

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **February 26, 2024**, at 5:00 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Javier Villalobos, Mayor Pro Tem Omar Quintanilla, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Joaquin Zamora, 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, 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.

PROCLAMATIONS

WOMEN'S INTERNATIONAL DAY

Commissioner Joaquin Zamora read and presented a proclamation for *Women's International Day*.

ROTARY INTERNATIONAL 119TH ANNIVERSARY

Commissioner Antonio "Tony" Aguirre, Jr. read and presented a proclamation for *Rotary International 119th 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 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 comments were provided during the public hearing routine items section.

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

- 1. REQUEST OF RODOLFO FLORES III, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE SHOP AT LOTS 1, 2 & 3, FALCON ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 821 NORTH 23RD STREET, SUITE 160.**

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a smoke shop at 821 North 23rd Street, Suite 160, 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 abovementioned 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 district or user.
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 23rd Street.
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. The business will require six 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 taken into account 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.

2. REQUEST OF MELINDA MONTELONGO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A VAPORIZER STORE (VAPE SHOP), AT LOTS 13 & 14, LAZY-A RANCH ADDITION, HIDALGO COUNTY, TEXAS; 1406 NORTH 24th STREET, SUITE 190.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a vaporizer store (vape shop) at 1406 North 24th Street, Suite 190, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the 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 south.
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 Pecan Boulevard.
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 1,799 sq. ft. commercial area requires eight 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 taken into account the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be determined by the Building and Inspections Department as part of the building permit review process.

3. REQUEST OF MELINDA MONTELONGO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A VAPORIZER STORE (VAPE SHOP), AT LOTS 17 & 18, BLOCK 12, MCALLEN ADDITION, HIDALGO COUNTY, TEXAS; 1424 BEAUMONT AVENUE, SUITE B.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a vaporizer store (vape shop) at 1424 Beaumont Avenue, Suite B, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the 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 publicly owned properties known as the Downtown McAllen Parking Garage and the McAllen Central Station.
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 access to Business Highway 83 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 applicant intends to pay the applicable fee in lieu of providing the required parking. The subject property is located in the Downtown Retail Overlay District (DROD). Retail establishments in the DROD that do not comply with the city's off street parking ordinance by providing the required minimum number of parking spaces shall in lieu of such compliance pay an applicable fee.
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 determined by the Building and Inspections Department as part of the building permit review process.

4. 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, BLOCK 1, TRENTON COMMERCIAL PARK SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 TRENTON ROAD, SUITE 2A.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a smoke and vape shop at 2200 Trenton Road, Suite 2A, 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 taken into account 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.

5. REQUEST OF JORGE A. GONZALEZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR/CIGAR SHOP AT LOTS 2-A, VALRAM HEIGHTS SUBDIVISION, HIDALGO COUNTY, TEXAS; 2801 WEST EXPRESSWAY 83, BUILDING 200, SUITES 280-290.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar/cigar shop at 2801 West Expressway 83, Building 200, Suites 280-290, as per Planning and Zoning Commission.

The bar must also 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 the abovementioned 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 bar has access to U.S. Expressway 83 and South 29th Street and does not generate traffic into residential areas.
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. The 2,950 sq. ft. combined retail and lounge area requires a total of 16 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 taken into account 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.

6. 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 LOT 1A, WILSON SUBDIVISION, HIDALGO COUNTY, TEXAS; 4000 NORTH 10th STREET, SUITE 30A.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a smoke and vape shop at 400 North 10th Street, 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 taken into account 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.

The routine public hearing closed without comments.

B) REZONINGS:

1. REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 1, LOS ARCOS SUBDIVISION, HIDALGO COUNTY, TEXAS; 4400 SOUTH WARE ROAD.

Staff recommended approval of the C-3 zoning at 4400 South Ware Road, as per Planning and Zoning Commission.

Commissioner Joaquin Zamora moved to table the C-3 zoning as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca to verify the petition submitted. The motion carried unanimously.

2. INITIAL ZONING TO C-3 (GENERAL BUSINESS) DISTRICT: 8.6 ACRES OUT OF LOT 10, SECTION 4, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6801 SOUTH 10th STREET.

Staff recommended approval of the initial zoning to C-3 at 6801 South 10th Street.

