

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN**

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **October 11, 2021**, at 5:00 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Javier Villalobos, Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Tania Ramirez, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

McAllen Public Utility Board: Chairman Charles Amos, Trustee Albert Cardenas

Staff: City Manager Roy Rodriguez, City Attorney Isaac Tawil, Assistant City Manager Michelle Rivera, Assistant City Manager Jeff Johnston, Assistant City Manager Joe Vera, City Secretary Perla Lara, City Engineer Yvette Barrera, Planning Director Edgar Garcia, Finance Director Sergio Villasana

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PROCLAMATIONS

NATIONAL CODE COMPLIANCE MONTH

Commissioner Jose R. "Pepe" Cabeza de Vaca read and presented a proclamation for National Code Compliance Month.

NATIONAL COMMUNITY PLANNING MONTH

Mayor Pro Tem Joaquin Zamora read and presented a proclamation for National Community Planning Month.

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 5:00pm)

1. JOINT MEETING WITH THE MCALLEN PUBLIC UTILITY BOARD

Mayor Javier Villalobos called the meeting to order.

Chairman Charles Amos called the McAllen Public Utility meeting to order.

- A) DISCUSS AND APPROVE A RESOLUTION OF THE PUBLIC UTILITY BOARD OF TRUSTEES OF THE CITY OF MCALLEN REQUESTING THE CITY TO APPROVE THE ISSUANCE AND SALE OF WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2021 IN THE PRINCIPAL AMOUNT OF \$18,000,000, SUCH SERIES OF BONDS TO BE SOLD TO THE TEXAS WATER DEVELOPMENT BOARD, AND APPROVING OTHER MATTERS RELATED THERETO.**

Staff recommended approval of a resolution of the Public Utility Board of Trustees of the City of McAllen requesting the City to approve the Issuance and Sale of Waterworks and Sewer System Revenue Bonds, Series 2021 in the principal amount of \$18,000,000, such series of bonds to be sold to the Texas Water Development Board, and approving other matters related thereto.

Ms. Anne Burger Entrekin with Hilltop Securities gave a brief presentation on market update. She discussed the Bond Buyer Index, Bond Buyer's Index of 25 years, debt services, series 2021 revenue bonds, McAllen PUB Debt Service Pro-Forma and proposed series 2021. Comments and concerns were shared. Ms. Entrekin answered questions posed.

Trustee Albert Cardenas moved to approve the resolution for the McAllen Public Utility Board and seconded by Mayor Javier Villalobos. The motion carried unanimously by those present.

B) DISCUSS AND APPROVE AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF MCALLEN, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2021, IN THE PRINCIPAL AMOUNT OF \$18,000,000 TO BE SOLD TO THE TEXAS WATER DEVELOPMENT BOARD AND ORDAINING OTHER MATTERS RELATED THERETO.

Staff recommended adoption of an ordinance authorizing the issuance of City of McAllen, Texas Waterworks and Sewer System Revenue Bonds, Series 2021, in the principal amount of \$18,000,000 to be sold to the Texas Water Development Board and ordaining other matters related thereto.

Commissioner Antonio "Tony" Aguirre, Jr. moved to adopt the ordinance as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

END OF JOINT MEETING

Chairman Charles Amos moved to adjourn the McAllen Public Utility Board Meeting at 5:10 pm and seconded by Trustee Albert Cardenas. The motion carried unanimously.

2. PUBLIC HEARING

Mayor Javier Villalobos called the Public Hearing to order.

A) ROUTINE ITEMS: (ALL REZONINGS AND CONDITIONAL USE PERMITS LISTED UNDER THIS SECTION COME WITH A FAVORABLE RECOMMENDATION FROM THE PLANNING & ZONING COMMISSION AND WILL BE ENACTED BY ONE MOTION. HOWEVER, IF THERE IS OPPOSITION AT THE MEETING OR A DISCUSSION IS DESIRED, THAT ITEM(S) WILL BE REMOVED FROM THE ROUTINE ITEMS SECTION OF THE AGENDA AND WILL BE CONSIDERED SEPARATELY.)

