

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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, August 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 Interim Director Sonia Resendez

CALL TO ORDER

Mayor Javier Villalobos 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)

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 under routine items.

Commissioner Victor "Seby" Haddad moved to approve the items listed on the Routine Items section except for item 1A4 to be addressed separately and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

- 1. REZONE FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT: A 0.546 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 22, STEELE AND PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 105 DICKER ROAD (REAR).**

Approved the C-4 Zoning at 105 Dicker Road, as per Planning and Zoning Commission.

- 2. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT: A 1.201 ACRE TRACT BEING OUT OF THE SOUTH 10.0 ACRES OF THAT PART OF LOT 2, BLOCK 9, A. J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 3920 SOUTH JACKSON ROAD.**

Approved the C-1 Zoning at 3920 South Jackson Road, as per Planning and Zoning Commission.

- 3. REZONE FROM C-2 (NEIGHBORHOOD COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 1, IDELA'S CORNER SUBDIVISION, HIDALGO COUNTY, TEXAS; 4524 SOUTH WARE ROAD.**

Approved the C-3 Zoning at 4524 South Ware Road, as per Planning and Zoning Commission.

- 4. REZONE FROM A-O (AGRICULTURAL OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: A 0.758 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS,**

SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (REAR).

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

5. REQUEST OF DAVID A. LISAUCKIS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 WEST NOLANA AVENUE, SUITE H1.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 400 West Nolana Avenue, Suite H1, 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:

- a) The property line of the lot 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 residential zones and uses, and publicly owned property (Nolana water tower and Northcross Patio Homes Subdivision).
- b) 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 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 issued in this commercial plaza.
- c) 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. Currently there is a multi-tenant commercial building on the property. The proposed bar requires 49 parking spaces; 729 parking spaces are provided on the common parking area in the front and rear of the building.
- d) 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.
- e) 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.
- f) The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- g) 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 Inspections Department as part of the building permit review process.

6. REQUEST OF BRANDON SOLIS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER AT A 5.12 ACRE TRACT OF LAND OUT OF LOT "A", BOGGUS SUBDIVISION, AND OUT OF LOT 2, S.C. QUIMBY SUBDIVISION, HIDALGO COUNTY, TEXAS; 906 EAST US HIGHWAY 83.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for an event center at 906 East US Highway 83, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the above-mentioned businesses must be at least 400 ft. from the nearest residence or residentially zoned property, church, school, or publicly owned property, and must be designed to prevent disruption of the character of adjacent residential

areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 ft. from a residential property.

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 from South G Street and US Highway 83. The establishment 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. Based on the square footage and use of the establishment, 30 parking spaces are required two of which should be accessible parking spaces. The parking lot is common area and should be clear of potholes and properly striped.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities.
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having considered the recommendations of the Fire Marshal, Building Official and Planning Director.

7. REQUEST OF DAVID A. LISAUCKIS, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR AT LOT 9, 10 & 11, BLOCK 2, ELTUS SUBDIVISION, HIDALGO COUNTY, TEXAS; 1116 PECAN BOULEVARD.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 1116 Pecan Boulevard, as per Planning and Zoning Commission.

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

- a) The property line of those businesses having late hours (after 10:00 PM) must be at least 400 ft. 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 ft. of residential zones and uses to the south and northwest.
- b) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has direct access to north Pecan Boulevard and North 11th Street and does not generate traffic into residential areas.
- c) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking. Based on the floor area of 4,260 square feet, 43 parking spaces are required; 40 parking spaces are provided on site. Applicant has also obtained a parking agreement with Armstrong McCall Professional Beauty Supply for the use of their parking area of 35 spaces.
- d) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
- e) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street to discourage vandalism and criminal activities.
- f) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- g) 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 considering the recommendations of the Fire Marshal, Building Official, and Planning Director. The occupancy load for this establishment will be established by the Building Inspections Department as part of the building permit review process.

