



Mayor Javier Villalobos
Mayor Pro Tem/Commissioner Victor "Seby" Haddad
Commissioner Tony Aguirre, Jr.
Commissioner Joaquin Zamora

Commissioner Rolando "Rolly" Rios
Commissioner Rodolfo "Rudy" Castillo
Commissioner Pepe Cabeza de Vaca
City Manager Isaac J. Tawil

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, NOVEMBER 24, 2025 – 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

PROCLAMATION - The Nutcracker 53rd Anniversary - Deborah Case

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 3:30pm)

1. PUBLIC HEARING:

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.)*

1. Rezone from C-4 (Commercial Industrial-OC) District and R-3A (Multifamily Residential Apartments-UDC) District to C-2 (Regional Commercial-UDC): 52.0 Acres In McAllen, TX, Part of SEC. 232, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 15400 North Shary Road. (REZ2025-0200)

2. Rezone from C-3 (General Business-OC) District to C-2 (Regional Commercial-UDC) District: Lot 1, Vitruvian Plaza Subdivision, Hidalgo County, Texas; 5320 North Mccoll Road. (REZ2025-0237).
3. Rezone from C-3 (General Business-OC) District to C-1 (Local Commercial-UDC) District: Lot 8, Lamar Acres Subdivision, Hidalgo County, Texas; 1010 North 10th Street. (REZ2025-0241)
4. Rezone from R-1 (Single-Family Residential - OC) District to C-2 (Regional Commercial - UDC) District: Lot 3 & 4, Block 2, Best Courts Subdivision, Hidalgo County, Texas; 121 South 4th Street. (REZ2025-0242)
5. Rezone from R-1 (Single-Family Residential -OC) District to R-2 (Medium Density Residential- UDC) District: Lot 16, North Depot Subdivision, Hidalgo County, Texas; 2248 Orange Avenue. (REZ2025-0243)
6. Rezone from R-2 (Duplex-Fourplex Residential-OC) District to R-2 (Medium-Density Residential-UDC) District: Lot 5, Block 3, Bonnie View Subdivision, Hidalgo County, Texas; 2117 Hackberry Avenue. (REZ2025-0246)
7. Request of Adrian Medina, for a Conditional Use Permit for one year, and adoption of an Ordinance, for a smoke shop at the West 199.03' of Lot 6, Country Club Acres Subdivision, Hidalgo County, Texas; 1902 South 10th Street. (CUP2025-0082)
8. City Initiated Zonings
 - a. Rezoning from R-1 (Single-Family Residential - OC) District under the Old Code (OC) to R-1 (Low-Density Residential - UDC) District under the new Unified Development Code (UDC) for the following properties:
Avignon Subdivision, Hidalgo County, Texas:
3102-3222 South 5th Lane (Lots 1-4 and 9-13)
3118-3202 South 5th Court (Lots 5-8) (REZ2025-0172)

B) 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 Regular Meeting held October 27, 2025.
 - B)** Subdivision Monthly Report.
 - C)** Parks & Recreation November Project Status Report.
 - D)** **CONSENT COOP PURCHASES**
 1. Award of Contract for the Purchase of Three (3) New Current Model Residential Refuse Trucks utilizing BuyBoard Cooperative Pricing (Project No. 11-25-P12-01).
 2. Award of Contract for the Purchase of Three (3) Current Model Front Wheel Loaders Utilizing Sourcwell Cooperative Pricing (Project No. 11-25-P10-01).
 3. Award of Contract for the Purchase of One (1) Current Model Fuel and Lube Truck Utilizing Buyboard Cooperative Pricing (Project No. 11-25-P08-01).

E) CONSENT RESOLUTIONS

1. Resolution for the Advance Funding Agreement (AFA) with the Texas Department of Transportation for a shared-use pedestrian and bicycle path along Nolana Avenue.
2. Resolution authorizing the submission of a grant application to the Firefighters Charitable Foundation: Fire Department Equipment Program.

F) Approval of Tax Refunds over \$500.00.

1. Maldonado Castro Edgar
2. Pena Javier
3. Reyna Steven
4. Saldana Rachel & Alberto Armando Jr.
5. William Chase Hall

3. BIDS/CONTRACTS:

- A)** Award of Contract for Professional Engineering Services for The Bentsen Hike & Bike Trail (Project No. 11-25-S20-01).

4. VARIANCES:

- A)** Consideration of variance requests to 1.) Interior Street Right-of-Way requirement 2.) to exceed the maximum Block Length requirement and 3.) to exceed the Cul-De-Sac Length requirement for a proposed Alhambra on 10th Subdivision, Hidalgo County, Texas; 11265 North 10th Street.
- B)** Consideration of variance requests to 1.) Lot not fronting a public street and 2.) not to provide the 4 ft. required sidewalk for a proposed Bicentennial One Subdivision, Hidalgo County, Texas; 809 South 19th ½ Street.
- C)** Consideration of variance requests to 1.) 58.73 ft. of Right-of-Way with a 4 ft. sidewalk on the north side only, and 2.) to only dedicate 5 ft. for a total of 55 ft. Right-of-Way on North 2nd Street, and 3.) Exceeding the required Cul-De-Sac length for proposed Hidden Grove Estates Subdivision, Hidalgo County, Texas; 8601 North 2nd Street.
- D)** Consideration of Variance Request to 1) not provide additional Right-of-Way dedication to the existing Cul-De-Sac of this Re-Plat Subdivision; 2600 South 39th Street.

5. MANAGER'S REPORT:

- A)** Future Agenda Items.

6. 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)** Consideration of Economic Development matters. Tex. Gov't. Code §551.087.

- B) Consultation with City Attorney regarding legal aspects of contracts. Tex. Gov't. Code §551.071.

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 above notice of meeting and agenda for the City of McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice of meeting and agenda for the City of McAllen Board of Commissioners on November 18, 2025 on the bulletin board in the municipal building, a place readily accessible to the general public at all times for at least three business days before the scheduled date of the meeting, in accordance with Chapter 551 of the Texas Government Code.

/s/
Perla Lara, TRMC/CMC, CPM
City Secretary



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM	1.A.1.
DATE SUBMITTED	11/11/2025
MEETING DATE	11/24/2025

1. Agenda Item: Rezone from C-4 (Commercial Industrial-OC) District and R-3A (Multifamily Residential Apartments-UDC) District to C-2 (Regional Commercial-UDC): 52.0 ACRES In McAllen, TX, Part of SEC. 232, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 15400 North Shary Road. (REZ2025-0200)
2. Party Making Request: Omar Sotelo
3. Applicant: Davis Chacon- Brownstone
4. Nature of Request: Rezone from C-4 (Commercial Industrial-OC) District and R-3A (Multifamily Residential Apartments-UDC) District to C-2 (Regional Commercial-UDC): 52.0 ACRES In McAllen, TX, Part of SEC. 232, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 15400 North Shary Road (REZ2025-0200)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

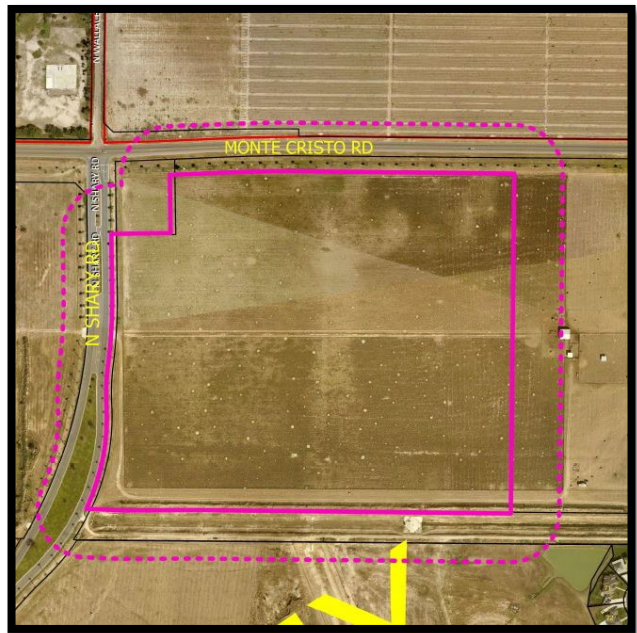
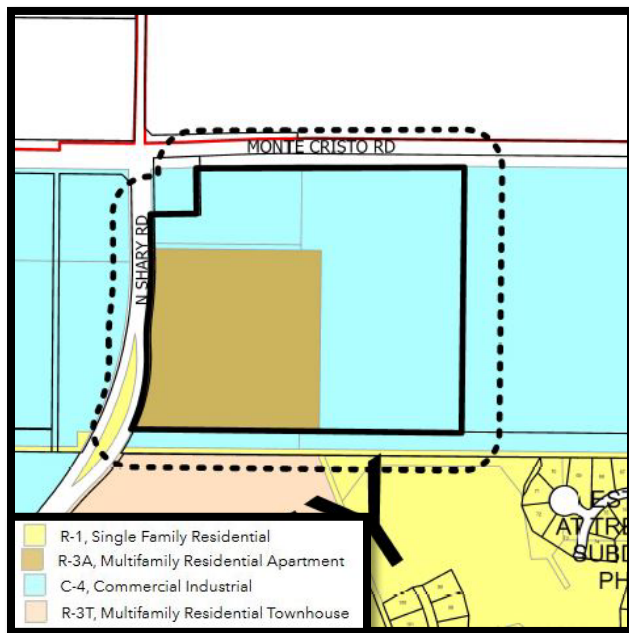
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REZONE FROM C-4 (COMMERCIAL INDUSTRIAL-OC), AND R-3A (MULTI-FAMILY RESIDENTIAL-OC) DISTRICT TO C-2 (REGIONAL COMMERCIAL-UDC) DISTRICT: 52.0 ACRES IN MCALLEN, TX, PART OF SEC. 232, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY SUBDIVISION, HIDALGO COUNTY, TEXAS; 15400 NORTH SHARY ROAD (REZ2025-0200)

LOCATION: The subject property is located along the south east corner of North Shary Road and Monte Cristo Road and is currently zoned C-4 (Commercial Industrial-OC) and R-3A (Multi-Family Residential Apartments-OC) District.



PROPOSAL: The applicant is requesting to rezone the property to C-2 (Regional Commercial-UDC) District for proposed medical buildings.

ADJACENT ZONING: The adjacent properties are R-1 (Single-Family Residential-OC) District to the south, and C-4 (Commercial Industrial-OC) District to the east and west and R-3A (Multi-family Residential Apartments-OC) District to the west.

LAND USE: Surrounding land uses include, single-family residences, and vacant land.

COMPREHENSIVE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for these properties as mixed-use nodes. This land use consists of residential and non-residential uses that serve residences.

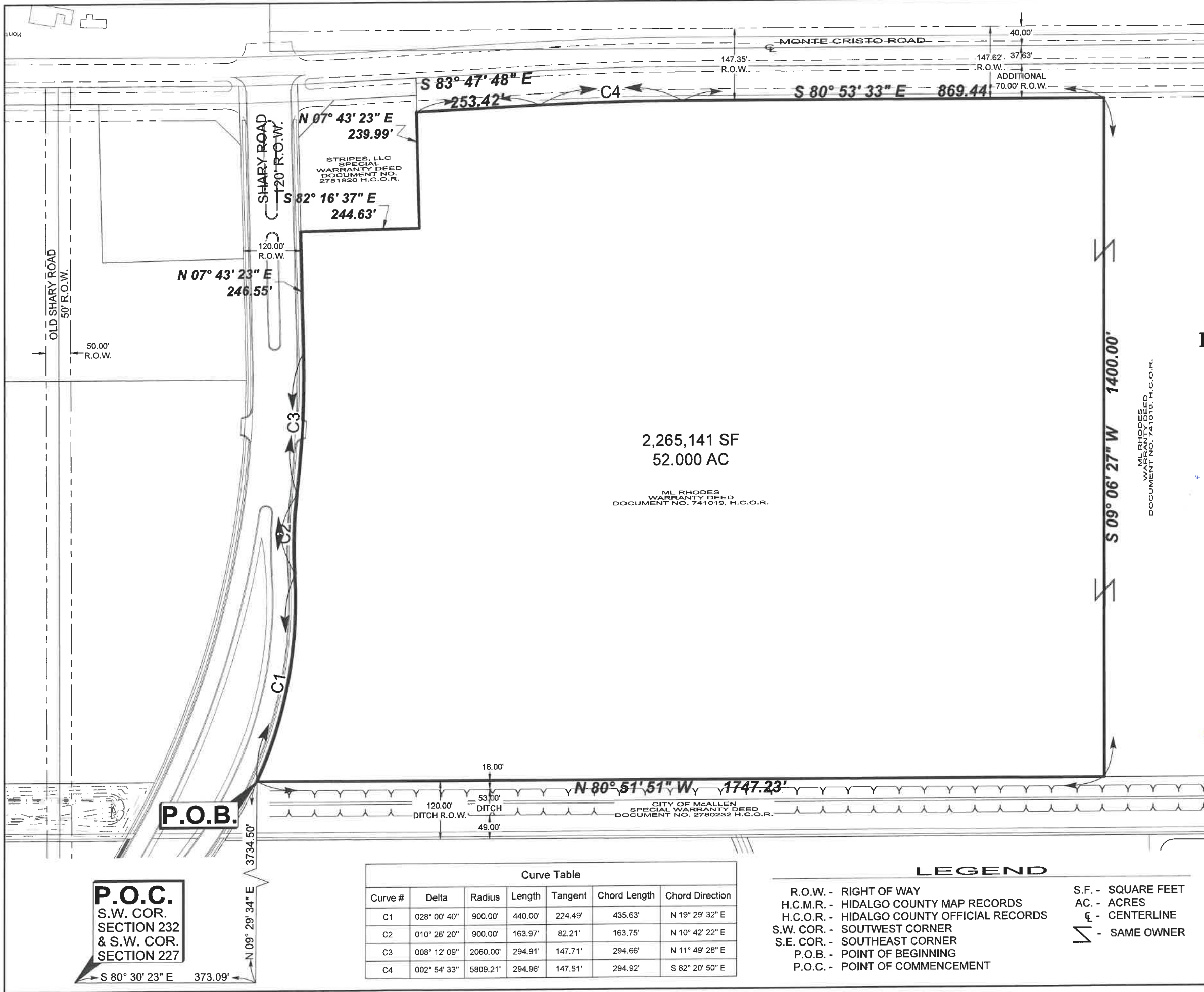
DEVELOPMENT TRENDS: The development trend of this area is primarily single family and vacant land.

ANALYSIS: The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan.

Any future constructions must also comply with all subdivision; development and conditional use permit requirements where applicable under the UDC.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At the Planning and Zoning Commission meeting of November 4, 2025, no one appeared in opposition to the rezoning request. The Board unanimously voted to recommend approval of the rezoning request to C-2 (Regional Commercial-UDC) District. There were four Board members present and voting.



**PLAT SHOWING
52.00 ACRES
BEING OUT OF
SECTION 232, TEXAS-MEXICAN
RAILWAY COMPANY'S SURVEY
VOLUME 4, PAGES 142-143,
H.C.D.R.
CITY OF McALLEN
HIDALGO COUNTY, TEXAS**



I, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE IN HOUSE ON 09/29/25 UNDER MY DIRECTION AND SUPERVISION.

Roberto N. Tamez
ROBERTO N. TAMEZ, RPLS No. 6238 DATE: 09/29/2025



MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

DATE: 09/29/2025
JOB No. 25621.08
FILE NAME:
25621_52.000 Ac Texas General Medical
Center Campus
DRAWN BY: B.M.

115 W. McINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
ESTABLISHED 1947
www.meldenandhunt.com

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Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord Length	Chord Direction
C1	028° 00' 40"	900.00'	440.00'	224.49'	435.63'	N 19° 29' 32" E
C2	010° 26' 20"	900.00'	163.97'	82.21'	163.75'	N 10° 42' 22" E
C3	008° 12' 09"	2060.00'	294.91'	147.71'	294.66'	N 11° 49' 28" E
C4	002° 54' 33"	5809.21'	294.96'	147.51'	294.92'	S 82° 20' 50" E

LEGEND

R.O.W. - RIGHT OF WAY
H.C.M.R. - HIDALGO COUNTY MAP RECORDS
H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
S.W. COR. - SOUTHWEST CORNER
S.E. COR. - SOUTHEAST CORNER
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT

S.F. - SQUARE FEET
AC. - ACRES
CL - CENTERLINE
Σ - SAME OWNER



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM	1.A.2.
DATE SUBMITTED	11/11/2025
MEETING DATE	11/24/2025

1. Agenda Item: Rezone from C-3 (General Business-OC) District to C-2 (Regional Commercial-UDC) District: Lot 1, Vitruvian Plaza Subdivision, Hidalgo County, Texas; 5320 North Mccoll Road. (REZ2025-0237).
2. Party Making Request: Omar Sotelo
3. Applicant: Irene Kaplan
4. Nature of Request: Rezone From C-3 (General Business-OC) District To C-2 (Regional Commercial-UDC) District: Lot 1, Vitruvian Plaza Subdivision, Hidalgo County, Texas; 5320 North Mccoll Road. (REZ2025-0237)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

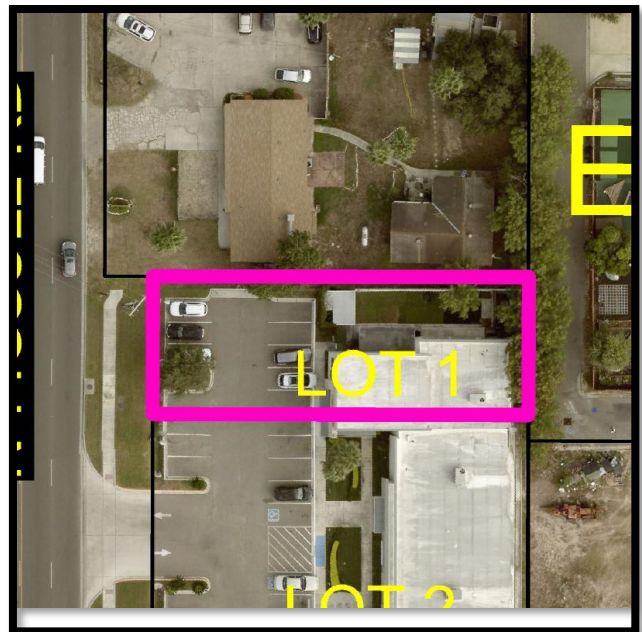
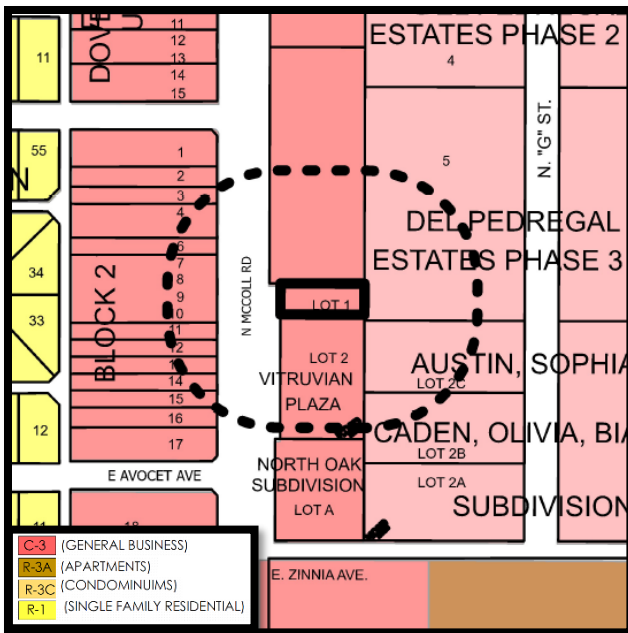
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS-OC) DISTRICT TO C-2 (REGIONAL COMMERCIAL-UDC) DISTRICT: LOT 1, VITRUVIAN PLAZA SUBDIVISION, HIDALGO COUNTY, TEXAS; 5320 NORTH MCCOLL ROAD. (REZ2025-0237)

LOCATION: The subject property is located on the east side of McColl Road. The property is zoned C-3 (General Business-OC) District.



PROPOSAL: The applicant is requesting to rezone the property to C-2 (Regional Commercial-UDC) District under the new Unified Development Code for a proposed event center.

ADJACENT ZONING: The adjacent zoning is C-3 (General Business-OC) District to the north, south, and west and C-3L (Light Commercial-OC) to the east.

LAND USE: The property currently houses a photo studio/lounge as part of a plaza. Surrounding uses include medical clinics, insurance sales, and a child daycare facility,

COMPREHENSIVE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for this property as Employment Center. This development type encourages a mixture of retail, office, industrial and other non-residential development types.

DEVELOPMENT TRENDS: The development trend in this area is primarily general business, light industrial, offices and retail.

HISTORY: This tract was zoned C-3 (General Business-OC) District under the comprehensive zoning in 1979. The current rezoning application was submitted on September 26, 2025.

ANALYSIS: The requested zoning aligns with the Envision McAllen Future Land Use Plan. The proposed C-2 (Regional Commercial-UDC) District is equivalent to the current C-3 (General Business-OC) District designation.

Any future constructions must comply with all development and conditional use permit requirements as applicable under the UDC.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At the Planning and Zoning Commission meeting of November 4, 2025, no one appeared in opposition to the rezoning request. The Board unanimously voted to recommend approval of the rezoning request to C-2 (Regional Commercial-UDC) District. There were four Board members present and voting.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.3.

DATE SUBMITTED

11/11/2025

MEETING DATE

11/24/2025

1. Agenda Item: Rezone from C-3 (General Business-OC) District to C-1 (Local Commercial-UDC) District: Lot 8, Lamar Acres Subdivision, Hidalgo County, Texas; 1010 North 10th Street. (REZ2025-0241)
2. Party Making Request: Omar Sotelo
3. Applicant: Jerry Benavides
4. Nature of Request: Rezone from C-3 (General Business-OC) District to C-1 (Local Commercial-UDC) District: Lot 8, Lamar Acres Subdivision, Hidalgo County, Texas; 1010 North 10th Street (REZ2025-0241)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

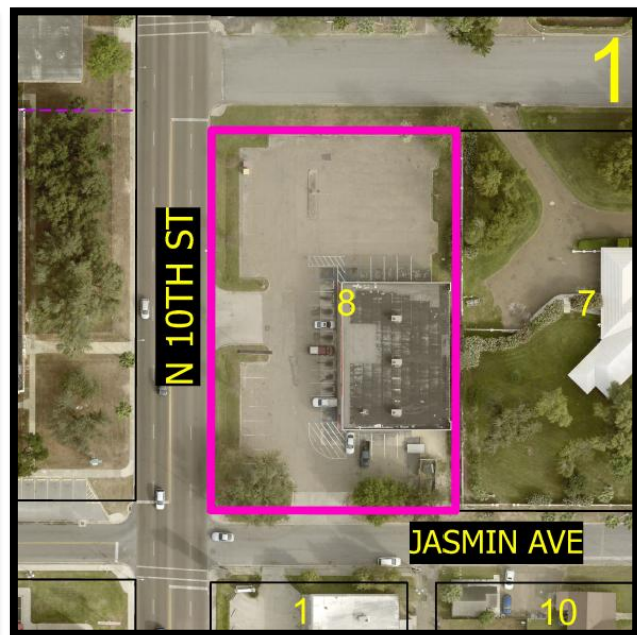
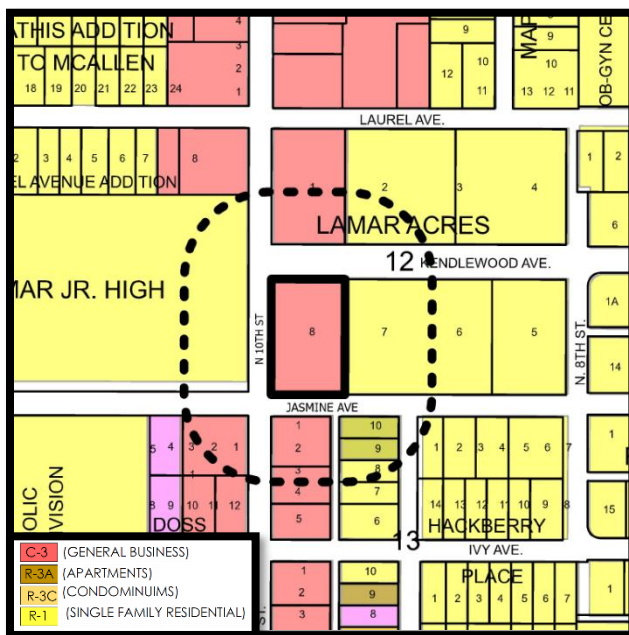
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS-OC) DISTRICT TO C-1 (LOCAL COMMERCIAL-UDC) DISTRICT: LOT 8, LAMAR ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 1010 NORTH 10TH STREET. (REZ2025-0241)

LOCATION: The subject property is located on the east side of North 10th Street, between Jasmine Avenue and Kendlewood Avenue.



PROPOSAL: The applicant is requesting to rezone the property to C-1 (Local Commercial-UDC) District under the new Unified Development Code for the purpose of opening a restaurant.

ADJACENT ZONING: The adjacent zoning is R-1 (Single-Family Residential-OC) District to the east and west and C-3 (General Business-OC) District to the north, and south. Surrounding uses include offices, single family residential homes, a middle school, and a hotel.

LAND USE: The property is currently an auto parts store.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for these properties as Mixed Use Nodes. Mixed Use Nodes encourages a combination of dense residential and non-residential uses in a compact design.

DEVELOPMENT TRENDS: The development trend in this area is primarily commercial uses along North 10th street, with residential and multi-family homes further away from the corridor.

HISTORY: This tract was zoned C-3 (General Business-OC) District under the comprehensive zoning in 1979. The current rezoning application was submitted on October 10, 2025.

ANALYSIS: The requested zoning aligns with the Envision McAllen Future Land Use Plan. The proposed C-1 (Local Commercial-UDC) District is less intensive than the current C-3 (General Business-OC) District designation.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

RECOMMENDATION: At the Planning and Zoning Commission meeting of November 4, 2025, no one appeared in opposition to the rezoning request. The Board unanimously voted to recommend approval of the rezoning request to C-1 (Local Commercial-UDC) District. There were four Board members present and voting.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.4.

DATE SUBMITTED

11/11/2025

MEETING DATE

11/24/2025

1. Agenda Item: Rezone from R-1 (Single-Family Residential - OC) District to C-2 (Regional Commercial - UDC) District: Lot 3 & 4, Block 2, Best Courts Subdivision, Hidalgo County, Texas; 121 South 4th Street. (REZ2025-0242)
2. Party Making Request: Omar Sotelo
3. Applicant: Steve Spoor P.E
4. Nature of Request: Rezone from R-1 (Single-Family Residential -OC) District to C-2 (Regional Commercial-UDC) District: Lot 3 & 4, Block 2, Best Courts Subdivision, Hidalgo County, Texas; 121 South 4th Street (REZ2025-0242)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

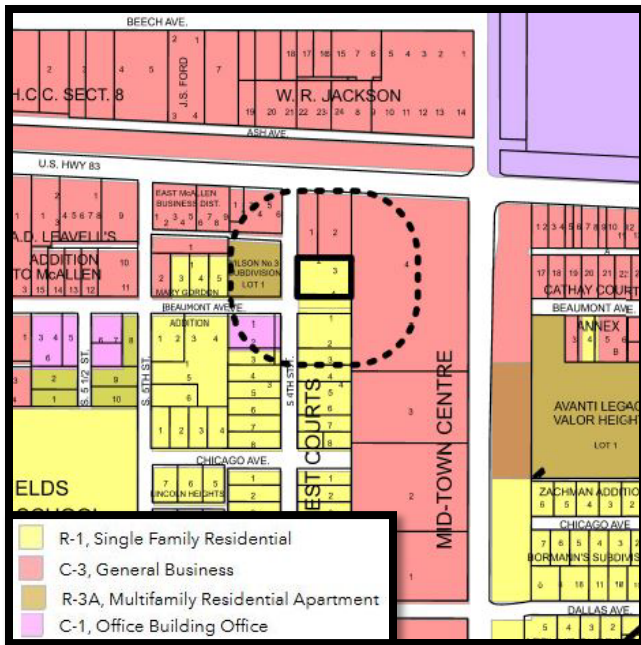
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL-OC) DISTRICT TO C-2 (REGIONAL COMMERCIAL-UDC) DISTRICT: LOT 3 & 4, BLOCK 2, BEST COURTS SUBDIVISION, HIDALGO COUNTY, TEXAS; 121 SOUTH 4TH STREET (REZ2025-242)

LOCATION: The subject property is located along the east side of South 4th Street and is currently zoned R-1 (Single-Family Residential-OC).



PROPOSAL: The applicant is requesting to rezone the property to C-2 (Regional Commercial-UDC) District for a proposed commercial/retail use.

ADJACENT ZONING: The adjacent properties are R-1 (Single-Family Residential-OC) District to the south, R-3A (Multi-Family Residential Apartments-OC) District to the west, and C-3 (General Business-OC) District to the north and east.

LAND USE: Surrounding land uses include, single-family and multi-family residences, and commercial uses.

COMPREHENSIVE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for these properties as complete communities. These areas are majority residential with some office, retail, and other non-residential uses that serve residences.

DEVELOPMENT TRENDS: The development trend of this area is primarily commercial with a mix of single-family land multi-family residential.

ANALYSIS: The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan.

Any future constructions must also comply with all development and conditional use permit requirements where applicable under the UDC.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At the Planning and Zoning Commission meeting of November 4, 2025, no one appeared in opposition to the rezoning request. The Board unanimously voted to recommend approval of the rezoning request to C-2 (Regional Commercial-UDC) District. There were four Board members present and voting.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.5.

DATE SUBMITTED

11/11/2025

MEETING DATE

11/24/2025

1. Agenda Item: Rezone from R-1 (Single-Family Residential -OC) District to R-2 (Medium Density Residential- UDC) District: Lot 16, North Depot Subdivision, Hidalgo County, Texas; 2248 Orange Avenue. (REZ2025-0243)
2. Party Making Request: Omar Sotelo
3. Applicant: Delia Perez
4. Nature of Request: Rezone from R-1 (Single-Family Residential -OC) District to R-2 (Medium Density Residential- UDC) District: Lot 16, North Depot Subdivision, Hidalgo County, Texas; 2248 Orange Avenue (REZ2025-0243)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

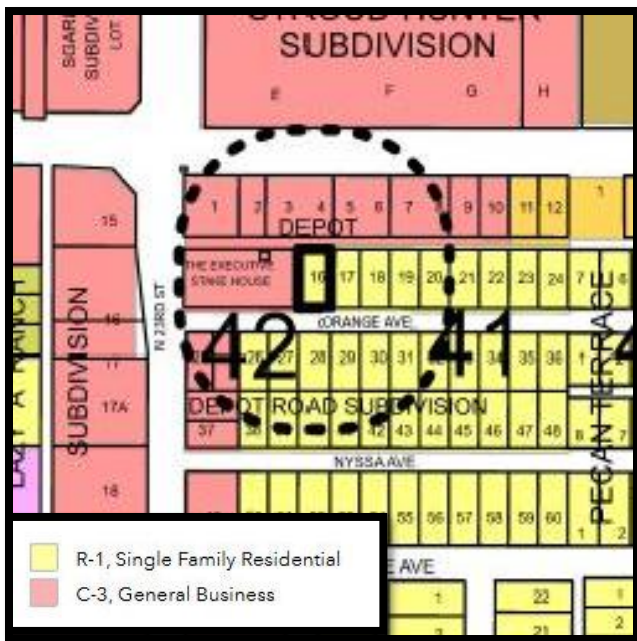
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL-OC) DISTRICT TO R-2 (MEDIUM-DENSITY RESIDENTIAL-UDC) DISTRICT: LOT 16, NORTH DEPOT SUBDIVISION, HIDALGO COUNTY, TEXAS; 2248 ORANGE AVENUE (REZ2025-0243)

LOCATION: The subject property is located along the north side of Orange Avenue and is currently zoned R-1 (Single-Family Residential-OC).



PROPOSAL: The applicant is requesting to rezone the property to R-2 (Medium Density Residential-UDC) District for a proposed Duplex.

ADJACENT ZONING: The adjacent properties are R-1 (Single-Family Residential-OC) District to the east and south, and C-3 (General Business-OC) District to the north and west.

LAND USE: Surrounding land uses include, single-family residences and commercial uses.

COMPREHENSIVE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for these properties as complete communities. These areas are majority residential with some office, retail, and other non-residential uses that serve residences.

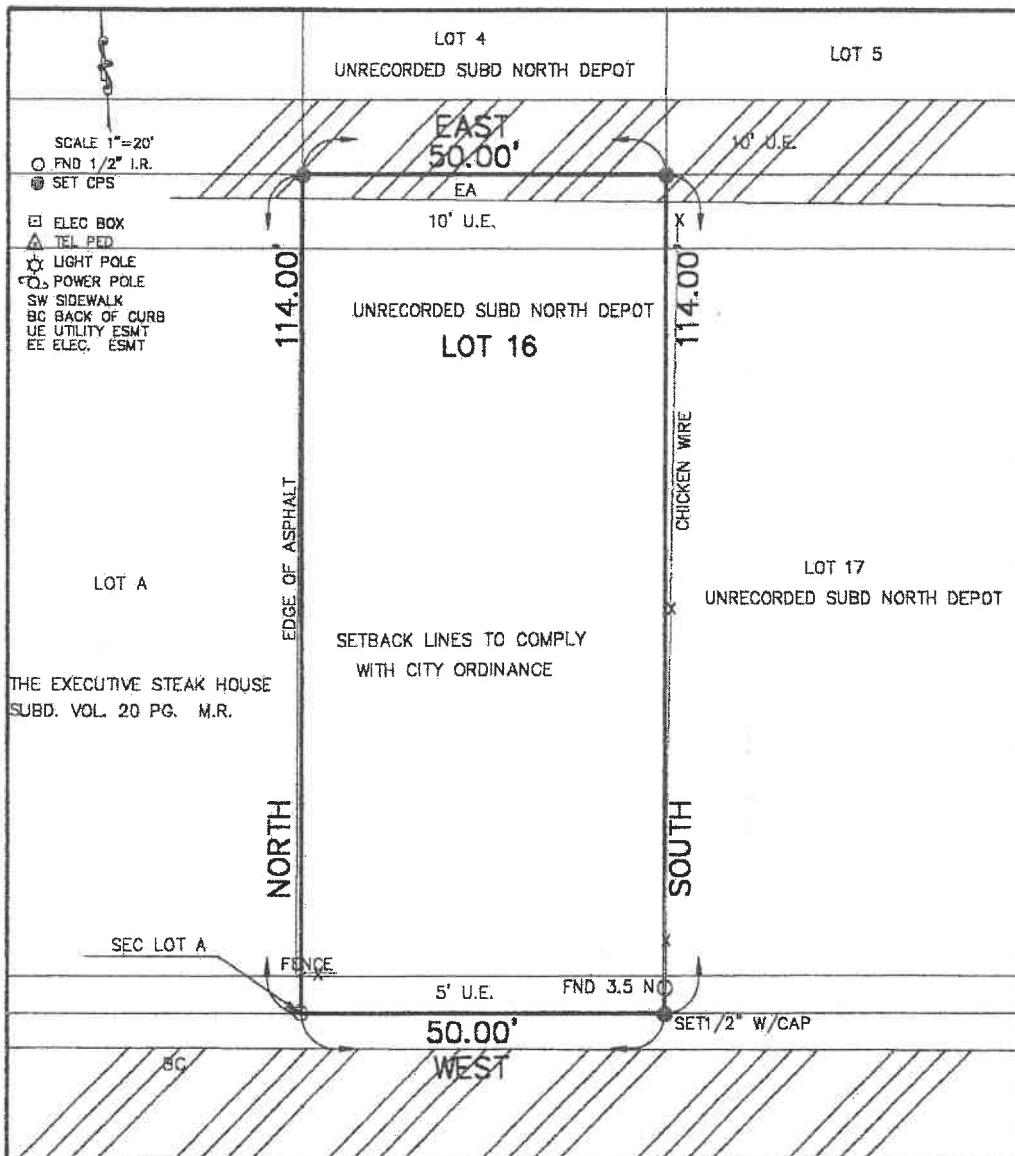
DEVELOPMENT TRENDS: The development trend of this area is primarily single-family residential with some commercial uses.

ANALYSIS: The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan.

Any future constructions must also comply with all development and conditional use permit requirements where applicable under the UDC.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At the Planning and Zoning Commission meeting of November 4, 2025, no one appeared in opposition to the rezoning request. The Board unanimously voted to recommend approval of the rezoning request to R-2 (Medium-Density Residential-UDC) District. There were four Board members present and voting.



PREPARED FOR: CHRISTOPHER YIM CHAU AND ADRIANA ZANETTI CHAU

THIS IS TO CERTIFY THAT I HAVE ON THIS DATE MADE A STANDARD LAND SURVEY ON THE GROUND UNDER MY SUPERVISION OF PROPERTY WHICH IS LOCATED AT 2248 ORANGE AVENUE IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, DESCRIBED AS FOLLOWS: BEING THE WEST 50 FEET OF THE EAST 137.2 FEET OF THE SOUTH 114.00 FEET OF THE NORTH 238.00 FEET OF LOT 42, BLOCK 1, C. E. HAMMOND SUBDIVISION OF LANDS OF PORCIONES 61, 62, AND 63, HIDALGO COUNTY TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 8 MAP RECORDS OF HIDALGO COUNTY, TEXAS. ALSO KNOWN AS UNRECORDED LOT 16, NORTH DEPOT SUBDIVISION

NOTES:

BASIS OF BEARING: EAST FND 1/2 IRON ROD AT THE SEC OF LOT A, THE EXECUTIVE STEAK HOUSE SUBD. AND THE SEC OF LOT 21 UNRECORDED NORTH DEPOT SUBD

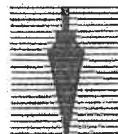
STATUTORY EASEMENTS, RULES, REGULATIONS AND RIGHTS IN FAVOR OF HIDALGO COUNTY IRR DISTRICT NO 1 EASEMENTS FOR LATERALS, CANALS, DRAINAGE AND IRR. LINES AS RECORDED IN VOLUME 1 PG 33 & 265 DR

THERE ARE NO VISIBLE OR APPARENT EASEMENTS, DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ENCROACHMENTS, OR PROTRUSIONS, EXCEPT AS SHOWN ON THIS PLAT

(C) COPYRIGHT 2020 J.A.GARZA ASSOCIATES, L.L.C. THIS SURVEY WAS PROVIDED IN MULTIPLE ORIGINALS SOLELY FOR THE BORROW NAMED HEREON, IN CONJUNCTION WITH THE ORIGINAL TRANSACTION WHICH SHALL TAKE PLACE WITHIN 6 MONTHS AFTER THE SURVEY WAS PROVIDED. NO LICENSE HAS BEEN CREATED OR IMPLIED TO COPY THIS SURVEY. SURVEY VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE. SURVEY WAS PREPARED BASED ON TITLE COMMITMENT OF NO. 931302

JESUS A GARZA
B.P.L.S. NO. 4739

SURVEY DATE: OCTOBER 20, 2020 JOB # S 7380



J.A. Garza
Associates, L.L.C.
3319 N. Ware Rd. Ste. "A"
McAllen, Texas 78501
(956) 687-8677
(956) 687-8641 fax
FIRM NO. 10172800

OCT 02 2025

BY: _____



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.6.

DATE SUBMITTED

11/11/2025

MEETING DATE

11/24/2025

1. Agenda Item: Rezone from R-2 (Duplex-Fourplex Residential-OC) District to R-2 (Medium-Density Residential-UDC) District: Lot 5, Block 3, Bonnie View Subdivision, Hidalgo County, Texas; 2117 Hackberry Avenue. (REZ2025-0246)
2. Party Making Request: Omar Sotelo
3. Applicant: Ramiro Flores R&N Properties LLC
4. Nature of Request: Rezone from R-2 (Duplex-Fourplex Residential-OC) District to R-2 (Medium-Density Residential-UDC) District: Lot 5, Block 3, Bonnie View Subdivision, Hidalgo County, Texas; 2117 Hackberry Avenue. (REZ2025-0246)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Planning Department

Memo

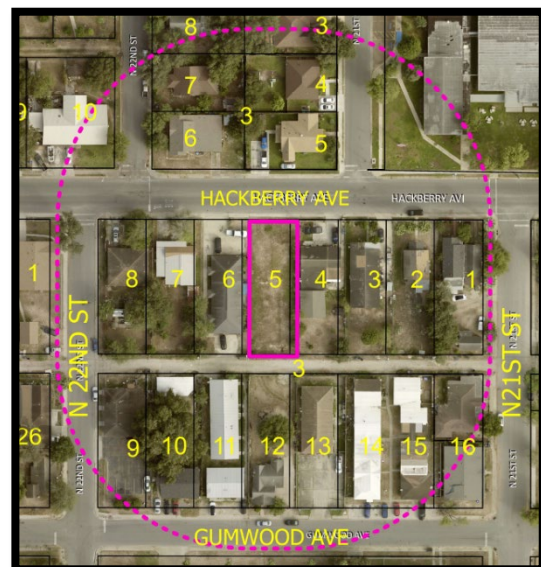
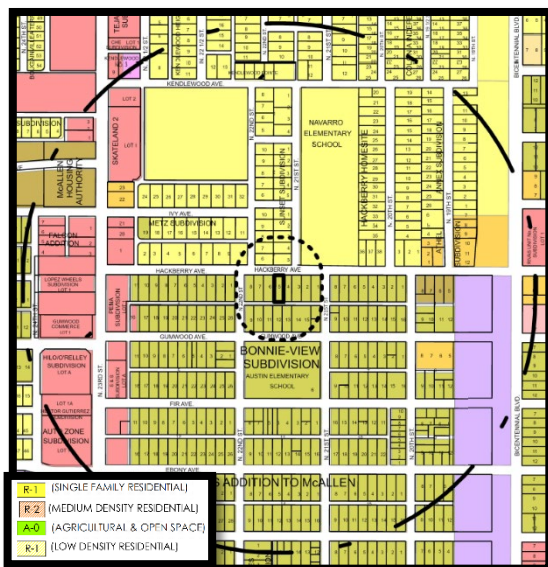
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL-OC) DISTRICT TO R-2 (MEDIUM DENSITY RESIDENTIAL-UDC) DISTRICT: LOT 5, BLOCK 3, BONNIE VIEW SUBDIVISION, HIDALGO COUNTY, TEXAS; 2117 HACKBERRY AVENUE. (REZ2025-0246)

LOCATION: The subject property is located on the south side of Hackberry Avenue west of North 21st Street.



PROPOSAL: The applicant is requesting to rezone the property to R-2 (Medium Density Residential-UDC) District under the new McAllen Unified Development Code (UDC)

ADJACENT ZONING: The adjacent properties are zoned R-1 (Single-Family Residential-OC) District to the north and R-2 (Duplex-Fourplex Residential-OC) District to the south, east and west.

LAND USE: Surrounding land uses include, single-family residences and medium density.

FUTURE LAND USE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for these properties as Complete Communities. Single-family homes make up the majority of the land use category but also support townhomes, duplexes and multifamily housing options.

DEVELOPMENT TRENDS: The development trend along Hackberry Avenue is single-family residences.

HISTORY: The earliest zoning record found for the properties, indicating an R-1 zoning designation, dates back to 1979.

ANALYSIS: The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan. The proposed R-2 (Medium Density Residential) District is an equivalent zoning district to the current R-2 District zoning designation.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

RECOMMENDATION: At the Planning and Zoning Commission meeting of November 4, 2025, no one appeared in opposition of the request. After discussion, the Board members unanimously voted to recommend approval of the rezoning request to R-2 (Medium Density Residential-UDC) District. There were four Board members present and voting.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.7.

DATE SUBMITTED

11/11/2025

MEETING DATE

11/24/2025

1. Agenda Item: Request of Adrian Medina, for a Conditional Use Permit for one year, and adoption of an Ordinance, for a smoke shop at the West 199.03' of Lot 6, Country Club Acres Subdivision, Hidalgo County, Texas; 1902 South 10th Street. (CUP2025-0082)
2. Party Making Request: Omar Sotelo
3. Applicant: Adrian Medina
4. Nature of Request: Request of Adrian Medina, for a Conditional Use Permit for one year, and adoption of an Ordinance, for a smoke shop at the West 199.03' of Lot 6, Country Club Acres Subdivision, Hidalgo County, Texas; 1902 South 10th Street. (CUP2025-0082)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Planning Department

Memo

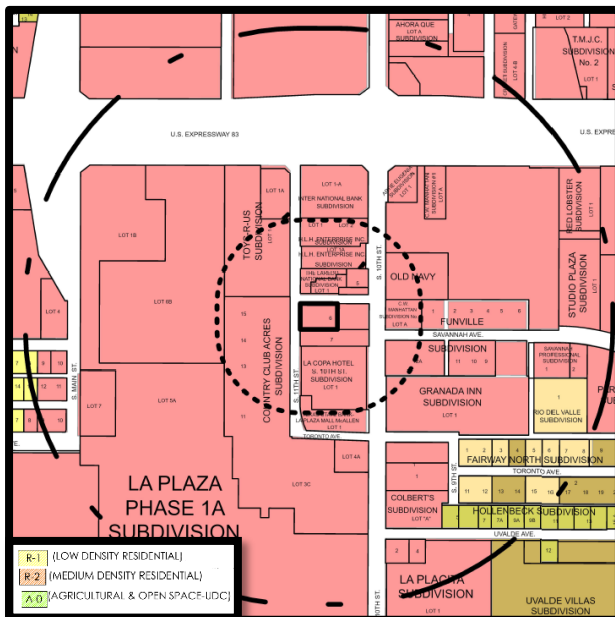
TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

SUBJECT: REQUEST OF ADRIAN MEDINA, FOR A CONDITIONAL USE PERMIT FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE, FOR A SMOKE SHOP AT THE WEST 199.03' OF LOT 6, COUNTRY CLUB ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 1902 SOUTH 10TH STREET. (CUP2025-0082)

BRIEF DESCRIPTION: The subject property is located at the southeast corner of Savannah Avenue and South 11th Street. The property is zoned C-3 (General Business) District. Surrounding land uses include retail businesses and restaurants.



HISTORY: This is the initial application for a smoke shop at his location. The applicant applied for a conditional use permit for one year on August 22, 2025.

REQUEST/ANALYSIS: The applicant is proposing to operate a smoke shop with retail sales only with storage area with related general merchandise. There will be no customer seating inside the establishment. The proposed hours of operation will be from 10 a.m. to 2 a.m, Monday through Sunday. A smoke shop is permitted in a C-3 district with a conditional use permit and compliance with requirements.

