STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, July 26, 2021,** at 5:00 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Javier Villalobos, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Joaquin Zamora, Commissioner Omar Quintanilla, Commissioner Tania Ramirez, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

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

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

AGENDA ITEM PUBLIC COMMENT

1. ELECTION OF MAYOR PRO TEM

Commissioner Omar Quintanilla moved to appoint Commissioner Joaquin Zamora as Mayor Pro Tem. Commissioner Victor "Seby" Haddad seconded the motion. The vote on the motion carried as follows:

Voting Aye:	Mayor Javier Villalobos, Commissioner Antonio "Tony" Aguirre, Commissioner Omar Quintanilla, Commissioner Victor "Seby" Haddad, Commissioner Jose "Pepe" Cabeza de Vaca
Voting Nay:	Commissioner Tania Ramirez
Absent:	None
Abstained:	None

Comments in support of electing a Mayor Pro Tem on an annual basis were expressed. Council briefly discussed and agreed to having an annual Mayor Pro Tem Election.

Mayor Javier Villalobos congratulated Commissioner Joaquin Zamora. Gratitude was expressed by Commissioner Zamora.

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 Omar Quintanilla moved to approve the items listed on the Consent Agenda with the exception of Item 2A, 2F and 2J to be addressed separately. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

A) APPROVAL OF MINUTES OF WORKSHOP AND REGULAR MEETING HELD JULY 12, 2021.

Commissioner Omar Quintanilla noted a correction to the regular meeting minutes to item 8A1 and moved to approve the minutes of the Workshop and Regular Meeting held July 12, 2021, with said correction. Commissioner Jose R. "Pepe" Cabeza de Vaca seconded the motion. The motion carried unanimously.

B) CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT WITH THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE BICYCLE PEDESTRIAN COUNTER DATA PROGRAM.

Approved an Interlocal Agreement with the Lower Rio Grande Valley Development Council for the Bicycle Pedestrian Counter Data Program.

C) CONSIDERATION AND APPROVAL OF A LEASE AGREEMENT FOR RODRIGUEZ MEXICAN RESTAURANT AT THE DOWNTOWN PARKING GARAGE FOOD COURT.

Approved a lease agreement for Rodriguez Mexican Restaurant at the Downtown Parking Garage Food Court.

D) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 AND FINAL RECONCILIATION OF QUANTITIES FOR PURCHASE AND DELIVERY OF TYPE "D" HOT MIX ASPHALTIC CONCRETE 2021.

Approved Change Order No. 1 and Final Reconciliation of Quantities in the amount of $115,261.02 for Purchase and Delivery of Type "D" Hot Mix Asphaltic Concrete 2021.

E) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 AND FINAL RECONCILIATION OF QUANTITIES FOR 2021 SINGLE MACHINE REPAVING.

Approved Change Order No. 1 and Final Reconciliation of Quantities in the amount of ($158,087.72) for 2021 Single Machine Repaving.

F) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT FOR THE PURCHASE OF 80 NEW GOLF CARTS FOR PALM VIEW GOLF COURSE.

Staff recommended adoption of an ordinance providing for a budget amendment for the purchase of 80 new golf carts for Palm View Golf Course.

A lengthy discussion ensued. Comments and concerns were expressed by the Mayor and City Commission. Golf Director Carlos Espinoza answered questions regarding this item.

After due consideration, Commissioner Joaquin Zamora moved to adopt an ordinance providing for a Budget Amendment for the purchase of 80 new golf carts for Palm View Golf Course. Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously.

G) CONSIDERATION AND APPROVAL OF AN AMENDMENT TO THE ANIMAL CONTROL ORDINANCE EXPANDING THE AUTHORITY TO ABATE BEES TO INCLUDE THE HEALTH AND CODE COMPLIANCE AND HIS DESIGNEES.

Adopted an ordinance providing for an amendment to the animal control ordinance expanding the authority to abate bees to include the Health and Code Compliance and his designees.

H) RESOLUTION AUTHORIZING THE APPROVAL OF FARMERS' MARKET VENDOR FEES.

Approved a resolution authorizing the approval of Farmers' Market Vendor Fees.

I) RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR FUNDING UNDER THE FISCAL YEAR 2021 REGIONAL CATASTROPHIC PREPAREDNESS GRANT PROGRAM.

Approved a resolution authorizing the submittal of a grant application to the Federal Emergency Management Agency (FEMA) for funding under the Fiscal Year 2021 Regional Catastrophic Preparedness Grant Program.

