STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Board of Commissioners convened in a Joint Meeting on Monday, **September 26, 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 Rodolfo "Rudy" Castillo, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

MPUB: Chairman Charles Amos, Trustee Ricardo R. Godinez, Mayor Javier Villalobos

Absent: Albert Cardenas and Ernest Williams

Staff: City Manager Roy Rodriguez, General Manager Mark A. Vega, 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 Javier Villalobos called the meeting to order.

PRESENTATION

RECOGNITION OF INTERNATIONAL FESTIVALS AND EVENTS ASSOCIATION (IFEA) AWARDS

Assistant City Manager Joe Vera recognized staff for International Festivals and Events Association (IFEA) Awards.

PROCLAMATIONS

PROSTATE CANCER AWARENESS MONTH

Mayor Pro Tem Joaquin Zamora read and presented a proclamation for Prostate Cancer Awareness Month.

DEAF AWARENESS MONTH

Commissioner Antonio "Tony" Aguirre read and presented a proclamation for Deaf Awareness Month.

PASSPORT DIVISION 15TH ANNIVERSARY

Commissioner Victor "Seby" Haddad read and presented a proclamation for Passport Division 15th 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 ITEM: (ALL REZONINGS AND CONDITIONAL USE PERMITS LISTED UNDER THIS SECTION COME WITH A FAVORABLE RECOMMENDATION FROM THE PLANNING & ZONING COMMISSION AND WILL BE ENACTED BY ONE MOTION. HOWEVER, IF THERE IS OPPOSITION AT THE MEETING OR A DISCUSSION IS DESIRED, THAT ITEM(S) WILL BE REMOVED FROM THE ROUTINE ITEMS SECTION OF THE AGENDA AND WILL BE CONSIDERED SEPARATELY.)

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. No one spoke in opposition of the request.

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. REQUEST OF VICENT G. HUEBINGER, ON BEHALF OF SBA COMMUNICATIONS, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A PERSONAL WIRELESS SERVICE FACILITY, AT A 750 SQ. FT. LEASE AREA AND A 20 FEET WIDE ACCESS AND UTILITY EASEMENT OUT OF LOT 4, BLOCK 3 (RAILROAD RIGHT OF WAY), STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 151 EAST TRENTON ROAD.

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. No one spoke in opposition of the request.

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for a personal wireless service facility at 151 East Trenton Road, as per Planning and Zoning Commission.

The request must comply with requirements set forth in Section 138-118(11) of the zoning ordinance as follows:

1. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure; The applicant is not locating within a commercial zone.
2. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized; The applicant is proposing to construct a 84 ft. in height monopole
3. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone; There is no other pole structure on property.
4. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flagpole, or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation; Collocation for proposal is not possible.
5. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower; There are no co-locatable towers within 1,000 feet.
6. Must comply with applicable setbacks.
7. A masonry wall shall be required as a buffer if pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone.
8. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment.
9. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting; A 6 ft. wooden fence will be built along the south side property line.
10. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures.
11. A permittee shall exercise good faith in collocating with other providers and sharing the permitted structure, provided such shared use does not give rise to a substantial technical level impairment of the ability to provide the permitted use (i.e., a significant interference in broadcast or reception capabilities as opposed to a competitive conflict or financial burden). Such good faith shall include sharing technical information to evaluate the feasibility of colocation. In the event a dispute arises as to whether a permittee has exercised good faith

in accommodation other users, the city may require a third-party technical study at the expense of either or both the applicant and permittee.

12. All conditional use applicants shall demonstrate good-faith, reasonable efforts in developing a collocation alternative for their proposed personal wireless service facility site, which efforts shall be documented to the city and shall include, but not be limited to, providing technical details sufficient to determine co-locations efforts. If the applicant asserts that co-location is not possible, the applicant must provide, in addition to the foregoing, an affidavit in a form provided by the city stating that all efforts to collocate the personal wireless facility at an existing facility have been exhausted and that there is no possibility of co-location on the existing towers.
13. Failure to comply with the collocation requirements of this section may result in the denial of a permit request or revocation of an existing permit.
14. If any applicant provides false or misleading information on their application, or in the application process to obtain a permit for a personal wireless facility, then their application may be denied or revoked at the expense of the applicant or the permittee.
15. If property is leased, term of conditional use permit shall be co-terminus with that term of lease of property.
16. Construction of tower and equipment facilities shall meet applicable building codes and wind loads.
17. Notwithstanding the above conditions, to the extent an applicant is fully qualified as an eligible facilities request under Section 6409, in the event of a conflict between the above conditions in this subsection and those criteria and conditions in section 138-1.A., above, and the 2014 Infrastructure Order, then section 138-1.A., and the 2014 Infrastructure Order control, subject to the city reservation of rights, as set forth in the preface to section 138-1.A.

