

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, September 9, 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

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PROCLAMATIONS

MCALLEN PUBLIC LIBRARY MONTH

Commissioner Joaquin Zamora presented a proclamation for McAllen Public Library Month.

THE 956UNITED SOCCER CLUB DAY

Mayor Pro Tem Omar Quintanilla presented a proclamation for the 956United Soccer Club Day.

CONSTITUTION WEEK

Commissioner Antonio "Tony" Aguirre, Jr. presented a proclamation for Constitution Week.

ROEL "ROY" RODRIGUEZ DAY

The Mayor and City Council presented a proclamation to City Manager Roy Rodriguez and thanked him for his years of service to the City of McAllen.

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.

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 Victor "Seby" Haddad. The motion carried unanimously.

- 1. REZONE FROM C-3L (LIGHT COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: BLOCK 4-A, BLOCKS 4-A & 5-A NORTH PARK ESTATES UNIT NO. 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 1701 DOVE AVENUE.**

Approved the C-3 Zoning at 1701 Dove Avenue, as per Planning and Zoning Commission.

2. REQUEST OF MOISES MARTINEZ DE LA CRUZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN AUTOMOTIVE SERVICE AND REPAIR SHOP (MECHANIC SHOP), AT LOT 5, BLOCK 13, YOUNG'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 218 SOUTH 23RD STREET.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for an automotive service and repair shop (mechanic shop) at 218 South 23rd Street, as per Planning and Zoning Commission.

The mechanic shop must comply with the following special conditions set forth for automotive repair as a primary use in Section 138-281 of the Zoning Ordinance:

1. A minimum lot size of 10,000 square feet is required. According to Hidalgo County Appraisal District records, the subject property's total lot size is 7,000 square feet.
2. All service, repair, maintenance, painting, and other work shall take place within an enclosed area. The work is performed under unenclosed carport structures. A building permit for the existing carport structures was not found on the file.
3. Outside storage of materials is prohibited. The storage area for certain mechanic shop tools is within the unenclosed carport structures. According to the applicant, electrical equipment is stored within an enclosed area (closet) that is between the bay areas.
4. The building where the proposed work is to take place shall be at least 100 feet from the nearest residence. There are at least five single-family dwellings within 100 feet to the west across the alley and southeast across South 23rd Street.
5. A 6-foot opaque fence to buffer the proposed use from any residential use or residentially zoned area is required. No opaque fence would be required since the lot's property lines are not immediately adjacent to any residential uses or zones.
6. New buildings and all conversions of existing buildings to such uses shall meet current Building Code and Fire Code requirements in terms of separation of high hazard uses from other occupancy use classifications, etc.

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

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a and adoption of an ordinance, for a bar at 218 South 23rd Street, as per Planning and Zoning Commission

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

1. The property line of those businesses having late hours (after 10:00 PM) must be at least 400 feet from the nearest residence, church, school or publicly owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 feet of residential zones and uses to the north and east, and a water tower to the west.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required by other Conditional Use Permits in this commercial plaza.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 41 parking spaces are required. Parking spaces are provided on site during the applicable hours of operation for this business.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance.

5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from public streets to discourage vandalism and criminal activities.
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having considered the recommendations of the Fire Marshal, Building Official and Planning Director. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

4. REQUEST OF JESSICA AGUILAR, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR AND GRILL (BEARDED LADY), AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITE Q.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar and grill (Bearded Lady) at 400 Nolana Avenue, Suite Q, as per Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and other requirements as outlined in the report provided as follows:

1. The property line of those businesses having late hours (after 10:00 PM) must be at least 400 feet from the nearest residence or residentially zoned property, church, school or publicly owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 feet of residential zones and uses to the north and east, and a water tower to the west.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required by other Conditional Use Permits in this commercial plaza.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 20 parking spaces are required. Parking spaces are provided on site during the applicable hours of operation for this business.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance.
5. The business should provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities.
6. The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
7. The business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having considered the recommendations of the Fire Marshal, Building Official and Planning Director. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

5. REQUEST OF ROGELIO GARZA III, ON BEHALF OF PAMM FAMILY PROPERTIES, LLC., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A SMOKE SHOP (HEMP DISPENSARY), AT NORTH ½ OF LOT 19, BLOCK 1, ELTUS SUBDIVISION, HIDALGO COUNTY, TEXAS; 1631 NORTH 10TH STREET.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a smoke shop (hemp dispensary) at 1631 North 10th Street, 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 the abovementioned business 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 establishment is within 400 ft. of the above-mentioned land uses.
2. The abovementioned business 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 establishment has direct access to North 10th 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. Six parking spaces are required and three are provided on site.
4. The abovementioned business 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 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 of 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. This number cannot exceed the number provided for in existing city ordinances.

