



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.

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**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, APRIL 26, 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 Javier Villalobos

**PROCLAMATIONS** - Jim Darling Day

Building Safety Month - Norma Yado

**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 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 R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: 21.18 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11200 North La Lomita Road.

2. Rezone from R-2 (duplex-fourplex residential) District to R-1 (single family residential) District: 18.82 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11300 North La Lomita Road.

**B) CONDITIONAL USE PERMITS:**

1. Request of Jennifer M. Bright, for a Conditional Use Permit, for one year for a vape and smoke shop at lots 1 & 2, Lazy-A-Ranch Addition Subdivision, Hidalgo County, Texas; 2401 West Pecan Blvd. Suite C.

**C)** Amending the Zoning Ordinance of the City of McAllen.

**D)** Public Hearing for a variance from Section 6-2 (a) of the City of McAllen Code of Ordinances of the Alcoholic Beverage Code, request of Juan Guarcas, at Lot 15, Block SW ¼ 9 2.52 AC, Hidalgo Canal CO-MC SW Portion of W 9.16 AC, Hidalgo County, Texas; 800 North Main Street, Suite 420.

**E)** Public Hearing regarding Fiscal Year 2021-2022 Annual Action Plan for HUD's CDBG, HOME and ESG Programs.

**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 held March 22<sup>nd</sup> and April 12, 2021.

**B)** Consideration and Approval of Change Order No. 1 and Final Reconciliation of Quantities for 2021 High Density Mineral Bond Pavement Preservation.

**C)** Consideration and Authorization to Declare City Property as Surplus.

**D)** Ordinance providing for a Budget Amendment to fund the Garza-Chavez at Los Encinos Project.

**E)** Ordinance providing for a budget amendment for Fiscal Year 2020-2021 for Airport Fund.

**F)** Ordinance providing for a budget amendment for the McAllen Fire Department Personal Protective Equipment.

**G)** Resolution authorizing the submission of an application to Scenic Texas for the Fiscal Year 2021 Scenic City Certification Program.

**H)** Resolution authorizing McAllen Public Utility to submit a Texas Water Development Board Financial Application through the State Water Implementation Fund (SWIFT).

**I)** Approval of Tax Refund over \$500.00.

**3. BIDS/CONTRACTS:**

- A) Award of Contract for the Purchase of 14 sets of Bunker Gear for cadets starting the next McAllen Fire Academy.

**4. ORDINANCES:**

- A) Providing for the abandonment of the east 5 ft. of the 15 ft. rear yard utility easement along the west property line of Lot 32, Dominion Subdivision, Hidalgo County, Texas; 7913 N.1st Street.
- B) Providing for an amendment to front yard setbacks for commercially zoned properties.
- C) Providing for an amendment to parking lot lighting requirements.

**5. RESOLUTIONS:**

- A) Resolution renaming the City of McAllen Police Department Los Encinos Police-Community Network Center to City of McAllen Police Department Garza-Chavez Police-Community Network Center.

**6. VARIANCES:**

- A) Consideration of a variance request to the block length requirement at proposed El Dorado at Thousand Oaks I, II and III Subdivision, Hidalgo County, Texas; 12500 North Ware Road.
- B) Consideration of a variance request to the block length requirement at proposed Northwood Trails Block 1 Subdivision, Hidalgo County, Texas; 10100 North 29th Street.
- C) Consideration of a variance request to not require additional alley dedication for the existing 15 ft. dedicated alley for proposed Santoy Subdivision, Hidalgo County, Texas; 3321 Highway 83.
- D) Consideration of variance requests to 1) the 800 ft. block length requirement, 2) sidewalk requirements at proposed McAllen South Industrial Park Subdivision, Hidalgo County, Texas; 1501 Military Highway.
- E) Consideration of a variance request to not require the subdivision process at the east ½ of Lot 22, McAllen First Suburban Citrus Groves Subdivision, Hidalgo County, Texas; 4000 Yuma Avenue.

**7. MANAGER'S REPORT:**

- A) Report on CARES Act Funding.
- B) Consideration and possible action to air commission workshops live on MCN 1300 and all streaming platforms and to air commission workshops and meetings live on social media.
- C) Classification and Compensation Study Implementation.

- D) Advisory Board Appointments.
- E) Confirmation of appointment to the Performing Arts Center Committee.
- F) Project Status Report through March 31, 2021.
- G) Parks & Recreation Project Status Report.
- H) Subdivision Monthly Report.
- I) Future Agenda Items.

**8. MAYOR'S REPORT:**

- A) Report on COVID Matters.
- B) Legislative Report.
- C) IBWC Levy Report.
- D) Final Report.

**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 testing. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal aspects of social media. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues related to Section 143.073 of the Texas Civil Service Act. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal aspects of intervention in AEP application with PUC for reconciliation of AMS. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney regarding legal aspects of Legislative Process. (Section 551.071, T.G.C.)
- F) Discussion and possible lease, sale or purchase of real property; Tract. 1. (Section 551.072, T.G.C.)
- G) 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 April 23, 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