

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

The McAllen Board of Commissioners convened a Regular Meeting on Monday, **March 10, 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 Juan Olaguibel, City Secretary Perla Lara, City Engineer Eduardo Mendoza, Deputy Planning Director Luis Mora, Interim Finance Director Sonia Resendez

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PROCLAMATION

CHILDREN'S ADVOCACY CENTER DAY

Mayor Javier Villalobos presented a proclamation for Children's Advocacy Center Day.

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. No one spoke.

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

- 1. REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-2 (MEDIUM-DENSITY RESIDENTIAL) DISTRICT: 3.656 ACRES, MORE OR LESS, BEING ALL OF LOT 2, NOLANA RETAIL SUBDIVISION, HIDALGO COUNTY, TEXAS; 3900 NORTH "K" CENTER STREET.**

Approved the R-2 Zoning at 3900 North "K" Center Street, as per Planning and Zoning Commission.

- 2. REQUEST OF HABINADI PACHECO ON BEHALF OF NORBEN LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR AN AUTOMOTIVE SERVICE AND REPAIR (ENGINE REPAIR) AT LOT 1, DELUXE AUTO SUBDIVISION, HIDALGO COUNTY, TEXAS; 2600 SOUTH 23rd ROAD, SUITE J.**

Approved a Conditional Use Permit and adopted an ordinance, for one year, for Automotive Service and repair at 2600 South 23rd Street, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements are as follows:

- 1) A minimum lot size of 10,000 square feet is required. The property is 49,345 square feet.
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area. The motor engines will be repaired indoors.
- 3) Outside storage of materials is prohibited; no outside storage is proposed.
- 4) The building where the work is to take place shall be at least 100 feet from the nearest residence. The building is approximately within 30 feet from the nearest residence.
- 5) A 6-foot opaque fence may be required to buffer residential uses or districts.
- 6) New buildings and conversions of existing buildings shall meet current building and fire code requirements concerning separation of high hazard uses from other occupancy use classifications.

3. REQUEST OF VINCENT GERARD & ASSOCIATES INC. (VERTICAL BRIDGE), ON BEHALF OF THOMAS M. TOWNSEND JR. (QOT INC.), FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE FOR A PERSONAL WIRELESS SERVICE FACILITY AT A 50 FEET X 50 FEET LEASE SPACE (AS SURVEYED) CONTAINING 0.057 ACRES (2,500 SQUARE FEET) MORE OR LESS, OUT OF LOT 7, BLOCK 4, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS, 6275 SOUTH 10TH STREET.

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for a personal wireless service facility at 6275 South 10th Street, as per Planning and Zoning Commission.

The establishment must comply with the requirements set forth in Section 138-118(11) of the Zoning Ordinance and specific requirements are as follows:

- a. Maximum height of pole or tower structure of 80 feet within commercial zones or within 200 feet of an existing residential structure;
 - o The applicant is not locating within a commercial zone;
- b. Maximum height of pole or tower structure of 120 feet within industrial zones for measuring distance purposes, the leasehold interest area boundary or compound area boundary, whichever is greater shall be utilized.
 - o The applicant is proposing to construct a 120 foot in height monopole.
- c. Only one pole or tower structure-allowed per lot or tract within a commercial or industrial zone.
 - o There is no other pole structure on property.
- d. The applicant shall attempt to locate the proposed facility on an existing structure, or base station, as per subsections k—m of this section. If collocation of the proposed wireless facility is not possible (as per subsections k—m of this section) then the applicant for a personal wireless service facility must submit at least two alternatives designs for antenna and supporting structure, pole or tower design (including the equipment shelter, as per subsection h, below) that is treated with an architectural material (e.g., "stealth" design) so as to conform to the predominant architectural environment in the area of the facility. Such "stealth" personal wireless service facility shall blend into its proposed surroundings such as a tree, flag pole or other feature, to be approved. When a tree-type stealth design is used, one live and growing tree of the same variety or species one-half the height of the proposed tower shall be planted at the time of installation.
 - o Collocation for proposal is not possible.
- e. Minimum spacing between poles and tower structures within commercial or industrial zones of 1,000 feet measured in a direct line of another tower.
 - o There are no towers within 1,000 feet.
- f. Must comply with applicable setbacks.
- g. A masonry wall shall be required as a buffer if a pole or tower structure is located within the front or side yard, or adjacent to a residential use or zone.

