



Mayor James "Jim" Darling
Mayor Pro Tem/Commissioner Veronica Whitacre
Commissioner Javier Villalobos
Commissioner Joaquin J. Zamora



Commissioner J. Omar Quintanilla
Commissioner Tania Ramirez
Commissioner Victor "Seby" Haddad
City Manager Roel "Roy" Rodriguez, P.E.

**NOTICE OF WORKSHOP TO BE HELD BY THE
MCALLEN BOARD OF COMMISSIONERS
MONDAY, JANUARY 11, 2021 – 4:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501**

AGENDA

<https://zoom.us/j/5087553077?pwd=TjduYjR4U2l3cWU1NjlsZzlsM2hJUT09>

Members of the public that wish to listen to the meeting can log in to the virtual Zoom meeting or dial (346) 248-7799 US (Houston) Meeting ID: 508 755 3077 Passcode: 878576.

Individuals that wish to participate in the meeting or comment on an agenda item should call (956) 681-1020 by 3:30 pm. Any individual dialing in acknowledges his or her phone number may be visible to the public.

"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

- 1. Present questions to staff relating to the January 11, 2021 Regular Meeting Agenda, to be discussed at such meeting.**
- 2. Discussion of possible amendments to the city charter.**
- 3. Report on CARES Act Funding.**
- 4. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)**

- A) Discussion and possible lease, sale or purchase of real estate property: Tract 1. (Section 551.072, T.G.C.)
- B) Discussion and possible lease, sale or purchase of real estate property: Tract 2. (Section 551.072, T.G.C.)
- C) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)

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 attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on January 8, 2021 at 2:00 PM and will remain so posted continuously for at least 72 hours preceding the scheduled time of said 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.
DATE SUBMITTED	01/04/2021
MEETING DATE	1/11/2021

1. Agenda Item: Present questions to staff relating to the January 11, 2021 Regular Meeting Agenda, to be discussed at such meeting.
2. Party Making Request: Perla Lara
3. Nature of Request:
4. Routing:
Cindy Gonzalez
Perla Lara
Kevin Pagan
Created/Initiated - 1/4/2021
Approved - 1/4/2021
Final Approval - 1/5/2021
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation: approve



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.

DATE SUBMITTED

01/06/2021

MEETING DATE

1/11/2021

1. Agenda Item: Discussion of possible amendments to the city charter.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Cindy Gonzalez
Austin Stevenson
Kevin Pagan
Created/Initiated - 1/6/2021
New -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation: None. RR



Proposed Charter Amendments

City Commission Workshop
January 11, 2021

Background

- First Charter Election was held in 1927
- Home-rule municipalities have the authority to create and amend charters pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code
- Charter Committee was established and consisted of Commissioners Haddad, Quintanilla and Zamora as well as City Manager's Office and the City Attorney



City of McAllen

City Attorney's Office

Overview

- Annexation
- Election Dates
- Cleanup (# of Commissioners/Gender References)
- Ordinance
- Term Limits



City of McAllen

City Attorney's Office

Annexation

- Current language is several paragraphs and makes outdated references to state law
- State law continues to evolve (for the worse lately, but don't give up hope)
- Proposed provision simply grants the City the maximum authority allowed by law



City of McAllen

City Attorney's Office

Election Dates

- Updates the election dates to match practice and comply with election code
- Previous: first Tuesday in April
- Current/Proposed: first Saturday in May
- Election schedule remains the same (Mayor and Dist. 1, 2, and 3 in 2021; Dist. 4, 5, and 6 in 2023)



City of McAllen

City Attorney's Office

Cleanup

- Eliminates references to elected officials and property owners that presumes they are male
- Updates number of commissioners to reflect there are now six, not four
- Removes provisions that create processes that have been preempted by state law and simply states City will comply with relevant law (sale of personal property for taxes, hiring of Fire Chief)



City of McAllen

City Attorney's Office

Ordinances

- Eliminates provision that requires every ordinance except franchise ordinances be placed in the newspaper
- Makes ordinances effective upon passage, when signed by the mayor or at another time certain specified in the ordinance



City of McAllen

City Attorney's Office

Term Limits

- 3 terms of 4 years each for Mayor or City Commission
- Time as Mayor does not count against Commission cap
- Time as Commissioner does not count against Mayor cap
- Time spent fulfilling an unexpired term of the previous officeholder does not count
- Terms served at any time count towards the limit- the proposed amendment does not use the word consecutive



Questions



City of McAllen
City Attorney's Office



ITEM SUMMARY

BOARD:	AGENDA ITEM	3.
	DATE SUBMITTED	
	MEETING DATE	1/11/2021

1. Agenda Item: Report on CARES Act Funding.
2. Party Making Request: Sergio Villasana
3. Nature of Request:
4. Routing:
Yesenia Rodriguez
Angie Rodriguez
Kevin Pagan
Created -
Approved - 1/5/2021
Final Approval - 1/5/2021
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM

To: Roel “Roy” Rodriguez, P.E., M.P.A., City Manager
Through: Michelle Rivera, Assistant City Manager
From: Yvette M. Balderas, Director of Grant Administration
Date: January 5, 2021
Subject: COVID -19 Pandemic Project Updates

To follow is a brief description of the activities and project statuses for COVID-19-related grants/programs; Significant updates are highlighted.

