



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, APRIL 10, 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 - Mayor Pro Tem Joaquin Zamora

PRESENTATION - It's Time Texas Community Challenge Award-Xochitl Mora

PROCLAMATION - CDBG Week and Fair Housing Month-Yvette Balderas

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 R-3T (multi-family townhouse residential) District: 3.96 acres out of the west one-half (1/2) of the north 20 acres of Lot 3, Block 8, A.J. McColl Subdivision, Hidalgo County, Texas; 1200 East Yuma Avenue.
2. Rezone from R-3-T (multi-family townhouse residential) District to C-3 (general business) District: 1.96 acres out of Block 1, Whitewing Addition Unit No. 1, Hidalgo County, Texas; 2600 North 24th Street.
3. Request of Turbo Lube, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an automotive service and repair, at Lot 1, Copperfield Estates Phase 1A, Hidalgo County, Texas; 4201 Pecan Boulevard.

B) REZONINGS:

1. Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 33.894 acres consisting of 2.214 acres of Lot 8, McAllen First Citrus Groves Subdivision and 31.68 acres out of Lots 185 and 188, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 2800 South Ware Road. **(WITHDRAWN)**
2. Rezone from A-O (agricultural-open space) District to I-1 (light industrial) District: 63.86 acres consisting of 23.86 acres out of Lot 5, Block 1 and all of Lot 6, Block 1, Rio Bravo Plantation Company Subdivision, Hidalgo County, Texas; 3500 South Ware Road. **(WITHDRAWN)**

C) CONDITIONAL USE PERMITS:

1. Request of La Tambora Sinaloense LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Bar, at Lot 12, Mejia Subdivision Unit No. 1, Hidalgo County, Texas; 2022 Nolana Avenue.
2. Request of Melissa Burton, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Dog Kennel at a 1.00 acre tract of land out of the south 19.39 acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas; 6820 North Taylor Road. **(TABLED)**

D) 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 for Workshop and Regular Joint Meetings held March 27, 2023.
- B)** Ordinance providing for a budget amendment to add a new position at Champion Lakes Golf Course.
- C)** Consideration and Approval of Change Order No. 4 & Final for MYBC Parking Lot Project.

- D) Consideration and Authorization of a contract amendment to sunset the contract with the McAllen Chamber of Commerce for the American Rescue Plan Act (ARPA) Small Business Program.
- E) Resolution to authorize the submission of a grant application to the Office of the Attorney General of Texas, Crime Victim Services Division, for funding under the Fiscal Years 2024-2025 Victim Coordinator and Liaison Grant Program.
- F) Consideration and Approval of Transfer of Equipment Purchased with Grant Funds Memorandum of Understanding and Policy between the Constituent Agencies of the Texas Anti-Gang Center Rio Grande Valley.
- G) Consideration and Approval of Interlocal Cooperation for the continued operation of the Texas Transnational Intelligence Center (TTIC).
- H) Award of Contract for City of McAllen Employee Basic Life, Voluntary Life and Disability Plans.
- I) Award of Contract for City of McAllen Employee Dental Plan.
- J) Award of Contract for City of McAllen Employee Vision Plan.
- K) Discussion and Possible action to Approve Delinquent Tax Service Agreement with Linebarger Goggan Blair & Sampson, LLP.
- L) Discussion and possible action to Approve Resolution regarding Linebarger Goggan Blair & Sampson, LLP Delinquent Tax Service Agreement pursuant to Tex. Gov't Code Section 2254.1036 and Notice Provided to the Public for legal services necessary to collect delinquent property taxes.
- M) **CONSENT COOP PURCHASES**
 - 1. Award of Contract for the Purchase of one (1) current year model roll-off refuse truck through cooperative pricing.
 - 2. Award of Contract for Library A/V Upgrades through BuyBoard.
- N) Approval of Tax Refunds over \$500.00.
 - 1. Adryca Properties LLC (2 refunds)
 - 2. Autozone Parts Inc.
 - 3. Bam River Valley LP
 - 4. Chic Fil A Inc.
 - 5. Costco Wholesale Logistics #4087
 - 6. Kare Landholdings LLC
 - 7. LKQ Central Inc.
 - 8. McAllen GSA LLC
 - 9. McAllen TX I MG LLC
 - 10. North Villa Cantera LLC
 - 11. Gillespie, Jon H
 - 12. Mahler, Robert W & Guadalupe
 - 13. Martinez, David A Jr. & Maria J
 - 14. Huntington National Bank
 - 15. Lereta LLC
 - 16. Wonderful Citrus Packing LLC

3. **BIDS/CONTRACTS:**

- A) Consideration and Approval of License Agreement for the Installation of a Private Storm Line Across City Right-of-Way.

- B) Consideration and Approval of Developer's Contract for Participation in the Roadway Expansion of Freddy Gonzalez Road between 23rd Street and 25th Street.
- C) Consideration and approval of Change Order No. 2 for the Quince Avenue & 27th Street Drainage Improvements.
- D) Consideration and Approval of Change Order No. 2 for the McAllen-Hidalgo International Bridge Pedestrian Improvements.
- E) Consideration and Approval of Change Order No. 6 for Parks and Recreation Administration.
- F) Award of Contract for the McAllen Convention Center HVAC Upgrades.
- G) Award of Contract for the Champion Lakes Golf Course Erosion Control Project.
- H) Award of Contract for Champions Lake West Bridge Repairs.
- I) Award of Contract for the High Density Mineral Bond Pavement Preservation Project.
- J) Award of Contract for raised Median Pavers and Landscaping FM 2220 from SH 107 to Monte Cristo Road.
- K) Award of Contract for the Purchase and Delivery of Three (3) New 2023 Police Motorcycles.

4. ORDINANCES:

- A) Consideration and Approval of an ordinance updating the City's fireworks regulations.
- B) Ordinance Providing for a Budget Amendment in the General Depreciation Fund for the Purchase of Three (3) Police Motorcycles (EC2315).

5. RESOLUTIONS:

- A) Resolution to Authorize Land Acquisition of Dove Avenue Improvements -Bentsen Road to 41st Street -Pride O' Texas, Lot 238.
- B) Resolution to Authorize Land Acquisition for Dove Avenue Improvements -Bentsen Road to 41st Street -Blossom Ridge, Lot 47.

6. MANAGER'S REPORT:

- A) Consideration of a Roundabout at 33rd Street and Oxford Avenue.
- B) Immigration and Respite Center Report.
- C) Future Agenda Items.

7. TABLED ITEM(S):

- A) Consideration and Approval of a license agreement to allow a fence and existing palm trees on City Right-of-Way at the proposed Olive Grove Estates Subdivision, Hidalgo County, Texas; 3900 Lark Avenue.

8. 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 Appeal of Attorney General Ruling. (Section 551.071, TGC)
- B)** Consultation with City Attorney regarding possible condemnation of a 313 sq. ft. tract out of Lot 47, Blossom Ridge Subdivision. (Section 551.071, TGC)
- C)** Consultation with City Attorney regarding possible condemnation of a 313 sq. ft. tract out of Lot 238, Pride O' Texas Subdivision. (Section 551.071, TGC)
- D)** Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- E)** Consultation with City Attorney regarding legal issues with contract. (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 April 7, 2023 at 10:45 AM 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