

**NOTICE OF REGULAR MEETING
MISSION ECONOMIC DEVELOPMENT CORPORATION
MARCH 1, 2023 4:00 PM
CENTER FOR EDUCATION AND ECONOMIC DEVELOPMENT**

PRESENT:

Richard Hernandez, President
Jose G. Vargas, Vice President
Deborah Cordova, Secretary
Estella Saenz, Treasurer
Noel Salinas
Carl Davis
Mayor Norie Gonzalez Garza

ABSENT:

ALSO PRESENT:

Eugene Vaughan, JGKL LLP
Yaw Sam, Brand Geniuz
Angel Valenciana, Brand Geniuz
Stephanie Mendiola, Brand Geniuz
Daniel Garcia, Brand Geniuz
Ron Garza, UTRGV
Linda Ufland, UTRGV
Derrick D'Acolatze, My Influence

STAFF PRESENT:

Teclo J. Garcia, Chief Executive Officer
Joel Garza, Chief Operating Officer
Stepanie Palacios, Financial Officer
Judy Vega, Executive Assistant
Randy Perez, City Manager
Angie Vela, Finance Director
Ezeiza Garcia, Assistant Finance Director
Cristian Garza, Accountant

1. Call to Order and Establish Quorum

Executive Assistant Judy Vega confirmed a quorum was present. After establishing a quorum of the Board of Directors, President Richard Hernandez called the meeting to order at 4:05 PM

2. Approval of Minutes: Meeting of January 25, 2023

There being no corrections or additions, Carl Davis moved for approval of the meeting minutes of January 25, 2023 as presented. Motion was seconded by Vice President Jose G. Vargas and approved 6-0.

3. Acceptance of Financial Statements: Unadjusted Financial Statement for November 2022

Finance Director Angie Vela presented and recommended approval of the unadjusted financial statement for November 2022.

Secretary Deborah L. Cordova moved for approval of the unadjusted Financial Statement for November as presented. Motion was seconded by Treasurer Estella Saenz and approved 6-0.

4. Acceptance of Quarterly Report of Investments for the Quarter ending December 31, 2022 and Interest Earned for Three Months Ending December 31, 2022.

Finance Director Angie Vela presented and recommended approval of the Quarterly Report of Investments for the Quarter ending December 31, 2022 and Interest Earned for Three Months ending December 31, 2022. Ms. Vela said there were no increases or decreases in the investment balances for this quarter, leaving an outstanding balance of \$499,000 for investments for the quarter, with \$99.98 interest earned on all funds year-to-date. President Richard Hernandez requested an update on the Corporation's audit. Ms. Vela mentioned that the basic financial statements had been completed; however, a new rule this fiscal year, GASB Rule 87, which deals with rental lease regulations, has impacted the Corporation. Ms. Vela reported that the required information (calculations) had been submitted to the auditors and that it is under review for any changes or recommendations. She also mentioned that due to the EDA grant that Mission EDC accepted, a single audit for MEDC will be conducted, a requirement for any organization that accepts federal grants of over \$750,000. In this case, the Wagner Peyser and the EDA grants amount to almost \$2M, combined. Ms. Vela said the audit is almost finalized and will be sent to the Board before the next meeting for their review. No further comments were made.

Vice President Jose G. Vargas moved for approval of the Quarterly Report of Investments for the Quarter ending December 31, 2022 and Interest Earned for Three Months Ending December 31, 2022. Motion was seconded by Carl Davis and approved 6-0.

5. Deliberation and possible action to approve Invoice #10 from the City of Mission in the amount of \$159,770.55 related to an EDA grant

Assistant Finance Director Ezeiza Garcia presented and recommended the approval of Invoice #10 from the City of Mission in the amount of \$159,770.55 related to an EDA grant. Ms. Garcia said that the total reimbursable amount is \$3,750,000. Total payments made are \$3,066,626.74. Total reimbursed is \$2,906,856.19, leaving a difference of \$159,770.55, the total for this invoice.

Vice President Jose G. Vargas moved to approve Invoice #10 from the City of Mission in the amount of \$159,770.55 related to an EDA grant. Motion was seconded by Treasurer Estella Saenz and approved 6-0.

