



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, SEPTEMBER 27, 2021 – 4:45 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 - *Keep McAllen Beautiful Presentation*

PROCLAMATION - Fire Prevention Week - Fire Chief James Schultz

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 R-1 (single-family residential) District to C-3 (general business) District: 5.47 acres out of Lot 3, Block 5, A.J. McColl Subdivision, Hidalgo County, Texas; 2209 and 2217 North Jackson Road.
2. Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: 5.303 acres out of Lot 11, Section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 7901 North 10th Street (Mid).
3. Request of Erick Sandoval, for a Conditional Use Permit, for life of the use, for an Institutional Use (school) at the west 80' of Lot 7, Block 59, McAllen Addition Subdivision, Hidalgo County, Texas; 1521 Galveston Avenue.
4. Request of Eduardo Villagordoa, for a Conditional Use Permit, for one year, for a bar at Lots 8, 9 and 10, 21st place Subdivision, Hidalgo County, Texas; 2005 Nolana Avenue.
5. Request of Maria N. Martinez, for a Conditional Use Permit, for life of the use, for an automotive service and repair (air condition service) at Lots 4 and 5, Block 3, Altamira Subdivision, Hidalgo County, Texas; 2613 U.S Highway 83.

B) REZONINGS:

1. Rezone from C-3 (general business) District to C-4 (commercial-industrial) District: Lots 1 and 2, Hidalgo-Starr Rehab. Subdivision, Hidalgo County, Texas; 1301 and 1401 South 8th Street. (WITHDRAWN)
2. Rezone from C-3 (general business) District to R-1 (single-family residential) District: 0.14 acres out of Lot 6, Block 4, Hidalgo Canal Company's Survey, Hidalgo County, Texas; 6416 South 10th Street. **(TABLED)**

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 the Northwest 12.81 acres out of Lot 10, Section 7, excluding 2.63 acres, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1801 South 10th Street.
2. Request of Gerardo Martinez for a Conditional Use Permit, for one year, for a bar and grill at Lots 6 through 12, North East Crossing Subdivision, Hidalgo County, Texas; 137 Nolana Avenue Suite #131.

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

E) Public Hearing on 2021 Proposed Tax Rate.

F) Conduct a Public Hearing to receive comments on and consider the proposed 2021-2022 Service and Assessment Plan and proposed assessments contained in the 2021-2022 Assessment Roll for the Tres Lagos Public Improvement District; Consider, hear, and pass on any objections to the proposed assessments.

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 Workshop held August 25th, Workshop and Regular Meeting held September 13, 2021.
- B) Award of Supply Contract for the Purchase of Fuel.
- C) Consideration and Authorization to Declare Vehicles and Equipment as Surplus.
- D) Consideration and Approval of Change Order No. 2 for Public Works Administration Office Renovations.
- E) Consideration and Approval of Change Order No. 5 and final reconciliation of contract quantities for Kennedy Avenue Roadway and Drainage Improvements from Bentsen Road to Ware Road.
- F) Resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through its Fiscal Year 2022 Selective Traffic Enforcement Program's Impaired Driving Mobilization (STEP-IDM) Campaign.
- G) Resolution authorizing the submittal of a grant application to the Texas State Library and Archives Commission for funding under the Fiscal Year 2022 Texas Telehealth Grant Program.
- H) Resolution authorizing the submittal of a grant application to the Bureau of Reclamation WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2022.
- I) Approval of Tax Refunds over \$500.00.
 - 1. TI Fluid Systems
 - 2. Whataburger Restaurants LP

3. BIDS/CONTRACTS:

- A) Consideration and Approval of Change Order No. 1 for the 2018 Bond Group C Drainage Improvements.
- B) Consideration for the Approval of the Construction Contract for Drilling and Boring Services for Installation of Fiber, Data, and Electrical Conduit.
- C) Award of Contract for McAllen Youth Baseball Complex Parking Lot Improvements.