The Fire Department is pending inspection to determine compliance. As per Section 138-400 of the Zoning Ordinance, the parking lot must be properly striped and free of potholes. The business must meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above mentioned business must be at least 400 ft. 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 property complies with the required 400-foot buffer and is well-separated from any residentially zoned areas, schools, churches, or public property;
- 2) The abovementioned business must be as close as possible to a major arterial, and shall not allow the traffic generated by such business onto residential streets, or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along South 10th Street;
- 3) The abovementioned 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. The 1,657 square feet commercial area requires seven spaces;
- 4) The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business 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 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 properties;
- 7) The abovementioned 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 Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

Staff has not received any phone calls, letters or emails in opposition to the request. There was one phone call in agreement to this request;

RECOMMENDATION: At the Planning and Zoning Commission meeting of October 7, 2025, no one appeared in opposition of the request. After discussion, the Board members unanimously voted to recommend approval of the conditional use permit request subject to compliance of Section 138-118(a)(4). There were five Board members present and voting.

Sink

BLDGPERMITS@MCALLEN.NET

ORDINANCE NO. 2025 – ____

**AN AMENDMENT TO THE CITY OF MCALLEN ZONING
ORDINANCE TO ISSUE A CONDITIONAL USE PERMIT,
REQUIRING COMPLIANCE WITH LISTED CONDITIONS
AND ORDAINING OTHER PROVISIONS RELATING TO
THE SUBJECT MATTER THEREOF.**

WHEREAS, on November 24, 2025, the City of McAllen Board of Commissioners considered an application for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Smoke Shop, at the west 199.03' of Lot 6, Country Club Acres Subdivision, Hidalgo County, Texas; 1902 South 10th Street; and

WHEREAS, after reviewing the application, the recommendation of the Planning and Zoning Commission, public comment, if any, and staff's presentation the Board of Commissioners finds the proposed use does not interfere with compatible and orderly development within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: A Conditional Use Permit is hereby granted for adoption of an ordinance, for a Smoke Shop, at the west 199.03' of Lot 6, Country Club Acres Subdivision, Hidalgo County, Texas; 1902 South 10th Street. The Conditional Use Permit shall expire one year from the date this ordinance is signed, or if for the life of the use, when the use ceases.

SECTION II: The Conditional Use Permit issued pursuant to this ordinance shall only remain in effect and retain validity while all conditions listed on the permit as authorized by the City Commission at a meeting held on November 24, 2025 or contained in the McAllen Code of Ordinances are met, including but not limited to the following: 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 property complies with the required 400-foot buffer and is well-separated from any residentially zoned areas, schools, churches, or public property. 2) The business must be as close as possible to a major arterial and not generate traffic onto residential sized streets. The subject property has frontage along South 10th Street. 3) The business must provide parking in accordance with the McAllen's Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking. The 1,657 square feet commercial area requires seven spaces. 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 in order to discourage vandalism and criminal activities; 6) The business must make provisions to keep litter 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. This number cannot exceed the number provided for in existing city ordinances. Should the conditions of the permit be violated, the City retains the complete and sole authority to suspend or revoke the permit.

SECTION III: The City Secretary of the City of McAllen is hereby directed **not** to publish this ordinance in the Code of Ordinances of the City of McAllen as it is not amendatory thereof.

SECTION IV: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect and to that extent this ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this 24th day of November of 2025, at a Regular Meeting of the Board of Commissioners at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this ____ day of November 2025.

CITY OF McALLEN, TEXAS

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM
City Secretary

APPROVED AS TO FORM:

Austin Stevenson, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.8.

DATE SUBMITTED

MEETING DATE

11/24/2025

1. Agenda Item: City Initiated Zonings

2. Party Making Request:

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Jose Trujillo

Created -

8. Staff Recommendation: Staff Recommends Approval

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.8.a.

DATE SUBMITTED

11/11/2025

MEETING DATE

11/24/2025

1. Agenda Item: Rezoning from R-1 (Single-Family Residential - OC) District under the Old Code (OC) to R-1 (Low-Density Residential - UDC) District under the new Unified Development Code (UDC) for the following properties:
Avignon Subdivision, Hidalgo County, Texas:
3102-3222 South 5th Lane (Lots 1-4 and 9-13)
3118-3202 South 5th Court (Lots 5-8) (REZ2025-0172)
2. Party Making Request: Omar Sotelo
3. Applicant: City of Mcallen
4. Nature of Request: Rezoning from R-1 (Single-Family Residential - OC) District under the Old Code to R-1 (Low-Density Residential - UDC) District under the new Unified Development Code (UDC) for the following properties:
Avignon Subdivision, Hidalgo County, Texas:
3102-3222 South 5th Lane (Lots 1-4 and 9-13)
3118-3202 South 5th Court (Lots 5-8) (REZ2025-0172)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/11/2025
Omar Sotelo	Approved - 11/13/2025
Michelle Rivera	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Director of Planning

DATE: November 24, 2025

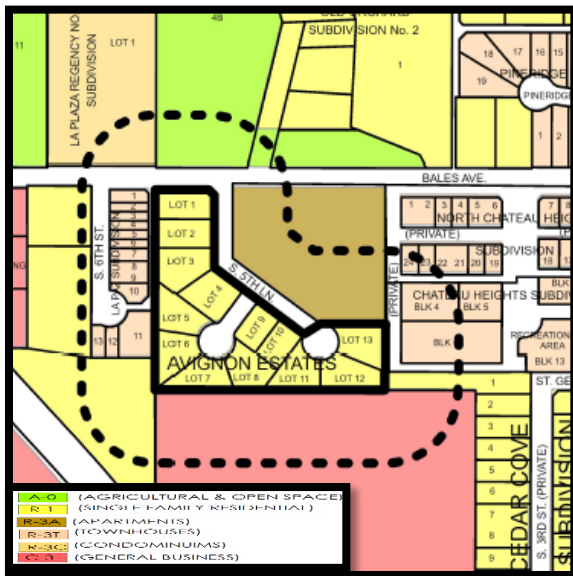
SUBJECT: REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT UNDER THE OLD CODE (OC) TO R-1 (LOW-DENSITY RESIDENTIAL) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES:

AVIGNON SUBDIVISION, HIDALGO COUNTY, TEXAS. (REZ2025-0172)

3102-3222 SOUTH 5TH LANE (LOTS 1-4 AND 9-13)

3118-3202 SOUTH 5TH COURT (LOTS 5-8)

LOCATION: The subject property is located south of Bales Avenue and along the south side of South 5th Lane.



PROPOSAL: The City of McAllen is requesting to rezone the property to R-1 (Low-Density Residential-UDC) District as part of the citywide initial rezoning pertaining to the adoption of the new McAllen Unified Development Code (UDC).

ADJACENT ZONING: The adjacent properties are zoned A-O (Agricultural & Open Space-OC) District and R-3A (Multi-family Residential Apartment-OC) District to the north. C-3 (General Business-OC) District to the south. R-3T (Multi-family Residential Townhouse-OC) District and R-1 (Single-family Residential-OC) District to the east and west. R-3C (Multi-family Residential Condominium-OC) District to the west.

LAND USE: The property consists of single-family dwellings and are zoned R-1 (Single-family Residential-OC) District. Surrounding uses include vacant land, condominiums, townhomes and single-family dwellings.

COMPREHENSIVE PLAN: The Envision McAllen Future Land Use Plan designates the future land use for these properties as Complete Communities, which is a land use designation where single-family detached homes make up the majority of this land use category. These areas are majority residential with some office, retail, and other non-residential uses that serve residences. This consist of residential and non-residential land uses.

DEVELOPMENT TRENDS: The development trend around this area is single-family and multi-family residential.

HISTORY: Avignon Subdivision was recorded July 24, 2007. The subject properties are comprised of 13 lots. The initial zoning designation for this property was R-1 (Single-family Residential-OC) District with no rezoning since then according to our records.

ANALYSIS: The requested zoning conforms to the future land use designation as shown on the Envision McAllen Future Land Use Plan for Complete Communities. The proposed use for R-1 (Low-Density Residential-UDC) District is an equivalent zoning district to the current R-1 (Single-family Residential-OC) District.

Any future constructions must also comply with all development and conditional use permit requirements where applicable under the UDC.

Staff has not received any phone calls, letters, or emails in opposition to the rezoning request.

RECOMMENDATION: At the Planning and Zoning Commission meeting of September 24, 2025, no one appeared in opposition of the request. After discussion, the Board members unanimously voted to recommend approval of the rezoning request to R-1 (Low- Density Residential -UDC) District. There were five Board members present and voting.

office 425-8988 fax 423-5063



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.B.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Amending the Zoning Ordinance of the City of McAllen.

2. Party Making Request: Omar Sotelo

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Jose Trujillo

Created/Initiated - 11/14/2025

Omar Sotelo

Approved - 11/17/2025

Michelle Rivera

Approved - 11/17/2025

Austin Stevenson

Final Approval - 11/17/2025

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: Approve -AWS

11. Manager's Recommendation: Approve. IJT

ORDINANCE NO. 2025-_____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN, TEXAS, BY PROVIDING THAT THE FOLLOWING PROPERTIES, ALL LOCATED IN HIDALGO COUNTY TEXAS, SHALL BE REZONED FROM THE NOTED OLD CODE (OC) CLASSIFICATION TO THE NOTE UNIFIED DISTRICT CLASSIFICATION (UDC) AS DESCRIBED HEREIN, AND AMENDING THE ZONING MAP TO CONFORM TO THE CHANGES:

- (1) 52.0 ACRES IN MCALLEN, TX, PART OF SEC. 232, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY SUBDIVISION, FROM C-4 (OC) and R-3A (OC) TO C-2 (UDC);
- (2) LOTS 3 & 4, BLOCK 2, BEST COURTS SUBDIVISION, FROM R-1 (OC) TO C-2 (UDC);
- (3) LOT 16, NORTH DEPOT SUBDIVISION FROM R-1 (OC) TO R-2 (UDC);
- (4) LOT 9, BLOCK 26, NORTH MCALLEN SUBDIVISION, FROM R-2 (OC) TO R-2 (UDC);
- (5) A 1.928 ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 8, HIDALGO CANAL COMPANY SUBDIVISION, FROM C-3 (OC) TO C-2 (UDC);
- (6) LOTS 1, IDELAS CORNER SUBDIVISION, FROM C-3 (OC) TO C-2 (UDC);
- (7) (PIDS: 230702, 230703, 230704), FROM R-1 (OC) TO R-1 (UDC);
- (8) (PIDS: 230698, 230699), FROM R-1 (OC) TO R-1 (UDC);
- (9) LOTS 1-31 & LOTS A-D, PASEO DEL LAGO TOWNHOMES SUBDIVISION, FROM R-3T AND R-3C TO R-3 (UDC)
- (10) (PID:211110), FROM R-1 TO R-1 (UDC)
- (11) LOT 1, HOF LAND SUBDIVISION, LOTS 1, OLD ORCHARD SUBDIVISION, LOTS 1-5, OLD ORCHARD NO. 2 SUBDIVISION, LOT 1, STN SUBDIVISION, LOT 7-8, BLOCK 4, LOMA LINDA SUBDIVISION, (PID: 189378, 189377,674011, 674010), FROM R-1 TO R-1 (UDC)
- (12) LOT 1, COUNTRY CLUB HEIGHTS SUBDIVISION, LOTS 1A-17A, SAN ANGEL COUNTRY SUBDIVISION, LOTS 1-20 AND 51-65, THE HEIGHTS AT MCCOLL SUBDIVISION, FROM R-1 TO R-1 (UDC)
- (13) LOT 1-24, NORTH CHATEAU HEIGHTS SUBDIVISION, BLOCK 4-9 AND 13, CHATEAU HEIGHTS SUBDIVISION, FROM R-3T TO R-3 (UDC)

- (14) LOTS 1-20, 21-58, 59-78, 79-87, 88-90, 91-96, 97-110, 111—124, AND LOTS A-C, LAS VILLITAS SUBDIVISION, LOT 1, LA VIDA HERMOSA SUBDIVISION, FROM R-3T (OC) TO R-3 (UDC)
- (15) LOT 1, HEARTHSTONE #3 SUBDIVISION, LOT 1, HEARTHSTONE #2 SUBDIVISION, LOT 1A, HEARTHSTONE SUBDIVISION, LOT 17, RIDGE PLAZA SUBDIVISION, LOT 1, LA ESTANCIA APARTMENTS SUBDIVISION FROM R-3A (OC) TO R-3 (UDC)
- (16) (PID: 1568078) FROM R-3A TO R-3 (UDC)

NOW, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from C-4 (Commercial Industrial-OC) District and R-3A (Multi-family Residential-OC) to C-2 (Regional Commercial-UDC) District:

A tract of land containing 52.000 acres situated in the City of McAllen, County of Hidalgo, Texas, being a part or portion out of Section 232, Texas-Mexican Railway Company's Survey, according to the plat thereof recorded in Volume 4, Pages 142-143, Hidalgo County Deed Records, which said 52.000 Acres out of a certain tract conveyed to ML Rhodes, LTD by virtue of a Warranty Deed recorded under Document Number 741019, Hidalgo County Official Records, said 52.000 acres being more particularly described as follows:

COMMENCING at a No. 4 rebar found at the Southwest corner of said Section 232 and Southeast corner of Section 227;

THENCE, S 80 Degrees 30' 23" E along the South line of said Section 232, a distance of 373.09 feet;

THENCE, N 09 Degrees 29' 34" E a distance of 3734.50 feet to a point on the North line of a certain tract conveyed to City of McAllen by virtue of a Special Warrant Deed recorded under Document Number 2780323, Hidalgo County Official Records and on the existing East right-of-way line of N. Shary Road for the Southwest corner and POINT OF BEGINNING of this herein described tract;

1. THENCE, along the existing East right-of-way line of N. Shary Road in a Northeasterly direction along a curve to the left with a central angle of 28 Degrees 00' 40", a radius of 900.00 feet, an arc length of 440.00 feet, a tangent of 224.49 feet and a chord that bears N 19 Degrees 29' 32" E

a distance of 435.63 feet to a point for an angle point of this tract;

2. THENCE, continuing along the existing East right-of-way line of N. Shary Road in a Northeasterly direction along a curve to the right with a central angle of 10 Degrees 26' 20" a radius of 90.00 feet, an arc length of 163.97 feet, a tangent of 82.21 feet and a chord that bears N 10 Degrees 42' 22" E a distance of 163.75 feet to a point for an angle point of this tract;
3. THENCE, continuing along the existing East right-of-way line of N. Shary Road in a Northeasterly direction along a curve to the left with a central angle of 08 Degrees 12' 09", a radius of 2060.00 feet, an arc length of 394.91 feet, a tangent of 147.71 feet and a chord that bears N 11 Degrees 49' 28" E a distance of 394.66 feet to a point for an angle point of this tract;
4. THENCE, N 07 Degrees 43' 23" E continuing along the existing East right-of-way line of N. Shary Road, a distance of 246.55 feet to a point at the Southwest corner of a certain tract conveyed to Stripes LLC, a Texas limited Liability company by virtue of a Special Warranty Deed recorded under Document Number 2571820, Hidalgo County Official Records, for the Southernmost Northwest corner of this tract;
5. THENCE, S 82 Degrees 16' 37" E along the South line of said certain tract conveyed to Stripes, LLC, a distance of 244.63 feet to a point at the Southeast corner of said certain tract conveyed to Stripes, LLC for a inside corner of this tract;
6. THENCE, N 07 Degrees 43' 23" E along the East line of said certain tract conveyed to Stripes, LLC, a distance of 239.99 feet to a point for the Northernmost Northwest corner of this tract;
7. THENCE, S 83 Degrees 47' 48" E a distance of 253.42 feet to a point for an angle point of this tract;
8. THENCE, in a Southeasterly direction along a curve to the right with a central angle of 02 Degrees 54' 33", a radius of 5809.21 feet, an arc length of 294.96 feet, a tangent of 147.51 feet and a chord that bears S 82 Degrees 20' 50" E a distance of 294.92 feet to a point for an angle point of this tract;
9. THENCE, S 80 Degrees 53' 33" E a distance of 869.44 feet to a point for the Northeast corner of this tract;

10. THENCE, S 09 Degrees 06' 27" W a distance of 1400.00 feet to a point on the North line of said certain tract conveyed to City of McAllen for the Southeast corner of this tract;

11. THENCE, N 80 Degrees 51' 51: W along the North line of said certain tract conveyed to City of McAllen, a distance of 1747.23 feet to the POINT OF BEGINNING and containing 52.0000 acres of land, more or less.

SECTION II: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to C-2 (Regional Commercial-UDC) District:

Lots 3 & 4, Block 2, Best Courts Subdivision, as recorded in volume 4, page, 46, Map Records of Hidalgo County, Texas

SECTION III: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District:

Lot 16, North Depot Subdivision, Map Records of Hidalgo County, Texas.

SECTION IV: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-2 (Duplex-Fourplex Residential-OC) District to R-2 (Medium-Density Residential-UDC) District:

Lot 9, Block 26, North McAllen Subdivision, as recorded in volume 0, page 33, Map Records of Hidalgo County, Texas.

SECTION V: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from C-3 (General Business-OC) District to C-2 (Regional Commercial -UDC) District:

A TRACT OF LAND CONTAINING 1.928 ACRES SITUATED IN THE CITY OF MCALLEN , COUNTY OF HIDALGO, TEXAS, BEING A PART OR PORTION OUT OF LOT 8, SECTION 8, HIDALGO CANAL COMPANY'S SUBDIVISION, ACCORDING TIO THE PLAT THEREOF RECORDED IN VOLUME Q, PAGES 175-177, HIDALGO COUNTY DEED RECORDS, WHICH SAID 1.928 ACRES OUT OF A CERTAIN RRACT CONVEYED TO MMGJ SOUTH TEXAS LLC BY VIRTUE OF A DEED OF CONVEYANCE AND ASSIGNMENT AND BIULL OF SALE RECORDED UNDER DOCUMENT NUMBER 2812871, HIDALGO COUNTY OFFICIAL REOCRDS, SAID 1.928 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NAIL SET AT THE NORTHEAST CORNER OF SAID LOT 8, SECTION, 8, FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE, S 08 DEGREES 37' 56" W ALONG THE EAST LINE OF SAID LOT 8, SECTION 8, AND THE WEST RIGHT-OF-WAY LINE OF S. 2ND STREET, A DISTNACE OF 323.00 FEET TO A NO. 4 REBAR SET FOR THE SOUTH EAST CORNER OF THIS TRACT'

THENCE, N 81 DEGREES 22' 04" W A DISTANCE OF 250.00 FEET PASS THE EAST LINEOIF SAID CERTAIN TRACT CONVEYED TO MMGJ SOUTH TEXAS LLC. CONTINUING A TOTAL DISTANCE OF 360.00 FEET TO A NO. 4 REBAR SET, FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, N 08 DEGREES 37' 56" E A DISTANCE OF 73.00 FEET PASS THE NORTH LINEOF SAID TRACT CONVEYED TO MMGJ SOUTH TEXAS LLC, CONTINUING A TOTAL DISTNACE OF 323.00 FEET TO A NO. 4 REBAR SET, FROM WHICH A NO. 4 REBAR FOUND BEARS N 81 DEGREES 22' 04" W A DISTNACE OF 767.00 FEET, FOR THE NORTHWEST CORNER OF THIS TRACT'

THENCE, S 81 DEGREES 22' 04" E ALONG THE NORTH LINE OF SAID LOT 8, SECTION 8 AND THE SOUTH RIGHT-OF-WAY LINE OF DALLAS AVENUE, A DISTNACE OF 260.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.928 ACRES OF LAND, MORE OR LESS.

SECTION VI: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from C-3 (General Business-OC) District to C-2 (Regional Commercial-UDC) District:

Lot 1 Idelas Corner Subdivision, as recorded in volume 46, page, 153 Map Records of Hidalgo County, Texas.

SECTION VII: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District:

Hidalgo County PID: 230703, 230704 - Temporary Address 2716-2800 South 26th Street

Hidalgo County PID: 230702 - Temporary Address 2720 South 26th ½ Street

SECTION VIII: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District:

Hidalgo County PID: 2306984, 230699 - Temporary Address 2725-2729 South 29th Street

SECTION IX: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-3T (Multifamily Residential Townhouse-OC) and R-3C (Multifamily Residential Condominiums-OC) District to R-3 (High-Density Residential-UDC) District:

Lots 1-31, and Lots A-D, Paseo Del Lago Townhomes Subdivision, as recorded in volume 1, page 3673319, Map Records of Hidalgo County, Texas.

SECTION X: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District:

Hidalgo County PID: 211110 – Temporary Address 2305 South 26th Street

SECTION XI: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District:

Lot 1, Hofland Subdivision, Lot 1, Old Orchard Subdivision, Lots 1-5 Old Orchard No. 2 Subdivision, Lot 1, STN Subdivision, Lots 7-8, Loma Linda Subdivision, as recorded in volume 27, page 80A, volume 21, page 67, volume 27, page 101B, volume 23, page 112B, volume 3, page 38 Map Records of Hidalgo County, Texas.

Hidalgo County PID: 189378, 189377 - Temporary Address 401-501 Byron Nelson Avenue

Hidalgo County PID: 674011, 674010 – Temporary Address 508-512 Bales Road

SECTION XII: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-1 (Single-Family Residential-OC) District to R-1 (Low-Density Residential-UDC) District:

Lot 1, Country Club Heights Subdivision, Lots 1A- 17A San Angel Country Subdivision, Lots 1-20 and Lots 51-65 The Heights at McColl Subdivision, as recorded in volume 31, page 14, volume 0, page 2622406, volume 0, page 2790603, Map Records of Hidalgo County, Texas.

SECTION XIII: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-3T (Multi-Family Residential Townhouse-OC) District to R-3 (High-Density Residential-UDC) District:

Lots 1-24, North Chateau Heights Subdivision, Block 4-9, and 13, Chateau Heights Subdivision, as recorded in volume 37, page 91A, volume 21, page 188, Map Records of Hidalgo County, Texas.

SECTION XIV: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-3T (Multi-Family Residential Townhouse-OC) District to R-3 (High-Density Residential-UDC) District:

Lots 1-20, 21-58, 59-78, 79-87, 88-90, 91-96, 97-110, 111-124, and Lots A-C Las Villitas Subdivision, Lot 1, La Vida Hermosa Subdivision, as recorded in volume 45, page 107, volume 22, page 76, Map Records of Hidalgo County, Texas.

SECTION XV: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-3T (Multi-Family Residential Townhouse-OC) District to R-3 (High-Density Residential-UDC) District:

Lot 1, Hearthstone # 3 Subdivision, Lot 1, Hearthstone #2 Subdivision, Lot 1A, Hearthstone Subdivision, Lot 17, Ridge Plaza Subdivision, as recorded in volume 36, page 78A, volume 33, page 113A, volume 31, page 44, volume 30, page 121, volume 39, page 27, Map Records of Hidalgo County, Texas.

SECTION XVI: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-3A (Multi-Family Residential Apartments-OC) District to R-3 (High-Density Residential-UDC) District:

Hidalgo County PID: 1568078 – Temporary Address 301 East Hackberry Avenue

SECTION XVII: The following tract of land, which is located within the city limits of the City of McAllen, Texas, shall be rezoned from R-3A (Multi-Family Residential Apartments-OC) District to R-3 (High-Density Residential-UDC) District:

Lots 1, Southwestern Estates Subdivision, as recorded in volume 22, page 44, Map Records of Hidalgo County, Texas.

SECTION XVIII: This Ordinance shall become effective immediately upon its passage and publication in accordance with the law.

SECTION XIX: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners and the caption of this Ordinance shall be published according to Section 2-56 of the Code of Ordinances of the City of McAllen.

SECTION XX: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

SECTION XXI: This ordinance shall not be published in the Code of Ordinances of the City of McAllen, Texas, as it is not amendatory thereof, however, it shall be cited in the appropriate appendix of the Code of Ordinances.

CONSIDERED, PASSED and APPROVED this 10th day of November 2025, at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this ____ day of November 2025.

CITY OF MCALLEN

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM
City Secretary

Approved as to form:

Austin Stevenson, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.A.

DATE SUBMITTED

11/13/2025

MEETING DATE

11/24/2025

1. Agenda Item: Approval of Minutes for Regular Meeting held October 27, 2025.

2. Party Making Request: Perla Lara

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Jose Trujillo

Perla Lara

Austin Stevenson

Created/Initiated - 11/13/2025

Approved - 11/13/2025

Final Approval - 11/14/2025

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: Approve -AWS

11. Manager's Recommendation: Approve. IJT

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

The McAllen Board of Commissioners convened a Regular Meeting on **Monday, November 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 Victor "Seby" Haddad, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Joaquin Zamora, Commissioner Rodolfo "Rudy" Castillo, Commissioner Rolando "Rolly" Rios and Commissioner Jose R. "Pepe" Cabeza de Vaca

Staff: City Manager Isaac Tawil, City Attorney Austin Stevenson, Deputy City Manager Michelle Rivera, Assistant City Manager Jeff Johnston, Assistant City Manager Juan Olaguibel, City Secretary Perla Lara, City Engineer Eduardo Mendoza, Planning Director Omar Sotelo, Finance Director Sonia Resendez

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PROCLAMATIONS

CHILDREN'S GRIEF AWARENESS MONTH

Commissioner Rodolfo "Rudy" Castillo presented a proclamation for Children's Grief Awareness Month

TEXAS RECYCLES DAY

Commissioner Joaquin Zamora presented a proclamation for Texas Recycles Day.

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 3:30pm)

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 Jose R. “Pepe” Cabeza de Vaca moved to approve the items listed on the Routine Items section of the agenda and seconded by Commissioner Joaquin Zamora. The motion carried unanimously.

1. REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL-OC) DISTRICT TO R-2 (MEDIUM-DENSITY RESIDENTIAL-UDC) DISTRICT: LOT 9, BLOCK 26, NORTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 414 N. 17TH STREET. (REZ2025-0227)

Approved the R-2 Zoning at 414 N. 17th Street, in accordance with the Planning and Zoning Commission.

2. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL -OC) DISTRICT TO R-3 (HIGH-DENSITY RESIDENTIAL- UDC) DISTRICT: 15.891 ACRES OUT OF LOT 10, SECTION 279, TEXAS MEXICAN RAILWAY COMPANY’S SURVEY, HIDALGO COUNTY, TEXAS; 1901 FREDDY GONZALEZ ROAD. (REZ2025-0217)

Approved the R-3 Zoning at 1901 Freddy Gonzalez Road, in accordance with the Planning and Zoning Commission.

3. REZONE FROM C-3L (LIGHT COMMERCIAL-OC) DISTRICT TO C-2 (REGIONAL COMMERCIAL-UDC) DISTRICT: LOT 1, ROLANDO GOMEZ PROPERTIES 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 3224 BUDDY OWENS BOULEVARD. (REZ2025-0222)

Commissioner Joaquin Zamora announced a conflict of interest regarding item 1A3 and stated that he would abstain from both discussion and voting on the item. A formal disclosure of the conflict was submitted to the City Secretary

Approved the C-2 Zoning at 3224 Buddy Owens Boulevard, in accordance with the Planning and Zoning Commission.

4. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL-OC) DISTRICT TO R-1 (LOW DENSITY RESIDENTIAL-UDC) DISTRICT: LOT 27, FRONTIER DEVELOPMENT CO. SUBDIVISION, HIDALGO COUNTY, TEXAS; 2517 PECAN AVENUE. (REZ2025-0225)

Approved the R-1 Zoning at 2517 Pecan Avenue, in accordance with the Planning and Zoning Commission.

Mayor Pro Tem Victor “Seby” Haddad announced that he had a conflict with item 1A4 and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

5. REZONE FROM C-3 (GENERAL BUSINESS - OC) DISTRICT TO C-2 (REGIONAL COMMERCIAL - UDC) DISTRICT: A 1.928 ACRE TRACT OF LAND OUT OF LOT 8, BLOCK 8, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 201 DALLAS AVENUE. (REZ2025-0235)

Approved the C-2 Zoning at 201 Dallas Avenue, in accordance with the Planning and Zoning Commission.

6. 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 A PLANNED UNIT DEVELOPMENT LOTS 1-40 AND CA-A, TAYLOR VILLAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 2021 SOUTH TAYLOR ROAD. (CUP2025- 0090)

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

Specific requirements for the approval of PUDs are set forth in Section 2.3.4 for Planned Developments of the Unified Development Code, 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-2 (Medium Density Residential-UDC) District for detached buildings designated as apartments.
3. OFF-STREET PARKING AND LOADING: Parking in compliance with Section 3.1.3. Two parking spaces per dwelling unit. Based on the 164 living spaces, 328 total parking spaces are required, 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, 16 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: 874, Lot 19: 897, Lot 25: 874, Lot 26: 531, Lot 39: 850, Lot 40: 1,087.

As per Section 4.6.5, 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 two trees 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 have been established through the recording of the subdivision plat.

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 are proposing detached dwellings.
8. Owner, Engineer and Surveyor certification and signature block need to be shown on the PUD site plan. Submitted site plan meets requirements.

7. REQUEST OF EZEQUIEL ORTIZ, FOR A CONDITIONAL USE PERMIT FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR (76 BAR AND KITCHEN) AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITE N-2. (CUP2025-0091)

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar at 400 Nolana Avenue, in accordance with the Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements 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 and is used to the north and east, and a water tower to the west.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required by other Conditional Use Permits in this commercial plaza.
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 multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. 729 parking spaces are provided in the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 41 parking spaces are required. 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. Business should 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 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 Planning Director.

The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

8. REQUEST OF ISRAEL VILLARREAL, FOR A CONDITIONAL USE PERMIT FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR, AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITES I, J, K.(CUP2025-0093)

Approved a Conditional Use Permit and adopted an ordinance, for (insert length of time), for (insert type of use) at (insert address), in accordance with the Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements 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 and is used to the north and east, and a water tower to the west.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required by other Conditional Use Permits in this commercial plaza.
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 multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, and bars. 729 parking spaces are provided as part of a common parking area in the front and rear of the building. Based on the square footage of the building, 70 parking spaces are required. 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. Business should 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 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 Planning Director. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

9. CITY INITIATED ZONINGS

A. REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-1 (LOW DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES:COUNTRY CLUB HEIGHTS LOT 1 SUBDIVISION

HIDALGO COUNTY, TEXAS 2501 SOUTH CYNTHIA STREET AND LOTS 2A-5A 300-317 EAST ZION AVENUE SAN ANGEL COUNTRY LOTS SUBDIVISION HIDALGO COUNTY, TEXAS 1A-17A 2500-2609 SOUTH "C" STREET THE HEIGHTS AT MCCOLL LOTS 1-20 AND 51-65 SUBDIVISION HIDALGO COUNTY, TEXAS 701-1017 EAST JERSEY MEADOW AVENUE LOTS 29-50 AND 66-77 700-1020 EAST KEETON AVENUE LOTS 21A-28 2501-2529 SOUTH "J" STREET (REZ2025-0204)

Approved the zoning R-1 (Low Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- Country Club Heights Lot 1 Subdivision Hidalgo County, Texas
- 2501 South Cynthia Street and Lots 2A-5A 300-317 East Zion Avenue
- San Angel Country Lots Subdivision Hidalgo County, Texas 1A-17A
- 2500-2609 South "C" Street
- The Heights at McColl Lots 1-20 and 51-65 Subdivision Hidalgo County, Texas
- 701-1017 East Jersey Meadow Avenue Lots 29-50 and 66-77
- 700-1020 East Keeton Avenue Lots 21A-28
- 2501-2529 South "J" Street (REZ2025-0204)

B. REZONING FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-3 (HIGH-DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: HEARTHSTONE #3 LOT 1, HEARTHSTONE #2 LOT 1, HEARTHSTONE LOT A1 AND RIDGE PLAZA LOT 17 SUBDIVISION HIDALGO COUNTY, TEXAS (800-1200 E VERMONT AVENUE) LA ESTANCIA APARTMENTS LOT 1 SUBDIVISION HIDALGO COUNTY, TEXAS (2401 SOUTH MCCOLL ROAD) LOTS 78-95 AND 134-150 (700-1021 EAST LA CANTERA AVE) LOTS 101-133 (700-1017 EAST MYRTLE BEECH AVENUE) LOTS 96-100 AND LOT A (2701-2801 SOUTH "J" STREET) (REZ2025-0205)

Approved the R-3 (High-Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- Hearthstone #3 Lot 1, Hearthstone #2 Lot 1, Heartstone Lot A1 and Ridge Plaza Lot 17 Subdivision Hidalgo County, Texas
- 800-1200 E Vermont Avenue
- La Estancia Apartments Subdivision
- 2401 South McColl Road (Lot 1)
- 700-1021 East La Cantera Ave (Lots 78-95 and 134-150)
- 700-1017 East Myrtle Beech Avenue (Lots 101-133)
- 2701-2801 South "J" Street (Lots 96-100 and Lot A) (REZ2025-0205)

C. REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-1 (LOW DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: HOFLAND LOT 1 SUBDIVISION, HIDALGO COUNTY, TEXAS 3 OLD ORCHARD ROAD OLD ORCHARD LOT 1 SUBDIVISION, TEXAS 2 OLD

ORCHARD ROAD OLD ORCHARD NO. 2 LOTS 1-5 SUBDIVISION, HIDALGO COUNTY, TEXAS 4-9 OLD ORCHARD ROAD STN LOT 1 SUBDIVISION, HIDALGO COUNTY, TEXAS 317 BYRON NELSON DRIVE LOMA LINDA LOTS 7-8 BLK 4 SUBDIVISION, HIDALGO COUNTY, TEXAS 312-320 BALES ROAD 401-501 BYRON NELSON AVENUE PIDS: (189378, 189377) 508-512 BALES ROAD PIDS: (674011, 674010) (REZ2025-0206)

Approved the R-1 (Low Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- Hofland Lot 1 Subdivision, Hidalgo County, Texas
- 3 Old Orchard Road
- Old Orchard Lot 1 Subdivision, Hidalgo County, Texas
- 2 Old Orchard Road Old Orchard No. 2 Lots 1-5 Subdivision, Hidalgo County, Texas
- 4-9 Old Orchard Road
- STN Lot 1 Subdivision, Hidalgo County, Texas
- 317 Byron Nelson Drive
- Loma Linda Lots 7-8 BLK 4 Subdivision, Hidalgo County, Texas
- 312-320 Bales Road
- 401-501 Byron Nelson Avenue PIDS: (189378, 189377)
- 508-512 Bales Road PIDS: (674011, 674010) (REZ2025-0206)

D. REZONING FROM R-3T (MULTI-FAMILY RESIDENTIAL TOWNHOUSE-OC) DISTRICT AND R-3C (MULTI-FAMILY RESIDENTIAL CONDOMINIUMS-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-3 (HIGH DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: PASEO DEL LAGO TOWNHOMES SUBDIVISION, LOTS 1-12 & 23-31, HIDALGO COUNTY, TEXAS: 3900-3923 SOUTH "M" LANE PASEO DEL LAGO TOWNHOMES SUBDIVISION, LOTS 13-22 & LOTS A-D, HIDALGO COUNTY, TEXAS: 1410-1434 EAST SUNDOWN DRIVE (REZ2025-0221)

Approved the R-3 (High Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- Paseo Del Lago Townhomes Subdivision, Lots 1-12 & 23-31, Hidalgo County, Texas
- 3900-3923 South "M" Lane
- Paseo Del Lago Townhomes Subdivision, Lots 13-22 & Lots A-D, Hidalgo County, Texas
- 1410-1434 East Sundown Drive (REZ2025-0221)

E. REZONING FROM R-3T (MULTI-FAMILY RESIDENTIAL TOWNHOUSE-OC) DISTRICT AND R-3C (MULTI-FAMILY RESIDENTIAL CONDOMINIUMS-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-3 (HIGH DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: LAS VILLITAS SUBDIVISION LOTS 21-58, HIDALGO COUNTY, TEXAS; 500-636 EAST SANDYHILLS AVENUE; LAS VILLITAS SUBDIVISION LOTS 1-20 & 59-78), HIDALGO COUNTY,

TEXAS; 500-637 EAST THORNHILL AVENUE LAS VILLITAS SUBDIVISION LOTS A-C & 79-87 & 91-96, HIDALGO COUNTY, TEXAS 501-601 EAST UPHALL AVENUE LAS VILLITAS SUBDIVISION LOTS 88-90 & 97-110, HIDALGO COUNTY, TEXAS 3800-3849 SOUTH D STREET LAS VILLITAS SUBDIVISION LOTS 111-124, HIDALGO COUNTY, TEXAS 3800-3825 SOUTH E STREET LA VIDA HERMOSA SUBDIVISION LOT 1, HIDALGO COUNTY, TEXAS 500 E EL RANCHO ROAD 3517 SOUTH MCCOLL ROAD (PID 290260) (REZ2025-0223)

Approved the R-3 (High Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- Las Villita's Subdivision Lots 21-58, Hidalgo County, Texas
- 500-636 East Sandy hills Avenue
- Las Villita's Subdivision Lots 1-20 & 59-78), Hidalgo County, Texas
- 500-637 East Thornhill Avenue
- Las Villita's Subdivision Lots of A-C & 79-87 & 91-96, Hidalgo County, Texas
- 501-601 East Uphall Avenue
- Las Villita's Subdivision Lots 88-90 & 97-110, Hidalgo County, Texas
- 3800-3849 South D Street
- Las Villita's Subdivision Lots 111-124, Hidalgo County, Texas
- 3800-3825 South E Street
- La Vida Hermosa Subdivision Lot 1, Hidalgo County, Texas
- 500 El Rancho Road
- 3517 South McColl Road (PID 290260) (REZ2025-0223)

F. REZONING FROM C-3 (GENERAL BUSINESS-OC) DISTRICT UNDER THE OLD CODE (OC) TO C-2 (REGIONAL COMMERCIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: IDELAS CORNER SUBDIVISION LOT 1, HIDALGO COUNTY, TEXAS 4524 SOUTH WARE ROAD (REZ2025-0224)

Approved the C-2 (Regional Commercial-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- Idelas Corner Subdivision Lot 1, Hidalgo County, Texas
- 4524 South Ware Road (REZ2025-0224)

G. REZONING FROM R-1 (SINGLE-FAMILY RESIDENTIAL-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-1 (LOW-DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: 2305 SOUTH 26TH STREET (PID: 211110) (REZ2025-0226)

Approved the R-1 (Low-Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- 2305 South 26th Street (PID: 211110) (REZ2025-0226)

H. REZONING FROM R-3T (MULTI-FAMILY RESIDENTIAL TOWNHOUSE-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-3 (HIGH DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: 201-301 BALES ROAD (NORTH CHATEAU HEIGHTS 1-24) 3100 SOUTH 2ND STREET (CHATEAU HEIGHTS BLK 4-9, 13) (REZ2025-0229)

Approved the R-3 (High Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- 201-301 Bales Road (NORTH CHATEAU HEIGHTS 1-24)
- 3100 South 2nd Street (CHATEAU HEIGHTS BLK 4-9, 13) (REZ2025-0229)

I. REZONING FROM R-1 (SINGLE FAMILY RESIDENTIAL-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-1 (LOW DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: 2725-2729 SOUTH 29TH STREET (PROP ID: 230698, 230699) (REZ2025-0230)

Approved the R-1 (Low Density Residential-UDC) District under the new Unified Development Code (UDC) for the following properties:

- 2725-2729 South 29th Street (Prop ID: 230698, 230699) (REZ2025-0230)

J. REZONING FROM R-1 (SINGLE FAMILY RESIDENTIAL-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-1 (LOW DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: 2716-2800 SOUTH 26TH STREET (PROP ID: 230703, 230704) 2720 SOUTH 26TH 1/2 STREET (PROP ID: 230702) (REZ2025-0231)

Approved the R-1 (Low Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- 2716-2800 South 26th Street (Prop ID: 230703, 230704)
- 2720 South 26th 1/2 Street (Prop ID: 230702) (REZ2025-0231)

K. REZONING FROM R-3A (MULTIFAMILY RESIDENTIAL APARTMENT-OC) DISTRICT UNDER THE OLD CODE (OC) TO R-3 (HIGH-DENSITY RESIDENTIAL-UDC) DISTRICT UNDER THE NEW UNIFIED DEVELOPMENT CODE (UDC) FOR THE FOLLOWING PROPERTIES: 301 EAST HACKBERRY AVENUE (PID: 1568078) (REZ2025-0236)

Approved the R-3 (High-Density Residential-UDC) District zoning under the new Unified Development Code (UDC) for the following properties:

- 301 East Hackberry Avenue (PID: 1568078) (REZ2025-0236)

B) AMENDING THE ORDINANCE OF THE CITY OF MCALLEN.

Commissioner Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. 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 Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda except for Item 2B5 to be addressed separately and Commissioner Joaquin Zamora seconded. The motion carried unanimously.

A) APPROVAL OF MINUTES FOR WORKSHOP AND REGULAR MEETING HELD OCTOBER 27, 2025.

The minutes of the Workshop and Regular meeting held October 27, 2025, were reviewed and approved as submitted.

B) CONSENT COOP PURCHASES

1. AWARD OF CONTRACT FOR THE PURCHASE OF A FIRE ENGINE (PROJECT NO. 11-25-P06-01).

Awarded a contract to Metro Fire Apparatus Specialists, Inc. in the amount of \$1,297,239 for the purchase of a Fire Engine.

2. AWARD OF CONTRACT FOR THE PURCHASE OF VARIOUS REFUSE CONTAINERS THROUGH COOPERATIVE PURCHASING CONTRACTS (PROJECT NO. 11-25-P09-01).

Awarded a contract to Box Gang Manufacturing in the amount of \$141,673 for the purchase of various refuse containers.

3. AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL KOBELCO EXCAVATOR (PROJECT NO. 11-25-P04-01).

Awarded a contract to Anderson Machinery in the amount of \$376,235.42 for the purchase of One (1) New Current Model Kobelco Excavator.

4. AWARD OF CONTRACT FOR THE PROCUREMENT CARD PROGRAM FOR THE CITY OF MCALLEN THROUGH TARRANT COUNTY COOPERATIVE (PROJECT NO. 11-25-S04-03).

Awarded a contract to JP Morgan for an initial term of three (3) years for the Procurement Card Program.

5. CONSIDERATION AND APPROVAL OF A SELECTION OF HIGHEST-SCORING FIRMS FOR THE GENERAL CIVIL ENGINEERING SERVICES POOL 2025 (PROJECT NO. 08-25-S89-557).

Approved the selection of 21 highest-scoring firms for Professional Civil Engineering Services Pool for an initial term of one (1) year. Additionally, the contract may be extended to one (1) year increments upon approval from the City Manager, as long as performance and service remain satisfactory.

C) CONSENT RESOLUTIONS

1. RESOLUTION TO ENTER INTO AN ADVANCED FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN INTELLIGENT TRANSPORTATION SYSTEM (ITS) PLAN.

Approved a resolution entering into an Advanced Funding Agreement (AFA) with the Texas Department of Transportation for an Intelligent Transportation System (ITS) Plan.

2. RESOLUTION TO ENTER INTO AN ADVANCED FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN ACTIVE TRANSPORTATION PLAN (ATP).

Approved a resolution entering into an Advanced Funding Agreement (AFA) with the Texas Department of Transportation for an Active Transportation Plan (ATP).

3. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE FOR FUNDING UNDER THE FISCAL YEAR 2026 BULLET-RESISTANT COMPONENTS FOR LAW ENFORCEMENT VEHICLES PROGRAM.

Approved a resolution authorizing the submission of a grant application to the Office of the Governor, Public Safety Office for funding under the Fiscal Year 2026 Bullet-Resistant Components for Law Enforcement Vehicles Program.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THE CONSULTING SERVICES FOR COORDINATION AND PLANNING SUPPORT ON FEDERAL PROJECTS THROUGH THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION (RGVMPO) (PROJECT NO. 11-25-S11-01).

Staff recommended award of contract to GDJ Engineering LLC in the amount of \$44,353.28 for the consulting services for coordination and planning support on federal projects through the Rio Grande Valley Metropolitan Planning Organization (RGVMPO).

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

B) AWARD OF CONTRACT FOR FREDDY GONZALEZ DRIVE ROADWAY IMPROVEMENTS FROM FM494 (SHARY RD.) TO SH336 (10TH STREET) (PROJECT NO. 11-25-S12-01).

Staff recommended award of contract to GDJ Engineering LLC in the amount of \$634,150.64 for the Freddy Gonzalez Drive Roadway Improvements from FM494 (Shary Rd.) to SH 336 (10th Street).

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Rolando “Rolly” Rios. The motion carried unanimously.

C) AWARD OF CONTRACT FOR THE HARVEY AVENUE STORMWATER PUMP STATION IMPROVEMENTS (PROJECT NO. 10-25-C04-1090).

Staff recommended award of contract to RGV Industrial Machine Shop & Pumps, LLC in the amount of \$768,920 for the Harvey Avenue Stormwater Pump Station Improvements.

Commissioner Joaquin Zamora moved to award the contract as recommended and seconded by Commissioner Rolando “Rolly” Rios. The motion carried unanimously.

D) AWARD OF CONTRACT FOR THE ROBIN DITCH - NORTHWEST BLUELINE INTERCONNECT IMPROVEMENTS (PROJECT NO. 10-25-C02-645).

Staff recommended award of contract to Artillery LLC in the amount of \$125,000.00 for the Robin Ditch - Northwest Blueline Interconnect Improvements Project.

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

E) AWARD OF CONTRACT FOR THE EL RANCHO PARK PROJECT (PROJECT NO. 10-25-C01-1230).

Staff recommended award of contract to Fuerza Construction LLC in the amount of \$263,724.00 for the El Rancho Park Project.

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

4. ORDINANCE

A) PROVIDING FOR A BUDGET AMENDMENT FOR THE EDERRA, LLC PROPERTY AT LA LOMITA IRRIGATION & CONSTRUCTION COMPANY SUBDIVISION.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$7.5 million to fund Ederra LLC property, La Lomita Irrigation and Construction Company Subdivision.

Commissioner Joaquin Zamora moved to adopt the ordinance as recommended and seconded by Commissioner Rodolfo “Rudy” Castillo. The motion carried unanimously.

5. RESOLUTION

A) RESOLUTION CASTING VOTES FOR THE HIDALGO COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

Staff recommended approval of a resolution authorizing 112 votes to Richard A. Garza for the upcoming election of the Hidalgo County Appraisal District Board of Directors

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

6. MANAGER'S REPORT

A) FUTURE AGENDA ITEMS.

Items of upcoming workshops were reviewed as follows: No future agenda items were discussed.

7. TABLED ITEM

A) CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE THE SUBDIVISION PROCESS AT THE 5.35 ACRES OF LAND OUT OF LOT 11, SECTION 280, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS; 11421 NORTH 23RD STREET.

Said item was withdrawn by applicant.

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).

On behalf of the Presiding Officer, City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney on Item 8A.

