

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

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **January 13, 2025, 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, Assistant City Manager Juan Olaguibel, 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.

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.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Routine Items section of the agenda except for item 1A6 to be addressed separately and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

- 1. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A-O (AGRICULTURAL AND OPEN SPACE) DISTRICT: 4.00 ACRES OUT OF LOT 418, SAVE AND EXCEPT 0.208 ACRES ROAD ROW, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4700 AUBURN AVENUE.**

Approved the A-O Zoning at 4700 Auburn Avenue, as per Planning and Zoning Commission.

- 2. REQUEST OF MELDEN AND HUNT INC., ON BEHALF OF SYNERGY A REAL ESTATE ALLIANCE LLC., FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR PLANNED UNIT DEVELOPMENT (TAYLOR VILLAS) AT A 12.51 ACRE TRACT OF LAND OUT OF LOT 167, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 2021 SOUTH TAYLOR ROAD.**

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for Planned Unit Development at 2021 South Taylor Road, as per Planning and Zoning Commission.

Specific requirements for the approval of PUDs are set forth in Article IV for Planned Developments of the Subdivision Ordinance, and are summarized as the following:

- 1. CONCEPTUAL SITE PLAN:** Development and use of the property must comply with the conditional use permit conceptual site plan.

2. PERMITTED USES: Proposed uses are used permitted in the R-3A (multi-family apartment residential) District for detached buildings designated as apartments.
3. OFF-STREET PARKING AND LOADING: Parking in compliance with Chapter 134 Article VII, Section 138-395 (1) (b.). Triplex, fourplex, apartment/condominium buildings with five or more units: Two parking spaces for each two or more bedrooms living unit. Based on the 168 living spaces, 334 total parking spaces are proposed, with 4 parking spaces for Lot 26, 8 parking spaces required for Lots 1-13, 15, 20, 16-18, 21-24, 19, 25, 27-39, 24 parking spaces required for Lot 14 and 10 parking spaces for Lot 40. The overall site plan complies with parking requirements.
4. LANDSCAPING: A minimum of ten percent of the area of any lot or parcel shall be devoted to landscape material and comply with the intent and purpose of this article and 50 percent of such landscaped areas for non-residential lots shall be visible from the street fronting the developed property. Landscape areas located within the street and alley rights-of-way shall not be credited towards meeting the minimum landscape area requirement. However, right-of-way areas shall be landscaped. Landscape areas associated with drainage detention facilities located on the lot or parcel may be credited towards the landscape area requirement. A minimum of 50 percent of the area within the required front yard of any residential parcel shall be devoted to landscape material.
 - a. Landscape (sod/green area) square footage requirement per Lot:
 - i. Lots 4-12: 866
 - ii. Lots 16-18 & 21-24: 897
 - iii. Lots 27-38: 850
 - iv. Lot 1: 866, Lots 2, 3: 898, Lot 13: 865, Lot 14: 2,657, Lot 15, 20: 874, Lot 19: 897, Lot 25: 874, Lot 26: 531, Lot 39: 850, Lot 40: 1,087. As per Section 110-51 (1), when the required area being landscaped is from one to 2,000 square feet a minimum of one tree for every 200 square feet of landscape area shall be required.
 - b. Tree requirements per Lot (2.5', 4', and 6' caliper size):
 - i. All lots will require a minimum of 5 trees at 2.5' caliper size, except for Lot 42 which will require 6 trees at 2.5' caliper size.
 - ii. 3 trees at 4' caliper size can also be provided for all lots, or one tree at 6" caliper size, except for Lot 14, which will require 3 trees at 6" caliper size.
5. STREETS AND SETBACKS: Final setbacks and right-of-way dedication will be addressed and determined through the subdivision review process.
6. DRAINAGE: Addressed through subdivision process. Final drainage detention and design and the drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
7. ADDITIONAL PROVISIONS: Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by the Planning and Zoning Commission for recommendation to the City Commission Board for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 12.51 acres and is proposing a single use.

The PUD is being approved with a dumpster layout plan as shown on the site plan. Single container pads are being proposed with details shown on the site plan.

