

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 May 21, 2025 at 8:30 A.M. in the City Commission Room with the following present:

VERIFICATION OF QUORUM:

Members Present:

Michael D. Hovar	Chair
Marc Millis	Co-Chair
Luis Figueroa	Member
George Mendoza	Member
Cesar Gomez	Member
Francisco Meza	Member

Members Absent:

Jose Pena	Member
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Others Present:

Nancy Treviño	Director of Health, Code & Animal Care
Arcelia Canales	Asst. Director Health & Code Compliance
Michelle Rivera	Assistant City Manager
Martin Canales	Assistant City Attorney
John Gutierrez	Plans Examiner Supervisor
Rebecca Grimes	Tax Assessor
Cynthia Reyna	Administrative Supervisor
Cynthia Soto	Supervisor; Code Enforcement
Kelly Rivera-Salazar	Linebarger, Goggan, Blair & Sampson, LLP
Alexa De La Garza	Code Enforcement Officer
Raul Almaguer	Code Enforcement Officer
Rachel Garza	Code Enforcement Officer

Homeowners:

Carlos Gonzalez	2554 Erie Ave.
Miguel R. Ayala	417 S. 16 th St.

Meeting called to order by Chairman, Mr. Hovar at 8:31 A.M.

1. Approval of Minutes for Meeting on April 09, 2025.

Mr. Hovar calls for approval of minutes.

Mr. Millis has question on page 3 paragraph 5. Verifying Mr. Kirby's remarks in regards to plans needing to be submitted and/or needing revision (305 Ben Hogan Dr.)

Ms. Trevino verifies with Mr. John Gutierrez.

Mr. Gutierrez confirmed to the Board that the plans needing to be submitted will include revision, but nothing received yet.

Motion by Mr. Meza.

Motion second by Mr. Mendoza.

All board members in favor - motion carried unanimously at 8:33 a.m.

**2. CONSIDERATION AND POSSIBLE ACTION UP TO AND INCLUDING
ORDER OF DEMOLITION OF VACANT SUBSTANDARD STRUCTURE
AT 417 S. 16th STREET**

Ms. Trevino provides the Board with owner information; zoning dynamics, taxes owed, and history for property provided as well. 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, most appropriate if the owner fails to do so. Mr. Ayala has come in to the office on various occasions, discussions held with him and he was willing to move forward with the demolition. As of May 20, the structure has been demolished and Mr. Ayala is here today.

Mr. Hovar questions the letter of appeal not found in booklet.

Ms. Trevino confirms letter turned in the office in regards to the appeal and Mr. Ayala stated his opinions and feelings towards the aggressiveness of the notices. Owner was informed that these are standard letters created by the City, and we would take into consideration looking over them for revision, but it was standard practice to send out these notices timely.

(letter taken by Rita Austin and provided to the Board for viewing)

Mr. Miguel Ricardo Ayala; owner of said structure. Provides to the Board his background history of the home/structure and his agreeance of the structure not being up to code for the City. The home was previously a scene of arson, the property was under the jurisdiction of the County Court, and he was trying to avoid getting in to trouble by leaving the structure as it was. Vocalized his reason for being upset about the letters he was receiving.

Mr. Meza asks (Mr. Ayala) how much time is needed.

Mr. Ayala states that he has no specific time frame to ask for, just additional time.

Mr. Meza confirms additional 90 days.

Mr. Mendoza asks the homeowner how far the demolition process is.

Mr. Ayala states he is 90% done and just some material is still there, but waiting on a roll-off. In addition, he may not need the full 90-days. Will send photos once complete to Ms. Trevino.

Mr. Hovar confirms that as long as homeowner is doing what is required to do, the initiative and actions on his behalf to move forward with the demolition are appreciated. Asks staff what the recommendations are moving forward.

Mrs. Trevino states staff recommends that it be an update item only moving forward.

Mr. Hovar calls for motion.

Motion to move forward by Mr. Figueroa; give the owner time needed to acquire permits any additional permits if needed.

Mr. Hovar confirms motion to move forward and no longer an action item, just as an update item.

Motion second by Mr. Millis.

All board members in favor - motion carried unanimously at 8:51 a.m.

**3. CONSIDERATION AND POSSIBLE ACTION UP TO AND INCLUDING
ORDER OF DEMOLITION OF VACANT SUBSTANDARD STRUCTURE
AT 504 S 21ST STREET**

Property owner information given to the Board; owner information; zoning dynamics, history for property of original violations. Taxes owed, and prior boarding up lien that has been placed on the property as well as mowing liens being owed. 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, most appropriate if the owner fails to do so. Contact was made with family; one sibling has Power of Attorney and a niece called in that she was interested in buying the property but upon going to Building Department, she said it was not worth purchasing since the lot size is too small and due to restrictions.

Mr. Meza asks about lot size (small).

Ms. Trevino confirms that this is an old lot and neighborhood.

Mr. Hovar reviews details of the home; taxes owed as well as liens with interest that have been placed. Asks if any other family has interest, or legally who is receiving notices or if there is a probate.

Mrs. Trevino only the niece has shown interest; she has other projects going on in the City with our Imagine Tomorrow program.

Mr. Hovar questions the status of the property stating it is a nuisance, and posing a hazard, what would happen to this property, it is a small property, and owes a lot or does it go up for auction.

Ms. Kelly Salazar, City of McAllen delinquent tax Attorney. Property currently has an over 65-age deferral and homestead exemption, some fees should be removed. We previously reported the homeowner's death in August of 2024 to the appraisal district. Once that deferral is reviewed, we can move forward with initiating a tax foreclosure lawsuit. We would then move forward with posting (cite by posting) the notices at the Court House, and sending letters, not only the property owner is sufficient in cases like these, so I will get the family information and

any known possible heirs and add them to the case for notifications. In our tax suit, all taxes and liens and other fees will be considered.

Mr. Meza; how long will this take.

Ms. Salazar confirms timeline of posting (45 days) but if we discover additional parties and they would have to be included and then be as short as 6 months and as long as 1 year. However, when the property is brought to the Board like this, properties are fast-tracked for the care of the City & citizens.

Mr. Hovar calls for motion for staff recommendation.

Motion by Mr. Meza to move forward with staff recommendation and demolish.

Motion second by Mr. Gomez.

All board members in favor - motion carried unanimously at 9:01 a.m.

4. UPDATES ON ACTIONS FROM PREVIOUS AGENDAS

➤ **(4A) 2122 CEDAR AVE.**

- Sealed demolition bids received Friday May 17, 2025, opened yesterday; bid has been awarded to AMRAC LLC. in the amount of \$5,480.00

➤ **(4B) 305 BEN HOGAN DR.**

- Original agenda item on 8/21/2024. A roll-off was picked up and no new roll-offs have been requested. The owner is revising architectural plans with a firm and working with the building department.

Mr. Millis questions progress.

Ms. Trevino confirms nothing substantial. An email was received yesterday (May 20, 2025); I provided the language as stated in the email, that the owner is working with a firm to revise plans.

Mr. Millis asks if anything (plans) has been submitted, and asks Mr. John Gutierrez if there has been any communication with property owner.

Mr. Martin Canales, requests that any communication in regards to this property be done in executive session.

Mr. Hovar asks for motion to enter into executive session at 9:03 a.m.

Mr. Meza motions to table deferment of executive session until end of meeting and revisions at end.

Motion second by Mr. Millis.

All board members in favor - motion carried unanimously at 9:04 a.m.

➤ **(4C) 2554 ERIE AVENUE.**

- Mr. Gonzalez is present

Mr. Carlos Gonzalez states that floor has been repaired and leaks in the roof; kitchen and bedrooms.

Mr. Meza asks owner if property is still secured.

Mr. Gonzalez confirms that the home is secured.

Mr. Meza asks for timeline and if permits are still active, stating his permit had just reapproved on Friday (May 16, 2025) for the leveling and will be buying windows next.

Ms. Trevino provides to the Board update on 716 N. 9th St. (not on the agenda); they had applied for Imagine Tomorrow but did not have the funds. The new owner, Alberto Garza, is moving forward with the demolition of the property. Concluded all updates.

Mr. Hovar requests motion to enter into executive session.

Mr. Millis motion to enter into session at 9:06 a.m.

Motion second by Mr. Meza.

All board members in favor - motion carried unanimously.

(EXECUTIVE SESSION)

Mr. Hovar states time of 9:34 a.m. be on the record for return out of executive session. Requesting that motion be made for previously approved item #1 (minutes) be reviewed; review transcripts/recordings to see if anything needs to be modified regarding the property.

Mr. Millis motions for review of item # 1.

Motion second by Mr. Meza.

All board members in favor - motion carried unanimously at 9:36 a.m.

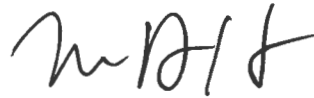
5. Adjournment

Mr. Hovar calls motion for adjournment.

Motion by Mr. Millis.

Motion second by Mr. Meza.

All in favor, motion carries.



Michael Hovar
Chairman

ATTEST:



Nancy P. Trevino
Director of Health, Code and Animal Care