

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN**

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, February 25, 2013, at 6:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Richard Cortez  
Hilda Salinas, Mayor Pro Tem  
Aida Ramirez, Mayor Pro Tem  
Scott Crane, Commissioner  
Marcus C. Barrera, Commissioner  
John Ingram, Commissioner  
Jim Darling, Commissioner

Staff: Mike R. Perez, City Manager  
Kevin Pagan, City Attorney  
Brent Branham, Deputy City Manager  
Roy Rodriguez, PUB General Manager/Asst. City Mgr.  
Wendy Smith, Assistant City Manager  
Annette Villarreal, City Secretary  
Yvette Barrera City Engineer  
Victor Rodriguez, Police Chief  
Juli Rankin, Director of Planning  
Sally Gavlik, Director of Parks and Recreation  
Perla Zamora, Deputy City Secretary

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**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.]*

Commissioner Darling moved to approve the items listed on the Routine Items section of the agenda with exception of Item 1A-6 which would be addressed separately. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

Mayor Cortez asked if anyone was present to speak in opposition to the items listed under this section of the agenda. No one appeared in opposition.

**1. REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT: 4.94 ACRES OUT OF LOT 25, BLOCK 3, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4601 SOUTH 23<sup>RD</sup> STREET (REAR).**

Approved the C-4 zoning at 4601 South 23<sup>rd</sup> Street (rear), as per Planning and Zoning Commission.

**2. REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 1.49 ACRES OUT OF THE WEST 120 FEET OF LOT 66 AND A 20-FOOT ALLEY ADJACENT TO THE WEST OF LOT 66, JACKSON MEADOWS SUBDIVISION, HIDALGO COUNTY, TEXAS; 1413 EAST KEETON AVENUE.**

Approved the R-3A zoning at 1413 East Keeton Avenue, as per Planning and Zoning Commission.

**3. REZONE FROM I-1 (LIGHT INDUSTRIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT: 81.44 ACRES OUT OF LOTS 10, 11, AND 12,**

**BLOCK 5, RIO BRAVO PLANTATION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6800 SOUTH 23<sup>RD</sup> STREET.**

Approved the I-2 zoning at 6800 South 23<sup>rd</sup> Street, as per Planning and Zoning Commission.

**4. REQUEST OF DAGOBERTO QUINTANILLA, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE FEBRUARY 5, 2013 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT THE NORTH 120 FT. OF THE WEST 237.8 FT. OF THE WEST 2.40 ACRES OF THE SOUTH ½ OF THE NORTH ½ OF LOT 16, BLOCK 3, C. E. HAMMOND SUBDIVISION, HIDALGO COUNTY, TEXAS; 2203 SOUTH 23<sup>RD</sup> STREET.**

Granted a variance to the distance requirement and approved a Conditional Use Permit, for one year, for a nightclub at 2203 South 23<sup>rd</sup> Street, as per Planning and Zoning Commission, subject to added conditions to provide extra security, nightly trash pickup and enough lighting around the area. The establishment must also comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of those businesses having late hours (after 10:00 p.m.) must be at least 600 ft. from the nearest residence, church, school or publicly-owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 600 ft. of publicly-owned properties (Boeye Reservoir and the City of McAllen Airport);
- b) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has direct access to South 23<sup>rd</sup> Street and does not generate traffic into residential areas;
- c) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance at a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the square footage of the building, 23 parking spaces are required; 23 spaces are provided;
- d) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- e) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- f) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- g) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum capacity for this establishment is 220 persons.

**5. REQUEST OF MARIA C. HERNANDEZ ON BEHALF OF RANA'S SPORTS CLUB, LLC, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE FEBRUARY 5, 2013 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT LOT 1, NOLANA WEST SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 NOLANA AVENUE, SUITES 2232 AND 2234.**

Granted a variance to the distance requirement and approved a Conditional Use Permit, for one year, for a nightclub at 2200 Nolana Avenue, Suites 2232 and 2234, as per Planning and Zoning Commission. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- a) The property line of the lot of any of the above-mentioned businesses must be at least 600 ft. from the nearest residence or residentially-zoned property, church, school, or publicly-owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. from residential zones/uses and the McAllen Library;
- b) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment is located on a major arterial, Nolana Avenue, and does not generate traffic into residential areas;
- c) The business must provide parking in accordance with the McAllen Off-Street Parking

Ordinance at a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a multi-tenant commercial building on the property. The building is a mixture of retail, restaurants, bars and a vacant suite. At this time there are restaurants (Cabritos Nuevo Leon, La Terraza, La Tasca), 26,332 sq. ft. of retail suites including Dollar General, and two bars (Cigar's Bar & DeLoreans). Based on the square footage and uses, 208 parking spaces are required and 269 are provided on site. The proposed 2,590 sq. ft. bar would require 35 parking spaces for a total of 243 spaces for the plaza, leaving 26 available. The vacant suite of 23,911 sq. ft. of retail, if open, would require 60 parking spaces. For every business to run simultaneously, 303 parking spaces would be required and would need to be provided before permits could be issued;

- d) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- e) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- f) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- g) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director.

**6. REQUEST OF JOEL L. OZUNA, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE FEBRUARY 5, 2013 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE) AT THE WEST 89 FEET OF LOT 12 AND THE SOUTH ½ OF THE WEST 89 FEET OF LOT 11, BLOCK 17, NORTH MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 502 NORTH 11<sup>TH</sup> STREET.**

Staff recommended approval of the Conditional Use Permit, for one year, for a home occupation office at 502 North 11<sup>th</sup> Street, as per Planning and Zoning Commission, subject to no sign and in compliance with requirements in Section 138-118(1) of the Zoning Ordinance and Fire Department requirements. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- a) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- b) A 2' X 2' name plate attached to the building in an R-2 to R-4 zones is permitted. A 2' X 3' free standing sign is proposed;
- c) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. No exterior display is proposed;
- d) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant proposes no additional employees;
- e) There shall be no outside storage of materials or products. The applicant proposes no outside storage; storage of some instruments is proposed inside the residence; and
- f) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the Traffic Safety Engineer of the city. The applicant is proposing cliental by appointment only;
- g) No retail sales (items can be delivered). Retail sales are through a website and will be delivered;
- h) No additions to the residence or accessory building specifically, to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- i) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- j) The activity must take place at the location of which the permit was issued.

Mayor Cortez asked if there was anyone to speak in opposition to the Conditional Use Permit. No one appeared in opposition. The applicant, Mr. Ozuna, spoke in favor of the permit and requested authorization to erect a 2'x3' free standing sign to advertise the business. A discussion was held and a recommendation was made to try utilizing the permitted 2' X 2' nameplate attached to the building.

Commissioner Ingram moved to approve the Conditional Use Permit and disapprove the requested sign. Commissioner Crane seconded the motion. The motion carried unanimously.

**B) REZONING:**

**REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: LOT 18, JANICE ADDITION #1 SUBDIVISION, AND LOT 9, JANICE ADDITION #2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 1107 TAMARACK AVENUE AND 1102 SYCAMORE AVENUE. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Mayor Pro Tem Ramirez moved to table said item as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

**C) CONDITIONAL USE PERMITS:**

**1. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #9641, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT LOT 1, CASSANDRA SUBDIVISION, HIDALGO COUNTY, TEXAS; 3618 PECAN BOULEVARD, SUITE A. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**2. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #9644, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT LOT 1, NOLANA TERRACE SUBDIVISION, HIDALGO COUNTY, TEXAS; 3920 NORTH 23<sup>RD</sup> STREET. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**3. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #9104, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT 0.80 ACRES OUT OF LOT 76, R.E. HORN'S ADDITION TO MCALLEN FIRST SUBURBAN CITRUS GROVE SUBDIVISION, HIDALGO COUNTY, TEXAS; 1520 SOUTH WARE ROAD. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**4. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #7318, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT LOTS 1 AND 2, BLOCK 64, ORIGINAL TOWNSITE OF MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 720 SOUTH 10<sup>TH</sup> STREET. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**5. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #2234, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT LOT 1, J.G. ORTEGON UNIT NO. 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 4600 SOUTH 23<sup>RD</sup> STREET. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**6. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #7304, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT THE NORTH 110.0 FEET OF THE EAST 150.0 FEET OF LOT 25, BLOCK 2, C.E. HAMMONDS SUBDIVISION, HIDALGO COUNTY, TEXAS; 1225 NORTH 23<sup>RD</sup> STREET. STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**7. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #9632, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT THE EAST 200 FEET OF LOTS 1 & 2, AND THE EAST 200 FEET OF THE NORTH 12 FEET OF LOT 3, BLOCK 2, T.H.E. ENTERPRISE SUBDIVISION, HIDALGO COUNTY, TEXAS; 4839 NORTH 10<sup>TH</sup> STREET. WITHDRAWN**

Said item was withdrawn.

