



**CITY COMMISSION REGULAR MEETING
MONDAY, MAY 14, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - John Ingram, City Commissioner
PROCLAMATION - *Peace Officers' Memorial Week* – Chief 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 – Purchase of Structural Fire Fighting Safety Boots.
- B) Award of Contract – Purchase of Sky Watch Deterrence & Surveillance Unit.
- C) Resolution authorizing the submission of a grant application to the Office of the Attorney General of Texas to support the salary and fringe benefits of the Police Department's Crime Victims Liaison position.
- D) Resolution authorizing the submission of a grant application to the U.S. Department of Homeland Security for funding under the Commercial Equipment Direct Assistance Program (CEDAP) for an XOA Portable Video Surveillance System.
- E) Resolution authorizing the submission of a grant application to the U.S. Department of Homeland Security for funding under the Commercial Equipment Direct Assistance (CEDAP) for a Homeland Security Comprehensive Assessment Model Training, Certification and Vulnerability Assessment Kit.
- F) Authorization for extension of supply contract for Decomposed Granite Gravel with Lindig Construction and Trucking Company.
- G) Award of Bid – 2007 Gus and Goldie Learn-to-Swim Program T-Shirts.

2. BIDS/CONTRACTS:

- A) Award of Bid - 2007 Airfield Improvement Projects.
- B) Award of Contract – Amendment No. 17 to HNTB Service Contract.
- C) Award of Contract – Oil, Gas and Mineral Rights Lease for 14.989 acres, being Lot 1, Wal-Mart Subdivision.
- D) Rejection of Bids and Re-advertisement of the Balboa Acres and 2nd & Harvey Stormwater Pump Station Bypass Project.
- E) Consider a change order to the contract with SICO America, Inc. for Portable Dance Floors and Portable Risers & Accessories.

3. ORDINANCES:

- A) Abandoning a 12 ft. Utility Easement being the east 6 ft. of Lot 2 and the west 6 ft. of Lot 3, Del Lugo Subdivision; 913 and 1001 E. Francisca Avenue.
- B) Abandoning the north 1 ft. of a 10 ft. Utility Easement on the south side of Lot 37, Oxford Heights Subdivision; 8803 North 35th Lane.
- C) Abandoning a 10 ft. Utility and Irrigation Easement out of Lots 18 and 19, Section 229, Texas-Mexican Railway Company Survey.
- D) Budget Amendment for Summer Aquatic Program.

4. RESOLUTIONS:

- A) Authorizing the submission of Passenger Facility Charge (PFC) Application.
- B) Authorizing the submission of a grant application to TXDOT for the construction of sidewalks and installation of school zone flashers, signage and other related items to Alvarez, Fields, Navarro, Thigpen Elementary and Travis Middle School.
- C) Approving an Advance Funding Agreement with TXDOT for Landscape and Irrigation Improvements on Expressway 83 from FM 3362 (Jackson Road) to Taylor Road.

5. VARIANCES:

- A) Variance request to the right-of-way dedication requirement for North Main Street at 5.08 acres out of Lot 2 and Lot 3, Ebony Heights Citrus Groves Unit 1.
- B) Variance request to the 800 ft. block length requirement for Villa Valencia Subdivision.
- C) Variance request to the sidewalk requirement for Barrio Antiguo Subdivision.
- D) Variance request to the 800 ft. block length requirement for Villaggio Subdivision.
- E) Variance request to the Park Land Dedication Ordinance for Fawn Crossing at Deer Park Subdivision.
- F) Variance request to the Park Land Dedication Ordinance for Trenton Crossing Phase III.

6. MANAGER'S REPORT:

- A) Discussion of 2007 PalmFest venue and budget.
- B) Report on issues related to the Annual *4th of July* activities in McAllen.
- C) Discussion and Seek Direction relating Update of Foresight Master Plan.
- D) Future agenda items.

7. MAYOR'S REPORT:

- A) Update on U.S. Policy on the Border.

8. TABLED ITEM:

- A) Award of Bid – Purchase and Redevelopment of a Central Park.

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 Mario Von Chong, for a conditional use permit, for life of the use, for a parking facility at Lot 7, Block 3, Pecan Acres Subdivision; 903 Orange Avenue.
- 2) 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 institute annexation proceedings, adopt the first reading of the ordinance and order publication of the ordinance for the following described tracts of land:

Tract 1: 35.611 acres out of Lot 1, Block 5, Rio Bravo Plantation Company's Subdivision, Hidalgo County, Texas; (A/K/A Lots 1-18, F1-9, R/S McAllen Produce Terminal Market Subdivision, Lots 3A & 4A, amended plat, Lots 5A, 5B & 5C, amended plat, condominiums A1-36, B1-56, C1-56, D1-28 and E1-34).

Tract 2: 42.85 acres out of Lots 1 and 2, Block 5, Rio Bravo Plantation Company's Subdivision, Hidalgo County, Texas; (A/K/A Botello Industrial Park Lots 1-29).

Tract 3: 10.61 acres out of Lot 7, Block 5, Rio Bravo Plantation Company's Subdivision, Hidalgo County, Texas; (A/K/A Lot 1, McAllen Southwest Industrial District Unit 6, Vacated and R/s as Lot 1, McAllen Southwest Industrial District Unit 7).

Tract 4: 12.045 acres out of Lot 1, Sharyland Business Park Phase 1 Subdivision, Hidalgo County, Texas.

Tract 5: 7.40 acres out of Lot 9, Sharyland Business Park Subdivision, Hidalgo County, Texas.

Tract 6: 12.906 acres out of Lot 18, Sharyland Business Park Phase 2 Subdivision, Hidalgo County, Texas.

Tract 7: 30.606 acres out of Lot 32, Block 3, C. E. Hammond Subdivision, Hidalgo County, Texas.

Tract 8: 81.44 acres out of Lots 10, 11 and 12, Block 5, Rio Bravo Plantation Company Subdivision, Hidalgo County, Texas.

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 – Purchase Agreement for Lots 9 & 10, Convention Center Subdivision.
- H) Discussion and Possible Action – Approval of Financial Incentive Package and RFP for Lots 6 & 7, Convention Center Subdivision.
- I) Discussion and Possible Action – Consider 380 Industrial Incentive Agreement for Project Road Runner.
- J) Discussion and Possible Action – Consider 380 Industrial Incentive Agreement for Project XYZ.

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 11th day of May 14, 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