



**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, AUGUST 24, 2009 – 4:00 PM**  
**CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** - Mayor Richard Cortez  
**PLEDGE OF ALLEGIANCE** - Mayor Richard Cortez  
**INVOCATION** – Marcus Barrera, City Commissioner

**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 July 27, 2009.
- B) Ordinance providing for the abandonment of approximately a 20 ft. by 161 ft. alley right-of-way out of Lot 1, Block 1, RTG Subdivision; 1400 U.S. Expressway 83.
- C) Approving tax refunds over \$500 to:
  - 1) Walgreens Co.
  - 2) Yoko's Sushi Bar
- D) Consideration of License Agreements for installation of grease traps within city right-of-way for 100 South 17<sup>th</sup> Street and 206 South 17<sup>th</sup> Street.
- E) Consideration of License Agreement with Abdala Kalifa for balcony to overhang above sidewalk at 122 South 17<sup>th</sup> Street.
- F) Approval of the Homeless Prevention and Rapid Re-Housing Program (HPRP) subgranting of funds.
- G) Approval of Interlocal Agreement between the University of Texas Southwestern Medical Center, City of McAllen and Hidalgo County to provide Basic and Advanced Disaster Life Support to City and County Employees and Regional Health Care Providers.
- H) Resolution authorizing the submission of five (5) grant proposals to the Lower Rio Grande Valley Development Council, in cooperation with the Texas Environmental Quality, for funding under the Regional Solid Waste Grant Program.
- I) Award of Contract - Purchase of Steel Strain Poles with Assemblies for Traffic Department.
- J) Approval of Investment Officer Training provided by the University of North Texas Center for Public Management for Melba Carvajal and Mike Perez.
- K) Service Contract for the maintenance of an Integrated Library Management System.
- L) Ordinance providing for a budget amendment for Civil Service Department.
- M) Election to be exempted from certain requirements under HIPPA-Health Insurance Portability and Accountability Act of 1996 for Plan Year 2009-2010.
- N) Approval of expenses incurred for Health Fair.

**2. BIDS/CONTRACTS:**

- A) Award of Contract – Purchase of Video Surveillance System.
- B) Change Order to Purchase Contract for One (1) Modular Frame and Panel Scenery.
- C) Award of Contract – Construction of The Crossings Neighborhood Park.
- D) Award of Contract – Purchase of Two (2) Complete Sets of Hurst Jaws of Life/Generator Reel and Two (2) Sets of Mini Lifting Bags (airbags).
- E) Award of Bid – Employee Benefit Plans.
- F) Consider approval of additional services for Bill Schupp Park Sunken Gardens design.
- G) Authorization to enter into a contract with Hidalgo County Elections Administrator for election services for the November 3, 2009 Special Charter Amendment Election.  
*Autorización para contratar al Departamento de Elecciones del Condado de Hidalgo para administrar la elección que se efectuara el 3 de noviembre, 2009 para enmendar la carta constitucional de la ciudad.*

**3. ORDINANCES:**

- A) Calling a Special Election for November 3, 2009 to amend the City Charter.  
*Ordenanza convocando una elección especial para el 3 de noviembre, 2009 para enmendar la carta constitucional de la ciudad.*
- B) Providing for the settlement with Texas Gas Service regarding Rate Tariff Case.

**4. RESOLUTION:**

- A) Authorizing the submission of a grant application to the U.S. Department of Transportation, Supplemental Discretionary Grants for Capital Investments in Surface Transportation Infrastructure, Grants for Transportation Investment Generating Economic Recovery (TIGER), under the American Recovery and Reinvestment Act of 2009.

**5. VARIANCES:**

- A) Reconsideration of the request for a sign variance at Lots 7 & 8, Palms Community Center #2 Subdivision; 3827 North 10<sup>th</sup> Street.
- B) Consideration of the request for a sign variance at Lot 3, Ridge Plaza Subdivision; 1300 East Ridge Road.
- C) Consideration of the request for a sign variance at Lot 16, Villa Bonita Phase 1 Subdivision; 709 North Ware Road.
- D) Consideration of the request for a sign variance at Lot A, Stephen F. Miller Subdivision; 700 East Highway 83.
- E) Consideration of the request for a sign variance at Lots 1 & 2, Texas Vintage Subdivision; 5515 North 10<sup>th</sup> Street.

**6. MANAGER'S REPORT:**

- A) Review and Acceptance of Quarterly Investment Report for quarter ended June 30, 2009.
- B) Monthly Construction Report on the Anzalduas International Bridge Project.
- C) Selection of a committee for the City's Centennial Celebration.
- D) Future Agenda Items.

**7. TABLED ITEMS:**

- A) Award of Contract - Purchase of One (1) Current Model Herbicide Sprayer for Streets and Drainage Department of Public Works.
- B) Contract clarification for Boultinghouse, Simpson Architects – Basic Contract and Contract Amendment No. 6 for the McAllen Main Library.

**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 R-3C (multifamily residential condominium) District: 4.34 acres out of Lot 287, John H. Shary Subdivision, Hidalgo County, Texas; 2620 North Taylor Road.

2) Request of Rafael Sanchez, for a Conditional Use Permit, for life of the use, for an automotive service and repair at Block 1, Liza Lu Subdivision, Hidalgo County, Texas; 3620 North 23<sup>rd</sup> Street, Suite D.

3) Request of Trinity United Methodist Church, for a Conditional Use Permit, for life of the use, for an institutional use (church and related activities) at Lot 1, Trinity Methodist Subdivision, Hidalgo County, Texas; 1801 Trenton Road.

- B) **REZONING:**

1) Rezone from A-O (agricultural-open space) District to C-3 (general business) District: the west 9.8 acres of Lot 6, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas; 4300 Pecan Avenue.

- 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 551.087 (ECONOMIC DEVELOPMENT), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), AND SECTION 551.074 (PERSONNEL MATTERS)**

- 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 Tri-Wanis Ventures, LLC, for additional time and financial assistance. (Section 551.087, T.G.C.)
- C) Discussion and Possible Action relating to economic incentives for Project Big Box. (Section 551.087, T.G.C.)

- D) Discussion and Possible Action relating to economic incentives for Embassy Suites Hotel. (Section 551.087, T.G.C.)
- E) Consultation with City Attorney regarding the Regional Mobility Authority Board. (Section 555.071, T.G.C.)
- F) Consultation with City Attorney regarding new lawsuit; Cause No. C-2666-07-B; Manuel Rodriguez vs. Sandra Martinez, Larry Matthews, et al. (Section 555.071, T.G.C.)
- G) Consultation with City Attorney regarding new lawsuit; Cause No. CL-09-2243-A Rosaura Cavazos vs. City of McAllen. (Section 555.071, T.G.C.)
- H) Consultation with City Attorney relating to Workers Comp/Loss Run Report as of July 31, 2009. (Section 551.071, T.G.C.)
- I) Discussion and Possible Action relating to the Evaluation of City Management Team. (Section 551.074, 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 21st day of August, 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