

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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, February 27, 2023**, at 5:00 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Javier Villalobos, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

Absent: Mayor Pro Tem Joaquin Zamora and Commissioner Rodolfo "Rudy" Castillo

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 Javier Villalobos called the meeting to order.

PRESENTATION

TEXAS AMATEUR ATHLETIC FEDERATION (TAAF) ATHLETE OF THE YEAR

Staff recognized and presented an award to the Texas Amateur Athletic Federation (TAAF) Athlete of the Year.

PROCLAMATIONS

HIDALGO COUNTY PROSPERITY TASK FORCE

Commissioner Omar Quintanilla read and presented a proclamation for Hidalgo County Prosperity Task Force.

WOMEN'S HISTORY MONTH AND INTERNATIONAL WOMEN'S DAY

Commissioner Victor "Seby" Haddad read and presented a proclamation for Women's History Month and International Women's 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. No one spoke.

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 Omar Quintanilla. The motion carried unanimously by those present.

- 1. REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT:**

**9.985 ACRES BEING OUT OF LOT 297 AND 298, JOHN H. SHARY
SUBDIVISION, HIDALGO COUNTY, TEXAS; 3224 NORTH TAYLOR ROAD.**

Approved the R-3T Zoning as per Planning and Zoning Commission.

**2. REQUEST OF NOBLE TEXAS BUILDERS, ON BEHALF OF MCALLEN
INDEPENDENT SCHOOL DISTRICT, FOR A CONDITIONAL USE PERMIT,
FOR THE LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE FOR AN
INSTITUTIONAL USE FOR A HIGH SCHOOL, AT STEELE & PERSHING
N661.40'-E1207.25', LOT 1, BLK 11 EXC AN IRR TR S375.30'-E513.14' 14.9
ACRES NET, HIDALGO COUNTY, TEXAS, 801 EAST LAKEVIEW DRIVE.**

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for an institutional use at 801 East Lakeview Drive, 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; The property is adjacent to Pecan Boulevard.
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. A proposed parking lot follows requirements. Should the number of offices and classrooms increase, additional parking will be required.
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.
7. Must comply with traffic requirements- TIA Waiver. Please ensure that the Driveway that leads to McColl Road is for "Exit Only".

**3. REQUEST OF NIRIA J. LOPEZ, ON BEHALF OF ECLIPSE, FOR A
CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN
ORDINANCE, FOR AN EVENT CENTER, AT LOTS 1 & 2, JACKSON HEIGHTS
SUBDIVISION, HIDALGO COUNTY, TEXAS; 1010 SOUTH 10TH STREET,
SUITE 1.**

Approved a Conditional Use Permit and adopted an ordinance, for one year, for an event center at 1010 South 10th Street, Suite 1, 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 abovementioned businesses must be at least 400 feet from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruptions of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The property is within 400 ft. of residential zones or uses; event center is located within the same plaza as a Christian Church.
2. The abovementioned businesses must be as close as possible to a major arterial and shall not allow the traffic generated by such businesses onto residential streets or allow such traffic to exit into and disrupt residential areas. The property fronts 10th Street and it 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; Based on the 3,361.5 square feet suite where the event center is proposing to operate, 34 parking spaces are required; 164 parking spaces are provided on site. The proposed operation hours of the event center do not interfere with the operation hours of the other businesses within the plaza. For the whole plaza to operate at the same time, 162 parking spaces would be required.

4. The abovementioned businesses must do everything possible to prevent the unauthorized parking by the patrons of such businesses on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
5. The abovementioned businesses should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street.
6. The abovementioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The abovementioned businesses shall restrict the number of persons within the building to those allowed by the planning and zoning commission at the time of permit issuance, after having considered the recommendations of the fire marshal, building official and director of planning. This number cannot exceed the number provided for in existing city ordinances.

4. REQUEST OF JANE CROSS ON BEHALF OF LAWN CHAIR ADVENTURES, LLC, FOR A CONDITIONAL USE PERMIT, FOR THE LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A PLANNED UNIT DEVELOPMENT (PUD) AT A 10-ACRE TRACT OUT OF LOT 3, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 2501 RUSSELL ROAD.

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for a Planned Unit Development at 2501 Russell Road, as per Planning and Zoning Commission.