8. REQUEST OF RICARDO AND CONNIE AGUIRRE, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE FOR A GUEST HOUSE AT LOT 43, VILLA NORTE NO.3 SUBDIVISION, HIDALGO COUNTY, TEXAS, 1500 FULLERTON AVENUE.

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for a guest house at 1500 Fullerton Avenue, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 138-118(a)(5) of the Zoning Ordinance and specific requirements are as follows:

- 1) Only one guest house shall be permitted on the property.
- 2) The proposed use shall comply with setback requirements. The proposed structure's setbacks comply.
- 3) The proposed use shall be connected to the same utilities as the primary residence.
- 4) Lot size must be a minimum 8,000 square feet. According to the Hidalgo County Appraisal District, the Lot size where the guest house will be built is 35,962 square feet.
- 5) Separate driveways or garages for the proposed use shall not be permitted. The applicant is not proposing an independent driveway for the proposed guesthouse.
- 6) The proposed use shall not be rented.
- 7) The permit shall be revoked if money is ever paid for rent or utility expenses are shared with the proposed use.

B) REZONINGS:

1. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: A 0.909 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (FRONT).

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

2. REZONE FROM A-O (AGRICULTURAL OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: A 0.182 OF AN ACRE TRACT OUT OF THAT CERTAIN 2.00 ACRE TRACT AS DESCRIBED IN DOCUMENT NO. 2821446, OF THE OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, SAID 2.00 ACRE TRACT BEING THE SOUTHEAST CORNER OF THE SOUTH 20 ACRES OF LOT 337, JOHN H. SHARY SUBDIVISION OF LANDS OUT OF PORCIONES 58, 59, & 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (MIDDLE).

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

C) CONDITIONAL USE PERMIT:

1. REQUEST OF MARIA D. ACUNA, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN OUTDOOR COMMERCIAL RECREATION (SOCCER FIELDS), AT 1.405 ACRE TRACT (DEED) OUT OF LOT 151, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 501 SOUTH BENTSEN ROAD.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for an outdoor commercial recreation at 501 South Bentsen Road, as per Planning and Zoning Commission.

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

- 1) No form of pollution shall emanate beyond the immediate property line of the permitted use. This includes lighting, littering and noise which may include sound systems or PA speakers.
- 2) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks, or other similar improvements may be imposed to carry out the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use.
- 3) The proposed use shall not be located within 300 ft. of residential uses. This property is located within 300 feet of a residentially use to the east, and south.
- 4) Sides adjacent to a residentially zone or use property shall be screened by a 6 ft. opaque fence. A 6 ft. opaque fence is provided along most of the property perimeter.
- 5) The proposed use shall comply with the Off-street Parking and loading Ordinance and make provisions to prevent the use of street parking especially in residential areas. In the past, parking requirements to accommodate game personnel have been 30 parking spaces for the main soccer field, and 14 parking spaces for the smaller soccer field. (This includes parking

for players, coaches, and referees). The applicant states the number of proposed seats as 80 fixed and 30 removable ones for a total of 110 seats. A total of 22 parking spaces are required for the seating area. In the past, the proposed hours of use for each field have not overlapped. A total of 52 parking spaces are required and the site plan shows 52 parking spaces are provided. The establishment complies with the parking requirement. The parking lot must be maintained free of potholes and must be clearly striped.

- 6) The proposed use shall comply with the City of McAllen Health Ordinances regulating food preparation and public lavatories. The soccer facility has on-site bathroom facilities. The facility will not have on-site food preparation.
- 7) Lighting shall be shielded from residentially zoned or use property.

Comments and concerns were expressed. Questions were raised with distance to residential and neighbors. Staff answered questions posed by Council.

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

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

Mayor Pro Tem Omar Quintanilla moved to amend the Zoning Ordinance 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 Joaquin Zamora moved to approve the items listed on the Consent Agenda except for Item 2C to be addressed separately and Mayor Pro Tem Omar Quintanilla seconded. The motion carried unanimously.

