



AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, SEPTEMBER 14, 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 – *National Rehabilitation Awareness Week* - Myssie Cardenas-Barajas
– *National Alcohol & Drug Addiction Recovery Month* - Jessica Ochoa
- *Fishing for Hope Day* - Becky Ramirez
- *Constitution Week* – Carolyn Weekley

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 Interlocal Agreement with Palm Valley Animal Center.
- B) Award of Contract – Various Types of Concrete Work 2009-2010.
- C) Change Order No. 1 for the Dog Park and Neighborhood Detention Facility.
- D) Approval of transfer of fund to McAllen Chamber of Commerce for Artwork at Main Avenue and Auburn Avenue.
- E) Award of Contract for Architectural Services – Traffic Operations Additions and Improvements.
- F) Budget Amendment providing for the transfer of funds from the Health Insurance Fund to the Retiree Health Insurance Fund.
- G) Budget Amendment for the early redemption of \$2,000,000 in outstanding note inclusive of principal and interest. (Airport Land)
- H) Repealing Ordinance 2002-22 abandoning of right-of-way in Willow Subdivision.
- I) Award of Bid – Demolition, Asbestos, Abatement, and Air Monitoring for Various Locations in McAllen.
- J) Resolution authorizing the submission of a grant application to the Federal Communications Commission, under the Telecommunications Act, Universal Service Fund, for funding under the E-Rate Grant Program.
- K) Tax Refund over \$500 for Grande Communications Network, Inc.
- L) Ordinance providing for the abandonment of a 20 ft. by 225 ft. portion of alley in Block 3, Nelson Addition; 1414 Jackson Avenue.
- M) Consideration of request to close Beech Avenue on the Westside of Bicentennial Boulevard.
- N) Resolution authorizing the acceptance of grant funds from the Texas Comptroller of Public Accounts under the Fiscal Year 2009-2010 Tobacco Compliance Grant Program.
- O) Ordinance providing for the abandonment of 20 ft. alley right-of-way and a 25 ft. Street right-of-way out of Yesenia Subdivision; 3801 Business Highway 83.

- P) Resolution authorizing the submission of a grant application to the Junior League of McAllen, Inc. for funding under the Fiscal Year 2009-2010 Grant Program.
- Q) Resolution authorizing the acceptance of Airport Improvement Program (AIP) Grants 38 & 39 from the Federal Aviation Administration.
- R) Approval of Budget Reclassification for Airport Spending Plan.

2. BIDS/CONTRACTS:

- A) Award of Bid – Radio Communication Equipment for McAllen Express.
- B) Award of Contract – Proposal for Irrigation System Water Source for the Anzalduas International Bridge Toll Plaza.
- C) Change Order No. 6 Anzalduas International Bridge Southbound Facilities (architectural) project to Rio Valley Construction.
- D) Award of Contract - Purchase of Plumbing Fixtures for Park Restrooms.
- E) Consideration and Approval of Supplemental Agreement No. 18 with Dannenbaum Engineering for additional Engineering/Architectural services for the “Welcome” Monument.
- F) Request Subordination of Lien to a Deed of Trust to Lone Star National Bank for the amount of \$686,580.
- G) Award of Contract – Anzalduas International Bridge Southbound Toll Facilities Landscape & Irrigation.
- H) Consideration and Approval of Amendment No. 1- Supplemental Agreement No. 15 with Dannenbaum Engineering for additional Engineering/Architectural services for Anzalduas International Bridge Southbound Toll Facilities “Landscape and Irrigation”.
- I) Award of Contract for the Rehabilitation Construction of Runway 13-31.
- J) Approval of Amendment No. 6 to HNTB General Engineering Contract to provide construction observation services and for the rehabilitation and construction of Runway 13-31.
- K) Consideration and Authorization of Work Order No. 3 to the URS Corporation Contract to provide terminal expansion design.
- L) Approval to pay invoice for emergency repairs to cooling system at McAllen Public Safety Building.

3. ORDINANCE:

- A) Ordinance requesting authorization to amend Chapter 106, Article 3, Division 5 of the Code of Ordinances for the Revised Drought Contingency Plan.

4. RESOLUTION:

- A) Nominating a representative to the Hidalgo County Appraisal District Board of Directors 2010-2011.

5. VARIANCES:

- A) Reconsideration of the request for a sign variance at Lot 16, Villa Bonita Phase 1 Subdivision; 709 Ware Road.
- B) Consideration of the request for a sign variance at Lots 1-4, McAllen Addition Subdivision; 616 South Main Street.

6. MANAGER'S REPORT:

- A) Selection of a committee for the City's Centennial Celebration.
- B) Consideration of request to close Highland Avenue on the Eastside of Bicentennial Boulevard.
- C) Future Agenda Items.

7. TABLED ITEMS:

- A) 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) REZONING:

Rezone from R-1 (single family residential) District to C-3 (general business) District: a 0.96 acre tract of land out of the west 127.2 feet of the east 447.2 feet of the north one half (1/2) of the south one half (1/2) of Lot 11, Section Twelve, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1009 Jay Avenue. **WITHDRAWN**

B) CONDITIONAL USE PERMIT:

Request of Heron Gallegos, for a Conditional Use Permit, for life of the use, for an outdoor commercial recreational use (soccer field) at the south 213.7 feet of the west 254.8 feet and the north 236.19 feet of the north 449.89 feet of the west 254.8 feet of Lot 150, La Lomita (HOIT) Subdivision, Hidalgo County, Texas; 421 South Bentsen Road.

- C) Public Hearing on the City of McAllen Proposed Budget for Fiscal Year 2009-2010.

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

9. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY) 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) 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) Discussion and Possible Action relating to economic incentives for Project Blazing Saddles. (Section 551.087, T.G.C.)
- F) Discussion and Possible Action relating to economic incentives for Project “Major Destination” Retail Projects. (Section 551.087 T.G.C.)
- G) Consultation with City Attorney regarding the Regional Mobility Authority Board. (Section 555.071, T.G.C.)
- H) Consultation with City Attorney regarding new lawsuit; Cause No. CL-09-2514-B; Danny Perez vs. City of McAllen. (Section 555.071, 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 **11th** day of **September, 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/
Perla Zamora, TRMC
Deputy City Secretary