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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, December 13, 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 Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

Absent: Commissioner Tania Ramirez

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**

**TUBACHRISTMAS DAY**

Commissioner Pro Tem Joaquin Zamora read and presented a proclamation for Tuba Christmas Day.

**CHRISTMAS FOR KIDS**

Commissioner Antonio "Tony" Aguirre, Jr., read and presented a proclamation for Christmas for Kids.

**MCALLEN HIGH STEPPERS 50-YEAR ANNIVERSARY**

Commissioner Victor "Seby" Haddad read and presented a proclamation for McAllen High Steppers 50-year Anniversary.

**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 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.

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 by those present.

**1. REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: ALL OF LOT 25 AND THE SOUTH 50' OF LOT 26, ALANIZ SUBDIVISION, HIDALGO COUNTY, TEXAS; 209 & 217 NORTH 28TH STREET.**

Approved the R-3T Zoning at 209 & 217 North 28th Street, as per Planning and Zoning Commission.

**2. REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO R-3T (MULITFAMILY TOWNHOUSES) DISTRICT; 1.009 ACRES OUT OF LOT 93 LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 5308 NORTH WARE ROAD.**

Approved the R-3T Zoning at 5308 North Ware Road, as per Planning and Zoning Commission.

**3. REZONE FROM R-1 (SINGLE -FAMILY) DISTRICT TO R-3T (MULTIFAMILY TOWNHOUSES) DISTRICT: 3.773 ACRES OUT OF LOT 93 LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 5308 NORTH WARE ROAD (REAR).**

Approved the R-3T Zoning at 5308 North Ware Road (Rear), as per Planning and Zoning Commission.

**B) REZONINGS:**

**1. INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 7.24 (7.02 DEED) ACRES OUT OF LOT 452, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7018 MILE 6 ROAD.**

Staff recommended approval of the initial zoning to R-1 at 7018 Mile 6 Road.

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

**2. 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. (TABLED)**

Said item was withdrawn by applicant.

**C) CONDITIONAL USE PERMITS:**

**1. REQUEST OF JAVIER QUINTANILLA, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN AMENDED PLANNED UNIT DEVELOPMENT AT QUINTA REAL SUBDIVISION, HIDALGO COUNTY, TEXAS, 1820 NORTH TAYLOR ROAD.**

Staff recommended approval of a Conditional Use Permit, for life of the use, for an amended planned unit development at 1820 North Taylor Road, as per Planning and Zoning Commission.

Specific requirements for approval are specified in the Ordinance creating a Planned Unit Development for the subject property and summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.
2. PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing townhouses in an R-1 Zone and common areas.
3. OFF-STREET PARKING AND LOADING: Parking in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback.
4. LANDSCAPING: A minimum of 50% of the area within the required front yard of any residential lot shall be devoted to landscape material including the portion of the front yard located between the property line and the extension of the side yard setback line. Lots 2-30 have an area of 2,800 SF, for a requirement of 175 SF. Lots 2, -30 are only proving 165 SF, being 10 SF short of the requirement. A minimum of one tree is required per lot. A Japanese Blackberry tree is being proposed at every lot.
5. STREETS AND SETBACKS: All requirements for Street development have been approved by the corresponding Departments through the Subdivision review and variances. Setbacks are: (a) Front: North Taylor Road – 45 ft. or line with the average setback of the existing structures,

whichever is greater. (b) Front: Sequoia Avenue- 10 ft., except 18 ft. for garage, or greater for easements. (c) Rear: in accordance with the Zoning Ordinance; (d) Interior Sides: in accordance with the city Corner: 10 ft. or greater for easements; and (e) Garage: 18 ft. except where greater setback is required.

6. DRAINAGE: Quinta Real drainage detention and design and drainage plan have been approved, as the subdivision is already recorded. .
7. ADDITIONAL PROVISIONS: Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 3.956 acres and is providing mixed uses, which include townhouses and common area.
8. Owner, Engineer and Surveyor certification and signature block needs to be shown on the PUD site plan. The site plan does show the required acknowledgements.
9. A recorded subdivision plat and Planned Unit Development site plan is required prior to issuance of building permits. Quinta Real Subdivision has been recorded.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve the Conditional Use Permit as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously by those present.

**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 by those present.

**E) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 7.24 (7.02 DEED) ACRES OUT OF LOT 452, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7018 MILE 6 ROAD.**

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 7018 Mile 6 Road.

Mayor Pro Tem Joaquin Zamora 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 Javier Villalobos 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 Mayor Pro Tem Joaquin Zamora seconded. The motion carried unanimously by those present.