6. REQUEST OF MARIO GUTIERREZ, ON BEHALF OF 3BU FAMILY LIMITED PARTNERSHIP, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN EVENT CENTER AND FOOD TRUCK AT LOT A, ARAPAHO SUBDIVISION, HIDALGO COUNTY, TEXAS, 4108 NORTH 10TH STREET STE. 900-1000.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for an event center at 4108 North 10th Street, Suite 900-1000, 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 Seville Apartments are adjacent to the establishment.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment is located on North 10th Street and does not generate traffic into residential areas.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking. The multi-tenant building is a mix of commercial businesses; a restaurant (FoodAMed) 3,100 sq. ft., a 3,100 sq. ft. boxing gym, a 4,146 sq. ft. restaurant (Daitung), a 2,160 sq. ft. Beauty Spa, a 3,050 sq. ft. daycare (Lumens), and The Flavor Compound which totals 7,000 sq. ft., and a vacant suite of 3,614 sq. ft. There are 224 parking spaces on site including the rear parking lot; 310 are required for all the establishments to operate at the same time. The daycare operation hours (7:30 a.m. to 6:00 p.m.), both restaurants, the boxing gym and The Flavor Compound all interfere with the operation hours of the event center on suite 900 -1000.
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.

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, AND 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (FRONT). (TABLED)

Items 1B1, 1B2, and 1B3 were addressed concurrently.

Commissioner Joaquin Zamora moved to remove said item from the table and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

Staff recommended approval of the C-3 Zoning at 4800 Buddy Owens Boulevard (front), 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. Abel Guzman spoke in opposition. Mr. Garcia spoke on behalf of the applicant.

A lengthy discussion ensued. Comments were made by Council. Questions were made regarding future developments, rear tracts, established neighborhoods, C3-L and commercial activity, Buddy Owens and 3-mile road, traffic, violet street and R1, rear setbacks, and single-family homes. Staff answered questions posed by Council.

Commissioner Joaquin Zamora moved to disapprove the C-3 zoning and the motion was seconded by Mayor Pro Tem Omar Quintanilla. There were 2 votes in favor of the request and 5 votes against. The motion failed due to a super majority vote required to overturn the recommendation. Mayor Javier Villalobos called for a different motion.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the front and middle C-3L and back R1 zoning and the motion was seconded by Commissioner Victor "Seby" Haddad. The vote of the motion was 5 commissioners voting in favor and Commissioner Joaquin Zamora and Mayor Pro Tem Omar Quintanilla voting against. The motion failed due to a super majority vote required to overturn the recommendation for an alternate C-3L rezoning; furthermore, the permit was disapproved.

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, AND 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (MIDDLE). (TABLED)

Items 1B1, 1B2, and 1B3 were addressed concurrently. Motion made under item 1B1.

3. 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, AND 60 IN HIDALGO COUNTY, TEXAS; 4800 BUDDY OWENS BOULEVARD (REAR). (TABLED)

Items 1B1, 1B2, and 1B3 were addressed concurrently. Motion made under item 1B1.

C) CONDITIONAL USE PERMIT:

1. REQUEST OF EFRAIM T. VELA, ON BEHALF OF DEV HARVEY, LLC., FOR A CONDITIONAL USE PERMIT, FOR A LIFE OF USE, AND ADOPTION OF AN ORDINANCE, FOR A PARKING FACILITY AT LOT 2, ROSA LINDA SUBDIVISION, HIDALGO COUNTY, TEXAS; 3616 HARVEY DRIVE.

Staff recommended to table said item until Planning and Zoning has issued a recommendation.

Commissioner Victor "Seby" Haddad moved to table said item as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

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

Commissioner Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

E) PUBLIC HEARING ON THE CITY OF MCALLEN'S PROPOSED BUDGET FOR FISCAL YEAR 2024-2025.

Mayor Javier Villalobos called the Public Hearing to order and asked if there was anyone to speak on the proposed budget.
Mr. Mark Murray spoke.

END OF PUBLIC HEARING

Mayor Javier Villalobos declared the Public Hearing closed.

