



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.

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**CITY COMMISSION REGULAR MEETING  
MONDAY, SEPTEMBER 14, 2020 – 5:00 PM  
MCALLEN CITY HALL  
CITY COMMISSION CHAMBERS; 3RD FLOOR  
1300 HOUSTON AVENUE  
MCALLEN, TEXAS 78501**

**AGENDA**

**<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**

**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. Request of Rogelio Hernandez, for a Conditional Use Permit, for life of the use, for an associated recreation (common area) at 1.55 acres out of Lot 5, Block 278, Tex-Mex survey, also known as Lot Common Area D, The Villas on Freddy Phase I Subdivision (proposed), Hidalgo county, Texas; 10300 North 14th Lane.
2. Rezone from A-O (agricultural and open space) District to R-1 (single-family residential) District: 8.48 acres out of Lot 57, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 3308 Yellowhammer Avenue.

**B) REZONINGS:**

1. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartments) District: Lot 11, Block 4, Milmor addition to McAllen Subdivision, Hidalgo County, Texas; 1704 Laurel Avenue **(WITHDRAWN)**
2. Rezone from C-3 (general business) district to R-3T (multifamily residential townhouse) District: Lot 3, Nolana Crossing Subdivision, Hidalgo County, Texas; 2705 Nolana Avenue.

- C) Amending the Zoning Ordinance of the City of McAllen.
- D) Public Hearing on the City of McAllen's Proposed Budget for FY 2020-2021.
- E) Public Hearing to receive comments on and consider the proposed 2020-2021 Service and Assessment Plan and Assessment Roll for Tres Lagos Public Improvement District.

**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 August 11<sup>th</sup>, 13<sup>th</sup>, 17<sup>th</sup> and 24<sup>th</sup> including Special and Regular Meetings held August 24<sup>th</sup>, 2020.
- B) Consideration and Approval of TxDOT Routine Airport Maintenance Program Grant 2021.
- C) Award of Supply Contract for the Purchase of Janitorial Supplies.
- D) Consideration and Authorization to remove 1st & 2nd Quarter of Fiscal Year 2019-20 Uncollectible Sanitation Accounts from the General Ledger and begin Write-off procedures.
- E) Consideration and Approval of the Memorandum of Understanding with COMAPA for use of the vacuum truck.
- F) Consideration and Approval of Change Order No. 1 to RDH Site and Concrete, LLC for Kennedy Avenue Roadway and Drainage Improvements.

- G)** Approval of Tax Refunds over \$500.00.
  - 1. Ramirez, Francisco A & Martha (Adjustment from HCAD)
  - 2. Water Tower Center Owners Association (Overpayments)
- H)** Consideration and Approval to Remove Uncollectible Tax Accounts from Delinquent Tax Roll.
- I)** Consideration and action to amend Ordinance to grant Authority to Registered Sanitarians to enforce provisions of the Code of Ordinances.
- J)** Resolution to authorize the acceptance of grant funds from the Texas Department of Transportation (TxDOT) through its Fiscal Year 2021 Selective Traffic Enforcement Program Impaired Driving Mobilization (STEP-IDM) Campaign.
- K)** Resolution to authorize the submission of grant application to the Texas Department of Transportation for funding under the Fiscal Year 2021 Selective Traffic Enforcement Program Click It or Ticket Campaign.
- L)** Variance request to not require the subdivision process at Lot 21 and the west 30 feet of Lot 22, Block 7, Fairfield Subdivision, Hidalgo County, Texas; 900 Lindberg Avenue.

### **3. BIDS/CONTRACTS:**

- A)** Consideration and Approval to negotiate with top ranked Engineering Firm for General Engineering Services at McAllen International Airport.
- B)** Award of Supply Contract for the Purchase of Tires.
- C)** Award of Service Contract for Grounds Maintenance for various City properties.
- D)** Consideration and Approval of Memorandum of Understanding with McAllen I.S.D., Hidalgo County, Capable Kids Foundation, and the City of McAllen to construct an all-inclusive park to be located at Sanchez Elementary.
- E)** Award of Contract for the 2020 Pavement Preservation Project.
- F)** Consideration and Approval of Change Order No. 5 for the Westway Heights Drainage Improvements project.
- G)** Consider authorization to approve the First Amendment to the CARES Act Interlocal Cooperation Agreement with Hidalgo County.

### **4. ORDINANCE:**

- A)** Consider adoption of an Ordinance approving and adopting the Tres Lagos Public Improvement District ("District") 2020-201 Service and Assessment Plan and 2020-2021 Assessment Roll for the District; Establishing classifications for the apportionment of costs and methods of assessing for special benefits for improvements, maintenance, and special services to property within the District; levying debt service assessments for the cost of improvements to be provided in the District, maintenance assessments for the cost of maintenance and operation of the District, and supplemental service assessments for the costs of provision of supplemental services within the District; fixing charges and liens against the Property

in the District and against the owners thereof; providing for the collection of the assessments; and providing an effective date.

