



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 25, 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 Pro Tem Omar Quintanilla

**PLEDGE OF ALLEGIANCE** - Mayor Pro Tem Omar Quintanilla

**INVOCATION** - Commissioner Jose "Pepe" Cabeza de Vaca

**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 apartment residential) District: 5.411 acres, more or less, out of Lot 27, La Lomita Irrigation & Construction Company Subdivision, Hidalgo County, Texas; 3401 La Lomita Road.
2. Request of Victoria Ortega, for a Conditional Use Permit, for one year, and adoption of an ordinance, for an event center at Lot 1, Nolana Heights Subdivision, Hidalgo County, Texas; 601 East Nolana Avenue.
3. Request of Magda Villarreal, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a guest house, at Lot 35, Block 2, Colonia McAllen No. 2 Subdivision, Hidalgo County, Texas; 2220 South 26<sup>th</sup> Street.

**B) CONDITIONAL USE PERMITS:**

1. 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. **(TABLED)**
- C) Amending the Zoning Ordinance of the City of McAllen.
- D) Public Hearing regarding the 2023-2024 proposed assessments within the Tres Lagos Public Improvement District, the 2023-2024 Service and Assessment Plan, and the 2023-2024 Assessment Roll.
- E) Public Hearing on 2023 Proposed Tax Rate.

**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 Workshops held August 9<sup>th</sup> , August 15<sup>th</sup>, Special Meeting held September 7<sup>th</sup>, and Workshop and Regular meeting held September 11, 2023.
- B) Award of Contract for the Purchase of a mobile modular office building for the New Composting Site.
- C) Award of Contract for Trimming and Peeling of Tall Palm Trees.
- D) Consideration and Approval of a Memorandum of Understanding between the City of McAllen and the Boys & Girls Club of McAllen to facilitate the transfer of a donation of salvage furniture.
- E) Resolution authorizing the acceptance of grant funds from the Department of Homeland Security, Fiscal Year 2023 Shelter and Services Program, Second Tranche.
- F) Resolution for the Advance Funding Agreement(AFA) with the Texas Department of Transportation for the Widening of Bentsen Road.
- G) Resolution approving the City's Investment Policy and Strategy as presented.
- H) Resolution to accept Federal Aviation Administration (FAA) Airport Terminal Program (ATP) Grant No. 60 for Airport Improvements.
- I) Subdivision Monthly Report.
- J) Status Report on Parks & Recreation Projects.
- K) Project Status Report through August 31, 2023.
- L) Approval of Tax Refund over \$500.00.
  1. Habib Ghaddar & Suad Fayez Ghaddar

**3. BIDS/CONTRACTS:**

- A) Consideration and Authorization to Declare City Vehicles and Property as Surplus.
- B) Award of Contract for the Purchase Eight (8) New Current Model Vehicles through Cooperative Pricing.

- C) Consideration and Authorization to remove 2<sup>nd</sup> Quarter of Fiscal Year 2022-2023 Uncollectible Sanitation and Drainage Accounts from the General Ledger and begin Write-off procedures.
- D) Consideration and Approval for On-Site Sewage Facility Interlocal Agreement between Hidalgo County and City of McAllen.
- E) Consideration and Approval of an Interlocal Agreement with the City of Edinburg for Drainage Infrastructure Improvements as related to the Northgate Lane Drainage Improvements Project.
- F) Consideration and Approval of Change Order No. 1 for the Quince Avenue at North 8<sup>th</sup> Street Drainage Improvements Project.
- G) Consideration and Approval of Change Order No. 1 for the City Hall Canopy Upgrades and Interior Improvements. Project No. 01-23-C12-561.
- H) Consideration and Approval of Change Order No. 1 for Fire Training Facility.
- I) Consideration and Approval of Change Order No. 3 for Northgate Lane Drainage Improvements.
- J) Award of Contract for the Idela Avenue Drainage Improvements Project (CDBG Funded).
- K) Award of Contract for the Main Street and Fir Avenue Drainage Improvements Project (CDBG Funded).
- L) Award of Contract for the Terminal HVAC & Lighting Efficiency Improvements at McAllen International Airport.
- M) Consideration and Approval of a Non-Exclusive Food and Beverage Concessionaire at McAllen International Airport.

#### **4. ORDINANCES:**

- A) Roll call vote on the adoption of an ordinance approving and adopting the City of McAllen Annual Budget for Fiscal Year 2023-2024.
- B) Roll call vote of an Ordinance adopting the City of McAllen 2023 Property Tax Rate.
- C) Discussion and possible action on an Ordinance approving and adopting the Tres Lagos Public Improvement District 2023-2024 Service and Assessment Plan and 2023-2024 Assessment Roll; Establishing classifications for the apportionment of costs and the methods of assessment of special benefits for improvements, maintenance, and special services to property within the District; closing the hearing and levying debt service assessments for the cost of improvements to be provided in the District, ordinary maintenance assessment and limited-benefit maintenance assessment for the cost of maintenance and operation of the District, and special service assessments for the costs of provision of supplemental services within the District against the property in the District and against the owners thereof; providing for the collection of the assessments; making certain findings related to the nature of the property within the Public Improvement District; and providing an effective date.
- D) Request of Triamd Consultants, LLC, on behalf of CM Properties, LLC, to abandon an existing access easement and keep the utility easement, being a 0.185-acre tract out of Lots 38, 41, 42, and 43, IGOA Business Campus Subdivision-Phase I, Hidalgo County, Texas, 4101 North M Street.

**5. RESOLUTIONS:**

- A)** Resolution of the Commissioners of the City of McAllen, Texas accepting the resignation of Melba D. Carvajal and designating Valeria Rios as an Investment Officer along with Sergio Villasana, Marco A. Vega, P.E., and Roel Rodriguez, P.E. for the City of McAllen.
- B)** Resolution of the Board of Commissioners of the City of McAllen, Hidalgo County, Texas, amending Texpool authorized representatives and providing an effective date.
- C)** Resolution nominating a representative for the Hidalgo County Appraisal District Board of Directors 2024-2025.

**6. VARIANCE:**

- A)** Request of Greg Burkett on behalf of Parke at Nolana LLC, to consider a sign variance request to allow more than the permitted number of signs on a property, 23.741 acres being a part or portion out of Lots 111 & 112, La Lomita Irrigation & Construction Company Subdivision, Hidalgo County, Texas; 3200 Nolana Avenue.

**7. MANAGER'S REPORT:**

- A)** Receive an annual update on the status of Reinvestment Zone Number One, City of McAllen, Texas (Tres Lagos) as required by Sections 311.0101(c) and 311.016 of the Texas Tax Code and the Interlocal Agreement for the Zone.
- B)** Advisory Board Appointments.
- C)** Immigration and Respite Center Report.
- D)** Future Agenda Items.

**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 legal issues related to advisory board appointments. (Section 551.071, T.G.C.)
- B)** 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 22, 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