

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

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **November 8, 2021**, at 4:45 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

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

Absent: Mayor Javier Villalobos

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 Pro Tem Joaquin Zamora called the meeting to order.

PRESENTATION

TEXAS TREASURE BUSINESS AWARD TO S. KLEIN GALLERIES

Staff presented the Texas Treasure Business Award to S. Klein Galleries.

PROCLAMATIONS

TEXAS RECYCLES DAY

Commissioner Antonio "Tony" Aguirre, Jr. read and presented a proclamation for Texas Recycles Day.

49TH ANNUAL NUTCRACKER BALLET PRODUCTION DAYS

Commissioner Jose R. "Pepe" Cabeza de Vaca read and presented a proclamation for 49th Annual Nutcracker Ballet Production Days.

TEXAS ELEMENTARY TEACHER OF THE YEAR

Commissioner Victor "Seby" Haddad read and presented a proclamation for Texas Elementary Teacher of the Year.

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

1. PUBLIC HEARING

Mayor Pro Tem Joaquin Zamora 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 Pro Tem Joaquin Zamora asked if there was anyone to speak in opposition to the items under this section of the agenda. There were no registered speakers to address the Council on routine zoning consent.

Commissioner Tania Ramirez moved to approve the items listed on the Routine Items section of the agenda and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

Commissioner Victor "Seby" Haddad announced that he had a conflict with item 1A5 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

1. REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 7.28 ACRES OUT OF LOT 2, BLOCK 8, A.J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 SOUTH JACKSON ROAD.

Approved the R-3A Zoning at 2200 South Jackson Road, as per Planning and Zoning Commission.

2. REZONING FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 15, BLOCK 3, WEST ADDITION TO MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 2236 FRESNO AVENUE.

Approved the C-3 Zoning at 2236 Fresno Avenue, as per Planning and Zoning Commission.

3. REZONING FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 10.809 ACRES OUT OF LOT 2, BLOCK 8, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 3901 NORTH MCCOLL ROAD.

Approved the R-3T Zoning at 3901 North McColl Road, as per Planning and Zoning Commission.

4. REZONING FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 13.0 ACRES OUT OF LOT 7, SECTION 13, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 8220 NORTH 10TH STREET.

Approved the R-3T Zoning at 8220 North 10th Street, as per Planning and Zoning Commission.

5. REQUEST OF JUAN C. CANCINO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT 3, LONE STAR NATIONAL BANK SUBDIVISION, HIDALGO COUNTY, TEXAS, 500 EAST NOLANA AVENUE.

Approved a Conditional Use Permit, for one year, for a bar at 500 East Nolana Avenue, as per Planning and Zoning Commission.

The establishment must also meet 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 above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residence and residentially zoned property;
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment is located on a major arterial, East Nolana Avenue, 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. Based on the square footage and use of the building, 89 parking spaces are required and 126 are provided. Parking lot has to be clear of potholes and well striped.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties. An 8 ft. wall is provided;
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order 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 having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

Commissioner Tania Ramirez moved to approve the items listed on the Routine Items section of the agenda and seconded by Commissioner Omar Quintanilla. The motion carried with 5 votes in the affirmative and Commissioner Victor "Seby" Haddad in abstention. Mayor Javier Villalobos absent.

6. REQUEST OF ARTURO ORTEGA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR AN EVENT CENTER AT LOT 1, NOLANA HEIGHTS SUBDIVISION, HIDALGO COUNTY, TEXAS, 601 EAST NOLANA AVENUE.

Approved a Conditional Use Permit, for one year, for an Event Center at 601 East Nolana Avenue, as per Planning and Zoning Commission.

The establishment must also meet 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 above mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from the nearest residentially zoned property and a church (First United Methodist);
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 East Nolana Avenue and North McColl Road 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. Based on the square footage and use of the building, 94 parking spaces are required and 136 are provided on lot, which has common access easements to the north and west. Parking lot has to be clear of potholes and well striped.
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 in order 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 having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

7. REQUEST OF GUSTAVO PINEDA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A VAPE SHOP AT LOT 1, MARTINEZ SUBDIVISION UNIT 2, HIDALGO COUNTY, TEXAS, 1900 SOUTH 23RD STREET.

Approved a Conditional Use Permit, for one year, for a vape shop at 1900 South 23rd Street, as per Planning and Zoning Commission.

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

- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along South 23rd Street and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum, and make provisions to prevent use of adjacent streets

for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 1,950 sq. ft. smoke shop requires 5 parking spaces, there are 206 total parking spaces provided on the submitted site plan;

- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned 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 having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

8. REQUEST OF LIZETH PADILLA ON BEHALF OF DEVIDA LASH ACADEMY, FOR A CONDITIONAL USE PERMIT FOR 3 YEARS, FOR AN INSTITUTIONAL USE (EYELASH EXTENSION ACADEMY) AT LOTS 10 AND 11, THE DISTRICT AT MCALLEN PHASE II SUBDIVISION, HIDALGO COUNTY, TEXAS; 3400 NORTH MCCOLL ROAD, SUITE A.

Approved a Conditional Use Permit, for three (3) years, for an Institutional Use (eyelash extension academy) at 3400 North McColl Road, Suite A, as per Planning and Zoning Commission.

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

- 1) 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 McColl Road.
- 2) 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, especially those in adjacent residential areas, by providing additional on-site parking. Based on the use of the building, 10 parking spaces are required. Currently there are 78 shared parking spaces.
- 3) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance.
- 4) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 5) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 6) 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 having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

9. REQUEST OF ROSALINDA ROSSOW, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A VAPE SHOP AT LOT 1A, WILSON SUBDIVISION, HIDALGO COUNTY, TEXAS, 4000 NORTH 10TH STREET.

Approved a Conditional Use Permit, for one year, for a Vape Shop at 4000 North 10th Street, as per Planning and Zoning Commission.

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

- 1) The property line of the lot of any of the above-mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone to the northeast;
- 2) The abovementioned business must be as close as possible to a major arterial and shall not allow the traffic generated by such business onto residential streets, or allow such traffic

- to exit into and disrupt residential areas. The subject property has frontage along North 10th Street and Nolana Avenue and does not generate traffic into residential areas;
- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 1,350 sq. ft. smoke shop requires 4 parking spaces, there are 101 total parking spaces provided on the submitted site plan;
 - 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
 - 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
 - 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
 - 7) The abovementioned 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 having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

B) REZONINGS:

1. REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.97 ACRES OUT OF LOT 11, SECTION 12, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 1009 JAY AVENUE.

Staff recommended said item to be tabled.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve the C-3 zoning as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously by those present.

2. INITIAL ZONING TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 26.97 ACRES OUT OF LOT 45-11, WEST ADDITION TO SHARYLAND SUBDIVISION, HIDALGO COUNTY, TEXAS; 9600 N. BRYAN RD.

Staff recommended approval of the initial zoning at 9600 North Bryan Rd., as per Planning and Zoning Commission.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the initial zoning as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

C) CONDITIONAL USE PERMITS:

1. REQUEST OF GUSTAVO PINEDA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A VAPE SHOP AT LOT A, WALMART SUBDIVISION, HIDALGO COUNTY, TEXAS, 2901 NORTH 23RD STREET.

Staff recommended approval of a Conditional Use Permit, for one year, for a Vape Shop at 2901 North 23rd Street, as per Planning and Zoning Commission.

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

- 1) The property line of the lot of any of the above-mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone;
- 2) The abovementioned business must be as close as possible to a major arterial and shall not allow the traffic generated by such business onto residential streets or allow such traffic

to exit into and disrupt residential areas. The subject property has frontage along North 23rd Street;

- 3) The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 2496 sq. ft. smoke shop requires 7 parking spaces, there are 481 total parking spaces provided on the submitted site plan;
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances;
- 5) The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street;
- 6) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
- 7) The abovementioned 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 having taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

Mayor Pro Tem Joaquin Zamora asked if there was anyone to speak in opposition to the items under this section of the agenda. No one spoke on said item.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the Conditional Use Permit with a favorable recommendation to the distance requirement as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

2. REQUEST OF RICARDO VEGA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PICTURE VENUE AND EVENT AREA AT LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, 6712 NORTH BENTSEN ROAD.

Staff recommended approval of a Conditional Use Permit, for one year, for a picture venue and event area at 6712 North Bentsen Road, as per Planning and Zoning Commission.

Mayor Pro Tem Joaquin Zamora asked if there was anyone to speak in opposition to the items under this section of the agenda. Mr. Jaime Morales spoke in favor of the request.

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

Commissioner Victor "Seby" Haddad moved to table for full commission as recommended and seconded by Commissioner Tania Ramirez. The motion passed with 5 votes in the affirmative with Commissioner Antonio "Tony" Aguirre Jr. voting nay. Mayor Javier Villalobos absent.

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

Commissioner Omar Quintanilla moved to amend the Zoning Ordinance and seconded by Commissioner Antonio "Tony" Aguirre. The motion carried unanimously by those present.

E) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 26.97 ACRES OUT OF LOT 45-11, WEST ADDITION TO SHARYLAND SUBDIVISION, HIDALGO COUNTY, TEXAS; 9600 NORTH BRYAN ROAD.

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 9600 North Bryan Road.

Commissioner Antonio "Tony" Aguirre, Jr. moved to adopt the ordinance as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

END OF PUBLIC HEARING

Mayor Pro Tem Joaquin Zamora declared the Public Hearing closed.

