



**CITY COMMISSION REGULAR MEETING
MONDAY, MARCH 26, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Marcus Barrera, City Commissioner
PROCLAMATION - MDA – *Fill the Boot Campaign* – Karen Flores
- *Dr. Domingo Useda’s 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 Workshop held January 22nd, Special Meeting held February 22nd, Workshop and Regular Meetings held February 26th, Special Meeting held March 8th and Workshop and Regular Meetings held March 12, 2007.
- B) Award of Contract – Purchase of Twenty-Five (25) Vehicles for various departments.
- C) Award of Contract – Purchase of Traffic Management Cameras.
- D) Award of Contract – City of McAllen Annual Surveying Services 2006-2007.
- E) Award of Contract – Purchase of Automotive and Truck Parts.
- F) Authorization to declare certain City vehicles and equipment as surplus.

2. BIDS/CONTRACTS:

- A) Award of Contract – Purchase of Three (3) Overhead Refuse Trucks.
- B) Consider approval of the City’s Health Plan Runoff Service Agreement with Health Administration Services and Claim Processing Implementation.

3. ORDINANCES:

- A) Amending the McAllen Code, Chapter 134, “Subdivisions” relating to Requirements for Alleys.
- B) Providing for modifications to the Solid Waste Ordinance.
- C) Amending the McAllen Code of Ordinances, Chapter 110, “Vegetation,” relating to preservation and removal of trees.

4. RESOLUTION:

- A) Endorsing certain legislative changes to enhance the competitive electric market supported by the South Texas Aggregation Project, Inc.

5. VARIANCE:

- A) Request for a variance to not require the subdivision process for 2600 Trenton Road.

6. MANAGER'S REPORT:

- A) Tax Collection Report for quarter including December 2006 through February 2007.
- B) Delinquent Tax Collection Report from October 2006 to February 2007.
- C) Consider approval of the City's Health Plan Amendments and Plan Documents.
- D) Future Agenda Items.

7. TABLED ITEMS:

- A) Approval of Change Order No. 20 for the McAllen Convention Center Contingency Fund.
- B) Consider approval of a contract with Simon Properties for a pylon sign for the McAllen Convention Center Palm Crossing Development.
- C) Appointment to the Civil Service Commission.
- D) Award of Contract - Purchase of Parking Meter Electronic Mechanisms and Housings.
- E) Award of Contract - Architectural Services for the North Police Community Network/Training Center.
- F) Consider approval of the Agreement for Electrical Facilities Extension with Sharyland Utilities, L.P. for the Anzalduas Bridge site.
- G) Request for a variance to not require the subdivision process at 614 Uvalde Avenue.
- H) Award of Contract – Purchase of Development Services Software.
- I) Consider an addendum to the current agreement with the Waters Consulting Group, Inc. regarding the Compensation Study.
- J) Award of Bid – Purchase and Redevelopment of Central Park.
- K) Award of Bid – Local Phone Service.
- L) Award of Contract – Auburn Avenue and Main Street Improvements.

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) Public Hearing to consider an amendment to Foresight McAllen: Physical Development Plan; Changing the land use of designation from low density residential to commercial by expanding the commercial corridor from 360 ft. to 1,314 ft. at the northeast corner of 10th Street and Wisconsin Road.

B) REZONINGS:

TRACT ONE: Rezone from A-O (agricultural & open space) District to C-3 (general business) District:

6.048 acres out of Lot 7, Section 13, Hidalgo Canal Company's Subdivision; 8100 North 10th Street.

TRACT TWO: Rezone from A-O (agricultural & open space) District to C-3 (general business) District:

8.681 acres out of Lot 7, Section 13, Hidalgo Canal Company's Subdivision; 8000 North 10th Street.

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

D) CONDITIONAL USE PERMITS:

1) Request of Melvin A. Leslie, for a conditional use permit, for life of the use, for an institutional use (youth center) at 11.04 acres out of Lot 397, John H. Shary Subdivision; 7208 North Taylor Road.

2) Request of Adrian Santos, appealing the decision of the Planning and Zoning Commission at the February 20, 2007 meeting, denying a conditional use permit, for one year, for a bar at Lot A1, Nolana Tower Shopping Center Subdivision; 400 Nolana Avenue. **TABLED**

3) Request of John Jalili, appealing the decision of the Planning and Zoning Commission at the February 20, 2007 meeting, denying a conditional use permit, for one year, for a bar at the east 50 feet of Lots 13 & 14, Block 12, McAllen Addition Subdivision; 1415 Austin Avenue. **TABLED**

E) Public Hearing to consider an amendment to Foresight McAllen: Physical Development Plan; Changing the Extra-Territorial Jurisdiction (ETJ) boundary line excluding an 87.84 acre tract located at the northwest corner of South Jackson Road and Thomas Road.

F) Public Hearing to consider an Ordinance Amendment to further limit the number of poultry and fowl that may be kept within the City of McAllen.

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 relating to the Collective Bargaining Agreement with the McAllen Firefighter's Association.
- E)** Discussion and Possible Action - Worker's Comp/Loss Run Report as of February 28, 2007.
- F)** Discussion and Possible Action – Consider status of litigation: Elias Mora and Sonia Mora vs. ZBOA.
- G)** Discussion and Possible Action – Consider disposition of the Hospital District land.
- H)** Discussion and Possible Action regarding new lawsuit: Cause No. C-505-07-E, Edgar Nunez vs. City of McAllen; in the 275th District Court.
- I)** Discussion and Possible Action – Review proposals for the Convention Center Hotel.
- J)** Discussion and Possible Action relating to potential litigation against the City of Edinburg relating to drainage.
- K)** Discussion and Possible Action – Consider the lease of the old Civic Center.

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.