

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

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **November 14, 2022**, at 5:00 PM, at McAllen City Hall Third Floor (3<sup>rd</sup>) 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

Staff: City Manager Roy Rodriguez, City Attorney Isaac Tawil, Assistant City Manager Michelle Rivera, 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.

**PROCLAMATION**

**TEXAS RECYCLES DAY**

Commissioner Omar Quintanilla read and presented a proclamation for Texas Recycles Day.

**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.

Mayor Pro Tem Joaquin Zamora moved to approve the items listed on the Routine Items section of the agenda except for item 1A1 to be addressed separately and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

- 1. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT 0.14 ACRE OUT OF LOT 6, BLOCK 4, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 6416 SOUTH 10<sup>th</sup> STREET.**

Staff recommended approval of the C-3 Zoning at 6416 South 10<sup>th</sup> Street, as per Planning and Zoning Commission.

Discussion ensued. Concerns were expressed relating to growth, residential, Upas and 10<sup>th</sup> Street. Staff answered questions posed by Council.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr.. The motion passed with 5 votes in the affirmative with Mayor Pro Tem Joaquin Zamora voting against.

- 2. REQUEST OF JESSICA AGUILAR FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR (THE**

**BEARDED LADY), AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITE Q.**

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar (The Bearded Lady) at 400 Nolana Avenue, Suite Q, 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 PM) must be at least 400 feet 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 feet of residential zones and uses to the north and east, and a water tower to the west.
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, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 20 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 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 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. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

**3. REQUEST OF JESSICA AGUILAR FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR (SUERTE BAR & GRILL UPTOWN), AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITES N1-N2.**

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar (Suerte Bar & Grill Uptown) at 400 Nolana Avenue, Suites N1-N2, 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 PM) must be at least 400 feet 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 feet of residential zones and uses to the north and east, and a water tower to the west.
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, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are

required and are provided on site. Based on the square footage of the building, 41 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 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. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

**4. REQUEST OF ROEL "ROY" RODRIGUEZ, P.E., CITY MANAGER ON BEHALF OF THE CITY OF MCALLEN FOR A CONDITIONAL USE PERMIT, FOR LIFE OF USE, AND ADOPTION OF AN ORDINANCE FOR AN INSTITUTIONAL USE FOR A GOLF PRACTICE FACILITY AND THE CHAMPION LAKES GOLF COURSE AT LOT 27, BLOCK 1, & LOTS 183-185 AND LOTS 188-190, BLOCK 1, MCALLEN FIRST SUBURBAN CITRUS GROVES, LA LOMITA, HIDALGO COUNTY, TEXAS; 2701 SOUTH WARE ROAD.**

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for a golf practice facility and the Champion Lakes Golf Course at 2701 South Ware Road, as per Planning and Zoning Commission.

The proposed use must meet the requirements set forth in Section 138-118 of the Zoning Ordinance and specific requirements as follows:

1. The proposed use shall not generate traffic onto residential size streets or disrupt residential areas and shall be as close as possible to a major arterial; There is access to South Ware Road.
2. The proposed use shall comply with the McAllen Off-Street Parking and Loading Ordinance and make provisions to prevent the use of street parking, especially in residential areas. There is an existing parking area along with designated parking spaces for the golf practice facility.
3. The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits.
4. The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street to discourage vandalism and criminal activities.
5. Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas.
6. The number of persons within the buildings shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.

**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)**

Said item was withdrawn by applicant.

**C) CONDITIONAL USE PERMITS:**

**1. REQUEST OF KATYA M. CANTU AND OMAR GARZA ON BEHALF OF POWERS XTRYM INK TATTOOS & BODY PIERCING STUDIO, LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR AN EVENT CENTER (BYOB LOCALE), AT LOT 12, MEJIA SUBDIVISION UNIT NO. 1, HIDALGO COUNTY, TEXAS, 2022 NOLANA AVENUE.**

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for an event center at 2022 Nolana Avenue, 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 PM) must be at least 400 feet 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 feet of the International Museum of Arts & Science (IMAS).
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 Nolana Avenue and does not generate traffic into residential areas.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Based on the square footage of the proposed site for the BYOB locale, 34 parking spaces will be required, which are provided as part of the common parking area.
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 facilitate 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. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

Mayor Pro Tem Joaquin Zamora moved to deny the Conditional Use Permit and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

Staff requested clarification of motion made. At this time Mayor Pro Tem Joaquin Zamora rescinded previous motion approved by the board.

