



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 11, 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

PROCLAMATIONS - *Children’s Advocacy of Hidalgo County, Estrella’s House Day* – Pat Blum
- *National Engineer’s Week* – American Society of Civil Engineers (ASCE)
- *American Society of Civil Engineers Texas Section Centennial Celebration*

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.]*

1. Rezone from R-1 (single family residential) District to C-3 (general business) District: 0.53 acres out of Lot 2, Rancho de la Fruta No. 1 Subdivision, Hidalgo County, Texas; 100 East Highway 83 (rear).

2. Request of Alonzo Cantu for a Conditional Use Permit, for life of the use, for an associated recreation at 9.186 acres out of Lot 13, Block 278, Texas Mexican Railway Company’s Survey, Hidalgo County, Texas; 1121 Providence Avenue.

B) REZONINGS:

1. Rezone from C-2 (neighborhood commercial) District to C-3 (general business) District: Lot 3, Villa Bonita Phase I Subdivision, Hidalgo County, Texas; 825 North Ware Road.

2. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartment) District: Lot 3, Hart’s Acres Subdivision, Hidalgo County, Texas; 1705 Tamarack Avenue. **WITHDRAWN**

C) 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 of Regular Meeting held January 28, 2013.
- B) Resolution adopting the Texas Department of Transportation Municipal Maintenance Agreement.
- C) Resolution adopting the City of McAllen 2012 Tax Roll.
- D) Approval of a change order for the purchase of 1,600 Toter Refuse and Recycling Carts for the Public Works Department.

3. BIDS/CONTRACTS:

- A) Authorization to open single bid and award purchase contract for one (1) new Current Model Asphalt Recycler for the Streets and Drainage Department of Public Works.
- B) Award of Contract for the purchase of Various Tractors with Mowers for the Airport Department and Streets and Drainage Department of Public Works.
- C) Award of Contract for the purchase of fourteen (14) new 2012 Police Department Vehicles.
- D) Authorization to make payment for repairs on Sanitation Refuse Truck for Public Works Department.
- E) Award of Contract for the construction of DeLeon North Soccer Complex and Approval of Alternates 7, 9 and 10.
- F) Consider approval of purchase of Athletic Field Lights for Soccer Fields and Tennis Court Lights at DeLeon North Soccer Complex from Texas Buy Board.
- G) Award of Contract for the Purchase and Installation of Fountains/Splash Pad at DeLeon North Soccer Complex.
- H) Award of Contract for the Purchase and Installation of Synthetic Soccer/Football Field at DeLeon North Soccer Complex.
- I) Award of Contract for the Construction of Fencing at Municipal Park.
- J) Multiple Interlocal Agreements with McAllen Independent School District (MISD) for Pavilions:
 - 1. Wilson Elementary
 - 2. Sanchez Elementary
 - 3. Castaneda Elementary
 - 4. Fields Elementary
 - 5. Roosevelt Elementary
- K) Interlocal Agreement with McAllen Independent School District (MISD) for Development of a Soccer Complex at DeLeon Middle School.
- L) Award of Contract for Armored Car Services.
- M) Interlocal with City of Mission relating to Taylor Road from Expressway 83 to 3 Mile Line.
- N) Approval of Change Order No. 2 for 2012-2013 Single Machine Repaving Project.
- O) Approval of Change Order No. 2 for Purchase and Delivery of Type "D" Hot Mix Asphaltic Concrete (HMAC) Fiscal Year 2012-2013.
- P) Award of Contract for Demolition of former Sam Houston Elementary and the Old Central Fire Station.
- Q) Consider Approval of Schematic Design Phases for Public Safety Building/Northwest Police Community Network Center Additions and Renovations and Authorization to Proceed with Design Development Phases.

4. ORDINANCE:

- A) Providing for a budget amendment for Single Machine Repaving Project add Taylor Road from Expressway 83 to 3 Mile Line.
- B) Calling a General & Special City Election on May 11, 2013. *Ordenanza convocando una elección General y Especial en la Ciudad de McAllen el 11 de Mayo, 2013.*

5. **VARIANCE** request to allow driveways on Bicentennial Boulevard at the northwest and southwest intersections with Dove.

6. **MANAGER’S REPORT:**

- A) Review of Quarterly Investment Report for the quarter ended September 30, 2012.
- B) Future Agenda Items.

PUBLIC COMMENT SESSION

7. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.087 (ECONOMIC DEVELOPMENT), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.074, (PERSONNEL MATTERS).**

- A) Consultation with City Attorney relating to Litigation Cause No. C1-09-0121-G; Fernando Valbuena, et al vs. City of McAllen, Angelina Martinez, Eduardo and Maria G. Valdez regarding Possible Dismissal of Cross Action After Settlement for other issues. (Section 551.071, T.G.C.)
- B) Discussion and Possible Action regarding sale or exchange of a portion of Lot 11 (b); Convention Center Subdivision, Lot 8. (Section 551.072, T.G.C.)
- C) Discussion and Possible Action regarding entering into a sales contract for a 3.56 acre tract out of Lot 3, Block 10, Steele Pershing Subdivision. (Section 551.072, T.G.C.)
- D) Discussion and Possible Action regarding entering into a sales contract or lease with James Nikki Rowe Veterans of Foreign Wars Post 2369. (Section 551.072, T.G.C.)
- E) Discussion and Possible Action regarding possible exchange of property on 33rd Street for housing development. (Section 551.072, T.G.C.)
- F) Consultation with City Attorney regarding legal issues related to funding for certain contractual obligations. (Section 551.071, T.G.C.)
- G) Consultation with City Attorney regarding a possible contract with Vianovo relating to International Bridge Facilities. (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.

C E R T I F I C A T I O N

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 8th day of February, 2013 at 5:00 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/CPM
City Secretary