

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, SEPTEMBER 10, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Marcus Barrera, Mayor Pro Tem
PROCLAMATION - *Constitution Week* – Carolyn Nelson
Presentation by Art Gonzalez, representing the RGV Silverados

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 Workshops held July 5th and 6th, July 23rd, July 30th, August 1st and August 7, 2007.
 - B) Rescind Award of Contract for the purchase of One (1) 16,000 Diesel GVWR Standard Cab & Chassis.
 - C) Award of Contract - Armored Car Services.
 - D) Award of Contract - Purchase of One (1) New Current Model Rough Terrain Forklift.
 - E) Resolution adopting the LRGV Regional Interoperability Communications Systems/Standard Operating Procedures.
 - F) Donation of Aged Bunker Gear to Sister City of Ciudad Guadalupe N.L.
 - G) Award of Bid – Purchase of a Three Gang Flair Mower and Tractor.
 - H) Award of Bid – Purchase of Electrical Components for Ballfield Lighting and various other city projects.
2. **BIDS/CONTRACTS:**
- A) Consider Approval for 2007 Airfield Improvement Projects.
 - B) Consider a one year extension of the contract for Palm Tree Trimming.
3. **ORDINANCE:**
- A) Amending the McAllen Code of Ordinances to provide for the approval of Chapter 380 Agreements with enterprises seeking to locate in the Central Business District.
4. **RESOLUTION:**
- A) Nominating a representative to the Hidalgo County Appraisal District Board of Directors 2008-2009.

5. MANAGER’S REPORT:

- A) Authorization to declare City vehicles and equipment as surplus.
- B) Consider authorization to modify the City Policy with respect to Bid Bond requirement when purchasing rolling stock.
- C) Consider approval of a Holiday Season Light Show.
- 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.
- C) 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.
- D) Consideration and Approval of proposed Contract Agreement for Architectural Services for the new Main Library.
- E) Request for a variance to allow the height and width requirements of the Sign Ordinance for lots 22, 23 and 24, Block 19, College Heights Subdivision; 2120, 2124 and 2126 Oakland Avenue.
- F) Seek directive to develop a policy relating to City/School Parks.
- G) Consideration and possible action on the proposed changes relating to the existing Health Insurance Plan.

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:

Lot 32, McAllen First Suburban Citrus Groves Subdivision; 4101 Uvalde Avenue.

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

0.26 acres out of Lot 6, Block 14, Steele & Pershing Subdivision; 1601 South McColl Road.

TRACT THREE: Rezone from C-1 (office building) District to C-3 (general business) District: **TABLED**

The east half of Lot 22 and all of Lots 23 and 24, Block 19, College Heights Subdivision; 2120, 2124 and 2126 Oakland Avenue.

TRACT FOUR: Rezone from R-2 (duplex-fourplex residential) District to C-3 (general business) District: **TABLED**

The west half of Lot 22, Block 19, College Heights Subdivision; 2128 Oakland Avenue.

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

C) CONDITIONAL USE PERMITS:

1) Request of Jesus F. Gonzalez, appealing the decision of the Planning and Zoning Commission at the July 17, 2007 meeting, denying a conditional use permit, for one year, for portable buildings (storage) at the north 50 feet of Lot 3, Professional Center Subdivision; 920 North Main Street (rear). **TABLED**

2) 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. **TABLED**

D) Public Hearing to consider City of McAllen Landmark Designation for the north 10 acres of Lot 53, La Lomita Irrigation and Construction Company Subdivision; 8221 North Ware Road.

E) Public Hearing on City of McAllen Tax Rate for 2007.

F) Public Hearing on City of McAllen Proposed Budget for Fiscal Year 2007-2008.

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) AND SECTION 551.074 (PERSONNEL MATTERS).

A) Consultation with City Attorney regarding McAllen Firefighters' Union Collective Bargaining.

B) 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).

C) Discussion and Possible Action relating to the purchase and redevelopment of a Central Park.

D) Discussion and Possible Action – Review and approve sale of Lot 7, Convention Center Subdivision to Venture Assets, LTD.

E) Consider selling 40 acres out of Lot 152, La Lomita Irrigation & Construction Company Subdivision.

F) Discussion and Possible Action – Consultation with City Attorney relating to the Food and Beverage Concession at McAllen International Airport.

- G) Discussion and Possible Action – Consultation with City Attorney relating to lawsuit; City of McAllen vs. the Eloyd F. Gegenheimer Grantor Trust Agreement dated September 10, 1993, ET AL, Owners.
- H) Discussion and Possible Action - Evaluation of City Manager.
- I) Discussion and Possible Action - Evaluation of City Attorney.
- J) Consultation with City Attorney relating to Exempt Employees.
- K) Discussion and Possible Action - Consider the acquisition of all or part of Lots 9 & 10, Section 5, Hidalgo Canal Company Subdivision, property South of McAllen 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 7th day of September, 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/
Annette Villarreal, TRMC
City Secretary