8. Owner, Engineer and Surveyor certification and signature block need to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A recorded subdivision plan and PUD site plan is required prior to issuance of building permits. The subdivision review process must be completed, and the subdivision plat must be recorded together with the PUD site plan.

3. REQUEST OF MELDEN AND HUNT INC., ON BEHALF OF ESCANABA, LLC., FOR A CONDITIONAL USE PERMIT, FOR LIFE OF USE, AND ADOPTION OF AN ORDINANCE, FOR AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT FOR HARVEST COVES PHASE I SUBDIVISION, HIDALGO COUNTY, TEXAS; 2601 NORTH WARE ROAD.

Approved a Conditional Use Permit and adopted an ordinance, for life of use, for an amendment to a Planned Unit Development at 2601 North Ware Road, as per Planning and Zoning Commission.

Specific requirements for the approval of PUDs are set forth in Article IV for Planned Developments of the Subdivision Ordinance, and are summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.
2. PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing single family residences and a common area.
3. OFF-STREET PARKING AND LOADING: Parking in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback. Must provide floor plan with a garage to determine if in compliance.
4. LANDSCAPING: Each lot requires 10% landscaping in an R-1 zone. Based on the lot area of 813,570.12 square feet, 81,357.012 square feet of landscaping is required. In addition, 50% of the required front yard must be landscape, including the side yard setback areas. Some lots such as lots 48, 50-52, 186 may not meet the 50% landscape requirement. A minimum of one tree is required. Must provide front landscaping area and trees to determine if in compliance. Some lots show driveway on one side of the side yard setback, it is not in compliance.
5. STREETS AND SETBACKS: Providing a flight of 60 feet right-of-way for North 43rd Street. Provide minimum of 50 feet right-of-way and 32 feet of pavement for each interior street within the subdivision. Setbacks are Front: 20 feet or greater for easements, whichever is greater; Rear: 10 feet or greater for easements; Sides: 5 feet or greater for easements; Corner: 10 feet or greater for easements; and Garage: 18 feet except where greater setback is required. An R-1 zone requires a front yard setback of 25 feet on interior streets. The development is proposing less than 25 feet of front yard setback and instead is proposing 20 feet of front setback for each lot. The PUD provides setback lines with building envelope on site plan with a 5-foot-wide sidewalk required on Ware Road and a 5 feet wide minimum sidewalk required on all interior streets. Must provide sidewalk width dimension on site plan.

An access variance on Ware Road was approved by the Traffic Department.

6. DRAINAGE: During the Harvest Coves Subdivision Phase I and II process final drainage detention and design and drainage plan must be submitted and in accordance with City of McAllen Standard Design Guide.
7. ADDITIONAL PROVISIONS: Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by the Planning and Zoning Commission for recommendation to the Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 18.677 acres, which includes single family residences.
8. Owner, Engineer and Surveyor certification and signature block need to be shown on the PUD site plan. Submitted site plan meets requirements.
9. A recorded subdivision plat and PUD site plan is required prior to issuance of building permits. Therefore, Harvest Coves
10. Phase I subdivision process must be completed and recorded together with the site plan.

4. REQUEST OF KEATON MAI, ON BEHALF OF JUSTIN NOWELL, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A GASOLINE SERVICE STATION AT LOT 1, BLOCK 2, VILLA HERMOSA SUBDIVISION, HIDALGO COUNTY, TEXAS; 3400 SOUTH JACKSON ROAD.

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for Gasoline Service Station at 3400 South Jackson Road, as per Planning and Zoning Commission.

