



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 8, 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 Omar Quintanilla
PROCLAMATIONS - Palm Awards Day - Yajaira Flores
Peace Officers Week - Chief Victor Rodriguez
Public Works Week- Elvira Alonzo
Jewish-American Heritage Month-Temple Emmanuel

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. Request of Israel Villarreal for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar (80's Brewery) at Lot 1-A, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue Suites I, J, K.
2. Request of Leslie C. Torres, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a guest house at Lot 4, Orangewood East Subdivision, Hidalgo County, Texas; 700 East Sundown Drive.
3. Request of Arcelia Lopez Gaytan, for a Conditional Use Permit, for the life of the use, and adoption of an ordinance, for a guest house at the north 25 feet of Lot 6 and all of Lot 7, Block 17, Ewing's Addition, Hidalgo County, Texas; 914 North 15th Street.
4. Request of Alfredo Vallejo, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a guest house at Lots 1 and 2, Block 3, Colonia Independencia Subdivision, Hidalgo County, Texas; 1220 North 19th ½ Street.
5. Request of Agapito Torres for a Conditional Use Permit, for one year, and adoption of an ordinance, for an Automotive Service and repair (mechanic shop), at the east 25 feet of Lot 19 and all of Lots 20 & 21, Block 7, West Addition to McAllen, Hidalgo County, Texas; 2224 Houston Avenue.

B) CONDITIONAL USE PERMITS:

1. Request of Irma Martinez, for a Conditional Use Permit, and adoption of an ordinance, for a bar at Lot 25 and the west ½ of Lot 26, Gartman's Subdivision, Hidalgo County, Texas; 1113 Upas Avenue.
2. Request of Jesus F. Davila, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar, at Lot 1, Valerie Subdivision, Hidalgo County, Texas; 7001 North 10th Street, Suite C.
3. Request of Raul A. Resendez for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Food Truck Park, at Lot 1, D. Castilla Subdivision, Hidalgo County, Texas; 1809 South 23rd 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 for Workshop and Regular Meeting held April 24, 2023.
- B)** Consideration and Approval of Change Order No. 3 and Final for the Gumwood Avenue Sidewalk Improvements Project. (07-22-C32-430).
- C)** Consideration and Approval of an Interlocal Agreement with Hidalgo County Irrigation District No. 1 for proposed drainage improvements within District Right-of-Way.

- D) Resolution authorizing the submission of a grant application to the Rio Grande Valley Metropolitan Planning Organization (RGVMPO), in consultation with the Texas Department of Transportation (TXDOT), for funding under the Fiscal Year 2024 Transportation Alternatives Set-Aside (TASA) Program.
- E) Resolution authorizing the submission of an application to Scenic Texas under the Fiscal Year 2024 Scenic City Certification Program.
- F) Resolution authorizing the submission of a grant application to the U.S. Environmental Protection Agency for funding under the Fiscal Year 2022-2026 Climate Pollution Reduction Grants: Planning Grants Program.
- G) CONSENT COOP PURCHASES
 - 1. Award of Contract for the Purchase for Eight (8) Bus Maintenance Lifts.
- H) Approval of Tax Refunds over \$500.00.
 - 1. Rio Plex Investment Group LLC
 - 2. MCMED Offices LLC/Drs. Hospital

3. **BIDS/CONTRACTS:**

- A) Award of Contract for the McAllen-Hidalgo Bridge Building A Re-Roof. Project (02-23-C21-441).
- B) Award of Contract for the McAllen-Hidalgo Bridge Building B Re-Roof. Project (02-23-C22-444).
- C) Award of Contract for the McAllen-Hidalgo Bridge Building C Re-Roof. Project (02-23-C25-446).
- D) Award of Contract for the McAllen-Hidalgo Bridge Building B Canopy Fans.
- E) Award of Contract to Consor Engineering for Alleys Improvement Professional Services. Project (09-2-S72-441).
- F) Award of Contract to KCI Technologies for Alleys Improvement Professional Services. Project (09-22-S72-441).
- G) Award of Contract for the McAllen South Industrial Park. Project (03-23-C23-749).
- H) Consideration and Approval of Change Order No. 7 for the Metro Transfer Station. Project (04-21-C13-450).
- I) Consideration and Approval of Contract Amendment No. 1 for additional design services for the design of existing Restroom in Building "A" and "C" for the McAllen-Hidalgo Port of Entry Pedestrian Improvement Project.

4. **RESOLUTION:**

- A) Consideration and Approval of a resolution to deny the Distribution Cost Recovery Factor (DCRF) application proposed by AEP.
- B) Consideration and Approval of a resolution extending the April 29, 2023 local disaster declaration number 2023-1 in response to a local storm event.

5. **VARIANCE:**

- A) Consideration of a sign variance request to allow more than the permitted number of signs on a property, at Lot 13, Nolana Terrace Subdivision, Hidalgo County, Texas; 2109 Nolana Avenue.

6. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Immigration and Respite Center Report.
- C) Future Agenda Items.

7. TABLED ITEM(S):

- A) Consideration of extension of nuisance abatement agreement.

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) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- B) Consultation with City Attorney regarding breach of contract claim. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues with Subdivision Development approvals. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal issues related to Police Switchover. (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 May 5, 2023 at 4:00 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