**A) APPROVAL OF MINUTES OF WORKSHOP AND REGULAR MEETING HELD NOVEMBER 22, 2021.**

Approved the minutes of Workshop and Regular Meeting held November 22, 2021, as submitted.

**B) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR THE NORTH 8TH STREET AT CAMELLIA AVENUE DRAINAGE IMPROVEMENTS PROJECT.**

Approved Change Order No. 1 for an additional 10 calendar days resulting in an unchanged contract amount of $197,399.59 for the North 8th Street at Camellia Avenue Drainage Project.

**C) ORDINANCE PERMITTING ADMINISTRATIVE APPROVAL FOR PARKLAND DEDICATION FEES IN LIEU OF LAND WHEN THE REQUIRED DEDICATION IS 99 ACRES OR LESS.**

Adopted an ordinance permitting administrative approval for parkland dedication fees in lieu of land when the required dedication is 99 acres or less.

**D) ORDINANCE AMENDING ORDINANCE 2020-20: FISCAL YEAR 2018 CDBG ACTION PLAN FOR THE DELETION OF BONHAM ELEMENTARY CAMPUS FROM MCALLEN ISD FENCING PROJECT.**

Adopted an ordinance amending Ordinance 2020-20: Fiscal Year 2018 CDBG Action Plan for the deletion of Bonham Elementary Campus from McAllen ISD Fencing Project.

**E) ORDINANCE AMENDING ORDINANCE 2021-46 FOR FISCAL YEAR 2021 CDBG ACTION PLAN TO DELETE AMIGOS DEL VALLE, INC. PROJECT.**

Adopted an ordinance amending Ordinance 2021-46 for Fiscal Year 2021 CDBG Action Plan to delete Amigos Del Valle, Inc. Project.

**F) ORDINANCE AMENDING ORDINANCE 2020-31: FISCAL YEAR 2020 CDBG ACTION PLAN TO DELETE TO GIVE INTERNATIONAL AND APPROVE A PROGRAM AMENDMENT TO RECONCILE BENEFICIARY DATA IN ACCORDANCE WITH THE CITY'S CITIZEN PARTICIPATION PLAN.**

Adopted an ordinance amending Ordinance 2020-31: Fiscal Year 2020 CDBG Action Plan to delete To Give International and approve a program amendment to reconcile beneficiary data in accordance with the City's Citizen Participation Plan.

**G) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), UNDER THE FISCAL YEAR 2021 ASSISTANCE TO FIREFIGHTER GRANT (AFG) PROGRAM.**

Approved a resolution authorizing the submission of a grant application to the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), under the Fiscal Year 2021 Assistance to Firefighter Grant (AFG) Program.

**H) RESOLUTION AUTHORIZING SUPPORT OF THE UNIVERSITY OF TEXAS - RIO GRANDE VALLEY APPLICATION CENTER FOR DISEASE CONTROL AND PREVENTION FOR THE WESTERN GULF CENTER OF EXCELLENCE FOR VECTOR-BORNE DISEASES GRANT PROGRAM.**

Approved a resolution authorizing support of the University of Texas - Rio Grande Valley Application Center for Disease Control and Prevention for the Western Gulf Center of Excellence for Vector-Borne Diseases Grant Program.

**I) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR FUNDING UNDER THE FISCAL YEAR 2023 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) COMPREHENSIVE TRAFFIC SAFETY GRANTS.**

Approved a resolution authorizing the submission of a grant application to the Texas Department of Transportation for funding under the Fiscal Year 2023 Selective Traffic Enforcement Program (STEP) Comprehensive Traffic Safety Grants.

**J) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR FUNDING UNDER THE FISCAL YEAR 2023 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM - COMMERCIAL MOTOR VEHICLE (STEP-CMV) TRAFFIC SAFETY GRANTS.**

Approved a resolution authorizing the submission of a grant application to the Texas Department of Transportation for funding under the Fiscal Year 2023 Selective Traffic Enforcement Program - Commercial Motor Vehicle (STEP-CMV) Traffic Safety Grants.

**K) CONSIDERATION AND APPROVAL OF LEASE AGREEMENT RENEWALS FOR BUS COMPANIES AT MCALLEN CENTRAL STATION.**

Approved a lease agreement renewal for Bus Companies at McAllen Central Station.

**L) CONSIDERATION AND APPROVAL OF A LICENSE AGREEMENT BETWEEN THE CITY OF MCALLEN AND LOS AMIGOS TOWNE HOUSES, UNIT NO. 2 FOR A WALL WITHIN CITY RIGHT OF WAY.**

Approved a License Agreement with Los Amigos Towne Houses Unit No. 2 for Construction of Masonry Wall within City Right-of-Way.

