



**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, NOVEMBER 24, 2008 – 4:00 PM**  
**CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

- CALL TO ORDER** - Mayor Richard Cortez  
**PLEDGE OF ALLEGIANCE** - Mayor Richard Cortez  
**INVOCATION** - John Ingram, City Commissioner  
**PROCLAMATIONS** - *Fiesta Marathon Day* – Veronica Galligan  
- *Candlelight Posada Day* - Paul Quintero

**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 November 10, 2008.
- B) Resolution authorizing approval of the Library’s Technology Plan and proceed with E-Rate Application.
- C) Award of Contract – Purchase of Refuse Containers.
- D) Award of Contract – Purchase of Janitorial Products.
- E) Change Order No. 3 for Street and Drainage Improvements South 26 ½ Street for an increase and deduction in quantities and additional contract days.
- F) Resolution authorizing the submission of a grant application to the Texas Library Association.

**2. BIDS/CONTRACTS:**

- A) Approval of Interlocal Agreement for the sale of surplus rolling stock to City of La Villa.
- B) Authorization for payment of emergency expenditure for Landfill Disposal Services.
- C) Change Order No. 1 for Downtown Parking Garage Improvements to Kiosk, Food Court and Vitals/Passport Offices.
- D) Award of Contract – Purchase of Network Equipment for the Police Department through the State of Texas, Department of Information Resources (DIR) Program.
- E) Renewal of Software Maintenance Agreement with HTE.
- F) Award of Contract – Consulting Contract for Employee Benefits.
- G) Consider extension of contract for Construction Materials Engineering Services for Subdivisions and City Projects.
- H) Consider approval of investing in CDARs Program with Rio Bank and Inter National Bank.

**3. ORDINANCE:**

- A) Providing for disannexation of 51.84 acres out of Anzalduas Bridge Subdivision in order for the City of Mission to extend municipal services to the entire Anzalduas Bridge.

**4. RESOLUTIONS:**

- A) Providing for adoption of the Vantage Care Retirement Health Savings Plan.
- B) Granting the City Attorney's Legal Staff authorization to access Civil Service "G-Files".
- C) Approving the 2008 City of McAllen Tax Roll.
- D) Nominating Infinity Insurance to the office of the Governor for designation as a Qualified Business and Enterprise Project under the Texas Enterprise Zone Program.

**5. VARIANCE:**

- A) Consider request for a sign variance at Lot 1-A, Dove Point Unit #2 Subdivision; 5537 North McColl Road.

**6. MANAGER'S REPORT:**

- A) Future Agenda Items.

**7. TABLED ITEMS:**

- A) Reconsideration of abandonment request for Candle Flower Subdivision Unit III.
- B) Approval of Master Lease Agreement for Airport Cargo Facility.
- C) Ordinance providing for the adoption of the International Code Council Building Codes, 2006 Edition and the 2008 National Electrical Code.

**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) CONDITIONAL USE PERMITS:**

- 1) Request of Devon G. James, appealing the decision of the Planning & Zoning Commission of the November 4, 2008 meeting, denying the request for a conditional use permit for one year, for a dancehall, at Lot 1, Angela Subdivision; 2313 Harvey Drive.
- 2) Request of McLain's, appealing the decision of the Planning & Zoning Commission of the November 4, 2008 meeting, denying the request for a conditional use permit for one year, for a bar, at Lot 1-A, The Courtyard Subdivision; 5401 North 10<sup>th</sup> Street, Suite 203.
- 3) Request of Humberto A. Patch, appealing the decision of the Planning & Zoning Commission of the October 7, 2008 meeting, denying the request for a conditional use permit for one year for a home occupation (swimming lessons), at Lot 5, Trenton North subdivision; 1416 Thunderbird Avenue. **TABLED**

- B) Public Hearing to consider an amendment to the Zoning Ordinance reciting State Law, eliminating duplication, reducing cost of publication legal notices in newspaper and mail out to property owners and increasing efficiency of the development process.
- C) Adoption of Zoning Ordinance Amendment reciting State Law, eliminating duplication, reducing cost of publication legal notices in newspaper and mail out to property owners and increasing efficiency of the development process.

## **END OF PUBLIC HEARING**

## **PUBLIC COMMENT SESSION**

### **9. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.087 (ECONOMIC DEVELOPMENT).**

- A) Discussion and Possible Action relating to economic incentives for Project Gold Star. (Section 551.087, T.G.C.)
- B) Consultation with City Attorney relating to the use of ball fields for professional sports. (Section 551.071, T.G.C.)
- C) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of October 31, 2008. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney relating to 2007-2008 Litigation Audit Report. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney relating to Master Lease Agreement to establish a Dual Customs Facility. (Section 551.071, T.G.C.)
- F) Discussion and Possible Action – Consider the purchase of Lot 9 Block 62, Original Town Site of McAllen. (Section 551.072, T.G.C.)
- G) Discussion and Possible Action – Consider the sale of a portion of Lot 8, Convention Center 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.**

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 21<sup>st</sup> day of November 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