Specific requirements for the approval of PUDs are set forth on Article IV for Planned Developments of the Subdivision Ordinance, and are summarized as the following:

1. **CONCEPTUAL SITE PLAN:** Development and use of the property must comply with the conditional use permit conceptual site plan.
2. **PERMITTED USES:** Permitted uses are uses permitted in the C-3 (commercial general business) District for buildings designated as commercial.
3. **OFF-STREET PARKING AND LOADING:** Parking in compliance with Chapter 134 Article VI. General office or medical office: Four parking spaces for up to 200 square feet of floor area, plus one parking space for each additional 200 square feet of floor area. Based on the 1,980 square feet of office space 13 parking spaces are required, 13 parking spaces are being provided.
4. **LANDSCAPING:** A minimum of ten percent of the area of any lot or parcel shall be devoted to landscape material and comply with the intent and purpose of this article and 50 percent of such landscaped area for nonresidential lots shall be visible from the street fronting the developed property. Landscape areas located within the street and alley rights-of-way shall not be credited towards meeting the minimum landscape area requirement. However, right-of-way areas shall be landscaped. Landscape areas associated with drainage detention facilities located on the lot or parcel may be credited towards the landscape area requirement. A minimum of 50 percent of the area within the required front yard of any residential parcel shall be devoted to landscape material. Based on the lot area of 369,219.76 square feet, 36,922 square feet of landscaping is required, 49,448 square feet of landscaping will be provided. When the required area being landscaped is from 10,001 or greater square feet a minimum of 26 trees for the first 10,000 square feet, and one tree for every 800 square feet over 10,000 square feet of landscape area shall be required. Based on the required landscape area of 36,321 square feet, 60 trees are required, 69 trees are being proposed.
5. **STREETS AND SETBACKS:** Final setbacks and right-of-way dedication will be addressed and determined through the subdivision process.
6. **DRAINAGE:** Addressed through subdivision process. Final drainage detention and design and the drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
7. **ADDITIONAL PROVISIONS:** Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by the Planning and Zoning Commission for recommendation to the City Commission Board for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 10 acres and is proposing a single use.
8. **Owner, Engineer and Surveyor certification and signature block** needs to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A recorded subdivision plat and PUD site plan is required prior to issuance of building permits. The subdivision review process must be completed and recorded together with the site plan.

B) REZONING:

1. REZONE FROM A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 0.73 OF AN ACRE TRACT OF LAND OUT OF LOT 236, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 5828 NORTH BENTSEN ROAD.

Staff recommended approval of the R-R1 zoning at 5828 North Bentsen Road, as per Planning and Zoning Commission.

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

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

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to amend the Zoning Ordinance and seconded by Commissioner Omar Quintanilla. The motion carried unanimously by those present.

END OF PUBLIC HEARING

Mayor Javier Villalobos declared the Public Hearing closed.

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

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda except for Items 2A, 2N and 2O 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 FEBRUARY 13, 2023.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the Minutes of Workshop and Regular Meeting held February 13, 2023, subject to correction to item 6C and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

B) CONSIDERATION AND APPROVAL OF INTERLOCAL COOPERATION AGREEMENT BETWEEN HIDALGO COUNTY AND CITY OF MCALLEN FOR 2023 COUNTY LIBRARY SERVICES.

Approved an Interlocal Cooperation Agreement Between Hidalgo County and City of McAllen for 2023 County Library Services.

C) AWARD OF SUPPLY CONTRACT FOR THE PURCHASE AND DELIVERY OF DUMPSTER FLOORS.

Awarded a contract to Performance Metal Works dba Proform for the purchase and delivery of various size dumpster floors.

D) AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE VISION ZERO PLAN.

Awarded a contract to Able City in the amount of \$170,693.00 for Professional Engineering Services for the Vision Zero Plan.

E) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF MAINTENANCE ON PRIMARY STORAGE UNITS THROUGH TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR).

Awarded a contract to in the amount of \$56,710.00 for the purchase of maintenance on primary storage arrays.

2. AWARD OF CONTRACT FOR THE PURCHASE OF REPLACEMENT PCS TO DELL, INC. THROUGH TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR).

Awarded a contract to Dell, Inc., through DIR, in the amount of \$92,200.00 for the purchase of replacement PCs.

3. AWARD OF CONTRACT FOR THE PURCHASE OF SIXTY (60) MONTHS OF 4G UNLIMITED WIRELESS MOBILE BROADBAND SERVICES.

Awarded a contract to Verizon Wireless in the amount of \$588,819.00 for the purchase of sixty (60) months of 4G unlimited wireless mobile broadband services.

4. AWARD OF CONTRACT FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA) HARNESSSES AND CYLINDERS.

Awarded a contract to HEAT Safety in the amount of \$395,869.77 for the purchase of Self-Contained Breathing Apparatus (SCBA) Harnesses and Cylinders.

