

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

The McAllen Board of Commissioners convened a Regular Meeting on Monday, **November 25, 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 Isaac Tawil, City Attorney Austin Stevenson, 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, Finance Director David Vasquez

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PRESENTATION

RECOGNITION OF THE OFFICE OF THE COMMUNICATIONS DEPARTMENT - 28TH ANNUAL TEXAS ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS CONFERENCE AND AWARDS CEREMONY.

Staff recognized the Office of Communications Department with their awards at the 28th Annual TOTOA Conference and Awards Ceremony

PROCLAMATIONS

52ND ANNUAL NUTCRACKER BALLET PRODUCTION DAYS

Commissioner Rodolfo "Rudy" Castillo read and presented a proclamation for the 52nd Annual Nutcracker Ballet Production Days.

NATIONAL INJURY PREVENTION MONTH

Commissioner Joaquin Zamora read and presented a proclamation for National Injury Prevention Day.

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact the 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.

Mayor Pro Tem Omar Quintanilla moved to approve the items listed on the Routine Items section of the agenda and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

- 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).

Approved the R-3A Zoning at 1400 Sprague Road (Tract 1), as per Planning and Zoning Commission.

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).

Approved the R-3A Zoning at 1400 Sprague Road (Tract 2), as per Planning and Zoning Commission.

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).

Approved the R-3A Zoning at 1400 Sprague Road (Tract 3), as per Planning and Zoning Commission.

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).

Approved the R-1 Zoning at 11201 North 10th Street (Tract 1), as per Planning and Zoning Commission.

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).

Approved the R-1 Zoning at 11201 North 10th Street (Tract 2), as per Planning and Zoning Commission.

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).

Approved the C-3 Zoning at 11201 North 10th Street (Tract 3), as per Planning and Zoning Commission.

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.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a food truck at 701 East US Highway 83, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 54-51 of the Zoning Ordinance for mobile food vendors and specific requirements are as follows:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residential zone property.
- 2) The name, address, phone number, and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purpose of responding to complaints regarding the operation of the mobile food vendor court.

- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM.
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated.
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor.
- 6) Mobile food trucks may not be placed or parked on unimproved surfaces.
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons, should be provided at all entrances and exits of the mobile food vendor court.
- 8) Mobile food vendor courts shall provide on-premises parking areas sufficient to accommodate staffing needs and seating areas.

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.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a food truck at 1001 Ash Avenue, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 54-51 of the Zoning Ordinance for mobile food vendors and specific requirements are as follows:

- 1) The property line of the lot must be at least 200 feet from the nearest residence or residential zone property.
- 2) The name, address, phone number and email address of a contact person who shall be available 24 hours per day, 7 days per week for the purpose of responding to complaints regarding the operation of the mobile food vendor court.
- 3) Mobile food vendor courts shall not operate between the hours of 2:00 AM and 7:00 AM.
- 4) Each mobile food vendor court shall provide access to a restroom on or within 600 feet of the property lines of the track of land on which it is situated.
- 5) Mobile food vendor courts must provide one (1) garbage receptacle, to hold a minimum of thirteen (13) gallons, per vendor located on premises for public use. This requirement is in addition to the receptacles required of each individual vendor.
- 6) Mobile food vendors may not be placed or parked on unimproved surfaces.
- 7) Adequate lighting, as determined by the Health Director, to enable clear and unobstructed visibility of mobile food vendors and patrons, should be provided at all entrances and exits of the mobile food vendor court.
- 8) Mobile food vendor courts should provide on premise parking areas sufficient to accommodate staffing needs and seating areas.

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.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 1300 East Nolana Avenue, Building 100, Suite 100, 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 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 (multifamily residential apartments) to the south.
- 2) The property must be as close as possible to a major arterial and should not generate traffic onto residential sized streets. The property has direct access to East Nolana Avenue and North K Center Street.
- 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 shell commercial building on the property proposed for mixed uses such

as retail, restaurants, and bars. 194 parking spaces are provided as well as parking. 174 parking spaces are required for restaurant use and retail use. 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 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 taken into account 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.

