



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, JANUARY 23, 2023 – 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 Antonio "Tony" Aguirre, Jr.

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 R-3A (multifamily residential apartment) District to R-2 (duplex-fourplex residential) District: 10 acres being all of Lot 4, Resubdivision of Lots 164-171 Inc. of Pride O'Texas, Hidalgo County, Texas; 3300 La Lomita Road.
2. Rezone from R-3A (multifamily residential apartment) District to R-2 (duplex-fourplex residential) 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.
3. Request of Jesus Dasael Gonzalez for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for an automotive service and repair (Eurostar Auto Werks Auto Repair) at Lot 9, Block 2, Poorbaugh's Subdivision, Hidalgo County, Texas; 304 North 3rd Street.
4. Request of Leonel Pedraza for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a guest house at Lot 1, Block 4, Altamira Subdivision, Hidalgo County, Texas; 2601 Austin Avenue.
5. Request of Eugene T. Hague III on behalf of VCCMA, LLC for a Conditional Use Permit, for life of the use, for an Institutional Use (cosmetology academy) at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street, Suite 200.
6. Request of Daisy Gonzalez and Karina Gonzalez for a Conditional Use Permit, for one year, for an event center at Lot 1, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3420 North 10th Street, Suites 240, 245, and 250.
7. Request of Antonia Cardona for a Conditional Use Permit, for one year, and adoption of an ordinance for a Food Truck Park at Lot 1, Community Center at Tres Lagos Subdivision, Hidalgo County, Texas; 4900 Tres Lagos Boulevard.
8. Request of the City of McAllen for a Conditional Use Permit, for the life of the use, and adoption of an ordinance, for an Institutional Use (Fire Fighter Training Facility) at the south 15 acres out of Lot 19, La Lomita Irrigation & Construction Company's Subdivision (Proposed Fire Fighter Training Facility Subdivision), Hidalgo County, Texas; 10700 North La Lomita Road.
9. Request of City of McAllen for a Conditional Use Permit, for the life of the use, and adoption of an ordinance, for an Institutional Use (Fire Station) at the 2.290 acres out of Section 227 and 232, Texas-Mexican Railway Company's Survey (Proposed Fire Station No. 8 Subdivision), Hidalgo County, Texas; 14300 North Shary Road.

B) REZONINGS:

1. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartment) District: 0.75 acres being all of Lot 1A and 2A, La Villita Subdivision, and the East 31 feet of the abandoned 6th Street right-of-way, Hidalgo County, Texas; 520 Jackson Avenue.
2. Rezone 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 Subdivision, Hidalgo County, Texas; 1009 Jay Avenue. **(TABLED)**

C) CONDITIONAL USE PERMIT:

1. Request of David J. Raymond, Jr. for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Home Occupation (Gunsmith Shop) at Lot 112, Falcon's Crossing Subdivision Phase II, Hidalgo County, Texas; 10604 North 25th Street.

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

E) Request of Omar and Mari Liza Van Wagoner for a designation of a McAllen City Landmark out of a 0.73-acre tract of land out of the south 3.15 acres of out of the southwest quarter of the northeast quarter of the southwest quarter of section 9, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1206 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 January 9, 2023.

B) Consideration and Approval of Final Change Order No. 3 for Terminal Restroom Renovations at McAllen International Airport.

C) Consideration and Approval of Change Order No. 3 for the Trenton Avenue and Auburn Avenue Intersection Improvements.

D) Consideration and Approval of ESRI (GIS) Annual Maintenance Agreement.

E) Consideration and Authorization to remove 3rd Quarter of Fiscal Year 2021-2022 Uncollectible Sanitation & Drainage Accounts from the General Ledger and begin Write-off procedures.

F) Ordinance providing for a Budget Amendment for the Purchase of 80 Golf Carts for Champion Lakes Golf Course.