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. No citizens came forward to speak to Council.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Routine Items section of the agenda and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

1. REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 1.39 ACRES OUT OF LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 3501 BUDDY OWENS BOULEVARD.

Approved the C-3 Zoning at 3501 Buddy Owens Boulevard, as per Planning and Zoning Commission.

2. REQUEST OF MIGUEL VARGAS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOTS 1 AND 2, MEJIA SUBDIVISION UNIT NO. 1, HIDALGO COUNTY, TEXAS, 2000 NOLANA AVENUE.

Approved a Conditional Use Permit, for one year, for a bar, at 2000 Nolana Avenue, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 400 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 ft. of the International Museum of Arts & Science (IMAS) and Nations for Christ Church Inc.;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has direct access to Nolana Avenue and Bicentennial Drive and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking. Currently, there is a multi-tenant commercial plaza on the property. The plaza is a mixture of Commercial businesses, a food truck, fast food restaurants, and bars. Based on

the current uses, including the bar, 124 parking spaces are required; 125 spaces are provided on-site. There is a 5-year parking agreement on file valid from October 5, 2016, to October 5, 2021, that provides 40 extra parking spaces; However, upon the inspection, staff noticed potholes in the parking lot that need to be repaired, and faded stripes need to be repainted;

- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance after taking into account the recommendations of the Fire Marshal, Building Official, and Planning Director. The maximum capacities for the building interior and the outdoor area are 96 and 228 persons, respectively.

3. REQUEST OF DALIA C. MARTINEZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT NORTH 15' OF LOT 27 AND SOUTH 20' OF LOT 28, SPINAIO & LEONE SUBDIVISION NO. 1, HIDALGO COUNTY, TEXAS; 2210 NORTH 10TH STREET.

Approved a Conditional Use Permit, for one year, for a bar, at 2210 North 10th Street, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The establishment is within 400 ft. of a residential area;
- 2) The abovementioned businesses must be as close as possible to a major arterial and shall not allow the traffic generated by such businesses onto residential streets or allow such traffic to exit into and disrupt residential areas. The establishment has direct access to North 10th Street and does not generate traffic into residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking. Currently, there is a multi-tenant commercial plaza on the property. Based on the current uses, including the bar, 298 parking spaces are required; 342 spaces are provided on-site.
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance after taking into account the recommendations of the Fire Marshal, Building Official, and Planning Director. This number cannot exceed the number provided for in existing city ordinances.

B) REZONINGS:

1. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 10 ACRES OUT OF LOT 3, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 2401 RUSSELL ROAD. (WITHDRAWN)

Said item was withdrawn.

2. INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: THE NORTH 5 ACRES OF LOT 209, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 8804 NORTH WARE ROAD. (WITHDRAWN)

Said item was withdrawn.

3. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 19.137 ACRES CONSISTING OF 2.476 ACRES OUT OF LOT 7 E.M. CARD SURVEY NO. 1 SUBDIVISION AND 16.661 ACRES OUT OF LOT 14, SECTION 279, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY SUBDIVISION, HIDALGO COUNTY, TEXAS; 2400 OXFORD AVENUE.

Staff recommended tabling said item until Planning and Zoning have made their recommendation.

Mayor Pro Tem Zamora moved to table said item as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously.

C) CONDITIONAL USE PERMITS:

1. REQUEST OF OSCAR CORRAL, ON BEHALF OF MACHIAVELLIAN PROPERTIES, LLC, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PARKING FACILITY FOR C-1 TO C-3 USES AT LOT 8, BLOCK 7, FAIRFIELD PLACE SUBDIVISION, HIDALGO COUNTY, TEXAS; 901 KENNEDY AVENUE.

Staff recommended approval of a Conditional Use Permit, for life of the use, for a parking facility at 901 Kennedy Avenue, as per Planning and Zoning Commission.