**M) APPROVAL OF TAX REFUNDS OVER $500.00**

Approved tax refunds of over $500.

**1. JOHN G. GUTIERREZ & DIANA VALVERDE**

Approved a tax refund in the amount of $585.68.

**2. CESAR URISAR HIDALGO**

Approved a tax refund in the amount of $736.92.

**3. MABRAN-USA LTD.**

Approved tax refunds in the amounts of $819.86 and $81.99.

**4. JOSE G. ORTEGON JR. & ADRIANA D.**

Approved a tax refund in the amount of $534.88.

**5. COSME M. ROBLES & JESSICA RAMOS**

Approved a tax refund in the amount of $523.45.

**6. JULIAN B. RIVERA, JR.**

Approved tax refunds in the amounts of $647.31 and $583.15.

**7. RUBEN TREVINO**

Approved tax refunds in the amounts of $558.72 and $538.75.

**8. ARNOLD D. & PATRICIA A. DEJOODE**

Approved a tax refund in the amount of $505.44.

**9. EDUARDO GONZALEZ**

Approved a tax refund in the amount of $670.54.

**10. LERETA LLC**

Approved a tax refund in the amount of $829.45.

**11. RIO BANK**

Approved a tax refund in the amount of $1,022.81.

**12. JORELL JESUS VALDEZ**

Approved a tax refund in the amount of $758.34.

**13. WELLS FARGO BANK**

Approved tax refunds in the amount of $744.19, $257.68 and $787.22.

**N) CONSENT COOP PURCHASES**

**1. AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL COMPACT WHEEL LOADER.**

Awarded a contract to Doggett Heavy Machinery Services in the amount of $112,910.22 for the Purchase of One (1) New Current Model Wheel Loader.

**2. AWARD OF CONTRACT FOR THE PURCHASE OF FIFTEEN (15) NEW 2022 POLICE PACKAGED VEHICLES.**

Awarded a contract to Silsbee Ford in the amount of $43,461.64 for the purchase of Eleven (11) New 2022 AWD 4-Door Police Packaged Sport Utility Vehicles. Staff recommended bid for item 1 be rejected and resolicited.

**3. AWARD OF CONTRACT FOR THE PURCHASE OF TEN (10) NEW CURRENT MODEL CAB & CHASSIS WITH VARIOUS REFUSE BODIES.**

Awarded a contract to Chastang Enterprises for Items 1 and 2 in the amount of $1,353,050 and to Doggett Freightliner of South Texas for items 3, 4 and 5 in the amount of $1,074,546 for the purchase of Ten (10) New Current Model Cab & Chassis with various refuse bodies.

**3. BIDS/CONTRACTS**

**A) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR THE ANZALDUAS NORTHBOUND ADDITIONAL LANE EXPANSION PROJECT.**

Staff recommended approval of Change Order No.1 in the amount of $2,145.86 for a revised contract amount of $161,249.86 and an extension of 220 calendar days to the contract for the Anzalduas Northbound Additional Lane Expansion Project.

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

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 by those present.

**B) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 5 FOR ADDITIONAL PROFESSIONAL SERVICES FOR THE ANZALDUAS NORTHBOUND ADDITIONAL LANE EXPANSION PROJECT.**

Staff recommended approval of Contract Amendment No. 5 to Halff Associates for $1,500 (lump sum) for Bidding Services and $5,000 (monthly estimated) for Additional Professional Services for the Anzalduas Northbound Additional Lane Expansion Project.

Commissioner Omar Quintanilla moved to approve Contract Amendment No. 5 as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously by those present.

**C) CONSIDERATION AND APPROVAL OF AN ADVANCED FUNDING AGREEMENT FOR THE ANZALDUAS INTERNATIONAL BRIDGE NORTHBOUND COMMERCIAL INSPECTION FACILITY.**

Staff recommended approval of the Advanced Funding Agreement with the Texas Department of Transportation for the Anzalduas International Bridge Northbound Commercial Inspection Facility.

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

**D) CONSIDERATION AND APPROVAL OF ADVANCED FUNDING AGREEMENT FOR THE ANZALDUAS INTERNATIONAL BRIDGE SOUTHBOUND COMMERCIAL INSPECTION FACILITY.**

Staff recommended approval of the Advanced Funding Agreement with the Texas Department of Transportation for the Anzalduas International Bridge Southbound Commercial Inspection Facility.

