

**NOTICE OF SPECIAL MEETING
MISSION CITY COUNCIL
DECEMBER 7, 2011 4:30 P.M.
MISSION CITY HALL**

PRESENT:

Norberto Salinas, Mayor
Leo Olivarez, Mayor Pro Tem
Maria Elena Ramirez, Councilwoman
Ruben D. Plata, Councilman
Norie Gonzalez Garza, Councilwoman
David Guerra, City Attorney
Anna Carrillo, City Secretary
Julio Cerda, City Manager

ABSENT:

ALSO PRESENT:

Bob Galligan, Attorney
Jim Brunson, Progress Times
Sergio F. Solis
Carmen Solis
Brice Chandler
Oscar Garza

STAFF PRESENT:

Sonia Carnes, Deputy City Manager
Guillermo Seguin, Deputy City Manager
Aida Lerma, Deputy City Manager
Sergio Zavala, Planning Director
Roberto Salinas, P.E. Public Works Director
Roland Rodriguez, IT Director
James Cardoza, Emergency Mgmt. Coord.
Ricardo Saldana, Fire Chief
Bobby Salinas, Assistant Planning Director

1. Call to order

With a quorum being present, Mayor Norberto Salinas called the meeting to order at 4:35 p.m.

2. Re-consideration of Motion on the Previously-filed Conditional Use Permit for a new Institutional Use on Property Zoned Agricultural Open-Interim (AO-I) being The Church of Jesus Christ of Latter-day Saints on Property Described as the E. 330' – N. 660' out of Lot 28-10, West Addition to Sharyland Subd.

After consulting with attorney Bob Galligan, the City of Mission desired to re-visit the previously-filed CUP request for a new institutional use as applied for by the Church of Jesus Christ of Latter-day Saints.

We note that any re-consideration of the Council's previous motion/action is not subject to additional public hearing comments since the 'hearing' component had been deemed closed.

The site is at the SW corner of 2 Mile/Bryan Road the LDS rendering of their facility is compliant to the city's building setbacks, parking codes, landscaping regulations, etc. If approved, the property must also comply with the Subdivision Ordinance as part of the development.

Planning and Zoning Commission recommended approval during their May 18, 2011 hearing.

Staff and City Manager recommend approval subject to rescinding the City Council's action of June 13, 2011, 1) meeting the Subdivision Code, 2) meet Tree Preservation Code, and 3) install opaque buffer along adjoining residentially used properties and trash bin area.

Councilwoman Norie Gonzalez Garza asked attorney Bob Galligan if a super majority was required to approve the CUP. Mr. Galligan stated that in his opinion a super majority was not required for approval.

Councilwoman Garza requested for staff to revisit ordinances to make sure that they are compliant to State laws and regulations. Councilwoman Garza stated that since the council is the policy makers it would be advantageous to the betterment of the community and the city to meet as a council to go over all ordinances and policies to also include the Personnel Policy Manual and the Public Zone at a workshop to be held at a later date.

Councilman Ruben Plata moved to rescind the City Council's action of June 13, 2011 and to approve the CUP as recommended by staff and City Manager. Motion was seconded by Mayor Pro Tem Leo Olivarez and approved 4-1 with Councilwoman Garza dissenting.

3. Adoption of Ordinance # 3720 for Conditional Use Permit for new Institutional Use on Property Zoned Agricultural Open-Interim (AO-I) being the Church of Jesus Christ of Latter-day Saints on Property described as the E. 330' – N. 660' out of Lot 28-10, West Addition to Sharyland Subd.

Staff and City Manager recommended ordinance approval.

Mayor Pro Tem Olivarez moved to adopt Ordinance # 3720 for Conditional Use Permit for new Institutional Use on Property Zoned Agricultural Open-Interim (AO-I) being the Church of Jesus Christ of Latter-day Saints on Property described as the E. 330' – N. 660' out of Lot 28-10, West Addition to Sharyland Subd. Motion was seconded by Councilman Plata and approved unanimously 4-1 with Councilwoman Garza dissenting.

Councilwoman Garza stated for the record that it was her understanding that the neighborhood was to be notified as to the reconsideration of this matter and that she was very disappointed that it did not happen.

ORDINANCE NO. 3720

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS
GRANTING A CONDUTIONAL USE PERMIT FOR NEW INSTITUTIONAL USE ON
PROPERTY ZONED AGRIBULRURAL OPEN-INTERIM (AO-I) BEING THE
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS ON PROPERTY
DESCRIBED AS THE E 330' – 660'OUT OF LOT 28-10, WEST ADDITION TO
SHARYLAND SUBDIVISION

At 4:45 p.m., Mayor Pro Tem Olivarez moved to convene into executive session. Motion was seconded by Councilman Plata and approved unanimously 5-0.

4. Executive Session pursuant to V.T.C.A. Gov. Code Sec. 551.001

Consultation with Attorney Sec. 551.071

Deliberation regarding real property Sec. 551.072

A. Request to the City of Mission to accept Real Estate to be used as a Collector Street & Drainage Facilities for the Military Parkway Paving Project

The City Council will reconvene in open session to take any actions necessary

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At 5:01 p.m., Councilman Plata moved to reconvene in open session. Motion was seconded by Councilwoman Maria Elena Ramirez and approved unanimously 5-0.

On item 4 A. Mayor Pro Tem Olivarez moved to authorize the acquisition of various properties for the construction of a street from Conway west, southwest to Military Parkway and authorizing the Mayor to enter into an agreement with the owners of said properties for said purchase and construction of said street. Motion was seconded by Councilman Plata and approved unanimously 5-0.

5. Adjournment

At 5:02 p.m., Councilman Plata moved for adjournment. Motion was seconded by Councilwoman Ramirez and approved unanimously 5-0.

Norberto Salinas, Mayor

ATTEST:

Anna Carrillo, City Secretary