Mayor Javier Villalobos recessed the meeting at 5:15 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 5:34 pm and noting the following city commission members present: Mayor Javier Villalobos, Mayor Pro Tem Victor "Seby" Haddad, Commissioner Rolando "Rolly" Rios, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Joaquin Zamora, Commissioner Rodolfo "Rudy" Castillo and Commissioner Jose R. "Pepe" Cabeza de Vaca

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

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to instruct the City Manager and City Attorney to proceed as discussed in Executive Session and seconded by Commissioner Rodolfo "Rudy" Castillo. The motion carried unanimously.

ADJOURNMENT

Without objection the meeting was adjourned at 5:45 p.m.

Attest:

Javier Villalobos, Mayor

Perla Lara, TRMC/CMC, CPM
City Secretary



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.B.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Subdivision Monthly Report.

2. Party Making Request: Luis Mora

3. Applicant:

4. Nature of Request: Subdivision Monthly Report

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Jessica Cavazos

Created/Initiated - 11/14/2025

Omar Sotelo

Approved - 11/14/2025

Michelle Rivera

Approved - 11/17/2025

Austin Stevenson

Final Approval - 11/17/2025

8. Staff Recommendation: Staff Recommends Approval

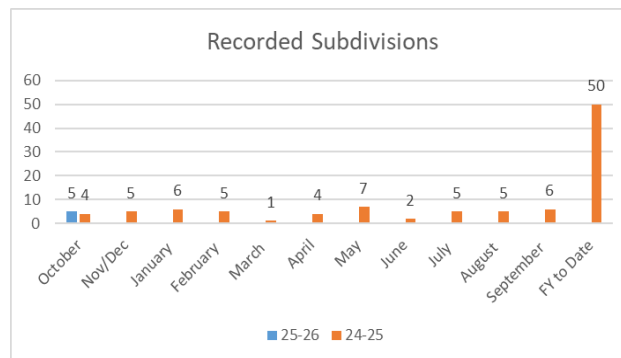
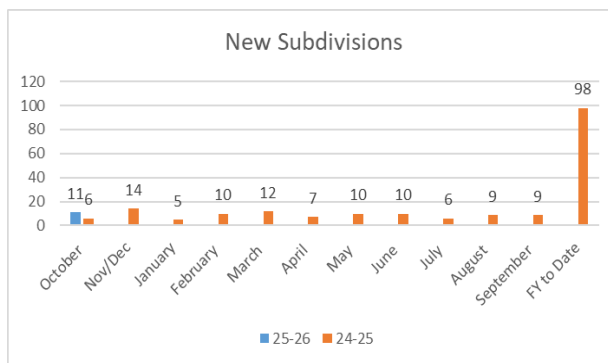
9. Advisory Board:

10. City Attorney: Approve -AWS

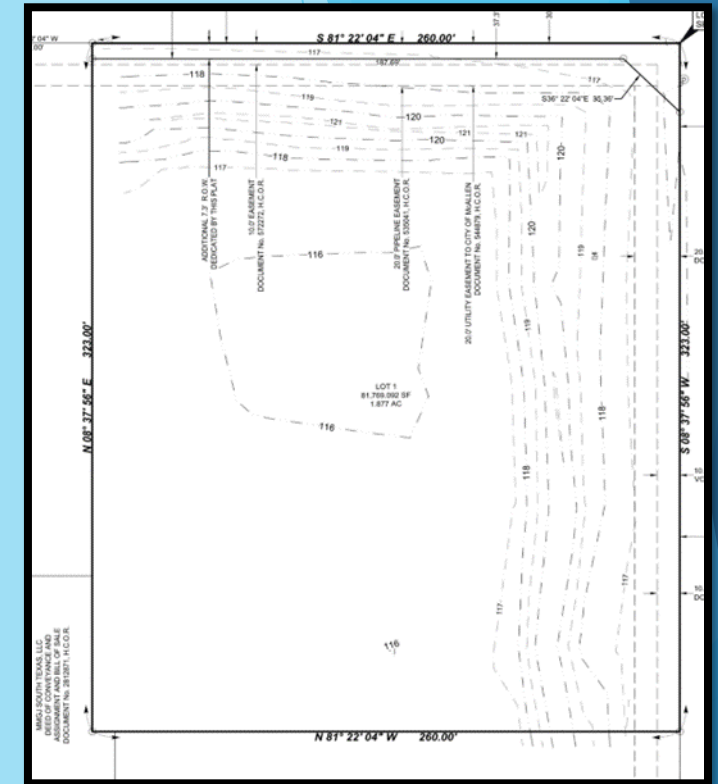
11. Manager's Recommendation: None. IJT



	Zoning	Type of Development	Number of Lot:	Acres
New Subdivisions				
1. 7-11 Mcallen Subdivision	C-3	Commercial	1	1.93
2. ABA Estates Subdivision	C-3	Commercial	1	2.15
3. Capricorn Estates Subdivision	R-3A	Residential/Apartments	1	0.24
4. Covenant Christian Academy Subdivision	R-1	Christian Academy	1	15.18
5. Eider Subdivision	C-4	Commercial	1	7.05
6. Enclave on Freddy	R-1	Garden Homes	100	15.89
7. Misodi Subdivision	C-4	Commercial	1	4.77
8. The Hills on 10th Subdivision	R-1,R-1 & C-3	Single Family Residential	29	10.42
9. Villas at Primrose Subdivision	R-3A	Multi-family Residential	1	4.37
10. Ware Road Deveelopment Subdivision	C-3	Commercial	4	6.74
11. Warehouse Kingdom Subdivision Phase III	I-1	Warehouse	1	10.28
Recorded Subdivisions				
1. Bright Wood Subdivision	R-3A	Residential/Townhouses	99	19.94
2. Harvest Cove Phase II Subdivision	R-1	Single Family Residential	99	17.44
3. Haven Hill Subdivision	A-0	Single Family Residential	46	9.53
4. Oaks at Northgate Subdivision	R-1	Residential	1	0.70
5. Pecan Luxury Living Subdivision	R-3A	Residential/Apartments	1	7.80



Acres: 1.93



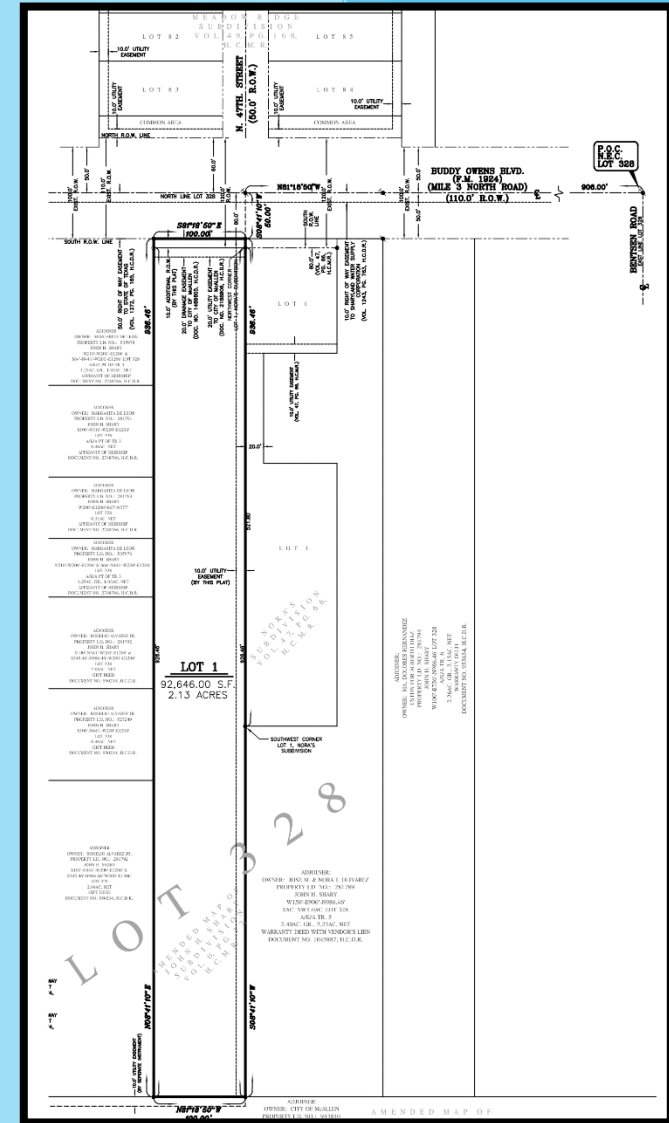
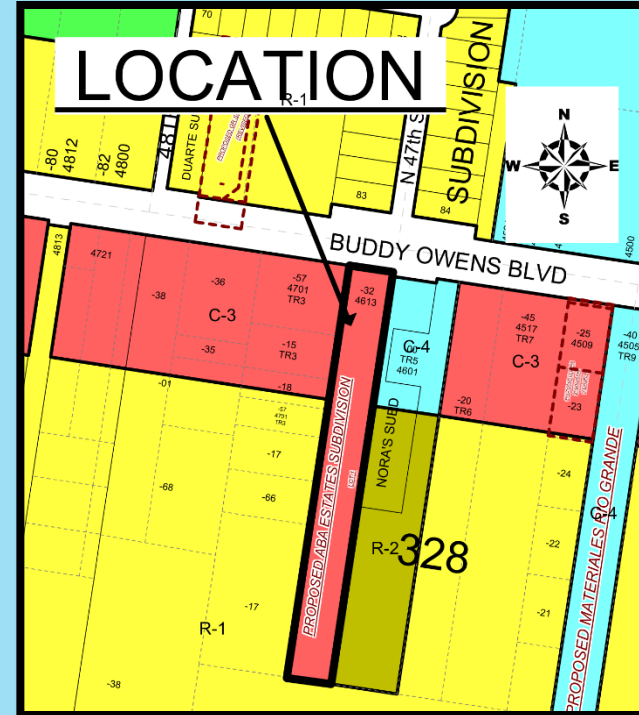
ABA Estates Subdivision

Zoning: C-3

Type of Development: Commercial

Lots: 1

Acres: 2.15



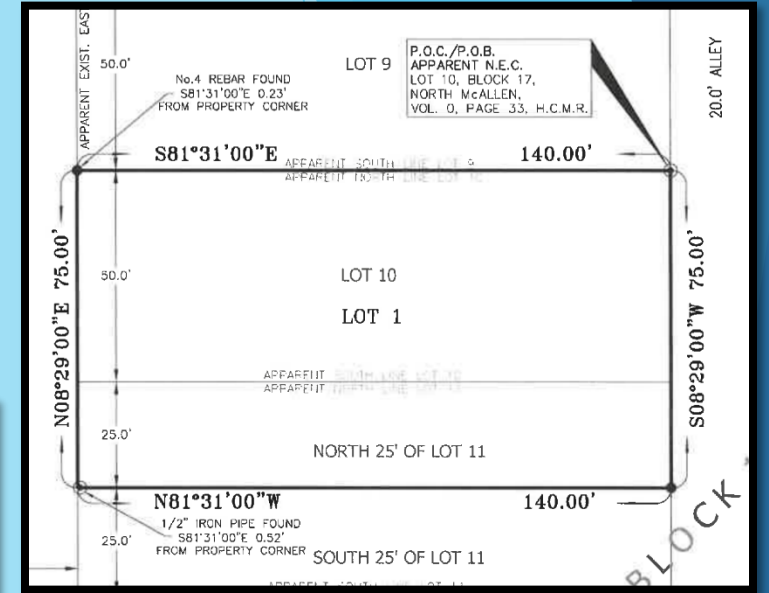
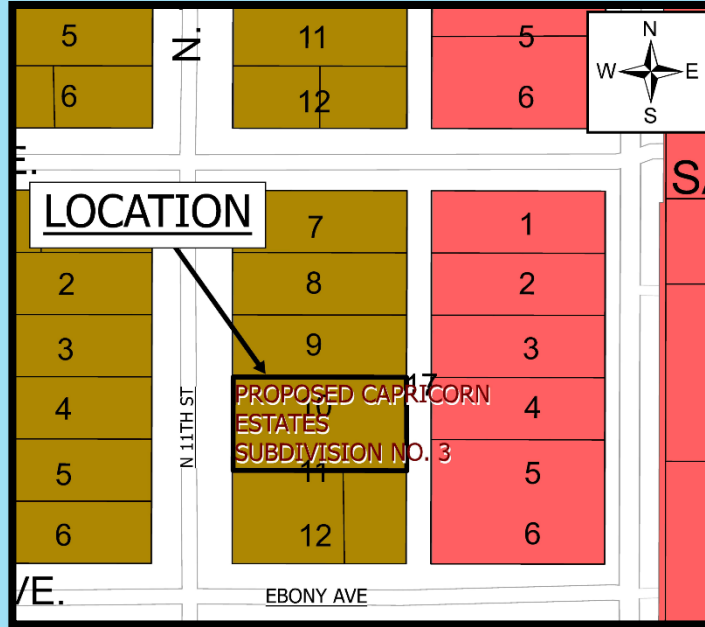
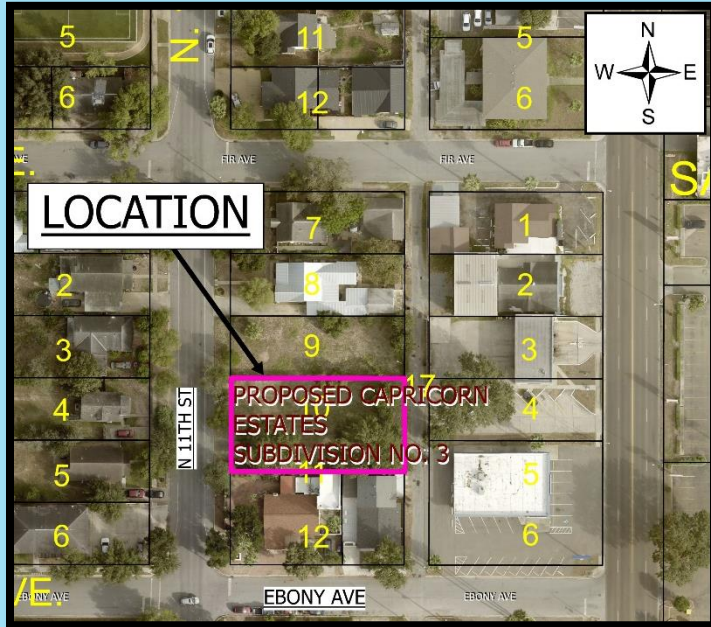
Capricorn Estates Subdivision

Zoning: R-3A

Type of Development: Residential/Apartments

Lots: 1

Acres: 0.24



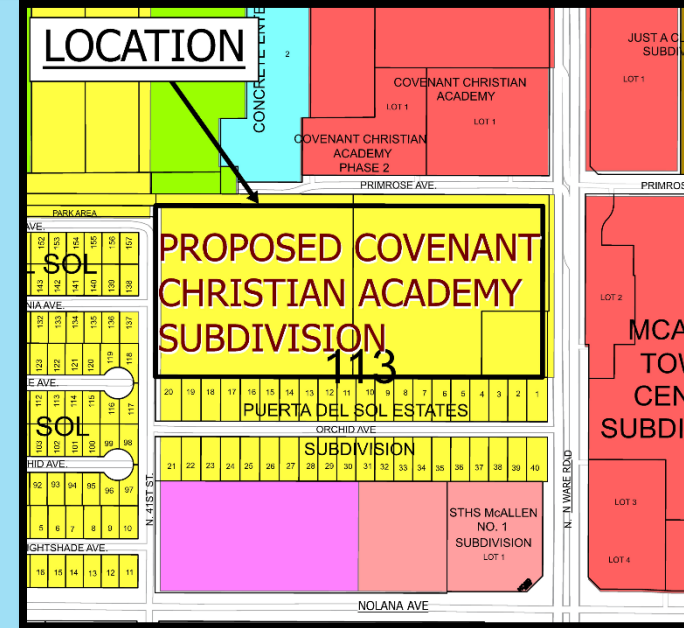
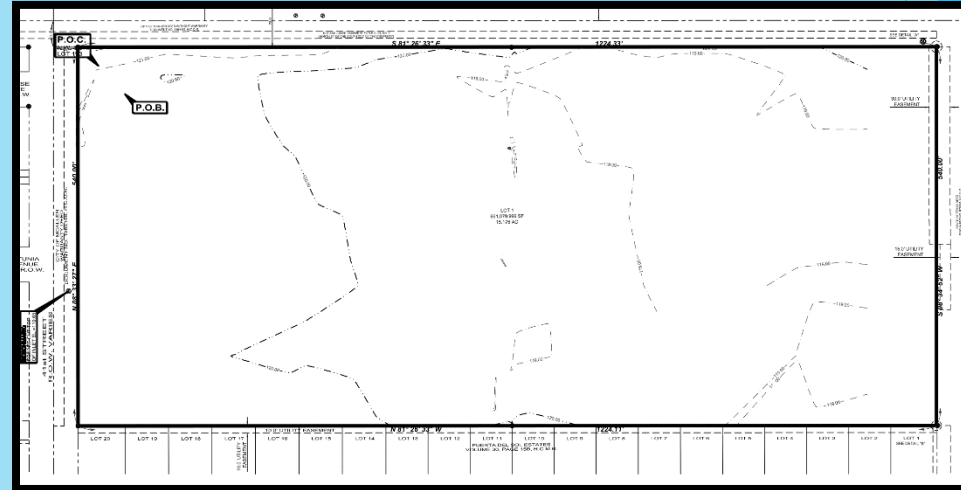
Covenant Christian Academy Subdivision

Zoning: R-1

Type of Development: Christian Academy

Lots: 1

Acres: 15.89



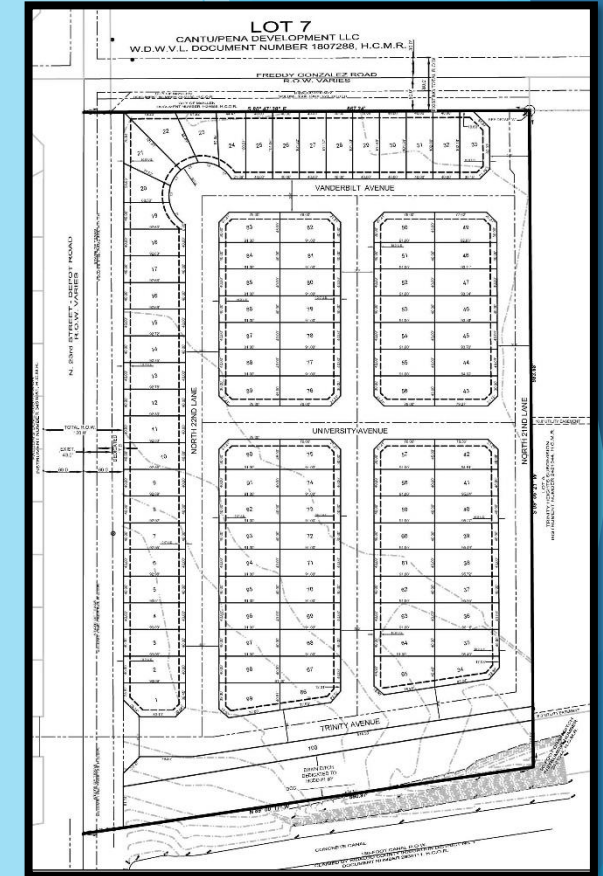
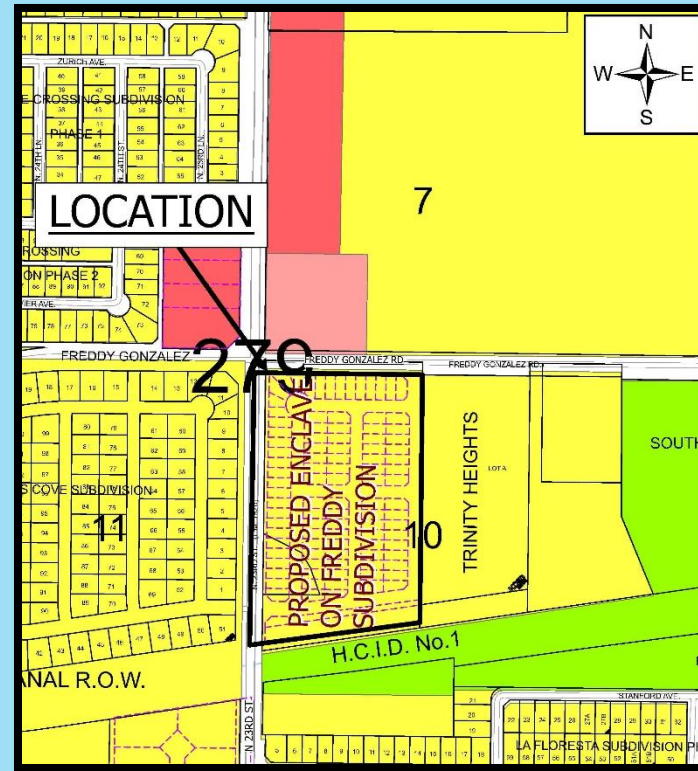
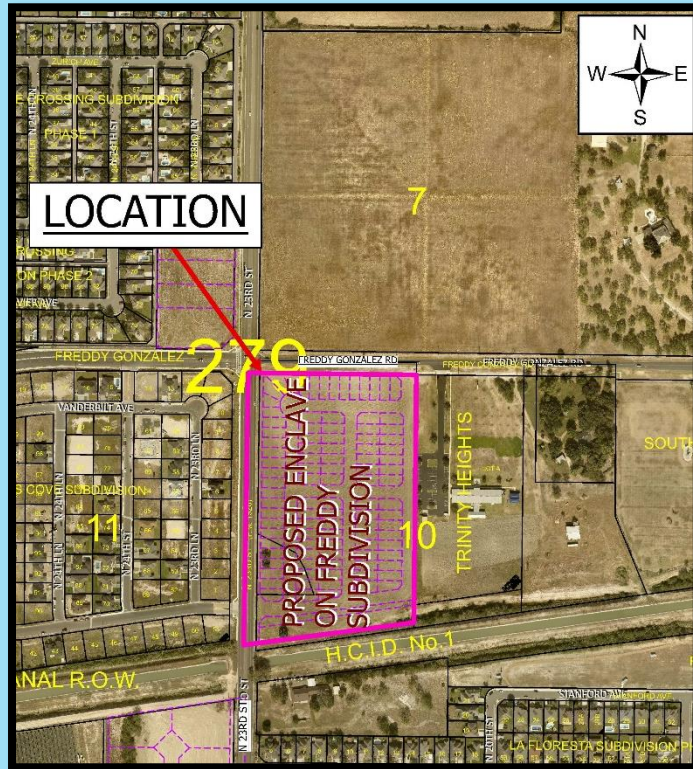
Enclave on Freddy Subdivision

Zoning: R-1

Type of Development: Garden Homes

Lots: 100

Acres: 15.89



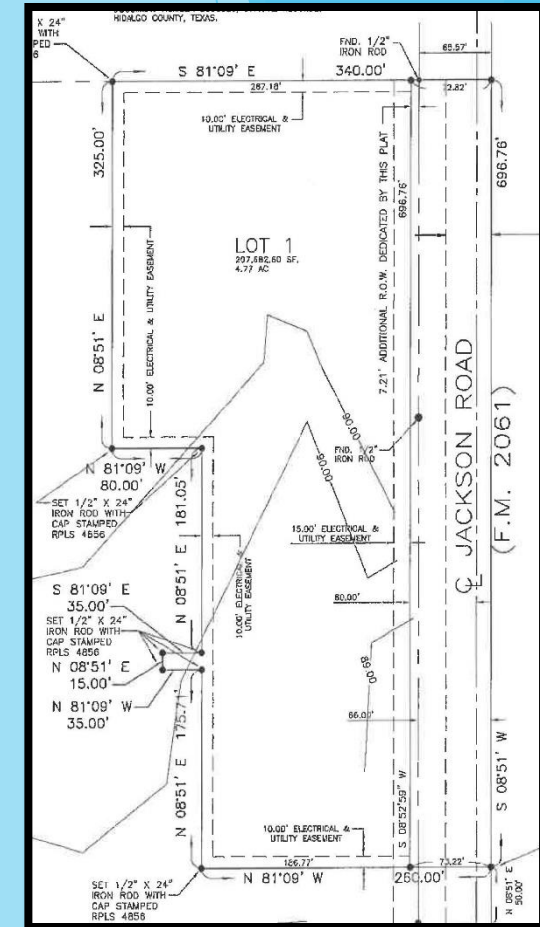
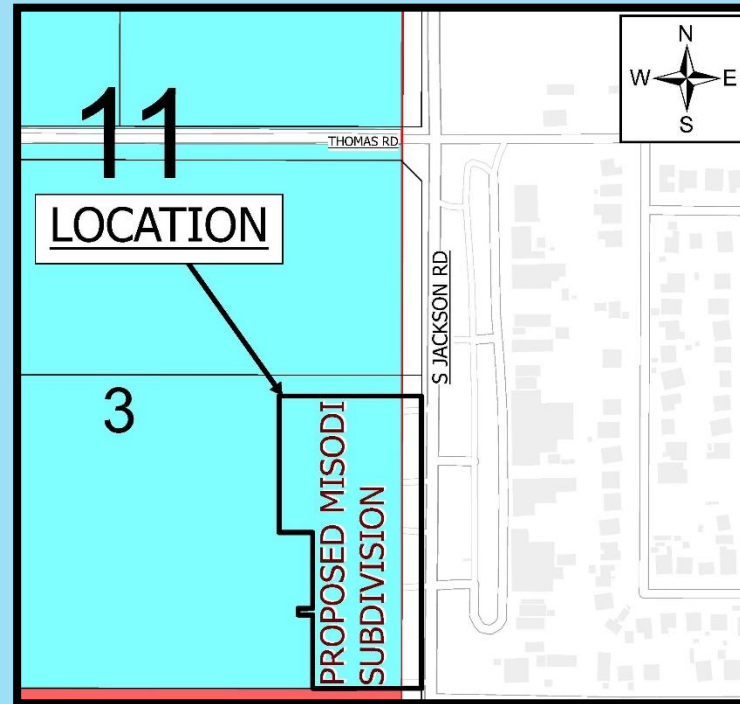
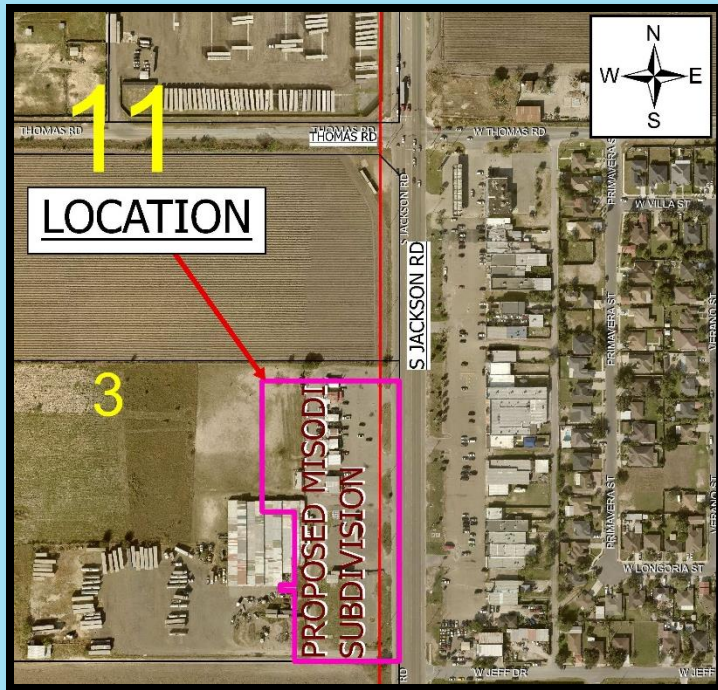
Misodi Subdivision

Zoning: C-4

Type of Development: Commercial

Lots: 1

Acres: 4.77



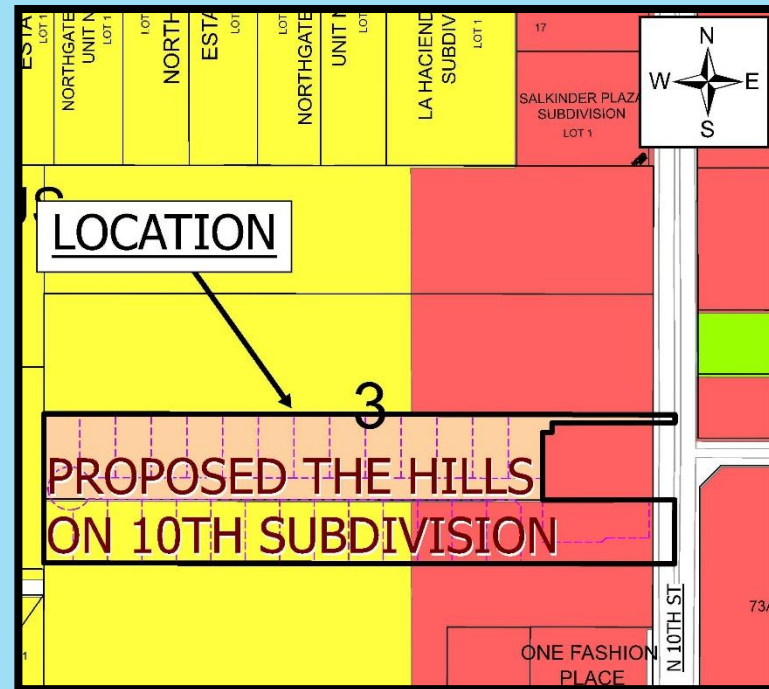
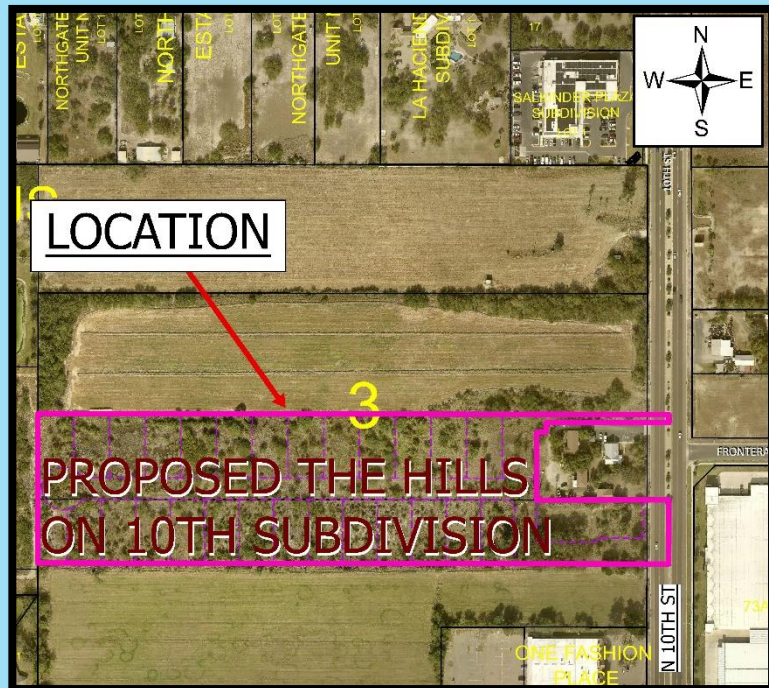
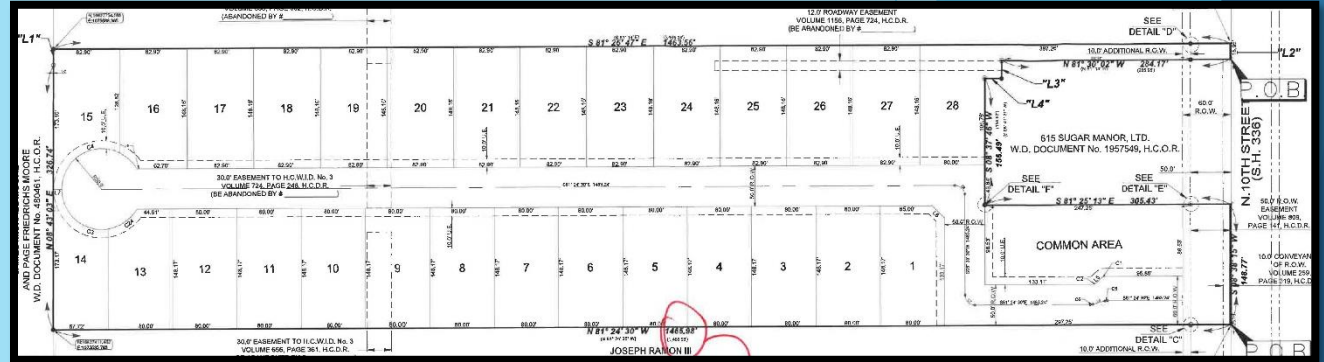
The Hills on 10th Subdivision

Zoning: R-1,R-1 & C-3

Type of Development: Single Family Residential

Lots: 29

Acres: 10.42



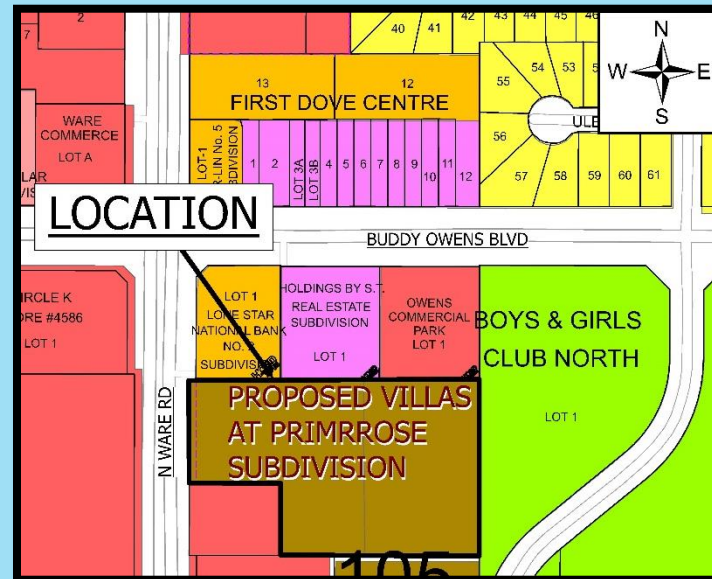
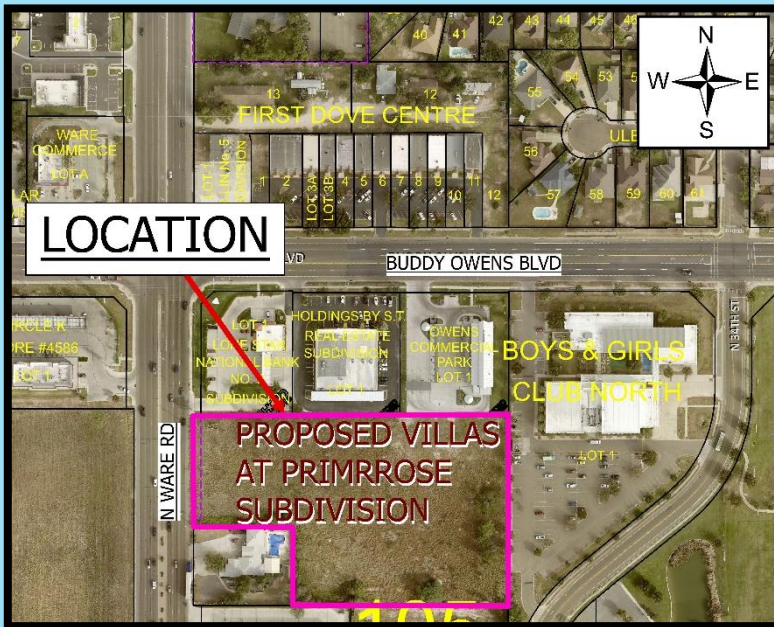
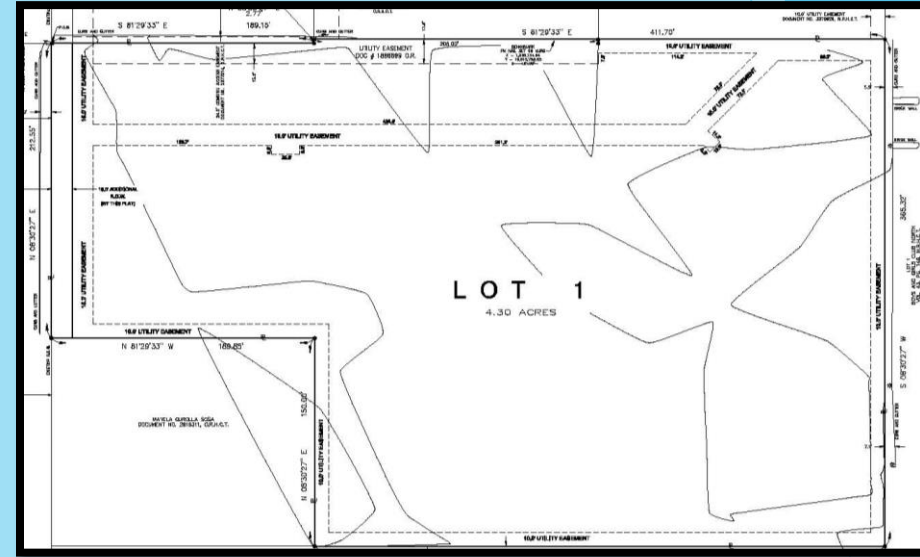
Villas at Tres Lagos Phase 2 Subdivision

Zoning: R-3T

Type of Development: Residential

Lots: 51

Acres: 5.75



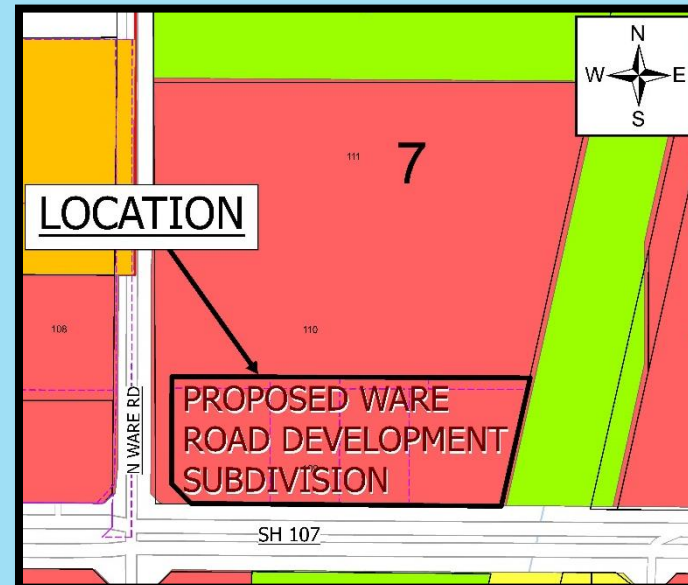
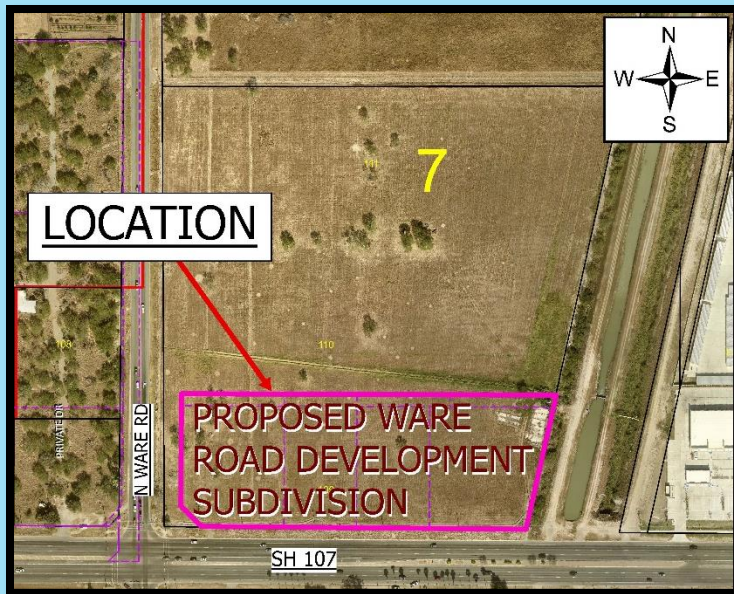
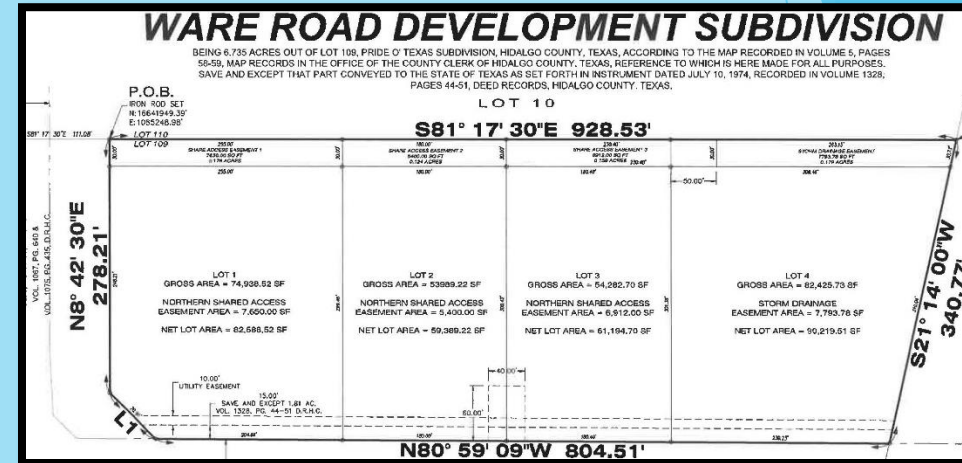
Ware Road Development Subdivision

Zoning: C-3

Type of Development: Single Family Residential

Lots: 4

Acres: 6.74



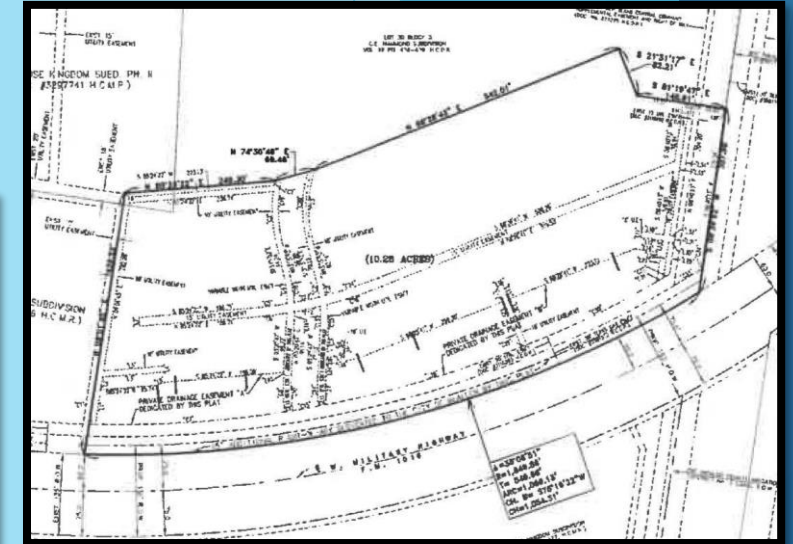
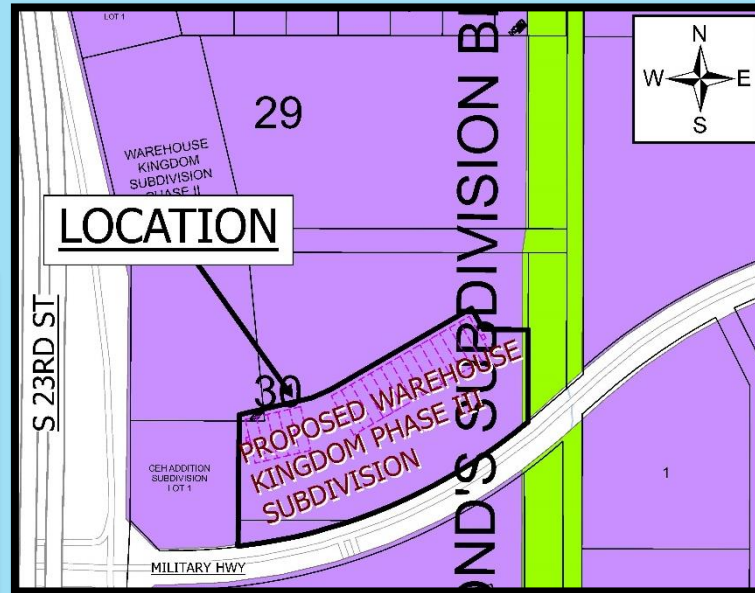
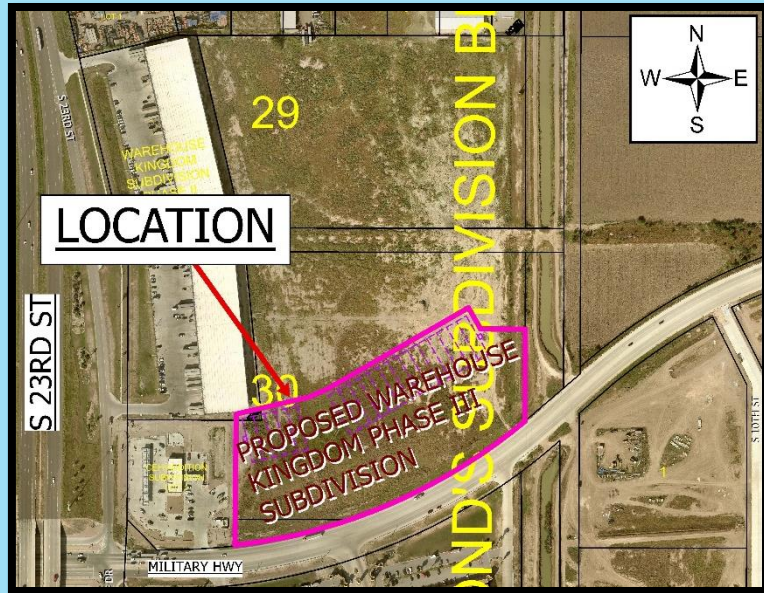
Warehouse Kingdom Subdivision Phase III

