



**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, APRIL 28, 2008 – 4:00 PM**  
**CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez  
**PLEDGE** - Mayor Richard Cortez  
**INVOCATION** - Marcus Barrera, Mayor Pro Tem  
**PROCLAMATION** - *Older Americans & Elder Abuse Prevention Month* – Samm Mercado  
- *Compost Awareness Week* – Ouina Rutledge

**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 Workshop held January 14<sup>th</sup> and Regular Meeting held April 14, 2008.
- B) Award of Contract - Purchase of Two (2) Scrap Grapples.
- C) Award of Contract –Purchase of Fuel.
- D) Award of Contract – Tire Repair Service.
- E) Change Order No. 2 and Final Reconciliation of Quantities for Single Machine Repaving/Recycling/Rejuvenating/Milling 2007-2008.
- F) Award of Contract – Purchase of Twenty-Four (24) XTS 1500 Portable Radios with Accessories.
- G) Award of Bid – Border 2012 Sister City Plan Update (Binational Exercise).
- H) Award of Contract – Purchase of Automotive /Truck Parts.
- I) Award of Bid –Purchase of One (1) Current Model Firefighting Brush Truck.
- J) Resolution authorizing the acceptance of grant funds from the Texas Department of Transportation (TxDOT) through its Selective Traffic Enforcement Programs (STEP) *Click It or Ticket* Campaign.
- K) Resolution authorizing the submission of a grant application to the Texas Comptroller of Public Accounts under the FY 2008-2009- Tobacco Compliance Grant Program.
- L) Ordinance providing for abandonment of the existing North 25<sup>th</sup> Street between Laurel Avenue and Jasmine Avenue, being a 0.81 acre tract of land out of Lots 23 and 28, Block 2, C. E. Hammond Subdivision.
- M) Resolution supporting the processing of commercial traffic known as the FAST Program, at the Anzalduas International Bridge.

**2. BIDS/CONTRACTS:**

- A) Award of Contract - Landfill Services/Disposal of Non-Hazardous Solid Waste.
- B) Consider a request from Kebo Oil & Gas to drill an oil/gas well in Lot 1, Block 2, of Rio Bravo Subdivision.

- C) Approval of Construction Document Phase and authorization to proceed with Bidding Phase for Food Court at the Downtown Parking Garage.
- D) Approval of License Agreement with Wilkinson Ray Iron & Metal to allow construction of a railroad spur across Ash Avenue.
- E) Change Order No. 6 and Final for the Downtown Parking Garage.
- F) Lease Agreement with Hidalgo County for the use of land known as Curtis E. Park.

**3. ORDINANCES:**

- A) Amending the McAllen Code Chapters 6 and 138 providing for the expansion of the Retail and Entertainment Overlay Districts in the Heart of the City.
- B) Budget Amendment providing for additional Recreation Programs.

**4. VARIANCES:**

- A) Consider request for a sign variance to allow more than the permitted number of signs on Lot 1, Jackson Triangle Subdivision; 1400 East U.S. Expressway 83.
- B) Consider request for a sign variance to allow more than the permitted number of signs on a property for, Lot 1-A, Inter National Bank Subdivision; 1700 South 10<sup>th</sup> Street.
- C) Consider request for a variance to the 800 ft. block length requirement at Taylor Crossing Subdivision.

**5. MANAGER’S REPORT:**

- A) Report on Regional Mobility Authority activities.
- B) Appointment of director to the Regional Mobility Authority.
- C) Monthly Construction Report for Anzalduas International Bridge.
- D) Future Agenda Items.

**6. 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) Consider Agreement with Sharyland Water Supply Corporation for Billing and Collection of Sewer Service Fees.
- C) Consider Interlocal Agreement between the City of McAllen and the Lower Rio Grande Valley Workforce Development Board to implement the Limited English Proficiency Project.
- D) Consider request of Highway Neon Sign for a sign variance at Lot 3, Lone Star National Bank Subdivision; 500 East Nolana Avenue.

**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 A-O (agricultural-open space) District to R-1 (single family residential) District:

29.41 acres out of Lot 367, John H. Shary Subdivision, Hidalgo County, Texas; 6200 North Taylor Road.

**TRACT TWO:** Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District:

4.79 acres out of Lots 277 and 287, John H. Shary Subdivision, Hidalgo County, Texas; 2700 North Taylor Road.

**TRACT THREE:** Rezone from A-O (agricultural-open space) District to C-3L (light commercial) District:

The south 74 feet of the northeast 1.0 acre tract of Lot 80, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas; 6301 North Ware Road.

- B) Amending the Zoning Ordinance of the City of McAllen as enacted May 29, 1979.
- C) Public Hearing for Fiscal Year 2008-2009 Proposed Budget for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs and program and budget amendments.

**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 – Consider future development of the 10 acres under the 272 Agreement for Driscoll McAllen Specialty Clinic. (Section 551.072, T.G.C.)
  - D) Discussion and Possible Action – Consider acquiring right-of-way from Hidalgo County Irrigation District #3 for the extension of Bicentennial Blvd. from Nolana to Trenton. (Section 551.072, T.G.C.)
  - E) Discussion and Possible Action – Consultation with City Attorney relating to Fixed Base Operations at McAllen Miller International Airport. (Section 551.071, T.G.C.)
  - F) Discussion and Possible Action – Consultation with City Attorney regarding Department of Homeland Security litigation. (Section 551.071, T.G.C.)
  - G) Consultation with City Attorney regarding pending lawsuit Cause No. C-1959-06-1 (1); McAllen Police Officers Union and Michael Zellers vs. City of McAllen. (Section 551.071, T.G.C.)

- H) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of March 31, 2008. (Section 551.071, T.G.C.)
- I) Discussion and Possible Action – Motor Vehicle Accident Liability and Subrogation Claim Reports as of March 31, 2008. (Section 551.071, T.G.C.)
- J) Discussion and Possible Action relating to economic incentives for La Plaza Mall expansion. (Section 551.087, T.G.C.)
- K) Discussion and Possible Action relating to economic incentives for Project Gold Star. (Section 551.087, 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 25<sup>th</sup> day of April, 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



**AGENDA  
CITY COMMISSION REGULAR MEETING**

**Monday, April 28, 2008 - 4:00 PM  
McAllen City Hall  
City Commission Chambers; 3<sup>rd</sup> Floor  
1300 Houston Avenue  
McAllen, Texas 78501**

**ADDENDUM**

**SUBJECT MATTER:**

- 1. Consideration and Action on Approval of Emergency Purchase Order for Hidalgo Bridge.**

**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 25<sup>th</sup> day of April, 2008 at 3:25 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.

Annette Villarreal, TRMC  
City Secretary