



**CITY COMMISSION REGULAR MEETING
MONDAY, APRIL 23, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Aida Ramirez, City Commissioner
PROCLAMATIONS - *Recognizing MISD Duke TIP Participants*
- *Public Service Recognition Week* – Mike Perez
- *School Nurse Awareness Week* – Adalia Del Bosque
- *Elder Abuse Prevention & Older Americans Month* – Samm Mercado
- *Adult Protective Services & Silver Ribbon Month* – Susie Huerta
- *Financial Literacy Awareness Week* – Gabriela Rodriguez

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)** Award of Contract – Library Magazine and Newspaper Subscription Service.
- B)** Interlocal Agreement between the City of McAllen and the McAllen Independent School District relating to a pilot project for the vehicle tracking system.
- C)** Interlocal Agreement between the City of McAllen and the McAllen Independent School District relating to the reoccurring rentals of the Convention Center.
- D)** Change Order No. 4 – Bentsen Road Paving and Drainage Improvements (Frontage to FM 495).
- E)** Renewal of lease with the McAllen Heritage Center for the use of a portion of the La Placita Building.
- F)** Award of Contract – Purchase of Fuel.
- G)** Resolution supporting Senate Bill 1888 and House Bill 3437 authorizing the imposition of an Optional County Vehicle Registration Fee to address county mobility needs.
- H)** Resolution authorizing the acceptance of grant funds from TXDOT through its Selective Traffic Enforcement Program’s (STEP) Campaign: *Click It or Ticket*.
- I)** Resolution authorizing the submission of a grant application to the Texas Comptroller of Public Accounts under the Tobacco Compliance Grant Program.
- J)** Resolution authorizing the submission of a grant application to the Office of the Governor under the Juvenile Justice Delinquency Prevention Program.
- K)** Reconsideration of award of contract and Authorization to re-advertise for bids for Three (3) Water Trucks and One (1) Fuel/Lube Truck.
- L)** Resolution authorizing the submission of a grant application to the U.S. Department of Justice under the Bulletproof Vest Partnership Program.
- M)** Authorization to declare certain city vehicles as surplus.

- N) Consider approval of Assignment of Off-Airport Automobile Rental Concession Agreement to DTG Operation.
- O) Resolution authorizing STAP to negotiate Electric Supply Agreement in 2008.

2. BIDS/CONTRACTS:

- A) Award of Contract – Purchase of Turnout Gear (Coats & Pants) for Fire Department.
- B) Change Order No. 2 – Nolana Road Extension Paving and Drainage Improvements (Bentsen Road to Taylor Road).
- C) Selection of firm for Construction Management Services for the Anzalduas International Bridge and Authorization to negotiate a contract with selected firm.
- D) Consider Final Change Order for 2005 Airfield Improvement Project for the Rehab Runway 18-36 Construction.
- E) Change Order to Amendment 13 of HNTB Professional Services Contract.
- F) Consider approval of Airport Parking Facilities Management Agreement.
- G) Consider approval of format/content of the Preliminary Official Statement and authorization for First Southwest Company to distribute the Preliminary Official Statement on behalf of the City.
- H) Consider the Issuance and Authorization of Bond Anticipation Notes (BAN) in conjunction with the financing of the Anzalduas International Crossing Project.
- I) Authorization for the installation of street lights along South Ware Road.
- J) Award of Contract - Balboa Acres Outfall Project.
- K) Consider award of contract for a Landscape Architect for the development of a park on North 29th Street.

3. ORDINANCE:

- A) Amending the McAllen Code; Chapter 54. Article V. Prohibiting smoking in certain buildings, enclosed areas and certain outdoor facilities.

4. RESOLUTIONS:

- A) Authorizing the submission of a grant application to the Department of Homeland Security under the Assistance to Firefighters Grant Program to purchase interoperable radio communications equipment, including radios for all on-duty Firefighters and new base stations for each fire station.
- B) Authorizing the submission of a grant application to the Department of Homeland Security under the Assistance to Firefighters Grant Program to purchase a new Fire Pumper Apparatus for Station 8.

5. VARIANCE:

- A) Request for a variance to allow a sign higher than 35 ft. at 6420 S. 23rd Street.

6. MANAGER’S REPORT:

- A) Future Agenda Items.
- B) Review and approval of schematic drawing of Bill Schupp Park Renovations.

7. MAYOR'S REPORT:

- A) Announcement of bet loss to City of Laredo Mayor.
- B) Report on visit with Tamaulipas' Governor.
- C) Report on visit with Mexico's former President Vicente Fox.

8. TABLED ITEMS:

- A) Award of Bid – Purchase and Redevelopment of a Central Park.
- B) Amending the McAllen Code, Chapter 134, "Subdivisions" relating to Requirements for Alleys.

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

9. PUBLIC HEARING BEGINNING AT 6:00 PM:

A) CONDITIONAL USE PERMIT:

1) Request of Nextel Partners, for a conditional use permit, for life of the use, for a personal wireless service facility at Lot 38, Block 1, Hammond Subdivision; 1950 Maple Avenue. **TABLED**

B) 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. **TABLED**

C) Public Hearing to consider adoption of an ordinance amending the McAllen Code; Chapter 54. Article V. Prohibiting smoking in certain buildings, enclosed areas and certain outdoor facilities.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

10. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATION WITH ATTORNEY, SECTION 551.072 DELIBERATIONS ABOUT REAL PROPERTY, SECTION 551.073 DELIBERATIONS ABOUT GIFTS AND DONATIONS, SECTION 551.074 PERSONNEL MATTERS, SECTION 551.076 DELIBERATIONS ABOUT SECURITY DEVICES AND SECTION 551.086 ECONOMIC DEVELOPMENT.

- A) Discussion and Possible Action – Attorney-Client privilege relating to Hidalgo County Irrigation District #3 Legislative Strategy.
- B) Discussion and Possible Action – Police Collective Bargaining

Negotiations/Cause No. C-1959-06-I: McAllen Police Officers' Union and Michael Zellers, President vs. City of McAllen including new severed case Cause No. C-1959-06-I: McAllen Police Officers' Union and Michael Zellers, et al. President vs. City of McAllen.

- C) Discussion and Possible Action relating to the Collective Bargaining Agreement with the McAllen Firefighter's Association.
- D) Discussion and Possible Action – Review proposals for the Convention Center Hotel.
- E) Discussion and Possible Action relating to the purchase and redevelopment of a Central Park.
- F) Discussion and Possible Action relating to the sale of La Lomita Lot 19.
- G) Discussion and Possible Action – Worker's Comp/Loss Run Report as of March 31, 2007.
- H) Discussion and Possible Action – Motor Vehicle Accident Liability and Subrogation Claims Report as of March 31, 2007.
- I) Discussion and Possible Action – Purchase Agreement for Lots 9 & 10, Convention Center Subdivision.

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 20th day of April 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