mailed out 27 notices to property owners within a 200' radius, and staff has not received any calls in favor or against the CUP request. It is also noted that there have not been any reported PD issues during the CUP's existing tenure. Since the pizzeria is not open after 12a.m., and the sale of alcohol is not the primary item of purchase, staff does not object to an extended approval term.

RECOMMENDATION: Staff recommends approval subject to:

- 1) CUP to be valid for a period of 4 years at which time the applicant will have to renew the TABC License and CUP,
- 2) Waiver of the 300' separation requirement from residential neighborhoods,
- 3) Continue Compliance with all City Codes (Building, Fire, Health, etc.), and
- 4) CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to approve the conditional use permit as per staff's recommendation. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:54 p.m.

Ended: 5:56 p.m.

Item #1.8

Conditional Use Permit

Renewal:

Sale & On-Site Consumption of Alcoholic

Beverages – Arells Celebration Hall

1905 W. Griffin Parkway

Lots 1-4, Southern Oaks, Ph. I Subdivision

C-3

Daisy A. Vela

Ms. De Luna went over the write-up stating the subject site is located 500' west of N. Inspiration Road along the south side of W. Griffin Parkway. The applicant has a Banquet/Party Hall for such activities as weddings, reunions, birthday parties, seminars, etc. The applicant has been in operation since June 2014 with no issues. The last CUP approved for the sale & on-site consumption of alcoholic beverages for this location was on September 13, 2021 for a period of 2 years. Staff notes that this would be the applicant's 4th renewal.

- **Hours of Operation:** The hours of operation vary depending on the type of activity; however, most events are during the evenings and on weekends and typically take place during the hours of 6:00 p.m. till 2:00 a.m.
- **Staff:** 2 employees & 1 security officer
- **Parking:** There are 16 tables assuming that 10 seats are proposed per table, 53 parking spaces are required for the hall (160/3 seats = 53.3). There is a total of 114 parking spaces held in common at this development. Since activities are proposed to be held at later hours and only on weekends, when most businesses at this development should be closed. There have not been any complaints regarding the number of parking.
- **Landscaping:** There is landscaping and parking lighting that has been installed by the applicant.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within this radius; P&Z and City Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: Staff mailed out 23 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff has asked PD for a report of incidents. Only one incident has been reported to PD for public intoxication during the CUP tenure.

RECOMMENDATION: Staff recommends approval for life of use subject to:
1) Waiver of the 300' separation requirement from residential neighborhoods,
2) Continue Compliance with all City Codes (Building, Fire, Health, etc.), and
3) CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Villarreal moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to approve the conditional use permit as per staff's recommendation. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:56 p.m.

Ended: 5:58 p.m.

Item #1.9

Conditional Use Permit

Renewal:

Sale & On-Site Consumption of Alcoholic
Beverages – Arells Event Center
1809 W. Griffin Parkway
Lots 9-11, Southern Oaks Ph. I Subdivision
C-3

Daisy A. Vela

Ms. De Luna went over the write-up stating the subject site is located 500' west of N. Inspiration Road along the south side of W. Griffin Parkway. This is the second of two event centers that the applicant operates at this commercial plaza. The Banquet/Party Hall is used for such activities as weddings, reunions, birthday parties, seminars, etc. The applicant has been in operation since October 2016 with no issues. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on September 13, 2021 for a period of 2 years. Staff notes that this would be the applicant's 4th renewal.

- **Hours of operation:** The hours of operation vary depending on the type of activity; however, most events are during the evenings and on weekends and typically take place during the hours of 6:00 p.m. till 2:00 a.m.
- **Staff:** 2 employees & 1 security officer
- **Parking:** There are a total of 10 tables. Assuming that 10 seats are proposed per table, 33 parking spaces are required for the hall (100/3 seats = 33.3). There is a total of 114 parking spaces held in common at this development. Since activities are proposed to be held at later hours and only on weekends, when most businesses at this development should be closed. Staff does not believe that there will be any complaints regarding the number of parking.
- **Landscaping:** Landscaping meets code.
- **Sale of Alcohol (Section 1.56-3):** (3a) of the Zoning code requires such uses to be at least 300' from the nearest residence, church, school or publicly owned property. There is a residential subdivision within this radius; P&Z and City Council waived this separation requirement in the CUP's previous approval.

REVIEW COMMENTS: Staff mailed out 32 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff has asked PD for a report of incidents. There has been no incident reported to PD for this location during the CUP tenure.

RECOMMENDATION: Staff recommends approval for life of use subject to:
4) Waiver of the 300' separation requirement from residential neighborhoods,
5) Continue Compliance with all City Codes (Building, Fire, Health, etc.), and
6) CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit as per staff's recommendation. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:58 p.m.

Ended: 6:03 p.m.

Item #2.0

Conditional Use Permit:

To Keep a Portable Building for
Office Use – Medicare EMS
511 W. 11th Street

The East tract of Lots 1 & 2,
Block 178, Mission Original Townsite
C-4
Medcare EMS, Inc.

Ms. De Luna went over the write-up stating the subject site is located 200' west of Kika De La Garza Loop along the south side of W. 11th Street—see vicinity map. The applicant would like to keep a 76' x 20' portable building that has been used for Med Care EMS services. The applicant mentioned that this office is only used as a hub station the main office is in McAllen. Access to the site is strictly off of W. 11th Street. The last CUP for this location was approved on September 12, 2022 for a period of 1 year. This would be the applicant's 1st renewal.

- **Hours of Operation:** Monday – Sunday 24/7
- **Staff:** 7 employees will operate the business (usually in the ambulance all day)
- **Parking & Landscaping:** A business office of this size requires a minimum of 7 parking spaces. Staff notes that the applicant would need to comply with the parking requirements, whether the office is being used or not. They will need to add additional landscaping.

REVIEW COMMENTS: It is not uncommon to have portable buildings to be used as an office. Staff knows that having a portable building may not be a long-term desire of the City when considering aesthetics. Thus, perpetual (CUP) monitoring will be the norm where, one day the portable will need to be upgraded with an on-site built structure. Staff mailed out 11 notices to property owners within 200' radius and has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval subject to:

- 1.) 6-month re-evaluation in order to assess this operation.
- 2.) Must comply with all City Codes (Building, Fire, etc.)
- 3.) Portable Building to be skirted, and
- 4.) CUP not transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.
There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Hardison Stated if landscaping was going to be required?

Ms. De Luna stated yes that is one of the requirements and needs to be complied with.

Chairwoman Izaguirre Asked and if they do fix it?

Ms. De Luna stated if they do fix it we can recommend for longer use.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to approve the conditional use permit as per staff's recommendation. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:03 p.m.
Ended: 6:05 p.m.
Item #2.1
Preliminary & Final
Replat Approval:

A Replat of Lots 33A and Lots 33B,
 Southwind Estates Unit II
 A tract of land containing 1.01 acres of land out of Lot
 33, Southwind Estates Unit II
 R-1A
 Developer: Carlos and Diana Lerma
 Engineer: Javier Hinojosa Engineering

Ms. De Luna went over the write-up stating the subject site is located along the west side of Don's Drive between Merlin Drive and Terrance Drive. The developer is proposing this single-family lot to be developed into two single family lots. – see plat for actual dimension, square footages, and land uses.

UTILITIES

When Southwind Estates Unit II was subdivided, water and sewer services were made accessible and can be stubbed out for each lot. This replat will not affect any utility lines or the availability to connect to them upon issuance of permits. A Capital Sewer Recovery Fee will be required at \$200.00 for the new lot.

STREETS & STORM DRAINAGE

This property will have access to Don's Drive. The existing storm water runoff goes at an easterly direction based on a non-developed lot. The proposed development will increase runoff to a maximum of 5.25 cubic feet per second for an increase Q of 3.94 cubic feet per second based on a 10-yr storm event. Lot 33A shall be required to detain 1,004 cubic feet and Lot 33B shall be required to detain 2,019 cubic feet. Individual detention plan shall be submitted as part of the building permit. The City Engineer has reviewed and approved the drainage report.

OTHER COMMENTS

- Payment of Park fees (\$500/Lot) for the new lot
- Street lighting already exists
- Must comply with all other format findings

RECOMMENDATION

Staff recommends approval subject to payment of Capital Sewer Recovery fee and Park fee and complying with all other typical format findings.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardison moved to close the public hearing. Mrs. Garza seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to approve the replat. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:05 p.m.

Ended: 6:06 p.m.

Item #2.2

Site Plan Approval:

Construction of 10 Apartments
 Lot 1, Ragland Village Subdivision
 R-3
 Blue Stellar Enterprises. LLC

Ms. De Luna went over the write-up stating the subject site is located along the east side of Ragland Road approximately 530' south of E. U.S. Business Highway 83 – see vicinity map. All of the units will be rental with a front shared off-street parking area. The site is currently vacant.