A) APPROVAL OF MINUTES FOR WORKSHOP AND REGULAR MEETING HELD ON AUGUST 12TH, AND SPECIAL MEETING HELD ON AUGUST 13, 2024.

Approved the minutes of Workshop and Regular Meeting held on August 12th, and Special Meeting held on August 13, 2024, as submitted.

B) CONSIDERATION AND APPROVAL FOR A MEMORANDUM OF UNDERSTANDING BETWEEN RGV METRO AND THE CITY OF MCALLEN.

Approved for a Memorandum of Understanding between RGV Metro Express and the City of McAllen.

C) CONSIDERATION AND APPROVAL FOR A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MCALLEN AND MCALLEN INDEPENDENT SCHOOL DISTRICT FOR FACILITY USAGE.

Staff recommended approval for a Memorandum of Understanding between the City of McAllen Independent School District for facility usage.

Comments and concerns were expressed. Questions were raised to facility, veteran memorial stadium and other MOU. Staff answered questions posed by Council.

After due consideration, Commissioner Joaquin Zamora moved to approve the memorandum of understanding as recommended and seconded by Mayor Pro Tem Omar Quintanilla.

D) CONSIDERATION AND AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF BROWNSVILLE TO PARTICIPATE IN THE FISCAL YEAR 2024 SB224 CATALYTIC CONVERTER GRANT.

Approved an interlocal agreement with the City of Brownsville to participate in the Fiscal Year 2024 SB224 Catalytic Converter Grant.

E) CONSIDERATION AND APPROVAL OF ENGAGEMENT LETTER FROM WEAVER & TIDWELL, LLP FOR THE ANNUAL AUDIT ENDING SEPTEMBER 30, 2024.

Approved Engagement Letter from Weaver & Tidewell, LLP for the annual audit ending September 30, 2024.

F) SUBDIVISION MONTHLY REPORT.

Approved subdivision monthly report.

G) PROJECT STATUS MONTHLY REPORT THROUGH JULY 31, 2024.

Approved project status monthly report through July 31, 2024.

H) STATUS REPORT ON PARKS & RECREATION PROJECTS.

Approved status report on Parks & Recreation project.

I) APPROVAL OF TAX REFUNDS OVER \$500.00.

Approved tax refunds of over \$500.

1. HERNANDEZ, MAUEL III & MARIELLA

Approved a tax refund in the amount of \$575.54.

2. MEIJA, ELSA G.

Approved tax refunds in the amounts of \$494.75 and \$494.75.

3. MOORE, TEVIN MARQUES

Approved tax refunds in the amounts of \$1,774.27 and \$739.21.

4. ORTIZ, DORA ELIA

Approved a tax refund in the amount of \$533.25.

5. NUNEZ, JOHNNY

Approved a tax refund in the amount of \$639.37.

6. RINKER, LUCAS ANDREW

Approved a tax refund in the amount of \$1,730.14.

7. SALINAS, MARCUS W.

Approved a tax refund in the amount of \$537.44.

8. SCOTT, GLEN SAMUEL & GENEVA

Approved a tax refund in the amount of \$601.87.

9. VASQUEZ, FELIPE G. & ANA C.

Approved a tax refund in the amount of \$898.20.

10. VILLA, MANUEL ALEJANDRO

Approved a tax refund in the amount of \$597.29.

2. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR 911 EMS SERVICE WITH THE TOP RANKED PROVIDER.

Staff recommended award of contract to Lone Star EMS in the amount of \$1,500,000.00 for the 911 EMS Service with the Top Ranked Provider.

