



**AGENDA**  
**CITY COMMISSION REGULAR MEETING**  
**MONDAY, MARCH 8, 2010 – 4:00 PM**  
**CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** – Hilda Salinas, Mayor Pro Tem  
**PLEDGE OF ALLEGIANCE** - Hilda Salinas, Mayor Pro Tem  
**INVOCATION** – Aida Ramirez, Mayor Pro Tem  
**PROCLAMATIONS** – *Boys & Girls Club Youth of the Year*  
– *Boy Scouts Troop 7 50<sup>th</sup> Anniversary*

**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 May 26<sup>th</sup> and June 22, 2009, and Workshop and Regular Meetings held February 22, 2010.
- B)** Award of Contract – Purchase & Delivery of Type “D” Hot Mix Asphaltic Concrete (HMAC) for Repaving Services 2009-2010.
- C)** Award of Contract – Repaving Services 2009-2010 Project.
- D)** Award of Contract – Drilling Services for Installation of Traffic Signal Electrical Conduit.
- E)** Award of Contract – Traffic Signal & Loop Detector Replacement Project.
- F)** Approval of Change Order No. 5 for additional work days for the McAllen Intermodal Transit Terminal and Parking Improvements Project.
- G)** Final Reconciliation of Quantities for the McAllen Convention Center.
- H)** License Agreement for installation of a grease trap for restaurant at 214 S. Main Street.
- I)** Ordinance amending the McAllen Code of Ordinances Chapter 74 Parks and Recreation, Article IV. Quinta Mazatlan, providing for the increase in the number of members to the Quinta Mazatlan Advisory Board.
- J)** Resolution authorizing the entering into an Interlocal Agreement with Affordable Homes of South Texas, Inc. for Intake and Assessment of the Weatherization Assistance Program.
- K)** Ordinance providing for a budget amendment to eliminate long term advance to the Palm View Golf Course Fund from the Development Corporation Fund.
- L)** Tax Refund over \$500.00 for Valley Shamrock & Diamond Shamrock.

**2. BIDS/CONTRACTS:**

- A)** Approval of Change Order No. 4 for construction of additional parking areas to Zinnia and 29<sup>th</sup> Street Park and additional time for construction.

- B) Approval of Change Order No. 4 and Landscape and Irrigation Proposal for North McAllen Police Community Network and Training Center.
- C) Approval of Contract Amendment No. 4 for additional services for a monument sign design for the North McAllen Police Community Network and Training Center.
- D) Award of Contract – Furniture for North McAllen Police Community Network and Training Center.

**3. ORDINANCE:**

- A) Calling for a Special Election on May 8, 2010 for two issues associated with proposed bonds to construct a Sports Complex and Tennis Center and authorizing the sale of West Side Park. *Ordenanza convocando una elección el día 8 de mayo, 2010 para considerar dos (2) artículos relacionados a la propuesta del uso de bonos para construir un complejo deportivo & centro de tenis y autorizar la venta de el parque West Side.*

**4. RESOLUTION:**

- A) Resolution naming of the city park located on Zinnia and 29<sup>th</sup> Street. **WITHDRAWN**

**5. VARIANCES:**

- A) Consideration of a sign variance at Lot 22, Ivory Palm Estates Subdivision; 3503 North Ware Road.
- B) Consideration of variance from the subdivision process for 3816 South Jackson Road, Unit B.

**6. MANAGER'S REPORT:**

- A) Discussion and possible adoption of program for 4<sup>th</sup> of July.
- B) Future Agenda Items.

**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) **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 South Texas College, for a Conditional Use Permit, for life of the use, for an institutional use (school) at Lot 6, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas; 4000 West Pecan Boulevard.

2) Request of South Texas College, for a Conditional Use Permit, for life of the use, for an institutional use (school) at Lot 9, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas; 3401 West Pecan Boulevard.

3) Request of Our Lady of Sorrows Catholic School, for a Conditional Use Permit, for life of the use, for an institutional use (parking lot) at Lot 7, Block 1, Town of North McAllen Subdivision, Hidalgo County, Texas; 722 N. 11<sup>th</sup> Street.

**B) REZONING:**

Rezone from C-1 (office building) District to C-3 (general business) District: Lot 1, Trevino's Acre Subdivision, and .56 acres out of Lot 2, Block 8, A.J. McColl Subdivision, Hidalgo County, Texas; 2000 and 2020 South Jackson Road. **TABLED 2/22/10**

**C) CONDITIONAL USE PERMITS:**

1) Request of Manuela Cantu appealing the decision of the Planning & Zoning Commission of the February 16, 2010 meeting, denying the request for a Conditional Use Permit, for one year, for a bar at Lot 4, all of that part lying west of 10<sup>th</sup> Street, comprising of 0.56 Acres, Ford's Subdivision; 3000 South 10<sup>th</sup> Street.

2) Request of Eduardo Cantu appealing the decision of the Planning & Zoning Commission of the February 16, 2010 meeting, denying the request for a Conditional Use Permit, for one year, for a dancehall at Lot 10 thru 19, Las Cañadas Subdivision; 3000 – 3020 South Jackson Road.

3) Request of Ruben Ramirez appealing the decision of the Planning & Zoning Commission of the February 16, 2010 meeting, denying the request for a Conditional Use Permit, for one year, for a bar at Lot A, Nolana Tower Subdivision; 400 Nolana Avenue, Suite A3.

**D)** Amending the Zoning Ordinance of the City of McAllen as enacted May 29, 1979.

**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 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 acquisition or exchange of Lot 137 & Lot 138, La Lomita Subdivision. (Section 551.072, T.G.C.)

- D) Discussion and Possible Action of possible lease and/or purchase of Main Place Lot 1. (Section 551.072, L.G.C.)
- E) Discussion with City Attorney regarding acquisition of property for extension of 3 Mile Line to future Bicentennial Boulevard. (Section 551.071, T.G.C.)
- F) Consultation with City Attorney regarding new lawsuit; Cause No. C-505-10-G; James Farrell, Jr. vs. City of McAllen. (Section 551.071, T.G.C.)
- G) Consultation with City Attorney regarding new lawsuit; Cause No.C-463-10-I; Mario Sanchez vs. City of McAllen. (Section 551.071, T.G.C.)
- H) Consultation with City Attorney relating to the Memorandum of Understanding with UTPA and possible revisions. (Section 551.071, T.G.C.)
- I) 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.)
- J) Consultation with City Attorney regarding a long term contract for a sports and entertainment venue for use of Convention Center (and/or in the vicinity). (Section 551.071, T.G.C.)
- K) Discussion and Possible Action relating to economic incentives for Project Wounded. (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.**

**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 **5<sup>th</sup>** day of **March, 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