This site plan will have a 10 unit – 2 story apartment building with a 19' eave height. The structure will be separated by a staircase, each section having 5 units for a total of 6 – 1 bedroom (651sq.ft.) apartments on the first floor; and 2 – 2 bedroom (913sq.ft.) and 2 – 3 bedroom (1053sq.ft.) apartments on the second floor. The building is to comply with all fire code requirements for multi-family construction.

The minimum required setbacks for the site will be: 30' front setback, 15' rear setback, and 6' side setback per zoning ordinance, easements or greater as noted on the site plan.

The primary and only access to the site will be from Ragland Rd. Storm water will be intercepted by existing grated inlets within the parking area which will bleed into a detention pond adjacent to the east side of the subdivision. With regards to lighting and landscaping, plans have been submitted and reviewed for compliance per regulations and ordinances, respectfully.

OTHER COMMENTS

1. Enclosed dumpsters will be located along the R.O.W of Ragland Rd. to be screened with a 6' block fence with opaque (solid) gates.
2. This development requires a 5' sidewalk along Ragland Rd.

RECOMMENDATION

Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to the approve the replat. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:06 p.m.

Ended: 6:06 p.m.

Item #2.3

Site Plan Approval:

Construction of 10 Apartments
 Lot 2, Ragland Village Subdivision
 R-3
 Blue Stellar Enterprises. LLC

Ms. De Luna went over the write-up stating the subject site is located along the east side of Ragland Road approximately 450' south of E. U.S. Business Highway 83 – see vicinity map. All of the units will be rental with a front shared off-street parking area. The site is currently vacant.

This site plan will have a 10 unit – 2 story apartment building with a 19' eave height. The structure will be separated by a staircase, each section having 5 units for a total of 6 – 1 bedroom (651sq.ft.) apartments on the first floor; and 2 – 2 bedroom (913sq.ft.) and 2 – 3 bedroom (1053sq.ft.) apartments on the second floor. The building is to comply with all fire code requirements for multi-family construction.

The minimum required setbacks for the site will be: 30' front setback, 15' rear setback, and 6' side setback per zoning ordinance, easements or greater as noted on the site plan.

The primary and only access to the site will be from Ragland Rd. Storm water will be intercepted by existing grated inlets within the parking area which will bleed into a detention pond adjacent to the east side of the subdivision. With regards to lighting and landscaping, plans have been submitted and reviewed for compliance per regulations and ordinances, respectfully.

OTHER COMMENTS

- 1. Enclosed dumpsters will be located along the R.O.W of Ragland Rd. to be screened with a 6' block fence with opaque (solid) gates.
- 2. This development requires a 5' sidewalk along Ragland Rd.

RECOMMENDATION

Staff recommends approval.

Chairwoman Izaguirre asked if the board had any questions.

There was none

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Sanchez moved to the approve the replat. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:06 p.m.

Ended: 6:07 p.m.

Item #2.4

Site Plan Approval:

Construction of 10 Apartments
Lot 3, Ragland Village Subdivision
R-3
Dals Investments. LLC

Ms. De Luna went over the write-up stating the subject site is located along the east side of Ragland Road approximately 360' south of E. U.S. Business Highway 83 – see vicinity map. All of the units will be rental with a front shared off-street parking area. The site is currently vacant.

This site plan will have a 10 unit – 2 story apartment building with a 19' eave height. The structure will be separated by a staircase, each section having 5 units for a total of 6 – 1 bedroom (651sq.ft.) apartments on the first floor; and 2 – 2 bedroom (913sq.ft.) and 2 – 3

bedroom (1053sq.ft.) apartments on the second floor. The building is to comply with all fire code requirements for multi-family construction.

The minimum required setbacks for the site will be: 30' front setback, 15' rear setback, and 6' side setback per zoning ordinance, easements or greater as noted on the site plan.

The primary and only access to the site will be from Ragland Rd. Storm water will be intercepted by existing grated inlets within the parking area which will bleed into a detention pond adjacent to the east side of the subdivision. With regards to lighting and landscaping, plans have been submitted and reviewed for compliance per regulations and ordinances, respectfully.

OTHER COMMENTS

- 1. Enclosed dumpsters will be located along the R.O.W of Ragland Rd. to be screened with a 6' block fence with opaque (solid) gates.
- 2. This development requires a 5' sidewalk along Ragland Rd.

RECOMMENDATION

Staff recommends approval.

Chalrwoman Izaguirre asked if there was any input in favor or against the request.

There was none

There being no discussion, Chalrwoman Izaguirre entertained a motion. Mr. Villarreal moved to the approve the replat. Mr. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 6:07 p.m.

Ended: 6:07 p.m.

Item #2.5

Site Plan Approval:

Construction of 10 Apartments
Lot 4, Ragland Village Subdivision
R-3
Dals Investments. LLC

Ms. De Luna went over the write-up stating the subject site is located along the east side of Ragland Road approximately 280' south of E. U.S. Business Highway 83 – see vicinity map. All of the units will be rental with a front shared off-street parking area. The site is currently vacant.

This site plan will have a 10 unit – 2 story apartment building with a 19' eave height. The structure will be separated by a staircase, each section having 5 units for a total of 6 – 1 bedroom (651sq.ft.) apartments on the first floor; and 2 – 2 bedroom (913sq.ft.) and 2 – 3 bedroom (1053sq.ft.) apartments on the second floor. The building is to comply with all fire code requirements for multi-family construction.

The minimum required setbacks for the site will be: 30' front setback, 15' rear setback, and 6' side setback per zoning ordinance, easements or greater as noted on the site plan.

The primary and only access to the site will be from Ragland Rd. Storm water will be intercepted by existing grated inlets within the parking area which will bleed into a detention

pond adjacent to the east side of the subdivision. With regards to lighting and landscaping, plans have been submitted and reviewed for compliance per regulations and ordinances, respectfully.

OTHER COMMENTS

- 1. Enclosed dumpsters will be located along the R.O.W of Ragland Rd. to be screened with a 6' block fence with opaque (solid) gates.
- 2. This development requires a 5' sidewalk along Ragland Rd.

RECOMMENDATION

Staff recommends approval.


Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Austin moved to the approve the replat. Mr. Hardison seconded the motion. Upon a vote, the motion passed unanimously.

**ITEM#3.0
ADJOURMENT**

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardison moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 6:06 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

**PLANNING AND ZONING COMMISSION
NOVEMBER 20, 2023
CITY HALL'S COUNCIL CHAMBERS @ 5:30 P.M.**

P&Z PRESENT

Raquenel Austin
Diana Izaguirre
Connie Garza
Kevin Sanchez
J.D Villarreal
Jasen Hardison
Steven Alaniz

P&Z ABSENT

Ruben Arcaute

STAFF PRESENT

Susana De Luna
Jessica Munoz
Alex Hernandez
Victor Flores

GUEST PRESENT

Juan Espinoza
Ana Lara
Oralia Gonzalez
Abram Zavala
Virgil Gonzalez
Juan Zuniga
Felipe Cavazos
Jacob Espinoza
Viridiana Duarte

CALL TO ORDER

Chairwoman Izaguirre called the meeting to order at 5:31 p.m.

CITIZENS PARTICIPATION

Chairwoman Izaguirre asked if there was any citizen's participation.

There was none.

APPROVAL OF MINUTES FOR NOVEMBER 8, 2023

Chairwoman Izaguirre asked if there were any corrections to the minutes for November 8, 2023. Mr. Sanchez moved to approve the minutes. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:33 p.m.

Ended: 5:39 p.m.

Item #1.1

Rezoning:

A 0.2066 acre tract of land, more or less, out of Lot 192, John H. Shary Subdivision, of Porciones 58, 59, & 60 (aka Lot 3, Glasscock Acres U/R) R-1 to R-2
Jacob Lee Espinoza

Ms. De Luna went over the write-up stating the subject site is located 100 feet North of E. 4th Street along the West side of N. Glasscock Road.

SURROUNDING ZONES:

N:	R-1	- Single Family Residential
E:	R-1	- Mobile & Modular Home
W:	R-4	- Single Family Residential
S:	R-1	- Single Family Residential

EXISTING LAND USES:

N:	Single Family Residential
E:	Single Family Residential

W: Valley View Estates Mobile Home Park
 S: Single Family Residential
 Site: Vacant

FLUM: Low Density Residential (LD)

REVIEW COMMENTS: The proposed zone does not comply with the City's Future Land Use Map, and surrounding land uses.

RECOMMENDATION: Staff is recommending Denial.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

Mr. Juan Zuniga was present and representing his mother he stated that he was against this request. He added that this was a residential area only and was limited to drainage, and fire protection.

Ms. Viridiana Duarte was present and against this request. She added that this area was residential only and building apartments would cause more trash to the area.

Mrs. Oralla Gonzalez was present. She stated that she was against this request.

Mr. Juan Espinoza was present. He stated that his proposed address was 405 Glasscock. He mentioned that he wants to build apartments. He stated that if there was a compliance issue he was willing to comply. He added that it was going to be something professional and add value to the community.