6. Deliberation and possible action to authorize CEO to purchase furniture for the CEED Building in an amount not to exceed \$60,000

CEO Tecló J. Garcia said that more furniture is needed in the CEED building for two new tenants that have signed rental leases. Some furniture in the building has been relocated to temporarily accommodate the tenants due to some of the selected furniture being delayed either because it is out of stock or due to delivery constraints. Mr. Garcia also mentioned that some pieces also need to be replaced due to wear and tear as they have been in place for seven (7) years. Some furniture has held up well, but some new and some replacements need to be purchased. Mr. Garcia also mentioned that upon approval, this request will also be on the next City Council meeting agenda as a consent agenda item. He is requesting authorization.

Mayor Norie Gonzalez Garza joined the meeting at 4:18 PM.

Carl Davis moved to authorize the CEO to purchase furniture for the CEED Building in an amount not to exceed \$60,000. Motion was seconded by Treasurer Estella Saenz and approved 7-0.

At 4:20 PM, President Richard Hernandez announced a recess. At 4:30 PM, President Richard Hernandez called the meeting to order with a full quorum present.

7. Deliberation and possible action to authorize CEO to negotiate and enter into a contract with UTRGV for its programs and services for entrepreneurs and Mission-area small businesses

CEO Teclo J. Garcia introduced this item by saying that UTRGV is expanding their small business development center outreach efforts and has expressed an interest in having a regional hub office in the CEED building. He introduced Ron Garza, Associate Vice President with the Office of Workforce & Economic Development. Mr. Garza gave a brief presentation on the types of services they will be providing and explained that these services are grant-funded with no cost to recipients. The services include small business training, economic development technical assistance, and support businesses for clients wishing to expand in the Mission area. MEDC will pay UTRGV a total of \$80,700 (payable quarterly for 12 months) beginning April 1, 2023 and ending March 31, 2024. UTRGV will employ staff to operate and coordinate services provided at the UTRGV's Regional Hub. Mr. Garza said that they plan on moving in by May 1, 2023 instead of April 1st in order to allow time to hire their staff. He mentioned the possibility of committing Mission EDC to a three-year commitment, but after discussing the terms, the contract will be renewed each year. CEO Teclo Garcia said that funding was available for one year, and that preceding years will be committed upon availability of funds.

Mayor Norie Gonzalez Garza moved to authorize the CEO to negotiate and enter into a contract with UTRGV for its programs and services for entrepreneurs and Mission-area small businesses. Motion was seconded by Vice President Jose G. Vargas and approved 7-0.

8. Deliberation and possible action to authorize MEDC staff to publish a Notice of Intention to Undertake a Project or Projects for FY 2022-2023, and schedule a Public Hearing for March 29, 2023, related to said projects

Mr. Garcia said that this item is related to an economic incentive for a new project, Brand Geniuz, a strategic marketing firm to be located at 801 N. Bryan Road, Mission, Texas, in an amount not to exceed \$55,000 over a period of three (3) years. The incentive request process begins with this notice of intention to undertake the project and notice of public hearing. Mr. Garcia introduced Yaw Sam, Co-Founder of Brand Geniuz, who spoke briefly about the company. Brand Geniuz is a digital marketing company that offers consulting services to businesses through social (digital) media. They service local businesses including banks, grocery stores, and attorneys, and plan on expanding nationwide. The company started in McAllen with a staff of three, and they now have 10. They expect to hire 10 more employees within the next three years. Mr. Sam thanked the Board for the opportunity to introduce his business.

Vice President Jose G. Vargas moved to authorize MEDC staff to publish a Notice of Intention to Undertake a Project or Projects for FY 2022-2023, and schedule a Public Hearing for March 29, 2023, related to said projects. Motion was seconded by Noel Salinas and approved 7-0.

At 5:07 PM President Richard Hernandez announced a recess. At 5:16 PM President Richard Hernandez called the meeting to order with a full quorum present.
At 5:16 PM Carl David moved to convene into closed session. Motion was second by Mayor Norie Gonzalez Garza and approved 7-0.

