



MINUTES

RESENT:

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

ABSENT:

ALSO PRESENT:

Diana Izaguirre
Javier Hinojosa
Christie Gonzalez
Pilar Gonzalez
Joaquin Diaz
Natalie Franco

STAFF PRESENT:

Anais Chapa, Assistant City Secretary
Juan Pablo Terrazas, Asst. City Manager
Teclo Garcia, MEDC CEO
Vidal Roman, Finance Director
Alex Hernandez, Assistant Planning Director
Xavier Cervantes, Planning Director
Abram Ramirez, IT Director
Yenni Espinoza, Library Director
Roel Mendiola, Sanitation Director
Cesar Torres, Chief of Police
Ruben Hernandez, Media Relations
Brad Bentsen, Parks & Rec Director
Michael Fernuik, Golf Director
Judith E. Garcia, Deputy Media Relations Director
Teodoro Rodriguez, Assistant Chief of Police
Sydney Hernandez, Media Relations Director
Humberto Garcia, Media Relations
Patty Ramon, Director of Governmental Affairs
Susie De Luna, Assistant Planning Director
Nora Lozano, Police Officer

REGULAR MEETING

CALL TO ORDER AND ESTABLISH QUORUM

With a quorum being present, Mayor Norie Gonzalez Garza called the meeting to order at 3:33 p.m.

INVOCATION AND PLEDGE ALLEGIANCE

Councilman Alberto Vela led the invocation and Pledge of Allegiance.

DISCLOSURE OF CONFLICT OF INTEREST

Mayor Pro Tem Ruben Plata has one on file for items and executive session item #2.

PRESENTATIONS**1. March Employee of the Month – Munguia**

Noemi Munguia, Human Resources Director, recognized Ezeiza Garcia, Assistant Finance Director, as Employee of the Month for March. Ms. Garcia was nominated by Bianca Villarreal, Accounts Payable Specialist. Ezeize is crucial to our city and had been an exceptional leader. She had an amazing attitude and a strong work ethic. Over the last ten years, Ms. Garcia had made a positive impact and difference in our community.

2. Proclamation - National Small Business Week - Teclo Garcia

Mayor Pro Tem Plata moved to approve the Proclamation – National Small Business Week. Motion was seconded by Councilwoman Jessica Ortega and approved unanimously 5-0.

3. Proclamation - Economic Development Week - Teclo Garcia

Mayor Pro Tem Plata moved to approve the Proclamation – Economic Development Week. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

4. Proclamation - National Police Week – Torres

Councilwoman Ortega moved to approve the Proclamation – National Police Week. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

5. Report from the Greater Mission Chamber of Commerce – Brenda Enriquez

Vanessa Hernandez, Greater Mission Chamber of Commerce Vice President of Membership Development & Events, spoke about upcoming events such as: New Podcast Episode: Hidalgo County Precinct 3 Resources with Ever Villarreal to Premier on April 30th at 9a.m., Mission Citrus Golf Classic on May 2nd, May 4th – May 10th they would be celebrating National Small Business Week, Mayor's Annual Evening of Prayer May 6th at 6:30 p.m., UTRGV SBDC: Understanding Accounting & Finance Essentials Webinar on May 7th at 2pm, GMCC Milestone Celebration on May 7th at 4pm, Lunch & Learn: SBA Financial Literacy Part 2 on May 14th at 11:30 am, New Member Orientation on May 21st at 11:30 am.

6. Departmental Reports – Perez

Councilwoman Ortega moved to approve the departmental reports as presented. Motion was seconded by Councilman Alberto Vela and approved unanimously 5-0.

7. Citizen's Participation – Garza

None

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

8. Approval of Minutes – Carrillo

Regular Meeting – April 14, 2025

Special Meeting – April 21, 2025

9. Acknowledge Receipt of Minutes – Perez

Shary Golf Course Advisory Board – March 5, 2025

Parks & Recreation Board – March 18, 2025

Citizen's Advisory Committee – February 25, 2025

10. Authorization to extend Third & Final Six-Month Renewal for Ready Mix Concrete for Public Works Department – Terrazas

Sought authorization to exercise the Third & Final Six-Month Renewal with 57 Concrete, LLC. Recommendation as based solely on estimated quantities and orders would be placed on as needed basis. The agreement would extend Bid No. 24-042-10-30 May 15th, 2025 through November 14th, 2025. Ready Mix Concrete price remained the same \$123/ per cubic yard of 3000 PSI Ready Mix Concrete with the Standard Fuel Surcharge per Load of \$25.00

11. Authorization to Solicit for Bids for the purchase of Limestone Hot Mix for the Public Works Department – Terrazas

Staff was seeking authorization to solicit bids for the purchase of 1,000 tons Type D Limestone Hot Mix for Public Works. Limestone Hot Mix was needed by the Public Works Department. Purchases would be made in the amounts needed and on an as needed basis.

12. Approval of Resolution #1982, Resolution approving the resolution of Mission Economic Development Corporation authorizing the issuance of bonds on behalf of Waste Management Inc., and matters related thereto. – Garcia

Lee McCormick, President of Community Development Associates, had facilitated the issuance of revenue bonds by the Mission Economic Development Corporation for the purpose of financing and refinancing projects for Waste Management Inc., under the assistance of MEDC's Private Activity Bond program.

Mr. McCormick was available to answer any questions.

