



Mayor Javier Villalobos
Mayor Pro Tem/Commissioner J. Omar Quintanilla
Commissioner Tony Aguirre, Jr.
Commissioner Joaquin Zamora



Commissioner Rodolfo "Rudy" Castillo
Commissioner Victor "Seby" Haddad
Commissioner Pepe Cabeza de Vaca
City Manager Isaac J. Tawil

**NOTICE OF WORKSHOP TO BE HELD BY THE
MCALLEN BOARD OF COMMISSIONERS
MONDAY, OCTOBER 28, 2024 – 4:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501**

AGENDA

"At any time during the course of this meeting, the City Commission may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the City Commission may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code."

CALL TO ORDER

1. Present questions to staff relating to the October 28, 2024 Regular Meeting Agenda, to be discussed at such meeting.
2. Presentation on regulating the development of car washes.
3. Presentation on Campground Project Update.
4. **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 City Attorney regarding a resolution authorizing the exercise of eminent domain authority to acquire two tracts of land being: (1) A 4.19 acre (182,518.49 sq. ft.) gross tract of land, more or less, being part of Lots 10, 15 and 16, Section 6, HIDALGO CANAL COMPANY SUBDIVISION, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume "Q", Page 177, Map Records, Hidalgo County, Texas, thereof conveyed to Stallion Texas Real Estate Fund, LLC., as recorded in Document Number 3058619, Official Records, Hidalgo County, Texas, and (2) A tract of land out of Lots 10, 15, and 16, Southeast 1/4 of Section 6, HIDALGO CANAL COMPANY'S SUBDIVISION, Hidalgo County Texas, according to map thereof recorded in Volume "Q," Page 177, Deed Records of Hidalgo County, Texas, for airport. Tex. Gov't. Code §551.071.
 - B) Discussion and possible lease, sale or purchase of real estate property, Tract 1 and Tract 2. Tex. Gov't. Code §551.072.

- C) Consultation with City Attorney regarding pending litigation: Cause No. C-4698-23-M. Tex. Gov't. Code §551.071.
- D) Consultation with City Attorney regarding employment contracts. Tex. Gov't. Code §551.071.

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED (OR INTERPRETERS FOR THE DEAF), NOTIFY THE CITY SECRETARY'S DEPARTMENT AT 681-1020 FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE BOARD OF COMMISSIONERS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME.

C E R T I F I C A T I O N

I, the Undersigned Authority, do hereby certify that the attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on October 25, 2024 at 3:30 PM and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

/s/
Perla Lara, TRMC/CMC, CPM
City Secretary



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.

DATE SUBMITTED

MEETING DATE

10/28/2024

1. Agenda Item: Present questions to staff relating to the October 28, 2024 Regular Meeting Agenda, to be discussed at such meeting.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Diana Silva
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

Created -



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.

DATE SUBMITTED

MEETING DATE

10/28/2024

1. Agenda Item: Presentation on regulating the development of car washes.
2. Party Making Request: Austin Stevenson
3. Applicant:
4. Nature of Request: Consideration and possible approval of an ordinance regulating the development of car washes.
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____
7. Routing:
Jose Trujillo

Created -
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney: Approved. AWS.
11. Manager's Recommendation: Approved. IJT

Memo

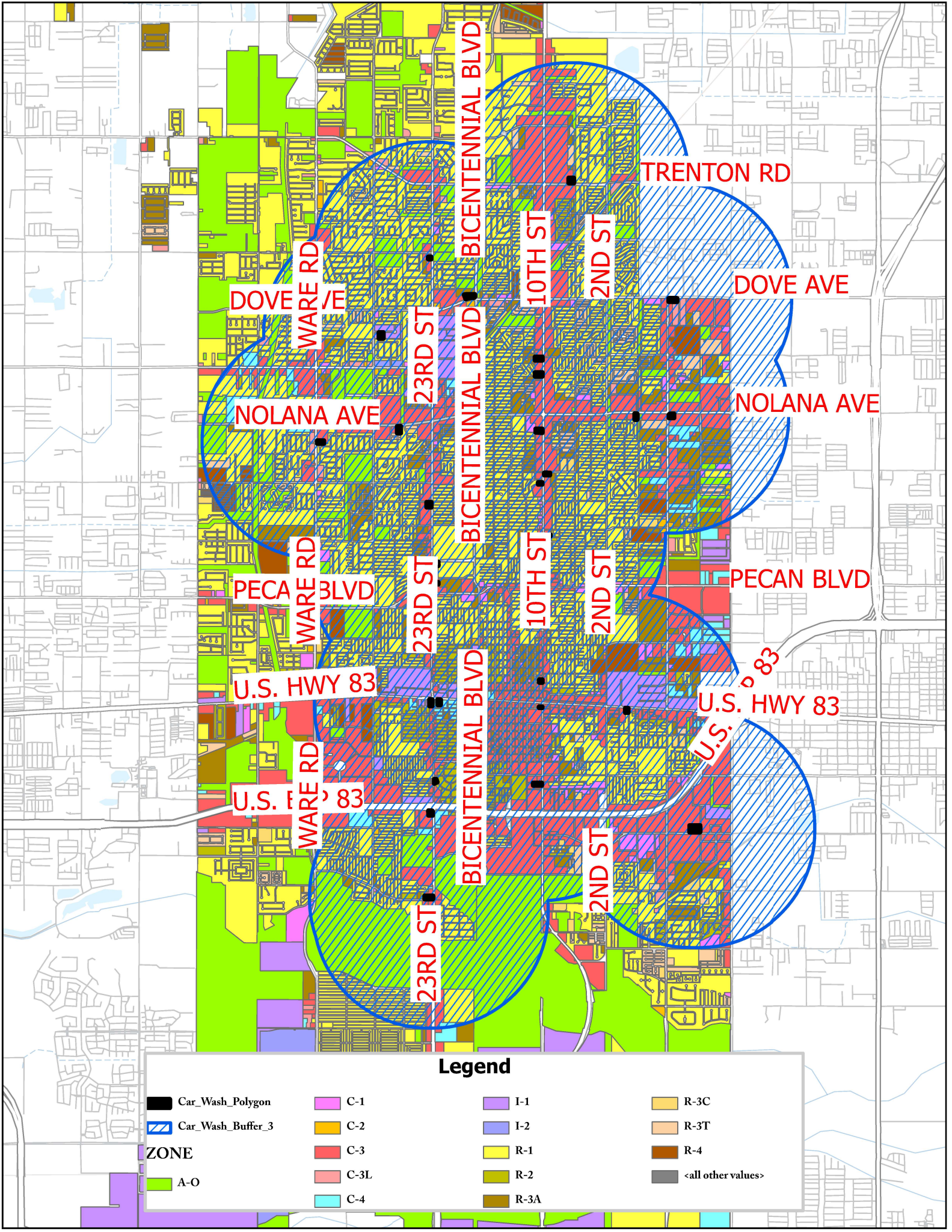
TO: Isaac J. Tawil, City Manager
FROM: Edgar I. Garcia, AICP, CNU-A, CPM, Director of Planning & Zoning
DATE: October 23, 2024
SUBJECT: CAR WASH REGULATIONS

