



**AGENDA**

**CITY COMMISSION REGULAR MEETING  
MONDAY, JUNE 24, 2013 – 6:00 PM  
CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** - Mayor Jim Darling

**PLEDGE OF ALLEGIANCE** - Mayor Jim Darling

**INVOCATION** – Scott Crane, City Commissioner

**PRESENTATION** of AIA Award for McAllen Public Library

**PROCLAMATION** – *McAllen Marathon/Team in Training Registration Kick-Off Day*

**1. PUBLIC HEARING:**

**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.** Rezone from C-1 (office building) District to C-3 (general business) District: Lot 7, Lazy-A Ranch Subdivision, Hidalgo County, Texas; 2400 Maple Avenue.

**2.** Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 19.19 acres out of Lot 178, John H. Shary Subdivision, Hidalgo County, Texas; 4701 Expressway 83.

**3.** Request of Philip A. Corzine on behalf of Christian Fellowship Church, for a Conditional Use Permit, for life of the use, for an institutional use (church and related activities) at Lot A, Christian Fellowship Church Subdivision, and the 3.13 acres out of Lot 10, Block 1, Hammond Subdivision, Hidalgo County, Texas; 2201 Trenton Road.

**B) CONDITIONAL USE PERMIT:**

**1.** Request of Rope Investors, LLC, appealing the decision of the Planning & Zoning Commission of the May 21, 2013 meeting, denying a Conditional Use Permit, for one year for a night club at Lot 1, Robin Subdivision, Hidalgo County, Texas; 6800 North 10<sup>th</sup> Street.

**TABLED**

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

**END OF PUBLIC HEARING**

**THE CITY COMMISSION HAS THE PREROGATIVE TO RECESS INTO EXECUTIVE SESSION AT ANY TIME DURING THE MEETING**

**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) Approval of Minutes of Workshop and Regular Meetings held June 10, 2013.
- B) Award of Contract for Local Telephone Services.
- C) Consideration of request to approve Amendment #1 to the Advance Funding Agreement (AFA) for Safe Routes to School Project.
- D) Consider approval of Go Center Program Interlocal Cooperation Contract between the City and the University of Texas – Pan American.
- E) Consider approval of Change Order No. 1 for curb cuts at DeLeon Soccer Complex.
- F) Consider approval of License Agreement for the installation of flags at Regency Park Neighborhood Association.
- G) Consider approval of Change Order No. 3 for electrical modifications and second floor wall finish for McAllen Development Center.
- H) Award of Contract for the purchase of Safety Products (Re-Bid).
- I) Consider declaration of certain vehicles and equipment as surplus and authorization to begin auction efforts.
- J) Ordinance providing for a budget amendment to re-designate the transfer in from the General Fund recorded in August, 2011, as an advance to the EB-5 Fund.
- K) Ordinance providing for a budget amendment for funding of McAllen EB-5 Regional Center LLC through September 30, 2013, funding to be recorded as an advance to the EB-5 Fund from the General Fund.
- L) Resolution authorizing the Grant Administration Office to revise all grant information to reflect Mayor Darling as Authorized Official for grant documents and related documents.
- M) Ordinance providing for the abandonment of a tract of land containing 0.3076 acres, being west 20 ft. of the south 669.96 ft. of Lot 13, Section 278, Texas-Mexican Railway Company Survey; 1121 Providence Avenue.

**3. BIDS/CONTRACTS:**

- A) Consider approval of a Contract for Auditing Services for FYE 2013 with Long Chilton, LLP with the City's option to extend for an additional four (4) one year periods.
- B) Award of Contract for various pieces of equipment in Public Works.
- C) Consideration and approval of construction documents for Public Safety Building Additions and Renovations Project.
- D) Award of Contract for the Re-Roofing Fire Station No. 2.

**4. ORDINANCES:**

- A) Amending the Smoking Ordinance to include E-Cigarettes.
- B) Providing for restrictions on operating motor vehicle near vulnerable road users.

**5. MANAGER’S REPORT:**

- A) Discussion of possible meeting time change for Regular City Commission Meetings and Workshops.
- B) Presentation of Tax Collection Report from October 1, 2012 through May 31, 2013.
- C) Presentation of Delinquent Tax Collection Second Quarter Report.
- D) Report on Uncollectible Personal Property Taxes.
- E) Mayor’s appointment to the McAllen Housing Authority Board of Directors.
- F) Advisory Board Appointments.
- G) Status Report on Parks and Recreation Construction Projects.
- H) Status Report on various city projects.
- I) Status Report on Terminal Expansion Construction Project.
- J) Future Agenda Items.

**6. MAYOR’S REPORT** regarding the establishment of a business counsel.

**7. TABLED ITEMS:**

- A) Consideration of a resolution recommending to Hidalgo County Commissioner’s Court alternate Vote Center locations in McAllen for the November 2013 Constitutional Amendment Election.
- B) Variance request to the subdivision process at the west 117 ft. of the east 488 ft. of a resubdivision of the north 10 acres of the south 20 acres of the combined Block 2 and Lot 11, Block 4, M&M Subdivision; 2925 Valcosta Sr.

**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) Consultation with City Attorney regarding Development Agreement with Property Commerce for old Civic Center Redevelopment. (Section 551.071 and 551.072, T.G.C.)
- B) Discussion and Possible Action regarding economic incentives for Project Phoenix. (Section 551.087 and 551.071, T.G.C.)
- C) Discussion and Possible Action on award of bid proposal for the sale of Lot 11B, McAllen Convention Center. (Section 551.072 and 551.071, T.G.C.)
- D) Discussion and Possible Action regarding Request for Qualifications for Project Stripes. (Section 551.072, T.G.C.)

- E) Discussion and Possible Action regarding the acquisition of 3.14 acre tract and 11.53 acre tract out of Lot 150, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas and approval of resolution. (Section 551.072, T.G.C.)
- F) Discussion and Possible Action regarding making an offer to acquire a tract of land out of Lot 4, southwest quarter of Section 9, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas. (Section 551.072, T.G.C.)
- G) Discussion and Possible Action regarding issuance of a utility easement consisting of a 0.0116 acre tract of land identified as RGV-MCS-4011E. (Section 551.071 and 551.072, T.G.C.)
- H) Consultation with City Attorney regarding pending lawsuit; Dahlila Guerra Casso vs. City of McAllen. (Section 551.071, T.G.C.)
- I) Consultation with City Attorney regarding Cause No. C-0929-12-F; Johnny Partian vs. Constable J.E. "Eddie" Guerra, Hidalgo County Precinct 4, et al. (Section 551.071, T.G.C.)
- J) Consultation with City Attorney regarding a possible contract with Vianovo relating to International Bridge Facilities. (Section 551.071, T.G.C.)
- K) Discussion and Possible Action regarding making an offer to acquire a tract of land out of Lots 1, 2, 15 and 16, Block 32 and a 20 ft. x 100 ft. abandoned alley, Hammond's Addition to the City of McAllen, Hidalgo County, Texas. (Section 551.072, T.G.C.)
- L) Consultation with City Attorney regarding legal issues relating to purchasing and procurement process. (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.**

**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 21st day of June, 2013 at 2:30 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