RESOLUTION NO. 1982

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

13. Ratification of Emergency Professional Services from Tyler Technologies as a sole source vendor at a cost of \$34,510 with respective budget amendment – Ramirez

Staff was requesting ratification of emergency professional services from Tyler Technologies (a sole source vendor) at a cost of \$34,510 made in accordance with Texas Local Government Code 252.022 (a) (4) which exempted procurements for personal, professional, or planning Services. On February 28, 2025, the City experienced a critical network security incident, resulting in potential unauthorized access to municipal systems. In response, the City engaged Tyler Technologies Services to restore all Tyler Enterprise Public Safety servers that included CAD, Records, and Mobile.

Councilwoman Ortega moved to approve all consent agenda items 8 thru 13 as presented. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

At 3:50 p.m., Councilwoman Ortega moved to convene into Executive Session. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

PUBLIC HEARING

PLANNING & ZONING RECOMMENDATIONS

14. To consider an ordinance amendment to the City of Mission Code of Ordinances Appendix A, Zoning, Article VIII.- Use Districts and Conditional Uses, Section 1.37, R-1A Large Lot Single-Family Residential District, Subsection 5, Area Requirements; Section 1.371, R-1 Single-Family Residential District, Subsection 5, Area Requirements; Section 1.372, R-1T Townhouse Residential District, Subsection 5, Area Requirements; Section 1.39, R-3 Multi-Family Residential District, Subsection 5, Area Requirements; Section 1.40, R-4 Mobile Home District, Subsection 2, Permitted Uses, Subsection 3, Conditional Uses, Subsection 4, Prohibited Uses, Subsection 5, Area Requirements, and Subsection 6, Required Conditions, Adoption of Ordinance#5627– Cervantes

Over the years several concerns had been voiced to staff in regards to the residential regulations requirements from developers. Most of the concerns were regarding the width, length and square footage requirements being difficult to comply with especially in the R-1 and R-1A zones. In light of those concerns, staff was given a directive by the City Council to revisit the residential regulations and reduce the requirements especially in the R-1 and R-1A zones. Staff did a comparison with the City of McAllen and learned that the City of McAllen had less strict requirements in their R-1 zoning. With their new adopted code McAllen only requires 45 feet of lot frontage and 5,000 square feet. McAllen did not have large lot residential zones. Mission, Edinburg and Brownsville are the only cities in the Rio Grande Valley that had large lot single-family zoning categories. Staff was recommending that modifications be made to the R-1 (Single Family Residential District), R-1A (Large Lot Single Family District), R-1T (Townhouse Residential District), R-3 (Multi-family Residential District), and the R-4 (Mobile & Modular Residential District). In the R-4 zoning the proposed changes would prohibit mobile home subdivisions and would only allow mobile home parks where the spaces are rented and not sold.

The Texas legislature was considering SB15 that would prohibit cities from regulating lot sizes in the spirit of providing affordable housing opportunities to Texans. Staff and City Manager recommended approval.

Mayor Garza asked if there were any comments for or against the request. There were no comments.

Mayor Pro Tem Plata moved to approve ordinance amendment to the City of Mission Code of Ordinances Appendix A, Zoning, Article VIII.- Use Districts and Conditional Uses, Section 1.37, R-1A Large Lot Single-Family Residential District, Subsection 5, Area Requirements; Section 1.371, R-1 Single-Family Residential District, Subsection 5, Area Requirements; Section 1.372, R-1T Townhouse Residential District, Subsection 5, Area Requirements; Section 1.39, R-3 Multi-Family Residential District, Subsection 5, Area Requirements; Section 1.40, R-4 Mobile Home District, Subsection 2, Permitted Uses, Subsection 3, Conditional Uses, Subsection 4, Prohibited

Uses, Subsection 5, Area Requirements, and Subsection 6, Required Conditions, Adoption of Ordinance#5627. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5627

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES APPENDIX A, ZONING, ARTICLE VIII.-USE DISTRICTS AND CONDITIONAL USES, SECTION 1.37, R-1A LARGE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.371, R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.372, R-1T TOWNHOUSE RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.39, R-3 MULTIFAMILY RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.40, R-4 MOBILE HOME DISTRICT; SUBSECTION 2, PERMITTED USES, SUBSECTION 3, CONDITIONAL USES, SUBSECTION 4, PROHIBITED USES, SUBSECTION 5, AREA REQUIREMENTS, AND SUBSECTION 6, REQUIRED CONDITIONS; PROVIDING REPEALER; PROVIDING SEVERABILITY CLAUSE; PROVIDING EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS TO THE FOREGOING

15. Public hearing and take action to consider a rezoning request from Agricultural Open Interim (“AO-I”) to General Business District (“C-3”) being a 1.33 acre tract of land, being out of and forming a part or portion of Lot 25-5, West Addition to Sharyland Subdivision, located along the North side of West Griffin Parkway (FM 495) approximately 1,062 feet East of Holland Avenue. Applicant: SecureCare Movelt McAllen, LLC c/o AVAD Capital LLC, Adoption of Ordinance#5628 – Cervantes