Comments and concerns were expressed. Questions were raised with regards to cost and services. Staff answered questions posed by Council.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to award the contract as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

B) AWARD OF CONTRACT FOR THE 2024 PAVEMENT PRESERVATION PROJECT. (PROJECT NO. 07-24-C26-367)

Staff recommended award of contract to Pavement Restoration, Inc. in the amount of \$108,192.50, for the 2024 Pavement Preservation Project.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

C) CONSIDERATION AND APPROVAL OF A LEASE AGREEMENT FOR 'COTTON CANDY SWEET CREATIONS' AT THE DOWNTOWN PARKING GARAGE FOOD COURT.

Staff recommended approval of the lease agreement with Sweet Creations Cotton Candy.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve the agreement as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

D) CONSIDERATION AND APPROVAL TO AWARD CONTRACTS FOR THE NON-EXCLUSIVE ON-AIRPORT RENTAL CAR CONCESSION PROGRAM AT THE MCALLEN INTERNATIONAL AIRPORT.

Staff recommended approval to award contracts for the Non-Exclusive On-Airport Rental Car Concession Program at McAllen International Airport to Avis, Payless, Enterprise, National, Hertz, Dollar, and Thrifty.

Commissioner Joaquin Zamora moved to approve the contracts as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

4. ORDINANCE

A) ORDINANCE AMENDING FISCAL YEAR 2024-2025 ANNUAL ACTION PLAN ORDINANCE 2024-72 TO MODIFY THE SCOPE FOR MPU – JASMINE AVE WASTEWATER LINE.

Staff recommended approval of the amendment to Ordinance 2024-81.

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

5. RESOLUTION

A) RESOLUTION FOR ADOPTION OF THE MCALLEN VISION ZERO ACTION PLAN.

Staff recommended the approval of the resolution as presented for the adoption of McAllen Vision Zero Safety Action Plan

Commissioner Joaquin Zamora moved to approve the resolution as recommended and seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

B) CONSIDERATION AND APPROVAL OF A RESOLUTION REGARDING THE BOEYE RESERVOIR.

Staff recommended approval of the resolution regarding the Boeye Reservoir.

Commissioner Joaquin Zamora moved to approve the resolution as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion passed with five votes in the affirmative with Mayor Pro Tem Omar Quintanilla voting against.

6. VARIANCES

- A) CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE THE SUBDIVISION PROCESS AT THE 1.201 ACRE TRACT OF LAND OUT OF THE SOUTH 10.0 ACRES OF THAT PART OF LOT 2, BLOCK 9, A. J. MCCOLL SUBDIVISION, HIDALGO COUNTY, TEXAS; 3920 SOUTH JACKSON ROAD.**

Staff recommended Option 3, disapproval of the variance request and compliance with state and local ordinances.

After due consideration, Commissioner Joaquin Zamora moved to approve option 2 and seconded by Mayor Pro Tem Omar Quintanilla. The motion passed with 4 votes in the affirmative with Commissioner Victor "Seby" Haddad voting against.

- B) CONSIDERATION OF A VARIANCE REQUEST TO HOUSTON AVENUE ROW DEDICATION REQUIREMENT, FOR PROPOSED NORLOLA SUBDIVISION, HIDALGO COUNTY, TEXAS; 700 SOUTH 8TH STREET.**

Staff recommended Option 2, as recommended by Planning and Zoning, and agreed by the developer.

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

7. MANAGER'S REPORT

- A) ADVISORY BOARD APPOINTMENTS.**

AMBULANCE ADVISORY BOARD

Mayor Pro Tem Omar Quintanilla nominated Cynthia Ramon to the Ambulance Advisory Board.

BUILDING BOARD OF ADJUSTMENTS AND APPEALS BOARD

Commissioner Joaquin Zamora nominated Cesar Gomez to the Building Board of Adjustments and Appeals Board.

GOLF COURSE ADVISORY BOARD

Commissioner Joaquin Zamora nominated Tim Davis to the Gold Course Advisory Board.

LIBRARY ADVISORY BOARD

Commissioner Jose R. "Pepe" Cabeza de Vaca nominated Laura McCleish and Jose de la Rosa (Alternate) to the McAllen Library Board.