J) CONSIDERATION OF VARIANCE REQUEST TO THE 600 FT. MAXIMUM LENGTH ALLOWED FOR A CUL-DE-SAC STREET AT PROPOSED VILLA TORRE AT NORTH BENTSEN ESTATES SUBDIVISION, HIDALGO COUNTY, TEXAS; 7500 NORTH BENTSEN ROAD.

Commissioner Antonio "Tony" Aguirre, Jr., announced that he had a conflict with item 2J and would abstain from discussion and voting on said matter. Subsequently, he filed a conflict form with the City Secretary.

Discussion regarding item 2J occurred. Director of Planning Edgar Garcia answered questions regarding said item.

After due consideration, Commissioner Joaquin Zamora moved to approve the variance request to the 600 ft. maximum length allowed for a cul-de-sac street at proposed Villa Torre at North

Bentsen Estates Subdivision; 7500 North Bentsen Road as recommended. Commissioner Tania Ramirez seconded the motion. The vote on the motion carried as follows:

Voting Aye:	Mayor Javier Villalobos, Commissioner Joaquin Zamora, Commissioner Omar Quintanilla, Commissioner Tania Ramirez, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca
Voting Nay:	None
Absent:	None
Abstained:	Commissioner Antonio "Tony" Aguirre, Jr.

K) CONSIDERATION OF A VARIANCE REQUEST TO THE BLOCK LENGTH REQUIREMENT AT THE PROPOSED STONEBRIAR AT TRINITY OAKS SUBDIVISION, HIDALGO COUNTY, TEXAS; 11200 NORTH LA LOMITA ROAD.

Approved a variance request to the block length requirement at the proposed Stonebriar at Trinity Oaks Subdivision; 11200 North La Lomita Road.

L) APPROVAL OF TAX REFUNDS OVER $500.00.

Approved the tax refunds of over $500.00.

1. SOUTH TEXAS BUICK GMC/CS AUTO LTD.

Approved a tax refund in the amount of $5,065.04.

2. CENLAR C/O CORELGIC TAX SERVICE, LLC

Approved tax refunds in the amounts of $820.52 and $742.54.

3. BIDS/CONTRACTS

A) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR THE GARDENIA AVENUE AT NORTH 12th STREET DRAINAGE IMPROVEMENTS.

Staff recommended approval of Change Order No. 1 for the Gardenia Avenue at North 12th Street Drainage Improvements.

Commissioner Omar Quintanilla moved to approve Change Order No. 1 as recommended. Commissioner Tania Ramirez seconded the motion. The motion carried unanimously.

B) AWARD OF CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE TRADE ZONE STORMWATER PUMP STATION IMPROVEMENTS PROJECT.

Staff recommended award of contract in the amount of $20,535.00 to SAM Engineering and Surveying (SAMES), Inc., for FY 2019-2020 Drainage Utility Fee Projects.

Commissioner Tania Ramirez moved to award the contract as recommended. Commissioner Victor "Seby" Haddad seconded the motion. The motion carried unanimously.

C) AWARD OF CONTRACT FOR VARIOUS MUNICIPAL PROJECTS-STRUCTURAL SERVICES.

Staff recommended award of contract for Structural Services for a term of one year, with an option to extend an additional two (2) years with City Manager approval.

Commissioner Antonio "Tony" Aguirre, Jr., moved to award the contract as recommended. Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously.

D) AWARD OF CONTRACT FOR THE CAMELLIA AVENUE AT NORTH 8th STREET DRAINAGE IMPROVEMENTS.

Staff recommended award of contract in the amount of $197,399.59 to the lowest responsive bidder, RBM Contractors, LLC, subject to a budget reclassification.

Discussion ensued. Comments and concerns were expressed. Engineering Director Yvette Barrera answered questions regarding said item.

Commissioner Antonio "Tony" Aguirre, Jr., moved to award of contract recommended. Commissioner Jose "Pepe" Cabeza de Vaca seconded the motion. The motion carried unanimously.

E) AWARD OF CONTRACT FOR VARIOUS MUNICIPAL PROJECTS-MECHANICAL, ELECTRICAL, PLUMBING AND FIRE PROTECTION (MEP) SERVICES.

Staff recommended award of contract for MEP Services for a term of one year, with an option to extend an additional two (2) years with City Manager approval if the rates remain.

Discussion ensued. Comments and concerns were expressed. Engineering Director Yvette Barrera answered questions regarding said item.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to award the contract as recommended. Commissioner Tania Ramirez seconded the motion. The motion carried unanimously.

