

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **April 8, 2024**, at 5:00 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Pro Tem Omar Quintanilla, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Joaquin Zamora, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

Absent: Mayor Javier Villalobos 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

CALL TO ORDER

Mayor Pro Tem Omar Quintanilla called the meeting to order.

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 5:00pm) Mrs. Nedra Kinerk, Lauren McLeish, Elizabeth Herrera, and Cecilia Crixell spoke on agenda public comment.

1. PUBLIC HEARING

Mayor Pro Tem Omar Quintanilla called the Public Hearing to order.

A) REZONINGS

1. REZONE FROM R-2 (DUPLEX FOURPLEX) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT: LOT 12, BLOCK 1, GOLDEN ACRES NO. 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 612 NORTH WARE ROAD.

Staff recommended approval of the C-1 zoning at 612 North Ware Road, as per Planning and Zoning Commission.

Mayor Pro Tem Omar Quintanilla asked if there was anyone to speak in opposition to the items under this section of the agenda. No one spoke.

A discussion ensued. Comments were shared by Council. Questions were asked regarding challenge, and one lot commercial. Staff answered questions posed by Council.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to disapprove the C-1 zoning and seconded by Commissioner Joaquin Zamora. The motion passed with three votes in the affirmative with Commissioner Victor "Seby" Haddad voting against.

2. REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO R-3A (MULTIFAMILY APARTMENTS) DISTRICT: 2.37 ACRES OF LAND OUT OF LOT 105, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4420 NORTH WARE ROAD.

Staff recommended tabling said item, as per applicant's request.

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

3. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 3.26 ACRES, MORE OR LESS, OUT OF LOT 6, BLOCK 2, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4300 PECAN BOULEVARD. (TABLED)

Said item remained tabled.

B) CONDITIONAL USE PERMIT

1. REQUEST OF MELDEN AND HUNT INC. ON BEHALF OF RHODES ENTERPRISES INC., FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PLANNED UNIT DEVELOPMENT (PUD) AT A 9.333-ACRE TRACT OUT OF LOT 100, LA LOMITA IRRIGATION & CONSTRUCTION CO. SUBDIVISION, HIDALGO COUNTY, TEXAS; 4900 NORTH WARE ROAD.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for life of the use, for a planned unit development (PUB) at 4900 North Ware Road, as per Planning and Zoning Commission.

Mayor Pro Tem Omar Quintanilla 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 Conditional Use Permit as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously by those present.

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 by those present.

END OF PUBLIC HEARING

Mayor Pro Tem Omar Quintanilla 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 Victor "Seby" Haddad announced that he had a conflict with items 2E2 and 2E4 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda Commissioner Antonio "Tony" Aguirre, Jr. seconded. The motion carried unanimously by those present.

A) APPROVAL OF MINUTES FOR WORKSHOP AND REGULAR MEETING HELD ON MARCH 25, 2024

Approved the minutes of Workshop and Regular Meeting held March 25, 2024, as submitted.

B) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY UNDER THE FISCAL YEAR 2023 FIRE PREVENTION AND SAFETY (FP&S) GRANT PROGRAM.

Approved a resolution authorizing the submission of a grant application to the Department of Homeland Security under the Fiscal Year 2023 Fire Prevention and Safety (FP&S) Grant Program.

C) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY UNDER FISCAL YEAR 2023 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM.

Approved a resolution authorizing the submission of a grant application to the Department of Homeland Security under Fiscal Year 2023 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program.

D) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) CURRENT MODEL YEAR ROLL-OFF REFUSE TRUCK THROUGH BUY BOARD COOPERATIVE PRICING. PROJECT NO. 02-24-P41-01.

Awarded a contract to Doggett Freightliner in the amount of \$226,401.00 for the purchase of one (1) current model year roll-off refuse truck.

2. AWARD OF PURCHASE CONTRACT FOR ONE (1) CURRENT MODEL AERIAL BUCKET TRUCK THROUGH SHERIFF'S ASSOCIATION OF TEXAS (SAT) COOPERATIVE PRICING. PROJECT NO. 03-24-P28-01

Awarded a contract to Randall Reed's Planet Ford in the amount of \$172,406.48 for the purchase of one (1) current model aerial bucket truck.

3. AWARD OF CONTRACT FOR THE PURCHASE OF A WOODCHIPPER THROUGH BUYBOARD COOPERATIVE PRICING.

Awarded a contract to Vermeer Texas-Louisiana in the amount of \$90,000.00 for the purchase of a woodchipper.

4. AWARD OF CONTRACT FOR THE PURCHASE OF FIRE DEPARTMENT EMERGENCY RESPONSE PICK-UP.

Awarded a contract to Silsbee Ford in the amount of \$83,430.50 for the purchase of Fire Department emergency response pick-up.

E) APPROVAL OF TAX REFUNDS OVER \$500.00.

Approved tax refunds of over \$500.

1. 1100 S. JACKSON ROAD LLC

Approved a tax refund in the amount of \$537.62.

2. ADRYCA PROPERTIES LLC

Approved a tax refund in the amount of \$631.94.

3. MARIA BONILLA

Approved a tax refund in the amount of \$748.60.