The applicant was requesting to rezone the subject property from Agricultural Open Interim, (“AO-I”) to General Business District (“C-3”) to allow for an expansion of the existing “Move It Storage” units to the properties the company owns to the West). For the expansion a portion of the property is already zoned “C-3” but the remaining 93 feet in the western edge of their property was not properly zoned. The site was located along the North side of West Griffin Parkway approximately 1,062 feet east of Holland Avenue and approximately 1,370 feet west of Conway Avenue. The subject property for rezoning measured 621 feet by 93 feet for a total area of 57,753 square feet. The surrounding zones consisted of: Single Family Residential District (“R-1”) to the North and General Business District (“C-3”) to the East, South and West. Existing Land Uses were: Single family residential to the North, The Mission Executive Center and Move It Storage to the East, Vacant to the West, El Pato restaurant and Vacant to the South. The subject property was vacant. The Future Land Use Map showed the subject property as General Commercial since it had frontage to W. Griffin Parkway. The requested rezoning was in line with the future land use map.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Plata moved to approve a rezoning request from Agricultural Open Interim (“AO-I”) to General Business District (“C-3”) being a 1.33 acre tract of land, being out of and forming a part or portion of Lot 25-5, West Addition to Sharyland Subdivision, located along the North side of West Griffin Parkway (FM 495) approximately 1,062 feet East of Holland Avenue. Applicant: SecureCare Movelt McAllen, LLC c/o AVAD Capital LLC, Adoption of Ordinance#5628. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5628

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING FOR A 1.33 ACRE TRACT OF LAND, BEING OUT OF AND FORMING A PART OR PORTION OF LOT 25-5, WEST ADDITION TO SHARYLAND SUBDIVISION, LOCATED ALONG THE NORTH SIDE OF WEST GRIFFIN PARKWAY (FM 495) APPROXIMATELY 1,062 FEET EAST OF HOLLAND AVENUE, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO C-3 (GENERAL BUSINESS)

16. Public hearing and take action to consider a rezoning request from Agricultural Open Interim (“AO-I”) to Large Lot Single-family Residential District (“R-1A”) for a tract of land containing 10.06 acres of land, being a part or portion of Lot 26-11, West Addition to Sharyland Subdivision, located along the East side of North Bryan Road approximately 1,280 feet North of East Griffin Parkway. Applicant: J.S. Kawamoto, LLC, and Adoption of Ordinance#5629 – Cervantes

The applicant was requesting to rezone the subject property from Agricultural Open Interim, (“AO-I”) to Large Lot Single-family Residential District to allow for a new single-family development named The Orchards at James subdivision to be built on the property. The site was located approximately 1280’ North of E. Griffin Parkway along the East side of N. Bryan Road. The surrounding zones consisted of: Large Lot Single-family District (“R-1A”) to the North and East, and Agricultural Open Interim District (“AO-I”) to the south and west existing land uses were: Single family residential to the North and East, Vacant and a single-family home to the South and Vacant to the West. The site was vacant.

The developer was proposing a 34-lot subdivision with an onsite drainage detention area south of the entrance from Bryan Road. The proposed Las Brisas Drive, a public street, will connect to Las Brisas Drive in the Sunterra Estates subdivision. The future land use map showed this property as Lower Density Residential. The requested rezoning was in line with the future land use map. In addition, the proposed subdivision was in line with the new standards for low-density residential development.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Plata moved to approve a rezoning request from Agricultural Open Interim (“AO-I”) to Large Lot Single-family Residential District (“R-1A”) for a tract of land containing 10.06 acres of land, being a part or portion of Lot 26-11, West Addition to Sharyland Subdivision, located along the East side of North Bryan Road approximately 1,280 feet North of East Griffin Parkway. Applicant: J.S. Kawamoto, LLC, and Adoption of Ordinance#5629. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5629

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A REZONING FOR A TRACT OF LAND CONTAINING, 10.06 ACRES OF LAND, BEING PART OR PORTION OF LOT 26-11, WEST ADDITION TO SHARYLAND SUBDIVISION, LOCATED APPROXIMATELY 1280’ NORTH OF E. GRIFFIN PARKWAY ALONG THE EAST SIDE OF NORTH BRAYN ROAD, FROM AO-I (AGRICULTURAL OPEN INTERIM) TO R-1A (LARGE LOT SINGLE FAMILY)

17. Public hearing and take action to consider a rezoning request from Agricultural Open Interim (“AO-I”) to Large Lot Single-family Residential District (“R-1A”) for a tract of land containing 9.99 acres of land, being a part or portion of Lot 26-10, West Addition to Sharyland Subdivision, located along the West side of North Bryan Road

approximately 1,280 feet North of East Griffin Parkway. Applicant: J.S. Kawamoto, LLC, and Adoption of Ordinance#5630 - Cervantes

The applicant was requesting to rezone the subject property from Agricultural Open Interim, ("AO-I") to Large Lot Single-family Residential District ("R-1A") to allow for a new single-family development named ShiZue Gardens at James subdivision to be built on the property. The site was located approximately 1280' North of E. Griffin Parkway along the West side of N. Bryan Road. The surrounding zones consisted of: Large Lot Single Family District ("R-1A") to the North and West and Agricultural Open Interim District ("AO-I") to the East and South. Existing land uses were: Single family residential to the North, South and West, Vacant to the East, and the site was vacant.

