



**CITY COMMISSION REGULAR MEETING  
MONDAY, FEBRUARY 26, 2007 – 4:00 PM  
CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez  
**PLEDGE** - Mayor Richard Cortez  
**INVOCATION** - Jan M. Klinck, Mayor Pro Tem  
**PRESENTATION** - New Marketing Posters by McAllen Chamber of Commerce

**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 Special Meetings held January 17<sup>th</sup> & 25<sup>th</sup>, Workshop held January 29<sup>th</sup>, Special Meetings held January 30<sup>th</sup> & 31<sup>st</sup>, Workshop held February 12<sup>th</sup>, and Special Joint Meeting and Regular Meeting held February 12, 2007.
- B) Water Line Access Agreement with Sharyland Water Supply for fire protection for Mission Valley Estates Subdivision.
- C) Lease Agreement with Hidalgo County Headstart Program for use of space at Old Sam Houston School.
- D) Award of Contract – Purchase of Lubricants.
- E) Award of Contract – Purchase of Two (2) Police Package Vehicles.
- F) Award of Contract – Pavement and Drainage Improvements for Erie Avenue and 35<sup>th</sup> Street.
- G) Award of Contract – Annual Surveying Services 2006-2007.
- H) Change Order No. 1 and Final Reconciliation of Quantities for 2006 Storm Sewer Drainage Improvements.
- I) Resolution implementing procedures for annexation of eight (8) tracts.
- J) Resolution authorizing submission of a grant application to the Texas Department of Transportation for the FY 2008 Selective Traffic Enforcement Program Grant.
- K) Resolution approving an Advanced Funding Agreement with the Texas Department of Transportation for Traffic Signals.
- L) Ordinance abandoning the existing N. 25<sup>th</sup> Street between Ivy Avenue and Jasmine Avenue, being a 0.1919 acre tract of land out of Lots 27 & 28, Block 2, C.E. Hammonds Subdivision.

**2. BIDS/CONTRACTS:**

- A) Award of Contract – Purchase of Development Services Software.
- B) Award of Contract – Purchase of Tires.
- C) Consider Amendments to HNTB Service Contract for Airfield Improvements.

**3. ORDINANCES:**

- A) Amending the McAllen Code Chapter 14, “Animals” relating to Feral Cats.

- B) Amending the McAllen Code Chapter 138 prohibiting the parking of Road Tractors, Semi-Trailers or Trucks on Residential Lots.

**4. MANAGER'S REPORT:**

- A) Approval of schematic design for the Development Services Facility.
- B) Discussion and Consideration of the request by the McAllen Hispanic Chamber of Commerce for funding of the Jalapeno *Futures* Golf Tournament.
- C) Advisory Board Appointments.
- D) Selection of underwriting syndicate for the bond sale for the Anzalduas Bridge.
- E) Future Agenda Items.
- F) Review and Acceptance of Quarterly Investment Report for quarter ending December 31, 2006.

**5. 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) Appointment to the Civil Service Commission.
- E) Change Order No. 2 for the McAllen Downtown Parking Garage relating to excavation of obstructions.
- F) Award of Contract - Purchase of Parking Meter Electronic Mechanisms and Housings.
- G) Award of Contract - Architectural Services for the North Police Community Network/Training Center.
- H) Consider approval of an Agreement for Electrical Facilities Extension with Sharyland Utilities, L.P. for the Anzalduas Bridge site.
- I) Request for a variance not to require the subdivision process at 614 Uvalde Avenue.

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

**6. PUBLIC HEARING BEGINNING AT 6:00 PM:**

**A) CONDITIONAL USE PERMITS:**

- 1) Request of Lopez Tires and Wheels, for a conditional use permit, for life of the use, for an automotive service and repair (tire shop) at Lot 1, Lopez Wheels; 801 North 23<sup>rd</sup> Street.
- 2) Request of City of McAllen, for a conditional use permit, for life of the use, for an institutional use (fire station), at 1.6873 acres out of Lot 141, La Lomita Irrigation and Construction Company; 3401 Vine Avenue.
- 3) Request of Andres Cruz, for a conditional use permit, for life of the use, for a single family dwelling at 2.93 acres out of the north 4.5 acres of a 9.1 acre tract in the northeast part of Lot 192, La Lomita Irrigation and Construction Company; 2900 South 23<sup>rd</sup> Street.

- B) Public Hearing to consider amending Chapter 138 prohibiting the parking of Road Tractors, Semi-Trailers or Trucks in Residential Lots.

**END OF PUBLIC HEARING**

**PUBLIC COMMENT SESSION**

**7. 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 380 Industrial Incentive Contract for Project WIRED (Workforce Innovation in Regional Economic Development).
- F) Discussion and Possible Action – Evaluation of City Attorney.
- G) Discussion and Possible Action – Worker’s Comp/Loss Run Report as of January 31, 2007.
- H) Discussion and Possible Action – Consider filing an injunction against City of Edinburg relating to non-compliance with Drainage Agreement.
- I) Discussion and Possible Action – Consider 380 Industrial Incentive Agreement with Bright Star Cable.
- J) Discussion and Possible Action relating to the Collective Bargaining Agreement with the McAllen Firefighter’s Association.
- K) Discussion and Possible Action – Review of proposals for the sale of Lot 9, Convention Center Subdivision, for a hotel 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 23<sup>rd</sup> 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