4. ALONZO CANTU, TRUSTEE

Approved a tax refund in the amount of \$815.42.

5. CORELOGIC

Approved a tax refund in the amount of \$1,923.43.

6. ALEJANDRO & SAN JUANITA GARZA

Approved tax refunds in the amounts of \$1,057.89 and \$200.81.

7. EDUARDO A. & GLORIA S. JARAMILLO

Approved a tax refund in the amount of \$1,199.49.

8. RALPH LEE JOHNSON, JR.

Approved tax refunds in the amount of \$1,051.86 and \$21.88.

9. LERETA LLC

Approved tax refunds in the amounts of \$833.50 and \$3,161.65.

10. SEBASTIAN ERNESTO CUEVAS PAREJA

Approved a tax refund in the amount of \$531.59.

11. RUMALDO & SANDRA B. ROSAS

Approved tax refunds in the amounts of \$979.52 and \$178.22.

12. JAIRO H. SEGURA

Approved tax refunds in the amounts of \$78.17 and \$501.44.

13. SPROUTS FARMERS MARKET #121

Approved a tax refund in the amount of \$1,239.69.

14. GREGORY FELIPE WASHINGTON

Approved a tax refund in the amount of \$731.70.

3. BIDS/CONTRACTS

A) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 4 FOR THE DOVE AVENUE ROADWAY AND DRAINAGE IMPROVEMENTS. PROJECT NO. 09-22-C46-493

Staff recommended approval of Change Order No. 4 in the amount of \$27,699.00 for the Dove Avenue Roadway and Drainage Improvements Project.

Commissioner Joaquin Zamora moved to approve Change Order No. 4 as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

B) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICES AND FEE SCHEDULE WITH THE TOP-RANKED ARCHITECTURAL FIRM FOR THE CITY HALL EXPANSION PROJECT.

Staff asked Council to rank the firms for the city hall expansion project based on interviews held at the special workshop of March 26, 2024.

Staff recommended authorization to negotiate scope of services and fee schedule with the top-ranked firm, Milnet Architectural Services, for the City Hall Expansion Project. If negotiations are unsuccessful, staff will cease and, with the City Manager's approval, initiate negotiations with the next highest ranked firm.

A discussion ensued. Comments and concerns were shared by Council. Motion was made by Commissioner Joaquin Zamora and seconded by Commissioner Antonio "Tony" Aguirre to void ballots and bring back items at the next regular board meeting. The vote on the motion was one vote in favor and Commissioners Antonio "Tony" Aguirre Jr., Victor "Seby" Haddad and Jose R. "Pepe" Cabeza de Vaca voting against. The motion failed.

Mayor Pro Tem Omar Quintanilla called the question. Commissioner Victor "Seby" Haddad moved to accept the ballot as presented and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried with three votes in favor and Commissioner Joaquin Zamora voting against.

C) AWARD OF CONTRACT FOR THE NORTH MAIN STREET AT JAY AVE. DRAINAGE IMPROVEMENTS PROJECT.

Staff recommended award of contract to C&A Builders in the amount of \$1,109,301.00 with a contract time not to exceed 300- calendar days for the North Main Street at Jay Avenue Drainage Improvements Project.

Discussion ensued. Comments were shared by Council. Questions were asked regarding previous work. Staff answered questions posed.

After due consideration, Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

D) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 3 FOR THE MCALLEN SOUTH INDUSTRIAL PARK PROJECT. (EDA 08-79-05610).

Staff recommended approval of Change Order No. 3 in the amount of \$0.00 with an additional 96 calendar days for the McAllen South Industrial Park Project.

Discussion ensued. Comments were shared by Council. Questions were asked regarding number of days, delays and start of constructions. Staff answered questions posed.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve Change Order No. 3 as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously by those present.

E) AWARD OF CONTRACT FOR THE QUINTA MAZATLAN WALL REPAIRS PROJECT.

Staff recommended award of contract to 365 Builders LLC in the amount of \$49,594.60 with a contract time not to exceed 19-calendar days for the Quinta Mazatlán Wall Repairs Project.

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

F) AWARD OF CONTRACT FOR PURCHASE AND INSTALLATION OF FURNITURE FOR THE FINANCE AND BUDGET DEPARTMENT RENOVATION.

Staff recommended award of contract to Gateway in the amount not to exceed \$128,837.49 for the purchase and installation of furniture for the Finance and Budget Department renovation.

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 by those present.

G) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 6 FOR THE MCALLEN-HIDALGO INTERNATIONAL BRIDGE NORTHBOUND PEDESTRIAN IMPROVEMENTS.

Staff recommended approval of Change Order No. 6 in the amount of \$74,654.94 and an additional 95-working days for the McAllen-Hidalgo Bridge North Pedestrian Improvements Project.

Commissioner Joaquin Zamora moved to approve Change Order No. 6 as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously by those present.

4. ORDINANCE

A) CONSIDERATION AND POSSIBLE APPROVAL OF AN AMENDMENT TO THE SIGN ORDINANCE TO ADOPT THE SPACING REQUIREMENTS PROMULGATED BY THE TEXAS DEPARTMENT OF TRANSPORTATION.

