



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, NOVEMBER 26, 2007 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - John J. Ingram, City Commissioner
PROCLAMATIONS - *Dias Festivos* – Lorena Castillo and Ann Rowland
- *Candlelight Posada* – Joel Morales
PRESENTATION BY TERRY MILLS (NAACP)

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 of Regular Meeting held October 22, 2007.
- B) Award of Contract – Procurement of Police Officer and Police Service Officer Uniforms.
- C) Award of Contract – Appraisal Services for Fiscal Year 2007-08.
- D) Final Reconciliation of Quantities – Pavement and Drainage Improvements for Erie Avenue and 35th Street.
- E) Change Order No. 2 and Final Reconciliation of Quantities for Balboa Acres Outfall Project.
- F) Award of Contract – Construction of Balboa Acres and 2nd & Harvey Stormwater Pump Station Bypass Project.
- G) Award of Contract – Purchase of One (1) 16,000 GVWR Standard Cab & Chassis with Crane Service Body.
- H) Resolution authorizing the submission of five (5) grant applications to the Lower Rio Grande Valley Development Council for Recycling Education, Recycling and Composting Projects.
- I) Resolution authorizing the acceptance of a FY 2008 Selective Traffic Enforcement Program, Impaired Driving Mobilization (STEP-IDM) Grant from TxDOT.

2. BIDS/CONTRACTS:

- A) Award of Contract – Purchase of Twenty (20) 2008 Police Package Vehicles.
- B) Award of Contract – Purchase of Fuel (Unleaded Mid-Grade Fuel, Low Sulfur Diesel [LSD] and Ultra Low Sulfur Diesel [ULSD – if approved]).
- C) Authorization to extend contract for Engineering Professional Services with Kimley-Horn and Associates for the Comprehensive Traffic Study.

- D) Change Order No. 1 for the Anzalduas International Bridge Crossing for additional working days due to utility conflicts.
- E) Award of Contract – Construction Materials Engineering Services for City Projects.
- F) Award of Supply Contract – Purchase of Traffic Control Signal Heads and LED Vehicle Signal Modules.
- G) Consider a request from Kebo Oil & Gas, Inc., to drill an oil/gas well at Lot 1, Block 2 of Rio Bravo Subdivision, approximately 1,000 feet west of 23rd Street and within the Mission Inlet Floodway.
- H) License Agreement with TEXAIR Company, Inc. for fencing a portion of Portland Avenue.
- I) Award of Contract – Purchase and Installation of an ornamental fence at Palm View Golf Course.
- J) Consider the extension of service contract for Trucking Services for the Hauling of Fill Material.
- K) Award of Contract – Purchase of Caliche.
- L) Change Order No. 1 for Public Works Canopy Improvements.
- M) Award of Contract – Purchase of Computers.
- N) Interlocal Agreement between the City of McAllen and Hidalgo County Irrigation District No. 1 relating to the McCANAL Edinburg Classic Bicycle Race.
- O) Change Order No. 1 for Paid Parking Infrastructure at McAllen International Airport Phase II.

3. RESOLUTION:

- A) Implementing voluntary annexation procedures on three (3) tracts.

4. VARIANCE:

- A) Consider a variance for Park Land Dedication for park purposes for Palm Plaza Subdivision.

5. MANAGER’S REPORT:

- A) Tax Refund over \$500 to Texas Land & Air Co., LP.
- B) Authorization to submit Part II of its annual grant application to the Texas Department of Transportation relating to compliance with Federal and State Assurances and Certifications.
- C) Discussion and seek direction on ordinance regarding tax exemptions for designated historic properties.
- D) Future agenda items.

6. MAYOR’S REPORT:

- A) Report on Central Park Charrette.

7. TABLED ITEM:

- A) Interlocal Agreement with the City of Hidalgo relating to law enforcement at the McAllen-Hidalgo International Bridge.

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

8. PUBLIC HEARING BEGINNING AT 6:00 PM

A) REZONINGS:

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

1.24 acres out of Lot 3, Northwest ¼ Section 13, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 8521 North 10th Street.

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

Lots 25, 26, 27 and 28, Retiree Haven #1 Subdivision, Hidalgo County, Texas; 6500 South 10th Street, 6440-6448 South 11th Street.

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

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

9. 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), SECTION 551.087 (ECONOMIC DEVELOPMENT).

- A) 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.)
- B) Discussion and Possible Action relating to the purchase and redevelopment of a Central Park. (Section 551.072, T.G.C.)
- C) Discussion and Possible Action – Review and approve sale of Lot 7, Convention Center Subdivision to Venture Assets, LTD. (Section 551.072, T.G.C.)
- D) 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.)
- E) Discussion and Possible Action – Consider the purchase of Lots 9, 10, and 11, Ford's Subdivision (5.73 acres). (Section 551.072, T.G.C.)

- F) Discussion and Possible Action regarding pending lawsuit; City of McAllen v. the Eloyd F. Gegenheimer Grantor Trust Agreement dated September 10, 1993, et al, owners. (Section 551.071, T.G.C.)
- G) Discussion and Possible Action – Consider the acquisition of possible sites for Border Patrol relocation. (Section 551.072, T.G.C.)
- H) Consultation with City Attorney regarding new lawsuit; Cause No. CL-07-3383-E; Elisa Pulido vs. Ramon Gutierrez Avila and City of McAllen. (Section 551.071, T.G.C.)
- I) Discussion and Possible Action – Consideration of a 380 Industrial Incentive Agreement with GFM Corporation. (Section 551.087, T.G.C.)
- J) Discussion and Possible Action – Consider Economic Incentives for Project Gold Star. (Section 551.087, T.G.C.)
- K) Consultation with City Attorney regarding Workers Comp/Loss Run Report as of October 31, 2007. (Section 551.071, T.G.C.)
- L) Discussion and Possible Action – Consider the acquisition of all or part of Lots 9 & 10, Block 5, Hidalgo Canal Company Subdivision. (Section 551.072, 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.

C E R T I F I C A T I O N

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 23rd day of November, 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