

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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, June 24, 2013**, at 6:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Jim Darling
Hilda Salinas, Mayor Pro Tem
Aida Ramirez, Mayor Pro Tem
Scott Crane, Commissioner
Trey Pebley, Commissioner
John Ingram, Commissioner
Veronica Vela Whitacre, Commissioner

Staff: Mike R. Perez, City Manager
Kevin Pagan, City Attorney
Brent Branham, Deputy City Manager
Roy Rodriguez, Assistant City Manager/PUB General Manager
Wendy Smith, Assistant City Manager
Annette Villarreal, City Secretary
Perla Zamora, Deputy City Secretary
Yvette Barrera City Engineer
Juli Rankin, Director of Planning
Victor Rodriguez, Police Chief
Rafael Balderas, Fire Chief
Sally Gavlik, Director of Parks and Recreation
Sandra Zamora, Director of Purchasing
Carlos Sanchez, Public Works Director
Phil Brown, Director of Aviation

CALL TO ORDER

Mayor Darling called the meeting to order.

PRESENTATION OF AIA AWARD FOR MCALLEN PUBLIC LIBRARY

A presentation of the Institutional Honor Award for Interior Design by the American Institute of Architects (AIA) was made for the McAllen Main Public Library.

PROCLAMATION

MCALLEN MARATHON/TEAM IN TRAINING REGISTRATION KICK-OFF DAY.

Commissioner Crane read and presented a proclamation for *McAllen Marathon/Team in Training Registration Kick-Off Day*.

1. PUBLIC HEARING:

Mayor Darling called the Public Hearing to order.

- 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.]*

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

Commissioner Ingram moved to approve the items listed on the Routine Items section of the agenda. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

1. REZONE FROM C-1 (OFFICE BUILDING) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 7, LAZY-A RANCH SUBDIVISION, HIDALGO COUNTY, TEXAS; 2400 MAPLE AVENUE.

Approved the C-3 zoning at 2400 Maple Avenue, as per Planning and Zoning Commission.

2. REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 19.19 ACRES OUT OF LOT 178, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 4701 EXPRESSWAY 83.

Approved the C-3 zoning at 4701 Expressway 83, as per Planning and Zoning Commission.

3. REQUEST OF PHILIP A. CORZINE ON BEHALF OF CHRISTIAN FELLOWSHIP CHURCH, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH AND RELATED ACTIVITIES) AT LOT A, CHRISTIAN FELLOWSHIP CHURCH SUBDIVISION, AND THE 3.13 ACRES OUT OF LOT 10, BLOCK 1, HAMMOND SUBDIVISION, HIDALGO COUNTY, TEXAS; 2201 TRENTON ROAD.

Approved the Conditional Use Permit, for life of the use, at 2201 Trenton Road, as per Planning and Zoning Commission, subject to compliance with the Zoning Ordinance, Fire Department and building permit requirements. The proposed use must also comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential-size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts Trenton Road.
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. The seating capacity was approved at 916 persons in the main sanctuary, 229 parking spaces were required. However, during inspection, staff verified the parking and there are only 176 parking spaces on site. Since there are only 176 parking spaces on site, the church will be limited to a seating capacity of 704 persons in the main sanctuary;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially-zoned or used properties shall be screened by a 6 ft. opaque fence.

B) CONDITIONAL USE PERMIT:

1. REQUEST OF ROPE INVESTORS, LLC, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE MAY 21, 2013 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR FOR A NIGHT CLUB AT LOT 1, ROBIN SUBDIVISION, HIDALGO COUNTY, TEXAS; 6800 NORTH 10TH STREET.

TABLED

Commissioner Crane moved to remove said item from the table. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

Staff recommended disapproval of a Conditional Use Permit, for one year, for a night club, at 6800 North 10th Street as per the Planning and Zoning Commission and alternatively, recommended approval of a variance to the distance requirement. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) 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. of residential zones and uses;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has access to North 10th Street, and does not generate traffic into residential areas;
- 3) 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 establishment, 136 parking spaces are required for this; 128 parking spaces are being proposed;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) 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;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) 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 will be determined at the time of building permit prior to occupancy of the building.

Mayor Darling asked if there was anyone present to speak in opposition to the Conditional Use Permit. No one appeared. The applicant spoke in favor of the permit.

Commissioner Pebley moved to grant a variance and approve the Conditional Use Permit as recommended. Commissioner Crane seconded the motion. The motion carried unanimously.

C) 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 tract. Commissioner Ingram seconded the motion. The motion carried unanimously.

END OF PUBLIC HEARING

Mayor Darling 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 with exception of items 2C, D, F and K and that said items be addressed separately. Commissioner Ingram seconded the motion. The motion carried unanimously.

A) APPROVAL OF MINUTES OF WORKSHOP AND REGULAR MEETINGS HELD JUNE 10, 2013.

Approved the minutes of Workshop and Regular Meeting held June 10, 2013, as submitted.

B) AWARD OF CONTRACT FOR LOCAL TELEPHONE SERVICES.

Awarded a contract for Local Telephone Services to SmartCom Telephone, LLC, for a term of five (5) years.

C) CONSIDERATION OF REQUEST TO APPROVE AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT (AFA) FOR SAFE ROUTES TO SCHOOL PROJECT.

Staff recommended approval of Amendment No. 1 to the Advanced Funding Agreement (AFA) providing for a change to the scope of work for the Safe Routes to School Project in the vicinity of Edinburg Cavazos Elementary School located in the City of McAllen limits. Staff reported that the City of Edinburg would administer the project.

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

D) CONSIDER APPROVAL OF GO CENTER PROGRAM INTERLOCAL COOPERATION CONTRACT BETWEEN THE CITY AND THE UNIVERSITY OF TEXAS – PAN AMERICAN.

Staff recommended approval of an Interlocal Agreement between City of McAllen and the University of Texas – Pan American for the Work-Study Student Mentorship Program at the Main Library known as the Go Center Program.

Staff was instructed to promote the Go Center utilizing the city's social media outlets.

Mayor Pro Tem Ramirez moved to approve contract as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

E) CONSIDER APPROVAL OF CHANGE ORDER NO. 1 FOR CURB CUTS AT DELEON SOCCER COMPLEX.

Approved Change Order No. 1 in the amount of \$6,184.75. for curb cuts at DeLeon Soccer Complex.

F) CONSIDER APPROVAL OF LICENSE AGREEMENT FOR THE INSTALLATION OF FLAGS AT REGENCY PARK NEIGHBORHOOD ASSOCIATION.

Staff recommended approval of a License Agreement with the Regency Park Neighborhood Association, for installation of flags along 29th Street for patriotic holidays.

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

G) CONSIDER APPROVAL OF CHANGE ORDER NO. 3 FOR ELECTRICAL MODIFICATIONS AND SECOND FLOOR WALL FINISH FOR MCALLEN DEVELOPMENT CENTER.

Approved Change Order No. 3 for electrical modifications and second floor wall finish for McAllen Development Center with a reduction in the Contingency Allowance by \$6,096 for a revised amount of \$41,419 and no change to the contract time.

H) AWARD OF CONTRACT FOR THE PURCHASE OF SAFETY PRODUCTS (RE-BID).

Awarded multiple supply contracts for the purchase of Safety Products as follows:

Airgas USA, LLC for items 7, 9-13, 54
Alamo Distribution, LLC for items 5, 15, 17, 19, 41, 48, 58
CC Distributors, Inc. for items 14, 20-27, 32, 33, 37-40, 42, 46, 47, 53, 59
CCP Industries for items 2, 6
Interboro Packaging for items 43, 44
Magid Glove & Safety for item 16
Masterman's LLP for items 51, 52
Pathmark Traffic Products for item 55
Saf-T-Gove Inc. for items 3, 18, 28-31, 35, 36, 45-50

The term of the contract is for one year with the option to extend for two (2) additional years in one year increments, subject to City Manager approval and performance of successful contractor to be satisfactory and the unit prices remain unchanged. Additionally, rejected items 1, 8, 34 and 49 and authorized staff to rebid items 4, 56 and 57.

I) CONSIDER DECLARATION OF CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS AND AUTHORIZATION TO BEGIN AUCTION EFFORTS.

Authorized the declaration of certain vehicles and equipment as "surplus" and authorized staff to begin auction efforts.

J) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT TO RE-DESIGNATE THE TRANSFER IN FROM THE GENERAL FUND RECORDED IN AUGUST, 2011, AS AN ADVANCE TO THE EB-5 FUND.

Adopted an ordinance providing for a budget amendment in the amount of \$100,000 to re-designate the transfer in from the General Fund recorded in August 2011 as an advance to the EB-5 Fund.

K) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT FOR FUNDING OF MCALLEN EB-5 REGIONAL CENTER LLC THROUGH SEPTEMBER 30, 2013, FUNDING TO BE RECORDED AS AN ADVANCE TO THE EB-5 FUND FROM THE GENERAL FUND.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$90,000 for funding the McAllen EB-5 Regional Center LLC through September 30, 2013, funding to be recorded as an advance to the EB-5 Fund from the General Fund.

Staff was instructed to provide monthly income statements to monitor activities and associated costs.

Mayor Pro Tem Ramirez moved to adopt the ordinance as recommended. Commissioner Ingram seconded the motion. The motion carried unanimously.

L) RESOLUTION AUTHORIZING THE GRANT ADMINISTRATION OFFICE TO REVISE ALL GRANT INFORMATION TO REFLECT MAYOR DARLING AS AUTHORIZED OFFICIAL FOR GRANT DOCUMENTS AND RELATED DOCUMENTS.

Approved a resolution authorizing the Grant Administration Office to revise all grant information to reflect Mayor Darling as authorized official for grant documents and additional related documents.

M) ORDINANCE PROVIDING FOR THE ABANDONMENT OF A TRACT OF LAND CONTAINING 0.3076 ACRES, BEING WEST 20 FT. OF THE SOUTH 669.96 FT. OF LOT 13, SECTION 278, TEXAS-MEXICAN RAILWAY COMPANY SURVEY; 1121 PROVIDENCE AVENUE.

Adopted an ordinance providing for the abandonment of tract of land containing 0.3076 acres at 1121 Providence Avenue.

3. BIDS/CONTRACTS:

- A) CONSIDER APPROVAL OF A CONTRACT FOR AUDITING SERVICES FOR FYE 2013 WITH LONG CHILTON, LLP WITH THE CITY'S OPTION TO EXTEND FOR AN ADDITIONAL FOUR (4) ONE YEAR PERIODS.**

Staff recommended approval of a contract for Auditing Services for FYE 2013 with Long Chilton, LLP with the City's option to extend for an additional four (4) one year periods.

Commissioner Crane moved to approve the contract as recommended. Commissioner Pebley seconded the motion. The motion carried unanimously.

- B) AWARD OF CONTRACT FOR VARIOUS PIECES OF EQUIPMENT IN PUBLIC WORKS.**

Staff recommended award of multiple contract for various pieces of equipment in Public Works as follows:

- Item 1 to H&V Equipment Services, Inc. for the unit cost of \$166,750 plus \$6,536 for a total of \$173,286
- Item 5 to Dogget Heavy Machinery in the amount of \$37,915.35
- Item 6 to Nueces Power Equipment in the amount of \$59,317 including a two-year extended warranty
- Rejection of Item 3 as bidders failed to meet specifications or did not comply with the requirements of the specs.

Commissioner Ingram moved to award the contracts as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

- C) CONSIDERATION AND APPROVAL OF CONSTRUCTION DOCUMENTS FOR PUBLIC SAFETY BUILDING ADDITIONS AND RENOVATIONS PROJECT.**

Staff recommended approval of the Construction Design Phase and authorization to advertise to receive bids for the Public Safety Building Additions and Renovations Project.

Mayor Pro Tem Salinas moved to approve the design phase and advertise for bids as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

- D) AWARD OF CONTRACT FOR THE RE-ROOFING FIRE STATION NO. 2.**

Staff recommended award of contract for the Re-Roofing of Fire Station No. 2. to Statewide Roofing, LLC, in the amount of \$33,900.

Commissioner Ingram moved to award the contract as recommended. Commissioner Crane seconded the motion. The motion carried unanimously.

4. ORDINANCES:

- A) AMENDING THE SMOKING ORDINANCE TO INCLUDE E-CIGARETTES.**

Staff recommended adoption of an ordinance amending the Smoking Ordinance to include E-Cigarettes.

Questions were asked and a discussion followed.

After due consideration, Commissioner Ingram moved to disapprove the ordinance. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

- B) PROVIDING FOR RESTRICTIONS ON OPERATING MOTOR VEHICLE NEAR VULNERABLE ROAD USERS.**

Staff recommended adoption of an ordinance providing for restrictions on operating motor vehicles near vulnerable road users.