9. Closed Session Pursuant to V.T.C.A. Gov. Code Sec. 551.001

Deliberation and possible action regarding commercial or financial information received the Mission EDC from a business prospect with which the Mission EDC is conducting economic development negotiations or with which the Mission EDC seeks to have to locate, stay, or expand operations in or near the City of Mission (as permitted under Tex. Gov't Code Sec. 551.087), including, but not limited to the following:

A. Report from CEO as to potential prospects

Deliberation and possible action regarding the purchase, exchange, lease, or value of real property (as permitted under Tex. Gov't Code Sec. 551.072), including, but not limited to the following:

A. M.E.D.C. Land

The Mission Economic Development Corporation Board of Directors will reconvene in open session to take any actions necessary

At 5:40 PM Estella Saenz moved to convene in open session. Motion was second by Vice President Jose G. Vargas and approved 7-0.

No action was taken.

10. CEO Report on Economic Activity

The CEO introduced Blanca Davila, MEDC's new Director of Economic Development. Ms. Davila was previously with Edinburg EDC leading the economic development, development programs and recruitment efforts, and managing two companies in their industrial park. She also worked for the Lower Rio Grande Valley Development Council working closely with county judges, mayors, and city councils. Ms. Davila thanked Mr. Garcia and the Board for the opportunity and said she was ready to assist MEDC with any projects, business recruitments, startups, and help the city grow.

On economic development, the CEO mentioned that the Anzalduas International Bridge is one of six international crossings in Hidalgo County, and one of 13 in the Rio Grande Valley. He reported that between October 2022 and January 2023, bridge crossings have increased by 25%, or 450,700 cars going southbound with a similar amount coming northbound, so close to 1 million crossings in four months. If these numbers don't change, we can see about 3 to 4 million crossings in one year, which would be double what Pharr has. Mr. Garcia said that the only bridge that may have more crossings than the Anzalduas Bridge is the Hidalgo Bridge. More traffic is anticipated in the Mission/McAllen area with now Tesla announcing that they will be opening a factory in Monterrey, Nuevo Leon.

Mr. Garcia also reported that a City of Mission and an MEDC team delegation recently visited the Texas Capitol during RGV Day. Mission EDC was also a sponsor for RGV Day at the Capitol. Mayor Norie Gonzalez Garza mentioned that the visit was successful as the delegation met with legislators to solidify the City of Mission's funding for direct connections that will enhance traffic.

The CEO reported that he was invited by the Governor's Economic Development Director to participate in a spring investor summit in Austin next week. The University of Texas Chancellor will also participate, and the Governor's wife will host a reception there as well. Mr. Garcia will represent Mission at that summit.

Mr. Garcia also reported on the recent groundbreaking ceremony for NewQuest in which Mission EDC staff and City of Mission elected officials participated. He also reported that MEDC staff has been in discussions with a BBQ restaurant that has plans to expand and has expressed interest in Lot 1 of MEDC's property adjacent to the Mission Event Center. No further comments were made.

11. President Comments

President Richard Hernandez thanked the Board of Directors for their participation at this meeting. He mentioned that he has appointed an MEDC Finance Committee composed of himself, Vice President Jose G. Vargas, and Treasurer Estella Saenz. The committee met and discussed the sale of two properties, Lot 8, and Lot 3 of the M.E.D.C. Land, as well as Lot 1 of the EBP Phase XII owned by the Mission Economic Development Authority. The committee also reviewed four outstanding loans under MEDC's name, two of which have been paid off, and which have impacted on our budget in a positive way. The committee will be meeting again to discuss revenue from another lot sale (Lot 5 of the M.E.D.C. Land to Vinod Kasan). CEO Teclo Garcia said that staff will also be revisiting CEED tenant leases for modifications. President Richard Hernandez thanked the CEO for a very efficient and well-prepared meeting.

12. Adjournment

Vice President Jose G. Vargas moved to adjourn the meeting. Motion was seconded by Treasurer Estella Saenz and approved by 7-0. The meeting was adjourned at 5:60 PM.

