

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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, February 14, 2022**, at 5:00 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 Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

Absent: Mayor Javier Villalobos, 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 Eduardo Mendoza, Planning Director Edgar Garcia, Finance Director Sergio Villasana

CALL TO ORDER

Mayor Pro Tem Joaquin Zamora called the meeting to order.

PRESENTATION

CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Sergio Villasana received award.

PROCLAMATION

ARBOR DAY CELEBRATION

Commissioner Antonio "Tony" Aguirre, Jr. read and presented a proclamation for ***Arbor Day Celebration***.

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.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Routine Items section of the agenda and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

- 1. REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 4, BLOCK 57, SOUTH MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 708 SOUTH 17TH STREET.**

Approved the C-3 Zoning at 708 South 17th Street, as per Planning and Zoning Commission.

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

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

3. REQUEST OF ESAUL PADILLA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AUTOMOTIVE SERVICE AND REPAIR (TRUCK ACCESSORIES), AT LOTS 11 & 12, BLOCK 2, WEST ADDITION TO MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 2241 DALLAS AVENUE, SUITE A.

Approved a Conditional Use Permit, for one year, and adoption of an ordinance, for automotive service and repair at 2241 Dallas Avenue, Suite A, as per Planning and Zoning Commission.

The business must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property is approximately 14,000 sq. ft.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The applicant is proposing to work inside the main structure.
- 3) Outside storage of materials is prohibited.
- 4) The building where the work is to take place shall be at least 100 ft. from the nearest residence. The building is adjacent to single-family residential use to the east, south and north.
- 5) A 6 ft. opaque fence buffered the proposed use from any residential use or residentially zoned area is required. There is an existing block wall, 6'-3" in height.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

B) REZONINGS:

1. REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 39.785 ACRES OUT OF LOTS 138 AND 137, LA LOMITA IRRIGATION AND CONSTRUCTION CO. SUBDIVISION, HIDALGO COUNTY, TEXAS; 2501 NORTH WARE ROAD.

Staff recommended approval of the R-3A zoning at 2501 North Ware Road, as per Planning and Zoning Commission.

Nedra Kinerk, Charles Hvass, Miguel Mujica, William Langham spoke in opposition of the request. Mr. Reyna and Mr. Ericson spoke in favor of the request.

After due consideration, Omar Quintanilla moved to approve the R-3A zoning and seconded by Jose R. "Pepe" Cabeza de Vaca. The motion passed with 4 votes in the affirmative with Commissioner Antonio "Tony" Aguirre, Jr. voting against.

2. REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: 37.571 ACRES OUT OF LOTS 138 AND 137, LA LOMITA IRRIGATION AND CONSTRUCTION CO. SUBDIVISION, HIDALGO COUNTY, TEXAS; 2601 NORTH WARE ROAD.

Staff recommended approval of the R-1 zoning at 2601 North Ware Road, as per Planning and Zoning Commission.

After due consideration, Omar Quintanilla moved to approve the R-1 zoning and seconded by Jose R. "Pepe" Cabeza de Vaca. The motion passed with 4 votes in the affirmative with Commissioner Antonio "Tony" Aguirre, Jr. voting against.

3. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 9.985 ACRES OUT OF LOTS 297 AND 298, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 3224 NORTH TAYLOR ROAD.

Staff recommended approval of the R-3A zoning at 3224 North Taylor Road, as per Planning and Zoning Commission.

Commissioner Antonio "Tony" Aguirre, Jr., moved to approve the R-3A zoning as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

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

Commissioner Omar Quintanilla moved to amend the Zoning Ordinance 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 Omar Quintanilla moved to approve the items listed on the Consent Agenda with the exception of Items 2J, 2L and 2N to be addressed separately and Commissioner Antonio "Tony" Aguirre, Jr. seconded. The motion carried unanimously by those present.

A) APPROVAL OF MINUTES OF WORKSHOP AND REGULAR MEETING HELD JANUARY 24th AND SPECIAL MEETING HELD JANUARY 27, 2022.

Approved the Minutes of Workshop and Regular Meeting held January 24th and Special Meeting held January 27, 2022.

B) AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) PATCH TRUCK.

Awarded a contract to Rush Truck Centers in the amount of \$232,027.00 for the purchase of One (1) Patch Truck.

C) AWARD OF CONTRACT FOR THE PURCHASE OF A POLICE DEPARTMENT BACKUP SOLUTION REPLACEMENT.

Awarded a contract to Dell Technologies in the amount of \$51,870.16 for the purchase of a Police Department Backup Solution Replacement.

