



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, MAY 24, 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 Tania Ramirez

PRESENTATION - *Texas Municipal Library Directors Association Award* - Kate Horan

PROCLAMATION - National Homeownership Month - Affordable Homes of South Texas

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. Rezone from C-4 (commercial-industrial) District to R-4 (mobile and modular home) District: 1.23 acres out of lot 2, Rancho de la Fruta Subdivision No. 2, Hidalgo County, Texas; 901 East Fir Ave.
2. Request of Jessica Aguilar, for a Conditional Use Permit, for one year, for a bar at the north 20' of Lot 1 & All of Lot 2 excluding the northwest 225' X 240' of Lot 2, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3424 North 10th Street.
3. Request of Kien Quoc Tran, for a Conditional Use Permit, for one year, for a bar/social club at Lot 1, Ginther Estates Subdivision, Hidalgo County, Texas, 5025 Expressway 83, Suite 100.
4. Request of Ricardo Macias on behalf of Mooncussers Inc, DBA DeLoreans, for a Conditional Use Permit, for one year, for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, STE 2204.

B) REZONINGS:

1. Initial zoning to R-1 (single-family residential) District: 18.663 acres out of Lot 45, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 8300 North Ware Road.
2. Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: Lot 8, Block 42, North McAllen Addition, Hidalgo County, Texas; 218 North 17th Street. **(WITHDRAWN)**
3. Rezone from R-1 (single family residential) District to R-3A (multifamily apartment residential) District: 11.419 acres out of Lot 234 and 235, Pride O' Texas Subdivision, of a part of La Lomita Irrigation and Construction Company, Hidalgo County, Texas; 6100 North Bentsen Road. **(WITHDRAWN)**

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

D) Public hearing and Ordinance providing for the annexation of 18.663 acres out of Lot 45, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas; 8300 North Ware Road.

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 Regular Meeting held May 10, 2021.
- B)** Resolution authorizing the creation of a Code Enforcement Community Toolshed.
- C)** Resolution authorizing the submission of a grant application to the Economic Development Assistance Infrastructure Grants.
- D)** Resolution authorizing the submission of a grant application to the U.S. Small Business Administration, through the Shutter Venue Operator Grant for funding under Fiscal Year 2021.
- E)** Resolution authorizing the submission of a grant application to the Federal Communications Commission, through the Universal Service Administrative Company E-Rate Grant Program for funding under the 2021-2022 funding cycle.

- F) Consideration and Possible Action for Approval of Employee Dental Plan Provider recommendation.
- G) Approval of Tax Refund over \$500.00.
 - 1. CLL Enterprises Inc.

3. BIDS/CONTRACTS:

- A) Consideration and Approval of a revision to Change Order No. 9 & Final Reconciliation of Contract Quantities for 29th Street Extension from Oxford to State Highway 107.
- B) Award of Contract for Thermoplastic Paints.
- C) Award of Contract for the McAllen Public Works Administration Office Renovations.
- D) Award of Contract for the purchase of Lighting Material and Installation for McHi Tennis Court.

4. VARIANCES:

- A) Consideration of a variance request to not require the subdivision process at the 0.535-acre tract of land in the west 8.61 acres of Lot 48-11, West Addition to Sharyland, Hidalgo County, Texas; 10700 North Bryan Road.
- B) Consideration of a variance request to not require the subdivision process at the a 0.50-acre tract of land out of the north 5.42 out of Lot 101, Pride O' Texas Subdivision, Hidalgo County, Texas; 12498 North Bentsen Road.
- C) Consideration of a variance request to the paving improvements required for Mile 6 ½ Road at the proposed Loma Prieta Subdivision, Hidalgo County, Texas; 3420 Mile 6 ½ Road.

5. MANAGER'S REPORT:

- A) Report on CARES Act Funding.
- B) Advisory Board Appointments.
- C) Consideration and Approval of Order for Signature Verification Committee for June 5, 2021, McAllen Run-Off City Election.
Consideración y aprobación de la orden para el Comité de Verificación de Firmas para la Elección De Desempate de la Ciudad de McAllen que se efectuará el 5 de junio de 2021.
- D) Discussion of Masks.
- E) Discussion of payment to TCAP.
- F) Project Status Report through April 30, 2021.
- G) Subdivision Monthly Report.
- H) Status Report on Parks & Recreation Projects.
- I) Future Agenda Items.

6. MAYOR'S REPORT:

- A) Report on COVID Matters.

- B) Report on Essential Travel Ban.
- C) Report on Leadership Involvement.

7. 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 collective bargaining. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal issues related to claims. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues related to Civil Action No. 7:21-CV-182; Ernesto Rocha v. City of McAllen. (Section 551.071, T.G.C.)
- D) 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 May 21, 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