



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, AUGUST 14, 2023 – 5:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501

"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 Omar Quintanilla

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-4 (commercial-industrial) District to R-3T (multi-family townhouse residential) District: all of Lots 1 through 24, Block 1, and all of Lots 1 through 4 inclusive, and those easterly portions of Lots 5 through 9 inclusive, Block 2, Guerra's Addition, Hidalgo County, Texas; 900 South Bicentennial Boulevard.

2. Rezone from R-2 (duplex-fourplex) District to R-3A (multi-family apartment residential) District: 1.389 acres of land out of Lot 69, McAllen Second Suburban Citrus Groves Subdivision, Hidalgo County, Texas; 2342 Jordan Road.

3. Request of Jesus F. Davila for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar, at Lot 1, Block 1, Fairway North Subdivision, Hidalgo County, Texas; 2011 South 10th Street.
4. Request of George A. Garza for a Conditional Use Permit, for one year, and adoption of an ordinance for an event center (Windsor Event Center), at Lot 6, Citrus Grove Plaza Subdivision, Hidalgo County, Texas; 4101 Expressway 83.
5. Request of Antonio E. De Lizardi for a Conditional Use Permit, for life of the use, and adoption of an ordinance for an institutional use (worship center), at 4.87 acre tract of land out of 19.49 acres out of Lot 317, John H. Shary Subdivision, Hidalgo County, Texas; 4124 North Taylor Road.
6. Request of Guggenheim Development Services, LLC on behalf of 4801 Ware, LLC for a Conditional Use Permit, for life of the use, and adoption of an ordinance for an automotive service and repair shop (Jiffy Lube Automotive Service Center), at Lot 2, Ware Plaza Subdivision, Hidalgo County, Texas; 4713 North Ware Road.

B) REZONINGS:

1. Rezone from R-1 (single family residential) District to R-3A (multi-family apartment residential) District: 26.88 acre tract of land out of Lots 7, 8, 13, and 14, Section 234, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 13202 North 38th Street (rear).
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)**
3. 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. **(TABLED)**

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 Workshop and Regular Meeting held on July 24, 2023.
 - B) Consideration and Approval of Change Order No. 1 and Final for the Champion Lakes Golf Course West Bridge Repairs.
 - C) Consideration and Authorization to remove 1st Quarter of Fiscal Year 2022-2023 Uncollectible Sanitation & Drainage Accounts from the General Ledger and begin Write-off procedures.

- D) Consideration and Approval for the renewal of the Memorandum of Understanding between Region One Education Service Center's Adult Education Program and the City of McAllen.
- E) Resolution authorizing the submission of a grant application to the National Endowment for the Arts (NEA).
- F) Resolution authorizing the submission of a grant application for the Game Time Fitness Grant.
- G) Resolution authorizing the submission of a grant application to the Leary Foundation for funding under the Fiscal Year 2023 grant program.
- H) Resolution authorizing the submission of a grant application to the Fruit Tree Planting Foundation.
- I) Resolution authorizing the submission of a grant application to the Apache Corporation for funding under the Fiscal Year 2023-2024 Apache Tree Grant Program.
- J) Resolution authorizing the submission of a grant application to the 2023 H-E-B Trees for Texans Program.
- K) **CONSENT COOP PURCHASES**
 - 1. Award of Contract for the Purchase of Lighting Materials for Morris Park through BuyBoard.
 - 2. Award of Contract for the Purchase Maintenance Shop Equipment. (BuyBoard)
- L) Approval of Tax Refunds over \$500.00.
 - 1. Peter Alan, Holcombe
 - 2. T-Mobile West LLC
 - 3. Jose L. & Elizabeth Yzaguirre
 - 4. T-Mobile US Inc.

3. BIDS/CONTRACTS:

- A) Award of Contract for Involuntary Demolition at 701 S. 12th Street.
- B) Award of Contract for the Purchase of a Bus Washing System. (BuyBoard)
- C) Award of Contract for the Emergency Purchase & Installation of One (1) Liebert Air Cooled Condensing Unit with Selected Options.
- D) Award of Contract for Professional Engineering Services.
- E) Consideration and Approval of Change Order No. 3 for the McAllen-Hidalgo International Bridge Pedestrian Improvements.
- F) Consideration and Approval of Change Order No. 4 and Final for the 2018 Bond Group C Drainage Improvements Project - Martin Bypass / 11th and Quamasia .
- G) Consideration and Approval of Change Order No. 8 for the Metro Transfer Station.
- H) Consideration and Approval of Change Order No. 3 for the Terminal Roof Replacement at McAllen International Airport.

4. ORDINANCES:

- A) Ordinance granting authority to the Health and Code Compliance Department to revoke certain food permits.
- B) Ordinance providing for an amendment to the Planning Department's subdivision application fees.

- C) Consideration and possible action to adopt an ordinance declaring expansion of the boundaries of the City of McAllen, Tax Increment Reinvestment Zone #1 Under Ordinance No. 2015-79 to include certain tracts of land added into the zone at that time ratifying such former expansion of the Zone.
- D) Providing for a Budget Amendment for ARPA, General Fund, Infrastructure and Improvement Funds.

5. RESOLUTIONS:

- A) Consideration and possible action on resolution appointing members to the City of McAllen Tax Increment Reinvestment Zone Number One, City of McAllen, Texas Board of Directors.
- B) Consideration and possible action on resolution appointing members to the Tres Lagos Public Improvement District Board of Directors.

6. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Presentation of Year-to-Date Tax Collections for Fiscal Year 2022-2023.
- C) Presentation of 2nd Quarter Delinquent Tax Collection Report for Fiscal Year 2022-2023.
- D) Immigration and Respite Center Report.
- E) 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. (Section 551.072, T.G.C.)
- B) Consideration of Economic Development Matters. (Section 551.087 T.G.C)
- C) Consultation with City Attorney for a litigation update regarding Cause No. C-0074-19-D pending in Hidalgo County, Texas. (Section 551.072, T.G.C)
- D) Consultation with City Attorney regarding legal aspects of data privacy and security. (Section 551.072, T.G.C)
- E) Consultation with City Attorney regarding pending litigation: Civil Action No. 7:23-cv-00027 in the United States Southern District of Texas - McAllen Division. (Section 551.072, T.G.C)
- F) Consultation with City Attorney regarding pending litigation: Cause No. C-2815-23-D pending in Hidalgo County, Texas. (Section 551.072, T.G.C)
- G) Consultation with City Attorney for pending litigation: Cause No. SC23-0137-J42 pending in Hidalgo County, Texas. (Section 551.072, 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 August 11, 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