



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, NOVEMBER 27, 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 Rodolfo "Rudy" Castillo

PROCLAMATION - 51st Annual Nutcracker Ballet Production Days-Deborah Case

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 Rezoning 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. Rezoning from R-4 (Mobile Home) District to C-3 (General Business) District: South 78.0 feet of a certain 1.27 acre tract of land out Lots 2 and 3, Kings Hiway Subdivision, Hidalgo County, Texas; 3321 U.S. Highway 83 (Rear).

2. Request of the City of McAllen for a Conditional Use Permit, for the life of the use, and adoption of an ordinance for an Institutional Use (learning center and park), at a 8.06-acre tract, more or less, out of Lot 7, Block 6, Hidalgo Canal Company Subdivision, 4.25 acres out of Lot 8, Block 6, Hidalgo Canal Company Subdivision, Lots 9 through 11, Ford's Subdivision, and Lot 1, Quinta Mazatlan Subdivision, Hidalgo

County, Texas; 600 Sunset Drive, 701 Sunset Drive, 2801 South 10th Street, 516 Bales Road, and 804 Bales Road.

3. Request of Ashwin George, for a Conditional Use Permit, for one year, and adoption of an ordinance, for social club with a smoking section at Lots 7 & 8, Citrus Plaza Condominium Subdivision, Hidalgo County, Texas; 4037 West Expressway 83, Suites 100, 105, 110.

4. Request of Ricardo De La Garza on behalf of South Texas College for a Conditional Use Permit, for the life of the use, and adoption of an ordinance for an Institutional Use (College Campus) at Lot 1, South Texas College Technology Campus Subdivision, Hidalgo County, Texas; 3700 Military Highway.

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

C) REZONING:

1. Rezoning from R-1 (Single-Family Residential) District to C-3 (General Business) District: Lot 1, Block 2, Colonia Hermosa No. 2 Subdivision, Hidalgo County, Texas; 2213 El Rancho Avenue.

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 on November 13, 2023.

B) Consideration and Approval of Change Order No. 2 and Final for the Quince Avenue & North 8th Street Drainage Improvements Project.

C) Subdivision Monthly Report.

D) Status Report on Parks & Recreation Projects.

E) Project Status Report through October 31, 2023.

F) CONSENT COOP PURCHASES

1. Award of Contract for the Purchase and Installation of a Playground through BuyBoard.

2. Award of Contract for the purchase of Two (2) Current Model Tractor Mowers with Boom Attachments through Cooperative Purchase. (Project No. 10-23-P21-01 / Project No. 10-23-P10-01)

3. Award of Contract for the purchase of One (1) Current Year Model Side-Load Residential Refuse Truck through Sourcwell Cooperative Pricing. (Project #10-23-P05-01)

3. BIDS/CONTRACTS:

A) Award of Contract for the purchase of items needed for the South Texas All Hazard Conference through BuyBoard.

- B) Consideration and Approval of Change Order No. 3 and final for the 2018 Bond Group A Drainage Improvements Project.
- C) Award of Contract for the Purchase of Upgrade to CineMassive Video Wall at the McAllen Police Department Roll Call Briefing Room.

4. ORDINANCES:

- A) Ordinance amending Ordinance 2022-37: Fiscal Year 2018-2019 Annual Action Plan for the increase to Idela Ave Drainage Improvement Project.
- B) Ordinance amending Ordinance 2023-46: Fiscal Year 2019-2020 Annual Action Plan to delete CDBG- CV projects, the creation of a new project, and a change in scope for AHSTI New Construction project.
- C) Ordinance amending Ordinance 2022-39: Fiscal Year 2021-2022 CDBG Annual Action Plan to reduce program administration surplus funds.
- D) Ordinance amending Ordinance 2022-72: Fiscal Year 2022-2023 CDBG Action Plan to delete Women Together, Inc. projects and a request to approve program amendment to reconcile beneficiary data in accordance with the City's Citizen Participation Plan.
- E) Ordinance providing for a budget amendment for Marketing.
- F) Ordinance providing for an amendment to the Solid Waste Ordinance modifying rate changes for Residential, Commercial, Industrial, and Roll-Off Sanitation Services.

5. MANAGER'S REPORT:

- A) Master Plan Top Ten Priority List.
- B) Advisory Board Appointments.
- C) Immigration and Respite Center Report.
- D) Future Agenda Items.

6. TABLED ITEM:

- A) Ordinance providing for an amendment to reduce the number of Community Development Advisory Council members to meet quorum from the current 8 to 5 members.

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 Sharybak I, LLC v. The City of McAllen, Texas and Zoning Board of Adjustment and Appeals of the City of McAllen, Texas. (Section 551.071, T.G.C.)

- B)** Consultation with City Attorney regarding legal issues related to Cause Number D-1-GN-23-007785; City of Grand Prairie vs. State of Texas, in the 261st Judicial District Court, Travis County, Texas. (Section 551.071 (T.G.C.))
- C)** Consultation with City Attorney for litigation update regarding Cause No. C-0074-19-D; pending in Hidalgo County, Texas. (Section 551.071, T.G.C.)
- D)** Discussion and possible lease, sale or purchase of Real Property, Tract 1. (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 November 24, 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