



**AGENDA**

**CITY COMMISSION REGULAR MEETING  
MONDAY, APRIL 8, 2013 – 6:00 PM  
CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** - Mayor Richard Cortez

**PLEDGE OF ALLEGIANCE** - Mayor Richard Cortez

**INVOCATION** – Scott Crane, City Commissioner

**PROCLAMATIONS** – *McAllen Earth Day Festival/Vida Verde*

**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 A-O (agricultural-open space) District to C-4 (commercial-industrial) District: 5.20 acres out of Lot 3, Section 4, Hidalgo Canal Company Subdivision, Hidalgo County, Texas; 5800 South 10th Street.

**2.** Request of Trinity Baptist Church for a Conditional Use Permit, for life of the use, for an institutional use (church) at the 10.0 acres out of Lot 10, Section 279, Texas Mexican Railway Company Survey, Hidalgo County, Texas; 2001 Freddy Gonzalez Drive.

**3.** Request of Tina S. Rupani, appealing the decision of the Planning & Zoning Commission of the March 19, 2013 meeting, denying a Conditional Use Permit, for one year, for a party center at Lot A, Block 1, Royal Palms Subdivision, Hidalgo County, Texas; 2901 North 10<sup>th</sup> Street, Suite M.

**B) CONDITIONAL USE PERMITS:**

**1.** Request of McAllen Spanish Central SDA Church for a Conditional Use Permit, for life of the use, for an institutional use (school soccer field) at the 3.386 acres out of Lot 77, La Lomita Irrigation & Construction Company Subdivision, Hidalgo County, Texas; 6601 North Ware Road.

**2.** Request of Cynthia Perez Ramon, appealing the decision of the Planning & Zoning Commission of the March 5, 2013 meeting, denying a Conditional Use Permit, for one year, for a home occupation (office) at Lot 7-A, La Hacienda Estates Subdivision, Hidalgo County, Texas; 2900 North 29<sup>th</sup> Lane #A.

**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 Regular Meeting held March 25, 2013.
  - B) Approval of Tax Refunds over \$500 for:
    - 1. Ventura & Maria Garza
    - 2. Jascan Construction
    - 3. BB&T Mortgage
  - C) Ordinance providing for a budget amendment for Contractual Obligations associated with the Interlocal Agreement between the City of McAllen & City of Pharr for dispatch services.
  - D) Ordinance designating a segment of North Broadway Street from a one-way south bound to a two-way street northbound and southbound (Vine Avenue to Tamarack Avenue).
  - E) Ordinance providing for the abandonment of the west 5 ft. of the 10 ft. utility easement located on the west side of Lot 28, Heritage Manor No. 2 Subdivision (Amended); 4513 North 5<sup>th</sup> Street.
  - F) Ordinance providing for the abandonment of a 0.05 acre portion of a utility easement out of an abandoned alley to the north of Lot 47, Margaret Estates Subdivision; 1004 North Ware Road.
  - G) Consider approval of a variance request to the subdivision process at 6.04 acres out of Lot 25, Block 3, C.E. Hammond Subdivision; 4601 South 23<sup>rd</sup> Street.
3. **BIDS/CONTRACTS:**
- A) Award of Service Contract for Traffic Signal Loop Detector Replacement.
  - B) Consider approval of Change Order No. 1 for Bicentennial Trail.
  - C) Consider approval of Change Order No. 8 for Bentsen Road Paving Improvements from Pecan Boulevard (FM 495) to 3 Mile Line Road.
4. **ORDINANCES:**
- A) Budget Amendment providing for additional funding for various projects through Development Corporation.
  - B) Budget Amendment for rewiring of Expressway 83 from 23<sup>rd</sup> Street to east city limit.
5. **MANAGER'S REPORT:**
- A) Report on activities at Convention Center.
  - B) Future Agenda Items.

**PUBLIC COMMENT SESSION**

6. **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 economic incentives for Project Next Level. (Section 551.087, T.G.C.)
- B) Consideration and Consultation with Legal Counsel regarding Economic Development Project Pompeii. (Section 551.087 and 551.071, T.G.C.)
- C) Consultation with City Attorney regarding a possible contract with Vianovo relating to International Bridge Facilities. (Section 551.071, T.G.C.)
- D) Consultation with City Attorney regarding pending lawsuit; Dahlila Guerra Casso vs. City of McAllen. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney regarding Request for Proposals for old Civic Center Redevelopment. (Section 551.071, T.G.C.)
- F) Discussion and Possible Action regarding a counter offer to acquire a tract of land 60 feet north and south and 160 feet east and west out of the corner of Lot 177, John H. Shary Subdivision. (Section 551.072, T.G.C.)
- G) Discussion and Possible Action to consider the possible sale of 300 acres on Ware Road and Monte Cristo. (Section 551.072, T.G.C.)
- H) Discussion and Possible Action regarding economic incentives for Project Beer. (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 April, 2013 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