



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, JULY 12, 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 Omar Quintanilla

PROCLAMATION - National Parks and Recreation Month - Denny Meline

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-3 (general business) District to R-3A (multifamily residential apartments) District: 4.112 acres of land out of Lot 105, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 4200 North Ware Road.
2. Request of Adrian G. Garcia, Jr. for a Conditional Use Permit, for life of the use, for an Institutional Use (barber school) at Lots 4 and 5, McAllen Northwest Industrial Subdivision No.2, Hidalgo County, Texas; 5000 North 23rd Street, Suite E.
3. Request of Robert Wilson, for a Conditional Use Permit, for one year, for a Bar at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite G.
4. Request of Misty M. Garcia, for a Conditional Use Permit, for one year, for a Smoke Shop at Lot 5, The District at McAllen Subdivision, Hidalgo County, Texas; 3200 North McColl, Suite 110.

B) REZONINGS:

1. Initial zoning to R-1 (single-family residential) District: 21.288 acres out of Lots 475 and 465, John H. Shary Subdivision, Hidalgo County, Texas; 10300 North Shary Road.
2. Rezone from R-3A (multifamily residential apartment) District to R-1 (single-family residential) District: 4.79 acres out of Lot 197, John H. Shary Subdivision, Hidalgo County, Texas; 701 South Taylor Road (REAR).**(WITHDRAWN)**.

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

D) Public hearing and Ordinance providing for the annexation of 21.288 acres out of Lots 475 and 465, John H. Shary Subdivision, Hidalgo County, Texas; 10300 North Shary 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 Workshop held June 22nd and Workshop and Regular Meeting held June 28, 2021.
- B)** Consideration and Approval of the Airport Terminal Services Cargo Lease Renewal.
- C)** Consideration and Approval of Lease Amendment No. 3 to the Airline Operating Agreement and Terminal Building Lease with Transportes Aeromar, S.A. de C.V.

- D) Ordinance providing for the abandonment of a 4.264-acre tract of land being a 40 ft. Mile 9 North ROW out of Section 227 and 230, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 13500 Block of Mile 9 North.
- E) Ordinance providing for ratification of June 28, 2021 amendment to food truck ordinance updating the minimum distance from a fixed-location restaurant.
- F) Resolution to authorize the submission of a grant application to the U.S. Department of Transportation for funding under the FY 2021 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.

3. BIDS/CONTRACTS:

- A) Consideration and Approval of a Lease Agreement for Rodriguez Snack Bar at the Downtown Parking Garage Food Court.
- B) Consideration and Approval of a Lease Agreement for Kairos Coffee at the Downtown Parking Garage Food Court.
- C) Consideration and Approval of Contract Amendment No. 1 for Value Engineering (VE) Study for the Anzalduas International NB-SB Full Commercial Project.
- D) Consideration and possible Approval of a Collective Bargaining Agreement with the McAllen Professional Law Enforcement Association.

4. ORDINANCES:

- A) Consideration and Approval of an ordinance authorizing Texas Gas Service's Cost of Service Adjustment tariff.
- B) Providing for a Budget Amendment for purchase of Crockett Elementary School Property.

5. VARIANCE:

- A) Consideration of a variance request to not require the subdivision process at the 0.6-acre tract of land out of Lot 11, Block 4, M. and M. Subdivision, Hidalgo County, Texas; 3217 Valcosta Sr.

6. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Immigration and Respite Center Report.
- C) Future Agenda Items.

7. 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 Comprehensive Plan Update.

8. 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 Property; Tract 1 and Tract 2. (Section 551.072, T.G.C.)
- B)** Discussion with City Attorney regarding Legal Aspects of Collective Bargaining Agreement with McAllen Professional Law Enforcement Association. (Section 551.071, T.G.C.)
- C)** Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- D)** Consultation with City Attorney regarding Legal Issues related to Convention Center Holiday Programming. (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.

CERTIFICATION

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 July 9, 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