

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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, January 10, 2022**, 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

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, Finance Director Sergio Villasana

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

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.

- 1. REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: LOT 5, BLOCK 54, MCALLEN ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 604 SOUTH 15TH STREET.**

Approved the R-3A Zoning at 604 South 15th Street, as per Planning and Zoning Commission.

- 2. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 1.927 ACRES OUT OF LOT 308, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4501 NOLANA AVENUE.**

Approved the R-3A Zoning at 4501 Nolana Avenue, as per Planning and Zoning Commission.

- 3. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 4.5 ACRES OUT OF LOT 308, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4701 NOLANA AVENUE.**

Approved the R-3A Zoning at 4701 Nolana Avenue, as per Planning and Zoning Commission.

- 4. REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: THE SOUTH 10.09 (10.06**

DEED) ACRES OUT OF LOT 407, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7600 NORTH TAYLOR ROAD.

Approved the R-1 Zoning at 7600 North Taylor Road, as per Planning and Zoning Commission.

5. REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 2.754 ACRES OUT OF LOT 11, SECTION 13, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7701 NORTH 10TH STREET (REAR).

Approved the R-3A Zoning at 7701 North 10th Street, as per Planning and Zoning Commission.

6. REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 0.50 ACRES OUT OF LOT 58, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 7701 NORTH 29TH STREET.

Approved the R-1 Zoning at 7701 North 29th Street, as per Planning and Zoning Commission.

7. REQUEST OF ISRAEL VILLARREAL III, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITES I, J, K.

Approved a Conditional Use Permit, for one year, for a bar at 400 Nolana Avenue, Suites I, J, K, as per Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(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 residential zones and uses, however, staff has not received any complaints from the residents;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required from other Conditional Use Permits in this commercial plaza;
- 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, especially those in adjacent residential areas, by providing additional on-site parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, and bars. 729 parking spaces are provided as part of a common parking area in the front and rear of the building. Based on the square footage of the building, 70 parking spaces are required. Parking spaces are provided on site during the applicable hours of operation for this business;
- 4) 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;
- 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.

8. REQUEST OF OL BEVERAGE HOLDINGS, LLC FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOT A2, LOTS A2 AND A3 WICHITA COMMERCIAL PARK, HIDALGO COUNTY, TEXAS; 2121 SOUTH 10TH STREET.

Approved a Conditional Use Permit, for one year, for a bar at 2121 South 10th Street, as per Planning and Zoning Commission.

The establishment must also meet the 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 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 the residential zone/use to the northeast;
- 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 South 10th 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. 65 parking spaces are required and are provided as per site plan.
- 4) The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
- 5) The abovementioned businesses 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 of as much as possible of the site from a public street.
- 6) The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- 7) The abovementioned businesses 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. This number cannot exceed the number provided for in existing city ordinances.

B) REZONINGS:

1. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 1.77 ACRES OUT OF LOT 59, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 2801 AUBURN AVENUE.

Staff recommended approval of the R-3A zoning at 2801 Auburn Avenue, as per Planning and Zoning Commission.

After due consideration Mayor Pro Tem Joaquin Zamora moved to deny and seconded by Omar Quintanilla. Motion failed due to lack of a second.

Mayor Javier Villalobos called the question again. Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the R-3A zoning as recommended and seconded by Commissioner Tania Ramirez. The motion passed with four votes in the affirmative and Commissioner Omar Quintanilla and Mayor Pro Tem Zamora voting against.

2. INITIAL ZONING TO R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT: 9 ACRES (7.73 ACRES NET) OUT OF LOT 452, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7000 MILE 6 ROAD.

Staff recommended approval of the initial zoning to R-2 at 7000 Mile 6 Road.

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

3. INITIAL ZONING TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 25.140 ACRES OUT OF LOT 445, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 9000 NORTH SHARY ROAD.

Staff recommended approval of the initial zoning to R-3A at 9000 North Shary Road.

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

After due consideration, Mayor Pro Tem Joaquin Zamora moved to approve the initial zoning as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

4. INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 10.201 ACRES OUT OF LOT 445, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 9400 NORTH SHARY ROAD.

Staff recommended approval of the initial zoning to R-1 at 9400 North Shary Road.

Mayor Pro Tem Joaquin Zamora moved to approve the initial zoning as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

5. INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 1 ACRE OUT OF WEST ½ OF THE WEST ½ OF LOT 131, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 11208 NORTH BENTSEN ROAD.

