



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, MARCH 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 Tania Ramirez

PROCLAMATIONS - International Women's Day and Women's History Month - Xochitl Mora
National Nutrition Month - Iliana Guerra

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 Rezoning 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. Request of Samuel Avila, for a Conditional Use Permit, for one year for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suites 2212 & 2214.

B) CONDITIONAL USE PERMITS:

1. Request of Merary S. Enriquez, for a Conditional Use Permit, for life of the use, for a guest house at 0.50 acres out of the north ½ of the south 9.39 acres of the north 19.39 acres of lot 377, John H. Shary Subdivision, Hidalgo County, Texas; 5020 Selinda Drive.

2. Request of Eugenio J. Garcia, on behalf of Melany Castillo, for a Conditional Use Permit, for life of use, for a guest house at Lot 1 & south ½ of Lot 2, Trenton Village Subdivision, Hidalgo County, Texas; 7200 N. 4th Street.

C) Public Hearing and Ordinance for an amendment to the Foresight McAllen Comprehensive Plan: Figure 4.2 Thoroughfare Plan; removing Yuma Avenue from Thoroughfare Plan from South 2nd Street to Jackson 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 of Workshop and Regular Meeting held February 22, 2021.
- B)** Award of Contract for the purchase of 2021 Single Machine Repaving.
- C)** Award of Contract for the High Density Mineral Bond Pavement Preservation Project.
- D)** Award of Contract for the purchase and delivery of Type “D” Hot Mix Asphaltic Concrete (2021 Single Machine Repaving Project).
- E)** Consideration and Approval of Change Order No. 2 and Final for the 2018 Bond Group E Drainage Improvements Project.
- F)** Consideration and Approval of an Interlocal Agreement and Resolution between the City of McAllen and the City of Hurst.
- G)** Resolution authorizing the submittal of a grant application to the U.S. Department of Transportation for funding under the Nationally Significant Freight and Highway Projects for Fiscal Year 2021 Infrastructure for Rebuilding America (INFRA Grants) Program.
- H)** Resolution authorizing the submittal of a grant application to the Texas State Library under the Fiscal Year 2022 Texas Reads Grant Program.
- I)** Resolution authorizing the submittal of a grant application to the State of Texas - Office of the Governor for the Local Border Security Program.

- J) Resolution authorizing the submittal of a grant application to the State of Texas - Office of the Governor for the Texas Anti-Gang Program.
- K) Resolution authorizing the submittal of a grant application to Keep America Beautiful Community Improvement Program for the 2021 MLK Neighborhood Building Program.
- L) Ordinance providing for a Budget Amendment to fund Affordable Homes of South Texas, Inc.'s Emergency Repair Grant Program.
- M) Ordinance providing for a Budget Amendment to fund the Chamber Innovation Grant.
- N) Ordinance providing for the abandonment of the 50 ft. by 535.52 ft. access easement being .615 of an acre tract of land out of Lot 129, La Lomita Irrigation & Construction Company Subdivision, Hidalgo County, Texas; 2812 North Ware Road.
- O) Ordinance providing for a Budget Amendment for Air Service Development Grant.
- P) Ordinance providing for a Budget Amendment for Air Service Incentives.
- Q) Minute Order regarding Fee Structure for McAllen Parking Garage.
- R) Tax Refunds Over \$500.00.

3. VARIANCES:

- A) Request of David Girault on behalf of ActionCoach- Rio Grande Valley to consider a sign variance request to allow more than the permitted number of signs on a property, at Lot 1, 2, 15 and 16 & 20 ft. X 100 ft. alley, Block 32, Hammond Addition Subdivision; 100 South Bicentennial Boulevard.
- B) Consideration of a variance request to not require the subdivision process at a 0.87 acre tract of land being the west 150 feet of the east 1329 feet of the north 10.00 acres of combines Lot 11, Block 4 and Block 2, M & M Subdivision, Hidalgo County, Texas; 3117 Valcosta Sr.
- C) Consideration of a variance request to infrastructure requirements for the North Via Cantera Subdivision.

4. MANAGER'S REPORT:

- A) Report on CARES Act Funding.
- B) Future Agenda Items.

5. TABLED ITEM(S):

- A) Ordinance prohibiting food trucks from playing amplified music near residential areas.

6. MAYOR'S REPORT:

- A) Report on COVID Matters.
- B) Report on ERCOT Matters.
- C) Report on Immigration Matters.

7. 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. 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.)
- B)** Consultation with City Attorney regarding legal issues related to Collective Bargaining. (Section 551.071, T.G.C.)
- C)** Consultation with City Attorney regarding legal aspects of GA-34. (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 March 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