



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 JOINT MEETING WITH THE
MCALLEN PUBLIC UTILITY BOARD
MONDAY, OCTOBER 11, 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 Code Compliance Month - Steven Kotsatos
National Community Planning Month - Edgar Garcia

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 5:00pm)

1. JOINT MEETING WITH THE MCALLEN PUBLIC UTILITY BOARD:

- A)** Discuss and Approve a Resolution of the Public Utility Board of Trustees of the City of McAllen requesting the City to approve the Issuance and Sale of Waterworks and Sewer System Revenue Bonds, Series 2021 in the principal amount of \$18,000,000,

such series of bonds to be sold to the Texas Water Development Board, and approving other matters related thereto.

- B)** Discuss and Approve an ordinance authorizing the issuance of City of McAllen, Texas Waterworks and Sewer System Revenue Bonds, Series 2021, in the principal amount of \$18,000,000 to be sold to the Texas Water Development Board and ordaining other matters related thereto.

END OF JOINT MEETING

2. 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-3L (light commercial) District to C-3 (general business) District: 1.39 acres out of La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 3501 Buddy Owens Boulevard.

2. Request of Miguel Vargas, for a Conditional Use Permit, for one year, for a bar at Lots 1 and 2, Mejia Subdivision Unit No. 1, Hidalgo County, Texas, 2000 Nolana Avenue.

3. Request of Dalia C. Martinez, for a Conditional Use Permit, for one year, for a bar at north 15' of Lot 27 and south 20' of Lot 28, Spinaio & Leone Subdivision No. 1, Hidalgo County, Texas; 2210 North 10th Street.

B) REZONINGS:

1. Rezone from R-1 (single-family residential) District to C-3 (general business) District: 10 acres out of Lot 3, Section 233, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2401 Russell Road. **(WITHDRAWN)**

2. Initial zoning to R-1 (single-family residential) District: the north 5 acres of Lot 209, Pride O' Texas Subdivision, Hidalgo County, Texas; 8804 North Ware Road. **(WITHDRAWN)**

3. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 19.137 acres consisting of 2.476 acres out of Lot 7 E.M. Card Survey No. 1 Subdivision and 16.661 acres out of Lot 14, Section 279, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 2400 Oxford Avenue.

C) CONDITIONAL USE PERMITS:

1. Request of Oscar Corral, on behalf of Machiavellian Properties, LLC, for a Conditional Use Permit, for life of the use, for a parking facility for C-1 to C-3 uses at Lot 8, Block 7, Fairfield Place subdivision, Hidalgo County, Texas; 901 Kennedy Avenue.

2. 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. **(TABLED)**

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

END OF PUBLIC HEARING

3. **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 and Regular Meeting held September 27, 2021.
- B) Consideration and Authorization to enter into an Interlocal Agreement with the City of Brownsville to participate in the Fiscal Year 2022 South Texas Auto Theft Enforcement Task Force.
- C) Resolution authorizing the submission of a grant application to the Texas State Library and Archives Commission for funding under the Fiscal Year 2022 Texas Supports Libraries Grant Program.
- D) Resolution authorizing the submittal of a Passenger Facility Charge Application to the Federal Aviation Administration (FAA) for various McAllen International Airport Improvement Projects.
- E) Approval of Tax Refunds over \$500.00.
 - 1. IDC Properties No 2 LP
 - 2. Alicia Diaz de Villegas

4. BIDS/CONTRACTS:

- A) Consideration and Approval of Construction Documents by Megamorphosis Inc., with authorization to proceed to bidding phase for the Quinta Mazatlan Palm House Project.
- B) Consideration and Approval of the acceptance of the Texas Department of Transportation (TxDOT) Routine Airport Maintenance Program Grant 2022.
- C) Award of Contract for the Runway 14-32 & Taxiway A Safety Improvements Phase 3, 4A & 4C at McAllen International Airport.
- D) Consideration and Approval to Negotiate with Top Ranked Consultant Firm for Aviation Marketing and Consultant Services at McAllen International Airport.
- E) Consideration and Approval of Contract Amendment No. 3 for the Runway 14-32 & Taxiway A Safety Improvements Construction Management Services.
- F) Consideration and Approval of Change Order No. 1 for the Construction of Crockett Skate Park.
- G) Consideration of new proposed Refresh 50/50 Zone.

5. ORDINANCE:

- A) Consideration and possible approval of an ordinance reducing the yard requirements for double-fronting lots.

6. VARIANCE:

- A) Consideration of a variance request to allow a half-street at the proposed Campo de Suenos II Subdivision, Hidalgo County, Texas; 8300 North Ware Road.

7. MANAGER'S REPORT:

- A) Immigration and Respite Center Report.
- B) Future Agenda Items.

8. TABLED ITEM(S):

- A) Consideration and Approval of Change Order No. 1 for the 2018 Bond Group C Drainage Improvements.
- B) 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.

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) Consultation with City Attorney regarding potential litigation. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding pending litigation; City of McAllen, et al. v. State of Texas; Cause No. D-1-GN-17-004766 in Travis County, Texas. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding potential litigation to enforce various aspects of the city zoning ordinance. (Section 551.071, T.G.C.)
- D) Consideration of Economic Development Matters. (Section 551.087, 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 October 8, 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