Richard Hernandez, President

ATTEST

Deborah L. Cordova

PARKS AND RECREATION BOARD MEETING
February 14, 2023

<u>BOARD MEMBERS PRESENT</u>	<u>STAFF</u>
Tony Guerrero	Brad Bentsen
Chris Voss	Pete Lopez
Maggie Guajardo Pena	Jorge R. Chapa
Mark Minton	JC Calderon
Karina Garza	Juanita Alvarez

Call to Order

Tony Guerrero called the meeting to order.

City Employee Participation

New Fire Chief Adrian Garcia was introduced and gave everyone a brief history of his past work experience from working as a volunteer firefighter 31 years ago to being introduced as the new Fire Chief. Told everyone present he was looking forward to working with everyone.

Police Chief Cesar Torres was also present at our meeting to introduce himself to the few members on the Board the hadn't met him. Also said he was looking forward to working with everyone.

Roll Call

Mr. Guerrero called roll and a quorum was met.

Prayer

Chris Voss led us in prayer.

Approval of Minutes

The Board Members approved the minutes for the February 14, 2023 Board meeting. Motion to approve was made by Maggie Guajardo Pena With Karina Garza seconding the motion. The motion passed unanimously.

Update on Parks

Parks Department was busy getting ready with much needed attention being focused at Bentsen Palm Park in preparation of the Mission Fastpitch Festival hosted at this site on the third weekend of February. The crews were spared some work as the Festival was played on fields 1,2&3. Still plenty of work was needed as these fields only receive this amount of attention in preparation for this tournament yearly. The short staffed Supervisor does his best.

Parks staff helped with the preparation of Shary Golf Course for the Mission Historical Museum fundraising Golf Tournament. Tents, tables. Chairs and anything else was set up for this event.

Parks Department was the main component for the Families Planting Together event that was hosted at Bentsen Palm Park. Several families participated in planting 25 Oak and mesquite trees.

Helped clean up and set up Bannworth Park for a Walk in the Park with the Mayor. A good turnout made this a successful event.

Helped Texas Citrus Fiesta with their carnival setting up orange fencing along the parameter of the old Fontana Hotel property. Helped the Chamber with setting Leo Pena Plazita for the Winter Texan Festival and Ribbon Cutting at the old K Mart building and the Animal Shelter which is now the Humane Society.

Assisted, did just about everything, with Staycation. Staycation is an event started last year for the 3 places of the sidewalk that were pretty broken up.

Irrigation Crew moved lines and wires of the north side of the parking lot of City Hall in preparation of the expansion of the parking lot that will add 18 parking spaces. Strike Team prepared the slab for the bench to be installed at Hike and Bike Trails.

Parks staff set up Leo Pena Plazita for Receptions Music at the Park. 3 tables, 4 chairs and 2 barricades along with the sound system were set up. Crews set up CWV Park for the City Employees Kickball tournament.

UPDATE OF RECREATION

Helped host the Mission Fastpitch Festival softball tournament. Helped from schedules to number of fields to rules for on field practice before games. Tournament went well with the teams signed up playing their best.

Music at the Park on March 10, 2023 turned out to be a really good show. From Tony Perez opening up to Layoz taking over and Alexis Chapa performing before Mission Veterans Memorial Mariachi an Conjunto closing out the show. All vendors claimed to have done well and are eager to come back to our next show.

Pickleball continues with a bunch of new faces coming in to play. We had cake a couple of weeks ago celebration Jim Budd and the 87 years of life he has enjoyed. Jim has been trying to tell us he will not be playing any more but we are hoping that is not true.

Pete Charles helped at the Museums golf tournament. From getting them teams, to raffle prizes to getting them beer donated.

Have been in touch with our TAAF Track and Archery. Both are excited and ready to go for the summer. We just have to figure out where we will be hosting Track and how we are doing this.

Have sent out emails to area High School Volleyball coaches. Several coaches have told me they would not be returning but I am hoping at least 10-12 teams playing in our Sunday afternoon. Reason we play on Sunday afternoon is to not interfere with the soccer, track and field and softball players on each team.

Aquatics Update

Lap Swimming continues both mornings and afternoons.

USA Swimming continues and quite a few of the athletes are attending meets.

Need to open the Splash Pad.

Due to a major increase at the Jr. High level with the Shary School district the pool at Mayberry will be open this along with Bannworth Pool being to accommodate all the swimmers.

Other Business

The slab that Parks Department constructed and poured at Mission Hike and Bike Trails will be used for a bench that was discussed at our previous meeting. The mother of a bicycle enthusiast will be purchasing the bench. The mom, along with family friends, wanted to move on with the project as the Mother has stage 4 cancer. Mr. Bentsen went with the saying that it is better to ask for forgiveness and to ask for permission in some instances.

It took a while to happen but after several years Mr. Bentsen has received more money for herbicides and is ready to really attack the burrs and stickers that are currently present in our park system.

Things continue to move ahead with the plans to install restrooms at CWV, Oblate and Astroland parks. Mr. Bentsen also indicated intentions of larger restrooms on the east side of both Bannworth and Bentsen Palm Park.

A concrete slab will be constructed on the south side of the Recreation Center. This is for the new portable restrooms that were bought for special events and since we are the City shelter just makes sense we put it there.

City of Mission will start using CDBG funds towards playgrounds for parks around the City. We are basically the last City in the Rio Grande Valley to take advantage of this option!

Our upcoming fund raising golf tournament Put me down for Par was discussed and we should be ok. Since it isn't an election year many of the sponsorships we had our previous tournament didn't help and that was about \$14,000.00 we're lacking this year. We will see how it goes and hoping for the best.

Adjournment

Karina Garza made a motion to adjourn the meeting and was seconded by Maggie Guajardo Pena. The Board voted unanimously to approve.

**ZONING BOARD OF ADJUSTMENTS
SEPTEMBER 21, 2022
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Jose "Pepe" Garcia
Terry Meweess
Andrew Riddle
Kevin Michael Sanchez
Eliud Reyna
Dolly Elizondo
Guillermo Martinez
Romeo C. Gonzalez, II

ZBA ABSENT

STAFF PRESENT

Alex Hernandez
Irasema Dimas
Cynthia Gonzalez

GUESTS PRESENT

CALL TO ORDER

Chairman Jose "Pepe" Garcia called the meeting to order at 4:30 p.m.

CITIZENS PARTICIPATION

Chairman Jose "Pepe" Garcia asked if there was anyone in the audience that had anything to present or express that was not on the agenda. The audience remained un-responsive.

APPROVAL OF MINUTES FOR AUGUST, 2022

Chairman Jose "Pepe" Garcia asked if there were any corrections to the minutes. Ms. Elizondo moved to approve the minutes. Mr. Riddle seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

TO ALLOW A 9'1" REAR SETBACK INSTEAD OF THE REQUIRED 15' REAR SETBACK AT 1415 LAS BRISAS DR., BEING LOT 10, SUNTERRA ESTATES, AS REQUESTED BY REYNALDO RANGEL

Ms. De Luna stated that the subject site is located approximately 700' west of Stewart Road along the north side of Las Brisas Drive. The lot measures 75' x 124' for a total 9,300 sq.ft.

The applicant would like the Board to consider the above-mentioned variance for a proposed 30' x 12' swimming pool. Staff notes that there is a 15' utility easement where the applicant is proposing to build the swimming pool. It is noted that there are other swimming pools within this subdivision meeting setbacks. However, ZBA approved an 11' rear setback variance for Lot 18 on November 17, 2020.

Staff mailed out 30 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends denial of the 9'1", but would be receptive to considering approving an 11' rear setback to be consistent with the previous variance awarded. Subject to signing a hold harmless document

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Chairman Jose "Pepe" Garcia entertained a motion. Ms. Elizondo moved to "Table" the variance request. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

TABLED ITEM #1.2

TO KEEP A 1'10" WEST SIDE; A 1'9" EAST SETBACK INSTEAD OF THE REQUIRED 6'; AND A 6'5" REAR SETBACK INSTEAD OF THE REQUIRED 10' REAR SETBACK; AT 1905 AUDREY DRIVE, BEING LOT 82, THE OAKS AT CIMARRON SUBDIVISION, AS REQUESTED BY JUAN GARCIA

Ms. De Luna stated that the subject site is located approximately 230' near the northwest corner of Red River Road and Audrey Drive along the north side of Audrey Drive. The lot measures 82' x 120' for a total 9,600 sq.ft.

The applicant would like the Board to consider the above-mentioned variances for a 11'5" x 23'4" Pergola and a 4'9" x 11'3' roof that were built without permits. These violations were discovered by the Code Enforcement Department while doing a sweep on the subdivision.

Staff notes that the Board has denied a similar request along Frio St and Dennise Court.

Staff mailed out 31 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff's recommends denial. Approving this variance will set precedence, and allowing as is would not be fair for others that have modified their structures to meet code.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Chairman Jose "Pepe" Garcia entertained a motion. Ms. Elizondo moved to "Table" the variance request. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

2.0 OTHER BUSINESS

There was none.

3.0 ADJOURNMENT

There being no further business, Ms. Elizondo moved to adjourn. Mr. Reyna seconded the motion. Upon a vote, the motion passed unanimously at 4:39 p.m.



Jose "Pepe" Garcia, Chairman
Zoning Board of Adjustments

**ZONING BOARD OF ADJUSTMENTS
NOVEMBER 16, 2022
CITY HALL'S COUNCIL CHAMBERS**

ZBA PRESENT

Jose "Pepe" Garcia
Kevin Michael Sanchez
Eliud Reyna
Dolly Elizondo
Alberto Salazar
Andrew Riddle

ZBA ABSENT

Guillermo Martinez
Terry Meweese
Jose "Pepe" Garcia

STAFF PRESENT

Susie De Luna
Jessica Munoz
Irasema Dimas
Cynthia Gonzalez
Alex Herndandez

GUESTS PRESENT

Ruben Galvan
Guadalupe Trevino
Mary Hernandez
Sam Benson

CALL TO ORDER

Vice Chairman Andrew Riddle called the meeting to order at 4:32 p.m.

CITIZENS PARTICIPATION

Vice Chairman Andrew Riddle asked if there was anyone in the audience that had anything to present or express that was not on the agenda. The audience remained un-responsive.

APPROVAL OF MINUTES FOR OCTOBER 19, 2022

Vice Chairman Andrew Riddle asked if there were any corrections to the minutes. Mr. Sanchez moved to approve the minutes. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.1

TO KEEP A 0' SIDE SETBACK INSTEAD OF THE REQUIRED 6' SIDE SETBACK AND A 0' REAR SETBACK INSTEAD OF THE REQUIRED 10' REAR SETBACK AT 912 FRIO STREET, BEING LOT 16, THE OAKS AT CIMARRON, AS REQUESTED BY GUADALUPE TREVINO & MARY HERNANDEZ

Ms. Irasema Dimas stated that the subject site is located at the end of Jonathon Dr. along Frio St. The lot measures 70' x 121' for a total 8,470 sq.ft.

The applicant would like the Board to consider the above-mentioned variance for a 32' x 18' canopy that was built without a permit. This violation was discovered by a Code Enforcement Officer while doing a sweep in the area.

Staff notes that the Board has denied similar requests along Frio St. and Dennise Court and the most recent on Audrey Drive.

Staff mailed out 23 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff's recommends denial. Approving this variance will set precedence, and allowing as is would not be fair for others that have modified their structures to meet code.

Vice Chairman Andrew Riddle asked if there was any public opposition on the request.

Vice Chairman Andrew Riddle asked if the applicant or representative were present.

Mrs. Mary Hernandez stated there were some items that had been denied on Frio Street but there was one that was approved on Rio Balsas Street with three structures. She mentioned that was why they build their structure.

Mr. Sanchez asked the applicant if that structure on Rio Balsas was approved.

Mrs. Hernandez stated that the structure has been there for more than 10 years.

Mr. Sanchez asked Mrs. Hernandez when the structure was built.

