



AGENDA

**CITY COMMISSION REGULAR MEETING
TUESDAY, MAY 28, 2013 – 6:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Jim Darling

PLEDGE OF ALLEGIANCE - Mayor Jim Darling

INVOCATION – Hilda Salinas, Mayor Pro Tem

PROCLAMATIONS – *Homeownership Month* – McAllen Affordable Homes

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 X-Cess Entertainment Inc., appealing the decision of the Planning & Zoning Commission of the May 7, 2013 meeting, denying a Conditional Use Permit, for one year, for a Bar at Lots 28-31, Continental Trade Center Subdivision, Hidalgo County, Texas; 2021 Orchid Avenue.

- B) **CONDITIONAL USE PERMIT:**

Request of Walid Haidar, appealing the decision of the Planning & Zoning Commission of the May 7, 2013 meeting, denying a Conditional Use Permit, for one year, for a home occupation (office/accounts payable) at Lot 34, Daffodil Gardens Unit #5 Subdivision, Hidalgo County, Texas; 200 Gardenia Avenue.

- C) Public Hearing to consider Fiscal Year 2013-2017 Five-Year Consolidated Plan and Strategy and Fiscal Year 2013-2014 Annual Action Plan including the proposed budget for the Community Development Block Grant (CDBG) and HOME Annual Action Plans.

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 May 13th and Special Meeting held May 15, 2013.

- B) Award of Contract for the purchase of Aluminized Protective Jackets and Trousers for the McAllen Fire Department.
- C) Ordinance providing for a budget amendment for the McAllen Fire Department in order to comply with the Collective Bargaining Agreement relating to uniform allowances.
- D) Award of Supply Contract for the purchase of fuel - Unleaded Mid-Grade Fuel and Ultra Low Sulfur Diesel (ULSD).
- E) Consideration of Change Order No. 1 for various items requiring demolition for the McAllen Development Center.
- F) Consideration of Change Order No. 1 and Final Reconciliation of Quantities for the Uvalde Soccer Complex Parking Improvements Project.
- G) Ordinance providing for the abandonment of 0.086 acre tract of land, being a 10 ft. utility easement out of Lot 1, M & T Plaza Subdivision; 5113 North 23rd Street.
- H) Ordinance providing for the abandonment of a 0.25 acre tract of land out of a 20 ft. alley adjacent to the west of Lot 66, Jackson Meadows Subdivision; 2600 South Jackson Road.
- I) Variance request to the secondary access requirement for gated streets for 2500 North Taylor Road.

3. BIDS/CONTRACTS:

- A) Award of Contract for Drainage Improvements for Kendlewood Avenue (19th Street to 22nd Street).
- B) Consideration of Change Order No. 2 for the McAllen-Hidalgo International Bridge N.B. Pedestrian Canopies.
- C) Award of Contract for Food and Beverage Concession at the McAllen International Airport.
- D) Review of Preliminary Design Reimbursable Agreement between the City of McAllen and the Federal Aviation Administration.

4. MANAGER'S REPORT:

- A) Consider appointment to the McAllen-Hidalgo Bridge Board.
- B) Appointment of Mayor's representative to the Public Utility Board.
- C) Appointment of Mayor's representative to the Development Corporation.
- D) Appointment of a representative to the Audit/Investment Committee.
- E) Appointment of a representative to the IT Steering Committee.
- F) Status Report on Parks and Recreation Construction Projects.
- G) Status Report on various city projects through April 30, 2013.
- H) Construction Update on Terminal Expansion Project.
- I) Future Agenda Items.

5. MAYOR'S REPORT relating to the Medical School and University.

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) Consultation with City Attorney regarding Development Agreement with Property Commerce 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 the sale of Lot 11B, McAllen Convention Center. (Section 551.072, T.G.C.)
- D) Consideration and Consultation with Legal Counsel regarding Economic Development Project Pompeii. (Section 551.087 and 551.071, T.G.C.)
- E) Discussion and Possible Action to consider the possible sale of 300 acres on Ware Road and Monte Cristo. (Section 551.072, T.G.C.)
- F) Consultation with City Attorney regarding a possible contract with Vianovo relating to International Bridge Facilities. (Section 551.071, T.G.C.)
- G) Consultation with City Attorney regarding pending lawsuit; Dahlila Guerra Casso vs. City of McAllen. (Section 551.071, T.G.C.)
- H) Consultation with City Attorney regarding lawsuit; City of McAllen vs. Wayne H. Davis, Cynthia R. Davis, EZ-TIXX, LLC, EZ-TIXX Ticketing Services, Inc. and Ticketing Services LLC. (Section 551.071, T.G.C.)
- I) Discussion and Possible Action regarding Request for Qualifications for Project Stripes. (Section 551.072, T.G.C.)
- J) Discussion and Possible Action regarding the conduct of Environmental Site Assessment Phase II on a 2.98 acre tract out of Lot 12, Block 9, Hidalgo Canal Company's Subdivision of Porciones 64, 65 and 66, Hidalgo County, Texas. (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.

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 24th 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