



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

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, NOVEMBER 25, 2024 – 5:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501

"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 - Mayor Javier Villalobos

PLEDGE OF ALLEGIANCE - Mayor Javier Villalobos

INVOCATION - Commissioner Rodolfo "Rudy" Castillo

PRESENTATION - Recognition of the Office of Communications Department - 28th Annual Texas Association of Telecommunications Officers and Advisors Conference and Awards Ceremony

PROCLAMATIONS - 52nd Annual Nutcracker Ballet Production Days - Deborah Case
National Injury Prevention Day - Mario Lizcano

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:

A) ROUTINE ITEMS: *(All Rezoning 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.)*

1. Rezone from C-3 (General Business) District to R-3A (Multifamily Residential Apartments) District: 5.123 acres, out of blocks 3, 4 and 5 and out of streets and alleys between blocks, Racquet Club Subdivision, Hidalgo County, Texas; 1400 Sprague Road (Tract 1).

2. Rezone from R-2 (Duplex-Fourplex Residential) District to R-3A (Multifamily Residential Apartments) District: 9.687 acres, out of blocks 6, 7 and 8 and out of streets and alleys between blocks, Racquet Club Subdivision, Hidalgo County, Texas; 1400 Sprague Road (Tract 2).
3. Rezone from R-3T (Multifamily Residential Townhouse) District to R-3A (Multifamily Residential Apartments) District: 13.556 acres out of Lot 13, Section 277, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 1400 Sprague Road (Tract 3).
4. Rezone from C-3 (General Business) District to R-1 (Single Family Residential) District: 8.332 acres out of Blocks 1, 2, 3, 4 and 5 and out of Streets and Alleys between Blocks, Racquet Club Subdivision, Hidalgo County, Texas; 11201 North 10th Street (Tract 1).
5. Rezone from R-3T (Multifamily Residential Townhouses) District to R-1 (Single Family Residential) District: 8.728 acres out of Lot 13, Section 227, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 11201 North 10th Street (Tract 2).
6. Rezone from R-3T (Residential Townhomes) District to C-3 (General Business) District: 0.314 acres of one acre out of Lot 13, section 277, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 11201 North 10th Street (Tract 3).
7. Request of Ramon R. Martinez, on behalf of Believe Investments, LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a food truck park, at Lot 1, Valley Salvage Center Subdivision, Hidalgo County, Texas; 701 East US Highway 83.
8. Request of Jorge L. Martinez, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a food truck park at 1 tract of land north of Railroad Right of Way between 10th & 11th Streets south of Block 49, North McAllen Addition, Hidalgo County, Texas; 1001 Ash Avenue.
9. Request of John Geske/Union Nolana LLC (Union Draft House), on behalf of South Padre Retail Center LTD., for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar at Lot 1, Nolana Retail Subdivision, Hidalgo County, Texas; 1300 East Nolana Avenue, Building 100, Suite 100.
10. Request of Jaime S. Ortiz, on behalf of Nations for Christ Church Inc., for a Conditional Use Permit, for life of use, and an adoption of an ordinance, for an institutional use (church) at the south 309.95 feet of Lot 1, Central Christian Church II Subdivision, Hidalgo County, Texas; 1320 North Main Street.
11. Request of La Tambora Sinaloense LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar, at Lot 12, Mejia Subdivision Unit No. 1, Hidalgo County, Texas; 2022 Nolana Avenue.
12. Request of Clarrisa Margot Quesada, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar at Lots 7 & 8, Citrus Plaza Condominium Subdivision, Hidalgo County, Texas; 4037 West Expressway 83, Suites 120.

B) 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. (TABLED)

- C) Amending the Zoning Ordinance of the City of McAllen.