Staff recommended approval of the initial zoning to R-1 at 11208 North Bentsen Road.

Mayor Pro Tem Joaquin Zamora moved to approve the initial zoning as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

6. INITIAL ZONING TO C-3 (GENERAL BUSINESS) DISTRICT: 1.75 ACRES OUT OF LOTS 147 AND 148, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 9500 NORTH WARE ROAD.

Staff recommended approval of the initial zoning to C-3 at 9500 North Ware Road.

Commissioner Omar Quintanilla announced that he had a conflict with item 1B6 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

Comments and concerns were shared. Questions were raised as to initial zoning, Ware Road, irrigation canal and future extension, commercial rezoning and Freddy Gonzalez. Staff answered questions posed by Council.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the initial zoning as recommended and seconded by Commissioner Antonio "Tony" Aguirre. The motion passed with 5 votes in the affirmative with Commissioner Omar Quintanilla in abstention.

7. INITIAL ZONING TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 8.70 ACRES OUT OF LOTS 147 AND 148, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 9500 NORTH WARE ROAD (REAR).

Staff recommended approval of the initial zoning to R-3A at 9500 North Ware Road (rear).

Commissioner Omar Quintanilla announced that he had a conflict with item 1B7 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the initial zoning as recommended and seconded by Commissioner Antonio "Tony" Aguirre. The motion passed with 5 votes in the affirmative with Commissioner Omar Quintanilla in abstention.

C) CONDITIONAL USE PERMIT:

1. REQUEST OF ROBERTO GARZA, ON BEHALF OF GARMAN INVESTMENTS, LP, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PLANNED UNIT DEVELOPMENT AT 13.116 ACRES OUT OF LOTS 234 AND 235, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 6100 NORTH BENTSEN ROAD.

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.

- E) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 9 ACRES (7.73 ACRES NET) OUT OF LOT 452, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 7000 MILE 6 ROAD.**

Mayor Javier Villalobos called the public hearing to order.

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

- F) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 25.140 ACRES OUT OF LOT 445, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 9000 NORTH SHARY ROAD.**

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 9000 North Shary Road.

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

- G) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 10.201 ACRES OUT OF LOT 445, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 9400 NORTH SHARY ROAD.**

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 9400 North Shary Road.

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

- H) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 10.45 ACRES OUT OF LOTS 147 AND 148, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 9500 NORTH WARE ROAD.**

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 9500 North Ware Road.

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

- I) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 1 ACRE OUT OF LOT 131, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 11208 NORTH BENTSEN ROAD.**

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 11208 North Bentsen Road.

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

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 Commissioner Tania Ramirez seconded. The motion carried unanimously.

A) APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 13, 2021.

Approved the minutes of Regular Meeting held December 13, 2021.

B) AWARD OF CONTRACT FOR JANITORIAL CLEANING SERVICES FOR THE MCALLEN PUBLIC LIBRARY.

Awarded a contract to SIMPLYOFS LLC in the amount of \$104,130.00 for Janitorial Cleaning Services for the McAllen Public Library.

C) CONSIDERATION AND AUTHORIZATION TO REMOVE 3RD QUARTER OF FISCAL YEAR 2020-21 UNCOLLECTIBLE SANITATION & DRAINAGE FEE ACCOUNTS FROM THE GENERAL LEDGER AND BEGIN WRITE-OFF PROCEDURES.

Approved authorization to remove 3rd Quarter of Fiscal Year 2020-2021 Uncollectible Sanitation and Drainage Accounts from General Ledger and begin Write-Off procedures.

D) CONSIDERATION AND APPROVAL OF A TEMPORARY EXTENSION TO THE GROUNDS MAINTENANCE CONTRACT.

Approved a temporary contract extension of up to 90 days to Rod'z Lawncare and Landscaping for Ground Maintenance.

E) RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN FEDERAL AVIATION ADMINISTRATION (FAA) CONCESSIONS RENT RELIEF AIRPORT RESCUE GRANT.

Approved a resolution authorizing the acceptance of a Federal Aviation Administration (FAA) Concessions Rent Relief Airport Rescue Grant.

F) APPROVAL OF TAX REFUNDS OVER \$500.00.

Approved tax refunds of over \$500.

1. BAKER DISTRIBUTING CO. #712

Approved a tax refund in the amounts of \$868.91 and \$612.56.

2. JUAN A. GARCES JR. & CYNTHIA A.

Approved a tax refund in the amount of \$1,033.35.

