



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, JANUARY 13, 2020 – 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 Jim Darling

PLEDGE OF ALLEGIANCE - Mayor Jim Darling

INVOCATION - Mayor Pro Tem Veronica Whitacre

AGENDA ITEM PUBLIC COMMENT: *(Individuals wishing to sign up contact City Secretary)*

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 R-1 (Single Family Residential) District to C-1 (office building) District: the West ½ of Lot 12 and all of Lot 13, Block 5, Thomas Terrace Subdivision, Hidalgo County, Texas; 410 Pecan Boulevard.

2. Rezone from R-1 (Single Family Residential) District to R-2 (Duplex-Fourplex Residential) district: Lot 65, Fairway Grande Village Unit No.2 Subdivision, Hidalgo County, Texas; 601 East Nassau Avenue. **(WITHDRAWN)**

3. Rezone from C-3 (general business) District to R-3A (Multifamily Residential Apartments) District; Lots 8, 9, and 10, Block 49, McAllen Addition, Hidalgo County, Texas; 605, 611 and 613 South 11th Street.

4. Request of Yanitza A. Martinez, appealing the decision of the Planning and Zoning Commission of the December 03, 2019 meeting, denying a Conditional Use Permit, for one year, for an event center at Lot 1 and 2, Block 24, Young's Subdivision, Hidalgo County, Texas; 300 South 23rd Street, Suite B.

5. Request of Erika V. Medina, appealing the decision of the Planning and Zoning Commission of the December 03, 2019 meeting, denying a conditional use permit, for one year, for an automotive service and repair (tire shop) at Lot 2, Block 3, Altamira Subdivision, Hidalgo County, Texas; 2605 U.S. Highway 83.

6. Request of Jorge A. Gonzalez, for a Conditional Use Permit, for one year, for a bar at Lot 24, Valram Heights Subdivision, Hidalgo County, Texas; 2801 U.S. Expressway 83, Building 200, Suites 280-290.

B) CONDITIONAL USE PERMITS:

1. Request of Samuel Avila appealing the decision of the Planning and Zoning Commission of the December 03, 2019 meeting, denying a Conditional Use Permit, for one year, for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suites 2212 and 2214.

2. Request of Rigoberto Yopez appealing the decision of the Planning and Zoning Commission of the December 18, 2019 meeting, denying a Conditional Use Permit, for one year, for an event center at an irregular tract of land consisting of the east 211.29' of lot 507, John H. Shary Subdivision, Hidalgo County, Texas; 4801 State Highway 107.

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

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 December 9, 2019.
- B)** Consideration and Approval of Change Order No. 2 for Anzalduas International Bridge Northbound Inspection Project.
- C)** Award of Contract to Halff Associates, Inc., for professional engineering services related to FY 2019-2020 Drainage Utility Fee Projects.
- D)** Award of Contract to Cruz-Hogan Consultants, Inc. for professional engineering services related to FY 2019-2020 Drainage Utility Fee Projects.
- E)** Consideration and Approval of Change Order No. 2 for Auburn/Wisconsin Roadway Improvements Project.
- F)** Award of Contracts for the Purchase of Fourteen (14) New 2020 Police Packaged Vehicles.

- G) Consideration and possible action on a request by the Office of Communications for a budget rollover from Public. Education. Grant. (P.E.G.) FY Budget 2018-2019 to Public. Education. Grant. (P.E.G.) FY Budget 2019-2020 in the amount of \$108,783 to cover the expenses related to the Office of Communications Studio Design, Construction and Installation.
- H) Resolution authorizing the submission of a grant application for FY 2019 Walmart Community Grant Program to benefit McAllen Fire Department.
- I) Resolution authorizing the submission of a grant application for FY 2019 Walmart Community Grant Program to benefit Quinta Mazatlán's Monarch Festival.
- J) Resolution authorizing the submission of a grant application to the Texas Department of Transportation Through the Selective Traffic Enforcement Program (STEP) Fiscal Year 2021 DWI No-Refusal Grant.
- K) Consideration and Approval of a variance to the Parkland Dedication Ordinance for fees in lieu of land for the Highland Oaks Subdivision.
- L) Consideration and Approval of a variance to the Parkland Dedication Ordinance for fees in lieu of land for the Tree Apartments Subdivision.
- M) Approval of Tax Refunds over \$500.00:
 - 1) Conn's Appliance Inc.
 - 2) Vasquez, Sixto Jr. & Ana
 - 3) Oiu Yan & Shumei Qin
 - 4) Valley Land Title

3. BIDS/CONTRACTS:

- A) Consideration and Approval of Contract Amendment No. 2 for the McAllen Parks & Recreation Administration and Bus Transfer Station.
- B) Consideration and Approval of Change Order No. 2 for the Installation of a New Generator located at Fire Station No. 5.
- C) Consideration and Approval of Change Order No. 4 for the Westway Heights Drainage Improvements Project.

4. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Future Agenda Items.

5. 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 pending litigation - Cause No. CL-19-6290-A; Francisco J. Gonzalez v. City of McAllen. (Section 551-071, T.G.C.)

- B)** Consultation with City Attorney regarding pending litigation - Cause No. CL-19-6503-E; Saul Gonzalez v. City of McAllen. (Section 551.071, T.G.C.)
- C)** Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- D)** Discussion and possible lease, sale or purchase of real estate property: Tract 1. (Section 551.072, 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 January 10, 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