



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, AUGUST 13, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Jim Darling, City Commissioner
PROCLAMATION - 78501 CYD Program Youth Rally Day – Rene Rios

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 for Workshop July 9th and Special Meeting held July 17th.
 - B) Award of Bid - Emergency Air Conditioning Replacement for GSA Facility at the McAllen Hidalgo International Toll Bridge.
 - C) Authorization to submit Annual Certifications and Assurances to the Federal Transportation Administration.
 - D) Lease Extension Agreement with Monaco Plaza for Office Space for the Auto Theft Task Force.
 - E) License Agreement between City of McAllen and URS Corporation for installation of two (2) Groundwater Monitoring Wells within the City's right-of-way.
 - F) Resolution authorizing execution of a Wireline Crossing Agreement with Union Pacific Railroad Company.
 - G) Award of Contract – Purchase of Uninterrupted Power Supply Systems for Traffic Signals.
 - H) Approval of Pledgee Agreement with Federal Reserve Bank.
 - I) Authorization to rescind the purchase of One (1) Airport Rescue Fire Fighting Vehicle.
 - J) Award of Contract – 2007 Service Contract for various types of Concrete Work.
 - K) Budget Amendment Ordinance for the McAllen Chamber of Commerce to fund Income Tax Credit Program.
 - L) Budget Amendment Ordinance for the purchase of property for Trinity Subdivision Park.
 - M) Resolution authorizing acquisition of easements for Mile 6 Waterline Project.
 - N) Resolution authorizing participation in the South Texas Auto Theft Enforcement Task Force and entering into an Interlocal Agreement with the City of Brownsville to enforce the program.
 - O) Resolution authorizing the submission of the Annual Grant Application Part I to TXDOT.
 - P) Resolution supporting a Veterans Hospital in the Rio Grande Valley.
 - Q) Resolution supporting the proposed increase to Vehicle Registration Fees.

- R) Approval of Transit Drug and Alcohol Policy.
- S) Approval of Public Funds Investments Act Training for Investment Officers.
- T) Tax Refunds over \$500 for:
 1. David Armstrong
 2. M&P Motors, Inc. – Tazon Puzio
 3. John Crane, Inc.
 4. GG & M, LLC
 5. South Villa Hermosa Ltd.
 6. Lone Star Rehab Dr. Luis Patino

2. BIDS/CONTRACTS:

- A) Approval of Waterline Access Agreement with Sharyland Water Supply for Vineyards Subdivision Phases I and II.
- B) Award of Contract – Purchase of the ADAMS Forensic Image Tracking System.
- C) Award of Bid – Purchase of One (1) Heavy Duty Special Weapons & Tactical Vehicle.
- D) Award of Contract – Purchase of Thermoplastic Materials.
- E) Award of Contract – Purchase of One (1) 16,000 GVWR Standard Cab & Chassis with Crane Service Body.
- F) Award of Contract - Professional Auctioneering Services.
- G) Approval of a Permit to Drill an Oil/Gas Well at the southeast corner of Lot 14, Block 1, C.E. Hammond’s Addition.
- H) Award of Contract – Purchase generator sets and related components through HGAC.

3. VARIANCE:

- A) Request for a variance not to require the 50 ft. Francisca Avenue Road right-of-way along the south boundary of the Macias-Torres Subdivision.

4. MANAGER’S REPORT:

- A) Approval of Long Chilton, CPAs request for Additional Fees relating to Audit of FY 2005-06.
- B) Approval of Audit Engagement Letter with Long Chilton, CPAs.
- C) Consideration and Approval of Actuarial Valuation for Retiree Health Insurance as of October 1, 2006.
- D) Appointment of representative to the Amigos Del Valle, Inc. Board of Directors.
- E) Review of Quarterly Investment Report for quarter ending March 31, 2007.
- F) Authorization to remove 1st Quarter, FY 2006-07, Uncollectible Sanitation Accounts from the general ledger.
- G) Discussion of possible amendments to the Alley Ordinance.
- H) Future agenda items.

5. 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.

- C) Consider funding request from International Museum of Arts and Sciences (IMAS) relating to AAM Accreditation.

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) REZONINGS:

TRACT ONE: Rezone from R-1 (single family residential) District to C-3 (general business) District:

East 2.5 acres, west 5.0 acres, north 20.0 acres out of Lot 2, Block 11, Steele & Pershing Subdivision; 310 East Pecan Boulevard.

TRACT TWO: Rezone from R-1 (single family residential) District to C-3 (general business) District:

West 207.72 ft. of the south 110.0 ft. out of Block 14, Trenton Park Estates Phase 1 & 2 Subdivision; 7500 North 23rd Street.

TRACT THREE: Rezone from C-3 (general business) District to C-4 (commercial industrial) District:

Lot A, J.G. Ortegon Subdivision; 6324 South 23rd Street.

TRACT FOUR: Rezone from A-O (agricultural-open space) District to C-4 (commercial industrial) District:

North 1.53 acres out of Lot 126, Sharyland Orchards Subdivision; 4920 Highway 83 (rear).

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 ERO International, LLP, agent for M.I.S.D., for a conditional use permit, for life of the use, for an institutional use (elementary school) at 17.52 acres out of Lots 80 and 89, La Lomita Irrigation and Construction Company Subdivision; 5901 North Ware Road.

2) Request of Jose G. and Ramon Mancha, for a conditional use permit, for life of the use, for a single family dwelling at Lot 13, Lazy-A-Ranch Subdivision; 1408 North 24th Street.

3) Request of Francisco Calderon, appealing the decision of the Planning and Zoning Commission at the July 17, 2007 meeting, denying a conditional use permit, for one year, for an automotive service and repair (body shop) at Lot 22, Block 4; 804 South 16 ½ Street.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

7. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATION WITH ATTORNEY, SECTION 551.072 DELIBERATIONS ABOUT REAL PROPERTY, SECTION 551.074, 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 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).
 - E) Discussion and Possible Action – Consider the purchase of 5.07 acres out of Lot 7, Section 6, Hidalgo Canal Company Subdivision.
 - F) Discussion and Possible Action – Review and approve sale of Lots 6 & 7, Convention Center Subdivision.
 - G) Consider selling 40 acres out of Lot 152, La Lomita Irrigation & Construction Company Subdivision.
 - H) Discussion and Possible Action – Consider the purchase of Lots 9, 10 and 11, Ford's Subdivision (5.73 acres).
 - I) Consultation with City Attorney relating to Irrigation District No. 3.
 - J) Consultation with City Attorney relating to the purchase of all or part of Lots 9 & 10, Block 5, Hidalgo Canal Company Subdivision.
 - K) Consultation with City Attorney regarding the Food & Beverage Contract at McAllen Miller International Airport.

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 amended 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 10th day of August, 2007 at 2:30 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/
Perla Zamora, TRMC
Deputy City Secretary