The proposed use must comply with Sections 138-257 through 138-261, and Section 138-280 of the Zoning Ordinance and the following specific requirements:

- 1) Activities are limited to the sale of gasoline, oil, and minor accessories and incidental services.
- 2) Ingress or egress shall not be permitted at locations where it will tend to create traffic hazards. Curb cuts are proposed from East El Rancho Road and South Jackson Road.
- 3) Front yard building setbacks, not including gas pumps or driveway covers (canopy), shall be 60 feet. Convenience store building is proposed to comply with required setbacks.
- 4) All lighting shall be shielded from adjacent residential districts.
- 5) A 6 ft. opaque buffer shall be provided where abutting or adjacent to residential districts.
- 6) Gasoline service stations that have facilities for the repair or service of automobiles shall be a minimum of 13,000 square feet. Retail outlets for gasoline, oil, and minor accessories, without repair facilities, may be permitted on lots less than 13,000 square feet. There will be no automobile servicing; The subject property is 80, 142 square feet in size.
- 7) Gas pumps/islands shall be set back at least 13 ft. from the property line or 18 ft. from the curb, whichever is greater.

- 8) Gas pump canopy shall be set back at least 9 ft. from the property line or 10 ft. from the curb, whichever is greater; and
- 9) Gas pumps shall not be located within 100 ft. of a residential district. The gas pumps are not located within 100 ft. of a residential district.

5. REQUEST OF SARA C. LOPEZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A FOOD TRUCK PARK AT LOT 1, LOPEZ-TORRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 4300 SOUTH WARE ROAD.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a Food Truck Park at 4300 South Ware Road, as per Planning and Zoning Commission.

The food truck park and its vendors must comply with the requirements set forth in Section 138-118 of the Zoning Ordinance and 54-52 of the Health and Sanitation Ordinance for mobile food vendors and the following Conditional Use Permit specific requirements:

- 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.

6. REQUEST OF JOSEPH L. SALINAS, ON BEHALF OF MIKADA, LLC (JOSE CHANIN), FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A BAR (LA AZOTEA ROOFTOP) AT LOT 1, MIKADA SUBDIVISION, HIDALGO COUNTY, TEXAS; 5000 PECAN BOULEVARD, BUILDING 100.

Comments and concerns were shared by Council. Question was asked relating to Spanish Oaks subdivision, rooftop bar close to residential subdivision, and table item.

Commissioner Joaquin Zamora moved to table the Conditional Use Permit and seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

B) AMENDING THE ORDINANCE OF THE CITY OF MCALLEN.

Commissioner Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Rodolfo "Rudy" Castillo. 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 except for Item 2H to be addressed separately and Commissioner Jose R. "Pepe" Cabeza de Vaca seconded. The motion carried unanimously.

- A) APPROVAL OF MINUTES OF WORKSHOP AND REGULAR MEETING HELD DECEMBER 9TH, SPECIAL MEETING ON DECEMBER 10TH, AND SPECIAL MEETING HELD ON DECEMBER 18TH AND DECEMBER 19TH, 2024.**

Approved the minutes of Workshop and Regular Meeting held December 9th, Special Meeting on December 10th, and Special Meeting held on December 18th and December 19, 2024, as submitted.

- B) AWARD OF CONTRACT FOR THE PARKING IMPROVEMENTS AT MCALLEN INTERNATIONAL AIRPORT (PROJECT NO. 09-22-S72-441).**

Awarded a contract to Perez Consulting Engineers with the amount of \$160,990.00 for the parking improvements at McAllen International Airport.

- C) AWARD OF CONTRACT FOR COMPASSCOM GPS UPGRADE FOR THE MCALLEN POLICE DEPARTMENT EMERGENCY COMMUNICATIONS CENTER (ECC) (PROJECT NO. 01-25-P24-01).**

Awarded a contract to Motorola Solutions, Inc. in the amount of \$102,453.00 for COMPASSCOM GPS upgrade for the McAllen Police Department Emergency Communications Center.

- D) AWARD OF CONTRACT AND APPROVAL OF A RESOLUTION FOR THE PURCHASE OF SEVEN (7) PARATRANSIT VEHICLES.**

Approved a resolution and awarded a contract to Model 1 in the amount of \$1,029,592.68 for the purchase of seven (7) paratransit vehicles.

- E) CONSIDERATION AND POSSIBLE APPROVAL OF A MINUTE ORDER REQUIRING CONTINUED INSPECTIONS AND RELATED FEES FOR FIREWORKS STANDS AND WAREHOUSES.**

Approved a minute order requiring continued inspections and related fees for fireworks stands and warehouses.