The developer was proposing a 35-lot subdivision with an onsite drainage detention area at the entrance from Bryan Road. The proposed Las Brisas Drive, a public street, would connect to East Solar Drive in the Highland Park subdivision. The future land use map showed this property as Lower Density Residential. The requested rezoning was in line with the future land use map. In addition, the proposed subdivision was in line with the new standards for low-density residential development.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Plata moved to approve a Conditional Use Permit to place a Mobile Food Unit - Pepe Noches, being Lot C, Girasol Estates Subdivision in a (C-3) General Business District, located at 1726 W. Griffin Parkway, C-3, Joaquin Diaz, Adoption of Ordinance # 5631. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5630

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A REZONING FOR A TRACT OF LAND CONTAINING 9.99 ACRES OF LAND,
BEING PART OR PORTION OF LOT 26-10, WEST ADDITION TO SHARYLAND
SUBDIVISION, LOCATED APPROXIMATELY 1280' NORTH OF E. GRIFFIN PARKWAY
ALONG THE WEST SIDE OF N. BRYAN ROAD, FROM AO-I (AGRICULTURAL OPEN
INTERIM) TO R-1A (LARGE LOT SINGLE FAMILY RESIDENTIAL)

18. Conditional Use Permit to place a Mobile Food Unit - Pepe Noches, being Lot C, Girasol Estates Subdivision in a (C-3) General Business District, located at 1726 W. Griffin Parkway, C-3, Joaquin Diaz, Adoption of Ordinance # 5631 – Cervantes

The site was located at the Northeast corner of W. Griffin Parkway and Salinas Drive. The applicant was requesting a conditional use permit to place an 8'x22' mobile food unit underneath the carport to sell Mexican food. His menu would include tacos, enchiladas, papas asadas, menudo among other items. The proposed hours of operation were as follows: Monday – Thursday from 5:00 pm to 12:00 am, and Friday & Saturday from 5:00 pm to 1:00 am. The applicant was proposing to have 2 tables with 6 chairs each for a total of 12 seating spaces. He would be required to have 4 parking spaces (1 parking space for every 3 seats =4). There was a total of 12 parking spaces available for this location to be shared with the existing carwash.

The Planning staff had not received any objections to the request from the surrounding property owners. Staff mailed out (16) legal notices to surrounding property owners.

Staff and City Manager recommended approval of the request subject to compliance with the following conditions. 1 year re-evaluation to assess this new operation.

Must comply with all City Codes (Building, Fire, Health, and Sign, etc.).

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

Joaquin Diaz, 1726 W. Griffin Parkway, stated that he understood that the business next door to his affects the traffic in the area. He said that his business would be more organized and had plenty of parking available. He also requested to have a six-month period to install an irrigation/drip system for the landscaping in his area.

Councilwoman Ortega asked if they could table the item so that they could further discuss the traffic concerns coming from El Ronco.

Mayor Garza stated that the issues and concerns being discussed were from a different establishment and should not be the cause of this new business not being able to obtain a permit.

Councilwoman Gerlach agreed with Mayor Garza.

Mayor Pro Tem Plata stated that the area needed landscaping and the applicant should be given 3 months instead of 6 to install the irrigation/drip system.

Mayor Pro Tem Plata moved to approve a Conditional Use Permit to place a Mobile Food Unit - Pepe Noches, being Lot C, Girasol Estates Subdivision in a (C-3) General Business District, located at 1726 W. Griffin Parkway, C-3, Joaquin Diaz, Adoption of Ordinance # 5631 giving the applicant 3 months to install the irrigation/drip system for landscaping purposes. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5631

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A CONDITIONAL USE PERMIT TO PLACE A MOBILE FOOD TRUCK - PEPE NOCHES, 1726 W. GRIFFIN PARKWAY, LOT C, GIRASOL ESTATES SUBDIVISION

19. Public hearing and take action to consider a Conditional Use Permit for a Drive-Thru Service Window – Chipotle restaurant, being Lot 6, North Sharyland Commons Subdivision in a (C-3) General Business District, located at 100 N. Shary Road. Applicant: Kimco Chipotle, Adoption of Ordinance #5632 – Cervantes

The site was located at the Southeast corner on N. Shary Road and Ruby Red Blvd. The site would include a drive thru service window on the north side of the building. Access to the drive thru service window would be off two (2) points. One access was off Ruby Red Boulevard via a 24-foot-wide driveway. The second access was off a service road via a 24-foot-wide driveway. They would place the order on the east side of the building and pick up the orders on the north side. The customers would drive-thru window location allowed stacking for approximately 7 vehicles. The proposed hours of operation were as follows: Sunday – Saturday from 10:45 am to 11:00 pm. The working staff would be 20 to 30 employees in different shifts. In reviewing the floor plan, there was a total of 19 tables with a total of 54 seating spaces proposed, which would require 18 parking spaces. The site plan showed a total of 36 parking spaces provided.

The Planning Staff had not received any objections to the request from the surrounding property owners. Staff mailed out (16) legal notices to surrounding property owners.

Staff and City Manager recommended approval for Life of Use subject to: Must comply with all City Codes (Building, Fire, Health, etc.) Installation of a speed bump at the end of the ordering window, acquisition of a business license prior to occupancy, and CUP not be transferable to others

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

There were no comments.

Mayor Pro Tem Plata moved to approve a Conditional Use Permit for a Drive-Thru Service Window – Chipotle restaurant, being Lot 6, North Sharyland Commons Subdivision in a (C-3) General Business District, located at 100 N. Shary Road. Applicant: Kimco Chipotle, Adoption of Ordinance #5632. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5632

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU SERVICE WINDOW –
CHIPOTLE RESTAURANT, BEING LOT 6, NORTH SHARYLAND COMMONS SUBDIVISION

20. Public hearing and take action to consider a Conditional Use Permit for an Event Center – Charmed Event Venue, being Lot 19, Sparks & Townsend Plaza in a (C-3) General Business District, located at 2704 E. Griffin Parkway, Ste. A1 Applicant: Natalie Franco, Adoption of Ordinance # 5633 - Cervantes

The site was located approximately 450 feet West of N. Taylor Road along the South side of E. Griffin Parkway (F.M. 495). The applicant was leasing a suite for an Event Center that will be named “Charmed Event Venue”. Proposed activities: The venue featured several types of events and private gatherings. The proposed hours of operation were as follows: Monday thru Sunday from 9:00 am to 9:00 pm. Staff will be 2 employees. Due to the total of 54 proposed chairs, a total of 18 parking spaces were needed. There was a total of 103 parking spaces held in common for the plaza. The Planning Staff had not received any objections to the request from the surrounding property owners. Staff mailed out (62) legal notices to the surrounding property owners. In accordance with the zoning ordinance, the P&Z and City Council may impose requirements and conditions of approval as are needed to ensure that a use requested by a conditional use permit is compatible and complementary to adjacent properties.

