



Mayor Javier Villalobos
Mayor Pro Tem/Commissioner Joaquin Zamora
Commissioner Tony Aguirre, Jr.
Commissioner J. Omar Quintanilla

Commissioner Rodolfo "Rudy" Castillo
Commissioner Victor "Seby" Haddad
Commissioner Pepe Cabeza de Vaca
City Manager Roel "Roy" Rodriguez, P.E.

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, MAY 23, 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 - Commissioner Rodolfo "Rudy" Castillo
PROCLAMATION - Sharyland ISD Centennial Celebration

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 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-1 (office building) District to C-3L (light commercial) District: Lot 1, Ramali Subdivision Phase III, Hidalgo County, Texas; 2020 North McColl Road.
2. Rezone from C-3 (general business) District to R-1 (single family residential) District: Lot 4-A, North Bryan Estates Subdivision, Hidalgo County, Texas; 8401 State Highway 107.
3. Request of Robert Espericueta on behalf of The House Club, LLC for a Conditional Use Permit, for one year, and adoption of an ordinance for a Bar (Social Club) at Lot "1-A", Lot "1-A" & Lot "1-B", The Courtyard, Amended Subdivision, Hidalgo County, Texas, 5401 North 10th Street, Suite 203.
4. Request of Maria D. Acuna, for a Conditional Use Permit, for one year, and adoption of an ordinance for an Outdoor Commercial Recreation (Soccer Fields) at 1.405 acre tract (Deed) out of Lot 151, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 501 South Bentsen Road.

B) REZONING:

1. Initial Zoning to R-3A (multifamily residential apartment) District: 10 acres being all of Lot 3, Resubdivision of Lots 164-171 Inc. of Pride o' Texas, Hidalgo County, Texas; 3420 La Lomita Road.

C) Public Hearing and Ordinance providing for the annexation of 10 acres being all of Lot 3, Resubdivision of Lots 164-171 Inc. of Pride o' Texas, Hidalgo County, Texas; 3420 La Lomita Road.

D) Public Hearing for a variance from Section 6-2 of the City of McAllen Code of Ordinances of the Alcoholic Beverage Code, request of Paulina Moya on behalf of New York Caribe Restaurant, at Lot 1, Angela Subdivision, Hidalgo County, Texas; 2313 Harvey Drive Suite 11 & 12.

E) Public Hearing for a variance from Section 6-2 of the City of McAllen Code of Ordinances of the Alcoholic Beverage Code, request of Jason J. Villarreal on behalf of Dragon Tiger, LLC., at Lot 1, Rooth Crossing Subdivision, Hidalgo County, Texas; 2825 Pecan Boulevard.

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

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 May 9, 2022

B) Award of Contract for Professional Services: Construction Material Testing (CMT) & Geotechnical Engineering Services (GES) for City Projects 2022.

- C) Consideration and Approval of Change Order and Reconciliation on the McAllen City Commission Chamber Lighting Upgrade Project.
- D) Ordinance providing for Fiscal Year 2019 Annual Action Plan for CDBG, HOME, and CDBG-CV Program.
- E) Resolution authorizing the submittal of a grant application to the Federal Transit Administration under the Infrastructure Investment and Jobs Act of 2022 Low or No Emissions Program.
- F) Consideration and Approval of a variance requests to: 1) alley ROW dedication and 2) ROW dedication for a street or cul-de-sac requirement for South Peking Street at the proposed Bocage Estates Subdivision, Hidalgo County, Texas; 701 South 1st Street.
- G) Consideration and Approval of a variance requests to: 1) the R.O.W dedication requirements for Military Highway (F.M. 1016), and 2) sidewalk requirements for interior streets at proposed McAllen South Industrial Park Phase I Subdivision, Hidalgo County, Texas; 1501 Military Highway.
- H) Subdivision Monthly Report.
- I) Status Report on Parks & Recreation Projects.
- J) Project Status Report through April 30, 2022.
- K) Approval of Tax Refunds over \$500.00.
 - 1. Covius Mortgage Solutions
 - 2. Goma Boutique LLC
 - 3. Weingarten Nolana JV

3. BIDS/CONTRACTS:

- A) Award of Contract for Professional Engineering Services for the McAllen Drainage Master Plan.
- B) Award of Contract for the Purchase of Computers and Tablets for Fire Record Management Software system.
- C) Consideration and Approval of a license agreement for a boulevard with existing trees, landscape sprinkler system, vehicle parking, and turn around drives within a road ROW at the proposed Bocage Estates Subdivision, Hidalgo County, Texas; 701 South 1st Street.

4. ORDINANCES:

- A) Amending alley requirements in certain residential subdivisions.
- B) Providing for an abandonment of a portion 40 ft. road lying between Lots 11 and 12, Rancho de la Fruta No. 1 Subdivision, Hidalgo County, Texas; 301 East Houston Avenue.
- C) Providing for a Budget Amendment to the Golf Course Depreciation Fund.

5. RESOLUTION:

- A) Resolution Adopting Redistricting Criteria.

6. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Immigration and Respite Center Report.
- C) 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 pending litigation - Civil Action No. 7:19-CV-00188; Neal McDonnell v City of McAllen. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding pending litigation: Ricardo Villalon v. City of McAllen; 7:20-cv-264. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding potential litigation to enforce the subdivision process. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal aspects of contractual agreement. (Section 551.071, T.G.C.)
- E) 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 May 20, 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