



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 22, 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 Jose R. "Pepe" Cabeza de Vaca

PROCLAMATION - Larry Delgado Day

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 C-4 (commercial industrial) District to R-1 (single-family residential) District: 5.0 acres out of Lot 482, John H. Shary Subdivision, Hidalgo County, Texas; 7031 Mile 7 Road.
2. Request of Jessica Aguilar for a Conditional Use Permit, for one year, for a bar and grill, at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite N-1 and N-2.
3. Request of Rene Solano for a Conditional Use Permit, for one year, for a bar service at office, at Lot 2, Block 24, Ewing's Addition Subdivision, Hidalgo County, Texas; 813 North Main Street, Suite 213.
4. Request of Joe Averill Jr. for a Conditional Use Permit, for life of the use, for a guest house, at Lot 10, Block 14, Broadlawn Terrace No. 3 Subdivision, Hidalgo County, Texas; 1712 Iris Avenue.
5. Request of T. Lynn Tompkins Jr. for a Conditional Use Permit, for life of the use, for a grade-school playground, at Lot 1, S.T.V.T #1 Subdivision, Hidalgo County, Texas; 2400 Daffodil Avenue.
6. Request of Mark Denton Corbitt for a Conditional Use Permit, for life of the use, for a Planned Unit Development (PUD) at the 10 acres out of Lot 3, Section 233, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2401 Russell Road.
7. Request of Jorge A. Richaud for a Conditional Use Permit, for one year, for an event center (drive-in theatre) at 9.08 acres out of the south 40 feet of Lot 71 and Lot 91 except the South 50.06 feet, C.E. Hammond subdivision, Hidalgo County, Texas; 3116 Ash Avenue.

B) REZONINGS:

1. Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: 0.544 acres out of Lot 1, Resubdivision of Lots 15 and 16, Block 2, Hammond's Subdivision, Hidalgo County, Texas; 1500 North Bentsen Road.
2. Initial zoning to R-1 (single-family residential) District: the west 10 acres of Lot 452, John H. Shary Subdivision, Hidalgo County, Texas; 7100 Mile 6 Road.
3. Initial zoning to R-3T (multifamily residential townhouse) District: the north 5 acres of Lot 209, Pride O' Texas Subdivision, Hidalgo County, Texas; 8804 North Ware Road.
4. 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.**(TABLED)**

C) CONDITIONAL USE PERMITS:

1. Request of Captain Adolph Aguirre for a Conditional Use Permit, for life of the use, for a multi-purpose warehouse, at Lot "H", Stroud-Hunter Subdivision, Hidalgo County, Texas; 2220 Pecan Boulevard.
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.**(TABLED)**

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

- E) Public Hearing and ordinance providing for the annexation of the west 10 acres of Lot 452, John H. Shary Subdivision, Hidalgo County, Texas; 7100 Mile 6 Road.
- F) Public Hearing and ordinance providing for the annexation of the north 5.0 acres of Lot 209, Pride O' Texas Subdivision, Hidalgo County, Texas; 8804 North Ware Road.
- G) Public Hearing for a variance from Section 6-2 of the City of McAllen Code of Ordinances of the Alcoholic Beverage Code, request of Luis A. Peña on behalf of Tacos El Plebe, LLC., at the south 40 ft. of Lot 2 and the north 30 ft. of Lot 3, Block 16, Ewing's Addition, Hidalgo County, Texas; 1017 North Main Street.

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 Workshop and Regular Meeting held November 8, 2021.
- B) Consideration and Approval of Change Order No. 1 for New Parks Facility and Metro Transfer Station.
- C) Consideration and Approval of Change Order No. 2 and Final for 2018 Bond Group C Drainage Improvements: Projects C1, C3 & C4.
- D) Consideration and Approval of Change Order No. 10 for the Bicentennial Boulevard Extension.
- E) Consideration and Approval of an Interlocal Agreement between the City of McAllen and Hidalgo County for the 2022 South Texas All Hazards Conference.
- F) Award of Contract for the Purchase of Self-Contained Breathing Apparatus (SCBA) Equipment.
- G) Award of Contract for the Purchase and Delivery of an Industrial Paper Shredder.
- H) Award of Contract for the Purchase and Pickup of Type "D" Hot Mix.
- I) Award of Contract for the Northwest Blueline Hibiscus Tributary Channel Improvements Project.
- J) Ordinance providing for an update to the Code of Ordinances eliminating local registration fees for mechanical and electrical contractors in accordance with state law.
- K) **CONSENT COOP PURCHASES**
 - 1. Award of Contract for the Purchase of Refuse Dumpsters and Roll-Offs Containers.
 - 2. Award of Contract for the Purchase of One (1) Current Year Model Rear Load Non-CDL Refuse Truck.
 - 3. Award of Contract for the Purchase of Servers through Texas Department of Information Resources (DIR).
 - 4. Award of Contract for the Purchase of Storage Array through Texas Department of Information Resources (DIR).
 - 5. Award of Contract for the Purchase of Surveillance Cameras.

3. BIDS/CONTRACTS:

- A) Award of contract for the Purchase of One (1) Current Year Model All-Terrain Fork Lift.
- B) Award of Contract for the Purchase of Two (2) new current year model Backhoes.

4. VARIANCE:

- A) Consideration of a variance request to the escrow requirements for paving and drainage improvements at the proposed Neuhaus Estates Subdivision, Hidalgo County, Texas; 4229 Neuhaus Drive.

5. MANAGER'S REPORT:

- A) Appointment to the Zoning Board of Adjustments and Appeals.
- B) Subdivision Monthly Report.
- C) Project Status Report through October 31, 2021.
- D) Parks & Recreation Status on Projects.
- E) Immigration and Respite Center Report.
- F) Future Agenda Items.

6. 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 pending litigation: City of McAllen v. Plateros Produce and Spices, LLC; Cause No. C-4560-21-B. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal aspects of naming city buildings. (Section 551.071, 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 issues related to Risk Management claims report. (Section 551.071, T.G.C.)
- E) Discussion and possible lease, sale or purchase of real property; Tract 1 & Tract 2. (Section 551.072, T.G.C.)
- F) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- G) Consultation with City Attorney regarding legal issues of contractual obligations with Chamber of Commerce. (Section 551.71, 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 19, 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