Mr. Jacob Espinoza was present. He stated that he agreed with Mr. Espinoza.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Kevin Sanchez asked that if staff received a phone call against this request.

Ms. De Luna stated "yes".

Mrs. Raquene Austin asked how many apartments?

Ms. De Luna stated that we haven't disclosed that information. She added that two to four apartments can be built.

There being no further discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to deny the rezoning as per staff's recommendation. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:39 p.m.

Ended: 5:40 p.m.

Item #1.2

Rezoning:

Being a 2.0 gross acre tract of land,
 more or less, carved out of a part of
 Lots 4 & 5, J.E. Leslie Subdivision
 C-3 to R-1T

Olbein J. Ramos Jr.

Ms. De Luna went over the write-up stating the subject site is located 100 feet North of E. 4th Street along the West side of N. Glasscock Road – see vicinity map.

SURROUNDING ZONES:

N:	R-3	– Multi-Family Residential
E:		– City of McAllen
W:	R-4	– Mobile & Modular Home
S:	R-4	– Mobile & Modular Home

EXISTING LAND USES:

N:	Apartments
E:	City of McAllen
W:	Mobile Home Park
S:	Mobile Home Park
Site:	Vacant

FLUM: High Density Residential (HD)

REVIEW COMMENTS: The proposed zone does not comply with the City’s Future Land Use Map, and surrounding land uses.

RECOMMENDATION: Staff is recommending Approval.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardisen moved to close the public hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Austin moved to the approve the rezoning as per staff’s recommendation. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:40 p.m.

Ended: 5:42 p.m.

Item #1.3

Conditional Use Permit:

Mobile Food Truck – Rincon Tapatío
 2509 Colorado Street, Ste. 208
 Lot 1, Block 2, Santa Lucia Development
 C-3
 Rincon Tapatío, LLC
 c/o Crystal A. Zavala

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street. The applicant is leasing a space on the recently approved Mobile Food Park and would like to place her mobile food truck to offer a variety of tortas, tostadas, hamburgers, hotdogs and more. Access to the site will be provided off of Colorado or Taylor Road through existing 24’ driveways.

- **Days & Hours of Operation:** Monday – Sunday from 8:00 am to 12:00 am
- **Employees:** 4
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.) and
- 3) Must acquire a business license prior to occupancy.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Garza moved to close the public hearing. Mr. Villarreal seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the conditional use permit as per staff's recommendation. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:42 p.m.

Ended: 5:44 p.m.

Item #1.4

Conditional Use Permit: Mobile Food Truck – Empanadas El Argentino
2509 Colorado Street, Ste. 204
Lot 1, Block 2, Santa Lucia Development
C-3
Ana Serna De Lara

Ms. De Luna went over the write-up stating the subject site is located near the NW corner of Colorado and Taylor Road along the north side of Colorado Street. The applicant is leasing a space on the recently approved Mobile Food Park and would like to place her mobile food truck to offer a variety of Empanadas. Access to the site will be provided off of Colorado or Taylor Road through existing 24' driveways.

- **Days & Hours of Operation:** Monday – Saturday from 5:30 pm to 10:30 pm
- **Employees:** 3-4
- **Parking & Landscaping:** The Mobile Food Park measures 134' x 72' for a total of 9,648 sq. ft. Based on the square footage they are required 23 parking spaces. The landlord has a total of 67 parking spaces available for this area and has submitted a written agreement to use the parking spaces from the commercial plaza if needed.
- **Other Requirements:** Must comply with all Building, Fire and Health Codes.

REVIEW COMMENTS: Staff mailed out 16 notices to property owners within 200' radius and staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to:

- 1) 1 yr. re-evaluation in order to assess this new operation,
- 2) Must comply with all City Codes (Building, Fire, Health, etc.) and
- 3) Must acquire a business license prior to occupancy.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardisen moved to close the public hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the conditional use permit as per staff's recommendation. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:44 p.m.

Ended: 5:45 p.m.

Item #1.5

Conditional Use Permit:

To Move-In a Home on Property Zoned
R-4 (Mobile & Modular Home)
1432 E. Santa Maria Drive, Unit H1
Lot 1, Block H, Wintergreen Estates
R-4
Pamela Johnson

Ms. De Luna went over the write-up stating the subject site is located at the SW corner of Santa Maria and Yosemite Drive along the south side of Santa Maria Drive within the Wintergreen Estates Mobile Home Park. Mrs. Johnson desires a CUP to be allowed to move-in a home. The R-4 zone typically only allows mobile homes and RV's as the primary structure unless a CUP is awarded by the City, but they must comply with the R-1 setback requirements. Staff notes that if the request is approved they would still need to seek a variance for the setback and square footage requirements.

REVIEW COMMENTS: Staff notes that two other similar requests have been approved within the subdivision for Lot 2, Block K and Lot 5, Block F. Staff mailed out 58 notices to property owners within 200' radius for input in regards to this item. Staff has not received any comments in favor or against this request.

RECOMMENDATION: Staff recommends approval for life of use subject to being transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mrs. Austin moved to close the public hearing. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mrs. Garza moved to the approve the conditional use permit as per staff's recommendation. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:45 p.m.

Ended: 5:48 p.m.

Item #1.6

Conditional Use Permit: Sports Complex Facility
2513 Victoria Avenue
Lot 2, Hampton Inn & Suites
C-3
South Texas Development & Construction

Ms. De Luna went over the write-up stating the subject site is located approximately 435' west of Taylor Road along the north side of Victoria Avenue. The applicant is proposing to construct a 1,500 square foot 2-story Sports Complex Facility that would include the following: A Pro Shop, 7-padel courts, 5-pickel courts, lobby, office, storage areas, bar area and terrace. Access to the site will be via a 40' access driveway off of Victoria Avenue. Staff notes that if the applicant wants to offer alcoholic beverages in his venue he would require a conditional use permit.

- **Section 1.43-C-3(General Business)(3)(g)** states that "Amusement parks, circus or carnival grounds, commercial amusement, or recreation development, or other temporary structure used for temporary purposes" are allowed with a Conditional Use Permit.
- **Hours of Operation:** Monday – Saturday from 6 am to 10 pm and Sunday from 6 am to 6 pm
- **Staff:** 10 employees
- **Parking & Landscaping:** In reviewing the site plan, the applicant is proposing a total of 56 parking spaces including 4 for handicap. Landscaping and lighting will need to be complied with.
- **Other Requirements:** Must continue to comply with all Building, Fire and Health Codes. All commercial properties adjoining any residential use must install a 6' solid buffer along the perimeter of the property.

REVIEW COMMENTS: Staff mailed out 25 notices to property owners within 200' radius and staff has not received any comments in favor or against the request. Staff notes that this sport has become popular and is in demand. The applicant did share that he has another location in the City of McAllen that has been operation without any issues.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Compliance with the Building, Fire and Sign Codes.
- 2) Must comply with 6' buffer requirement.
- 3) Must comply with noise ordinance, and
- 4) Acquisition of a business license.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Sanchez moved to close the public hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Villarreal moved to approve the conditional use permit as per staff's recommendation. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:48 p.m.

Ended: 5:50 p.m.

Item #1.7

Conditional Use Permit:

Renewal:

Sale & On-Site Consumption of Alcoholic Beverages - Incredibowl
2140 E. Business Highway 83
Lots 1 & 2, Grapefruit Bowl, Inc. Subdivision
C-4
Spare Time Concessions, LLC

Ms. De Luna went over the write-up stating the subject site is located approximately 400' east of Ragland Road on the South side of Business Highway 83. This business has been in operation since 2015. The building contains the following: 24 bowling lanes, a party room, an office, bowling and shoe rental area, snack bar/kitchen, game room, utility/storage and outside batting cages and an adventure tower. The main entrance to the facility is located along the North side of the building. The applicant would like to continue offering alcoholic beverages in his menu, therefore the need to renew his conditional use permit. The last CUP approved for the Sale & On-Site Consumption of Alcoholic Beverages for this location was on November 13, 2019 for a period of 4 years. Staff notes that this would be the applicants 4th renewal.

- **Hours of Operation:** Sunday – Saturday from 12:00p.m. to 12:00a.m.
- **Staff:** 20-27 employees
- **Parking:** In viewing the floor plan, there are a total of 180 parking spaces, meeting code.
- **Sale of Alcohol –** The existing restaurant includes a small 'bar' component. Section 1.56 (3a) of the Zoning code requires a minimum separation of 300' from the *property line* of any churches, schools, publicly owned property, and residences. There is a mobile and modular home residential neighborhood located south of the subject site within the 300' radius.

REVIEW COMMENTS: Staff mailed out 27 notices to property owners within a 200' radius of this business where Staff has not received any comments in favor or against this request. It is also noted that there have been no issues reported to PD during the CUP's existing tenure. Since this is a family-oriented establishment and it is not open after 12a.m., and the sale of alcohol is not the primary item of the purchase, staff does not object to an extended approval term.

