STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **October 14, 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 Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

Absent: Commissioner Rodolfo "Rudy" Castillo

Staff: City Manager Isaac Tawil, Interim City Attorney Austin Stevenson, Assistant City Manager Michelle Rivera, Assistant City Manager Jeff Johnston, Assistant City Manager Joe Vera, Deputy City Secretary Cindy Zuniga, City Engineer Eduardo Mendoza, Planning Director Edgar Garcia, Finance Director David Vasquez

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PROCLAMATIONS

NATIONAL COMMUNITY PLANNING MONTH

Commissioner Joaquin Zamora read and presented a proclamation for National Community Planning Month.

NATIVE PLANT MONTH

Mayor Pro Tem Omar Quintanilla presented a proclamation for Native Plant Month.

Commissioner Jose R. "Pepe" Cabeza de Vaca presented a proclamation for Arbor Day.

MCHI CLASS OF 1975 50TH YEAR REUNION

Commissioner Antonio "Tony" Aguirre, Jr. presented a proclamation for McHi Class of 1975 50th Year Reunion.

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 Victor "Seby" Haddad moved to approve the items listed on the Routine Items section of the agenda and seconded by Commissioner Joaquin Zamora. The motion carried unanimously by those present.

1. REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: A 17.904 ACRE TRACT OF LAND, OUT OF LOT 5, SECTION 280, TEXAS-MEXICAN RAILWAY

COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 2700 STATE HIGHWAY 107.

Approved the R-3T Zoning at 2700 State Highway 107, as per Planning and Zoning Commission.

2. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 6.10 ACRES OF LAND, OUT OF LOT 16, SECTION 279, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS; 9400 NORTH BICENTENNIAL BOULEVARD.

Approved the R-3T Zoning at 9400 North Bicentennial Boulevard, as per Planning and Zoning Commission.

3. REZONING FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSES) DISTRICT: A 10 ACRE TRACT, BEING ALL OF LOT 2, PRIDE O' TEXAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 3500 LA LOMITA ROAD.

Approved the R-3T Zoning at 3500 La Lomita Road, as per Planning and Zoning Commission.

4. INITIAL ZONING TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 11.442 ACRES BEING ALL OF LOT 4, RESUBDIVISION OF LOTS 46-11 AND 46-12, WEST ADDITION TO SHARYLAND SUBDIVISION, HIDALGO COUNTY, TEXAS; 9901 NORTH STEWART ROAD.

Approved the R-3A Zoning at 9901 North Stewart Road, as per Planning and Zoning Commission.

5. REQUEST OF KELSEY KREHER (HFA-AE, LTD.), ON BEHALF OF 900 S JACKSON LLC, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF USE, AND ADOPTION OF AN ORDINANCE, FOR AN OIL CHANGE FACILITY, AT LOT 5, JACKSON CROSSING CENTER SUBDIVISION, HIDALGO COUNTY, TEXAS; 900 SOUTH JACKSON ROAD.

Approved a Conditional Use Permit and adopted an ordinance, for life of use, for an oil change facility at 900 South Jackson Road, as per Planning and Zoning Commission.

The oil change facility 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 35,534 square feet.
2) All service, repair, maintenance, painting, and other work shall take place within an enclosed area.
3) Outside storage of materials is prohibited.
4) The building where the proposed work is to take place shall be at least 100 feet from the nearest residence.
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.

6. REQUEST OF ERIC R. PENA, ON BEHALF OF SUN'S FAST FOOD CORP., FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR (SUERTE BAR AND GRILL) AT N98.5' LOT 1, BLOCK 1, FAIRWAY NORTH SUBDIVISION, HIDALGO COUNTY, TEXAS; 2001 SOUTH 10TH STREET.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 2001 South 10th Street, 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 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 establishment is within 400 ft. of the residential zone/use to the east and southeast.

2) The abovementioned businesses 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 South 10th Street.
3) The above-mentioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. 61 parking spaces are required and 63 are provided as per site plan.
4) The abovementioned businesses 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 businesses 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 businesses 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 Chief Building Official and Fire Marshal. The occupancy load will be established by the Building Inspections Department as part of the building permit review process.

B) REZONINGS:

1. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: A 1.0 ACRE TRACT BEING A PIECE OF LAND OUT OF THE SOUTH FIVE & 24/100 ACRES OF THE SOUTH PART OF LOT "K" IN LOT 6, BLOCK 16, STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS; 1021 EAST EL RANCHO ROAD.

Staff recommended approval of the R-3A zoning at 1021 East El Rancho Road, as per Planning and Zoning Commission.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to disapprove the rezoning and seconded by Joaquin Zamora. The motion passed with 3 votes in the affirmative with Commissioner Victor "Seby" Haddad and Commissioner Antonio "Tony" Aguirre, Jr. voting against.

