



**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, JANUARY 14, 2008 – 4:00 PM**  
**CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** - Mayor Richard Cortez  
**PLEDGE** - Mayor Richard Cortez  
**INVOCATION** - Jim Darling, City Commissioner  
**PROCLAMATIONS** - Veronica Gonzales' Day  
**PRESENTATION BY ERIC ELLMAN ON MCCANALENBURG BIKE EVENT**

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 November 12<sup>th</sup> and Workshop held December 10, 2007.
  - B) Interlocal Agreement between the City of McAllen and the Hidalgo County Irrigation District #1 for proposed Ash Avenue Drainage Outfall Crossing.
  - C) Award of Contract - Purchase of Video Imaging Vehicle Detection System.
  - D) Change Order No. 1 for Single Machine Repaving/Recycling Rejuvenate/Milling 2007-2008.
  - E) Change Order No. 1 for purchase and delivery of Type "D" Hot Mix Asphaltic Concrete 2007-2008.
  - F) Award of Bid - Purchase and Installation of Exit Pay Station and Revenue Software.
  - G) Award of Contract - Purchase of a New Current Model 140HP Motor Grader and a new Current Model 48HP Motor Grader.
  - H) Resolution authorizing the submittal of a Notice of Intent and Storm Water Management Program to the Texas Commission of Environmental Quality.
  - I) Ordinance abandoning a tract of land at Sendero Ranch Estates Subdivision; 5301 N. 47<sup>th</sup> Street.
  - J) Authorization to declare obsolete computers removed from the Lark Branch Library as surplus and authorization to recycle.
  - K) Authorization to declare obsolete art prints removed from the Main Library as surplus and authorization to dispose through City's Auction.
  - L) Authorization to apply for the 2008 E-Rate Library Grant.
  - M) Resolution authorizing the submission of a grant application to the National Endowment for the Humanities for the *We the People* Bookshelf Grant Program.

**2. BIDS/CONTRACTS:**

- A) Consider authorization of additional services from Milnet Architectural Services No. 1 for design of an additional floor for the Development Services Building.
- B) Consider Renewal of Software Maintenance Agreement with Interactive Computer Designs, Inc. (INCODE)
- C) Consider authorization of Survey and Testing Allowance for McAllen Main Library.
- D) Award of Contract - Advertising of International Community Publications for the McAllen-Miller International Airport.
- E) Reconsideration of Award of Contract for the Purchase of One (1) Grapple Roll-Off Truck for the Brush Department and Authorization to solicit bids.
- F) Authorization to rescind the contract award made to Rio Radio and Award Contract to SYMON Communication for Dynamic Visual Messaging System.
- G) Award of Contract - Purchase of Soft Body Armor.
- H) Consideration and approval of Construction Document Phase approval for the McAllen Intermodal Transit Terminal and Parking Improvements.

**3. ORDINANCES:**

- A) Budget Amendment for renovations at Municipal Court.
- B) Budget Amendment to fund the Regional Mobility Authority.
- C) Budget Amendment to fund the McAllen Heritage Center.
- D) Budget Amendment relating to new Police Union Contract.
- E) Budget Amendment for State of the City Event.

**4. RESOLUTIONS:**

- A) Adopting an Annexation Service Plan for the following tracts:
  - Tract 1:** 24.55 acres out of Lots 395 and 396, and 3.83 acres out of Lots 405 and 406, John H. Shary Subdivision as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas, 7517 North Taylor Road. Voluntary.
  - Tract 2:** 14.3 acres out of Lot 395, John H. Shary Subdivision as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas, 7300 North Shary Road. Voluntary.
  - Tract 3:** 7.00 acres out of Lot 2, Block 4, Rio Bravo Plantation Company Subdivision as recorded in Volume W, Page 197, Deed Records of Hidalgo County Texas; 2709 Wanda Avenue. Voluntary.
- B) Adopting the 2007 City of McAllen Tax Roll.
- C) Authorizing requests for Statements of Qualification-Runway Extension Project.
- D) Implementing annexation proceedings of two tracts comprising 57.94 acres.
- E) Authorization to submit bid to host the 2011 Texas Recreation and Park Society Annual Institute.

**5. VARIANCES:**

- A) Request for a variance to the height and size of a sign at Lot 4, proposed Warehouse Kingdom Subdivision; 6401 South 23<sup>rd</sup> Street.