- h. The transmission equipment structure installed at the base of the proposed tower shall be not greater than 180 square feet and constructed to conform to the predominant architectural environment.
- i. A landscaped buffer area to soften the visual impact shall commence along the perimeter of the lease area or the property line. At least one row of shrubs shall be installed as well as trees as appropriate shall be included. Materials shall be of a variety which can be expected to grow to form a continuous hedge at least six feet in height within two years of planting;
 - o A 6ft masonry wall to be built along the perimeter of the lease space.
- j. The pole or tower structure will be constructed or installed with the capabilities of locating thereon additional personal wireless service facilities when tower or pole is greater than 80 feet in height. The applicant agrees to cooperate with other personal wireless service facility providers in collocating additional facilities on permitted support structures.

B) REZONING:

1. REZONE FROM R-3C (MULTIFAMILY RESIDENTIAL CONDOMINIUM) DISTRICT TO R-2 (MEDIUM-DENSITY RESIDENTIAL) DISTRICT 5.565 ACRES (GROSS) OUT OF LOT 47, MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION, HIDALGO COUNTY, TEXAS; 4313 COLBATH AVENUE.

Item was withdrawn.

C) CONDITIONAL USE PERMIT:

1. REQUEST OF RUBEN MARTINEZ ON BEHALF OF LUIS MURO, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR AT SOUTH 28 FEET OF LOT 6 AND ALL OF LOTS 7 & 8 AND ALL OF ASH AVENUE, LYING SOUTH OF LOT 8, BLOCK 54, NORTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 110 NORTH 16TH STREET, SUITE B.

Staff recommended disapproval of a Conditional Use Permit and adoption of an ordinance, for one year, for a bar at 110 North 16th Street, Suite B, 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 above-mentioned 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 disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 400 feet from a publicly owned property to the north and adjacent to the south.
- 2) The business must be as close as possible to a major arterial and not generate traffic onto residential sized streets.
- 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. The 1,255 sq. ft. bar would require 13 parking spaces; and 10 parking spaces are provided for a deficiency of three parking spaces. However, a parking agreement with the property owner to the northeast has been provided.
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties.
- 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.

Commissioner Victor "Seby" Haddad moved to disapprove the Conditional Use Permit as recommended and seconded by Commissioner Jose R. "Pepé" Cabeza de Vaca. The motion carried unanimously.

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

Commissioner Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Victor "Seby" Haddad. 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 Victor "Seby" Haddad announced that he had a conflict with item 2J1 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda and Commissioner Joaquin Zamora seconded. The motion carried.

- A) APPROVAL OF MINUTES FOR RETREAT HELD FEBRUARY 20th AND 21ST, WORKSHOP AND REGULAR MEETING HELD ON FEBRUARY 24, 2025.**

Approved the minutes Retreat held February 20th and 21st, Workshop and Regular Meeting held February 24, 2025, as submitted.

- B) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT FOR THE 2025 SOUTH TEXAS ALL HAZARD CONFERENCE.**

Approved an Interlocal Agreement for the 2025 South Texas All Hazard Conference.

- C) CONSIDERATION AND APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN COSTAL BEND REGIONAL ADVISORY COUNCIL AND CITY OF MCALLEN FOR EMERGENCY MEDICAL TASK FORCE.**

Approved a Memorandum of Agreement between Costal Bend Regional Advisory Council and City of McAllen for Emergency Medical Task Force.

- D) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CITY OF EDINBURG FOR WASTE DISPOSAL (PROJECT NO. 03-25-S42-01).**

Approved an Interlocal Agreement with the City of Edinburg for Waste Disposal.

- E) AWARD OF CONTRACT FOR THE PURCHASE OF AIR WALL TRACK SYSTEM (PROJECT NO. 03-25-P55-01).**

Awarded a contract to Rob Pelletier Construction (RPC) in the amount of \$112,907.00 for the purchase of Air Wall Track System.

- F) AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) LED VIDEO WALL (PROJECT NO. 01-25-P20-191).**

Awarded a contract to Mag Media in the amount of \$119,100.00 for the purchase of one (1) LED Video Wall.

- G) AWARD OF CONTRACT FOR THE HIGH DENSITY MINERAL BOND PAVEMENT PRESERVATION PROJECT.**

Awarded a contract to Andale Construction, Inc. in the amount of \$237,345.15 for the High Density Mineral Bond Pavement Preservation Project.

- H) CONSENT RESOLUTIONS**

1. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR FUNDING UNDER THE FISCAL YEAR 2026 TEXAS ANTI-GANG PROGRAM.

Approved a resolution authorizing the submittal of a grant application to the Office of the Governor for funding under the Fiscal Year 2026 Texas Anti-Gang Program.

2. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS GENERAL LAND OFFICE FOR FUNDING UNDER THE TX GLO RESILIENT COMMUNITIES PROGRAM.

Approved a resolution authorizing the submittal of a grant application to the Texas General Land Office for funding under the TX GLO Resilient Communities Program.

3. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS, CRIME VICTIM SERVICES DIVISION, FOR FUNDING UNDER THE FISCAL YEARS 2026 AND 2027 VICTIM COORDINATOR AND LIAISON GRANT PROGRAM.

Approved a resolution authorizing the submittal of a grant application to the Office of the Attorney General of Texas, Crime Victim Services Division, for funding under the Fiscal Years 2026 and 2027 Victim Coordinator and Liaison Grant Program.

4. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR FUNDING UNDER THE FISCAL YEAR 2026 BORDER ZONE FIRE DEPARTMENTS (BZFD) PROGRAM.

Approved a resolution authorizing the submittal of a grant application to the Office of the Governor for funding under the Fiscal Year 2026 Border Zone Fire Departments (BZFD) Program.

I) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF THREE (3) NEW CURRENT MODEL RESIDENTIAL AUTOMATED SIDE LOAD TRUCKS THROUGH BUYBOARD COOPERATIVE PRICING (PROJECT NO. 02-25-P51-01 - RUSH TRUCK, PROJECT NO. 02-52-P52-01 - HEIL).

Awarded a contract to Rush Truck Center in the amount of \$1,399,632.42 for the purchase of three (3) New Current Model Residential Automated Side Load Trucks.

2. AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL BRUSH GRAPPLE TRUCK THROUGH BUYBOARD COOPERATIVE PRICING (PROJECT NO. 03-25-P53-01).

Awarded a contract to Doggett Freightliner of South Texas, LLC in the amount of \$282,393.00 for the purchase of one (1) New Current Model Brush Grapple Truck.

J) APPROVAL OF TAX REFUNDS OVER \$500.00.

Approved tax refunds of over \$500.

1. ALONZO CANTU CONSTRUCTION, INC.

Commissioner Victor "Seby" Haddad announced that he had a conflict with item 2J1 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Approved a tax refund in the amount of \$889.08.

2. CASTILLO DEVELOPMENT CO., LTD

Approved a tax refund in the amount of \$30,665.91.

3. JOSE A. CHANIN

Approved a tax refund in the amount of \$1,818.83.

4. DR. SMITH MANAGEMENT GROUP, LLC

Approved a tax refund in the amount of \$878.06.

5. LAZARO H & NOE FERNANDEZ

Approved a tax refund in the amount of \$578.22.

6. SOUTH VILLA HERMOSA, LTD

Approved tax refunds in the amount of \$128.52, \$128.52, \$545.89, and \$359.25.

3. BIDS/CONTRACTS

A) CONSIDERATION AND APPROVAL OF ARCHITECTURAL FIRMS AND AUTHORIZATION TO NEGOTIATE SCOPE AND FEE SCHEDULE WITH TOP-RANKED FIRM FOR DESIGN OF THE MCALLEN POLICE DEPARTMENT INDOOR SHOOTING RANGE (PROJECT NO. 01-25-S18-669).

Staff recommended authorization to negotiate the scope of services and fee schedule with the top-ranked firm, Negrete & Kolar Architects, LLP, of Austin, Texas. If negotiations are unsuccessful, staff will cease negotiations, and with City Manager's approval, initiate negotiations with the next highest ranked firm.

Commissioner Joaquin Zamora moved to approve the negotiation and fee schedule as recommended and seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

B) AWARD OF CONTRACT FOR THE POLICE DEPARTMENT EVIDENCE STORAGE CONVERSION PROJECT (PROJECT NO. 02-25-C13-534).

Staff recommended award of contract to Rio United Builders, LLC in the amount of \$380,822.50, for the Police Department Evidence Storage Conversion Project.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

4. MANAGER'S REPORT

A) ADVISORY BOARD APPOINTMENTS.

GOLF COURSE

Mayor Javier Villalobos reappointed Alex Munoz to the Advisory Golf Course Board.

PARKS AND RECREATION

Mayor Javier Villalobos reappointed Brian Lewis and Ruben Anthony Fabiola to the Parks and Recreation Advisory Board.

KEEP MCALLEN BEAUTIFUL

Mayor Javier Villalobos reappointed Julianne Rankin to the Keep McAllen Beautiful Board.

MCALLEN HOUSING AUTHORITY

Mayor Javier Villalobos reappointed Elva Cerda, Mark D. Garcia and Eliseo Salinas Jr. to the McAllen Housing Authority Board.

TRAFFIC COMMISSION

Mayor Javier Villalobos reappointed Fernando Salinas to the Traffic Commission Board.

B) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows: Items of upcoming workshops were reviewed as follows:

- Streetlight Projects update by Districts
- Public Art Updates

5. **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 PENDING LITIGATION; CAUSE NO. CCD-0756-B PENDING IN HIDALGO COUNTY, TEXAS. TEXAS GOV'T. CODE §551.071.**

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

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

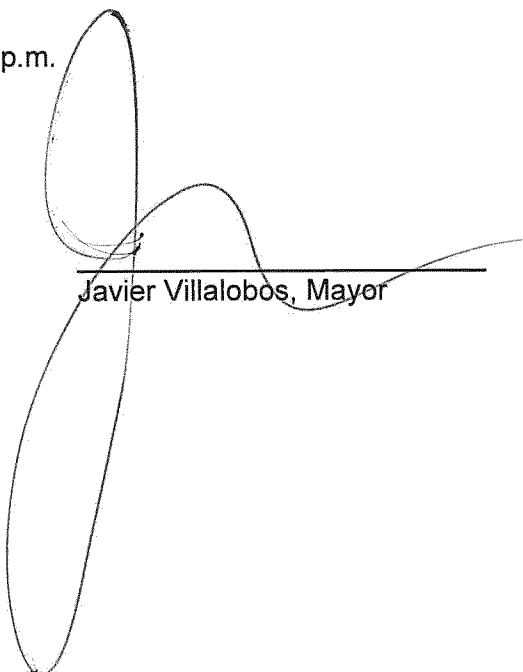
Commissioner Joaquin Zamora moved to authorize the City Manager and City Attorney to proceed as described in executive session and seconded by Mayor Pro Tem Omar Quintanilla. The motion carried unanimously.

ADJOURNMENT

Without objection the meeting was adjourned at 5:54 p.m.

Attest:


Perla Lara, TRMC/CMC, CPM
City Secretary


Javier Villalobos, Mayor