



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, OCTOBER 8, 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 - *Texas Funeral Directors' Week* – Charlie de Leon
- *NAACP Week* – Terry Mills

Presentation of *The Monitor's 2007 Readers' Choice Award*

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 held August 22nd and Regular Meeting held September 24, 2007.
- B) Contract between Development Corporation of McAllen, Inc. and McAllen Affordable Homes for FY 2007-2008 funding.
- C) Contract between Development Corporation of McAllen, Inc. and Community Health Management Corporation for FY 2007-2008 funding.
- D) Contract between Development Corporation of McAllen, Inc. and STC, Region One, and VIDA for Project Self-Sufficiency for FY 2007-2008 funding.
- E) Contract between the Development Corporation of McAllen, Inc. and the After School Enrichment Program (ASEP) for FY 2007-2008 funding.
- F) Ordinance providing for an increase in the strength of the Police Department pursuant to approved positions in the FY 2007-2008 Budget.
- G) Ordinance requesting the abandonment of a 4 ft. by 20 ft. strip out of a 10 ft. utility easement along the west side of Lot 16, Schuster Acres Subdivision.

2. **BIDS/CONTRACTS:**

- A) Award of Contract - Paid Parking Infrastructure for McAllen International Airport Phase II.
- B) Change Order No. 1 for installation of pavilion at Palm View Park.
- C) Consider entering into a contract for professional services with Rolando L. Rios and Associates, PLLC relating to the 2010 Redistricting Plan.
- D) Award of Contract – Grounds Maintenance of various city properties.
- E) Interlocal Agreement with the City of Hidalgo relating to law enforcement at the McAllen-Hidalgo International Bridge.

3. **ORDINANCE:**

- A) Budget Amendment to complete Paid Parking Implementation Project – Phase 2.

4. RESOLUTIONS:

- A) Authorizing the resale of certain properties that did not sell on the first tax sale through auction:
 - 1. North ½ of Lot 11, Block 10, College Heights Addition.
 - 2. Lot 9, Block 5, La Paloma Addition.
 - 3. Lot 6, Block 4, La Flor Addition.
 - 4. Lot 66, Cowley’s Subdivision of Lot 11 & the northwest ¼ of Section 7, Hidalgo Canal Co. Subdivision.
 - 5. Lot 66, Idela Park Addition, Unit 3.
 - 6. Lot 12, Block 11, Colonia Hermosa Subdivision No. 2.
 - 7. North 276’ of Lot 11 & north 365’ of Lot 12, Block 4, Colonia Guadalupe Addition. (Second Time Re-sale)
- B) Supporting the Texas Border Coalition demanding smart and effective security on the Texas-Mexico Border.
- C) Stating the City’s opposition to the construction of the border fence and its willingness to work with any/all federal agency in ensuring a positive and beneficial outcome thereof.

5. VARIANCES:

- A) Request for a variance for an off-premise sign at Lots 1 & 3, Trenton Crossing Phase II Subdivision; 8000 North 10th Street.
- B) Consider appeal of a variance request disapproval requiring an 8 ft. masonry buffer where a multifamily zone or use abuts a single family zone or use at a 4.128 acre tract out of Lot 2, Section 7, Hidalgo Canal Company Subdivision (proposed Villas del Tesoro Subdivision); 515 Houston Avenue.

6. MANAGER’S REPORT:

- A) Review of Quarterly Investment Report for the quarter ended June 30, 2007.
- B) Monthly Construction Report for the Anzalduas Bridge.
- C) Appointment of members for the After School Program Task Force.
- D) Tax Refund over \$500 for Chase Bank of Texas.
- E) Report on Bill Schupp Park Sunken Garden Project.
- F) Future agenda items.

7. MAYOR’S REPORT:

- A) Report on Border Council Meeting held in McAllen on October 1, 2007.

8. TABLED ITEMS:

- A) Award of Bid – Purchase and Redevelopment of a Central Park.
- B) Consideration and possible action on the proposed changes relating to the existing Health Insurance Plan.
- C) Award of Contract – News and Gifts Concession at McAllen Miller International Airport.

- D) Authorization to negotiate Scope of Services and Fee Schedule for Construction Materials for Engineering Services 2007-2008.
- E) Award of Contract – Oil, Gas, and Mineral Lease Proposal for 36.92 acres out of Lot 30-12, West Addition to Sharyland Subdivision.
- F) Consider a policy for the development of City/School Parks in McAllen.

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 PERMITS:

- 1) Request of David Trevino, appealing the decision of the Planning and Zoning Commission of the September 18, 2007 meeting, denying a conditional use permit for one year, for a bar, at the west 300 ft. of the south 181.03 ft. of the north 483.44 ft. of Lot 2, Block 11, Hidalgo Canal Company Subdivision; 5524 North 10th Street.
- 2) Request of Juan Manriquez, appealing the decision of the Planning and Zoning Commission of the September 18, 2007 meeting, denying a conditional use permit for one year, for a flea market, at 3 acres out of the north 20 acres of Lot 25, Block 3; 4601 South 23rd Street.

- B) Public Hearing to consider an ordinance related to the standards of care for After School Recreation Programs.

- C) Ordinance providing for standards of care for the After School Recreation Programs.

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) AND SECTION 551.074 (PERSONNEL MATTERS), ECONOMIC DEVELOPMENT, SECTION 551.087.

- A) Consultation with City Attorney regarding McAllen Firefighters’ Union Collective Bargaining. (Section 551.071, T.G.C.)
- 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). (Section 551.071, T.G.C.)
- C) Discussion and Possible Action relating to the purchase and redevelopment of a Central Park. (Section 551.072, T.G.C.)
- D) Discussion and Possible Action – Review and approve sale of Lot 7, Convention Center Subdivision to Venture Assets, LTD. (Section 551.072, T.G.C.)
- E) Discussion and Possible action - Consider the sale of 40 acres out of Lot 152, La Lomita Irrigation & Construction Company Subdivision. (Section 551.072, T.G.C.)
- F) Discussion and Possible Action – Evaluation of City Manager. (Section 551.074, T.G.C.)

- G) Discussion and Possible Action - Evaluation of City Attorney. (Section 551.074, T.G.C.)
- H) Discussion and Possible Action –Annual Evaluation of Fire Chief. (Section 551.074, T.G.C.)
- I) Consultation with City Attorney regarding pending lawsuit; Idelma Ana Saenz, ET AL, vs. City of McAllen. (Section 551.071, T.G.C.)
- J) Discussion and Possible Action – Consideration of purchasing 125 acres at 23rd and Oxford Lots 11, 12 , 13 and 14 Section 279; Tex-Mex Subdivision.(Section 551.072, T.G.C.)
- K) Consultation with City Attorney regarding new lawsuit; Cause No. C-2127-07; Claudia Dominguez vs. Ricardo Gonzalez, Jr. and City of McAllen. (Section 551.071, T.G.C.)
- L) Discussion and Possible Action – Seek City Attorney opinion regarding Airline Use and Lease Agreement (Section 551.071, T.G.C.)

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.