
AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, JANUARY 27, 2014 – 5:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

CALL TO ORDER - Mayor Jim Darling
PLEDGE OF ALLEGIANCE - Mayor Jim Darling
INVOCATION - Mayor Pro Tem Aida Ramirez
PROCLAMATION - *Country Roland Day*

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. Rezone from C-2 (neighborhood commercial) District to C-3L (light commercial) District: 1.955 acres out of Lot 99, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 3000 Buddy Owens Boulevard.
2. Rezone from R-1 (single family residential) District to C-3 (general business) District: Lot 10, Taggart Subdivision, Hidalgo County, Texas; 1721 North 11th ½ Street.
3. Rezone from A-O (agricultural–open space) District to C-3L (light commercial) District: 2.24 acres consisting of 1.51 acres out of Lot 10, Block 1, C.E. Hammond Subdivision, and 0.73 acres being the south 100 feet of Lot A, Christian Fellowship Subdivision, Hidalgo County, Texas; 7100 North 23rd Street (rear).
4. Request of Felipe J. Larraga for a Conditional Use Permit, for life of the use, for a gasoline service station or retail outlet where gasoline products are sold at Lot A, J. G. Ortegon #3 Subdivision; 5520 North 23rd Street.
5. Request of Steve L. McGarraugh on behalf of South Texas Educational Technologies, Inc., appealing the decision of the Planning & Zoning Commission of the January 07, 2014 meeting, denying a Conditional Use Permit, for one year, for an institutional use (school) at Lots 5 through 12, Block 36, North McAllen Townsite Subdivision, Hidalgo County, Texas; 320 North Main Street.
6. Request of Havana Club and Grill, appealing the decision of the Planning & Zoning Commission of the January 07, 2014 meeting, denying a Conditional Use

Permit, for one year, for a nightclub at Lot 3, Lone Star National Bank Subdivision, Hidalgo County, Texas; 500 East Nolana Avenue.

B) REZONINGS:

1. Rezone from C-1 (office building) District to R-1 (single family residential) District: 0.17 acres out of Lot 1, Block 4, West Harvey Addition, Unit No. 1 & Unit No. 2, Hidalgo County, Texas; 2225 Daffodil Avenue. TABLED

2. Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 3.25 acres out of Lot 6, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas; 4300 Pecan Boulevard. TABLED

C) CONDITIONAL USE PERMITS:

1. Request of Ernesto Lozano, appealing the decision of the Planning & Zoning Commission of the January 7, 2014 meeting, denying a Conditional Use Permit, for one year, for a nightclub at Lots 7 & 8, Citrus Grove Plaza Subdivision, Hidalgo County, Texas; 4037 Expressway 83, Suites 100, 105, and 110.

2. Request of Sergio Licon, appealing the decision of the Planning & Zoning Commission of the December 17, 2013 meeting, denying a Conditional Use Permit, for one year, for a dance hall at 3.25 acres out of Lot 6, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas; 4300 Pecan Boulevard.

D) Public Hearing and consideration of a variance from Section 6-2 of the Alcoholic Beverage Code, for Juan R. Flores, on behalf of United Drive Inn No. 7, LLC., Lot 1, V- Reyna Subdivision, Hidalgo County, Texas; 2620 South 23rd Street.

E) Public Hearing and consideration of a variance from Section 6-2 of the Alcoholic Beverage Code, for Roger and Amy Young, on behalf of W.A. & J. Corporation, at Lot 1, Lamar Acres Subdivision, Hidalgo County, Texas; 1120 North 10th Street.

F) Amending the Zoning Ordinance of the City of McAllen as enacted May 29, 1979.

END OF PUBLIC HEARING

THE CITY COMMISSION HAS THE PREROGATIVE TO RECESS INTO EXECUTIVE SESSION AT ANY TIME DURING THE MEETING

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 various meetings.

- B) Award of Supply Contract for Swimming Pool Chemicals.
- C) Consider approval of Change Order No. 2 for Retiree Haven Subdivision Drainage Improvements Project.
- D) Award of Contract for Las Palmas Community Center Gym Reroofing Project.
- E) Consider approval of Change Order No. 1 for Concrete Rip-Rap Improvements at Bentsen Road.
- F) Consideration and Approval of Interlocal agreement with LRGVDC for the Division of TXDOT funding for FY 2013-2014.
- G) Award of Supply Contract for Purchase of Firefighter's Personal Protective Ensemble.
- H) Award of Supply Contract for Purchase of Two (2) Sets of Hurst Jaws of Life and Generators.
- I) Award of Contract for McAllen Hidalgo Bridge Northbound Bridge New Chain Link Fence.
- J) Consider approval of the continuation of Service Agreement with The Retail Coach.
- K) Consider authorization to negotiate a contract with top-ranked firm for Advertising Concession Consultant at McAllen International Airport.
- L) Adoption of an ordinance amending the McAllen Code of Ordinances, Section 2-286 Bidding Procedures and Section 2-288 Professional Service Contracts.
- M) Resolution authorizing the submission of a grant application to the Texas Parks and Wildlife Department for funding under the Fiscal Year 2014 Texas Recreational Trails Fund Grant Program for the land acquisition and development of the McAllen Motocross Park.
- N) Resolution authorizing the submission of a grant application to the Texas Parks and Wildlife Department for funding under the Fiscal Year 2014 Texas Recreational Trails Fund Grant Program for a non-motorized trail at the McAllen Youth Baseball Complex.
- O) Resolution authorizing the submission of a loan application to the Texas Water Development Board for Alternative Source of Potable Water (Planning and Design).

3. BIDS/CONTRACTS:

- A) Consider approval of the new Performing Arts Center Construction Document Phase and authorization to proceed to Bidding Phase.
- B) Consider approval of Additional Service Authorization No. 1 to the new Performing Arts Center Architectural Design Contract.
- C) Consider authorization to solicit Competitive Sealed Proposals (CSP) in lieu of Competitive Sealed Bids (CSB) for the new Performing Arts Center.

4. VARIANCE:

- A) Request of Sinpaq USA, Inc., for a variance to allow an additional free standing sign,

at Lot 2, Shary Gateway Subdivision, 4901 W. Expressway 83.

5. MANAGER'S REPORT:

- A) Construction Update for Airport Terminal Expansion Project.
- B) Parks and Recreation Project Update.
- C) Project Status Report on various projects through December 31, 2013.
- D) Subdivision Development Report for November and December 2013.
- E) Report on convention activities by McAllen Convention and Visitors Bureau.
- F) Discussion and Possible Action on new construction at Trenton & Ware (Mira Bella Apartments).
- G) Advisory Board Appointments.
- H) Future Agenda Items.

6. MAYOR'S REPORT:

- A) Report on McAllen's Water Supply.

PUBLIC COMMENT SESSION

7. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.087 (ECONOMIC DEVELOPMENT),

- A) Discussion of the possible sale or purchase of real property - Tract 1, Tract 2, Tract 3, Tract 4, Tract 5, and Tract 6. (Section 551.072, T.G.C.)
- B) Consideration of Economic Development Matters. (Section 551.087, 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. THE CITY COMMISSION MAY ELECT TO GO INTO EXECUTIVE SESSION ON ANY ITEM WHETHER OR NOT SUCH ITEM IS POSTED AS AN EXECUTIVE SESSION ITEM AT ANY TIME DURING THE MEETING WHEN AUTHORIZED BY THE PROVISIONS OF THE OPEN MEETINGS ACT.

CERTIFICATION

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 24, 2014 at 2:00 p.m. 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/

Annette Villarreal, TRMC/CMC, CPM
City Secretary