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.

Approved a Conditional Use Permit and adopted an ordinance, for life of use, for institutional use (church) at 1320 North Main 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 proposed use shall not generate traffic onto residential size streets or disrupt residential areas and shall be as close as possible to a major arterial. The church has access on North Main Street.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the seating area of 300 seats in the sanctuary, 75 parking spaces are required; 81 parking spaces are being provided.
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits.
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities.
- 5) Provisions should be made to prevent litter from blowing onto adjacent streets and residential areas.
- 6) The number of people within the building shall be restricted to the existing seating capacity for the building.
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

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.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 2022 Nolana Avenue, 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 property is within 400 ft. of residential zones or uses; The establishment is within 400 feet of the International Museum of Arts & Science (IMAS)
- 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 property fronts Nolana Avenue which is a principal arterial and does not generate traffic into residential areas.

- 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. Based on the square footage of the establishment where the bar is proposing to operate, 35 parking spaces are required and are provided as part of the common parking area.
- 4) The abovementioned businesses must do everything possible to prevent 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 above-mentioned businesses must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
- 7) The abovementioned businesses shall restrict the number of people 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.

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.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 4037 West Expressway 83, Suite 120, 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 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 property is within 400 ft. of residential zones and uses.
- 2) The above-mentioned 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 access to U.S. Expressway 83 and Colbath Road.
- 3) The above-mentioned 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. Based on the square footage, 57 parking spaces are required. There are 274 common parking spaces provided as common parking. Based on the area utilized, the proposed facility complies with parking. Parking spaces must comply with Section 138-400 of the Ordinance and must be clearly striped, and the pavement surface shall be maintained free of litter, debris, loose gravel, cracks and potholes.
- 4) The abovementioned business must do everything possible to prevent unauthorized parking by the patrons of such businesses on adjacent businesses 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 property.
- 7) The abovementioned business shall restrict the number of people 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.

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 FOR

THE 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)

Commissioner Joaquin Zamora moved to remove said item from the table and was seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for a smoke shop at 630 South 23rd Street, Building 100, Suite 120, 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 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.
2. The abovementioned business must be as close as possible to a major arterial and should 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 23rd Street as well as Galveston Avenue 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 the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. Four parking spaces are required and 37 are provided on site.
4. The above-mentioned business must do everything possible to prevent 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 above-mentioned 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 above-mentioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The above-mentioned business shall restrict the number of people 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.

Commissioner Victor "Seby" Haddad moved to approve the Conditional Use Permit as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion passed with 5 votes in the affirmative with Commissioner Joaquin Zamora voting against.

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

Commissioner Joaquin Zamora moved to amend the Zoning Ordinance and was seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously.

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 and Commissioner Rodolfo "Rudy" Castillo seconded. The motion carried unanimously.

A) APPROVAL OF MINUTES FOR WORKSHOP AND REGULAR MEETING HELD ON NOVEMBER 11TH, SPECIAL MEETING HELD NOVEMBER 18, 2024.

Approved the minutes of Workshop and Regular Meeting held on November 11th, Special Meeting held November 18, 2024, as submitted.

B) SUBDIVISION MONTHLY REPORT.

Approved Subdivision Monthly report.

C) PROJECT STATUS MONTHLY REPORT THROUGH OCTOBER 31, 2024.

Approved Project Status Monthly report through October 31, 2024.

D) PARKS AND RECREATION PROJECT STATUS MONTHLY REPORT.

Approved Parks and Recreation Project Status Monthly report.

E) CONSIDERATION AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MCALLEN AND CITY OF REYNOSA.

Approved 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).

Awarded a contract to Arguidegui Oil Company II, Ltd. in the projected amount of \$3,225,000.00 for a period of one year for the purchase and delivery of fuel.

G) AWARD OF SERVICE CONTRACT FOR GRINDING OF BRUSH AND WOOD WASTE (PROJECT NO. 10-24-S01-127).

