

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The Building Board of Adjustments and Appeals of the City of McAllen, Texas met in regular session August 19, 2026 at 8:30 A.M. in the City Commission Room with the following present:

VERIFICATION OF QUORUM:

Members Present:

Jose Pena	Co-Chair
Luis Figueroa	Member
George Mendoza	Member
Cesar Gomez	Member
Elio Botello Jr.	Member

Members Absent:

Francisco Meza	Chair
Tycen Hanna	Member

Others Present:

Arcelia Canales	Interim Director Health & Code Compliance
Michelle Rivera	Deputy City Manager
Martin Canales	Assistant City Attorney
Rebecca Grimes	Tax Assessor
Robert Rodriguez	Supervisor Building Inspection
Patricia Rendon	Supervisor Plans Examiner
Cynthia Reyna	Administrative Supervisor
Rita Austin	Senior Administrative Clerk
Cynthia Soto	Supervisor; Code Enforcement
Tania Casas	Code Enforcement Officer
Ashley Mendoza	Code Enforcement Officer
Kelly Salazar	Linebarger Goggan Blair & Sampson

Homeowners Present:

Carmen Cantu	2908 Elmira Ave.
Efrain Cano	2205 Galveston Ave.
Cristina Garcia	908 N. 17 th St.
Javier Rodriguez	2013 Fresno Ave.

Meeting called to order by Co-Chairman, Mr. Pena at 8:32 A.M.

1. Approval of Minutes for Meeting on June 24, 2026.

Mr. Pena calls for approval of minutes.

Motion by Mr. Figueroa.

Motion second by Mr. Gomez.

All board members in favor – motion carried unanimously at 8:34 a.m.

**2. CONSIDERATION AND POSSIBLE ACTION UP TO AND INCLUDING ORDER OF
DEMOLITION OF SUBSTANDARD VACANT STRUCTURE AT 2013 FRESNO
AVENUE**

Ms. Austin provides the Board with property information; legal description, zoning dynamics, property ID, taxes owed, legal owner information, previous history of property to include code violations. Posting of notices on property and dates of postings. Staff is asking the Building Board of Adjustments to affirm consideration and possible action up to and including an order of demolition of the structure by the owner or the company, deemed most appropriate by City Management if the owner fails to do so.

Mr. Figueroa questions violations of the exterior walls, if the windows have been covered.

Ms. Soto confirms the means of egress.

Mr. Pena calls for homeowner.

Mr. Javier Rodriguez, owner of property. Confirms he is willing to allow the City to demolish.

Ms. Austin confirms that Mr. Rodriguez has agreed to sign the Hold Harmless agreement by our Legal department.

Mr. Pena calls for motion.

Motion by Mr. Figueroa.

Motion second by Mr. Mendoza.

All board members in favor, motion carried unanimously at 8:39 AM.

Ms. Austin confirms that property owner would sign prepared documents before leaving the meeting.

3. CONSIDERATION AND POSSIBLE ACTION UP TO AND INCLUDING ORDER OF DEMOLITION OF SUBSTANDARD VACANT STRUCTURE 908 N. 17th STREET

Ms. Austin provides the Board with property information; legal description, zoning dynamics, property ID, taxes owed, legal owner information, previous history of property to include code violations. Posting of notices on property and dates of postings. Staff is asking the Building Board of Adjustments to affirm consideration and possible action up to and including an order of demolition of the structure by the owner or the company, deemed most appropriate by City Management if the owner fails to do so. Advising current owner is present.

Mr. Pena calls for owner to property.

Ms. Cristina Garcia, states she inherited the property and is asking for more time. She wants to do the work on her own and is currently pending bid quotes.

Mr. Pena questions time being requested.

Ms. Garcia requests 6 months, providing information stating that the home did not have any insurance at the time of the fire and has financially been unable to do anything, and that she just got the deed to the property in June.

Mr. Figueroa motions for 30-days and bring back plan for demolition.

Mr. Pena advises of the liability of the home being open, exposed and the hazards that the structure poses.

Mr. Pena confirming the motion.

Mr. Figueroa motion for 30-day follow up.

Motion second by Mr. Mendoza.

All board members in favor, motion carried unanimously at 8:47 AM.

4. CONSIDERATION AND POSSIBLE ACTION UP TO AND INCLUDING ORDER OF DEMOLITION OF SUBSTANDARD VACANT STRUCTURE 1909 HERON AVENUE

Ms. Austin provides the Board with property information; legal description, zoning dynamics, property ID, taxes owed (\$4,181.88), legal owner information, and previous history of property to include code violations. Posting of notices on property and dates of postings. Staff is asking the Building Board of Adjustments to affirm consideration and possible action up to and including an order of demolition of the structure by the owner or the company, deemed most appropriate by City Management if the owner fails to do so. Advising that our department has had no contact with owner and this property was a case that began with McAllen Police Department. Transfer deed is on file upon death of homeowner; however, no change of record has been filed.

Mr. Gomez questions the utilities, if active, and any way of tracing who has been making payments.

Ms. Austin states that a female was living at location, PD made an arrest on July 17, 2026 and she has been incarcerated since then. This is the female who ownership would be deeded to in the event of death (of Mr. Rolando Jacinto), but no change in ownership is filed as of today.

Mr. Canales states that due to the CPS issue and Ownership; let us table this for the end of the meeting.

Mr. Pena requests motion to table at 8:51 AM.

Mr. Figueroa motion to table.

Motion second by Mr. Gomez.

All board members in favor, motion carried unanimously at 8:51 AM.

5. UPDATES ON ACTIONS FROM PREVIOUS AGENDAS

- **2531 ERIE AVENUE (6 month follow-up)**

Ms. Austin states that this property was originally given a 6-month period to property owner to demolish. Demolition completed by owner on July 16, 2026.

- **2908 ELMIRA AVENUE (5 month follow-up)**

Ms. Austin states this property originally brought to the board on March 18, 2026. Property has multiple heirs; today present is Mr. Ramon Cantu.

Mr. Pena calls for Mr. Cantu.

Mr. Cantu, heir to property owners at 2908 Elmira Avenue. States both parents are deceased, sibling had power of attorney, and unaware that taxes owed, and there have been mowing abatements done by the City and liens on the property. We are trying to work with Ms. Austin and Building department, but due to liens owed not just by the City but also with Medicare and Child Support, it is very hard to sell the property. I attempted to take out a permit for the demolition but had issues with the cement slab requiring removal, then issues with the sewer and needing to hire a Plumber, and now it is just out of my cost range and cannot afford the demolition. I am willing to allow the City to take over the property.

Ms. Austin states that original order was to demolish, the 30 days fell on July 24, and Mr. Cano came to apply for his demolition permit on that date.

Mr. Cano states he applied for the permit and took out a loan for the demolition, but then the cement slab came into play, and now the plumber is needed and that an additional \$1,500.00 that I do not have.

Mr. Pena, questions building department officials for the sewer plug.

Mr. Rodriguez confirms that a licensed official is required to complete the work. Since there was a previously issued permit but a final inspection not done, we need to verify if the line was tapped or not.

Mr. Mendoza questioned if there is any way to confirm if previous work was finished without having to hire and pay for a new permit.

Mr. Rodriguez (Building) states that owner wants to dig up the line and there is proof based off what previously hired plumber is stating, then yes, we will go out there and see if work is done, then there will be no need to rehire or take out another permit.

Mr. Botello, questions what exactly the City is asking for now. If the building slab can remain, and just the roof and walls need to come down.

Mr. Rodriguez (Building) confirms; cement slab can remain.

Mr. Pena asks if he (Mr. Cantu) is okay with the City doing the demolition.

Mr. Cantu confirms that the City can do the demolition.

Mr. Canales states that since an order was given back in June, his suggestion would be that the City will work with Mr. Cantu and come to an agreement.

Mr. Cantu confirms that he will work with the City (Ms. Austin), and will obtain more quotes and see if he can afford to continue the work for demolition.

Mr. Figueroa states that whoever does the demolition is responsible for the sewer tap; I would allow you the time until next meeting and see what you can do.

- **2205 GALVESTON (60 day follow-up)**

Ms. Austin advises original date taken to the Board, July 24, 2026. Warrant obtained for updated photos and present today is homeowner Mr. Cano.

Mr. Cano, 2205 Galveston.

Mr. Pena asks if updates were done, provided.

Mr. Cano states that boards have been replaced where the beekeepers had damaged walls. He is doing his best to clean up the property.

Mr. Botello questions the intent of the property; to clean and use it or demolish it.

Mr. Cano states to demolish it himself. Whatever needs to come down will come down. He has nowhere to put his personal belongings.

Mr. Pena asks for a plan of action (order was given to allow 60-days).

Mr. Cano states he asked 2 times for a permit to be given, to build a garage.

Mr. Figueroa states that 60-day timeframe is up next week. Action was we needed that information for plans or the order for demolition was going to be given.

Mr. Botello recommends relocating the possessions to a safer place. Asking if owner if he will demolish or the recommendation for demolition.

Mr. Pena confirms item originally brought to the board 60-days ago; we understand you have belongings there, but we need to consider the safety of the community. You previously asked for 60-days, and we allowed you that time.

Mr. Botello informs property owner that the situation is understandable; there is a lot of work that needs to be done. The issues pose a threat to the community and neighbors; my recommendation is to move your belongings and tools somewhere safer.

Mr. Mendoza states the structure is in very bad condition, the structure does need to come down. Previous order was to have a plan for the tools.

Mr. Canales states can bring back as an action item for next meeting.

Mr. Botello asks Mr. Cano how much more time he is requesting.

Mr. Cano asks what needs to be taken down.

Mr. Pena (and board) confirms that yes; all structures need to come down.

Mr. Botello, recommendation is to bring the complete structure down.

Mr. Canales asks what original disposition was for property.

Ms. Austin states that order was given to bring a plan and a timeline

Mr. Pena confirms to bring back next month.

Mr. Figueroa advises to bring back.

Mr. Cano continues to request that a permit be issued to him to build a storage.

Mr. Pena confirms residential area, and suggests bringing back as action item and move forward with plans and order to demolish.

Mr. Cano confirms decision by the board.

Mr. Pena states that this item be brought back to the next meeting in September.

Mr. Figueroa motion to enter into executive session.

Motion second by Mr. Mendoza.

*** Executive Session at 9:19 AM ***

*** Return from Executive Session at 9:31 AM ***

Mr. Pena confirms back to item #4 at 1909 Heron Avenue.

Mr. Mendoza motion for 1909 Heron Avenue; request to be boarded up and secured.

Motion second by Mr. Botello.

All board members in favor, motion carried unanimously at 9:31 AM.

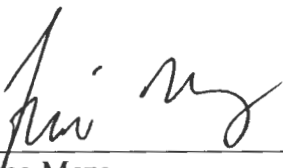
6. ADJOURNMENT

Mr. Pena calls motion for adjournment.

Motion by Mr. Figueroa.

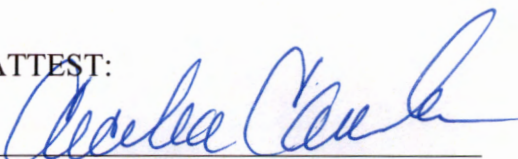
Motion second by Mr. Gomez.

All in favor, motion carries at 9:32 a.m.



Francisco Meza
Chairman

ATTEST:



Arcelia Canales

Interim Director of Health, Code and Animal Care