B) REZONING:

1. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOTS 7 AND 8, SAVE AND EXCEPT THE NORTH 15 FEET OF LOT 8, BLOCK 1, RENKEN'S ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 601 NORTH 9TH STREET. (TABLED)

Staff mentioned that said item will remain table.

C) CONDITIONAL USE PERMITS:

1. REQUEST OF YAIR CRUZ FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR AN EVENT CENTER AT EAST 91.2 FEET OF LOT 1, LOT 2 AND SOUTH 30.57 FEET OF LOT 3, BLOCK 2, EXCLUDING THE SOUTH 16 FEET, WEST 48.8 FEET OF LOT 2, MCALLEN ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 1100 AUSTIN AVENUE.

Staff recommended disapproval of a Conditional Use Permit and adoption of an ordinance for one year, for an event center at 1100 Austin Avenue, as per Planning and Zoning Commission.

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. The following spoke in opposition to the conditional use permit: Jessica Delgado, Angela Millis. Mr. Yair Cruz spoke in favor of the request.

City Attorney mentioned that since the request came with a negative recommendation from the Planning and Zoning Board and would require a super majority vote to overturn Planning and Zoning recommendation.

A lengthy discussion ensued. Comments and concerns were expressed by Council. Questions were asked relating to BYOB, Parking, Times. Staff answered questions posed by the Council.

After due consideration, Mayor Pro Tem Joaquin Zamora moved to disapprove the Conditional Use Permit as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

2. REQUEST OF SHAWN M. MENDIOLA, ON BEHALF OF STICK LIZARDS BAR AND GRILL, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR AND GRILL AT LOT 25 AND THE WEST ½ OF LOT 26, GARTMAN'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 1113 UPAS AVENUE.

Staff recommended disapproval of a Conditional Use Permit and adoption of an ordinance, for one year, for a bar and grill at 1113 Upas Avenue, as per Planning and Zoning Commission.

Commissioner Antonio "Tony" Aguirre, Jr. announced that he had a conflict with Item 1C2 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. Mr. Arturo Chapa spoke in opposition to the conditional use permit.

A lengthy discussion ensued. Comments and concerns were issued relating to operating as a bar and enforce denial of conditional use permit. Staff answered questions posed by the Council.

After due consideration, Mayor Pro Tem Joaquin Zamora moved to disapprove the Conditional Use Permit as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

3. REQUEST OF RICARDO VEGA AND MELINDA V. VEGA, ON BEHALF OF MADDIE'S PUMPKIN PATCH, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER (PICTURE VENUE) AT 4.983 ACRES OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6712 NORTH BENTSEN ROAD.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for an event center at 6712 North Bentsen Road, 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. of residential properties; however, the proposed hours are operation is from 9:00 A.M. to 8:00 P.M.
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 North Bentsen Road.
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 picture venue and event area, 1,525 parking spaces are required and no paved parking spaces are provided. A 3 ½ acre of unpaved tract is being used for the parking area. On-site parking will need to be paved and striped and be clear of potholes to comply with City standards.
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.

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. No one spoke in opposition of the request.

A lengthy discussion ensued. Comments and concerns were expressed by Council. Questions were asked regarding applicant comply with conditions, opposition to the request and complaints. Questions posed by Council were answered.

Mayor Pro Tem Joaquin Zamora moved to approve the Conditional Use Permit subject to complying with the dust mitigation and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

4. REQUEST OF JAVIER HERNANDEZ, ON BEHALF OF PENDULUM DEVELOPMENT INC., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR,

AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER AT LOTS 7 AND 8, BLOCK 45, NORTH MCALLEN ADDITION, HIDALGO COUNTY, TEXAS, 220 NORTH MAIN STREET.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for an event center at 220 North Main Street, as per Planning and Zoning Commission.

Commissioner Victor "Seby" Haddad announced that he had a conflict with Item 1C4 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

The applicant must obtain the required health permits. 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 vacant church.
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 access to Business 83 via Cedar Avenue and North Main Street.
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 of the multi-purpose area and conference rooms, 70 parking spaces are required and 70 spaces are provided. A recorded parking agreement is required, and the parking lots must be paved according to Section 138-400 of the Zoning Ordinance, free of potholes, and clearly 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 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 considered the recommendations of the Fire Marshal, Building Official and Planning Director.

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. Dora Elena Rashid, Javier Hernandez and Jessica Delgado spoke in favor of the conditional use permit.

