



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, NOVEMBER 8, 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 Victor "Seby" Haddad

**PRESENTATION** - Texas Treasure Business Award to S. Klein Galleries

**PROCLAMATIONS** - Texas Recycles Day - Abril Paz

49th Annual Nutcracker Ballet Production Days - Deborah Case

Texas Elementary Teacher of the Year - Jennifer Han

**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. Rezoning from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 7.28 acres out of Lot 2, Block 8, A.J. McColl Subdivision, Hidalgo County, Texas; 2200 South Jackson Road.
2. Rezoning from R-2 (duplex-fourplex residential) District to C-3 (general business) District: Lot 15, Block 3, West Addition to McAllen Subdivision, Hidalgo County, Texas; 2236 Fresno Avenue.
3. Rezoning from C-3 (general business) District to R-3T (multifamily residential townhouse) District: 10.809 acres out of Lot 2, Block 8, Steele and Pershing Subdivision, Hidalgo County, Texas; 3901 North McColl Road.
4. Rezoning from C-3 (general business) District to R-3T (multifamily residential townhouse) District: 13.0 acres out of Lot 7, Section 13, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 8220 North 10<sup>th</sup> Street.
5. Request of Juan C. Cancino, for a Conditional Use Permit, for one year, for a bar at Lot 3, Lone Star National Bank Subdivision, Hidalgo County, Texas, 500 East Nolana Avenue.
6. Request of Arturo Ortega, for a Conditional Use Permit, for one year, for an Event Center at Lot 1, Nolana Heights Subdivision, Hidalgo County, Texas, 601 East Nolana Avenue.
7. Request of Gustavo Pineda, for a Conditional Use Permit, for one year, for a Vape Shop at Lot 1, Martinez Subdivision Unit 2, Hidalgo County, Texas, 1900 South 23<sup>rd</sup> Street.
8. Request of Lizeth Padilla on behalf of Devida Lash Academy, for a Conditional Use Permit for 3 years, for an Institutional Use (eyelash extension academy) at Lots 10 and 11, The District at McAllen Phase II Subdivision, Hidalgo County, Texas; 3400 North McColl Road, Suite A.
9. Request of Rosalinda Rossow, for a Conditional Use Permit, for one year, for a Vape Shop at Lot 1A, Wilson Subdivision, Hidalgo County, Texas, 4000 North 10<sup>th</sup> Street.

**B) REZONINGS:**

1. Rezoning from R-1 (single-family residential) District to C-3 (general business) District: 0.97 acres out of Lot 11, Section 12, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1009 Jay Avenue.
2. Initial zoning to R-3A (Multifamily Residential Apartment) district: 26.97 acres out of Lot 45-11, West Addition to Sharyland Subdivision, Hidalgo County, Texas; 9600 N. Bryan Rd.

**C) CONDITIONAL USE PERMITS:**

1. Request of Gustavo Pineda, for a Conditional Use Permit, for one year, for a Vape Shop at Lot A, Walmart Subdivision, Hidalgo County, Texas, 2901 North 23<sup>rd</sup> Street.

2. Request of Ricardo Vega, for a Conditional Use Permit, for one year, for a Picture Venue and Event Area at Lot 78, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas, 6712 North Bentsen Road.

- D) Amending the Zoning Ordinance of the City of McAllen.
- E) Public Hearing and ordinance providing for the annexation of 26.97 acres out of Lot 45-11, West Addition to Sharyland Subdivision, Hidalgo County, Texas; 9600 North Bryan 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 Development Forum held September 30<sup>th</sup>, Workshop and Regular Meeting held October 25, 2021.
- B) **CONSENT COOP PURCHASES**
  - 1. Award of Contract for the Purchase of One (1) New Current Model Pneumatic Roller.
  - 2. Award of Contract for the Purchase of One (1) Current Year Model Non-CDL Container Carrier Truck.
- C) Resolution authorizing the submission of a grant application to the Federal Transit Administration under the 2021 Route Planning Restoration Program.
- D) Approval of Tax Refunds over \$500.00.
  - 1. Corelogic for Shellpoint Mortgage Services
  - 2. HD Development Properties LP
  - 3. Ware Expwy Partners LTD

## **3. BIDS/CONTRACTS:**

- A) Award of Contract for the Purchase of a Mobile Ground Power Unit and Mobile Pre-Conditioned Air Unit at McAllen International Airport.
- B) Consideration and Approval of Change Order No. 3 for the 2018 Bond Group E Drainage Improvements - E1 NW Blueline Improvements.
- C) Consideration and Possible action on a Memorandum of Understanding to work with Ichoosr, LLC to provide citizens with electricity rate options.
- D) Award of Contract Renewal for Retail Recruitment.
- E) Award of Contract for CineMassive Video Wall Upgrade at the McAllen Police Department 9-1-1 Dispatch Center.
- F) Award of Contract for CineMassive Video Wall Upgrade at the McAllen Police Department Roll Call Briefing Room.
- G) Award of Contract for the Purchase of Lubricants.

## **4. RESOLUTIONS:**

- A) Resolution authorizing adoption of the Hidalgo County Hazard Mitigation Plan Update.
- B) Resolution authorizing the submission of a grant application to the Texas Department of Emergency Management under the Hazard Mitigation Grant Program.

**5. VARIANCES:**

- A) Consideration of a variance request to not require the subdivision process at the south 76.8 ft. Lot 218 EXC east 155 ft. for D/D 1.67 AC GR; 1.63 AC Net Pride O' Texas Subdivision, Hidalgo County, Texas; 7004 North Bentsen Road.
- B) Consideration of a variance request to the block length requirement at the proposed Taylor Creek Villages Subdivision, Hidalgo County, Texas; 4016 N. Taylor Road.

**6. MANAGER'S REPORT:**

- A) Presentation of Year-to-Date Tax Collection Report.
- B) Presentation of Year-to-Date Delinquent Tax Collection Report by Linebarger Goggan Blair & Sampson, LLP.
- C) Immigration and Respite Center Report.
- D) Future Agenda Items.

**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 of contractual obligations with Chamber of Commerce. (Section 551.071, T.G.C.)
- B) 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 November 5, 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