



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, DECEMBER 12, 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 Victor "Seby" Haddad

PRESENTATION - Risk Management Achievement Award - Yoli Perez

PROCLAMATION - Christmas for Kids - Chief Victor Rodriguez

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 R-1 (single family residential) District to C-1 (office building) District: Lot 33, Palm Estates Subdivision, Hidalgo County, Texas; 1104 Freddy Gonzalez Road.
2. Rezone from A-O (agricultural and open space) District to C-4 (commercial-industrial) District: 0.394 acres out of Lot 1, Block 6, Steele & Pershing Subdivision, Hidalgo County, Texas; 5520 North McColl Road.

B) REZONINGS:

1. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multi-family residential) District: 12.51 acres out of Lot 167, John H. Shary Subdivision, Hidalgo County, Texas; 2021 South Taylor Road.
2. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 4.681 acres out of Lot 241, save and except 0.184 acres, Pride O' Texas Subdivision, Hidalgo County, Texas; 5000 North Bentsen Road.

C) 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 the Special Joint Meeting and Regular Meeting held November 28, 2022.
- B)** Award of Contract for Professional Architectural Services for the City Hall Expansion Feasibility Project.
- C)** Consideration and Approval of Contract Amendment No. 1 for Additional Engineering Services for the McAllen Lateral Drainage Improvements.
- D)** Consideration and Approval of Change Order No. 1 for the 2018 Bond Group C1 and C3 Drainage Improvement Project.
- E)** Consideration and Approval of Change Order No. 2 for the Trenton Road and Auburn Avenue Intersection Improvements.
- F)** Consideration and Approval of Change Order No. 5 for the Metro Transfer Station and Change Order No. 4 for Parks and Recreation Administration.
- G)** Consideration and Approval to Acquire Drainage Easement from Sharyland Water Supply Corporation.
- H)** Ordinance providing for a Budget Amendment for Various Development Corporation Projects.
- I)** Ordinance providing for a Budget Amendment to the General Depreciation Fund for the purchase of Police Packaged Vehicles and a Street Maintenance Wheel Loader.

- J)** Ordinance providing for a Budget Amendment to the Sanitation Depreciation Fund for the Purchase of a Wheel Loader for the Brush Department.
- K)** Resolution providing for an amendment to the Advanced Funding Agreement (AFA) for the Jackson Hike & Bike Trail Phase II Project.
- L)** Resolution authorizing the submittal of a grant application for the Texas Department of Transportation Fiscal Year 2023 Highway Safety Improvement Program.
- M)** **CONSENT COOP PURCHASES**
 - 1. Award of Contract for the Purchase of Ten (10) New Current Model Police Packaged Vehicles through Cooperative Pricing.
 - 2. Award of Contract for the Purchase of Four (4) Open Top Brush Trucks and One (1) Front End Loader through Cooperative Pricing.

3. BIDS/CONTRACTS:

- A)** Award of Contract for the Purchase of Two (2) Tandem Trucks and Front End Loader for the Street Maintenance Department.
- B)** Award of Contract for the Quince Avenue at North 27th Street Drainage Improvements Project.

4. ORDINANCE:

- A)** Providing for an amendment to Ordinance 2021-46, as amended, for the reconciliation of proposed beneficiaries in the Fiscal Year 2021-2022 CDBG Annual Action Plan.

5. VARIANCES:

- A)** Consideration of a variance request to not require the subdivision process at a 1.684-acre tract of land being out of Lot 213, Pride O' Texas Subdivision, as per map recorded in Volume 5, Page 58-59, Map Records, Hidalgo County, Texas; 7616 North Bentsen Road.
- B)** Consideration of a variance request to the Right-of-Way dedication requirement for Dove Avenue at the resubdivision of Plaza Las Fuentes Fortis Subdivision, Hidalgo County, Texas; 5700 North 10th Street.

6. MANAGER'S REPORT:

- A)** Consideration and Approval of plaque for the McAllen Police Department Building.
- B)** Advisory Board Appointments.
- 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) Discussion and possible lease, sale or purchase of Real Property, Tract 1 and Tract 2. (Section 551.072, T.G.C.)
- B) Consultation with City Attorney regarding legal rights under Economic Development Agreement. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues with contractual agreement. (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 December 9, 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