



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, SEPTEMBER 11, 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 - Commissioner Victor "Seby" Haddad
MOMENT OF SILENCE
PROCLAMATIONS - Constitution Week-Dottie Fabian
Passport Day in the USA – Marisa Sepulveda
8U Heavy Hitters- Boys & Girls Club of McAllen

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-1 (single-family residential) District to R-3A (multifamily residential apartments) District: 0.878 acres out of Lot 308, John H. Shary Subdivision, Hidalgo County, Texas; 3925 North Bentsen Road.

2. Request of Oralía Davila on behalf of Iglesia Casa de Refugio y Restauración Pentecostes Inc. for a Conditional Use Permit, for life of the use, and adoption of an

ordinance for an Institutional Use (Church) at Lots 7, 8, and 9, Block 1, Young's Subdivision. Hidalgo County, Texas; 21 South 24th Street.

3. Request of Dionicio D. Longoria, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a smoke shop and art gallery at Lot 4, Block 4, Orange Terrace Subdivision, NO.3 Hidalgo County, Texas; 1013 Pecan Avenue Suite B.

4. Request of Samuel Avila on behalf of Cigar Bar, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suites 2212 & 2214.

B) REZONINGS:

1. Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 12, Block 4, Cathay Courts Addition, Hidalgo County, Texas; 324 South Cynthia Street. (TABLED)

2. Rezone from R-1 (single family residential) District to R-3A (multifamily apartment residential) District: 76.461 acres (77.76 acres deed call), being all of Lot 11, 19, and 20, Section 234, Texas-Mexican Railway Company's Survey, Said 77.76 acre tract also being all of Lots 17, 18, 19, 20, 21, 22, 23, and 24, Palmland Groves, Hidalgo County, Texas; 12501 North Rooth Road.

C) CONDITIONAL USE PERMITS:

1. Request of Ricardo Vega and Melinda V. Vega on behalf of Maddie's Pumpkin Patch, for a Conditional Use Permit, for three years, and adoption of an ordinance for an Event Center (Picture Venue) at 4.983 acres out of Lot 78, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 6712 North Bentsen Road.

2. Request of Eziquel Ortiz, for a Conditional Use Permit, for one year, and adoption of an ordinance for a bar (Eutopia) at Lot 3, North Park Village Subdivision Phase 2, Hidalgo County, Texas; 1200 Auburn Avenue Suite 320.

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

E) Public Hearing on the City of McAllen's Proposed Budget for Fiscal Year 2023-2024.

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 Budget Workshop held on August 8th and Workshop and Regular meeting held August 28, 2023.

B) Award of Contract for Rental of Portable Toilets and Handwashing Stations.

C) Consideration and Approval of an Interlocal Agreement with Hidalgo County for Charles E. Curtis Park.

- D) Consideration and Approval of Memorandum of Understanding (MOU) between the City of McAllen Police Department and South Texas College (STC) for Law Enforcement Cooperation.
- E) Consideration and Approval of an Interlocal Agreement with Dallas Area Rapid Transit (DART) for GoPass Mobile App.
- F) Consideration and Approval of an Interlocal Cooperation Agreement between Hidalgo County and the City of McAllen for Traffic Signal Installation.
- G) Consideration and Approval of Change Order No. 1 and Final for the Toronto Avenue Drainage Improvements Project (CDBG Funded).
- H) Resolution authorizing the submittal of the Scenic City of the Year Application to the Scenic Texas Program.
- I) Consideration and Authorization to amend Resolution 2022-30 to accept grant funds in the amount of \$370,000.00 from the U.S. Department of Homeland Security, Federal Emergency Management Agency under the Fiscal Year 2022 Operation Stonegarden Program, administered by the Office of the Governor, Homeland Security Grants Program.
- J) Resolution to accept Federal Aviation Administration (FAA) Airport Improvement Program (AIP) No. 59 Grant for Airport Improvements.
- K) Consideration and Approval to remove uncollectible Tax Accounts from the Delinquent Tax Roll.

3. BIDS/CONTRACTS:

- A) Award of Contract for the Verdin Avenue Drainage Improvements Project.
- B) Award of Contract for the Mona Avenue Drainage Improvements Project.
- C) Consideration and Approval of Change Order No. 2 for the Northgate Lane Drainage Improvements Project.
- D) Consideration and Approval of an Intergovernmental Agreement with Palm Valley Animal Society for the operation of a Regional Animal Shelter.
- E) Consideration and Approval to Negotiate with Top Ranked Non-Exclusive Food and Beverage Concessionaire at McAllen International Airport.
- F) Consideration and Approval of Contract Amendment No. 7-2020 for the Runway Incursion Mitigation and Hot Spot Analysis and Design at McAllen International Airport.
- G) Consideration and Approval of Contract Amendment No. 8-2020 for the Pavement Management Plan at McAllen International Airport.
- H) Consideration and Approval of Contract Amendment 36 for Aviation Marketing and Consultant Services at McAllen International Airport.

4. ORDINANCES:

- A) Providing for a Budget Amendment for the Anzalduas Bridge Infrastructure Improvements.
- B) Providing for a Budget Amendment for Anzalduas Bridge Debt Service B Reimbursement to City of McAllen.

- C) Providing for the Amendment of the Mobile Food Vendors Ordinance Fire Suppression Systems.
- D) Providing for a Budget Amendment for Hidalgo County Precinct 2 Recreational Trails Connectivity Project.

5. RESOLUTIONS:

- A) Consideration and Approval of a resolution regarding the Texas Gas Service Rate Case.
- B) Resolution appointing a Chairman of the Board of Directors of Reinvestment Zone Number One, City of McAllen, Texas for the Year 2024.

6. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Review of Quarterly Investment report for Quarter ending June 30, 2023.
- C) Consideration and Approval of Engagement Letter from Weaver & Tidwell, LLP for the annual audit ending September 30, 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) Consideration of Economic Development Matters. (Section 551.087, 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 September 8, 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