

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN**

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, **April 12, 2021**, at 5:00 PM, at McAllen City Hall Third Floor (3<sup>rd</sup>) Commission Chambers, with the following present:

Mayor Jim Darling, Mayor Pro Tem Veronica Whitacre, Commissioner Javier Villalobos, Commissioner Joaquin Zamora, Commissioner Omar Quintanilla, Commissioner Tania Ramirez and Commissioner Victor "Seby" Haddad

Staff: City Manager Roy Rodriguez, City Attorney Isaac Tawil, Assistant City Manager Michelle Rivera, Assistant City Manager Jeff Johnston, Assistant City Manager Joe Vera, City Secretary Perla Lara, City Engineer Yvette Barrera, Planning Director Edgar Garcia, Finance Director Sergio Villasana

**CALL TO ORDER**

Mayor Jim Darling called the meeting to order.

**PROCLAMATIONS**

**MAYOR'S MONARCH PLEDGE**

Mayor Jim Darling read and presented a proclamation for Mayor's Monarch Pledge.

**FAIR HOUSING MONTH**

Commissioner Omar Quintanilla read and presented a proclamation for Fair Housing Month.

**KEEP MCALLEN BEAUTIFUL BOARD OF DIRECTORS DAY**

Mayor Jim Darling read and presented a proclamation for Keep McAllen Beautiful Board of Director's Day.

**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**

Mayor Jim Darling called the Public Hearing to order.

- 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.)**

Mayor Jim Darling asked if there was anyone to speak in opposition to the items under this section of the agenda.

Mayor Pro Tem Veronica Whitacre moved to approve the items listed on the Routine Items section of the agenda. Commissioner Victor "Seby" Haddad seconded the motion. The motion carried unanimously.

**1. REZONE FROM A-O (AGRICULTURE AND OPEN SPACE) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT FOR 20.983 ACRES OUT OF LOT 4, BLOCK 4, A.J. MCCOLL SUBDIVISION (PROPOSED PARK TERRACE SUBDIVISION), HIDALGO COUNTY, TEXAS; 3601, 3517, 3501, & 3401 NORTH JACKSON ROAD.**

Approved the R-3Z zoning at 3601, 3517, 3501 and 3401 North Jackson Road, as per Planning and Zoning Commission.

**B) REZONINGS:**

**1. INITIAL ZONING TO R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT: THE NORTH 10.04 ACRES OF THE SOUTH 20 ACRES OF LOT 4, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 13800 NORTH 29<sup>TH</sup> STREET.**

Staff recommended approval of the initial zoning to R-1 at 13800 North 29<sup>th</sup> Street as per Planning and Zoning Commission.

Mayor Pro Tem Veronica Whitacre moved to approve the initial zoning as recommended. Commissioner Tania Ramirez seconded the motion. The motion carried unanimously.

**C) PUBLIC HEARING AND ORDINANCE PROVIDING FOR THE ANNEXATION OF THE NORTH 10.04 ACRES OF THE SOUTH 20 ACRES OF LOT 4, SECTION 233, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 13800 NORTH 29<sup>TH</sup> STREET.**

Mayor Jim Darling called the public hearing to order.

Staff recommended adoption of an ordinance providing for the annexation of 13800 North 29<sup>th</sup> Street.

Commissioner Javier Villalobos moved to approve the initial zoning with conditions as stated by Mayor Jim Darling on incentives. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

**D) AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN.**

Commissioner Javier Villalobos moved to amend the Zoning Ordinance. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

**END OF PUBLIC HEARING**

Mayor Jim Darling declared the Public Hearing closed.

**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.)**

Commissioner Javier Villalobos moved to approve the items listed on the Consent Agenda. Commissioner Tania Ramirez seconded the motion. The motion carried unanimously.

**A) APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 22<sup>ND</sup> AND SPECIAL MEETING HELD MARCH 30, 2021.**

Approved the minutes of Regular Meeting held March 22<sup>nd</sup> and Special Meeting held March 30, 2021 as submitted.

**B) AWARD OF CONTRACT FOR THE PURCHASE OF BUS TERMINAL CHILLER.**

Awarded a contract to Johnson Controls, Inc. in the amount of \$87,409.16 for the purchase of Bus Terminal Chiller.