RECOMMENDATION: Staff recommends approval for life of use subject to:

- 1) Waiver of the 300's separation requirement from the residential neighborhood
- 2) Compliance with all City Codes (Building, Health, Fire, etc.); and
- 3) CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardisen moved to close the public hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to the approve the conditional use permit as per staff's recommendation. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:50 p.m.

Ended: 5:52 p.m.

Item #1.8

Conditional Use Permit: 2-Drive Thru Service Doors
Renewal: - The Health Nut
301 E. Expressway 83
Lot 4, El Pueblo No. 1
C-3
Joaquin Pena

Ms. De Luna went over the write-up stating the subject site is located approximately 840' off of Conway Avenue along the northside of the Frontage Road. The applicant is leasing a 360 sq. ft. building for a health nut business with two Drive-Thru Service Doors. The drive-thru service doors are along the east and west side of the building allowing for stacking for approximately 8 vehicles. The customers place their order on the east side of the building and wrap around to the west side for pickup. The last CUP approved for the two Drive-Thru Service Doors for this location was on July 26, 2021 for a period of 2 years.

- **Days/Hours of Operation:** Monday through Wednesday 6am to 9pm, Thursday 6am to 8pm, Friday 6am to 7pm, Saturday 9am to 6pm and Sunday 9am to 2 pm
 - **Staff:** 6 employees
- Parking & Landscaping:** It is noted that the parking spaces are held in common for this commercial plaza and it exceeds code. Landscaping requirements are meeting code.

REVIEW COMMENTS: Staff mailed out 18 notices to property owners within a 200' radius of this business where Staff has not received any comments in favor or against this request. Staff does not object to an extended approval term, since there have been no issues reported to PD.

RECOMMENDATION: Staff recommends approval subject to:

1. 4 year re-evaluation to continue to assess this operation.
2. Compliance with all City Codes (Building, Fire, Health, etc.) and
3. CUP not to be transferable to others.

Chairwoman Izaguirre asked if there was any input in favor or against the request.

There was none.

Chairwoman Izaguirre entertained a motion to close the public hearing. Mr. Hardisen moved to close the public hearing. Mrs. Austin seconded the motion. Upon a vote, the motion passed unanimously.

There being no discussion, Chairwoman Izaguirre entertained a motion. Mr. Alaniz moved to approve the conditional use permit as per staff's recommendation. Mr. Hardisen seconded the motion. Upon a vote, the motion passed unanimously.

ITEM#2.0

ADJOURMENT

There being no further items for discussion, Chairwoman Izaguirre entertained a motion. Mr. Hardisen moved to adjourn the meeting. Mrs. Austin seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:52 p.m.



Diana Izaguirre, Chairwoman
Planning and Zoning Commission

City of Mission Sanitation/Fleet Glass Replacement Pricing

Vendor Information					
Vendor Name	Address	Phone Number	Shop Hours	Contact Person	E-mail
Admiral Glass	4005 W. US Hwy 87 McAllen TX 78501	956-683-0900	Mon-Fri = 9-5 SAT. = 9-12	Tulien Muñoz	admiral4005@gmail.com

FRONT GLASS PRICING BY UNIT - SANITATION DEPARTMENT			
Vehicle Model / Glass Type	Pricing / Notes	Manufacturer / Glass Type	Pricing / Notes
Peterbilt 337 Front Glass	2 Price \$150 Per side one Price \$240	John Deere 544K Front Glass	We need to cut glass. \$160
Peterbilt 320 Front Glass	\$150 Per side	John Deere 324K Front Glass	Order's on size \$160
Peterbilt 520 Front Glass	\$150 Per side	Peterbilt 348 Front Glass	2 Price \$150 Per side one Price \$240
Freightliner M2 Business Class Front Glass	w/moldings \$360	Labor On-Site Installation	\$100

Prices Valid from 1-10-24 to 1-10-25

Printed Name: Tulien Muñoz Jr
Date: 1/10/24

Signature: 



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Anna Carrillo, City Secretary
AGENDA ITEM: Approval of Ordinance # _____ amending Ordinance 5239; amending Section 2 Membership of the Keep Mission Beautiful Beautification Committee - Carrillo

NATURE OF REQUEST:

The Keep Mission Beautiful Beautification Committee was created in 2022 to encourage beautification and promote environmental education and to beautify city-owned property. Membership of the committee will be increased from five (5) members to seven (7) with terms of the two new board members expiring on December 31, 2025.

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

ORDINANCE NO. _____

APPROVAL OF ORDINANCE AMENDING ORDINANCE NO. 5239; AMENDING SECTION 2 MEMBERSHIP OF THE KEEP MISSION BEAUTIFUL BEAUTIFICATION COMMITTEE

WHEREAS, the Keep Mission Beautiful Beautification Committee was created on October 24, 2022 to benefit the residents of the City of Mission.

WHEREAS, the Keep Mission Beautiful Beautification Committee operates as a 501(C)(3) non-profit organization whose mission is to encourage beautification and promote environmental education through partnerships with our citizens, schools and local businesses in an effort to beautify our city, reduce waste and create a vibrant community.

WHEREAS, the purpose of committee is to beautify city-owned property through planting and landscaping; to act as a catalysis for special projects related to city-wide beautification efforts.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS:

SECTION 2. MEMBERSHIP AND TERMS: Said committee shall be increased from five (5) members to seven (7) members to be appointed by the Mayor with the advice and consent of the City Council of the City of Mission for terms of two (2) years each with initial terms expiring December 31, 2025.

READ, CONSIDERED, APPROVED AND PASSED this the 22nd day of January, 2024.

Norie Gonzalez-Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary



CITY OF
MISSION

**CITY COUNCIL AGENDA ITEM &
RECOMMENDATION SUMMARY**

MEETING DATE: January 22, 2024
PRESENTED BY: Anna Carrillo, City Secretary
AGENDA ITEM: Board Appointments – Keep Mission Beautiful Beautification Committee, Tax Increment Reinvestment Zone - Carrillo

NATURE OF REQUEST:

Keep Mission Beautification Committee – Appoint Luis Ortega, Jr. and Cesar Omar Aguilar term to expire December 31, 2025

Tax Increment Reinvestment Zone / MRA – Appoint Ricardo Perez to replace David Penoli who resigned term to expire December 31, 2024

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager’s Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____
 DISAPPROVED: _____
 TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Michael Elizalde, Grants Administrator
AGENDA ITEM: Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY25 Bullet Resistant Shield Grant Program to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative. - Elizalde

NATURE OF REQUEST:

The Mission Police Department is seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY25 Bullet Resistant Shield Grant Program and designates the Mayor as Authorized Representative. The department seeks to purchase 10 bullet resistant shields compliant with the National Institute of Justice Level III or higher. The equipment will be utilized during all life-threatening criminal activities. The grant does not have a match requirement.

BUGETED: Yes / No / N/A FUND: _____ ACCT. #: _____

BUDGET: \$ _____ EST. COST: \$ _____ CURRENT BUDGET BALANCE: \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval RP

RECORD OF VOTE: APPROVED: _____
DISAPPROVED: _____
TABLED: _____

_____ AYES
_____ NAYS
_____ DISSENTING _____

RESOLUTION # _____

WHEREAS, The City of Mission finds it in the best interest of the citizens of Mission, Texas that the Mission Police Bullet Resistant Shield Project #4991901 under the FY25 Bullet-Resistant Shield Grant Program be operated for the 2024-2025 fiscal year; and

WHEREAS, The City of Mission agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Mission assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, The City of Mission designates the City of Mission Mayor as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of Mission approves submission of the grant application for the Bullet-Resistant Shield Grant Program to the Office of the Governor.

READ, CONSIDERED AND APPROVED, this 22nd day of January 2024.

Norie Gonzalez Garza, Mayor

Attest:

Anna Carrillo, City Secretary



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Michael Elizalde, Grants Administrator

AGENDA ITEM: Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY25 Criminal Justice Grant Program to the Office of the Governor (OOG) and authorizing Mayor as the Authorized Representative. - Elizalde

NATURE OF REQUEST:

The Mission Police Department is seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY25 Criminal Justice Grant Program and designates the Mayor as Authorized Representative. The department seeks to purchase a Narcotics Analyzer, which will allow law enforcement official to quickly identify suspected narcotics in the field that will help expedite criminal apprehension and reduce drug related crimes in the community. The total project cost is \$29,752.00 and the grant does not have a match requirement.

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval *RP*

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

RESOLUTION # _____

WHEREAS, The City of Mission finds it in the best interest of the citizens of Mission, Texas that the Mission Police Narcotics Analyzer Project #4992001 under the FY25 Criminal Justice Grant Program be operated for the 2024-2025 fiscal year; and

WHEREAS, The City of Mission agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Mission assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, The City of Mission designates the City of Mission Mayor as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of Mission approves submission of the grant application for the Criminal Justice Grant Program to the Office of the Governor.

