



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, MARCH 24, 2008 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - John Ingram, Commissioner
PRESENTATION TO CAROLINA TERAN
PROCLAMATION - *Community Development Week*– John T. Maldonado, HUD
-*MDA Fill the Boot Campaign*– Karen Valdez

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 December 10, 2007.
- B) Award of Bid – Supply Contract for Computer Network Infrastructure.
- C) Award of Bid - Data Rewiring for 10 Municipal Buildings.
- D) Resolution authorizing the submission of a grant application to the Department of Homeland Security for assistance in procuring interoperable radio communication equipment.
- E) Award of Contract - Purchase of Water Products.
- F) Award of Bid - Supply Contract for the Purchase of Nema Latest Edition of Traffic Controllers with Cabinets.
- G) Extension of Supply Contract for the Purchase of Turnout Bunker Gear for Fire Department.
- H) Budget Amendment Ordinance to fund the Jalapenos Futures Golf Tournament for golf course fees.

2. **BIDS/CONTRACTS:**

- A) Consider Interlocal Agreement between the City of McAllen and the Lower Rio Grande Valley Workforce Development Board to implement the Limited English Proficiency Project.
- B) Award of Contract – GSA Utility Infrastructure at Anzalduas Bridge for wastewater improvements.
- C) Award of Bid - Irrigation Improvements along 2nd Street Hike and Bike Trail.

3. **VARIANCES:**

- A) Request of Buena Vista Optical for a sign variance at Lot A, Imperial Isle Subdivision; 521 South 10th Street.

- B) Request for a variance to a cul-de-sac street exceeding the maximum 600 ft. length allowed by ordinance for McAllen North Point Subdivision.

4. MANAGER'S REPORT:

- A) Presentation of McAllen Convention Center Mid Year Report.
- B) Consider proposed responses to concerns received relating to the Convention Center:
 - 1. Consider adoption of a policy for establishing rates.
 - 2. Consider adoption of a policy for booking events.
 - 3. Report on Food & Beverages Operations.
- C) Monthly Construction Report on the Anzalduas International Bridge.
- D) Consideration of additional city funding for the Glassroom at Quinta Mazatlan.
- E) Advisory Board Appointments.
- F) Future Agenda Items.

5. TABLED ITEMS:

- A) Request for a variance to allow Lot 2A to develop without frontage on a public or private street for Professional Center Subdivision.
- B) Approval of Change Order No. 2 and Final Reconciliation for Paid Parking Infrastructure Phase II at McAllen International Airport.
- C) Consider the request to abandon the right-of-way for 3900 North 1st Street and proposed street closure.
- D) Consider Agreement with Sharyland Water Supply Corporation for Billing and Collection of Sewer Service Fees.

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

6. PUBLIC HEARING BEGINNING AT 6:00 PM

A) REZONINGS:

TRACT ONE: Initial zoning to R-1 (single family residential) District:

24.5 acres out of Lots 395 and 396, and 3.83 acres out of Lots 405 and 406, John H. Shary Subdivision; 7517 North Taylor Road.

TRACT TWO: Initial zoning to R-1 (single family residential) District:

14.33 acres out of the south 15.0 acres of Lot 395, John H. Shary Subdivision; 7300 North Shary Road.

TRACT THREE: Initial zoning to R-1 (single family residential) District:

7.00 acres out of Lot 2, Block 4, Rio Bravo Plantation Company's Subdivision; 2709 Wanda Avenue.

TRACT FOUR: Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District:

0.98 acres out of Lot 7, J.H. Beatty's Subdivision; 3700 Buddy Owens Boulevard.

TRACT FIVE: Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District:

2.19 acres out of Lot 1, Nora's Subdivision and out of Lot 328, John H. Shary Subdivision; 4601 Buddy Owens Boulevard.

TRACT SIX: Rezone from R-2 (duplex-fourplex residential) District to C-3 (general business) District:

Lot 20, Block 19, College Heights Subdivision; 2204 Oakland Avenue.

B) Adoption of Initial Zoning Ordinance.

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

D) CONDITIONAL USE PERMIT:

Request of EdDan's Enterprises, appealing the decision of the Planning & Zoning Commission of the February 19, 2008 meeting, denying the request for a conditional use permit for one year, for a bar at Lot 5, Block 4, Rancho De La Fruta #2 Subdivision: 306 North McColl Road.

E) Public Hearing to conclude annexation proceedings for the following described 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.

F) Adoption of Second Reading of the Annexation Ordinance and order publication of the ordinance for above three (3) tracts.

G) Public Hearing to consider an amendment to Foresight McAllen Comprehensive Plan; Figure 4.2 Thoroughfare Plan; Changing the designation of Bicentennial Boulevard from a parkway with a right-of-way of 350 feet, to a high speed arterial with a right-of-way of 150 feet.

- H) Adoption of an Ordinance providing for an amendment to Foresight McAllen Comprehensive Plan; Figure 4.2 Thoroughfare Plan; Changing the designation of Bicentennial Boulevard from a parkway with a right-of-way of 350 feet, to a high speed arterial with a right-of-way of 150 feet.
- I) Public Hearing to consider a resolution authorizing the submission of a grant application to the Texas Parks & Wildlife Department for renovation of Fireman’s Park to create a neighborhood park.
- J) Approval of a Resolution authorizing the submission of a grant application to the Texas Parks & Wildlife Department for renovation of Fireman’s Park to create a neighborhood park.
- K) Public Hearing to consider an ordinance amendment to expand the retail and entertainment overlay districts relating to the Heart of the City.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

7. 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 relating to the purchase of a seven acre tract out of Lot 136, La Lomita Irrigation and Construction Company, to be used as a drainage detention area. (Section 551.072, T.G.C.)
- G) 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.)
- H) 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.)
- I) Discussion and Possible Action – Consultation with City Attorney regarding pending litigation: City of McAllen vs. Jesus Gonzalez and Maria del Rosario Gonzalez. (Section 551.071, T.G.C.)
- J) Discussion and Possible Action – Consultation with City Attorney regarding possible litigation for Drug Testing in the Fire Department. (Section 551.071, T.G.C.)
- K) Discussion and Possible Action relating to possible Appeal of Award of Special Commissioners – Condemnation CCD 0001-B. (Section 551.071, T.G.C.)

- L) Discussion and Possible Action relating to possible Subrogation Litigation: City of McAllen vs. Ediel C. Garcia. (Section 551.071, T.G.C.)
- M) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of February 29, 2008. (Section 551.071, T.G.C.)
- N) Discussion and Possible Action relating to a Chapter 380 Agreement for a professional office building on Main Street & Jackson Road. (Section 551.087, T.G.C.)
- O) Discussion and Possible Action – Review and approve sale of Lot 7, Convention Center Subdivision to Tri Wanis Ventures, LLC (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.