**C) RATIFICATION OF SWAG IT SERVICE CONTRACT FOR ARCHIVING MCALLEN CITY COMMISSION AND MCALLEN PUBLIC UTILITY MEETINGS.**

Ratified service contract with Swag It in the amount of \$51,640 for archiving McAllen City Commission and McAllen Public Utility Meetings.

**D) RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN AIRPORT CORONAVIRUS RESPONSE GRANT WITH ADDENDUM FROM THE FEDERAL AVIATION ADMINISTRATION.**

Approved a resolution authorizing the acceptance of an Airport Coronavirus Response Grant with Addendum from the Federal Aviation Administration.

**E) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR FUNDING UNDER THE FISCAL YEAR 2022 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM CLICK IT OR TICKET CAMPAIGN.**

Approved a resolution authorizing the submission of a grant application to the Texas Department of Transportation for funding under the Fiscal Year 2022 Selective Traffic Enforcement Program Click It or Ticket Campaign.

**F) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS, CRIME VICTIM SERVICES DIVISION, FOR FUNDING UNDER THE FISCAL YEARS 2022-2023 VICTIM COORDINATOR AND LIAISON GRANT PROGRAM.**

Approved a resolution authorizing the submission of a grant application to the Office of the Attorney General of Texas, Crime Victim Services Division, for funding under the Fiscal Years 2022-2023 Victim Coordinator and Liaison Grant Program.

**G) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND PROVIDING SUPPORT FOR THE FISCAL YEAR 2022 COMMUNITY PROJECT FUNDING OPPORTUNITY.**

Approved a resolution authorizing the submission of a grant application and providing support for the Fiscal Year 2022 Community Project Funding opportunity.

**H) APPROVAL OF TAX REFUNDS OVER \$500.00.**

Approved tax refunds of over \$500.

**1. CIELO PASO LAS TIENDAS, LP.**

Approved a tax refund in the amount of \$2,230.20.

**2. DILLARD TEXAS SOUTH LLC**

Approved a tax refund in the amount of \$11,739.42.

**3. DIXON REUBEN T. JR & CAROL ANN**

Approved a tax refund in the amount of \$859.48.

**4. FLORES JORGE L. & ERIKA A.**

Approved a tax refund in the amount of \$501.77.

**5. LINEBARGER GOGGAN BLAIR AND SAMPSON**

Approved a tax refund in the amount of \$878.57.

**6. FRED LOYA JR. & YVONNE GONZALEZ**

Approved a tax refund in the amount of \$1,489.54.

**7. MFLP PM MANAGEMENT**

Approved a tax refund in the amount of \$552.63.

**3. BIDS/CONTRACTS**

**A) AWARD OF CONTRACT FOR THE ANZALDUAS INTERNATIONAL BRIDGE NORTHBOUND LANE EXPANSION PROJECT.**

Staff recommended award of contract to the responsible bidder, J Peña Construction Ltd. in the amount of \$159,104.00 for the Anzalduas International Bridge Northbound Lane Expansion Project.

Comments and concerns were expressed by Mayor and City Commission. Staff answered questions posed by Mayor and City Commission.

After due consideration, Commissioner Javier Villalobos moved to award the contract as recommended. Commissioner Tania Ramirez seconded the motion. The motion carried unanimously.

**B) AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) CURRENT MODEL SIDE TRACTOR WITH HEAVY DUTY FLAIL MOWER.**

Staff recommended award of purchase contract to Deere & Company, with Tellus Equipment Solutions as the delivering dealer in the amount of \$73,589.02 for a John Deere 5090E Side Tractor with Heavy Duty Flail Mower.

Commissioner Javier Villalobos moved to award the contract as recommended. Mayor Pro Tem Veronica Whitacre seconded the motion. The motion carried unanimously.

**C) AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) CURRENT MODEL GRADALL EXCAVATOR XL4100.**

Staff recommended award of purchase contract to Gradall Industries/Waukesha-Pearce Ind. in the amount of \$495,289.12 for a Gradall Excavator XL4100 for the Drainage Department of Public Works.

Commissioner Javier Villalobos moved to award the contract as recommended. Commissioner Tania Ramirez seconded the motion. The motion carried unanimously.

