



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, JULY 9, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Aida Ramirez, City Commissioner

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 Regular Meeting held May 29th and Workshop and Regular Meetings held June 25, 2007.
- B) License Agreement with Hidalgo County Irrigation District No. 1 relating to landscaping for property on N. 29th Street.

2. BIDS/CONTRACTS:

- A) Approval of Change Order No. 1 for Auburn Avenue and Main Street Improvements.
- B) Award of Contract – Transit Television Advertising.
- C) Award of Contract – Purchase of One (1) Current Model 2” Drum for Trommel Screener.
- D) Award of Bid - Service and Supply Contract for Purchase and Replacement of HVAC (Air Conditioning) Filters for City Buildings.

3. RESOLUTION:

- A) Taking action on Texas Gas Service statement of intent to change gas rates for the City of McAllen.

4. ORDINANCE:

- A) Amending the McAllen Code Chapter 114, Article V, Vehicles for Hire Providing for an increase in taxicab fares to \$0.40 per 1/5 mile.

5. MANAGER’S REPORT:

- A) Final Review and Approval of Compensation Study.
- B) Appointments to the Heart of the City Board.
- C) Consideration and Action to ratify communication with the City of Hidalgo regarding the Anzalduas Bridge.

D) Future agenda items.

6. TABLED ITEMS:

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

B) Ordinance amending the McAllen Code, Chapter 110, Article I, relating to Tree Preservation.

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

7. PUBLIC HEARING BEGINNING AT 6:00 PM:

A) REZONINGS:

TRACT ONE: Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District:

1.661 acres out of Lot 59, La Lomita Irrigation & Construction Company Subdivision; 7612 North 29th Street.

TRACT TWO: Rezone from A-O (agricultural-open space) District to C-3L (light commercial) District:

2.80 acres out of Lot 99, La Lomita Irrigation and Construction Company Subdivision; 3000 Buddy Owens Boulevard.

TRACT THREE: Rezone from A-O (agricultural-open space) District to C-1 (office building) District:

1.00 acres out of Lot 15, Section 280, Texas-Mexican Railway Survey Subdivision; 11200 North 23rd Street (rear).

TRACT FOUR: Rezone from R-2 (duplex-fourplex residential) District to R-3A (multifamily residential apartments) District:

Lot 12, Block 14, College Heights Subdivision; 2116 Newport Avenue.

TRACT FIVE: Rezone from A-O (agricultural-open space) District to C-3 (general business) District: **TABLED**

1.83 acres out of Lot 57, La Lomita Irrigation & Construction Company Subdivision; 7824 North Ware Road.

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

C) CONDITIONAL USE PERMITS:

- 1) Request of Carlos F. Garza, appealing the decision of the Planning and Zoning Commission at the June 19, 2007 meeting, denying a conditional use permit, for one year, for a night club at Lots 4, 5, & 6, Palms Community Center #2 Subdivision; 3911 North 10th Street, Suites B & C.
 - 2) Request of Rana's Sports Club, LLC, appealing the decision of the Planning and Zoning Commission at the June 19, 2007 meeting, denying the conditional use permit, for one year, for a night club at Lot 1, Nolana West Subdivision; 2200 West Nolana Avenue Suites 2232 & 2234.
 - 3) 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**
- D) Public Hearing to consider an ordinance amending the McAllen Code Chapter 110. Vegetation, Article 1 relating to Tree Protection and Preservation.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

8. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATION WITH ATTORNEY, SECTION 551.072 DELIBERATIONS ABOUT REAL PROPERTY, SECTION 551.074, PERSONNEL MATTERS, SECTION 551.076 AND ECONOMIC DEVELOPMENT, SECTION 551.087.**
 - A) Consultation with City Attorney regarding McAllen Firefighters' Union Collective Bargaining.
 - B) Discussion and Possible Action relating to the purchase and redevelopment of a Central Park.
 - C) Discussion and Possible Action – Purchase Agreement for Lots 9 & 10, Convention Center Subdivision.
 - D) Consultation with City Attorney regarding Airline Negotiations.
 - E) Discussion and Consultation with City Attorney regarding legal issues relating to professional services.
 - F) Discussion and Consultation with City Attorney regarding litigation; Cause No. C-2184-01-G; Manuel Trigo, Jr. and Lydia Cantu vs. City of McAllen, Texas.
 - G) Consultation with City Attorney regarding Cause No. C-1959-06-I; McAllen Police Officers' Union and Michael Zellers, President vs. City of McAllen, Texas (Law Suit relating to Collective Bargaining and Ballot Proposition).
 - H) Consultation with City Attorney relating to bidding process for testing services.
 - I) Consultation with City Attorney relating to architect contract with Gignac and Associates.

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED (OR INTERPRETERS FOR THE DEAF), NOTIFY THE CITY SECRETARY'S DEPARTMENT AT 681-1020 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 6th day of July, 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