



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, NOVEMBER 11, 2013 – 5:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Jim Darling

PROCLAMATION - *Veteran's Day*

PLEDGE OF ALLEGIANCE - Mayor Jim Darling

INVOCATION - John Ingram, City Commissioner

PRESENTATIONS - Recognizing the Valley Legislative Delegation
- Texas Oncology

SWEARING IN CEREMONY - Victor Flores, Assistant City Attorney

PROCLAMATION - *Texas Recycles' Day*– Recycling Department

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-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.

2. 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.

3. Initial zoning to C-3 (general business) District: 2.50 acres out of Lot 503, John H. Shary Subdivision, Hidalgo County, Texas; 6500 State Highway 107.

4. Request of Michael L. Crain on behalf of AT&T Mobility, for a Conditional Use Permit, for life of the use, for personal wireless service facility at Lots 1 through 4, Block 5, South McAllen Subdivision, Hidalgo County, Texas; 803 South 16 ½ Street.

5. Request of Alejandro F. Herrera, for a Conditional Use Permit, for life of the use, for gasoline service station at the 2.19 acres of land out of Lots 7 and 8, King's Highway Subdivision, Hidalgo County, Texas; 3621 Highway 83.

6. Request of Alejandro F. Herrera, for a Conditional Use Permit, for life of the use, for gasoline service station at the 3.865 acres out of Lot 15, C.E. Hammond Subdivision, Hidalgo County, Texas; 1901 Dove Avenue.

7. Request of Victor Barrera, appealing the decision of the Planning & Zoning Commission of the October 16, 2013 meeting, denying a Conditional Use Permit, for

one year, for a dancehall at Lot 1, Michelle's Banquet Hall Subdivision, Hidalgo County, Texas; 2100 Nolana Avenue.

8. Request of Dolia N. Lucero, appealing the decision of the Planning & Zoning Commission of the October 16, 2013 meeting, denying a Conditional Use Permit, for one year, for a nightclub at Lot 1-3, McAllen Athletic Mall Subdivision, Hidalgo County, Texas; 500 East Hackberry Avenue.

B) REZONING:

Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 3.25 acres out of Lot 6, Block 2, C.E. Hammond Subdivision, Hidalgo County, Texas; 4300 Pecan Boulevard.

C) CONDITIONAL USE PERMIT:

Request of Rene H. Alanis, for a Conditional Use Permit, for life of the use, for personal wireless service facility at Lot 17, Block A, Cathey Courts Subdivision, Hidalgo County, Texas; 128 Beaumont Avenue.

D) Amending the Zoning Ordinance (Initial Zoning) providing that 2.50 acres out of Lot 503, John H. Shary Subdivision, Hidalgo County, Texas; 6500 State Highway 107 shall be initially zoned to C-3 (general business) District.

E) 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 various meetings.
- B) Consider approval of the extension of contract for Delinquent Tax Collection with Linebarger Goggan Blair & Sampson, LLC.
- C) Authorization to declare certain vehicles as surplus and begin auction efforts.
- D) Ordinance providing for amendment of Ordinance 2013-04 deleting the Affordable Homes of South Texas' Neighborhood Revitalization Program and reprogramming said funds into Affordable Homes of South Texas' Helping Hands Grants Program which were designated under the Fiscal Year 2012-2013 Action Plan.
- E) Ordinance providing for budget amendment for the New World System Software Project.

- F) Ordinance providing for a budget amendment for the construction improvements at Trinity Methodist Church parking lot as per the approved lease agreement for utilization of the parking lot for the Bicentennial Trail.

3. BIDS/CONTRACTS:

- A) Consider approval of Change Order No. 6 for McAllen Miller International Airport Terminal Expansion Project.
- B) Request approval to accept the TxDOT Ramp Grant for Routine Airport Maintenance Program.
- C) Selection of Airport General Engineering Contractor and authorization to negotiate a five-year contract with such firm.
- D) Award of Contract for Pool Administration Building Hail Damaged Re-Roof Project.
- E) Consider approval of Change Order No 1 for Retiree Haven Subdivision Drainage Improvements.
- F) Consider approval of Contract Amendment No. 2 to S&B Infrastructure for Environmental Assessment Services for Anzalduas Southbound Trucks and adoption of an ordinance providing for a budget amendment for such services.

4. **ORDINANCE** providing for the annexation of a tract comprising 2.5 acres at the north side of State Highway 107, approximately 870 feet east of Glasscock Road.

5. **RESOLUTION** authorizing the submission of a grant application to Texas Parks and Wildlife Department for funding under the Fiscal Year 2014 Horned Lizard License Plate Grant Program.

6. MANAGER'S REPORT:

- A) Consider acceptance of Civil Service Commissioner resignation and appointment of replacement.
- B) Future Agenda Items.

7. TABLED ITEMS:

- A) Discussion and possible action regarding a waiver of penalty and interest on delinquent taxes for Sinbon Electronics Co. Ltd., Cause No. T-1113-12-J.
- B) Consider authorizing staff to negotiate a contract with the top ranked firm for Architectural Design Services for additional restroom facilities at De Leon North Soccer Facility.

8. MAYOR'S REPORT:

- A) Discussion of McAllen's opportunities with new university.
- B) Report on unofficial election results.

PUBLIC COMMENT SESSION

9. 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).

- A)** 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.)
- B)** Discussion and Possible Action on entering into a sales contract and authorizing the City Manager to complete transaction to acquire a tract of land out of Lot 3, Block 3, A.J. McColl Subdivision, Hidalgo County, Texas. (Sections 551.072 and 551.071, T.G.C.)
- C)** Discussion and Possible Action on entering into a sales contract and authorizing the City Manager to complete transaction to acquire a tract of land out of Lot 3, Block 5, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas and approve related resolution. (Sections 551.072 and 551.071, T.G.C.)
- D)** Consultation with City Attorney regarding legal aspects of human resources process. (Section 551.071, T.G.C.)
- E)** Consideration of economic development matters. (Section 551.087, 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 **November, 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/

Annette Villarreal, TRMC/CMC, CPM
City Secretary