



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, JULY 8, 2013 – 6:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Jim Darling
PLEDGE OF ALLEGIANCE - Mayor Jim Darling
INVOCATION – Trey Pebley, City Commissioner
PROCLAMATION - *McAllen Lions Club Day*

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 A-O (agricultural-open space) District to C-2 (neighborhood commercial) District: 4.00 acres out of Lot 2, Block 18, Steele & Pershing Subdivision, Hidalgo County, Texas; 4200 South McColl Road.

2. Rezone from A-O (agricultural-open space) District to C-2 (neighborhood commercial) District: 3.865 acres out of Lot 15, Block 1, C.E. Hammonds Subdivision, Hidalgo County, Texas; 1901 Dove Avenue.

3. Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartment) District: 5.98 acres out of Lot 1, Block 17, Steele & Pershing Subdivision, Hidalgo County, Texas; 3601 South McColl Road.

4. Request of Samuel Avila & Roberto Urbina, appealing the decision of the Planning & Zoning Commission of the June 18, 2013 meeting, denying a Conditional Use Permit, for one year, for a bar at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suite 2212.

5. Request of Victor Hugo Guerra, appealing of the decision of the Planning & Zoning Commission of the June 18, 2013 meeting, denying a Conditional Use Permit, for one year, for a billiard hall at Lot 1 and 2, Shary Gateway Subdivision, Hidalgo County, Texas; 4901 Expressway 83.

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 of Regular Meeting held June 24, 2013.
- B) Resolution authorizing the submission of a grant application to *KaBoom!* for funding under the Fiscal Year 2013 Let's Play Community Construction Grant Program.
- C) Ordinance providing for a budget amendment to the Sanitation Depreciation Fund for the purpose of funding the purchase of a Forklift for the Commercial Box Department.
- D) Ordinance providing for a budget amendment to the General Depreciation Fund for the purpose of funding the purchase of a Wheel Loader for the Streets and Drainage Department.
- E) Approval of Supplemental Agreement 1 to HNTB Amendment 13 for Airport Runway Safety Area Improvements.

3. BIDS/CONTRACTS:

- A) Consider approval of Change Order No. 1 to the contract awarded to Air IT, for the purchase and installation of the new Shared Use Passenger Processing System.
- B) Consider authorization to solicit for Construction Management Services for the McAllen Public Safety Building Addition.
- C) Consider authorization for staff to negotiate an agreement with The Retail Coach for a Retail Economic Development Plan.

4. ORDINANCES:

- A) Amending the McAllen Code of Ordinances, Chapter 50. Fireworks; relating to the regulation and permitting of public fireworks displays.
- B) Approval of Fiscal Year 2013-2017 Consolidated Plan and Strategy and Fiscal Year 2013-2014 Annual Action Plan for CDBG, HOME and ESG Programs.

5. RESOLUTION:

Accepting the Quinta Mazatlan Master Plan as presented March 25, 2013.

6. VARIANCE:

Consideration of a variance to the right-of-way dedication requirement at Popeye's No. 1 Subdivision; 221 South 10th Street.

7. MANAGER'S REPORT:

- A) Future Agenda Items.

8. MAYOR'S REPORT on City Commission Retreat held June 27 – 29, 2013.

PUBLIC COMMENT SESSION

9. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION

REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT),

- A)** Discussion of City Manager evaluation. (Section 551.074, T.G.C.)
- B)** Consultation with City Attorney regarding Development Agreement with Property Commerce for old Civic Center Redevelopment. (Section 551.071 and 551.072, T.G.C.)
- C)** Discussion and Possible Action regarding economic incentives for Project Phoenix. (Section 551.087 and 551.071, T.G.C.)
- D)** 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.)
- E)** Consideration of and consultation with City Attorney regarding economic incentives for Project Magnet. (T.G.S. 551.087 and 551.071)
- F)** Consultation with City Attorney regarding a possible buyout of STS Transportation. (Section 551.071, T.G.C.)
- G)** 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.)
- H)** Discussion and Possible Action regarding right-of-way acquisition for the proposed Erie Avenue alignment from Ware Road to Bentsen Road. (Section 551.072, T.G.C.)
- I)** Discussion and Possible Action regarding a 0.874 acre tract of land out of Lot 8, Block 6 Hidalgo Canal Company's Subdivision, Hidalgo County, Texas. (Section 551.072, T.G.C.)
- J)** Discussion and Possible Action to make an offer to acquire a 20 acre tract of land, out of Lot 98, La Lomita Subdivision or Lot 140, La Lomita Subdivision. (Section 551.072, T.G.C.)
- K)** Consultation with City Attorney regarding pending lawsuit; Dahlila Guerra Casso vs. City of McAllen. (Section 551.071, T.G.C.)
- L)** Consultation with City Attorney regarding Cause. No. CL_13-1822-A; Martha Ramirez, individually and as net friend of Carolina Ramirez, a minor vs. City of McAllen. (Section 551.071, T.G.C.)
- M)** 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.

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 5th day of July, 2013 at 2:30 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