



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, JUNE 9, 2008 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
- PLEDGE** - Mayor Richard Cortez
- INVOCATION** - Aida Ramirez, Commissioner
- PROCLAMATION** - *Homeownership Month* – Luis Figueroa and Sam Saldivar

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 for Regular Meeting held May 27, 2008.
- B) Award of Contract – Purchase of Traffic Control Products/Materials.
- C) Approval of Emergency Purchase for Runway Crack Repair at McAllen-Miller International Airport.
- D) Change Order No. 1 for Paving and Drainage Improvements for Wisconsin Avenue (2nd Street east to city limits).
- E) Resolution authorizing the acceptance of Airport Improvement Program (AIP) Grant from the Federal Aviation Administration.
- F) Change Order No. 2 and Final Reconciliation of Quantities for the Purchase and Delivery of Type “D” Hot Mix Asphaltic Concrete FY 2007-2008 (HMAC).

2. BIDS/CONTRACTS:

- A) Renewal of Software Maintenance Agreement with Accela.
- B) Approval of Budget Increase for New McAllen Main Library and Approval of Pre-Design Services to proceed to Schematic Design Phase.
- C) Supplement Agreements to the 2007 Airfield Improvement Program, Base Bids 2, 3 and 5 for F&W Electrical Contractors.
- D) Open and Award Single Bid - One (1) Self Contained Bagging Machine.
- E) Award of Contract – Grounds Maintenance for 25 City Properties.

3. ORDINANCES:

- A) Approving the FY 2008-2009 Budget for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs and budget and program amendments to prior One-Year Action Plan.
- B) Budget Amendment for the Accela Software Maintenance Agreement.
- C) Budget Amendment for a Self Contained Bagging Machine.

4. RESOLUTIONS:

- A) Authorizing the submission of a grant application to the Department of Homeland Security under the Assistance to Firefighters Grant Program staffing for adequate Fire and Safety Response (SAFER) Grant Program.
- B) Requesting authorization to amend the Presidential Permit for the Anzalduas International Bridge.

5. MANAGER’S REPORT:

- A) Appointments to the McAllen Housing Authority Board of Commissioners by Mayor Cortez.
- B) Consider appointment of a subcommittee to address Time Warner’s franchise issues and conduct public hearings.
- C) Report on McAllen Earned Income Tax Credit (EITC) Project in collaboration with the Children’s Defense Fund of Texas.
- D) Future Agenda Items.

6. TABLED ITEMS:

- A) Consider the request of Diamante Village Subdivision to dedicate private streets and alleys to the City.
- B) Consideration of extension of Lease Agreement with Douglas Clark dba Rio Bravo Art Foundry for building located at 700 North Main Street.

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 C-3L (light commercial) District:

Lot 1, Trenton Curve Plaza Subdivision; 3401 Auburn Avenue.

TRACT TWO: Rezone from A-O (agricultural-open space) District to R-3T (multifamily residential townhouse) District:

The north 5 acres of the west 10 acres of the south 20 acres of Lot 257, John H. Shary Subdivision; 1600 North Taylor Road.

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

C) CONDITIONAL USE PERMITS:

1) Request of Rigoberto Moya, for a conditional use permit for life of the use, for an institutional use (church), at Lot 1, El Buen Pastor Subdivision; 2500 Jordan Road.

2) Request of Gene Clancy, for a conditional use permit for life of the use, for a Gasoline Service Station, at Lot 1, Hunter’s Cove Commercial Plaza Subdivision; 5600 North Ware Road.

3) Request of Jorge L. Salinas, for a conditional use permit for one year, for a night club, at Lots 2 and 3, Block 46, McAllen Addition Subdivision; 512 S. 12th Street.

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 relating to the purchase of right-of-way to expand Bicentennial Drainage Ditch south of Nolana. (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 economic incentives for La Plaza Mall Expansion. (Section 551.087, T.G.C.)
 - E) Discussion and Possible Action – Consultation with City Attorney relating to new lawsuit: C-757-08-H; Juan Santoy, individually and as next friend of Briana Santoy, a minor vs. City of McAllen. (Section 551.071, T.G.C.)
 - F) Discussion and Possible Action – Consultation with City Attorney relating to new lawsuit: Cause No. C1145-08-C; Stanley Lewis Horsman vs. Detective Jose Mireles and Polygrapher Jose Flores. (Section 551.071, T.G.C.)
 - G) Discussion and Possible Consultation with City Attorney relating to the possible Appeal of Award for Special Commissioners for Condemnation No. 0005-D. (Section 551.071, T.G.C.)
 - H) Discussion and Possible Action – Consider the sale or transfer of 25 acres out of Lot 5, Block 3, Rio Bravo Subdivision. (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.

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 6th day of June, 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