



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, MAY 13, 2013 – 6:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Richard Cortez

PLEDGE OF ALLEGIANCE - Mayor Richard Cortez

INVOCATION – John Ingram, City Commissioner

PROCLAMATION – *Peace Officers’ Memorial Week* – Chief Victor Rodriguez
- *National Public Works’ Week* – Carlos Sanchez

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.]*

Request of Mark Gill, appealing the decision of the Planning & Zoning Commission of the April 16, 2013 meeting, denying a Conditional Use Permit, for one year, for a Nail Salon and Bar at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Unit L.

B) CONDITIONAL USE PERMIT:

Request of Perla P. Martinez, appealing the decision of the Planning & Zoning Commission of the April 16, 2013 meeting, denying a Conditional Use Permit, for one year, for a Party Center at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Units M & N.

- C)** Public Hearing to consider a variance from Section 6-2 of the Alcoholic Beverage Code, for Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Suite L.
- D)** Consider approval of a variance request from Section 6-2 of the Alcoholic Beverage Code at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Suite L.
- E)** Public Hearing to consider a variance from Section 6-2 of the Alcoholic Beverage Code, for Lot 4, Block 56, North McAllen Subdivision, Hidalgo County, Texas; 120 North Bicentennial Boulevard.

- F) Consider approval of a variance request from Section 6-2 of the Alcoholic Beverage Code, for Lot 4, Block 56, North McAllen Subdivision, Hidalgo County, Texas; 120 North Bicentennial Boulevard.

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 Special Meeting held April 16th and Regular Meeting held April 22, 2013.
 - B) Confirmation and Appointment of nominee to Building Board of Adjustments.
 - C) Approval of Tax Refunds over \$500 for:
 - 1. David & Mary Ault
 - 2. E.J. DeSutter
 - 3. Wells Fargo Bank - Miguel Bravo
 - D) Consider authorizing the increase of P-Card single transaction dollar limit from \$1,000 to \$2,500.
 - E) Approval of Change Order No. 1 for Bicentennial Trail Project.
 - F) Award of Supply Contract for the Purchase of Tires.
 - G) Consider approval of a change order providing for a cost decrease to the purchase contract for one (1) Pre-Owned Model Trommel Screen for the Composting Facility of Public Works.
 - H) Consideration of approval of an amendment to Change Order No. 1 and Final Reconciliation of Quantities for the Bicentennial Boulevard Paving Improvements Project.
 - I) Resolution supporting the Draft Environmental Impact Statement to allow Space Explorations Technologies Inc. (SpaceX), to launch the Falcon 9 and Falcon Heavy Orbital Vertical Launch Vehicles and a variety of smaller reusable suborbital launch vehicles from a launch site on privately-owned property in Cameron County.
 - J) Resolution authorizing the acceptance of a grant award from the Federal Emergency Management Agency, Texas Department of Public Safety, Texas Division of Emergency Management under the Hazard Mitigation Grant Program, for funds provided through the Presidential Disaster Declaration DR – 1931 from Hurricane Alex for flood mitigation projects.
 - K) Resolution authorizing the submission of a grant application to the Texas School Safety Center on behalf of the Department of State Health Services, for funding under the FY 2014 Tobacco Enforcement Program.
 - L) Resolution authorizing the submission of a grant application to the Office of the Attorney General of Texas, Crime Victim Services Division, for funding under Fiscal Years 2013 and 2014 Victim Coordinator and Liaison Grant Program.
 - M) Resolution authorizing the submission of a grant application to the U.S. Department of Justice, Office Programs, under the FY 2013 Bulletproof Vest Partnership Program.
 - N) Consideration approval of a variance request to the subdivision process requirement at Country Club Terrace, Lot 93, N. 85.3 ft. at 2200 S. Augusta Square West.

3. BIDS/CONTRACTS:

- A) Authorization to open single bid and Consider Award of Service Contract for Polygraph Examination Project.
- B) Award of Contract for Retiree Haven Subdivision Drainage Improvements.
- C) Consider approval of Reimbursement Contract with T5, Inc. and TAVAMASO for improvements associated with Retiree Haven Paving and Drainage Improvements.

4. MANAGER'S REPORT:

- A) Consider contribution for the Regional Mobility Plan update.
- B) Consider authorization to declare Unit #FD-613 as surplus and donate to South Texas College.
- C) Future Agenda Items.

PUBLIC COMMENT SESSION

5. 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 Request for Proposals for old Civic Center Redevelopment. (Section 551.071, T.G.C.)
- B) Discussion and Possible Action regarding economic incentives for Project Next Level. (Section 551.087, T.G.C.)
- C) Discussion and Possible Action on award of bid proposal for sale of Lot 11B, McAllen Convention Center. (Section 551.072, T.G.C.)
- D) Consultation with City Attorney regarding Civil Action No. M-13-175; Allen J. McCleaf vs. City of McAllen, Parks and Recreation Department, Sally Gavlik, Director, Llea O'Donnell, Pool Manager, et al. (Section 551.071, T.G.C.)
- E) Consideration and Consultation with Legal Counsel regarding Economic Development Project Pompeii. (Section 551.087 and 551.071, T.G.C.)
- F) Discussion and Possible Action regarding economic incentives for Project Vernus. (Section 551.087, T.G.C.)
- G) Discussion and Possible Action regarding economic incentives for North American Diaper Company, LLC. (Section 551.087, T.G.C.)
- H) Discussion and Possible Action to consider the possible sale of 300 acres on Ware Road and Monte Cristo. (Section 551.072, T.G.C.)
- I) Discussion and Possible Action to consider making an offer to acquire a 12.29 acre tract of land, more or less, out of Lot 3, Block 5, Hidalgo Canal Company. (Section 551.072, T.G.C.)
- J) Discussion and Possible Action to consider entering into an agreement with the owner of a tract of land out of Lot 149, La Lomita Irrigation and Construction Company Subdivision. (Section 551.072, T.G.C.)
- K) Discussion and Possible Action to consider entering into a sales contract and authorizing the City Manager by resolution, to complete the transaction to acquire Lot 15, Block 5, Whitewing Addition, Unit No. 1, and addition to the City of McAllen, Hidalgo County, Texas. (Section 551.072, T.G.C.)

- L) Discussion and Possible Action regarding the possible acquisition of a tract of land 60 feet north and south and 160 feet east and west of the northwest corner of Lot 177, John H. Shary Subdivision. (Section 551.072, T.G.C.)
- M) Discussion and Possible Action to consider making an offer to acquire 25,907.25 square feet out of Lot 3, Block 4, A.J. McColl Subdivision, Hidalgo Canal Company. (Section 551.072, T.G.C.)
- N) Consultation with City Attorney regarding a possible contract with Vianovo relating to International Bridge Facilities. (Section 551.071, T.G.C.)
- O) Consultation with the City Attorney regarding a possible lease with the Embajada de Honduras for Section B of the building on 709 S. Broadway. (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.

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 **10th** day of **May, 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