G) Ordinance providing for an abandonment of a 15.0-foot utility easement measuring 121.19 ft. by 15.00 ft. out of Lot 7, J.H. Beatty's Subdivision, Hidalgo County, Texas; 4801 North Ware Road.

H) Ordinance providing for a Budget Amendment for Land Acquisition - Soccer Field on Ware Road Project.

I) Resolution authorizing the submission of a grant application to the Office of the Governor - Criminal Justice Division under the Fiscal Year 2024 Rifle Resistant Body Armor Grant.

J) Resolution authorizing the submission of a grant application to the U.S. Department of Homeland Security - Federal Emergency Management Agency (FEMA) for the Fiscal Year 2022 Assistance to Firefighters Grant.

K) Subdivision Monthly Report.

L) Project Status Report through December 31, 2022.

M) Status Report on Parks & Recreation Projects.

N) CONSENT COOP PURCHASES

1. Award of Contract for the Purchase of Network Equipment for Library Patron PC Usage.
2. Award of Contract for the Purchase and Installation of a Playsystem through BuyBoard.
- O) Approval of Tax Refunds over \$500.00.
 1. CRA Professional Plaza LLC
 2. Graham, Robert
 3. McAllen Hospitality Group LLC

3. BIDS/CONTRACTS:

- A) Award of Contract for the Purchase and Installation of IT Equipment at the McAllen Parks Administration and Metro Transfer Station.
- B) Consideration and Approval of Change Order No. 4 for the FM 1926 (23rd Street) Intersection Improvements.
- C) Consideration and Approval of Change Order No. 6 for the Metro Transfer Station and Change Order No. 5 for Parks and Recreation Administration.
- D) Consideration and Approval to negotiate scope of services and fee schedule with Top Ranked Firms for General Surveying Services 2023.
- E) Consideration and Approval of Change Order No. 2 for the 2018 Bond Group C1 and C3 Drainage Improvement Project.
- F) Consideration and Approval of pre-construction services for the Quinta Mazatlan Center for Urban Ecology.
- G) Consideration and Approval of Change Order No. 1 for the Purchase and Installation of an Inclusive Playground at Los Encinos Park.
- H) Award of Contract for the Purchase of One (1) Trommel Screen.
- I) Award of Master Contract for Aviation Business Consultant Services.
- J) Consideration and Approval of Change Order No. 1 for the Purchase of 80 New Golf Carts for Champion Lakes Golf Course.

4. ORDINANCES:

- A) Providing for a Budget Amendment for Fiscal Year 2022-2023 Capital Projects Rollovers.
- B) Providing for a Budget Amendment for the City Hall Expansion Project.

5. VARIANCES:

- A) Consideration of a variance request to not require the subdivision process at a 4.32-acre tract of land, more or less, out of the north 5.0 acres of the south 20.0 acres of Lot 80, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 6117 North Ware Road.
- B) Consideration of a variance request to the Right-of-Way dedication requirements for Dove Avenue at the proposed Dove Meadows Subdivision, Hidalgo County, Texas; 5517 North Bentsen Road.

- C) Consideration of a variance request to the escrow requirements for the paving, curb and gutter and sidewalk improvements needed for N. Glasscock Road, Mile 7 Road, and Colorado Avenue at the proposed STEC Tres Lagos Subdivision, Hidalgo County, Texas; 6801 7 Mile Line.

6. MANAGER'S REPORT:

- A) Review of the Quarterly Investment Report for the Quarter Ending September 30, 2022.
- B) Appointment to the Hidalgo County Regional Mobility Authority.
- 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) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- B) Discussion and possible lease, sale or purchase of Real Property, Tract 1. (Section 551.072, T.G.C.)
- C) Consultation with City Attorney regarding emergency medical services. (Section 551.071, T.G.C.)
- D) Evaluation of the City Attorney. (Section 551.074, T.G.C)
- E) Consideration of personnel action regarding the Fire Chief. (Section 551.074, 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 20, 2023 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