



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, FEBRUARY 8, 2021 – 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 Joaquin Zamora

PRESENTATION - *Dr. Howard - Presentation to Mayor Darling*

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 A-O (agricultural and open space) District to R-1 (single-family residential) District: 14.664 acres out of Lot 2, Sharyland I.S.D. Junior High School Subdivision, Hidalgo County, Texas; 4500 Dove Avenue.
2. Request of Jessica Aguilar for a Conditional Use Permit, for one year, for a bar at Lot A-1, Nolana Tower Subdivision, Hidalgo County, Texas; 400 Nolana Avenue, Suite Q.
3. Request of Jorge A. Gonzalez, for a Conditional Use Permit, for one year, for a bar at Lot 2A, Valram Heights Subdivision, Hidalgo County, Texas; 2801 Expressway 83, Building 200, Suites 280 & 290.
4. Request of Hidalgo County on behalf of McAllen ISD, for a Conditional Use Permit, for life of use, for a personal wireless service facility at Lot 1 & 2, McAllen ISD Northwest Elementary Subdivision, Hidalgo County, Texas; 2901 Incarnate Word Avenue.

B) CONDITIONAL USE PERMIT:

1. Request of Melissa Burton, for a Conditional Use Permit, for life of the use, for a dog kennel at a 1.00 acre tract of land out of the South 19.39 acres of Lot 387, John H. Shary Subdivision, Hidalgo County, Texas, 6820 North Taylor Road.

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

D) Public Hearing and possible action to enter into a lease with PAMM Family Properties for land located at 16th Street and Beech Avenue for use as a commercial parking lot.

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 Special Joint Meeting and Regular Meeting held January 25th and Special Meeting held January 29, 2021.
- B)** Consideration and Approval of Change Order No. 3 for Kennedy Avenue Roadway and Drainage Improvements From Bentsen Road to Ware Road.
- C)** Consideration and Approval of an Interlocal Agreement between the City of McAllen and Hidalgo County Library System.
- D)** Award of Contract for the Purchase of Twenty-Four (24) New Police Packaged Vehicles.
- E)** Award of Contract for an Aircraft Rescue and Fire Fighting Unit at McAllen International Airport.
- F)** Consideration and Approval to increase the City's capital asset threshold from \$2,500 to \$5,000.
- G)** Resolution authorizing the submission of a grant application to the Office of the Governor, Public Safety Office, Criminal Justice Division for funding under the Fiscal Year 2022 Rifle-Resistant Body Armor Grant Program.

- H) Resolution authorizing the submission of a grant application to the Office of the Governor, Public Safety Office, Homeland Security Grants Division for funding under the State Homeland Security Program for Fiscal Year 2021.
- I) Ordinance providing for a budget amendment to the General Fund and General Depreciation Fund Rolling Stock for the purpose of funding roll-over vehicles and equipment awarded and not received in Fiscal Year 2019-2020.
- J) Ordinance providing for a budget amendment for the Passenger Facility Charge Fund.
- K) Tax Refunds Over \$500.00

3. **BIDS / CONTRACTS:**

- A) Award of Contact for the Purchase of Thirteen (13) Bus Surveillance Systems.
- B) Award of Contract for the Sarah Avenue Storm Sewer Bypass.
- C) Award of Contract for the Gardenia Avenue at North 12th Street Drainage Improvements Project.
- D) Consideration and Approval of Change Order No. 7 for Bicentennial Boulevard Extension Project from State Highway 107 to Trenton Road.
- E) Consideration and Approval of construction documents and adoption of an ordinance with authorization to proceed to bidding phase for the Parks Administration and Metro Transfer Station Project.

4. **ORDINANCES:**

- A) Consideration and Possible Action declaring a vacancy and adoption of an ordinance calling a Special Election for May 1, 2021 to fill an Unexpired Term for McAllen Public Utility Board of Trustees, Place B. *Consideración y posible acción para declarar una vacante y una ordenanza convocando una elección especial para el 1 de mayo de 2021 para Fideicomisario para Puesto B, término inconcluso, para el Consejo de Administración de Servicios Públicos de la Ciudad de McAllen.*
- B) Ordinance providing for the abandonment at 6800 International Parkway.

5. **VARIANCE:**

- A) Consideration of a Variance Request to the block length requirement at Proposed Nemont Estates Subdivision, Hidalgo County, Texas; 13800 North 29th Street.

6. **MANAGER'S REPORT:**

- A) Report on CARES Act Funding.
- B) Consideration and possible approval of amendments of by laws of the Friends at Quinta Mazatlan.
- C) Advisory Board Appointments.
- D) Future Agenda Items.

7. **TABLED ITEM(S):**

- A) Request for a variance to the subdivision improvements required for Bella Vista Ranch Subdivision related to the 56th Street Paving, Drainage and Sidewalk.

8. MAYOR'S REPORT:

- A) Report on COVID Matters.
- B) Report on Immigration Update.
- C) Report on Election Update.

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 possible litigation against video service providers. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal aspects of intervention in AEP application with PUC for reconciliation of AMS. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal aspects of naming city parks. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal issues related to Quinta Mazatlán. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney regarding professional services contract. (Section 551.071, T.G.C.)
- F) Consultation with City Attorney regarding pending litigation - Cause No. D-1-GN-21-000489; City of McAllen v. The State of Texas, Hon. Ruth R. Hughs, Texas Secretary of State. (Section 551.071, T.G.C.)
- G) Discussion and possible lease, sale or purchase of real estate property: Tract 1. (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 February 5, 2021 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