F) ORDINANCE PROVIDING FOR AN INCREASE IN THE NUMBER OF AUTHORIZED STRENGTH OF THE MCALLEN FIRE DEPARTMENT.

Adopted an ordinance providing for an increase in the number of authorized strengths of the McAllen Fire Department.

G) CONSIDERATION AND POSSIBLE APPROVAL OF A MINUTE ORDER ESTABLISHING MYLAR REVIEW FEES.

Approved a Minute Order Establishing Mylar Review Fees of \$250.00 after the initial review.

H) ORDINANCE PROVIDING FOR AN AMENDMENT TO THE POSTED SPEED LIMIT ON 23RD STREET BETWEEN EXPRESSWAY 83 (I-2) FRONTAGE AND EL RANCHO ROAD.

Adopted an ordinance providing for an amendment to the posted speed limit on 23rd Street between Expressway 83 (I-2) Frontage and El Rancho Road.

I) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE - HOMELAND SECURITY GRANTS DIVISION FOR THE FISCAL YEAR 2023 STATE HOMELAND SECURITY PROGRAM.

Approved resolution authorizing the submission of a grant application to the Office of the Governor, Public Safety Office - Homeland Security Grants Division for the Fiscal Year 2023 State Homeland Security Program.

J) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, HOMELAND SECURITY GRANTS DIVISION FOR THE FISCAL YEAR 2024 TEXAS ANTI-GANG PROGRAM.

Approved a resolution authorizing the submission of a grant application to the Office of the Governor, Public Safety Office, Homeland Security Grants Division for the Fiscal Year 2024 Texas Anti-Gang Program.

K) RESOLUTION SUPPORTING LEGISLATION RELATING TO SOLID WASTE DISPOSAL SERVICES BY HIDALGO COUNTY.

Approved a resolution supporting legislation relating to Solid Waste Disposal Services by Hidalgo County.

L) CONSIDERATION AND POSSIBLE ACCEPTANCE OF DONATED PARKLAND AT STONEBRIAR AT TRINITY OAKS SUBDIVISION.

Accepted donated parkland at Stonebriar at Trinity Oaks Subdivision.

M) SUBDIVISION MONTHLY REPORT.

Approved subdivision monthly report.

N) PROJECT STATUS REPORT THROUGH JANUARY 31, 2023.

Commissioner Omar Quintanilla asked on projects relating to Taylor Road | Daffodil and start and end dates. Staff provided update to Council.

O) STATUS REPORT ON PARKS & RECREATION PROJECTS.

Commissioner Omar Quintanilla asked on Kapler project design update. Staff provided update to Council.

P) APPROVAL OF TAX REFUNDS OVER \$500.00.

Approved tax refunds of over \$500.

1. CITIZENS STATE BANK

Approved a tax refund in the amount of \$647.99.

2. VISITACION FRANCIS JOSUE

Approved a tax refund in the amount of \$1,185.62.

3. ANACLETO & JESSICA BOTELLO

Approved a tax refund in the amounts \$653.37 and \$653.37.

4. ROLANDO & BENILDE ELISA GARCIA

Approved a tax refund in the amount of \$539.77.

5. KENNETH D. & NOELIA C. JENKINS

Approved a tax refund in the amount of \$698.80.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR STORAGE BUILDING F & G.

Staff recommended award of contract to Mata G Construction Inc. in the amount of \$253,000.00 with a contract time not to exceed 150 calendar days for the storage building F&G Project.

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.

B) AWARD OF CONTRACT FOR THE TORONTO AVENUE AT SOUTH 16TH STREET DRAINAGE IMPROVEMENTS PROJECT (CDBG FUNDED).

Staff recommended award of contract to MJA Construction LLC in the amount of \$193,267.00 with a contract time of 90 calendar days for the Toronto Avenue at South 16th Street Drainage Improvements Project (CDBG Funded).

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.

C) AWARD OF CONTRACT FOR THE QUINCE AVENUE AND NORTH 8TH STREET DRAINAGE IMPROVEMENTS PROJECT.

Staff recommended award of contract to MJA Construction LLC in the amount of \$196,506.92 with a contract time not to exceed 60 calendar days for the Quince Avenue and North 8th Street Drainage Improvements Project.

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

D) AWARD OF CONTRACT FOR MCALLEN FIREFIGHTER TRAINING FACILITY.

Staff recommended award of contract to NM Contracting LLC in the amount of \$4,642,700.00 with a contract time not to exceed 480 calendar days for the McAllen Firefighter Training Facility.