D) CONTRACT AMENDMENT AND AWARD OF CONTRACT FOR THE PURCHASE OF SOFTWARE FROM TYLER TECHNOLOGIES.

Awarded a contract to Tyler Technologies in the amount of \$286,612.00 for the purchase of Fire Records Management Software.

E) AWARD OF CONTRACT FOR THE MCALLEN-HIDALGO FMCSA SAND OIL INTERCEPTOR PROJECT.

Awarded a contract to Ruds Engineering and Construction Services in the amount of \$88,000.00 for the McAllen-Hidalgo FMCSA Sand Oil Interceptor project.

F) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH HIDALGO COUNTY IRRIGATION DISTRICT NUMBER 1 FOR CONSTRUCTION AND MAINTENANCE OF DOVE AVENUE ON DISTRICT RIGHT-OF-WAY.

Approved an Interlocal Agreement with Hidalgo County Irrigation District Number 1 for construction and maintenance of Dove Avenue on District Right-of-Way.

G) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF MCALLEN AND HIDALGO COUNTY LIBRARY SYSTEM.

Approved an Interlocal Agreement between the City of McAllen and Hidalgo County Library System.

H) CONSIDERATION AND APPROVAL OF AN AGREEMENT FOR FISCAL YEAR 2021-2022 TXDOT ALLOCATION FUNDING SPLIT.

Approved an Agreement for Fiscal Year 2021-2022 TXDOT Allocation Funding Split.

I) CONSIDERATION AND APPROVAL OF FEDERAL TRANSIT ADMINISTRATION & TXDOT CERTIFICATIONS & ASSURANCES.

Approved the Federal Transit Administration & TXDOT Certifications & Assurances.

J) CONSIDERATION AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE INTERNATIONAL MUSEUM OF ART AND SCIENCE (IMAS) FOR THE CONSTRUCTION OF THE STEAM WING.

Commissioner Omar Quintanilla moved to approve a Memorandum of Understanding with the International Museum of Art and Science (IMAS) for the construction of the STEAM Wing and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

K) CONSIDERATION AND POSSIBLE APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF GRANJENO TO ALLOW THE CITY OF MCALLEN TO PROVIDE STREET SWEEPING SERVICES PRIOR TO ARBOR DAY RUN.

Approved a Memorandum of Understanding with the City of Granjeno to allow the City of McAllen to provide street sweeping services prior to Arbor Day run.

L) ORDINANCE PROVIDING FOR THE ABANDONMENT OF A 0.16 ACRE-TRACT OF LAND BEING A ROAD ROW OUT OF LOT 147 AND THE SOUTH 0.45 OF AN ACRE OF LOT 148, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 9500 NORTH WARE ROAD.

Commissioner Omar Quintanilla announced that he had a conflict with item 2L and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Commissioner Victor "Seby" Haddad moved to adopt an ordinance providing for the abandonment of a 0.16 acre-tract of land at 9500 North Ware Road and seconded by Antonio "Tony" Aguirre, Jr. The motion passed with 4 votes in the affirmative and Commissioner Omar Quintanilla in abstention.

M) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISIONS, UNDER THE TEXAS BORDER SECURITY BILL.

Approved a resolution authorizing the submission of a grant application to the Texas Office of the Governor, Criminal Justice Divisions, under the Texas Border Security Bill.

N) APPROVAL OF TAX REFUNDS OVER \$500.00.

Commissioner Victor "Seby" Haddad announced that he/she had a conflict with item 2N5 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Commissioner Omar Quintanilla moved to approve the tax refunds as follows and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion passed with 4 votes in the affirmative and Commissioner Victor "Seby" Haddad in abstention.

Approved tax refunds of over \$500.

1.GABRIEL & ADRIANA ACOSTA

Approved a tax refund in the amount of \$532.39.

2. NELDA D. KIESEWETTER, IND. EXEC.

Approved a tax refund in the amount of \$1,266.18.

3. ALFREDO PEREZ & RITA SANTILLAN

Approved a tax refund in the amount of \$545.02.

4.SUHASH & SAROJINI BOSE LP

Approved tax refunds in the amounts of \$186.21, \$182.98, \$226.42 and \$193.45

5.THOMAS W. WILKINS

Approved tax refunds in the amounts of \$1,013.84 and \$466.46.

6.PNC MORTGAGE

Approved a tax refund in the amount of \$1,129.13.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THE PURCHASE AND INSTALLATION OF INCLUSIVE PLAYGROUND AT LOS ENCINOS PARK AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH HIDALGO COUNTY PRECINCT 2.

Staff recommended award of contract to Experplay in the amount of \$499,96.66 for the purchase and installation of inclusive playground at Los Encinos Park and approval of an interlocal agreement with Hidalgo County Precinct 2.

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

B) AWARD OF CONTRACT FOR THE PURCHASE AND INSTALLATION OF LIGHTING AT LAS PALMAS PARK.

Staff recommended award of contract to Musco Sports Lighting, LLC in the amount of \$101,500.00 for the purchase and installation of lighting at Las Palmas Park.

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

C) AWARD OF CONTRACT FOR THE PURCHASE AND INSTALLATION OF SYNTHETIC TURF FIELDS AT LAS PALMAS PARK.

Staff recommended award of contract to Turfallaince in the amount of \$345,281 for the purchase and installation of synthetic turf fields at Las Palmas.

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

D) AWARD OF CONTRACT FOR THE PURCHASE OF 18 SINGLE HEAD MOBILE RADIOS AND 10 DUAL HEAD MOBILE RADIOS.

Staff recommended award of contract to Motorola Solutions in the amount of \$172,924.36 for the purchase of 18 single head mobile radios and 10 dual head mobile radios.

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

E) AWARD OF CONTRACT FOR ARCHITECTURAL DESIGN SERVICES FOR THE NEW FIREFIGHTER TRAINING FACILITY CENTER.

Staff recommended award of contract to Gignac & Associates, LLP in the amount of \$263,760.00 for the new firefighter training facility center.

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

F) AWARD OF CONTRACT FOR ARCHITECTURAL DESIGN SERVICES FOR THE NEW FIRE STATION NO. 8.

Staff recommended award of contract to Gignac & Associates, LLP in the amount of \$261,260 for the design services for the new fire station no. 8.

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

G) AWARD OF CONTRACT FOR ARCHITECTURAL DESIGN SERVICES FOR TRAFFIC OPERATIONS RENOVATION.

Staff recommended award of contract to Negrete & Kolar Architects, LLP in the amount of \$77,174.40 for the design services for the Traffic Operations Renovation.

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

H) CONSIDERATION AND SELECTION OF FIRM FOR ENGINEERING SERVICES FOR THE DRAINAGE MASTER PLAN.

Staff recommended selection of Halff Associates for engineering services for the drainage master plan.

Commissioner Omar Quintanilla moved to make selection of firm as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

I) CONSIDERATION AND APPROVAL OF AWARDS OF A CONSTRUCTION CONTRACT FOR DEMOLITIONS OF VARIOUS STRUCTURES.

Staff recommended awards of a Construction Contract for Demolitions of Various Structures.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to award the contracts as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

4. ORDINANCES

A) PROVIDING FOR A BUDGET AMENDMENT TO FUND THE INDUSTRIAL PARK PROJECT.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$995,000 to fund the Industrial Park Project.

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.

B) PROVIDING FOR A BUDGET AMENDMENT FOR THE ANZALDUAS BRIDGE NORTHBOUND AND SOUTHBOUND COMMERCIAL INSPECTION STATION.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$242,174.00 for the Anzalduas Bridge Northbound and Southbound Commercial Inspection Station.

Commissioner Antonio "Tony" Aguirre, Jr. moved to adopt the ordinance as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

C) DISCUSSION AND CONSIDERATION OF ADOPTION OF MCALLEN PROPERTY MAINTENANCE CODE.

Staff recommended adoption of an ordinance providing for the adoption of McAllen Property Maintenance Code.

Commissioner Antonio "Tony" Aguirre, Jr. moved to adopt the ordinance as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

5. MANAGER'S REPORT

A) CONSIDERATION AND ACCEPTANCE OF CHARITABLE DONATION OF LAND FOR FIRE STATION #8.

Staff recommended acceptance of charitable donation of land for Fire Station No. 8.

Commissioner Omar Quintanilla moved to accept the donation of land and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

B) ADVISORY BOARD APPOINTMENTS.

AIRPORT ADVISORY BOARD

Commissioner Antonio "Tony" Aguirre Jr. nominated Barry Patel.

CIVIC CENTER ADVISORY BOARD

Commissioner Victor "Seby" Haddad nominated Rebecca E. Ramirez.

DISABILITY BOARD

Commissioner Jose R. "Pepe" Cabeza de Vaca nominated Sofia Pena.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to accept the nominations and seconded by Commissioner Victor "Seby" Haddad. 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: No future agenda items.