Zoning: I-1

Type of Development: Warehouse

Lots: 1

Acres: 10.28



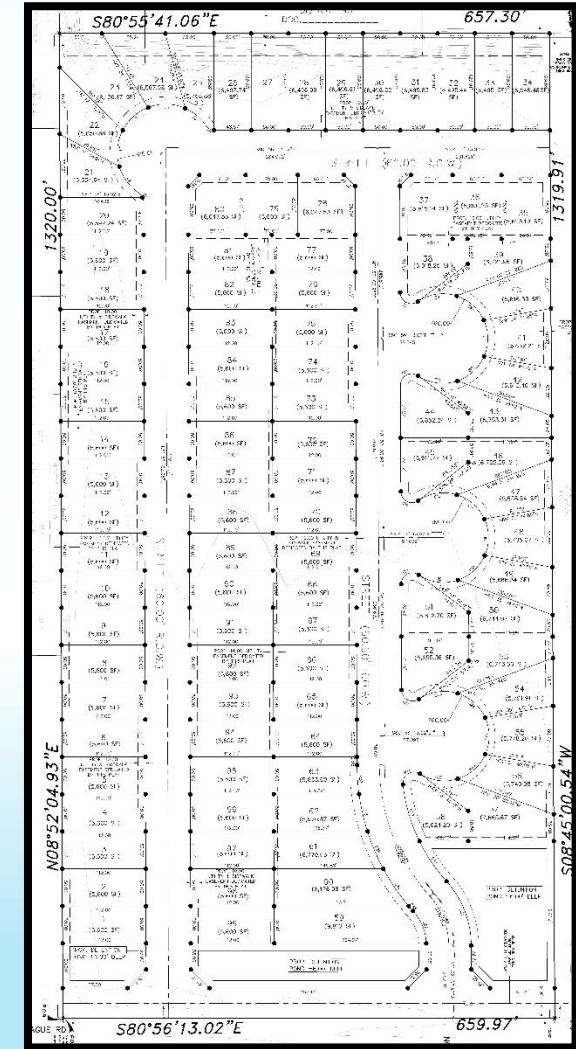
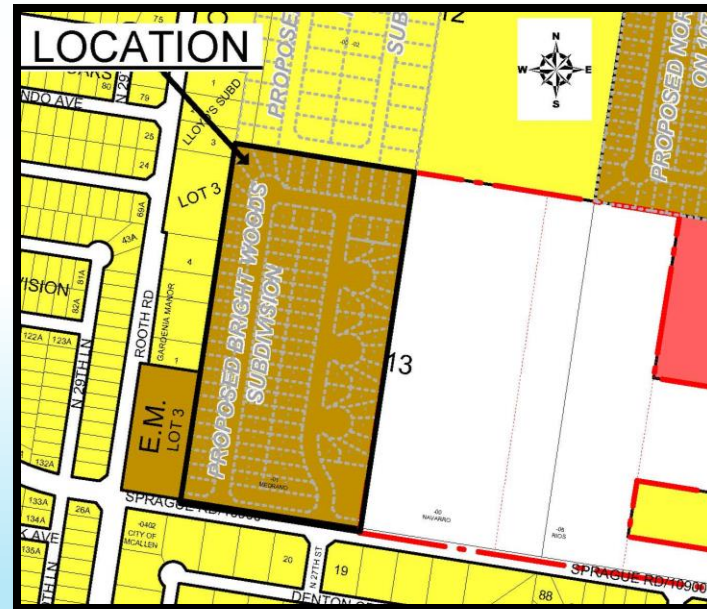
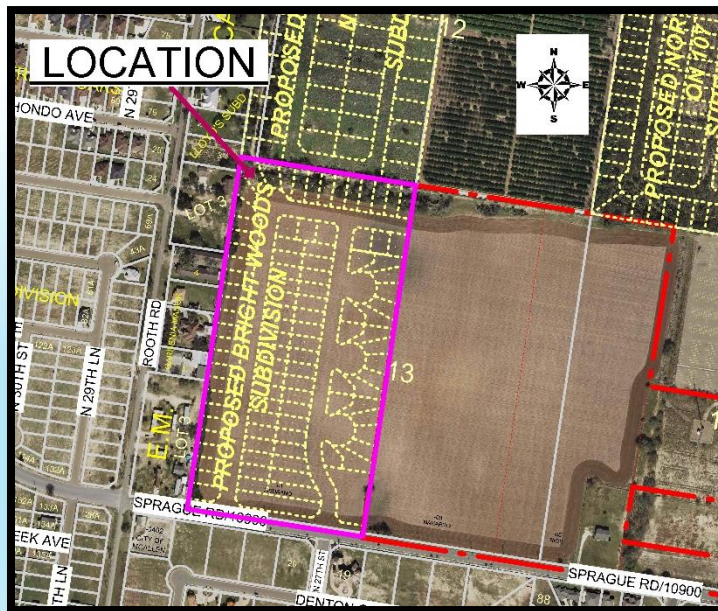
Bright Wood Subdivision

Zoning: R-3A

Type of Development: Residential/Townhouses

Lots: 99

Acres: 19.94



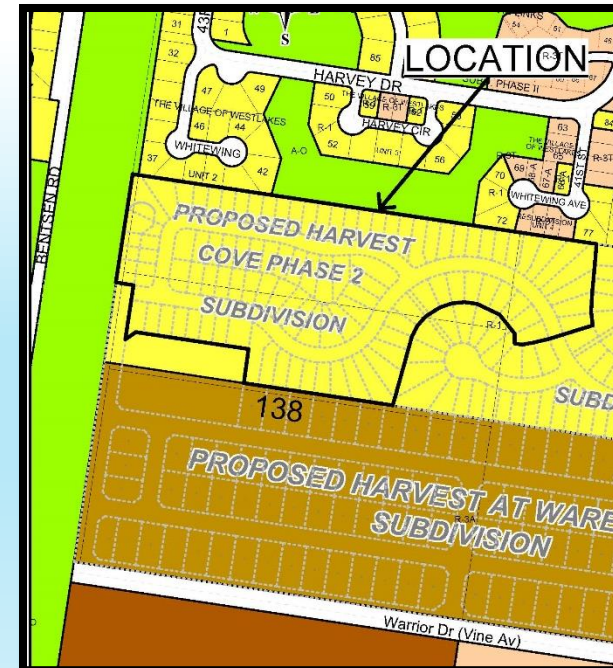
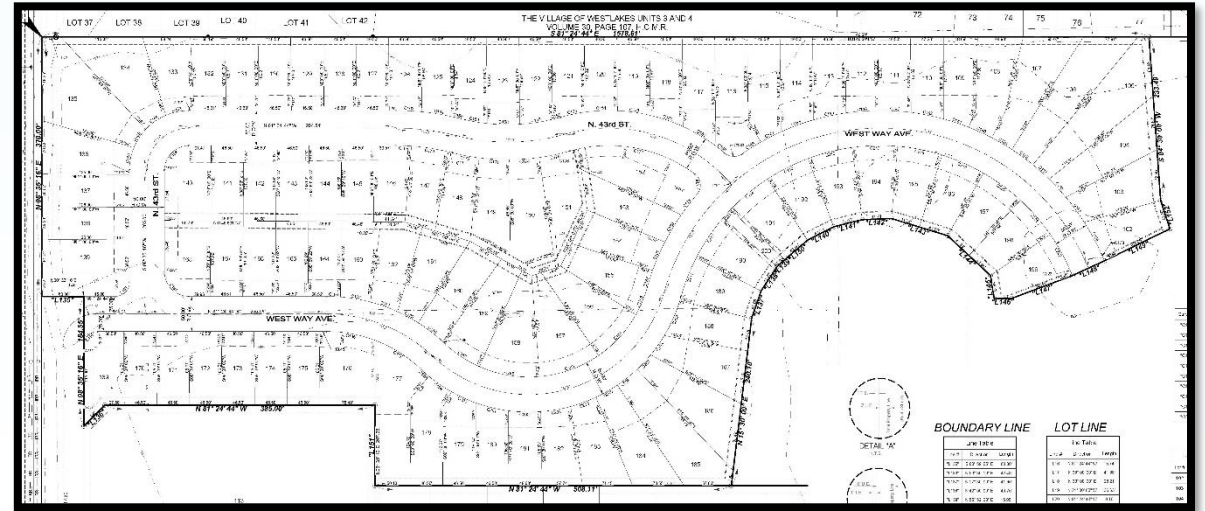
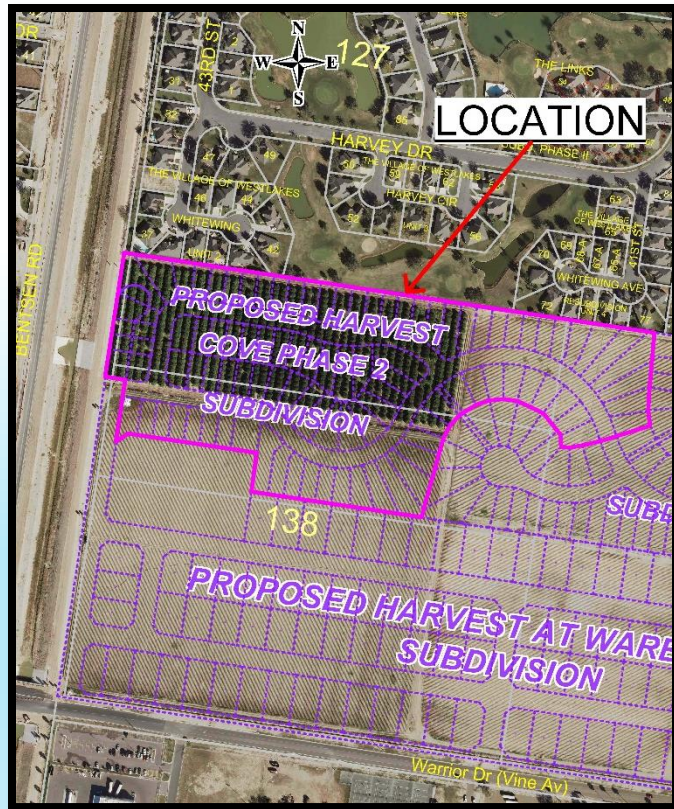
Harvest Cove Phase II Subdivision

Zoning: R-1

Type of Development: Single Family Residential

Lots: 99

Acres: 17.44



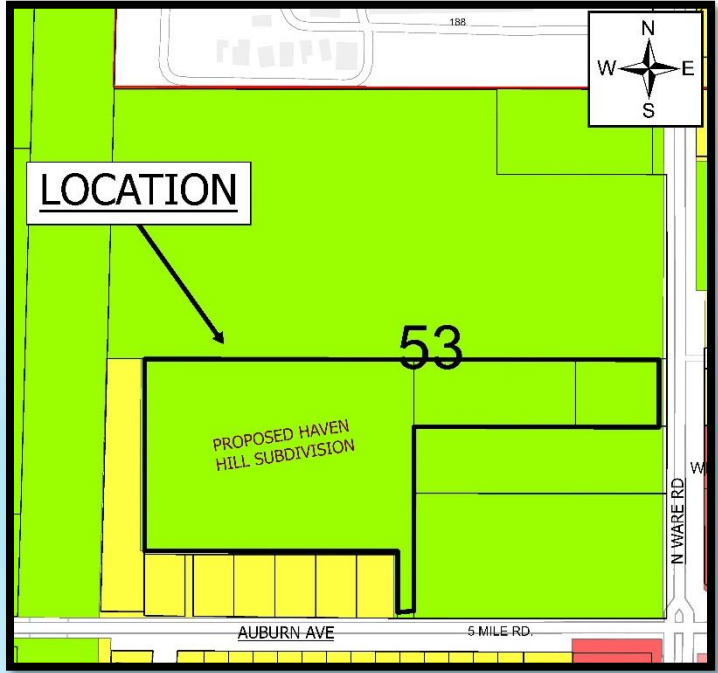
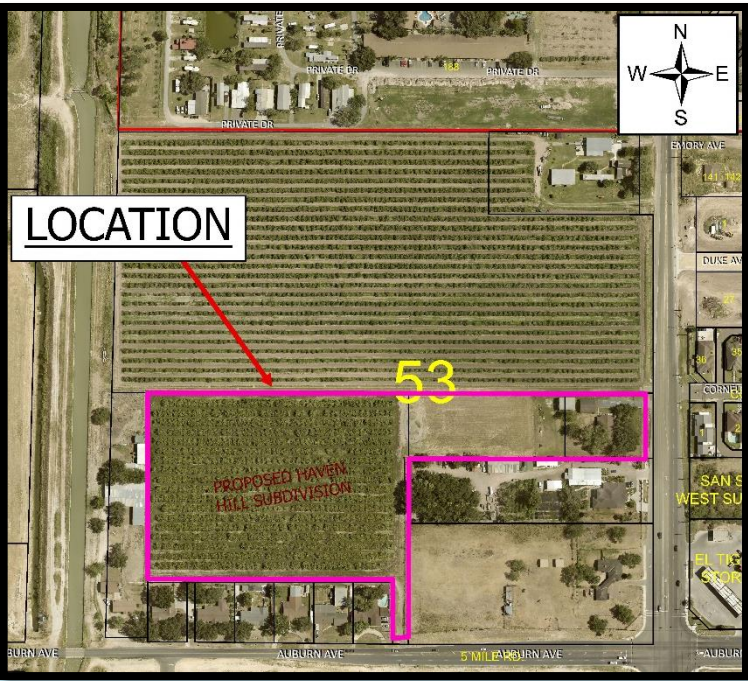
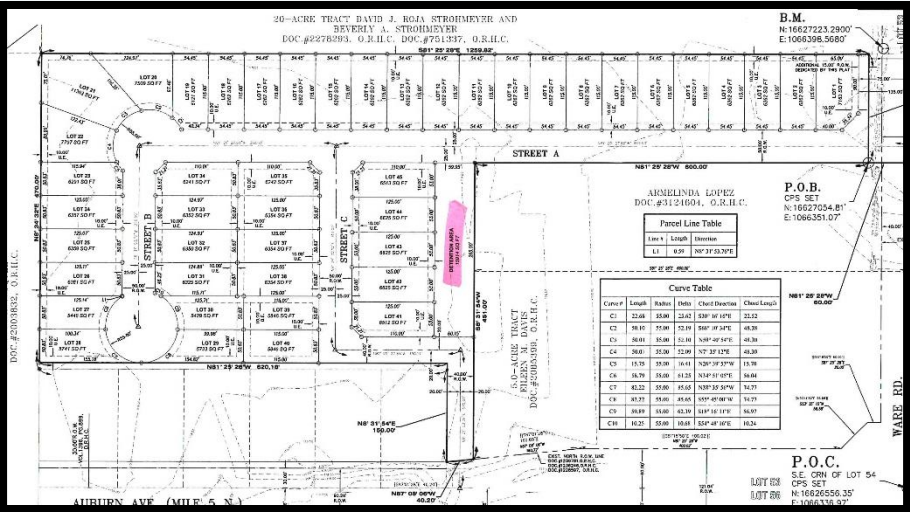
Haven Hill Subdivision

Zoning: A-O

Type of Development: Single Family Residential

Lots: 46

Acres: 9.53



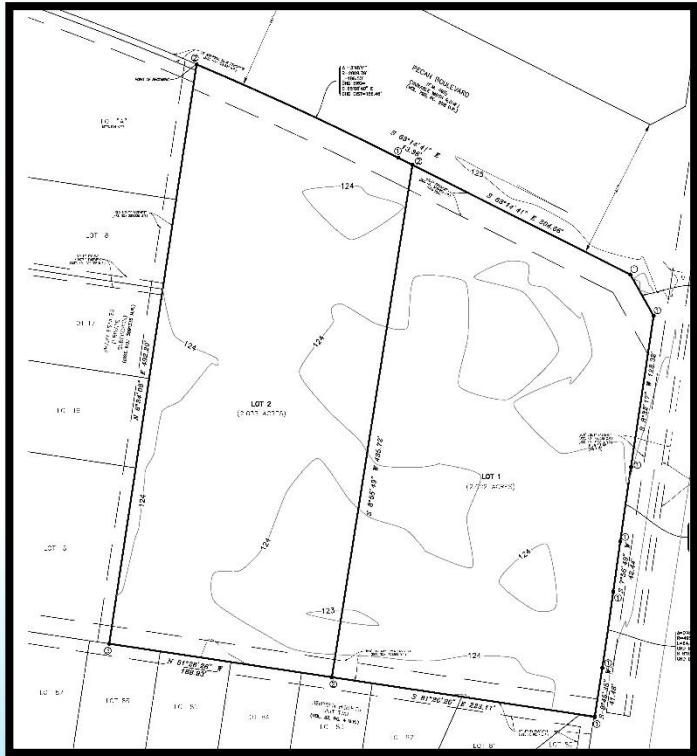
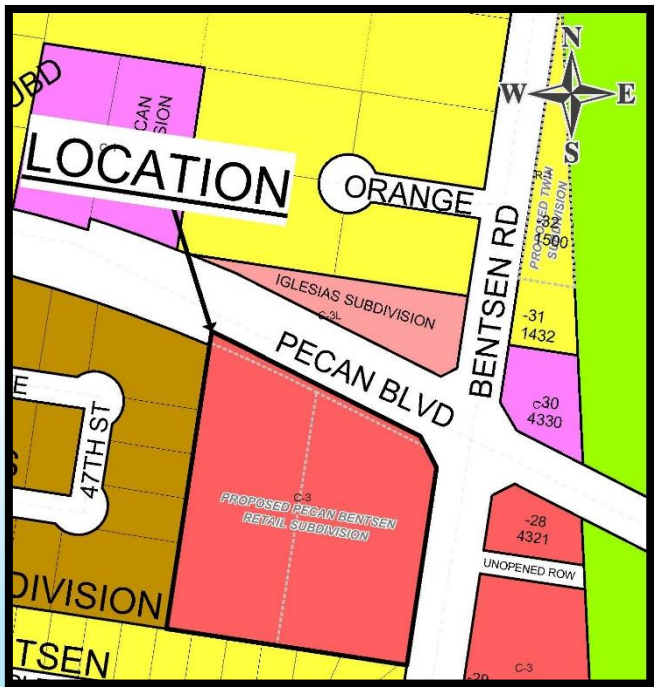
Pecan Luxury Living Subdivision

Zoning: R-3A

Type of Development: Residential/ Apartments

Lots: 1

Acres: 7.80





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.C.

DATE SUBMITTED

11/13/2025

MEETING DATE

11/24/2025

1. Agenda Item: Parks & Recreation November Project Status Report.
2. Party Making Request: Denny Meline
3. Applicant:
4. Nature of Request: To provide a clear picture of the project's current state, ensuring commissioners are aware of progress to make informed decisions, and address any potential issues proactively.
5. Fiscal Impact Summary: N/A
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Dulce Landeros	Created/Initiated - 11/13/2025
Denny Meline	Approved - 11/13/2025
Elvira Alonzo	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: N/A
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: None. IJT

City Commission Status Update

November 24, 2025



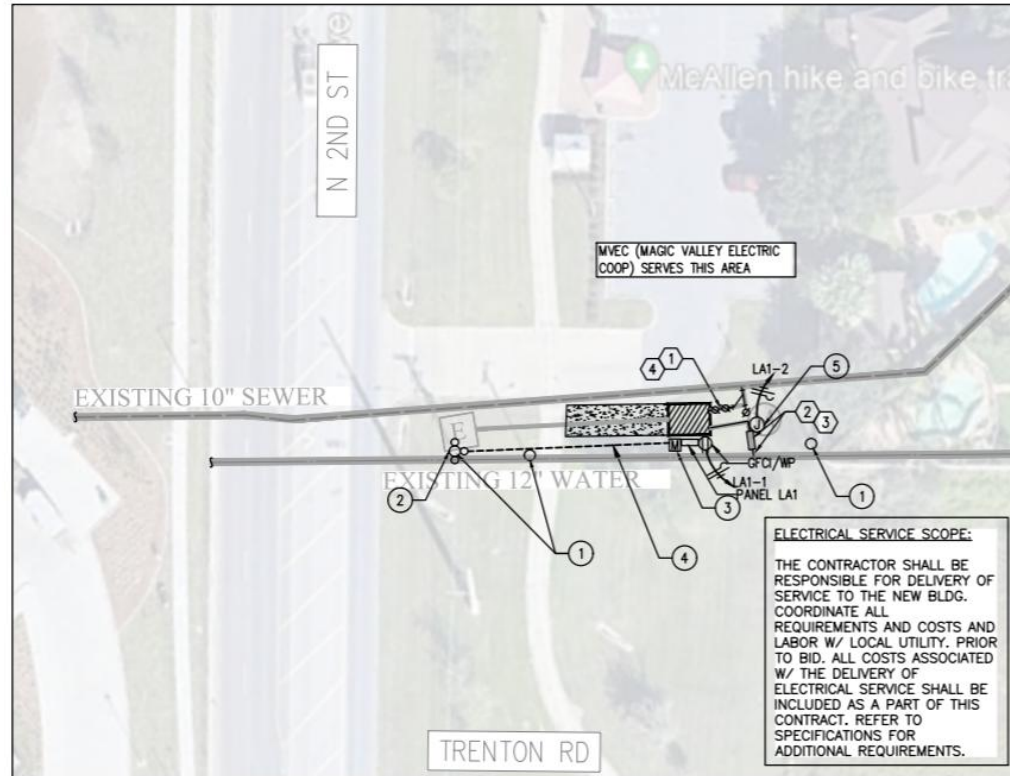
Camp McAllen Landscape -D1



Camp McAllen Landscape - D1



2nd Street Restrooms -D1



1 MEP SITE PLAN
1/2" = 1'-0"

GENERAL NOTES:

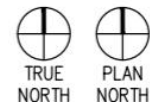
- NEW STRUCTURE WILL BE A PRE MANUFACTURED BUILDING. CONTRACTOR SHALL CONFIRM BUILDING TIE IN LOCATIONS WITH FINAL SHOP DRAWINGS PRIOR TO INSTALLATION.
- CONTRACTOR SHALL CONFIRM ELECTRICAL REQUIREMENTS AND SIZES WITH FINAL SHOP DRAWINGS PRIOR TO INSTALLATION.

ELECTRICAL KEYED NOTES:

- EXISTING ELECTRICAL UTILITY POLE TO REMAIN, SHOWN FOR REFERENCE PURPOSES ONLY.
- EXISTING POLE MOUNTED ELECTRICAL UTILITY TRANSFORMERS TO REMAIN, SHOWN FOR REFERENCE PURPOSES ONLY.
- PROPOSED LOCATION FOR NEW UNISTRUT MOUNTED METER AND PANEL. REFER TO ONE LINE DIAGRAM FOR ADDITIONAL INFORMATION.
- PROPOSED NEW UNDERGROUND SECONDARY ROUTING FROM NEW POLE MOUNTED TRANSFORMER TO NEW PANEL.
- POWER FOR PLUMBING HOT BOX. COORDINATE EXACT LOCATION WITH PLUMBING CONTRACTOR PRIOR TO INSTALL.

PLUMBING KEYED NOTES:

- PROVIDE NEW 4" SANITARY SEWER SERVICE TO PRE-FABRICATED TRAIL RESTROOM. CONNECT TO EXISTING 10" SEWER AS PER CITY REQUIREMENTS. SLOPE NEW LINE AT 1/8"/FT.
- PROVIDE NEW 1-1/2" DOMESTIC WATER SERVICE TO PRE-FABRICATED TRAIL RESTROOM. CONNECT TO EXISTING WATER METER AND 12" WATER LINE AS PER CITY REQUIREMENTS.
- PROVIDE ZURN WILKINS 112-975XL: REDUCED PRESSURE ZONE OR EQUIVALENT BACKFLOW PREVENTER. PROVIDE WITH HOTBOX VALVE ENCLOSURE MFR # HF013027023.
- PROVIDE TWO-WAY-CLEANOUT. REFER TO 2/P5.01.



2nd St & Nolana Ave
Trail Restroom

DATE	DESCRIPTION

MEP SITE PLAN

MEP1.2

Suarez East Parking Lot Improvement -D4



El Rancho Park Inclusive Playground -D6



2nd St. Trail Landscape Beds -D6





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.D.

DATE SUBMITTED

MEETING DATE

11/24/2025

1. Agenda Item: CONSENT COOP PURCHASES

2. Party Making Request:

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Jose Trujillo

Created -

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM	2.D.1.
DATE SUBMITTED	11/12/2025
MEETING DATE	11/24/2025

1. Agenda Item: Award of Contract for the Purchase of Three (3) New Current Model Residential Refuse Trucks utilizing BuyBoard Cooperative Pricing (Project No. 11-25-P12-01).
2. Party Making Request: Robert Trevino
3. Applicant:
4. Nature of Request: Public Works is requesting consideration and approval to award a purchase contract to Rush Truck Center of New Braunfels, TX for the purchase of three (3) new current model residential automated side load refuse trucks.
5. Fiscal Impact Summary: **Account Number: 502-4280-446-66-14-EC2604**
6. Budgeted: Yes

Bid Amount:	<u>\$1,416,654</u>	Budgeted Amount:	<u>\$1,425,000</u>
Under Budget:	<u>\$8,346</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Rebeca Cantu-Acevedo	Created/Initiated - 11/12/2025
Robert Trevino	Approved - 11/12/2025
Angie Rodriguez	Approved - 11/12/2025
Sonia Resendez	Approved - 11/13/2025
Gerardo Noriega	Approved - 11/14/2025
Elvira Alonzo	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Public Works Staff recommends the award of a purchase contract to Rush Truck Center of New Braunfels, TX for the purchase of three (3) Peterbilt 520 chassis with Heil Durapack Python refuse bodies at a unit cost of \$472,218.00 and a total purchase cost of \$1,416,654.00. This purchase will utilize BuyBoard contract #723-23.
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT



Memorandum

To: Isaac J. Tawil, City Manager

From: Roberto Trevino, CPM, Interim Director of Public Works

Date: November 10, 2025

Re: Award of Contract – Purchase of Three (3) New Current Model Residential Refuse Trucks utilizing BuyBoard Cooperative Pricing

GOAL:

Public Works is requesting consideration and approval to award a purchase contract to Rush Truck Center of New Braunfels, TX for the purchase of three (3) new current model residential automated side load refuse trucks.

BRIEF EXPLANATION:

Public Works seeks to replace 2016 and 2017 model year refuse trucks (Unit #SA8017, SA8020, and SA8022) to continue to provide efficient residential solid waste and recycling collection service throughout the City of McAllen.

Public Works staff obtained a quote from Rush Truck Center for three (3) Peterbilt 520 chassis with Heil Durapack Python refuse bodies utilizing BuyBoard purchasing cooperative pricing at a unit cost of \$472,218.00. Attached for your review is the BuyBoard cooperative quote.

RECOMMENDATION:

Public Works Staff recommends the award of a purchase contract to Rush Truck Center of New Braunfels, TX for the purchase of three (3) Peterbilt 520 chassis with Heil Durapack Python refuse bodies at a unit cost of \$472,218.00 and a total purchase cost of \$1,416,654.00. This purchase will utilize BuyBoard contract #723-23.

TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE--BUYBOARD

Remit P.O.'s To: munisales@rushenterprises.com

Vendor **RUSH TRUCK CENTER** Date Prepared **10/16/2025**
 Contact for Vendor: **Colton Kruse** Phone **(830) 302-5219**
 End User: **City of McAllen**
 End User Contact: **Fleet Manager** Phone/Fax
 Product Description: **Peterbilt 520 Side Loader**

A: Base Price in Bid/Buyboard ID Number: **723-23** Series: **520** \$ **133,250.00**

B: Published Options(Items Below)

	DESCRIPTION	AMOUNT	OPT #	DESCRIPTION	AMOUNT
Peterbilt	Frame & Equipment	\$ 3,169.00	RTC-1045	Residential Side Loader	\$ 212,313.00
Peterbilt	Front/Rear Axles & Equipment	\$ 15,380.00			
Peterbilt	Engine/Transmission & Equipment	\$ 41,231.00			
Peterbilt	Air & Trailer/Tires & Wheels	\$ 8,951.00			
Peterbilt	Fuel Tanks/Battery Box & Bumper	\$ 1,870.00			
Peterbilt	Cab & Equipment	\$ 20,078.00			

Subtotal Column 1: \$ 90,679.00 Subtotal Column 2: \$ 212,313.00

Published Options added to Base Price(Subtotal of "Col 1" & "Col 2") \$ 302,992.00

C: Subtotal of A + B \$ 436,242.00

D: Non Published Options

Heil Durapack Python 33 Yard with Options	\$ 20,166.07			
Paint Cab & Chassis	\$ 6,000.00			
Wheelbase Adjustment	\$ 6,500.00			
Subtotal Column 1:	\$ 32,666.07	Subtotal Column 2:	\$ -	

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2") \$ 32,666.07

E: Contract Price Adjustment (If any, explain here)

Paccar Municipal Concession \$ (323.40)

F: Total of C + D +/- E \$ 468,584.67

G: Quantity ordered Units: 3 x \$ 1,405,754.00

H: BUYBOARD Administrative Fee \$ 400.00

I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)

Freight	\$ 3,500.00	x	3	\$ 10,500.00
				\$ 10,500.00

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I) \$ 1,416,654.00



Rush Truck Center, Pharr

4700 N Cage Blvd.

Pharr, TX 78577

956-782-4511

Customer Proposal Letter

City of McAllen
4101 N Bentsen Rd
McAllen, TX 78504

Thank you for trusting us with your business. Please review the proposal below, and if you approve, sign and return to us at your convenience. We look forward to working with you and will continue to do our best to earn your trust now and in the future.

VEHICLE INFORMATION

Year 2026 Make Peterbilt Model 520 Stock # 1927083 Serial # 3BPDLK0X8TF797511

Additional Vehicle Details: BUY BOARD CONTRACT # 723-23

Quantity	<u>3</u>	Total
Truck Price per Unit	<u>\$ 472,218.00</u>	<u>\$ 1,416,654.00</u>
F.E.T. (Factory & Dealer Paid)	<u>\$ 0.00</u>	
Net Sales Price	<u>\$ 472,218.00</u>	<u>\$ 1,416,654.00</u>
Optional Extended Warranty(ies)		
State Sales Tax		
Documentary Fee	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Total Sales Price	<u>\$ 472,218.00</u>	<u>\$ 1,416,654.00</u>
Trade Allowance (see DISCLAIMER Below)		
Deposit / Down Payment		
Unpaid Balance Due on Delivery	<u>\$ 472,218.00</u>	<u>\$ 1,416,654.00</u>

Sales Representative

Signature

Patrick LeClaire

Printed Name

Date

Purchaser

Signature

Printed Name / Title

Date

Accepted by Sales Manager

or General Manager

Signature

Printed Name

Date

Quote good until 12/31/2025

Note: The above Customer Proposal is a quotation only. Sale terms subject to approval of Sales Manager of Dealer.

DISCLAIMER: Any order based on this Proposal is subject to Customer executing Dealer's standard form Retail Sales Order and other required documents incorporating the above terms. Any documentary fees, FET, state tax, title, registration and license fees subject to adjustment and change. This Proposal is based upon Dealer's current and expected inventory, which is subject to change. Dealer is not obligated to retain any specific vehicles in stock, nor maintain any specific inventory levels. Dealer shall not be obligated to fulfill Proposal in event quoted vehicle(s) is not in stock or available within requested delivery schedule. **Manufacturer has reserved the right to change the price to Dealer of any vehicle not currently in Dealer's stock, without notice to Dealer. If a vehicle identified in this Proposal is not currently in Rush's stock at the time an order is placed by the Customer, Dealer reserves the right to change the vehicle price at any time to reflect any price increases imposed by the Manufacturer.** Dealer shall not be liable for any delay in providing or inability to provide Quoted Vehicle(s). Above listed Trade Value based upon current appraisal of Trade Vehicle(s). Dealer may adjust Trade Value of Trade Vehicle(s) to reflect changes in condition and/or mileage of Trade Vehicle(s) between date of current appraisal and acceptance of the Trade Vehicle by Customer.

(1) Includes subscription period for # of specified months. (2) Customer's use of RushCare Service is governed by the RushCare User Agreement located at <https://www.rushtruckcenters.com/rushcare-user-agreement>. (3) Customer's use of Telematics Services is governed by separate 3rd party license terms and Rush is not liable for the Telematic Service. (4) Gap Coverage is provided and administered by an independent 3rd party provider under a separate contract directly between Customer and the 3rd party provider.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM	2.D.2.
DATE SUBMITTED	11/12/2025
MEETING DATE	11/24/2025

1. Agenda Item: Award of Contract for the Purchase of Three (3) Current Model Front Wheel Loaders Utilizing Sourcwell Cooperative Pricing (Project No. 11-25-P10-01).
2. Party Making Request: Robert Trevino
3. Applicant:
4. Nature of Request: Public Works is requesting authorization to award a purchase contract to Doggett Heavy Machinery of San Juan, TX for three (3) current model front end loaders for the Streets and Brush Departments.
5. Fiscal Impact Summary: **Brush Grapple Loader-Account Number: 502-4280-446-66-14-EC2601 Project No: 11-25-P10-01**
Streets Bucket Wheel Loader-Account Number: 678-6382-436-66-14-EC2614 Project No: 11-25-P10-01
6. Budgeted: Yes
Yes

Bid Amount:	\$252,000	Budgeted Amount:	\$280,000
	\$452,689.96		\$560,000.00
Under Budget:	\$28,000	Over Budget:	\$0.00
	\$107,310.04		\$0.00
		Amount Remaining:	\$0.00
			\$0.00
7. Routing:

Rebeca Cantu-Acevedo	Created/Initiated - 11/12/2025
Robert Trevino	Approved - 11/12/2025
Angie Rodriguez	Approved - 11/13/2025
Sonia Resendez	Approved - 11/13/2025
Gerardo Noriega	Approved - 11/14/2025
Elvira Alonzo	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Public Works staff recommends award of a purchase contract utilizing Sourcwell cooperative pricing to Doggett Heavy Machinery of San Juan, TX for a total combined cost of \$704,689.96. Award of purchase contract includes one (1) John Deere 544P Grapple Loader at a unit cost of \$252,000.00 for the Brush Department and two (2) John Deere 544P Loaders at a unit cost of \$226,344.98 for the Streets Department.
9. Advisory Board:

10. City Attorney: Approve -AWS

11. Manager's Recommendation: Approve. IJT



Memorandum

To: Isaac J. Tawil, City Manager

From: Roberto Trevino Jr., CPM, Interim Director of Public Works

Date: November 3, 2025

Re: Award of Purchase Contract for three (3) Current Model Front Wheel Loaders Utilizing Sourcewell Cooperative Pricing - Project# 11-25-P10-01

GOAL:

Public Works is requesting authorization to award a purchase contract to Doggett Heavy Machinery of San Juan, TX for three (3) current model front end loaders for the Streets and Brush Departments.

BRIEF EXPLANATION:

The Streets and Brush Department are seeking to replace 2015 and 2017 model year front end loaders (Unit #SA9014, SD9022 & SD9023) which have met replacement criteria. These units will assist staff in providing continued customer service to the citizens of McAllen with the collection of brush and street debris.

RECOMMENDATION:

Public Works staff recommends award of a purchase contract utilizing Sourcewell cooperative pricing to Doggett Heavy Machinery of San Juan, TX for a total combined cost of \$704,689.96. Award of purchase contract includes one (1) John Deere 544P Grapple Loader at a unit cost of \$252,000.00 for the Brush Department and two (2) John Deere 544P Loaders at a unit cost of \$226,344.98 for the Streets Department.

CITY OF MCALLEN

PO Box 220

McAllen, TX 78505

Attn: Robert Trevino

**JOHN DEERE**

Quoted by: Casey Cavazos 956-227-0877

544 P-Tier Wheel Loader**DOGGETT**

HEAVY MACHINERY SERVICES

901 E I-2 SAN JUAN TEXAS

Code	Description	Qty	List Price
6032DW	544 P-Tier Wheel Loader	1	\$300,538.00 USD
Option Codes			
0202	United States	1	No Added Cost
0259	English	1	No Added Cost
	English language for operator's manual and electronic content		
0351	Translated Text Labels	1	No Added Cost
	Vehicle labels translated to selected language		
0400	Standard Loader	1	No Added Cost
0451	Standard Z-BAR	1	No Added Cost
0612	Level 2 Trim	1	\$6,223.00 USD
	Includes:		
	- Flat Black Exhaust		
	- 145 Amp Alternator		
	- 15 Amp Converter		
	- Halogen Work and Drive Lights		
	- Premium Seat, Heated and Ventilated with Heavy Duty Air Suspension		
	- Ride Control		
0658	Level 3 Performance	1	\$4,385.00 USD
	This Package is recommended for machines that will be used on hard packed and well maintained surfaces doing load and carry or stockpiling		
	Package includes:		
	- Locking Front Differential		
	- Standard Rear Differential		
	- Manual Diff Lock		
	- Throttle Lock		
	- Less Wheel Spin Control		
	- 5-Speed Powershift Transmission with Lock-up Torque Converter		
0951	Rear Camera (Primary Display)	1	No Added Cost
	Rear camera with display integrated into monitor		
1100	Less Detection System	1	No Added Cost
1210	Premium Package Radio	1	\$400.00 USD
1301	Left Side Steps	1	No Added Cost

183N	JDLink™	1	No Added Cost
	Includes integrated cab wiring harness, antenna, and JDLink™ Modem (MTG).		
	JDLink™ connectivity is enabled separately through the JDLink™ website. Connectivity service is subject to country availability.		
1862	Level 2 Fleet Health	1	In Base Price
	Includes: Auto Active Warm Up, Auto Daily Fluid Checks, Fluid Loss Monitoring, Battery Health Monitoring, Mobile Alerts		
	Coming Soon: Remote Start & System Checks, Remote Systems Warm Up, Fleet Level Checks		
2201	Less Payload Scale w/ Cycle Counter	1	\$126.00 USD
	Models will be shipped payload scale ready.		
	A payload scale whole good field kit may be added at a later time.		
2261	8 IN (203mm) Touchscreen Display	1	No Added Cost
2300	Less Secondary Display	1	No Added Cost
4065	John Deere 4.5L - FT4/SV	1	In Base Price
	John Deere Powertech PSS 4.5L Meets FT4/EU Stage V Emissions		
6522	Standard Hitch w/ Pin & Rear Counterweight	1	No Added Cost
7026	Joystick Controls	1	No Added Cost
	Provides a single lever (joystick) control for the boom and the bucket.		
	Optional 3rd and 4th functions are controlled with proportional thumb rollers integrated in the joystick handle (if equipped for applicable models).		
7054	Three Function Hydraulics	1	\$2,377.00 USD
	Controls boom, bucket, and adds an auxiliary function (w/ boom lines).		
5121	No Brand Preference - 20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims	1	\$15,211.00 USD
5552	Standard Front Fenders	1	No Added Cost
	Includes:		
	- Standard width front fenders		
7403	Hydraulic Coupler - JRB 416 Pattern	1	\$8,407.00 USD
7822	3.00 YD (2.30 CM) Enhanced Performance	1	\$10,699.00 USD
	Bucket includes curved side cutters, integrated center section spill guard, and weld on skid shoes.		
7458	Bolt-On Cutting Edge	1	\$1,052.00 USD
7500	Less Fork Frame	1	No Added Cost
7700	Less Tines	1	No Added Cost
9709	20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims - No Brand Preference	1	No Added Cost
Subtotal			\$ 349,418.00
Sourcewell Discount (39%) Contract 011723-JDC			\$ (136,273.02)
Factory Freight			\$ 5,600.00

PreDelivery Inspetion	\$	2,800.00
Extended Warranty PT&Hyd 60mo/5000hrs	\$	4,800.00
TOTAL SALES PRICE	\$	226,344.98

X2 TOTAL SALE PRICE	\$452,689.96
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CITY OF MCALLEN

PO Box 220

McAllen, TX 78505

Attn: Robert Trevino

**JOHN DEERE**

Quoted by: Casey Cavazos 956-227-0877

544 P-Tier Wheel Loader**DOGGETT**

HEAVY MACHINERY SERVICES

901 E I-2

SAN JUAN TEXAS

Code	Description	Qty	List Price
6032DW	544 P-Tier Wheel Loader	1	\$300,538.00 USD

Option Codes

0202	United States	1	No Added Cost
0259	English	1	No Added Cost
	English language for operator's manual and electronic content		
0351	Translated Text Labels	1	No Added Cost
	Vehicle labels translated to selected language		
0400	Standard Loader	1	No Added Cost
0451	Standard Z-BAR	1	No Added Cost
0612	Level 2 Trim	1	\$6,223.00 USD

Includes:

- Flat Black Exhaust
- 145 Amp Alternator
- 15 Amp Converter
- Halogen Work and Drive Lights
- Premium Seat, Heated and Ventilated with Heavy Duty Air Suspension
- Ride Control

0658	Level 3 Performance	1	\$4,385.00 USD
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This Package is recommended for machines that will be used on hard packed and well maintained surfaces doing load and carry or stockpiling

Package includes:

- Locking Front Differential
- Standard Rear Differential
- Manual Diff Lock
- Throttle Lock
- Less Wheel Spin Control
- 5-Speed Powershift Transmission with Lock-up Torque Converter

0951	Rear Camera (Primary Display)	1	No Added Cost
	Rear camera with display integrated into monitor		
1100	Less Detection System	1	No Added Cost
1210	Premium Package Radio	1	\$400.00 USD
1301	Left Side Steps	1	No Added Cost

183N	JDLink™	1	No Added Cost
	Includes integrated cab wiring harness, antenna, and JDLink™ Modem (MTG).		
	JDLink™ connectivity is enabled separately through the JDLink™ website. Connectivity service is subject to country availability.		
1862	Level 2 Fleet Health	1	In Base Price
	Includes: Auto Active Warm Up, Auto Daily Fluid Checks, Fluid Loss Monitoring, Battery Health Monitoring, Mobile Alerts		
	Coming Soon: Remote Start & System Checks, Remote Systems Warm Up, Fleet Level Checks		
2201	Less Payload Scale w/ Cycle Counter	1	\$126.00 USD
	Models will be shipped payload scale ready.		
	A payload scale whole good field kit may be added at a later time.		
2261	8 IN (203mm) Touchscreen Display	1	No Added Cost
2300	Less Secondary Display	1	No Added Cost
4065	John Deere 4.5L - FT4/SV	1	In Base Price
	John Deere Powertech PSS 4.5L Meets FT4/EU Stage V Emissions		
6522	Standard Hitch w/ Pin & Rear Counterweight	1	No Added Cost
7026	Joystick Controls	1	No Added Cost
	Provides a single lever (joystick) control for the boom and the bucket.		
	Optional 3rd and 4th functions are controlled with proportional thumb rollers integrated in the joystick handle (if equipped for applicable models).		
7054	Three Function Hydraulics	1	\$2,377.00 USD
	Controls boom, bucket, and adds an auxiliary function (w/ boom lines).		
5121	No Brand Preference - 20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims	1	\$15,211.00 USD
5552	Standard Front Fenders	1	No Added Cost
	Includes:		
	- Standard width front fenders		
7403	Hydraulic Coupler - JRB 416 Pattern	1	\$8,407.00 USD
7800	Less Bucket	1	No Added Cost
7500	Less Fork Frame	1	No Added Cost
7700	Less Tines	1	No Added Cost
9709	20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims - No Brand Preference	1	No Added Cost
Subtotal			\$ 337,667.00
Sourcewell Discount (39%) Contract 011723-JDC			\$ (131,690.13)
Factory Freight			\$ 5,600.00
PreDelivery Inspection			\$ 3,500.00
Extended Warranty PT&Hyd 60mo/5000hrs			\$ 4,800.00
Pemberton Brush Grapple Rake			\$ 35,000.00

Doggett Discount	\$	(2,876.87)
TOTAL SALES PRICE	\$	252,000.00

Manufacturer's Suggested List Price shown. Retail prices may vary by dealer. Unless stated otherwise, taxes, freight, setup, delivery and other dealer specific charges not included in the pricing. Options/items noted with anything other than price will have additional costs. Pricing, availability, and specifications subject to change without notice. Special program pricing may be available on certain models. See dealer for details. Prices are shown in USD unless otherwise noted.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.D.3.

DATE SUBMITTED

11/12/2025

MEETING DATE

11/24/2025

1. Agenda Item: Award of Contract for the Purchase of One (1) Current Model Fuel and Lube Truck Utilizing Buyboard Cooperative Pricing (Project No. 11-25-P08-01) .
2. Party Making Request: Robert Trevino
3. Applicant:
4. Nature of Request: Public Works is requesting authorization to award a purchase contract for one (1) new current model fuel and lube truck for the Streets Maintenance Department (Project No. 11-25-P08-01) .
5. Fiscal Impact Summary: **Account Number: 678-6382-436-66-14- EC2523**
Project No: 11-25-P08-01
6. Budgeted: Yes

Bid Amount:	<u>\$293,247</u>	Budgeted Amount:	<u>\$350,000</u>
Under Budget:	<u>\$56,753</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Rebeca Cantu-Acevedo	Created/Initiated - 11/12/2025
Robert Trevino	Approved - 11/12/2025
Angie Rodriguez	Approved - 11/13/2025
Sonia Resendez	Approved - 11/13/2025
Gerardo Noriega	Approved - 11/14/2025
Elvira Alonzo	Approved - 11/14/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Public Works staff recommends award of a purchase contract utilizing Buyboard cooperative pricing to Doggett Freightliner of South Texas, LLC of Pharr, TX for a 2027 Freightliner M2-106 with Lube Body in the amount of \$293,247.00.
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT



Memorandum

To: Isaac J. Tawil, City Manager
From: Roberto Trevino Jr., CPM, Interim Director of Public Works
Date: November 3, 2025
Re: Award of Purchase Contract for one (1) Current Model Fuel and Lube Truck Utilizing BuyBoard Cooperative Pricing - Project# 11-25-P08-01

GOAL:

Public Works is requesting authorization to award a purchase contract for one (1) new current model fuel and lube truck for the Streets Maintenance Department.

BRIEF EXPLANATION:

The Streets Department is seeking to replace a 2009 Kenworth fuel truck (Unit SD#8011) which meets replacement criteria. The purchase of a new vehicle will assist Public Works and other City departments with onsite fueling and maintenance services.

Public Works solicited a BuyBoard cooperative purchase quote from Doggett Freightliner of South Texas for one (1) new current model fuel and lube truck in the amount of \$293,247.00.

RECOMMENDATION:

Public Works staff recommend award of a purchase contract utilizing BuyBoard cooperative pricing to Doggett Freightliner of South Texas, LLC of Pharr, TX for a 2027 Freightliner M2-106 with Lube Body in the amount of \$293,247.00.


DOGETT FREIGHTLINER OF SOUTH TEXAS, LLC
SelecTrucks of Pharr
PHYSICAL ADDRESS: 3103 N. CAGE BLVD. - PHARR, TX 78577

MAILING ADDRESS: PO BOX 670688 - HOUSTON, TX 77267

PURCHASE AGREEMENT: VM103006447
BILL TO

CITY OF MCALLEN - 49126
P.O. BOX 220
ATTN: ACCOUNTS PAYABLE
MCALLEN TX 78505-0220
P: (956) 681-4142

DELIVER TO

CITY OF MCALLEN - 49126
4201 NORTH BENTSEN RD
ATTN: ACCOUNTS PAYABLE
MCALLEN TX 78505-0220
P: (956) 681-4142

DATE	SALE TYPE	ORDER STATUS	DELIVERY DATE	INVOICE DATE	SALESPERSON	TERMS	CUSTOMER REFERENCE
10/28/2025	RTL	QUOTE	10/28/2025	10/28/2025	MARK BRUNNEMAN	VCASH	Lube Truck

UNIT(S) FOR SALE

UNTID	YR - MAKE - MODEL	SERIAL NUMBER	PRICE
OO46047	OB - OB - OB	OO46047	98,825.00

Truck to be a 2027 Year Model Freightliner M2-106 with Lube Body

*

Please refer to page 2, paragraph 4 of this purchase order agreement for possible price increase due to truck or body manufacture

*

Fuel/Lube Service Unit

194,000.00

Buy Board Contract 723-23 Fee

400.00

Sales Price		98,825.00
Additional Equipment	+	194,400.00
Federal Excise Tax	+	0.00
Dealer's Inventory Tax	+	0.00
State and Local Taxes	+	0.00
License and Bridge Fees	+	22.00
Emissions Fee	+	0.00
Title Fees	+	0.00
Inspection Fees	+	0.00
Extended Service Plans	+	0.00
Documentary Fees	+	0.00
Subtotal	=	293,247.00
Less Trade Allowance	-	0.00
Trade Payoff	+	0.00
Less Deposit or Down Payment	-	0.00
Unpaid Balance/Amount to Finance	=	293,247.00

x

Buyer Signature

Date

x

Seller Signature

Date

PURCHASE AGREEMENT

ADDITIONAL TERMS AND CONDITIONS
READ CAREFULLY AS THESE TERMS CONTAINS INDEMNIFICATION REQUIREMENTS AND LIMITATIONS OF LIABILITY

1. As used in this Order the terms (a) "Dealer" shall mean the authorized Dealer to whom this Order is addressed and who shall become a party hereto by its acceptance hereof, (b) "Purchaser" shall mean the party executing this Order as such on the face hereof, and (c) Manufacturer shall mean the Corporation that manufactured the vehicle or chassis, it being understood by Purchaser and Dealer that Dealer is in no respect the agent of Manufacturer, that Dealer and Purchaser are the sole parties to this Order and that reference to Manufacturer herein is for the purpose of explaining generally that Dealer does not manufacture motor vehicles and that certain contractual relationships exist between Dealer and Manufacturer with respect to new motor vehicles.
2. These Terms and Conditions shall govern the sale of motor vehicles ("Purchased Unit(s)") by Dealer to Purchaser. Dealer's performance and prices are expressly conditioned on these terms and conditions. This document shall be the final, complete, and exclusive agreement between the parties and may not be modified, amended, supplemented, explained, or waived by parol evidence. Purchaser's purchase order, a course of dealings, custom or trade usage, prior representations, Dealer's performance or delivery, Dealer's catalogs, circulars or other promotional material, or in any other way except in writing signed by Dealer's Authorized Representative. Dealer's Authorized Representative shall mean Dealer's Vice-President, General Counsel, Chief Financial Officer, or President.
3. Purchaser agrees to complete one of the following, and agrees that despite delivery of the Purchased Unit(s) to Purchaser, title to the Purchased Unit(s) shall remain with Dealer until Purchaser completes one of the following: (1) pay the balance due, as shown on this Order, in cash or (2) execute a Time Sales Agreement (Retail Installment Contract), or (3) execute a Loan Agreement for the purchase price of the Purchased Unit(s) plus additional charges shown herein, or (4) execute a lease agreement, on or before delivery of the Purchased Unit(s). Purchaser and Dealer agree that this Order is not a security agreement and that delivery of the Purchased Unit(s) to the Purchaser pursuant to this Order will not constitute possession of the Purchased Unit(s) by the Purchaser, as a debtor, for the purposes of the purchase money security provisions in any statutes relating to personal property security or its equivalent. Purchaser understands that its rights in connection with this purchase are limited as set forth in this Order.
4. Manufacturer has reserved the right to change the price to Dealer of new motor vehicles without notice. In the event the price to Dealer of new motor vehicles of the series and body type ordered hereunder is changed by Manufacturer prior to delivery of the Purchased Unit(s) ordered hereunder to Purchaser, Dealer reserves the right to change the cash delivered price (or any other pricing) of such motor vehicle to Purchaser accordingly. If such cash delivered price (or any other pricing) is increased by Dealer by five percent (5%) or more, Purchaser's sole remedy is to cancel this Order, in which event if a used motor vehicle has been traded in as a part of the consideration for such new Purchased Unit(s), such used motor vehicle shall be returned to Purchaser upon payment by Purchaser to Dealer of all storage and repair cost incurred or, if such used motor vehicle has been previously sold by Dealer, the amount received for such sale by Dealer, less a selling commission of 15% and any cost or expense incurred in storing, repairing, insuring, conditioning or advertising said used motor vehicle for sale, shall be returned to Purchaser. Purchaser waives all other claims for any damages resulting from a manufacturer's change in pricing and/or a related cancellation.
5. If a used motor vehicle(s) which has been traded in as a part of the consideration for the motor vehicle ordered hereunder (such traded vehicle being a "Trade In(s)"), is not to be delivered to Dealer until delivery to Purchaser of such Purchased Unit(s), the Trade In(s) shall be reappraised at that time and such reappraised value shall determine the allowance to be made for such Trade In(s). If such reappraised value is lower than the original allowance shown on the front of this Order, Purchaser may, if dissatisfied therewith, cancel only the trade; however, Purchaser shall nevertheless remain fully liable for the purchase of the Purchased Unit(s). Additionally, Dealer shall not be obligated to accept any Trade In(s) from Purchaser which are not reflected on this Order. In the event that Purchaser offers Trade In(s) not reflected on this Order, Dealer shall have no obligation whatsoever to accept any such Trade In(s) and Purchaser shall remain fully responsible for all obligations of Purchaser as set forth in this Order.
6. Purchaser agrees to deliver evidence satisfactory to Dealer of title to any Trade In(s) as a part of the consideration for the Purchased Unit(s) ordered hereunder in advance but in no case later than at the time of delivery of such Trade In(s) to Dealer. Purchaser warrants any such Trade In(s) to be owned wholly by Purchaser free and clear of all liens and encumbrances except as otherwise noted herein, and deemed acceptable by Dealer. Purchaser further warrants that for any Trade In, the Exhaust Emission System or any of its components have not been deleted, removed, or altered in any way from its factory built state and that each Trade In will meet the emission standard in place as of the manufacture date. Purchaser understands that Dealer is relying on Purchaser's statement as a material representation, and thus Purchaser hereby agrees to indemnify, defend and hold harmless Dealer from all damages, expenses, fees and costs (including attorney's fees) that Dealer incurs in the event that this representation is inaccurate or untrue.
7. Unless this Order has been cancelled by Purchaser in accordance with the terms of this Agreement, Dealer shall have the right upon failure or refusal of Purchaser to accept delivery of the Purchased Unit(s) ordered in accordance with the terms herein, to seek all remedies provided to Dealer by law (including specific performance), in addition to Dealer's attorneys' fees and costs and expert fees. In addition, Dealer may assess Purchaser a restocking fee of twenty percent (20%) of the Purchased Unit(s) sales price which shall be due immediately. Additionally, in the event a Trade In(s) has been delivered to Dealer, such Trade In(s) may be sold by Dealer, and the proceeds of any such sale may then be used to reimburse Dealer for any payments due to Dealer (or any damages incurred by Dealer, if applicable).
8. Manufacturer has reserved the right to change the design of any new motor vehicle, chassis, accessories or parts thereof at any time without notice and without obligation to make the same or any similar change upon any motor vehicle, chassis, accessories or parts thereof previously purchased by or shipped to Dealer or being manufactured or sold in accordance with Dealer's orders. Correspondingly, in the event of any such change by Manufacturer, Dealer shall have the option, but no obligation to Purchaser, to make the same or any similar change in any motor vehicle, chassis, accessories or parts thereof covered by this Order either before or subsequent to delivery thereof to Purchaser.
9. Dealer shall not be liable for failure to deliver or for any delay in delivering the Purchased Unit(s) covered by this Order where such failure or delay is due, in whole or in part, to any cause beyond the reasonable control of Dealer and which is not due solely to the willful misconduct of Dealer. Any such delays not caused solely by Dealer's willful misconduct shall affect a corresponding extension of Dealer's performance dates which are, in any event, understood to be approximate. If acts or omissions of Purchaser delay Dealer's performance, Purchaser shall reimburse Dealer for any increased costs or expenses resulting therefrom and extend the time of performance.
10. PURCHASER AGREES THAT IN NO EVENT SHALL DEALER BE LIABLE FOR ANY DAMAGES RELATED TO: LOSS OF USE OF THE PURCHASED VEHICLE(S), LOSS OF TIME, REPLACEMENT OR RENTAL VEHICLES, LODGING, OR ANY OTHER INCIDENTAL, RESERVOIR, SPECIAL, INDIRECT, CONSEQUENTIAL OR EXEMPLARY DAMAGES FOR LATE PERFORMANCE OR FAILURE TO PERFORM WHETHER IN CONTRACT, TORT, STRICT LIABILITY, OR ANY OTHER LEGAL THEORY, AND REGARDLESS OF WHETHER DEALER HAS BEEN ADVISED OF SUCH DAMAGES. ADDITIONALLY, notwithstanding any other provision to the contrary, IN NO EVENT SHALL DEALER'S LIABILITY TO PURCHASER EXCEED THE PURCHASE PRICE OF THE PURCHASED VEHICLE(S) REGARDLESS OF LEGAL THEORY UPON WHICH DEALER'S ALLEGED LIABILITY IS BASED (WHETHER SOUNDING IN TORT, CONTRACT, OR OTHERWISE).
11. Purchaser acknowledges and agrees that Dealer did not manufacture and therefore makes no implied or express warranty with regard to the Purchased Unit(s) and any service work or make-ready work shall not create any warranty of any nature whatsoever with respect to the Purchased Unit(s). Additionally, Purchaser agrees to use the Purchased Unit(s) and/or chassis at Purchaser's own risk and hereby releases Dealer, its principals, officers, directors, shareholders, members, agents, employees, successors and assigns, from any and all claims for any damages or injuries of any nature whatsoever to the full extent permitted by law.
12. The price for the Purchased Unit(s) specified on the face of this agreement does not include federal excise taxes, sales taxes, use taxes, or occupational taxes based on sales volume (Federal, State, or Local) unless expressly so stated. Purchaser assumes and agrees to pay, unless prohibited by law, any such excise, sales, use, or occupational taxes imposed on or applicable to the transaction covered by this Order, regardless of which party may have primary tax liability thereof. Dealer will accept a valid sales or use tax exemption certificate from Purchaser; however, if a previously accepted sales or use tax exemption certificate is ultimately disallowed by the applicable taxing agency for any reason, Purchaser agrees to immediately reimburse Dealer for any resulting taxes, penalties, and interest incurred by Dealer. Purchaser shall obtain and pay all permits, licenses and official inspections required other than those required to be obtained in the name of Dealer.
13. Purchaser grants Dealer a purchase money security interest in the Purchased Unit(s) as security for Purchaser's obligation to pay the purchase price, and Purchaser agrees to execute a financing statement or other instrument required to perfect such security interest. In the event that Purchaser fails or refuses to execute a required document, Purchaser hereby appoints Dealer as its attorney-in-fact, coupled with an interest to execute the name on Purchaser's behalf and in Purchaser's stead.
14. In the event Purchaser seeks to obtain financing to acquire a vehicle named on this Order, Purchaser represents that all statements made in the Purchaser's credit application, finance contracts and all information provided to Dealer and/or to the finance company are true and correct. Any misrepresentation by Purchaser in any of the aforementioned documents entitles Dealer to cancel this Agreement and Dealer shall be entitled to any damages incurred as a result. Should Purchaser or any finance company fail to tender the full contract price to Dealer, Dealer may cancel this Agreement. In the event of a misrepresentation by Purchaser or the full purchase price has not been tendered to Dealer in a prompt manner, Purchaser agrees to immediately return the vehicle and to reimburse Dealer for all costs and expenses incurred by Dealer as a result, including any mileage and/or restocking charge. Purchaser agrees to fully indemnify Dealer for any damages incurred by Dealer as a result of any misrepresentations or omissions made by Purchaser.
15. There are no warranties, expressed or implied, made by the Dealer herein, or the Manufacturer, on the vehicle or chassis described on the face hereof except in the case of a new vehicle or chassis and as provided exclusively by the Manufacturer. The printed new vehicle warranty issued by Manufacturer (and not Dealer) delivered to Purchaser with such vehicle or chassis is the only warranty applicable to such new vehicle or chassis and is expressly in lieu of all other warranties, expressed or implied including any implied warranty of merchantability or fitness for a particular purpose. In the case of a used vehicle or chassis, the applicability of an existing manufacturer's warranty thereon, if any, shall be determined solely by the terms of such warranty and not by Dealer.
16. Any used motor vehicle sold to Purchaser by Dealer must be inspected and investigated by Purchaser as all such sales are deemed "AS IS" and "WITH ALL FAULTS" at the time of delivery by Dealer without any guarantee or warranty of any nature, expressed or implied (including no warranty that the odometer reading on the Purchased Unit(s) represents the actual mileage traveled) or any implied warranty of merchantability or fitness for a particular purpose, as to its condition or the condition of any part thereof except as may be otherwise specifically provided in writing on the face of this order or in a separate writing furnished to Purchaser by Dealer. Purchaser agrees that Dealer has made no representation and that Purchaser has not relied on any representations made by Dealer, but rather is relying on its own investigation and inspection of the Purchased Unit(s).
17. The Purchaser, before or at the time of delivery of the motor vehicle covered by this Order will execute such other forms of agreement or documents as may be required by the terms and conditions of payment indicated on the front of this Order.
18. Waiver, Severability. No waiver of any term of this Order shall be valid unless it is in writing and signed by Dealer's authorized representative, notwithstanding any delays. If any provision or part of any provision of this Order shall be deemed to violate any applicable law or regulation, such invalid provision or part of a provision shall be inapplicable. BUT the Parties agree that the remaining part of that provision and the remainder of the Order shall continue to be binding and enforceable.
19. No Broker/Manufacturer Incentives. If at any time Dealer determines that Purchaser intends to engage in the resale of vehicles for profit, where such resale is not in conjunction with further manufacturing, Dealer reserves the right to cancel this Order. Certain manufacturer's incentives are intended to be used for retail customers at the location as identified by the Purchaser in this Order. Purchaser represents that it will register the Purchased Unit(s) with its state motor vehicle department and is not purchasing the Purchased Units with the intent to resale same, except where such resale is in conjunction with further manufacturing. If at any time Dealer determines that the foregoing representations are not true, Dealer has the right to seek repayment of any manufacturer incentives that are paid.
20. This contract shall be governed by the laws of the State of Texas. Both Parties agree to present the other Party with notice of any claim relating to this Order at least five (5) business days before filing a petition or complaint relating thereto (in addition to any other applicable notice periods required by statute), during which time the Parties agree to negotiate in good faith to resolve their disputes. If the negotiations fail, the Parties hereby waive the right to trial by jury and agree to a trial by judge. The Parties agree that the mandatory venue for dispute resolution is the state courts of Harris County, Texas, unless otherwise required by law. Purchaser agrees it will bring any cause of action within one (1) year of the date of that causes' accrual, and that any causes of action or claims outside of that period are waived. The prevailing party in any disputes shall be entitled to recover reasonable attorney fees and expenses.

PURCHASER ACKNOWLEDGES THAT THE ADDITIONAL TERMS AND CONDITIONS HAVE BEEN READ AND AGREED TO.

PURCHASER'S SIGNATURE:

DATE:

Last Updated 9/15/15



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.E.

DATE SUBMITTED

MEETING DATE

11/24/2025

1. Agenda Item: CONSENT RESOLUTIONS

2. Party Making Request:

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Jose Trujillo

Created -

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM	2.E.1.
DATE SUBMITTED	11/10/2025
MEETING DATE	11/24/2025

1. Agenda Item: Resolution for the Advance Funding Agreement (AFA) with the Texas Department of Transportation for a shared-use pedestrian and bicycle path along Nolana Avenue.
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request: Consideration and approval of resolution for the Advanced Funding Agreement(AFA) with the Texas Department of Transportation (TxDOT) for Nolana Avenue Share Use Pedestrian and Bicycle Path.
5. Fiscal Impact Summary: Account Number: 322-8708-436-66-36-IR2502 - "Street Improvements Construction Funds"
\$395,500
6. Budgeted: Yes

Bid Amount:	<u>\$33,930</u>	Budgeted Amount:	<u>\$395,500</u>
Under Budget:	<u>\$0.00</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Rene Gonzalez	Created/Initiated - 11/10/2025
Eduardo Mendoza	Approved - 11/14/2025
Angie Rodriguez	Approved - 11/17/2025
Sonia Resendez	Approved - 11/17/2025
Gerardo Noriega	Approved - 11/17/2025
Michelle Rivera	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff recommends approval of the Resolution regarding the advanced funding agreement (AFA) with the Texas Department of Transportation (TxDOT) for the construction of the 10-foot share use pedestrian and bicycle path for Nolana Avenue.
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT



ENGINEERING DEPARTMENT MEMORANDUM

To: Isaac J. Tawil, City Manager
From: Eduardo Mendoza, P.E., P.T.O.E., City Engineer
Date: November 24, 2025
Subject: Consideration and approval of resolution for the Advanced Funding Agreement(AFA) with the Texas Department of Transportation (TxDOT) for Nolana Avenue Share Use Pedestrian and Bicycle Path.

BRIEF EXPLANATION:

This resolution considers and approves the Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the construction of a shared-use pedestrian and bicycle path along the north right-of-way (ROW) of Nolana Avenue, extending from FM 2220 (Ware Road) to FM 1926 (23rd Street).

The project involves the construction of a 10-foot-wide shared-use concrete path for pedestrians and bicyclists along the north ROW of Nolana Avenue. The project will be constructed in conjunction with the Nolana Widening Project and has been awarded funding through the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) Transportation Alternatives Set-Aside (TASA) Program. The estimated construction cost for the shared-use path is \$637,355.

Funding Source	Funding Participation	Administration Fee
FHWA (RGVMPO) Participation	\$ 509,884	none
TxDOT Participation	\$ 113,449	none
City of McAllen Participation	\$ 14,022	\$ 33,930
Total	\$ 637,355	\$ 33,930

Approval of the resolution will allow the City to receive Federal and State funds through the RGVMPO and TxDOT for the construction of the share use path.

OPTIONS:

1. **Approve** the proposed resolution.
2. **Disapprove** the proposed resolution.

RECOMMENDATION:

Staff recommends approval of the Resolution regarding the advanced funding agreement (AFA) with the Texas Department of Transportation (TxDOT) for the construction of the 10-foot share use pedestrian and bicycle path for Nolana Avenue.

RESOLUTION NO: 2025 - _____

**RESOLUTION BY THE CITY OF MCALLEN IN SUPPORT OF THE
ADVANCE FUNDING AGREEMENT FOR A TRANSPORTATION
ALTERNATIVES SET-ASIDE (TASA) PROGRAM PROJECT MPO-
SELECTED OFF-SYSTEM FOR THE NOLANA LOOP TRAIL**

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and;

WHEREAS, Transportation Code, Chapters 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and;

WHEREAS, Government Code, Chapter 791, and Transportation Code, §201.209 and Chapter 221, authorize the State to contract with municipalities and political subdivisions; and

WHEREAS, Federal law, 23 USC §134 and 49 USC §5303, requires that State and Metropolitan Planning Organizations (MPOs) develop transportation plans and programs for urbanized areas of Texas; and

WHEREAS, Federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and;

WHEREAS, the City of McAllen has requested that the State allow the City of McAllen to participate in said improvement by funding that portion of the improvement described as widen from two lane to six lane with median on FM 2220, from FM 1925 to SH 107 (Project); and

WHEREAS, the rules and procedures for the Transportation Alternatives Set-Aside Program (TASA) are established in 23 USC §133(h), and 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418, and,

WHEREAS, the City of McAllen prepared and submitted to the State or Metropolitan Planning Organization (MPO) a project nomination package for TASA funding consideration, which is briefly described as Nolana Loop Trail (Project), and;

WHEREAS, the Texas Transportation Commission (Commission) passed Minute Order Number 116997 (MO) dated 08/21/2025 awarding funding for TASA projects in the TASA Program Call of the Rio Grande Valley MPO, including Project, and;

WHEREAS, the City of McAllen expresses its full support and approval to enter into the Advance Funding Agreement for the Nolana Loop Trail Project, and;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MCALLEN THAT:

1. That the above recitals are hereby found to be true and correct by the City Commission of the City of McAllen and incorporated herein for all purposes.
2. The mayor is authorized to execute this Resolution in Support of the Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project known as the Nolana Loop Trail.
3. The mayor is authorized to execute the Advance Funding Agreement for the Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project known as the Nolana Loop Trail.

CONSIDERED, PASSED and APPROVED on November 24, 2025, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED on November 25, 2025.

CITY OF MCALLEN, TEXAS

Javier Villalobos, Mayor

Attest:

Perla Lara, TRMC/CMC, CPM
City Secretary

Approved as to Form:

Austin Stevenson, City Attorney

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-02-558	AFA ID	Z00012261	CFDA No.	20.205
AFA CSJs	0921-02-558			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	25950		
Project Name	Nolana Loop Trail			AFA Not Used For Research & Development	

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
FOR A TRANSPORTATION ALTERNATIVES
SET-ASIDE (TASA) PROGRAM PROJECT
MPO-Selected Off-System**

This Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project ("Agreement") is made between the State of Texas (State), acting through the Texas Department of Transportation, and the **City of McAllen** (Local Government), acting through its duly authorized officials.

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and

WHEREAS, Federal law, 23 USC §134 and 49 USC §5303, requires that State and Metropolitan Planning Organizations (MPOs) develop transportation plans and programs for urbanized areas of Texas, and

WHEREAS, Federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, state, and local responsibilities for cost participation in highway improvement and other transportation projects, and

WHEREAS, the rules and procedures for the Transportation Alternatives Set-Aside Program (TASA) are established in 23 USC §133(h), and 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418, and

WHEREAS, the Local Government prepared and submitted to the State or Metropolitan Planning Organization (MPO) a project nomination package for TASA funding consideration, which is briefly described as **Nolana Loop Trail** (Project), and

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WHEREAS, the Texas Transportation Commission (Commission) passed Minute Order Number 116997 (MO) dated **08/21/2025** awarding funding for TASA projects in the TASA Program Call of the Rio Grande Valley MPO, including Project, and

WHEREAS, the governing body of the Local Government has approved entering into this Agreement by resolution or ordinance dated {enter date of resolution}, which is attached to and made a part of this Agreement as Attachment C, Resolution or Ordinance. A map showing the Project location appears in Attachment A, Project Location Map, which is attached to and made a part of this Agreement, and

NOW, THEREFORE, the State and the Local Government agree as follows:

AGREEMENT

1. Period of Agreement and Performance

- A. Period of Agreement. This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until terminated as provided below.
- B. Period of Performance.
 1. The Performance Period for each phase of work begins on the date specified in the Federal Project Authorization and Agreement (FPAA) for that phase of work. Local Government may not begin work until issued the State Letter of Authority (SLOA) for that phase of work.
 2. The Performance Period for each phase of work ends on the date specified in the FPAA for that phase of work.

2. Scope of Work and Use of Project

- A. The scope of work for Project consists of the construction of a 6' sidewalk, 10' shared used path, and pedestrian facilities as shown on attachment A.
- B. Any project changes proposed must be submitted in writing by Local Government to State. Substantive changes may also require an amendment to this Agreement and the approval of the FHWA, State, MPO, or the Commission. Any changes undertaken without written approval and amendment of this Agreement may jeopardize not only the federal funding for the changes, but the federal funding of the entire Project.

3. Project Sources and Uses of Funds

The total estimated development cost of the Project is shown in Attachment B, Project Budget Estimate and Source of Funds (Attachment B).

- A. If Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one

individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in

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accordance with applicable TxDOT procedures. Upon request, Local Government shall provide the certificate of qualification to State. The individual who receives the training certificate may be an employee of Local Government or an employee of a firm that has been contracted by Local Government to perform oversight of the Project. State in its discretion may deny reimbursement if Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.

- B. The total estimated project cost as shown in Attachment B includes the Local Government's estimated itemized cost of real property, utilities, environmental assessments, construction, and other construction related costs. To be eligible for reimbursement or as in-kind contribution, costs must have been included in the nomination form approved by the Texas Transportation Commission or MPO in consultation with State. Local Government must submit to State evidence of payment for eligible in-kind costs at least once per calendar quarter using the State's In-Kind Match Reporting form.
- C. State and the Federal Government will not reimburse Local Government for any work performed outside the Performance Period. After federal funds have been obligated, State will send to Local Government a copy of the formal documentation showing the obligation of funds including federal award information. Local Government is responsible for 100 percent of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- D. The Project budget and source of funds estimate based on the budget provided in the application is included in Attachment B. Attachment B shows the percentage and estimated dollar amounts to be contributed to Project by state and local sources, as well as the maximum amount in federal TASA funds assigned by the Commission or MPO in consultation with State. This Agreement may be amended from time to time as required to meet the funding commitments based on revisions to the TASA, FPAA, or other federal documents.
- E. State will be responsible for securing the federal share of funding required for the development and construction of Project, in an amount not to exceed 80 percent of the actual cost of the work up to the amount of funds approved for Project by the Texas Transportation Commission or MPO in consultation with State. Federal funds will be reimbursed on a cost basis. Project costs incurred prior to issuance of the SLOA are not eligible for reimbursement.
- F. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. For items of work subject to specified percentage funding, the Local Government shall only in those instances be responsible for all Project costs that are greater than the maximum State and federal participation specified in Attachment B and for overruns in excess of the amount specified in Attachment B to be paid by the Local Government. If the Project was State-selected, the State may apply a portion of any excess program funds to cover all or a portion of any overrun based on criteria provided by 43 Tex. Admin. Code §11.411(d).
- G. The budget in Attachment B will clearly state all items subject to fixed price funding, specified percentage funding, and the periodic payment schedule, when periodic payments have been approved by the State.

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- H. When fixed price funding is used, the Local Government is responsible for the fixed price amount specified in Attachment B. Fixed prices are not subject to adjustment unless (1) differing site conditions are encountered; (2) further definition of the Local Government's requested scope of work identifies greatly differing costs from those estimated; (3) work requested by the Local Government is determined to be ineligible for federal participation; or (4) the adjustment is mutually agreed to by the State and the Local Government.
- I. Following execution of this Agreement, but prior to the performance of any plan review work by State, Local Government will pay to State the amount specified in Attachment B for plan review. At least 60 days prior to the date set for receipt of the construction bids, Local Government shall remit its remaining local match as specified in Attachment B for State's estimated construction oversight and construction cost.
- J. In the event State determines that additional funding is required by Local Government at any time during Project, State will notify Local Government in writing. Local Government is responsible for the percentage of the authorized Project cost shown in Attachment B and 100 percent of any overruns above the federally authorized amount. Local Government will make payment to State within 30 days from receipt of State's written notification.
- K. Whenever funds are paid by Local Government to State under this Agreement, Local Government will remit a warrant made payable to the "Texas Department of Transportation". The warrant will be deposited by State and managed by State. Funds may only be applied by State to Project.
- L. Upon completion of Project, State will perform a final accounting of Project costs. Any funds due to Local Government, State, or the Federal Government will be promptly paid by the owing party.
- M. In the event Project is not completed, State may seek reimbursement from Local Government of the expended federal funds. Local Government will remit the required funds to State within 60 days from receipt of State's notification.
- N. If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than state or federal regulations, or if any other locally proposed changes, including but not limited to plats or re-plats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by Local Government. The cost of providing right of way acquired by State shall mean the total expenses in acquiring the property interests through negotiations, including, but not limited to, expenses related to relocation, removal, and adjustment of eligible utilities.
- O. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the Agreement or indirectly through a contract or subcontract under the Agreement. Acceptance of funds directly under the Agreement or indirectly through a contract or subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- P. State will not pay interest on any funds provided by Local Government.

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- Q. State will not execute the contract for the construction of Project until the required funding has been made available by Local Government in accordance with this Agreement.
- R. Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by State no more frequently than monthly, and no later than 90 days after costs are incurred. If Local Government submits invoices more than 90 days after the costs are incurred, and if federal funding is reduced as a result, State shall have no responsibility to reimburse Local Government for those costs.
- S. If Local Government is an Economically Disadvantaged County (EDC) or the State or MPO selected project meets the State's or MPO's criteria to receive Transportation Development Credits in lieu of providing a cash local match, and the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.

4. Termination of the Agreement

- A. This Agreement may be terminated by any of the following conditions:
 - 1. By mutual written consent and agreement of all parties;
 - 2. By any party with 90 days written notice; or
 - 3. By either party, upon the failure of the other party to fulfill the obligations as set forth in this Agreement. Any cost incurred due to such breach of contract shall be paid by the breaching party.
- B. If the potential termination of this Agreement is due to the failure of Local Government to fulfill its contractual obligations, State will notify Local Government that possible breach of contract has occurred. Local Government should make every effort to remedy the breach within a period mutually agreed upon by both parties.
- C. The Agreement may be terminated by the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly due to differing site conditions, determination that Local government requested work is ineligible for federal or state cost participation, or a more thorough definition of the Local Government's proposed work scope identifies greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination;
- D. If Local Government withdraws from Project after this Agreement is executed, Local Government shall be responsible for all direct and indirect Project costs as identified by the State's cost accounting system and with 2 CFR Part 200 recapture requirements.
- E. A project may be eliminated from the program as outlined below. If Project is eliminated for any of these reasons, this Agreement will be appropriately terminated. A project may be eliminated from the program, and this Agreement terminated, if:
 - 1. Local Government fails to satisfy any requirements of the program rules cited in 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418.
 - 2. The implementation of Project would involve significant deviation from the activities proposed in the nomination form and approved by the Texas Transportation Commission or MPO in consultation with State.
 - 3. Local Government withdraws from participation in Project.

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4. State determines that federal funding may be lost due to Project not being implemented and completed.
 5. Funds are not appropriated, in which case this Agreement shall be terminated immediately with no liability to either party. Payment under this Agreement beyond the current fiscal biennium is subject to availability of appropriated funds.
 6. A construction contract has not been awarded or construction has not been initiated within three years after the date that the Commission or MPO selected the project or by a letting date determined by the state and agreed to by the Local Government.
 7. Local Government fails to attend progress meetings at least twice yearly, as scheduled by State.
- F. State, at its sole discretion, may terminate this Agreement if State does not receive project invoice from Local Government within 270 days of FPAA.

5. Amendments

This Agreement may be amended due to changes in the work, the amount of funding required to complete Project, or the responsibilities of the parties. Such amendment must be made through a mutually agreed upon, written amendment that is executed by the parties.

6. Remedies

This Agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

7. Utilities

Local Government shall be responsible for the adjustment, removal, or relocation of utilities or utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to State of a delay resulting from Local Government's failure to ensure that utilities or utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. At the State's discretion, State may reimburse Local Government for minor, incidental utility adjustments that are identified during the preliminary engineering phase if they are eligible for federal reimbursement. Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, Local Government shall provide, at State's request, a certification stating that Local Government has completed the adjustment of all utilities that must be adjusted before construction begins. Additional utility work may be required due to unknown conditions discovered during construction. These costs may be eligible for TASA participation if the following conditions are met: (1) the activity is required to complete Project; (2) the cost is incidental to Project; and (3) TASA funding is available. Any change orders must be approved by State prior to incurring any cost for which reimbursement is sought.

8. Environmental Assessment and Mitigation

Development of Project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects.

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- A. The **Local Government** is responsible for the identification and assessment of any environmental problems associated with the development of Project.
- B. Local Government is responsible for the cost of any environmental problem's mitigation and remediation. These costs will not be reimbursed or credited towards Local Government's financial share of Project unless specified in the nomination form and approved by State or MPO in consultation with State.
- C. Local Government is responsible for providing any public meetings or public hearings required for development of the environmental assessment, including any public hearing requirements that may be necessary when adding a bike lane.
- D. Before the advertisement for bids, Local Government shall provide to State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

9. **Compliance with Accessibility Standards**

All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

10. **Architectural and Engineering Services**

- A. Architectural and engineering services for preliminary engineering will be provided by the **Local Government**. In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if Project is federally funded and Local Government will be seeking reimbursement for these services or if these services will be used as in-kind contributions; and with Texas Government Code Subchapter 2254.A., in all cases. Professional services contracts for federally funded projects must conform to federal requirements. Variety
- B. The architectural contract documents shall be developed in accordance with the standards of the American Institute of Architects, the U.S. Secretary of the Interior's Standards for Historic Preservation Projects, Standards and Guidelines for Archeology and Historic Preservation, the National Register Bulletin Number 36: Guidelines for Evaluating and Registering Historical Archeological Sites and in consultation with the State Historic Preservation Officer, as applicable. The engineering plans shall be developed in accordance with State's applicable Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges and the two American Association of State Highway and Transportation Officials' ("AASHTO") publications, "A Policy on Geometric Design of Highways and Streets" and "Guide for the Development of Bicycle Facilities," as applicable. All design criteria for bicycle and pedestrian bridges must comply with TxDOT's Bridge Design Manual and AASHTO's Load and Resistance Factor Design (LRFD) Guide Specifications for the Design of Pedestrian Bridges (latest edition) as applicable. All contract procurement procedures and documents must adhere to the applicable requirements established in the Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges. The use of other systems of specifications shall be approved by State in writing in advance.
- C. When architectural and engineering services are provided by or through Local Government, Local Government shall submit any plans it has completed to State for review and approval on an agreed upon schedule. Local Government may also submit

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the plans to State for review any time prior to completion. Local Government shall make the necessary revisions determined by State. Local Government will not let the construction contract until all required plans have received State approval.

- D. When architectural and engineering services are provided by or through State, then the State is responsible for the delivery and performance of any required architectural or preliminary engineering work. Local Government may review and comment on the work, including any proposed changes to the scope of work, as required to accomplish Project purposes. State will cooperate with Local Government in accomplishing these Project purposes to the degree permitted by state and federal law.

11. Construction Responsibilities

- A. The **Local Government** shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. To ensure federal funding eligibility, projects must be authorized by State prior to advertising for construction.
- B. All contract letting and award procedures must be approved by State prior to letting and award of the construction contract, whether the construction contract is awarded by State or by Local Government.
- C. All contract change order review and approval procedures must be approved by State prior to start of construction.
- D. If the Local Government is the responsible party, the State must review and approve change orders.
- E. Upon completion of Project, the party constructing Project will issue and sign a "Notification of Completion" acknowledging Project's construction completion.
- F. For federally funded contracts, the parties to this Agreement will comply with federal construction requirements provided in 23 CFR Parts 633 and 635, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR Subpart 635.B.
- G. Any field changes, supplemental agreements, or revisions to the design plans that may occur after the construction contract is awarded will be mutually agreed to by State and Local Government prior to authorizing the contractor to perform the work. Prior to completion of Project, the party responsible for construction will notify the other party to this Agreement of the anticipated completion date. All parties will be afforded the opportunity to assist in the final review of the construction services performed by the contractor.

12. Project Maintenance

- A. Upon completion of Project, Local Government will be responsible for maintaining the completed facility for public use. The property shall be maintained and operated for the purpose for which it was approved and funded for a period commensurate with the federal investment or State rules, whichever is greater. Should Local Government at any time after Project completion decide it can no longer maintain and operate Project

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for its intended purpose, Local Government shall consult with State and the FHWA as to the disposal or alternate uses, consistent with Project's original intent. State may require Local Government to return the federal funds in accordance with 2 CFR Part 200 federal recapture requirements. Should Local Government consider conveying the property, State and FHWA must be notified prior to the sale, transfer, or disposal of any property that received federal funds. Written concurrence of approval for the transaction, detailing any required recapture, must be obtained from FHWA prior to the transaction. Advance notice from Local Government of their intended action must be submitted to State for an FHWA review a minimum of 90 days prior to any action being taken by Local Government. Local Government shall be held responsible for reimbursement of all federal funds used or a portion of those funds based on a pro-rata amount, considering the original percentage of federal funds provided and the time elapsed from Project completion date. This same percentage of reimbursement also applies to any amount of profit that may be derived from the conveyance of the property, as applicable.

- B. Any manufacturer warranties extended to Local Government as a result of Project shall remain in the name of Local Government. State shall not be responsible for honoring any warranties under this Agreement.
- C. Should Local Government derive any income from the development and operation of Project, a portion of the proceeds sufficient for the maintenance and upkeep of the property shall be set aside for future maintenance. A project income report shall be submitted to State on a quarterly basis. Monies set aside according to this provision shall be expended using accounting procedures and with the property management standards established in 2 CFR Part 200.
- D. Should any historic properties be included in or affected by this federally funded Project, the historic integrity of the property and any contributing features must continue to be preserved regardless of any approved changes that may occur throughout the life of Project.

13. Right of Way and Real Property Acquisition

- A. Right of way and real property acquisition shall be the responsibility of Local Government. Title to right of way and other related real property must be acceptable to State before funds may be expended for the improvement of the right of way or real property.
- B. If Local Government is the owner of any part of Project site under this Agreement, Local Government shall permit State or its authorized representative access to occupy the site to perform all activities required to execute the work.
- C. Local Government will comply with and assume the costs for compliance with all the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 USC §4601 et seq., including those provisions relating to incidental expenses incurred by the property owners in conveying the real property to Local Government, and benefits applicable to the relocation of any displaced person as defined in 49 CFR §24.2(g). Documentation to support such compliance must be maintained and made available to State and its representatives for review and inspection.
- D. Local Government shall assume all costs and perform all work necessary to obtain needed evidence of title or right of use to the real property required for development of

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Project. Evidence of title or right of use shall be acquired in the name of (1) State, if the real property is to be made part of the State Highway System, or (2) Local Government, if the real property is not to be made part of the State Highway System. The evidence of title or rights shall be acceptable to State, and be free and clear of all encroachments. Local Government shall secure and provide easements and any needed rights of entry over any other land needed to develop Project according to the approved Project plans. Local Government shall be responsible for securing any additional real property required for completion of Project.

- E. Local Government shall prepare real property maps, property descriptions, and other data as needed to properly describe the real property and submit them to State for approval prior to Local Government acquiring the real property. Tracings of the maps shall be retained by Local Government for a permanent record.
- F. Local Government shall determine property values for each real property parcel to be purchased with federal funds using methods acceptable to State and shall submit to State a tabulation of the values so determined, signed by the appropriate Local Government representative. The tabulations must list the parcel numbers, ownership, acreage, and recommended compensation. The tabulation must be accompanied by an explanation to support the estimated values, together with a copy of the documentation and reports used in calculating each parcel's value. Expenses incurred by Local Government in performing this work may be eligible for reimbursement after Local Government has received written authorization by State to proceed with determination of real property values. State will review the data submitted and will base its reimbursement for parcel acquisitions on these in determining the fair market values. Local Government will not be reimbursed for right-of-way costs on state-selected projects.
- G. For State-selected TASA projects, Local Government shall not use eminent domain or condemnation to acquire real property for this TASA Project.
- H. Reimbursement for real property costs will be made to Local Government for real property purchased in an amount not to exceed 80 percent of the cost of the real property purchased in accordance with the terms and provisions of this Agreement. Reimbursement will be in an amount not to exceed 80 percent of State's predetermined fair market value of each parcel, or the net cost thereof, whichever is less. In addition, reimbursement will be made to Local Government for necessary payments to appraisers for expenses incurred in order to assure good title. Local Government will not be reimbursed for right-of-way costs on state-selected projects.
- I. Local Government and current property owner are responsible for any costs associated with the relocation of displaced persons and personal property as well as incidental expenses incurred in acquiring property to implement Project. State will not pay any of these costs.
- J. If Project requires the use of real property to which Local Government will not hold title, a separate agreement between the owners of the real property and Local Government must be executed prior to execution of this Agreement. The separate agreement between Local Government and the current property owner must establish that Project will be dedicated for public use for a period of time not less than ten years after project completion and commensurate with the federal investment. For State-selected projects, this is outlined in 43 Tex. Admin. Code §11.417. The separate agreement

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must define the responsibilities of the parties as to the use of the real property and operation and maintenance of Project after completion. The separate agreement must be approved by State prior to its execution and a copy of the executed separate agreement shall be provided to State.

- K. Local Government shall execute individually or produce a legal document as necessary to provide for Project's continued use from the date of completion, and agrees to cause the same to be recorded in the land records of the appropriate jurisdiction.
- L. Local governments receiving federal funds must comply with 23 CFR Part 710 and 49 CFR Part 24, and with the procedures provided in Chapter 6 of the State's Local Government Project Policy Manual. Local Government agrees to monitor Project to ensure: (1) continued use of the property for approved activities, and (2) the repayment of the Federal funds, as appropriate. Local Government agrees to the review of their Project accounts and site visits by State during the development of Project at any time. Upon Project completion, State will continue to perform periodic visits to confirm Project's continued use and upkeep.
- M. Before the advertisement for bids, Local Government shall provide a certification to State that all real property has been acquired.

14. Insurance

- A. Should this Agreement authorize Local Government or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide State with a fully executed copy of State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and State may recover damages and all costs of completing the work.
- B. For projects including buildings, Local Government agrees to insure the building according to Department specifications and further agrees to name the Federal Government as a "Loss Payee" should the building be destroyed.

15. Notices, Invoices, Payments, and Project Inquiries

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government:	State:
City of McAllen ATTN: Mayor 1300 Houston Avenue McAllen, TX 78501	Texas Department of Transportation ATTN: Director of Contract Services 125 E. 11 th Street Austin, TX 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

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Invoicing, payment, and project inquiries must be sent to the following address, which the State may change by sending written notice of the change to the Local Government:

Texas Department of Transportation
ATTN: District Engineer
600 W IH-2
Pharr, Texas 78577

All invoicing, payment, and project inquiries must include the following information:

County: Hidalgo
Local Government: City of McAllen
CSJ No.: 0921-02-558
Project Name: Nolana Loop Trail
Highway or Roadway: Nolana Loop

16. Legal Construction

In case one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

17. Responsibilities of the Parties

Neither party is an agent, servant, or employee of the other party and each party is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

18. Ownership of Documents

Upon completion or termination of this Agreement, all documents prepared by State shall remain the property of State. All data prepared under this Agreement shall be made available to State without restriction or limitation on their further use. All documents produced or approved or otherwise created by Local Government shall be transmitted to State in the form of photocopy reproduction on a monthly basis as required by State. The originals shall remain the property of Local Government.

19. Document and Information Exchange

Local Government agrees to electronically deliver to State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft Word or similar format. If requested by State, Local Government will use State's document template. Local Government shall also provide a detailed construction time estimate, including types of activities and month in which the activity will be completed, in the format required by State. This requirement applies whether Local Government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of State, Local Government shall submit any information required by State in the format directed by State.

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20. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, Local Government shall furnish State with satisfactory proof of this compliance.

21. Sole Agreement

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

22. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR Part 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to Project.

23. Procurement and Property Management Standards

The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government's procurement procedures for purchases to be eligible for state or federal funds.

24. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

25. Civil Rights Compliance

The parties to this Agreement are responsible for the following:

- A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including

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employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance: In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this Agreement, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
 2. cancelling, terminating, or suspending of the Agreement, in whole or in part.
- F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

26. Pertinent Non-Discrimination Authorities

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).

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- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. Parts 37 and 38.
- I. The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

27. Disadvantaged Business Enterprise Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise (“DBE”) Program requirements established in 49 CFR Part 26.
- B. Local Government shall adopt, in its totality, State’s federally approved DBE program.
- C. Local Government shall set an appropriate DBE goal consistent with State’s DBE guidelines and in consideration of Local market, project size, and nature of the goods or services to be acquired. Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. Local Government shall follow all other parts of State’s DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation’s Federally-Approved Disadvantaged Business

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Enterprise by Entity, and attachments found at web address:

http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.

- E. Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to Local Government of its failure to carry out its approved program, State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC § 3801 et seq.).
- F. Each contract Local Government signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: "The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate."

28. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a contract, subcontract, or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

29. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an

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employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for Local Government shall complete and submit the federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite imposed by 31 USC §1352 for making or entering into this transaction. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

30. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. Local Government agrees that it shall:
 1. Obtain and provide to State a System for Award Management (SAM) number (Federal Acquisition Regulation (FAR) Subpart 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://sam.gov/SAM/pages/public/index.jsf>
 2. Obtain and provide to State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five executives to State if:
 - a. More than 80 percent of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - b. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

31. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

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- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during Local Government's fiscal year, Local Government must submit a statement to TxDOT's Compliance Division as follows: *We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY_____.*
- D. For each year Project remains open for federal funding expenditures, Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or Project has been formally closed out and no charges have been incurred within the current fiscal year.

32. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated under that party's signature.

THE STATE OF TEXAS	THE LOCAL GOVERNMENT
_____	_____
Signature	Signature
_____	_____
Typed or Printed Name	Typed or Printed Name
_____	_____
Typed or Printed Title	Typed or Printed Title
_____	_____
Date	Date

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ATTACHMENT A **PROJECT LOCATION MAP**



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ATTACHMENT B
PROJECT ESTIMATE AND SOURCE OF FUNDS
 LG Performs PE Work or Hires Consultant / LG Lets Project for Construction

Work Performed by Local Government ("LG")							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amounts		Local Government Participation Includes authorized EDC reduction	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$0	0%	\$0	0%	\$0	0%	\$0
Preliminary Engineering	\$61,855	0%	\$0	0%	\$0	100%	\$61,855
Environmental Cost	\$25,000	0%	\$0	0%	\$0	100%	\$25,000
Right of Way	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities	\$0	0%	\$0	0%	\$0	0%	\$0
Construction (Cat 9.)	\$637,355	80%	\$509,884	17.8%	\$113,449	2.2%	\$14,022
Construction Cost	\$0						
Construction Engineering Cost	\$59,381						
Eligible In-Kind Contribution Value	\$0						
Total Construction Value (sum of construction cost and in-kind value)	\$59,381	0%	\$0	0%	\$0	100%	\$59,381
Work by LG Subtotal	\$783,591		\$509,884		\$113,449		\$160,258
Work Performed by the State (Local Participation paid up front by LG to TxDOT)							
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Right of Way ³	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities ²	\$0	0%	\$0	0%	\$0	0%	\$0
Construction Cost ²	\$	0%	\$0	0%	\$0	0%	\$0

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Eligible In-Kind Contribution Value	\$						
Total Construction Value (sum of construction cost and in-kind value)							
Work by State Subtotal		\$0	\$0	\$0	\$0		
Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amount		Local Government (LG) Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Preliminary Engineering ¹	\$6,514	0%	\$0	0%	\$0	100%	\$6,514
Environmental Cost ¹	\$3,908	0%	\$0	0%	\$0	100%	\$3,908
Right of Way ¹	\$1,303	0%	\$0	0%	\$0	100%	\$1,303
Utilities ¹	\$1,303	0%	\$0	0%	\$0	100%	\$1,303
Construction ²	\$20,902	0%	\$0	0%	\$0	100%	\$20,902
Direct State Costs Subtotal	\$33,930	0%	\$0	0%	\$0	100%	\$33,930
Indirect State Cost	\$43,176		\$0	100%	\$43,176		\$0
TOTAL PARTICIPATION	\$860,697		\$509,884		\$156,625		\$194,188
In-kind Contribution Credit Applied						0%	\$0
TOTAL REMAINING PARTICIPATION AFTER IN-KIND CONTRIBUTION							\$194,188

- The estimated total participation by Local Government is \$194,188.
- The **Local Government** is responsible for 100% of overruns.
- Total estimated payment by Local Government to State is \$33,930.
- ¹Local Government's first payment of \$13,028 is due to State within 30 days from execution of this contract.
- ²Local Government's second payment of \$20,902 is due to State within 60 days prior to the Construction contract being advertised for bids.

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- ³If ROW is to be acquired by State, Local Government's share of property cost will be due prior to acquisition.
- The local match must be 20% or greater and may include State contributions, eligible in-kind contributions, EDC adjustments, or TDCs if authorized as part of project selection.
- Transportation Development Credits (TDC) are being utilized in place of the Local Government's participation in the amount of 0.
- This is an estimate; the final amount of Local Government participation will be based on actual costs.
- Maximum federal TASA funds available for Project are \$509,884.

DRAFT

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**ATTACHMENT C
RESOLUTION OF LOCAL GOVERNMENT**

DRAFT



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.E.2.

DATE SUBMITTED

11/12/2025

MEETING DATE

11/24/2025

1. Agenda Item: Resolution authorizing the submission of a grant application to the Firefighters Charitable Foundation: Fire Department Equipment Program.
2. Party Making Request: Julia Lash
3. Applicant: Juan Gloria
4. Nature of Request: The Firefighters Charitable Foundation, through the Fire Department Equipment Program, provides funding to assist fire departments in purchasing essential firefighting equipment. This program also supports the acquisition of tools, protective clothing, and other necessary items. The McAllen Fire Department plans to use these funds to purchase new fire extinguisher training equipment, replacing the outdated system and improving the department's capacity to educate the public on the safe and effective use of fire extinguishers.
5. Fiscal Impact Summary: The grant request is for an amount up to \$30,000.00, with no local match required.
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Andrea Cantu	Created/Initiated - 11/12/2025
Julia Lash	Approved - 11/12/2025
Juan Gloria	Approved - 11/14/2025
Angie Rodriguez	Approved - 11/17/2025
Sonia Resendez	Approved - 11/17/2025
Gerardo Noriega	Approved - 11/17/2025
Michelle Rivera	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff recommends approval of the resolution authorizing the grant submission.
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT



**CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM**

To: Isaac J. Tawil, City Manager
Though: Michelle Rivera, Deputy City Manager
From: Julia D. Lash, Director of Grant Administration
Date: November 24, 2025
Subject: Firefighters Charitable Foundation: Fire Department Equipment Program

GOAL:

Resolution authorizing the submission of a grant application to the Firefighters Charitable Foundation: Fire Department Equipment Program, to request funding in an amount up to \$30,000.00.

BRIEF EXPLANATION OF THE ITEM:

The Firefighters Charitable Foundation, through the Fire Department Equipment Program, provides funding to assist fire departments in purchasing essential firefighting equipment. This program supports the acquisition of tools, protective clothing, and other necessary items. The McAllen Fire Department will utilize these funds to purchase new fire extinguisher training equipment, replacing the outdated system and improving the department's capacity to educate the public on the safe and effective use of fire extinguishers.

The grant request is for an amount up to \$30,000.00, with no local match required.

OPTIONS:

1. Approval of the resolution authorizing the grant submission.
2. Declining the grant submission will result in the loss of the grant funding opportunity.

RECOMMENDATION:

Staff recommends approval of the resolution authorizing the grant submission.

RESOLUTION NO. 2025-____

RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE FIREFIGHTERS CHARITABLE FOUNDATION: FIRE DEPARTMENT EQUIPMENT PROGRAM, TO REQUEST FUNDING IN AN AMOUNT UP TO \$30,000.00.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

WHEREAS, the Firefighters Charitable Foundation provides funding to assist local fire/disaster victims, fire prevention education, volunteer fire department equipment purchase, and community safety programs.

WHEREAS, the Fire Department Equipment Program provides funding to volunteer and paid fire departments for the purchase of firefighting equipment, as well as for the acquisition of tools, protective clothing, and other essential items;

WHEREAS, the McAllen Fire Department will utilize these funds to purchase new fire extinguisher training equipment, replacing the outdated system and improving the department's capacity to educate the public on the safe and effective use of fire extinguishers.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

- 1) The McAllen Fire Department, through the Grant Administration Office is hereby directed to prepare and submit an application to the Firefighters Charitable Foundation to request funding in an amount up to \$30,000.00, with no local match required.
- 2) Upon the approval of this application, the Board of Commissioners of McAllen designates the Mayor as the grantee's authorized official and is authorized to execute all legal documents necessary, including electronic submissions through funding agency portals, and to perform any acts necessary to implement the project. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Firefighters Charitable Foundation in full.

CONSIDERED, PASSED, APPROVED, AND SIGNED this 24th day of November 2025, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

Perla Lara, TRMC/CMC, CPM

Javier Villalobos, Mayor

Approved as to form:

Austin Stevenson, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.F.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Approval of Tax Refunds over \$500.00.

1. Maldonado Castro Edgar

2. Pena Javier

3. Reyna Steven

4. Saldana Rachel & Alberto Armando Jr.

5. William Chase Hall

2. Party Making Request: Rebecca Grimes

3. Applicant:

4. Nature of Request: Approval is needed for refunds over \$500.00 due to corrections from HCAD and overpayments.

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount:

Budgeted Amount:

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

norma yanez

Michelle Rivera

Austin Stevenson

Created/Initiated - 11/14/2025

Approved - 11/14/2025

Final Approval - 11/17/2025

8. Staff Recommendation: Approve refunds in order to comply with Texas Property Tax Code.

9. Advisory Board:

10. City Attorney: Approve -AWS

11. Manager's Recommendation: Approve. IJT

Tax Office

Memo

To: Isaac J. Tawil, City Manager

From: Rebecca M. Grimes, Tax Assessor-Collector

Date: November 24, 2025

Re: Tax Refunds over \$500.00

The tax office needs your approval for the following refund(s) due to corrections from the Hidalgo County Appraisal District. The corrections resulted in tax refunds over \$500.00.

Name	Original Levy	Corrected Levy	Refund	Change Reason
Maldonado Castro Edgar	334.05 344.49 451.54 444.18	232.95 246.59 286.91 282.19	101.10 97.90 164.63 161.99	Entered incorrect size of sq ft
Reyna Steven & Una Regina Aluyen	3,011.76	1,805.76	1,206.00	Grant DVHS filed late
Saldana Rachel & Alberto Armando Jr.	481.90 527.03	326.10	155.80 527.03	Grant DVHS
William Chase Hall	18,305.68	17,549.57	756.11	Court Order Adjustment C-4517-24-H

Attachments (4)

rmg

APPLICATION FOR TAX REFUND

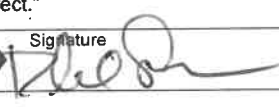
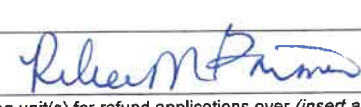
Collecting office name City of McAllen Tax Office		Collecting tax for: (taxing units) City of McAllen																															
Present mailing address (number and street) P O Box 220/311 N 15th St		Phone (area code and number) (956)681-1330																															
City, town or post office, state, ZIP code McAllen TX 78505-0220																																	
To apply for a tax refund, the taxpayer must complete the following.																																	
Step 1: Owner's name and address	Owner's name Edgar Castro Maldonado / Maria G Avila Present mailing address (number and street) 2304 E 28th St City, town or post office, state, ZIP code Mission, TX 78574-1910																																
Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): Monterrey Lots 10 & 11 Blk 2 Address or location of property: 1422 S 14th 1/2 St Account number of property: M605000-002-0010-00 OR Tax receipt number:																																
Step 3: Give the tax payment information	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 30%;">Name of Taxing Unit from Which Refund is Requested</th> <th style="width: 10%;">Year for Which Refund is Requested</th> <th style="width: 10%;">Date of the Tax Payment</th> <th style="width: 10%;">Amount of Taxes Paid</th> <th style="width: 10%;">Amount of Tax Refund Requested</th> </tr> </thead> <tbody> <tr> <td>1. CITY OF MCALLEN</td> <td>2021</td> <td>12/28 / 2021</td> <td>\$ 334.05</td> <td>\$ 101.10</td> </tr> <tr> <td>2. CITY OF MCALLEN</td> <td>2022</td> <td>12/07 / 2022</td> <td>\$ 344.49</td> <td>\$ 97.90</td> </tr> <tr> <td>3. CITY OF MCALLEN</td> <td>2023</td> <td>11/24 / 2023</td> <td>\$ 451.54</td> <td>\$ 164.63</td> </tr> <tr> <td>4. CITY OF MCALLEN</td> <td>2024</td> <td>11/29 / 2024</td> <td>\$ 444.18</td> <td>\$ 161.99</td> </tr> <tr> <td>5.</td> <td></td> <td></td> <td>\$</td> <td>\$</td> </tr> </tbody> </table> Taxpayer's reason for refund (attach supporting documentation): Entered incorrect size of 10,000 sqft instead of the correct size of 5,000 sq ft Supp #24 (2023); Supp #14(2024) - npg 11/3/25			Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested	1. CITY OF MCALLEN	2021	12/28 / 2021	\$ 334.05	\$ 101.10	2. CITY OF MCALLEN	2022	12/07 / 2022	\$ 344.49	\$ 97.90	3. CITY OF MCALLEN	2023	11/24 / 2023	\$ 451.54	\$ 164.63	4. CITY OF MCALLEN	2024	11/29 / 2024	\$ 444.18	\$ 161.99	5.			\$	\$
Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested																													
1. CITY OF MCALLEN	2021	12/28 / 2021	\$ 334.05	\$ 101.10																													
2. CITY OF MCALLEN	2022	12/07 / 2022	\$ 344.49	\$ 97.90																													
3. CITY OF MCALLEN	2023	11/24 / 2023	\$ 451.54	\$ 164.63																													
4. CITY OF MCALLEN	2024	11/29 / 2024	\$ 444.18	\$ 161.99																													
5.			\$	\$																													
Step 4: Sign the form	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct." sign here Date of application for tax refund 11/7/25 If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.																																
Step 5: Tax refund determination	This tax refund is ☐ Approved ☐ Disapproved sign here Authorized officer Date 11/11/25 sign here Collector(s) of taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code) Date																																



APPLICATION FOR TAX REFUND

Collecting office name City of McAllen Tax Office		Collecting tax for: (taxing units) City of McAllen								
Present mailing address (number and street) P O Box 220/311 N 15th St										
City, town or post office, state, ZIP code McAllen TX 78505-0220		Phone (area code and number) (956)681-1330								
To apply for a tax refund, the taxpayer must complete the following.										
Step 1: Owner's name and address	Owner's name Steven D Reyba & Una Regina Aluyen									
	Present mailing address (number and street) 14208 Gorman Falls Rd 24402 Birdie Ridge									
	City, town or post office, state, ZIP code McAllen, TX 78504	Phone (area code and number) San Antonio TX 78260 956 926 9202								
Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): Cascada at Tres Lagos Ph 2 Lot 129									
	Address or location of property: _____									
	Account number of property: C224302-000-0129-00	Tax receipt number: _____								
Step 3: Give the tax payment information	Name of Taxing Unit from Which Refund Is Requested		Year for Which Refund Is Requested		Date of the Tax Payment		Amount of Taxes Paid		Amount of Tax Refund Requested	
	1. CITY OF MCALLEN		2024		4/28 / 2025		\$ 3,011.76		\$ 1,206.00	
	2. _____		_____		_____ / _____		\$ _____		\$ _____	
	3. _____		_____		_____ / _____		\$ _____		\$ _____	
	4. _____		_____		_____ / _____		\$ _____		\$ _____	
	5. _____		_____		_____ / _____		\$ _____		\$ _____	
	Taxpayer's reason for refund (attach supporting documentation): Grant DVHS Filed Late									
2024(Supp 10) - npg 6.2.25										
Step 4: Sign the form	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."									
	sign here	Signature					SIGN HERE		Date of application for tax refund Oct 21, 2025	
	If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.									
Step 5: Tax refund determination	This tax refund is ☐ Approved ☐ Disapproved									
	sign here	Authorized officer					Date 11/11/25			
	sign here	Collector(s) of taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code)					Date			

APPLICATION FOR TAX REFUND

Collecting office name City of McAllen Tax Office		Collecting tax for: (taxing units) City of McAllen			
Present mailing address (number and street) P O Box 220/311 N 15th St		Phone (area code and number) (956)681-1330			
City, town or post office, state, ZIP code McAllen TX 78505-0220					
To apply for a tax refund, the taxpayer must complete the following.					
Step 1: Owner's name and address	Owner's name Rachel & Alberto Armando Jr Saldana				
	Present mailing address (number and street) 3913 Xanthisma Ave				
	City, town or post office, state, ZIP code McAllen, TX 78504-6609		Phone (area code and number)		
Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): Brookwood Ut 1 Lot 14				
	Address or location of property: _____				
	Account number of property: B444301-000-0014-00 OR _____				
	Tax receipt number: _____				
Step 3: Give the tax payment information	Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested
	1. CITY OF MCALLEN	2023	12/20 / 2023	\$ 481.90	\$ 155.80
	2. CITY OF MCALLEN	2024	12/13 / 2024	\$ 527.03	\$ 483.71
	3. CITY OF MCALLEN	2024	/	\$	\$ 43.32
	4. _____	/	/	\$	\$
	5. _____	/	/	\$	\$
	Taxpayer's reason for refund (attach supporting documentation): DVHS Prorate begin date 9/5/23; DVHS prorate date 12/1/24				
	Supp #24 (2023); Supp 14(2024); Supp #11 (2024)- npg 10/31/25				
	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."				
	sign here   Date of application for tax refund 11/13/2025				
If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.					
Step 5: Tax refund determination	This tax refund is ☐ Approved ☐ Disapproved				
	sign here Authorized officer 				Date 11/13/25
	sign here Collector(s) of taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code)				Date

APPLICATION FOR TAX REFUND

Collecting office name City of McAllen Tax Office		Collecting tax for: (taxing units) City of McAllen			
Present mailing address (number and street) P O Box 220/311 N 15th St		Phone (area code and number) (956)681-1330			
City, town or post office, state, ZIP code McAllen TX 78505-0220					
To apply for a tax refund, the taxpayer must complete the following.					
Step 1: Owner's name and address	Owner's name HALL CHASE WILLIAM				
	Present mailing address (number and street) 4511 11TH ST				
	City, town or post office, state, ZIP code LUBBOCK TX 79416-4815		Phone (area code and number)		
Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): NAPA HEIGHTS LOT 1				
	Address or location of property: 601 LINDBERG AVE				
	Account number of property: N021000-000-0001-00 OR Tax receipt number:				
Step 3: Give the tax payment information	Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested
	1. CITY OF MCALLEN	2024	12/11 / 2024	\$ 18,305.68	\$ 756.11
	2. _____	_____	_____ / _____	\$ _____	\$ _____
	3. _____	_____	_____ / _____	\$ _____	\$ _____
	4. _____	_____	_____ / _____	\$ _____	\$ _____
	5. _____	_____	_____ / _____	\$ _____	\$ _____
Taxpayer's reason for refund (attach supporting documentation): COURT ORDER ADJUSTMENT C-4517-24-H					
rmg Supp #16					
Step 4: Sign the form	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."				
	sign here	Signature			Date of application for tax refund
If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.					
Step 5: Tax refund determination	This tax refund is ☐ Approved ☐ Disapproved				
	sign here	Authorized officer			Date 11/13/25
	sign here	Collector(s) of taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code)			Date

Tax Office

Memo

To: Isaac J. Tawil, City Manager

From: Rebecca M. Grimes, Tax Assessor-Collector

Date: November 24, 2025

Re: Tax Refunds over \$500.00

The tax office has determined the attached application(s) for tax refund over \$500.00 dollars is (are) due for erroneous and/or overpayments. I respectfully request your approval for these tax refunds as required by Property Tax Code 31.11.

<i>Taxpayer/Payee</i>	<i>Amount Paid</i>	<i>Reason for Tax Refund</i>	<i>Amount of Refund</i>
Pena Javier	\$801.22	Overpayment	\$801.22

Attachments (1)

Rmg

Application for Tax Refund Overpayments or Erroneous Payments

City of McAllen Tax Office

(956)681-1330

Collection Office Name

Phone (area code and number)

P O Box 220/311 N 15th St., McAllen TX 78505-0220

Address, City, State, ZIP Code

City of McAllen

Collecting Tax For (taxing units)

GENERAL INFORMATION: This application is for use in requesting a tax refund pursuant to Tax Code Section 31.11 and Comptroller Rule 9.3039. To apply for a tax refund, the taxpayer or representative must complete Sections 1 through 5 of this application. The refund check will be made payable to the taxpayer and mailed to the taxpayer address provided below.

FILING INSTRUCTIONS: This document and all supporting documentation must be filed with the tax collector of the taxing unit for which you are requesting a refund. Do not file this document with the Texas Comptroller of Public Accounts. A directory with contact information for county tax offices may be found on the Comptroller's website.

SECTION 1: Taxpayer Information

JAVIER PENA

Name of Taxpayer

Email Address*

office@penalawfirm.com

Primary Phone Number (area code and number)

203 S 10TH AVE EDINBURG, TX 78539

Mailing Address, City, State, ZIP Code

SECTION 2: Authorized Representative

Provide the information below if an agent has been appointed under Tax Code Section 1.111 to represent the taxpayer for tax matters. Attach a completed and signed Form 50-162, *Appointment of Agent for Property Tax Matters*, if the form has not been filed with the appraisal district. Individual taxpayers handling tax matters on their own behalf skip to section 3.

Name of Authorized Representative

Title of Authorized Representative

Primary Phone Number (area code and number)

Email Address*

Mailing Address, City, State, ZIP Code

SECTION 3: Property Information

W145002-000-0032-00

Appraisal District Account Number

OR

Tax Receipt Number

4511 N CYNTHIA ST

Location Address, City, State, ZIP Code

Legal Description (or attach copy of the tax bill or tax receipt):

WATER WALK PHASE 2 LOT 32

SECTION 4: Tax Payment Information

Complete the tax payment information requested below for each taxing unit from which refund is requested. A separate document containing the same information may be attached for additional taxing units, if necessary.

Name of Taxing Unit From Which Refund is Requested	Year for Which Refund Is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested
1. CITY OF MCALLEN	2025	10/14/25	\$ 801.22	\$ 801.22
2.			\$	\$
3.			\$	\$
4.			\$	\$
5.			\$	\$
6.			\$	\$
7.			\$	\$
8.			\$	\$

Taxpayer's Reason for Refund (attach supporting documentation)

REFUND HOMEOWNER FROM 2022 DUE TO MORTGAGE CO.(RUSHMORE LOAN MANAGEMENT SERVICES) IS NO LONGER ACCEPTING REFUNDS

25287R9 MRE

SECTION 5: Taxpayer Signature

I hereby apply for the refund of the above described taxes and certify that the information I have given on this form is true and correct.

print
here

Junior Peña

Print Taxpayer Name

sign
here



Taxpayer Signature

Date

11-3-25

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code, §37.10.

If the collector does not respond to this application on or before the 90th day after the date the application form is filed with the collector, this application is presumed to have been denied. The taxpayer may file suit against the taxing unit in the district court to compel payment of the refund if it is filed not later than the 60th date after the collector denies the application.

*See Government Code Section 552.137 regarding confidentiality of email addresses.

FOR COLLECTOR USE ONLY

SECTION 6: Tax Refund Determination

This tax refund is ☐ Approved ☐ Disapproved

print
here

Rebecca M. Grimes

Print Name and Title

sign
here



Authorized Officer

Date

11/11/25

print
here

Print Name and Title

sign
here

Collector(s) of Taxing Unit(s) for Refund Applications Over (insert amount for which governing body approval is required under Tax Code Section 31.11)

Date



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.A.

DATE SUBMITTED

11/10/2025

MEETING DATE

11/24/2025

1. Agenda Item: Award of Contract for Professional Engineering Services for The Bentsen Hike & Bike Trail (Project No. 11-25-S20-01).
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary: 321-8708-466-66-30-CP2208 - "Irrigation District ROW - Trails \$1,800,000
6. Budgeted: Yes

Bid Amount:	<u>\$194,813</u>	Budgeted Amount:	<u>\$1,800,000</u>
Under Budget:	<u>\$0.00</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Roberto Garza	Created/Initiated - 11/10/2025
Denny Meline	Approved - 11/14/2025
Eduardo Mendoza	Approved - 11/14/2025
Angie Rodriguez	Approved - 11/14/2025
Sonia Resendez	Approved - 11/17/2025
Gerardo Noriega	Approved - 11/17/2025
Elvira Alonzo	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff recommends **option 1**: Approval of the award of civil engineering consulting services to **Marcia Appia, LLC** for the design development of Bentsen Road Hike and Bike Trail Expansion. This includes authorization of **Work Authorization No. 1** in the amount of **\$100,163**. Staff further recommends authorizing the future award of Work Authorizations Nos. 2 and 3, as required for design development and subject to budget availability and approval by the City Manager.
9. Advisory Board:
10. City Attorney: Approve Option 1 -AWS
11. Manager's Recommendation: Approve. IJT



ENGINEERING DEPARTMENT MEMORANDUM

To: Isaac J. Tawil, City Manager
From: Denny Meline, Director of Parks and Recreation *(Signature)*
Date: November 24, 2025
Subject: Consideration and Award of Professional Civil Engineering Services for Bentsen Road Hike and Bike Trail Extension - From Buddy Owens Boulevard (Mile 3 Rd.) to SH495(Pecan Avenue).

GOAL

Consideration and approval of Civil Engineering services to **Marcia Appia Civil Infrastructure Consultant Engineers, LLC**, under contract **09-22-S72-441**, "General Civil Engineering Services Pool". The proposed services will support the design development of **Bentsen Road Hike and Bike Trail Expansion**, from Buddy Owens Boulevard (Mile 3 Rd.) to SH495(Pecan Avenue).

EXPLANATION

The scope of work to be performed by Marcia Appia Engineering includes engineering design, preparation of bid documents, and bid award review. The project entails the construction of approximately 1 mile of a 10-foot share used path for pedestrian and bicycle use and incorporates the development of stormwater management systems, pedestrian-friendly pathways, crossings over existing drainage and irrigation canals.

The estimated construction cost for this project is \$1.50 million. A summary of the negotiated fees is provided below, and a detailed scope of work along with the fee schedule is attached for your review and consideration.

	Fee	Percent
Work Authorization Number 1. (Phase I – Segment From Buddy Owens Blvd. to Nolana Avenue)	\$ 100,163	6.40%
Work Authorization Number 2. (Phase II – Segment From HCIDN1 Canal Crossing to SH495)	\$ 55,500	3.50%
Work Authorization Number 3. (Phase III – Segment From Warrrior Drive to HCIDN1 Canal Crossing)	\$ 39,150	2.50%
Total	\$ 194,813	12.40%

OPTIONS

1. **Approve** Work Authorization No. 1, and authorize Work Authorizations Nos. 2 and 3 as phases are competed and bid, subject to City Manager approval and budget availability.
2. **Approve** Work authorization 1 Only.
3. **Cease** negotiations and authorize staff to commence negotiations with the next ranked firm.

RECOMMENDATION

Staff recommends **option 1**: Approval of the award of civil engineering consulting services to **Marcia Appia, LLC** for the design development of Bentsen Road Hike and Bike Trail Expansion. This includes authorization of **Work Authorization No. 1** in the amount of **\$100,163**. Staff further recommends authorizing the future award of Work Authorizations Nos. 2 and 3, as required for design development and subject to budget availability and approval by the City Manager.

Engineer's Opinion of Probable Construction Cost

Owner:	City of McAllen	Date Prepared:	10/29/2025
	1300 Houston Avenue, McAllen, TX. 78501	Revisions:	
Project Name:	Bentsen Hike and Bike Trail (AREA 3) Nolana to Buddy Owens.	Engineer's Project File:	24-109

Item No.	Description	Qty.	Unit	Unit Price	Total Amount
A.	Construction Cost				
A.1	Demolition.	1,400	LF	\$ 25.00	\$ 35,000.00
A.2	Station Grading.	3,160	LF	\$ 5.00	\$ 15,800.00
A.3	4-in thick X 10 feet wide reinforced concrete walking and riding trail.	1,900	SY	\$ 75.00	\$ 142,500.00
A.4	6-in thick X 10 feet wide reinforced concrete pavement w/ flexbase.	1,611	SY	\$ 185.00	\$ 298,055.56
A.5	6-ft Tall Galvanized PVC Coated Welded Wire Fence.	1,480	LF	\$ 125.00	\$ 185,000.00
A.6	Contingency at 20%				\$ 135,271.11
	TOTAL ITEM A				\$ 811,626.67
B	Professional Services				
B.1	Professional Surveying Services.				\$ 17,000.00
B.2	Professional Engineering Services.				\$ 81,163.00
B.3	TDLR License & Inspection including \$350.00 administrative fee.				\$ 2,000.00
	TOTAL ITEM B				\$ 100,163.00

Total Estimated Project Cost	\$ 911,789.67
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 10/29/25



Marcia Appia

Civil Infrastructure Consultant Engineers, LLC.
 McALLEN, TEXAS 78501 • TEXAS FIRM REGISTRATION NO. F-22033

Engineer's Opinion of Probable Construction Cost

Owner:	City of McAllen	Date Prepared:	10/29/2025
	1300 Houston Avenue, McAllen, TX. 78501	Revisions:	
Project Name:	Bentsen Hike and Bike Trail (AREA 1) Pecan to 1,800 ft North.	Engineer's Project File:	24-109

Item No.	Description	Qty.	Unit	Unit Price	Total Amount
A.	Construction Cost				
A.1	Demolition.	300	LF	\$ 25.00	\$ 7,500.00
A.2	Station Grading.	2,095	LF	\$ 5.00	\$ 10,475.00
A.3	Reshaping of existing earthen embankment & side slopes.	1,085	LF	\$ 35.00	\$ 37,975.00
A.4	4-in thick X 10 feet wide reinforced concrete walking and riding trail.	1,206	SY	\$ 75.00	\$ 90,416.67
A.5	6-in thick X 10 feet wide reinforced concrete pavement w/ flexbase.	1,122	SY	\$ 185.00	\$ 207,611.11
A.6	Side slope stabilization (hydromulch seeding).	1,135	LF	\$ 40.00	\$ 45,400.00
A.7	Contingency at 20%				\$ 70,795.56
	TOTAL ITEM A				\$ 470,173.33
B	Professional Services				
B.1	Professional Surveying Services.				\$ 6,500.00
B.2	Professional Engineering Services.				\$ 47,000.00
B.3	TDLR License & Inspection including \$350.00 administrative fee.				\$ 2,000.00
	TOTAL ITEM B				\$ 55,500.00

Total Estimated Project Cost	\$ 525,673.33
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Engineer's Opinion of Probable Construction Cost

Owner:	City of McAllen	Date Prepared:	10/29/2025
	1300 Houston Avenue, McAllen, TX. 78501	Revisions:	
Project Name:	Bentsen Hike and Bike Trail (AREA 2) Warrior Dr. to 1,200 ft South.	Engineer's Project File:	24-109

Item No.	Description	Qty.	Unit	Unit Price	Total Amount
A.	Construction Cost				
A.1	Demolition.	155	LF	\$ 25.00	\$ 3,875.00
A.2	Station Grading.	1,385	LF	\$ 5.00	\$ 6,925.00
A.3	Reshaping of existing earthen embankment & side slopes.	650	LF	\$ 35.00	\$ 22,750.00
A.4	4-in thick X 10 feet wide reinforced concrete walking and riding trail.	978	SY	\$ 75.00	\$ 73,333.33
A.5	6-in thick X 10 feet wide reinforced concrete pavement w/ flexbase.	561	SY	\$ 185.00	\$ 103,805.56
A.6	Side slope stabilization (hydromulch seeding).	700	LF	\$ 40.00	\$ 28,000.00
A.7	Contingency at 20%				\$ 47,737.78
	TOTAL ITEM A				\$ 286,426.67
B	Professional Services				
B.1	Professional Surveying Services.				\$ 8,500.00
B.2	Professional Engineering Services.				\$ 28,650.00
B.3	TDLR License & Inspection including \$350.00 administrative fee.				\$ 2,000.00
	TOTAL ITEM B				\$ 39,150.00

Total Estimated Project Cost	\$ 325,576.67
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Marcia Appia

Civil Infrastructure Consultant Engineers, LLC.
McAllen, Texas 78501 • TEXAS FIRM REGISTRATION NO. F-22033



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.A.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Consideration of Variance Requests 1.) Interior Street Right-of-Way requirement 2.) to exceed the maximum Block Length requirement and 3.) to exceed the Cul-De-Sac Length requirement for a proposed Alhambra on 10th Subdivision, Hidalgo County, Texas; 11265 North 10th Street.
2. Party Making Request: Omar Sotelo
3. Applicant: Rio-Plex Engineering
4. Nature of Request: Consideration of Variance Requests 1) Interior Street Right-Of-Way requirement 2) to exceed the maximum Block Length requirement and 3.) to exceed the Cul-De-Sac Length requirement for a proposed Alhambra on 10th Subdivision, Hidalgo County, Texas; 11265 N. 10th Street
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/14/2025
Omar Sotelo	Approved - 11/14/2025
Michelle Rivera	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: None -AWS
11. Manager's Recommendation: Approve. IJT

Memo

TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Planning Director

DATE: November 4, 2025

SUBJECT: CONSIDERATION OF A VARIANCE REQUESTS TO 1) INTERNAL ROAD ROW WIDTH AND 2.) BLOCK LENGTH AND 3.) CUL-DE-SAC LENGTH FOR A PROPOSED ALHAMBRA ON 10TH SUBDIVISION, HIDALGO COUNTY, TEXAS; 11265 N. 10TH STREET.

Alhambra on 10th Street Subdivision is a 66-lot development with 64 residential lots, 1 commercial Lot and 1 common Lot. The property is located on the west side of North 10 Street, approximately 1,000 feet south of State Highway 107. Surrounding land uses include City of McAllen Water Plant and vacant land.

The applicant submitted the following variance requests for Alhambra on 10th 1.) Internal Road ROW width and 2.) Block Length and 3.) Cul-de-sac Length.

Variance request number one is to allow 50 ft. ROW in lieu of 60 ft. requested for interior street of a multifamily development. The submitted request indicates that the subdivision will comply with 40 ft. paving requirements and a 10 ft. sidewalk and utility easement will be provided on both sides of interior street. The subdivision will be private and maintained by the HOA.

Variance request number two is to allow a block length to exceed the maximum 800 ft. or twelve lots, whichever is less, as required in the new UDC in Section 5.3 for an R-2 District. The proposed length is approximately 1,240 ft. The submitted letter stated that due to existing site constraints and layout of adjacent developments, connections would not be feasible.

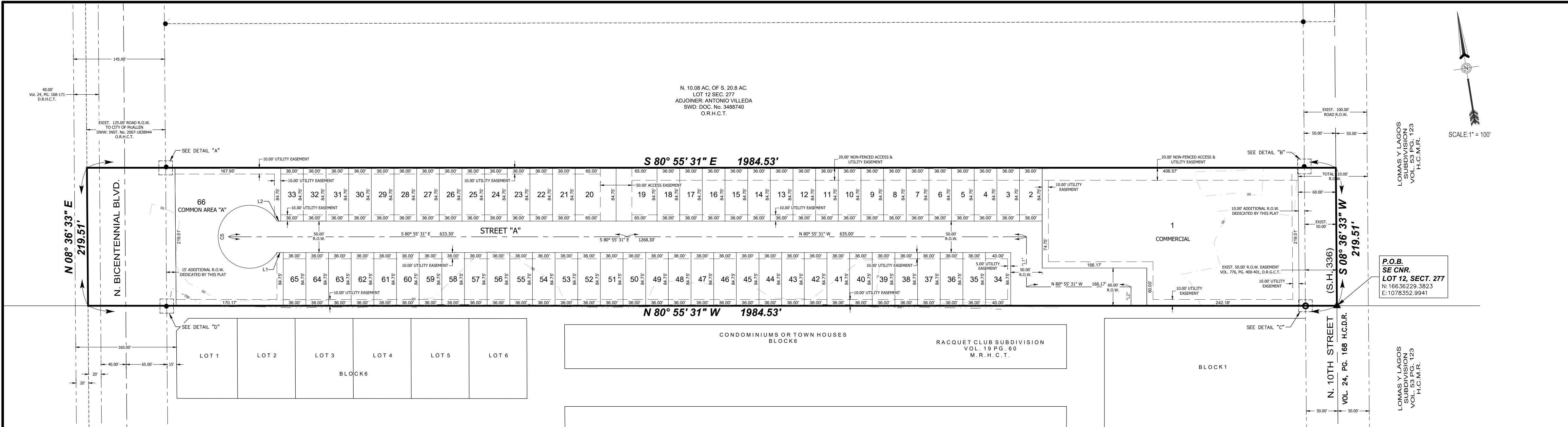
Variance request number three is to allow a Cul-De-Sac Street to exceed the maximum 300 ft. length allowed in the new UDC in Section 5.3. The submitted plat shows a Cul-De-Sac length at approximately 605 feet. The proposed design will allow the efficient use of space while still providing adequate access for residents and emergency responders.

RECOMMENDATION:

The Planning and Zoning Commission considered the subdivision in revised preliminary form and the variance request at their meeting of November 4, 2025. The Board approved the subdivision in revised preliminary form, subject to the conditions noted and recommended approval of the requested variances. There were four Board members present and voting.

OPTIONS:

1. Approve the variance as requested by the applicant.
2. Approve the variance as recommended by the Planning and Zoning Commission Board.
3. Table the variance requests for additional information.
4. Disapprove the variance requests.



THE STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS ALHAMBRA ON 10th SUBDIVISION TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY GRANT AN ACCESS UTILITY EASEMENT TO THE CITY OF MCALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREET(S), ALLEY(S), AND EASEMENT(S) THEREON SHOWN, SURFACE USE OF THE STREET(S) AND ALLEY(S) IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF MCALLEN, TO THE EMPLOYEES OR UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF MCALLEN AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS.

MOUAYAD YAZJI, GOVERNING PERSON
MOUAYAD DEVELOPMENT LLC
400 CORNELL AVE
MCALLEN, HIDALGO, TEXAS 78504

THE STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MOUAYAD YAZJI, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSED AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS

THE _____ DAY OF _____, 20____.

NOTARY PUBLIC, FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES:

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, KELLEY A. HELLER-VELA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

DATED THIS THE _____ DAY OF _____, 20____.

KELLEY A. HELLER-VELA, PROFESSIONAL ENGINEER No. 97421
STATE OF TEXAS

DATED PREPARED: 05/01/2025
ENGINEERING JOB # R25-007

STATE OF TEXAS
COUNTY OF HIDALGO

I, MANNY CARRIZALES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF MCALLEN, TEXAS.

DATED THIS THE _____ DAY OF _____, 20____.

MANNY CARRIZALES PROFESSIONAL LAND SURVEYOR No. 6388
STATE OF TEXAS

DATED SURVEYED: 04/07/2025
SURVEY JOB # 25060

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MCALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING AND ZONING COMMISSION

DATE

I, THE UNDERSIGNED, MAYOR OF THE CITY OF MCALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF MCALLEN

DATE

DATE

APPROVED BY DRAINAGE DISTRICT:

HIDALGO COUNTY DRAINAGE DISTRICT NO.1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE §49.211 (C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

DATE



FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM

INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

Lot Area Table			Lot Area Table			Lot Area Table		
Lot #	SQ. FT.	Area	Lot #	SQ. FT.	Area	Lot #	SQ. FT.	Area
1	79466.09	1.824	26	3050.96	0.070	51	3050.96	0.070
2	3050.96	0.070	27	3050.96	0.070	52	3050.96	0.070
3	3050.96	0.070	28	3050.96	0.070	53	3050.96	0.070
4	3050.96	0.070	29	3050.96	0.070	54	3050.96	0.070
5	3050.96	0.070	30	3050.96	0.070	55	3050.96	0.070
6	3050.96	0.070	31	3050.96	0.070	56	3050.96	0.070
7	3050.96	0.070	32	3050.96	0.070	57	3050.96	0.070
8	3050.96	0.070	33	3050.96	0.070	58	3050.96	0.070
9	3050.96	0.070	34	3389.96	0.078	59	3050.96	0.070
10	3050.96	0.070	35	3050.96	0.070	60	3050.96	0.070
11	3050.96	0.070	36	3050.96	0.070	61	3050.96	0.070
12	3050.96	0.070	37	3050.96	0.070	62	3050.96	0.070
13	3050.96	0.070	38	3050.96	0.070	63	3050.96	0.070
14	3050.96	0.070	39	3050.96	0.070	64	3050.96	0.070
15	3050.96	0.070	40	3050.96	0.070	65	3050.96	0.070
16	3050.96	0.070	41	3050.96	0.070	66	29071.01	0.667
17	3050.96	0.070	42	3050.96	0.070			
18	3050.96	0.070	43	3050.96	0.070			
19	5508.68	0.126	44	3050.96	0.070			
20	5508.68	0.126	45	3050.96	0.070			
21	3050.96	0.070	46	3050.96	0.070			
22	3050.96	0.070	47	3050.96	0.070			
23	3050.96	0.070	48	3050.96	0.070			
24	3050.96	0.070	49	3050.96	0.070			
25	3050.96	0.070	50	3050.96	0.070			

Lot Line Table		
Line #	Length	Direction
"L1"	79.75'	N09° 04' 29"E
"L2"	30.00'	N09° 04' 29"E
L1	10.20'	S80° 55' 31"E
L2	6.20'	S80° 55' 31"E

LEGEND

- - FOUND 1/2" IRON ROD OR AS NOTED
- - SET 1/2" IRON ROD W/PINK CAP STAMPED "CLS RPLS 6388"
- - CALCULATED POINT
- - FOUND "X" MARK
- - FOUND 2" IRON PIPE OR AS NOTED
- - POINT OF BEGINNING
- SE - SOUTHEAST
- CH. - CORNER
- SECT. - SECTION
- R.O.W. - RIGHT OF WAY
- VL. - VOLUME
- PL. - PAGE
- DOC. - DOCUMENT
- APH. - AFFIDAVIT OF HEIRSHIP
- SWO. - SPECIAL WARRANTY DEED
- DWN. - DEED WITHOUT WARRANTY
- OFF. - OFFICIAL RECORDS
- HIDALGO COUNTY TEXAS
- MAP RECORDS HIDALGO COUNTY TEXAS
- D.R.H.C.T. - DEED RECORDS HIDALGO COUNTY TEXAS

SUBDIVISION MAP OF ALHAMBRA ON 10th SUBDIVISION (PRIVATE)

BEING A SUBDIVISION OF A 10.000 ACRE TRACT OF LAND,
BEING THE SOUTH 10 ACRES OF LOT 12, SECTION 277,
TEXAS-MEXICAN RAILWAY COMPANY'S SUBDIVISION, HIDALGO
COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN
VOLUME 24, PAGES 168-171, DEED RECORDS, HIDALGO
COUNTY, TEXAS.

METES AND BOUNDS DESCRIPTION:

A 10.000 ACRE TRACT OF LAND, BEING THE SOUTH 10 ACRES OF LOT 12, SECTION 277, TEXAS-MEXICAN RAILWAY COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THEREOF RECORDED IN VOLUME 24, PAGES 168-171, MAP RECORDS, HIDALGO COUNTY, TEXAS, SAME BEING DESCRIBED AND CONVEYED TO RIO FINANCIAL HOLDINGS, INC BY VIRTUE OF SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 3488143, OFFICIAL RECORDS OF HIDALGO COUNTY TEXAS, (ORHCT), SAID 10.000 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING AT A CALCULATED POINT (N.16636229.3823, E.1078352.9941) WITHIN STATE HIGHWAY 336 (N. 10TH STREET) AT THE SOUTHEAST CORNER OF SAID LOT 12, SECTION 277, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;

THENCE NORTH 80 DEGREES 55 MINUTES 31 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 12, SECTION 277, AT A DISTANCE OF 50.00 FEET PASS THE WEST RIGHT OF WAY LINE OF SAID STATE HIGHWAY 336 (N. 10TH STREET), AT 1,859.52 FEET TO A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "CLS RPLS 6388" SET ON THE EAST RIGHT OF WAY LINE OF 125.0 FEET RIGHT OF WAY DESCRIBED AND CONVEYED TO THE CITY OF MCALLEN BY VIRTUE OF INSTRUMENT NUMBER 2007-183894, ORHCT, BEING THE APPARENT RIGHT OF WAY LINE OF BICENTENNIAL BOULEVARD, FROM WHICH A 1/2" IRON ROD WITH A CAP STAMPED "M84" FOUND BEARS SOUTH 52 DEGREES 44 MINUTES 45 SECONDS WEST A DISTANCE OF 0.91 FEET AND A 1/2" IRON ROD WITH A CAP STAMPED "6496" FOUND BEARS SOUTH 11 DEGREES 11 MINUTES 04 SECONDS WEST A DISTANCE OF 5.83 FEET, CONTINUING A TOTAL DISTANCE OF 1,984.53 FEET TO A CALCULATED POINT FOR THE SOUTHWEST CORNER OF SAID LOT 12, AND THE SOUTHWEST CORNER OF SAID 10.00 ACRE TRACT OF LAND;

THENCE NORTH 08 DEGREES 36 MINUTES 33 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 12 A DISTANCE OF 219.51 FEET TO A CALCULATED POINT FOR THE NORTHWEST CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 80 DEGREES 55 MINUTES 31 SECONDS EAST, OVER AND ACROSS SAID LOT 12 AND PARALLEL TO THE SOUTH LINE OF SAID LOT 12, AT 125.00 FEET PASSED A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "CLS RPLS 6388" SET AT SAID EAST CITY OF MCALLEN RIGHT OF WAY LINE, THE APPARENT EAST RIGHT OF WAY LINE OF SAID BICENTENNIAL BOULEVARD, FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS NORTH 33 DEGREES 52 MINUTES 59 SECONDS EAST, A DISTANCE OF 2.46 FEET, CONTINUING AT A DISTANCE OF 1,194.52 FEET PASS A 1/2 INCH IRON ROD WITH PINK CAP STAMPED "CLS RPLS 6388" SET AT THE WEST RIGHT OF WAY LINE OF SAID STATE HIGHWAY 336 (N. 10TH STREET), CONTINUING A TOTAL DISTANCE OF 1,984.53 FEET TO A CALCULATED POINT ON THE EAST LINE OF SAID LOT 12, SECTION 277, FOR THE NORTHEAST CORNER OF THIS TRACT OF LAND;

THENCE SOUTH 08 DEGREES 36 MINUTES 33 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 12, SECTION 277, A DISTANCE OF 219.51 FEET TO THE POINT OF BEGINNING; CONTAINING 10.00 ACRES OF LAND, MORE OR LESS.

THIS PLAT APPROVED BY THE HIDALGO COUNTY IRRIGATION NO. 1 ON THIS THE
DAY OF _____, 20____.

HIDALGO COUNTY IRRIGATION DISTRICT NO. ONE WILL NOT BE RESPONSIBLE FOR DRAINAGE OR DELIVERY OF WATER TO ANY LOT IN THIS SUBDIVISION. THERE WILL NOT BE ANY PERMANENT STRUCTURES ON THE DISTRICT RIGHT-OF-WAYS AND/OR EASEMENTS.

NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON THE HCID#1 RIGHT-OF-WAYS OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HCID#1.

PRESIDENT

SECRETARY

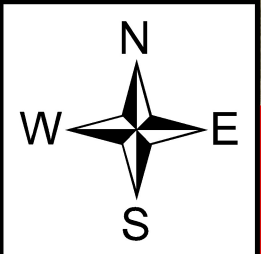
RERIOPLEX
ENGINEERING

FIRM No. 26964
1200 Auburn Ave., Suite 280
McAllen, Tx. 78504

Office # (956) 631-8327
rioplexengineering.com

PRINCIPAL CONTACTS	ADDRESS	CITY & ZIP	PHONE
OWNER: MOUAYAD H YAZJI	400 CORNELL AVE	MCALLEN, TX 78504	C/O (956) 330-2433
ENGINEER: KELLEY HELLER-VELA, P.E.	1200 AUBURN AVE, SUITE 280	MCALLEN, TX 78504	(956) 330-2433
SURVEYOR: MANNY CARRIZALES, R.P.L.S.	4807 GONDOLA AVE.	EDINBURG, TX. 78542	(956) 567-2167

SH 107



N BICENTENNIAL BLVD

LOCATION



PROPOSED ALHABRA ON 10TH SUBDIVISION

RACQUET CLUB
SUBDIVISION

13

BICENTENNIAL BLVD.

N MAIN ST

N 11TH ST

N 10TH ST

N 10TH ST

N 10TH ST

N 10TH ST

CHILPEPPER
EXPRESS
LOT 1

October 17, 2025

City of McAllen Planning Department
Attn: Mr. Omar Sotelo, Planning Director
311 N. 15th St.
McAllen, TX 78501

RE: ALHABRA ON 10TH SUBDIVISION (PRIVATE SUBDIVISION) – VARIANCE REQUESTS TO THE CITY OF McALLEN

Dear Mr. Sotelo:

On behalf of the developer, Al Yazji Development LLC, and in reference to the proposed Alhambra on 10th Subdivision, we respectfully submit this request for variances to certain requirements of the City of McAllen's Unified Development Code (UDC). The variances are outlined as follows:

1. INTERNAL ROAD RIGHT-OF-WAY WIDTH:

REQUIREMENT: 60-foot right-of-way with 40-foot back-to-back paving for multi-family residential streets.

PROPOSAL: A 50-foot right-of-way with 40-foot back-to-back paving, along with 10-foot utility and sidewalk easements on both sides. The proposed street will be privately owned and maintained by the property owner and a Homeowners' Association (HOA), thereby ensuring long-term maintenance without reliance on public infrastructure.

2. BLOCK LENGTH:

REQUIREMENT: Maximum block length in the R-2 district shall not exceed 800 feet or twelve (12) lots, whichever is less.

PROPOSAL: The subdivision is proposed to be private. It will have its main access to the east off of N. 10th Street and Park West Subdivision (under construction to the south). The proposed subdivision includes a block approximately 1,240 feet in length, exceeding the maximum by 440 feet. Due to existing site constraints and the layout of adjacent developments, additional street connections are not feasible. The proposed design maintains safe vehicular circulation, pedestrian connectivity, and full emergency access, consistent with City standards.

3. CUL-DE-SAC LENGTH:

REQUIREMENT: Cul-de-sacs shall not exceed 300 feet in length.

PROPOSAL: The proposed cul-de-sac measures 605 feet. This variance is necessitated by existing site conditions and allows for the efficient use of space while still providing adequate access for residents, service vehicles, and emergency responders.



We respectfully request the Planning Department and City Council's consideration and approval of these variance requests to allow the Alhambra on 10th Subdivision to proceed as currently designed. The proposed variances are minimal, reasonable, and in keeping with the intent of the UDC, while accommodating site-specific limitations. We greatly appreciate your time and assistance with this matter. Should you have any questions or need any further information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Kelley A. Heller-Vela". The signature is fluid and cursive, with the first name "Kelley" being the most prominent.

Kelley A. Heller-Vela, P.E.
Principal

VAR 2025-0016



City of McAllen

Planning Department

VARIANCE TO SUBDIVISION PROCESS APPLICATION

311 North 15th Street
McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project	Legal Description <u>10.00 acres being the South 10 acres out of Lot 12, Section 277, Texas-Mexican Railway Company's Subd.</u> <u>Recorded in Volume 24, Pages 168-171, H.C.D.R.</u> Street Address <u>approx. 11265 N. 10th St.</u> Number of lots <u>70</u> Gross acres <u>10.00</u> Existing Zoning <u>R-2 & C-3</u> Existing Land Use <u>Vacant</u> ☒ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required
Applicant	Name <u>Rioplex Engineering LLC c/o Kelley A. Heller-Vela, P.E.</u> Phone <u>(956) 330-2433</u> Address <u>1200 Auburn Ave., Suite 280</u> E-mail <u>khv@rioplexengineering.com & cp@rioplexengineering.com</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78504</u>
Owner	Name <u>Al Yazji Development LLC; Mouayad Yazji, Director & Member</u> Phone <u>c/o (956) 330-2433</u> Address <u>526S. Closner Ave., Ste. A</u> E-mail <u>m.yazji@live.com</u> City <u>Edinburg</u> State <u>TX</u> Zip <u>78539</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? ☐ Yes ☒ No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u>Kelley A. Heller-Vela</u> Date <u>05-01-2025</u> Print Name <u>Kelley A. Heller-Vela, P.E.</u> ☐ Owner ☒ Authorized Agent
Office	*FOR OFFICE USE ONLY* APPLICATION FILING FEE: ☒ \$250.00 Accepted by <u>T.C.</u> Payment received by _____ Date _____ Rev 06/21 RECEIVED MAY 05 2025 By <u>NG</u>



City of McAllen
Planning Department
REASON FOR APPEAL

Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are **not** an eligible standing for a variance. Please submit for consideration and review any combination of the following: (*If necessary, please use an additional page to complete responses*)

**Information provided here by the applicant does not guarantee that the Commission will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

see attached letter of request

2. Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.

see attached letter of request

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

The variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy within the proposed area.

4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

The variance will not have a negative effect or prevent the orderly subdivision of other land within the area in accordance with the provisions of this chapter and the City of McAllen. Other areas surrounding this development have already been developed or are under construction.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.B.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Consideration of Variance Requests to 1.) Lot not fronting a public street and 2.) not to provide the 4 ft. required sidewalk for a proposed Bicentennial One Subdivision, Hidalgo County, Texas; 809 South 19th ½ Street.
2. Party Making Request: Omar Sotelo
3. Applicant: 900 S. Bicentennial, LLC
4. Nature of Request: Consideration of Variance Requests to 1) Lot not fronting a public street and 2.) not to provide the 4 ft. required sidewalk for a proposed Bicentennial One Subdivision, Hidalgo County, Texas; 809 S. 19th ½ Street.
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/14/2025
Omar Sotelo	Approved - 11/14/2025
Michelle Rivera	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: None -AWS
11. Manager's Recommendation: Approve. IJT

Memo

TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Planning Director

DATE: November 10, 2025

SUBJECT: CONSIDERATION OF VARIANCE REQUESTS TO 1) LOT NOT FRONTING A PUBLIC STREET AND 2.) NOT TO PROVIDE THE 4 FT. REQUIRED SIDEWALK FOR PROPOSED BICENTENNIAL ONE SUBDIVISION, HIDALGO COUNTY, TEXAS; 809 S. 19TH ½ STREET (REAR).

Bicentennial One is proposed as a one lot townhouse subdivision, and is located on the west side of South 19 ½ Street. According to the submitted plat, the property consists of 4,462.50 square feet. Surrounding land uses include single-family residential and townhouse development.

The project engineer submitted the following variance requests: 1.) Lot not fronting a public street, and 2.) not to provide the 4 ft. required sidewalk.

The first variance is the lot not fronting a public street. The irregular shaped lot subdivision is located in the rear portion of Lots 5, 6, 7, 8, Block 2 of Guerra's Addition. As per Section 134-1 of the Subdivision Ordinance, the tract or parcel of land must be fronting a public or private street. Based on the submitted plat, the proposed plat has a 20.7 ft. common access easement on the east side that will be used for access. This access easement exists as Calle de Francisco Street previously abandoned by the city.

The second variance is not to provide the 4 ft. required sidewalk. As per Section 134-120 of the Subdivision Ordinance, a minimum 4 ft. sidewalk is required along both sides of interior streets. The engineer stated that the common access easement width is too narrow and will not have enough space to provide the required sidewalk.

RECOMMENDATION:

The Planning and Zoning Commission considered the subdivision in revised preliminary form and the variance requests at their meeting of November 4, 2025. The Board approved the subdivision in revised preliminary form, subject to the conditions noted, and recommended approval of the requested variances. There were four Board members present and voting.

OPTIONS:

1. Approve the variances as recommended by the Planning and Zoning Commission Board.
2. Approve the variances as requested by the applicant.
3. Disapprove the variance requests.
4. Table the variance requests for additional information.



SURVEY MONUMENT LEGEND:
○ FOUND 1" IRON ROD
● SET 1" IRON ROD
P.O.B. POINT OF BEGINNING
P.O.B. POINT OF COMMENCEMENT

OWNER'S ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED AS BICENTENNIAL ONE SUBDIVISION TO THE CITY OF McALLEN, TEXAS AND WHOSE NAME(S) IS (ARE) SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS & EASEMENTS WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

DATE: _____
BY: DANIEL ESTRADA
900 S. BICENTENNIAL, LLC
2807 SANTA ERICA ST.
MISSION TX 78572

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

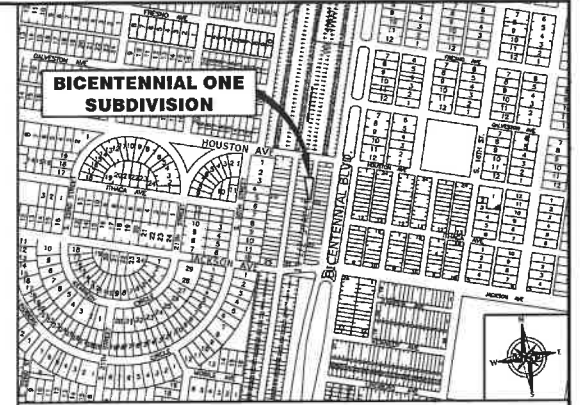
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(c). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURE DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

DATE: _____

GENERAL NOTES:

1. FLOOD ZONE DESIGNATION: ZONE "X" - ZONE "X" AREAS ARE AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN AS PER F.E.M.A. FLOOD INSURANCE RATE MAP NO. 480334-0325-D DATED 06-06-00.
2. MINIMUM FINISH FLOOR ELEVATION: 18" ABOVE THE TOP OF CURB OF THE STREET AT MID POINT OF EACH LOT.
3. MINIMUM BUILDING SETBACK LINES:
FRONT: IN ACCORDANCE WITH ZONING ORDINANCE OR GREATER FOR EASEMENTS
REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS
INTERIOR SIDES: IN ACCORDANCE WITH THE ZONING ORDINANCE OR GREATER FOR EASEMENTS
CORNER: 10.00 FT. OR GREATER FOR EASEMENTS
4. NO BUILDINGS OR DRAINAGE DETENTION AREAS SHALL BE CONSTRUCTED OVER ANY EASEMENT.
5. REQUIRED DRAINAGE DETENTION IS: _____ C.F. (____ AC.-FT.)
6. CITY OF McALLEN BENCHMARK - MC 39.1 = 108.67 (N=1661641.49, E=1083942.89) 30" ALUM. PIPE WITH A 3-1/4" BRASS MONUMENT CAP ON TOP LOCATED AT THE SOUTHWEST INTERSECTION OF HIGHWAY 107 & 10TH STREET. BM IS LOCATED 260' SOUTH OF THE EDGE OF PAVEMENT OF 107 & 6.3' WEST OF THE EDGE OF PAVEMENT OF 10TH STREET. N.A.V.D. 89
7. AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
8. 6.00 FT OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTIFAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES.
9. 8.00 FT MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.



LOCATION MAP
SCALE: 1"=500'
PREPARED BY: M. GARCIA ENGINEERING, LLC.
1022 E. GRIFFIN PARKWAY SUITE 202B
MISSION TX 78572
DATE SURVEYED: 12-18-24
DATE PREPARED: 06-02-25
PROJECT NO. 25-102

MAP OF BICENTENNIAL ONE SUBDIVISION
BEING A 0.10 (4,462.50 SQ. FT.) ACRE TRACT OF LAND CONVEYED TO 900 S. BICENTENNIAL, LLC, AS RECORDED IN DOCUMENT NUMBER 2024-3511692, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, OUT OF LOT 5, LOT 6, LOT 7, LOT 8 AND LOT 9, BLOCK 2, GUERRA'S ADDITION, AS RECORDED IN VOLUME 2, PAGE 31, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING A PORTION OUT OF ABANDONED SAN FRANCISCO ROAD RIGHT-OF-WAY ADJACENT TO BLOCK 1 AND BLOCK 2, GUERRA'S ADDITION, ESTABLISHED BY CITY OF McALLEN ORDINANCE 1998-10, AND RECORDED IN DOCUMENT NUMBER 1998-648487, OFFICIAL RECORDS, HIDALGO, TEXAS.

PLAT SHEET 1 OF 1
METES AND BOUNDS
BEING A 0.10 (4,462.50 SQ. FT.) ACRE TRACT OF LAND CONVEYED TO 900 S. BICENTENNIAL, LLC, AS RECORDED IN DOCUMENT NUMBER 2024-3511692, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, OUT OF LOT 5, LOT 6, LOT 7, LOT 8 AND LOT 9, BLOCK 2, GUERRA'S ADDITION, AS RECORDED IN VOLUME 2, PAGE 31, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING A PORTION OUT OF ABANDONED SAN FRANCISCO ROAD RIGHT-OF-WAY ADJACENT TO BLOCK 1 AND BLOCK 2, GUERRA'S ADDITION, ESTABLISHED BY CITY OF McALLEN ORDINANCE 1998-10, AND RECORDED IN DOCUMENT NUMBER 1998-648487, OFFICIAL RECORDS, HIDALGO, TEXAS, SAID 0.10 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND PK-NAIL, AT THE COMMON CORNER OF LOT 4, LOT 5, BLOCK 1, LOT 5 AND LOT 6, BLOCK 2, OF SAID GUERRA'S ADDITION, AND BEING AT THE CENTERLINE OF SAID ABANDONED SAN FRANCISCO ROAD RIGHT-OF-WAY, FOR POINT OF BEGINNING AND FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE, SOUTH 08°32'30" WEST, ALONG THE CENTERLINE OF SAID ABANDONED SAN FRANCISCO ROAD RIGHT-OF-WAY, A DISTANCE OF 125.00 FEET, TO A SET PK-NAIL, AT THE COMMON CORNER OF LOT 9, BLOCK 1, LOT 9, BLOCK 2, LOT 10, BLOCK 1 AND LOT 10, BLOCK 2, OF SAID GUERRA'S ADDITION, FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE, NORTH 81°27'30" WEST, ALONG THE COMMON LINE OF LOT 9, BLOCK 2 AND LOT 10, BLOCK 2, A DISTANCE OF 15.70 FEET, TO A SET 1/2-INCH IRON ROD WITH A RED CAP STAMPED "KSC 6333 PROP COR"; AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO RAY K. FUENTES, AS RECORDED IN DOCUMENT NUMBER 1998-70014, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE, NORTH 09°12'11" WEST, ALONG THE EAST LINE OF SAID TRACT OF LAND CONVEYED TO RAY K. FUENTES, AT A DISTANCE OF 28.25 FEET, PASSING A POINT, AT THE COMMON CORNER OF SAID TRACT OF LAND CONVEYED TO RAY K. FUENTES, AND TRACT OF LAND CONVEYED TO TERESA FUENTES, AS RECORDED IN DOCUMENT NUMBER 1998-510129, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING AT THE COMMON LINE OF LOT 8 AND LOT 9, BLOCK 2, OF SAID GUERRA'S ADDITION, AT A DISTANCE OF 52.50 FEET, PASSING A POINT, AT THE COMMON CORNER OF SAID TRACT OF LAND CONVEYED TO TERESA FUENTES, AND A TRACT OF LAND CONVEYED TO ANITA FUENTES, AS RECORDED IN DOCUMENT NUMBER 1994-374981, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING AT THE COMMON LINE OF LOT 7 AND LOT 8, BLOCK 2, OF SAID GUERRA'S ADDITION, AT A DISTANCE OF 76.75 FEET, PASSING A POINT, AT THE COMMON LINE OF LOT 6 AND LOT 7, BLOCK 2, OF SAID GUERRA'S ADDITION, AT A DISTANCE OF 105.00 FEET, PASSING A POINT, AT THE COMMON CORNER OF SAID TRACT OF LAND CONVEYED TO ANITA FUENTES AND A TRACT OF LAND CONVEYED TO ARACELI RODRIGUEZ, AS RECORDED IN DOCUMENT NUMBER 2011-2238112, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING AT THE COMMON LINE OF LOT 5 AND LOT 6, BLOCK 2, OF SAID GUERRA'S ADDITION, CONTINUING TO A TOTAL DISTANCE OF 131.24 FEET, TO A POINT, AT THE NORTHEAST CORNER OF SAID TRACT OF LAND CONVEYED TO ARACELI RODRIGUEZ, ALSO BEING AT THE COMMON LINE OF LOT 4 AND LOT 5, BLOCK 2, OF SAID GUERRA'S ADDITION, FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT OF LAND;

THENCE, SOUTH 81°27'30" EAST, ALONG THE COMMON LINE OF LOT 4 AND LOT 5, BLOCK 2, OF SAID GUERRA'S ADDITION, A DISTANCE OF 55.70 FEET, TO THE POINT OF BEGINNING AND CONTAINING A COMPUTED AREA OF 0.10 ACRES.



FILE FOR RECORD IN
HIDALGO COUNTY
ARTURO GUJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM
INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS
BY: _____ DEPUTY

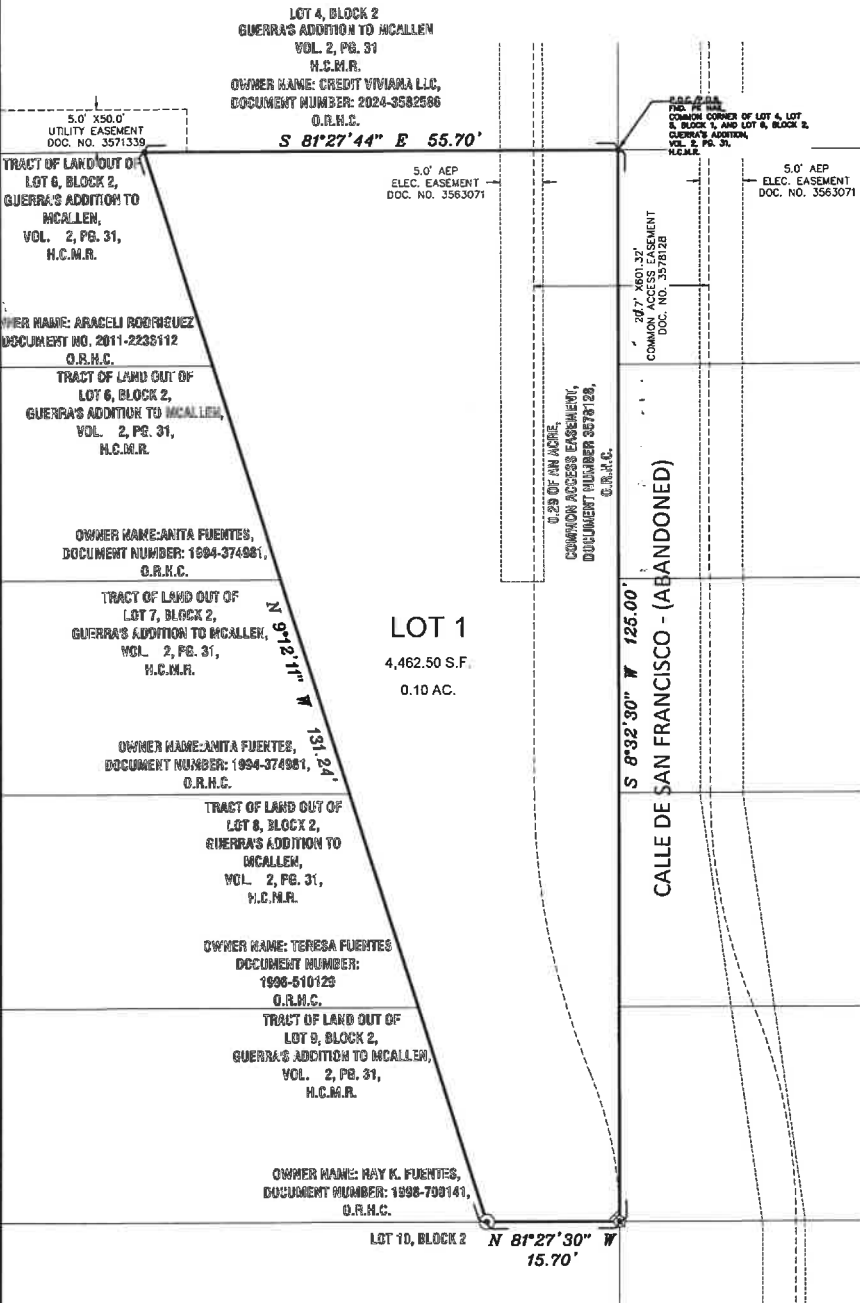
SUBDIVISION PLAT OF BICENTENNIAL ONE SUBDIVISION

BEING A 0.10 (4,462.50 SQ. FT.) ACRE TRACT OF LAND CONVEYED TO 900 S. BICENTENNIAL, LLC, AS RECORDED IN DOCUMENT NUMBER 2024-3511692, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, OUT OF LOT 5, LOT 6, LOT 7, LOT 8 AND LOT 9, BLOCK 2, GUERRA'S ADDITION, AS RECORDED IN VOLUME 2, PAGE 31, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING A PORTION OUT OF ABANDONED SAN FRANCISCO ROAD RIGHT-OF-WAY ADJACENT TO BLOCK 1 AND BLOCK 2, GUERRA'S ADDITION, ESTABLISHED BY CITY OF McALLEN ORDINANCE 1998-10, AND RECORDED IN DOCUMENT NUMBER 1998-648487, OFFICIAL RECORDS, HIDALGO, TEXAS

M. GARCIA ENGINEERING
CIVIL ENGINEERING
1022 E. Griffin Parkway Suite 202B
Mission TX, 78572
Blvd. 956.598.5417
Firm Reg. No. F-9828

JUN 27 2025

By _____



NOTARY PUBLIC'S CERTIFICATION
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DANIEL ESTRADA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREBY EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2025.

NOTARY PUBLIC

ENGINEER'S STATEMENT:

I, MARIANO GARCIA, A REGISTERED AND PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

MARIANO GARCIA, P.E.
REG. LICENSED ENGINEER NO. 90956

DATE: _____



SURVEYOR'S STATEMENT:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THE ABOVE PLAT AND DESCRIPTION OF THE BICENTENNIAL ONE SUBDIVISION WERE PREPARED FROM A SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

KURT SCHUMACHER, R.P.L.S.
REG. PROFESSIONAL LICENSED SURVEYOR NO. 6333
KANE - UNDESEY SURVEYING, LLC
2805 FOUNTAIN PLAZA BLVD. SUITE "B"
EDINBURG TX 78539
T.B.P.L.S. FIRM # 10194676

DATE: _____



PRINCIPAL CONTACTS
NAME ADDRESS CITY, STATE & ZIP CODE PHONE FAX
OWNER: DANIEL ESTRADA 2807 SANTA ERICA ST. MISSION TX 78572 (566) 598-5417
ENGINEER: MARIANO GARCIA, P.E. 1022 E. GRIFFIN PARKWAY #202B MISSION TX 78572 (956) 458-8391
SURVEYOR: KURT SCHUMACHER, R.P.L.S. 2805 FOUNTAIN PLAZA BLVD. SUITE "B" EDINBURG, TEXAS 78539

NO.	SHEET	REVISION	DATE	APPROVED

PRELIMINARY REVIEW
THIS DOCUMENT HAS BEEN RELEASED FOR PRELIMINARY REVIEW BY MARIANO GARCIA, P.E. No. 90956. THIS DOCUMENT IS FOR REVIEW PURPOSES ONLY.
MAY - 2025

Developing & Zoning



6/18/2025, 1:41:08 PM

- Local Address

City Corporate Limits

Extra Territorial Jurisdiction

Special Districts

Zoning

A-O, Agricultural & Open Space

A-O, Agricultural & Open Space (New)

C-1, Local Commercial

C-1, Office Building Office

C-2, Neighborhood Commercial

C-2, Regional Commercial

C-3, General Business

C-3L, Light Commercial

C-4, Commercial Industrial

C-C, City Core

I-1, Light Industrial

I-1, Light Industrial (New)

I-2, Heavy Industrial

I-2, Heavy Industrial (New)

M-1, Local Mixed Use

M-2, Regional Mixed Use

R-1, Single Family Residential

R-2, Duplex-Fourplex Residential

R-2, Medium Density Residential

R-3, High Density Residential

R-3A, Multifamily Residential Apartment
- R-3C, Multifamily Residential Condominium

R-3T, Multifamily Residential Townhouse

R-4, Mobile Home & Modular Home

Subdivision

Special Districts

Thoroughfare Plan

Existing Collector 80'

Existing Expressway 350'

Existing Minor Arterial 100', Expansion Minor Arterial 100'

Existing Principal Arterial 120', Expansion High Speed Principal Arterial 150', Expansion Principal Arterial 120'

New Facility Collector 80'

New Facility Expressway 350'

New Facility Minor Arterial 100'

New Facility Principal Arterial 120'

- ForeSight Land Use

Complete Communities

Mixed Density Complete Neighborhood

Conservation Development

Parks and Open Space

Public/Semi-Public

Mixed Use Nodes

Mixed Use Corridors

Regional Commercial

Old Towne

Downtown

Employment Center

Industrial

Right-of-Way
- Lot lines

Drain Ditch

Easement

Gas Easement

Lot Lines

Subdivision-Private

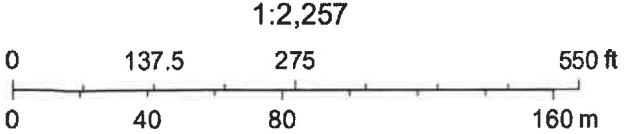
Preliminary Subdivision

Arc

McAllen Parcels

HCAD Parcels

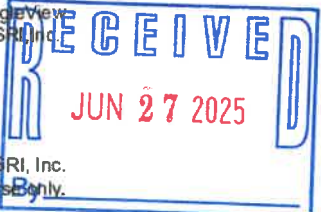
HCAD Parcels

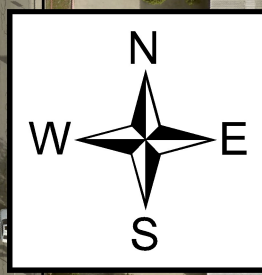


McAllen GIS Division, ESRI, Inc., EagleView Technologies, Inc., McAllen GIS Division, ESRI, Inc., McAllen GIS Division, ESRI, Inc.

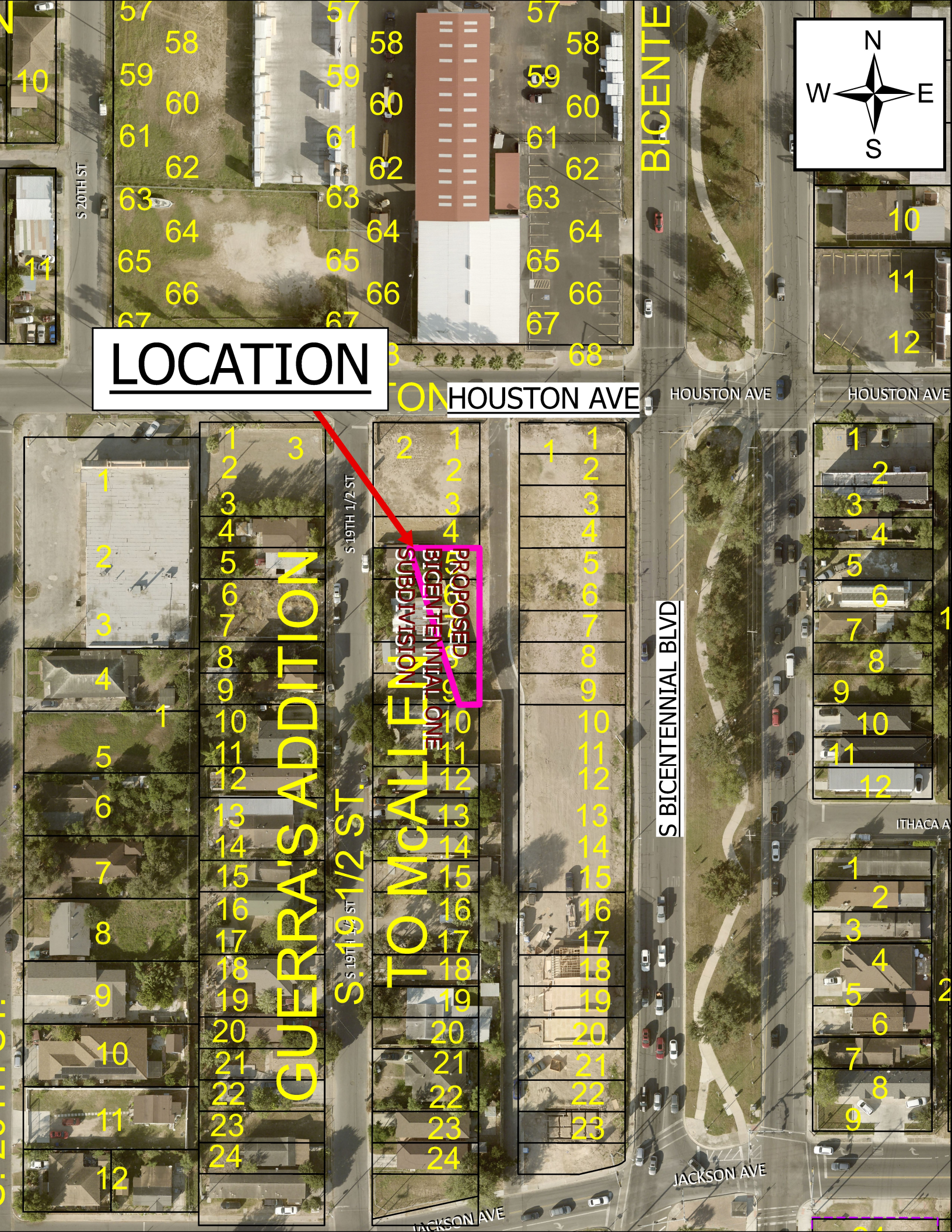
McAllen GIS Division, ESRI, Inc.

Disclaimer: This map should not be used for navigation or legal purposes. It is intended for general reference use only.





LOCATION



VAR 2025-6038



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

311 North 15th Street
 McAllen, TX 78501
 P. O. Box 220

McAllen, TX 78505-0220
 (956) 681-1250
 (956) 681-1279 (fax)

Project	Legal Description <u>The Easterly portions of Lots 5, 6, 7, 8 and 9, Block 2, Guerra's Addition to the City of McAllen Hidalgo County, Texas (V. 2 Pg. 31 H.C.M.R.)</u> Proposed Subdivision (if applicable) <u>Bicentennial One</u> Street Address <u>S. 19 1/2 Street</u> Number of lots <u>1</u> Gross acres <u>0.10</u> Existing Zoning <u>R2</u> Existing Land Use <u>Vacant</u> ☒ Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)
Applicant	Name <u>900 S. Bicentennial, LLC</u> Phone <u>(956) 414-8777</u> Address <u>2807 Santa Erica</u> E-mail <u>destrada@sisudevelopment.com</u> City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>
Owner	Name <u>900 S. Bicentennial, LLC</u> Phone <u>(956) 414-8777</u> Address <u>2807 Santa Erica</u> E-mail <u>destrada@sisudevelopment.com</u> City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? ☐ Yes ☒ No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u><i>Daniel Estrada</i></u> Date <u>09/26/2025</u> Print Name <u>Daniel Estrada</u> ☐ Owner ☒ Authorized Agent
Office	*FOR OFFICE USE ONLY* APPLICATION FILING FEE: ☐ \$250.00 Accepted by <u>NM</u> Payment received by _____ Date <u>9/26/25</u> Rev 06/21

SEP 26 2025

BY:

CW



City of McAllen
Planning Department
REASON FOR APPEAL

Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are **not** an eligible standing for a variance. Please submit for consideration and review any combination of the following: *(If necessary, please use an additional page to complete responses)*

**Information provided here by the applicant does not guarantee that the Commission will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

1. Variance from Front Setback from 20' to 14'

5. To no require

2. Variance from Side Setback from 6' to 0'

the 4FT sidewalk

3. Variance from Rear Setback from 10' to 2'

4. Variance from fronting a public street to a 20.7' common access easement

2. Described how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.C.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Consideration of a variance requests to 1.) 58.73 ft. of Right-of-Way with a 4 ft. sidewalk on the north side only, and 2.) To only dedicate 5 ft. for a total of 55 ft. Right-of-Way on North 2nd Street, and 3.) Exceeding the required Cul-De-Sac length for proposed Hidden Grove Estates Subdivision, Hidalgo County, Texas; 8601 North 2nd Street.
2. Party Making Request: Omar Sotelo
3. Applicant: Melden and Hunt
4. Nature of Request: Consideration of a variance requests to 1.) 58.73 ft. of ROW with a 4 ft. sidewalk on the North Side only, and 2.) To only dedicate 5 ft. for a total of 55 ft. ROW on N. 2nd Street, and 3.) Exceeding the required Cul-De-Sac length for proposed Hidden Grove Estates Subdivision, Hidalgo County, Texas; 8601 North 2nd Street.
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/14/2025
Omar Sotelo	Approved - 11/14/2025
Michelle Rivera	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: None -AWS
11. Manager's Recommendation: Approve. IJT

Memo

TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Planning Director

DATE: November 4, 2025

SUBJECT: CONSIDERATION OF A VARIANCE REQUESTS TO 1.) 58.73 FT. OF ROW WITH A 4 FT. SIDEWALK ON THE NORTH SIDE ONLY, AND 2.) TO ONLY DEDICATE 5 FT. FOR A TOTAL OF 55 FT. R.O.W. ON N. 2ND STREET, AND 3.) EXCEEDING THE REQUIRED CUL-DE-SAC LENGTH FOR PROPOSED HIDDEN GROVE ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS; 8601 NORTH 2ND STREET.

Hidden Grove is proposed as an 8-lot residential subdivision, and is located on the west side of North 2nd Street, approximately 300 ft. north of Frontera Road. According to the submitted plat, the property consists of 5.492 acres. Surrounding land uses include single-family residential.

The applicant submitted the following variance requests to 1.) 58.73 ft. of ROW with a 4 ft. Sidewalk on the north side only, and 2.) to only dedicate 5 ft for a total of 55 ft. ROW on N. 2nd Street, and 3.) Exceeding the required Cul-De-Sac Length.

Variance request number one is to allow a 58.73 ft of ROW in lieu of the required 60 ft. ROW required for gate entrances and to only provide a 4 ft sidewalk on the north side of the entry street. The pavement will comply with the 20 ft. of paving face to face on each side of the island. The 4 ft. sidewalk will be provided only on the north side of the entry street since there is a 30 ft. irrigation easement on the south side. H.C.I.D. #2 is not allowing the sidewalk on its easement, thus the variance request.

Variance request number two is to only dedicate 5 ft. additional ROW for North 2nd Street for a total of 55 ft. The variance was withdrawn by the engineer's representative at the Planning and Zoning Commission meeting. They have agreed to dedicate the required 10 ft.

Variance request number three is to allow a Cul-De-Sac Street to exceed the maximum 600 ft. allowed in Section 134-105 of the Subdivision Ordinance. The proposed length is approximately 818 ft. They are also requesting that the variance include the 32 ft. of pavement proposed instead of the 40 ft. generally required for Cul-De-Sac Street exceeding 600 ft. The basis for the request is the low density and lot sizes.

RECOMMENDATION:

The Planning and Zoning Commission considered the subdivision in revised preliminary form and the variance request at their meeting of November 4, 2025. The Board approved the subdivision in revised preliminary form, subject to the conditions noted and recommended approval of the requested variances one and three. There were four Board members present and voting.

OPTIONS:

1. Approve the variance requested by the applicant.
2. Approve the variance as recommended by the Planning and Zoning Commission Board.
3. Table the variance requests for additional information.
4. Disapprove the variance requests.



City of McAllen

Planning Department

VARIANCE TO SUBDIVISION PROCESS APPLICATION

311 North 15th Street
McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project	Legal Description <u>5.492 ACRES OUT OF LOTS 11 AND 12, EBONY HEIGHTS CITRUS GROVES</u> <u>UNIT 1, VOLUME 5, PAGE 39, H.C.M.R. CITY OF MCALLEN HIDALGO COUNTY</u> Proposed Subdivision (if applicable) <u>Hidden Grove Estates Subdivision</u> Street Address <u>8601 N. 2nd Street</u> Number of lots <u>8</u> Gross acres <u>5.492</u> Existing Zoning <u>R-1</u> Existing Land Use <u>Vacant</u> ☒ Current Survey and Metes and Bounds (required if the legal description is a portion of a lot)
Applicant	Name <u>Melden & Hunt, Inc. c/o Mario A Reyna, P.E.</u> Phone <u>(956) 381-0981</u> Address <u>115 West McIntyre Street</u> E-mail _____ City <u>Edinburg</u> State <u>Texas</u> Zip <u>78541</u>
Owner	Name <u>Millennial Bear Farms, LLC</u> Phone <u>956-381-0981</u> Address <u>7310 N Highway 281</u> E-mail <u>beto@meldenandhunt.com</u> City <u>McAllen</u> State <u>Tx</u> Zip <u>78540</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? ☐ Yes ☒ No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u></u> Date <u>7/11/25</u> Print Name <u>Mario A. Reyna, P.E.</u> ☐ Owner ☒ Authorized Agent
Office	*FOR OFFICE USE ONLY* APPLICATION FILING FEE: ☒ \$250.00 Accepted by <u>J.C.</u> Payment received by _____ Date _____ Rev 06/21 JUL 14 2025



City of McAllen
Planning Department
REASON FOR APPEAL

Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are **not** an eligible standing for a variance. Please submit for consideration and review any combination of the following: (*If necessary, please use an additional page to complete responses*)

**Information provided here by the applicant does not guarantee that the Commission will grant a variance.

***Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.

Reason for Appeal

1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

See attached letter

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.

See attached letter

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

The variance will not be detrimental to the public health,safety or welfare or injurious to the legal rights of the surrounding properties

4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

The variance will not have any negative effect or prevent the orderly subdivision of other lands within the surrounding areas because this will be a private subdivision and the only variance being requested is for the private ROW.

PLAT OF
HIDDEN GROVE ESTATES SUBDIVISION
(PRIVATE)

PLAT SHOWING
5.492 ACRES OUT OF LOTS 11 AND 12, EBONY HEIGHTS CITRUS GROVES UNIT NO. ONE,
VOLUME 5, PAGE 39, H.C.M.R. CITY OF MCALLEN HIDALGO COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION:

A TRACT OF LAND CONTAINING 5.492 ACRES SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOTS 11 AND 12, EBONY HEIGHTS CITRUS GROVES UNIT NO. ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5, PAGE 39, HIDALGO COUNTY MAP RECORDS, WHICH SAID 5.492 ACRES WERE CONVEYED TO MILLENNIAL BEAR FARMS, LLC, BY VIRTUE OF SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED UNDER DOCUMENT NUMBER 3067851 AND DOCUMENT NUMBER 3067864, HIDALGO COUNTY OFFICIAL RECORDS, SAID 5.492 ACRES ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A NO. 4 REBAR FOUND [NORTHING: 16627392.866, EASTING: 1079315.627] AT THE NORTHWEST CORNER OF LOT 4, THE ESTATES AT ORANGEWOOD NORTH, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 2705403, HIDALGO COUNTY MAP RECORDS, FOR THE SOUTHWEST CORNER OF THIS TRACT;

1. THENCE, N 08° 35' 30" E ALONG THE EAST LINE OF LOT 5 OF SAID THE ESTATES AT ORANGEWOOD NORTH, AT A DISTANCE OF 75.85 FEET PASS A NO. 4 REBAR FOUND AT THE NORTHEAST CORNER OF SAID LOT 5, CONTINUING A TOTAL DISTANCE OF 573.42 FEET TO A NO. 4 REBAR SET, FROM WHICH A NO. 5 REBAR FOUND BEARS N 81° 24' 30" E A DISTANCE OF 0.80 FEET, FOR THE NORTHWEST CORNER OF THIS TRACT;
2. THENCE, S 81° 24' 30" E A DISTANCE OF 381.15 FEET TO A NO. 4 REBAR SET, FOR THE NORTHEAST CORNER OF THIS TRACT;
3. THENCE, S 08° 35' 30" W AT A DISTANCE OF 229.00 FEET PASS A NO. 4 REBAR FOUND IN LINE, CONTINUING A TOTAL DISTANCE OF 484.70 FEET TO A NO. 4 REBAR FOUND, FOR AN INSIDE CORNER OF THIS TRACT;
4. THENCE, S 81° 24' 30" E AT A DISTANCE OF 208.10 FEET PASS A NO. 4 REBAR SET ON THE EXISTING WEST RIGHT-OF-WAY LINE OF N. COLONEL ROWE BLVD.-N. 2ND STREET, AND BEING THE NORTHWEST CORNER OF A SAVE & EXCEPT TRACT CONVEYED TO THE CITY OF MCALLEN BY VIRTUE OF A WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 1598590, HIDALGO COUNTY OFFICIAL RECORDS, AT A DISTANCE OF 233.10 FEET PASS A NO. 4 REBAR SET AT THE NORTHEAST CORNER OF SAID SAVE & EXCEPT TRACT, CONTINUING A TOTAL DISTANCE OF 258.10 FEET TO A NAIL SET ON THE EAST LINE OF SAID LOT 11 AND BEING WITHIN THE EXISTING RIGHT-OF-WAY OF N. COLONEL ROWE BLVD.-N. 2ND STREET, FOR AN OUTSIDE CORNER OF THIS TRACT;
5. THENCE, S 08° 35' 30" W ALONG THE EAST LINE OF SAID LOT 11 AND BEING WITHIN THE EXISTING RIGHT-OF-WAY OF N. COLONEL ROWE BLVD.-N. 2ND STREET, A DISTANCE OF 88.73 FEET TO A NAIL SET FOR THE SOUTHEAST CORNER OF THIS TRACT;
6. THENCE, N 81° 24' 30" W AT A DISTANCE OF 25.00 FEET PASS A NO. 4 REBAR SET AT THE SOUTHEAST CORNER OF SAID SAVE & EXCEPT TRACT AND THE NORTHEAST CORNER OF SAID THE ESTATES AT ORANGEWOOD NORTH FROM WHICH A NO. 5 REBAR FOUND BEARS N 22° 56' 42" W A DISTANCE OF 0.32 FEET, AT A DISTANCE OF 50.00 FEET PASS A NO. 4 REBAR SET ON THE EXISTING WEST RIGHT-OF-WAY LINE OF N. COLONEL ROWE BLVD.-N. 2ND STREET, AND ON THE SOUTHWEST CORNER OF SAID SAVE & EXCEPT TRACT, CONTINUING A TOTAL DISTANCE OF 639.25 FEET TO THE POINT OF BEGINNING, AND CONTAINING 5.543 ACRES OF LAND, OF WHICH 0.051 OF ONE ACRE LIES WITHIN SAID SAVE AND EXCEPT TRACT, LEAVING THE 5.492 ACRES HEREIN DESCRIBED, OF WHICH 0.051 OF ONE ACRE LIES WITHIN THE PREVIOUS EXISTING RIGHT-OF-WAY OF N. COLONEL ROWE BLVD.-N. 2ND STREET, LEAVING AN EXISTING NET OF 5.441 ACRES OF LAND, MORE OR LESS.

SAVE AND EXCEPT: TRACT 1
A TRACT OF LAND CONTAINING 0.051 OF ONE ACRE SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 11, EBONY HEIGHTS CITRUS GROVES UNIT NO. ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5, PAGE 39, HIDALGO COUNTY MAP RECORDS, WHICH SAID 0.051 OF ONE ACRE OUT OF A CERTAIN TRACT CONVEYED TO THE CITY OF MCALLEN BY VIRTUE OF A WARRANTY DEED RECORDED IN INSTRUMENT NUMBER 1598590, HIDALGO COUNTY OFFICIAL RECORDS, SAID 0.051 OF ONE ACRE ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NO. 4 REBAR FOUND [NORTHING: 16627392.866, EASTING: 1079315.627] AT THE NORTHWEST CORNER OF LOT 4, THE ESTATES AT ORANGEWOOD NORTH, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NUMBER 2705403, HIDALGO COUNTY MAP RECORDS;

THENCE, S 81° 24' 30" E AT A DISTANCE OF 248.65 FEET PASS THE EAST LINE OF LOT 12 AND THE WEST LINE OF LOT 11 OF SAID EBONY HEIGHTS CITRUS GROVES UNIT NO. ONE, CONTINUING A TOTAL DISTANCE OF 589.25 FEET FOR THE SOUTHWEST CORNER OF THIS TRACT;

1. THENCE, N 08° 35' 30" E ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF N. COLONEL ROWE BLVD.-2ND STREET, A DISTANCE OF 88.73 FEET TO A NO. 4 REBAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;
2. THENCE, S 81° 24' 30" E A DISTANCE OF 25.00 FEET TO A NO. 4 REBAR SET FOR THE NORTHEAST CORNER OF THIS TRACT;
3. THENCE, S 08° 35' 30" W A DISTANCE OF 88.73 FEET TO A NO. 4 REBAR SET, FROM WHICH A NO. 5 REBAR BEARS N 22° 56' 42" W A DISTANCE OF 0.32 FEET, FOR THE SOUTHEAST CORNER OF THIS TRACT
4. THENCE, N 81° 24' 30" W ALONG THE NORTH LINE OF SAID THE ESTATES AT ORANGEWOOD NORTH, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.051 OF ONE ACRE OF LAND, MORE OR LESS.

SAVE AND EXCEPT: TRACT 2
A TRACT OF LAND CONTAINING 0.131 OF ONE ACRE SITUATED IN THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS, BEING A PART OR PORTION OUT OF LOT 11, EBONY HEIGHTS CITRUS GROVES UNIT NO. ONE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 5, PAGE 39, HIDALGO COUNTY MAP RECORDS, WHICH SAID 0.131 OF ONE ACRE OUT OF A CERTAIN TRACT CONVEYED TO THE CITY OF MCALLEN BY VIRTUE OF A WARRANTY DEED RECORDED IN DOCUMENT NUMBER 1598590, HIDALGO COUNTY OFFICIAL RECORDS, SAID 0.131 OF ONE ACRE ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A NAIL SET AT THE SOUTHEAST CORNER OF EBONY CENTER SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 55, PAGE 144, HIDALGO COUNTY MAP RECORDS;

THENCE, N 81° 24' 30" W A DISTANCE OF 25.00 FEET TO A NO. 4 REBAR FOUND, FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

1. THENCE, S 08° 35' 30" W A DISTANCE OF 229.00 FEET TO A NO. 4 REBAR SET FROM WHICH A NO. 4 REBAR FOUND BEARS N 65° 35' 57" W A DISTANCE OF 0.93 FEET, FOR THE SOUTHEAST CORNER OF THIS TRACT;
2. THENCE, N 81° 24' 30" W A DISTANCE OF 25.00 FEET TO A NO. 4 REBAR SET FOR THE SOUTHWEST CORNER OF THIS TRACT;
3. THENCE, N 08°35' 30" E ALONG THE EXISTING WEST RIGHT-OF-WAY LINE OF N. COLONEL ROWE BLVD.-2ND STREET, A DISTANCE OF 229.00 FEET TO A NO. 4 REBAR SET FOR THE NORTHWEST CORNER OF THIS TRACT;
4. THENCE, S 81°24' 30" E ALONG THE SOUTH LINE OF SAID EBONY CENTER SUBDIVISION, AT A DISTANCE OF 9.65 FEET PASS A NO. 4 REBAR FOUND, CONTINUING A TOTAL DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.131 OF ONE ACRE OF LAND, MORE OR LESS.

GENERAL NOTES:

1. THIS SUBDIVISION IS PARTIALLY IN FLOOD ZONE "AH" AND MOSTLY IN ZONE "X" (SHADED).

ZONE "AH" - AREAS OF 100-YEAR SHALLOW FLOODING WHERE DEPTHS ARE BETWEEN ONE (1) AND THREE (3) FEET; BASE FLOOD ELEVATION HAS BEEN DETERMINED TO BE 107, BUT NO FLOOD HAZARD FACTORS ARE DETERMINED. (NO BUILDING PERMITTED WITHIN ZONE "AH")

ZONE "X" (SHADED) AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREA PROTECTED BY LEVEES FROM 100-YEAR FLOOD.
COMMUNITY-PANEL NUMBER: 480334 0325 D MAP REVISED: JUNE 6, 2000
REVISED TO REFLECT LOMR: MAY 17, 2001. (FINISH FLOOR 24" ABOVE TOP OF CURB AT CENTER OF LOT.)