Mayor Pro Tem Joaquin Zamora Approve the Conditional Use Permit for one year and permittee to abide with all conditions listed on the permit as authorized in the McAllen Code of Ordinances and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

**2. REQUEST OF DAVID M. ROSSOW, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE AND VAPE SHOP AT LOTS 5 & 6, TRENTON COMMERCIAL PARK SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 TRENTON ROAD, SUITE 2A.**

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year for a smoke and vape shop at 2200 Trenton Road Suite A, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the above-mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet of a residential zone.
2. The abovementioned business must be as close as possible to a major arterial and shall not allow the traffic generated by such business onto residential streets or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Trenton Road.
3. The abovementioned business 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.
4. The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.

5. The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street.
6. The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having considered the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

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

**3. REQUEST OF DAVID ROSSOW FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE AND VAPE SHOP AT LOT 1A, WILSON SUBDIVISION, HIDALGO COUNTY, TEXAS; 4000 NORTH 10<sup>th</sup> STREET, SUITE 30.**

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for a smoke and vape shop at 4000 North 10<sup>th</sup> Street, Suite 30, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the above-mentioned business must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. of a residential zone to the northeast.
2. The abovementioned business must be as close as possible to a major arterial and shall not allow the traffic generated by such business onto residential streets or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North 10th Street and Nolana Avenue and does not generate traffic into residential areas.
3. The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 1,350 sq. ft. smoke shop requires 4 parking spaces.
4. The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
5. The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street.
6. The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The abovementioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning commission at the time of permit issuance, after having considered the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

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

**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) REQUEST OF JACK E. AND HILDA EDWARDS FOR A DESIGNATION OF A MCALLEN CITY LANDMARK AT THE WEST 25 FT. OF LOT 11, AND ALL OF LOTS 12 AND 13, BLOCK 11, MILMOR ADDITION TO MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 1321 JASMINE AVENUE.**

Staff recommended approval of the designation of a McAllen City Landmark at 1321 Jasmine Avenue.

Discussion ensued. Comments and concerns were shared by Council. Question was asked relating to restrictions. Staff answered questions posed by Council.

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

- A) APPROVAL OF MINUTES OF BUDGET WORKSHOPS HELD AUGUST 18<sup>TH</sup>, AUGUST 24<sup>TH</sup>, WORKSHOP AND REGULAR MEETINGS HELD OCTOBER 24, 2022.**

Approved the Minutes of Budget Workshops held August 18<sup>th</sup>, August 24<sup>th</sup>, Workshop and Regular Meetings held October 24, 2022.

- B) CONSIDERATION AND ACCEPTANCE OF PUBLIC RIGHT-OF-WAY AND EASEMENTS FOR MCALLEN SOUTH INDUSTRIAL PARK.**

Approved the acceptance of public right-of-way and easements for McAllen South Industrial Park.

- C) CONSIDERATION AND ACCEPTANCE OF DONATED COMMON AREAS OF SHOPS AT TRES LAGOS SUBDIVISION.**

Approved the acceptance of donated common areas of Shops at Tres Lagos Subdivision.

- D) CONSIDERATION AND ACCEPTANCE OF DONATED COMMON AREAS IN CASCADA AT TRES LAGOS PHASE II.**

Approved the acceptance of donated common areas in Cascada at Tres Lagos Phase II.

- E) AWARD OF CONTRACT TO CITIBOT, INC. FOR TEXT, CHATBOT AND SHORT DIGIT SERVICES.**

Awarded a contract to Citibot, Inc. in the amount of \$62,330 for text, chatbox and short digit services.

- F) ORDINANCE PROVIDING FOR AN AMENDMENT TO THE POSTED SPEED LIMIT ON MONTE CRISTO ROAD (FM 1925) BETWEEN CITY OF MCALLEN LIMITS.**

Adopted an ordinance providing for an amendment to the posted speed limit on Monte Cristo Road (FM 1925) between City of McAllen Limits.