BACKGROUND: The cities of Brownsville and Edinburg have recently adopted restrictions to the establishment of car washes in order to preserve water given the drought conditions in south Texas. Further, both cities are also requiring the use of recycled water systems in all new car washes. The City of Brownsville requires all new car washes to be at least five miles from another car wash, while the City of Edinburg placed that distance requirement at two miles.

DISCUSSION: At the City Commission's Workshop of October 14th, different options for car wash restrictions were discussed. The current proposal is a one-half (1/2) mile radius distance requirement and a restriction against being placed at an intersection of two streets classified as minor arterial or higher on McAllen's Thoroughfare Plan.

These restrictions would push new car washes outside of where they are currently concentrated. Areas available for new carwashes would be north of Frontera Road and south of Idela Avenue.

CONCLUSION: A half-mile option in addition to an intersection prohibition would push car washes to new locations in McAllen and prevent them from their current concentration in the city core. Staff recommends adoption of the new car wash regulations as presented.



Legend

Car_Wash_Polygon	C-1	I-1	R-3C
Car_Wash_Buffer_3	C-2	I-2	R-3T
ZONE	C-3	R-1	R-4
A-O	C-3L	R-2	<all other values>
	C-4	R-3A	

ORDINANCE NO. 2024- _____

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE CITY OF MCALLEN AT CHAPTER 138 (“ZONING”),
Article VI (“SUPPLEMENTARY DISTRICT REGULATIONS”)
TO ESTABLISH REGULATIONS FOR THE DEVELOPMENT
OF CAR WASHES; PROVIDING FOR SEVERABILITY, AND
ORDAINING OTHER PROVISIONS RELATED TO THE
SUBJECT MATTER HEREOF.**

WHEREAS, the City of McAllen desires to ensure safe, harmonious neighborhoods to maintain property values;

WHEREAS, the City of McAllen seeks to encourage economic development while maintaining a high quality of life for residents and visitors;

WHEREAS, the City of McAllen has broad authority to enact zoning regulations to protect and enhance public health, safety, and welfare;

WHEREAS, the City Commission finds that it is in the public interest to amend the McAllen Code of Ordinances to clearly establish where Car Washes are allowed;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

SECTION I: The Code of Ordinances, City of McAllen, Chapter 138 (“Zoning”), Article VI (“Supplementary District Regulations”) is hereby amended to establish Division 4 (“Car Washes”) as follows:

DIVISION 4 CAR WASHES

Sec. 138-375. – Definitions.

Car Wash means a facility for the washing or steam cleaning of vehicles.

Self-Service means a facility where a vehicle may be manually washed, sprayed, dried or vacuumed by its owner or operator with equipment provided by the facility. Typically, no employees will be on-site at the facility.

Automated-service means a facility where a vehicle is driven by the owner or operator through an automated tunnel or structure for washing and drying but the owner or operator vacuums the vehicle with equipment provided by the facility. Minimal staff will be on-site at the facility.

Full-service means a facility where operating functions are performed entirely by the facility with the use of washing, waxing, drying, and vacuuming equipment supplemented with manual detailing. Employees will be on-site at the facility.

Sec. 138-376. – Light Commercial (C-3L) Districts or Lesser.