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

- B) IMMIGRATION AND RESPITE CENTER REPORT.**

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

- C) DISCUSSION OF 2024 PROPOSED TAX RATE, TAKE A RECORD VOTE AND SCHEDULE PUBLIC HEARING AND ANNOUNCE THE MEETING DATE TO ADOPT THE TAX RATE.**

Staff briefly reviewed revenue tax rate and noted that by state law only one public hearing is required. It was also noted that tax rate can be held and adopted after the public hearing scheduled for Monday, September 23, 2024, at 5 pm at City Commission Chambers.

Discussion ensued. Comments and concerns were expressed by Mayor and City Commission. Mrs. Rebecca Grimes answered questions posed by Council.

After discussion on item 7C, a Roll Call was requested:

ROLL CALL VOTE: Commissioner Rodolfo "Rudy" Castillo, Commissioner Jose R. "Pepe" Cabeza de Vaca, Mayor Pro Tem Omar Quintanilla, Mayor Javier Villalobos, Commissioner Joaquin Zamora, Commissioner Victor "Seby" Haddad, Commissioner Antonio "Tony" Aguirre

D) REVIEW OF QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING MARCH 31, 2024.

Staff presented the Quarterly Investment Report for quarter ending March 31, 2024, and recommended acceptance of said report as per the Audit Investment Committee.

Mayor Pro Tem Omar Quintanilla moved to approve the report as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

E) FUTURE AGENDA ITEMS.

No items were mentioned.

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, 8B and 8C; and Section 551.087 Economic Development on Item 8D.

Mayor Javier Villalobos recessed the meeting at 5:28 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 6:37 pm and noting the following city commission members 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

A) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO EMPLOYEE BENEFIT OPTIONS. (SECTION 551.071, T.G.C.)

Commissioner Rodolfo "Rudy" Castillo moved to authorize City Manager and City Attorney to proceed as described in executive and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

B) CONSULTATION WITH LEGAL COUNSEL REGARDING MUNICIPAL EMPLOYMENT CONTRACTS. (SECTION 551.071, T.G.C.)

B1 – Mayor Pro Tem Omar Quintanilla moved to authorize City Manager to proceed as described in executive session and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

B2 - Mayor Pro Tem Omar Quintanilla moved to authorize Mayor to negotiate compensation package as discussed in executive session and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

C) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO SPONSORSHIP AGREEMENTS. (SECTION 551.071 T.G.C.)

Commissioner Joaquin Zamora moved to authorize the City Manager and City Attorney to proceed as described in executive session and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

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

Commissioner Joaquin Zamora moved to authorize the City Manager and City Attorney to proceed as described in executive session and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

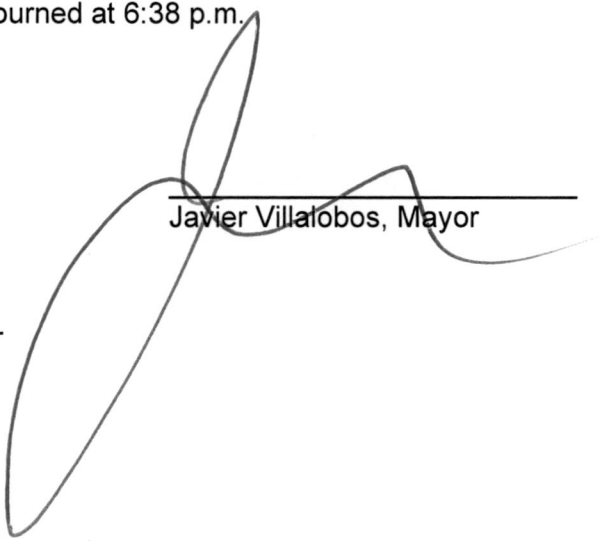
Without objection the meeting was adjourned at 6:38 p.m.

ADJOURNMENT

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary



Javier Villalobos, Mayor