Commissioner Ingram moved to adopt the ordinance as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

5. MANAGER'S REPORT:

A) DISCUSSION OF POSSIBLE MEETING TIME CHANGE FOR REGULAR CITY COMMISSION MEETINGS AND WORKSHOPS.

Staff recommended consideration be given to changing the meeting times for the Workshops and Regular Meetings to begin at 4:00 pm and 5:00 pm, respectively.

Mayor Pro Tem Ramirez moved to approve staff's recommendation. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

B) PRESENTATION OF TAX COLLECTION REPORT FROM OCTOBER 1, 2012 THROUGH MAY 31, 2013.

Staff gave a report on the tax collection for the period of October 1, 2012 through May 31, 2013. No action required.

C) PRESENTATION OF DELINQUENT TAX COLLECTION SECOND QUARTER REPORT.

Attorney Kelly Rivera Salazar with the firm of Linebarger Goggan Blair Sampson, LLP, gave a report on delinquent tax collection for the second quarter for the period of January 1st – March 31, 2013. No action required.

D) REPORT ON UNCOLLECTIBLE PERSONAL PROPERTY TAXES.

Staff gave a report on uncollectible personal property taxes. No action required.

E) MAYOR'S APPOINTMENT TO THE MCALLEN HOUSING AUTHORITY BOARD OF DIRECTORS.

Mayor Darling reappointed Leo Lara and Ronnie Cruz and appointed Antonio E. Cavazos as the Resident Commissioner.

F) ADVISORY BOARD APPOINTMENTS.

Staff recommended that appointments be made to the various boards.

LIBRARY ADVISORY BOARD

Mayor Darling nominated Irma Gomez.

PARKS AND RECREATION ADVISORY BOARD

Mayor Pro Tem Ramirez nominated Daniel de los Santos.

SENIOR CITIZENS ADVISORY BOARD

Mayor Darling nominated Mirna Pearland.

Mayor Pro Tem Ramirez moved to confirm the appointments as nominated. Commissioner Ingram seconded the motion. The motion carried unanimously.

G) STATUS REPORT ON PARKS AND RECREATION CONSTRUCTION PROJECTS.

Staff gave a report on the Parks and Recreation Construction Projects. No action required.

H) STATUS REPORT ON VARIOUS CITY PROJECTS.

Staff gave a report on various city projects. A workshop was requested on the competitive sealed proposals. No action required.

I) STATUS REPORT ON TERMINAL EXPANSION CONSTRUCTION PROJECT.

Staff gave a report on the Terminal Expansion Construction Project. No action required.

J) FUTURE AGENDA ITEMS.

The items for upcoming workshops were briefly reviewed: Workshop/Retreat on June 27th – 29th; Technology Committee Report on Call Center; Bidding requirements for Public Works; and Health Insurance.

6. MAYOR'S REPORT REGARDING THE ESTABLISHMENT OF A BUSINESS COUNSEL.

Mayor Darling gave a report on the need to establish a business counsel and recommended that this item be brought back in September with recommendations of individuals to serve on said committee.

7. TABLED ITEMS:

A) CONSIDERATION OF A RESOLUTION RECOMMENDING TO HIDALGO COUNTY COMMISSIONER'S COURT ALTERNATE VOTE CENTER LOCATIONS IN MCALLEN FOR THE NOVEMBER 2013 CONSTITUTIONAL AMENDMENT ELECTION.

Mayor Pro Tem Ramirez moved to remove said item from the table and agenda on the basis that said item was withdrawn from consideration by County Commissioner's Court on June 18, 2013. Commissioner Ingram seconded the motion. The motion carried unanimously.

B) VARIANCE REQUEST TO THE SUBDIVISION PROCESS AT THE WEST 117 FT. OF THE EAST 488 FT. OF A RESUBDIVISION OF THE NORTH 10 ACRES OF THE SOUTH 20 ACRES OF THE COMBINED BLOCK 2 AND LOT 11, BLOCK 4, M&M SUBDIVISION; 2925 VALCOSTA SR.

Commissioner Ingram moved to remove said item from the table and agenda. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

PUBLIC COMMENT SESSION

No one appeared.

8. 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).

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 Item 8B; Section 551.071 Consultation with Attorney for Items 8A, 8B, 8C, 8G, 8H, 8I and 8J ; and Section 551.072 Deliberation regarding Real Property for Items 8A, 8C, 8D, 8E, 8F, 8G and 8K.