- F) CONSIDERATION AND APPROVAL OF A SERVICE AREA PURCHASE AGREEMENT WITH SHARYLAND WATER SUPPLY CORPORATION AS APPROVED BY THE PUBLIC UTILITY BOARD OF TRUSTEES.**

Approved a Service Area Purchase Agreement with Sharyland Water Supply Corporation as approved by the Public Utility Board of Trustees.

- G) CONSIDERATION AND POSSIBLE APPROVAL OF PARTICIPATION IN THE KROGER OPIOID SETTLEMENT.**

Approved the City of McAllen to participate in the Kroger Opioid Settlement.

- H) CONSIDERATION AND APPROVAL OF PARKS & RECREATION DEPARTMENT NAME SELECTION FOR CAMPGROUND PROJECT.**

Item was tabled as recommended by Commission Joaquin Zamora and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

- I) APPROVAL OF TAX REFUNDS OVER \$500.00.**

Approved tax refunds of over \$500.

1. COLONNADE OF MCALLEN

Approved a tax refund in the amount of \$1,975.89.

2. CORELOGIC

Approved a tax refund in the amount of \$2,135.56.

3. CORELOGIC SOLUTIONS LLC

Approved a tax refund in the amount of \$1,301.60.

4. ELIZABETH GARZA

Approved a tax refund in the amount of \$523.25.

5. TEXAS NATIONAL BANK

Approved a tax refund in the amount of \$1,538.96.

J) CONSENT COOP PURCHASES

1. AWARD CONTRACT FOR LASERFICHE MAINTENANCE THROUGH BUY BOARD.

Awarded a contract to MCCi, LLC in the amount of \$54,275.30 for Laserfiche Maintenance through Buy Board.

2. AWARD OF CONTRACT FOR THE PURCHASE OF AN FD2002 REPLACEMENT - 3/4 TON CC SB PICK-UP (PROJECT NO. 01-25-P23-01).

Awarded a contract to Sames Motor Company in the amount of \$59,990.65 for the purchase of an FD2002 replacement - 3/4-ton CC SB Pick-up.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THE PURCHASE OF TWO (2) FIRE DEPARTMENT UTV MEDIC UNITS.

Staff recommended the award of contract to ASAP-Off Road Specialty Vehicles in the amount of \$186,924.00, for the purchase of two (2) Fire Department UTV Medic Units. Staff also noted that this item was subject to a budget amendment and said budget was also on the agenda.

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

B) AWARD OF CONTRACT FOR VARIOUS TYPES OF CONCRETE WORK SERVICE CONTRACT (PROJECT NO. 11-24-S06-699).

Staff recommended the award of contract to 365 Builders, LLC in the amount of \$87,986.66, for the various types of Concrete Work Service Contract.

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

4. ORDINANCES

A) CONSIDERATION AND POSSIBLE ACTION CALLING A GENERAL ELECTION IN THE CITY OF MCALLEN ON MAY 3, 2025. CONSIDERACIÓN PARA APROBACIÓN DE UNA ORDENANZA CONVOCANDO UNA ELECCIÓN GENERAL EN LA CIUDAD DE MCALLEN EL 3 DE MAYO, 2025.

Staff recommended adoption of an ordinance for calling a General Election in the City of McAllen on May 3, 2025.

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

El personal de la ciudad recomendó la adopción de una ordenanza convocando una elección general en la ciudad de McAllen el 3 de mayo, 2025.

El Comisionado Joaquin Zamora hizo moción de adoptar la ordenanza y misma fue secundada por el alcalde interino Omar Quintanilla. La moción fue aprobada por unanimidad.

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

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

Mayor Pro Tem Omar Quintanilla moved to adopt the ordinance as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

C) CONSIDERATION AND POSSIBLE APPROVAL OF AN ORDINANCE REAUTHORIZING BUILDING PERMIT FEES.

Staff recommended adoption of an ordinance reauthorizing Building Permit Fees.