4. ORDINANCES:

- A) Updating the authorized strength of the McAllen Police Department.
- B) Updating the authorized strength of the McAllen Fire Department.
- C) Roll call vote of an ordinance adopting the City of McAllen Annual Budget for Fiscal Year 2021-2022.
- D) Roll call vote of an ordinance adopting the City of McAllen 2021 Property Tax Rate.
- E) Consideration and adoption of an Ordinance approving and adopting the Tres Lagos Public Improvement District ("District") 2021-2022 Service and Assessment Plan and 2021-2022 Assessment Roll for the District; Establishing classifications for the

apportionment of costs and methods of assessing for special benefits for improvements, maintenance, and special services to property within the District; levying debt service assessments for the cost of improvements to be provided in the District, maintenance assessments for the cost of maintenance and operation of the District, and supplemental service assessments for the costs of provision of supplemental services within the District; fixing charges and liens against the Property in the District and against the owners thereof; providing for the collection of the assessments; and providing an effective date.

- F) Consideration and possible approval of an ordinance establishing a Disability Advisory Committee.
- G) Consideration and possible approval of an ordinance clarifying that plats and conditional use permits are not required for minor construction in city parks as determined by the Planning Director.

5. RESOLUTION:

- A) Resolution approving the City's Investment Policy and Strategy as presented.

6. VARIANCES:

- A) Consideration of a variance request to the escrow requirements for paving and drainage improvements at the proposed De la Torre Subdivision, Hidalgo County, Texas; 612 North 8th Street.
- B) Consideration of a variance request to the block length requirement at the proposed Park Terrace Subdivision, Hidalgo County, Texas; 3601 North Jackson Road.

7. MANAGER'S REPORT:

- A) Consideration and Approval of assisting McAllen Economic Development Corporation in funding a Comprehensive Economic Development Plan.
- B) Receive an annual update on the status of Reinvestment Zone Number One, City of McAllen, Texas (Tres Lagos) as required by Sections 311.0101(c) and 311.016 of the Texas Tax Code and the Interlocal Agreement for the Zone.
- C) Discussion and action on appointment of Mike Rhodes (Position 1) as chairman, to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, for a one-year term, pursuant to section 311.009(f) of the Texas Tax Code, beginning January 1, 2022 and ending December 31, 2022, and ratification of all past actions taken by Mike Rhodes when acting in the capacity as the chairman for the Zone from January 1, 2021 to December 31, 2021.
- D) Discussion and action on approval of Board member reappointment of Megan J. Earl (Position 2) to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, for a two-year term beginning March 2, 2021 and ending March 2, 2023, and ratification of all past actions taken by the said Board member when acting in her respective capacity as a Board member for the Zone.
- E) Discussion and action on approval of Board member reappointment of Misty Martin (Position 4) to the Reinvestment Zone Number One, City of McAllen, Texas Zone

Board, for a two-year term beginning March 2, 2021 and ending March 2, 2023, and ratification of all past actions taken by the said Board member when acting in her respective capacity as a Board member for the Zone.

- F) Discussion and action on approval of Board member reappointment of Nick Rhodes (Position 5) to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, for a two-year term beginning March 2, 2021 and ending March 2, 2023, and ratification of all past actions taken by the said Board member when acting in her respective capacity as a Board member for the Zone.
- G) Subdivision Monthly Report.
- H) Status Report on Parks & Recreation Projects.
- I) Project Status Report through August 31, 2021.
- J) Immigration and Respite Center Report.
- K) Future Agenda Items.

8. TABLED ITEM(S):

- A) Consideration and Approval of an Intergovernmental Agreement with Palm Valley Animal Society for the operation of a Regional Animal Shelter.

9. 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) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- B) Discussion and possible lease, sale or purchase of real property; Tract 1, Tract 2 and Tract 3. (Section 551.072, T.G.C.)
- C) Consultation with City Attorney regarding litigation matters. (Section 551.071, T.G.C.)
- D) Evaluation of the City Manager. (Section 551.074, 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 September 24, 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