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

3. REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSES) DISTRICT: 3.581 ACRES OUT

**OF LOT 60, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S
SUBDIVISION, HIDALGO COUNTY, TEXAS; 7709 NORTH 23RD STREET.**

Staff recommended approval of the R-3T zoning at 7709 North 23rd Street, 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. Citizens spoke against the rezoning. Representative of Melden and Hunt spoke in favor of the request.

Comments and concerns were shared by Council. Questions were asked about character of the neighborhood, commercial, single family, multifamily, traffic, less intense use, property owners, and developed areas. Staff answered questions posed by Council.

Commissioner Joaquin Zamora moved to deny the request for rezoning. The motion failed for lack of a second.

After due consideration, Mayor Jaiver Villalobos call the question. Commissioner Omar Quintanilla moved to approve the R-3T zoning as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried with 6 votes in favor and Commissioner Joaquin Zamora voting against.

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

Commissioner Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

**D) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF
8.6 ACRES OUT OF LOT 10, SECTION 4, HIDALGO CANAL COMPANY
SUBDIVISION, HIDALGO COUNTY, TEXAS; 6801 SOUTH 10TH STREET.**

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 6801 South 10th Street.

Commissioner Victor "Seby" Haddad moved to adopt the ordinance as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

END OF PUBLIC HEARING

Mayor Javier Villalobos declared the Public Hearing closed.

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

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda and Commissioner Rodolfo "Rudy" Castillo seconded. The motion carried unanimously.

**A) APPROVAL OF MINUTES FOR WORKSHOP AND REGULAR MEETING HELD
ON FEBRUARY 12, 2024.**

Approved the Minutes of Workshop and Regular Meeting held on February 12, 2024, as submitted.

**B) CONSIDERATION AND APPROVAL OF CONTRACT EXTENSION FOR CITY
OF MCALLEN EMPLOYEE BENEFITS ANCILLARY & SECTION 125
ADMINISTRATION. PROJECT NO. 06-18-S45-238**

Approved Contract extension for City of McAllen Employee Benefits Ancillary & Section 125 Administration, effective October 1, 2024 through September 30, 2025.

- C) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE CITY OF GENERAL TERAN, NUEVO LEON, MEXICO.**

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

- D) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE CITY OF DIAZ ORDAZ, TAMAULIPAS, MEXICO.**

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

- E) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT FOR THE DONATION OF A SURPLUS VEHICLE TO THE CITY OF VICTORIA, TAMAULIPAS, MEXICO.**

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

- F) CONSIDERATION AND AUTHORIZATION TO REMOVE 3RD QUARTER OF FISCAL YEAR 2022-2023 UNCOLLECTIBLE SANITATION AND DRAINAGE ACCOUNTS FROM THE GENERAL LEDGER AND BEGIN WRITE-OFF PROCEDURES.**

Approved authorization to remove 3RD Quarter of Fiscal Year 2022-2023 Uncollectible Sanitation and Drainage Accounts from General Ledger and begin Write-Off procedures.

- G) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT IN THE GENERAL DEPRECIATION FUND FOR THE PURCHASE OF POLICE PACKAGED VEHICLES. PROJECT NO. 11-23-P16-103**

Adopted an ordinance providing for a budget amendment in the amount of \$55,000.00 for the Purchase of Police Packaged Vehicles.

- H) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS OFFICE OF THE GOVERNOR FOR FUNDING UNDER THE FISCAL YEAR 2024 STATE HOMELAND SECURITY PROGRAM - REGULAR PROJECTS (SHSP-R).**

Approved a resolution authorizing the submission of a grant application to the Texas Office of the Governor for funding under the Fiscal Year 2024 State Homeland Security Program - Regular Projects (SHSP-R).

- I) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS OFFICE OF THE GOVERNOR, HOMELAND SECURITY GRANTS DIVISION FOR FUNDING UNDER THE FISCAL YEAR 2023 OPERATION STONEGARDEN GRANT PROGRAM.**

Approved a resolution authorizing the submission of a grant application to the Texas Office of the Governor, Homeland Security Grants Division for funding under the Fiscal Year 2023 Operation Stonegarden Grant Program.

- J) STATUS REPORT ON PARKS & RECREATION PROJECTS.**

Approved the status report on Parks & Recreation Projects.

- K) SUBDIVISION MONTHLY REPORT.**

Approved the Subdivision Monthly Report.

- L) PROJECT STATUS MONTHLY REPORT THROUGH JANUARY 31, 2024.**

Approved the Project Status Monthly report through January 31, 2024.

- M) CONSENT COOP PURCHASES**

1. AWARD OF CONTRACT FOR THE PURCHASE OF NINE (9) NEW CURRENT MODEL POLICE PACKAGED VEHICLES THROUGH COOPERATIVE CONTRACT PRICING. PROJECT NO. 11-23-P16-103.

Awarded contracts to Grapevine DCJ for item #1 - Four (4) new current model police packaged immediate size sedans in the amount of \$153,492.00 and to Silsbee Ford in the amount of \$374,768.55 for item #2 - Five (5) new current model AWD 4-door police packaged Sport Utility Vehicles.

2. AWARD OF CONTRACT FOR THE PURCHASE OF TWO (2) CURRENT YEAR MODEL FRONT-LOAD COMMERCIAL REFUSE TRUCKS THROUGH BUYBOARD COOPERATIVE PRICING.

Awarded a contract to Volvo & Mack Trucks in the amount of \$813,619.60 for two (2) current year model front-load commercial refuse collection trucks.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THE PURCHASE OF TWO (2) CURRENT MODEL HERBICIDE TRUCKS. PROJECT NO. 11-23-P23-95

Staff recommended award of contract to Chemical Solutions LLC in the amount of \$315,765.54 for the purchase of two (2) new herbicide trucks.

Comments were shared by Council. Staff answered questions posed by Council. After due consideration, 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.

B) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR FIRE STATION NO. 8.

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

Staff recommended approval of Change Order No. 1 in the amount of \$10,792.00 with 14 additional calendar days for Fire Station No. 8.

Comments and concerns were shared by Council. Questions were asked relating to number of days, electrical questions, dollar amount and 14 days, amount of time to be added to the contract, pull box and partial approval.

After due consideration, Commissioner Joaquin Zamora moved to approve Change Order No. 1 amount without the days and seconded by Commissioner Victor "Seby" Haddad. The motion carried with 5 votes in favor and Commissioner Omar Quintanilla in abstention.

C) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 4 FOR QUINTA MAZATLAN PALM HOUSE DESIGN SERVICES. (PROJECT NO. 08-17-S41-487)

Staff recommended approval of Change Order No. 4 in the amount of \$7,935.00 for the Quinta Mazatlán Palm House Design Services Project.

Comments and concerns were shared by Council. Staff answered questions posed by Council. After due consideration, Commissioner Joaquin Zamora moved to approve Change Order No. 4 as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

D) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 2 WITH CRUZ HOGAN CONSULTANTS, INC. FOR ADDITIONAL ENGINEERING SERVICES.

Staff recommended approval of Contract Amendment No. 2 with Cruz-Hogan Consultants, Inc., in the total amount of \$107,564.00 for a revised contract amount of \$345,989.80.

Comments and concerns were shared by Council. After due consideration, Commissioner Antonio "Tony" Aguirre Jr. moved to approve contract amendment No. 2 as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

E) CONSIDERATION AND APPROVAL OF AMENDMENT NO.1 TO THE AIRLINE OPERATING AGREEMENT AND TERMINAL BUILDING LEASE WITH AEROLITORAL, S.A. DE C.V. DBA AEROMEXICO CONNECT.

Staff recommended approval of Amendment No. 1 to the Airline Operating Agreement and Terminal Building Lease with Aerolitoral, S.A. de C.V. dba Aeromexico Connect.

Commissioner Joaquin Zamora moved to approve amendment No. 1 as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

4. ORDINANCES

A) CONSIDERATION OF REQUEST TO DESIGNATE A "NO PARKING" ZONE ON M STREET AND PRIMROSE AVENUE.

Staff recommended adoption of an ordinance providing for the No Parking designation on M Street and Primrose Avenue.

Comments and concerns were shared by Council. Questions were asked relating to traffic trailers in the area, nearby businesses, pavement, safety issues and option B.

