



AGENDA

CITY COMMISSION REGULAR MEETING MONDAY, MARCH 22, 2010 – 4:00 PM CITY COMMISSION CHAMBERS; 3RD FLOOR

CALL TO ORDER - Mayor Richard Cortez

PLEDGE OF ALLEGIANCE - Mayor Richard Cortez

INVOCATION – Jim Darling, City Commissioner

PROCLAMATIONS – *Community Development Week/Fair Housing Month* – Omar Quintanilla

1. **JOINT MEETING WITH MCALLEN PUBLIC UTILITY BOARD OF TRUSTEES:**

Presentation and Approval of Comprehensive Annual Financial Report for Fiscal Year 2008-2009.

END OF JOINT MEETING WITH MPU BOARD

2. **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) Consider approval of Change Order No. 2 to Celso Gonzales Construction, Inc. for The Crossings Park related to additional work and additional days to the contract.
- B) Consider approval of Supplement Agreement 2 to the MFE Runway Rehabilitation Project Contract.
- C) Consider approval of Supplement Agreement 1 to Amendment 6 of HNTB General Engineering Contract for additional construction observation services.
- D) Award of Contract – Purchase of Janitorial Products.
- E) Consider approval of Lease Agreement with Hidalgo County Elections Administration for use of iVotronic Voting Machines for Special City Election to be held May 8, 2010.

3. **BIDS/CONTRACTS:**

- A) Award of Contract – City Hall HVAC Improvements.
- B) Approval of participation in the ERCOT Emergency Interruptible Load Service (EILS) Demand Response Program through EnerNOC.
- C) Award of Contract – Purchase of Triplex Riding Greens Mowers for Palm View Golf Course.
- D) Consider approval of additional services provided by Terra Design Group related to park on Zinnia & 29th Streets.
- E) Consider approval of Supplement Agreement 1 to Amendment 4 of HNTB General Engineering Contract to develop Requests for Proposals for Airport Security System.
- F) Consider approval of Amendment 7 to HNTB General Engineering Contract to conduct a Runway Safety Area Study for Runway 13-31.

- G) Consider approval of Amendment 8 HNTB General Engineering Contract to develop an Airport Drainage Master Plan.

4. RESOLUTIONS:

- A) Authorizing acceptance of Airport Improvement Program (AIP) Grant 40 from the Federal Aviation Administration (FAA).
- B) Supporting South Texas Aggregation Project (STAP) Sunset Legislative Agenda.
- C) Authorizing the collection of "Late Rendition Penalty" as it relates to the Property Tax Code.
- D) Authorizing the submission of a grant application to the U.S. Department of Homeland Security for funding under the Fiscal Year 2010 Border Interoperability Demonstration Project.

5. ORDINANCES:

- A) Budget Amendment providing for an increase to the Demolition Expense Account for the Building Code Compliance Department.
- B) Budget Amendment for Downtown Services Department.
- C) Budget Amendment providing for the purchase of 10 Motorola Digital Video Recording Systems for the Police Department.
- D) Adoption of proposed Model Pet Ordinance.

6. VARIANCE:

- A) Consider a variance to the 20 ft. planting area and minimum 20 ft. service street requirements of the Subdivision Ordinance for proposed One Oak Subdivision; 1110 E. Yuma Avenue.

7. MANAGER'S REPORT:

- A) Report on Texas Border Coalition.
- B) Consider participation in the regional efforts relating to U.S. 281 Corridor improvements.
- C) Selection of top ranked architectural firms to interview for the proposed additions to McAllen City Hall.
- D) Consider approval of professional services to draft a Unified Development Code implementing Foresight McAllen Comprehensive Plan.
- E) Presentation of Tax Collection Report for period of November, 2009 thru February, 2010.
- F) Advisory Board Appointments.
- G) Discussion and possible adoption of 4th of July program.
- H) Discussion of the process for selecting a City Flower.
- I) Future Agenda Items.

8. MAYOR'S REPORT:

- A) Report on Special City Election.

THE CITY COMMISSION HAS THE PREROGATIVE TO RECESS INTO EXECUTIVE SESSION PRIOR TO 6:00 PM

9. 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) Request of City of McAllen, for a Conditional Use Permit, for life of the use, for an institutional use (library) at Lot 1, Nolana Wal-Mart Subdivision, Hidalgo County, Texas; 4001 North 23rd Street.

2) Request of Collision Specialist, for a Conditional Use Permit, for life of the use, for an automotive service and repair at Lots 5 & 6, North Tenth Community Center Subdivision, Hidalgo County, Texas; 3705 North 10th 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 10th Street, comprising of 0.56 acres, Ford's Subdivision; 3000 South 10th Street. **TABLED 3/8/10**

2) Request of neighbors at Fern Heights Addition Subdivision, appealing the decision of the Planning & Zoning Commission of the February 16, 2010 meeting, approving the request of Nora E. Zuniga, for a Conditional Use Permit, for one year, for a home occupation (massage therapy) at Lot 9, Block 3, Fern Heights Addition Subdivision; 607 Esperanza Avenue.

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

END OF PUBLIC HEARING

PUBLIC COMMENT SESSION

10. 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) Consultation with City Attorney relating to New Market Tax Credits. (Section 551.071, T.G.C.)

C) Consultation with City Attorney regarding legal aspects of proposed long term contract for a sports and entertainment venue for use of Convention Center and/or adjacent land. (Section 551.071, T.G.C.)

- D) Consultation with City Attorney relating to Workers/Comp Loss Run Report as of February 28, 2010. (Section 551.071, T.G.C.)
- E) Discussion and Possible Action relating to possible lease and/or purchase of Main Place Lot 1. (Section 551.072, L.G.C.)
- F) Discussion and Possible Action relating to draft proposal for Career Development and Training with South Texas College (STC) in exchange for land. (Section 551.072, 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 19th 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/
Perla Zamora, TRMC
Deputy City Secretary