



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.

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 22, 2021 – 5:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN, TEXAS 78501

<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 - Mayor Jim Darling

PLEDGE OF ALLEGIANCE - Mayor Jim Darling

INVOCATION - Commissioner Omar Quintanilla

PROCLAMATIONS - Arbor Day - Chris Lash

National Engineers Week - Bilkis Olazaran

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 5:00pm)

1. PUBLIC HEARING:

- A) ROUTINE ITEMS:** *(All Rezoning 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. Request of Juan D. Cantu, for a Conditional Use Permit, for one year, for a tire shop at Lot 14, Block 20, Hammond Addition Subdivision, Hidalgo County, Texas; 2255 Date Palm Avenue.
2. Request of Margret De Bruyn, on behalf of Iced Cube Shaved Ice McAllen LLC, for a Conditional Use Permit, for one year, for a Snack Bar with Alcohol Sales at Lot 1, All-In-One Subdivision No.4, Hidalgo County, Texas; 6101 North 23rd Street, Suite K.
3. Request of Raul U. Guerrero, for a Conditional Use Permit, for life of the use, for a guest house at Lot 23, Quail Crossing Subdivision, Hidalgo County, Texas; 2712 Denton Creek Avenue.

B) CONDITIONAL USE PERMIT:

1. Request of Vishal, for a Conditional Use Permit, for one year, for a liquor store at W113.49' of Lot 1 and W113.44' of Lot 2, Block 1, Golden Acres Retirement Subdivision No. 1, Hidalgo County, Texas; 301 North Ware Road, Suite B.

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 of Workshop and Regular Meeting held February 8, 2021.
- B) Award of Contract for the purchase of one (1) New Asphalt Paver.
- C) Resolution authorizing the submittal of a grant application to the Texas Department of Public Safety, the Texas Division of Emergency Management for funding under the Fiscal Year 2021 Emergency Management Performance Grant Program.
- D) Resolution authorizing the submittal of a grant application (3299605) to the Office of the Governor, Homeland Security Grants Division for funding under the Fiscal Year 2020 Operation Stonegarden Grant Program.
- E) Resolution authorizing the submittal of a grant application to the U.S. Department of Homeland Security, FEMA, under the Fiscal Year 2021 Fire Prevention and Safety Grant Program.
- F) Consideration and Approval of an Interlocal Agreement with LRGVDC / RGV Metro Express.
- G) Approval of Tax Refunds over \$500.00.

3. BIDS/CONTRACTS:

- A) Award of Contract for Bus Shelter Purchase.
- B) Consideration and Approval of a Change Order No. 1 for the 2018 Bond Group E Drainage Improvements.

- C) Consideration and Approval of Change Order No. 4 for Kennedy Avenue Roadway and Drainage Improvements from Bentsen Road to Ware Road.
- D) Consideration and Approval of Change Order No. 2 for the Runway 14-32 & Taxiway A Safety Improvements Phase 1 & 2 at McAllen International Airport.

4. ORDINANCES:

- A) Ordinance amending Fiscal Year 2017 Annual Action Plan for CDBG and HOME Projects.
- B) Ordinance prohibiting food trucks from playing amplified music near residential areas.

5. RESOLUTIONS:

- A) Resolution supporting the proposed Uvalde Villas Community in their application to the Texas Department of Housing and Community Affairs for nine percent Housing Tax Credits and providing an in-kind contribution to assist and benefit such community.
- B) Resolution supporting the proposed Avanti Legacy - Violet Parc Community in their application to the Texas Department of Housing and Community Affairs for nine percent Housing Tax Credits and providing an in-kind contribution to assist and benefit such community.
- C) Resolution supporting the proposed Jackson Street Apartments Community in their application to the Texas Department of Housing and Community Affairs for nine percent Housing Tax Credits and providing an in-kind contribution to assist and benefit such community.
- D) Resolution Authorized by Section 418.108(B) of the Texas Government Code Extending the Mayor's Declaration extreme low temperatures poses an imminent threat of disaster within the City of McAllen and Declaring a State of Disaster within the City.

6. VARIANCES:

- A) Consideration of a variance request to the block length requirement at Proposed Campo de Suenos Phase 2 Subdivision, Hidalgo County, Texas; 8300 North Ware Road.
- B) Consideration of a variance to the right-of way dedication and infrastructure requirements for North Via Cantera Subdivision.
- C) Consideration of a variance request to the escrow requirement for Frontera Peak Subdivision.
- D) Consideration of variance requests to: 1) keep the existing 80 ft. ROW for North 2nd Street instead of requiring 120 ft. ROW, 2) keep the existing 100 ft. ROW for Dove Avenue instead of requiring 150 ft. ROW, 3) allow a 30 ft. ROW for an interior street in lieu of the required 60 ft. ROW, 4) convert a portion of the 20 ft. existing alley to serve as entrance from Dove Avenue 5) provide sidewalks along the south side lots only 6) eliminate sidewalks along Dove Avenue, Hidalgo County, Texas; 201 Dove Avenue.

- E) Consideration of a variance request to not require the subdivision process at the west 300 feet of the south 10 acres of the north 40 acres of Lot 5 Block 12 Steele & Pershing Subdivision of Porciones 66 & 67, Hidalgo County, Texas 301 E Beech Avenue.

7. MANAGER'S REPORT:

- A) Presentation of Year-to-Date Tax Collection Report.
- B) Presentation of Year-to-Date Delinquent Tax Collection Report by Linebarger Goggan Blair & Sampson Firm.
- C) Report on CARES Act Funding.
- D) Subdivision Monthly Report.
- E) Project Status Report through January 31, 2021
- F) Parks and Recreation Project Status Report.
- G) Future Agenda Items.

8. MAYOR'S REPORT:

- A) Report on COVID Matters.
- B) Report on Weather and Power.
- C) Report on McAllen Public Utility response to weather event.
- D) Report on Immigration Issues.

9. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT).

- A) Consultation with City Attorney regarding legal aspects of COVID-19 Vaccination clinics. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal aspects of Legislative Process. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding pending litigation - Cause No. D-1-GN-21-000489; City of McAllen v. The State of Texas; Hon. Ruth R. Hughes Texas Secretary of State. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal issues related to Risk, Claims and Drug & Alcohol Testing. (Section 551.071, T.G.C.)
- E) Discussion and possible lease, sale or purchase of real property; Tract 1. (Section 551.072, T.G.C.)
- F) Consultation with City Attorney regarding 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 February 19, 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