Awarded a contract to Austing Wood Recycling, Inc. with the budgeted amount of \$320,000.00 for grinding brush and wood waste.

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.

Approved 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).

Awarded a contract to Shelter Planners of America in the amount of \$19,250.00 for the architectural programming phase of the new Palm Valley Animal Society Shelter Design.

J) AWARD OF CONTRACT FOR LANDSCAPE ARCHITECT PROFESSIONAL SERVICES.

Awarded a contract to Heffner Design Team PLLC in the amount of \$170,000.00 for landscape architect professional services.

K) CONSIDERATION AND APPROVAL OF A MUNICIPAL MAINTENANCE AGREEMENT (MMA) AND RESOLUTION WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT).

Approved 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.

Approved a 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.

M) CONSIDERATION AND APPROVAL OF A LICENSE AGREEMENT FOR USE OF A 25-FOOT DEDICATED RIGHT OF WAY AT TRIPLE "B" MOBILE PARK II.

Approved a License Agreement for the 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.

Approved consent to action updating EB-5 Board of Directors and Officers.

O) APPROVAL OF TAX REFUNDS OVER \$500.00.

Approved tax refunds of over \$500.

1. TROY A & KRISTY D. FELTIS

Approved a tax refund in the amount of \$674.27.

2. FLOR ESTELLA KOLL & RAY PATRICK

Approved a tax refund in the amount of \$588.49.

3. ELIAS OLIVAREZ & JAY WILLIAM

Approved tax refunds in the amount of \$711.32 and \$572.12.

4. RAYBEC ST. ANTIMO LLC

Approved tax refunds in the amount of \$2,103.20 and \$2,035.44.

5. MARIA & JAVIER VARGAS

Approved tax refunds in the amount of \$471.16 and \$444.27.

6. VALLEY RUNNING CO.

Approved tax refunds in the amount of \$943.69 and \$94.39.

7. RIO BANK

Approved tax refunds in the amount of \$1,489.51 and \$566.79.

P) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF TWO (2) FRONT-END, LOAD REFUSE TRUCKS THROUGH SOURCEWELL COOPERATIVE PRICING.

Awarded a contract to McNeilus-Siddons/Martin in the amount of \$803,872.00 for the purchase of two (2) Front-End, Load Refuse Trucks.

3. BIDS/CONTRACTS

A) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 1 FOR ADDITIONAL ENGINEERING SERVICES.

Staff recommended Contract Amendment No. 1 to Cruz-Hogan Consultants, Inc. in the total amount of \$15,000.00, for a revised contract amount of \$276,255.00 for the additional Engineering Services.

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

B) AWARD OF CONTRACT FOR THE ALLEY REHABILITATION SECTION A PROJECT (PROJECT NO. 10-24-C03-464).

Staff recommended the award of contract to Renoworks in the amount of \$988,780.42, for the Alley Rehabilitation Section A Project.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously.

C) AWARD OF CONTRACT FOR THE ALLEY REHABILITATION SECTION C PROJECT (PROJECT NO. 11-24-C05-465).

Staff recommended the award of contract to Earthworks Enterprise in the amount of \$775,864.00, for the Alley Rehabilitation Section C Project.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously.

D) AWARD OF CONTRACT FOR THE AIRPORT PARKING MANAGEMENT PROGRAM AT MCALLEN INTERNATIONAL AIRPORT (PROJECT NO. 08-24-S75-52).

Staff recommended award of contract to Interstate Parking Company Airports, LLC for the Airport Parking Management Program.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

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.

Staff recommended 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.

Mayor Pro Tem Omar Quintanilla moved to adopt the ordinance as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

B) CONSIDERATION AND APPROVAL OF SUBSTANTIAL AMENDMENT FOR FISCAL YEAR 2023-2024 ANNUAL ACTION PLAN FOR ESG PROGRAM.