Commissioner Omar Quintanilla announced that he had a conflict with Item 3D and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

Commissioner, Antonio "Tony" Aguirre, Jr. moved to award the contract as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion passed with three votes in the affirmative and Commissioner Omar Quintanilla in abstention.

E) AWARD OF CONTRACT FOR THE PURCHASE OF LICENSE PLATE RECOGNITION (LPR) EQUIPMENT WITH SELECTED OPTIONS FOR TX RGV TAG LPR SYSTEM.

Staff recommended award of contract to Motorola Solutions, Inc. in the amount of \$1,598,091.31 for the purchase of License Plate Recognition (LPR) Equipment with selected options for TX RGV TAG LPR System.

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

F) SOLE SOURCE AWARD TO ALLIANCE TRANSPORTATION GROUP FOR SRP UPDATE.

Staff recommended award of contract to ATG for the Alliance Transportation Group for SRTP Update.

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.

G) CONSIDERATION AND APPROVAL OF SOUTHBOUND PEDESTRIAN TURNSTILES AT THE MCALLEN-HIDALGO INTERNATIONAL BRIDGE.

Staff recommended award of contract to The Revenue Markets Inc. in the amount of \$61,755.00 for the Southbound Pedestrian Turnstiles at the McAllen-Hidalgo International Bridge.

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

H) CONSIDERATION AND SELECTION FOR DELINQUENT TAX COLLECTION SERVICES.

Staff recommended award of contract to Linebarger Goggan Blair and Sampson LLP for the Delinquent Tax Collection Services.

Commissioner Omar Quintanilla moved to table said item and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

4. ORDINANCES

A) CONSIDERATION AND POSSIBLE APPROVAL OF AN ORDINANCE REGARDING WRECKER SERVICES AND FEES.

Staff recommended adoption of an ordinance providing for wrecker services and fees.

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 by those present.

B) PROVIDING FOR A BUDGET AMENDMENT FOR THE ANZALDUAS INTERNATIONAL BRIDGE DEBT SERVICE FULL CARGO PROJECT.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$2,345,027 for the Anzaldua's International Bridge Debt Service Full Cargo Project.

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

C) UPDATING THE CITY'S DESIGNATED REPRESENTATIVE TO INSPECT ON-SITE SEWAGE FACILITIES AND TO ENFORCE APPLICABLE REGULATIONS.

Staff recommended adoption of an ordinance providing for the update of the City's designated representative to inspect on-site sewage facilities and to enforce applicable regulations.

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

D) PROVIDING FOR A BUDGET AMENDMENT FOR THE FIREFIGHTER TRAINING FACILITY PROJECT.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$1,200,000 for the Firefighter Training Facility Project.

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

E) CONSIDERATION AND POSSIBLE APPROVAL OF AN AMENDMENT TO THE SIGN ORDINANCE TO ALLOW RELOCATION AGREEMENTS FOR OFF-PREMISES SIGNS.

Staff recommended adoption of an ordinance providing for an amendment to the sign ordinance to allow relocation agreements for off-premises signs.

Commissioner Omar Quintanilla moved to adopt the ordinance as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

5. VARIANCE

A) CONSIDERATION OF A VARIANCE REQUEST TO PAVING REQUIREMENTS AT THE PROPOSED OLIVE GROVE ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS; 3900 LARK AVENUE.

Staff recommended disapproval of the variance request to the paving requirements at 3900 Lark Avenue.

A lengthy discussion ensued. Comments and concerns were shared by Council. Questions were asked regarding palm trees, 11 feet difference, full lane section or eliminate lane, 53.9 back-to-back or 65, left turns, proposal, new fence, five and four lane sections and travel vs. trees.

After due consideration, Commissioner Antonio "Tony" Aguirre, Jr. moved to approve option 2 as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion passed with three votes in the affirmative with Commissioner Omar Quintanilla voting against.

6. MANAGER'S REPORT

A) CONSIDERATION OF THE ACCEPTANCE OF A CERTIFICATION OF UNOPPOSED CANDIDATES FOR CERTAIN RACES ON THE MAY 6, 2023, GENERAL CITY ELECTION AND ISSUANCE OF AN ORDER OF CANCELLATION FOR SAME RACES. PRESENTACIÓN Y ACEPTACIÓN DE UNA CERTIFICACIÓN DE CANDIDATOS ÚNICOS PARA CIERTOS PUESTOS O CARGOS, PARA LA ELECCIÓN GENERAL DE LA CIUDAD DEL 6 DE MAYO DE 2023 Y APROBACIÓN DE UNA ORDEN DE CANCELACIÓN PARA LOS MISMOS PUESTOS.

Staff recommended acceptance of a Certification of Unopposed Candidates for certain races or the May 6, 2023, General City Election, and Issuance of an Order of Cancellation for same races.

Commissioner Omar Quintanilla moved to accept the certifications and cancellation of same races as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

B) IMMIGRATION AND RESPITE CENTER REPORT.

Mr. Jeff Johnston presented immigration and respite center updates and answered questions.

C) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows: None.

7. TABLED ITEM (S)

A) CONSIDERATION OF A VARIANCE FOR ESCROW REQUIREMENTS FOR NORTH 25th LANE AND 8-3/4 MILE RD., AT PROPOSED CHAISES DE JARDIN SUBD., HIDALGO COUNTY, TEXAS; 2501 RUSSELL ROAD.

Commissioner Omar Quintanilla moved to remove said item from the table and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

Staff recommended disapproval of variance request for escrow requirements, but if approval is considered, option 3 for a contractual agreement at 2501 Russell Road.

Discussion ensued. Comments and concerns were shared by Council. Questions were asked relating to expansion of roadway, development on south, Russell Road and corner of property.

After due consideration, Commissioner Victor "Seby" Haddad moved to approve Option 3 (Contractual Agreement) and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

8. 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 8A and 8B; Section 551.072 Deliberation Regarding Real Property on Item 8D; and Section 551.087 Economic Development on Item 8C.

Mayor Javier Villalobos recessed the meeting at 6:24 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 6:40 pm and noting the following city commission members present: Mayor Javier Villalobos, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca.

A) CONSULTATION WITH CITY ATTORNEY REGARDING COLLECTIVE BARGAINING WITH THE MCALLEN PROFESSIONAL LAW ENFORCEMENT ASSOCIATION. (SECTION 551.071, TGC)

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to authorized and appointed the City Manager, City Attorney and Commissioner Quintanilla as the bargaining agents for the city in collective bargaining and MPLEA the police department union and Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously by those present.

B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES WITH AND POSSIBLE LITIGATION RELATED TO AIR SERVICE AGREEMENT. (SECTION 551.071, TGC)

Commissioner Omar Quintanilla moved to authorize City Manager and City Attorney to offer reimbursement in connection with air service agreement and presales that may have been made and Commissioner Jose R. "Pepe" Cabeza de Vaca seconded the motion. The motion carried unanimously by those present.

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

C-1 – Omar Quintanilla moved to authorize the City Manager and City Attorney to offer the economic incentives described in executive session and Commissioner Jose R. “Pepe” Cabeza de Vaca seconded the motion. The motion carried unanimously by those present.

C-2 – Commissioner Jose R. “Pepe” Cabeza de Vaca moved to authorize the City Manager and City Attorney to offer the economic incentives described in executive session and Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously by those present.

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

D-1 - Commissioner Jose R. “Pepe” Cabeza de Vaca moved to authorize the City Manager and City Attorney to enter into the lease agreement for the real property described in executive session and Commissioner Victor “Seby” Haddad seconded the motion. The motion carried unanimously by those present.

D-2 - Commissioner Jose R. “Pepe” Cabeza de Vaca moved to authorize the City Manager and City Attorney to list 2401 La Vista, and 2308 and 2301 N. 25th street for sale on mls for a period of no less than 30 days with a licensed real estate broker and negotiate the terms of the possible sale of those lots and Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously by those present.

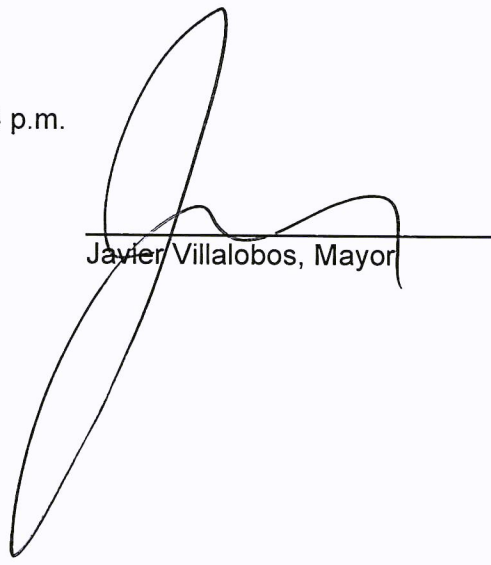
ADJOURNMENT

Without objection the meeting was adjourned at 6:43 p.m.

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary



Javier Villalobos, Mayor