



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 8, 2010 – 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 Pancake Day*- Gilbert Medina

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 Workshop held April 13, 2009 and Regular Meeting held January 25, 2010.
- B) Interlocal Agreement between the City of McAllen and the Hidalgo County Library System.
- C) Change Order No. 1 for Concrete Joint Sealing 2009.
- D) Award of Contract – Re-Roofing of Tax Office Building.
- E) Change Order No. 3 for additional construction of Zinnia and 29th Street Park.
- F) Ordinance providing for the abandonment of a 10 ft. utility easement along the eastside of Lot 12, Antigua Subdivision; 3213 Zenaida Avenue.
- G) Ordinance providing for the abandonment of the south 3 ft. by 422 ft. of a 10 ft. utility easement out of Lots 1 thru 15, Inclusive, McAllen Industrial Drive Subdivision; 2001-2053 Industrial Drive.
- H) Ordinance providing for a ninety-day (90) moratorium on outdoor advertising signs in the proposed Arts District.
- I) Ordinance providing for a budget amendment for the purchase of Voice-Over IP Phone System for the Police Department.

2. BIDS/CONTRACTS:

- A) Award of Contract – Concessionaire Services for public events at disclosed locations.
- B) Award of Contract – Purchase of Enterprise Resource Planning (ERP) Software.

3. RESOLUTION:

Authorizing the submission of a grant application to Office of the Governor - Criminal Justice Division, for funding under the FY 2009-2010 Edward Byrne Memorial Justice Assistance Formula Grant Program.

4. MANAGER’S REPORT:

- A) Advisory Board Appointments.
- B) Future Agenda Items.

5. TABLED ITEMS:

- A) Consideration of additional services by MESA Design Group for LEED Facilitation and Commissioning Services of the Glassroom for Quinta Mazatlan. **Tabled 1/25/10**
- B) Approval of Amendment No. 3 to the Sixel Consulting Air Service Development Contract. **Tabled 1/25/10**

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 ITEM:** *[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.]*

Request of Elizabeth O. Nielsen, on behalf of Southwest Key Programs, Inc., for a Conditional Use Permit, for life of the use, for an institutional use (school) at 0.91 acres out of Lots 5 & 6, Ford's Subdivision, Hidalgo County, Texas; 3017 South 10th Street.

- B) **REZONING:**

Rezone from R-2 (duplex-fourplex residential) District to C-3 (general business) District: 0.32 acre tract out of Lots 1 and 2 and the north one-half (1/2) of Lot 3, Block 1, Nelson Addition, Hidalgo County, Texas; 1515 Houston Avenue. **TABLED**

- C) Amending the Zoning Ordinance of the City of McAllen as enacted May 29, 1979.

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), 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 Embassy Suites Hotel. (Section 551.087, T.G.C.)
- D) Consultation with City Attorney relating to McAllen Police Officers' Union and McAllen Fire Fighter's Association Collective Bargaining Agreements. (Section 551.071, T.G.C.)
- E) Discussion and Possible Action – Evaluation of City Manager. (Section 551.074, T.G.C.)
- F) Discussion with City Attorney regarding work provided by Regional Investment Center Attorneys. (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.

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 **5th** day of **February, 2010** 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, CPM
City Secretary