



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, JUNE 23, 2008 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - John Ingram, Commissioner

1. JOINT MEETING WITH MCALLEN PUBLIC UTILITY BOARD:

Award of Depository Bank Contract.

END OF JOINT MEETING

- 2. 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 May 12, 2008.
 - B)** Authorization to renew the library's contract to OCLC through the Amigos Library Services.
 - C)** Award of Contract – Helena Avenue Drainage Improvements (South 26th Street to South 29th Street).
 - D)** Award of Contract – Curb Inlet Rehabilitation Project.
 - E)** Award of Bid – Purchase of One (1) Articulating Front-End Loader with attachments and One (1) Utility Tractor.
 - F)** Award of Bid – Removal of Old Carpet, Purchase and Installation of new Modular Carpet for McAllen Branch Libraries and Administration Offices of Main Library.
 - G)** Resolution authorizing the submission of a grant application to the Texas Engineering Extension Service for funding to conduct training for firefighters to receive/maintain state-required certification as Emergency Care Attendants.
 - H)** Resolution authorizing the submission of an application to the National Preparedness Directorate for funding under the Commercial Equipment Direct Assistance Program (CEDAP).
 - I)** Resolution authorizing the submission of a grant application to the U.S. Department of Justice to fund the purchase of 20 Semi-Rugged Laptop Computers with selected optional equipment for Police Patrol Units.

3. BIDS/CONTRACTS:

- A) Contract Amendment No. 3 for Professional Architectural Design and Engineering Services for the new McAllen Central Fire Station/Administration/EOC Facility.
- B) Authorization to negotiate Scope of Services and Fee Schedule for MEP and Structural Design Services.
- C) Award of Contract - Temporary Employment Services.
- D) Change Order No. 5 for new McAllen Central Fire Station/Administration/EOC Facility.
- E) Award of Contract – Construction of Food Court and City Offices at the McAllen Downtown Parking Garage.

4. ORDINANCES:

- A) Abandoning a 5 ft. Utility Easement being the north 5 ft. save & except the east 10 ft. thereof, of Lot 11, Cardona at Bentsen Lakes Phase II.
- B) Budget Amendment for the Downtown Services Department related to the design of Food Court and City Offices.
- C) Amending Ordinance 2008-25 providing for an extension of the Sign Moratorium.

5. VARIANCES:

- A) Consider request for a sign variance at Lot 1, Plaza Del Norte Phase 1 Subdivision; 7301 N. 10th Street.
- B) Consider request for a sign variance at Lot A, Imperial Isle Subdivision; 521 South 10th Street.
- C) Consider request for a sign variance at Lots 22-24, Block 19, College Heights Subdivision; 2120 Oakland Avenue.
- D) Consider request for a sign variance at Lot 1, Trenton Curve Plaza Subdivision; 3401 Auburn Avenue.

6. MANAGER'S REPORT:

- A) Monthly Report on the Construction of the Anzalduas International Bridge.
- B) Presentation of Tax Collection Report for period of February, 2008 to May, 2008.
- C) Tax Refunds over \$500 for:
 - 1. Alpine Electronics of America
 - 2. Corso, Joe Vincent
 - 3. Marest Properties
 - 4. Navejar, Raul & Esperanza
 - 5. Structural Graphics
 - 6. Wiesehan, Olga S.
 - 7. Wiesehan, Olga S.
- D) Selection of firm for the Runway Extension Benefit Cost Analysis.
- E) Advisory Board Appointments.
- F) Consider approval of Public Art Policy.
- G) Future Agenda Items.

7. TABLED ITEM:

- A) 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

8. PUBLIC HEARING BEGINNING AT 6:00 PM

A) REZONINGS:

TRACT ONE: Initial zoning to C-3 (general business) District:

17.94 acres out of Lot 5, Section 280, Texas-Mexican Railway Company Survey Subdivision; 2600 State Highway 107.

TRACT TWO: Initial zoning to I-1 (light industrial) District:

Lot 10, Block 4, Rio Bravo Plantation Company Subdivision; 3100 Military Highway.

- B) Adoption of Initial Zoning Ordinance.