- (a) A Car Wash shall not be located within one hundred fifty (150) feet of any residential district.
- (b) A Car Wash shall not be located within **one half (0.5) mile** of any other Car Wash.
- (c) A Car Wash shall be closed for business between the hours of 10:00 p.m. and 7:00 a.m.
- (d) A Car Wash shall only be Self-service; no Automated-service or Full-service Car Washes are permitted.
- (e) All bays and overhead doors shall be oriented away from any residential district.
- (f) **Car Washes shall not be located at the corner of any intersection of two minor arterial streets or higher pursuant to the City's thoroughfare plan.**

Sec. 138-377. – General Commercial (C-3) Districts or Higher.

- (a) A Car Wash shall not be located within one hundred fifty (150) feet of any residential district.
- (b) All bays and overhead doors shall be oriented away from any residential district.
- (c) A Car Wash shall not be located within **one half (0.5) mile** of any other car wash.
- (d) **Each Car Wash must adhere to the applicable stacking requirements of the City of McAllen Access Management Policy, as it may be amended from time to time.**
- (e) **Car Washes shall not be located at the corner of any intersection of two minor arterial streets or higher pursuant to the City's thoroughfare plan.**

SECTION II: The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION III: The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Chapter 138, Article VI, Division 4 of the McAllen Code of Ordinances, as amended by Section I, hereinabove, to be published in the appropriate location in the said Code of

Ordinances.

SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this ____ day of _____, 2024, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this ____ day _____, 2024.

CITY OF McALLEN

By: _____

Javier Villalobas, Mayor

Attest:

Perla Lara, TRMC, City Secretary

Approved as to form:

Austin W. Stevenson, Interim City Attorney

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.

DATE SUBMITTED

MEETING DATE

10/28/2024

1. Agenda Item: Presentation on Campground Project Update.

2. Party Making Request:

3. Nature of Request:

4. Routing:

Jose Trujillo

Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:



CITY COMMISSION WORKSHOP

CAMPGROUND PROJECT UPDATE - OCTOBER 28, 2024



CITY COMMISSION WORKSHOP

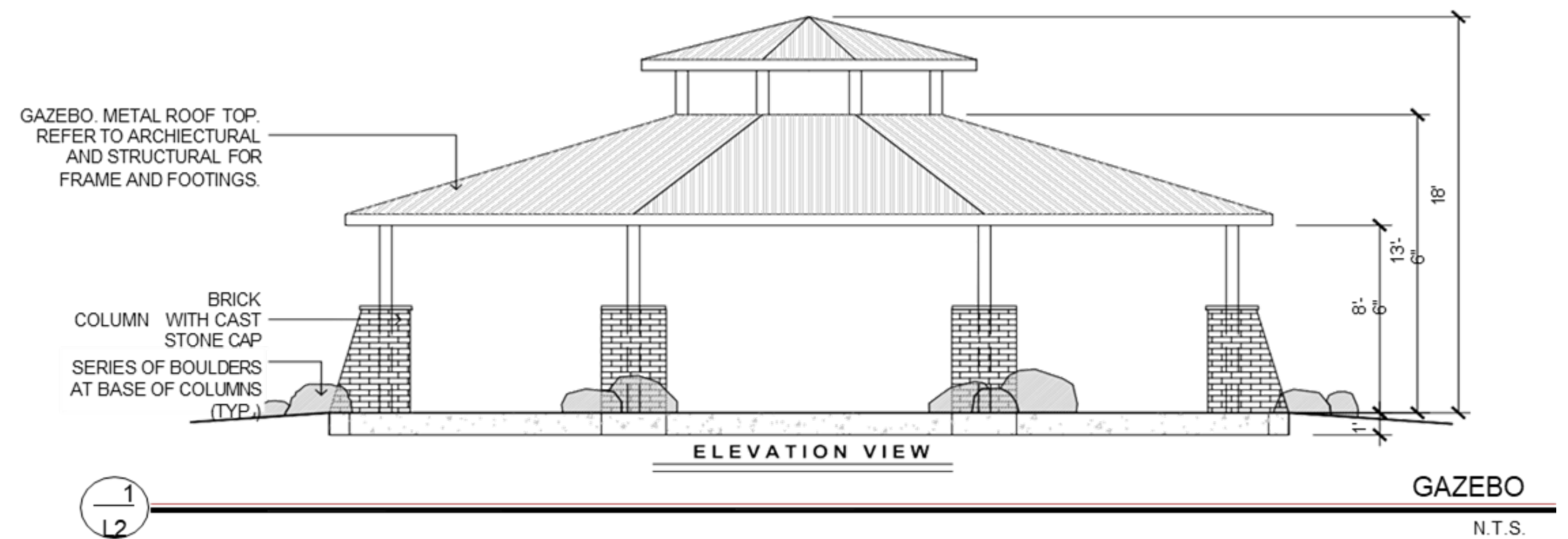
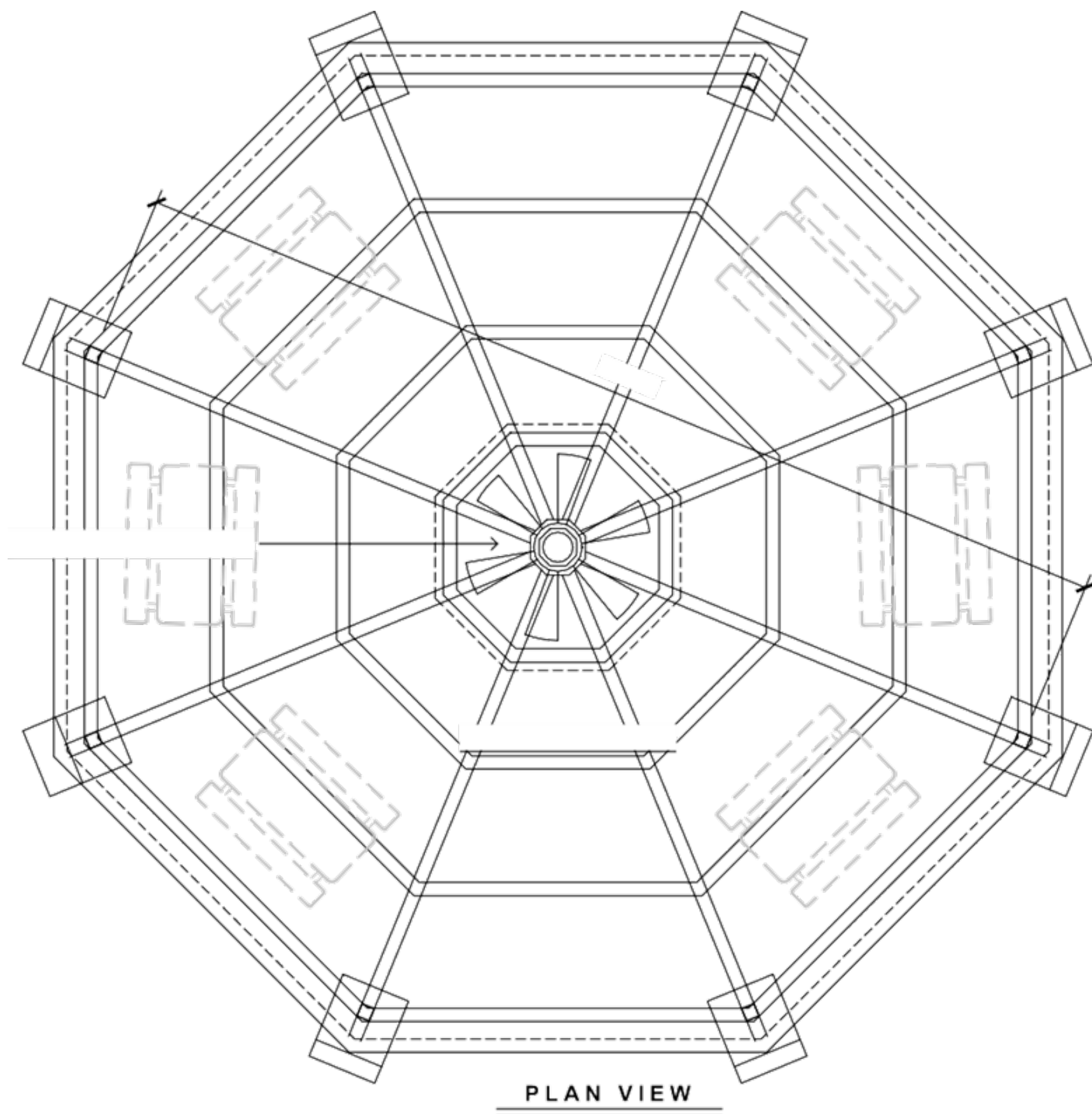
CAMPGROUND PROJECT UPDATE

