



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, OCTOBER 14, 2013 – 5:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Jim Darling

PLEDGE OF ALLEGIANCE - Mayor Jim Darling

INVOCATION – Scott Crane, City Commissioner

PRESENTATION - The Gold Leaf – Outstanding Arbor Day Award

PROCLAMATIONS – *Domestic Violence Awareness Month* – Mujeres Unidas
- *Community Planning Month*

1. PUBLIC HEARING:

A) REZONINGS:

1. Rezone from R-2 (Duplex-Fourplex Residential) District to C-3 (general business) District: Lots 14 & 15, Block 5, College Heights Subdivision, Hidalgo County, Texas; 2214 & 2212 Ithaca Avenue. **TABLED**

2. Rezone from R-1 (single family residential) District to C-1 (office building) District: 1.07 acres out of Lot 30, Ebony Heights Citrus Groves Unit No. 2 Subdivision, Hidalgo County, Texas; 9120 North 23rd Street.

3. Rezone from C-3 (general business) District to R-2 (duplex-fourplex residential) District: Lot 12, Block 4, Colonia Del Norte Subdivision, Hidalgo County, Texas; 2400 Gumwood Avenue.

B) 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 for various meetings.

B) Consideration and approval of grant funds under two Sub-Recipient Agreements from the Texas Department of Public Safety under the Fiscal Year 2013 State Homeland Security Program.

- C) Award of Contract for trimming and peeling of tall Palm Trees.
- D) Approval of amendment to City's Investment Policy.
- E) Approval of Plains Capital Bank as the Depository Bank for the City of McAllen.
- F) Consider approval of Change Order No. 1 for Firemen's Park Lake Liner and additional work days.
- G) Consider approval of Change Order No. 1 and Final Reconciliation of Quantities for 2013 Pavement Fog Seal.
- H) Consider approval of Change Order No.1 for Drainage Improvements for Kendlewood Avenue (19th St. to 22nd St.).
- I) Consideration of an Interlocal Agreement with City of McAllen, City of Palmhurst, City of Alton, and Hidalgo County relating to certain improvements to Shary Road (FM 494) from FM 1924 (Mile 3) to SH 107.
- J) Consideration and approval of a Multiple Use Agreement with Texas Department of Transportation and the City of McAllen relating to the construction of a bus shelter and turnout on North 10th Street, north of Trenton Road.
- K) Consideration and approval of Memorandum of Understanding with the City of Brownsville for the Metro Connect Project.
- L) Ordinance amending Ordinance No. 2012-12 providing for an increase in authorized strength for the McAllen Fire Department.
- M) Ordinance amending Ordinance No. 2009-59 providing for an increase in authorized strength for the McAllen Police Department.
- N) Ordinance providing for abandonment of a tract of land containing 1.034 acres (45,037.64 sq. ft.) situated in the County of Hidalgo, Texas being that part or a portion of the Trailblazer Avenue right-of-way adjacent to the north line of lots 15-168, La Puerta Phase 1 Subdivision; 14001 North Rooth Road – Trail Blazer Subdivision.
- O) Resolution authorizing the City Manager to complete transaction to acquire a tract of land out of Lot 3, Block 4, A.J. McColl Subdivision, Hidalgo County, Texas.
- P) Consideration of a variance request to right-of-way dedication at 1515 Houston Subdivision.
- Q) Approval of Tax Refunds over \$500:
 1. Edward Abstract & Title Company
 2. Popp, Gray & Hutchenson, LLP.
 3. Cole KO McAllen Texas LLC.