It must also meet the requirements set forth in Section 138-118(6) of the Zoning Ordinance and specific requirements as follows:

- 1) The sides adjacent to residentially zoned property are to be screened by a six-foot opaque fence. A 6 ft. opaque fence exists on the east, west, and south side of the subject property;
- 2) The parking area shall be landscaped in compliance with the Landscape Ordinance. The required landscaping for this parking lot is 675 sq. ft. with trees required as follows: 4 – 2 1/2" caliper, or 2 – 4" caliper, 1 – 6" caliper. Each parking space must also be within 100 ft. of a landscape area with a tree. A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines contiguous to Kennedy Avenue, excluding driveway entrances and exits. Since the subject property has a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height;
- 3) Residential areas shall be protected as far as possible against heavy traffic and against through traffic of all kinds, including traffic generated by commercial, industrial or other incompatible land uses.
- 4) Parking should not encroach into side yard setbacks when residential uses are adjacent. Due to lot width limitations, a 6.5 ft. landscape buffer is provided only on the east side yard setback;
- 5) The parking area shall be adjacent to the primary use. The parking area is adjacent to a lot to the south owned by the same owner which is adjacent to the primary use;
- 6) The parking area shall provide sufficient lighting to eliminate dark areas to provide maximum visibility from a public street in order to discourage vandalism and criminal activities. Lighting shall be shielded from residential areas;
- 7) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 8) The Planning and Zoning Commission may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this section and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as curbing and sidewalks.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the Conditional Use Permit as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

2. REQUEST OF NORMA S. PIMENTEL, ON BEHALF OF CATHOLIC CHARITIES OF THE RIO GRANDE VALLEY, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF USE, FOR AN INSTITUTIONAL USE (RESPIRE CENTER) AT THE NORTHWEST 12.81 ACRES OUT OF LOT 10, SECTION 7, EXCLUDING 2.63 ACRES, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 1801 SOUTH 10TH STREET. (TABLED)

Said item remained tabled.

D) AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN.

Mayor Pro Tem Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

END OF PUBLIC HEARING

Mayor Javier Villalobos declared the Public Hearing closed.

3. **CONSENT AGENDA (ALL MATTERS LISTED UNDER CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE GOVERNING BODY AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS; HOWEVER, IF DISCUSSION IS DESIRED, THAT ITEM(S) WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.)**

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda and seconded Commissioner Tania Ramirez seconded. The motion carried unanimously.

- A) **APPROVAL OF MINUTES OF WORKSHOP AND REGULAR MEETING HELD SEPTEMBER 27, 2021.**

Approved the minutes of Workshop and Regular Meeting held September 27, 2021, as submitted.

- B) **CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF BROWNSVILLE TO PARTICIPATE IN THE FISCAL YEAR 2022 SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE.**

Approved an Interlocal Agreement with the City of Brownsville to participate in the Fiscal Year 2022 South Texas Auto Theft Enforcement Task Force.

- C) **RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FOR FUNDING UNDER THE FISCAL YEAR 2022 TEXAS SUPPORTS LIBRARIES GRANT PROGRAM.**

Approved a resolution authorizing the submission of a grant application to the Texas State Library and Archives Commission for funding under the Fiscal Year 2022 Texas Supports Libraries Grant Program.

- D) **RESOLUTION AUTHORIZING THE SUBMITTAL OF A PASSENGER FACILITY CHARGE APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR VARIOUS MCALLEN INTERNATIONAL AIRPORT IMPROVEMENT PROJECTS.**

Approved a resolution authorizing the submittal of a Passenger Facility Charge Application to the Federal Aviation Administration (FAA) for various McAllen International Airport Improvement Projects.

- E) **APPROVAL OF TAX REFUNDS OVER \$500.00.**

Approved tax refunds of over \$500.

1. IDC PROPERTIES NO. 2 LP

Approved a tax refund in the amount of \$2,410.24.

2. ALICIA DIAZ DE VILLEGAS

Approved a tax refund in the amount of \$540.44.