Hidalgo County CARES Act

- **TOTAL ALLOCATION: \$18,911,376**, comprised of original per capita allocation of \$16,332,552 plus \$2,578,824 (\$18 per capita set-aside)
- Eight Requests for Reimbursement were remitted; the first six submission included salaries and fringe for Police and Fire Departments dated March 1st through August 23, 2020. The last two reimbursement requests included Small Business Grants and WIFI costs
 - Request #1 (March) – On 8/25/20, Hidalgo County’s Office of Management and Budget (OMB) forwarded our request to the County Auditor’s Office; Auditor’s Office has approved payment amount of \$2,415,579.40 (accounted for in the 40% received)
 - Request #2 (April) – OMB staff forwarded \$3,122,111.64 to Auditor’s Office on 8/28/20; late October, staff was notified that payment would be released (accounted for in the 40% received)
 - Request #3 (May) – OMB staff forwarded \$3,027,407.32 to Auditor’s Office on or about 9/8/20; Check received on 11/17/20 in the amount of \$2,032,078.36
 - Requests #4 (June) – OMB staff forwarded \$3,105,875.00 to Auditor’s Office on or about 9/11/20; Check received
 - Request #5 (July) – OMB staff forwarded \$4,582,157.76 to Auditor’s Office on or about 9/21/20; check received
 - Request #6 (August) – OMB staff forwarded \$2,658,244.88; check in the amount of \$79,420.88 was received on 12/8/2020; final payment of original allocation. **Set-aside of \$2,578,824 was released on 1/5/2021**
 - Request #7 – Costs related to WIFI project (\$3,085,687.16) were remitted on 10/30/2020; remains unpaid
 - Request #8 – Costs related to Small Business Grant Program undertaken by Chamber of Commerce (\$1,500,000) were remitted on 10/30/2020; remains unpaid
- **All funds (\$18,911,376) have been received**
 - Total requested was \$23,497,063.16

TDEM

- First two requests (appx. \$300K) included all PPE purchases, some sanitation costs and related expenses such as plexiglass have been submitted
 - Request for Reimbursement # 1 remitted on 7/6/20 in the amount of \$142,339.37

- o Request for Reimbursement #2 was remitted on 8/8/20 in the amount of \$180,319.07
 - Approximately \$300K has been requested with respect to Wi-Fi Costs
- Request #3 was submitted on 9/8/20 and includes MPU Convenience Fees, PPE expenses and purchases for small sanitation/protective measures; requested amount was \$186,339.14; **on 12/21/20, FEMA authorized payment of \$10,040.92** for materials and overtime; all other costs were deemed ineligible because FEMA considered them “increases to general operations” or duplicative (FEMA authorized buildings to be sanitized only once)
- Request #4 (Final) is being compiled for Salaries/Fringe of City Personnel Overtime costs
- DCMI-Funded Affordable Homes of South Texas, Inc.’s Homeless Prevention (\$1M) has received approximately 175 inquiries and approved 73 households
 - o \$381,795 has been encumbered
 - o Anticipate additional need as unemployment payments cease/lessen

CDBG-CV Round I (\$1,005,274)