**5. RESOLUTIONS:**

- A)** Consideration of resolution for grant submission to the Economic Development Administration for the Public Works and Economic Adjustment Assistance CARES Act Program for pedestrian improvements at McAllen-Hidalgo International Bridge.

**6. VARIANCES:**

- A)** Variance request to not require the subdivision process at the 9.174 acre tract of land out of Lot 48-11, West Addition to Sharyland Subdivision, Hidalgo County, Texas; 8821 State Highway 107.
- B)** Consideration and Approval of a variance to the Parkland Dedication Ordinance for fees in lieu of land for Highland Oaks Subdivision.
- C)** Consideration and Approval of a variance to the Parkland Dedication Ordinance for fees in lieu of land for Shary Manor Subdivision.
- D)** Consideration and Approval of a variance to the Parkland Dedication Ordinance for fees in lieu of land for Avanti Valor Heights Subdivision.

**7. MANAGER'S REPORT:**

- A)** Receive an annual update on the status of Reinvestment Zone Number One, City of McAllen, Texas (Tres Lagos) as required by Sections 311.0101(c) and 311.016 of the Texas Tax Code and the Interlocal Agreement for the Zone.
- B)** Discussion and action on approval of Board member reappointment of Mike Rhodes (Position 1) to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, for a two-year term beginning March 3, 2020 and ending March 2, 2022, and ratification of all past actions taken by Mike Rhodes when acting in the capacity of a Board member for the Zone; and discussion and action on appointment of Mike Rhodes (Position 1) as chairman, to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, for a one-year term beginning January 1, 2020 and ending December 31, 2020, and ratification of all past actions taken by Mike Rhodes when acting in the capacity as the chairman for the Zone.
- C)** Discussion and action on approval of Board member reappointment of Jaime Gonzalez (Position 3) to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, for a two-year term beginning March 3, 2020 and ending March 2, 2022, and ratification of all past actions taken by the said Board member when acting in his respective capacity as a Board member for the Zone.
- D)** Discussion and action on approval of acceptance of resignation of Lori Rhodes (Position 4) on the Reinvestment Zone Number One, City of McAllen, Texas Zone Board.

- E) Discussion and action on approval of appointment of Misty Martin to Position 4, to the Reinvestment Zone Number One, City of McAllen, Texas Zone Board, through the unexpired term ending March 2, 2021.
- F) Discussion and action on approval of Board member reappointments of Mike Rhodes (Position 1), Jaime Gonzalez (Position 3), and Megan Earl (f/k/a Megan Clay) (Position 5) to the Tres Lagos Public Improvement District (PID), for a two-year term beginning April 15, 2020 and ending April 15, 2022, and ratification of all past actions taken by the said Board members when acting in his or her respective capacity as a Board member for the PID.
- G) Discussion and action on approval of Board member reappointment of Nick Rhodes (Position 4) to the Tres Lagos Public Improvement District Board, for a one-year term beginning April 15, 2020, and ending April 15, 2021, and ratification of all past actions taken by the said Board member when acting in his respective capacity as a Board member for the PID.
- H) Discussion and action on approval of Board member reappointment of Lori Rhodes (Position 2) to the Tres Lagos Public Improvement District Board, for a one-year term beginning April 15, 2020 and ending April 15, 2021, and ratification of all past actions taken by the said Board member when acting in her respective capacity as a Board member for the PID.
- I) Discussion and action on approval of acceptance of resignation of Lori Rhodes (Position 2) from the Tres Lagos Public Improvement District Board.
- J) Discussion and action on approval of appointment of Misty Martin to Position 2, to the Tres Lagos Public Improvement District Board, through the unexpired term ending April 15, 2021.
- K) Review and approval of Quarterly Investment Report for Quarter Ending June 30, 2020.
- L) Appointment of members to Parks and Recreation, Senior Citizens' Center, McAllen Library and Golf Course Advisory Boards.
- M) Report on CARES Act Funding.
- N) Report on IMAS Activities.
- O) Report on Cleaning City Properties and Right of Ways.
- P) Future Agenda Items.

**8. MAYOR'S REPORT:**

- A) Report on Covid Matters.
- B) Report on WiFi.

**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 related to COVID-19 situation and response. (Section 551.071, T.G.C.)
- B) Consultation with City Attorney regarding legal issues related to personnel process. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney regarding legal aspects of mobile home park leases. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal aspects of holiday events. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney regarding legal aspects of retail development contract. (Section 551.071, T.G.C.)
- F) Consultation with City Attorney regarding legal issues related to Economic Development Contract. (Section 551.071, T.G.C.)
- G) 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 September 11, 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