READ, CONSIDERED AND APPROVED, this 22nd day of January 2024.

Norie Gonzalez Garza, Mayor

Attest:

Anna Carrillo, City Secretary

RESOLUTION # _____

WHEREAS, The City of Mission finds it in the best interest of the citizens of Mission, Texas that the Mission Police Rifle Resistant Armor Project #4992301 under the FY25 Rifle Resistant Body Armor Grant Program be operated for the 2024-2025 fiscal year; and

WHEREAS, The City of Mission agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Mission assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, The City of Mission designates the City of Mission Mayor as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of Mission approves submission of the grant application for the Rifle Resistant Body Armor Grant Program to the Office of the Governor.

READ, CONSIDERED AND APPROVED, this 22nd day of January 2024.

Norie Gonzalez Garza, Mayor

Attest:

Anna Carrillo, City Secretary



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024

PRESENTED BY: Michael Elizalde, Grants Administrator

AGENDA ITEM: Approval of Resolution No. _____ authorizing the submittal of a grant application for the FY24 State Homeland Security Program-LETPA Grant Program to the Office of the Governor and authorizing Mayor as the Authorized Representative. – Elizalde

NATURE OF REQUEST:

The Mission Police Department is seeking approval of resolution authorizing the submittal of a grant application to the OOG for the FY24 SHSP-LETPA Grant Program and designates the Mayor as the Authorized Representative. The department seeks to purchase equipment and software pertaining to Apex Officer Training Simulators. The training simulator is deigned to conduct immersive and interactive training in a safe and controlled environment, to assist in retaining valuable performance skills such as de-escalation, crisis intervention, communication training, and use of force training. The total project request is \$125,000.00 and the grant opportunity does not have a match requirement.

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

RESOLUTION # _____

WHEREAS, The City of Mission finds it in the best interest of the citizens of Mission, Texas that the Mission Police Apex Training Simulator Project #4992601 under the SHSP-LETPA Grant Program be operated for the 2024-2025 fiscal year; and

WHEREAS, The City of Mission agrees that in the event of loss or misuse of the Office of the Governor funds, the City of Mission assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, The City of Mission designates the City of Mission Mayor as the grantee’s authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of Mission approves submission of the grant application for the SHSP-LETPA Grant Program to the Office of the Governor.

READ, CONSIDERED AND APPROVED, this 22nd day of January 2024.

Norie Gonzalez Garza, Mayor

Attest:

Anna Carrillo, City Secretary



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Adrian Garcia, Fire Chief
AGENDA ITEM: Authorization to enter into a Memorandum of Understanding between Texas A&M Engineering Extension Service (TEEX) on behalf of Texas A&M Task Force 1 and the City of Mission Fire Department – A. Garcia

NATURE OF REQUEST:

The Mission Fire Department is seeking authorization for the City of Mission and the Texas A&M Engineering Extension Service (TEEX) on the behalf of its Texas A&M Task Force 1 (TX-TF-1) to enter into a Memorandum of Understanding for the purpose to establish a joint Water Rescue Program to improve local, regional, state response capabilities to water events, Urban Search and Rescue Response Team and training activities.

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

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager’s Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____
 DISAPPROVED: _____
 TABLED: _____

_____ AYES
_____ NAYS
_____ DISSENTING _____



Memorandum of Understanding
Between
The Texas A&M Engineering Extension Service,
The Sponsoring Agency of Texas A&M Task Force 1,
And
The Participating Agency/Employer



This Memorandum of Understanding (MOU) is entered into between Texas A&M Task Force 1 (TX-TF1), a division of the Texas A&M Engineering Extension Service (TEEX), and the Participating Agency/Employer (Employer) Mission Fire Department, located in Misson, Texas.

TEEX is the Sponsoring Agency, as that term is defined in *42 USC 5165f(a)(6)*, for TX-TF1, a Task Force as defined in *42 USC 5165f(a)(9)*, as a cooperating party under a Memorandum of Agreement dated December 8, 2008, between the Federal Emergency Management Agency (FEMA) and the State of Texas. Employer desires to provide personnel to serve in TX-TF1 as determined by TEEX. The parties therefore agree as follows:

I. PURPOSE

The purpose of this MOU is to delineate responsibilities and procedures for Urban Search and Rescue (US&R) activities under the authority of the State of Texas Emergency Management Plan, the Robert T. Stafford Disaster Relief and Emergency Act, Public law 93-288, as amended 42 U.S.C. 5121, et seq., and Title 44 CFR Part 208 – National Urban Search and Rescue Response System.

II. SCOPE

The provisions of this MOU apply to:

- A. US&R activities performed at the request of the State and the Federal government and provided at the option of the Employer and the Member. These activities may be in conjunction with, or in preparation of, a State or federal declaration of disaster; and
- B. Training activities mandated by the Department of Homeland Security (DHS)/FEMA and TEEX to maintain TX-TF1 operational readiness.

III. PERIOD OF PERFORMANCE

This MOU begins November 1, 2023, and terminates October 31, 2028, or as described in section IX of this MOU.

IV. DEFINITIONS

For purposes of this MOU, the following definitions apply:

- A. Activation: The process of TEEX mobilizing Members to deploy to a designated disaster site.
- B. Alert: The process of TEEX informing Members that an event has occurred and that TX-TF1 may be activated at some point within the next 24-48 hours.
- C. Backfill: The assignment of personnel by the Employer to meet their minimum level of staffing to replace a deployed Member.

- D. Deactivation: The process of TEEEX demobilizing Members upon notification from the State or DHS/FEMA to stand down.
- E. Member: A rostered TX-TF1 member.
- F. Personnel Rehabilitation Period: The period sometimes allowed by DHS/FEMA or the State for Members' rehabilitation to normal conditions of living following activation.
- G. Reasonable Personal Costs: Approved out-of-pocket expenses incurred by a Member in performance of his/her duties as a deployed Member.
- H. Rotational Model: Model used to determine which of the three teams (Red, White, Blue) is first up for deployment or on standby for the month.
- I. State: The State of Texas.
- J. Task Force Sponsored Training: Training and/or exercises performed at the direction, control, and funding of DHS/FEMA or TX-TF1.
- K. Task Force Sanctioned Training: Training and/or exercises performed at the direction, control, and funding of an Employer or Member in order to develop and maintain the US&R capabilities of the Member and TX-TF1. Task Force Sanctioned Training must be coordinated with TEEEX/US&R staff and receive written authorization to conduct such training prior to the start of the training.

V. RESPONSIBILITIES

- A. TEEEX shall:
 - 1. Recruit and organize TX-TF1 according to guidelines prescribed in the National US&R Response System Operations Manual.
 - 98. Ensure that each Member meets the necessary licensing, certification, or other professional qualification requirements of his/her assigned position.
 - 99. Provide administrative, financial and personnel management to TX-TF1 and perform all financial requirements as set forth in this MOU.
 - 100. Reimburse payroll costs to the Employer for each activated Member and allowable backfill costs as stated in *Section VIII. A. Reimbursement of the Employer* and the *TX-TF1 Standard Pay Policy, Attachment A*.
 - 101. Provide training to Members consistent with the objectives of developing, upgrading, and maintaining individual skills, as identified in the position description requirements, necessary to maintain operational readiness.
 - 102. Develop, implement, and exercise a notification and call-out system for Members.
 - 103. Provide all personal protective equipment and uniforms required by TX-TF1.
 - 104. Provide tools and equipment necessary to conduct safe and effective US&R operations as listed in the current approved cache list.
 - 105. Maintain all tools and equipment in the US&R cache in a ready state.
 - 106. Coordinate between DHS/FEMA, the State, the Employer, other relevant governmental and private entities, and the individual Members.
 - 107. Maintain a primary contact list for all Members.