Staff recommended adoption of an ordinance providing for an amendment to the sign ordinance to adopt the spacing requirements promulgated by the Texas Department of Transportation.

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

5. RESOLUTION

A) CONSIDERATION AND APPROVAL OF RESOLUTION FOR PASSENGER FACILITY CHARGE APPLICATION.

Staff recommended approval of Resolution approving submission of PFC application to assist in funding budgeted McAllen International Airport Improvement Projects.

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

6. MANAGER'S REPORT

A) REVIEW OF QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2023.

Staff presented the Quarterly Investment Report for quarter ending December 31, 2023, and recommended acceptance of said report as per the Audit Investment Committee.

Commissioner Joaquin Zamora moved to accept the report as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously by those present.

B) IMMIGRATION AND RESPITE CENTER REPORT.

Said item was not addressed.

C) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows: Restrictions on number of animals and enforcement.

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 551.087 Economic Development on Item 7A.

Mayor Pro Tem Omar Quintanilla recessed the meeting at 5:37 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 5:50 pm and noting the following city commission members present: Mayor Pro Tem Omar Quintanilla, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Joaquin Zamora, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca. Absent: Mayor Javier Villalobos and Commissioner Rodolfo "Rudy" Castillo

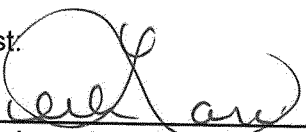
A) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS (SECTION 551.087, T.G.C.)

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to auth city manager and city attorney to negotiate the economic incentives as described in executive session and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

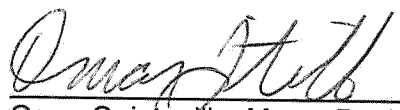
ADJOURNMENT

Without objection the meeting was adjourned at 5:51 p.m.

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary



Omar Quintanilla, Mayor Pro Tem

Ranking Ballot for Architects

Please score each of the following firms with 5 being the highest and 1 being the lowest. Use each number once.

- | | |
|----------|--|
| <u>5</u> | Milnet Architectural Servies, PLCC |
| <u>5</u> | ERO Architects |
| <u>3</u> | Negrete & Kolar Architects, LLP |
| <u>3</u> | Boultinghouse Simpson Gates Architects, Inc. |
| <u>4</u> | Rike Ogden Figueroa Allex Architects, Inc. |

Ranking Ballot for Architects

Please score each of the following firms with 5 being the highest and 1 being the lowest. Use each number once.

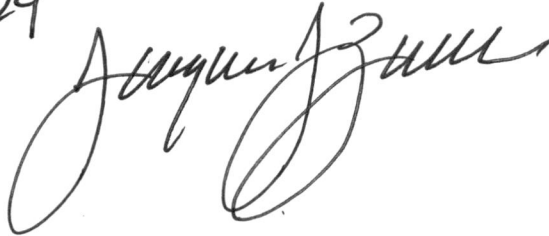
- | | |
|----------|--|
| <u>4</u> | Milnet Architectural Servies, PLCC |
| <u>3</u> | ERO Architects |
| <u>2</u> | Negrete & Kolar Architects, LLP |
| <u>5</u> | Boultinghouse Simpson Gates Architects, Inc. |
| <u>1</u> | Rike Ogden Figueroa Allex Architects, Inc. |

Ranking Ballot for Architects

Please score each of the following firms with 5 being the highest and 1 being the lowest. Use each number once.

- | | |
|----------|--|
| <u>5</u> | Milnet Architectural Servies, PLCC |
| <u>4</u> | ERO Architects |
| <u>3</u> | Negrete & Kolar Architects, LLP |
| <u>1</u> | Boultinghouse Simpson Gates Architects, Inc. |
| <u>2</u> | Rike Ogden Figueroa Allex Architects, Inc. |

4/8/24



Ranking Ballot for Architects

Please score each of the following firms with 5 being the highest and 1 being the lowest. Use each number once.

<u>4</u>	Milnet Architectural Servies, PLCC
<u>5</u>	ERO Architects
<u>3</u>	Negrete & Kolar Architects, LLP
<u>2</u>	Boultinghouse Simpson Gates Architects, Inc.
<u>1</u>	Rike Ogden Figueroa Allex Architects, Inc.

Ranking Ballot for Architects

Please score each of the following firms with 5 being the highest and 1 being the lowest. Use each number once.

- | | |
|----------|--|
| <u>4</u> | Milnet Architectural Servies, PLCC |
| <u>3</u> | ERO Architects |
| <u>2</u> | Negrete & Kolar Architects, LLP |
| <u>1</u> | Boultinghouse Simpson Gates Architects, Inc. |
| <u>5</u> | Rike Ogden Figueroa Allex Architects, Inc. |

TALLY

F

Ranking Ballot for Architects

Please score each of the following firms with 5 being the highest and 1 being the lowest. Use each number once.

22

Milnet Architectural Servies, PLCC

20

ERO Architects

13

Negrete & Kolar Architects, LLP

12

Boultinghouse Simpson Gates Architects, Inc.

13

Rike Ogden Figueroa Allex Architects, Inc.