C) CONDITIONAL USE PERMITS:

1) Request of South Texas College, for a conditional use permit for life of the use, for an institutional use (school), at Lot 2-20, Amended W.H. Graner Subdivision; 2501-2629 Pecan Boulevard.

2) Request of Templo Jerusalem, for a conditional use permit for life of the use, for an institutional use (church), at Lots 1, 2, 15 and 16, Block 1, College Addition Subdivision; 2525 Dallas Avenue.

3) Request of Caribe Investments, LP DBA Havana Club & Grill for a conditional Use Permit, for a bar at Lot 3, Lone Star National bank Subdivision; 500 East Nolana Avenue.

- D) Public Hearing to conclude annexation proceedings for the following described tracts of land:

Tract 1: 38.18 acres out of Lot 10, Block 4, Rio Bravo Plantation Company Subdivision as recorded in Volume W, Page 197, Deed Records of Hidalgo County, Texas; 3100 Military Highway. Involuntary.

Tract 2: 20.56 acres out of Lot 5, Section 280, Texas-Mexican Railway Company Survey as recorded in Volume 24, Page 168, Deed Records of Hidalgo County, Texas; 2600 State Highway 107. Voluntary.

- E) Adoption of second reading of the Annexation Ordinance and order publication of the ordinance for above two (2) tracts.

- F) Public Hearing to institute annexation proceedings for the following described tracts of land:

Tract 1: 18.45 acres out of Lot 13, Section 279, Texas-Mexican Railway Company Survey as recorded in Volume 24, Pages 168 & 169 Deed Records and 10.62 acres out of Lot 6, E. M. Card Survey recorded in Volume 8, Page 1, Map Records of Hidalgo County, Texas; 2800 Oxford Avenue. Voluntary.

Tract 2: 46.02 acres out of Lots 38 and 47, La Lomita Irrigation and Construction Company Subdivision as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas; 8516 to 8920 North 29th Street. Involuntary.

Tract 3: 2.20 acres out of Lot 47, La Lomita Irrigation and Construction Company Subdivision as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas; 8312 to 8400 North 29th Street. Involuntary.

Tract 4: 38.40 acres out of Lots 49 and 50, La Lomita Irrigation and Construction Company Subdivision as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas; 2300 to 2720 Auburn Avenue and 8200 to 8300 North 29th Street. Involuntary.

Tract 5: 4.70 acres out of Lot 51, La Lomita Irrigation and Construction Company Subdivision as recorded in a Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas; 3200 to 3212 Auburn Avenue. Involuntary.

Tract 6: 10.0 acres out of Lot 39, La Lomita Irrigation and Construction Company Subdivision as recorded in Volume 24, Page 67-68, Deed Records of Hidalgo County, Texas; 9101 North 29th Street. Involuntary.

Tract 7: 2.8 acres out of Lots 202 and 205, Pride O' Texas Subdivision as recorded in Volume 5, Page 58 & 59, Deed Records of Hidalgo County, Texas; 3301 Oxford Avenue and 9212 North 36th Street. Involuntary.

- G) Adoption of first reading of the Annexation Ordinance and order publication of the ordinance for above seven (7) tracts.
- H) Public Hearing appealing the Planning and Zoning Commission's decision of site plan approval on May 20, 2008, for Lot 1, proposed The Palms Tower Subdivision, Hidalgo County Texas; 4301 Colbath Road. **WITHDRAWN**

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

9. 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 – Consultation with City Attorney relating to Workers Comp/Loss Run Report as of May 31, 2008. (Section 551.071, T.G.C.)

- B) Discussion and Possible Action relating to the purchase and redevelopment of a Central Park. (Section 551.072, T.G.C.)
- C) 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.)
- D) Discussion and Possible Action – Consultation with City Attorney relating to 47.76 acres out of Hidalgo Canal Subdivision. (Section 551.072, T.G.C.)
- E) Discussion and Possible Action relating to economic incentives for Project Gold Star. (Section 551.087, T.G.C.)
- F) Discussion and Possible Action relating to economic incentives for La Plaza Mall Expansion. (Section 551.087, T.G.C.)
- G) Discussion and Possible Action – Discussion with City Attorney regarding pending lawsuit: C-1959-06-1(1), McAllen Police Officers’ Union and Michael Zellers v. City of McAllen. (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 20th 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