



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 25, 2008 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Hilda Salinas, Commissioner

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)** Award of Bid – Purchase of Three (3) Out-front Mowers.
- B)** Award of Bid –Purchase of (2) Current Model Lightweight Fairway Mowers.
- C)** Extension of Supply Contract for the Purchase of Mast Arm Poles.
- D)** Award of Bid – Purchase of Lubricants.
- E)** Extension of Contract with Emergency Communications Network, Inc relating to the CodeRED Emergency Telephone Notification System.
- F)** Award of Bid – Purchase of One (1) CM Forklift (8,000# Lift Capacity) and One (1) CM Forklift (5,000# Lift Capacity).
- G)** Ordinance abandoning a utility easement being of 0.0773 acre tract of land out of Lot 4, Lake Business Park Phase 3; 4224 North McColl Road.
- H)** Ordinance abandoning a 20 ft. by 165 ft. dedicated to right-of-way for alley passageway, out of the east 2.5 acres of the west 5 acres of the north 20 acres of Lot 2, Block 11, Steele and Pershing Subdivision.
- I)** Ordinance amending the McAllen Code Chapter 102, Section 231. Parallel and Angle Parking.
- J)** Change Order No. 1 for GSA Utility at Anzalduas Bridge – Waterline Improvements.
- K)** Resolution authorizing the submission of a grant application to TXDOT for the FY 2009-2011 Selective Traffic Enforcement Program.
- L)** Resolution authorizing the submission of an application to the Texas Water Development Board for funding to relocate Boeye Reservoir.

2. BIDS/CONTRACTS:

- A)** Memorandum of Understanding with AEP and CLEAResult for the Texas City Smart Program.
- B)** Reconsideration of Award of Contract for the Purchase of Two (2) Overhead Frontload Refuse Trucks.
- C)** Change Order # No. 1 for Schupp Park Improvements.

3. ORDINANCES:

- A) Ordinance amending the McAllen Code, Chapter 88, Article IV. Garage Sales Guidelines.
- B) Ordinance amending the McAllen Code, Chapter 2, providing for the change to purchasing limits from \$15,000 to \$25,000.

4. RESOLUTIONS:

- A) Supporting the placement of the Tejano Monument at the Texas State Capitol.

5. VARIANCES:

- A) Request for a variance to allow six freestanding signs at Lot 1, The Courtyard Subdivision; 5401 N. 10th Street.
- B) Request for a variance to allow Lot 2A to develop without frontage on a public or private street for Professional Center Subdivision.

6. MANAGER’S REPORT:

- A) Approval of the Comprehensive Annual Financial Report for FY 2006-2007.
- B) Presentation and Acceptance of Quarterly Investment Report.
- C) Monthly Construction Report on the Anzalduas International Bridge.
- D) Consideration and Authorization to remove 2nd and 3rd Quarter, FY 06-07, Uncollectible Sanitation Accounts from General Ledger.
- E) Tax Collection Report for period of October, 2007 thru February 8, 2008.
- F) Report on Delinquent Tax Collection.
- G) Amending the City’s Purchasing Policy providing for an increase in Procurement Card Purchasing limits from \$500 to \$1,000.
- H) Advisory Board Appointments.
- I) Future Agenda Items.

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 R-1 (single family residential) District to C-1 (office building) District:

0.91 acres out of Lot 1, Block 5, A.J. McColl Subdivision; 3101 North Jackson Road.

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

1.04 acres out of Lot 41, McAllen First Suburban Citrus Groves Subdivision; 3701 Colbath Road.

TRACT THREE: 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. **TABLED**

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

C) CONDITIONAL USE PERMITS:

1) Request of Harry H. Chilingirian, appealing the decision of the Planning and Zoning Commission of the February 5, 2008 meeting, denying a conditional use permit for one year, for a bar/night club, at Lot 1A, Nolana Tower Subdivision; 400 Nolana Avenue, Suite A-2.

2) Request of San Juan Diego Cuauhtlatotzin, for a conditional use permit for life of the use, for an institutional use (church), at Lots 6-11 and 17-22, Block 31, Balboa Acres Subdivision; 3408 Idela Avenue.

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 551.087 (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 – relating to economic incentives for Project Gold Star. (Section 551.087, T.G.C.)
- D)** Discussion and Possible Action relating to 380 Agreements for Downtown Parking Garage tenants. (Section 551.087, T.G.C.)
- E)** Discussion and Possible Action relating to economic incentives for La Plaza Mall expansion. (Section 551.087, T.G.C.)
- F)** Consultation with City Attorney regarding the Border Fence Litigation. (Section 551.071, T.G.C.)
- G)** Discussion and Possible Action – Consider Economic Incentives for Operation Hardstand. (Section 551.087, T.G.C.)
- H)** Consultation with City Attorney regarding an amendment to an Interlocal Cooperation Agreement between the City of Edinburg and City of McAllen relating to Dove/Owassa Road Improvements. (Section 551.071, T.G.C.)
- I)** Discussion and Possible Action relating to the purchase of 1.803 acres out of Lot 2, Block 1, C. E. Hammonds Subdivision. (Section 551.072, T.G.C.)

- J) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of January 31, 2008, (Section 551.071, T.G.C.)
- K) Consultation with City Attorney relating to new lawsuit: CV-00058; in the U.S. District Court; Francisco Zarzar v. Alberto Flores, Carlos Morales and City of McAllen. (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.

CERTIFICATION

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 22nd day of February, 2008 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