2. MINIMUM SETBACKS SHALL COMPLY WITH THE CITY OF MCALLEN ZONING CODE:

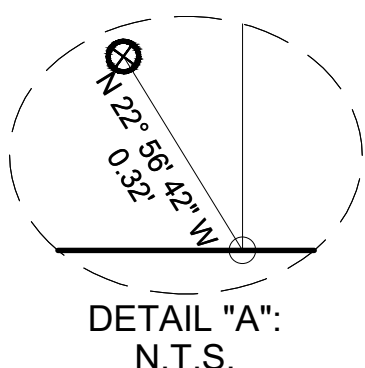
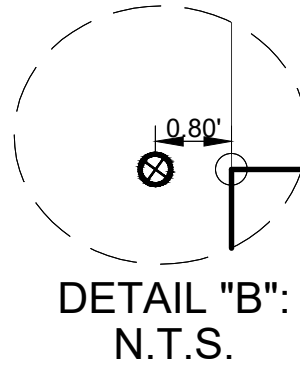
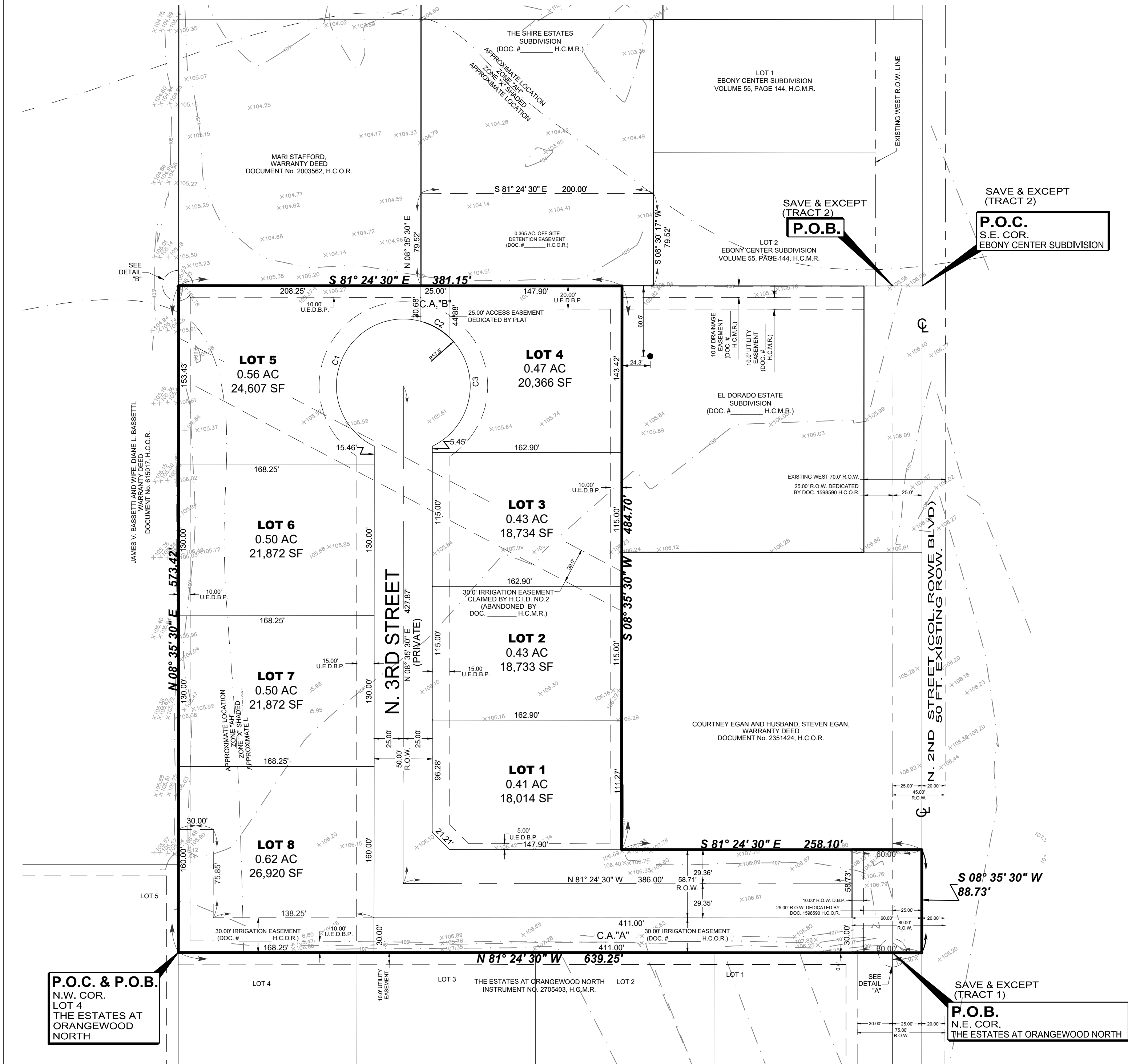
FRONT: 25 FEET OR GREATER FOR EASEMENTS
REAR: 10 FEET OR GREATER FOR EASEMENTS.
SIDES: IN ACCORDANCE WITH ZONING ORDINANCES, OR GREATER FOR EASEMENTS.
CORNER: 10 FEET OR GREATER FOR EASEMENTS.
GARAGE: 18 FEET EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.

3. REQUIRED DETENTION FOR STORM SEWER RUNOFF PER THE APPROVED DRAINAGE REPORT SHALL BE 21,320 CF. (0.489 AC.-FT.) DETENTION WILL BE PROVIDED ON SITE WITHIN DETENTION AREA AS APPROVED BY THE CITY OF MCALLEN.

4. CITY OF MCALLEN BENCHMARK: "MC50. 1" FROM THE CITY OF MCALLEN G.P.S. REFERENCE MARKS LIST PREPARED BY ARANDA & ASSOCIATE ON SEPTEMBER 09, 2002. BEING LOCATED ON THE WEST SIDE OF 10TH ST. BETWEEN TRENTON AND FULLERTON ROAD. 30" ALUM. PIPE WITH A 3 1/4" BRASS MONUMENT CAP ON TOP AT ELEVATION = 106.511 (NAVD88).

TEMPORARY BENCHMARK: FOUND C.P.S. IN POWER POLE LOCATED 545 FEET EAST AND NORTH 213' OF THE NORTHEAST CORNER OF THIS SUBDIVISION. GEODETIC G.P.S. TEXAS STATE PLANE GRID COORDINATE SYSTEM
NAD 83 TEXAS SOUTH 4205 ELEVATION PER NAVD 99 (GEOID 2003) N=16627167.194 E=1079903.436 ELEV.=108.58

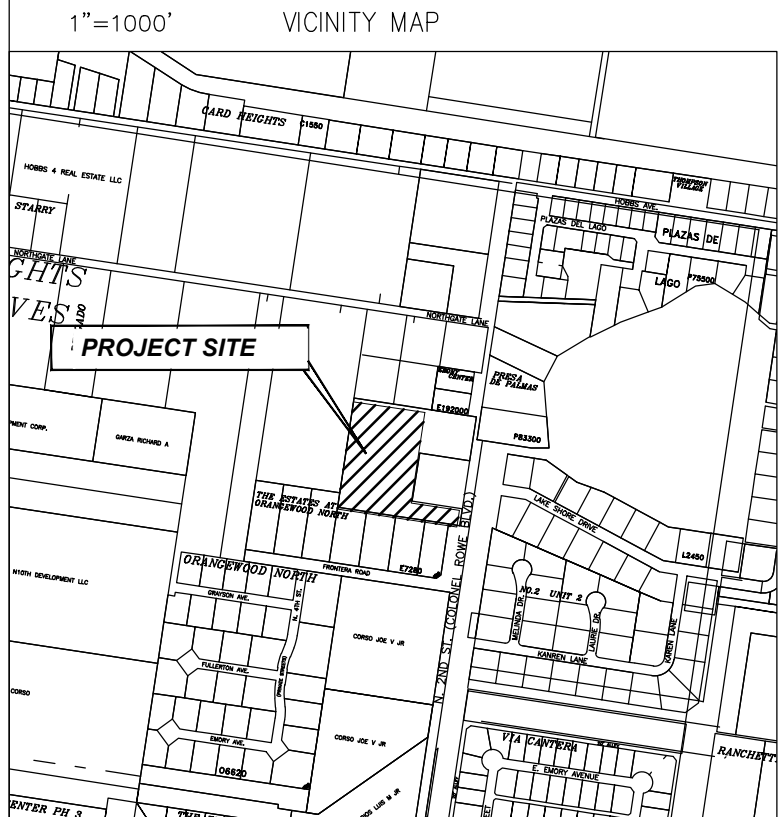
5. NO BUILDING ALLOWED OVER ANY EASEMENT.
6. 4 FT. WIDE SIDEWALK REQUIRED ON BOTH SIDES OF ALL INTERIOR STREETS AND ALONG N. 2ND STREET.
7. 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL, OR INDUSTRIAL ZONES/USES AND ALONG NORTH 2ND STREET.
8. 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
9. COMMON AREAS MUST BE MAINTAINED BY LOT OWNERS AND NOT THE CITY OF MCALLEN.
10. NO CURB CUT, ACCESS, OR LOT FRONTAGE PERMITTED ALONG N. 2ND STREET.
11. 25'x25' CLIP FOR SITE OBSTRUCTION EASEMENT IS REQUIRED AT ALL STREET INTERSECTIONS.



Common Area Table		
C.A.	Sq Ft.	Acres
"A"	12,330	0.283
"B"	909	0.021

Lot Line Curve Table						
Curve #	Delta	Radius	Length	Tangent	Chord Direction	Chord Length
C1	189° 21' 01"	57.50'	169.98'	616.92	S29° 02' 18"W	114.50'
C2	028° 57' 27"	57.50'	29.06'	14.85	N51° 48' 28"W	28.75'
C3	110° 08' 58"	57.50'	110.54'	82.35	N17° 44' 44"E	94.29'

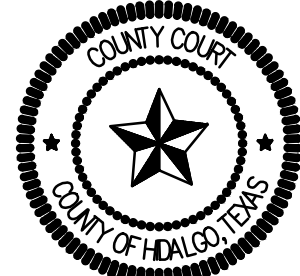
LEGEND
● FOUND NO. 4 REBAR
○ FOUND NO. 5 REBAR
○ SET NO. 4 REBAR WITH PLASTIC CAP STAMPED MELDEN & HUNT, INC.
+ SET NAIL
A-A - EDGE OF ASPHALT TO EDGE OF ASPHALT
R.O.W. - RIGHT OF WAY
H.C.M.R. - HIDALGO COUNTY MAP RECORDS
H.C.O.R. - HIDALGO COUNTY OFFICIAL RECORDS
H.C.I.D. - HIDALGO COUNTY IRRIGATION DISTRICT
N.W. COR. - NORTHWEST CORNER
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCING
CL - CENTER LINE
U.E. - UTILITY EASEMENT
D.E. - DRAINAGE EASEMENT
D.B.P. - DEDICATED BY PLAT
N.T.S. - NOT TO SCALE
C.A. - COMMON AREA



M
MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS
115 W. MCINTYRE - EDINBURG, TX 78541
PH: (956) 381-0981 - FAX: (956) 381-1839
ESTABLISHED 1947 - www.meldenandhunt.com

DRAWN BY: A.A. DATE: 12/02/2024
REVISED BY: A.G.P. DATE: 10/15/2025
SURVEYED, CHECKED: DATE: _____
FINAL CHECK: DATE: _____

PRINCIPAL CONTACTS	ADDRESS	PHONE/ FAX
OWNER: MILLENNIAL BEAR FARM, LLC, C/O JAMES V. BASSETTI	281 N. HIGHWAY, HIDALGO COUNTY, TX 73110	
ENGINEER: MARIO A. REYNA P.E.	115 W. MCINTYRE, EDINBURG, TX 78541	(956) 381-0981 / (956) 381-1839
SURVEYOR: ROBERTO N. TAMEZ R.P.L.S.	115 W. MCINTYRE, EDINBURG, TX 78541	(956) 381-0981 / (956) 381-1839



FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUAJARDO, JR.
HIDALGO COUNTY CLERK

ON: _____ AT: _____ AM/PM

INSTRUMENT NUMBER _____
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY

PLAT OF
HIDDEN GROVE ESTATES SUBDIVISION
(PRIVATE)
PLAT SHOWING
5.492 ACRES OUT OF LOTS 11 AND 12, EBONY HEIGHTS CITRUS GROVES UNIT NO. ONE,
VOLUME 5, PAGE 39, H.C.M.R. CITY OF MCALLEN HIDALGO COUNTY, TEXAS

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF McALLEN _____ DATE _____

ATTEST: _____
CITY SECRETARY _____ DATE _____

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING & ZONING COMMISSION _____ DATE _____

APPROVED BY DRAINAGE DISTRICT:

HIDALGO COUNTY DRAINAGE DISTRICT NO.1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO.1

RAUL E. SESIN, P.E., C.F.M. _____ DATE _____
GENERAL MANAGER

**STATE OF TEXAS
COUNTY OF HIDALGO**

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS HIDDEN GROVE ESTATES, SUBDIVISION TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS, WATER LINES, SANITARY SEWER LINES, STORM SEWERS, FIRE HYDRANTS, PUBLIC PLACES WHICH ARE INSTALLED OR WHICH WE WILL CAUSE TO BE INSTALLED THEREON SHOWN OR NOT SHOWN AND REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREON OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

MILLENNIAL BEAR FARMS, LLC _____ DATE _____
JAMES V. BASSETTI
7310 N. HIGHWAY 281
HIDALGO COUNTY, TEXAS

**STATE OF TEXAS
COUNTY OF HIDALGO**

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JAMES V. BASSETTI KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN GIVEN UNDER MY HAND AND SEAL OF OFFICE,

DATED THIS THE _____ DAY OF _____, 20_____.

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS
MY COMMISSION EXPIRES: _____

**STATE OF TEXAS
COUNTY OF HIDALGO**

I, THE UNDERSIGNED, MARIO A. REYNA, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

DATED THIS THE _____ DAY OF _____, 20_____.

MARIO A. REYNA, LICENSED PROFESSIONAL ENGINEER No. 117368
STATE OF TEXAS

DATE DEvised: 04/10/2025
ENGINEERING JOB # 24153.00

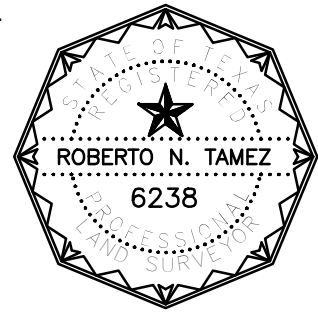


**STATE OF TEXAS
COUNTY OF HIDALGO**

I, THE UNDERSIGNED, ROBERTO N. TAMEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE HEREIN PRESENTED PLAT AND DESCRIPTION OF HIDDEN GROVE ESTATES , WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION ON 11/19/2024, AND THAT IT IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION OF THE LANDS HEREON DESCRIBED.

DATED THIS THE _____ DAY OF _____, 20_____.

ROBERTO N. TAMEZ, REGISTERED PROFESSIONAL LAND SURVEYOR # 6238
STATE OF TEXAS
DATE SURVEYED: 11/19/2024
SURVEY JOB No. 24153.00





TBPELS Firm # F-1435
TBPELS # 10096900

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS
MARIO A. REYNA • ALLAN F. BOOE • ROBERTO N. TAMEZ • RUBEN JAMES DE JESUS • MICHAEL HERNANDEZ

October 17, 2025

City of McAllen Planning Dept.
Attn: Omar Sotelo, Planning Director
311 N. 15th St.
McAllen, TX 78501

Re: Hidden Groves Estates Subdivision-- Variance Request to City of McAllen

Dear Mr. Sotelo:

On behalf of the developer, J&D Produce, Inc., and in reference to Hidden Groves Subdivision, we respectfully request a variance to the following items:

1. ROW for Gated Entrances:

Requirement: 60 ft. of ROW with 20 ft. of paving face to face on each side of the island. 5 ft. sidewalks on both sides.

Proposal: 58.73 ft. ROW with 20 ft. of paving face to face on each side of the island. 4 ft. sidewalk along north side only. The remainder 7.73 ft. will be used for greenery.

Hidden Groves Subdivision is an 8-lot single-family private subdivision located on the west side of N. 2nd Street between Frontera Road and Northgate Lane.

HCID #2 is requesting a 30 ft. Irrigation Easement along the south boundary of the property for the future alignment of an irrigation line. This easement is a **hardship** that is not allowing our client to comply with City's requirements.

We are proposing to only install a sidewalk and pedestrian gate along the north side of the gate area only since the pedestrian traffic in this subdivision will be very minimum (8 homes). The developer is also proposing to add landscaping features in the entrance islands. ROW will be privately owned and maintained by the HOA.

2. ROW dedication for N. 2nd Street:

Requirement: 60 ft. ROW from centerline

Proposal: 5' ROW dedication for 50 ft. from centerline.

The developer is proposing to dedicate 5 ft. of ROW to complete 50 ft of ROW from centerline. This would match the ROW dedicated by The

Estates at Orangewood (adjacent south) and would be 10 ft. more of the ROW dedicated by Ebony Center Subdivision (north).

N. 2nd Street designated ROW of 120 ft. is excessive for this area due to almost all properties being used for estate homes. Traffic in the area is mainly residential. Another important aspect is that N. 2nd Street dead-ends at the Hobbs Road intersection.

3. Cul-De-Sac Length:

Requirement: Length to not exceed 600 ft.

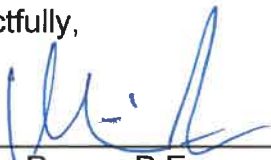
Proposal: The proposed cul-de-sac has a length of 818.87 ft.

Subdivision is proposed to be private with only one entrance/exit. This private subdivision is only for 8 single-family homes. Traffic will be minimum and the amount of cars parked on the street will be almost non-existent since the all lots are close to ½ acre. These lot sizes will provide for large driveways and enough parking space for all cars within each lot.

The developer is also requesting that the internal paving width requirement remains at 32 ft. for single family homes and not 40 ft. The arguments expressed above also apply to this possible requirement.

Your consideration on this matter is greatly appreciated. If you have any questions or comments, please contact our office. Thank you.

Respectfully,



Mario A. Reyna, P.E.
President



LOCATION

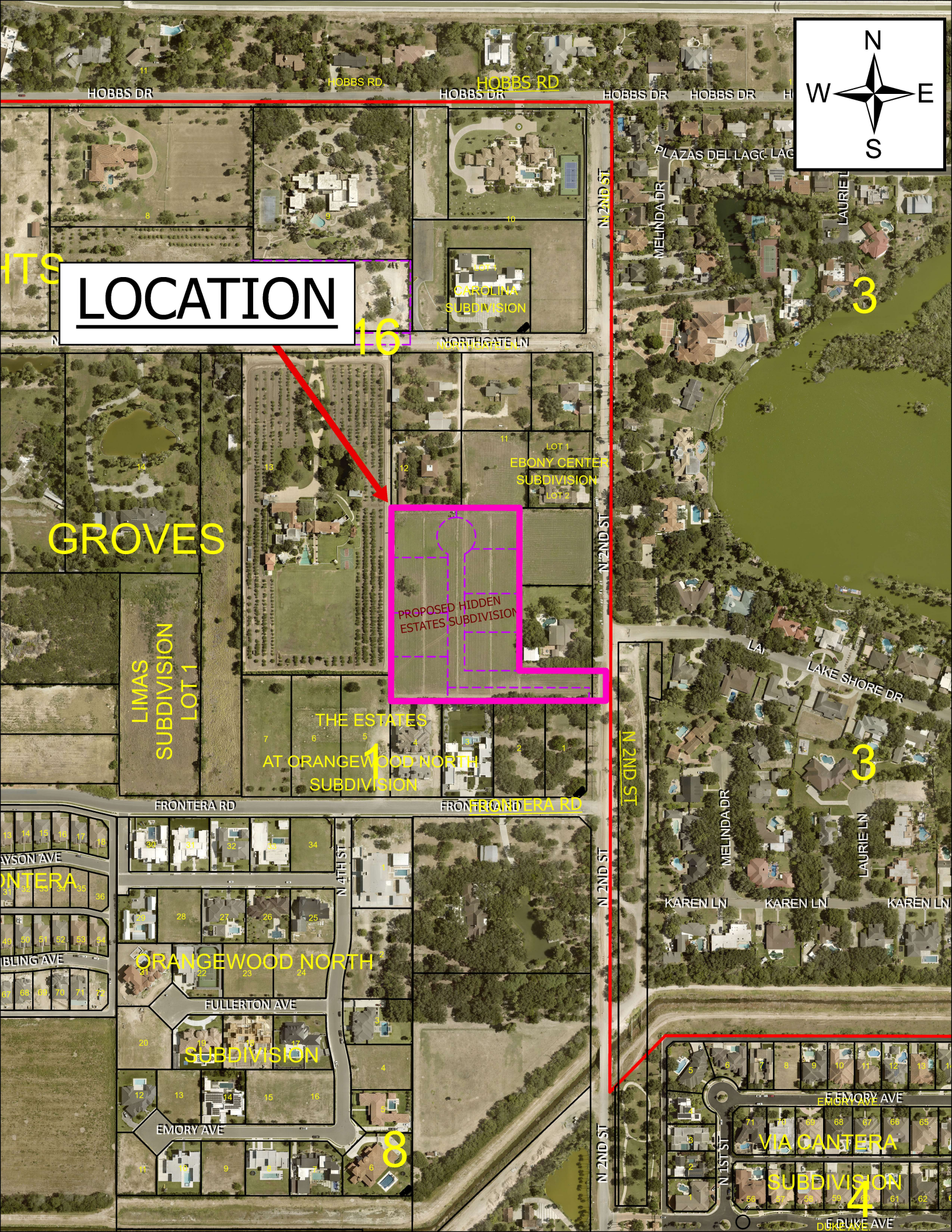
GROVES

PROPOSED HIDDEN
ESTATES SUBDIVISION

THE ESTATES
AT ORANGEWOOD NORTH
SUBDIVISION

ORANGEWOOD NORTH
SUBDIVISION

VIA CANTERA
SUBDIVISION



Natalie Moreno

From: Even Gonzalez
Sent: Tuesday, October 14, 2025 5:02 PM
To: Beto De La Garza; Planning - Subdivisions Shared Mailbox; Florencio De La Cruz
Cc: Eduardo Garza; Mario Reyna; Edgar Garcia
Subject: RE: Hidden Grove Subdivision (Sidewalk)

Thank you Beto,

Based on HCID2 personnel email response below, our department does not object to variance request not to build sidewalk on said easement.

Respectfully,

Even E. Gonzalez,
City of McAllen | Engineering – Development Engineer
O: 956.681.1151 | E: even.gonzalez@mcallen.net

From: Beto De La Garza <Beto@meldenandhunt.com>
Sent: Tuesday, October 14, 2025 4:56 PM
To: Planning - Subdivisions Shared Mailbox <subdivisions@mcallen.net>; Even Gonzalez <Even.Gonzalez@mcallen.net>; Florencio De La Cruz <fdelacruz@mcallen.net>
Cc: Eduardo Garza <EGarza@mcallen.net>; Mario Reyna <Mario@meldenandhunt.com>; Edgar Garcia <ElG@meldenandhunt.com>
Subject: Fw: Hidden Grove Subdivision (Sidewalk)

Good afternoon everyone,

As discussed, please see response below from Javier Lopez, Water Operations Superintendent of HCID #2. We would like to proceed with the variance to be presented at the next meeting and Final approval.

Thank you,

Beto De La Garza

Director of Land Development - Upper Valley



Melden & Hunt, Inc. • 115 W. McIntyre Street • Edinburg, Texas 78541

P: 956.381.0981 • M: 956-404-9438 beto@meldenandhunt.com

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distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please contact the sender immediately and delete it from your system

From: Javi <jlopez@hcid2.org>
Sent: Tuesday, October 14, 2025 4:50 PM
To: Beto De La Garza <Beto@meldenandhunt.com>
Subject: Re: Hidden Grove Subdivision (Sidewalk)

Sorry HCID No.2 does not allow improvements on ROW or easements.
Javier Lopez
Sent from my iPhone

On Oct 14, 2025, at 4:31 PM, Beto De La Garza <Beto@meldenandhunt.com> wrote:

Hello Javier,

Following up on the discussion we had last Friday and the email below. Would HCID #2 allow a 5' sidewalk to be installed on top of your 30' easement along our south boundary?

Thank you,

Beto De La Garza

Director of Land Development - Upper Valley

<Outlook-4bmkgurf.png>

Melden & Hunt, Inc. • 115 W. McIntyre Street • Edinburg, Texas 78541

P: 956.381.0981 • M: 956-404-9438 beto@meldenandhunt.com

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From: Beto De La Garza <Beto@meldenandhunt.com>

Sent: Friday, October 10, 2025 10:58 AM

To: 'Javier Lopez - HCID No. 2' <jlopez@hcid2.org>

Cc: Mario Reyna <Mario@meldenandhunt.com>

Subject: Hidden Grove Subdivision (Sidewalk)

Good morning Javier,

Would HCID #2 allow a 5' sidewalk to be installed on top of your 30' easement along our south boundary?

Thank you,

Beto De La Garza

Director of Land Development - Upper Valley

<Outlook-fhontig1.png>

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<24153 Hidden Grove Estates-Irrigation.pdf>



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.D.

DATE SUBMITTED

11/14/2025

MEETING DATE

11/24/2025

1. Agenda Item: Consideration of Variance Request to 1) not provide additional Right-of-Way dedication to the existing Cul-De-Sac of this Re-Plat Subdivision; 2600 South 39th Street.
2. Party Making Request: Omar Sotelo
3. Applicant: Rio Delta Engineering
4. Nature of Request: Consideration of Variance Request to 1) not provide additional R.O.W. dedication to the existing Cul-De-Sac of this Re-Plat Subdivision; 2600 S. 39th Street
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:

Jessica Cavazos	Created/Initiated - 11/14/2025
Omar Sotelo	Approved - 11/14/2025
Michelle Rivera	Approved - 11/17/2025
Austin Stevenson	Final Approval - 11/17/2025
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve -AWS
11. Manager's Recommendation: Approve. IJT

Memo

TO: Isaac J. Tawil, City Manager

FROM: Omar Sotelo, CPM, Planning Director

DATE: November 5, 2025

SUBJECT: CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE ADDITIONAL R.O.W. DEDICATION FOR THE EXISTING CUL-DE-SAC OF THE PROPOSED RE-PLAT OF PALM VALLEY ESTATES LOT 4A SUBDIVISION, HIDALGO COUNTY, TEXAS; 2600 SOUTH 39TH STREET.

Palm Valley Estates Lot 4A Subdivision is proposed as a re-plat of lots 3 & 4 of the Palm Valley Estates Subdivision. It is a proposed residential subdivision and is located on the North-West side of South 39th Street. According to the submitted plat, the property consists of 0.462 acres. Surrounding land uses include single-family residential districts.

As per section 134-105 of the Subdivision Ordinance, street requires a turnaround of not less than 100 feet in diameter (right-of-way) with a pavement diameter of 80 feet in residential areas. Palm Valley Estates Lot 4 A submitted plat shows an existing 90 ft. diameter R.O.W. Cul-De-Sac with approximately 80 ft. of paving. The project engineer submitted a variance request to not dedicate any additional R.O.W., but rather to maintain the existing Cul-De-Sac R.O.W. The basis for the request is that this property has already been subdivided, and the Cul-De-Sac pavement is already in existence. Staff did not have opposition to the variance request.

RECOMMENDATION:

The Planning and Zoning Commission considered the subdivision in revised-preliminary form and the variance request at their meeting of November 4, 2025. The Board approved the subdivision in revised-preliminary form, subject to the conditions noted and recommended approval of the requested variance. There were four Board members present and voting.

OPTIONS:

1. Approve the variance as requested by the applicant.
2. Disapprove the variance request as recommended by the Planning and Zoning Commission.
3. Table the variance requests for additional information.



City of McAllen
Planning Department
VARIANCE TO SUBDIVISION
PROCESS APPLICATION

VAR 2025-0040

311 North 15th Street
McAllen, TX 78501
P. O. Box 220

McAllen, TX 78505-0220
(956) 681-1250
(956) 681-1279 (fax)

Project

Legal Description

BEING A 0.462 TRACT OF LAND, MORE OR LESS, SAME BEING ALL OF LOT 4 AND 0.117 ACRES, MORE OR LESS, OUT OF THE NORTH PART OF LOT 3, PALM VALLEY ESTATES, CITY OF MCALLEN, HIDALGO COUNTY TEXAS, VOLUME 18, PAGE 6, MAP RECORDS OF HIDALGO COUNTY, TEXAS.

Street Address

3800 S 39TH ST, MCALLEN TX

APPROX. 220 FEET FROM THE INTERSECTION OF NEUHAUS DR & S. 39TH CIRCLE

Number of lots

1

Gross acres

0.462

Existing Zoning

R-1

Existing Land Use

VACANT

- ☒ Current Survey and Metes and Bounds (if the legal description of the tract is a portion of a lot) is required

Applicant

Name RIO DELTA ENGINEERING

Phone (956) 380-5152

Address 921 S. 10TH AVENUE

E-mail EDINBURG@RIODELTAENGINEERING.COM

City EDINBURG

State TX

Zip 78539

Owner

Name TGR CAPITAL LLC

Phone

Address 2515 COLORADO ST, SUITE 6

E-mail

City MISSION

State TX

Zip 78572

Authorization

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

☐ Yes

☒ No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

Date

10/10/25

Print Name

Thomas Gutierrez

☒ Owner

☐ Authorized Agent

Office

FOR OFFICE USE ONLY

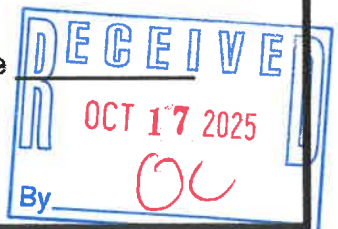
APPLICATION FILING FEE: ☐ \$250.00

Accepted by

Payment received by

Date

Rev 06/21





City of McAllen
Planning Department
REASON FOR APPEAL

Notes: As per McAllen Code of Ordinances Sec. 134-6, financial hardships alone are not an eligible standing for a variance. Please submit for consideration and review any combination of the following: *(If necessary, please use an additional page to complete responses)*

****Information provided here by the applicant does not guarantee that the Commission will grant a variance.**

*****Applicant should include all information they determine is relevant, but it is not required to provide responses to all sections listed below.**

Reason for Appeal

1. Describe the special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

THE PROPOSED SUBDIVISION IS A REPLAT - THE PROPERTY IS LOCATED ON AN EXISTING CUL-DE-SAC, WITH RIGHT-OF-WAY ALREADY DEDICATED

2. Describe how the variance is necessary for the preservation and enjoyment of the legal property rights of its owner.

THE VARIANCE IS NECESSARY, BECAUSE THE CITY OF MCALLEN REQUIRES 55' RADIUS CUL-DE-SAC, BUT THE EXISTING CUL-DE-SAC HAS 45' RADIUS.

3. Describe how the variance will not be detrimental to the public health, safety or welfare or injurious to the legal rights other property owners enjoy in the area.

THE VARIANCE WILL NOT AFFECT ANY ADJOINING PROPERTIES.

4. Describe how the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

THE PROPOSED SUBDIVISION IS A REPLAT - THE PROPERTY IS LOCATED ON AN EXISTING CUL-DE-SAC, WITH RIGHT-OF-WAY ALREADY DEDICATED

PALM VALLEY ESTATES LOT 4A SUBDIVISION

BEING A 0.462 TRACT OF LAND, SAME BEING ALL OF LOT 4 AND 0.117 ACRES OUT OF THE NORTH PART OF LOT 3, PALM VALLEY ESTATES, CITY OF McALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 18, PAGE 6, MAP RECORDS OF HIDALGO COUNTY, TEXAS,

KVS FAMILY LIMITED PARTNERSHIP LOT 13
MCALLEN FIRST SUBURBAN CITRUS GROVES SUBDIVISION,
VOL.5, PG.20
H.C.M.R. DOC# 1919520
H.C.D.R.

(S81°17'E 174.00')
S81° 22' 11"E 174.00'

(S8°43'W 37.00')
S8° 37' 49"W 37.00'

LOT 4A
20111 SQ FT
0.462 ACRE

WHEAT MARK A &
BRUCE J HEXEL CO-TRST
0.8493 ACRE
PALM VALLEY ESTATES
VOL.18, PG.6
H.C.M.R.
DOC# 2816074
H.C.D.R.

OLIVA PABLO S & MARIA RAQUEL
0.3522 ACRE
PALM VALLEY ESTATES
VOL.18, PG.6
H.C.M.R.
DOC# 1716705
H.C.D.R.

VALLE JESUS & SYLVIA SAN RAMON
0.5993 ACRE
PALM VALLEY ESTATES
VOL.18, PG.6
H.C.M.R.
DOC# 2785812
H.C.D.R.

KSHATRIYA SUBDIVISION
DOC# 2821830
H.C.M.R.

KSHATRIYA SUBDIVISION
DOC# 2821830
H.C.M.R.

OWNER'S ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HIDALGO
I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **PALM VALLEY ESTATES LOT 4A SUBDIVISION**, TO THE CITY OF McALLEN, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, WATER LINES, SEWER LINES, STORM SEWERS, FIRE HYDRANTS AND PUBLIC PLACES WHICH ARE INSTALLED OR WHICH I (WE) WILL CAUSE TO BE INSTALLED THEREON, SHOWN OR NOT SHOWN, IF REQUIRED OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF McALLEN, ALL THE SAME FOR THE PURPOSES THEREIN EXPRESSED, EITHER ON THE PLAT HEREOF OR ON THE OFFICIAL MINUTES OF THE APPLICABLE AUTHORITIES OF THE CITY OF McALLEN.

TOMAS GUTIERREZ III (MANAGING MEMBER) DATE
TOR CAPITAL, LLC
2515 COLORADO ST SUITE 6
MISSION, TX 78572

STATE OF TEXAS
COUNTY OF HIDALGO
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED OMAR GARCIA, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____, 2025.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES ____-____-____

HIDALGO COUNTY IRRIGATION DISTRICT NO. 1

THIS PLAT IS HEREBY APPROVED BY THE HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 ON THIS, THE ____ DAY OF ____, 20____, SUBJECT TO THE FOLLOWING

NO IMPROVEMENTS OF ANY KIND (INCLUDING WITHOUT LIMITATION, TREES, FENCES, AND BUILDINGS) SHALL BE PLACED UPON HIDALGO COUNTY IRRIGATION DISTRICT NO. 1 RIGHT OF WAYS EASEMENTS WITH OUT THE EXPRESSED WRITTEN.

____ SECRETARY _____ PRESIDENT _____

STATE OF TEXAS COUNTY OF HIDALGO MAYOR'S CERTIFICATE

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

____ MAYOR, CITY OF McALLEN _____ DATE _____

STATE OF TEXAS COUNTY OF HIDALGO PLANNING AND ZONING COMMISSION CHAIR CERTIFICATE

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

____ CHAIRMAN, PLANNING AND ZONING COMMISSION _____ DATE _____

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATE

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE NO. 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

____ RAUL E. SESIN, P.E., C.F.M. _____ DATE _____
GENERAL MANAGER

SCALE 1" = 20'
BASIS OF BEARING
TEXAS STATE PLANE
COORDINATES
NAD 83
TEXAS SOUTH ZONE
(4205)
ALLTERRA NAVD 88
SYSTEMS NETWORK

ABBREVIATION LEGEND	
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
S.W.C.	SOUTHWEST CORNER
F.T.	FARM TRACT
F.M.	FARM-TO-MARKET
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
C	CENTER LINE
L	LOT LINE
MAP CALL VOL.18, PG.6 M.R.H.C.	DEED CALL DOC#1716335 O.R.H.C.

LEGEND	
●	- FOUND 1/2 INCH IRON ROD
●	- FOUND 5/8 INCH IRON ROD
▲	- FOUND COTTON PICKER SPINDLE
▲	- SET COTTON PICKER SPINDLE
XXX	- NATURAL GROUND
○	- CALCULATED POINT
○	- CAPPED IRON ROD SET

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	82.99	45.00	105.67	S45° 47' 46"W	71.72
C2	16.30	45.00	20.76	S17° 25' 03"E	16.21

STATE OF TEXAS – COUNTY OF HIDALGO

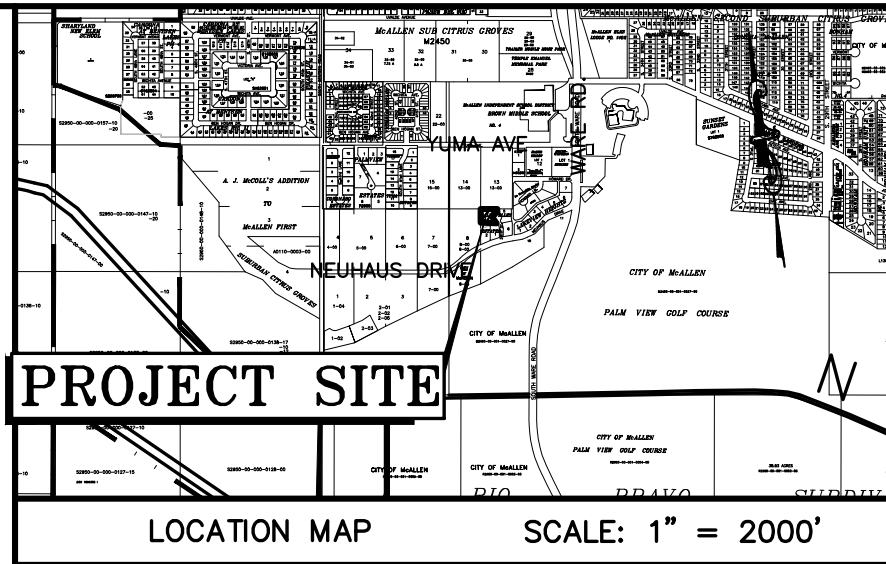
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPER ENGINEERING CONSIDERATIONS HAVE BEEN GIVEN TO THIS PLAT.

____ IVAN GARCIA P.E., R.P.L.S. _____ DATE _____
REG. PROFESSIONAL ENGINEER NO. 115662

STATE OF TEXAS – COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF McALLEN AND HIDALGO COUNTY, TEXAS.

____ IVAN GARCIA P.E., R.P.L.S. _____ DATE _____
REG. PROFESSIONAL LAND SURVEYOR NO. 6496
SURVEY FIRM NO. 10194027



METES AND BOUNDS DESCRIPTION

BEING A 0.462 TRACT OF LAND, SAME BEING ALL OF LOT 4 AND 0.117 ACRES OUT OF THE NORTH PART OF LOT 3, PALM VALLEY ESTATES, CITY OF McALLEN, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 18, PAGE 6, MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 0.462 ACRES BEING THE SAME LAND DESCRIBED IN A GENERAL WARRANTY DEED FROM JEWELL M. AMYA TO PABLO S. OLIVA AND WIFE MARIA RAQUEL OLIVA, DATED JANUARY 22, 2007, RECORDED IN DOCUMENT # 1716335, OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS, AND SAID 0.462 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF THE SAID LOT 4, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND POINT OF BEGINNING:

THENCE S 81°22'11" E ALONG THE NORTH LINE OF SAID LOT 4, TO THE NORTHEAST CORNER OF THE SAID LOT 4, A DISTANCE OF 174.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE S 08°37'49" W ALONG THE EAST LINE OF SAID LOT 4, TO THE MOST EASTERLY SOUTHEAST CORNER OF THE SAID LOT 4, A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SOUTH 39TH STREET AND BEING ON A 45.00 FOOT RADIUS CURVE TO THE LEFT, A DISTANCE OF 37.00 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE SOUTHEAST LINE OF THE SAID LOT 4, SAME BEING ALONG THE RIGHT-OF-WAY LINE OF SOUTH 39TH STREET, TO THE ORIGINAL SOUTHEAST CORNER OF THE SAID LOT 4, THE NORTHEAST CORNER OF THE SAID LOT 3, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET, AN ARC LENGTH OF 92.99 FEET, A CHORD BEARING AND DISTANCE OF S 45°47'46" W 71.72 FEET TO A 1/2-INCH CAPPED IRON ROD SET;

THENCE WITH THE EAST LINE OF THE SAID LOT 3, SAME BEING ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH 39TH STREET, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET, AN ARC LENGTH OF 16.30 FEET, A CHORD BEARING AND DISTANCE OF S 17°25'03" E 16.21 FEET TO A 1/2-INCH CAPPED IRON ROD SET, TO A POINT OF CURVATURE OF THE HEREIN DESCRIBED TRACT;

THENCE S 27°12'01" E WITH THE EAST LINE OF THE SAID LOT 3, SAME BEING ALONG THE WEST RIGHT-OF-WAY LINE OF SOUTH 39TH STREET, A DISTANCE OF 33.73 FEET TO A 1/2-INCH CAPPED IRON ROD SET, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE N 81°22'11" W PERPENDICULAR AND AT RIGHT ANGLE TO THE WEST LINE OF THE SAID LOT 3, A DISTANCE OF 156.95 FEET TO A 1/2-INCH CAPPED IRON ROD SET, SAID 1/2-INCH CAPPED IRON ROD SET BEING DISTANT N 08°37'49" E 282.40 FEET FROM A COTTON-PICKER SPINDLE FOUND AT THE SOUTHWEST CORNER OF THE SAID PALM VALLEY ESTATES, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

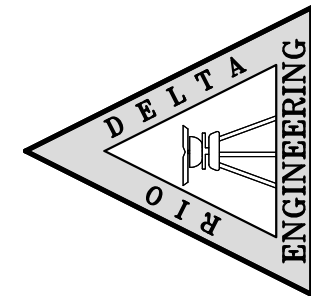
THENCE N 08°37'49" E ALONG THE WEST LINE OF SAID LOTS 3 AND 4, A DISTANCE OF 135.26 FEET TO THE POINT AND PLACE OF BEGINNING, SAID TRACT CONTAINING 0.462 ACRES OF LAND, MORE OR LESS.

GENERAL PLAT NOTES:

- MINIMUM PERMISSIBLE FINISHED FLOOR ELEVATION SHALL BE 18" ABOVE TOP OF CURB IN FRONT OF THE CENTER-POINT OF THE LOT.
- MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS:
FRONT: 20 FT. OR GREATER FOR EASEMENTS.
REAR: 10 FT. OR GREATER FOR EASEMENTS.
INTERIOR SIDES: 6 FT. OR GREATER FOR EASEMENTS.
GARAGE: 18 FT. EXCEPT WHERE GREATER SETBACK IS REQUIRED; GREATER SETBACK APPLIES.
- THE SUBDIVISION IS IN ZONE "B" (NON-SHADED), MAP COMMUNITY PANELS NO.: 480343 0010 C MAP REVISED: NOVEMBER 2, 1982.
- DRAINAGE DETENTION OF 7.08 CF OR 0.02 ACRE FEET IS REQUIRED FOR THIS SUBDIVISION. CURRENT RUNOFF WILL BE DETAILED FOR THE GREEN AREA OF THE PROPERTY.
- ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, PRIOR TO ISSUANCE OF BUILDING PERMIT. GRADING MUST COMPLY WITH MASTER PLAN.
- EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, SHEDS, SHRUBS, TREES, AND OTHER PLANTINGS (EXCEPT LOW GROUND COVER, GRASS OR FLOWERS) AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE EASEMENT.
- CITY OF McALLEN BENCHMARK (MC47) A 3/4" ALUMINUM PIPE WITH A 3/4" BRASS MONUMENT CAP ON TOP, LOCATED APPROXIMATELY 29 FEET EAST FROM NORTH TAYLOR ROAD AND 550 FEET NORTH OF MILE 5, NORTHING:16628009.54221 EASTING:1061100.60350 ELEV.=140.02
- 6 FT. OPAQUE BUFFER REQUIRED FROM ADJACENT/BETWEEN MULTI-FAMILY RESIDENTIAL AND COMMERCIAL AND INDUSTRIAL ZONES/USES.
- 8 FT. MASONRY WALL REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL ZONES/USES.
- ALL UTILITY AND DRAINAGE EASEMENTS TO BE DEDICATED BY THIS PLAT, UNLESS STATED OTHERWISE.
- 4 FT. WIDE MINIMUM SIDEWALK REQUIRED ON S. 39TH STREET.

RIO DELTA ENGINEERING

FIRM REGISTRATION NO. F-7628
SURVEY FIRM NO. 10194027
921 S. 10TH AVENUE EDINBURG, TEXAS 78539
(TEL) 956-380-5152 (FAX) 956-380-5083



ISSUED FOR:
FINAL

PLAT SHEET
PALM VALLEY ESTATES LOT 4A SUBDIVISION
CITY OF McALLEN
HIDALGO COUNTY, TEXAS

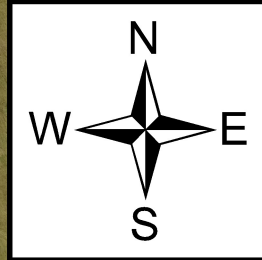
PROJECT :

ENGINEER:
IVAN GARCIA P.E., R.P.L.S.
SURVEYOR:
IVAN GARCIA P.E., R.P.L.S.
CHECKED:
IVAN GARCIA P.E., R.P.L.S.
DRAWN:
EDWIN PENA
SCALE:
1" = 20'
DATE:
SEPTEMBER 17, 2025
PROJECT:
SUB 24 026
REVISIONS:
PAGE NO.:
SHT 1

S
1
0

14

13



LOCATION



PROPOSED
PALM VALLEY
ESTATES LOT 4A
SUBDIVISION

PALM VALLEY
ESTATES

12

11

5

LOT 2

KSHATRIYA
SUBDIVISION

3

9

1

6

1

LOT 1

HEAD
FILED
2018

S 39TH ST
S 39TH ST

NEHAUS DR

NEHAUS



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

5.A.
11/13/2025
11/24/2025

1. Agenda Item: Future Agenda Items.

2. Party Making Request:

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____
Under Budget: _____

Budgeted Amount: _____
Over Budget: _____
Amount Remaining: _____

7. Routing:

Jose Trujillo
Perla Lara
Austin Stevenson

Created/Initiated - 11/13/2025
Approved - 11/13/2025
Final Approval - 11/14/2025

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: Approve -AWS

11. Manager's Recommendation: None. IJT



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.A.

DATE SUBMITTED

11/18/2025

MEETING DATE

11/24/2025

1. Agenda Item: Consideration of Economic Development matters. Tex. Gov't. Code §551.087.
2. Party Making Request: Austin Stevenson
3. Applicant:
4. Nature of Request: Consideration of Economic Development matters. Tex. Gov't. Code §551.087.
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:		Budgeted Amount:	
Under Budget:		Over Budget:	
		Amount Remaining:	
7. Routing:
Crystal Montano
Created/Initiated - 11/18/2025
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney: None -AWS
11. Manager's Recommendation: None. IJT



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.B.

DATE SUBMITTED

11/18/2025

MEETING DATE

11/24/2025

1. Agenda Item: Consultation with City Attorney regarding legal aspects of contracts. Tex. Gov't. Code §551.071.
2. Party Making Request: Austin Stevenson
3. Applicant:
4. Nature of Request: Consultation with City Attorney regarding legal aspects of contracts. Tex. Gov't. Code §551.071.
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:
Alma Villarreal
Created/Initiated - 11/18/2025
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney: None -AWS
11. Manager's Recommendation: None. IJT