6. 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 6A, 6D, 6E, 6F and 6G Section 551.072 Deliberation Regarding Real Property on Item 6B and Section 551.087 Economic Development on Item 6C.

Mayor Pro Tem Joaquin Zamora recessed the meeting at 6:14 pm to go into Executive Session. Mayor Pro Tem Joaquin Zamora reconvened the meeting at 7:04 pm and noting the following city commission members present: 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: Mayor Javier Villalobos and Commissioner Tania Ramirez

A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF PENDING TEXAS OPIOID LITIGATION. (SECTION 551.071, T.G.C.)

Commissioner Antonio "Tony" Aguirre, Jr. moved to authorize City Manager and City Attorney to take the acts necessary to effectuate the execution of the Texas subdivision in special election release form to further our participation in the statewide opioid settlement and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

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

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize City Manager and City Attorney to take the steps necessary to acquire the real property described in executive session and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

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

6C-1 Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize the city manager and city attorney to prepare an amendment to the incentive agreement to extend or to modify the agreement so that incentives commence in the calendar year 2021 as described in executive session with no other changes to the terms of the agreement and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

6C-2 Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize the city manager and city attorney to extend economic development incentives as described in executive session and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

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

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorize the City Manager and City Attorney and working with the city fire chief to take the actions described in executive session and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

E) CONSULTATION WITH CITY ATTORNEY REGARDING ENFORCEMENT OF ORDINANCES. (SECTION 551.071, T.G.C.)

Commissioner Antonio "Tony" Aguirre Jr. instructed City Attorney to enforce the code of ordinances to the extent permitted by law and report back with future recommendations with respect to that matter based on the discussion in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

F) CONSULTATION WITH CITY ATTORNEY REGARDING POTENTIAL REAL ESTATE LITIGATION RELATED TO VERDIN HEIGHTS - PHASE II SUBDIVISION UTILITY CONNECTIONS, TO WIT: CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN PROPERTY MORE SPECIFICALLY DESCRIBED AS: A 0.42- ACRE TRACT OF LAND, MORE OR LESS, DESCRIBED AS AN APPROXIMATELY 12.5 FOOT BY 520 FOOT STRIP, OUT OF THE NORTHERN BOUNDARY OF PLANTATION GAP PHASE I SUBDIVISION, SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, MORE PARTICULARLY BY METES AND BOUNDS ON FILE WITH THE CITY SECRETARY. (SECTION 551.071, T.G.C.)

Legal Counsel announced that item 6F required a record vote.

Commissioner Antonio "Tony" Aguirre, Jr. moved that the City of McAllen authorize city of McAllen of McAllen commission entertain a motion whereby the city commission moves that the city of McAllen authorize the use of the power of eminent domain to acquire the following parcel of land; a 0.42- acre tract of land, more or less, described as an approximately 12.5 foot by 520 foot strip, out of the northern boundary of plantation gap phase i subdivision, situated in the city of McAllen, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds on exhibit a presented to the city commission and attached to the resolution presented to the city commission and incorporated with this motion for all purposes and presented to the city commission save and accept all oil, gas, mineral and sulfur rights made part hereof for all purposes for the utility connections in McAllen, Texas and other necessary and related public purpose. Commissioner Victor "Seby" Haddad seconded the motion. The vote on the motion carried as follows: Ayes Commissioner Antonio "Tony" Aguirre, Joaquin Zamora, Omar Quintanilla, Victor "Seby" Haddad, Jose R. "Pepe" Cabeza de Vaca, Absent: Mayor Javier Villalobos and Commissioner Tania Ramirez

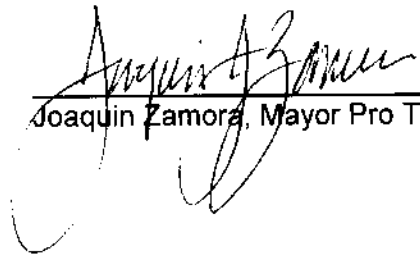
Considered, passed and approved this 14th of February 2022, at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with VTCA, Government Code 551.001.

G) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF FUNDING OUTSIDE AGENCIES. (SECTION 551.071, T.G.C.)

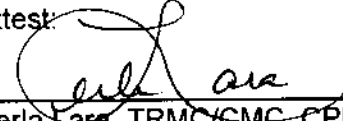
No action.

ADJOURNMENT

Without objection the meeting was adjourned at 7:10 p.m.



Joaquin Zamora, Mayor Pro Tem

Attest: 

Perla Lara, TRMC/GMC, CPM
City Secretary