



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 23, 2009 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

CALL TO ORDER - Mayor Richard Cortez
PLEDGE OF ALLEGIANCE - Mayor Richard Cortez
INVOCATION – Aida Ramirez, City Commissioner
PRESENTATION BY JR. LEAGUE
PRESENTATION BY AEP CITYSMART PROGRAM
PROCLAMATION –*Constitution Team* – LeAnna Morse

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 meeting held February 9, 2009.
 - B) Award of Contract – Purchase of One (1) Current Model Diesel Cab & Chassis with Regenerative Air Sweeper for the Streets and Drainage Department of Public Works.
 - C) Award of Contract – Trenching Service and Conduit Installation.
 - D) Resolution supporting STAP’s 2009 Legislative Agenda.
 - E) Award of Contract – Purchase of LED Fixtures, RGB Power/Data Supplies and RGB Light Controllers (Decorative Lighting).
 - F) Award of Contract – Purchase of Fifty (50) Panasonic Toughbook Portable Computers with warranty.
 - G) Award of Contract – Purchase of Nineteen (19) New 2009 Vehicles.
 - H) Award of Contract – Purchase of Paving Equipment for Streets and Drainage Department of Public Works.

2. **BIDS/CONTRACTS:**
 - A) Consideration of Maintenance Agreement for the Cisco Network Equipment and Voice Over IP.

3. **ORDINANCE:**
 - A) Amending ordinance Chapter 106 Article II, Section 26 providing for the redesignation of Public Utility Board Trustees Places.
 - B) Consideration and action on minute order clarifying ordinance related to the 2008 Fire Department Authorized Strength or amendment of same.

4. **VARIANCE:**

- A) Reconsideration of the request for a sign variance at Lot 1, CVS Pharmacy Subdivision; 5600 North 23rd Street.

5. MANAGER’S REPORT:

- A) Consider Adoption of the Proposed Access Management Policy.
- B) Consider request to increase the Betterment Fund & Authorize expenditure for the Anzaludas International Bridge Southbound Toll Facilities (Architectural).
- C) Future Agenda Items

6. TABLED ITEMS:

- A) Reconsideration of abandonment request for Candle Flower Subdivision Unit III.
- B) Selection of wording and/or phrase for branding purposes.

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) Public Hearing to consider an amendment to Foresight McAllen Comprehensive Plan: Figure 4.2 Thoroughfare Plan; Changing the Alignment and Designation of the following Thoroughfares:
 - 1) Modify the alignment of the Hidalgo County Loop, change designation of FM 490 from an expressway with 300 feet of right-of-way to a High Speed Arterial with 150 feet of right-of-way and change the designation of Mile 14 Line from a High Speed Arterial with 150 feet of right-of-way to a Principal Arterial with 120 feet of right-of-way;
 - 2) Change the designation of Nolana Avenue from a High Speed Arterial with 150 feet of right-of-way to a Principal Arterial with 120 feet of right-of-way;
 - 3) Change the designation of Trenton Road from a High Speed Arterial with 150 feet of right-of-way to a Principal Arterial with 120 feet of right-of-way;
 - 4) Change the designation of 8 Mile Line/Chapin Road from a Principal Arterial with 120 feet of right-of-way to a Minor Arterial with 100 feet of right-of-way;
 - 5) Remove 29th Street as a Minor Arterial with 100 feet of right-of-way from Sarah Avenue to Military Highway from the Thoroughfare Plan;
 - 6) Remove Bentsen Road as a Major Collector with 80 feet of right-of-way from Neuhaus Drive to Military Highway from the Thoroughfare Plan;
 - 7) Remove Main Street as a Major Collector with 80 feet of right-of-way from Hobbs Drive to Freddy Gonzalez Drive from the Thoroughfare Plan;
 - 8) Remove 29th Street as a Major Collector with 80 feet of right-of-way from Military Highway to the Banker Floodway from the Thoroughfare Plan;
 - 9) Remove Martin Avenue as a Major Collector with 80 feet of right-of-way from 10th Street to Bicentennial Boulevard from the Thoroughfare Plan;

- 10) Remove Honduras Avenue as a Major Collector with 80 feet of right-of-way from 29th Street to Ware Road from the Thoroughfare Plan;
 - 11) Extend Sarah/Tanya Avenue as a Major Collector with 80 feet of right-of-way from International Boulevard to Taylor Road;
 - 12) Modify the alignment of Ware as a High Speed Arterial with 150 feet of right-of-way from 5 ¼ Mile Road to Nopal Drive.
- B) Adoption of an Ordinance providing for an amendment to Foresight McAllen Comprehensive Plan; Figure 4.2 Thoroughfare Plan; Changing the Alignment and Designation of the Thoroughfares.
- C) **ROUTINE ITEMS:** *[All Rezonings 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 R-3A (multifamily residential apartments) District to R-3C (multifamily residential condominium) District: Lot 2, Seville Subdivision, Hidalgo County, Texas; 4413 North 6th Street.
 - 2) Request Javier Cervera, for a Conditional Use Permit, for life of the use, for a guest house at Lot 69, Block 2, Nerea Estates Subdivision, Hidalgo County, Texas; 312 Jay Avenue.
 - 3) Request of Gerardo Higareda, for a Conditional Use Permit, for life of the use, for an institutional use (school) at 2.12 acres out of Lot 68 and 77, La Lomita Irrigation and Construction Company's Subdivision, (proposed STCA Subdivision), Hidalgo County, Texas; 6817 North Ware Road.
- D) Amending the Zoning Ordinance of the City of McAllen as enacted May 29, 1979.
- E) **CONDITIONAL USE PERMITS:**
 - 1) Request of Klasse RGV LLC, appealing the decision of the Planning & Zoning Commission of the February 23, 2009 meeting, denying the request for a conditional use permit for one year, for a bar, at Lot 1, Rhino Subdivision, Hidalgo County, Texas; 5248 North 10th Street.
 - 2) Request of American Tower, for a Conditional Use Permit, for life of the use, for a personal wireless service facility at Lot A, Senker Subdivision, Hidalgo County, Texas; 3301 North 23rd Street.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

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

- A) Discussion and Possible Action relating to economic incentives for Project Gold Star. (Section 551.087, T.G.C.)
- B) Discussion and Possible Action to consider authorizing an extension to Border Capital Bank relating to property purchased from City on Ridge and McColl. (Section 551.072, T.G.C.)
- C) Consultation with City Attorney relating to the Master Lease Agreement to establish a Dual Customs Facility. (Section 551.071, T.G.C.)
- D) Discussion and Possible Action relating purchase of Lots 25 & 26, Colonia Hermosa #2. (Section 551.072, T.G.C.)
- E) Consultation with City Attorney regarding McAllen Firefighters Association., Local 2602 Grievance. (Section 551.071, T.G.C.)
- F) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of January 31, 2009. (Section 551.071, T.G.C.)
- G) Consultation with City Attorney regarding legal aspects of Regional Interoperable Communication Systems. (Section 551.071, T.G.C.)
- H) Consultation with City Attorney regarding Anzalduas Bridge Toll Booths. (Section 551.071, T.G.C.)
- I) Consultation with City Attorney regarding lawsuit, C-2184-01-G; Lydia Cantu and Manuel Trigo vs. City of McAllen, Texas, Kevin Pagan and Julianne Rankin. (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.

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 20th day of February, 2009 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