END OF PUBLIC HEARING

- 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.)*

- A) Approval of Minutes for Workshop and Regular Meeting held on November 11th, Special Meeting held November 18, 2024.
- B) Subdivision Monthly Report.
- C) Project Status Monthly Report through October 31, 2024.
- D) Parks and Recreation Project Status Monthly Report.
- E) Consideration and Approval of a Memorandum of Understanding between City of McAllen and City of Reynosa.
- F) Award of Contract for the Purchase and Delivery of Fuel (Project No. 11-24-SP03-101).
- G) Award of Service Contract for Grinding of Brush and Wood Waste (Project No. 10-24-S01-127).
- H) Consideration and Approval to enter into an Interlocal Agreement with the City of Brownsville to participate in the Fiscal Year 2025 Motor Vehicle Crime Prevention Authority under the South Texas Auto Theft Enforcement Task Force (S.T.A.T.E. Task Force) Program.
- I) Award of Contract for the Architectural Programming Phase of the New Palm Valley Animal Society Shelter Design (Project No. 07-24-S61-781).
- J) Award of Contract for Landscape Architect Professional Services.
- K) Consideration and Approval of a Municipal Maintenance Agreement (MMA) and Resolution with Texas Department of Transportation (TxDOT).
- L) Resolution authorizing the acceptance of grant funds from the Office of the Governor's Homeland Security Grant Division under the Fiscal Year 2025 Local Border Security Program in the amount of \$10,000.00.
- M) Consideration and Approval of a License Agreement for use of a 25-foot dedicated Right of Way at Triple "B" Mobile Park II.
- N) Consideration and Approval of consent to action updating EB-5 Board of Directors and Officers.
- O) Approval of Tax Refunds over \$500.00.
 - 1. Feltis Troy
 - 2. Koll Flor Estella
 - 3. Olivarez Elias
 - 4. Raybec St. Antimo (2)
 - 5. Vargas Javier

- 6. Valley Running
- 7. Rio Bank

P) CONSENT COOP PURCHASES

- 1. Award of Contract for the Purchase of Two (2) Front-End, Load Refuse Trucks through Sourcewell Cooperative Pricing.

3. BIDS/CONTRACTS:

- A)** Consideration and Approval of Contract Amendment No. 1 for additional Engineering Services.
- B)** Award of Contract for the Alley Rehabilitation Section A Project (Project No. 10-24-C03-464).
- C)** Award of Contract for the Alley Rehabilitation Section C Project (Project No. 11-24-C05-465).
- D)** Award of Contract for the Airport Parking Management Program at McAllen International Airport (Project No. 08-24-S75-52).

4. ORDINANCES:

- A)** Consideration and Approval of an ordinance designating existing fireworks stands as non-conforming uses and permitting ongoing operations unless and until development occurs within the designated proximity.
- B)** Consideration and Approval of substantial amendment for Fiscal Year 2023-2024 Annual Action Plan for ESG Program.
- C)** Providing for the abandonment of the following utility easements: 1. 10 ft. U.E. on the south side of Lot 76; 2. 5 ft. U.E. on the north side of Lot 22; 3. 5 ft. U.E. on the south side of Lots 23, 25, and 67; and 4. 5 ft. U.E. on the east side of Lots 82 and 84, Silverado Moon Subdivision, Hidalgo County, Texas, 8100 North Taylor Road.

5. VARIANCE:

- A)** Consideration of a variance request to La Lomita Road (Mile 6 ½) Right-of-Way dedication requirement, for proposed Lumen Palace Subdivision, Hidalgo County, Texas 3401 La Lomita Road.

6. MANAGER'S REPORT:

- A)** Future Agenda Items.

7. TABLED ITEM:

- A)** Consideration of a Variance request to provide 15 ft. of additional Right-of-Way dedication instead of 20 ft. Right-of-Way requirement for N. Bicentennial Blvd., request to not dedicate E/W ¼ Mile Collector Right-of-Way, 1,200 ft. maximum block length requirement, and internal roads to be 50 ft. Right-of-Way with 40 ft. of paving with 10 ft. utility and sidewalk easements, for the proposed Vacate a Portion of Racquet Club

into Replat of Villages Park West Subdivision, Hidalgo County, Texas; 1400 Sprague Road.

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).**
- A) Consultation with City Attorney regarding a resolution authorizing the exercise of eminent domain authority to acquire a tract of land being: (1) STEELE & PERSHING S355.44' – N755'- W350.18' LOT 1 BLK 17 TR 6 2.70AC GR 2.47AC NET, City of McAllen, Hidalgo County Texas, for public use. Tex. Gov't. Code §551.071.
 - B) Consultation with City Attorney regarding legal aspects of memorandum of understanding. Tex. Gov't. Code §551.071.
 - C) Discussion and possible lease, sale or purchase of real estate property, Tract 1, Tract 2, Tract 3 and Tract 4. Tex. Gov't. Code §551.072.

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 November 22, 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