3. BIDS/CONTRACTS:

- A) Award of Contract for Public Safety Building Additions and Renovations.
- B) Consideration and authorization for the City of McAllen to enter into a twenty (20) year lease agreement with Trinity United Methodist Church for use of parking lot and related improvements for the Bicentennial Trail.
- C) Approval of Agency Contracts with the Development Corporation of McAllen, Inc.:
 1. South Texas College
 2. Accion Texas Inc.
 3. Valley Initiative for Development and Advancement, Inc. (VIDA)
 4. Community Health Management Corporation, Inc.
 5. Affordable Homes

- D) Approval of Outside Agency Contracts for Fiscal Year 2013-2014:
 - 1. Amigos del Valle
 - 2. Border Trade Alliance
 - 3. Boys & Girls Club of McAllen
 - 4. International Museum of Arts & Science
 - 5. Keep McAllen Beautiful
 - 6. McAllen Chamber of Commerce
 - 7. McAllen Economic Development Corporation
 - 8. McAllen Heritage Center
 - 9. McAllen Town Band
 - 10. Museum of South Texas History
 - 11. South Texas Symphony Association
 - 12. Valley Proud Environmental Council
 - 13. Centro Cultural
 - 14. Pharr Literacy Center
 - 15. Women Together
- E) Award of Contract for one (1) Refurbished 1992 Oshkosh TA-1500 ARFF Vehicle (Aircraft Rescue Fire Fighting) for Fire Department.
- F) Award of Contract for the purchase and pick-up of Type “D” Hot Mix.
- G) Award of Contract for the purchase of Automotive/Truck Parts.

4. **ORDINANCE** providing for budget amendment for one (1) Refurbished 1992 Oshkosh TA-1500 ARFF Vehicle (Aircraft Rescue Fire Fighting) for Fire Department.

5. **RESOLUTION** supporting STC’s Bond and Maintenance Election on November 5, 2013.

6. **VARIANCE** request to not require the subdivision process at the east 137 ft. of the north 10 acres of the south 20 acres of combined Lot 11, Block 4 and Block 2, M & M Subdivision; 2901 Valcosta Service Road.

7. **MANAGER’S REPORT:**

- A) Review of Quarterly Investment Report for the Quarter ended June 30, 2013.
- B) Future Agenda Items.

8. **MAYOR’S REPORT** on Annual TML Conference held in Austin, Texas.

9. **TABLED ITEMS:**

- A) Discussion and possible action regarding waiver of penalty and interest on delinquent taxes for Sinbon Electronics Co. Ltd., Cause No. T-1113-12-J.
- B) Consider authorizing Mayor Jim Darling to commit 2.5 million dollars for design of FM 1016 from Bryan Road to Conway.

PUBLIC COMMENT SESSION

- 10. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.087 (ECONOMIC DEVELOPMENT), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY).**
- A)** Discussion of City Manager evaluation. (Section 551.074, T.G.C.)
 - B)** Discussion and Possible Action on award of bid proposal for the sale of Lot 11B, McAllen Convention Center. (Sections 551.072 and 551.071, T.G.C.)
 - C)** Consultation with City Attorney regarding Depository Contract and related legal issues. (Section 551.071, T.G.C.)
 - D)** Consultation with City Attorney regarding Case No. 13-09-00067-CV; City of McAllen vs. Arnaldo Ramirez. (Section 551.071, T.G.C.)
 - E)** Discussion and Possible Action regarding entering into a sales contract and authorizing the City Manager to complete transaction to acquire a 3.14 acre tract of 11.53 acre tract out of Lot 150, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas. (Section 551.072, T.G.C.)
 - F)** Consideration of sale of Lot 6(b), Convention Center Subdivision, for full service hotel. (Section 551.072, T.G.C.)
 - G)** Consideration of economic development matters. (Section 551.087, T.G.C.)
 - H)** Consultation with City Attorney regarding Potential Litigation resulting from Forfeiture of a 2012 Honda Ridgeline. (Section 551.071, T.G.C.)
 - I)** Consultation with City Attorney regarding taking action to make a claim on a performance bond and initiate litigation. (Section 551.071, T.G.C.)
 - J)** Discussion and Possible Action regarding a tract of land being the west 0.55 acres of the west 3.0 acres of the North 7.0 acres of Lot 4, Block 12, Hidalgo Canal Company Subdivision. (Section 551.072, T.G.C.)
 - K)** Discussion and Possible Action regarding making an offer and enter into two contracts to acquire two tract out of Lots 7 & 8 Section 5, Hidalgo Canal Company's Subdivision. (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 11th day of October, 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/

Perla Zamora, TRMC/CPM
Deputy City Secretary