108. Maintain personnel files on all Members for the purposes of documenting training records, emergency notification, and other documentation as required by DHS/FEMA and the State.
109. Provide a roster of the Employer Members upon execution of this MOU and annually, in the month of July, see *Attachment D*.
- B. The Employer shall:
1. Provide approval of its Members' participation in TX-TF1 training, meetings, and emergency response activities when fiscally reasonable to do so. Agency Chief approval is provided by signing the *Participating Agency Individual Member Letter of Endorsement, Attachment C*, at the time the Member's administrative documents are submitted.
 2. Maintain a roster of all its personnel participating as Members.
 3. Provide a primary point of contact to TEEX for the purpose of notification of TX-TF1 activities and other matters.
 4. Pay deployed Members in accordance with *Section VIII Administrative, Financial, and Personnel Management and Attachment A, the Texas Task Force 1 Standard Pay Policy*.
 5. Certify and submit personnel reimbursement claims and requested supporting documentation within 45 days of Deactivation of its Member(s).
- C. Participation Requirements for Members. Employer shall notify TEEX TX-TF1 if Employer reasonably believes that a Member does not meet any of the following:
1. Members must be in good standing with the Employer.
 2. Members must be of good moral character and may not have been convicted of any felony or any other criminal offense involving moral turpitude.
 3. Members serving in a TX-TF1 position that requires the individual to hold a license, registration, certificate or other similar authorization to lawfully engage in an activity must hold such authorization, which must be current and validly issued.
 4. Members must follow all *TX-TF1 Standard Operating Guidelines (SOG)* that are available at <https://texas taskforce1.org/sogs> .
 5. Members must meet medical/fitness standards, and be physically capable of performing assigned duties required in the position description requirements for the assigned position in a wide range of environments per *TX-TF1 SOG*.
 6. Members must complete and/or provide documentation of the required immunizations specified in the Individual Letter of Endorsement.
 7. Members must maintain knowledge, skills, and abilities necessary to operate safely and effectively in the assigned position.
 8. Members must advise the Employer of TX-TF1 activities that may require time off work.
 9. Members must notify TEEX of any change in the notification process, i.e. address or phone number changes, and maintain current personal profile in the *Emergency Management Operation System (EMOS)*

10. Members must ensure availability for immediate call-out during the period **the Member's** assigned team is first on the rotational model for call-out. Members who are not on the team that is first on the rotational model may be requested to fill the position of another team member who is not available to deploy to ensure the team is fully staffed for the mission.
11. Members must respond immediately to call-out with acceptance or refusal of current mission request and arrive within 3 hours from time of call-out to the assigned point of assembly (POA).
12. Members must maintain all equipment issued by TX-TF1 in a ready state and advise TEEX immediately of any lost, stolen or damaged items
13. Members must be prepared to operate in the disaster environment for not less than 14 consecutive days.

VI. PROCEDURES

A. Activation

1. Upon request from DHS/FEMA for disaster assistance, and/or determination that pre-positioning TX-TF1 is prudent, TEEX shall request activation of TX-TF1 from the State.
2. Upon request or permission from the State for disaster assistance, and/or determination that pre-positioning TX-TF1 is prudent, TEEX will follow the steps in section VI.B.
3. TEEX shall communicate an Alert and/or activation notices to Members through the paging and call-out system according to the current approved mobilization plan.

B. Mobilization, Deployment and Demobilization

1. TEEX shall notify Members of activation of TX-TF1.
2. When TX-TF1 responds to such a mobilization request, the Members must arrive with all equipment and personal gear to the designated POA within 3 hours of activation notice.
3. Upon arrival at the POA, the Members will be provided initial briefings, maps, food, housing and any other items essential to the initial set-up and support of TX-TF1.
4. When TX-TF1 is activated, TEEX shall provide transportation for Members and all necessary equipment to the pre-designated point of departure (POD) for ground transportation or air transport.
5. TEEX will provide transportation from the POD to the disaster site and transportation on the return trip.
6. TEEX shall demobilize Members and equipment to the original POA upon completion of the US&R mission.

C. Management

1. TEEX maintains overall management, command and control of all TX-TF1 resources and operations.
2. Tactical deployment of TX-TF1 will be under the direction of the local Incident Commander and the Task Force Leader(s) assigned to the incident.

VII. TRAINING AND EXERCISES

A. DHS/FEMA-Sponsored Training and Exercises

Periodically Members will be required to attend DHS/FEMA sponsored functional training. DHS/FEMA sponsored functional training will be performed at the direction, control and funding of DHS/FEMA in order to develop the technical skills of the Members.

B. Task Force Sponsored Training

Periodically Members will be requested or required to attend Task Force Sponsored Training. Task Force Sponsored Training will be performed at the direction, control and funding of TX-TF1 in order to develop the technical skills of Members.

C. Task Force Sanctioned Training

Periodically Members will be required and/or invited to attend Task Force Sanctioned Training. Task Force Sanctioned Training may be performed at the direction, control and funding of TEEEX, the Employer, or the State in order to develop and maintain the US&R capabilities of TX-TF1.

D. Non-Sponsored and/or Non-Sanctioned Training and Exercises

Non-sponsored and/or non-sanctioned training and/or exercises may be performed at the direction, control and funding of the Employer or Member in order to develop and maintain the US&R capabilities of TX-TF1.

E. Minimum Training Requirements

Each Member must maintain the skills and abilities identified in the position description requirements and SOG Ref. 1-07 Member Participation. Exceptions may be granted at the discretion of TEEEX or the Task Force Leader.

VIII. ADMINISTRATIVE, FINANCIAL, AND PERSONNEL MANAGEMENT

A. Reimbursement of the Employer

1. TEEEX shall reimburse the Employer for each of its employees activated as a Member for payroll and associated costs during the Members' participation in State and/or federal disaster deployments. This reimbursement will be in accordance with the *TX-TF1 Pay Policy* and will require the Employer to submit supporting documentation to TEEEX prior to reimbursement.
2. TEEEX shall reimburse the Employer for the cost of Backfilling Members while activated. This will consist of expenses generated by the replacement of a deployed Member on his/her normally scheduled duty period/day. Backfill costs incurred by the Employer will be reimbursable only to the extent that the costs are in excess of the costs that would have been incurred had the Member not been deployed. TEEEX cannot pay for hours Backfilled other than those that coincide with a Member's scheduled on-duty hours. Backfill reimbursement is available only for positions that are normally Backfilled by the Employer.
3. TEEEX shall reimburse the Employer for salaries and Backfill expenses of any deployed Member who would be required to return to regularly scheduled duty during the Personnel Rehabilitation Period described in the demobilization order. If the deployed Member's regularly scheduled shift begins or ends within the identified Personnel Rehabilitation Period, the Employer may give the deployed Member that time off with pay and Backfill his/her position. If Members use time from a paid leave bank during the Personnel Rehabilitation Period, or if a Member is not normally scheduled to work during the identified Personnel Rehabilitation Period, then no reimbursement will be made for that Member. TEEEX will determine the Personnel Rehabilitation Period that will apply to each deployment based on the demobilization order for that deployment.

B. Other Reimbursements

1. TEEX shall reimburse Members for Reasonable Personal Costs associated with operations and maintenance of TX-TF1 during a State or federal activation. Itemized receipts are required and should not include Texas Hotel Occupancy taxes, alcohol, tips, or gratuities. All receipts must be submitted to the TEEX Business Office within 15 days of Deactivation.
2. TEEX shall reimburse Members for reasonable travel costs associated with approved training in accordance with *SOG Ref. 1-14 Task Force Travel*. Itemized receipts are required and should not include Texas Hotel Occupancy taxes as they are not reimbursable. Receipts should be submitted to the TEEX Business Office within 15 days from the end of the trip.
3. TEEX shall reimburse on a replacement basis for emergency procurement of TX-TF1 materials, equipment and supplies purchased and used or consumed by Members in providing requested assistance. Advance approval by TX-TF1 leadership must be obtained and itemized receipts for such items must be submitted to TEEX. Such materials, equipment and supplies are the property of TEEX and must be returned to TEEX upon deactivation or return from training.
4. No Member or the Employer will be reimbursed for costs incurred by activations that are outside the scope of this MOU.
5. All financial commitments herein are made subject to availability of funds from the State and/or DHS/FEMA. For interlocal cooperation contracts, these commitments would be in accordance with Texas Government Code, Chapter 791, Interlocal Cooperation Contracts, part 011, Contracting Authority, Terms, (d)(3) which states, "An interlocal contract must specify that each party paying for the performance of governmental functions or services must make those payments from current revenues available to the paying party."
6. TEEX shall perform all duties of an employer in relation to a Member who is injured and eligible to receive benefits under *Chapter 501 of the Texas Labor Code*.

IX. CONDITIONS, AMENDMENTS, AND TERMINATION

- A. This MOU may be modified or amended only with the written agreement of both parties, and all amendments will be attached to this MOU.
- B. Any party, upon 30 day written notice, may terminate this MOU.
- C. TEEX complies with the provisions of *Executive Order 11246 of Sept. 24, 1965, as amended* and with the rules, regulations, and relevant orders of the Secretary of Labor. To that end, TEEX will not discriminate against any employee or Member on the grounds of race, color, religion, sex, or national origin. In addition, the use of state or federal facilities, services, and supplies will be in compliance with regulations prohibiting duplication of benefits and guaranteeing nondiscrimination. Distribution of supplies, provisions of technical assistance and other relief assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on a basis prohibited by Texas or federal law or on a basis of economic status.

X. LIABILITY AND WORKERS' COMPENSATION FOR FEDERAL ACTIVATION AND DHS/FEMA SANCTIONED OR SPONSORED TRAINING

- A. TEEX intends that participation under this MOU by a Member in exercises, pre-incident

staging, major disaster or emergency response activities, or training events sponsored or sanctioned by DHS/FEMA constitute appointment into federal service to the extent authorized by *Sec. 327 of the Stafford Act (42 USC 5165f)*.

