



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, MARCH 9, 2009 – 4:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR

CALL TO ORDER - Mayor Richard Cortez

PLEDGE OF ALLEGIANCE - Mayor Richard Cortez

INVOCATION – John Ingram, City Commissioner

PROCLAMATIONS - 2009 Year of Astronomy –John Gerling – *Commissioner Ramirez*

- McAllen Heritage Center Grand Opening Day – Elva Cerda – *Commissioner Ingram*

- McAllen High School Wrestling Day – Sam Mangum, Scott Inskeep & McHi
Coaching Staff – *Commissioner Darling*

- Merit to Citizens Day – Chief Rodriguez/Chief Rubio – *Mayor Pro Tem Barrera*

- Louise Gollnick Day – Louise Gollnick – *Commissioner Scott Crane*

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 Sister City Plan and related Memorandum of Agreement between the Cities of Reynosa and Rio Bravo, Tamaulipas, in Mexico and McAllen, Mission, Hidalgo, Edinburg, Pharr, Weslaco and Donna, Texas in the U.S.
- B)** Contract Amendment No. 1 with S & B Infrastructure, LTD for design services associated with the Morris Stormwater Detention Facility.
- C)** Award of Contract – 2009 Intersection Improvements Phase 1 Project.
- D)** Change Order No. 1 – Purchase and Delivery of Type “D” Hot Mix Asphaltic Concrete.
- E)** Change Order No. 1 for additional quantities for Single Machine Repaving/Recycling/Rejuvenate/Milling.
- F)** Award of Contract – Purchase of Two (2) Scrap Grapples.
- G)** Award of Contract – Purchase of Various Refuse Equipment for Sanitation Department of Public Works.
- H)** Authorization to submit Federal Transportation Certifications and Assurances to the Federal Transportation Administration.
- I)** Consideration of Extension of Contract with Emergency Communications Network, Inc. for the CodeRED Emergency Telephone Notification System and related Budget Amendment.
- J)** Resolution authorizing the City of McAllen to support the Hidalgo County Commissioners’ Court plan to expand the Hidalgo County Automobile License Department McAllen Substation located at 300 East Hackberry.
- K)** Resolution authorizing the submission of five projects to the United States House of Representatives Committee on Appropriations for funding under the Omnibus Appropriations Act.
- L)** Resolution authorizing the submission of a grant application to the United States Department of Homeland Security for funding under the 2009 Fire Prevention and Safety Grant Program.

2. BIDS/CONTRACTS:

- A) Change Order No. 4 to Jimmy Closner & Sons Contract for fence layout changes for Anzalduas International Bridge Toll Plaza (Civil).
- B) Change Order No. 5 to Jimmy Closner & Sons Contract time extension for Anzalduas International Bridge Toll Plaza (Civil).
- C) Consideration of Supplemental Agreement No. 13 with Dannenbaum Engineering Company for the Anzalduas International Bridge Project.
- D) Interlocal Agreement with South Texas College for the South Texas College Pecan Campus Blueline Improvements Project.
- E) Award of Contract – Purchase of Engineered Wood Fiber.
- F) Consideration of a Services Agreement between the City of McAllen and Homes Murphy Inc. for Benefits Consultant.

3. ORDINANCES:

- A) Clarification and/or Adoption of Ordinance Amendment to the 2008 Fire Department Authorized Strength and Classification Ordinance.
- B) Providing for the creation of the Mayor’s Youth Advisory Council.

4. MANAGER’S REPORT:

- A) Presentation of Tax Collection Report for period of October, 2008, to February 6, 2009.
- B) Presentation of Delinquent Tax Report for period ending January 2009.
- C) Monthly Construction Report for the Anzalduas International Bridge Project.
- D) Consideration of right-of-way dedication for Ash Avenue between 26th and 29th Street.
- E) Advisory Board Appointments.
- F) Future Agenda Items.

5. 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

6. PUBLIC HEARING BEGINNING AT 6:00 PM

- A) **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) Request of Roberto Prieto-Harris, for a Conditional Use Permit, for life of the use, for a guest house at Lot 12, Sunridge Subdivision, Hidalgo County, Texas; 7516 North 3rd Street.
- 2) Request of Danny F. Boultinghouse, for a Conditional Use Permit, for life of the use, for an institutional use (church) at the south 5.0 acres of Lot 32 and 0.12 acres out of southeast

corner of Lot 31, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 200 La Vista Avenue.

B) 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. **TABLED**

2) Request of Miguel Iglesias III, appealing the decision of the Planning & Zoning Commission of the February 3, 2009 meeting, denying the request for a Conditional Use Permit for one year, for an automotive service and repair, at Lot 6, Linda Vista Subdivision, Hidalgo County, Texas; 1220 South 23rd Street.

3) Request of Daisy Diaz, appealing the decision of the Planning & Zoning Commission of the February 3, 2009 meeting, denying the request for a Conditional Use Permit for one year, for a bar, at Lot 12, Mejia #1 Subdivision, Hidalgo County, Texas; 2022 Nolana Avenue.

4) Request of Polanco Investments, appealing the decision of the Planning & Zoning Commission of the February 17, 2009 meeting, denying the request for a Conditional Use Permit for one year, for a bar, at the west 162 feet of Lot 5, an irregular tract of land, El Cazador #1 Subdivision, Hidalgo County, Texas; 711 Nolana Avenue.

C) Public Hearing to consider street name change from North C Street to Chai Street between Nolana Avenue and Dove Avenue.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

7. 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 relating to economic incentives for Operation Lonestar. (Section 551.087, T.G.C.)
- C) Consideration of financial options for sale of Lot 6, Convention Center Subdivision to Venture Assets, Ltd for Embassy Suites Hotel Project. (Section 551.087, T.G.C.)
- D) Consultation with City Attorney to consider sale offer from Alicia Ortiz de Reyes for part of Lots 4, 5, and 6, Fords Subdivision, lying west of 10th Street. (Section 551.072, T. G. C.)
- E) Discussion and Possible Action relating to the purchase of 40 acres out of Lot 38-11, West Addition to Sharyland. (Section 551.072, T. G. C.)
- F) Discussion and Possible Action relating to the purchase of .988 acre of Lot 6, Section 5, Hidalgo Canal Co. Subdivision. (Section 551.072, T. G. C.)
- G) Discussion and Possible Action relating to the purchase of a portion of Lots 8 & 9, Hidalgo Canal Company. (Section 551.072, T. G. C.)
- H) Discussion and Possible Action relating to the lease of Sam Houston School Site. (Section 551.072, T. G. C.)

- D) Consultation with City Attorney regarding legal aspects of employee grievances. (Section 551.071, T. G. C.)
- J) Discussion and Possible Action relating to the purchase of various parcels from local governmental entity. (Section 551.087, 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 6th day of March, 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