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

B) AMENDMENT TO THE CODE OF ORDINANCES OF THE CITY OF MCALLEN AT CHAPTER 106 ("UTILITIES"), ARTICLE IV ("SANITARY SEWER SYSTEM"), DIVISION 3 ("PRETREATMENT AND SEWER USE"), SECTION 106-183(C).

Staff recommended amendment of the code of ordinance of the City of McAllen Chapter 106, (Utilities), Article IV (Sanitary Sewer System), Division 3, (Pretreatment and Sewer Use), Section 106-183 (C).

Commissioner Joaquin Zamora moved to adopt the ordinance as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried.

5. VARIANCES

A) CONSIDERATION OF VARIANCE REQUEST FOR A CONTRACTUAL AGREEMENT IN LIEU OF PROVIDING OR ESCROWING FOR SIDEWALK ALONG MILE 7 ROAD AT THE PROPOSED GRACE HAVEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 7100 MILE 7 ROAD.

Staff recommended approval of Option 1.

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

B) CONSIDERATION OF VARIANCE REQUESTS TO: 1) ROW DEDICATION REQUIREMENT ON THE WEST SIDE FOR FUTURE NORTH 48TH STREET, 2) ROW DEDICATION REQUIREMENT ON THE NORTH SIDE FOR FUTURE PRIMROSE AVENUE FOR PROPOSED MCALLEN PUBLIC WORKS SUBDIVISION, HIDALGO COUNTY, TEXAS; 4201 NORTH BENTSEN ROAD.

6. MANAGER'S REPORT

A) IMMIGRATION AND RESPITE CENTER REPORT.

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

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

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

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

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

D) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows: UTRGV Project Presentation

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).

A) CONSULTATION WITH THE CITY ATTORNEY REGARDING LEGAL ISSUES WITH CONTRACT BETWEEN MCALLEN INDEPENDENT SCHOOL DISTRICT AND CITY OF MCALLEN RELATED TO QUINTA MAZATLÁN. (SECTION 551.071, T.G.C.)

Commissioner Antonio "Tony" Aguirre Jr. moved to authorize City Manager and City Attorney to communicate with the school district's consistent with the matters described in executive session and seconded by Victor "Seby" Haddad. The motion carried unanimously.

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

7B1 Mayor Pro Tem Omar Quintanilla announced that he had a conflict with item 7B1 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Commissioner Antonio "Tony" Aguirre Jr. moved to authorize City Manager and City Attorney to negotiate the economic development incentives to include 20% of sales tax rebate in the amount up to \$2 million dollars and property tax rebate at the amount described in executive session and seconded by Commissioner Victor "Seby" Haddad. The motion carried with 5 votes in favor and Commissioner Omar Quintanilla in abstention.

7B2 – Update only.

C) CONSULTATION WITH CITY ATTORNEY REGARDING POSSIBLE EMPLOYMENT LITIGATION. (SECTION 551.071, T.G.C.)

No action.

D) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO FIREFIGHTERS' PENSION FUNDS. (SECTION 551.071, T.G.C.)

No action.

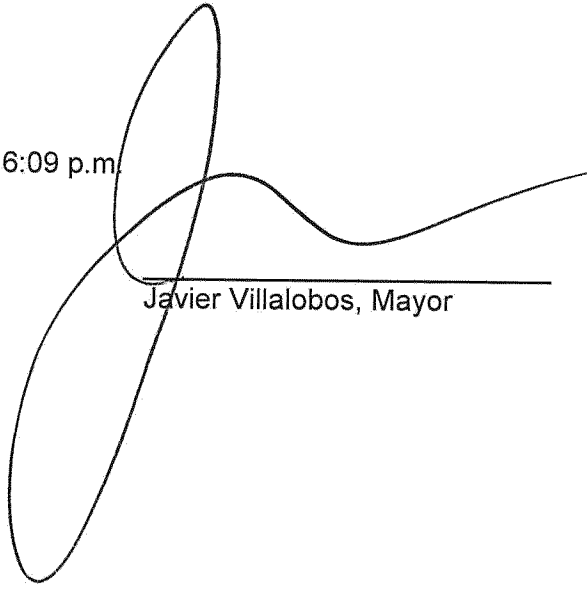
ADJOURNMENT

Without objection the meeting was adjourned at 6:09 p.m.

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary



Javier Villalobos, Mayor