



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, OCTOBER 12, 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 - Mayor Pro Tem Veronica Whitacre

PROCLAMATION - *Dr. J. A. Gonzalez Day - 2020 Texas Superintendent of the Year*

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-4 (commercial-industrial) District to R-3A (multifamily residential apartment) District: 13.683 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6301 Tres Lagos Boulevard.
2. Rezone from R-3A (multifamily residential apartment) District to C-4 (commercial-industrial) District: 51.633 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6401 Monte Cristo Road.
3. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 0.317 acres out of Section 227, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 6401 Tres Lagos Boulevard.
4. Rezone from R-1 (single-family residential) District to C-4 (commercial-industrial) District: 3.141 acres out of Section 232, Texas-Mexican Railway Company Survey, Hidalgo County, Texas; 15001 North Ware Road.
5. Request of Juan C. Hernandez, for a Conditional Use Permit, for one year, for automotive service and repair at the North 50 ft. of Lots 13 and 14, Block 36, Hammond Addition Subdivision, Hidalgo County, Texas; 213 South 23rd Street.

B) REZONINGS:

1. Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District: 21.18 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11200 North La Lomita Road.
2. Rezone from R-2 (duplex-fourplex residential) District to R-1 (single family residential) District: 18.82 acres out of Lot 14, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 11300 North La Lomita Road.
3. Rezone from C-3L (light commercial) District to C-3 (general business) District: Lots 10, 11, and 12, Block 3, Club Addition Amended, Hidalgo County, Texas; 125 East Pecan Boulevard, 119 East Pecan Boulevard, 113 East Pecan Boulevard.

C) CONDITIONAL USE PERMITS:

1. Request of Eduardo Villagordoa, for a conditional use permit, for one year, for a bar at Lots 8, 9, and 10, 21st Place Subdivision, Hidalgo County, Texas; 2005 Nolana Avenue.
2. Request of Vincent G. Huebinger on behalf of Verizon Wireless, for a Conditional Use Permit, for Life of the Use, for a personal wireless service facility at the South 163.2 ft. of Lots 8 and 9, Block 5, Palm Heights Addition Subdivision; Hidalgo County, Texas; 665 Beech Avenue.

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

- E) Public hearing in regards to City's grant application to the State of Texas - General Land Office for the Community Development Block Grant Mitigation Program available due to the 2015 and 2016 flooding events

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 28, 2020.
- B) Consideration and Approval of Master Contract Agreement for General Engineering Services at McAllen International Airport.
- C) Consideration and Approval of Temporary Food Service Permits for McAllen Independent School District.
- D) Consideration and Approval of a Memorandum of Understanding between Region One Education Service Center and McAllen Public Library to maintain the adult Education and Literacy Program.
- E) Consideration and Approval of First Amendment to Effluent Supply Agreement between the City of McAllen, Texas and the Board of Trustees of the McAllen Public Utility and Calpine Hidalgo Energy Center, L.P., successor to Duke Energy Hidalgo, L.P.
- F) Consideration and Approval to enter into an Interlocal Agreement with the City of Brownsville to participate in the Fiscal Year 2021 South Texas Auto Theft Enforcement Task Force.
- G) Resolution to authorize submission of grant applications to the State of Texas - General Land Office under the Community Development Block Grant Mitigation Program.
- H) Approval of Tax Refunds over \$500.00:
 - 1. FGMS Holdings
 - 2. Legacy Homeowners Assoc.
- I) Consideration and Approval of Change Order No. 9 and Final Reconciliation of Contract Quantities for 29th Street Extension from Oxford to State Highway 107.

3. BIDS/CONTRACTS:

- A) Consideration and Approval of Contract Amendment No. 1 for additional services to Perez Consulting Engineers-2018 Bond Group E Drainage Improvements.
- B) Consideration and Approval of Contract Amendment No. 3 for additional Design Services to Halff Associates, Inc. for the Bicentennial Boulevard Extension Project.
- C) Award of Contract for McAllen City Hall Chiller and Boiler Replacements and adoption of budget amendment.

- D) Consideration and Approval of one year contract extension awarded to TriStar and Injury Management Organization for services related to Third Party Workers' Compensation Claims Adjusting and Medical Bill and Pre-Authorization.

4. VARIANCES:

- A) Variance request to not require the subdivision process at that northerly portion of a 12.26 acre tract in Lot 8, Section 6, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas: 411 Byron Nelson Dr.
- B) Variance request to not require the subdivision process at the 0.939 acre tract of land out of Lot 298, John H. Shary Subdivision, Hidalgo County, Texas; 4816 Daffodil Avenue.
- C) Variance request to not require the subdivision process at the 10 acre tract of the south 10 acres of the north 15 acres of the south 20 acres of the west Half of Lot 6, Block 26, Rio Grande Development Company Subdivision, Hidalgo County, Texas; 18206 North Ware Road.

5. MANAGER'S REPORT:

- A) Advisory Board Appointments.
- B) Report on CARES Act Funding.
- C) Future Agenda Items.

6. MAYOR'S REPORT:

- A) Report on WiFi.
- B) Report on 2020 Census.
- C) Report on Covid Matters.
- D) Report on Election and Voting.

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 Legal Issues related to Municipal Court. (Section 551.071, T.G.C.)
- B) Discussion with City Attorney Regarding Legal Aspects of Legislative Agenda. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney Regarding Legal Aspects of Possible Purchase of Property for Drainage Improvements. (Section 551.071, T.G.C.)

- D)** Discussion and Possible Lease, Sale or Purchase of Real Estate Property: Tract 1. (Section 551.072, T.G.C.)
- E)** Consultation with City Attorney Regarding Legal Aspects of Accepting and Processing Recyclable Materials. (Section 551.071, T.G.C.)
- F)** Consultation with City Attorney Regarding Legal Issues Related to COVID-19 Situation and Report. (Section 551.071, T.G.C.)
- G)** Consultation with City Attorney regarding legal issues related to Parks Department. (Section 551.071, T.G.C.)
- H)** Consultation with City Attorney regarding legal aspects of holiday events. (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 October 9, 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