2. CONSENT AGENDA (ALL MATTERS LISTED UNDER CONSENT AGENDA ARE 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 moved to approve the items listed on the Consent Agenda and Commissioner Joaquin Zamora seconded. The motion carried unanimously.

A) APPROVAL OF MINUTES FOR THE BUDGET WORKSHOP HELD AUGUST 8TH, SPECIAL MEETING HELD AUGUST 19TH, WORKSHOP AND REGULAR MEETING HELD ON AUGUST 26, 2024.

Approval of Minutes for the Budget Workshop held August 8th, Special Meeting held August 19th Workshop and Regular Meeting held on August 26, 2024, as submitted.

B) AWARD OF SERVICE CONTRACT FOR COMPENSATION AND CLASSIFICATION ANALYSIS. (PROJECT NO. 08-24-S68-137)

Awarded a contract to Management Advisory Group Inc. in the amount of \$97,900.00 for the Compensation and Classification Analysis.

C) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE FISCAL YEAR 2025 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP-COMP) COMPREHENSIVE GRANT.

Approved a resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through the Fiscal Year 2025 Selective Traffic Enforcement Program (STEP-COMP) Comprehensive Grant.

D) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP-CMV) FISCAL YEAR 2025 COMMERCIAL VEHICLE GRANT.

Approved a resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through the Selective Traffic Enforcement Program (STEP-CMV) Fiscal Year 2025 Commercial Vehicle Grant.

E) RESOLUTION OF THE COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS ACCEPTING THE RESIGNATION OF ROEL RODRIGUEZ P.E. AND

DESIGNATING ISAAC TAWIL AS AN INVESTMENT OFFICER ALONG WITH MARIA CHAVERO, MARCO A. VEGA, P.E., AND SONIA RESENDEZ FOR THE CITY OF MCALLEN.

Approved a resolution of the Commissioners of the City of McAllen, Texas accepting the resignation of Roel Rodriguez P.E. and designating Isaac Tawil as an Investment Officer along with Maria Chavero, Marco A. Vega, P.E., and Sonia Resendez for the City of McAllen.

F) RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, AMENDING TEXPOOL AUTHORIZED REPRESENTATIVES AND PROVIDING AN EFFECTIVE DATE.

Approved a resolution of the Board of Commissioners of the City of McAllen, Hidalgo County, Texas, amending Texpool authorized representatives and providing an effective date.

G) RESOLUTION AMENDING RESOLUTION NO. 2024-10 TO PROVIDE FOR INCLUSION OF REQUIRED LANGUAGE AS REQUIRED BY THE OFFICE OF THE GOVERNOR FOR THE FISCAL YEAR 2024 STATE HOMELAND SECURITY PROGRAM - REGULAR PROJECTS, APPLICATION NO. 5145101.

Approved a resolution amending Resolution No. 2024-10 to provide for inclusion of required language as required by the Office of the Governor for the Fiscal Year 2024 State Homeland Security Program - Regular Projects, Application No. 5145101.

H) CONSIDERATION AND APPROVAL TO REMOVE UNCOLLECTIBLE TAX ACCOUNTS FROM THE DELINQUENT TAX ROLL.

Approved the removal of Uncollectible Tax Accounts from the Delinquent Tax Roll.

I) APPROVAL OF TAX REFUNDS OVER \$500.00

Approved tax refunds of over \$500.

1. MIGUEL AND ALMA D. GARCIA

Approved tax refunds in the amounts of \$300.32, \$268.62 and \$49.56.

2. ABILIO VELA JR.

Approved tax refunds in the amounts of \$990.40 and \$40.63.

3. LARRY D. JR AND TAMELA WEEDEN

Approved a tax refund in the amount of \$2,117.29.

4. CORELOGIC

Approved tax refunds in the amounts of \$1,456.44, \$3,336.02, \$1,440.93, \$1,026.92, \$996.70, \$171.86, \$966.26, \$942.16, \$675.56\$, \$30.31, \$1,618.25, \$230.49, \$331.68, \$305.39, \$373.83, \$16.85, \$314.01, \$833.62, \$493.47, \$427.99, \$216.50, \$810.64, \$616.60, \$137.70, \$586.87, \$213.05, \$1,077.30, \$1,554.31 and \$1,486.80.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THIRD-PARTY ADMINISTRATIVE (TPA) SERVICES FOR WORKERS COMPENSATION CLAIMS MANAGEMENT.

Staff recommended the award of contract to Claims Administrative Services in the amount of \$166,650.00 for the third-party administrative services odor Workers Compensation Claims Management.