A lengthy discussion ensued. Comments and concerns were expressed by Council. Questions were asked regarding parking space availability for residents, downtown district, overcrowding in the areas, parking agreements, number of occupancies, previous use | activities, event center occupancy, certificate of occupancy and traffic control. Staff answered questions posed by Council were answered.

After due consideration, Commissioner Omar Quintanilla moved to approve the conditional use permit subject to parking agreement being recorded and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion passed with 4 votes in the affirmative with Mayor Pro Tem Joaquin Zamora voting against and Commissioner "Victor "Seby" Haddad abstained.

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

Staff recommended approval of zoning ordinance of the City of McAllen.

Commissioner Antonio "Tony" Aguirre, Jr. moved to amend the Zoning Ordinance and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

E) PUBLIC HEARING FOR A VARIANCE REQUEST FROM SECTION 6-2 OF THE ALCOHOLIC BEVERAGE CODE, REQUEST OF OSCAR MALDONADO, CASA DE PALMAS RENAISSANCE MCALLEN HOTEL, AT NORTH MCALLEN ALL BLK 53 AND A TR 40'X8'-ASH ST. AN ABND ROAD, HIDALGO COUNTY, TEXAS; 101 NORTH MAIN STREET.

Mayor Javier Villalobos called the Public Hearing to order.

Mayor Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda. No one spoke in opposition of the request.

Staff recommended approval of the variance from Section 6-2 of the City of McAllen Code of Ordinances of the Alcoholic Beverage Code at 101 North Main Street.

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

At this time Mayor Villalobos addressed the tabled items.

F) PUBLIC HEARING ON 2022 PROPOSED TAX RATE.

Mayor Javier Villalobos called the Public Hearing to order and asked if there was anyone to speak on the proposed tax rate.

END OF PUBLIC HEARING

Mayor Javier Villalobos declared the Public Hearing closed.

2. JOINT MEETING WITH THE MCALLEN PUBLIC UTILITY BOARD

Mayor Javier Villalobos called the meeting to order.

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

A) ORDER OF THE MCALLEN PUBLIC UTILITY BOARD, APPROVING AND RECOMMENDING APPROVAL OF THE MCALLEN PUBLIC UTILITY PROPOSED BUDGET FOR FISCAL YEAR 2022-2023.

Staff recommended the approval of the McAllen Public Utility proposed budget for fiscal year 2022- 2023.

Mayor Javier Villalobos moved to approve proposed budget as recommended. Trustee Ricardo Godinez seconded the motion. The motion carried unanimously by those present.

B) ROLL CALL VOTE ON THE ADOPTION OF AN ORDINANCE ADOPTING THE CITY OF MCALLEN ANNUAL BUDGET FOR FISCAL YEAR 2022-2023, INCLUDING THE MCALLEN PUBLIC UTILITY BUDGET.

Staff recommended the approval of Ordinance adopting the City of McAllen Annual Budget for fiscal year 2022- 2023, including the McAllen Public Utility Budget.

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

A Roll Call Vote was requested, and all voted aye: Mayor Javier Villalobos, Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Rudy Castillo, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

C) ROLL CALL VOTE OF AN ORDINANCE ADOPTING THE CITY OF MCALLEN 2022 PROPERTY TAX RATE.

Staff recommended the approval of Ordinance adopting the City of McAllen 2022 Property Tax Rate.

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

A Roll Call Vote was requested, and all voted aye: Mayor Javier Villalobos, Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Rudy Castillo, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

D) ORDER OF THE MCALLEN PUBLIC UTILITY BOARD, APPROVING THE ADOPTION OF AN ORDINANCE AMENDING THE MCALLEN CODE OF ORDINANCES, ARTICLE III, DIVISION 3, CHAPTER 106, SECTION 106-82 AND ARTICLE IV, DIVISION 2, SECTION 106-166 PROVIDING FOR A UTILITY RATE INCREASE.

Staff recommended adoption of an ordinance amending the McAllen Code of Ordinances, Article III, Division 3, Chapter 106, Section 106- 82 and Article IV, Division 2, Section 106- 166 providing for a utility rate increase.

Trustee Ricardo Godinez motioned to adopt the order as recommended and seconded by Mayor Javier Villalobos. The motion carried unanimously by those present.

E) ORDINANCE AMENDING THE MCALLEN CODE OF ORDINANCES, ARTICLE III, DIVISION 3, CHAPTER 106, SECTION 106-82 AND ARTICLE IV, DIVISION 2, SECTION 106-166 PROVIDING FOR A UTILITY RATE INCREASE.

Staff recommended adoption of an ordinance amending the McAllen Code of Ordinances, Article III, Division 3, Chapter 106, Section 106- 82 and Article IV, Division 2, Section 106- 166 providing for a utility rale increase.