- Status Update
- Proposed Facility Names

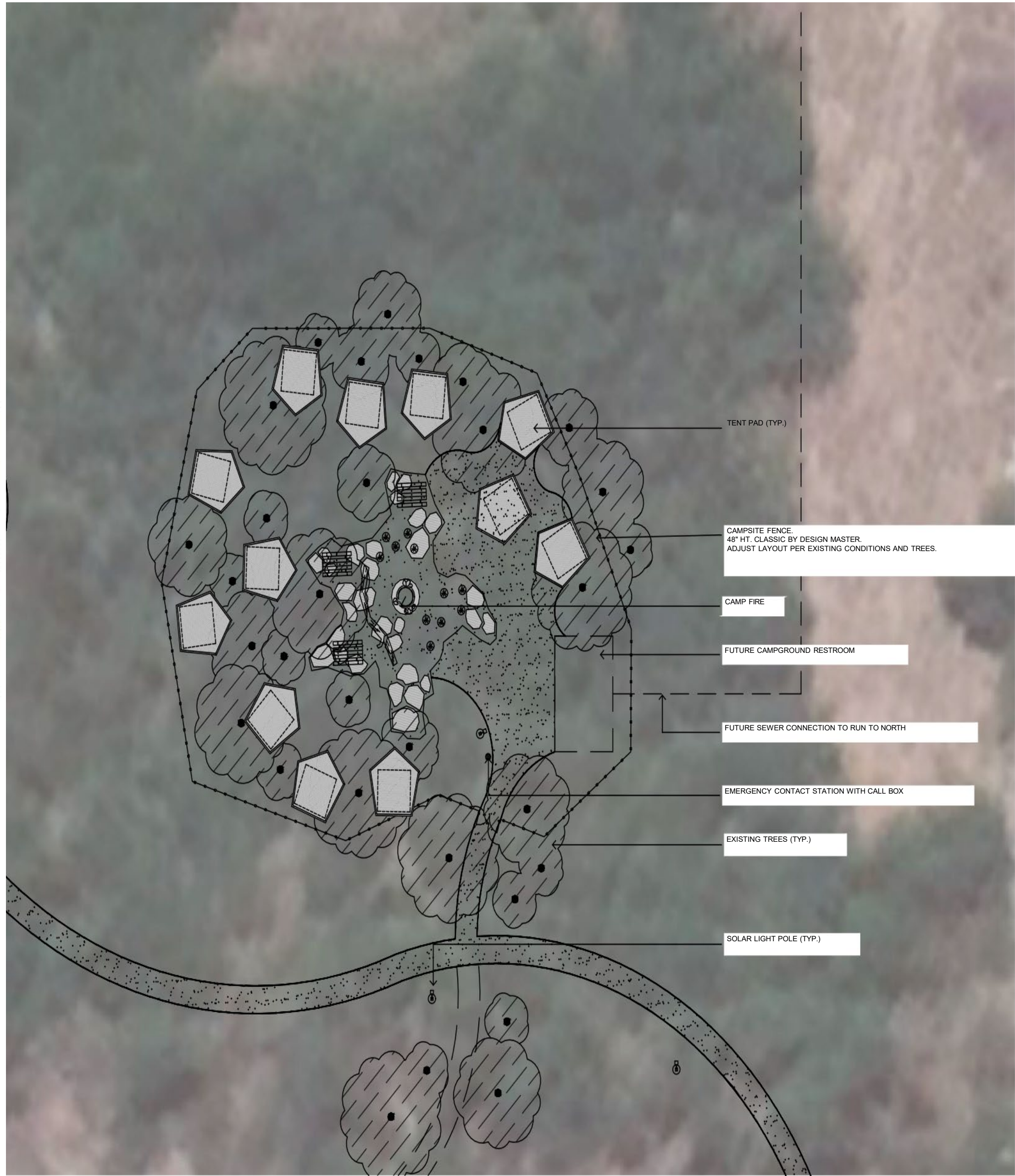
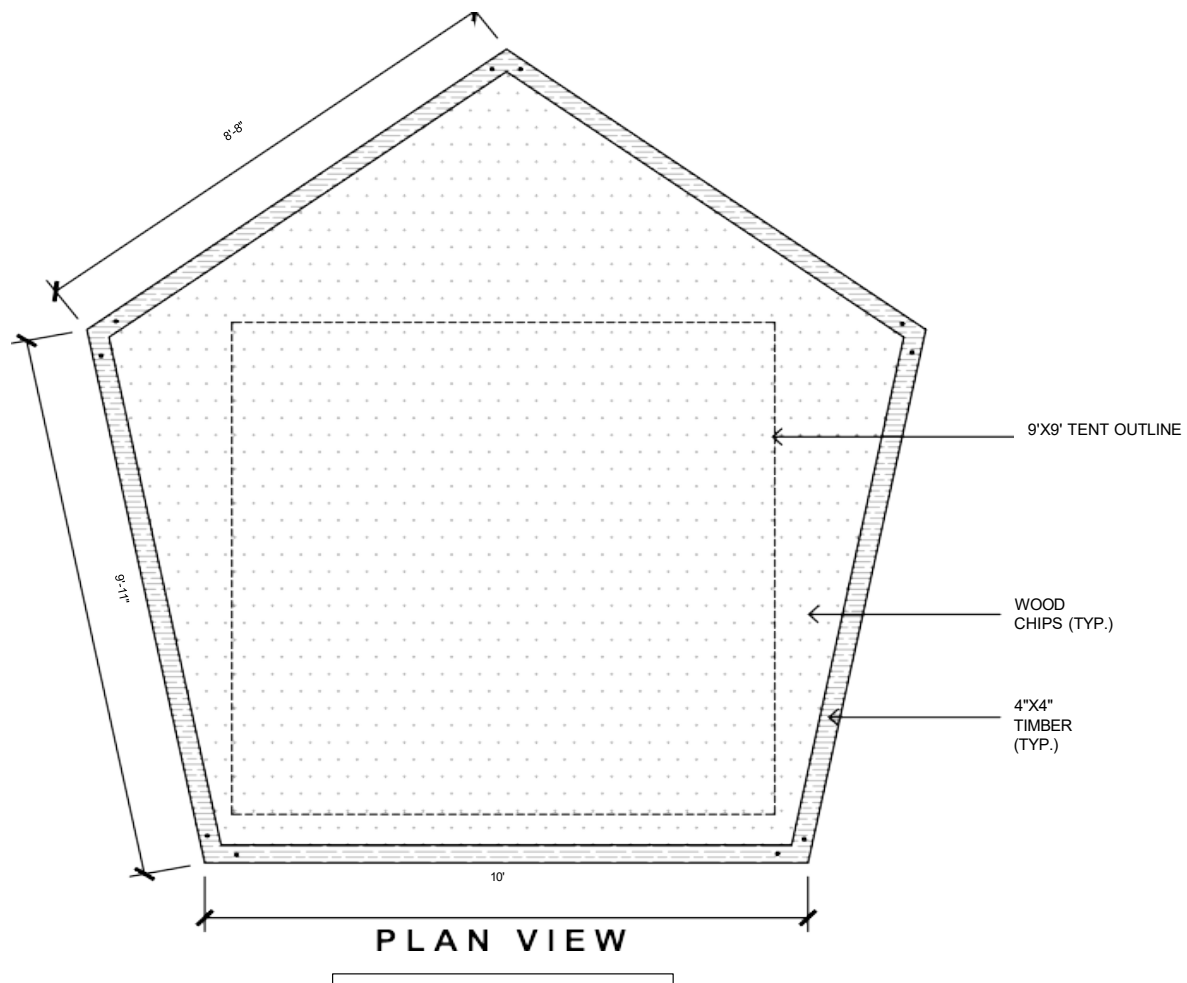
KAPPLER PARK- TRAILS



