



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, DECEMBER 9, 2013 – 5:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER – Mayor Jim Darling

PLEDGE OF ALLEGIANCE – Mayor Jim Darling

INVOCATION – Mayor Pro Tem Hilda Salinas

PROCLAMATIONS - *Tuba Christmas Day* – Jim Egger

- *Christmas for Kids Day* – Chief Victor Rodriguez

- *Tamale Fest Day* – Romeo Cantu

- *McAllen Marathon Day* - Sally Gavlik

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.]*

Consider approval of a variance from Section 6-2 of the Alcoholic Beverage Code, for Lots 10, 11, and 12, Block 6, West Addition to McAllen Subdivision, Hidalgo County, Texas; 601 South 23rd Street, Suite 200.

B) REZONING:

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 Rene H. Alanis, for a Conditional Use Permit, for life of the use, for a personal wireless service facility at Lot 17, Block A, Cathey Courts Subdivision, Hidalgo County, Texas; 128 Beaumont Avenue. **TABLED**

2. Request of Ernesto Lozano, appealing the decision of the Planning & Zoning Commission of the November 5, 2013 meeting, denying a Conditional Use Permit, for one year, for a night club at Lots 7 & 8, Citrus Grove Plaza Subdivision, Hidalgo County, Texas; 4037 Expressway 83, Suites 100, 105, and 110. **TABLED**

- D)** 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 for various meetings.
- B) Resolution authorizing the submission of a grant application to the Texas Department of Transportation through its Selective Traffic Enforcement Program (STEP) Fiscal Year 2015 Comprehensive Project.
- C) Resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through its Fiscal Year 2014 Selective Traffic Enforcement Program's Impaired Driving Mobilization (STEP-IDM) Campaign.
- D) Resolution authorizing the submission of a grant application to the Texas Department of Public Safety, Homeland Security Grant Program under the Fiscal Year 2014 Local Border Security Program.
- E) Resolution authorizing the submission of a grant application to the Lower Rio Grande Valley Development Council for funding under the Fiscal Year 2015 Regional Solid Waste Grant Program.
- F) Resolution authorizing the submission of a grant application to the Lower Rio Grande Valley Development Council for funding under the Fiscal Year 2014 Regional Solid Waste Grant Program.
- G) Resolution authorizing the Mayor or his designated official, to enter and sign Waterline Access Agreements between Sharyland Water Supply Corporation, Third Party Developers and City of McAllen for subdivisions developed in areas of the Sharyland Water Supply Corporation Certificate of Convenience and Necessity.
- H) Resolution adopting the City of McAllen 2013 Tax Roll.
- I) Consideration of a variance request to the 600 ft. maximum length allowed for cul-de-sac street; 315 Wisconsin Road.
- J) Consideration of a variance request to allow Lot 4B without frontage on a street; 1200 Trenton Road.
- K) Ordinance providing for the abandonment of six (6) separate tracts of road right-of-ways which are bordered on the east side of Big Five Road and Hoehn Road on west side, Mile 13 North Road on the south side and on the north side a point approximately ¼ mile north of Mile 14 North Road; 20500 Eubanks Road.
- L) Ordinance providing for the abandonment of an electrical easement being a tract of land containing 0.029 of one acre being the west 5 ft. of Lot 159 and the east 5 ft. of Lot 160, and an electrical easement being 0.029 acres at the west 5 ft. of Lot 164 and the east 5 ft. of Lot 165, La Puerta Phase 1 Subdivision; 14001 North Rooth Road.
- M) Award of Contract to purchase two (2) Programmable Message Boards utilizing the State of Texas Contract.
- N) Award of Contract for the purchase of Traffic Control Products/Material.
- O) Award of Contract for the purchase of Water Products.
- P) Resolution authorizing the submission of a grant application for financial assistance to the Texas Water Development Board.
- Q) Authorization to enter into a Memorandum of Understanding with Hidalgo County for the purchase of a Communications Core Controller.