Mayor Pro Tem Ramirez 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.

Commissioner Whitacre announced that she had a conflict with item 8C and would abstain from discussion and voting on said item. Subsequently, a conflict form was filed with the City Secretary.

Mayor Darling recessed the meeting at 7:30 pm to go into Executive Session. Mayor Darling reconvened the meeting at 9:00 pm and announced the action on Executive Session items.

- A) CONSULTATION WITH CITY ATTORNEY REGARDING DEVELOPMENT AGREEMENT WITH PROPERTY COMMERCE FOR OLD CIVIC CENTER REDEVELOPMENT. (SECTION 551.071 AND 551.072, T.G.C.)**

No action.

- B) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT PHOENIX. (SECTION 551.087 AND 551.071, T.G.C.)**

No action.

- C) DISCUSSION AND POSSIBLE ACTION ON AWARD OF BID PROPOSAL FOR THE SALE OF LOT 11B, MCALLEN CONVENTION CENTER. (SECTION 551.072 AND 551.071, T.G.C.)**

No action.

- D) DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FOR QUALIFICATIONS FOR PROJECT STRIPES. (SECTION 551.072, T.G.C.)**

Commissioner Ingram moved to authorize City staff to issue the Request for Qualifications (RFQ) on this property. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

- E) DISCUSSION AND POSSIBLE ACTION REGARDING THE ACQUISITION OF 3.14 ACRE TRACT AND 11.53 ACRE TRACT OUT OF LOT 150, LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS AND APPROVAL OF RESOLUTION. (SECTION 551.072, T.G.C.)**

No action.

- F) DISCUSSION AND POSSIBLE ACTION REGARDING MAKING AN OFFER TO ACQUIRE A TRACT OF LAND OUT OF LOT 4, SOUTHWEST QUARTER OF SECTION 9, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS. (SECTION 551.072, T.G.C.)**

No action.

- G) DISCUSSION AND POSSIBLE ACTION REGARDING ISSUANCE OF A UTILITY EASEMENT CONSISTING OF A 0.0116 ACRE TRACT OF LAND IDENTIFIED AS RGV-MCS-4011E. (SECTION 551.071 AND 551.072, T.G.C.)**

Mayor Pro Tem Salinas moved to authorize the City Attorney to negotiate the utility easement with the federal government as per the recommendation of the Bridge Board. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

- H) CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LAWSUIT; DAHLILA GUERRA CASSO VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**

No action.

- I) CONSULTATION WITH CITY ATTORNEY REGARDING CAUSE NO. C-0929-12-F; JOHNNY PARTIAN VS. CONSTABLE J.E. "EDDIE" GUERRA, HIDALGO COUNTY PRECINCT 4, ET AL. (SECTION 551.071, T.G.C.)**

Mayor Pro Tem Ramirez moved to authorize the City Attorney or appropriate outside counsel to defend city in this lawsuit. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

- J) CONSULTATION WITH CITY ATTORNEY REGARDING A POSSIBLE CONTRACT WITH VIANOVO RELATING TO INTERNATIONAL BRIDGE FACILITIES. (SECTION 551.071, T.G.C.)**

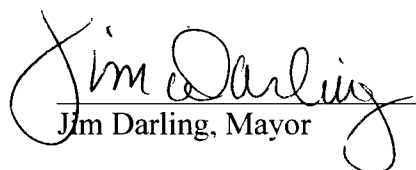
No action.

- K) DISCUSSION AND POSSIBLE ACTION REGARDING MAKING AN OFFER TO ACQUIRE A TRACT OF LAND OUT OF LOTS 1, 2, 15 AND 16, BLOCK 32 AND A 20 FT. X 100 FT. ABANDONED ALLEY, HAMMOND'S ADDITION TO THE CITY OF MCALLEN, HIDALGO COUNTY, TEXAS. (SECTION 551.072, T.G.C.)**


Mayor Pro Tem Ramirez moved to instruct the City Attorney to respectfully decline the offer to purchase said property. Commissioner Ingram seconded the motion. The motion carried unanimously.

ADJOURNMENT

There being no other business to come before the Commission, the meeting was adjourned at 9:02 p.m.


Jim Darling, Mayor

Attest:


Annette Villarreal, TRMC/CMC, CPM
City Secretary