Staff and City Manager recommended approval for 2 years subject to: Must comply with all City Codes (Building, Fire, Health, etc.), Hours of operation are Monday thru Sunday from 9:00am to 9:00pm. Must comply with the noise ordinance. Acquisition of a business license prior to occupancy, CUP not be transferable to others

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

Natalie Franco, applicant, clarified the hours of operation for the business, stating that most of the events would be in the evenings and on weekends. Therefore, there should not be an issue with parking.

Mayor Pro Tem Plata moved to approve Conditional Use Permit for an Event Center – Charmed Event Venue, being Lot 19, Sparks & Townsend Plaza in a (C-3) General Business District,

located at 2704 E. Griffin Parkway, Ste. A1 Applicant: Natalie Franco, Adoption of Ordinance # 5633. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ORDINANCE NO. 5633

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDITIONAL USE PERMIT FOR AN EVENT CENTER – CHARMED EVENT
VENUE, BEING LOT 19, SPARKS & TOWNSEND SUBDIVISION, LOCATED AT 2704 E.
GRIFFIN PARKWAY, STE. A1, APPLICANT: NATALIE FRANCO

21. Conditional Use Permit Renewal for Drive-Thru Service Windows and the Sale & On-Site Consumption of Alcoholic Beverages at La Palma Azul Snack Shop in a (C-3) General Business District located at 3501 N. Conway Avenue, Ste. 1, being Lot 2, IHOP on Conway Subdivision, C-3, Elio C. Garza, Adoption of Ordinance # 5634 – Cervantes

The site was located approximately 1,355 feet north of Mile 2 Road along the west side of Conway Avenue. The applicant leased a 1,701 sq.ft. building for a snack shop, which included two drive-thru service windows on the north side of the building. Access to the site was from Conway Avenue via a 24' driveway. Customers place the order on the first window and then proceed to pickup the order on the second window. The drive-thru windows allowed stacking for approximately 3 vehicles. The applicant applied for a conditional use permit renewal to continue utilizing the windows and to be able to continue to offer alcoholic beverages with the meals or to go. The applicant had been in operation at this location since October 29, 2024. The last conditional use permit approved for this location was on August 26, 2024 for a period of 6 months after obtaining their business license.

The proposed hours of operation were as follows: Monday – Saturday from 11:00 am to 10:00 pm, and Sunday from 12:00 pm to 8:30 pm. Staff: 9 employees in different shifts. There was a total of 3 tables with 4 chairs each for a total of 12 seating spaces, which would require 4 parking spaces (1 parking space for every 3 seats = 4). There was a total of 130 parking spaces in the commercial plaza that are shared with the other businesses. The Planning staff had not received any objections to the request from the surrounding property owners. Staff mailed out (14) legal notices to surrounding property owners.

Staff and City Manager recommended approval of the request subject to compliance with the following conditions: 2 year re-evaluation to continue to assess this business, must comply with all City Codes (Building, Fire, Health, and Sign, etc.), restrooms must be accessible to employees and patrons at all times., CUP not transferable to others, hours of operation were Monday – Saturday from 11:00 am to 10:00 pm, and Sunday from 12:00 pm to 8:30 pm.

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

There were no comments.

Mayor Pro Tem Plata moved to approve a Conditional Use Permit Renewal for Drive-Thru Service Windows and the Sale & On-Site Consumption of Alcoholic Beverages at La Palma Azul Snack Shop in a (C-3) General Business District located at 3501 N. Conway Avenue, Ste. 1, being Lot 2, IHOP on Conway Subdivision, C-3, Elio C. Garza, Adoption of Ordinance # 5634. Motion was seconded by Councilman Vela and approved unanimously 5-0.

ORDINANCE NO. 5634

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS GRANTING A
CONDITIONAL USE PERMIT RENEWAL FOR A DRIVE-THRU SERVICE WINDOW AND

THE SALE & ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES AT LA PALMA AZUL
SNACK SHOP IN A (C-3) GENERAL BUSINESS DISTRICT, 3501 N. CONWAY AVENUE,
STE. 1, LOT 2, IHOP ON CONWAY SUBDIVISION

22. To consider an ordinance amendment to the City of Mission Code of Ordinances Chapter 98 – Subdivisions, Article III – Minimum Requirement for Standards and Specifications, Section 98-144. Park Dedication of Fees in Lieu of Requirements, Subsection (D) Money in Lieu of Land, Amending the Park Fees Required per Dwelling Unit during the Subdivision Process, and Adoption of Ordinance No. 5635 - Cervantes

On January 28, 2019, the City Council adopted Ordinance #4760 increasing the park fees per dwelling unit during the subdivision process from \$300 to \$500. It was suggested during the meeting that the topic be readdressed in 3 or 4 years. On December 12, 2023, the Parks and Recreation Board considered an amendment to increase the park fees from \$500 to \$650, but for the fee to not be automatically recurring or increased unless the Board approved it.

