



**CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 12, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez
- PLEDGE** - Mayor Richard Cortez
- INVOCATION** - John Ingram, City Commissioner
- PROCLAMATIONS** - *National Children's Dental Health Month* – Kathy Martin
 - *Comfort House Week* – Mary Botello
 - *Dr. Shirley Anne Reed Day*
 - *Col. Frank Plummer Day*

1. 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 Workshops held September 5th and October 12, 2006 and Regular Meeting held January 22, 2007.
- B)** Award of Contract - Purchase of Water Products.
- C)** Award of Contract - Purchase of One (1) Current Model Heavy Duty Utility Vehicles and Two (2) Current Model Triplex Riding Greens Mowers.
- D)** Change Order No. 1 for the McAllen Downtown Parking Garage for additional work days due to rain delays.
- E)** Award of Contract - Purchase of Mast Arm Poles Project.
- F)** Consider approval of a one year contract extension for Irrigation Controllers for Parks and Recreation Department.
- G)** Change Order No. 2 for the McAllen Downtown Parking Garage relating to excavation of obstructions.
- H)** Award of Bid - Purchase of Engineered Wood Fiber.
- I)** Budget Amendment Ordinance providing for the purchase of a Dump Truck and Cherry Picker (roll over from FY 05-06) and other additional trucks.
- J)** Budget Amendment Ordinance providing for replacement of a Grapple Truck.
- K)** Budget Amendment Ordinance providing for an increase in the McAllen Express Transit Department operating expense for the addition of a seventh route.
- L)** Approval of the Ground Lessor Estoppel and Agreement with Northwest of McAllen Limited Partnership for the Parking Garage located at Renaissance Casa De Palmas Hotel.

2. BIDS/CONTRACTS:

- A)** Award of Contract - Purchase of Parking Meter Electronic Mechanisms and Housings.
- B)** Award of Contract - Architectural Services for the North Police Community Network/Training Center.

- C) Award of Contract - Purchase of One (1) Sewer Cleaning Truck, Three (3) Water Trucks and One (1) Fuel/Lube Truck.
- D) Award of Contract - 20th, 21st, and 22nd Streets Storm Sewer Improvements Project.
- E) Consider approval of design development documents for the McAllen Intermodal Transit Terminal & Parking Improvements.
- F) Consider authorization for additional service fees for Negrete & Kolar Architects related to the McAllen Intermodal Transit Terminal & Parking Improvements.
- G) Award of Contract - Purchase of One (1) Compact Wheel Loader.
- H) Consider approval of an Agreement for Electrical Facilities Extension with Sharyland Utilities, L.P. for the Anzalduas Bridge site.

3. ORDINANCES:

- A) Abandoning two tracts of land: a 50 ft. x 125 ft. portion of Gumwood Avenue and a 25 ft. x 75 ft. portion of Fir Avenue out of Blocks 1 and 8, Hammonds Addition; 1910 Gumwood Avenue.
- B) Approving STAP Steering Committee recommendation on TCC Rate Case.

4. RESOLUTIONS:

- A) Establishing a Community Revitalization Plan of Public Housing of the McAllen Housing Authority including the development known as Retama Village; 2301 Jasmine Avenue.
- B) Authorizing the submission of a matching grant application for a Historic Preservation Plan.
- C) Authorizing the submission of a grant application to the National Fish and Wildlife Foundation for a demonstration wetland at Quinta Mazatlan.

5. VARIANCE:

- A) Request for a variance not to require the subdivision process at 614 Uvalde Avenue.

6. MANAGER'S REPORT:

- A) Nomination of inductee to the Rio Grande Valley Walk of Fame as part of the 2007 *BorderFest*.
- B) Approval of Bad Debt Write-Off for 2nd Quarter – FY 05-06/Sanitation Accounts.
- C) Authorization to declare certain city equipment as surplus.
- D) Review and approve proposed schedule for the grand opening of the Convention Center.
- E) Advisory Board Appointments.
- F) Future Agenda Items.

7. TABLED ITEMS:

- A) Approval of Change Order No. 20 for the McAllen Convention Center Contingency Fund.
- B) Request for a variance to the subdivision requirements for Paving and Drainage Improvements along Mile 7 Road at Ruben Rodriguez Subdivision.

- C) Consider approval of a contract with Simon Properties for a pylon sign for the McAllen Convention Center Palm Crossing Development.
- D) Selection of Paid Parking Management Firm to implement paid parking at McAllen International Airport.
- E) Appointment to the Civil Service Commission.

THE CITY COMMISSION HAS THE PREROGATIVE TO RECESS INTO EXECUTIVE SESSION PRIOR TO 6:00 PM

8. PUBLIC HEARING BEGINNING AT 6:00 PM:

A) REZONINGS:

TRACT ONE: Rezone from C-1 (office building) District to C-3 (general business) District:

Lots 1 & 2, Rolando Gomez Subdivision; 3224 Buddy Owens Boulevard.

TRACT TWO: Rezone from A-O (agricultural and open space) District to I-1 (light industrial) District:

27.562 acres out of Lots 30 and 31, Block 3, C.E. Hammonds Subdivision; 2201 Military Highway.

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

C) CONDITIONAL USE PERMIT:

1) Request of Laura Soledad Mendez, appealing the decision of the Planning and Zoning Commission at the January 16, 2007 meeting, denying a conditional use permit requested for one year, for a home occupation (daycare) at Lot 11, Block 7, Bluebird Subdivision; 5412 North 29th Lane.

2) Request of Solis Tire Service, appealing the decision of the Planning and Zoning Commission at the January 16, 2007 meeting, denying a conditional use permit, for one year, for an automotive service and repair shop at Lot 2, Associate Seven Subdivision; 4401 Business Highway 83.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

9. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 ATTORNEY-CLIENT PRIVILEGE AND PENDING OR CONTEMPLATING LITIGATION, SECTION 551.072 LAND TRANSACTION, SECTION 551.074 PERSONNEL MATTERS AND SECTION 551.087 ECONOMIC DEVELOPMENT NEGOTIATIONS.

A) Discussion and Possible Action – Attorney-Client Privilege relating to Hidalgo County Irrigation District #3 Legislative Strategy.

- B) Discussion and Possible Action – Seek City Attorney’s opinion relating to the contractual relationship on the Anzalduas Bridge operation.
- C) Discussion and Possible Action – Police Collective Bargaining Negotiations/Cause No. C-19599-06-I: McAllen Police Officers’ Union and Michael Zellers, President vs. City of McAllen.
- D) Discussion and Possible Action – Consider the purchase of 250+ acres out of Jackson Subdivision.
- E) Discussion and Possible Action – Consider future development of the 10 acres under the 272 Agreement for Driscoll McAllen Specialty Clinic.
- F) Discussion and Possible Action – Consider 380 Industrial Incentive Agreement for Fresh Produce, L.P.
- G) Discussion and Possible Action – Consider the purchase of 41 acres out of Lots 2, Blocks 1&2, Rio Bravo Subdivision.
- H) Discussion and Possible Action – Consider 380 Industrial Incentive Contract for Project Wagon Wheels.
- I) Discussion and Possible Action – Consider 380 Industrial Incentive Contract for Project WIRED (Workforce Innovation in Regional Economic Development).

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED (OR INTERPRETERS FOR THE DEAF), NOTIFY THE CITY SECRETARY’S DEPARTMENT AT 972-7130 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 9th day of February 2007 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
City Secretary