**6. MANAGER'S REPORT:**

- A) Nomination of inductee to the Rio Grande Valley Walk of Fame as part of the 2008 Borderfest.
- B) Review and Acceptance of Quarterly Investment Report for quarter ended September 30, 2007.
- C) Authorization to declare city vehicles and equipment as surplus and begin auction efforts.
- D) Tax Refund over \$500.00 for Sharp Electronics Corporation.
- E) Consideration and Approval of schematic design for North Police Community Network/Training Center.
- F) Monthly Construction Report on the Anzalduas International Bridge.
- G) Future Agenda Items.

**7. MAYOR'S REPORT:**

- A) Report on the upcoming 2008 *State of the City* event.

**8. TABLED ITEMS:**

- A) Interlocal Agreement with the City of Hidalgo relating to law enforcement at the McAllen-Hidalgo International Bridge.
- B) Reconsideration of Award of Contract for the Purchase of Two (2) Overhead Frontload Refuse Trucks.
- C) Subordination of a Contractual Agreement between the City and Gregorio Arriaga, ET UX, to enable Robert Kent, ET UX to obtain a loan to purchase the south 10 acres of Lot 50-11, West Addition to Sharyland.
- D) Consider a request from Shell Exploration & Production Company to drill an oil/gas well in Lot 2, Block 16, of Steele and Pershing Subdivision.

**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) REZONINGS:**

**TRACT ONE:** Rezone from C-1 (office building) District to R-3A (multifamily residential apartments) District:

Lot 4, Lakes Business Park Subdivision Phase 3; 4224 North McColl Road.

**TRACT TWO:** Rezone from R-3A (multifamily residential apartments) District to R-3C (multifamily residential condominium) District:

9.24 acres out of the west 1.42 acres of Lot 45 and all of Lots 46 and 47, McAllen First Suburban Citrus Groves Subdivision; 4301 Colbath Road.

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

**C) CONDITIONAL USE PERMIT:**

1) Request of Tres Alegres Compadres, LLP, appealing the decision of the Planning and Zoning Commission at the December 4, 2007 meeting, denying a conditional use permit for one year, for a bar, at Lot 1A, The Courtyard Subdivision; 5401 North 10<sup>th</sup> Street, Suite 203.

2) Request of Rojo Entertainment, LLC/Titus LTD, appealing the decision of the Planning and Zoning Commission at the December 4, 2007 meeting, denying a conditional use permit for one year, for a bar at the east 91.2 ft. of Lot 1, Lot 2, and south 30.57 Lot 3, Block 2 except for the south 16 ft. of the west 48.8 ft. of Lot 2, McAllen Addition Subdivision; 14 South 11<sup>th</sup> Street.

3) Request of Miguel Iglesias III, appealing the decision of the Planning and Zoning Commission at the December 18, 2007 meeting, denying a conditional use permit for one year, for an automotive service and repair at Lot 6, Linda Vista Subdivision; 1220 South 23<sup>rd</sup> Street.

**D)** 2<sup>nd</sup> Public Hearing to consider a proposed Annexation Service Plan for the following tracts of land:

**Tract 1:** 24.55 acres out of Lots 395 and 396, and 3.83 acres out of Lots 405 and 406, John H. Shary Subdivision as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas, 7517 North Taylor Road. Voluntary.

**Tract 2:** 14.3 acres out of Lot 395, John H. Shary Subdivision as recorded in Volume 1, Page 17, Map Records of Hidalgo County, Texas, 7300 North Shary Road. Voluntary.

**Tract 3:** 7.00 acres out of Lot 2, Block 4, Rio Bravo Plantation Company Subdivision as recorded in Volume W, Page 197, Deed Records of Hidalgo County Texas; 2709 Wanda Avenue. Voluntary.

**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 551.087 (ECONOMIC DEVELOPMENT).**

- A)** Discussion and Possible Action relating to the purchase and redevelopment of a Central Park. (Section 551.072, T.G.C.)
- B)** 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.)
- C)** Discussion and Possible Action – Consider Economic Incentives for Project Gold Star. (Section 551.087, T.G.C.)
- D)** Discussion and Possible Action - Consider 380 Agreements for Downtown Parking Garage tenants. (Section 551.087, T.G.C.)
- E)** Discussion and Possible Action – Consider Economic Incentives for La Plaza Mall expansion. (Section 551.087, T.G.C.)
- F)** Consultation with City Attorney regarding new lawsuit Cause No. C-3097-07-A; Dahlila Guerra Casso vs. City of McAllen. (Section 551.071, T.G.C.)
- G)** Discussion and Possible Action - Consider a 380 Economic Development Agreement for property on Main and Hackberry. (Section 551.087, T.G.C.)
- H)** Consultation with City Attorney regarding new lawsuit Cause No. CL-07-3925-B; Michael Zellers vs. Richard Cortez. (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.**