



Mayor James "Jim" Darling
Mayor Pro Tem/Commissioner Veronica Whitacre
Commissioner Javier Villalobos
Commissioner Joaquin J. Zamora



Commissioner J. Omar Quintanilla
Commissioner Tania Ramirez
Commissioner Victor "Seby" Haddad
City Manager Roel "Roy" Rodriguez, P.E.

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, AUGUST 24, 2020 – 5:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN, TEXAS 78501

<https://zoom.us/j/5087553077?pwd=TjduYjR4U2l3cWU1NjlsZzlsM2hJUT09>

Members of the public that wish to listen to the meeting can log in to the virtual Zoom meeting or dial (346) 248-7799 US (Houston) Meeting ID: 508 755 3077 Passcode: 878576.

Individuals that wish to participate in the meeting or comment on an agenda item should call (956) 681-1020 by 3:30 pm. Any individual dialing in acknowledges his or her phone number may be visible to the public.

"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 Jim Darling
PLEDGE OF ALLEGIANCE - Mayor Jim Darling
INVOCATION - Commissioner Omar Quintanilla

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-2 (neighborhood commercial) District to C-3 (general business) District: Lot A, 29th Place Subdivision, Hidalgo County, Texas; 3928 N. 29th Street.
2. Request of Melissa West on behalf of Villas Jardin Homeowners Association, for a Conditional Use Permit, for life of the use, for a Planned Unit Development (residential use) at Lot 34, amended map of Villas Jardin Subdivision, Hidalgo County, Texas; 301 Byron Nelson Drive.
3. Request of Dwight H. Jander, on behalf of South Texas Electric Cooperative, INC. For a Conditional Use Permit (Electrical Substation), at 12.23 acres tract of land out of Lot 482, John H. Shary Subdivision, Hidalgo County, Texas; 6801 Mile 7 Road.

- B)** Amending the Zoning Ordinance of the City of McAllen.
- C)** Public Hearing for a variance from Section 6-2(a) of the McAllen Code of Ordinances of the Alcoholic Beverage Code, request of Maria M. Rodriguez, at Lots 21-24, Block 4, South McAllen Addition Subdivision, Hidalgo County, Texas; 806 South 16th ½ Street.
- D)** Public Hearing for a variance from Section 6-2(a) of the McAllen Code of Ordinances of the Alcoholic Beverage Code, request of Luis Miguel Arechiga, at the north 100 ft. of Lot 1, Professional Center Subdivision, Hidalgo County, Texas; 920 North Main Street.

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 workshops held July 27th, August 3rd, August 10th and Regular Meeting held August 10th, 2020.
 - B)** Consideration and Approval to declare two (2) Aircraft Abandoned at McAllen International Airport and Sale of the Aircraft at Public Auction.
 - C)** Consideration and Approval of Contract Amendment No. 1 to Milnet Architectural Services for Additional Professional Services for the FMCSA Southern Border Program Project.
 - D)** Consideration and Approval of Contract with Affordable Homes of South Texas, Inc. for the Emergency Repair Program.
 - E)** Consideration and Approval of Change Order #1 and Final Reconciliation of Quantities for 2020 Single Machine Repaving.
 - F)** Approval of Tax Refunds over \$500.00:
 1. Ford Motor Company (Overpayment)
 - G)** Consideration and Approval for the purchase of loose equipment for new aerial platform truck.

- H) Ordinance providing for the adoption of 2018 International Fire Code with recommended amendments.
- I) Ordinance providing for the adoption of 2018 International Building Code with recommended amendments.
- J) Ordinance providing for Budget Amendment for transfer between McAllen Metro Fund and the Downtown Services Fund and Workers Comp Fund with the Health Insurance Fund.
- M) Consideration and Approval of Resolution to Accept FAA AIP No. 51 Grant.
- K) Amendment to Resolution No. 2020-43 that authorized grant submission to the Office of the Governor under Operation Stonegarden Program.
- 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 2020 Edward Byrne Memorial Justice Assistance Grant Program.

3. BIDS/CONTRACTS:

- A) Consideration and Approval of Change Order No. 1 for the 2018 Bond Group D Drainage Improvements.
- B) Consideration and Approval of an Interlocal Agreement with Hidalgo County Drainage District No. 1 and City of Edinburg for cost participation associated with a storm sewer oversizing for Oak Hill at Villanueva Estates Subdivision.
- C) Consideration and Approval of Contract Amendment No. 17 with KSA for the Terminal Restroom Renovations.

4. RESOLUTION:

- A) Resolution to allow the Parks & Recreation Department to submit a bid to host the 2023 Texas Recreation and Park Society Annual Institute.

5. VARIANCES:

- A) Consideration of a variance request to the required subdivision process at a west 900 sq. ft. lease area and a 30-foot-wide access out of a called 4.47 Acre Tract out of Lot 61, La Lomita (HOIT), Hidalgo County, Texas; 2560 Trenton Rd.
- B) Consideration of a variance request to the sidewalk requirements at proposed The Villas on Freddy Subdivision, Hidalgo County, Texas; 1400 Freddy Gonzalez Road.

6. MANAGER'S REPORT:

- A) Take record vote of 2020 proposed Tax Rate, and Schedule Public Hearing.
- B) Presentation of Speed Hump Installation Policy.

- C) Discussion of Impacts of Hurricane Hanna.
- D) Report on CARES Act Funding.
- E) Project Status Report.
- F) Status Report on Parks & Recreation Projects.
- G) Subdivision Monthly Report.
- H) Future Agenda Items.

7. TABLED ITEM(S):

- A) Ordinance between the Cities of Mission and McAllen exchanging portions of each entity's extraterritorial jurisdiction.
- B) Appointment of member to the Zoning Board of Adjustment.

8. MAYOR'S REPORT:

- A) Report on COVID Matters.
- B) Report on Budget.

9. 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 to COVID-19 situation and response. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal aspects of Cause No. CL-20-0784-D; Perla Leticia Salas Juarez v. City of McAllen. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal issues on real estate matters. (Section 551.071)
- D) Consultation with City Attorney regarding legal issues related to Police Department. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney regarding possible donation of land to the City. (Section 551.071, T.G.C.)
- F) 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 August 21, 2020 at 2:00 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