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

**E) CONSIDERATION AND APPROVAL OF AWARD OF CONTRACT FOR THE TERMINAL RESTROOM RENOVATIONS AT MCALLEN INTERNATIONAL AIRPORT.**

Staff recommended award of contract to the lowest, responsive and responsible bidder, SAMES, Inc. in the total amount of $969,000.00 with a contract time of 100 calendar days for the Terminal Restroom Renovations at McAllen International Airport.

Comments and concerns were shared by Mayor and Council. Questions were asked relating to projects. Staff answered questions posed by Mayor and Council.

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

**F) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICE AND FEES FOR DELINQUENT MUNICIPAL COURT COST FINE AND FEE COLLECTION ATTORNEYS.**

Staff recommended proceeding with negotiating the scope of service and fees for top ranked firms for delinquent municipal court cost fine and fee collection attorneys.

Mayor Pro Tem Joaquin Zamora moved to proceed with negotiations as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

**G) CONSIDERATION AND APPROVAL OF A LEASE AGREEMENT FOR 'EL PUERTO DE TIO JERRY' AT THE DOWNTOWN PARKING GARAGE FOOD COURT.**

Staff recommended approval of lease agreement for El Puerto de Tio Jerry at the Downtown Parking Garage Food Court.

Mayor Pro Tem Joaquin Zamora moved to approve the lease agreement as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

**H) CONSIDERATION AND POSSIBLE APPROVAL REGARDING A LICENSE AGREEMENT FOR TRANSTELCO, LLC AT THE MCALLEN-HIDALGO INTERNATIONAL BRIDGE.**

Staff recommended approval of a license agreement for Transtelco, LLC at the McAllen International Bridge.

Mayor Pro Tem Joaquin Zamora moved to approve the license agreement as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

**I) CONSIDERATION AND AUTHORIZATION TO ENTER INTO A CONTRACT WITH MCALLEN CHAMBER OF COMMERCE FOR THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDED SMALL BUSINESS PROGRAM BASED ON PROGRAM GUIDELINES.**

Staff recommended approval to enter into a contract with McAllen Chamber of Commerce for the American Rescue Plan (ARPA) funded Small Business Program based on program guidelines.

Comments and concerns were shared by Mayor and Council. Questions were asked relating to: workshop item and home based businesses. Staff answered questions posed by Mayor and Council.

After due consideration, Mayor Pro Tem Joaquin Zamora moved to approve the contract as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

**4. ORDINANCES**

**A) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT FOR PASSPORT FACILITY OFFICE FURNITURE.**

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of $10,000 for Passport Facility Office Furniture.

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

**B) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT FOR ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT FOR COURT ORDERED TIRE CLEANUPS.**

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of $50,000.00 for Environmental Health and Code Enforcement Court ordered Tire Cleanups.

Comments and concerns were shared by Mayor and Council. Questions were asked relating tires and cleanup process. Staff answered questions posed by Mayor and Council.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to adopt the ordinance as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously by those present.

**C) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT IN THE SANITATION DEPRECIATION FUND FOR THE PURCHASE OF TEN (10) NEW CURRENT MODEL CAB & CHASSIS WITH VARIOUS REFUSE BODIES.**

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of $244,000.00 for the purchase of Ten (10) New Current Model Cab & Chassis with various refuse bodies.

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

**D) ORDINANCE AMENDING BLOCK LENGTH REQUIREMENTS.**

Staff recommended adoption of an ordinance amending block length requirements.

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

**5. VARIANCES**

**A) REQUEST OF INDUSTRIAL SIGNS AND WELDING, ON BEHALF OF RBY REYNOLDS ESTATES, LLC., TO CONSIDER A SIGN VARIANCE REQUEST TO ALLOW OFF-PREMISE SIGNAGE AT LOTS 3 AND 10, REYNOLDS ESTATES SUBDIVISION; 2804 & 2600 BUDDY OWENS BOULEVARD.**

Staff recommended approval of the sign variance request of Industrial Signs and Welding, on behalf of RBY Reynolds Estates, LLC., to allow off-premise signage at lots 3 and 10, Reynolds Estates Subdivision; 2804 & 2600 Buddy Owens Boulevard.

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

**B) CONSIDERATION OF VARIANCE REQUESTS TO: A) THE LOT FRONTAGE REQUIREMENT, B) ALLEY REQUIREMENT, C) AND SIDEWALK REQUIREMENT AT THE PROPOSED AEP JAMES ROWE SUBDIVISION, HIDALGO COUNTY, TEXAS; 1621 NORTH WARE ROAD.**

Staff recommended approval of variance requests to: a) the lot frontage requirement, b) alley requirement, c) and sidewalk requirement at the proposed AEP James Rowe Subdivision, Hidalgo County, Texas; 1621 North Ware Road.