- B. Specifically, TEEX intends that a Member participating in an activity described above:
1. Be eligible for the benefits described in *Sec. 327(h) of the Stafford Act (42 USC 5165f(h))* should the Member suffer personal injury, illness, disability, or death as a result of a personal injury sustained while acting in the scope of such federal service;
 2. Be considered to be an employee of the federal government for purposes of tort claim procedure as described in *Sec. 327(i) of the Stafford Act (42 USC 5165f(i))*;
 3. Be considered in "service in the uniformed services" for purposes of employment and reemployment rights of individuals who have performed service in the uniformed services as described in *Sec. 327(j) of the Stafford Act (42 USC 5165f(j))*;
 4. If he or she holds valid licenses, certificates, or permits required by TX-TF1, be deemed to be performing a federal activity when rendering aid involving such skill or assistance as described in *Sec. 327(k) of the Stafford Act (42 USC 5165f(k))*; and
 5. Be eligible for all other benefits and protections provided under the Stafford Act or elsewhere in federal law.

XI. LIABILITY AND WORKERS' COMPENSATION FOR STATE ACTIVATION /AND TRAINING

- A. During any period in which TX-TF1 is activated by the State, or during any Task Force Sponsored Training or Task Force Sanctioned Training, Members who are not employees of a member of The Texas A&M University System or another agency of the State will be included in the coverage provided under Chapter 501 of the Texas Labor Code in the same manner as an employee, as defined by Section 501.001. Services with TX-TF1 by an activated Member who is a state employee are considered to be in the course and scope of the employee's regular employment with the State.

XII. LIABILITY AND WORKERS' COMPENSATION FOR NON-SPONSORED/SANCTIONED TRAINING

- A. During non-TX-TF1 training and exercises, Members who are not employees of a member of The Texas A&M University System or another agency of the State will not be included in the same workers' compensation coverage afforded Members that are activated or attending DHS/FEMA or Task Force Sponsored Training or Task Force Sanctioned Training.

XIII. GENERAL PROVISIONS

- A. The substantive laws of the State (and not its conflicts of law principles) govern all matters arising out of or relating to this MOU and all of the transactions it contemplates.
- B. This MOU does not create a partnership or joint venture between TEEX and the Employer. Neither party may bind the other or otherwise act in any way as the representative of the other, unless otherwise expressly agreed to in a writing signed by authorized representatives of both parties before any such act or representation.
- C. Any provision of this MOU that conflicts with a law or regulation of the United States or the State is null and void to the extent of the conflict.
- D. Any notices required or permitted under this MOU will be deemed given (a) three business days after it is sent by certified or registered mail, return receipt requested, (b) the next business day after it is sent by overnight carrier, (c) on the date sent by facsimile or email

transmission with confirmation of transmission and receipt, if sent during the recipient's normal business hours and if not, on the next business day, or (d) on the date of delivery if delivered personally, and in each case, addressed to the intended recipient at the address below or such other address as the intended recipient may specify in writing:

- a. TEEEX: TEEX TX-TF1, 200 Technology Way, College Station, TX 77845-3424
- b. Employer: _____

- E. This MOU is assignable only with the written consent of both parties.
- F. Nothing in this MOU waives or relinquishes either party's right to claim any exemptions, privileges, and immunities as may be provided by law.
- G. The failure of either party at any time to require performance by the other party of any provision of this MOU will in no way affect the right to require such performance at any time thereafter nor will the waiver by either party of a breach of any provision be taken or held to be a waiver of any succeeding breach of such provision or as a waiver of the provision itself.
- H. Each provision of this MOU is severable. If any provision is rendered invalid or unenforceable by statute or regulations or declared null and void by any court of competent jurisdiction, the remaining provisions will remain in full force and effect if the essential terms of this MOU remain valid, legal, and enforceable.
- I. If either party fails to fulfill its obligations under this MOU, when such failure is due to an act of God, or other circumstance beyond its reasonable control, including but not limited to fire, flood, civil commotion, riot, war, revolution, acts of foreign or domestic terrorism, or embargos, then the other party shall excuse the failure for the duration of the event and for such a time as is reasonable to enable the parties to resume performance under this MOU, provided however, that in no event will such time extend for more than 30 days.
- J. This MOU along with the following attachments constitutes the entire understanding between the parties as to the matters contained in this MOU, and supersedes all other written and oral agreements between the parties as to those matters:
 - Attachment A, TX-TF1 Standard Pay Policy
 - Attachment B, TX-TF1 Pay Schedule by Position (when applicable)
 - Attachment C, Individual Member Letter of Endorsement
 - Attachment D, Employer's TX-TF1 Member Roster

The parties may execute agreements, but those will not alter this MOU unless expressly stated in writing.

This MOU is entered into by and between the following parties:

TEXAS A&M ENGINEERING EXTENSION SERVICE (TEEX):

Authorized Signature

Printed Name

Date

200 Technology Way
Address

College Station
City

TX, 77845-3424
State, Zip

Address

City

State, Zip

(979) 458-0857
Phone Number

37167167164025
Texas Vendor ID Number

Phone Number

Texas Vendor ID Number

EMPLOYER: Mission Fire Department
Employer Name

Employer Name

Authorized Signature

Printed Name

Date

Address

City

State, Zip

Phone Number

Email

Attachment A
Texas Task Force 1
Standard Pay Policy

I. Scope

The provisions of this policy apply to all TX-TF1 members and Texas A&M Engineering Extension Service (TEEX) personnel assigned to the Urban Search and Rescue program.

II. Purpose

The purpose of this document is to delineate the policy and procedures for payment and/or reimbursement of payroll expenses to include salaries/wages and associated fringe benefits incurred during all federal and state activations of a TX-TF1 member.

III. Pay Rate

- A. TX-TF1 will reimburse the Employer for the participation of each of their activated TX-TF1 members at the current hourly rate or salary at the time of deployment and identified on the payroll printout provided by the Employer requesting salary reimbursement. TX-TF1 may also reimburse the Employer for the allocable portion of fringe benefits paid to or on behalf of the TX-TF1 member during the period of activation. Member work schedules, payroll policies, payroll and benefit documentation must be retained by the Employer for a period of three years following the final payment to TEEX by TDEM or DHS/FEMA in accordance with 2 CRF 200.333 – Retention Requirements for Records. TEEX will notify Employers when payment has been made.
- B. TX-TF1 members employed by an Employer without a standard pay rate, will be paid at a rate identified with their TX-TF1 position on the *TX-TF1 Pay Schedule by Position, Attachment B*. The member's 40-hour workweek will begin upon activation. The member will receive the standard base rate of pay for the first 40 hours worked within each workweek of a deployment. Hours in excess of 40 hours each week will be paid at 1 ½ time the member's base rate of pay. Affiliated members are not eligible for Personnel Rehabilitation pay.
- C. TEEX employees who hold positions on TX-TF1 will be paid in accordance with Section IV below. Payroll printouts and fringe benefits documentation will be included in the reimbursement process.

IV. Deployment Work Shift

- A. Every day is considered a workday during the Deployment until the activation is over, and the Task Force returns to its original Point of Assembly (otherwise known as "portal to portal"). Therefore, Saturday, Sunday, holidays and other scheduled days off are also considered workdays during the period of activation.
- B. All individuals are assured pay for base hours of work, mobilization and demobilization, travel, or standby at the appropriate rate of pay for each workday.
- C. During the deployment period from activation through de-activation, all FLSA-exempt and non-FLSA exempt TX-TF1 members will receive the standard base rate of pay for all hours they are scheduled to be on duty during a work day. A work day is defined from midnight to midnight. Additional hours during this day not scheduled on duty will be compensated in accordance with 44 CFR 208.39 and Employer pay policies. Kelly days are considered off duty hours.
- D. 44 CFR 208.39 allows Participating Agency/Employers whose members follow the Public Safety Exemption 29 U.S.C. 207(k) have the option of converting deployed members to a standard FLSA 40-hour week during the deployment period. The conversion does not apply to backfill or rehab time.

V. Ordered Standby

Compensable standby shall be limited to those times when an individual is held, by direction or orders, in a specific location, fully outfitted and ready for assignment.



CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Anna Carrillo, City Secretary
AGENDA ITEM: Approval of Resolution # _____ calling a General Election in Mission, Texas to be held on May 4, 2024 providing for the election of Councilmembers for Places Two and Four; providing for polling places and other matters relating to said election. - Carrillo

NATURE OF REQUEST:

Resolution provides for the city's General Election to be held on Saturday, May 4, 2024 as authorized by the Texas Election Code. Positions up for election are Councilmembers for places Two and Four. Early voting by personal appearance will be conducted at Mission Parks & Recreation Gym, 721 N. Bryan Road and Mission Boys & Girls Club Gym at Bannworth Park, 1822 N. Shary Road Monday, April 22, 2024, Tuesday, April 23, 2024, Wednesday, April 24, 2024, Thursday, April 25, 2024, Friday, April 26, 2024, and Saturday, April 27, 2024 from 8 a.m. - 6 p.m., Monday, April 29, 2024 - 7 a.m. - 7 p.m., Tuesday, April 30, 2024 - 7 a.m. 7 p.m. (times may be amended pending consensus from all entities) Election Day polling locations are to be held at Mission High School, Parks and Recreation and Mission Boys and Girls Club Gym at Bannworth Park from 7 a.m. - 7 p.m.