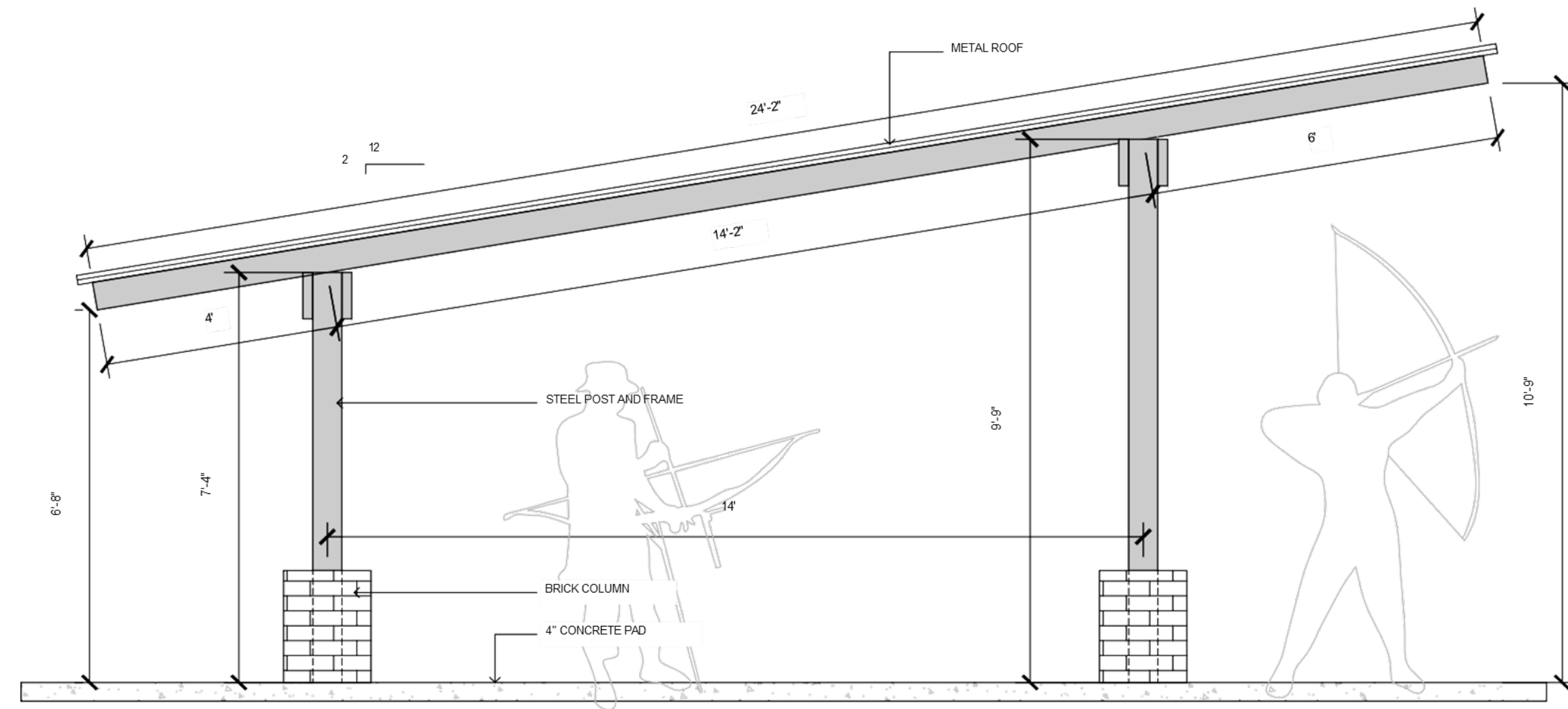
KAPPLER- GAZEBO



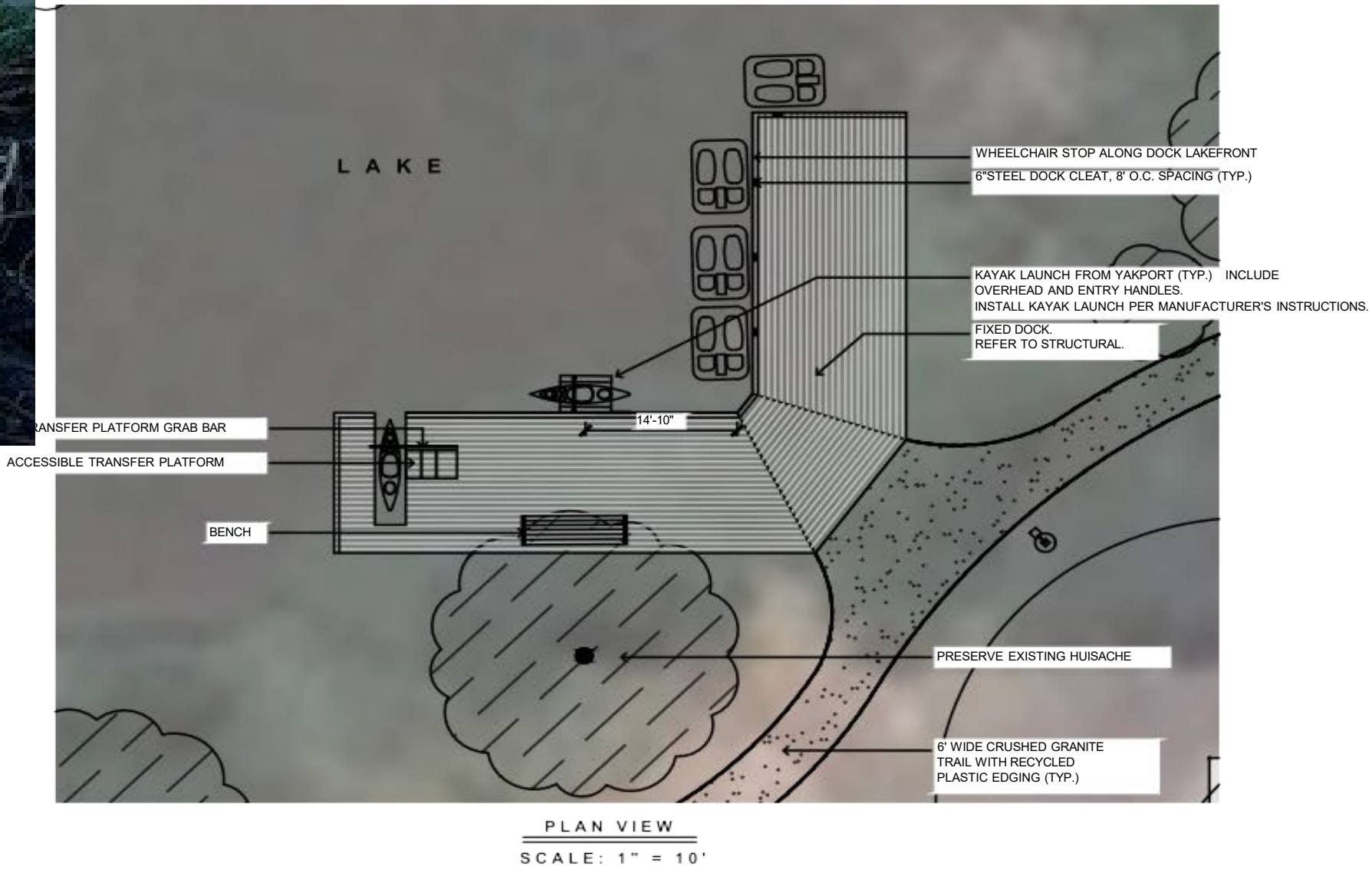
KAPPLER - CAMPSITE

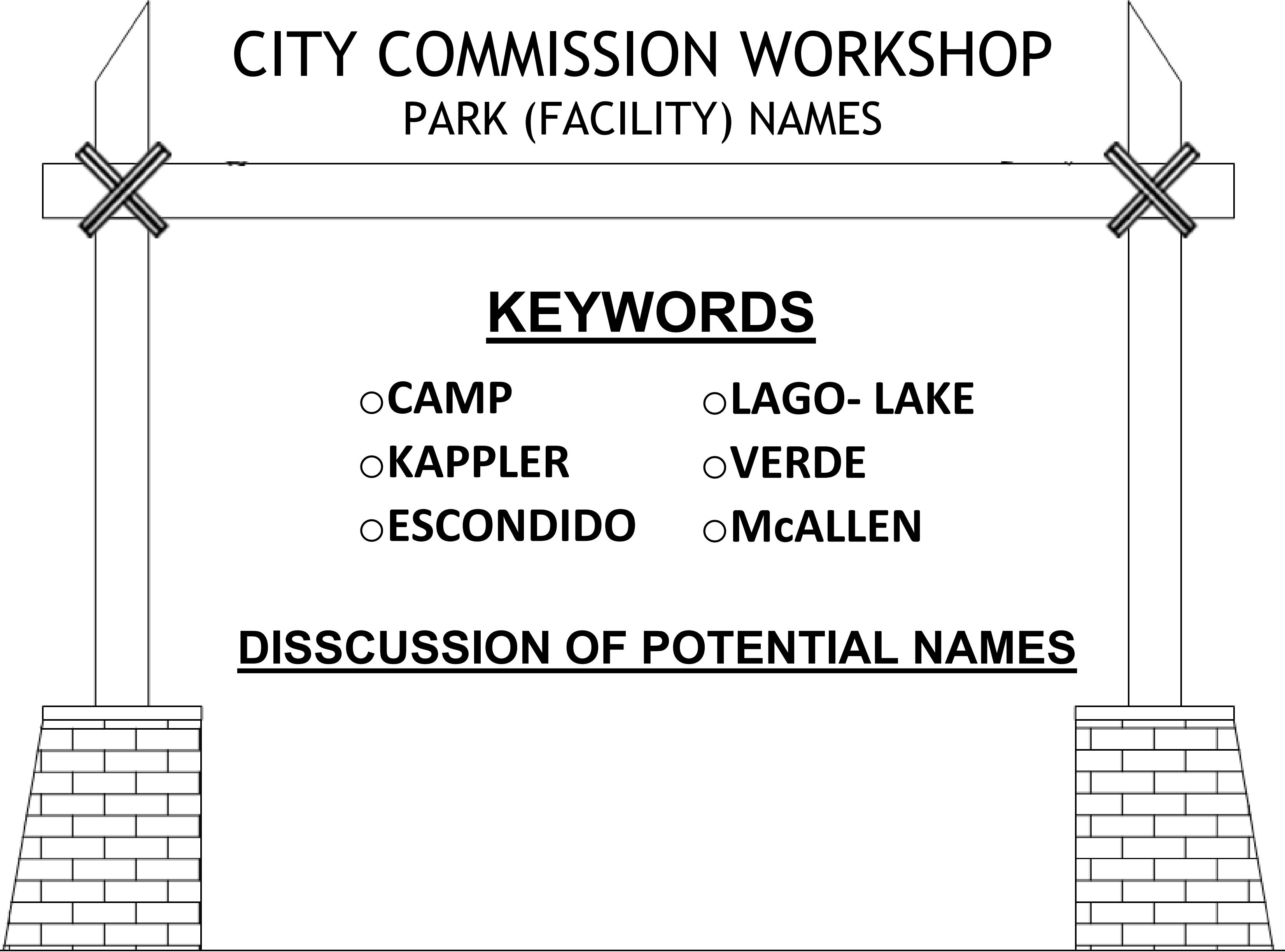


KAPPLER - ARCHERY RANGE



KAPPLER- KAYAK LAUNCH DOCK





CITY COMMISSION WORKSHOP

PARK (FACILITY) NAMES

KEYWORDS

- CAMP
- LAGO- LAKE
- KAPPLER
- VERDE
- ESCONDIDO
- McALLEN

DISCUSSION OF POTENTIAL NAMES



CITY COMMISSION WORKSHOP

CAMPGROUND PROJECT UPDATE - OCTOBER 28, 2024



ITEM SUMMARY

BOARD:	AGENDA ITEM	4.A.
	DATE SUBMITTED	10/23/2024
	MEETING DATE	10/28/2024

1. Agenda Item: Consultation with City Attorney regarding a resolution authorizing the exercise of eminent domain authority to acquire two tracts of land being: (1) A 4.19 acre (182,518.49 sq. ft.) gross tract of land, more or less, being part of Lots 10, 15 and 16, Section 6, HIDALGO CANAL COMPANY SUBDIVISION, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume "Q", Page 177, Map Records, Hidalgo County, Texas, thereof conveyed to Stallion Texas Real Estate Fund, LLC., as recorded in Document Number 3058619, Official Records, Hidalgo County, Texas, and (2) A tract of land out of Lots 10, 15, and 16, Southeast 1/4 of Section 6, HIDALGO CANAL COMPANY'S SUBDIVISION, Hidalgo County Texas, according to map thereof recorded in Volume "Q," Page 177, Deed Records of Hidalgo County, Texas, for airport. Tex. Gov't. Code §551.071.