2. **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 Commissioner Tania Ramirez seconded. The motion carried unanimously by those present.

- A) **APPROVAL OF MINUTES OF DEVELOPMENT FORUM HELD SEPTEMBER 30TH, WORKSHOP AND REGULAR MEETING HELD OCTOBER 25, 2021.**

Approved the minutes of Development Forum held September 30th, Workshop and Regular Meeting held October 25, 2021, as submitted.

- B) **CONSENT COOP PURCHASES**

1. **AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL PNEUMATIC ROLLER.**

Awarded a contract Anderson Machinery in the amount of \$96,724.00 for One (1) New Current Model Pneumatic Roller.

2. **AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) CURRENT YEAR MODEL NON-CDL CONTAINER CARRIER TRUCK.**

Awarded a contract to Santex Truck Centers in the amount of \$109,459.00 for One (1) current year model non-cdl Container Carrier Truck.

- C) **RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION UNDER THE 2021 ROUTE PLANNING RESTORATION PROGRAM.**

Approved a resolution authorizing the submission of a grant application to the Federal Transit Administration under the 2021 Route Planning Restoration Program.

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

Approved tax refunds of over \$500.

1. **CORELOGIC FOR SHELLPOINT MORTGAGE SERVICES**

Approved a tax refund in the amount of \$641.12.

2. **HD DEVELOPMENT PROPERTIES LP**

Approved a tax refund in the amount of \$7,958.63.

3. **WARE EXPWY PARTNERS LTD.**

Approved a tax refund in the amount of \$2,726.00.

3. **BIDS/CONTRACTS**

- A) **AWARD OF CONTRACT FOR THE PURCHASE OF A MOBILE GROUND POWER UNIT AND MOBILE PRE-CONDITIONED AIR UNIT AT MCALLEN INTERNATIONAL AIRPORT.**

Staff recommended award of contract to AERO Specialties, Inc. in the amount of \$157,863.26 with a delivery time of 120 calendar days, for the purchase of a Mobile Ground Power Unit and Mobile Pre-Conditioned Air Unit at McAllen International Airport.

Commissioner Antonio "Tony" Aguirre Jr. moved to award the contract as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously by those present.

B) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 3 FOR THE 2018 BOND GROUP E DRAINAGE IMPROVEMENTS - E1 NW BLUELINE IMPROVEMENTS.

Staff recommended approval of Change Order No. 3 in the amount of \$25,397.50 for the 2018 Bond Group E Drainage Improvements - E1 NW BlueLine Improvement Project and an additional 17 additional calendar days. This would revise the contract amount of \$2,054,560.00 and a revised contract time of 340 calendar days.

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

After due consideration, Commissioner Omar Quintanilla moved to approve Change Order No. 3 as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

C) CONSIDERATION AND POSSIBLE ACTION ON A MEMORANDUM OF UNDERSTANDING TO WORK WITH ICHOOSR, LLC TO PROVIDE CITIZENS WITH ELECTRICITY RATE OPTIONS.

Staff recommended approval of a Memorandum of Understanding to work with Ichoosr, LLC to provide citizens with electricity rate options.

Discussion ensued. Comments and concerns were shared by Council. Questions were asked relating to services, residents/information, city's letterhead, cost of mailings, control over contract, Spanish/English information, fee to city or residents and 30/60 day walk out clause. Staff answered questions posed.

Commissioner Victor "Seby" Haddad moved to approve the Memorandum of Understanding as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried with 4 votes in the affirmative and Commissioner Tania Ramirez voting nay.

D) AWARD OF CONTRACT RENEWAL FOR RETAIL RECRUITMENT.

Staff recommended approval of a 3-year renewal contract with Buxton for retail recruitment.

Discussion ensued. Comments and concerns were shared by Council. Questions were asked relating to initial contract. Staff answered questions posed.

Commissioner Omar Quintanilla moved to award the contract as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

E) AWARD OF CONTRACT FOR CINEMASSIVE VIDEO WALL UPGRADE AT THE MCALLEN POLICE DEPARTMENT 9-1-1 DISPATCH CENTER.

Staff recommended award of contract to CineMassive Displays in the amount of \$62,267, for the CineMassive Video Wall Upgrade at the McAllen Police Department 9-1-1 Dispatch Center.

Discussion ensued. Comments and concerns were shared by Council. Questions were asked relating to required contract, sole source. Staff answered questions posed.

Commissioner Antonio "Tony" Aguirre Jr. moved to award the contract as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously by those present.

F) AWARD OF CONTRACT FOR CINEMASSIVE VIDEO WALL UPGRADE AT THE MCALLEN POLICE DEPARTMENT ROLL CALL BRIEFING ROOM.

Staff recommended award of contract to CineMassive Displays in the amount of \$62,289.15, for the CineMassive Video Wall Upgrade at the McAllen Police Department Roll Call Briefing Room.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to award the contract as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

G) AWARD OF CONTRACT FOR THE PURCHASE OF LUBRICANTS.

Staff recommended award of multiple supply contracts for the purchase of Lubricants to multiple vendors. It was noted that item 13 is not being recommended for award due to no bids received met the specifications.

Commissioner Omar Quintanilla moved to award the contracts as recommended and seconded by Commissioner Tania Ramirez. The motion carried unanimously by those present.

4. RESOLUTIONS

A) RESOLUTION AUTHORIZING ADOPTION OF THE HIDALGO COUNTY HAZARD MITIGATION PLAN UPDATE.

Staff recommended approval of a resolution authorizing adoption of the Hidalgo County Hazard Mitigation Plan Update.

Commissioner Omar Quintanilla moved to approve the resolution as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

B) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT UNDER THE HAZARD MITIGATION GRANT PROGRAM.

Staff recommended approval of a resolution authorizing the submission of a grant application to the Texas Department of Emergency Management under the Hazard Mitigation Grant Program.

Commissioner Tania Ramirez moved to approve the resolution as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

5. VARIANCES

A) CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE THE SUBDIVISION PROCESS AT THE SOUTH 76.8 FT. LOT 218 EXC EAST 155 FT. FOR D/D 1.67 AC GR; 1.63 AC NET PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 7004 NORTH BENTSEN ROAD.

Staff recommended disapproval of a variance request to not require the subdivision process at 7004 North Bentsen Road.

Discussion ensued. Comments and concerns were shared by Council. Questions were asked relating to the amount required, MPU reimbursements, option 3 clarification and subdivision process, previous subdivisions and other developed areas. Staff answered questions posed.

After due consideration, Commissioner Omar Quintanilla moved to disapprove the variance as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

B) CONSIDERATION OF A VARIANCE REQUEST TO THE BLOCK LENGTH REQUIREMENT AT THE PROPOSED TAYLOR CREEK VILLAGES SUBDIVISION, HIDALGO COUNTY, TEXAS; 4016 N. TAYLOR ROAD.

Staff recommended approval of a variance request to block the length requirement at the proposed Taylor Creek Villages Subdivision.

Discussion ensued. Comments and concerns were shared by Council. Questions were asked relating to the entrances to subdivision. Staff answered questions posed.

Commissioner Antonio "Tony" Aguirre Jr, moved to approve option 1 to disapprove the request and require the subdivision process prior to issuance of permits and seconded by Commissioner Tania Ramirez. The motion carried unanimously by those present.

6. MANAGER'S REPORT

A) PRESENTATION OF YEAR-TO-DATE TAX COLLECTION REPORT.

Staff gave a presentation of Year-to-Date Tax Collection Report.

B) PRESENTATION OF YEAR-TO-DATE DELINQUENT TAX COLLECTION REPORT BY LINEBARGER GOGGAN BLAIR & SAMPSON, LLP.

Kelly Salazar of Linebarger, Goggan Blair & Sampson gave a presentation of Year-to-Date Delinquent Tax Collection Report.

C) IMMIGRATION AND RESPITE CENTER REPORT.

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

D) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows:

- Renaming of Palmview Community Center
- Beautification of Hike & Bike Trail

7. 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).

On behalf of the Presiding Officer, City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney on Item 7A and Section 551.087 Economic Development on Item 7B.

Mayor Pro Tem Joaquin Zamora recessed the meeting at 5:53 pm to go into Executive Session. Mayor Pro Tem Joaquin Zamora reconvened the meeting at 6:18 pm and noting the following city commission members present: Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Tania Ramirez, Commissioner Victor Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca and Mayor Javier Villalobos absent.

A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES OF CONTRACTUAL OBLIGATIONS WITH CHAMBER OF COMMERCE. (SECTION 551.071, T.G.C.)

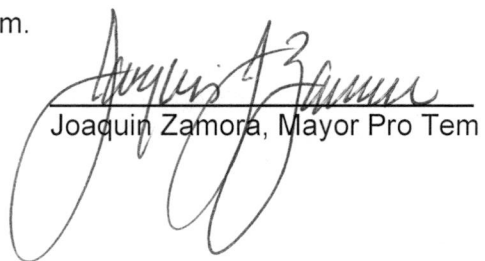
No action.

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

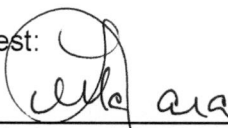
Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize the City Attorney and City Manager to proceed as discussed in executive session and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

ADJOURNMENT

Without objection the meeting was adjourned at 6:19 p.m.


Joaquin Zamora, Mayor Pro Tem

Attest:


Perla Lara, TRMC/CMC, CPM
City Secretary