



Mayor Javier Villalobos
Mayor Pro Tem/Commissioner Joaquin Zamora
Commissioner Tony Aguirre, Jr.
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, AUGUST 23, 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 Pepe Cabeza De Vaca

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 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.)*

1. Rezone from C-1 (office) District to C-2 (neighborhood commercial) District: 2.35 acres out of Lot 5, Block 15, Steele & Pershing Subdivision of the east ½ of Portion 66 and all of Portion 67, Hidalgo County, Texas; 2408 & 2416 S. McColl Rd.

2. Rezone from C-3 (general business) District to R-3T (multifamily residential townhouse) District: 2.00 acre tract of land out of Lot 62, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 2700 Trenton Road
3. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 0.544 acre tract of land out of Lot 1, Resubdivision of Lots 15 and 16, Block 2, C. E. Hammond's Subdivision, Hidalgo County, Texas; 1500 North Bentsen Road.
4. Request of Denny Meline, on behalf of the City of McAllen, for an amendment of a Conditional Use Permit, for the life of the use, for an institutional use (park) at 17.51 acres out of lot 4, block 12, Steele and Perishing Subdivision, Hidalgo County, Texas, 100 Highway 83.
5. Request of Rosalinda Raabe, on behalf of Iglesia Camino Del Rey Upper Valley, A Texas Non-Profit Corporation, for a Conditional Use Permit for life of the use, for an institutional use (Church) at Lot "A", Daffodil Gardens Subdivision Unit No. 1, save and except the East 159.1 feet thereof of Lot "A", the west three (3) acres of Lot 25, Wayne Court Subdivision Extended, and 0.66 acres out of Lot 25, Wayne Court Subdivision Extended, Hidalgo County, Texas; 504 and 508 Harvey Drive.
6. Request of Katherine L. Zeigler, on behalf of William A. Schwarz, for a Conditional Use Permit, for life of the use, for a gasoline service station at the 2.35 acres out of the Lot 5, Block 15, Steele & Pershing Subdivision of the east ½ of Portion 66 and all of Portion 67, Hidalgo County, Texas; 2408 & 2416 S. McColl Rd.
7. Request of Maria I. Ewens, for a Conditional Use Permit, for a year, for an event center at the 2.77 acres out of Lot 11, La Lomita (HOIT) Subdivision, Hidalgo County, Texas, 3501 State Highway 107.
8. Request of Cristobal Moreno, for a Conditional Use Permit, for life of the use, for an automotive service & repair at the 0.52 acre tract of land out of Block 14, Trenton Park Estates Ph. 1 & 2 Subdivision lying west of Lot 219, Woodhollow Subdivision, Hidalgo County, Texas; 7500 N. 23rd Street.

B) REZONINGS:

1. Rezone from R-3C (multifamily condominiums) District to R-3A (multifamily residential apartment) District: 3.842 acres consisting of 3 acres out of Lot 15, southeast ½ Section 7 out of Hidalgo Canal Company Subdivision and 0.842 acres out of Lot 16, and the west 109 ft. of Lot 14 out of Hollenbeck Subdivision, Hidalgo County, Texas; 2105 South 10th Street.
2. Rezone from R-2 (duplex-fourplex) District to R-3A (multifamily residential apartment) District: 0.405 acres out of the east half of Lot 12 and the west 46 ft. of Lot 14, Hollenbeck Subdivision, Hidalgo County, Texas; 709 Uvalde Avenue.
3. Rezone from R-2 (duplex-fourplex) District to R-3A (multifamily residential apartment) District: the east half of Lot 10, Hollenbeck Subdivision, Hidalgo County, Texas; 725 Uvalde Avenue.
4. Rezone from R-2 (duplex-fourplex) District to R-3A (multifamily residential apartment) District: the west half of Lot 10 and the east 10 ft. of Lot 8, Hollenbeck Subdivision, Hidalgo County, Texas; 801 Uvalde Avenue.
5. Rezone from R-2 (duplex-fourplex) District to R-3A (multifamily residential apartment) District: the west 69 ft. of the east half of Lot 8, Hollenbeck Subdivision, Hidalgo County, Texas; 807 Uvalde Avenue.

6. Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: 2.396 acres out of Lot 15, of southeast ½ section 7, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 2101 South 10th Street.
7. Initial zoning to R-3A (multifamily residential apartment) District: 17.043 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9000 North Shary Road.
8. Initial zoning to R-1 (single-family residential) District: 18.298 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 North Shary Road.

C) CONDITIONAL USE PERMITS:

1. Request of Norma S. Pimentel, on behalf of Catholic Charities of the Rio Grande Valley for a Conditional Use Permit, for life of use, for an institutional use (respite center) at W. 90' of Lots 13 and 14 & All of 15 and 16, Block 12, McAllen Addition Subdivision, Hidalgo County, Texas, 111 South 15th Street.
2. Request of Liza Salinas, for a Conditional Use Permit, for one year, for a bar at Lot 1, A & A Subdivision, Hidalgo County, Texas; 5204 North 10th Street.
3. Request of Mario A. Reyna, on behalf of Riverside Development Service, LLC, for a Conditional Use Permit, for life of the use, for a planned unit development at the 26.663 acre tract of land out of Lot 45 and 52, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 8300 North Ware Road. (Tabled)

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

E) Public Hearing and Ordinance providing for the annexation of 17.043 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9000 North Shary Road.

F) Public Hearing and Ordinance providing for the annexation of 18.298 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 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 Budget Workshops held August 3rd, August 4th, Budget Workshop and Regular Meeting held August 9, 2021.

B) Consideration and Approval of an Interlocal Cooperation Contract for the continued operation of the Texas Transnational Intelligence Center.

C) Consideration and Approval of a Memorandum of Understanding with Region One for Adult ESL Classes.

D) Consideration and Approval of Amendment No. 1 to the Cargo Building Lease with Davila's Services, Inc.

E) Resolution authorizing the submittal of a grant application to the U.S. Department of Commerce - Economic Development Administration for funding under the Travel, Tourism and Outdoor Recreation Program.

F) Resolution authorizing the submittal of a grant application to the Humanities Texas Foundation for funding under the FY 2021 Relief Grants Program.

- G) Resolution authorizing the acceptance of the Federal Aviation Administration (FAA) Airport Rescue Grant.
- H) Resolution authorizing the acceptance of the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) No. 55 Grant.
- I) Resolution designating Rio Grande Valley Metropolitan Planning Organization Members (RGVMPO), establishing the Technical Advisory Committee (TAC) and approving the Policy Board Ethical Standards Affidavit.
- J) Approval of Tax Refund over \$500.00.

3. BIDS/CONTRACTS:

- A) Consideration and Approval of Change Order No. 1 for the McAllen Public Works Administration Office Renovations Project.
- B) Award of Contract for Towing Services - Automobile/Light, Medium & Heavy Duty Trucks/Equipment.

4. ORDINANCES:

- A) Ordinance providing for a Budget Amendment for Mid-Year Revenue and Expenses Adjustments for Various Funds.
- B) Consideration and possible approval of updates to the mobile food vendor ordinance.

5. MANAGER'S REPORT:

- A) Discussion of 2021 Proposed Tax Rate, Take a Record Vote and Schedule Public Hearing.
- B) Status Report on Parks & Recreation Projects.
- C) Project Status Report through July 31, 2021.
- D) Subdivision Monthly Report.
- E) Immigration and Respite Center Report.
- F) Future Agenda Items.

6. TABLED ITEM(S):

- A) Ordinance providing for ratification of June 28, 2021 amendment to food truck ordinance updating the minimum distance from a fixed-location restaurant.
- B) Consideration of a variance request to the ROW dedication requirements for North McColl Road and East Violet Avenue at the proposed BEJ Subdivision, Hidalgo County, Texas; 4701 North McColl Road.

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 potential litigation regarding enforcement of ordinances. (Section 551.071, T.G.C.)
- B) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- C) Consultation with City Attorney regarding legal aspects of contractual relationship with MedCare EMS. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal aspects of contractual relationship with Palm Valley Animal Shelter. (Section 551.071, T.G.C.)
- E) Discussion and possible lease, sale or purchase of real property. (Section 551.072, T.G.C.)
- F) Consultation with City Attorney regarding legal issues related to Border Immigration Matters. (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 August 20, 2021 at 3:30 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