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

F) RESOLUTION APPROVING THE CITY'S INVESTMENT POLICY AND STRATEGY BY PROVIDING FOR DIVERSE INVESTMENT OPPORTUNITIES ALLOWED UNDER THE PUBLIC FUNDS INVESTMENT ACT WITH THE OBJECTIVE OF ENHANCING EARNINGS POTENTIAL.

Staff recommended approval of resolution approving the City' s Annual Investment Policy and Strategy as revised.

Trustee Ricardo Godinez moved to approve the resolution and seconded by Mayor Javier Villalobos. The motion carried unanimously by those present.

Commissioner Joaquin Zamora moved to approve the resolution and seconded by Commissioner Antonio “Tony” Aguirre, Jr. The motion carried unanimously.

END OF JOINT MEETING

Trustee Ricardo Godinez moved to adjourn the McAllen Public Utility Board Meeting at 5:16 pm and seconded by Mayor Javier Villalobos. The motion carried unanimously.

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

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

A) APPROVAL OF MINUTES OF BUDGET WORKSHOP HELD AUGUST 3RD, WORKSHOP AND REGULAR MEETING HELD SEPTEMBER 12, 2022.

Approved the minutes of Budget Workshop held August 3rd, Workshop and Regular Meeting held September 12, 2022, as submitted.

B) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE CITY OF REYNOSA, TAMAULIPAS, MEXICO.

Approved an Interlocal Agreement for the donation of a surplus vehicle to the City of Reynosa, Tamaulipas, Mexico.

C) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF SURPLUS VEHICLES TO THE CITY OF APODACA, NUEVO LEON, MEXICO.

Approved an Interlocal Agreement for the donation of surplus vehicles to the City of Apodaca, Nuevo Leon, Mexico.

D) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE CITY OF DR. GONZALEZ, NUEVO LEON, MEXICO.

Approved an Interlocal Agreement for the donation of a surplus vehicle to the City of Dr. Gonzalez, Nuevo Leon, Mexico.

E) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE CITY OF GUADALUPE, NUEVO LEON, MEXICO.

Approved an Interlocal Agreement for the donation of a surplus vehicle to the City of Guadalupe, Nuevo Leon, Mexico.

F) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE STATE OF NUEVO LEON, MEXICO.

Approved an Interlocal Agreement for the donation of a surplus vehicle to the State of Nuevo Leon, Mexico.

G) CONSIDERATION OF APPROVAL OF ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CONSTITUENT AGENCIES OF THE TEXAS ANTI-GANG (TAG) CENTER RIO GRANDE VALLEY.

Approved an addendum to the Memorandum of Understanding between the Constituent Agencies of the Texas Anti-Gang (TAG) Center Rio Grande Valley.

H) CONSIDERATION AND AUTHORIZATION TO REMOVE 2ND QUARTER OF FISCAL YEAR 2021-22 UNCOLLECTIBLE SANITATION & DRAINAGE ACCOUNTS FROM THE GENERAL LEDGER AND BEGIN WRITE-OFF PROCEDURES.

Authorized the removal of 2nd Quarter of Fiscal Year 2021-22 Uncollectible Sanitation & Drainage Accounts from the General Ledger and begin Write-off procedures.

I) SUBDIVISION MONTHLY REPORT.

Approved the subdivision monthly report.

J) PROJECT STATUS REPORT THROUGH AUGUST 31, 2022.

Approved the project status report.

K) STATUS REPORT ON PARKS & RECREATION PROJECTS.

Approved the report on Parks & Recreation Projects.

L) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF SIX (6) CELLEBRITE FIVE (5) YEAR ULTIMATE SUBSCRIPTIONS WITH SELECTED OPTIONS.

Awarded a contract to Carahsoft Technology Corp. in the amount of $141,486.72 for the purchase of six (6) Cellebrite five (5) year ultimate subscriptions with selected options.

2. AWARD OF CONTRACT FOR THE PURCHASE OF THIRTY-FIVE (35) PANASONIC TOUGHBOOKS CF033 MOBILE LAPTOPS.

Awarded a contract to South Texas Communications in the amount of $299,984.12 for the purchase of thirty-five (35) Panasonic Toughbook's CF033 Mobile Laptops.

3. CONSIDERATION AND APPROVAL TO RENEW THE MICROSOFT ENTERPRISE AGREEMENT AND CONTINUE TO UTILIZE EMAIL AND SOFTWARE SERVICES.

Approved the renewal of the Microsoft Enterprise Agreement and continue to utilize Email and Software services.

M) APPROVAL OF TAX REFUNDS OVER $500.00.