Staff recommended approval of the substantial amendment to the Fiscal Year 2023-2024 Annual Action Plan for ESG Program.

Commissioner Antonio "Tony" Aguirre, Jr. moved to adopt the ordinance as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

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.

Staff recommended adoption of an ordinance providing for the abandonment of the following utility easements of land at 8100 North Taylor Road.

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

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.**

Staff recommended approval of the variance request to La Lomita Road (Mile 6 1/2) R.O.W. dedication requirement at 3401 La Lomita Road as recommended by P&Z.

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

6. MANAGER'S REPORT

- A) **FUTURE AGENDA ITEMS.**

No items were mentioned.

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.**

Commissioner Joaquin Zamora moved to remove said item from the table and was seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

Staff recommended approval of a variance request to provide 15 ft. of additional R.O.W. dedication instead of 20 ft. R.O.W. requirement at 1400 Sprague Road as recommended by P&Z.

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

- 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.**

Commissioner Jose R. "Pepe" Cabeza de Vaca "I move that the City of McAllen authorize and ratify the use of the power of eminent domain to acquire the following parcel of land: OUT OF THE NORTH 26.69 ACRES OF LOT 1, BLOCK 17, STEELE & PERSHING SUBDIVISION, A TRACT OF LAND OUT OF THE NORTH 26.69 ACRES OF LOT ONE (1), BLOCK SEVENTEEN (17), STEELE & PERSHING SUBDIVISION, HIDALGO COUNTY, TEXAS, for the construction of a fire station and/or other public purposes.

CONSIDERED, PASSED and APPROVED this 25th day of November 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 Javier Villalobos
Commissioner Antonio "Tony" Aguirre
Commissioner Joaquin Zamora
Commissioner Omar Quintanilla
Commissioner Rodolfo "Rudy" Castillo
Commissioner Victor "Seby" Haddad

Nays:

None

Commissioner Jose R. "Pepe" Cabeza de Vaca

B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF MEMORANDUM OF UNDERSTANDING. TEX. GOV'T. CODE §551.071.

No action.

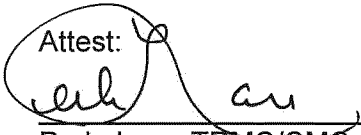
C) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL ESTATE PROPERTY, TRACT 1, TRACT 2, TRACT 3 AND TRACT 4. TEX. GOV'T. CODE §551.072.

City Commissioner Jose R. "Pepe" Cabeza de Vaca moved to instruct the City Manager to proceed as described in executive session and seconded by City Commissioner Joaquin Zamora. The motion carried unanimously.

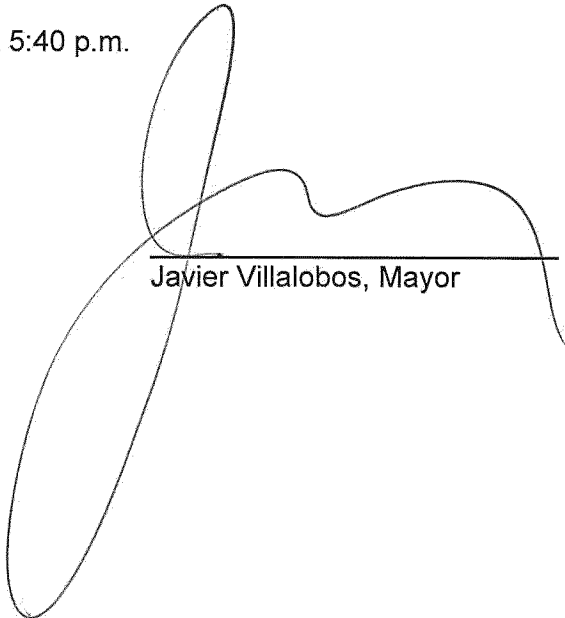
ADJOURNMENT

Without objection the meeting was adjourned at 5:40 p.m.

Attest:



Perla Lara, TRMG/CMC, CPM
City Secretary



Javier Villalobos, Mayor