**4. MANAGER'S REPORT**

**A) REPORT ON CARES ACT FUNDING.**

Report only. No action required.

**B) REVIEW OF QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2020.**

Staff presented the Quarterly Investment Report for quarter ending December 31, 2020 and recommended acceptance of said report as per the Audit Investment Committee.

Commissioner Javier Villalobos moved to approve the report as recommended. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

**C) ADVISORY BOARD APPOINTMENTS.**

**BUILDING BOARD OF ADJUSTMENTS AND APPEALS**

Mayor Pro Tem Veronica Whitacre nominated David Karam to the board.

**COMMUNITY DEVELOPMENT COUNCIL**

Mayor Pro Tem nominated Mirna G. Pearson for re-appointment.

**KEEP MCALLEN BEAUTIFUL**

Mayor Jim Darling nominated Amanda Coody to the board.

**PLANNING AND ZONING COMMISSION**

Commissioner Joaquin Zamora nominated Marco Suarez to the board.

Mayor Pro Tem Veronica Whitacre moved to accept the nominations as recommended. Commissioner Javier Villalobos seconded the motion. The motion carried unanimously.

**D) CONSIDERATION AND APPROVAL OF ORDER FOR SIGNATURE VERIFICATION COMMITTEE FOR MAY 1, 2021, MCALLEN GENERAL/SPECIAL CITY ELECTION. CONSIDERACIÓN Y APROBACIÓN DE LA ORDEN PARA EL COMITÉ DE VERIFICACIÓN DE FIRMAS PARA LA**

**ELECCIÓN GENERAL/LESPECIAL DE LA CIUDAD DE MCALLEN QUE SE EFECTUARÁ EL 1 DE MAYO DE 2021.**

Staff recommended approval of order for signature verification committee for May 1, 2021, McAllen General/Special City Election.

El personal recomendo el aprovar una commission de verificacion de firmas para la eleccion general/especial de la Ciudad de McAllen.

Mayor Pro Tem Veronica Whitacre moved to approve the order as recommended. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

La Alcadesa Pro Tem Veronica Whitacre hizo mocion de aprobar la recomendacion y el Comisionado Joaquin Zamora secundo la mocion. La mocion fue aprobada por unanimidad.

**E) FUTURE AGENDA ITEMS.**

Items of upcoming workshops were reviewed as follows: Retreat/Workshop, Carport Update

**5. TABLED ITEM(S)**

**A) CONSIDERATION OF A VARIANCE REQUEST TO INFRASTRUCTURE REQUIREMENTS FOR THE NORTH VIA CANTERA SUBDIVISION. (WITHDRAWN)**

Said item was withdrawn.

Mayor Pro Tem Veronica Whitacre moved to remove said item from the table and from the agenda. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

**6. MAYOR'S REPORT**

**A) REPORT ON COVID MATTERS.**

Mayor Jim Darling gave a report on COVID Matters.

**B) REPORT ON BORDER ISSUES.**

Mayor Jim Darling gave a report on Border Issues.

**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) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL ESTATE PROPERTY. (SECTION 551.072, T.G.C.)**

Commissioner Javier Villalobos moved to authorize City Manager and City Attorney to extend lease offer as described in executive session. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

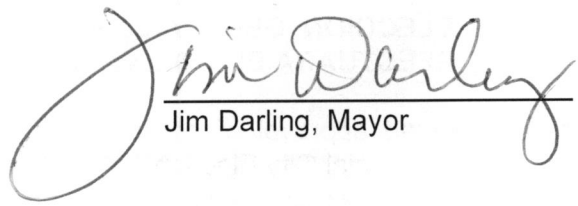
**2<sup>nd</sup> Tract** - Commissioner Joaquin Zamora moved to authorize City Attorney and City Manager to obtain appraisal for the property and explore sale and development terms for the property. Mayor Pro Tem Veronica Whitacre seconded the motion. The motion carried unanimously.

**B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF LEGISLATIVE PROCESS. (SECTION 551.071, T.G.C.)**

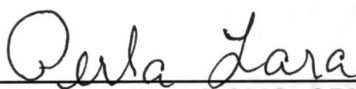
No action.

**ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 5:48 p.m.

  
Jim Darling, Mayor

Attest:

  
Perla Lara, TRMC/CMC, CPM  
City Secretary