

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

The McAllen Board of Commissioners convened in a Workshop on **Monday, November 11, 2024**, at 4:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers.

Mayor Javier Villalobos, Commissioner Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Commissioner Rodolfo "Rudy" Castillo Jr., Commissioner Victor "Seby" Haddad, Commissioner Jose R. "Pepe" Cabeza de Vaca were present.

Absent: Mayor Pro Tem Omar Quintanilla

Also, present City Manager Isaac Tawil, Interim City Attorney Austin Stevenson, Assistant City Manager Michelle Rivera, Assistant City Manager Jeff Johnston, Assistant City Manager Joe Vera, City Secretary Perla Lara.

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order at 4:00 pm.

1. PRESENT QUESTIONS TO STAFF RELATING TO THE NOVEMBER 11TH REGULAR MEETING AGENDA, TO BE DISCUSSED AT SUCH A MEETING.

There were no questions relating to the regular meeting agenda.

2. PRESENTATION REGARDING PROPOSAL TO DESIGNATE EXISTING FIREWORKS STANDS AS NON-CONFORMING USES AND PERMITTING ONGOING OPERATIONS UNLESS AND UNTIL CERTAIN DEVELOPMENT OCCURS WITHIN A DESIGNATED ROXIMITY.

Mr. Edgar Garcia gave a brief presentation on the proposal to designate existing fireworks stands as non-conforming uses. Briefly discussed was that the city expanded five separate properties with fireworks that were annexed and allowed to continue operating under Nuisance Abatement Agreements. Also mentioned was that said agreements have been continuously extended for years, with the earliest being in 2012. It was mentioned that Planning, Fire, and Legal Department staff were tasked with developing a plan that would designate the firework shops as nonconforming uses that can continue until certain conditions are met. Staff also discussed the following key points:

- 4 fireworks shops within McAllen city limits
- OSHA recommendations
- Texas Occupations Code
- Texas Administrative Code
- Required distance from building up to a maximum of 150 ft.

Staff discussed fireworks venues in McAllen

- Annexed into City from 2012-2017
- 2 buildings, 3 stands
- Operate through Nuisance Abatement Agreements
- 300 ft. and 150 ft. distance proposals with trigger requirements

Staff mentioned that staff developed two options containing requirements that, when met, would require the shops to install a sprinkler system or cease operation. Because distance to structures is what the state safety concerns are, we are proposing the trigger points to be distance from a subdivided property and distance from a building. A 300 ft. distance requirement would be required on the fireworks stands to shut down with three more needing only one more requirement to be met. Also noted was that with a 150 ft. distance, only one shop would be within a trigger point of closing and all others would still be two trigger points away. Staff added that to provide the least restrictive option, staff recommended the 150 ft. distance from a subdivided property and a building as the triggering requirements.

Comments and concerns were shared by Council. Questions were asked relating to cost, concerns, sprinkler systems, compliance, proposal, development and sub divided property. Staff answered questions posed by Council. The council directed staff that the item be brought back to the next regular city commission meeting for discussion and consideration.

Mayor Javier Villalobos thanked staff for their presentation.

3. 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. DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL ESTATE PROPERTY, TRACT 1. TEX. GOV'T. CODE §551.072.
 - B. CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. TEX. GOV'T. CODE §551.087.
 - C. CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF PROPOSED TRANSPORTATION INFRASTRUCTURE. TEX. GOV'T. CODE §551.071.
 - D. CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATIONS: CAUSE No. C-0074-19-D. TEX. GOV'T. CODE §551.071.
 - E. CONSULTATION WITH CITY ATTORNEY REGARDING POTENTIAL LITIGATION. TEX. GOV'T. CODE §551.071.
 - F. CONSULTATION WITH CITY ATTORNEY REGARDING EMPLOYMENT CONTRACTS. TEX. GOV'T. CODE §551.071.

PUBLIC COMMENT:

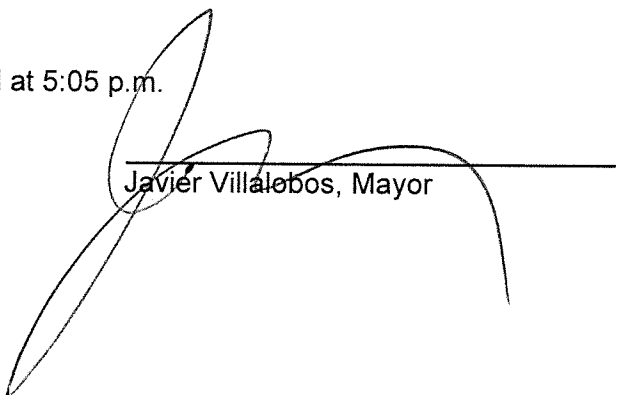
ADJOURN

Without objection, the meeting was adjourned at 5:05 p.m.

Attest:



Perla Lara, TRMC
City Secretary



Javier Villalobos, Mayor