Staff researched the park fee requirements for other cities in the Rio Grande Valley and compared those results to Mission's. It was determined that the City of Mission was charging less than Alton, Edinburg, McAllen and San Juan. Most cities also considered an inflation factor and increase the fee by \$25 each annual anniversary to be capped at \$750 per dwelling unit.

Staff and City Manager recommended approval.

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

There were no comments.

Mayor Pro Tem Plata moved to approve an ordinance amendment to the City of Mission Code of Ordinances Chapter 98 – Subdivisions, Article III – Minimum Requirement for Standards and Specifications, Section 98-144. Park Dedication of Fees in Lieu of Requirements, Subsection (D) Money in Lieu of Land, Amending the Park Fees Required per Dwelling Unit during the Subdivision Process, and Adoption of Ordinance No. 5635. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

ORDINANCE NO. 5635

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES CHAPTER 98-SUBDIVISIONS, ARTICLE III – MINIMUM REQUIREMENT FOR STANDARDS AND SPECIFICATIONS, SECTION 98-144. PARK DEDICATION OF FEES IN LIEU OF REQUIREMENTS, SUBSECTION (D) MONEY IN LIEU OF LAND, AMENDING THE PARK FEES REQUIRED PER DWELLING UNIT DURING THE SUBDIVISION PROCESS; PROVIDING REPEALER CLAUSE; PROVIDING SEVERABILITY CLAUSE; PROVIDING EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION

23. To consider an ordinance amendment to the City of Mission Code of Ordinances Appendix A, Zoning, Section 1.2. Definitions. by defining Mobile Food Park; Article X. Conditional Use Permits, Section 1.56 Conditions of Conditional Use, Subsection (11) Mobile Food Unit, by establishing a radius for Mobile Food Units and Mobile Food Parks, Adoption of Ordinance #5636 – Cervantes

Staff was given a directive by the City Council to revisit the Mobile Food Unit Ordinance in regards to increasing the distance limitation between mobile food units and mobile food parks.

Staff researched the distance limitation between units for other Valley cities and compared those results to Mission's. It was determined that only the City of Alton and the City of San Benito had a distance requirement. The City of Alton does not allow mobile food units to be within 300 feet of the front door to a restaurant or a food truck park. The City of San Benito does not allow a mobile food truck within 100 feet of an adjoining business primary entrance. In Harlingen, the mobile food unit was required to be moved out in the evening and brought back in the following day. The other cities did not have a distance limitation requirement or required a conditional use permit. Staff took this proposed amendment to the Ordinance Review Committee for their consideration and they voted in favor of establishing a one-mile distance minimum separation from an existing and operational mobile food unit and/or mobile food park. For new mobile food parks, the proposed regulation was for them not to be allowed within half-mile of another mobile food park or within one-mile of an existing mobile food unit.

Staff and City Manager recommended approval.

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

There were no comments.

Councilwoman Ortega moved to approve an ordinance amendment to the City of Mission Code of Ordinances Appendix A, Zoning, Section 1.2. Definitions. by defining Mobile Food Park; Article X. Conditional Use Permits, Section 1.56 Conditions of Conditional Use, Subsection (11) Mobile Food Unit, by establishing a radius for Mobile Food Units and Mobile Food Parks, Adoption of Ordinance #5636. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 5-0.

ORDINANCE NO. 5636

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES APPENDIX A, ZONING, SECTION 1.2. DEFINITIONS. BY DEFINING MOBILE FOOD PARK; ARTICLE X. CONDITIONAL USE PERMITS, SECTION 1.56 CONDITIONS OF CONDITIONAL USE, SUBSECTION (11) MOBILE FOOD UNIT, BY ESTABLISHING A RADIUS FOR MOBILE FOOD UNITS AND MOBILE FOOD PARKS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING EFFECTIVE DATE

APPROVALS AND AUTHORIZATIONS

24. Plat Approval Subject to Conditions: The Orchards at the James Subdivision, a tract of land containing 10.06 acres of land, situated in Hidalgo County, Texas, being part or portion of Lot 26-11, West Addition to Sharyland Subdivision, AO-I (Proposed R-1A), Developer: Earth Works Development, Inc., Engineer: Javier Hinojosa Engineering, - Cervantes

The proposed The Orchards at the James Subdivision consisted of thirty-four single family residential lots and it was located along the East side of N. Bryan Road approximately 1,280 feet North of E. Griffin Parkway (F.M. 495). This project was part of a Master Plan whereas the developer would be required to comply with all the land use and infrastructure planning requirements. The proposed subdivision was consistent with the surrounding single-family residential district area. Water and Sewer services would be provided by the City of Mission. Storm water drainage requirements met the current standard for a 50-year storm event. The widening of Bryan Road in conformance with the thoroughfare plan, The required Capital

Sewer Recovery Fees (\$200xlot), Park Fees (\$500xlot), Conveyance or Payment of Water Rights (\$3000xac.), and all other format findings would be complied with prior to the subdivision recording. The proposed Las Brisas Drive, a public street, will connect to Las Brisas Drive in the Sunterra Estates Subdivision. The proposed lots were in line with the proposed changes to the lot sizes for R1-A zoning.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve a Plat Subject to Conditions: The Orchards at the James Subdivision, a tract of land containing 10.06 acres of land, situated in Hidalgo County, Texas, being part or portion of Lot 26-11, West Addition to Sharyland Subdivision, AO-I (Proposed R-1A), Developer: Earth Works Development, Inc., Engineer: Javier Hinojosa Engineering. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

25. Plat Approval Subject to Conditions: ShiZue Gardens at the James Subdivision, a tract of land containing 9.99 acres of land, situated in Hidalgo County, Texas, being part or portion of Lot 26-10, West Addition to Sharyland Subdivision, AO-I (Proposed R-1A), Developer: Earth Works Development, Inc., Engineer: Javier Hinojosa Engineering, - Cervantes

The proposed ShiZue Gardens at the James Subdivision consisted of thirty-five single family residential lots and it is located along the West side of N. Bryan Road approximately 1,280 feet North of E. Griffin Parkway (F.M. 495). The proposed Las Brisas Drive, a public street, will connect to East Solar Drive in the Highland Park Subdivision. The proposed lots measure 65 feet in width by 140 feet in depth consistent with the proposed new lot size minimums for R1-A zoning. The proposed subdivision was consistent with surrounding single-family residential district area. Water and Sewer services would be provided by the City of Mission. Storm water drainage requirements met the current standard for a 50-year storm event. The widening of Bryan Road in conformance with the thoroughfare plan, The required Capital Sewer Recovery Fees (\$200xlot), Park Fees (\$500xlot), Conveyance or Payment of Water Rights (\$3000xac.), and all other format findings would be complied with prior to the subdivision recording.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve a Plat Approval Subject to Conditions: ShiZue Gardens at the James Subdivision, a tract of land containing 9.99 acres of land, situated in Hidalgo County, Texas, being part or portion of Lot 26-10, West Addition to Sharyland Subdivision, AO-I (Proposed R-1A), Developer: Earth Works Development, Inc., Engineer: Javier Hinojosa Engineering. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

Councilwoman Ortega stepped out of the meeting at 5:03 p.m.

26. Plat Approval: Bryan Landing Subdivision (Private), a 27.187-acre tract of land, out of the northern portion of a 27.969 – acre tract out of Lot 29-10, West Addition to Sharyland, R-1, Developer: Omar Garcia., Engineer: Izaguirre Engineering Group, LLC., - Cervantes

The subdivision was located along the West East side of Bryan Road approximately 920 feet North of East Mile 2 Road. This development consisted of 103 single family residential lots. Water service was extended from a 12" line located along the South right-of-way of East. Mile 2 Road into the subdivision with an 8" water line and looped to the Northwest side of this site

and to East by abandoning an existing 4" line along the West side of Bryan Road with a 12" line along the frontage of the development. There is a total of 12 fire hydrants as per the Fire Marshall's directive. The sanitary sewer line ran to and thru the subdivision collecting from 4" sewer stub outs front and center of each lot. The internal private streets were 32 feet back-to-back within 50 feet rights-of-way with 2 accesses only from Bryan Road. Storm drainage for this site was compliant for a 50-year storm event. The Engineering Department has approved the drainage construction as built.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to approve a Plat: Bryan Landing Subdivision (Private), a 27.187-acre tract of land, out of the northern portion of a 27.969 – acre tract out of Lot 29-10, West Addition to Sharyland, R-1, Developer: Omar Garcia., Engineer: Izaguirre Engineering Group, LLC. Motion was seconded by Councilman Vela and approved unanimously 4-0.

27. Authorize Mayor to execute Affidavit for Economically Disadvantaged Counties (EDC) Program Application to widen Military Parkway from Inspiration Road to FM 1016 from a two lane to a four-lane divided with TxDOT funding will be paid with bond proceeds – Terrazas

The application allowed the city to apply for the EDC reduction on the local participation for construction to widen Military Parkway from Inspiration Road to FM 1016 from a two lane to a four-lane divided. This would reduce the cost participation for the city after adjustment to from \$1,390,125.80 to \$152,913.84.

Staff and City Manager recommended approval.

Councilwoman Gerlach moved to Authorize Mayor to execute Affidavit for Economically Disadvantaged Counties (EDC) Program Application to widen Military Parkway from Inspiration Road to FM 1016 from a two lane to a four-lane divided with TxDOT funding will be paid with bond proceeds. Motion was seconded by Mayor Pro Tem Plata and approved unanimously 4-0.

28. Authorization to Purchase Lawn Maintenance and Other Related Equipment from MAE Power Equipment Via Buy Board Contract # 706-23, in the Amount of \$45,173.52 – Bentsen

Approval for the purchase lawn maintenance and other related equipment for lawn care of City parks, ballfields, facilities and Right of Ways via State Approved Buy Board Contract # 706-23. Equipment included in this purchase were: 2 x 72" Zero-Turn Turf Tiger Mowers, 1 x Mower Mount Blower and mounting attachments, 1 x Industrial 2200W Honda Generator, 2 x Stihl Back Pack Blowers and 6 x Stihl Loop Trimmers (weed eaters) in the amount of \$45,173.52.

Staff and City Manager recommended approval.

Mayor Pro Tem Plata moved to Purchase Lawn Maintenance and Other Related Equipment from MAE Power Equipment Via Buy Board Contract # 706-23, in the Amount of \$45,173.52. Motion was seconded by Councilman Vela and approved unanimously 4-0.

29. Consideration and approval of Resolution # 1983 declaring expectation to reimburse expenditures with proceeds of future debt – Perez

The City intended to issue debt for contractual obligations incurred or to be incurred for the construction of public works, for the purchase of materials, supplies, equipment, machinery, buildings, land and rights-of-way for authorized needs and purposes, and for the payment of contractual obligations for professional services for the City's authorized needs and purposes.

