



Mayor Javier Villalobos
Commissioner Tony Aguirre Jr.
Commissioner Joaquin J. Zamora
Commissioner J. Omar Quintanilla

Commissioner Tania Ramirez
Commissioner Victor "Seby" Haddad
Commissioner Pepe Cabeza de Vaca
City Manager Roel "Roy" Rodriguez, P.E.

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, JUNE 28, 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 Javier Villalobos

PLEDGE OF ALLEGIANCE - Mayor Javier Villalobos

INVOCATION - Commissioner Antonio "Tony" Aguirre, Jr.

PRESENTATION - Tree City USA Designation and Signage – Chris Lash, Keep McAllen Beautiful

PROCLAMATIONS - National Safety Month - Yolanda Perez

Consul Socorro Jorge Cholula Day - Elizabeth Suarez

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-2 (neighborhood commercial) District to C-3 (general business) District: Lot 104, Valley Gardens Subdivision, Hidalgo County, Texas; 3616 North 23rd Street.
2. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: Lots 4 and 5, Gartman's Subdivision, Hidalgo County, Texas; 2101 and 2105 North 12th Street.
3. Request of Armando R. Aleman, for a Conditional Use Permit, for one year for a smoke shop at Lot 21-A, Northeast Industrial Subdivision, Hidalgo County, Texas; 2101 North Jackson Road, Suite 10.
4. Request of Juan A. Ludwig, on behalf of AEP Texas Inc., for a Conditional Use Permit, for life of the use, for a Railroad Facility or Utilities Holding a Franchise (Electric Substation) at an irregular shaped 3.04-acre tract of land out of Lot 5, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas 3800 Pecan Boulevard.

B) REZONINGS:

1. Initial zoning to R-3A (multifamily residential apartments) District: 4.85 acre tract of land out of the west 10.0 acres of the north 20.0 acres of Lot 405, John H. Shary Subdivision, Hidalgo County, Texas; 5899 Mile 5 Road.
2. Initial zoning to C-3 (general business) District: 3.41 acre tract of land out of the west 10.0 acres of north 20.0 acres of Lot 405, John H. Shary Subdivision, Hidalgo County, Texas; 5961 Mile 5 Road.
3. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: 14.615 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4128 North Taylor Road.
4. Initial zoning to R-1 (single-family residential) District: 2.2 acres out of Lot 386, John H. Shary Subdivision, Hidalgo County, Texas; 7017 North Taylor Road.

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

D) Annexation of 8.26 acres out of the west 10 acres of the north 20 acres of Lot 405, John H. Shary Subdivision, Hidalgo County, Texas; 5951 Mile 5 Road.

E) Annexation of 2.2 acres out of Lot 386, John H. Shary Subdivision, Hidalgo County, Texas; 7017 North Taylor Road.

F) 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 Elio Cesar Garza on behalf of Gaso Inc., at Lot 1, Rolando Gomez Properties 1, Hidalgo County, Texas; 3224 Buddy Owens Boulevard.

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, Special Meeting and Regular Meeting held June 14, 2021.
- B) Consideration and Approval of Change Order No. 1 for the McAllen City Hall Chiller and Boiler Replacements Project.
- C) Approval of Tax Refunds over \$500.00:
 - 1) Target Corporation;
 - 2) Valmor Service Corp;
 - 3) Corelogic for Fifth Third Bank
- D) Ordinance providing for the abandonment of a 10-foot utility easement being a 0.354-acre tract, out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas, 11200 North La Lomita Road.
- E) Resolution authorizing the submission of a grant application to the Department of Justice's FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation.
- F) Resolution authorizing the Fire Chief to Dispose of Surplus Property (Two Fire Trucks).

3. BIDS/CONTRACTS:

- A) Award of Contract for McAllen Comprehensive Plan Update.
- B) Consideration and approval of a Collective Bargaining Agreement with the bargaining agent for the McAllen Fire Department.

4. ORDINANCES:

- A) Providing for a Budget Amendment to transfer out funds for Mechanical Work.
- B) Providing for a Budget Amendment to fund the shortfall of the Parks Administration Facility Project.

5. MANAGER'S REPORT:

- A) Board and Committee Appointments.
- B) Advisory Board Appointments.
- C) Presentation of Year to Date Tax Collection Report.
- D) Presentation of Delinquent Tax Collection Report.
- E) Subdivision Monthly Report.
- F) Project Status Report through May 31, 2021.
- G) Status Report on Parks & Recreation Projects.
- H) Immigration and Respite Center Report.
- I) Future Agenda Items.

6. TABLED ITEM(S):

- 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) Award of Contract for McAllen New Parks Facility and Metro Transfer Station.

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 issues related to Cause No. C-1946-21-E; Edgar Devora v. City of McAllen, et al. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal issues related to Collective Bargaining with the Fire Department. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues related to Collective Bargaining with the Police Department. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal issues with license agreement. (Section 551.0071, T.G.C.)
- E) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- F) Discussion and possible lease, sale or purchase of real property; Tract 1, Tract 2 and Tract 3. (Section 551.072, T.G.C.)
- G) Consultation with City Attorney regarding legal issues related to Mobile Truck Vendors. (Section 551.071, 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 June 25, 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/
Yesenia Rodriguez, TRMC
Deputy City Secretary