4. BIDS/CONTRACTS

- A) **CONSIDERATION AND APPROVAL OF CONSTRUCTION DOCUMENTS BY MEGAMORPHOSIS INC., WITH AUTHORIZATION TO PROCEED TO BIDDING PHASE FOR THE QUINTA MAZATLAN PALM HOUSE PROJECT.**

Staff recommended approval of Construction Documents by Megamorphosis Inc., with authorization to proceed to the bidding phase for the Quinta Mazatlán Palm House Project.

Mayor Pro Tem Joaquin Zamora moved to approve the construction documents as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously.

B) CONSIDERATION AND APPROVAL OF THE ACCEPTANCE OF THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ROUTINE AIRPORT MAINTENANCE PROGRAM GRANT 2022.

Staff recommended the acceptance of the Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program Grant 2022.

Commissioner Tania Ramirez moved to accept the grant as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

C) AWARD OF CONTRACT FOR THE RUNWAY 14-32 & TAXIWAY A SAFETY IMPROVEMENTS PHASE 3, 4A & 4C AT MCALLEN INTERNATIONAL AIRPORT.

Staff recommended award of contract to NM Contracting in the amount of \$20,129,254.20 with a contract time of 415 calendar days for Runway 14-32 & Taxiway A Safety Improvements Phase 3, 4A & 4C at the McAllen International Airport.

Commissioner Omar Quintanilla announced that he had a conflict with item 4C and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Council expressed comments and concerns. Questions were raised related to low bidder, options, timeframe of project, Phase 1 & 2 and contract. Staff answered questions posed.

Mayor Pro Tem Joaquin Zamora moved to approve negotiations as recommended and seconded by Commissioner Tania Ramirez. The motion carried with 5 votes in the affirmative.

D) CONSIDERATION AND APPROVAL TO NEGOTIATE WITH TOP RANKED CONSULTANT FIRM FOR AVIATION MARKETING AND CONSULTANT SERVICES AT MCALLEN INTERNATIONAL AIRPORT.

Staff recommended the approval of negotiations with Pollux Castor Inc for Aviation Marketing and Consultant Services at McAllen International Airport.

Mayor Pro Tem Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

E) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 3 FOR THE RUNWAY 14-32 & TAXIWAY A SAFETY IMPROVEMENTS CONSTRUCTION MANAGEMENT SERVICES.

Staff recommended approval of Contract Amendment No. 3 in the amount of \$1,248,846.00 to KSA Engineers, Inc. for the Runway 14-32 & Taxiway A Safety Improvements Construction Management Services.

Mayor Pro Tem Joaquin Zamora moved to approve Contract Amendment No. 3 as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

F) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR THE CONSTRUCTION OF CROCKETT SKATE PARK.

Staff recommended approval of Change Order No. 1 in the amount of \$14,535.00 for the construction of Crockett Skate Park.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve Change Order No. 1 as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously.

G) CONSIDERATION OF NEW PROPOSED REFRESH 50/50 ZONE.

Staff recommended approval of the new Refresh 50/50 Zone.

It was mentioned that said item was discussed in earlier workshop. Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the new Refresh 50/50 Zone as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

5. ORDINANCE

A) CONSIDERATION AND POSSIBLE APPROVAL OF AN ORDINANCE REDUCING THE YARD REQUIREMENTS FOR DOUBLE-FRONTING LOTS.

Staff recommended adoption of an ordinance reducing the yard requirements for double-fronting lots.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to adopt the ordinance as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously.

6. VARIANCE

A) CONSIDERATION OF A VARIANCE REQUEST TO ALLOW A HALF-STREET AT THE PROPOSED CAMPO DE SUEÑOS II SUBDIVISION, HIDALGO COUNTY, TEXAS; 8300 NORTH WARE ROAD.

Staff recommended approval of a variance request to allow a half-street at 8300 North Ware Road.

Commissioner Antonio "Tony" Aguirre, Jr. announced that he had a conflict with item 6A and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Discussion ensued. Comments and concerns were expressed by Council. Questions were raised related to roadwork design, completion of project, length, la vista concerns and subdivisions. Staff answered questions posed.

Mayor Pro Tem Joaquin Zamora moved to approve the variance as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried with 5 votes in the affirmative.

7. MANAGER'S REPORT

A) IMMIGRATION AND RESPITE CENTER REPORT.

Mr. Jeff Johnston presented immigration and respite center updates and answered questions.

B) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows: List of City Owned Properties and Update on 33rd Street.

8. TABLED ITEM(S)

A) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR THE 2018 BOND GROUP C DRAINAGE IMPROVEMENTS.

Mayor Pro Tem Joaquin Zamora moved to remove said item from the table and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

Staff recommended approval of Change Order No. 1 in the net amount of \$909,199.17 for the 2018 Bond Group C Drainage Improvements.

Discussion ensued. Comments and concerns were shared by Council. Staff answered questions posed.

After due consideration, Mayor Pro Tem Joaquin Zamora moved to approve Change Order No. 1 as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

B) CONSIDERATION OF A VARIANCE REQUEST TO THE ESCROW REQUIREMENTS FOR PAVING AND DRAINAGE IMPROVEMENTS AT THE PROPOSED DE LA TORRE SUBDIVISION, HIDALGO COUNTY, TEXAS; 612 NORTH 8th STREET.

Mayor Pro Tem Joaquin Zamora moved to remove said item from the table and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

Staff recommended approval of a variance request to the escrow requirements for paving and drainage improvements at 612 North 8th Street.

Mayor Pro Tem Joaquin Zamora moved to approve the variance request as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

9. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT).

A) CONSULTATION WITH CITY ATTORNEY REGARDING POTENTIAL LITIGATION. (SECTION 551.071, T.G.C.)

Mayor Pro Tem Joaquin Zamora moved to authorize City Attorney to proceed as described in executive session and seconded by Commissioner Tania Ramirez. The motion carried unanimously.

B) CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION; CITY OF MCALLEN, ET AL. V. STATE OF TEXAS; CAUSE NO. D-1-GN-17-004766 IN TRAVIS COUNTY, TEXAS. (SECTION 551.071, T.G.C.)

No action.

C) CONSULTATION WITH CITY ATTORNEY REGARDING POTENTIAL LITIGATION TO ENFORCE VARIOUS ASPECTS OF THE CITY ZONING ORDINANCE. (SECTION 551.071, T.G.C.)

Mayor Pro Tem Joaquin Zamora moved to authorized City Attorney to take all action necessary to enforce various aspects of the city's zoning ordinance with respect to the property described in executive session including and up to filing a lawsuit seeking injunctive relief and seconded by Commissioner Tania Ramirez. The motion carried unanimously.

D) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)

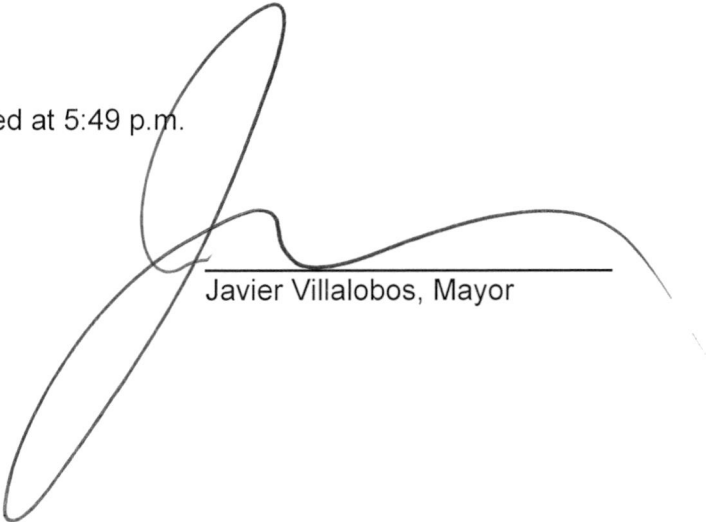
No action.

ADJOURNMENT

Without objection the meeting was adjourned at 5:49 p.m.

Attest:


Perla Lara, TRMC/CMC, CPM
City Secretary


Javier Villalobos, Mayor