The City desired to preserve its ability to reimburse the capital expenditures with proceeds of tax-exempt obligations.

Staff and City Manager recommended approval.

Councilwoman Gerlach moved to approve Resolution # 1893 declaring expectation to reimburse expenditures with proceeds of future debt. Motion was seconded by Councilman Vela and approved unanimously 4-0.

RESOLUTION NO. 1983
RESOLUTION DECLARING EXPECTATION TO REIMBURSE
EXPENDITURES WITH PROCEEDS OF FUTURE DEBT

Mayor Pro Tem Plata moved to untangle item 30. Motion was seconded by Councilman Vela and approved unanimously, 4-0.

UNFINISHED BUSINESS

30. Tabled 04/14/2025: Approval of Resolution No. ____ for a license to encroach into a City of Mission owned 24 feet by 40 feet strip of land for the property located at 1020 Los Ebanos Road bearing a legal description of a 0.02 acre tract of land, more or less, being a portion of a 40-foot by 640-foot strip of land adjacent to Mission Jaycees Park out of Lot 21-3, West Addition to Sharyland Subdivision. Applicant: Dr. Marisol Rocha, Vanguard Superintendent of Schools – Cervantes

Dr. Marisol Rocha, the applicant, was requesting a license to encroach 24'x40', more or less, onto a 40'x640' City owned strip of land north of the El Divino Redentor property to allow for a driveway as emergency egress as required by the Fire Department for the installation of two proposed portable buildings to be used by Vanguard Academy. The City owned land measured approximately 40'x640' and is currently vacant primarily used for utilities. Based on the site plan, the applicant would need to pave the driveway which would connect to the existing Jaycees Park parking lot and would be required to overlay the alley along the east side of Jaycee Park to Barnes Street. The request had been reviewed by the Staff Review Committee. There was no objection to the requested license to encroach with conditions.

A previous similar request was granted to the El Divino Church resulting in a driveway connection from the church parking lot to the City park

Staff recommended approval of the request subject to: Ownership of the property shall remain accessible to the city at all times. The City reserved the right at any time now or in the future to remove the proposed improvements within the property for any reason, and shall not be required to provide reimbursement for the improvements. The proposed improvements shall conform to City standards and shall not be constructed in such a manner as to cause a nuisance or storm water runoff onto adjacent properties. That Vanguard School at El Divino Redentor, its representatives, heirs, administrators, successors and assigns shall indemnify and hold the CITY OF MISSION harmless from any claim, suit, demand, or judgement arising from the encroachment of said items as described in this Revocable License To Encroach

regardless of whether or not such claim, suit demand, or judgement results from injuries, death or property damage caused by the sole, joint or concurrent negligence or gross negligence of the City of Mission.

The Licensee must obtain all necessary permits and approvals prior to the use of the property. The Licensee shall provide an overlay of asphalt over the existing alley along the east side of Jaycee Park to Barnes Street. The Licensee must maintain the said property area in a safe and clean condition. The granting of the license agreement does not guarantee the conditional use permit for the two portable buildings

Mayor Garza inquired on what the next step would be should the resolution be approved today.

Xavier Cervantes, Planning Director, suggested that this item be tabled until an item for portable buildings would be presented at the following council meeting.

Mayor Pro Tem Plata moved to table this item. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

ROUTINE MATTERS

City Manager Comments Dia del Nino Dia del Libro (event to celebrate dia del niño) Wednesday, April 30th at 5:00 pm Speer Memorial Library, Mayor's Annual Evening of Prayer May 6, 2025 at 6:30 pm Mission Event Center, Mental Health Art Class Event May 7th at 6:30 pm Mission Event Center, Yoga for Mental Wellness May 8th at 6:30 pm Mission Event Center, Texas Citrus Fiesta New Float Unveiling May 9th at 10:30 am Texas Citrus Mutual - 901 Business Park Dr. Police, Memorial Ceremony May 12th at 10:30 am Mission Police Department

City Council Comments – Mayor Pro Tem Plata invited everyone to the Mayor's Annual Evening of Prayer on May 6th. Councilwoman Gerlach echoed Mayor Pro Tem Plata's remarks.

Mayor's Comments – Mayor Garza stated that the City had a table top run for emergency situations which was put together by Mr. Roel Mendiola, Sanitation Director. The whole team was present to and as always, the city would expect the best and plan for the worst.

EXECUTIVE SESSION

Upon conclusion of Executive Session at 4:30 p.m., Mayor Pro Tem Plata moved to reconvene the regular meeting and proceeded with item 14 of the agenda. Motion was seconded by Councilwoman Ortega and approved unanimously 5-0.

1. Closed session pursuant to Tex. Gov't Code Section 551.074 (Personnel Matters) Evaluation of City Manager relating to goals and objectives

No Action

2. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney), Section 551.072 (Real Property) related to Cimarron

No Action

3. Closed session pursuant to Tex. Gov't Code Section 551.071 (Consultation with Attorney) regarding C-4509-23-H, Ramiro Cantu Jr., v. City of Mission, Texas, et al.

Councilwoman Ortega motioned to move forward as discussed in executive session. Motion was seconded by Councilwoman Gerlach and approved unanimously 5-0.

ADJOURNMENT

At 5:12 p.m., Mayor Pro Tem Plata moved for adjournment. Motion was seconded by Councilwoman Gerlach and approved unanimously 4-0.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo,