



AGENDA

CITY COMMISSION REGULAR MEETING MONDAY, DECEMBER 12, 2011 – 4:00 PM CITY COMMISSION CHAMBERS; 3RD FLOOR

CALL TO ORDER - Mayor Richard Cortez

PLEDGE OF ALLEGIANCE - Mayor Richard Cortez

INVOCATION – Aida Ramirez, City Commissioner

PRESENTATION from Rio Bravo, Tamaulipas

PROCLAMATIONS – *Christmas for Kids Day* – Doctors Hospital at Renaissance
– *TubaChristmas Day* – Jim Egger
– *Scottie Drive Dedication Day*– Joe Garza
– *South Texas Lightning Football Day*- Chris Henderson

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 November 28th and Special Meeting held November 16, 2011.
- B) Change Order No. 1 for McAllen Police Safety Building IT Room Improvements.
- C) Change Order No. 7 for Bicentennial Improvements Project (Nolana Avenue to Trenton Road).
- D) Authorization to purchase water component for the Palmview Splash Park Site.
- E) Authorization to purchase poured-in-place rubber surfacing for the playgrounds at Firemen’s Park.
- F) Award of Contract – Purchase of New 2013 Refuse Trucks for the Residential and Commercial Box Departments of Public Works.
- G) Ordinance amending Chapter 138 (Zoning), Article II. (Administration), Division 2. (Board of Adjustments), Section 138-41 (Organization), to provide for the expansion of the number of Alternates on the Zoning Board of Adjustments & Appeals.
- H) Resolution authorizing the submission of a grant application to the Saucony Run for Good Foundation.
- I) Resolution authorizing the submission of a grant application to KaBOOM! for funding under the Playground Access Grant Program.
- J) Approval of Tax Refund over \$500 for Guadalupe and Marisela Vargas.
- K) Change Order No. 3 & Final Reconciliation of Quantities for Nolana Avenue at Bicentennial Blueline Bridge Replacement Project.

2. BIDS/CONTRACTS:

- A) Consider renewal of Legislative Services Contract with Joe Garcia dba The Garcia Group.
- B) Consider approval of New World Systems Software License Agreement for MSP Upgrade.
- C) Change Order No. 6 for site improvements at Firemen’s Park.

3. **ORDINANCE** approving a Developer's Contract for participation with Jackson Avenue Widening, 10th Street Bus Turnout Improvements and Street Lights along Jackson Avenue and 10th Street at Fairfield Place Unit No. 2 Subdivision.
4. **RESOLUTION** adopting the City of McAllen 2011 Tax Roll.
5. **VARIANCE** request to allow Lot 2, Wells Fargo Subdivision, to front a private access easement in lieu of a street.
6. **MANAGER'S REPORT:**
 - A) Presentation of Delinquent Tax Collection Report for Fiscal Year 2010-2011.
 - B) Authorization for the City Manager to sign a non-binding Letter of Intent with the Cal Ripken, Sr. Foundation, for the design of a youth development park.
 - C) Update on Parks and Recreation Construction Projects.
 - D) Status Report on various City Projects through November 30, 2011.
 - E) Status Report on the McAllen Development Code Project.
 - F) Advisory Board Appointments.
 - G) Future Agenda Items.
7. **TABLED ITEMS:**
 - A) Ordinance authorizing the continuation of taxation of Goods-in-Transit under Texas Property Tax Code Section 11.253.
 - B) Authorization to negotiate and execute a contract with Preservation Central, Inc. for a Historic Resources Survey, Phase 2.
 - C) Interlocal Agreement with City of Pharr to provide Fire Dispatching Services to the City of McAllen.

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 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.]*

Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 1.81 acres out of south ½ of Lot 1, G.M.Terrell Subdivision, Hidalgo County, Texas; 901 North Ware Road.

B) REZONINGS:

- 1) Rezone from A-O (agricultural-open space) District to R-2 (duplex-fourplex residential) District: 11.81 acres out of Lot 277, and a portion of canal right-of-way lying north of Lot 277, J. H. Shary Subdivision, Hidalgo County, Texas; 2500 North Taylor Road.

- 2) Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District: 24.56 acres out of Lot 197, John H. Shary Subdivision, Hidalgo County, Texas; 901 South Taylor Road. **TABLED; STAFF WILL RECOMMEND THAT THIS ITEM REMAIN TABLED**

C) CONDITIONAL USE PERMITS:

- 1) Request of Juan Carlos Zapata, for a Conditional Use Permit, for life of the use, for a farmer's market at Lots 11 and 12, Block 42, McAllen Addition Subdivision, Hidalgo County, Texas; 519 South 17th Street.
- 2) Request of Bob N. Stewart for a Conditional Use Permit, for life of the use, for a Planned Unit Development (multifamily) at Lot 1A, Plaza Las Fuentes Subdivision, Hidalgo County, Texas; 5800 North 10th Street. **TABLED; STAFF WILL RECOMMEND THAT THIS ITEM REMAIN TABLED**

- D)** 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) AND SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY).

- A)** Discussion and Possible Action regarding Project Market Garden. (Section 551.087, T.G.C.)
- B)** Consultation with City Attorney regarding legal issues relating to economic development. (Section 551.071 and Section 551.087, T.G.C.)
- C)** Discussion and Possible Action on full service Holiday Inn site trade. (Section 551.087 and Section 551.072, T.G.C.)
- D)** Discussion and Possible Action of accepting donation of property at 3101 South Rose Ellen (Esperanza Site). (Section 551.072, T.G.C.)
- E)** Discussion and Possible Action regarding purchase of property located at Sprague Road and North 23rd Street. (Section 551.072, T.G.C.)
- F)** Discussion and Possible Action of leasing of property of Old Sam Houston School Site. (Section 551.072, T.G.C.)
- G)** Discussion and Possible Action relating to the possible sale of Lot 9, Convention Center Subdivision, comprising 1.947 acres. (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 **9th** day of **December, 2011** 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/CMC, CPM
City Secretary