3. FRANCISCO JOSE GARDEA

Approved a tax refund in the amount of \$519.56.

4. HOLLIS D. MILLS & MONETTE O. JASSO

Approved a tax refund in the amount of \$759.74.

5. ARMANDO NAVARRO

Approved a tax refund in the amounts of \$431.88 and \$431.88.

6. WINTHROP RESOURCES CORP.

Approved a tax refund in the amount of \$1,326.53.

3. BIDS/CONTRACTS

A) CONSIDERATION AND SELECTION OF TOP RANKED FIRMS FOR MCALLEN FIRE STATION #8 AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICES AND FEE SCHEDULE.

Staff recommended selection of the top ranked firm and seeks authorization to negotiate scope and fee for these services. Additionally, if negotiations are not successful with the recommended firm, staff recommends that, with the city manager's approval, negotiations cease and commence with the next ranked firm on the list.

Discussion ensued. Comments and concerns were shared by Mayor and Council. Questions were asked relating to criteria, proposals, consider splitting the firms, evaluation and ranking for firms, recent projects with top ranked firm,

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

B) CONSIDERATION AND SELECTION OF TOP RANKED FIRMS FOR MCALLEN FIRE FIGHTER TRAINING FACILITY AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICES AND FEE SCHEDULE.

Staff recommended selection of the top ranked firm and seeks authorization to negotiate scope and fee for these services. Additionally, if negotiations are not successful with the recommended firm, staff recommends that with the city managers' approval, negotiations cease and commence with the next ranked firm on the list.

Mayor Pro Tem Joaquin Zamora moved to approve the selection as recommended and seconded by Commissioner Victor "Seby" Haddad. Motion passed with 4 votes in the affirmative and Commissioner Antonio "Tony" Aguirre Jr. and Commissioner Tania Ramirez voting against.

4. 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.

Comments and concerns were shared by Council. Questions were raised relating to separation of meets and bounds, subdivision process, option 2 and reimbursements.

Commissioner Antonio "Tony" Aguirre moved to approve option 2 and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

5. 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: Update on Animal Shelter

6. TABLED ITEM(S)

A) COMPREHENSIVE PLAN STEERING COMMITTEE APPOINTMENTS.

Commissioner Victor "Seby" Haddad moved to appoint nominations as recommended and seconded by Mayor Pro Tem Joaquin Zamora. Motion carried unanimously.

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 7B and Section 551.087 Economic Development on Item 7A.

Mayor Javier Villalobos recessed the meeting at 6:15 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 6:50 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 Tania Ramirez, Commissioner Victor Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

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

7A1 – Commissioner Jose. R. "Pepe" Cabeza de Vaca moved to authorize City Manager and City Attorney to communicate to developer the recommendation of staff with respect to the design criteria that was discussed and conditions attached thereto and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

7A-2 – Mayor Pro Tem Joaquin Zamora moved to authorize to offer the economic development incentives as discussed in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

7A-3 - No action.

B) CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION - CIVIL ACTION NO. 7:21-CV-00493; FALCON RIVERA JR. V DANIEL CRUZ AND CITY OF MCALLEN. (SECTION 551.071, T.G.C.)

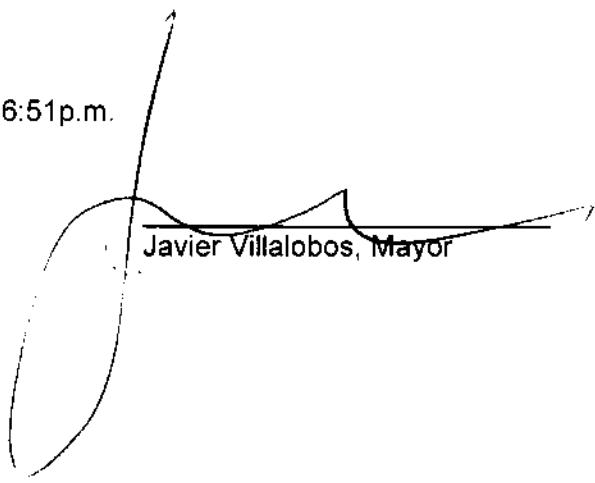
Mayor Pro Tem Joaquin Zamora moved to authorize City Attorney to defend the City in the lawsuit and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

ADJOURNMENT

Without objection the meeting was adjourned at 6:51p.m.

Attest:


Perla Lara, TRMC/CMC, CPM
City Secretary


Javier Villalobos, Mayor