3. BIDS/CONTRACTS:

- A) Award of Contract for DeLeon North Soccer Expansion Parking Lot Project.

- B) Award of Contract for the purchase of No Boundaries Playground Equipment for Morris Park.
- C) Consideration and approval of Change Order No. 2 for DeLeon Soccer Complex.
- D) Award of Purchase Contract for a Communications Core Controller utilizing the FY 2012 Assistance to Firefighters Grant Funds.
- E) Consideration and approval for upgrade of Laserfiche Electronic Document Management System by MCCi.
- F) Consideration and approval of contract extension for Republic Parking for the operation of the Airport's Parking Program.
- G) Award of Contract for the purchase of one (1) 2014 International DT 2 Speed Diesel Chassis 31,000 GVW with Tymco 600 Regenerative Air Sweeper model for the Streets and Drainage Department of Public Works.
- H) Award of Contract for the purchase of four (4) new current model Refuse Trucks for the Solid Waste Division of Public Works.

4. ORDINANCES:

- A) Amending the McAllen Code of Ordinances, Chapter 2, Section 2.78. Amending attendance requirements for advisory boards.
- B) Amending the McAllen Code of Ordinances, Chapter 102, providing for an amendment to the posted speed limit on Bentsen Road from Pecan Boulevard (FM 495) to Buddy Owens (FM 1924).
- C) Budget Amendment to the General Depreciation Fund for the purpose of funding the purchase of one (1) 2014 Tymco 600 Regenerative Air Sweeper.

5. **RESOLUTION** authorizing the establishment of a non-profit *Friends of Quinta* that will serve as the fundraising entity for Quinta Mazatlan.

6. **VARIANCE** request to the 800 ft. length requirement; 4121 Nolana Avenue.

7. MANAGER'S REPORT:

- A) Appointment of members to the various Advisory Boards.
- B) Consider the nomination of an inductee to the Rio Grande Valley *Walk of Fame* as part of the 2014 *BorderFest* in Hidalgo.
- C) Discussion regarding a Letter of Support for the nomination to the National Register of Historic Places: Lots 10, 11 & 12, Block 5, North McAllen Subdivision, Hidalgo County, Texas; 704 North 15th Street.
- D) Discussion and Possible Action regarding entering into a mutual agreement regarding tracts of land out of Tex-Mex Railway Company Survey Block 5 Lots 1-7 and north section of Lot 8 of M&M Subdivision, 34.43 acres of Tract 2, Block 1 north section of Lot 1, all of Lot 2, 3 and north section of Lot 4 of M&M Subdivision.
- E) Future Agenda Items.

8. **MAYOR'S REPORT** on the Joint City and School meeting held December 3, 2013.

PUBLIC COMMENT SESSION

9. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.087 (ECONOMIC**

DEVELOPMENT) AND SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY).

- A) Discussion and Possible Action on award of bid proposal for the sale of Lot 11B, McAllen Convention Center. (Sections 551.072 and 551.071, T.G.C.)
- B) Discussion and Possible Action on entering into a sales contract and authorizing the City Manager to complete the transaction to acquire a tract of land out of Lot 3, Block 3, A.J. McColl Subdivision, Hidalgo County, Texas. (Sections 551.072 and 551.071, T.G.C.)
- C) Discussion and Possible Action on entering into a sales contract and authorizing the City Manager to complete the transaction to acquire three tracts of land out of Lots 51 & 46, La Lomita Irrigation & Construction Company's Subdivision, Hidalgo County, Texas. (Sections 551.072 and 551.071, T.G.C.)
- D) Consultation with City Attorney regarding legal aspects of human resources process. (Section 551.071, T.G.C.)
- E) Consideration of economic development matters. (Section 551.087, T.G.C.)
- F) Discussion and Consideration of award of contract for the sale of Lot 6(B) for a hotel project (Convention Center Subdivision). (Section 551.072 and 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. 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 the 6th day of December, 2013 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/
Annette Villarreal, TRMC/CMC, CPM
City Secretary