**8. REQUEST OF JEFF G. STOLPA ON BEHALF OF STRIPES #9625, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A PORTABLE BUILDING (STORAGE) AT LOT 1, LAR-LIN UNIT NO. 2 SUBDIVISION, HIDALGO COUNTY, TEXAS; 721 NORTH MCCOLL ROAD. WITHDRAWN**

Said item was withdrawn.

**D) AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN AS ENACTED MAY 29, 1979.**

Mayor Pro Tem Ramirez moved to adopt the Zoning Ordinance for the approved tracts. Commissioner Barrera seconded the motion. The motion carried unanimously.

## **END OF PUBLIC HEARING**

Mayor Cortez declared the public hearing closed.

**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.]*

Mayor Pro Tem Ramirez moved to approve the items listed on the Consent Agenda. Commissioner Ingram seconded the motion. The motion carried unanimously.

**A) APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 11, 2013.**

Approved the minutes of Regular Meeting held February 11, 2013, as submitted.

**B) APPROVAL OF CHANGE ORDER NO. 6 FOR BENTSEN ROAD PAVING IMPROVEMENT FROM PECAN BLVD. (FM 495) TO 3 MILE LINE ROAD.**

Approved Change Order No. 6 for Bentsen Road Paving Improvement from Pecan Blvd. (FM 495) to 3 Mile Line Road, in the amount of \$18,432.40 for a revised amount of \$5,316,839.99 and no additional working days to the contract time.

**C) APPROVAL OF CHANGE ORDER NO. 4 & FINAL RECONCILIATION OF SOUTH 21<sup>ST</sup> STREET DRAINAGE IMPROVEMENTS, PHASE III.**

Approved Change Order No. 4 & Final Reconciliation of South 21<sup>st</sup> Street Drainage Improvements, Phase III, in the decrease amount of \$10,757.89 for a revised contract amount of \$422,739.44.

**D) CONSIDER APPROVAL OF THE REVISED LIBRARY WEEDING POLICY.**

Approved the revised Library Weeding Policy.

**E) APPROVAL OF TAX REFUND OVER \$500 FOR FIRST NATIONAL BANK.**

Approved a Tax Refund in the amount of \$1,296.90 for First National Bank.

**F) ORDINANCE AMENDING THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN APPROVED ON SEPTEMBER 24, 2012.**

Adopted an ordinance amending the Water Conservation and Drought Contingency Plan approved on September 24, 2012.

**G) ORDINANCE AMENDING THE MCALLEN CODE OF ORDINANCES, CHAPTER 102, ARTICLE V, DIVISION 3, SECTION 102-188, SUBSECTION (B) PROVIDING FOR AN AMENDMENT OF THE POSTED SPEED LIMIT ON 29<sup>TH</sup> STREET BETWEEN PECAN BOULEVARD AND OXFORD AVENUE.**

Adopted an ordinance amending the posted speed limit on 29<sup>th</sup> Street between Pecan Boulevard and Oxford Avenue.

**H) ORDINANCE AMENDING THE MCALLEN CODE OF ORDINANCES, CHAPTER 102, ARTICLE V, DIVISION 3, SECTION 102-188, SUBSECTION (B) PROVIDING FOR AN AMENDMENT OF THE POSTED SPEED LIMIT ON WARE ROAD BETWEEN PECAN BOULEVARD AND BUSINESS HIGHWAY 83.**

Adopted an ordinance amending the posted speed limit on Ware Road between Pecan Boulevard and Business Highway 83.

**I) RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES FOR FUNDING UNDER THE FISCAL YEAR 2014 IMPACT GRANT PROGRAM.**

Approved a resolution authorizing the submission of a grant application to the Institute of Museum and Library Services for funding under the Fiscal Year 2014 Impact Grant Program. The grant request will be for \$10,000 with no local match requirement, to be utilized for the acquisition and promotion of 30 customizable, content-specific tablet computers.

**3. BIDS/CONTRACTS:**

There were no items under this section of the agenda.

**4. VARIANCES:**

**A) REQUEST FOR VARIANCE TO ALLOW PROPOSED LOT 11B, MCALLEN CONVENTION CENTER SUBDIVISION, TO DEVELOP WITHOUT FRONTAGE ON A STREET; 700 CONVENTION CENTER BOULEVARD.**

Staff recommended approval of the variance request at 700 Convention Center Boulevard to develop frontage on a street.

