



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, JANUARY 10, 2022 – 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 - Mayor Pro Tem Joaquin Zamora

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-3 (general business) District to R-3A (multifamily residential apartments) District: Lot 5, Block 54, McAllen Addition Subdivision, Hidalgo County, Texas; 604 South 15th Street.
2. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartments) District: 1.927 acres out of Lot 308, John H. Shary Subdivision, Hidalgo County, Texas; 4501 Nolana Avenue.
3. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartments) District: 4.5 acres out of Lot 308, John H. Shary Subdivision, Hidalgo County, Texas; 4701 Nolana Avenue.
4. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: The South 10.09 (10.06 deed) acres out of Lot 407, John H. Shary Subdivision, Hidalgo County, Texas; 7600 North Taylor Road.
5. Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: 2.754 acres out of Lot 11, Section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 7701 North 10th Street (Rear).
6. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: 0.50 acres out of Lot 58, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 7701 North 29th Street.
7. Request of Israel Villarreal III, for a Conditional Use Permit, for one year, for a bar at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suites I, J, K.
8. Request of OL Beverage Holdings, LLC for a Conditional Use Permit, for one year, for a bar at Lot A2, Lots A2 and A3 Wichita Commercial Park, Hidalgo County, Texas; 2121 South 10th Street.

B) REZONINGS:

1. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District: 1.77 acres out of Lot 59, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 2801 Auburn Avenue.
2. Initial zoning to R-2 (duplex-fourplex residential) District: 9 acres (7.73 acres net) out of lot 452, John H. Shary Subdivision, Hidalgo County, Texas; 7000 Mile 6 Road.
3. Initial zoning to R-3A (multifamily residential apartment) District: 25.140 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9000 North Shary Road.
4. Initial zoning to R-1 (single-family residential) District: 10.201 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 North Shary Road.
5. Initial zoning to R-1 (single-family residential) District: 1 acre out of west ½ of the west ½ of Lot 131, Pride O' Texas Subdivision, Hidalgo County, Texas; 11208 North Bentsen Road.
6. Initial zoning to C-3 (general business) District: 1.75 acres out of Lots 147 and 148, Pride o' Texas Subdivision, Hidalgo County, Texas; 9500 North Ware Road.
7. Initial zoning to R-3A (multifamily residential apartment) District: 8.70 acres out of Lots 147 and 148, Pride o' Texas Subdivision, Hidalgo County, Texas; 9500 North Ware Road (Rear).

C) CONDITIONAL USE PERMIT:

1. Request of Roberto Garza, on behalf of Garman Investments, LP, for a Conditional Use Permit, for life of the use, for a Planned Unit Development at 13.116 acres out of Lots 234 and 235, Pride o' Texas subdivision, Hidalgo County, Texas; 6100 North Bentsen Road.

- D)** Amending the Zoning Ordinance of the City of McAllen.
- E)** Public Hearing and Ordinance providing for the annexation of 9 acres (7.73 acres net) out of Lot 452, John H. Shary Subdivision, Hidalgo County, Texas; 7000 Mile 6 Road.
- F)** Public Hearing and Ordinance providing for the annexation of 25.140 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9000 North Shary Road.
- G)** Public Hearing and Ordinance providing for the annexation of 10.201 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 North Shary Road.
- H)** Public Hearing and Ordinance providing for the annexation of 10.45 acres out of Lots 147 and 148, Pride o' Texas Subdivision, Hidalgo County, Texas; 9500 North Ware Road.
- I)** Public Hearing and Ordinance providing for the annexation of 1 acre out of Lot 131, Pride O' Texas Subdivision, Hidalgo County, Texas; 11208 North Bentsen 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 Regular Meeting held December 13, 2021.
- B)** Award of Contract for Janitorial Cleaning Services for the McAllen Public Library.
- C)** Consideration and Authorization to remove 3rd Quarter of Fiscal Year 2020-21 Uncollectible Sanitation & Drainage Fee Accounts from the General Ledger and begin Write-off procedures.
- D)** Consideration and Approval of a Temporary Extension to the Grounds Maintenance Contract.
- E)** Resolution authorizing the acceptance of an Federal Aviation Administration (FAA) Concessions Rent Relief Airport Rescue Grant.
- F)** Approval of Tax Refunds over \$500.00.

3. BIDS/CONTRACTS:

- A)** Consideration and Selection of Top Ranked firms for McAllen Fire Station #8 and authorization to negotiate scope of services and fee schedule.
- B)** Consideration and Selection of Top Ranked firms for McAllen Fire Fighter Training Facility and authorization to negotiate scope of services and fee schedule.

4. 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.

5. MANAGER'S REPORT:

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

6. TABLED ITEM(S):

- A) Comprehensive Plan Steering Committee Appointments.

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) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- B) Consultation with City Attorney regarding pending litigation - Civil Action No. 7:21-CV-00493; Falcon Rivera Jr. v Daniel Cruz and City of McAllen. (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 January 7, 2022 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