Mrs. Hernandez stated that she built the structure about 8-10 years ago. She added they hired a local construction company to build the structure. She mentioned she contacted 811 to check if she was over any utility lines and she received an email stating that there were no lines and nothing was being obstructed.

Mr. Reyna asked Mrs. Hernandez if she was using the structure as a carport.

Mrs. Hernandez stated it was her sons truck that was temporarily parked in the structure.

Mr. Sanchez asked if there was a right-of-way.

Mrs. Hernandez stated it was an alley on the rear of the property.

Ms. Dimas stated there was no alley recorded for the subdivision. She added it was the Hidalgo County Drainage Ditch ROW.

Mr. Sanchez asked Mrs. Hernandez for the name of the company she hired.

Mrs. Hernandez stated she did and she called them back and the minute she gave the name of the employee they stayed silent and told her they only kept records of the previous 5 years.

Mr. Sanchez asked Mrs. Hernandez if the company told her they would get a permit.

Mrs. Hernandez stated she assumed they knew the responsibilities since they work in around the City of Mission. Mrs. Hernandez added that out of the 10 houses there 7 of them have doors to the back.

Mr. Reyna asked if they have approved or denied similar items.

Ms. Dimas stated that in that particular subdivision they have denied all 3 items

Chairman Jose "Pepe" Garcia entertained a motion. Mr. Reyna moved to deny the variance request as presented. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.2

TO KEEP A 0' SIDE SETBACK INSTEAD OF THE REQUIRED 6' SIDE SETBACK AND A 0' REAR SETBACK INSTEAD OF THE REQUIRED 10' REAR SETBACK AT 1609 VINTAGE

LANE, BEING LOT 6, BLOCK 2, GOLDEN CREST MANOR PHASE 2, AS REQUESTED BY RUBEN & MICHELE GALVAN

Ms. Dimas stated that the subject site is located at the northwest corner of Vintage Lane and Brighton Avenue. The lot measures 99' x 131.48' for a total 13,016 sq.ft.

The applicant would like the Board to consider the above-mentioned variance for a storage shed that was placed on the northwest corner of the lot.

Staff notes that the Board has approved 6 similar requests for this subdivision on 2021 subject to signing a hold harmless document.

Staff mailed out 23 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff does not object to the variance request since the storage shed is set on blocks subject to signing a hold harmless agreement.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mr. Ruben Galvan the applicant was present.

Chairman Jose "Pepe" Garcia stated the issue was the storage shed.

Mr. Reyna asked if there was an easement.

Ms. Dimas replied there was no easement.

Ms. Elizondo mentioned if he was just in the setback line.

Mr. Sanchez asked the applicant if he installed the shed.

Mr. Galvan stated it was a company in La Joya. He added that right after he purchased the house he hired the company to build the shed.

Mr. Sanchez asked the applicant if he was familiar with the hold harmless agreement.

Mr. Galvan mentioned he has heard about it but was not sure what it is.

Ms. Dimas explained that if the board is inclined to approve the variance Mr. Galvan would sign a hold harmless agreement stating that if in the future any utility company or any city crew needs to go in and perform duties then the structure would have to be removed.

Mr. Sanchez added that the removal would be at his expense.

Mr. Sanchez asked Mr. Galvan if he would be willing to sign the document.

Mr. Galvan stated "yes".

Chairman Jose "Pepe" Garcia entertained a motion. Mr. Sanchez moved to approve the variance request as presented. Mr. Reyna seconded the motion. Upon a vote, the motion passed unanimously.

ITEM #1.3

TO KEEP A 2'6" SIDE SETBACK INSTEAD OF THE REQUIRED 6' SIDE SETBACK AND A 2'5" REAR SETBACK INSTEAD OF THE REQUIRED 15' U.E. REAR SETBACK AT 2410 E. 20TH STREET, BEING LOT 60, SHARY VILLAS SUBDIVISION, AS REQUESTED BY ANTONIO MARES

Ms. Dimas stated that the subject site is approximately 460' off of the southeast corner of Shary Road and E. 20th Street along the south side of E. 20th Street. The irregular lot measures 72.02' x 102' for a total 7,358 sq. ft.

The applicant would like the Board to consider the above-mentioned variance. This violation was discovered by the Code Enforcement Division when doing a sweep on the subdivision. According to the applicant the porch was built in order to add a shade area for medical reasons.

Staff notes that a similar request was denied by ZBA on June 15, 2022.

Staff mailed out 15 notices to the surrounding property owners within 200' radius to get their input in regards to this request. Staff received 1 call in favor of the request.

RECOMMENDATION: Staff's recommends denial. Approving this variance will set precedence, and allowing as is would not be fair for others that do modify their building permit plans to meet code.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

Mr. Antonio Mares the applicant stated he has been living there for 14 years but 5 years ago he started thinking about building something for his daughter who has autism since she benefits from sensory input. He added that having a shaded area protected from the environment has helped. He mentioned the structure was built during the pandemic by a contractor who he thought would have gotten the permits needed for the structure.

Mr. Mares received support from 28 neighbors in Shary Villas. Mr. Mares stated he contacted 811 and they have no plans in the future to go into the setbacks. Mr. Mares added he is willing to accept any cost or to remove the structure if need to be removed.

Mr. Sanchez asked for the cost of the structure.

Mr. Mares stated it was roughly 15k.

Mr. Sanchez asked when the structure was built.

Mr. Mares stated it was built in the year 2020 or 2021.

Mr. Reyna asked Mr. Mares if he had the name of the contractor.

Mr. Mares stated it was Roberto McCoy which has not been able to contact him. Mr. Mares stated he actually did a great job but did not get permission.

Chairman Jose "Pepe" Garcia entertained a motion. Mr. Reyna moved to approve the variance subject to: 1) Submit 3 written quotes from contractors indicating the cost of bringing the structure into compliance within 45 days from the date of meeting, If cost is more than 50% of appraised value then they must sign a hold harmless agreement stating that the carport will remain "as is" and if ever removed, the prevailing setbacks shall be complied with thereafter, and If cost is not more than 50%, then all structures must be removed or modified to meet the required setbacks within 45 days. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

Chairman Jose "Pepe" Garcia entertained a motion to remove the next item from the table. Mr. Sanchez moved to remove the item from the table. Ms. Elizondo seconded the motion. Upon a vote, the motion passed unanimously.

TABLED ITEM #1.4

TO ALLOW A 10' REAR SETBACK FOR A POOL HOUSE & TO KEEP A 0' REAR SETBACK FOR A STORAGE SHED INSTEAD OF THE REQUIRED 15 REAR SETBACK AT 2300 FOX RUN, BEING LOT 8, FOX RUN SUBDIVISION, AS REQUESTED BY TOM SHEPHERD

Ms. De Luna stated that the subject site is located at the south end of the cul-de-sac of Fox Run. The irregular lot measures a total 20,790 sq.ft.

The applicant would like the Board to consider the above-mentioned variance for a proposed addition of a patio, storage, and dress area with a restroom. Staff notes that based on the site plan submitted, the applicant is meeting the 15' rear setback but wants to reduce it at 10'.

Staff notes that a similar request was approved by ZBA on October 21, 2020 for Lot 9.

Staff mailed out 10 notices to the surrounding property owners within 200' radius to get their input in regards to this request. As of this writing staff has not received any comments in favor or against the request.

RECOMMENDATION: Staff recommends approval subject to signing a hold harmless agreement.

Chairman Jose "Pepe" Garcia asked if there was any public opposition on the request.

There was none

Chairman Jose "Pepe" Garcia asked if the applicant or representative were present.

There was no reply.

Chairman Jose "Pepe" Garcia entertained a motion. Ms. Elizondo moved to approve the variance request subject to signing a Hold Harmless Agreement. Mr. Riddle seconded the motion. Upon a vote, the motion passed unanimously.

2.0 OTHER BUSINESS

There was none.

3.0 ADJOURNMENT

There being no further business, Ms. Elizondo moved to adjourn. Mr. Sanchez seconded the motion. Upon a vote, the motion passed unanimously at 4:56 p.m.



Jose "Pepe" Garcia, Chairman
Zoning Board of Adjustments