Commissioner Barrera moved to approve the variance request as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**B) REQUEST FOR VARIANCE TO ALLOW THE 50 FT. LOT FRONTAGE REQUIREMENT, VILLAGIO PHASE II SUBDIVISION; 1121 PROVIDENCE AVENUE.**

Staff recommended approval of the variance request at 1121 Providence Avenue to allow the 50 ft. lot frontage requirement.

Commissioner Barrera moved to approve the variance as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**5. MANAGER'S REPORT:**

**A) ADVISORY BOARD APPOINTMENTS.**

Staff recommended appointments to the various advisory boards be made.

**DEVELOPMENT CORPORATION**

Commissioner Crane nominated Guillermo Aguirre. Commissioner Ingram nominated Gregory Kazen.

**HISTORIC PRESERVATION COUNCIL**

Commissioner Crane nominated Rodolfo Molina.

**KEEP MCALLEN BEAUTIFUL**

Mayor Pro Tem Ramirez nominated Carmen Pacheco.

**MCALLEN HOUSING FINANCE CORPORATION**

Commissioner Crane nominated Ronnie Tavarez. Mayor Pro Tem Ramirez nominated Brandon Holubar.

**LIBRARY BOARD**

Commissioner Crane nominated Megan Gerling. Mayor Pro Tem Ramirez nominated Elizabeth Zamora.

**QUINTA MAZATLAN ADVISORY BOARD**

Mayor Pro Tem Salinas nominated Sasha Crane.

**TRAFFIC COMMISSION**

Commissioner Crane nominated Wallace Johnson.

Commissioner Ingram moved to appoint the nominees to the various boards. Commissioner Barrera seconded the motion. The motion carried unanimously.

**B) PRESENTATION OF TAX COLLECTION REPORT FROM OCTOBER 1, 2012 TO JANUARY 31, 2013.**

Staff presented the Tax Collection Report for period of October 1, 2012 through January 31, 2013.

No action required. Report only.

**C) STATUS REPORT ON VARIOUS CITY PROJECTS THROUGH JANUARY 31, 2013.**

Staff gave a status report on various city projects underway.

No action required. Report only.

**D) STATUS REPORT ON PARKS AND RECREATION CONSTRUCTION PROJECTS.**

Staff gave a status report on Parks and Recreation Construction Projects.

No action required. Report only.

**E) CONSTRUCTION UPDATE ON TERMINAL EXPANSION PROJECT.**

Staff gave a construction update on the Terminal Expansion Project.

No action required. Report only.

**F) REPORT ON ACTIVITIES AT CONVENTION CENTER.**

A report was given by the Convention Center Director on convention activities.

Questions were made. Staff was instructed to constantly evaluate the market for additional revenue sources to increase usage. Additional information was requested.

A report was given by the Chamber of Commerce Director as it relates to Convention and Visitor's Bureau (CVB) efforts. A report was given on the efforts to mediate the border violence perception in correlation to the impact on conventions.

Mayor Pro Tem Ramirez excused herself from the meeting at this time.

No action required. Report only.

**G) FUTURE AGENDA ITEMS.**

Staff briefly reviewed the upcoming workshops items: Quinta Mazatlan Master Plan; Convention Center Activities; and Performing Arts Design & Development Plan.

**6. TABLED ITEMS:**

**A) AWARD OF CONTRACT FOR THE PURCHASE AND INSTALLATION OF SYNTHETIC SOCCER/FOOTBALL FIELD AT DELEON NORTH SOCCER COMPLEX.**

Said item remained tabled.

**B) AWARD OF CONTRACT FOR DEMOLITION OF FORMER SAM HOUSTON ELEMENTARY AND THE OLD CENTRAL FIRE STATION.**

Commissioner Barrera moved to remove said item from the table. Commissioner Darling seconded the motion. The motion carried unanimously by those present.

Staff recommended award of contract for the Demolition of (1) the former Sam Houston Elementary, to R.L. Abatement, in the amount of \$233,900 and a contract time of 40 days; and (2) the Old Central Fire Station, to Camacho Demolition, LLC, in the amount of \$24,000 and a contract time of 20 days.

Comments were made about the reason for the proposed demolition of the Old Fire Station was that the building was vacant and a need for additional parking was identified by the Entertainment District. A discussion was held relating to possible uses from the U.S. Marshal and/or the District



Court. It was noted that the bid was reasonable at \$24,000. Concerns were expressed about the aesthetics along Bicentennial.

A lengthy discussion was held relating to the possible uses.