F) AWARD OF CONTRACT FOR THE CONVENTION CENTER LIGHTING SYSTEM.

Staff recommended award of contract in the amount of $92,300 to Dealers Electrical Supply for the Convention Center Lighting System.

Discussion ensued. Comments and concerns were expressed. Operations Manager Al Diaz answered questions regarding said item.

Commissioner Joaquin Zamora moved to award the contract as recommended. Commissioner Omar Quintanilla seconded the motion. The motion carried unanimously.

G) AWARD OF CONTRACT FOR THE PURCHASE OF REFUSE TRUCK CAMERA SYSTEM AND COMPONENTS.

Staff recommended award of contract in the amount of $133,791.00 with Heil of Texas, through Buy Board Cooperative pricing for refuse truck camera system subject to a budget reclassification.

Commissioner Tania Ramirez moved to award the contract as recommended. Commissioner Jose R. "Pepe" Cabeza de Vaca seconded the motion. The motion carried unanimously.

4. VARIANCE

A) CONSIDERATION OF A VARIANCE REQUEST TO NOT REQUIRE THE SUBDIVISION PROCESS AT THE 1.75-ACRE TRACT OF LAND OUT OF LOT 507, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 11504 NORTH TAYLOR ROAD.

Staff recommended disapproval of a variance request to not require the subdivision process at 11504 North Taylor Road.

Council heard citizen regarding item 4A. Comments and concerns were expressed. Staff answered questions posed by the Council.

After due consideration, Commissioner Joaquin Zamora moved to table said item. Commissioner Jose R. "Pepe" Cabeza de Vaca seconded the motion. The motion carried unanimously.

5. MANAGER'S REPORT

A) BOARD AND COMMITTEE APPOINTMENTS.

Council discussed the appointment of commissioners to various boards and committees. Discussion ensued and appointments were made as follows:

Anzaldua's and McAllen International Toll Bridge Board

Nominated Jim Darling and Veronica Whitacre to the Anzaldua's and McAllen International Toll Bridge Board for the term ending December 2021.

LRGVDC (COG)

Nominated Mayor Javier Villalobos to the LRGVDC (COG).

Quinta Mazatlán Advisory Board

Nominated Commissioner Antonio "Tony" Aguirre, Jr. as an Alternate Board Member to the Quinta Mazatlán Advisory Board.

Commissioner Tania Ramirez moved to accept the nominations as recommended. Commissioner Joaquin Zamora seconded the motion. The motion carried unanimously.

B) SUBDIVISION MONTHLY REPORT.

Item addressed at workshop.

C) STATUS REPORT ON PARKS & RECREATION PROJECTS.

Item addressed at workshop.

D) PROJECT STATUS REPORT THROUGH JUNE 30, 2021.

Item addressed at workshop.

E) IMMIGRATION AND RESPITE CENTER REPORT.

Report only. No action required.

F) FUTURE AGENDA ITEMS.

There were no future agenda items discussed.

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. (WITHDRAWN)

Said item was withdrawn.

B) ORDINANCE PROVIDING FOR RATIFICATION OF JUNE 28, 2021 AMENDMENT TO FOOD TRUCK ORDINANCE UPDATING THE MINIMUM DISTANCE FROM A FIXED-LOCATION RESTAURANT.

Said item remained tabled.

At this time Council heard agenda item citizen comment. Ms. Laurel McLeaish spoke on item 7A.

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 ISSUES RELATED TO REDISTRICTING. (SECTION 551.071, T.G.C.)

No action.

B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CONSTRUCTION PROJECTS. (SECTION 551.071, T.G.C.)

Commissioner Joaquin Zamora moved to authorize City Manager and City Attorney to proceed as described in Executive Session. Commissioner Antonio "Tony" Aguirre, Jr., seconded the motion. The motion carried unanimously.

C) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)

Commissioner Joaquin Zamora, Jr., moved to authorize the City Attorney and City Manager to offer additional tax refund reimbursement incentives for the two years described in Executive Session. Commissioner Victor "Seby" Haddad seconded the motion. The vote on the motion carried as follows:

Voting Aye:	Mayor Javier Villalobos, Commissioner Joaquin Zamora, Commissioner Tania Ramirez, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca
Voting Nay:	Commissioner Omar Quintanilla
Abstained:	None
Absent:	None

ADJOURNMENT

Without objection, the meeting was adjourned at 6:15 p.m.

Javier Villalobos, Mayor

Attest:

Perla Lara, TRMC/CMC, CPM
City Secretary