Approved tax refunds of over $500.

1. JX PROPERTIES LLC

Approved a tax refund in the amount of $1,097.96.

2. CRUZ & ELIZABETH YANEZ

Approved a tax refund in the amounts of $343.62 and $343.62.

4. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) CLEARVIEW AL SEVEN (7) YEAR UNLIMITED SUBSCRIPTION WITH SELECTED OPTIONS.

Staff recommended award of contract to Clearview.ai in the amount of $ $113,368.50 for the purchase of one (1) Clearview AI seven (7) year unlimited subscription with selected options.

Mayor Pro Tem Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

B) AWARD OF CONTRACT FOR THE PURCHASE OF A FIRE BRUSH-TRUCK.

Staff recommended award of contract to Sidons-Martin Emergency Group in the amount of $220,696 for the purchase of one (1) Fire Brush Truck.

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

C) AWARD OF CONTRACT FOR PROFESSIONAL SERVICES FOR THE PUBLIC WORKS RECYCLING CENTER.

Staff recommended award of contract to Burns and McDonnell Engineering Company, Inc. in the amount of $97,230.00 for professional services for the Public Works Recycling Center.

Mayor Pro Tem Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

D) AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE JACKSON HIKE & BIKE TRAIL (PHASE II).

Staff recommended award of contract to GDJ Engineering in the amount of $228,719.72 for professional engineering services for the Jackson Hike & Bike Trail (Phase II).

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

E) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR THE DAFFODIL AVENUE ROADWAY IMPROVEMENTS.

Staff recommended approval of Change Order No. 1 in the amount of $50,000 for the Daffodil Avenue Roadway Improvements Project.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve Change Order No. 1 as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

F) CONSIDERATION AND AUTHORIZATION TO REMOVE UNCOLLECTIBLE PARKING FINES FROM THE DOWNTOWN SERVICES GENERAL LEDGER AND BEGIN WRITE-OFF PROCEDURES.

Staff recommended approval to remove uncollectible parking fines from the Downtown Services General Ledger and begin Write-Off procedures.

Mayor Pro Tem Joaquin Zamora moved to remove uncollectible parking fines as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

5. ORDINANCES

A) PROVIDING FOR A BUDGET AMENDMENT TO THE ARPA AND INFRASTRUCTURE AND IMPROVEMENT FUND.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of $1,525,000.00 to the ARPA and infrastructure and Improvement Fund.

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.

B) AMENDING DISTRICT NO. 2 AND NO. 5 MAPS TO ADJUST DISTRICT POLLING PLACE.

Staff recommending amending District No. 2 and No. 5 Maps to adjust District Polling Place.

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.

C) INCREASING AUTHORIZED STRENGTH FOR THE MCALLEN POLICE DEPARTMENT.

Staff recommended adoption of an ordinance providing for an increase in the number of authorized positions in the McAllen Police Department.

Commissioner Omar Quintanilla moved to adopt the ordinance and Commissioner Antonio "Tony" Aguirre; Jr. seconded the motion. The motion carried unanimously.

D) CONSIDERATION AND POSSIBLE APPROVAL OF AN ORDINANCE REGULATING POP-UP MARKETS.

Staff recommended adoption of an ordinance regulating pop-up markets.

At this time the Agenda Item Comment for Item 5D were addressed. The following spoke in favor of the request: Ms. Theresa Valenzuela, Mrs. Jessica Delgado, Ms. Jeanette Jennings, Ms. Angela Millis and Mr. Mark Mullis. The following spoke in opposition to the request: Mr. Jack Edwards, Ms. Hilda Edwards (mentioned she had a petition opposed to changing proposed ordinance to allow pop-up markets to be located on property adjacent to a zoning district designated and Mr. Miles Mullin.

The following submitted written concerns in writing: Mrs. Stacy Solis, Mr. Javier Solis, Ms. Sarah Solis and Ms. Julisa Munoz

At this time Ms. Michelle Rivera discussed ordinance regulating Pop-Up Markets. A lengthy discussion ensued. Comments and concerns were addressed by Council. Questions were asked relating to the setting of limitations on time, 12 hours vs. 8 hours, restrictions, assessing the area, zoning lines and adjacent language, adjacent to residential, difference between commercial and residential areas and times. Staff answered questions posed by Council.

After due consideration, Commissioner Antonio "Tony" Aguirre moved to adopt the ordinance subject to the conditions discussed in the previous provisions and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

6. MANAGER'S REPORT

A) ADVISORY BOARD APPOINTMENTS.

PARKS AND RECREATION ADVISORY BOARD

Staff recommended the nomination of Eric A. Sanchez to the Parks and Recreation Advisory Board

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to accept the nominations as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

B) APPOINTMENTS OF BOARD AND COMMITTEES SERVED BY ELECTED OFFICIALS.

TAX INCREMENT REINVESTMENT ZONE #2A

Staff recommended the reappointment of Mayor Javier Villalobos, Commissioner Omar Quintanilla, Commissioner Victor “Seby” Haddad, Mr. Nestor Lopez, and Mr. Eddie Cantu to the Tax Increment Reinvestment Zone #2A.

Commissioner Antonio "Tony" Aguirre, Jr. moved to accept the appointments as recommended and Commissioner Rodolfo "Rudy" Castillo seconded the motion. The motion carried unanimously.

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: City Hall expansion, MXLAN Update

7. TABLED ITEM(S)

A) CONSIDERATION AND ADOPTION OF AN ORDINANCE APPROVING AND ADOPTING THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT (“DISTRICT”) 2022-2023 SERVICE AND ASSESSMENT PLAN AND 2022-2023 ASSESSMENT ROLL FOR THE DISTRICT; ESTABLISHING CLASSIFICATIONS FOR THE APPORTIONMENT OF COSTS AND METHODS OF ASSESSING FOR SPECIAL BENEFITS FOR IMPROVEMENTS, MAINTENANCE, AND SPECIAL SERVICES TO PROPERTY WITHIN THE DISTRICT; LEVYING DEBT SERVICE ASSESSMENTS FOR THE COST OF IMPROVEMENTS TO BE PROVIDED IN THE DISTRICT, MAINTENANCE ASSESSMENTS (INCLUDING AN ORDINARY MAINTENANCE ASSESSMENT AND LIMITED-BENEFIT MAINTENANCE ASSESSMENT) FOR THE COST OF MAINTENANCE AND OPERATION OF THE DISTRICT, AND SUPPLEMENTAL SERVICE ASSESSMENTS FOR THE COSTS OF PROVISION OF SUPPLEMENTAL SERVICES WITHIN THE DISTRICT; FIXING CHARGES AND LIENS AGAINST THE PROPERTY IN THE DISTRICT AND AGAINST THE OWNERS THEREOF; PROVIDING FOR THE COLLECTION OF THE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

At this time, Mayor Pro Tem Joaquin Zamora moved to remove said item from the table and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

Staff recommended adoption of an ordinance approving and adopting the Tres Lagos Public Improvement District (“District”) 2022-2023 Service and Assessment Plan and 2022-2023 Assessment Roll for the District; Establishing classifications for the apportionment of costs and methods of assessing for special benefits for improvements, maintenance, and special services to property within the District; levying debt service assessments for the cost of improvements to be provided in the District, maintenance assessments (including an ordinary maintenance assessment and limited-benefit maintenance assessment) for the cost of maintenance and operation of the District, and supplemental service assessments for the costs of provision of supplemental services within the District; fixing charges and liens against the Property in the District and against the owners thereof; providing for the collection of the assessments; and providing an effective date.

Mayor Pro Tem Joaquin Zamora briefly commented on Town Hall Meeting and comments and concerns expressed at said meeting.

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

B) RECEIVE AN ANNUAL UPDATE ON THE STATUS OF REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS (TRES LAGOS) AS REQUIRED BY SECTIONS 311.0101(C) AND 311.016 OF THE TEXAS TAX CODE AND THE INTERLOCAL AGREEMENT FOR THE ZONE.

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

Mr. David Earl presented the annual update on the status of reinvestment zone number one, City of McAllen, Texas (Tres Lagos) as required by sections 311.0101(c) and 311.016 of the Texas Tax Code and the Interlocal Agreement for the zone. He briefly highlighted on the following:

- Chapter 311 of the Texas Tax Code
- Tres Lagos 2021 and Current Update
- Shoppes at Tres Lagos
- North Park
- Lakes
- Amphitheatre
- Community Center Pool
- Farmers Market
- New Phase- Cascada
- New Phase - Aqualina
- Texas A&M
- Idea Tres Lagos
- Projected Values
- 2022 Values
- Projected Tax Base
- Build-Out Update
- Development Costs to Date
- Status of TIRZ Budget

Discussion ensued. Comments and concerns were expressed by Council. Question was asked related to difference between a lot closed and lot sold. Mr. Earl answered question posed by Council.

Presentation only. No action required

Mayor Javier Villalobos thanked Mr. Earl for presentation.

C) DISCUSSION AND ACTION ON APPROVAL OF BOARD MEMBER REAPPOINTMENT OF MIKE RHODES (POSITION 1) TO THE REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS ZONE BOARD, FOR A TWO-YEAR TERM BEGINNING MARCH 3, 2022, AND ENDING MARCH 2, 2024, AND RATIFICATION OF ALL PAST ACTIONS TAKEN BY SAID BOARD MEMBER WHEN ACTING IN HIS HOLDOVER TERM AS A BOARD MEMBER FOR THE ZONE.

At this time council addressed item C through L extending terms of the TIRZ Number One Board. Staff recommended the reappointment of Mike Rhodes to the board.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve reappointment of Mike Rhodes (Position 1) for a two-year term beginning March 3, 2022, and ending March 2, 2024, and ratification of all past actions taken by said board member when acting in his holdover term as a board member of the zone and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

D) DISCUSSION AND ACTION ON ACCEPTANCE OF RESIGNATION OF MEGAN EARL, POSITION 2, FROM THE REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS ZONE BOARD.

Staff recommended acceptance of resignation of Megan Earl, Position 2, from the Reinvestment Zone Number One.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to accept the resignation Of Megan Earl, Position 2 from the Reinvestment Zone Number One and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

E) DISCUSSION AND ACTION ON APPROVAL OF BOARD MEMBER APPOINTMENT OF JON RHODES TO FILL THE VACANCY IN POSITION 2 TO THE REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS ZONE BOARD, FOR THE UNEXPIRED TERM ENDING MARCH 2, 2023.

Staff recommended the appointment of Jon Rhodes to fill the vacancy in Position 2 of the Reinvestment Zone Number One.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to make the appointment of Jon Rhodes to fill the vacancy in Position 2 to the Reinvestment Zone Number One for the unexpired term ending March 2, 2023 and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

F) DISCUSSION AND ACTION ON APPROVAL OF BOARD MEMBER REAPPOINTMENT OF JAIME GONZALEZ (POSITION 3) TO THE REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS ZONE BOARD, FOR A TWO-YEAR TERM BEGINNING MARCH 3, 2022, AND ENDING MARCH 2, 2023, AND RATIFICATION OF ALL PAST ACTIONS TAKEN BY THE SAID BOARD MEMBER WHEN ACTING IN HIS HOLDOVER TERM AS A BOARD MEMBER FOR THE ZONE.

Staff recommended the reappointment of Jaime Gonzalez, Position 3, of the Reinvestment Zone Number One.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the reappointment of Jaime Gonzalez (Position 3) to the Reinvestment Zone Number One, for a two-year term beginning March 3, 2022, and ending March 2, 2023, and ratification of all past actions taken by the said board member when acting in his holdover term as a board member for the zone and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

G) DISCUSSION AND ACTION ON APPOINTMENT OF NICK RHODES (POSITION 5) AS CHAIRMAN, TO THE REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS ZONE BOARD, FOR A ONE-YEAR TERM, PURSUANT TO SECTION 311.009(F) OF THE TEXAS TAX CODE, BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023.

Staff recommended the appointment of Nick Rhodes, Position 5, of the Reinvestment Zone Number One.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the appointment of Nick Rhodes (Position 5) as Chairman, to the Reinvestment Zone Number One, for a one-year term, pursuant to section 311.009(F) of the Texas Code, beginning January 1, 2023, and ending December 31, 2023, and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

H) DISCUSSION AND ACTION ON APPROVAL OF BOARD MEMBER REAPPOINTMENT OF MAYOR JAVIER VILLALOBOS (POSITION 6) TO THE REINVESTMENT ZONE NUMBER ONE, CITY OF MCALLEN, TEXAS ZONE BOARD, FOR A TWO-YEAR TERM BEGINNING MARCH 3, 2021, AND ENDING MARCH 2, 2023, AND RATIFICATION OF ALL PAST ACTIONS TAKEN BY THE SAID BOARD MEMBER WHEN ACTING IN HIS HOLDOVER TERM AS A BOARD MEMBER FOR THE ZONE.

Staff recommended the reappointment of Mayor Javier Villalobos, Position 6, of the Reinvestment Zone Number One.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the reappointment of Mayor Javier Villalobos (Position 6) to the Reinvestment Zone Number One for a two-year term beginning March 3, 2021, and ending March 2, 2023, and ratifications of all past actions taken by the said board member when acting in his holdover term as a board member of the zone and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

I) DISCUSSION AND ACTION ON APPROVAL OF BOARD MEMBER REAPPOINTMENTS OF MIKE RHODES (POSITION 1) AND JAIME GONZALEZ

(POSITION 3) TO THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT BOARD, FOR A TWO-YEAR TERM BEGINNING APRIL 16, 2022, AND ENDING APRIL 15, 2024, AND RATIFICATION OF ALL PAST ACTIONS TAKEN BY THE SAID BOARD MEMBERS WHEN ACTING IN THEIR HOLDOVER TERMS AS BOARD MEMBERS FOR THE PID.

Staff recommended the reappointments of Mike Rhodes, Position 1, and Jaime Gonzalez, Position 3, of the Tres Lagos Public Improvement District Board.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the reappointments of Mike Rhodes (Position 1) and Jaime Gonzalez (Position 3) to the Tres Lagos Public Improvement District Board, for a two-year term beginning April 16, 2022, and ending April 15, 2024, and ratification of all past actions taken by the said board members when acting in their holdover terms as board members for the PID and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

J) DISCUSSION AND ACTION ON APPROVAL OF BOARD MEMBER REAPPOINTMENTS OF MISTY MARTIN (POSITION 2) AND NICK RHODES (POSITION 4) TO THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT BOARD, FOR A TWO-YEAR TERM BEGINNING APRIL 16, 2021, AND ENDING APRIL 15, 2023, AND RATIFICATION OF ALL PAST ACTIONS TAKEN BY THE SAID BOARD MEMBER WHEN ACTING IN THEIR HOLDOVER TERMS AS BOARD MEMBERS FOR THE PID.

Staff recommended the reappointments of Misty Martin, Position 2, and Nick Rhodes, Position 4, of the Tres Lagos Public Improvement District Board.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the reappointments of Misty Martin (Position 2) and Nick Rhodes (Position 4) to the Tres Lagos Public Improvement District Board, for a two-year term beginning April 16, 2021, and ending April 15, 2023, and ratification of all past actions taken by the said board members when acting in their holdover terms as board member of the PID and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

K) DISCUSSION AND ACTION ON APPROVAL OF RATIFICATION OF ALL ACTIONS TAKEN BY MEGAN EARL AS A BOARD MEMBER (POSITION 5) OF THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT DURING HER HOLDOVER TERM, AND ACCEPTANCE OF RESIGNATION OF MEGAN EARL, POSITION 5, FROM THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT BOARD OF DIRECTORS.

Staff recommended the approval of ratification of all actions taken by Megan Earl, Position 5, of the Tres Lagos Public Improvement District Board.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the ratification of all actions taken by Megan Earl as a board member (Position 5) of the Tres Lagos Public Improvement District during her holdover term, and acceptance of resignation of Megan Earl, Position 5, from the Tres Lagos Public Improvement District Board of Directors as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

L) DISCUSSION AND ACTION ON APPROVAL OF THE APPOINTMENT OF JON RHODES TO FILL THE VACANCY IN POSITION 5, TO THE TRES LAGOS PUBLIC IMPROVEMENT DISTRICT BOARD OF DIRECTORS, FOR A TWO-YEAR TERM BEGINNING SEPTEMBER 12, 2022, AND ENDING SEPTEMBER 11, 2024.

Staff recommended the appointment of Jon Rhodes to fill the vacancy in Position 5, of the Tres Lagos Public Improvement District Board.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the appointment Jon Rhodes to fill the vacancy in Position 5, to the Tres Lagos Public Improvement District Board of Directors, for a two-year term beginning September 12, 2022, and ending September 11, 2024, and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

8. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION551.071(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 8A, 8C and 8D: Section 551.074 Personnel Matters on Item 8E and Section 551.087 Economic Development on Item 8B.

Mayor Javier Villalobos recessed the meeting at 7:25 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 7:55 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 Rodolfo "Rudy" Castillo, Commissioner Victor "Sebt" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca.

A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES REGARDING EMERGENCY MEDICAL SERVICES. (SECTION 551.071, T.G.C.)

No action.

B) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OR REAL PROPERTY, TRACT 1. (SECTION 551.087, T.G.C.)

No action.

C) CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION: ERNESTO ROCHA V. CITY OF MCALLEN, CIVIL ACTION 7:21-CV-182. (SECTION 551.071, T.G.C.)

Mayor Pro Tem Joaquin Zamora moved to authorize City Manager and City Attorney to implement the litigation strategy as described in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

C) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES WITH THE ISSUANCE OF CERTAIN CERTIFICATES OF OCCUPANCY. (SECTION 551.071, T.G.C.)

Mayor Pro Tem Joaquin Zamora moved to authorize City Manager and City Attorney to take those actions as described in executive session and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

E) EVALUATION OF THE CITY MANAGER. (SECTION 551.074, T.G.C.)

No action.

ADJOURNMENT

Without objection the meeting was adjourned at 7:56 p.m.

Javier Villalobos, Mayor

Attest:

Perla Lara, TRMC/CMC, CPM
City Secretary