Mayor Cortez acknowledged the petition received from the Rio Grande Valley Community Foundation 17<sup>th</sup> street District Bar and Restaurant Association supporting the demolition of the Old Fire Station and utilization as a parking lot.

Commissioner Darling requested that the two projects be addressed separately as he had some information on the Old Sam Houston project.

After due consideration, Commissioner Barrera moved to award the contract for the Old Fire Station only as recommended. Commissioner Crane seconded the motion. The vote on the motion was as follows:

AYES: Commissioners Barrera, Crane, Darling and Mayor Pro Tem Salinas  
NAYS: Commissioner Ingram  
ABSENT: Mayor Pro Tem Ramirez  
ABSTAINED: None

As it relates to the bid for the Old Sam Houston Elementary, Commissioner Darling requested that this item be tabled to allow him to look into possible federal funding for the demolition of said project.

Commissioner Barrera moved to table the award for the Old Sam Houston School as recommended. Commissioner Darling seconded the motion. The motion carried unanimously by those present.

#### **PUBLIC COMMENT SESSION**

#### **7. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)**

On behalf of the Presiding Officer, the City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.087 Economic Development for Items 7B, 7C, 7D, 7E and 7H; Section 551.071 Consultation with Attorney for Items 7A, 7E, 7F and 7G; and Section 551.072 Deliberation regarding Real Property for Items 7E and 7H.

Commissioner Darling moved to accept the recommendation for the basis of the discussion in Executive Session under the sections cited by the City Attorney. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

Mayor Cortez recessed the meeting at 7:18 pm to go into Executive Session. Commissioners Darling and Ingram excused themselves from the meeting at this time. Mayor Cortez reconvened the meeting at 8:14 pm and announced the action on Executive Session items.

#### **A) CONSULTATION WITH CITY ATTORNEY REGARDING ECONOMIC DEVELOPMENT PROJECT "STRIPES". (SECTION T.G.C. 551.087 AND 551.071)**

Commissioner Barrera moved to authorize City Staff to finalize and put out the Request for Qualifications on this project as discussed in Executive Session. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

#### **B) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT BEER. (SECTION 551.087, T.G.C.)**

Commissioner Crane moved to authorize McAllen Economic Development Corporation and City Staff to continue the discussions with the developers for this proposed project. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**C) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT SHADE. (SECTION 551.087, T.G.C.)**

Commissioner Barrera moved to authorize McAllen Economic Development Corporation and City Staff to enter into an Economic Incentive Agreement for this project as instructed in Executive Session. Commissioner Crane seconded the motion. The motion carried unanimously by those present.

**D) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT HOUSE. (SECTION 551.087, T.G.C.)**

Commissioner Barrera moved to authorize the City Manager and City Attorney to draft a letter to the proposed developers acknowledging receipt of their request for funding without a commitment for that funding per the discussion in Executive Session. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**E) DISCUSSION AND POSSIBLE ACTION REGARDING INITIAL REVIEW OF CIVIC CENTER REDEVELOPMENT PROPOSALS. (SECTION T.G.C. 551.087, 551.071 AND 551.072, T.G.C.)**

No action.

**F) CONSULTATION WITH CITY ATTORNEY REGARDING CAUSE NO. C-0367-13-E; O.E. INVESTMENTS LTD, AND OTHAL E. BRAND, JR. VS. MARJORIE LYNN BRAND FERRELL, INDIVIDUALLY AS A SUCCESSOR TRUSTEE OF THE KATHRYN L. BRAND REVOCABLE MANAGEMENT TRUST. (SECTION 551.071, T.G.C.)**

No action.

**G) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS RELATING TO FIRE CHIEF POSITION. (SECTION 551.071, T.G.C.)**

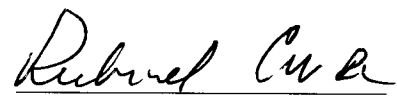
No action.

**H) DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE SALE OF LOT 11 (B), CONVENTION CENTER SUBDIVISION. (SECTION 551.072 AND 551.087, T.G.C.)**

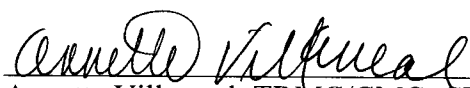
Commissioner Barrera moved to authorize staff to issue a Request for Proposal with the updated appraisal information as discussed in Executive Session. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 8:16 p.m.

  
Richard Cortez, Mayor

Attest:

  
Annette Villarreal, TRMC/CMC, CPM  
City Secretary