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

D) PROVIDING FOR A BUDGET AMENDMENT FOR TWO (2) FIRE DEPARTMENT UTV MEDIC UNITS - FISCAL YEAR 2025 BORDER-ZONE FIRE DEPARTMENTS GRANT PROGRAM.

Staff recommended the adoption of an ordinance providing for a budget amendment in the amount of \$187,000.00 for two (2) Fire Department UTV Medic Units.

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

5. RESOLUTION

A) CONSIDERATION AND POSSIBLE APPROVAL OF A RESOLUTION TO REIMBURSE COSTS OF THE RECYCLING CENTER OPERATIONS UPGRADE PROJECT FROM OBLIGATIONS TO BE ISSUED BY THE CITY.

Staff recommended approval of a resolution to reimburse costs of the Recycling Center Operations upgrade project from obligations to be issued by the City.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve the resolution as recommended and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

6. VARIANCE

A) CONSIDERATION OF VARIANCE REQUESTS TO: 1) FRONTERA ROAD RIGHT-OF-WAY DEDICATION REQUIREMENT, 2) NO NORTHWARD EXTENSION OF NORTH 27TH STREET, 3) 900 FT. BLOCK LENGTH REQUIREMENT FOR PROPOSED 29TH SUBDIVISION, HIDALGO COUNTY, TEXAS; 8516 NORTH 29TH STREET.

Staff recommended disapproval of the variance requests to 8516 North 29th Street.

Comments and concerns were shared by Council. Questions were asked relating to zoning, variance, adequate retention, and Frontera and North 27th. Staff answered questions posed by Council.

After due consideration Commissioner Antonio "Tony" Aguirre, Jr., moved to approve the variances and was seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

7. MANAGER'S REPORT

A) ELECTION OF MAYOR PRO TEM.

Said item was removed from the agenda.

B) APPOINTMENT TO THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to nominate Michael Williams and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously.

C) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows:

- Boys & Girls Club and Parks Update
- Palm Valley Animal Shelter

- McAllen Holiday Parade Report

8. TABLED ITEM

- A) CONSIDERATION AND APPROVAL OF A MINUTE ORDER AMENDING THE CITY CHARTER.**

Remained tabled.

9. 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, TRACTS 1 AND 2, TRACT 3, AND TRACT 4. TEX. GOV'T. CODE §551.072.**

Commissioner Rodolfo "Rudy" Castillo authorized the City Manager and City Attorney to proceed as described in executive session and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously.

- B) CONSULTATION WITH CITY ATTORNEY REGARDING A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN AUTHORITY TO ACQUIRE A TRACT OF LAND BEING: TRACT 1: JOHN H SHARY W250'-E756.45'-S986.84' EXC W100'-N50' LOT 328 A/K/A TR 6 & 7 5.55AC NET AND TRACT 2: THE SOUTHERNMOST 1.39 ACRES OF JOHN H SHARY W150'-E906'-N986.46' EXC NW1.0AC LOT 328 A/K/A TR 5 2.40AC GR 2.23AC NET; AND TRACT 3: A 6.32 ACRE TRACT OF LAND BEING A PORTION OF LOT 104, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION AS RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY, TEXAS, ALSO KNOWN AS CONCRETE ENTERPRISES LOT 2 FOR A WAREHOUSE, STORAGE FACILITY, OR OTHER PUBLIC PURPOSES. TEX. GOV'T. CODE §551.071.**

ORAL MOTION REQUIRED BY THE CITY COMMISSION PURSUANT TO TEXAS GOVERNMENT CODE § 2206.053

"I move that the City of McAllen authorize and ratify the use of the power of eminent domain to acquire the following parcels of land: **Tract 1:** JOHN H SHARY W250'-E756.45'-S986.84' EXC W100'-N50' LOT 328 A/K/A TR 6 & 7 5.55AC NET and **Tract 2:** The southernmost 1.39 acres of JOHN H SHARY W150'-E906'-N986.46' EXC NW1.0AC LOT 328 A/K/A TR 5 2.40AC GR 2.23AC NET; and **Tract 3:** A 6.32 acre tract of land being a portion of Lot 104, La Lomita Irrigation and Construction Company Subdivision as recorded in Volume 24, Page 68, Deed Records, Hidalgo County, Texas, also known as CONCRETE ENTERPRISES LOT 2 for a warehouse, storage facility, or other public purposes. (Tex. Gov't. Code §551.071)

CONSIDERED, PASSED and APPROVED this 13th day of January 2025, 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, 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

Nays: None

- C) CONSULTATION WITH CITY ATTORNEY REGARDING A RESOLUTION AUTHORIZING THE EXERCISE OF EMINENT DOMAIN AUTHORITY TO ACQUIRE THE TRACTS OF LAND LOCATED ALONG THE WEST SIDE OF NORTH BICENTENNIAL BOULEVARD, BETWEEN PECAN BOULEVARD AND CEDAR AVENUE, MCALLEN, HIDALGO COUNTY, TEXAS FOR A PARK, PLAYGROUND, OR OTHER RECREATIONAL FACILITY AND OTHER PUBLIC PURPOSES. TEX. GOV'T. CODE §551.071.**

Mayor Pro Tem Omar Quintanilla moved to authorize the exercise of eminent domain authority as described in executive session for a park, playground, or other recreational facility and other

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

ORAL MOTION REQUIRED BY THE CITY COMMISSION PURSUANT TO TEXAS LOCAL GOVERNMENT CODE § 2206.053

"I move that the City of McAllen authorize and ratify the use of the power of eminent domain to acquire the following tract of land: Land located along the west side of North Bicentennial Boulevard, between Pecan Boulevard and Cedar Avenue, McAllen, Hidalgo County, Texas for a park, playground, or other recreational facility and other public purposes.

CONSIDERED, PASSED and APPROVED this 13th day of January 2025, 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, 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

D) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF THE INFRASTRUCTURE PROJECT. TEX. GOV'T. CODE §551.071.

Mayor Pro Tem Omar Quintanilla moved to authorize the City Manager and City Attorney to proceed as described in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

E) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF CONTRACTUAL AGREEMENTS. TEX. GOV'T. CODE §551.071.

Mayor Pro Tem Omar Quintanilla moved to authorize the City Manager and City Attorney to proceed as described in executive session and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

F) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. TEX. GOV'T. CODE §551.087.

Mayor Pro Tem Omar Quintanilla moved to authorize the City Manager and City Attorney to proceed as described in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

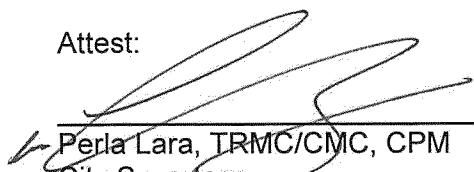
G) CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION: CAUSE NO. C-3954-23-L. TEX. GOV'T. CODE §551.071.

No action.

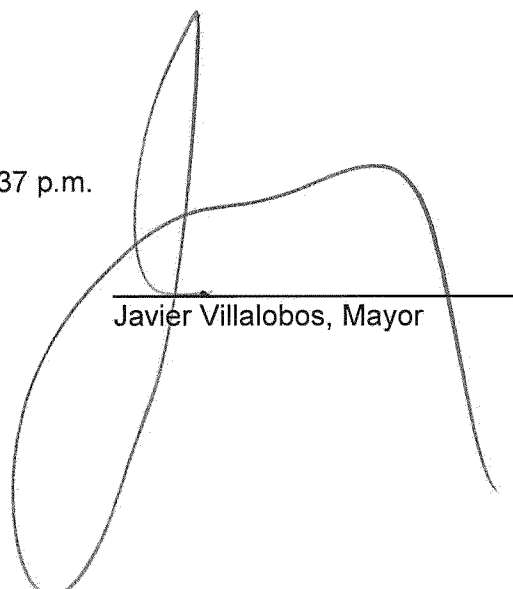
ADJOURNMENT

Without objection the meeting was adjourned at 5:37 p.m.

Attest:



Perla Lara, TRMC/CMC, CPM
City Secretary



Javier Villalobos, Mayor