- Affordable Homes of South Texas, Inc. – Job Retention and Assistance** **\$455,000**
 Funds will be used to provide working capital to support economic enterprises in retaining jobs held by low-income persons
 - **Seventeen businesses have requested assistance**
 - **Seven businesses have been approved by City staff**
 - **\$147,000 has been paid to AHSTI**
 - **Project Balance: \$308,000**
- Affordable Homes of South Texas, Inc.–Microenterprise Job Retention/Assistance** **\$175,000**
 Funds will be used to provide working capital to support economic enterprises in retaining jobs held by low-income persons where business employ 5 or fewer persons
 - **Nine businesses have requested assistance**
 - **Seven business have been approved by City staff**
 - **AHSTI has been reimbursed \$175,000**
 - **Project Balance: \$0**
- University of Texas Rio Grande Valley (UTRGV) – Testing** **\$100,000**
 Funds will be used to provide support services, staffing and testing equipment and supplies to identify markers of COVID-19 in efforts to stymy outbreaks of the pandemic
 - **No activity**
- COM – Grant Administration Department/AHSTI** **\$30,000**
 Funds will be used to provide short-term rental and utility assistance including deposits to qualifying households
 - **No funds expended; project underway**
- COM- Parks and Recreation Department/Amigos Del Valle, Inc.** **\$90,000**
 Funds will be used for staffing, food, food preparation and related activities in order to facilitate the Meals on Wheels onsite or home-delivery programs.
 - **Funds will be used to reimburse personnel costs for staff who transitioned to providing food/meals for seniors**
 - **Project is underway; costs incurred estimated at \$89,000**
- COM – Emergency Management/Legal Department** **\$45,000**
 Funds will be used to produce a Non-Specific Infectious Disease Plan to prepare for future situational responses
 - **Funds will be used to reimburse personnel costs for the development of the Contract Tracing Plan; additional expenses will be used to finalize/expand the plan**
 - **Project is underway**
- COM – Grant Administration Department** **\$40,274**
 Funds will be used to administer the CDBG-CV projects
 - **No funds expended; funds will be used for personnel and programmatic costs**

▪ **Affordable Homes of South Texas, Inc. – Project Administration**

\$70,000

Funds will be used to administer the CDBG-CV Economic Development projects

- **AHSTI has been reimbursed \$32,200 in costs**
- **Project Balance: \$37,800**

An additional \$1,086,559 in CDBG-CV (Round III/Part A) was awarded on 9/11/20; Action Plan for these funds is under development and should be presented to City Commission for approval on January 25, 2021.

****Total CDBG-CV is \$2,091,833***

Department of Justice: Bureau of Justice Assistance

- Police Department received an award of \$44,531 for purchase of HazMat suits and a communication system for the Special Unit Team; project underway

FEMA: Assistance to Fire Fighters Grant – Supplemental

- Fire Department received an award of \$54,545.72 for the purchase of personal protective equipment; project underway

COVID-Related Funding Opportunities

- Submitted request to Economic Development Administration for FY 2020 Public Works and Economic Adjustment Assistance CARES Act funds for Quinta Mazatlan's Center for Urban Ecology Construction
 - o Status: Grant application received
 - o Received notification of award (\$1,800,000) on 11/12/20
- Submitted request to Federal Transit Administration for FY 2020 Public Transportation COVID-19 Research Demonstration Grant Program to improve operational efficiencies and provide COVID mitigation. Project would be implemented by McAllen Transit Department; pending award/non-award notification

CARES Funding

Tentatively Approved Hidalgo County Funding	\$	18,911,376
FY 19-20 - 1st Advanced 20% Received - Public Safety - July 9, 2020		(3,266,510)
FY 19-20- 2nd Advanced 20% Received - Public Safety - September 22, 2020		(3,266,510)
FY 19-20 Request MCA03 Received - Public Safety - November 17, 2020		(2,032,078)
FY 19-20 Request MCA04 Received - Public Safety - November 24, 2020		(3,105,875)
FY19-20 Request MCA05 Received - Public Safety - December 01, 2020		(4,582,158)
FY 19-20 Request MCA06(partial) Received - Public Safety - December 08, 2020		(79,421)
FY 19-20 Request MCA06(partial) Received - Public Safety - January 05, 2021		(2,578,824)
Balance due to City	\$	(0)

* Application #1 - \$2,415,579 has been approved.

* Application #2 - \$3,122,112 has been approved.

* Application #3 - \$3,027,407 has been approved.

* Application #4 - \$3,105,875 has been approved.

* Application #5 - \$4,582,158 has been approved.

* Application #6 - \$79,421 has been approved.

* Application #6 - \$2,578,824 has been approved.

Total Approved by County Auditor \$18,911,376

Last Updated: 01-05-2021



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.A.

DATE SUBMITTED

MEETING DATE

1/11/2021

1. Agenda Item: Discussion and possible lease, sale or purchase of real estate property: Tract 1. (Section 551.072, T.G.C.)

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:

Cindy Gonzalez

Kevin Pagan

Created -

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.B.

DATE SUBMITTED

MEETING DATE

1/11/2021

1. Agenda Item: Discussion and possible lease, sale or purchase of real estate property: Tract 2. (Section 551.072, T.G.C.)

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:

Cindy Gonzalez

Kevin Pagan

Created -

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.C.

DATE SUBMITTED

MEETING DATE

1/11/2021

1. Agenda Item: Consideration of Economic Development Matters. (Section 551.087, T.G.C.)

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:

Cindy Gonzalez

Kevin Pagan

Created -

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation: