



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 Isaac J. Tawil

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, OCTOBER 14, 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 - Mayor Pro Tem Omar Quintanilla

PROCLAMATIONS - McHi Class of 1975 50th Year Reunion - Martha Castillo

Arbor Day - Chris Lash

Native Plant Month - Colleen Hook

National Community Planning Month - Edgar Garcia

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-3 (general business) District to R-3T (multifamily residential townhouse) District: a 17.904 acre tract of land, out of Lot 5, Section 280, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas; 2700 State Highway 107.

2. Rezone from R-1 (single family residential) District to R-3T (multifamily residential townhouse) District: 6.10 acres of land, out of Lot 16, Section 279, Texas-Mexican

Railway Company Survey, Hidalgo County, Texas; 9400 North Bicentennial Boulevard.

3. Rezoning from R-2 (Duplex-Fourplex Residential) District to R-3T (Multifamily Residential Townhouses) District: a 10 acre tract, being all of Lot 2, Pride O' Texas Subdivision, Hidalgo County, Texas; 3500 La Lomita Road.

4. Initial Zoning to R-3A (multifamily residential apartments) District: 11.442 acres being all of Lot 4, Resubdivision of Lots 46-11 and 46-12, West Addition to Sharyland Subdivision, Hidalgo County, Texas; 9901 North Stewart Road.

5. Request of Kelsey Kreher (HFA-AE, Ltd.), on behalf of 900 S Jackson LLC, for a Conditional Use Permit, for life of use, and adoption of an ordinance, for an oil change facility, at Lot 5, Jackson Crossing Center Subdivision, Hidalgo County, Texas; 900 South Jackson Road.

6. Request of Eric R. Pena, on behalf of Sun's Fast Food Corp., for a Conditional Use Permit, for one year, and adoption of an ordinance, for a bar (Suerte Bar and Grill) at N98.5' Lot 1, Block 1, Fairway North Subdivision, Hidalgo County, Texas; 2001 South 10th Street.

B) REZONINGS:

1. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District: a 1.0 acre tract being a piece of land out of the south five & 24/100 acres of the south part of Lot "K" in Lot 6, Block 16, Steele & Pershing Subdivision, Hidalgo County, Texas; 1021 East El Rancho Road.

2. Rezoning from R-1 (Single Family Residential) District to R-3T (Multifamily Residential Townhouses) District: a 4 acres tract out of the south 30 acres of lot 47, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 8516 North 29th Street.

C) CONDITIONAL USE PERMIT:

1. Request of Ignacio Alvarez, on behalf of Na Investment Group, LLC, for a Conditional Use Permit, for one year, and adoption of an ordinance, for a smoke shop, at southeast 160 feet by 172 feet of northeast 10 acres of Lot 156, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 630 South 23rd Street, Building 100, Suite 120.

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

E) Public Hearing and Ordinance providing for the annexation of 11.442 acres being all of Lot 4, Resubdivision of Lots 46-11 and 46-12, West Addition to Sharyland Subdivision, Hidalgo County, Texas; 9901 North Stewart 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 for Workshop and Regular Meeting held September 23, 2024.
- B) Award of Contract for Mechanical, Electrical, and Plumbing (MEP) Engineering Services for Various Municipal Projects (Project No. 06-24-S58-916).
- C) Award of Contract for Structural Engineering Services for Various Municipal Projects (Project No. 06-24-S58-916).
- D) Consideration and Approval of Change Order No. 5 and Final Reconciliation for Daffodil Avenue Roadway Widening (Project No. 04-22-C28-338).
- E) Consideration and Approval of Change Order No. 2 and Final for the Morris Park Improvements project (Project No. 02-23-C18-799).
- F) Consideration and Approval of Change Order No. 6 for the Anzalduas Bridge Infrastructure Improvements (Project No. 07-22-C29-802).
- G) Consideration and Approval of a Memorandum of Agreement between the McAllen Fire Department and the Coastal Bend Regional Advisory Council.
- H) Consideration and Approval of Amendment No.1 to the Master Contract Agreement for Aviation Marketing and Consulting Services with Regal Studios, LLC dba Pollux Castor, Inc. (09-21-S53-107).
- I) Consideration and Approval of Change Order No. 2 for the Terminal HVAC and Lighting Efficiency Improvements at McAllen International Airport (Project No. 07-23-C37-645).
- J) Consideration and Approval of an addendum to the permanent water supply and delivery contract with Hidalgo County Irrigation District No. 1 as approved by the McAllen Public Utility.
- K) Resolution for the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Nolana Avenue Widening.
- L) Resolution authorizing the submission of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance for funding under the Fiscal Year 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.
- M) Discuss and consider approval of first addendum to Interlocal Agreement with Hidalgo County regarding Tax Increment Reinvestment Zone #2A.
- N) Consideration and Approval of a resolution authorizing participation and hiring legal counsel related to the AEP Resiliency Plan.
- O) CONSENT COOP PURCHASES
 - 1. Award of Contract for the Purchase of Bunker Gear - Coats and Pants.
- P) Approval of Tax Refunds over \$500.00.
 - 1. Howard, Charles Brandon
 - 2. Maple Court Apartments LLC

