



**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, MARCH 10, 2008 – 4:00 PM**  
**CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez  
**PLEDGE** - Mayor Richard Cortez  
**INVOCATION** - Aida Ramirez, Commissioner  
**PROCLAMATION** - *Texas Independence Day* – Peggy Baldwin/Rayburn 4<sup>th</sup> Grade Class  
- *Travis Middle School’s 50<sup>th</sup> Anniversary Celebration Week* – Raquel Garcia

**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 Meetings held September 10, 2007, October 8, 2007 November 26, 2007 and February 25, 2008.
- B)** Extension of Supply of Contracts for the Purchase of Automotive and Truck Parts.
- C)** Award of Bid – Purchase of Cisco 6509 Catalyst Fiber Switch.
- D)** Award of Contract - Purchase of Traffic Control Signal Heads.
- E)** Award of Contract - Purchase of One (1) Fire Safety House through the Fire Prevention and Safety Grant.
- F)** Approval of Change Order No. 2 and Final Reconciliation for Paid Parking Infrastructure Phase II at McAllen International Airport.
- G)** Interlocal Agreement with Hidalgo County Irrigation District for the McCanal Bicycle Race.
- H)** Sub-Recipient Agreement with Governor’s Division of Emergency Management for the purpose of performing certain project tasks.

**2. BIDS/CONTRACTS:**

- A)** Award of Contract - Purchase of Thirty Seven (37) 2008 Vehicles for various departments.
- B)** Approval of Design Development Phase and Authorization to proceed with Construction Documents Phase for North Police Community Network/Training Center.
- C)** Clarification of previous action relating to design and construction associated with infrastructure improvements to consider approval of Amendment No. 1 to the contract with Alamo Architects for the design of grease trap and gas line.
- D)** Consider amending the contract with Alamo Architects for additional professional services and reimbursable expenses associated with the proposed tenant improvements including the Food Court and City Offices at the Downtown Parking Garage.
- E)** Interlocal Agreement between the City of McAllen and McAllen ISD for cost participation with Gold Crest Avenue adjacent to the fifth elementary school.

- F) Consider Agreement with Sharyland Water Supply Corporation for Billing and Collection of Sewer Service Fees.
- G) Consider Professional Services Contract with Melden & Hunt Inc. for Boeye Reservoir relocation.
- H) Award of Contract - Purchase of Various Current Model Refuse Trucks for Sanitation Department.

**3. ORDINANCES:**

- A) Amending speed limits on Nolana Avenue from Bentsen Road to west city limits of Taylor Road.
- B) Amending speed limits on Bentsen Road from U.S. Expressway 83 to Pecan Boulevard (FM 495).
- C) Budget Amendment for the Downtown Services Department for the construction of the food court and city offices at the Downtown Parking Garage.

**4. RESOLUTIONS:**

- A) Authorizing the submission of a pre-application to the U.S. Department of Commerce for funding under the Public Works and Economic Development Assistance Program.
- B) Authorizing the submission of five (5) grant applications to the Lower Rio Grande Valley Development Council for recycling equipment, recycling and composting education projects.

**5. MANAGER'S REPORT:**

- A) Consider the request to abandon the right-of-way for 3900 North 1<sup>st</sup> Street and proposed street closure.
- B) Consider selection of shortlist of firms to interview for Various Municipal Projects.
- C) Discussion of Automated Paid Parking System at the McAllen Miller International Airport.
- D) Future Agenda Items.

**6. TABLED ITEMS:**

- A) Consideration of the Sunken Garden Landscape element at Schupp Park.
- B) Request for a variance to allow Lot 2A to develop without frontage on a public or private street for Professional Center Subdivision.

**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 C-1 (office building) District to C-3 (general business) District:

The west 130 feet of Lot 1, Block 1, and the 35 foot alley and canal right-of-way lying south of said west 130 feet, Gert's Addition No. 1, Revised Subdivision; 1001 Martin Avenue.

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

C) **CONDITIONAL USE PERMITS:**

1) Request of Fred Lopez, on behalf of Villa Hermosa Homeowner's Association for a conditional use permit, for life of the use for an associated recreation (poolhouse) in the common area, Villa Hermosa Subdivision: 1332 East Augusta Avenue.

2) Request of The Spa Academy, for a conditional use permit for life of the use, for an institutional use (school), at Lot 3, Nolana Heights Subdivision; 601 East Nolana Avenue, Suite C.

**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) Discussion and Possible Action – Consider Economic Incentives for Operation Hardstand. (Section 551.087, T.G.C.)
- G) Discussion and Possible Action relating to purchasing a seven acre tract out of Lot 136, La Lomita Irrigation and Construction Company to be used for drainage detention area. (Section 551.072, T.G.C.)
- H) Discussion and Possible Action to consider a resolution to acquire 72.034 acres out of Lots 13 & 14, Section 5, Hidalgo Canal Company Subdivision. (Section 551.072, T.G.C.)
- I) Discussion and Possible Action – Consultation with City Attorney regarding contract with Half Court Entertainment. (Section 551.071, T.G.C.)
- J) Discussion and Possible Action to consider the purchase of 47.76 acres out of Lots 9 and 10, Section 5, Hidalgo Canal Company Subdivision. (Section 551.072, T.G.C.)
- K) Discussion and Possible Action – Consultation with City Attorney regarding new lawsuit: C-370-08-G; Olga Mendoza vs. City of McAllen. (Section 551.071, T.G.C.)
- L) Discussion and Possible Action – Consultation with City Attorney regarding pending litigation: on City of McAllen vs. Jesus Gonzalez and Maria del Rosario Gonzalez. (Section 551.071, T.G.C.)

- M) Discussion and Possible Action – Consultation with City Attorney regarding possible litigation for Drug Testing in the Fire Department. (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.**

### 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 7<sup>th</sup> day of March, 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