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

**C) CONSIDERATION OF A VARIANCE TO THE RIGHT-OF-WAY AND PAVING REQUIREMENTS FOR AN INTERNAL STREET AT THE PROPOSED PASEO DEL LAGO TOWNHOMES SUBDIVISION, HIDALGO COUNTY, TEXAS; 3900 SOUTH JACKSON ROAD.**

Staff recommended approval of a variance to the right-of-way and paving requirements for an internal street at the proposed Paseo del Lago Townhomes Subdivision, Hidalgo County, Texas; 3900 South Jackson Road.

Mayor Pro Tem Joaquin Zamora moved to approve the variance as recommended and seconded by Commissioner Antonio "Tony" Aguirre. The motion carried unanimously.

**D) CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE THE SUBDIVISION PROCESS AT THE 3.333-ACRE TRACT OF LAND OUT OF LOT 31, MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION, HIDALGO COUNTY, TEXAS; 3701 UVALDE AVENUE.**

Staff recommended disapproval of a variance request to not require the subdivision process at the 3.333-acre tract of land out of Lot 31, McAllen First Suburban Citrus Groves Subdivision, Hidalgo County, Texas; 3701 Uvalde Avenue.

A discussion ensued. Comments and concerns were shared by Mayor and Council. Questions were asked regarding property zoning, R1 rezoning, conditions and requirements of subdivision process.

Commissioner Antonio "Tony" Aguirre Jr. moved to approve with stipulated requirements. Motion failed due to lack of a second.

Mayor Javier Villalobos called the question again. Mayor Pro Tem Joaquin Zamora moved to disapprove the variance as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion passed with 5 votes in the affirmative with Commissioner Antonio "Tony" Aguirre Jr. voting against.

**E) CONSIDERATION OF A VARIANCE TO BLOCK LENGTH REQUIREMENTS AT THE PROPOSED THE WOODLANDS ON TAYLOR SUBDIVISION, HIDALGO COUNTY, TEXAS; 701 SOUTH TAYLOR ROAD.**

Staff recommended approval of a variance to block length requirements at the proposed The Woodlands on Taylor Subdivision, Hidalgo County, Texas; 701 South Taylor Road.

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

**6. MANAGER'S REPORT**

**A) COMPREHENSIVE PLAN STEERING COMMITTEE APPOINTMENTS.**

Comments and concerns were expressed by Mayor and Council. After due consideration, Mayor Pro Tem Joaquin Zamora moved to table said item and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

**B) CONSIDERATION AND APPROVAL OF PLEDGE TO PARTICIPATE IN THE IT'S TIME TEXAS COMMUNITY CHALLENGE 2022.**

Staff recommended approval of pledge to participate in the It's Time Texas Community Challenge.

Mayor Pro Tem Joaquin Zamora moved to approve the pledge as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

**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: Boeye Reservoir, City Hall expansion

**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 Items 7A, Section 551.072 Deliberation Regarding Real Property on Item 7B, and Section 551.087 Economic Development on Item 7C.

Mayor Javier Villalobos reconvened the meeting at 6:07 pm and noting the following city commission members present: Mayor Javier Villalobos, Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Victor Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca. Absent: Commissioner Tania Ramirez

**A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF MEDCARE EMS CONTRACT. (SECTION 551.071, T.G.C.)**

No action.

**B) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL PROPERTY; TRACT 1 & TRACT 2. (SECTION 551.072, T.G.C.)**

**7B1** – Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize City Manager and City Attorney to negotiate possible sale or lease of property as described in executive session and seconded by Mayor Pro Tem Joaquin Zamora.

Mayor Javier Villalobos announced that he had a conflict with said and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary. At this time Mayor Pro Tem Joaquin Zamora presided over the meeting and called for item 7B2.

**7B2** - Commissioner Jose R. Pepe Cabeza de Vaca move to authorize City Manager and City Attorney to negotiate terms of a possible transfer of the asset and seconded by Commissioner Victor "Seby" Haddad. The motion passed with 5 votes in the affirmative with Commissioner Omar Quintanilla voting against.

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

**7C1** – Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize City Manager and City Attorney to offer economic development incentives as described in executive session and seconded by Mayor Pro Tem Zamora. The motion carried unanimously by those present.

**7C2** - Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize City Manager and City Attorney to negotiate the economic incentives as described in executive session and seconded by Mayor Pro Tem Zamora. The motion carried unanimously by those present.

**ADJOURNMENT**

Without objection the meeting was adjourned at 6:07 p.m.

Javier Villalobos, Mayor

Attest:

Perla Lara, TRMC/CMC, CPM
City Secretary