



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 9, 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 Victor "Seby" Haddad

PROCLAMATIONS - The 956United Soccer Club Day - Gary Hamilton

Constitution Week - Mara Lee Moats

McAllen Public Library Month - Kathleen Horan

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-3L (light commercial) District to C-3 (general business) District: Block 4-A, Blocks 4-A & 5-A North Park Estates Unit No. 2 Subdivision, Hidalgo County, Texas; 1701 Dove Avenue.

2. Request of Moises Martinez De La Cruz, for a Conditional Use Permit, for one year, and adoption of an ordinance, for an automotive service and repair shop (mechanic

shop), at Lot 5, Block 13, Young's Subdivision, Hidalgo County, Texas; 218 South 23rd Street.

3. Request of Jessica Aguilar, on behalf of Jose A. Chanin, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar (Suerte Bar & Grill uptown), at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suites N1-N2.

4. Request of Jessica Aguilar, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar and grill (Bearded Lady), at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite Q.

5. Request of Rogelio Garza III, on behalf of Pamm Family Properties, LLC., for a Conditional Use Permit, for one year, and adoption of an ordinance, for a smoke shop (hemp dispensary), at north ½ of Lot 19, Block 1, Eltus Subdivision, Hidalgo County, Texas; 1631 North 10th Street.

6. Request of Mario Gutierrez, on behalf of 3BU Family Limited Partnership, for a Conditional Use Permit, for one year, and adoption of an ordinance, for an event center and food truck at Lot A, Arapaho Subdivision, Hidalgo County, Texas, 4108 North 10th Street Ste. 900-1000.

B) REZONINGS:

1. Rezone from R-1 (single family residential) District to C-3 (general business) District: a 0.909 of an acre tract out of that certain 2.00 acre tract as described in Document No. 2821446, of the official records, Hidalgo County, Texas, said 2.00 acre tract being the southeast corner of the south 20 acres of Lot 337, John H. Shary Subdivision of lands out of porciones 58, 59, and 60 in Hidalgo County, Texas; 4800 Buddy Owens Boulevard (front). (TABLED)

2. Rezone from A-O (agricultural open space) District to C-3 (general business) District: a 0.182 of an acre tract out of that certain 2.00 acre tract as described in Document No. 2821446, of the official records, Hidalgo County, Texas, said 2.00 acre tract being the southeast corner of the south 20 acres of Lot 337, John H. Shary Subdivision of lands out of porciones 58, 59, and 60 in Hidalgo County, Texas; 4800 Buddy Owens Boulevard (middle). (TABLED)

3. Rezone from A-O (agricultural open space) District to R-1 (single family residential) District: a 0.758 of an acre tract out of that certain 2.00 acre tract as described in Document No. 2821446, of the official records, Hidalgo County, Texas, said 2.00 acre tract being the southeast corner of the south 20 acres of Lot 337, John H. Shary Subdivision of lands out of porciones 58, 59, and 60 in Hidalgo County, Texas; 4800 Buddy Owens Boulevard (rear). (TABLED)

C) CONDITIONAL USE PERMIT:

1. Request of Efraim T. Vela, on behalf of Dev Harvey, LLC., for a Conditional Use Permit, for a life of use, and adoption of an ordinance, for a parking facility at Lot 2, Rosa Linda Subdivision, Hidalgo County, Texas; 3616 Harvey Drive.

- D) Amending the Zoning Ordinance of the City of McAllen.
- E) Public Hearing on the City of McAllen's Proposed Budget for Fiscal Year 2024-2025.

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 Budget Workshop held August 8th, Special Meeting held August 19th, Workshop and Regular meeting held on August 26, 2024.
- B) Award of Service Contract for Compensation and Classification Analysis. (Project No. 08-24-S68-137)
- C) Resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through the Fiscal Year 2025 Selective Traffic Enforcement Program (STEP-COMP) Comprehensive Grant.
- D) Resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through the Selective Traffic Enforcement Program (STEP-CMV) Fiscal Year 2025 Commercial Vehicle Grant.
- E) Resolution of the Commissioners of the City of McAllen, Texas accepting the resignation of Roel Rodriguez P.E. and designating Isaac Tawil as an Investment Officer along with Maria Chavero, Marco A. Vega, P.E., and Sonia Resendez for the City of McAllen.
- F) Resolution of the Board of Commissioners of the City of McAllen, Hidalgo County, Texas, amending Texpool authorized representatives and providing an effective date.
- G) Resolution amending Resolution No. 2024-10 to provide for inclusion of required language as required by the Office of the Governor for the Fiscal Year 2024 State Homeland Security Program - Regular Projects, Application No. 5145101.
- H) Consideration and Approval to Remove Uncollectible Tax Accounts from the Delinquent Tax Roll.
- I) Approval of Tax Refunds over \$500.00
 - 1. Miguel A. & Alma D. Garcia
 - 2. Abilio Vela, Jr.
 - 3. Larry D. Jr. & Tamela Weeden
 - 4. Corelogic (various Mortgage Co's.)

3. BIDS/CONTRACTS:

- A) Award of Contract for Third-Party Administrative (TPA) Services for Workers Compensation Claims Management.
- B) Consideration and Approval of Change Order No. 1 and Final for Debris Removal and Disposal Services.

- C) Consideration and Authorization to negotiate scope of services and fee schedule with the top ranked firm(s) for Mechanical, Electrical, Plumbing and Fire Protection and Structural Design Services (MEP) for Various Municipal Projects. (SOQ No.: 06-24-S58-916)
- D) Consideration and Approval of Amendment No.1 to the Non-Exclusive Food and Beverage Concession Agreement with Oakwells Commuter Rail, Inc.

4. VARIANCE:

- A) Consideration of variance requests to: 1.) to not require Right-of-Way and pavement widening for South 10th Street, 2.) to not require Right-of-Way and pavement widening for Lindberg Avenue, 3.) to not require additional Right-of-Way for U.S. Expressway 83 for the proposed McAllen City Center Subdivision, Hidalgo County, Texas; 1300 South 10th Street.

5. MANAGER'S REPORT:

- A) Election of Texas Municipal League (TML) Region 12 Director.
- B) Immigration and Respite Center Report.
- C) Future Agenda Items.

6. 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.)
- B) Consultation with City Attorney regarding legal issues related to employee benefit options. (Section 551.071, 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 6, 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