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager's Recommendation: Approval RP

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

RESOLUTION NO. ____

**A RESOLUTION CALLING A GENERAL ELECTION IN MISSION,
TEXAS TO BE HELD ON MAY 4, 2024; PROVIDING FOR THE
ELECTION OF COUNCILMEMBERS FOR PLACES TWO AND
FOUR; PROVIDING FOR POLLING PLACES AND OTHER
MATTERS RELATING TO SAID ELECTION.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS:

WHEREAS, Pursuant to the requirement of Article 3 of the Charter of the City of Mission an election is to be called to be held in the City of Mission, Texas, on the fourth (4) of May, 2024, for the purpose of electing Councilmembers for Places Two and Four for the City of Mission, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MISSION:

SECTION 1. That a General Election is ordered and shall be held in and throughout the City of Mission on Saturday, May 4, 2024, between the hours of 7:00 A.M. and 7:00 P.M., which is within the time prescribed by law, at the places hereinafter designated, for the purpose of electing Councilmembers for Places Two and Four. Each of the positions shall have a four-year term expiring in 2028.

SECTION 2: Said election shall be conducted and held in accordance with the Charter of the City of Mission and the laws of the State of Texas and with a voting system certified by the Texas Secretary of State.

SECTION 3: Any eligible and qualified person may have his name printed on the official ballot as an independent candidate for any of the offices to be selected by filing his sworn application for such particular office with the City Secretary during the period of January 17, 2024 and before 5:00 p.m. central standard time on February 16, 2024 at City Hall, 1201 E. 8th St., Mission, Texas.

The application shall state the particular office being sought by the applicant and that the applicant is eligible and qualified under the Charter of the City of Mission and the laws of the State of Texas to become a candidate for and hold office sought, if elected.

SECTION 4: Any person eligible for the office for which he has filed his sworn application in accordance with the provisions of this ordinance shall have his name printed on the official ballot without party designation. Any such person may cause his name to be withdrawn at any time before February 23, 2024 by filing in writing with the City Secretary a request to that effect over his own signature, duly sworn and attested before a notary public. No name so withdrawn shall be printed on the ballots. At least twenty days prior to the election, the City shall have the ballots printed.

SECTION 5: Every qualified voter who desires to cast an early vote and expects to be absent on the day of said election, or is otherwise entitled to vote early under the provisions of the applicable statutes of the State of Texas, shall upon proper application be entitled to an official ballot and the right to cast such ballot in accordance with the early voting laws of the State of Texas, particularly Title 7, Texas Election Code.

Early voting by personal appearance will be conducted by the County of Hidalgo Elections Administrator.

Early Voting will be held at the following locations and times:
(times may be amended pending consensus from all entities)

- Mission Parks & Recreation Conference Room, 721 N. Bryan Road
- Mission Boys & Girls Club Gym at Bannworth Park, 1822 N. Shary Road
 - Monday, April 22, 2024 – 8 a.m. – 6 p.m.
 - Tuesday, April 23, 2024 – 8 a.m. – 6 p.m.
 - Wednesday, April 24, 2024 – 8 a.m. – 6 p.m.
 - Thursday, April 25, 2024 – 8 a.m. – 6 p.m.
 - Friday, April 26, 2024 – 8 a.m. – 6 p.m.
 - Saturday, April 27, 2024 – 8 a.m. – 6 p.m.
 - Monday, April 29, 2024 – 7 a.m. – 7 p.m.
 - Tuesday, April 30, 2024 – 7 a.m. 7 p.m.

Applications for early ballots to be voted by mail shall be made to Early Voting Clerk, Hilda Salinas Elections Administrator, P.O. Box 659, 213 S. Closner, Edinburg, TX 78540-0659 or her designated assistant who shall conduct the early voting in said election in the manner prescribed by the applicable statutes of the State of Texas. The period for accepting applications for early ballots to be voted by mail for the General Election is hereby scheduled through April 23, 2024.

SECTION 6: The polls will be open Election Day from 7:00 a.m. – 7:00 p.m. on Saturday, May 4, 2024 at the following locations:

- Mission Parks & Recreation, 721 N. Bryan Road
- Mission Boys & Girls Club Gym at Bannworth Park, 1822 N. Shary Road
- Mission High School Neuhaus Gym, 1802 W. 18th (Cleo Dawson)

SECTION 7: The City Secretary is hereby directed to give notice of said election by posting said notice at the City Hall and to give notice by publication and otherwise as required by law.

READ, CONSIDERED AND APPROVED by the City Council at a regular council meeting on the 22nd day of January, 2024.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Abel Bocanegra, P.E., City Engineer
AGENDA ITEM: Authorization to submit grant application to TWDB for the Flood Mitigation Assistance (FMA) Grant Program – Bocanegra

NATURE OF REQUEST:

Seeking authorization to submit a grant application to the Texas Water Development Board (TWDB) for the Flood Mitigation Assistance Grant Program. The purpose of this program is to reduce or eliminate the long-term risk of flood damage to repetitive loss (RL) and severe repetitive loss (SRL) structures that are insured under the National Flood Insurance Program (NFIP). This program also seeks to reduce or eliminate the dependence on taxpayer-funded federal disaster assistance for disaster recovery. The city’s proposed project includes technical assistance for final design and benefit cost analysis for drainage improvement projects. The total project cost will be no more than \$12,000,000 which will require a 10% cost match.

BUGETED: Yes / No / N/A **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: \$ _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: N/A

Advisory Board Recommendation: N/A

City Manager’s Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____



CITY OF MISSION

CITY COUNCIL AGENDA ITEM & RECOMMENDATION SUMMARY

MEETING DATE: January 22, 2024
PRESENTED BY: Abel Bocanegra, P.E., City Engineer
AGENDA ITEM: Authorization to Award Contract for FMA & BRIC Program Development, Grant Administration, Civil Engineering, and Project Management Services - Bocanegra

NATURE OF REQUEST:

The City of Mission has accepted and opened one (1) proposal for FMA & BRIC Program Development, Grant Administration, Civil Engineering, and Project Management Services. Proposal was referred to an evaluation committee to evaluate proposals based on the evaluation criteria and scope adopted by the City. Evaluation committee and City Engineers recommend to award contract to Westwood Professional Services who was selected as the highest ranked firm meeting all specifications. BID# 24-169-12-27

BUGETED: No **FUND:** _____ **ACCT. #:** _____

BUDGET: \$ _____ **EST. COST:** \$ _____ **CURRENT BUDGET BALANCE:** \$ _____

BID AMOUNT: _____

STAFF RECOMMENDATION:

Approval

Departmental Approval: Finance, Purchasing

Advisory Board Recommendation: N/A

City Manager’s Recommendation: Approval *RP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

PROPOSAL NAME/NUMBER: 24-169-12-27 FMA & BRIC Program Development, Grant Administration, Civil
 Engineering, and Project Management Services
 OPEN DATE: December 27, 2023 2:00 PM CST



Evaluator

Michael Elizalde	Abel Bocanegra	Edgar Gonzalez

Proposer	Rating	Points	Rating	Points	Rating	Points	Average
Westwood Professional Services 211 North Loop 1604 E. Ste. 205 San Antonio, TX 78232	Acceptable		Acceptable		Acceptable		
Sec. a. General Quality and Adequacy of Response: (20 Points max)	Acceptable	18	Acceptable	18	Acceptable	20	
Sec. b. Organization, Personnel, and Experience: (40 Points max)	Acceptable	38	Acceptable	40	Acceptable	40	
Sec. c. Capacity to Perform: (40 Points max)	Acceptable	40	Acceptable	40	Acceptable	40	
Total Score		96		98		100	98.00

Notes:

Strengths: (ME) The Firm provides a clear & concise approach to the needs of the city.; *Project team displays experience and qualifications needed to meet the needs of the City.*; The firm displays a lot of experience working on relevant projects. *They provided each team members availability for the project, which is more than adequate.* **(AB)** SOQ meets Request for Qualifications requirements. Good and organized information presented.; Experienced & Capable personnel, Experience in the RGV, Success in receiving Grants Pertinent to this RFQ, work with other local clients and firms.; Westwood appears to be fully equipped and able to have capacity to perform and assist the city with Applications for Grants. **(EG)** organized; *Have local experience;* Over 1,500 Employees

Weaknesses: (ME) Project schedule is provided, but does not have timeline in detail by number of months needed to complete relevant project.; *The firm has over five external firms as support staff, but provided only one of their resume's.*; **(AB)** Minor issues w/submitted information. **(EG)**

Comments: (EG) only firm to submit proposal;