



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, JULY 28, 2008 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

- CALL TO ORDER** - Mayor Richard Cortez
PLEDGE - Mayor Richard Cortez
INVOCATION - Marcus Barrera, Mayor Pro Tem
PROCLAMATION - *National Night Out* – Chief Victor Rodriguez

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 June 9th, and Regular Meetings held June 9th, June 23rd and July 14, 2008.
- B) Change Order No. 1 – South 26th ½ Street Drainage Improvements for installation of conflict manhole.
- C) Approval to negotiate Scope of Services and Fee Schedule for Architectural Services for various projects.

2. BIDS/CONTRACTS:

- A) Change Order No. 3 - Auburn Avenue and Main Street Improvements.
- B) Award of Bid – Purchase of Furniture for Central Fire Station/Administration/EOC Facility.
- C) Award of Contract – Replace existing chiller for the Bus Terminal Air Conditioning Unit.
- D) Approval of Mutual Benefit and Use Agreement for EOC Emergency Debris Management Services.

3. RESOLUTIONS:

- A) Authorizing the submission of a grant application to Texas Parks and Wildlife Department for construction of “The Glassroom” Environmental Center at Quinta Mazatlan.
- B) Authorizing the submission of a grant application to Texas Parks and Wildlife for neighborhood park crossings.

4. VARIANCES:

- A) Consider request for a sign variance at Lots 14-16, Milmore Subdivision; 1301 North Main Street.
- B) Consider request for a sign variance at Lot 1, Trinity Methodist Subdivision; 1801 Trenton Road.
- C) Consider request for a sign variance at Lots 1-4, The District at McAllen Subdivision; 3300 North McColl Road.

5. MANAGER’S REPORT:

- A) Appointment of Representative and Alternate to the Amigos Del Valle, Inc. Board of Directors.
- B) Tax Refunds over \$500 for:
 - 1. Mark A. & Florina Wohlwend
 - 2. Sungate Development, LLC
 - 3. Magic Valley Electric Co-op.
 - 4. Another Closet Self Storage
 - 5. Millard Refrigeration
 - 6. Gegenheimer, L.W. Jr.
 - 7. Gegenheimer, L.W. Jr.
 - 8. Gorilla Georges
 - 9. Reyna Financial Corp.
 - 10. Casa Arturo’s
 - 11. South Texas College
- C) Advisory Board Appointments.
- D) Future Agenda Items.

6. MAYOR’S REPORT:

- A) Report on Hurricane Dolly.

7. TABLED ITEMS:

- A) Consideration of extension of Lease Agreement with Douglas Clark dba Rio Bravo Art Foundry for building located at 700 North Main Street.
- B) Consider approval of Public Art Policy.

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) **ROUTINE ITEMS:** *[All Rezoning and Conditional Use Permits listed under this section come with a favorable recommendation from the Planning & Zoning Commission and will be enacted by one motion. However, if there is opposition at the meeting or a discussion is desired, that item(s) will be removed from the Routine Items section of the agenda and will be considered separately.]*
 - 1) Rezone from A-O (agricultural-open space) District to C-3L (light commercial) District: 3.37 acres out of Phase 2, Long Park Subdivision; 1100 Dove Avenue.
 - 2) Rezone from C-1 (office building) District to C-3 (general business) District: Lot A, Charter Palms Subdivision; 1421 East Jackson Avenue.
 - 3) Request of Adrian A. Arriaga, for a conditional use permit for life of use, for an Institutional Use (church), at Lot 1, McAllen Northwest Industrial #2 Subdivision; 4702 North 23rd Street.
 - 4) Request of the Parks and Recreation Department, for a conditional use permit for life of use, for a mobile home (office), at Lot 1, Westside Park Subdivision; 1000 South Ware Road.

B) CONDITIONAL USE PERMIT:

Request of Devon G. James, appealing the decision of the Planning & Zoning Commission at the July 16, 2008 meeting, denying the request for a conditional use permit for one year, for a dancehall, at Lot 1, Angela's Subdivision: 2313 Harvey Drive.

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

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 relating to the purchase and redevelopment of a Central Park. (Section 551.072, T.G.C.)
- B) Consultation with City Attorney regarding future development of 10 acres under the 272 Agreement for Driscoll McAllen Specialty Clinic. (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) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of June 30, 2008. (Section 551.071, T.G.C.)
- F) Discussion and Possible Action – Motor Vehicle Accident Liability and Subrogation Claim Reports as of June 30, 2008. (Section 551.071, T.G.C.)
- G) Discussion and Possible Action relating to pending Subrogation Claims. (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 25th day of July, 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/
Perla Zamora, TRMC
Deputy City Secretary