2. REZONING FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSES) DISTRICT: A 4 ACRES TRACT OUT OF THE SOUTH 30 ACRES OF LOT 47, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 8516 NORTH 29TH STREET.

Commissioner Joaquin Zamora moved to table said item as requested by the applicant and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

C) CONDITIONAL USE PERMIT:

1. REQUEST OF IGNACIO ALVAREZ, ON BEHALF OF NA INVESTMENT GROUP, LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A SMOKE SHOP, AT SOUTHEAST 160 FEET BY 172 FEET OF NORTHEAST 10 ACRES OF LOT 156, LA LOMITA (HOIT) SUBDIVISION, HIDALGO COUNTY, TEXAS; 630 SOUTH 23RD STREET, BUILDING 100, SUITE 120.

Commissioner Joaquin Zamora moved to table said item as requested by the applicant and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously by those present.

D) 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.

E) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF 11.442 ACRES BEING ALL OF LOT 4, RESUBDIVISION OF LOTS 46-11 AND 46-12, WEST ADDITION TO SHARYLAND SUBDIVISION, HIDALGO COUNTY, TEXAS; 9901 NORTH STEWART ROAD.

Mayor Javier Villalobos called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation at 9901 North Stewart Road.

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.

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 2D to be addressed separately and Mayor Pro Tem Omar Quintanilla seconded. The motion carried unanimously by those present.

A) APPROVAL OF MINUTES FOR WORKSHOP AND REGULAR MEETING HELD SEPTEMBER 23, 2024.

Approved the minutes of Workshop and Regular Meeting held September 23, 2024, as submitted.

B) AWARD OF CONTRACT FOR MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) ENGINEERING SERVICES FOR VARIOUS MUNICIPAL PROJECTS (PROJECT NO. 06-24-S58-916).

Awarded contracts to The Alex Group; DBR Engineering Consultants; Halff Associates, Inc.; RRP Consulting Engineers, LLC. for Mechanical, Electrical, and Plumbing (MEP) Engineering Services for various municipal projects.

C) AWARD OF CONTRACT FOR STRUCTURAL ENGINEERING SERVICES FOR VARIOUS MUNICIPAL PROJECTS (PROJECT NO. 06-24-S58-916).

Awarded contracts to Chanin Engineering, LLC; Solorio, Inc.; Green, Rubiano & Associates, Inc.; CHLH Engineering, LLC for Structural Engineering Services for various municipal projects.

D) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 5 AND FINAL RECONCILIATION FOR DAFFODIL AVENUE ROADWAY WIDENING (PROJECT NO. 04-22-C28-338).

Staff recommended approval of Change Order No. 5 in the deduct amount of $10,532.19 with an additional 457 calendar days for a final amount of $5,663,410.78 and final contract time of 764 calendar days for the Daffodil Avenue Roadway Widening Project.

Commissioner Joaquin Zamora moved to approve Change Order No. 5 as recommended and seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously by those present.

E) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 AND FINAL FOR THE MORRIS PARK IMPROVEMENTS PROJECT (PROJECT NO. 02-23-C18-799).

Approved Change Order No. 2 in the deduct amount of $128,003.50 with no additional calendar days for a final amount of $1,210,323.50 and final contract time of 360 calendar days for the Morris Park Improvements Project.

F) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 6 FOR THE ANZALDUAS BRIDGE INFRASTRUCTURE IMPROVEMENTS (PROJECT NO. 07-22-C29-802).

Approved Change Order No. 6 in the deduct amount of $10,027.00 with no additional working days for a revised amount of $83,767,542.21 and unchanged contract time of 400-working days for the Anzalduas Bridge Infrastructure Improvements Project.

G) CONSIDERATION AND APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE MCALLEN FIRE DEPARTMENT AND THE COASTAL BEND REGIONAL ADVISORY COUNCIL.

Approved the Memorandum of Agreement between the McAllen Fire Department and the Coastal Bend Regional Advisory Council.

H) CONSIDERATION AND APPROVAL OF AMENDMENT NO.1 TO THE MASTER CONTRACT AGREEMENT FOR AVIATION MARKETING AND CONSULTING SERVICES WITH REGAL STUDIOS, LLC DBA POLLUX CASTOR, INC. (09-21-S53-107).

Approved Amendment No. 1 to the Master Contract Agreement for Aviation Marketing and Consulting Services with Regal Studios, LLC dba Pollux Castor, Inc.

I) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 2 FOR THE TERMINAL HVAC AND LIGHTING EFFICIENCY IMPROVEMENTS AT MCALLEN INTERNATIONAL AIRPORT (PROJECT NO. 07-23-C37-645).

Approved Change Order No. 2 for an increase amount of $32,506.80 from contract allowances in the amount remaining at $2,780,600.00 and an addition of 45 calendar days for a total of 225 calendar days for the Terminal HVAC and Lighting Efficiency Improvements Project.

J) CONSIDERATION AND APPROVAL OF AN ADDENDUM TO THE PERMANENT WATER SUPPLY AND DELIVERY CONTRACT WITH HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 AS APPROVED BY THE MCALLEN PUBLIC UTILITY.

Approved an addendum to the permanent water supply and delivery contract with Hidalgo County Irrigation District No. 1.

K) RESOLUTION FOR THE ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE NOLANA AVENUE WIDENING.

Approved a resolution for the Advance Funding Agreement with the Texas Department of Transportation for the Nolana Avenue Widening.

L) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR FUNDING UNDER THE FISCAL YEAR 2024 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM.

Approved a resolution for the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for funding under the Fiscal Year 2024 Edward Byrne Memorial Assistance Grant Program.

M) DISCUSS AND CONSIDER APPROVAL OF FIRST ADDENDUM TO INTERLOCAL AGREEMENT WITH HIDALGO COUNTY REGARDING TAX INCREMENT REINVESTMENT ZONE #2A.

Approved a first addendum to an interlocal agreement with Hidalgo County regarding Tax Increment Reinvestment Zone #2A.

N) CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING PARTICIPATION AND HIRING LEGAL COUNSEL RELATED TO THE AEP RESILIENCY PLAN.

Approved a resolution authorizing participation and hiring legal counsel related to the AEP Resiliency Plan.

O) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF BUNKER GEAR - COATS AND PANTS.

Awarded a contract to Delta Fire & Safety TX in the amount of $229,148.69 for the purchase of bunker gear.

P) APPROVAL OF TAX REFUNDS OVER $500.00.

Approved tax refunds of over $500.

1. CHARLES BRANDON HOWARD

Approved a tax refund in the amount of $2,028.58.

2. MAPLE COURT APARTMENTS LLC

Approved a tax refund in the amount of $3,353.29.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR MATERIAL RECOVERY FACILITY UPGRADE (PROJECT NO. 09-23-C46-469).

Staff recommended the award of contract to Machinex Technologies, Inc. in the amount of $6,950,000.00, for the Material Recovery Facility Upgrade.

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

B) AWARD OF CONTRACT FOR THE DESIGN ENGINEERING SERVICES FOR THE NOLANA AVENUE WIDENING FROM FM2220 (WARE ROAD) TO FM1926 (23RD STREET).

Staff recommended the award of contract to L & G Consulting Engineers, Inc. in the amount of $529,848.56, for the Nolana Avenue Widening from FM2220 (Ware Road) to FM1926 (23rd Street).

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

C) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT AMENDMENT NO. 1 WITH THE CITY OF EDINBURG FOR THE JACKSON HIKE AND BIKE PHASE II PROJECT.

Staff recommended approval of Amendment No. 1 to the Interlocal Agreement with the City of Edinburg for the Jackson Hike and Bike Phase II project.

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

D) AWARD OF CONTRACT FOR THE BOEYE RESERVOIR AND REGIONAL DETENTION POND PROJECT (PROJECT NO. 08-24-C28-986).

Mayor Pro Tem Omar Quintanilla announced that he had a conflict with Item 3D and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict with the City Secretary.

Staff recommended award of contract to RG Enterprises, LLC dba G&G Contractors in the amount of $2,976,837.96, for the Boeye Reservoir and Regional Detention Pond Project.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion passed with four votes in the affirmative with Mayor Pro Tem Omar Quintanilla in abstention.

E) **CONSIDERATION AND APPROVAL OF A DONATION ACCEPTANCE AGREEMENT WITH THE U.S. CUSTOMS AND BORDER PROTECTION FOR INFORMATION TECHNOLOGY EQUIPMENT PER TERMS OF THE ANZALDUAS LAND PORT OF ENTRY'S DONATIONS ACCEPTANCE PROGRAM.**

Staff recommended approval of a one-time cash donation to the U.S. Customs and Border Protection (CBP) in the amount of $1,683,586.00 as per the terms outlined in the Donation Acceptance Agreement (DAA).

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

F) **CONSIDERATION OF LICENSE AGREEMENT FOR THE INSTALLATION OF A RETAINING WALL AND CONCRETE MASONRY UNIT FENCE ON NORTH PARK ON 107 SUBDIVISIONS.**

Staff recommended approval of the license agreement for installation of a retaining wall and Concrete Masonry Unit fence on North Park on 107 Subdivision.

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

4. ORDINANCES

A) **CONSIDERATION AND APPROVAL OF AN ORDINANCE REGULATING THE DEVELOPMENT OF CAR WASHES.**

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

B) **PROVIDING FOR A BUDGET AMENDMENT IN THE SANITATION FUND FOR THE MATERIAL RECOVERY FACILITY UPGRADE AT THE RECYCLING CENTER.**

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of $4,950,000.00 for the Material Recovery Facility Upgrade at the Recycling Center.

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. RESOLUTIONS

A) **CONSIDERATION AND APPROVAL OF DESIGNATING RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION MEMBERS.**

Staff recommended approval for the designation of the Rio Grande Valley Metropolitan Planning Organization Members.

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. VARIANCES

A) **CONSIDERATION OF A VARIANCE REQUEST TO ITHICA AVENUE AND SOUTH 16TH STREET RIGHT-OF-WAY DEDICATION REQUIREMENT, FOR PROPOSED KEEP MCALLEN BEAUTIFUL SUBDIVISION, HIDALGO COUNTY, TEXAS; 821 SOUTH 16TH STREET.**

Staff recommended Option 2; approval as recommended by Planning & Zoning Commission.

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

B) CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE THE SUBDIVISION PROCESS AT A TRACT OF LAND OUT OF LOT 78, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 6712 NORTH BENTSEN ROAD.

Staff recommended Option 3, disapproval of variance and compliance with state and local requirements.

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

7. MANAGER'S REPORT

A) 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, Interim City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney on Items 8A and 8D, Section 551.072 Deliberation Regarding Real Property on Item 8B; and Section 551.087 Economic Development on Item 8C.

Mayor Javier Villalobos recessed the meeting at 6:13 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 6:38 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 Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

A) CONSULTATION WITH CITY ATTORNEY REGARDING A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN AUTHORITY TO ACQUIRE TWO TRACTS OF LAND BEING: THE SOUTH ONE-HALF (S ½) OF LOT SEVENTY-FOUR (74), AND (2) THE S670.69' EXC. 1.33 ROW, EXC.2.39 DRAINAGE EASEMENT 11.15 AC NET SOUTH OF LOT SEVENTY-THREE (73), SAVE AND EXCEPT THE NORTH 11.38 FEET OF THE WEST 40.0 FEET OF LOT 73, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THERE OF RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY, TEXAS FOR A PARK, PLAYGROUND, OR OTHER RECREATIONAL FACILITY AND OTHER PUBLIC PURPOSES (TEX. GOV'T. CODE §551.071).

Commissioner Joaquin Zamora moved to authorize and ratify the use of the power of eminent domain to acquire the following parcels of land for a park, playground, or other recreational facility and other public purposes and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously by those present.

CONSIDERED, PASSED and APPROVED this 14th day of October 2024, at a regular meeting of the City Commission of the City of McAllen at which a quorum was present and which was held in accordance with VTCA, Government Code §551.001 et seq by the following vote, to wit: AYES: Mayor Pro Tem Omar Quintanilla, Commissioner Jose R. "Pepe" Cabeza de Vaca, Commissioner Joaquin Zamora, Commissioner Victor "Seby" Haddad, and Commissioner Antonio "Tony" Aguirre, Jr.

B) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL ESTATE PROPERTY, TRACT 1 AND TRACT 2. (§551.072, TEX. GOV'T. CODE).

Commissioner Victor “Seby” Haddad moved to instruct the City Manager and City Attorney to act as described in executive session and seconded by Commissioner Joaquin Zamora. The motion carried unanimously by those present.

C) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (§ 551.087, TEX. GOV’T. CODE).

Commissioner Joaquin Zamora moved to authorize to act as described in executive session and seconded by Commissioner Jose R. “Pepe” Cabeza de Vaca. The motion carried unanimously by those present.

D) CONSULTATION WITH CITY ATTORNEY REGARDING EMPLOYMENT CONTRACTS. (§ 551.071, TEX. GOV’T. CODE).

Commissioner Joaquin Zamora moved to authorize Mayor Pro Tem Omar Quintanilla, Commissioner Victor “Seby” Haddad, and Commissioner Antonio “Tony” Aguirre, Jr. to serve on the MEDC selection committee with respect to the said item and seconded by Commissioner Jose R. “Pepe” Cabeza de Vaca. The motion carried unanimously by those present.

ADJOURNMENT

Without objection the meeting was adjourned at 6:41 p.m.

Javier Villalobos, Mayor

Attest:

Cindy Zuniga, TRMC
Deputy City Secretary