- G) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT DIVISION UNDER THE FISCAL YEAR 2023 LOCAL BORDER SECURITY PROGRAM.**

Approved a resolution authorizing the acceptance of grant funds from the Office of the Governor's Homeland Security Grant Division under the Fiscal Year 2023 Local Border Security Program.

**H) CONSENT COOP PURCHASES**

**1. AWARD OF MAINTENANCE RENEWAL CONTRACT FOR GIS SYSTEM LICENSES THROUGH TEXAS DIR.**

Awarded a maintenance renewal contract to ESRI in the amount of \$54,515.54 for GIS System Licenses.

**3. BIDS/CONTRACTS**

**A) AWARD OF CONTRACT FOR THE PURCHASE OF 19 TRAFFIC SIGNALS.**

Staff recommended award of contract to Consolidated Traffic Controls, Inc. in the amount of \$204,902.24 for the Purchase of 19 Traffic Signals.

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

**B) AWARD OF CONTRACT FOR DOVE AVENUE ROADWAY AND DRAINAGE IMPROVEMENTS FROM BENTSEN ROAD TO 41<sup>st</sup> STREET.**

Staff recommended award of contract to Go Underground LLC in the amount of \$3,258,584.74 for the Dove Avenue Roadway and Drainage Improvements from Bentsen Road to 41<sup>st</sup> Street.

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

**C) CONSIDERATION OF SELECTION OF TOP RANKED FIRMS FOR PROFESSIONAL CIVIL ENGINEERING SERVICES POOL.**

Staff recommended the selection of the 16 top ranked firms for Professional Civil Engineering Services Pool.

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

**D) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR MCALLEN HIDALGO INTERNATIONAL BRIDGE PEDESTRIAN IMPROVEMENTS PROJECT.**

Staff recommended approval of Change Order No. 1 in the amount of \$67,875.00 for the McAllen Hidalgo International Bridge Pedestrian Improvements Project.

Mayor Pro Tem Joaquin Zamora moved to approve Change Order No. 1 as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

**E) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICES AND FEES WITH THE TOP-RANKED ARCHITECTURAL FIRM FOR THE CITY HALL EXPANSION FEASIBILITY STUDY.**

Staff recommended authorization to negotiate the scope of services and fee schedule with the top-ranked firm, Milnet Architectural Services, PLLC. for the City Hall Expansion Feasibility Study.

Mayor Pro Tem Joaquin Zamora moved to approve the negotiations from the workshop items of today's meeting limited to the 1400 block of Houston and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

**F) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 FOR PROJECT COST PARTICIPATION AS RELATED TO THE MAYBERRY ROAD TO GLASSCOCK ROAD AREA DRAINAGE IMPROVEMENTS PROJECT.**

Staff recommended an Interlocal Agreement with the Hidalgo County Drainage District No. 1 for project cost participation as related to the Mayberry Road to Glasscock Road Area Drainage Improvements Project.

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

#### **4. ORDINANCES**

##### **A) PROVIDING FOR AN AMENDMENT TO ORDINANCE 2022-117 PROVIDING FOR AN INCREASE IN THE NUMBER OF AUTHORIZED POSITIONS FOR THE MCALLEN POLICE DEPARTMENT.**

Staff recommended adoption of an ordinance providing for an amendment to Ordinance 2022-117 providing for an increase in the number of authorized positions to 316 for the McAllen Police Department.

Discussion ensued as to the grant applications and the increase by 15 fifteen positions and increasing the total strength to 316 three hundred sixteen.

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

##### **B) PROVIDING FOR A BUDGET AMENDMENT FOR THE ANZALDUAS CARGO PROJECT FROM THE ANZALDUAS INTERNATIONAL CROSSING FUND.**

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$150,000.00 for the Anzaldua's Cargo Project.

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

#### **5. RESOLUTIONS**

##### **A) NOMINATING COLUMBIA RIO GRANDE HEALTHCARE, L.P. TO THE OFFICE OF GOVERNOR FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM.**

Staff recommended approval of a resolution nominating Columbia Rio Grande Healthcare, L.P. to the Office of Governor for Designation as a Qualified Business and Enterprise Project Under the Texas Enterprise Zone Program.

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

##### **B) PROVIDING FOR LETTER OF SUPPORT FOR THE TEXAS-OKLAHOMA PASSENGER RAIL STUDY.**

Staff recommended approval of a resolution providing for a Letter of Support for the Texas-Oklahoma Passenger Rail Study.

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

#### **6. MANAGER'S REPORT**

##### **A) ADVISORY BOARD APPOINTMENTS.**

##### **GOLF COURSE ADVISORY BOARD**

Mayor Javier Villalobos nominated Alex Munoz to the Golf Course Advisory Board.

##### **PLANNING & ZONING BOARD**

Commissioner Antonio "Tony" Aguirre Jr. nominated Aaron Daniel Rivera to the Planning and Zoning Advisory Board.

Mayor Pro Tem Joaquin Zamora moved to accept the nominations and Commissioner Antonio "Tony" Aguirre seconded the motion. The motion carried unanimously.

**B) PRESENTATION OF YEAR-TO-DATE TAX COLLECTION REPORT.**

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

**C) PRESENTATION OF YEAR-TO-DATE DELINQUENT TAX COLLECTION REPORT.**

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

**D) IMMIGRATION AND RESPITE CENTER REPORT.**

Said item was not addressed.

**E) FUTURE AGENDA ITEMS.**

No future agenda items were mentioned.

**7. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT).**

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

Mayor Javier Villalobos recessed the meeting at 6:39 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 7:21 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 "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

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

Commissioner Antonio "Tony" Aguirre Jr. moved to authorize City Manager and City Attorney to execute those documents necessary to purchase the property and to negotiate those ancillary documents necessary to purchase the property and structure the acquisition as described in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

**B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO TAX INCREMENT INVESTMENT ZONES. (SECTION 551.071, T.G.C.)**

No action.

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

**7C1** – Commissioner Antonio "Tony" Aguirre Jr. moved to approve the economic development incentives as described in executive session and seconded by Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

**7C2** - Mayor Pro Tem Joaquin Zamora moved to authorize City Manager and City Attorney to negotiate the economic development incentives as described in executive session and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

**D) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO INTERNATIONAL PORTS OF ENTRY. (SECTION 551.071, T.G.C.)**

No action.

**E) CONSULTATION WITH CITY ATTORNEY REGARDING EMERGENCY MEDICAL SERVICES. (SECTION 551.071, T.G.C.)**

No action.

- F) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES WITH GRANT AGREEMENTS. (SECTION 551.071, T.G.C.).**

No action.

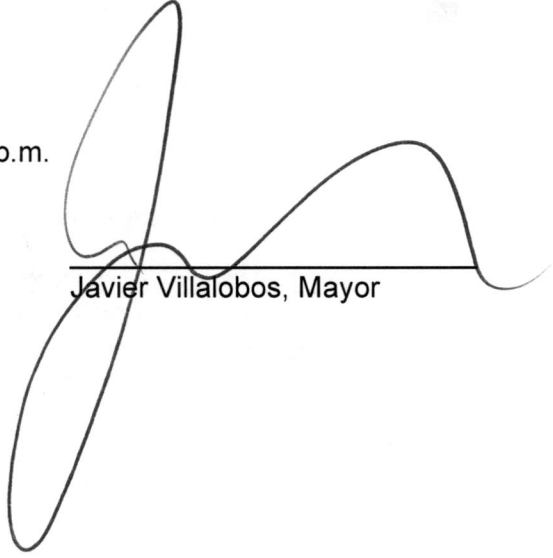
- G) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CMAR PROCUREMENT (SECTION 551.071, T.G.C.)**

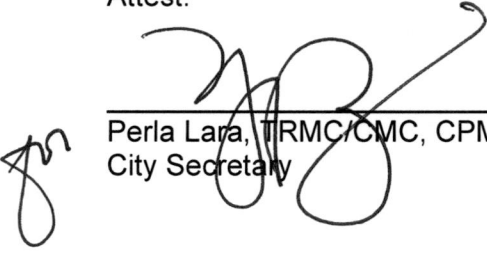
No action.

**ADJOURNMENT**

Without objection the meeting was adjourned at 7:22 p.m.

Attest:

  
Javier Villalobos, Mayor

  
Perla Lara, TRMC/CMC, CPM  
City Secretary