3. BIDS/CONTRACTS:

- A) Award of Contract for Material Recovery Facility Upgrade (Project No. 09-23-C46-469).
- B) Award of Contract for the Design Engineering Services for the Nolana Avenue Widening from FM2220 (Ware Road) to FM1926 (23rd Street).

- C) Consideration and Approval of Interlocal Agreement Amendment No. 1 with the City of Edinburg for the Jackson Hike and Bike Phase II Project.
- D) Award of Contract for the Boeye Reservoir and Regional Detention Pond Project (Project No. 08-24-C28-986).
- E) Consideration and Approval of a Donation Acceptance Agreement with the U.S. Customs and Border Protection for Information Technology Equipment per Terms of the Anzalduas Land Port of Entry's Donations Acceptance Program.
- F) Consideration of License Agreement for installation of a retaining wall and Concrete Masonry Unit fence on North Park on 107 Subdivision.

4. ORDINANCES:

- A) Consideration and Approval of an ordinance regulating the development of car washes.
- B) Providing for a Budget Amendment in the Sanitation Fund for the Material Recovery Facility Upgrade at the Recycling Center.

5. RESOLUTIONS:

- A) Consideration and Approval of Designating Rio Grande Valley Metropolitan Planning Organization Members.

6. VARIANCES:

- A) Consideration of a variance request to Ithica Avenue and South 16th Street Right-of-Way dedication requirement, for proposed Keep McAllen Beautiful Subdivision, Hidalgo County, Texas; 821 South 16th Street.
- B) Consideration of a variance request to not require the Subdivision process at a tract of land out of Lot 78, La Lomita Irrigation and Construction Company's subdivision, Hidalgo County, Texas; 6712 North Bentsen Road.

7. MANAGER'S REPORT:

- A) 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 a resolution authorizing the exercise of eminent domain authority to acquire two tracts of land being: THE SOUTH ONE-HALF (S ½) OF LOT SEVENTY-FOUR (74), and (2) THE S670.69' EXC. 1.33 ROW, EXC.2.39 DRAINAGE EASEMENT 11.15 AC NET SOUTH OF LOT SEVENTY-THREE (73), SAVE AND EXCEPT THE NORTH 11.38 FEET OF THE WEST 40.0 FEET OF LOT 73, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S

SUBDIVISION, HIDALGO COUNTY, TEXAS, AS PER MAP OR PLAT THERE OF RECORDED IN VOLUME 24, PAGE 68, DEED RECORDS, HIDALGO COUNTY, TEXAS for a park, playground, or other recreational facility and other public purposes (Tex. Gov't. Code §551.071).

- B)** Discussion and possible lease, sale or purchase of Real Estate Property, Tract 1 and Tract 2. (§551.072, Tex. Gov't. Code).
- C)** Consideration of Economic Development matters. (§ 551.087, Tex. Gov't. Code).
- D)** Consultation with City Attorney regarding employment contracts. (§ 551.071, Tex. Gov't. Code).

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 October 11, 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