



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

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, JULY 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 - Commissioner Rodolfo "Rudy" Castillo

PROCLAMATION - McAllen Raptor's F. C. Day -Arturo Pecina

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-2 (neighborhood commercial) District: south 161.6 feet of the west 212.0 feet of the east 10.04 acres of the west 20.04 acres of Lot 6, Block 2, C.E. Hammond's Subdivision, Hidalgo County, Texas; 4200 Pecan Boulevard.
2. Rezone from C-1 (office building) District to C-2 (neighborhood commercial) District: 0.32 of acre tract of land being a portion of Lot 57, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 7612 North Ware Road.
3. Request of Ricardo Ramos, on behalf of the Vineyard Wine Lounge, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a Boutique Wine Shop at Lot 10, Block 3, Club Addition Amended Subdivision, Hidalgo County, Texas; 125 East Pecan Boulevard.
4. Request of David A. Lisauckis, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar at Lot A-1, Nolana Tower, Hidalgo County, Texas; 400 Nolana Avenue, Suite H1.
5. Request of Jessica Aguilar, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar (Suerte Bar & Grill Uptown), at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suites N1-N2.
6. Request of Jessica Aguilar, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar (The Bearded Lady), at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite Q.
7. 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.
8. Request of David A. Lisauckis, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar at Lots 9, 10 & 11, Block 2, Eltus Subdivision, Hidalgo County, Texas; 1116 Pecan Boulevard.
9. Request of Tomas Flores Martinez, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar at Lots 10, 9 & 8, 21st Place Subdivision, Hidalgo County, Texas; 2005 Nolana Avenue.

B) REZONINGS:

1. Rezone from R-1 (single-family residential) District to R-3A (multifamily apartment residential) District: 2.025 acres, consisting of 1.493 acres out of a part or portion out of Lot 202, and 0.532 acre out of a part or portion out of Lot 205, Pride O' Texas Subdivision, Hidalgo County, Texas; 9212 North 36th Street.
2. Rezone from R-1 (single-family residential) District to R-3A (multi-family apartment residential) District: an 8.11 acre tract out of Lot 9, E.M. Card Survey No.1, Hidalgo County, Texas; 9228 North Bicentennial Boulevard. **(TABLED)**

C) CONDITIONAL USE PERMITS:

1. Request of Moises Martinez De La Cruz, for a Conditional Use Permit, for one year, and adoption of an ordinance for an automotive service and repair shop (mechanic

shop), at Lot 5, Block 13, Young's Subdivision, Hidalgo County, Texas; 218 South 23rd Street.

2. Request of Jessica Aguilar, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar (Love Buzz), at the north 20 feet of Lot 1 and all of Lot 2 excluding the northwest 225 feet by 240 feet of Lot 2, Plaza Del Norte Subdivision, Hidalgo County, Texas; 3424 North 10th Street.

3. Request of Rolando Limon, on behalf of Arbol de Fe Esperanza y Amor, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for an Institutional Use (church) at Lot 1, Town & Country Subdivision, Hidalgo County, Texas; 4300 North 2nd Street.

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 of Special Meetings held June 22nd, June 23rd, Workshop and Regular Meeting held on June 26, 2023.
- B) Award of Contract to Melden & Hunt, Inc., for Professional Engineering Services for Various Drainage Improvement Projects. (Project No. 09-22-S72-441).
- C) Consideration and Approval of Change Order No. 1 and Final for the Single Machine Repaving at La Paloma Subdivision (CDBG). (Project No. 04-23-C30-367).
- D) Consideration and Approval of Change Order No. 1 and Final for the Purchase and Delivery of Type "D" Hot Mix at La Paloma Subdivision (CDBG). (Project. No. 04-23-P54-87).
- E) Consideration and Approval of Change Order No. 1 and Final for the 2022-2023 Single Machine Repaving Project. (Project No. 01-23-C14-351).
- F) Resolution authorizing the transfer of a 452-square foot tract of land for Right-of-Way associated with the Taylor Road Phase II Roadway Improvement Project.
- G) Resolution authorizing the transfer of a 517-square foot tract of land for Right-of-Way associated with the Taylor Road Phase II Roadway Improvement Project.
- H) Resolution authorizing the submission of a grant application to the Texas Bar Foundation for funding under the Fall 2023 Texas Bar Foundation Grant.
- I) Resolution in Support of Mexico Paying their Water Debt.
- J) **CONSENT COOP PURCHASES**
 - 1. Award of Contract for the Purchase One (1) New $\frac{3}{4}$ Ton Crew Cab Pickup Truck through Cooperative Pricing.
- K) Approval of Tax Refunds over \$500.00.
 - 1. Best Buy Stores LP
 - 2. Echazarreta, David M & Norma A
 - 3. WRI Jackson West LP
 - 4. Yard House #8382

- 5. Zone Industries LLC
- 6. 99 Cents Only Stores Texas Inc.

3. BIDS/CONTRACTS:

- A) Award of Contract for the Purchase of signs materials to replace damaged signs from April storm.
- B) Consideration and Approval of Change Order No. 1 and Final for the Purchase and Delivery of Type "D" Hot Mix Asphaltic Concrete for the 2022-2023 Single Machine Repaving Project. (Project No. 01-23-P30-84)
- C) Consideration and Approval of amendment to the contract with Grupo Rio San Juan for design services in connection with the Anzalduas Bridge Expansion Project.

4. ORDINANCE:

- A) Providing for the approval of the Fiscal Year 2023-2027 Consolidated Plan and Strategy document including the Fiscal Year 2023-2024 CDBG, HOME and ESG Annual Action Plan.

5. VARIANCE:

- A) Consideration of a variance request to the Right-of-Way requirements for Lark Avenue at the proposed Olive Grove Estates Subdivision, Hidalgo County, Texas; 3900 Lark Avenue.

6. MANAGER'S REPORT:

- A) Immigration and Respite Center Report.
- B) 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 legal issues related to collective bargaining. (Section 551.071, TGC)
- B) Consultation with City Attorney regarding civil enforcement of City Ordinance violations. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues related to legislative process. (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 July 7, 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