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

B) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 AND FINAL FOR DEBRIS REMOVAL AND DISPOSAL SERVICES.

Staff recommended approval of Change Order No. 1 in the amount of \$24,390.00 with no additional working days for the Debris Removal and Disposal Services.

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

C) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICES AND FEE SCHEDULE WITH THE TOP RANKED FIRM(S) FOR MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION AND STRUCTURAL DESIGN SERVICES (MEP) FOR VARIOUS MUNICIPAL PROJECTS. (SOQ NO.: 06-24-S58-916)

Staff recommended selection of the top four (4) firms for MEP services and top four (4) firms for Structural services and is requesting authorization to negotiate with each firm for various municipal Projects, with an option to extend for two years in one-year increments.

Commissioner Antonio "Tony" Aguirre Jr. moved to approve the selection of the top four (4) ranked firms for MEP and the top four (4) firms for structural services as recommended and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

D) CONSIDERATION AND APPROVAL OF AMENDMENT NO.1 TO THE NON-EXCLUSIVE FOOD AND BEVERAGE CONCESSION AGREEMENT WITH OAKWELLS COMMUTER RAIL, INC.

Staff recommended approval of Amendment No. 1 to the Non-Exclusive Food and Beverage Concession Agreement with Oakwells Commuter Rail, Inc.

Commissioner Joaquin Zamora moved to approve amendment No. 1 as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

4. VARIANCE

A) CONSIDERATION OF VARIANCE REQUESTS TO: 1.) TO NOT REQUIRE RIGHT-OF-WAY AND PAVEMENT WIDENING FOR SOUTH 10TH STREET, 2.) TO NOT REQUIRE RIGHT-OF-WAY AND PAVEMENT WIDENING FOR LINDBERG AVENUE, 3.) TO NOT REQUIRE ADDITIONAL RIGHT-OF-WAY FOR U.S. EXPRESSWAY 83 FOR THE PROPOSED MCALLEN CITY CENTER SUBDIVISION, HIDALGO COUNTY, TEXAS; 1300 SOUTH 10TH STREET.

Staff recommended approval of Option 2, approval of variance as recommended by Planning and Zoning Commission, at 1300 South 10th Street.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve option 2 as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

5. MANAGER'S REPORT

A) ELECTION OF TEXAS MUNICIPAL LEAGUE (TML) REGION 12 DIRECTOR.

Staff recommended the nomination of Commissioner Victor "Seby" Haddad to the Texas Municipal League (TML) Region 12 Director.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to accept the nomination and was seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

B) IMMIGRATION AND RESPITE CENTER REPORT.

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

C) FUTURE AGENDA ITEMS.

There were no items discussed for upcoming workshop.

6. 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, the City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney on Item 6B: Section 551.087 Economic Development on Item 6A.

Mayor Javier Villalobos recessed the meeting at 6:01 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 6:23 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) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)

No action.

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

No action.

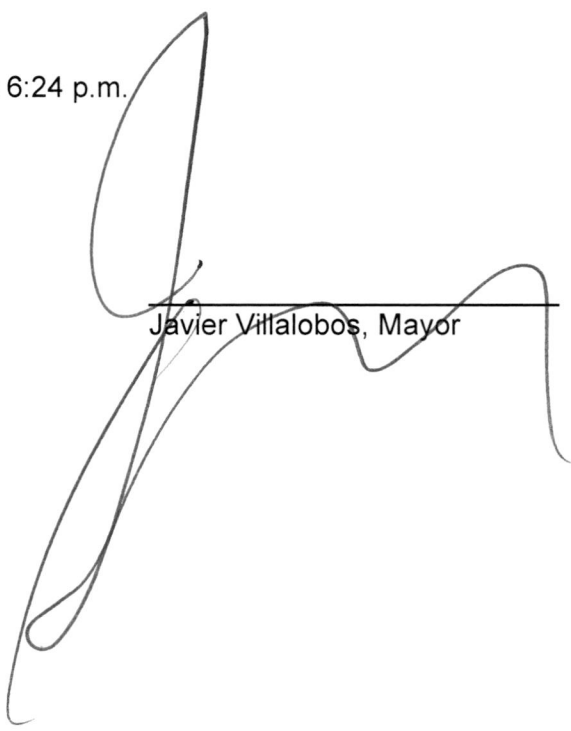
ADJOURNMENT

Without objection the meeting was adjourned at 6:24 p.m.

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary



Javier Villalobos, Mayor