



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, MAY 13, 2024 – 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 Joaquin Zamora
PROCLAMATION - Cpl. Miguel Maya - Guadalupe Maya
Stroke Awareness Month - Mario Lizcano
Junior League of McAllen Day - Maritza Luebbers
Historic Preservation Month - Edgar Garcia
Peace Officers' Memorial Week - Police Chief Victor Rodriguez
National Public Works Week - Elvira Alonzo

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 ITEM: *(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. Request of Virginia Hernandez Hernandez, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for an automotive service and repair shop

(Hernandez Tire Shop), at 0.92 acre tract of land out of the North 7.00 acres of the West 10.00 acres of the South 27.1 acres of Lot 11, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 3601 State Highway 107.

B) REZONINGS:

1. Initial Zoning to R-3A (Multifamily Residential Apartments) District: the east 14.65 acre tract of land, out of the west 34.65 acres of Lot 13, Section 280, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 2600 Sprague Road.
 2. Rezone from R-1 (single family residential) District to C-3 (general business) District: 0.845 acres out of Lot 129 La Lomita Irrigation & Construction Company Subdivision, Hidalgo County, Texas; 2804 North Ware Road.
 3. Rezone from C-3L (light commercial) District to R-3A (Multifamily Residential Apartments) District: 2.37 acres of land out of Lot 105, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 4420 North Ware Road.
- (TABLED)**

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

D) Public hearing and ordinance providing for the annexation of the east 14.65 acre tract of land, out of the west 34.65 acres of Lot 13, Section 280, Texas-Mexican Railway Company's Survey Subdivision, Hidalgo County, Texas; 2600 Sprague Road.

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 April 22, 2024.
- B)** Consideration and Authorization to remove 4th Quarter of Fiscal Year 2022-23 Uncollectible Sanitation & Drainage Accounts from the General Ledger and begin Write-off procedures.
- C)** Ordinance amending Ordinance 2022-38: Fiscal Year 2020-2021 Annual Action Plan to change the scope of work for the Women Together Family Justice Center construction Project.
- D)** Ordinance amending Ordinance 2023-165: Fiscal Year 2021-2022 Annual Action Plan to cancel the Women Together Emergency Shelter project and reprogram funds to existing projects that are overbudget.
- E)** Ordinance amending Ordinance 2023-166: Fiscal Year 2022-2023 Annual Action Plan to change the scope of the Street Outreach Program to Rapid Re-Housing, and to reduce the HMIS fund allocated to the City and reprogram it to Rapid Rehousing.
- F)** Ordinance amending Ordinance 2023-86: Fiscal Year 2023-2024 Annual Action Plan to cancel To Give International dba Creative Arts Studio program due to a conflict of interest.
- G)** CONSENT COOP PURCHASES

1. Award of Contract for the purchase of Two (2) Current Year Model Side-Load Residential Refuse Trucks through HGAC and TIPS Cooperative Pricing.
2. Award of Contract for Debris Removal and Disposal Services via TIPS Contract.

H) Approval of Tax Refunds over \$500.00.

1. Calmac Suites LTD
2. De los Reyes, Jose Oscar
3. Dunaway, Mary Jane G.
4. Garza, Patricia del Rosario C. & Reynaldo C.
5. ML Rhodes LTD
6. NBY-MC Industrial LLC
7. Perez, Marcos & Noemi R.
8. RBY-MC Industrial LLC
9. Schulz, Gregory & Edith Young
10. Teran, Emmanuel & Bianca Yanellie

3. BIDS/CONTRACTS:

- A)** Award of Contract for the purchase of a Perimeter Fencing at Convention Center grounds.
- B)** Award of Contract for a Custom Design Bird Bath bronze sculpture trail at Quinta Mazatlan.
- C)** Award of Contract for Various Types of Concrete Service Contract for the McAllen Metro Sidewalk and Bus Stop Improvements. (Project No. 02-24-S30-662)
- D)** Consideration and Approval of an Interlocal Cooperation Agreement between Hidalgo County and the City of McAllen for the Improvements to Shary Road from SH107 to Mile 9 Road. (Project No. 05-24-S51-01)
- E)** Consideration and Authorization to negotiate Scope of Services and Fee Schedule with the Top-Ranked Architectural Firm for the McAllen Public Safety Building Evidence Room Storage. (Project No. 03-24-S38-732)

4. ORDINANCES:

- A)** Providing for Mid-Year Budget Amendment for Fiscal Year 2023-2024.
- B)** Providing for an abandonment of a 20-foot alley measuring 20 ft. by 300 ft. out of Lots 1 thru 12, Block 58, Original Townsite of McAllen, Hidalgo County, Texas; 701 S 17th Street.

5. RESOLUTION:

- A)** Resolution authorizing the submission of a grant application to the Bureau of Reclamation WaterSMART Planning and Project Design Grants for Fiscal Year 2024.

6. VARIANCES:

- A)** Consideration of a variance request to the maximum Cul-de-Sac length requirement for proposed McAllen Near-Shoring Industrial Park Subdivision, Hidalgo County, Texas; 4101 Idela Avenue.

- B) Consideration of variance requests for a contractual agreement in lieu of providing or escrowing for sidewalk along North Moorefield Road at the proposed Maebelle Estates Subdivision, Hidalgo County, Texas; 11201 North Moorefield Road.

7. MANAGER'S REPORT:

- A) Immigration and Respite Center Report.
- B) 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 Political Action Groups. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal issues related to contract implementation. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues related to contract between McAllen Independent School District and City of McAllen related to Quinta Mazatlan. (Section 551.071, T.G.C.)
- D) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- E) Discussion and possible lease, sale or purchase of Real Estate Property, Tract 1, Tract 2 and Tract 3. (Section 551.072, T.G.C.)
- F) 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.)
- G) Consultation with City attorney regarding legal issues related to federal funding. (Section 551.0071, 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 May 10, 2024 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