2. Party Making Request: Austin Stevenson
3. Nature of Request: Consultation with City Attorney regarding a resolution authorizing the exercise of eminent domain authority to acquire two tracts of land being: (1) A 4.19 acre (182,518.49 sq. ft.) gross tract of land, more or less, being part of Lots 10, 15 and 16, Section 6, HIDALGO CANAL COMPANY SUBDIVISION, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume "Q", Page 177, Map Records, Hidalgo County, Texas, thereof conveyed to Stallion Texas Real Estate Fund, LLC., as recorded in Document Number 3058619, Official Records, Hidalgo County, Texas, and (2) A tract of land out of Lots 10, 15, and 16, Southeast 1/4 of Section 6, HIDALGO CANAL COMPANY'S SUBDIVISION, Hidalgo County Texas, according to map thereof recorded in Volume "Q," Page 177, Deed Records of Hidalgo County, Texas, for airport. Tex. Gov't. Code §551.071.
4. Routing:
Alma Villarreal Created/Initiated - 10/23/2024
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

ITEM SUMMARY

BOARD:	AGENDA ITEM	4.B.
	DATE SUBMITTED	10/23/2024
	MEETING DATE	10/28/2024

1. Agenda Item: Discussion and possible lease, sale or purchase of real estate property, Tract 1 and Tract 2. Tex. Gov't. Code §551.072.
2. Party Making Request:
3. Nature of Request: Discussion and possible lease, sale or purchase of real estate property, Tract 1 and Tract 2. Tex. Gov't. Code §551.072.
4. Routing:
Alma Villarreal Created/Initiated - 10/23/2024
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD:	AGENDA ITEM	4.C.
	DATE SUBMITTED	10/23/2024
	MEETING DATE	10/28/2024

1. Agenda Item: Consultation with City Attorney regarding pending litigation: Cause No. C-4698-23-M. Tex. Gov't. Code §551.071.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Alma Villarreal Created/Initiated - 10/23/2024
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD:	AGENDA ITEM	4.D.
	DATE SUBMITTED	10/24/2024
	MEETING DATE	10/28/2024

1. Agenda Item: Consultation with City Attorney regarding employment contracts. Tex. Gov't. Code §551.071.
2. Party Making Request: Austin Stevenson
3. Nature of Request: Consultation with City Attorney regarding employment contracts. Tex. Gov't. Code §551.071.
4. Routing:
Alma Villarreal Created/Initiated - 10/24/2024
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation: