



**CITY COMMISSION REGULAR MEETING
MONDAY, JANUARY 14, 2013 – 6:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Richard Cortez
PLEDGE OF ALLEGIANCE - Mayor Richard Cortez
INVOCATION – Scott Crane, City Commissioner
PROCLAMATIONS – *Arbor Day* – Public Works Department
– *South Texas Heath System Day*

1. PUBLIC HEARING:

A) ROUTINE ITEMS: *[All Rezonings 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 R-1 (single family residential) District: 11.81 acres out of Lot 277 and a portion of canal right-of-way lying north of Lot 277, John H. Shary Subdivision, Hidalgo County, Texas; 2500 North Taylor Road.
2. Rezone from R-1 (single family residential) District to R-3T (multifamily residential townhouse) District: 8.625 acres out of Lot 13, Section 278, Texas-Mexican Railway Co. Survey, Hidalgo County, Texas; 1121 Providence Avenue.
3. Rezone from A-O (agricultural-open space) District to R-3T (multifamily residential townhouse) District: 3.59 acres out of Lot 287, John H. Shary Subdivision, Hidalgo County, Texas; 5101 Daffodil Avenue.
4. Rezone from A-O (agricultural-open space) District to C-3 (general business) District: 1.40 acres out of Lot 287, John H. Shary Subdivision, Hidalgo County, Texas; 2916 North Taylor Road.
5. Request of Marc Martinez, appealing the decision of the Planning & Zoning Commission of the December 18, 2012 meeting, denying the Conditional Use Permit, for one year, for a bar at Lots 1, 2, 3 and 4, The District at McAllen Subdivision, Hidalgo County, Texas; 3300 North McColl Road, Suites P & Q.
6. Request of City of McAllen Parks and Recreation, for a Conditional Use Permit, for life of the use, for an institutional use (soccer complex) at 20.34 acres out of Lots 105 and 106, La Lomita Irrigation & Construction Company's Subdivision, and out of Lot 1, McAllen ISD Subdivision No. 9, Hidalgo County, Texas; 4201 North 29th Street.

B) REZONING:

Rezone from C-3 (general business) District to R-3A (multifamily residential apartment) District: 1.47 acres being 0.73 acres out of Lot 1, M & T Plaza Subdivision and 0.74 acres out of Lot 96, La Lomita Irrigation and Construction Company's Subdivision, Hidalgo County, Texas; 2317 Zinnia Avenue. **STAFF WILL RECOMMEND SAID ITEM BE**

TABLED

- C) Ordinance amending the Zoning Ordinance of the City of McAllen as enacted on 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 for Workshop held August 25th and Regular Meeting held December 10, 2012.
 - B) Tax Refunds over \$500:
 - 1. CSI Leasing, Inc.
 - 2. David Higgins and Maria R. Gaytan
 - C) Consideration and approval of donation of field lights from Westside Park to the Hidalgo County Sheriff's Posse for the Sheriff's Posse Rodeo Arena.
 - D) Award of Contract for Catastrophic Event Debris Removal.
 - E) Award of Contract for the purchase and delivery of Concrete for Public Works Department.
 - F) Award of Contract for the purchase of fifty-five (55) P25 Capable Radios through HGAC for various city departments.
 - G) Award of Contract for the purchase of thirty (30) computers through the Texas Department of Information Resources (DIR) Contract for the Police Department.
 - H) Award of Contract for Uniform Rental/Cleaning Services.
 - I) Ordinance authorizing the execution of a Developer's Contract between 495 Commerce Partners, LTD., and Future Developer's for participation cost for Jasmine Avenue Paving, Drainage and Sidewalk Improvements at 495 Commerce Center Phase XIV Subdivision.
 - J) Consideration and Possible Action on ordinance authorizing the replacement of Compass Bank, as the successor to Texas State Bank, as the paying agent/registrar for certain outstanding bond issues and the appointment of successor paying agent/registrar for such issues.
 - K) Ordinance providing for amendments to Ordinance 2012-29 to delete the McAllen Youth Soccer Association project and reprogram said funds into a new line item (Unprogrammed Funds) for redistribution.
 - L) Resolution relating to endorsing certain Texas Legislative Action regarding members of the Texas Coalition for Affordable Power (TCAP).
 - M) Resolution to the State Legislature to support the Texas Recreation and Park Account through Texas Parks and Wildlife.
 - N) Resolution authorizing the submission of a grant application and the acceptance of any grant funds from the Texas Department of Public Safety, Texas Ranger Division under the Fiscal Year 2013 Local Border Security Program.
 - O) Resolution authorizing the submission of a grant application to the Texas Department of Public Safety, Texas Division of Emergency Management for funding under the Fiscal Year 2013 Management Performance Grant Program.

- P) Resolution authorizing the submission of a grant application from the Texas Department of Transportation through its Selective Traffic Enforcement Program (STEP) Fiscal Year 2014 Comprehensive Project.
- Q) Resolution authorizing the submission of a grant application to the United States Department of Homeland Security, Federal Emergency Management Agency for funding under the Fiscal Year 2012 Assistance to Firefighters Fire Prevention and Safety Grant Program.
- R) Resolution authorizing the submission of four (4) grant applications to the Texas Book Festival Grants for funding under the Fiscal Year 2013 Collection Enhancements and Literacy Initiative Grants Programs.
- S) Award of Contract for the purchase of five (5) Cisco Switches through Texas Cisco Department of Information Resources (DIR) Contract.

3. BIDS/CONTRACTS:

- A) Consideration and Possible Action on Collective Bargaining Agreement with McAllen Firefighter’s Association.
- B) Award of Contract for Irrigation System Controllers and materials for various city landscaping projects.
- C) Award of Contract for the purchase of one (1) New Current Model Diesel Cab Chassis with new 4,000 gallon water tank for the Street and Drainage Department of Public Works.
- D) Award of Contract for the purchase and delivery of Type “D” Hot Mix Asphaltic Concrete (HMAC) FY 2012-2013.
- E) Award of Contract for 2012-2013 Single Machine Repaving Project.
- F) Change Order No. 4 for Bentsen Road Paving Improvements from Pecan Blvd. (FM 495) to 3 Mile Line Road.

4. ORDINANCES:

- A) Budget Amendment for the purpose of funding the purchase of a Water Truck for the Streets and Drainage Department.
- B) Providing for amendments to Ordinance 2010-33 and Ordinance 2011-30 increasing the scope of work for the Boys and Girls Club – Brand Center Project.

5. VARIANCES:

- A) Consideration of variance request to allow Lot 3 to develop without frontage on a street; Bentsen Industrial Subdivision.
- B) Request to allow a freestanding sign to exceed the 300 square foot maximum and allow off-premise advertising at Lot 1, Ginther Estates Subdivision; 5025 Expressway 83.
- C) Request to allow two (2) freestanding signs to exceed the 300 square feet maximum and allow off-premise advertising, at Lots 2 and 4, Shary Gateway Subdivision; 4901 and 4801 Expressway 83.

6. MANAGER’S REPORT:

- A) Consider the nomination of an inductee to the Rio Grande Valley *Walk of Fame* as part of the 2013 *BorderFest* in Hidalgo.
- B) Advisory Board Appointments.
- C) Presentation by Motorcross Group relating to city property on Monte Cristo.

- D) 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 regarding legal issues related to Fire Department Collective Bargaining. (Section 551.071, T.G.C.)
 - B) Consultation with City Attorney regarding Hidalgo County Water Improvement District 3. (Section 551.071, T.G.C.)
 - C) Discussion and Possible Action to consider extension request for Holiday Inn. (Section 551.087, T.G.C.)
 - D) Discussion and Possible Action to consider project extension for McAllen Skyline, Ltd., for Embassy Suites Hotel site. (Section 551.087, T.G.C.)
 - E) Discussion and Possible Action regarding economic incentives for Project Next Level. (Section 551.087, T.G.C.)
 - F) Discussion and Possible Action regarding purchase of property for 2nd and Pecan located on Block "B", The Lutheran Subdivision. (Section 551.072, T.G.C.)
 - G) Discussion and Possible Action - Evaluation of City Manager, City Attorney and Municipal Court Judges. (Section 551.074, T.G.C.)
 - H) Discussion and Possible Action regarding economic incentives for Project Welby. (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.

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 11th day of January, 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/

Perla Zamora, TRMC/CPM
Deputy City Secretary

**CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION _____ X _____
 UTILITY BOARD _____
 OTHER _____

AGENDA ITEM 1A1
 DATE SUBMITTED 12/21/12
 MEETING DATE 1/14/13

1. Agenda Item: Rezoning Request

2. Party Making Request: _____

3. Nature of Request: **(Brief Overview)** Contract: ____ Yes ____ No

Rezone from A-O (agricultural-open space) District to R-1 (single family residential) District: 11.81 acres out of Lot 277 and a portion of canal right-of-way lying north of Lot 277, John H. Shary Subdivision; Hidalgo County, Texas; 2500 North Taylor Road.

4. Policy Implication: Zoning Ordinance

5. Budgeted: ____ Yes X No ____ N/A

Bid Amount: _____	Budgeted Amount: _____
Under Budget: _____	Over Budget: _____
	Amount Remaining: _____

If over budget how will it be paid for: _____

6. Alternate option/costs: _____

7. Routing:

	NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)	<u>Julianne R. Rankin</u> Director of Planning	<u>JR</u>	<u>1/8/13</u>	<u>Yes</u>
b)	_____	_____	_____	_____

8. Staff's Recommendation: Approval

9. Advisory Board: ____ X Approved ____ Disapproved ____ None

10. City Attorney: KP Approved ____ Disapproved ____ None

11. Manager's Recommendation: MRP Approved ____ Disapproved ____ None

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel Garza III, Chairman, Planning and Zoning LG III

DATE: December 21, 2012

SUBJECT: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT: 11.81 ACRES OUT OF LOT 277 AND A PORTION OF CANAL RIGHT-OF-WAY LYING NORTH OF LOT 277, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 2500 NORTH TAYLOR ROAD. (REZ2012-0048)

GOAL:

Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 6) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 7) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

BRIEF DESCRIPTION:

The property is located along the east side of Taylor Road approximately 1400 feet south of Daffodil Avenue. The tract has 383 feet of frontage along North Taylor Road and a depth of 1,320 feet for a tract size of approximately 11.81 acres. The property was zoned to A-O (agricultural-open space) District upon annexation in 1999. A rezoning request to R-2 (duplex-fourplex residential) District was disapproved by the City Commission on October 10, 2011 and on December 12, 2011. Two single family residences and accessory buildings previously located on the property have been demolished or removed and the property is vacant. The applicant is requesting R-1 (single family residential) District in order to establish a single family residential subdivision. A 38 lot subdivision by the name of Monte Vista Subdivision was approved by the Planning and Zoning Commission on November 6, 2012 subject to providing a secondary access.

The adjacent zoning is A-O (agricultural open space) District in all directions except R-1 (single family residential) District and R-4 (mobile home) District to the north. A rezoning request for R-1 (single family residential) District for an adjacent tract to the north was approved in 2008. A request for R-3C (multifamily residential condominium) District was approved in 2009 but construction has not commenced. Surrounding land uses are single family residential, mobile homes, a drainage ditch, and vacant land.

- The requested zoning conforms to the Auto Urban Residential land use designation for the

property as indicated on the Foresight McAllen Comprehensive Plan.

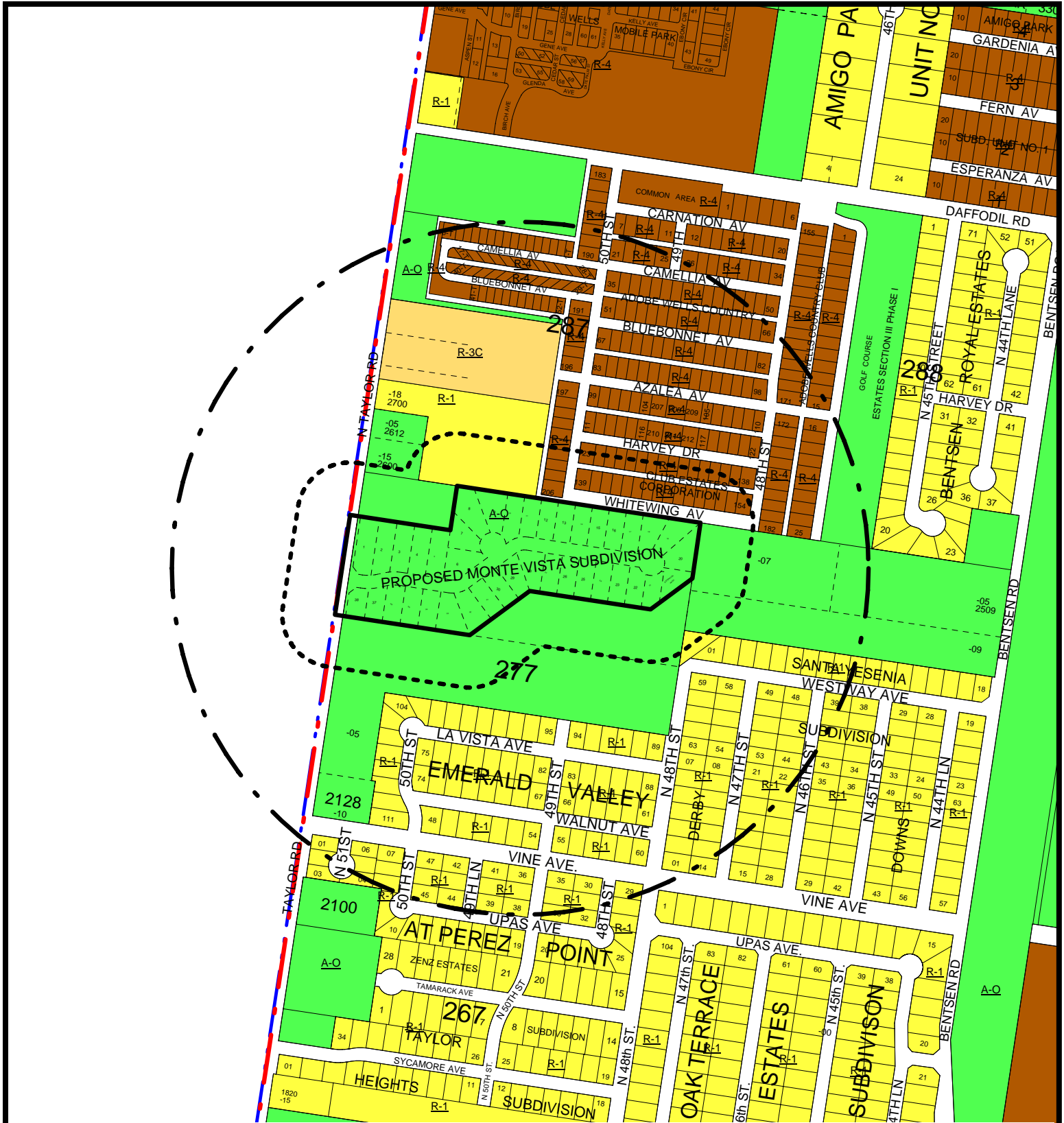
- The proposed zoning is consistent with single family residential development trends in the area.
- Taylor Road is designated as a major collector with 80 feet of right-of-way and is constructed as a 2 lane rural roadway with no shoulders, street lights and a posted speed limit of 30 miles per hour.
- Parkland dedication or fees in lieu of parkland dedication comprising \$700 per dwelling unit is required prior to recording a subdivision plat.
- A recorded subdivision plat is required prior to issuance of building permits.

OPTIONS:

1. Approve the rezoning request.
2. Table the item for a) consideration by a full board, b) additional information, c) additional time for applicant and adjacent property owners to meet on zoning issues or d) further study by the Planning and Zoning Commission of rezoning the area.
3. Disapprove the rezoning request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of December 18, 2012 no one appeared in opposition of the rezoning request. The Board voted unanimously to recommend approval of the rezoning request with six members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'



SUBJECT PROPERTY

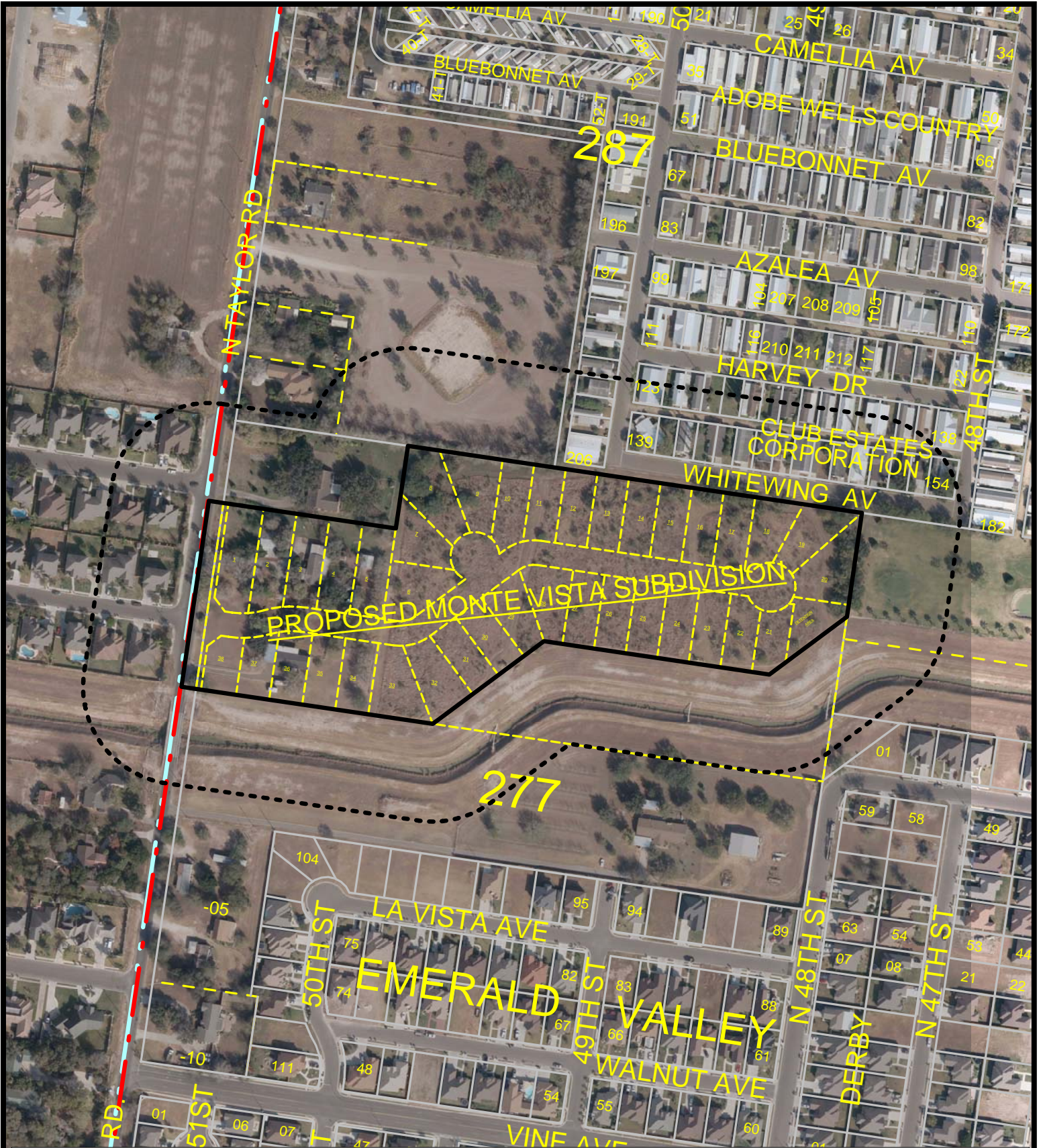
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on-ground survey and represent approximate relative location of property boundaries.

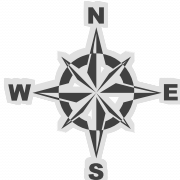


CITY OF McALLEN
 PLANNING DEPARTMENT

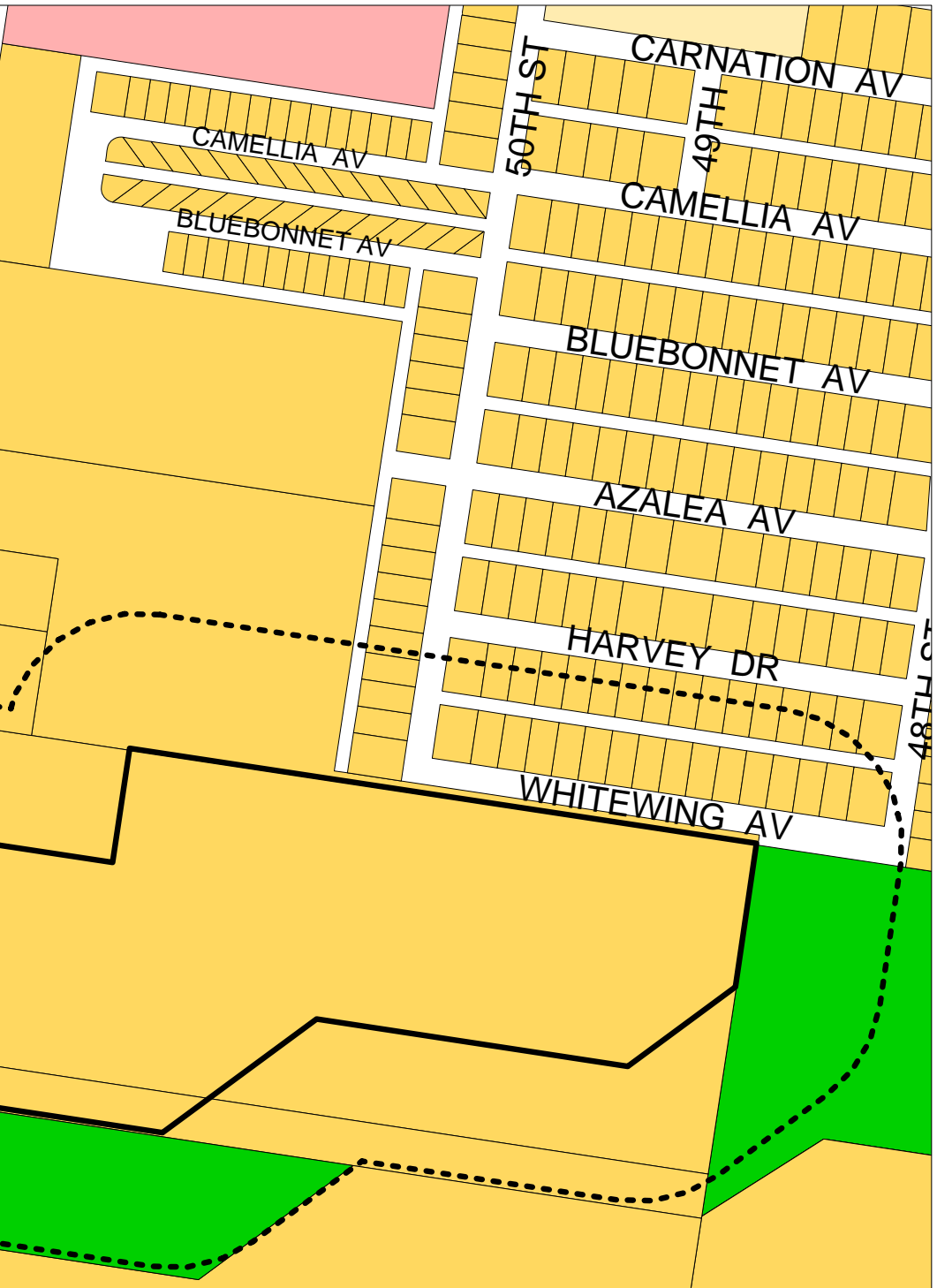
AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500 FT
APPROVED: DECEMBER 10, 2007

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN		THOROUGHFARE PLAN	
VAC - VACANT	SCM - SUBURBAN COMMERCIAL	GRADE SEPARATION (INTERCHANGE)	EXPRESSWAY 350'
EST - ESTATE	URC - URBAN CENTER	PARKWAY 350'	HI-SPEED ARTERIAL 150'
SUBR - SUBURBAN RESIDENTIAL	UCH - URBAN CENTER HIGH	PRINCIPAL ARTERIAL 120'	MINOR ARTERIAL 100'
AUSF - AUTO URBAN SINGLE FAMILY	IND - INDUSTRIAL	COLLECTOR 80'	ALTERNATIVE ALIGNMENT
USF - URBAN SINGLE FAMILY	SPUS - SPECIAL USES, CIVIC, PUBLIC	MCALLEN CITY LIMITS	MCALLEN ETJ
AUMF - AUTO URBAN MULTIFAMILY	PRK - CITY PARKS		
UMF - URBAN MULTIFAMILY	OPS - OPEN SPACE		
UMX - URBAN RESIDENTIAL MIXED	AGR - AGRICULTURE		
AUCM - AUTO URBAN COMMERCIAL	WTBY - WATER BODIES		

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

LOR RD
N 51ST

N 47TH ST

48TH ST

50TH ST

49TH

CARNATION AV

CAMELLIA AV

CAMELLIA AV

BLUEBONNET AV

BLUEBONNET AV

AZALEA AV

HARVEY DR

WHITEWING AV



**NOTICE
REZONING
For
This Property
REZ2012-0048**
City of McAllen Planning Dept - 681-1250
www.mcallen.net

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel Garza III Chairman, Planning and Zoning LG III

DATE: December 21, 2012

SUBJECT: REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 8.625 ACRES OUT OF LOT 13, SECTION 278, TEXAS-MEXICAN RAILWAY CO. SURVEY, HIDALGO COUNTY, TEXAS; 1121 PROVIDENCE AVENUE. (REZ2012-0051)

GOAL:

Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 6) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 7) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

BRIEF DESCRIPTION:

The property is located along the south side of Providence Avenue approximately 720 feet west of North 10th Street. The tract was initially zoned A-O (agricultural-open space) District upon annexation in 1985 and rezoned to R-1 (single family residential) District in 2007. There have been no other rezoning requests on the property since that time. The tract is currently vacant. Surrounding land uses are single family residences, mobile homes, and vacant land. The applicant is requesting R-3T (multifamily residential townhouse) District for a townhouse development. An 82 lot subdivision plat under the name of Villagio Phase II received preliminary plat approval by the Planning and Zoning Commission at the meeting December 4, 2012.

Adjacent zoning is R-1 (single family residential) District in all directions. A tract to the west was rezoned to R-1 District in 1995 and a 147 lot single family residential subdivision under the name of La Floresta Phase 1 was established. Five tracts to the south were initially zoned R-1 (single family residential) District in 1995 and developed into 6 estate lots fronting along Northgate Lane. The subject property is included within a private gated subdivision plat by the name of Villagio Phase I Subdivision containing 27 single family residential lots. Timberhill Villa is located to the north and is a private mobile home subdivision that is accessed by a private street known as Timberlane Drive.

- The requested zoning does not conform to the Suburban Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. Cluster development with 30% open space and gross density of 2.194 units per acre is appropriate in Suburban Residential land use areas. Townhouse development is appropriate in Urban Residential land use designation. A buffer yard 25 feet in width lined with trees is appropriate where Urban Residential uses are adjacent to Suburban Residential uses.
- The zoning and development trend along this area of North 10th Street is single family residential. The property is adjacent to single family estates uses and mobile homes. The

proposed zoning is consistent with residential development trends in the area.

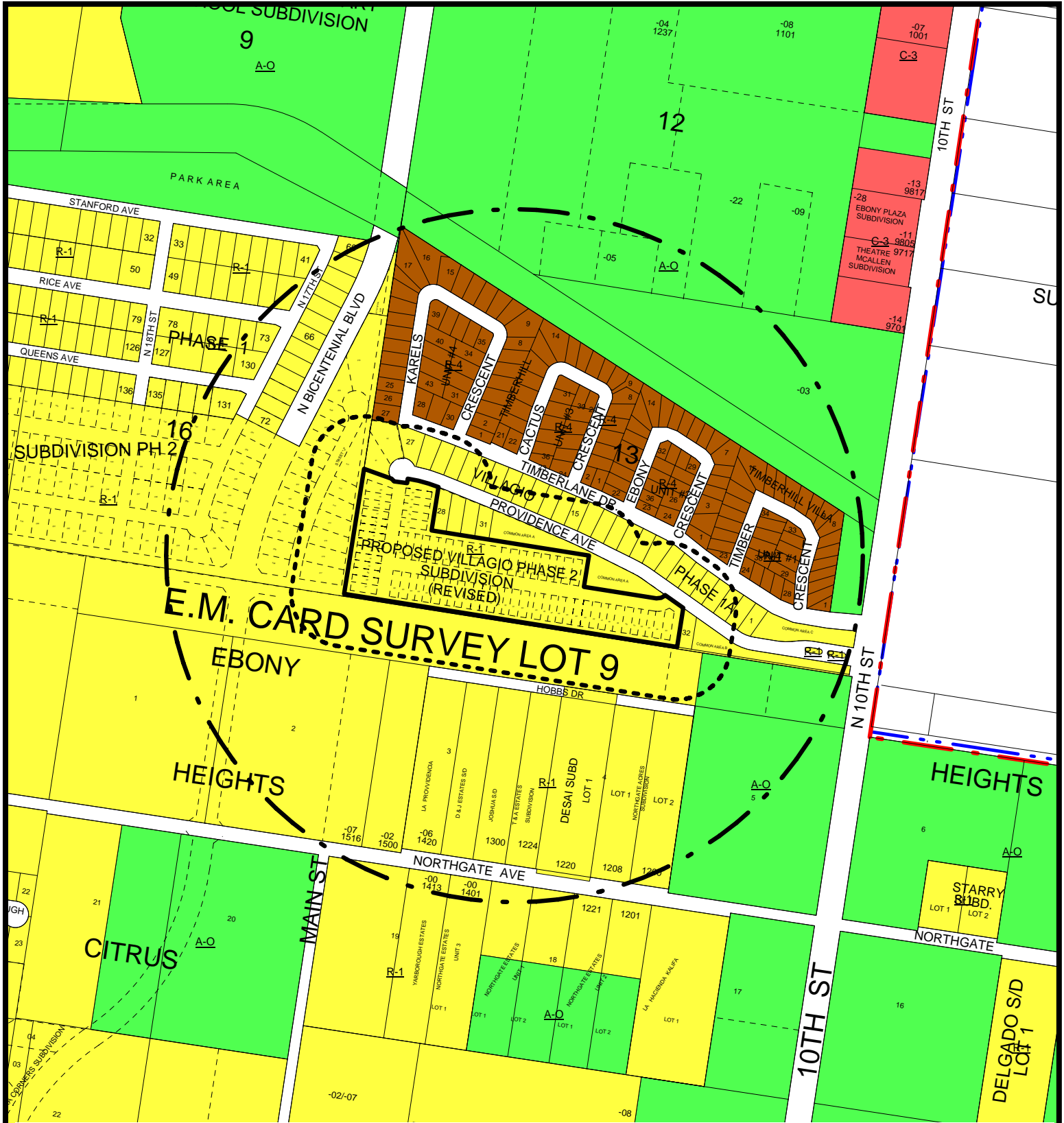
- North 10th Street is designated as a principal arterial with 120 feet of right-of-way with four travel lanes, a turning lane, shoulders, curb and gutter and street lights at intersections
- Providence Avenue is a private street with 32 feet of pavement width, street lights, and curb and gutter, 50 feet of right-of-way and a posted speed limit of 30 miles per hour.
- The subject property is located within the Edinburg Consolidated School District with school assignments to Cavazos Elementary, South Middle School and Edinburg High School.
- A masonry screen 8 feet in height is required where a townhouse development is adjacent to a residential use or zone.
- Parkland dedication or fees in lieu of parkland dedication comprising \$700 per dwelling unit is required prior to recording a subdivision plat.
- A recorded subdivision plat and approved site plan are required prior to issuance of building permits.

OPTIONS:

1. Approve the rezoning request.
2. Table the item for a) consideration by a full board, b) additional information, c) additional time for applicant and adjacent property owners to meet on zoning issues or d) further study by the Planning and Zoning Commission of rezoning the area.
3. Disapprove the request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of December 18, 2012 no one appeared in opposition to the rezoning request. The Board voted unanimously to recommend approval of the rezoning request with six members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

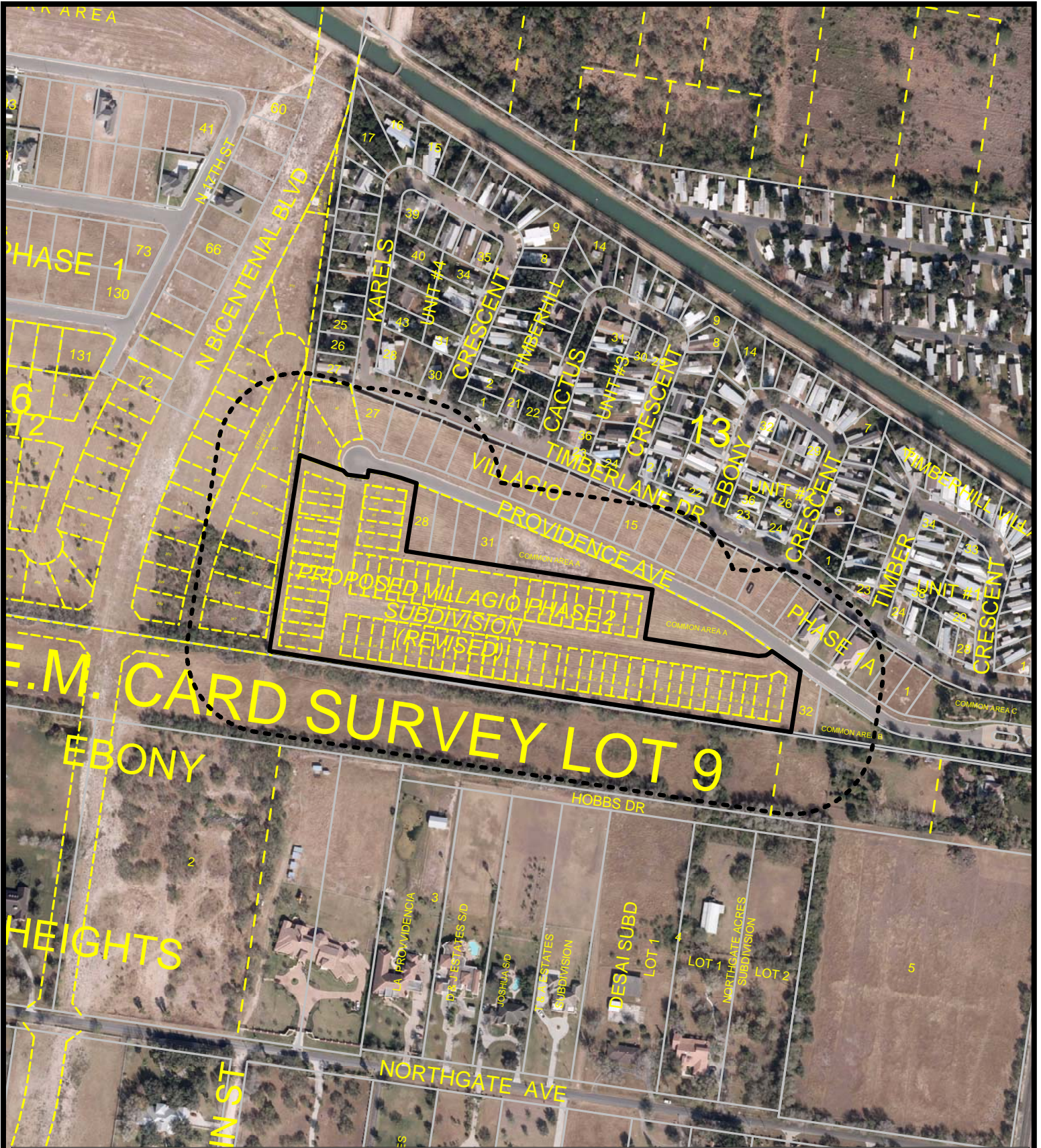
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLIX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
 PLANNING DEPARTMENT

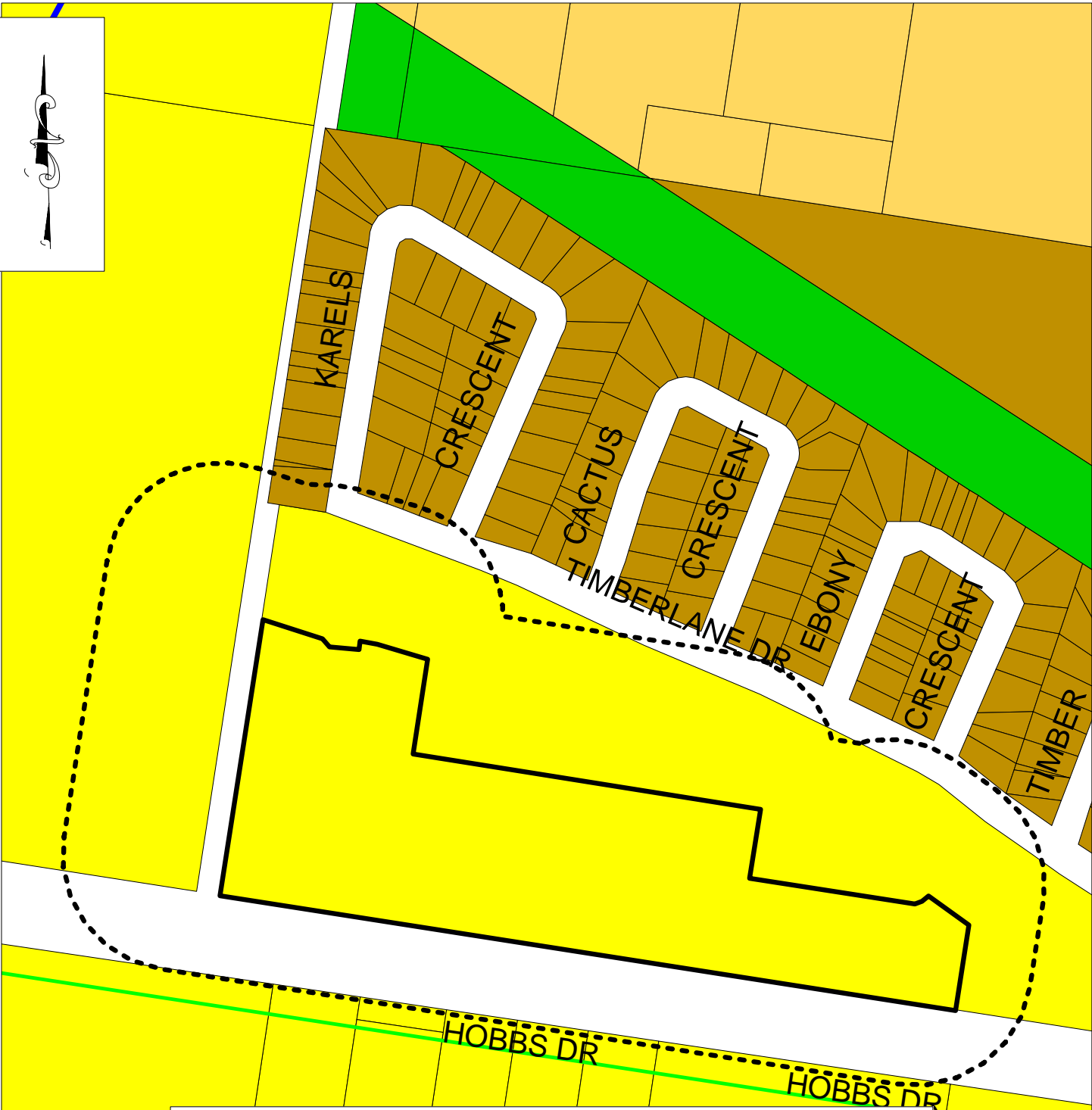
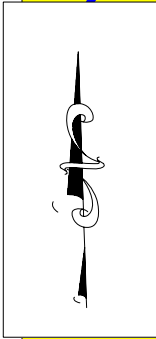
AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

FORESIGHT McALLEN COMPREHENSIVE PLAN

- FUTURE LAND USE PLAN**
- VAC - VACANT
 - EST - ESTATE
 - SUBR - SUBURBAN RESIDENTIAL
 - AUSF - AUTO URBAN SINGLE FAMILY
 - USF - URBAN SINGLE FAMILY
 - AUMF - AUTO URBAN MULTIFAMILY
 - UMF - URBAN MULTIFAMILY
 - UMX - URBAN RESIDENTIAL MIXED
 - AUCM - AUTO URBAN COMMERCIAL
 - SCM - SUBURBAN COMMERCIAL
 - URC - URBAN CENTER
 - UCH - URBAN CENTER HIGH
 - IND - INDUSTRIAL
 - SPUS - SPECIAL USES, CIVIC, PUBLIC
 - PRK - CITY PARKS
 - OPS - OPEN SPACE
 - AGR - AGRICULTURE
 - WTBY - WATER BODIES


- THOROUGHFARE PLAN
- GRADE SEPARATION (INTERCHANGE)
- EXPRESSWAY 350'
- PARKWAY 350'
- HI-SPEED ARTERIAL 150'
- PRINCIPAL ARTERIAL 120'
- MINOR ARTERIAL 100'
- COLLECTOR 80'
- ALTERNATIVE ALIGNMENT
- MCALLEN CITY LIMITS
- MCALLEN ETJ

LEGEND
SCALE: 1" = 500 FT
APPROVED: DECEMBER 10, 2007

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

V ST

**NOTICE
REZONING
For
This Property
REZ2012-0051**

 City of McAllen Planning Dept - 681-1250
www.mcallen.net

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel Garza, III Chairman, Planning and Zoning LG III

DATE: December 21, 2012

SUBJECT: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT: 3.59 ACRES OUT OF LOT 287, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 5101 DAFFODIL AVENUE. (REZ2012-0049)

GOAL:

Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 6) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 7) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

BRIEF DESCRIPTION:

The property is located along the south side of Daffodil Avenue 193 feet east of North Taylor Road. The tract has 493 feet of frontage along Daffodil Avenue and a depth of 316 feet for a tract size of 3.59 acres. The property was initially zoned A-O (agricultural-open space) District in 1986 upon annexation and there have been no other rezoning requests for the subject property. The property is vacant. The applicant is requesting R-3T (multifamily residential townhouse) District for a townhouse development however a subdivision plat has not been submitted.

The adjacent zoning is A-O (agricultural-open space) District to the west, R-1 (single family residential) District to the northwest across Daffodil Avenue, and R-4 (mobile home) District in all other directions. A rezoning request for R-3C (multifamily residential condominium) District to the south of the subject property and adjacent to Adobe Wells Subdivision was approved in 2009 but no construction has commenced. Surrounding land uses are single family residential, Adobe Wells Mobile Home Park, and vacant land.

- The requested zoning does not conform to the Suburban Commercial land use designation as indicated on the Foresight McAllen Comprehensive Plan.
- The maximum density allowed for R-3T (multifamily residential townhouse) District is 20 townhouses per acre or a maximum of 71 townhouses.
- The zoning and development trend along this area is R-1 (single family residential) District and R-4 (mobile home/modular home) District.
- Daffodil Avenue is designated as a major collector with 80 feet of right-of-way and is constructed as a 2 lane rural roadway with 2 travel lanes, no sidewalks, no shoulders, no curb and gutter and has a posted speed limit of 35 miles per hour.
- A masonry screen 8 feet in height is required where a townhouse development is adjacent to a single family residential use or zone.
- A recorded subdivision plat and approved site plan are required prior to issuance of

building permits.

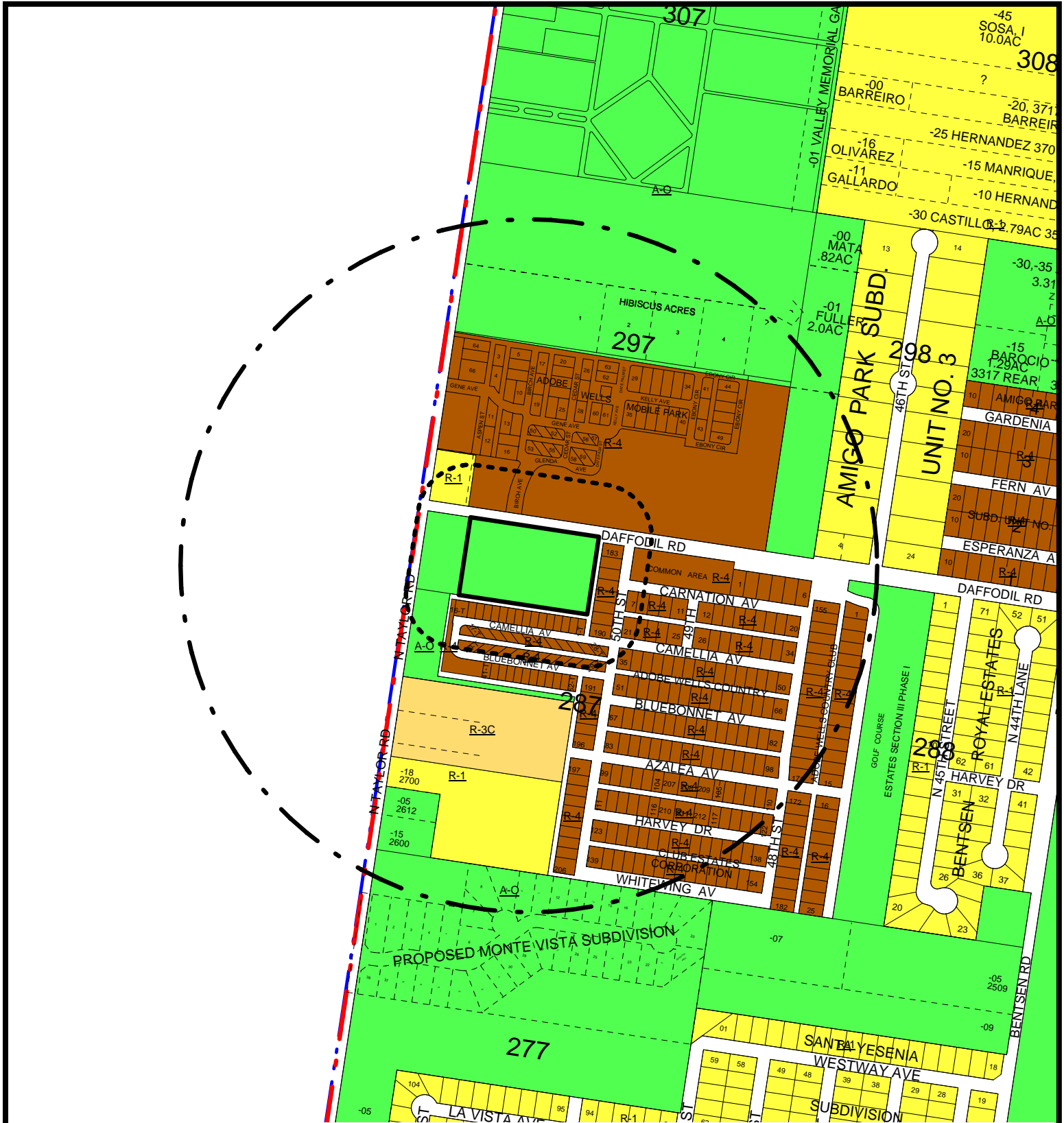
OPTIONS:

1. Approve the rezoning request.
2. Table the item for a) consideration by a full board, b) additional information, c) additional time for applicant and adjacent property owners to meet on zoning issues or d) further study by the Planning and Zoning Commission of rezoning the area.
3. Disapprove the request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of December 18, 2012 one person spoke in opposition and voiced concerns regarding the proposed rezoning. He commented that no multifamily developments exist in any direction from this location and that a proposal for multifamily rezoning of 11 acres south of Adobe Wells was disapproved by the City Commission is now proposed as R-1 (single family residential) District.

Following a brief discussion, the Board voted unanimously to recommend approval of the rezoning request with six members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLICATE-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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CITY OF McALLEN
PLANNING DEPARTMENT

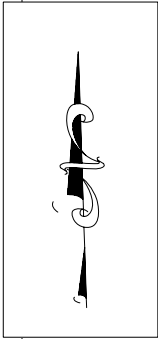
AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



on ground survey and represent approximate relative location of property boundaries.



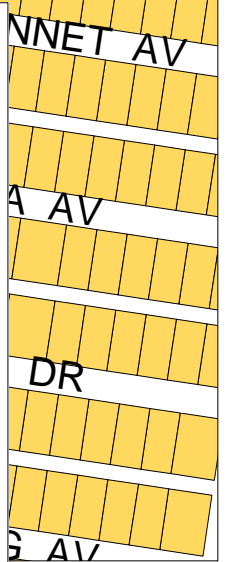
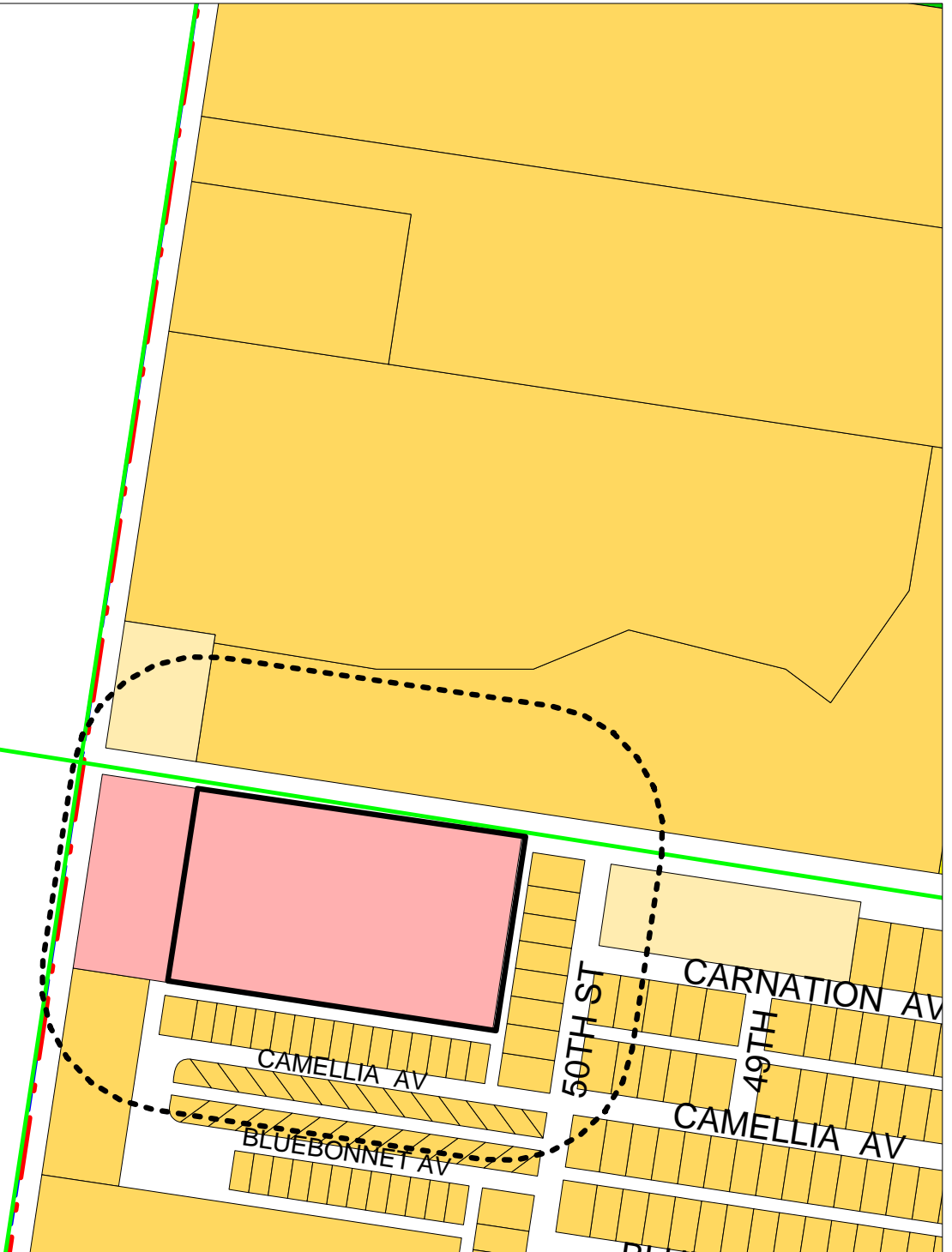
CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1" = 500 FT
APPROVED: DECEMBER 10, 2007

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN		THOROUGHFARE PLAN	
	VAC - VACANT		GRADE SEPARATION (INTERCHANGE)
	EST - ESTATE		EXPRESSWAY 350'
	SUBR - SUBURBAN RESIDENTIAL		PARKWAY 350'
	AUSF - AUTO URBAN SINGLE FAMILY		HI-SPEED ARTERIAL 150'
	USF - URBAN SINGLE FAMILY		PRINCIPAL ARTERIAL 120'
	AUMF - AUTO URBAN MULTIFAMILY		MINOR ARTERIAL 100'
	UMF - URBAN MULTIFAMILY		COLLECTOR 80'
	UMX - URBAN RESIDENTIAL MIXED		ALTERNATIVE ALIGNMENT
	AUCM - AUTO URBAN COMMERCIAL		MCALLEN CITY LIMITS
	SCM - SUBURBAN COMMERCIAL		MCALLEN ETJ
	URC - URBAN CENTER		
	UCH - URBAN CENTER HIGH		
	IND - INDUSTRIAL		
	SPUS - SPECIAL USES, CIVIC, PUBLIC		
	PRK - CITY PARKS		
	OPS - OPEN SPACE		
	AGR - AGRICULTURE		
	WTBY - WATER BODIES		

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC



**NOTICE
REZONING
For
This Property
REZ2012-0049**
City of McAllen Planning Dept - 681-1250
www.mcallen.net

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel Garza, III Chairman, Planning and Zoning LG III

DATE: December 21, 2012

SUBJECT: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 1.40 ACRES OUT OF LOT 287, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 2916 NORTH TAYLOR ROAD. (REZ2012-0050)

GOAL:

Zoning regulations must be adopted in accordance with *Foresight McAllen* and designed to 1) lessen congestion, 2) secure safety from fire and other dangers, 3) promote health and general welfare, 4) provide adequate light and air, 5) prevent overcrowding of land 6) avoid undue concentration of population, 6) facilitate the adequate provision of transportation, water, sewers, school, parks, and other public requirements and 7) protect and preserve places and areas of historical, cultural or architectural importance or significance. L.G.C. Section 211.004.

BRIEF DESCRIPTION:

The property is located at the southeast corner of North Taylor Road and Daffodil Avenue. The tract has 317 feet of frontage along North Taylor Road and a depth of 193 feet for a total area of 1.40 acres. The property was zoned A-O (agricultural-open space) District upon annexation in 1986 and there have been no other rezoning requests for the subject property. A single family residence is located on the subject property. The applicant has not determined a specific commercial use but is requesting C-3 (general business) District. A subdivision plat has not been submitted.

The adjacent zoning is R-1 (single family residential) District to the north, A-O (agricultural-open space) District to the east and south, and R-4 (mobile home/manufactured home) District to the northeast and southeast. The area to the west is in the City of Mission. A rezoning request for R-3C (multifamily residential condominium) District to the south of the subject property and adjacent to Adobe Wells Subdivision was approved in 2009 but no construction has commenced. Surrounding land uses are single family residential, Adobe Wells Mobile Home Park, and vacant land.

- The requested zoning does not conform to the Suburban Commercial land use designation for the area as indicated on the Foresight McAllen Comprehensive Plan.
- The rezoning trend for properties in this area is R-1 (single family residential) District and R-4 (mobile home) District.
- C-3 District allows gasoline service stations, automotive sales and service, hotels and motels, wholesale trade and bars with a Conditional Use Permit (CUP) that are not in character with the surrounding neighborhood. C-3 District is generally located along commercial corridors such as principal arterials and at major centers.
- C-3L District combines C-1 (office building) District and C-2 (neighborhood commercial)

District with retail uses that are compatible with adjacent residential zones. Gasoline service stations, gasoline sales, bars and nightclubs are not allowed within a C-3L (light commercial) District.

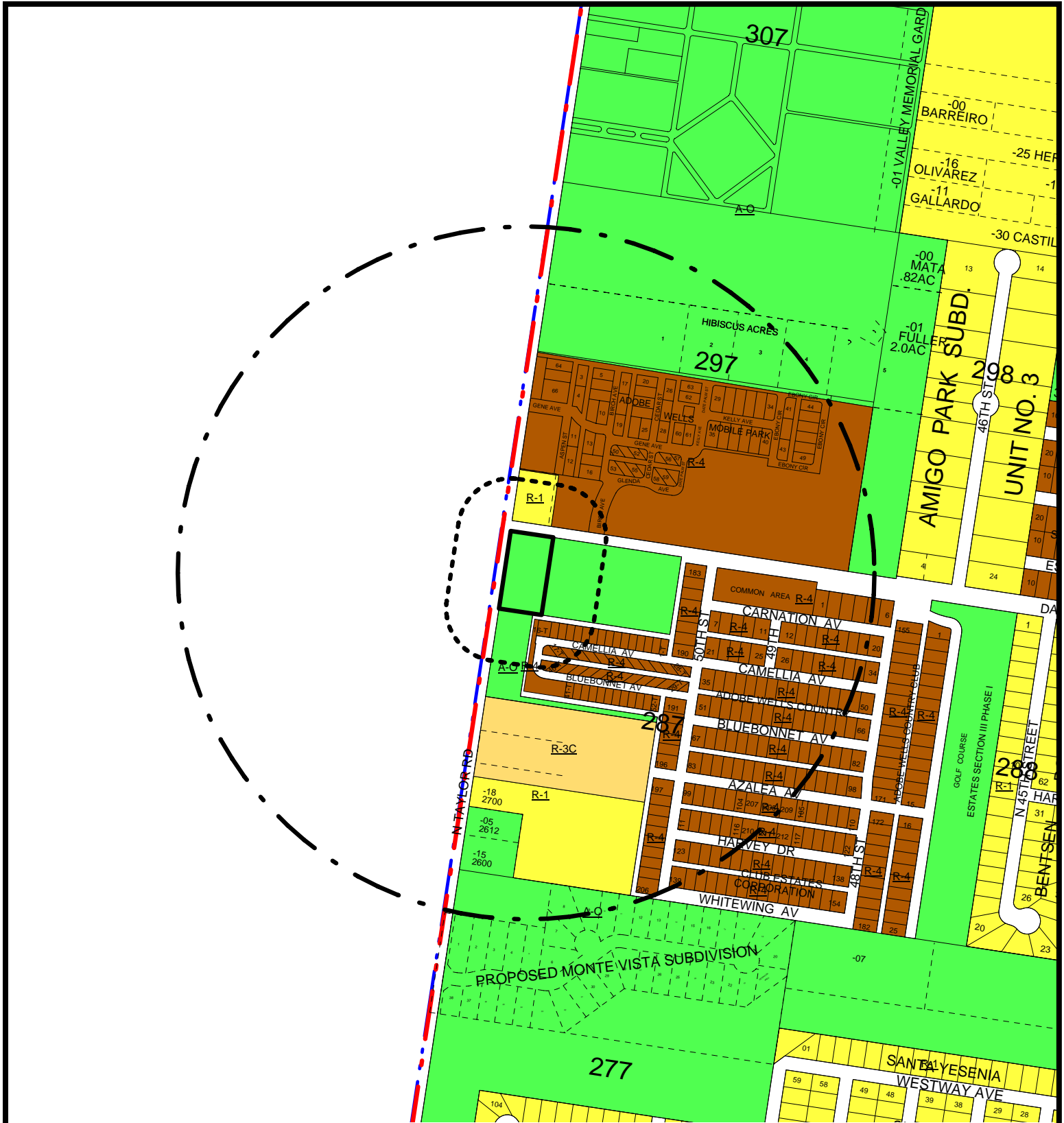
- Taylor Road is designated as a major collector street with 80 feet of right-of-way and is constructed as a 2 lane rural roadway with 22 feet of pavement with 2 travel lanes, no sidewalks, no curb and gutter or shoulders and has a posted speed limit of 30 miles per hour. Daffodil Avenue is designated as a major collector street with 80 feet of right-of-way and is constructed as a rural roadway, no sidewalks, no curb and gutter or shoulders and has a posted speed limit of 35 miles per hour.
- Trees with a caliper of 20 inches or greater in commercial zones are protected and require a permit for removal.
- A recorded subdivision plat maybe required prior to issuance of a building permit if the existing building is removed or if the property was split after October 15, 1973.
- Conversion of the existing residence to commercial use requires compliance with building and fire codes, off-street parking, landscaping buffers, and site plan approval.

OPTIONS:

1. Approve the rezoning request.
2. Table the item for a) consideration by a full board, b) additional information, c) additional time for applicant and adjacent property owners to meet on zoning issues or d) further study by the Planning and Zoning Commission of rezoning the area.
3. Disapprove the request and alternatively recommend a lesser zone district.
4. Disapprove the rezoning request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of December 18, 2012 on person appeared in opposition of the rezoning request. Mr. Dan Monopoly commented that the increased traffic was a concern. Following discussion, the Board voted to recommend disapproval of the C-3 (general business) District rezoning request and alternatively recommend approval of C-3L (light commercial) District which is in line with the Foresight McAllen Comprehensive Plan. The applicant indicated that C-3L (light commercial) District would be acceptable.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

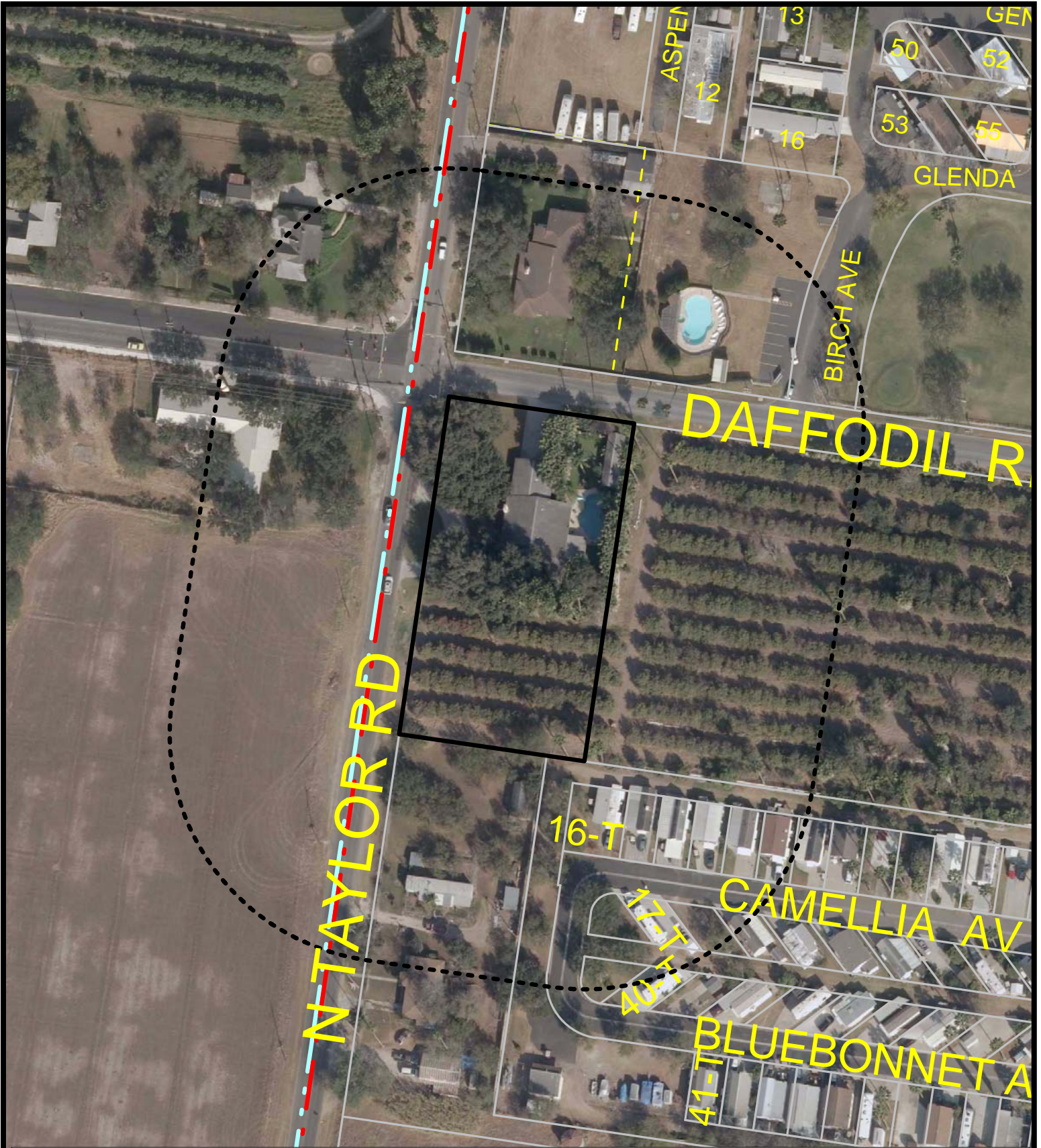
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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CITY OF McALLEN
 PLANNING DEPARTMENT

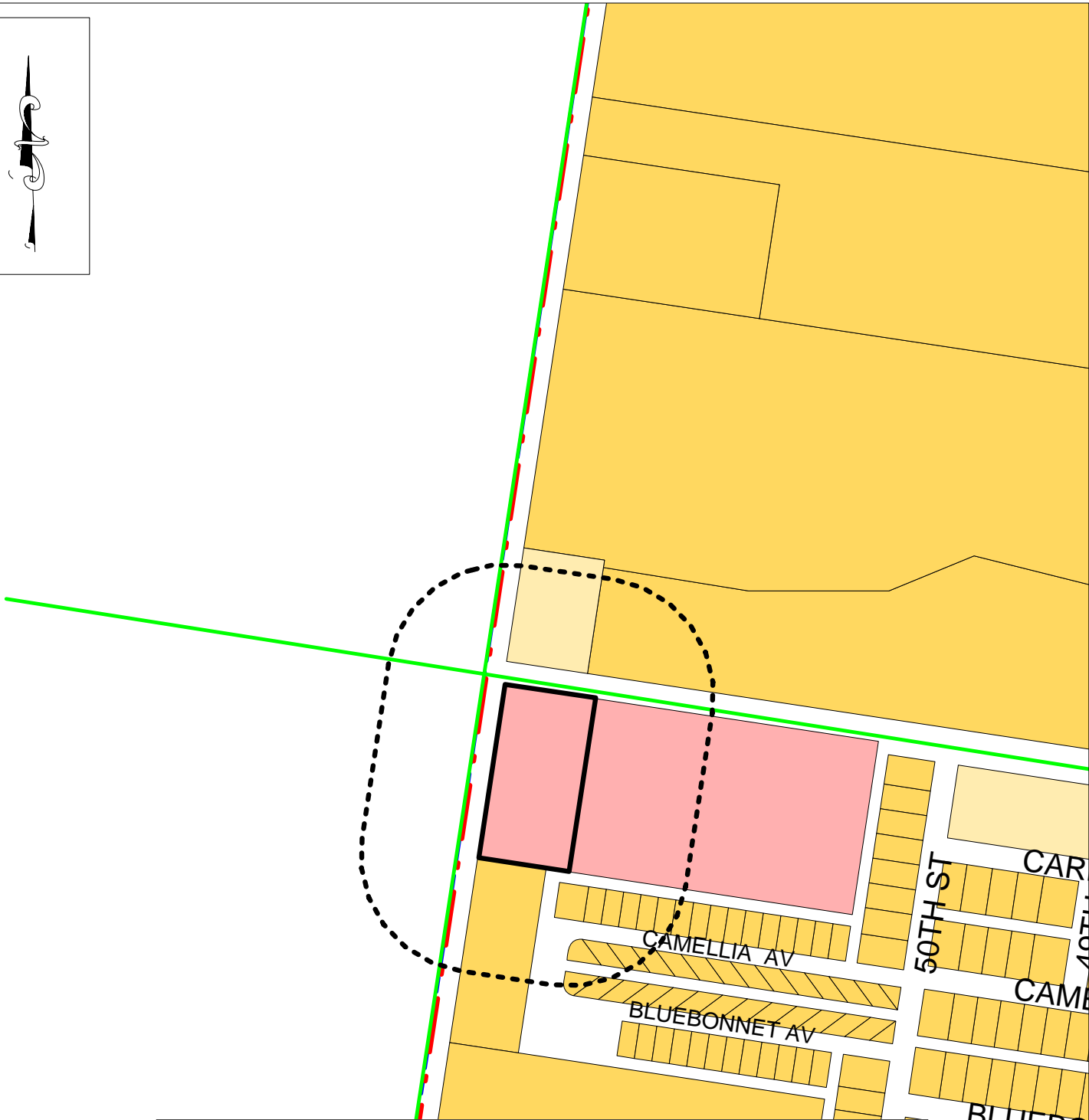
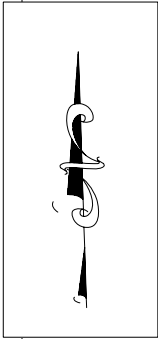
AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN	
VAC - VACANT	SCM - SUBURBAN COMMERCIAL
EST - ESTATE	URC - URBAN CENTER
SUBR - SUBURBAN RESIDENTIAL	UCH - URBAN CENTER HIGH
AUSF - AUTO URBAN SINGLE FAMILY	IND - INDUSTRIAL
USF - URBAN SINGLE FAMILY	SPUS - SPECIAL USES, CIVIC, PUBLIC
AUMF - AUTO URBAN MULTIFAMILY	PRK - CITY PARKS
UMF - URBAN MULTIFAMILY	OPS - OPEN SPACE
UMX - URBAN RESIDENTIAL MIXED	AGR - AGRICULTURE
AUCM - AUTO URBAN COMMERCIAL	WTBY - WATER BODIES

LEGEND
SCALE: 1" = 500 FT
APPROVED: DECEMBER 10, 2007

THOROUGHFARE PLAN	
GRADE SEPARATION (INTERCHANGE)	EXPRESSWAY 350'
PARKWAY 350'	HI-SPEED ARTERIAL 150'
PRINCIPAL ARTERIAL 120'	MINOR ARTERIAL 100'
COLLECTOR 80'	ALTERNATIVE ALIGNMENT
MCALLEN CITY LIMITS	MCALLEN ETJ

A COMPREHENSIVE PLAN SHALL NOT CONSTITUTE ZONING REGULATIONS OR ESTABLISH ZONING DISTRICT BOUNDARIES. SEC. 219.005 LGC

WHITEWING

**NOTICE
REZONING**

For

**This Property
REZ2012-0050**

 City of McAllen Planning Dept - 681-1250
www.mcallen.net

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION _____ X _____
UTILITY BOARD _____
PLANNING & ZONING BOARD _____
OTHER _____

AGENDA ITEM _____ 1A5
DATE SUBMITTED _____ 1/08/13
MEETING DATE _____ 1/14/13

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Marc Martinez

3. Nature of Request: (Brief Overview) Attachments: X Yes _____ No

Appeal the decision of the Planning and Zoning Commission of the December 18, 2012 meeting, denying the request of Marc Martinez, for a Conditional Use Permit, for one year, for a bar at Lots 1, 2, 3, and 4, The District at McAllen Subdivision; 3300 North McColl Road, Suites P & Q.

4. Policy Implication: _____

5. Budgeted: _____ Yes _____ No _____ N/A

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____

6. Alternate option costs: _____

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE YES/NO
a) <u>Julianne R. Rankin</u> Director of Planning	<u>JRR</u>	<u>1/8/13</u>	<u>No</u>
b) _____	_____	_____	_____

8. Staff's Recommendation: Disapproval of the request due to non-compliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance.

9. Advisory Board: Approved X Disapproved _____ None
With a favorable recommendation to grant the variance to the 600 ft. distance requirement and the added condition to provide extra security and trash pickup at least an hour after closing.

10. City Attorney: KP Approved _____ Disapproved _____ None

11. Manager's Recommendation: MRP Approved _____ Disapproved _____ None

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel Garza III, Chairperson, Planning and Zoning Commission L.G.

DATE: January 8, 2013

SUBJECT: APPEAL THE DECISION OF THE PLANNING AND ZONING COMMISSION OF THE DECEMBER 18, 2012 MEETING, DENYING THE REQUEST OF MARC MARTINEZ, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT LOTS 1, 2, 3, AND 4, THE DISTRICT AT MCALLEN SUBDIVISION; 3300 NORTH MCCOLL ROAD, SUITES P AND Q.

GOAL:

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

BRIEF DESCRIPTION:

The property is located on the east side of North McColl Road, approximately 140 ft. north of East Fern Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, south, and west and R-3A (multifamily residential apartment) District to the east. Surrounding land uses include the commercial businesses, offices, restaurants, and multi-family residences and vacant land. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

The initial Conditional Use Permit was approved for a nightclub (Club 33) at this location for one year, on appeal to the City Commission, on June 8, 2009. The City Commission approved the conditional use permit request with a variance to the distance requirement and other provisions to keep litter at a minimum on this property and on adjacent properties. The last permit was approved by the City Commission on June 11, 2012.

The prior establishment is no longer operating and closed for approximately a month. There is now a new applicant who has applied for a permit to operate a bar (pool hall). The hours of operation will be from 12:00 p.m. to 2:00 a.m. seven days a week.

Attached is the police activity report indicating service calls for the previous establishment (Club 33) from May 2012 to present. The Health and Fire Departments have inspected the establishment and is in compliance with health and safety codes and regulations. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to the conditions of the permit. 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 McColl Road and East Fern Avenue, and does not generate traffic onto residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as 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. Based on the square footage and uses, excluding La Pampa and existing nightclubs, to run simultaneously during business hours (8 a.m. to 7 p.m.), 140 parking spaces are required. The proposed bar would require 68 parking spaces; 274 parking spaces are provided on the common parking area in the front and rear of the building. For the businesses that are after hours (La Pampa and the existing and proposed nightclubs) to run simultaneously, 303 parking spaces are required. There is a mutual access agreement, which allows the use of parking and access in and across Lots 1 through 5, 6A, and 6B of The District of McAllen Subdivision and Lot 9, 10, and 11 of The District of McAllen Phase II Subdivision. The 29 parking spaces to comply with the parking requirements will be utilized from Lot 6A;
- 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. Should this permit be granted, then the condition of keeping litter at a minimum on this property and on adjacent properties be maintained; 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 occupancy of the establishment was determined at the time of building permit for a total of 382 persons, of which 291 are allowed in the first floor and 91 persons in the second floor.

OPTIONS:

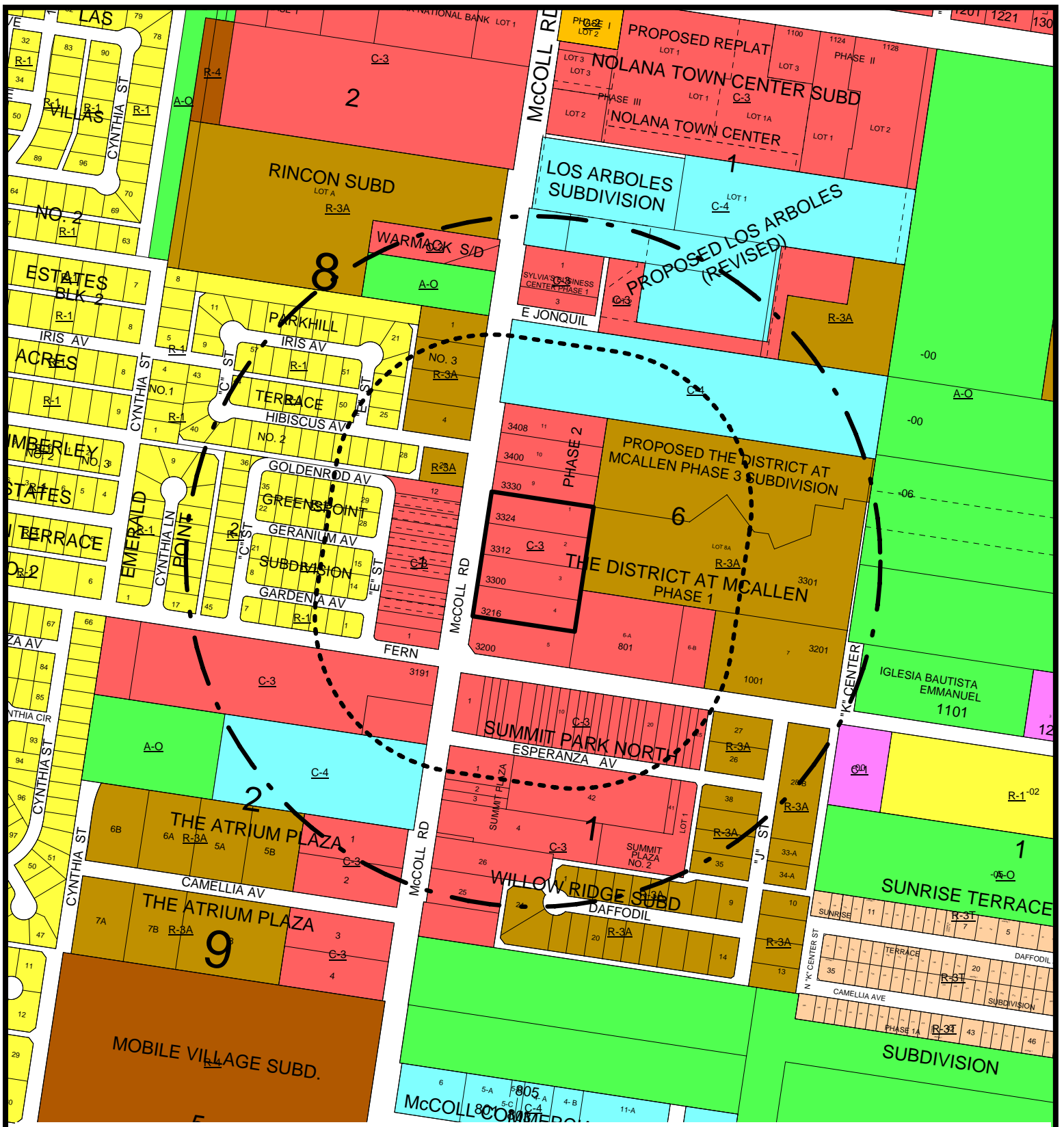
1. Disapprove the Conditional Use Permit.
2. Table the item for additional information.

RECOMMENDATION:

This request was heard at the December 18, 2012 Planning and Zoning Commission meeting. There was no one present in opposition to the request.

Mr. Marc Martinez, the applicant, was present and stated that he was aware of the issue with trash around adjacent properties. He has met with the landlord and the other tenants of the other nightclubs to come to a better understanding and agreement on the trash pickup days and times. The applicant agreed to have extra security patrolling and keep litter to a minimum after the establishment has closed.

Following discussion of the item, the board unanimously voted to disapprove the request due to noncompliance with requirement #1 (distance) of Section 138-118(4) of the Zoning Ordinance but with a favorable recommendation to grant the variance to the distance requirement and an added condition to provide extra security and nightly trash pickup for at least one hour after closing. There were six members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

600 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLIX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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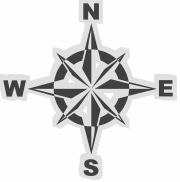


CITY OF MCALLEN
PLANNING DEPARTMENT

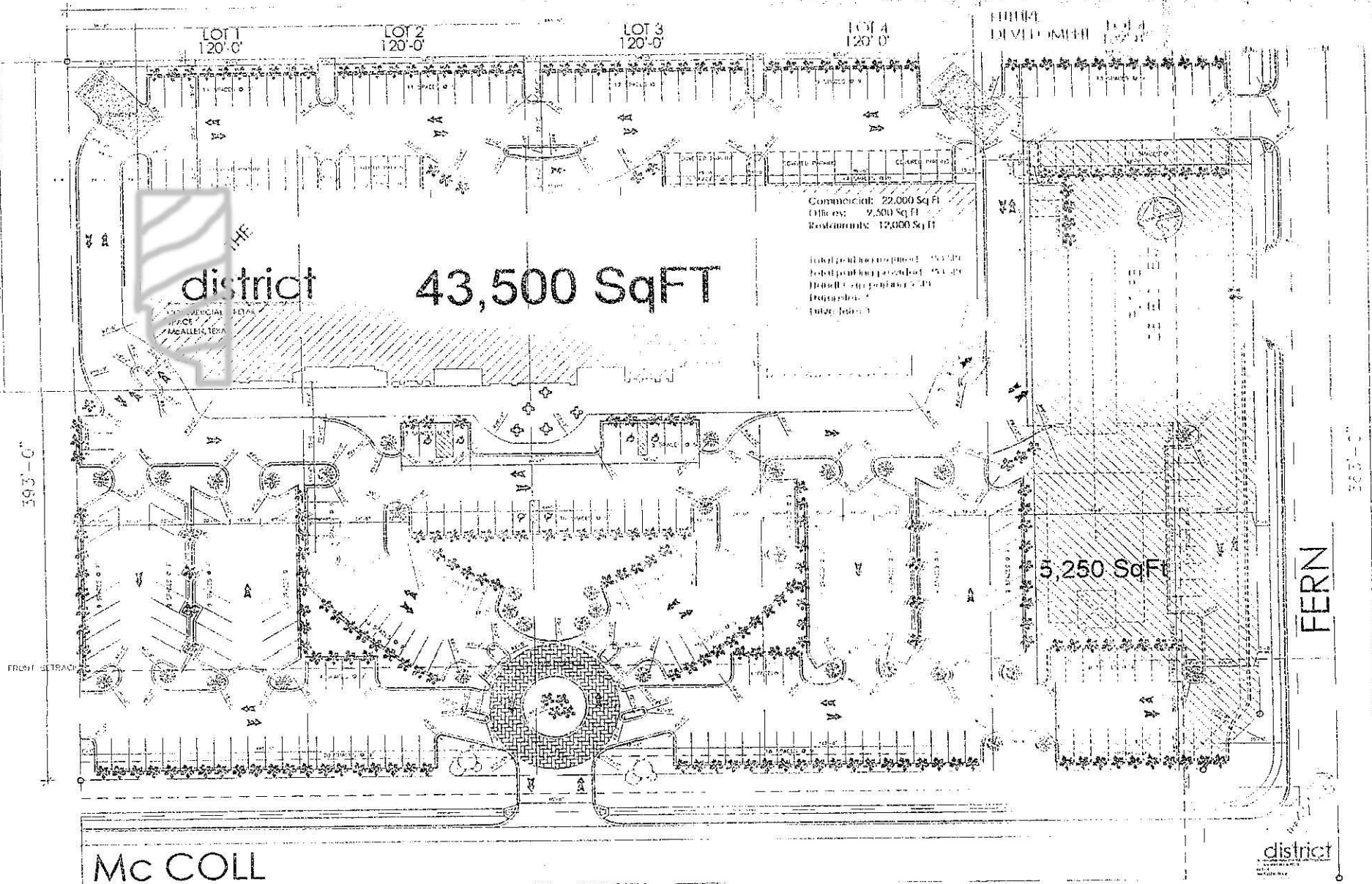
AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

 600 FT. NOTIFICATION BOUNDARY



on ground survey and represent approximate relative location of property boundaries.



district

43,500 SqFT

Commercial: 22,000 Sq Ft
 Office: 9,500 Sq Ft
 Restaurant: 12,000 Sq Ft

Total parking provided: 150 spaces
 Total parking provided: 150 spaces
 Total parking provided: 150 spaces
 Total parking provided: 150 spaces
 Total parking provided: 150 spaces

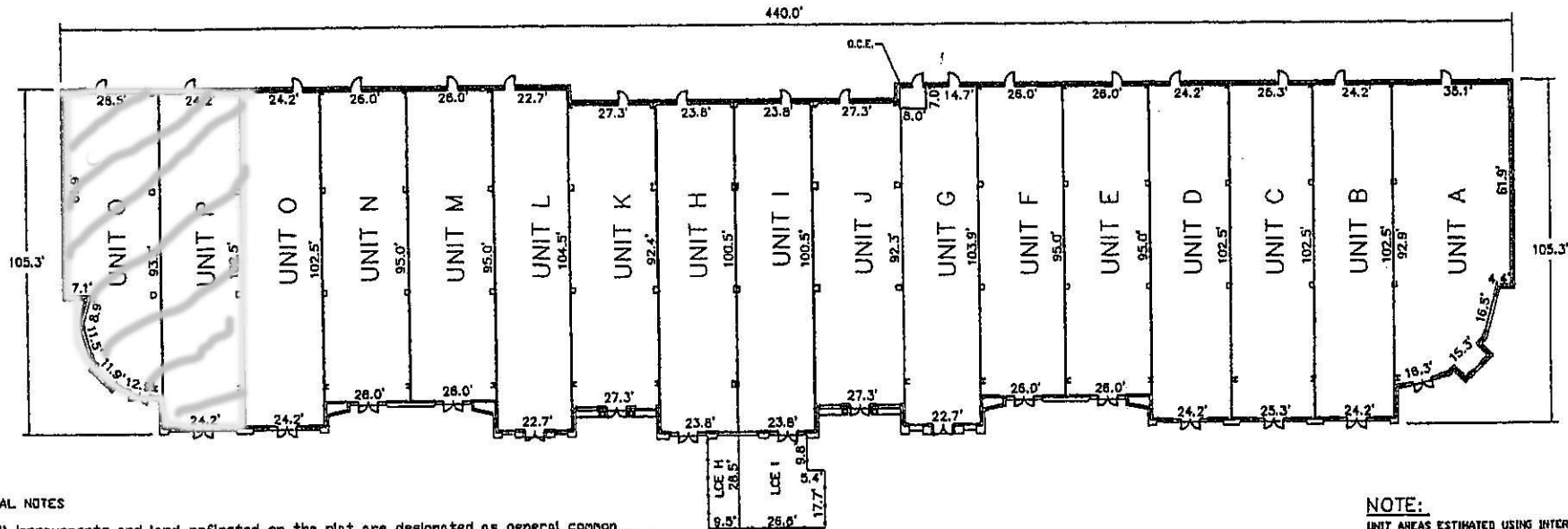
5,250 SqFT

Mc COLL

FERN

district

SITE PLAN



GENERAL NOTES

- All improvements and land reflected on the plat are designated as general common elements, save and except portions of the regime designated as LCE or units: (i) in the Declaration of Condominium Regime For The District at McAllen Condominiums (the "Declaration") or (ii) on the plats and plans of the regime.
- Ownership and use of condominium units is subject to the rights and restrictions contained in the Declaration.
- Each unit, building limited common element and general common element is subject to special rights reserved by the Declarant as provided provision A.4 of Exhibit 'A' to the Declaration. Pursuant to such provisions, among other things, Declarant has reserved the right to (i) complete or make improvements indicated on the plat and plans, as provided in Provision A.4(i) of Exhibit 'A' to the Declaration; (ii) exercise any development right permitted by the Texas Uniform Condominium Act (the "Act") and the Declaration, including the addition of all or any portion of the Additional Property to the regime described on this plat as "Additional Property Which May Be Added to the Regime" or "Subject to Development Rights", which property may be added as units, general common elements and/or limited common elements, as provided in Section 2.2 of the Declaration and Provision A.4(ii) of Exhibit 'A' to the Declaration; (iii) make the property part of a larger condominium or planned community, as provided in Provision A.4(iii) of Exhibit 'A' to the Declaration; (iv) use units owned or leased by Declaration as models, storage areas, and offices for the marketing, management, maintenance, customer service, construction, and leasing of the property, as provided in Provision A.4(iv) of Exhibit 'A' to the Declaration, and (v) appoint or remove any Declarant-appointed officer or director of the Association during the Declarant-appointed officer or director of the Association during the Declarant control period (as defined in the Declaration) consistent with the Act, as provided in Provision A.4(vii) of Exhibit 'A' to the Declaration. As provided in Provision A.4 (v) of Exhibit 'A' to the Declaration, for purposes of promoting, identifying, and marketing the property, Declarant reserves an easement and right to place or install signs, banners, flags, display lighting, potted plants, exterior decorative items, seasonal decorations, temporary window treatments, and seasonal landscaping on the property including items and locations that are prohibited to other owners. Declarant reserves an easement and right to maintain, relocate, replace, or remove the same from time to time within property. As provided in Provision A.4(vi) of Exhibit 'A' to the Declaration, Declarant has an easement and right of ingress and egress in and through the common elements (as defined in the Declaration) and units owned or leased by Declarant for purposes of constructing, maintaining, managing, and marketing the property, and for discharging Declarant's obligations under the Act and the Declaration.

NOTE:

UNIT AREAS ESTIMATED USING INTERIOR WALL AND COLUMN ALIGNMENT.
G.C.E. - GENERAL COMMON ELEMENT

LEGEND

LCE I	Assigned to Unit I
LCE J	Assigned to Unit J

EXHIBIT "B-2"
THE DISTRICT AT McALLEN CONDOMINIUMS
3300 NORTH McCOLL
McALLEN, TX. 78501

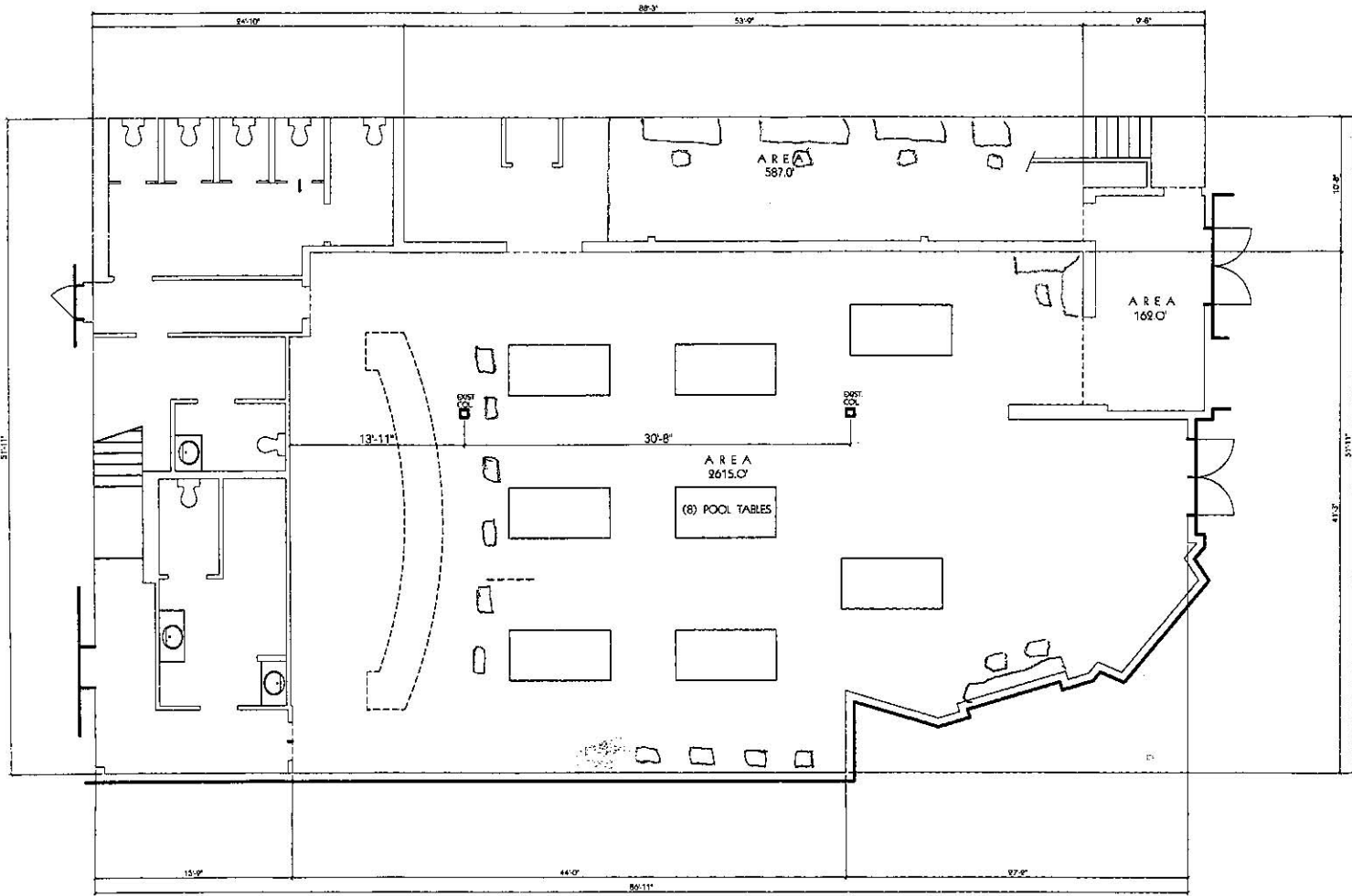
DATE PREPARED: JAN. 2003

Sigler,
Whiston,
Greenwood,
& Associates, Inc.
SWG
CONSULTING ENGINEERS
WESLACO-McALLEN
TEXAS

SINCE 1946
COPYRIGHT 2003

PREPARED BY:
SIGLER, WHISTON, GREENWOOD & ASSOCIATES, INC.
1604 E. HWY. 83 WESLACO, TX.
(936) 688-2194
(936) 688-8200
EMAIL: SWG@SWG-INC.COM

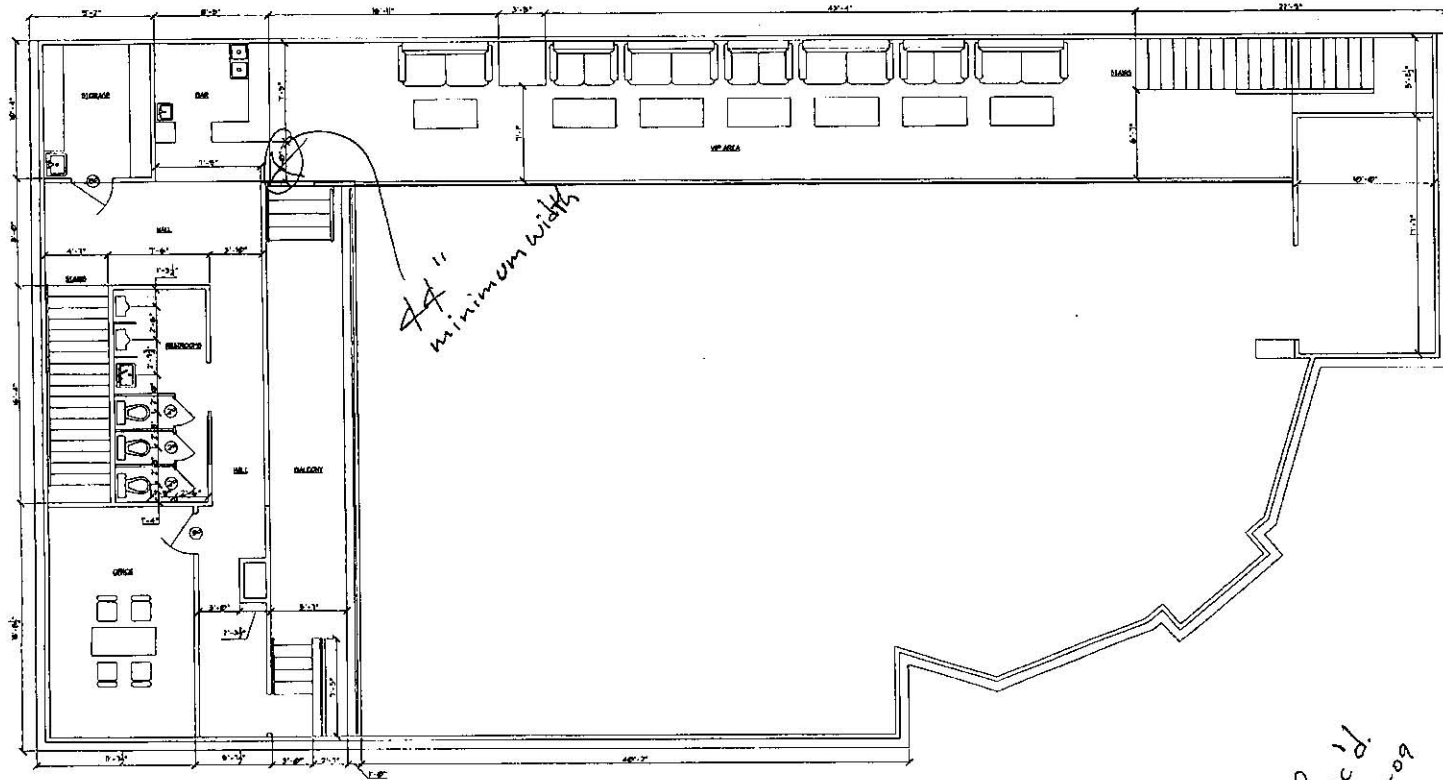
COPYRIGHT 2003 SIGLER, WHISTON, GREENWOOD
AND ASSOCIATES, INC.



EXIST. CLUB BLDG. LAYOUT
TOTAL EXIST. AREA 4341.0'

First Floor

South Texas Design
 PROJECT
 OWNER + BUILDER
 SCALE 1/8" = 1'-0"
 2020005
 CONSULTANT SHALL VERIFY ALL
 CONDITIONS AND ASSUMPTIONS AT
 THE TIME OF VISITATION AND
 SHALL BE RESPONSIBLE FOR ANY
 DISCREPANCIES BETWEEN THE
 CONTRACT DOCUMENTS AND THE
 ACTUAL CONDITIONS OF THE
 PROJECT.



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

Rec'd
7-02-09
@

Second Floor

DRAWING TITLE	SECOND FLOOR FLOOR PLAN
PROJECT	N. 3300 MCCOLL RD. MCALLEN, TEXAS
THESE DRAWINGS AND SPECIFICATIONS SHALL NOT BE USED, REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE ENGINEERING CORPORATION TO WHICH THEY BELONG.	<p>REC'D JASTINE HOG & SUITE 401 MCALLEN, TEXAS 78501 PH: (956) 992-0951 MECHANICAL LUBBERS Texas Registered Engineering Firm F-8517</p>
DRAWN BY	REVISIONS
CHECKED BY	DATE
DATE	GROUP
DRAWING NO.	A1.2

**MCALLEN POLICE DEPARTMENT
RE: CALLS FOR SERVICE/3300 N MCCOLL RD**


MAY 2012 - PRESENT

<u>DATE</u>	<u>TIME</u>	<u>INC#</u>	<u>INCIDENT TYPE</u>	<u>STREET ADDRESS</u>
9/28/2012	17:42	201200092183	ALARMS	3300,N,MCCOLL,RD,,
6/24/2012	2:19	201200058278	ASSIST OTHER AGENCY	3300,N,MCCOLL,RD,,
6/3/2012	2:10	201200051278	C/A PERSON J/OCCURED	3300,N,MCCOLL,RD,,
6/24/2012	0:37	201200058242	C/A PERSON J/OCCURED	3300,N,MCCOLL,RD,,
9/2/2012	2:19	201200083002	C/A PERSON J/OCCURED	3300,N,MCCOLL,RD,,
8/26/2012	0:18	201200080355	C/A PERSON J/OCCURED	3300,N,MCCOLL,RD,,
6/3/2012	2:43	201200051281	C/A PERSON J/OCCURED	3300,N,MCCOLL,RD,,
5/6/2012	3:18	201200041514	CRIME AGAINST PERSON	3300,N,MCCOLL,RD,,
5/19/2012	22:51	201200046274	CRIMES AGAINST PROPERTY	3300,N,MCCOLL,RD,,
5/20/2012	2:52	201200046347	CRIMINAL MISCHIEF	3300,N,MCCOLL,RD,,
8/19/2012	2:26	201200078000	DISTURBANCE	3300,N,MCCOLL,RD,,
10/21/2012	1:58	201200100185	DISTURBANCE	3300,N,MCCOLL,RD,,
5/4/2012	2:36	201200040670	DISTURBANCE	3300,N,MCCOLL,RD,,
7/15/2012	1:37	201200065664	DISTURBANCE	3300,N,MCCOLL,RD,,
10/7/2012	1:41	201200095200	DISTURBANCE	3300,N,MCCOLL,RD,,
9/2/2012	1:18	201200082990	DISTURBANCE	3300,N,MCCOLL,RD,,
6/10/2012	1:21	201200053538	DISTURBANCE	3300,N,MCCOLL,RD,,
10/14/2012	2:47	201200097674	DISTURBANCE	3300,N,MCCOLL,RD,,
7/29/2012	7:43	201200070531	DISTURBANCE	3300,N,MCCOLL,RD,,
5/6/2012	0:09	201200041426	DISTURBANCE	3300,N,MCCOLL,RD,,
7/1/2012	1:30	201200060585	DISTURBANCE	3300,N,MCCOLL,RD,,
5/10/2012	12:45	201200042933	HARRASSMENT ALREADY OCCURRED	3300,N,MCCOLL,RD,,
6/9/2012	22:33	201200053493	LOUD NOISE COMPLAINT	3300,N,MCCOLL,RD,,
10/21/2012	4:18	201200100225	LOUD NOISE COMPLAINT	3300,N,MCCOLL,RD,,
6/30/2012	1:15	201200060198	PUBLIC MORALS	3300,N,MCCOLL,RD,,
5/4/2012	23:16	201200041030	PUBLIC MORALS	3300,N,MCCOLL,RD,,
6/30/2012	22:17	201200060524	REQUEST OFFICER	3300,N,MCCOLL,RD,,
8/12/2012	1:43	201200075515	REQUEST OFFICER	3300,N,MCCOLL,RD,,
8/24/2012	21:48	201200079950	SUSPS SUBJ/CIRCUMST	3300,N,MCCOLL,RD,,
5/22/2012	21:27	201200047285	SUSPS SUBJ/CIRCUMST	3300,N,MCCOLL,RD,,
8/5/2012	1:21	201200073013	TRAFFIC HAZARD	3300,N,MCCOLL,RD,,

Previous tenant



**NOTICE
BAR
For
This Property
CUP 2012-0189**

 City of McAllen Planning Dept - 681-1250
www.mcallen.net

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 1A6 </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 12/7/12 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 1/14/13 </u>
OTHER	<u> </u>		

1. Agenda Item: Conditional Use Permit

2. Party Making Request: City of McAllen Parks and Recreation

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Request of City of McAllen Parks and Recreation, for a Conditional Use Permit, for life of the use, for an institutional use (soccer complex) at 20.34 acres out of lots 105 and 106, La Lomita Irrigation & Construction Company's Subdivision and out of Lot 1, McAllen Independent School District Subdivision No. 9, Hidalgo County, Texas: 4201 North 29th Street.

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid Amount:	<u> </u>	Budgeted Amount:	<u> </u>
Under Budget:	<u> </u>	Over Budget:	<u> </u>
		Amount Remaining:	<u> </u>

6. Alternate option costs: _____

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE <u>YES/NO</u>
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a) <u> Julianne R. Rankin </u>	<u> JRR </u>	<u> 1/8/13 </u>	<u> Yes </u>
Director of Planning			

b) _____	<u> </u>	<u> </u>	<u> </u>
----------	---------------	---------------	---------------

8. Staff's Recommendation: Staff recommends approval of the request, for life of the use, subject to developing an additional parking lot and pursuing a parking agreement, the Zoning and Subdivision Ordinance, Building permit requirements, and Fire Department requirements.

9. Advisory Board: x Approved Disapproved None
Recommend approval of the request, for life of the use, subject to complying with parking requirements, the Zoning and Subdivision Ordinance, Building permit requirements, and Fire Department requirements.

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel R. Garza III, Chairman, Planning & Zoning Commission L.G.

DATE: December 7, 2012

SUBJECT: REQUEST OF CITY OF MCALLEN PARKS AND RECREATION, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (SOCCER COMPLEX) AT 20.34 ACRES OUT OF LOTS 105 AND 106, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION AND OUT OF LOT 1, MCALLEN INDEPENDENT SCHOOL DISTRICT SUBDIVISION NO. 9, HIDALGO COUNTY, TEXAS; 4201 NORTH 29TH STREET.

GOAL:

A Conditional Use Permit is to allow the compatible and orderly development, within the city, of uses which may be suitable only in certain locations in a zoning district if developed in a 1) specific way or, 2) only for a limited period of time, 3) is required for all conditional uses as set forth in the conditional use paragraph of each district, and 4) at no time may a structure or property be adapted to a conditional use without first obtaining a conditional use permit.

BRIEF DESCRIPTION:

The property is located on the south side of Buddy Owens Blvd. and on the east side of North 34th Street. The property is zoned A-O (agricultural & open space) District. The adjacent zoning is A-O District to the south and west, R-1 (single family residential) District and C-2 (Neighborhood Commercial) to the east, and A-O, R-1, C-2, and C-3L (light commercial) District to the north. The surrounding land uses include De Leon Middle School, The Boys and Girls Club, offices, single family residences and vacant land. An institutional use is permitted in an A-O zone with a conditional use permit and in compliance with requirements.

The applicant is proposing to expand the existing soccer field facility adjacent to De Leon Middle School. There is currently vacant land on the property with sporadic fences and goals placed throughout the site. The existing stadium will be relocated and provide for additional seating. The applicant is proposing to construct eight additional soccer fields, and two football fields to the north and west of De Leon Middle School.

There are 345 additional parking spaces proposed that will be located on the south portion of the property, along North 34th Street, and on the north side along Buddy Owens Blvd. The site plan also shows proposed maintenance buildings, a concession stand, restrooms, a playground, and a grand promenade.

The required parking for the ten new fields is 300 parking spaces (30 parking spaces per field). Based on one parking space per two and a half seats in the stadium, 720

parking spaces are required for the 1,800 fixed seats in the stadium; for a total of 1,020 required parking spaces. There are currently 785 parking spaces provided with a plan to add an additional 345 spaces for a total of 1,130 provided parking spaces leaving 110 extra.

In case of large events, the applicant has stated that bleachers will be placed into the stadium to allow for a total capacity of 4000 seats. Based on one parking space per two and a half seats in the stadium 1,600 parking spaces are required making the site short on parking by 770 spaces.

Staff has spoken with the Parks and Recreation Department who has stated that they are looking into developing an additional parking lot on school grounds that will accommodate approximately 150 cars. They are also pursuing a parking agreement with Target to accommodate overflow parking.

A building permit will be required and will be subject to complying with all the requirements. The Fire Department will have to conduct a final inspection upon completion of construction for compliance with safety codes and regulations. 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 site plan submitted for the parking lot shows proposed access along Buddy Owens Blvd and N 34th Street;
- 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. Based on 30 parking spaces per field, the required parking is 300 parking spaces for the ten new fields. The stadium will have a seating capacity of 1,800 which requires 720 parking spaces (1 space for every 2.5 seats). A total of 1,020 parking spaces are required. There are currently 785 parking spaces provided with a plan to add an additional 345 spaces for a total of 1,130 provided parking spaces leaving 110 extra. In case of large events, the applicant has stated that bleachers will be placed in the stadium to allow for a total capacity of 4000 seats. Based on one parking space per two and a half seats in the stadium 1,600 parking spaces would be required. The applicant is planning on developing an additional parking lot and pursuing a parking agreement;
- 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 those allowed by the Fire Marshal and Building Official at the time of permit issuance; and
- 7) Sides adjacent to commercially and residentially zoned or used properties shall be screened by a 6 ft. opaque fence.

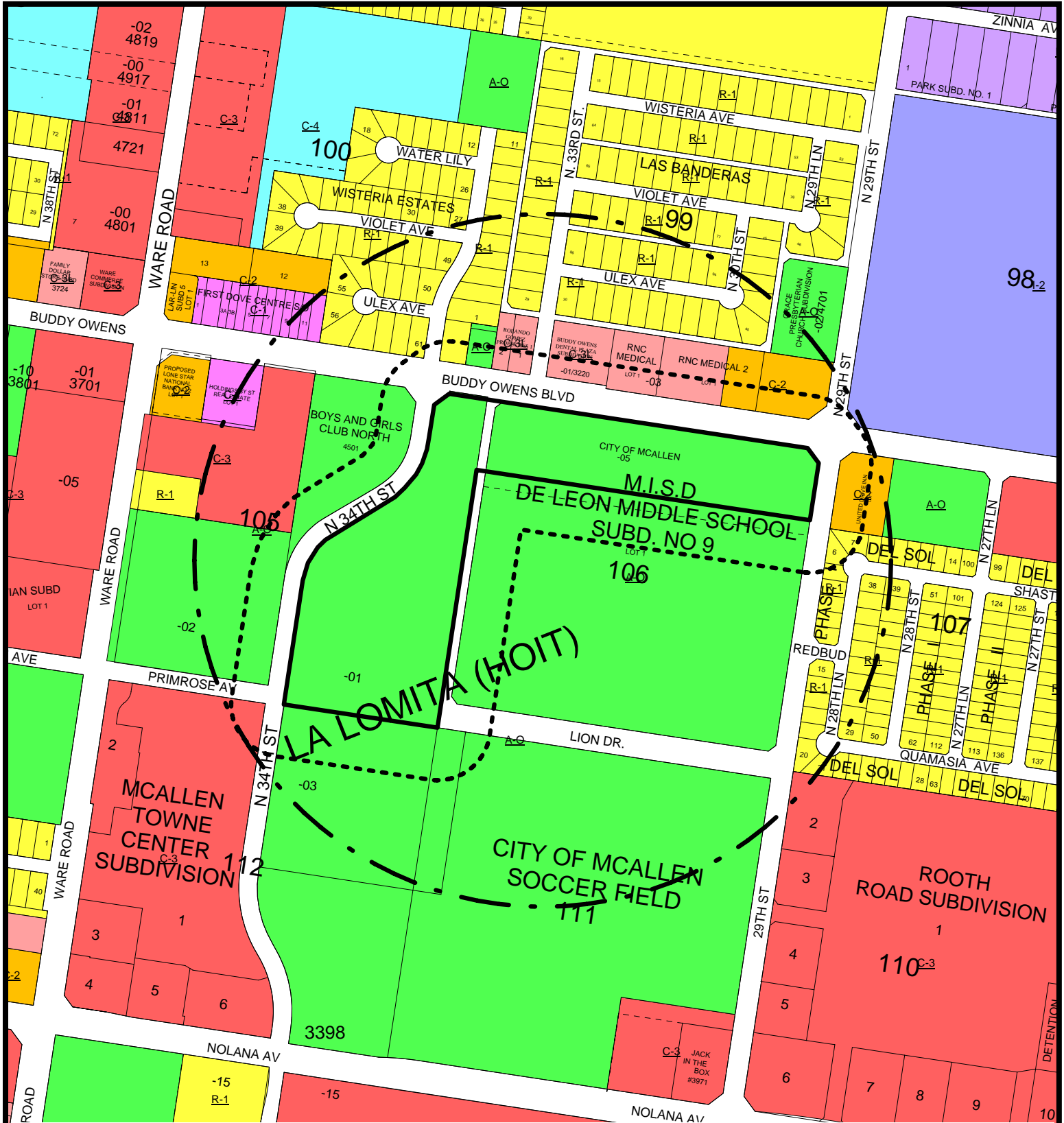
OPTIONS:

1. Approve the Conditional Use Permit.
2. Approve the Conditional Use Permit for one year.
3. Table the item for additional information.
4. Disapprove the request.

RECOMMENDATION:

This request was heard at the December 4, 2012 Planning & Zoning meeting. The board expressed some concerns with parking. There was no one there in opposition. Sally Gavlik, Director of the Parks & Recreation Department, addressed the board and indicated that they were working with the school district and Target to provide for additional parking. Also, when the stadium would be at full capacity, the adjacent fields would not be utilized.

After a brief discussion the board voted to unanimously to recommend approval of the request subject to the complying with parking requirements, Zoning and Subdivision Ordinance, building permit requirements, and fire department requirements. There were six members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

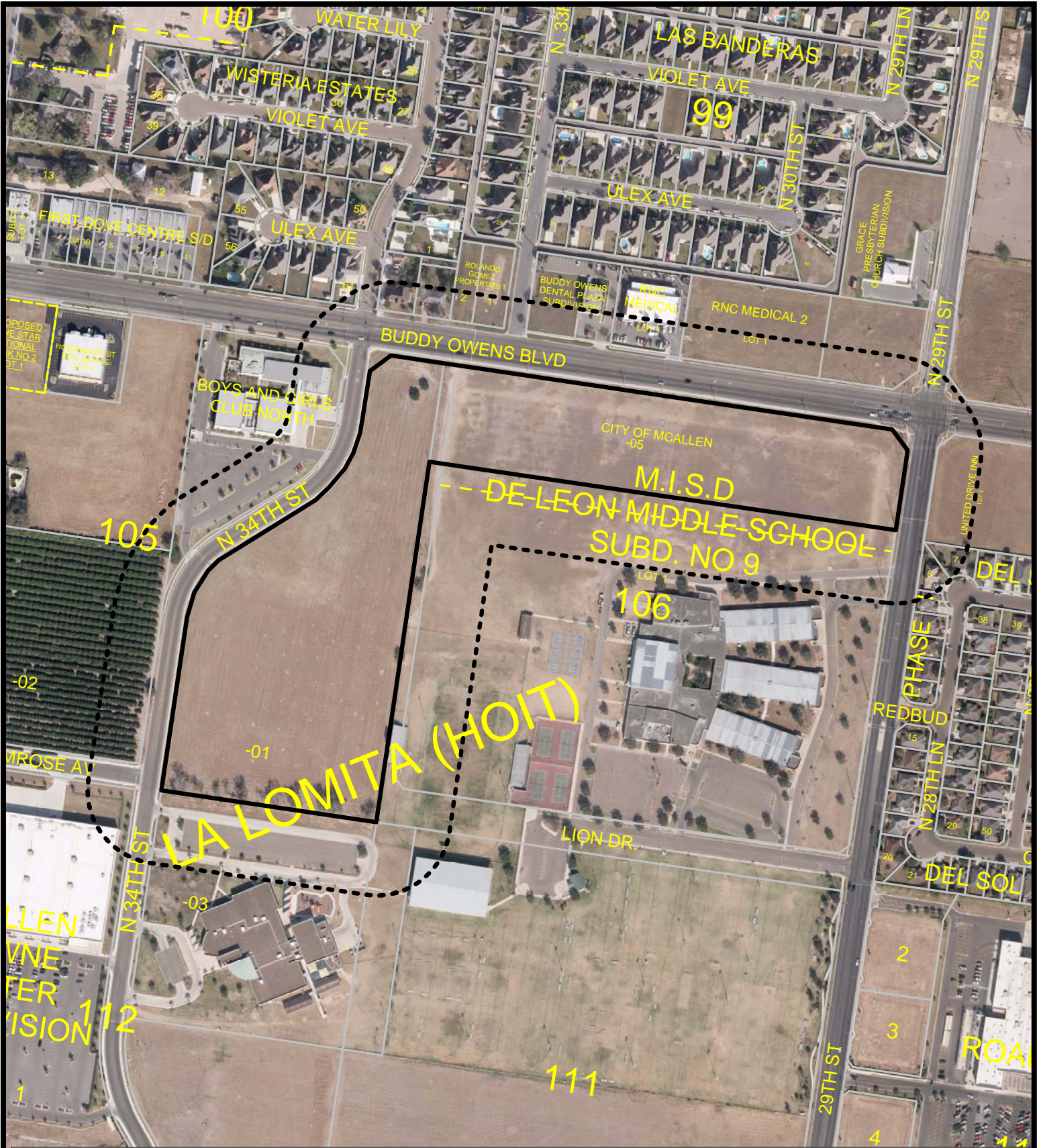
- SUBJECT PROPERTY
- 200 FT. NOTIFICATION BOUNDARY
- 1/4 MILE RADIUS



ZONING LEGEND

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



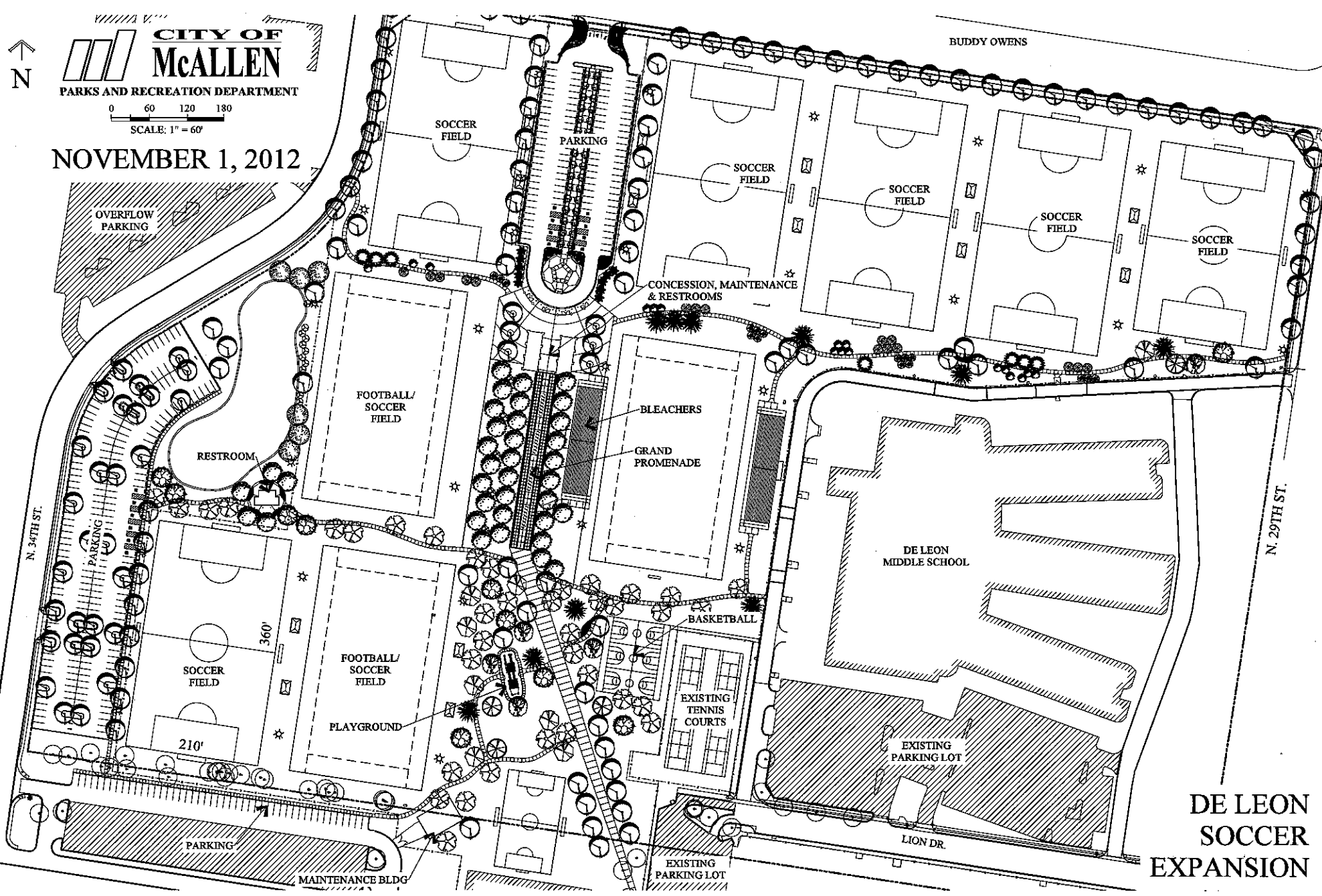
on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
 PARKS AND RECREATION DEPARTMENT

0 60 120 180
 SCALE: 1" = 60'

NOVEMBER 1, 2012



**DE LEON
 SOCCER
 EXPANSION**

**NOTICE
INSTITUTIONAL
For
This Property
CUP2012-0185**
City of McAllen Planning Dept - 681-1250
www.mcallen.net

CITY OF MCALLEN
STANDARDIZED RECOMMENDATION FORM

1C
01/03/13
01/14/13

CITY COMMISSION X
 UTILITY BOARD _____
 PLANNING & ZONING BOARD _____
 OTHER _____

AGENDA ITEM _____
 DATE SUBMITTED _____
 MEETING DATE _____

1. Agenda Item: Zoning Ordinance

2. Party Making Request: Kevin D. Pagan, City Attorney

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Ordinance Amending the Zoning Ordinance


4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid Amount: _____ Budgeted Amount: _____
 Under Budget: _____ Over Budget: _____
 Amount Remaining: _____

6. Alternate option costs: _____

7. Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE YES/NO</u>
a) _____ Kevin D. Pagan City Attorney	_____	_____	_____
b) _____ Julianne Rankin Director of Planning		<u>1-8-13</u>	<u>Yes</u>

8. Staff Recommendation: Subject to approval of rezoning by City Commission

9. Advisory Board: Approved Disapproved None

10. City Attorney: KDP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF McALLEN, TEXAS AS ENACTED ON MAY 29, 1979, BY PROVIDING THAT 1.47 ACRES BEING 0.73 ACRES OUT OF LOT 1, M & T PLAZA SUBDIVISION, AND 0.74 ACRES OUT OF LOT 96, LA LOMITA IRRIGATION & CONSTRUCTION COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT; THAT 11.81 ACRES OUT OF LOT 277 AND A PORTION OF CANAL RIGHT-OF-WAY LYING NORTH OF LOT 277, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM A-O (AGRICULTURAL & OPEN SPACE) DISTRICT TO R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT; THAT 3.59 ACRES OUT OF LOT 287, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM A-O (AGRICULTURAL & OPEN SPACE) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT; THAT 1.40 ACRES OUT OF LOT 287, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM A-O (AGRICULTURAL & OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT; THAT 8.625 ACRES OUT OF LOT 13, SECTION 278, TEXAS-MEXICAN RAILWAY COMPANY SURVEY, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT AMENDING THE ZONING

MAP TO CONFORM TO THESE
CHANGES.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The following tract of land which is located within the city limits
of the City of McAllen, Texas shall be rezoned from C-3 (General Business)
District to R-3A (Multifamily Residential Apartments) District:

A 1.47 acre tract of land being 0.73
acres out of Lot 1, M & T Plaza, and
0.74 acres out of Lot 96, La Lomita
Irrigation and Construction Company's
Subdivision, said tract of land being
more particularly described by metes
and bounds as follows:

BEGINNING a point on the South right-
of-way line of Zinnia Avenue for the
Northwest corner of Lot 1 and the
Northwest corner of this tract;

THENCE, South 81 Deg. 17 Min. 30
Sec. East, along the North line of Lot 1
and the South right-of-way line of Zinnia
Avenue, a distance of 163.00 feet to a
point for the Northeast corner;

THENCE, South 08 Deg. 42 Min. 30
Sec. West, a distance of 394.00 feet to
a point for the Southeast corner;

THENCE, North 81 Deg. 17 Min. 30
Sec. West, a distance of 163.00 feet to
a point for the Southwest corner;

THENCE, North 08 Deg. 42 Min. 30
Sec. East, a distance of 394.00 feet to
the Point of Beginning and containing
1.47 acres of land, more or less.

SECTION II: The following tract of land which is located within the city
limits of the City of McAllen, Texas shall be rezoned from A-O (Agricultural &

A 11.81 acre tract of land being a part or portion of abandoned Hidalgo County Irrigation District No. 14 canal right-of-way and out of Lot 277, John H. Shary Subdivision, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a cotton picker spindle set on the West line of Lot 277 and in the centerline of Taylor Road for the Southwest corner of the Frederick Martin, III tract (a 1.50 acre tract out of Lot 277, John H. Shary Subdivision, Hidalgo County, Texas) and the Northwest corner, said spindle bears South 08 Deg. 41 Min. West, 120.00 feet from the Northwest corner of Lot 277;

THENCE, South 81 Deg. 19 Min. East, along the South line of the Frederick Martin, III tract, passing a $\frac{1}{2}$ inch iron rod with cap stamped Melden & Hunt, Inc. found at 30.00 feet for the East right-of-way line of Taylor Road, a total distance of 384.91 feet to a $\frac{5}{8}$ inch iron rod found for the Southeast corner and an interior corner;

THENCE, North 08 Deg. 39 Min. 40 Sec. East, along the East line of said Frederick Martin III tract, passing at 120.00 feet the North line of Lot 277, a total distance of 170.00 feet to a $\frac{3}{4}$ inch iron rod found in the centerline of the abandoned Hidalgo County Irrigation District No. 14 canal right-of-way for the Northeast corner and an exterior corner;

THENCE, South 81 Deg. 19 Min. East, along the centerline of said abandoned Hidalgo County Irrigation District No. 14 canal right-of-way and parallel to and 50.00 feet North of the North line of Lot

277, a distance of 934.47 feet to a ½ inch iron rod found for the Northeast corner;

THENCE, South 08 Deg. 26 Min. 11 Sec. West, passing a ¾ inch iron rod found at 50.00 feet for the Northeast corner of Lot 277, and continuing along the East line of Lot 277, a total distance of 213.83 feet to a ½ inch iron rod found on the North line of the Hidalgo County Drainage District No. 1 Mission Lateral Easement, for the Southeast corner;

THENCE, South 53 Deg. 38 Min. 32 Sec. West, along the North line of said Hidalgo County Drainage District No. 1 Mission Lateral Easement, a distance of 197.03 feet to a ½ inch iron rod found for an exterior corner;

THENCE, North 81 Deg. 19 Min. West, along the North line of said Hidalgo County Drainage District No. 1 Mission Lateral Easement, a distance of 464.02 feet to a ½ inch iron rod found for an interior corner;

THENCE, South 53 Deg. 41 Min. West, along the North line of said Hidalgo County Drainage District No. 1 Mission Lateral Easement, a distance of 282.19 feet to a ½ inch iron rod found on the North line of the James Louis Eckroat tract (a 4.786 acre tract out of Lot 277, John H. Shary Subdivision, Hidalgo County, Texas) for an exterior corner;

THENCE, North 81 Deg. 19 Min. West, along the North line of the James Louis Eckroat tract and the North line of the Hidalgo County Drainage District No. 1 Mission Lateral Easement, passing a ½ inch iron rod found at 488.39 feet for the East right-of-way line of Taylor Road, a total distance of 518.39 feet to a cotton picker spindle found on the West line of Lot 277 and in the centerline of Taylor

Road for the Northwest corner of the Hidalgo County Drainage District No. 1 Mission Lateral Easement tract and the Southwest corner;

THENCE, North 08 Deg. 41 Min. East, along the West line of Lot 277 and the centerline of Taylor Road, a distance of 382.79 feet to the Point of Beginning and containing 11.81 acres of land, more or less.

SECTION III: The following tract of land which is located within the city limits of the City of McAllen, Texas shall be rezoned from A-O (Agricultural & Open Space) District to R-3T (Multifamily Residential Townhouse) District:

A 3.59 acre tract of land out of the West 20.0 acres of Lot 287, John H. Shary Subdivision, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a nail set on the North line of Lot 287 and in the centerline of Daffodil Avenue for the Northwest corner, said nail bears South 81 Deg. 19 Min. East, 193.00 feet from the Northwest corner of Lot 287;

THENCE, South 81 Deg. 19 Min. East, along the North line of Lot 287 and the centerline of Daffodil Avenue, a distance of 493.56 feet to a nail set for the Northwest corner of the Adobe Wells County Club Estates Section II, and the Northeast corner;

THENCE, South 08 Deg. 41 Min. West, along the West line of the Adobe Wells Country Club Estates Section II, passing a ½ inch iron rod with cap stamped RPLS 4856 set at 20.00 feet for the South right-of-way line of Daffodil Avenue, a total distance of 316.31 feet to a ½ inch iron pipe found for an interior

corner of the Adobe Wells Country Club Estates Section II and the Southeast corner;

THENCE, North 81 Deg. 25 Min. 15 Sec. West (Map record: North 81 Deg. 19 Min. West), along the Northerly West line of the Adobe Wells Country Club Estates Section II, a distance of 493.56 feet to a ½ inch iron rod with cap stamped RPLS 4856 set for the Southeast corner;

THENCE, North 08 Deg. 34 Min. 45 Sec. East, passing a ½ inch iron rod with cap stamped RPLS 4856 set at 297.20 feet for the South right-of-way line of Daffodil Avenue, a total distance of 317.20 feet to the Point of Beginning and containing 3.59 acres of land, more or less.

SECTION IV: The following tract of land which is located within the city

limits of the City of McAllen, Texas shall be rezoned from A-O (Agricultural &

Open Space) District to C-3 (General Business) District:

A 1.40 acre tract of land out of the West 20.0 acres of Lot 287, John H. Shary Subdivision, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a nail set at the intersection of the centerlines of Taylor Road and Daffodil Avenue for the Northwest corner of Lot 287 and the Northwest corner;

THENCE, South 81 Deg. 19 Min. East, along the North line of Lot 287 and the centerline of Daffodil Avenue, a distance of 193.00 feet to a nail set for the Northeast corner;

THENCE, South 08 Deg. 41 Min. West,

passing a ½ inch iron rod with cap stamped RPLS 4856 set at 20.00 feet for the South right-of-way line of Daffodil Avenue, a total distance of 317.20 feet to a ½ inch iron rod with cap stamped RPLS 4856 set on the Northerly West line of the Adobe Wells Country Club Estates Section II for the Southeast corner;

THENCE, North 81 Deg. 25 Min. 15 Sec. West (Map record: North 81 Deg. 19 Min. West), along the Northerly West line of the Adobe Wells Country Club Estates Section II, passing at 32.44 feet an exterior corner of the Adobe Wells Country Club Estates Section II and the Northeast corner of the William J. Burcham tract (the West 1.17 acres of the South 5.0 acres of the North 10.0 acres of the West 20.0 acres of Lot 287, John H. Shary Subdivision), and continuing along the North line of said William J. Burcham tract, passing a ½ inch iron pipe found at 162.42 feet for the East right-of-way line of Taylor Road, a total distance of 192.42 feet to a nail set on the West line of Lot 287 and in the centerline of Taylor Road for the Northwest corner of the William J. Burcham tract and the Southwest corner;

THENCE, North 08 Deg. 34 Min. 45 Sec. East, along the West line of Lot 287 and the centerline of Taylor Road, a distance of 317.55 feet to the Point of Beginning and containing 1.40 acres of land, more or less.

SECTION V: The following tract of land which is located within the city

limits of the City of McAllen, Texas shall be rezoned from R-1 (Single Family Residential) District to R-3T (Multifamily Residential Townhouse) District;

A 8.625 tract of land, being part or portion of Lot 13, Section 278, Texas-

Mexican Railway Company Survey, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point bearing North 81 Deg. 07 Min. 24 Sec. West (North 80 Deg. 56 Min. 00 Sec. West deed call) along the South line of said Lot 13, Section 278, at a distance of 50.00 feet pass the existing West right-of-way line of North 10th Street (S.H. 336), continuing a total distance of 722.56 feet from the Southeast corner of said Lot 13, Section 278 for an outside corner;

THENCE, North 81 Deg. 07 Min. 24 Sec. West (North 80 Deg. 56 Min. 00 Sec. deed call) continuing along the South line of said Lot 13, Section 278, at a distance of 1260.00 feet pass the East right-of-way line of an unopened road, continuing at a distance of 1280.06 feet for an outside corner;

THENCE, North 08 Deg. 52 Min. 11 Sec. East (North 09 Deg. 04 Min. 00 Sec. East deed call) along the West line of said Lot 13, Section 278, a distance of 480.50 feet for a outside corner;

THENCE, South 70 Deg. 25 Min. 58 Sec. East, at a distance of 20.35 feet pass the East right-of-way line of said unopened road, continuing at a distance of 111.35 feet to an outside corner;

THENCE, in a Southerly direction along the South line of the Village Phase 1A Subdivision, along a curve to the right, with a central angle of 15 Deg. 34 Min. 23 Sec., a radius of 50.00 feet, an arc length of 13.59 feet, a tangent of 6.84 feet, and a chord that bears South 43 Deg. 20 Min. 13 Sec. West, a distance of 13.59 feet to an outside corner;

THENCE, South 81 Deg. 07 Min. 24

Sec. East, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 50.00 feet to an outside corner;

THENCE, North 81 Deg. 07 Min. 24 Sec. East, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 18.30 feet to an inside corner;

THENCE, South 81 Deg. 07 Min. 24 Sec. East, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 0.42 feet to a point of tangency;

THENCE, continuing along the South line of said proposed Villagio Phase 1 Subdivision in an Easterly direction along a curve to the right, with a central angle of 12 Deg. 33 Min. 25 Sec., a radius of 550.00 feet, an arc length of 120.54 feet, a tangent of 60.51 feet, and a chord that bears South 74 Deg. 50 Min. 42 Sec. East, a distance of 120.30 feet to an inside corner;

THENCE, South 08 Deg. 52 Min. 36 Sec. West, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 166.69 feet to an inside corner;

THENCE, South 81 Deg. 07 Min. 24 Sec. East, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 605.00 feet to an inside corner;

THENCE, South 08 Deg. 52 Min. 36 Sec. West, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 120.00 feet to an outside corner;

THENCE, South 81 Deg. 07 Min. 24 Sec. East, continuing along the South

line of said proposed Villagio Phase 1 Subdivision, a distance of 278.40 feet to a point of tangency;

THENCE, continuing along the South line of said proposed Villagio Phase 1 Subdivision in a Northeasterly direction along a curve to the left, with a central angle of 60 Deg. 11 Min. 42 Sec., a radius of 35.00 feet, an arc length of 36.77 feet, a tangent of 20.29 feet, and a chord that bears North 68 Deg. 46 Min. 45 Sec. East, a distance of 35.10 feet to a point of tangency;

THENCE, South 54 Deg. 55 Min. 24 Sec. East, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 84.95 feet to an inside corner;

THENCE, South 08 Deg. 52 Min. 36 Sec. West, continuing along the South line of said proposed Villagio Phase 1 Subdivision, a distance of 150.10 feet to the Point of Beginning and containing 8.625 acres, of which 0.308 of one acre lies in the right-of-way of an unopened road, leaving a net of 8.317 acres of land, more or less.

SECTION VI: This Ordinance shall become effective immediately upon its passage and publication in accordance with the law.

SECTION VII: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners and the caption of this Ordinance shall be published according to Section 2-56 of the Code of Ordinances of the City of McAllen.

SECTION VIII: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such

remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

SECTION IX: This ordinance shall not be published in the Code of Ordinances of the City of McAllen, Texas as it is not amendatory thereof, however, it shall be cited in the appropriate appendix of the Code of Ordinances.

CONSIDERED, PASSED and APPROVED this 14th day of January, 2013, at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this _____ day of January 2013.

CITY OF MCALLEN

By: _____
Richard Cortez, Mayor

ATTEST:

By: _____
Annette Villarreal, City Secretary

Approved as to form:

By: _____
Kevin D. Pagan, City Attorney

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

The McAllen Board of Commissioners convened in a Workshop on **Saturday, August 25, 2012** at 8:00 am at Palm View Golf Course Meeting Room, with the following present:

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

Absent: Aida Ramirez Mayor Pro Tem

Staff:	Mike Perez	City Manager
	Kevin Pagan	City Attorney
	Roy Rodriguez	Assistant City Manager/PUB General Manager
	Brent Branham	Deputy City Manager
	Wendy Smith	Assistant City Manager
	Annette Villarreal	City Secretary
	Gary Henrichson	Assistant City Attorney
	Juli Rankin	Planning Director
	Luis Vasquez	Building Official
	Yvette Barrera	City Engineer

Others:	Jan Klinck	City Liaison on UDC Project
	Leonel Garza	Planning & Zoning Chairman
	Rudy Elizondo	RGV Builders Association

CALL TO ORDER

Mayor Cortez called the meeting to order.

1. DISCUSSION OF DEVELOPMENT CODE.

Staff reported that the City Attorney's Office and Management Staff conducted a review of the two versions of the Development Code as recommended by the consultant and the Planning and Zoning Commission, taking into account the structural integrity of the code. The goal and objective was reviewed which are to offer developers more choices that are pre-approved in an effort to fast track the process. Staff discussed the proposed procedures, articles and sections in the code.

Article 1 Division 1.3 Transitional Provision

- All new projects will fall under this new code

- Recommended utilizing the word “substantial” to give some flexibility
- Proposed code would provide for an exception to pending violations if the new code no longer considers same a violation at which time same will be forgiven.

Article 2 – Zoning Districts and Land Use

Land uses were reviewed. Staff reported logistical issues with respect to the airport overlay that were pending to be sorted out. The new zoning districts and their respective maps would be adopted with the adoption of the new code. A discussion was held relating to the ETJ and enforcement. Staff reported that if it constitutes a nuisance, then staff could enforce in the ETJ. It was reported that uses not listed allows the Planning Director to review and designate a land use with specified requirements unless not agreeable. A recommendation was made to set a 24-hour timeline to agree.

Section 2.4 Supplemental Use Standards

Section 2.4.3 Home Occupation. A recommendation was made for exceptions for religious uses. Staff recommended having alternatives to land uses if proposed uses are not listed

- *2.5 Shade Structures*
 - Recommend regulating colors.
 - Vinyl awnings were discussed at length. After due consideration, staff recommended against awning regulations.
- Combine Section 2.5.7 and 2.5.9 for being redundant.

Direction was requested as it relates to the concept of integrated accessory unit under Section 2.5.8. Staff requested incorporating the condition prohibiting the rental of the unit. Additionally, staff added that these types of improvements would not require a Conditional Use Permit. A discussion was held about pervious surface.

Section 2.6.1 (B) Noise:

- Recommending the elimination of objective standards/decibel readings other than for CUPs
- Section 1 excludes cities from enforcing deed restrictions
- Article 2 regulating lighting and vibrations

Mr. Klinck brought up a concern relating to neighborhood conservation and neighborhood transition and further, recommended that this designation remain in the Code. After due consideration, it was the consensus of the Commission present to leave this designation in the code as recommended. Staff reported that the lighting issue would be applicable to AEP under light pollution.

Aside from the minor changes noted, there were no objections to the proposed sections by the Commissioners present.

A discussion was held about the Conditional Use Permits. Staff reported that the Planning and Zoning Commission Meetings would be moved to 5:00 pm as a recommended change in the code.

Article 3.1 Neighborhood Conversation

Staff reviewed Article 3. A lengthy discussion was held regarding lot size. Subsequently, a discussion was held about affordable home projects in correlation to the lot size. Staff was asked to approach AHSTI about rehabilitating existing homes in lieu of new developments in the outskirts of town. The general consensus of those present was to have a minimum lot size of 6,000 and an average of 6,500 sq. ft. Additionally, staff recommended removing the Urban Residential District from the zoning district list. Commissioners present were in agreement to remove said district.

Article 4 Site Design and Subdivision Standards

- Section 4.3.9 (2) Blocks - agree to 800 block length
- Section 4.4 instructed staff to look at fire hydrant testing by Sharyland Water Supply Corporation (SWSC)
- Section 4.4.5 will be adding PUB requirement to tie in relating to the distance. Same for Section 4.4.6 (Sanitary Sewer).

ADJOURNMENT

There being no other business to come before the Commission, the meeting was adjourned at 12:00 noon.

Richard Cortez, Mayor

Attest:

Annette Villarreal, TRMC/CMC, CPM
City Secretary

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

The McAllen Board of Commissioners convened in a Regular Meeting on Monday, December 10, 2012 at 6:00 pm at McAllen City Hall, Third (3rd) Floor Commission Chambers, with the following present:

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

Staff: Mike R. Perez, City Manager
Kevin Pagan, City Attorney
Brent Branham, Deputy City Manager
Roy Rodriguez, Asst City Manager
Wendy Smith, Assistant City Manager
Annette Villarreal, City Secretary
Perla Zamora, Deputy City Secretary
Yvette Barrera, City Engineer
Juli Rankin, Director of Planning
Carlos Sanchez, Public Works Director
Elizabeth Suarez, Transit Director
Dave Melaas, Deputy Director of Parks and Recreation
Sandra Zamora, Director of Purchasing

CALL TO ORDER

Mayor Cortez called the meeting to order.

PROCLAMATION:

CHRISTMAS FOR KIDS DAY

Commissioner Barrera read and presented a proclamation for Christmas for Kids.

1. PUBLIC HEARING:

Mayor Cortez called the Public Hearing to order.

- A) ROUTINE ITEMS: [ALL REZONINGS 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 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. Mayor Pro Tem Ramirez moved to approve the items listed on the Routine Items section of the agenda. Commissioner Ingram seconded the motion. The motion carried unanimously.

1. REQUEST OF CRISTOBAL MORENO FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN AUTOMOTIVE SERVICE AND REPAIR (AUTO SERVICE) AT LOT 1, PENITAS SUBDIVISION, HIDALGO COUNTY, TEXAS; 7108 NORTH 23RD STREET.

Approved a Conditional Use Permit, for life of the use, at 7108 North 23rd Street, Suite A only, as per Planning and Zoning Commission. The establishment must meet the requirements set forth in Section 138-281 of the Zoning Ordinance and specific requirements as follows:

- 1) A minimum lot size of 10,000 sq. ft. is required. The subject property has approximately 42,000 sq. ft.;
- 2) All service, repair, maintenance, painting and other work shall take place within an enclosed area;
- 3) Outside storage of materials is prohibited. Work on vehicles is proposed to be done inside the building;
- 4) The building where the work is to take place shall be a minimum of 100 ft. from the nearest residence. The existing residences are located approximately 495 ft. south of this building;
- 5) A 6 ft. opaque buffer fence is required for the proposed use from any residential zone/use;
- 6) New building and conversions of existing buildings shall meet current Building and Fire Code requirements concerning separation of high hazard uses from other occupancy use classifications.

2. REQUEST OF MARIO GUTIERREZ, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE NOVEMBER 20, 2012 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BANQUET HALL/SPECIAL EVENTS AT LOT A, ARAPAHO SUBDIVISION, HIDALGO COUNTY, TEXAS; 4108 NORTH 10TH STREET, SUITE 1000.

Granted a variance to the distance requirement and approved a Conditional Use Permit, for one year, for a banquet hall/special events at 4108 North 10th Street, Suite 1000, 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:

- 1) 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 Seville Apartments are adjacent to the establishment; however, a 6 ft. buffer is provided along the north side of the strip center;
- 2) 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 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 street for parking. A variance was approved by the Zoning Board of Adjustments to allow 194 parking spaces instead of the 234 parking spaces required for a 1 to 3 hour maximum overlap subject to the restaurant in the shopping center being closed at 10:00 pm. With the banquet hall opening at 7 a.m. instead of 7 p.m., as the previous nightclub, the parking overlap will be over the maximum 3 hours. Therefore, the required parking is not provided;
- 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 number of persons allowed is 283.

B) CONDITIONAL USE PERMIT:

REQUEST OF PABLO GARZA, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR A GUEST HOUSE AT 0.35 ACRES OUT OF LOT 10, LA LOMITA IRRIGATION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 11609 NORTH LA LOMITA ROAD. TABLED

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

Staff recommended disapproval of the Conditional Use Permit, for life of the use at 11609 North La Lomita Road as per the Planning and Zoning Commission, but with a favorable recommendation for approval subject to limiting the guest house and not adding living areas, sharing the same utilities including electrical meter as the primary residence, paving the driveway and reside parking spaces. The guest house must meet the requirements set forth in Section 138-118(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property. This is the only

guest house proposed on this property;

- 2) The proposed use shall comply with setback requirements. Required setbacks and separations are being met by the proposed guest house;
- 3) The proposed use shall be connected to the same utilities as the primary residence. The applicant is requesting a separate electrical meter for the guesthouse;
- 4) Lot size must be a minimum 8,000 sq. ft. The subject property is 15,400 sq. ft.;
- 5) Separate driveways or garages for the proposed use shall not be permitted;
- 6) The proposed use shall not be rented; and
- 7) The permit shall be revoked if rent is paid or utility expenses are shared with the proposed use.

Mayor Cortez asked if there was anyone to appear in opposition to the Conditional Use Permit. No one appeared.

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

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 item 2B and that said item be addressed separately. Commissioner Salinas seconded the motion. The motion carried unanimously.

A) APPROVAL OF MINUTES OF WORKSHOP HELD NOVEMBER 12TH AND REGULAR MEETING HELD NOVEMBER 26, 2012.

Approved the minutes of Workshop held November 12th and Regular Meeting held November 26, 2012, as submitted.

B) APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MCALLEN POLICE DEPARTMENT AND SOUTH TEXAS COLLEGE POLICE DEPARTMENT.

Staff recommended approval of a Memorandum of Understanding (MOU) between the City of McAllen Police Department and newly-commissioned South Texas College Police Department, providing for the manner in which the departments will coordinate the exercise of police authority within their respective jurisdiction.

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

C) APPROVAL OF REVISED LIBRARY FOOD AND DRINK POLICY.

Approved the revised Library Food and Drink Policy.

D) APPROVAL OF AN INTERLOCAL AGREEMENT WITH LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL FOR THE DIVISION OF TXDOT FUNDING FOR FISCAL YEAR 2012-2013.

Approved an Interlocal Agreement with Lower Rio Grande Valley Development Council for the Division of TXDOT Funding for Fiscal Year 2012-2013 for the operation of Metro McAllen as operating subsidy in FY 2012-2013, in the amount of \$241,634.

E) CHANGE ORDER NO. 5 & FINAL RECONCILIATION OF QUANTITIES FOR 16TH AND SYCAMORE & BICENTENNIAL BLUELINE DRAINAGE IMPROVEMENTS PROJECT.

Approved Change Order No. 5 & Final Reconciliation of Quantities in the deduct amount of \$12,368.83 for 16th and Sycamore & Bicentennial Blueline Drainage Improvements Project.

F) CHANGE ORDER NO. 1 AND FINAL RECONCILIATION OF QUANTITIES FOR THE BICENTENNIAL BOULEVARD PAVING IMPROVEMENTS PROJECT - NOLANA AVENUE TO DOVE AVENUE.

Approved Change Order No. 1 and Final Reconciliation of Quantities in the amount of \$11,956.56 for the Bicentennial Boulevard Paving Improvements Project - Nolana Avenue to Dove Avenue.

G) AUTHORIZATION TO PURCHASE CISCO MAINTENANCE FOR NETWORK EQUIPMENT THROUGH STATE OF TEXAS, DIR CONTRACT.

Awarded a contract for the CISCO Maintenance for Network Equipment to Insight through State of Texas, DIR Contract, in the amount of \$34,200 for one year.

H) AUTHORIZATION TO DECLARE VEHICLES AS SURPLUS AND AUTHORIZATION TO BEGIN AUCTION EFFORTS.

Authorized the declaration of certain vehicles as surplus and begin auction efforts.

I) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT TO THE SANITATION DEPRECIATION FUND TO FUND THE PURCHASE OF VARIOUS REFUSE TRUCKS FOR THE RESIDENTIAL AND COMMERCIAL BOX DEPARTMENT.

Adopted an ordinance providing for a budget amendment in the amount of \$57,093 to the

Sanitation Depreciation Fund to fund the purchase of various refuse trucks for the Residential and Commercial Box Department.

J) ORDINANCE PROVIDING FOR THE ADOPTION OF THE 2012 INTERNATIONAL FIRE CODE (FIRE PREVENTION).

Adopted an ordinance providing for the adoption of the 2012 International Fire Code (Fire Prevention).

K) CHANGE ORDER NO. 3 FOR BENTSEN ROAD PAVING IMPROVEMENTS FROM PECAN BLVD. (FM 495) TO 3 MILE LINE ROAD.

Approved Change Order No. 3 in the amount of \$203,044.60 for Bentsen Road Paving Improvements from Pecan Blvd. (FM 495) to 3 Mile Line Road.

L) APPROVAL OF TAX REFUNDS OVER \$500 TO:

1. PUTNAM LEASING CO.

Approved a refund in the amount of \$1,605.97.

2. A.J. GORENA

Approved a refund in the amount of \$626.54.

3. WINGATE INN

Approved a refund in the amount of \$8,524.76.

M) CHANGE ORDER NO.1 FOR PAVING AND DRAINAGE IMPROVEMENTS AT MCALLEN-HIDALGO INTERNATIONAL BRIDGE.

Approved Change Order No. 1 in the amount of \$9,741.70 to REIM Construction, Inc., for Paving and Drainage Improvements at McAllen-Hidalgo International Bridge.

N) CHANGE ORDER NO. 1 & FINAL RECONCILIATION OF QUANTITIES FOR DOVE AVENUE AT BICENTENNIAL BLUELINE BRIDGE WIDENING.

Approved Change Order No. 1 & Final Reconciliation of Quantities in the deduct amount of \$3,796.00 for Dove Avenue at Bicentennial Blueline Bridge Widening with no additional days to the contract time.

O) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH

**ITS FY 2013 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM'S
IMPAIRED DRIVING MOBILIZATION (STEP-IDM) CAMPAIGN.**

Approved a resolution authorizing the acceptance of grant funds of \$18,365 with a local match of \$6,137 from the Texas Department of Transportation through its FY 2013 Selective Traffic Enforcement Program's Impaired Driving Mobilization (STEP-IDM) Campaign. The requested funds will be utilized for additional hours of overtime enforcement during certain holiday periods commencing October 1, 2012 through September 30, 2013.

3. BIDS/CONTRACTS:

A) CONSIDERATION OF AN AGREEMENT WITH LINEBARGER GOGGAN BLAIR SAMPSON LLC FOR TAX COLLECTION SERVICES AND APPROVAL OF A RESOLUTION FOR IMPOSITION OF PENALTIES FOR DELINQUENT TAXES RELATED THERETO.

Commissioner Darling announced that he had a conflict on this item and would abstain from discussion and voting; and subsequently, filed a conflict form with City Secretary.

Staff recommended approval of an agreement with Linebarger Goggan Blair Sampson LLC for Tax Collection Services and approval of a resolution providing for the imposition of penalties for delinquent taxes related thereto.

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

B) AUTHORIZATION TO PURCHASE ENTERPRISE BACKUP SOLUTION THROUGH THE STATE OF TEXAS, DIR CONTRACT.

Staff recommended authorization to purchase the CommVault Backup Solution through the State DIR Contract through Dell, Inc., in the amount of \$169,094.87 which includes three (3) years of maintenance.

Commissioner Darling moved to authorize the purchase as recommended. Commissioner Ingram seconded the motion. The motion carried unanimously.

C) AUTHORIZATION TO PURCHASE COMPUTERS FROM DELL, INC. THROUGH THE STATE OF TEXAS, DEPARTMENT OF INFORMATION RESOURCES (DIR) PROGRAM.

Staff recommended authorization to purchase computers through the State of Texas DIR Program through Dell, Inc., in the amount of \$148,414 for 182 units.

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

D) AWARD OF CONTRACT FOR THE PURCHASE OF FOUR (4) NEW 2013

MODEL YEAR REFUSE TRUCKS.

Staff recommended award of contract for four (4) new 2013 Model Year Refuse Trucks to multiple vendors as follows:

Item #1 to Grande Truck Center in the amount of \$231,660/unit for a total of \$463,320

Item #2 to Rush Peterbilt in the amount of \$276,886.57/unit for a total of \$553,773.14

A cumulative budget amendment in the Sanitation Depreciation Fund will be required in the amount of \$57,093.14.

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

E) AUTHORIZATION TO GO OUT FOR BIDS TO UPGRADE THE FENCING AND LIGHTING AT MUNICIPAL PARK.

Staff recommended authorization to go out for bids for the purchase and installation of the fencing as well as the addition of lighting at Municipal Park.

A discussion was held about the installation of wrought iron fencing similar to Curtis Park for all or a portion of the fence. Subsequently, staff recommended seeking an alternate bid for the wrought iron.

Mayor Pro Tem Salinas moved to approve staff's recommendation including the alternate bid for wrought iron. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

F) AWARD OF CONTRACT FOR THE PURCHASE OF TENNIS COURT LIGHTS FOR MEMORIAL HIGH SCHOOL FROM THE TEXAS BUY BOARD.

Staff recommended award of contract for the purchase of Musco Sports Field Lights through the Texas Buy Board, in the amount of \$112,500 and an additional \$57,500 for MEP Services and electrical conduit and supplies.

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

G) CONSIDER AUTHORIZATION OF WORK ORDER AND PAYMENT TO AEP FOR INSTALLATION OF ELECTRICAL SERVICE TO DELEON SOCCER COMPLEX.

Staff recommended approval of the work order and contractual fee to AEP in the amount of \$30,271 for new electrical service and to place utilities underground at DeLeon Soccer Complex.

Commissioner Barrera moved to approve the work order and contractual fee as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

4. ORDINANCES:

A) BUDGET AMENDMENT FOR MEMORIAL HIGH SCHOOL TENNIS COURT LIGHTS AND FOR FENCING AND LIGHTING AT MUNICIPAL PARK.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$230,000 for Memorial High School Tennis Court Lights and for Fencing and Lighting at Municipal Park.

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

B) BUDGET AMENDMENT FOR BENTSEN ROAD PAVING IMPROVEMENTS FROM PECAN TO 3 MILE LINE ROAD.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$203,045 for Bentsen Road Paving Improvements from Pecan to 3 Mile Line Road.

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

C) BUDGET AMENDMENT PROVIDING FOR THE SETTLEMENT AGREEMENT WITH G.R. BIRDWELL CONSTRUCTION LP RELATING TO BOEYE RESERVOIR RELOCATION PROJECT.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$181,000 for the Settlement Agreement with G.R. Birdwell Construction LP relating to Boeye Reservoir Relocation Project.

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

D) CONSIDER ADOPTING TMRS UPDATED SERVICE CREDIT.

Commissioner Barrera moved to table said item for Executive Session. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

After Executive Session, Commissioner Ingram moved to remove said item from the table. Commissioner Darling seconded the motion. The motion carried unanimously by those present.

Staff recommended adoption of an ordinance providing for TMRS Updated Service Credit.

Commissioner Darling moved to adopt the ordinance as recommended. Commissioner Ingram seconded the motion. The vote on the motion was as follows:

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

5. RESOLUTIONS:

A) AUTHORIZING THE SUBMISSION OF A LOAN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD FOR THE SOUTH WASTEWATER TREATMENT PLANT UPGRADE PLANNING AND DESIGN.

Staff recommended approval of a resolution providing for the submission of a loan application to the Texas Water Development Board for South Wastewater Treatment Plant Upgrade Planning and Design. The grant request in an amount not to exceed \$3,500,000, will be utilized for planning, acquisition and design of the project.

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

B) AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION (EDA), FOR FUNDING UNDER FY 2013 PUBLIC WORKS AND ECONOMIC DEVELOPMENT FACILITIES PROGRAM.

Staff recommended approval of a resolution providing for the submission of a grant application to the U.S. Department of Commerce, Economic Development Administration (EDA), for funding under FY 2013 Public Works and Economic Development Facilities Program. The grant request is in the amount of \$636,255.60 with a 50% local match that will be paid by the City of McAllen and Development Corporation, for a total cost of \$1,272,511.30.

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

6. VARIANCE REQUEST TO THE SIGN ORDINANCE, SECTION 130-110 (7) (B), TO ALLOW A CHANGEABLE ELECTRONIC VARIABLE MESSAGE SIGN ON GUMWOOD AVENUE AT LOTS 58 & 59, BLOCK 2, HAMMOND ADDITION SUBDIVISION.

Staff recommended disapproval of the sign variance request at 2606 Gumwood Avenue (Alvarez Elementary) for an electronic sign in a residential zone.

A discussion was held relating to the required set-backs, height and brightness of the electronic sign. Concerns were made about the height requirement.

After due consideration, Commissioner Crane moved to approve the variance request. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

7. MANAGER'S REPORT:

A) **AUTHORIZATION TO REMOVE 1ST AND 2ND QUARTER FY 2011-2012 UNCOLLECTED SANITATION ACCOUNTS FROM THE GENERAL LEDGER.**

Staff recommended authorizing the removal of 1st and 2nd Quarter FY 2011-2012 Uncollected Sanitation Accounts from the General Ledger as follows:

1st Quarter amount of \$8,347.25
2nd Quarter amount of \$6,818.29

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

B) **CONSIDER THE NOMINATION OF AN INDUCTEE TO THE RIO GRANDE VALLEY WALK OF FAME AS PART OF THE 2013 BORDERFEST IN HIDALGO.**

Staff recommended the nomination of an inductee to the Rio Grande Valley Walk of Fame as part of the 2013 *Borderfest* in Hidalgo.

No action was taken.

C) **FUTURE AGENDA ITEMS.**

Staff briefly reviewed the items to be discussed in upcoming workshops: Botanical Gardens, Airport Concession, and Retreat in January (Development Code, Goals and Auditorium Interior Design).

D) **CONSIDER AUTHORIZING STAFF TO SOLICIT BIDS TO DEMOLISH BUILDING LOCATED AT 101 S. BICENTENNIAL BOULEVARD. (ADDENDUM AGENDA ITEM)**

Staff recommended authorizing staff to solicit bids to demolish the building located at 101 S. Bicentennial (Old Central Fire Station).

Concerns were expressed about the historical aspect of the building in correlation to the "medium priority" category in the historic survey and the plans for the property if demolished. A discussion was held about the possible uses of the property including a landscaped parking lot and/or parking garage.

Commissioner Barrera moved to authorize staff to go out for bids as recommended. Mayor Pro Tem Ramirez seconded the motion. The vote on the motion was as follows:

AYES: Commissioner Barrera, Darling, Crane and Mayors Pro Tem Ramirez and Salinas

NAYS: Commissioner Ingram
ABSENT: None
ABSTAINED: None

8. TABLED ITEM: AWARD OF CONTRACT FOR ARMORED CAR SERVICES.

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

Staff gave a report on the verbal responses from service providers for Armored Car Services that were non-responsive to our bid request. A discussion was held relating to potential cost savings if rebid.

After due consideration, Commissioner Barrera moved to reject the single bid received and instructed staff to rebid the service contract. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

9. 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).

On behalf of the Presiding Officer, the City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney for Items 9C, 9D and 9I; Section 551.072 Deliberation regarding Real Property for Items 9A and 9B; Section 551.087 Economic Development for Items 9F, 9G and 9H; and Section 551.074 Personnel Matters for Item 9E.

Mayor Pro Tem Ramirez moved to accept the recommendation for the basis of the discussion in Executive Session under the section cited by the City Attorney. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously.

Mayor Cortez recessed the meeting at 7:07 pm to go into Executive Session. Commissioner Barrera and Mayor Pro Tem Ramirez excused themselves from the meeting a 7:45 pm. Mayor Cortez reconvened the meeting at 8:04 pm and announced the action on Executive Session items.

A) DISCUSSION AND POSSIBLE ACTION FOR CONSIDERATION OF THE SALE OF A PORTION OF LOT 11, CONVENTION CENTER SUBDIVISION. (SECTION 551.072, T.G.C.)

Commissioner Darling moved to authorize City Staff to either amend the 380 Economic Incentive Agreement with the change in the property location as discussed in Executive Session, or go out for a new Request for Proposals (RFP) if necessary. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

B) DISCUSSION AND POSSIBLE ACTION RELATING TO A POSSIBLE

SALE OF A 3.96 ACRE TRACT, MORE OR LESS, OUT OF LOT 7, BLOCK 5, RIO BRAVO PLANTATION COMPANY SUBDIVISION. (SECTION 551.072, T.G.C.)

Commissioner Ingram moved to authorize the City Attorney and City Manager to enter into negotiations for an agreement with respect to the property and possible incentives as discussed in Executive Session. Commissioner Darling seconded the motion. The motion carried unanimously by those present.

C) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO FIRE DEPARTMENT COLLECTIVE BARGAINING. (SECTION 551.071, T.G.C.)

No action.

D) CONSULTATION WITH CITY ATTORNEY REGARDING THE COLLECTION OF TWO (2) DELINQUENT ACCOUNTS. (SECTION 551.071, T.G.C.)

Commissioner Darling moved to authorize the City Attorney to file a suit against the two businesses for collection of the delinquent accounts as discussed in Executive Session. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

E) DISCUSSION AND POSSIBLE ACTION - EVALUATION OF CITY MANAGER, CITY ATTORNEY AND MUNICIPAL COURT JUDGES. (SECTION 551.074, T.G.C.)

No action.

F) DISCUSSION AND POSSIBLE ACTION TO CONSIDER ENTERING IN A 380 ECONOMIC INCENTIVE AGREEMENT AND FARM LEASE AGREEMENT FOR CITY PROPERTY KNOWN AS LOTS 9 AND 10, SECTION 5, HIDALGO CANAL COMPANY'S SUBDIVISION CONTAINING 47.53 ACRES, NET. (SECTION 551.087, T.G.C.)

Commissioner Ingram moved to approve the 380 Economic Incentive Agreement as discussed in Executive Session. Commissioner Darling seconded the motion. The motion carried unanimously by those present.

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

Commissioner Darling moved to authorize the City Attorney and City Manager to respond to the request for economic incentives per the parameters discussed in Executive Session. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

H) DISCUSSION AND POSSIBLE ACTION TO CONSIDER PROJECT EXTENSION FOR MCALLEN SKYLINE, LTD., FOR EMBASSY SUITES HOTEL SITE. (SECTION 551.087, T.G.C.)

Commissioner Ingram moved to authorize the City Attorney and City Manager to continue negotiations for an extension of the 380 Economic Incentive Agreement for McAllen Skyline LTD, within the parameters discussed in Executive Session. Commissioner Darling seconded the motion. The motion carried unanimously by those present.

I) CONSULTATION WITH CITY ATTORNEY RELATING TO A POSSIBLE CONTRACT WITH VIANOVO FOR LOBBYING SERVICES. (SECTION 551.071, T.G.C.)

No action.

ADJOURNMENT

There being no other business to come before the Commission, the meeting was adjourned at 8:06 pm.

Richard Cortez, Mayor

Attest:

Annette Villarreal, TRMC/CMC, CPM
City Secretary

MCALLEN TAX OFFICE MEMO

Date: 1/14/13
To: Mayor Richard F. Cortez and City Commission
Through: Mike R. Perez, City Manager
From: Martha Guel, Tax Assessor *Mg*
Re: \$500.00 Refunds

The refunds for the month of December, 2012 due to adjustment from the Appraisal District are as follows:

Name	Amount Paid	Corrected Levy	Refund	Change Reason
CSI Leasing, Inc.	6,934.91	251.70	6,658.03	ARB Order

***Note:** This company is under bankruptcy and the Attorney representing them requested that the reduction in value go back to 2009 and refund the company for 2009, 2010, and 2011. However, after litigation with the HCAD Attorney and the Attorney for CSI Leasing it was settled that the adjustment would be allowed for 2011 only.

Name	Amount Paid	Corrected Levy	Refund	Change Reason
Higgins, David Jr. & Maria R. Gaytan	663.83	-0-	663.83	Granted 100% Disabled Veterans Exemption

Please let me know if you have any questions or need additional information.

Mguel.

CD111

APPLICATION FOR TAX REFUND

Collecting office name City of McAllen Tax Office	Collecting tax for: (taxing units) City of McAllen
Present mailing address (number and street) P O Box 220/311 N 15th St	Phone (area code and number) (956)681-1330
City, town or post office, state, ZIP code McAllen TX 78505-0220	

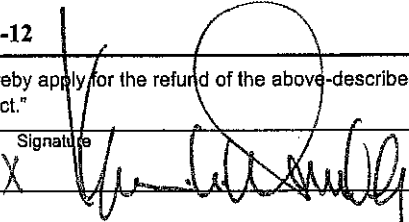
To apply for a tax refund, the taxpayer must complete the following.

Step 1: Owner's name and address	Owner's name CSI LEASING INC/ATTN: PROPERTY TAX DEPT
	Present mailing address (number and street) 9990 OLD OLIVE STREET RD STE 101
	City, town or post office, state, ZIP code SAINT LOUIS MO 63141

Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): LEASED EQUIPMENT AT MCALLEN SCHOOL & CITY
	Address or location of property: _____
	Account number of property: M1950-99-000-0009-03 OR Tax receipt number: _____

Step 3: Give the tax payment information	Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested
	1. CITY OF MCALLEN	2011	1/31 / 2012	\$ 6,934.91	\$ 6,052.75
	2. LATE RENDITION PENALTY	2011	1/31 / 2012	\$	\$ 605.28
	3. _____	_____	_____ / _____	\$	\$ 6,658.03
	4. _____	_____	_____ / _____	\$	\$
	5. _____	_____	_____ / _____	\$	\$
	Taxpayer's reason for refund (attach supporting documentation): SUBMITTED/ENTERED WRONG 2011 & 2012				

ADJ VALUE ARB ORDER/10% LATE RENDITION PENALTY WAIVED 4-14-2011/TIMELY FILED 11-15-12

Step 4: Sign the form	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."	
	sign here 	Date of application for tax refund 12/8/2012

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.

Step 5: Tax refund determination	This tax refund is <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	
	sign here <input type="checkbox"/> Authorized officer	Date
	sign here <input type="checkbox"/> Collector(s) of taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code)	Date

Supp Group: 138

8/28/2012 11:00AM

Geo

Current Property Data as of Supp 10

Supp Code: CC

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
607454	407963	100.00 P	Geo: M1950-99-000-0009-03 LEASED EQUIPMENT AT MCALLEN SCHOOL & CITY / NEW ACCT 2000	Imp HS:	0	Market:	58,360
			Appraiser: O5 Operator: mvega Acres: 0.0000	Imp NHS:	0	Prod Loss:	0
			State Codes: L1	Land HS:	0	Appraised:	58,360
			Map ID: Mfg Cd: Prod Use: Prod Mkt:	Land NHS:	0	Cap:	0
			Situs: VAR LOC @ SML & CML TX	Prod Use:	0	Assessed:	58,360
			Ref ID1: 139485 Ref ID2: P607454	Prod Mkt:	0	Late Ag:	F

Change Desc:

SUBMITTED/ENTERED WRONG 2011 & 2012 ADJ VALUE ARB ORDER/ 10% LATE RENDITION PENALTY WAIVED 4-15-2011/ TIMELY FILED

Owner	Pct	Exemptions	Entity	Ent Pct	Stmnt	Assessed	Taxable	Freeze	Tax
CSI LEASING INC	407963	100.00	CML	100.00		58,360	58,360		0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values			
607454	407963	100.00 P	Geo: M1950-99-000-0009-03 LEASED EQUIPMENT AT MCALLEN SCHOOL & CITY / NEW ACCT 2000	Imp HS:	0	Market:	1,461,734
			Appraiser: O5 Operator: mvega Acres: 0.0000	Imp NHS:	0	Prod Loss:	0
			State Codes: L1	Land HS:	0	Appraised:	1,461,734
			Map ID: Mfg Cd: Prod Use: Prod Mkt:	Land NHS:	0	Cap:	0
			Situs: VAR LOC @ SML & CML TX	Prod Use:	0	Assessed:	1,461,734
			Ref ID1: 139485 Ref ID2: P607454	Prod Mkt:	0	Late Ag:	F

Change Desc:

Owner	Pct	Exemptions	Entity	Ent Pct	Stmnt	Assessed	Taxable	Freeze	Tax
CSI LEASING INC	407963	100.00	CML	100.00		1,461,734	1,461,734		0.00

Gain or Loss of Value for:

Property: 607454 Geo: M1950-99-000-0009-03

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	58,360	58,360	0.00	1,461,734	1,461,734	0.00	-1,403,374	-1,403,374	0.00

NT 251.70

OT 6304.45

-6,052.75

LRP 605.28-

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u>✓</u>	AGENDA ITEM	<u>2B2</u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u>1/7/2013</u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u>1/14/2013</u>
OTHER	<u> </u>		

1 Agenda Item: Property Tax Refunds

2 Party Making Request: Martha Guel, Tax Assessor

3 Nature of Request: (Brief Overview) Attachments: ✓ Yes

Over \$500.00 refund for David Higgins and Maria R. Gaytan

Amount of Refund: \$663.83

4 Policy Implication: None

5 Budgeted: Yes No N/A

Bid Amount: Budgeted Amount:
Under Budget: Over Budget:
Amount Remaining:

6 Alternate option costs:

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>
a) <u>Martha Guel Tax Assessor</u>	<u>mg</u>	<u>01/07/13</u>
b) <u> </u>	<u> </u>	<u> </u>

8 Staff Recommendation: Approve refund in order to comply with sec.31.11 of PTC.

9 Advisory Board: Approved Disapproved None

10 City Attorney: KP Approved Disapproved None

11 Manager's Recommendation: MRP Approved Disapproved None

C13/11

APPLICATION FOR TAX REFUND

Collecting office name City of McAllen Tax Office	Collecting tax for: (taxing units) City of McAllen
Present mailing address (number and street) P O Box 220/311 N 15th St	
City, town or post office, state, ZIP code McAllen TX 78505-0220	Phone (area code and number) (956)681-1330

To apply for a tax refund, the taxpayer must complete the following.

Step 1: Owner's name and address	Owner's name HIGGINS DAVID JR & MARIA REVUELTA GAYTAN
	Present mailing address (number and street) 305 ULEX AVE
	City, town or post office, state, ZIP code MCALLEN TX 78504
	Phone (area code and number)

Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): VILLAS AT VIOLET LOT 14
	Address or location of property: _____
	Account number of property: V3802-00-000-0014-00 OR Tax receipt number: _____

Step 3: Give the tax payment information	<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%;">Name of Taxing Unit from Which Refund is Requested</th> <th style="width:15%;">Year for Which Refund is Requested</th> <th style="width:15%;">Date of the Tax Payment</th> <th style="width:15%;">Amount of Taxes Paid</th> <th style="width:20%;">Amount of Tax Refund Requested</th> </tr> </thead> <tbody> <tr> <td>1. <u>CITY OF MCALLEN</u></td> <td style="text-align: center;"><u>2011</u></td> <td style="text-align: center;"><u>12/30</u> / <u>2011</u></td> <td style="text-align: right;">\$ <u>672.46</u></td> <td style="text-align: right;">\$ <u>663.83</u></td> </tr> <tr> <td>2. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____ / _____</td> <td style="text-align: right;">\$ _____</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td>3. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____ / _____</td> <td style="text-align: right;">\$ _____</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td>4. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____ / _____</td> <td style="text-align: right;">\$ _____</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td>5. _____</td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____ / _____</td> <td style="text-align: right;">\$ _____</td> <td style="text-align: right;">\$ _____</td> </tr> </tbody> </table>	Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested	1. <u>CITY OF MCALLEN</u>	<u>2011</u>	<u>12/30</u> / <u>2011</u>	\$ <u>672.46</u>	\$ <u>663.83</u>	2. _____	_____	_____ / _____	\$ _____	\$ _____	3. _____	_____	_____ / _____	\$ _____	\$ _____	4. _____	_____	_____ / _____	\$ _____	\$ _____	5. _____	_____	_____ / _____	\$ _____	\$ _____
Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested																											
1. <u>CITY OF MCALLEN</u>	<u>2011</u>	<u>12/30</u> / <u>2011</u>	\$ <u>672.46</u>	\$ <u>663.83</u>																											
2. _____	_____	_____ / _____	\$ _____	\$ _____																											
3. _____	_____	_____ / _____	\$ _____	\$ _____																											
4. _____	_____	_____ / _____	\$ _____	\$ _____																											
5. _____	_____	_____ / _____	\$ _____	\$ _____																											
	Taxpayer's reason for refund (attach supporting documentation): GRANTED DVHS EXEMPTION																														
	12-6-12NG																														

Step 4: Sign the form	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."		
sign here ▶	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:70%; padding: 5px;">Signature </td> <td style="width:30%; padding: 5px;">Date of application for tax refund <u>12-8-12</u></td> </tr> </table>	Signature 	Date of application for tax refund <u>12-8-12</u>
Signature 	Date of application for tax refund <u>12-8-12</u>		
	If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.		

Step 5: Tax refund determination	This tax refund is <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved				
sign here ▶	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:75%; padding: 5px;">Authorized officer</td> <td style="width:25%; padding: 5px;">Date</td> </tr> <tr> <td style="padding: 5px;">sign here ▶</td> <td style="padding: 5px;">Date</td> </tr> </table>	Authorized officer	Date	sign here ▶	Date
Authorized officer	Date				
sign here ▶	Date				
	Collector(s) of taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code)				

2011 SUPPLEMENT ROLL 13

Supp Group: 141

11/26/2012 9:55AM

County

Geo

Current Property Data as of Supp 13

Supp Code: CE

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
692306	624636	100.00	R Geo: V3802-00-000-0014-00 VILLAS AT VIOLET LOT 14	Effective Acres: 0.0000	Imp HS: 137,044	Market: 165,914	
HIGGINS DAVID Jr					Imp NHS: 0	Prod Loss: 0	
MARIA REVUELTA GAYTAN					Land HS: 28,870	Appraised: 165,914	
305 ULEX AVE				Appraiser: O4	Land NHS: 0	Cap: 0	
MCALLEN, TX 78504-2642				Operator: jportillo	Prod Use: 0	Assessed: 165,914	
				Acres: 0.0000	Prod Mkt: 0		
				Map ID: 47 PG 81			
				Mtg Cd:			
				Ref ID1: 487900			Late Ag: F
				Ref ID2: R692306			

Change Desc:

GRANT DVHS FILED LATE QY 2011

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
HIGGINS DAVID Jr	624636	100.00	DVHS HS	CML	100.00	165,914	0		0.00

Previous Property Data as of Supp: 5

Prop ID	Owner	%	Legal Description	Values			
692306	624636	100.00	R Geo: V3802-00-000-0014-00 VILLAS AT VIOLET LOT 14	Effective Acres: 0.0000	Imp HS: 137,044	Market: 165,914	
HIGGINS DAVID Jr					Imp NHS: 0	Prod Loss: 0	
MARIA REVUELTA GAYTAN					Land HS: 28,870	Appraised: 165,914	
305 ULEX AVE				Appraiser: O4	Land NHS: 0	Cap: 0	
MCALLEN, TX 78504-2642				Operator: yrada	Prod Use: 0	Assessed: 165,914	
				Acres: 0.0000	Prod Mkt: 0		
				Map ID: 47 PG 81			
				Mtg Cd:			
				Ref ID1: 487900			Late Ag: F
				Ref ID2: R692306			

Change Desc:

GRANT DV4 FILED LATE Q/YR 2010

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
HIGGINS DAVID Jr	624636	100.00	DV4 HS	CML	100.00	165,914	153,914		0.00

Gain or Loss of Value for:

Property: 692306 Geo: V3802-00-000-0014-00

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	165,914	0	0.00	165,914	153,914	0.00	0	-153,914	0.00

Adj: 663.83-

MEMORANDUM

To: MIKE R. PEREZ, CITY MANAGER
From: SALLY GAVLIK, DIRECTOR *SG*
Subject: DONATION OF WESTSIDE BALLFIELD LIGHTS
Date: JANUARY 7, 2013

COMMENT**GOAL:**

To donate the old lights that are being removed from Westside Park to the Hidalgo County Sheriff's Posse for the Sheriff's Posse Rodeo Arena.

DISCUSSION:

The Hidalgo County Sheriff's Posse is a 501c.3 that operates programs at the Sheriff's Posse Rodeo Arena in Edinburg. Many of the programs offered are for children. The organization has requested the poles and lights that are being removed from Westside Park. The poles have been disposed of but the lights while inefficient could still be used. The Sheriff's Posse current system is old, inefficient and does not work well.

The Sheriff's Posse has been informed that the poles have been disposed of but they would still like the lights.

RECOMMENDATION:

The Parks and Recreation Department recommends approval of the donation to the Hidalgo Sheriff's Posse of the lights being removed from Westside Park.



HIDALGO COUNTY SHERIFF'S POSSE, INC.

January 8, 2013

City of McAllen
McAllen, Texas
City Manager

Ref: Lights at Westside Park

Dear Ms. Gavlik,

The Hidalgo County Sheriff's Posse association is in need of lights for our horse arena in Edinburg and would like to see if the City of McAllen would consider donating the field lights removed from the Westside Park in McAllen.

The lights would be a great benefit to our organization and help continue our mission to promote equestrian activities with our youth in the valley.

The Hidalgo County Sheriff's Posse was founded in 1956 and during the 56 years the non-profit Posse organization owns and operates a public rodeo arena on Wisconsin Road in Edinburg, where horse-loving kids and adults can participate and compete in equestrian activities. In addition to being available to serve our County Sheriff on horseback in times of emergency, The Sheriff's Posse has come to be known as one of the utmost youth-oriented organizations in the Valley.

In the past couple of years we have been trying to replace our lights in the arena due to the fact that our current wooden poles are starting to rot and lights are over 30 years old. The cost is beyond what our non-profit organization can afford and any help would be appreciated.

Please consider this request and if you have any questions please contact Javier Chamberlain at 956-525-9304 for any information.

We appreciate your consideration and support to our organization.

Sincerely,
Hidalgo County Sheriff's Posse, Inc.

Javier Chamberlain
Captain

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 2D
DATE SUBMITTED 01/07/13
MEETING DATE 01/14/13

1. Agenda Item: **AWARD OF CONTRACTS – CATASTROPHIC EVENT DEBRIS REMOVAL**
 PROJECT #11-12-S08-97

2. Party Making Request: Public Works Department

3. Nature of Request: (Brief Overview) Attachments: X Yes No
 Consideration and approval of multiple service contracts for the removal of debris resulting from a catastrophic event.

4. Policy Implication: City Commission Policy, Local Government Code

5. Budgeted: Yes X No N/A

6. Alternate Option/Costs: N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) <u> W. Smith, Asst. City Manager </u>	<u> </u>	<u> </u>	<u> </u>
b.) <u> C. Sanchez, PE, Dir. of Public Works </u>	<u> CAS </u>	<u> 01/08/13 </u>	<u> YES </u>
c.) <u> S. Zamora, Dir. of Purchasing & Con. </u>	<u> </u>	<u> </u>	<u> </u>
d.) <u> JW Dale, CPA, Finance Director </u>	<u> JWD </u>	<u> 01/08/13 </u>	<u> YES </u>

8. Staff Recommendation: Based on the unit prices noted on the attached bid tabulation, staff recommends award of service contracts to various debris management firms. Staff recommends OMNI Pinnacle, LLC of Pearl River, Louisiana as the primary contractor. Ceres Environmental Services, Inc. of Houston, Texas is recommended as the secondary contractor. Crowder Gulf of Theodore, Alabama is recommended as the tertiary contractor including acknowledgement of contractor's exception to bid item 15. Crowder Gulf will provide tipping fee for the disposal of asbestos containing material at time of service. If awarded, staff is requesting authorization, with City Manager approval, to exercise the option to extend the contract for two (2) additional years, in one (1) year increments, subject to the performance of the successful contractor(s) being satisfactory and the unit price(s) remaining unchanged. In addition, we respectfully request authorization to terminate such contract(s) with City Manager approval and re-award affected item(s) to the next low bidder meeting the requirements of the specifications, in the event that an awarded contractor fails to meet or perform under the terms and conditions of the Service Contract.

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

TO: Mike R. Perez, City Manager

FROM: Carlos A. Sanchez, P.E., CFM, Public Works Director *Carlos A. Sanchez*

DATE: January 7, 2013

SUBJECT: **Award of Multiple Service Contracts – Catastrophic Event Debris Removal
Project No. 11-12-S08-97**

Goal:

Consideration and authorization to award multiple catastrophic event debris removal service contracts.

Brief Explanation:

Staff seeks to pre-position debris removal contracts that will supplement Public Works resources in the event that said resources are overwhelmed due to a catastrophic event. As noted on the contract documents, these services contracts will only be invoked upon a Presidential Disaster Declaration, ensuring that services fees will be reimburse by the Federal Emergency Management Agency (FEMA).

On November 20, 2012 the Purchasing and Contracting Department received seven (7) responses to the advertised Request for Bid Proposal Notice. All bid proposals were evaluated based on a most probable cost for services on a unit cost basis. Two (2) of the proposals received did not meet the requirements of specifications and/or did not acknowledge receipt of addendum documents.

Options:

- 1) City Commission may elect to award service contract in a successive manner; (primary, secondary, and tertiary). Secondary contractor would not be activated unless primary contractor cannot perform.
- 2) City Commission may elect to reject all bids and direct staff to re-advertise this project.

Recommendation:

Based on the unit prices noted on the attached bid tabulation, staff recommends award of service contracts to various debris management firms. Staff recommends OMNI Pinnacle, LLC of Pearl River, Louisiana as the primary contractor. Ceres Environmental Services, Inc. of Houston, Texas is recommended as the secondary contractor. Crowder Gulf of Theodore, Alabama is recommended as the tertiary contractor including acknowledgement of contractor's exception to bid item 15. Crowder Gulf will provide tipping fee for the disposal of asbestos containing material at time of service. If awarded, staff is requesting authorization, with City Manager approval, to exercise the option to extend the contract for two (2) additional years, in one (1) year increments, subject to the performance of the successful contractor(s) being satisfactory and the unit price(s) remaining unchanged. In addition, we respectfully request authorization to terminate such contract(s) with City Manager approval and re-award affected item(s) to the next low bidder meeting the requirements of the specifications, in the event that an awarded contractor fails to meet or perform under the terms and conditions of the Service Contract.

				*PRIMARY		*SECONDARY		*TERTIARY		BYRD BROTHERS EMERGENCY SERVICES		PHILLIPS & JORDAN, INC.		ASPLUNDH		DRC EMERGENCY SERVICES				
				OMNI PINNACLE		CERES ENVIROMENTAL SERVICES, INC.		CROWDER-GULF		WILSON, NC.		ROBBINSVILLE, NC.		JACKSONVILLE, FL		HOUSTON, TX.				
				★ PEARL RIVER, LA.		★ HOUSTON, TX.		★ THEODORE, AL												
No.	Lot	Internal Ref. No.	Type	Description	UOM	Qty.	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended		
1	968-88	968-88-01001	BASE	REMOVAL AND HAULING OF ELIGIBLE VEGETATIVE DEBRIS TO A DMS WITHIN THE CITY OF McALLEN, including limbs and trees placed on ROW under pay items 10 and 11 below. Validated loads picked up at the designated work zone or right-of-way (right-of-entry/public nuisance property if approved by FEMA) and hauled to a DMS provided by the Owner.	CY	100000	\$6.95	\$695,000.00	\$8.75	\$875,000.00	\$7.20	\$720,000.00	\$7.14	\$714,000.00	\$8.00	\$800,000.00	\$7.71	\$771,000.00	\$8.24	\$824,000.00
2	968-88	968-88-01002	BASE	SITE MANAGEMENT AND GRINDING OF ELIGIBLE VEGETATIVE DEBRIS AT A DMS PROVIDED BY THE OWNER, including site closure to the written satisfaction of the TCEQ. Grinding of eligible disaster related debris delivered to the DMS by the Contractor, Owner, or others.	CY	100000	\$2.50	\$250,000.00	\$2.75	\$275,000.00	\$2.90	\$290,000.00	\$2.96	\$296,000.00	\$4.00	\$400,000.00	\$1.96	\$196,000.00	\$1.12	\$112,000.00
3	968-88	968-88-01003	BASE	SITE MANAGEMENT AND AIR CURTAIN BURNING OF ELIGIBLE VEGETATIVE DEBRIS AT A DMS PROVIDED BY THE OWNER, including site closure to the written satisfaction of the TCEQ. Burning of eligible disaster related debris delivered to the DMS by the Contractor, Owner, or others.	CY	100000	\$2.00	\$200,000.00	\$1.75	\$175,000.00	\$2.00	\$200,000.00	\$2.60	\$260,000.00	\$4.00	\$400,000.00	\$1.78	\$178,000.00	\$1.12	\$112,000.00
4	968-88	968-88-01004	BASE	HAULING OF ELIGIBLE VEGETATIVE DEBRIS REDUCED BY GRINDING FROM DMS TO AN APPROVED LANDFILL AS DIRECTED BY THE OWNER, either the City of Edinburg Landfill or the BFI Landfill. Hauling of eligible debris which has been reduced by the Contractor, Owner, or others.	CY	30000	\$2.00	\$60,000.00	\$3.75	\$112,500.00	\$4.00	\$120,000.00	\$4.41	\$132,300.00	\$5.00	\$150,000.00	\$3.74	\$112,200.00	\$3.65	\$109,500.00
5	968-88	968-88-01005	BASE	HAULING OF ELIGIBLE VEGETATIVE DEBRIS REDUCED BY BURNING FROM DMS TO AN APPROVED LANDFILL AS DIRECTED BY THE OWNER, either the City of Edinburg Landfill or the BFI Landfill. Hauling of eligible debris which has been reduced by the Contractor, Owner, or others.	CY	25000	\$1.75	\$43,750.00	\$3.75	\$93,750.00	\$4.00	\$100,000.00	\$5.19	\$129,750.00	\$5.00	\$125,000.00	\$5.46	\$136,500.00	\$4.25	\$106,250.00
6	968-88	968-88-01006	BASE	DISPOSAL OF REDUCED (BY GRINDING) ELIGIBLE VEGETATIVE DEBRIS AT A TCEQ APPROVED LANDFILL AS DIRECTED BY THE OWNER, either the City of Edinburg Landfill or the BFI Landfill. Disposal of reduced vegetative debris which has been delivered by the Contractor, Owner, or others, with Contractor paying all tipping fees directly.	TONS	4000	\$65.50	\$262,000.00	\$35.50	\$142,000.00	\$35.00	\$140,000.00	\$35.00	\$140,000.00	\$30.00	\$120,000.00	\$45.14	\$180,560.00	\$68.50	\$274,000.00
7	968-88	968-88-01007	BASE	DISPOSAL OF REDUCED (BY BURNING) ELIGIBLE VEGETATIVE DEBRIS AT A TCEQ APPROVED LANDFILL AS DIRECTED BY THE OWNER, either the City of Edinburg Landfill or the BFI Landfill. Disposal of reduced vegetative debris which has been delivered by the Contractor, Owner, or others, with Contractor paying all tipping fees directly.	TONS	3500	\$59.50	\$208,250.00	\$35.50	\$124,250.00	\$35.00	\$122,500.00	\$35.00	\$122,500.00	\$30.00	\$105,000.00	\$51.75	\$181,125.00	\$68.50	\$239,750.00
8	968-88	968-88-01008	BASE	REMOVAL OF ELIGIBLE C&D DEBRIS AND HAULING TO A TCEQ APPROVED LANDFILL AS DIRECTED BY THE OWNER, either the City of Edinburg Landfill or the BFI Landfill. Validated loads picked up at the designated work zone or right of way (and right of entry/public nuisance property if approved by FEMA) and hauled to a TCEQ approved landfill, with Owner paying all tipping fees directly.	CY	100000	\$6.95	\$695,000.00	\$7.50	\$750,000.00	\$8.00	\$800,000.00	\$18.75	\$1,875,000.00	\$17.50	\$1,750,000.00	\$8.51	\$851,000.00	\$18.42	\$1,842,000.00
9	968-88	968-88-01009	BASE	DISPOSAL OF C&D DEBRIS AT A TCEQ APPROVED LANDFILL AS DIRECTED BY THE OWNER, either the City of Edinburg Landfill or the BFI Landfill. Disposal of eligible C debris which has been delivered to the landfill by the Contractor, Owner, or others, with Contractor paying all tipping fees directly.	CY	100000	\$12.45	\$1,245,000.00	\$13.21	\$1,321,000.00	\$21.00	\$2,100,000.00	\$11.67	\$1,167,000.00	\$9.00	\$900,000.00	\$19.24	\$1,924,000.00	\$14.62	\$1,462,000.00
10	968-88	968-88-01010	BASE	REMOVAL OF HAZARDOUS LIMBS. The Contractor shall remove hazardous hanging limbs over 2" in diameter from trees over 6" in diameter and place them on public property or ROW, as identified by the Owner or Monitor as eligible for FEMA reimbursement. Payment for hauling, reduction, and/or disposal shall be included in pay item 1 above.	TREES	2000	\$85.00	\$170,000.00	\$60.00	\$120,000.00	\$60.00	\$120,000.00	\$56.25	\$112,500.00	\$105.00	\$210,000.00	\$55.20	\$110,400.00	\$72.50	\$145,000.00

RESPONSIVE

Bid Tabulation: 11-12-S08-97 CATASTROPHIC EVENT DEBRIS REMOVAL										*PRIMARY		*SECONDARY		*TERTIARY		BYRD BROTHERS EMERGENCY SERVICES		PHILLIPS & JORDAN, INC.		ASPLUNDH		DRC EMERGENCY SERVICES	
										OMNI PINNACLE		CERES ENVIROMENTAL SERVICES, INC.		CROWDER-GULF		WILSON, NC.		ROBBINSVILLE, NC.		JACKSONVILLE, FL		HOUSTON, TX.	
										★ PEARL RIVER, LA.		★ HOUSTON, TX.		★ THEODORE, AL									
No.	Lot	Internal Ref. No.	Type	Description	UOM	Qty.	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	
11	968-88	968-88-01011	BASE	REMOVAL OF HAZARDOUS TREES OVER 6" AND UP TO 12" IN DIAMETER. The Contractor shall remove hazardous trees over 6" and up to 12" in diameter (24" above ground) and place them on public property or ROW, as identified by the Owner or Monitor as eligible for FEMA reimbursement. Payment for hauling, reduction, and/or disposal shall be included in pay item 1 above.	TREES	100	\$55.00	\$5,500.00	\$50.00	\$5,000.00	\$40.00	\$4,000.00	\$208.33	\$20,833.00	\$95.00	\$9,500.00	\$258.75	\$25,875.00	\$50.00	\$5,000.00			
12	968-88	968-88-01012	BASE	REMOVAL OF HAZARDOUS TREES OVER 12" AND UP TO 24" IN DIAMETER. The Contractor shall remove hazardous trees over 12" and up to 24" in diameter (24" above ground) and place them on public property or ROW, as identified by the Owner or Monitor as eligible for FEMA reimbursement. Payment for hauling, reduction, and/or disposal shall be included in pay item 1 above.	TREES	50	\$65.00	\$3,250.00	\$150.00	\$7,500.00	\$90.00	\$4,500.00	\$250.00	\$12,500.00	\$150.00	\$7,500.00	\$373.75	\$18,687.50	\$250.00	\$12,500.00			
13	968-88	968-88-01013	BASE	REMOVAL OF HAZARDOUS TREES OVER 24" AND UP TO 36" IN DIAMETER. The Contractor shall remove hazardous trees over 24" and up to 36" in diameter (24" above ground) and place them on public property or ROW, as identified by the Owner or Monitor as eligible for FEMA reimbursement. Payment for hauling, reduction, and/or disposal shall be included in pay item 1 above.	TREES	25	\$75.00	\$1,875.00	\$350.00	\$8,750.00	\$120.00	\$3,000.00	\$458.33	\$11,458.25	\$225.00	\$5,625.00	\$488.75	\$12,218.75	\$350.00	\$8,750.00			
14	968-88	968-88-01014	BASE	REMOVAL OF HAZARDOUS TREES OVER 36 INCHES. The Contractor shall remove hazardous trees over 36" in diameter (24" above ground) and place them on public property or ROW, as identified by the Owner or Monitor as eligible for FEMA reimbursement. Payment for hauling, reduction, and/or disposal shall be included in pay item 1 above.	TREES	10	\$100.00	\$1,000.00	\$500.00	\$5,000.00	\$200.00	\$2,000.00	\$666.67	\$6,666.70	\$325.00	\$3,250.00	\$776.25	\$7,762.50	\$450.00	\$4,500.00			
15	968-88	968-88-01015	BASE	REMOVAL, HAULING, AND DISPOSAL OF ASBESTOS CONTAINING MATERIAL (ACM). The Contractor shall remove, haul, and dispose ACM resulting from demolition of structures at a facility approved by TCEQ to accept such items.	CY	1000	\$22.50	\$22,500.00	\$58.00	\$58,000.00	\$24.00	\$24,000.00	\$31.17	\$31,170.00	\$12.75	\$12,750.00	\$75.00	\$75,000.00	\$32.56	\$32,560.00			
16	968-88	968-88-01016	BASE	REMOVAL, HAULING, AND DISPOSAL OF WHITE GOODS. The Contractor shall remove, decontaminate, transport and recycle or dispose approved white goods (appliances) in accordance with all federal, state, and local rules, regulations, and laws. The Contractor will handle the units in a manner that will prevent them from discharging remaining refrigerants (Freon) into the atmosphere.	EA	1000	\$75.00	\$75,000.00	\$60.00	\$60,000.00	\$40.00	\$40,000.00	\$81.25	\$81,250.00	\$100.00	\$100,000.00	\$78.20	\$78,200.00	\$40.00	\$40,000.00			
17	968-88	968-88-01017	BASE	REMOVAL, HAULING, AND DISPOSAL OF ELECTRONICS WASTE. The Contractor shall remove, haul, and dispose electronics waste in accordance with all applicable rules, regulations, and laws. The e-waste will be loaded, transported, and disposed at a facility approved by TCEQ to accept such items.	CY	2000	\$45.00	\$90,000.00	\$40.00	\$80,000.00	\$50.00	\$100,000.00	\$25.97	\$51,940.00	\$19.00	\$38,000.00	\$9.20	\$18,400.00	\$32.56	\$64,000.00			
18	968-88	968-88-01018	BASE	REMOVAL, HAULING, AND DISPOSAL OF CONCRETE. The Contractor shall load, haul, and dispose of Portland Cement Concrete material separated by the property owner, as declared eligible by FEMA.	CY	10000	\$9.50	\$95,000.00	\$20.00	\$200,000.00	\$16.00	\$160,000.00	\$9.38	\$93,800.00	\$18.00	\$180,000.00	\$18.75	\$187,500.00	\$12.86	\$128,600.00			

RESPONSIVE

Bid Tabulation: 11-12-S08-97 CATASTROPHIC EVENT DEBRIS REMOVAL

No.	Lot	Internal Ref. No.	Type	Description	UOM	Qty.	*PRIMARY		*SECONDARY		*TERTIARY		BYRD BROTHERS EMERGENCY SERVICES		PHILLIPS & JORDAN, INC.		ASPLUNDH		DRC EMERGENCY SERVICES	
							Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
							★	OMNI PINNACLE	★	CERES ENVIORNENTAL SERVICES, INC.	★	CROWDER-GULF		BYRD BROTHERS EMERGENCY SERVICES		PHILLIPS & JORDAN, INC.		ASPLUNDH		DRC EMERGENCY SERVICES
								PEARL RIVER, LA.		HOUSTON, TX.		THEODORE, AL		WILSON, NC.		ROBBINSVILLE, NC.		JACKSONVILLE, FL		HOUSTON, TX.
19	968-88	968-88-01019	BASE	REMOVAL, HAULING, AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTES (HHW). The Contractor shall collect and transport household hazardous wastes to a central collection site identified by the Owner.	CY	1000	\$15.00	\$15,000.00	\$65.00	\$65,000.00	\$30.00	\$30,000.00	\$31.25	\$31,250.00	\$25.00	\$25,000.00	\$16.10	\$16,100.00	\$12.50	\$12,970.00
20	968-88	968-88-01020	BASE	REMOVAL, HAULING, AND DISPOSAL OF LAWNMOWERS AND EQUIPMENT WITH SMALL ENGINES. The Contractor shall load, haul, and dispose of eligible lawnmowers and equipment with small engines.	EA	100	\$35.00	\$3,500.00	\$25.00	\$2,500.00	\$40.00	\$4,000.00	\$31.25	\$3,125.00	\$18.00	\$1,800.00	\$17.25	\$1,725.00	\$35.00	\$3,500.00
21	968-88	968-88-01021	BASE	REMOVAL, HAULING, AND DISPOSAL OF ABANDONED TIRES. The Contractor shall segregate, load, and haul eligible abandoned tires to a collection site in the City of McAllen, as designated by the City.	EA	1000	\$15.00	\$15,000.00	\$20.00	\$20,000.00	\$11.00	\$11,000.00	\$31.25	\$31,250.00	\$16.00	\$16,000.00	\$11.50	\$11,500.00	\$15.00	\$15,000.00
22	968-89	968-88-01022	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Training and Assistance- Sessions for all key personnel and assistance in all disaster debris recovery planning efforts as requested.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
23	968-90	968-88-01023	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Preliminary Damage Assessment- Determining the impact and magnitude of the disaster event to help expedite any applications for federal assistance.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
24	968-91	968-88-01024	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Mobilization and Demobilization- All arrangements necessary to mobilize and demobilize the Contractor's labor force and equipment needed to perform the Scope of Services contained herein shall be made by the Contractor.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

RESPONSIVE

eBid eXchange Export
 BID OPENING: NOVEMBER 20, 2012 AT 4:00 P.M. (Conference Room)

Bid Tabulation: 11-12-S08-97 CATASTROPHIC EVENT DEBRIS REMOVAL

			*PRIMARY	*SECONDARY	*TERTIARY	BYRD BROTHERS EMERGENCY SERVICES		PHILLIPS & JORDAN, INC.		ASPLUNDH		DRC EMERGENCY SERVICES				
			OMNI PINNACLE	CERES ENVIROMENTAL SERVICES, INC.	CROWDER-GULF	WILSON, NC.		ROBBINSVILLE, NC.		JACKSONVILLE, FL		HOUSTON, TX.				
			★ PEARL RIVER, LA.	★ HOUSTON, TX.	★ THEODORE, AL.											
No.	Lot	Internal Ref. No.	Type	Description	UOM	Qty.	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended	Unit Price	Extended
25	968-92	968-88-01025	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Mobile Command Unit- The Contractor shall provide use of the mobile command unit for Owner's debris recovery management personnel to serve as a field, operations command center.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
26	968-93	968-88-01026	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Temporary Storage of Documents- The Contractor shall provide storage of daily or disaster-related documents and reports for protection during the disaster event.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
27	968-94	968-88-01027	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Debris Planning Efforts- The Contractor shall assist in disaster debris recovery planning efforts as requested by the Owner. These planning efforts shall include but are not limited to identification of adequate temporary debris storage and reduction sites, estimation of debris quantities, and emergency action plans for debris clearance following a disaster event.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
28	968-95	968-88-01028	BASE	ADDITIONAL SERVICES TO BE PROVIDED AT NO COST: Reporting and Documentation- The Contractor shall provide and submit to the Monitor and the Owner, all reports and documents as may be necessary to adequately document its performance of this Contract, to include all requirements for documentation requested by FEMA and GDEM for reimbursement of costs.	LOT	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ADDENDUM NO. 1							ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED
NUMBER OF DAYS TO SET-UP EQUIPMENT AT CITY SITE AFTER STAFF NOTIFIES SUCCESSFUL RESPONDENT THAT SERVICES ARE NEEDED							2 Days	▲ 1 Day	2.5 Days	1-2 Days	2 Days	4 Days	3 Days			
TOTAL AMOUNT BID							\$4,156,625.00	\$4,500,250.00	\$5,095,000.00	\$5,324,292.95	\$5,359,425.00	\$5,093,753.75	\$5,553,880.00			

▲ Price may be reduced to \$5.00 per ton by mutual agreement if a different landfill is acceptable

▲ These prices do not include tipping fees. CrowderGulf will negotiate the lowest tipping fee possible at the time of the disaster/event. CrowderGulf will attempt to negotiate a tipping fee lower than the City's Contract Price with the Edinburg or BFI Landfills. In the past, CrowderGulf has successfully negotiated lower tipping fee prices for many of our customers. The volume of debris by a disaster is a good opportunity to negotiate lower tipping fees when there are competing Landfills. CrowderGulf will pay tipping fees and back charge the City at Cost.

▲ 1 day for equipment - fully operational in 4 days

**late submittal of hard copy of bid

**late submittal of hard copy of bid

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 2E
DATE SUBMITTED 01/07/13
MEETING DATE 01/14/13

1. Agenda Item: Supply Contract for the Purchase & Delivery of Concrete
 Project No:12-12-SP05-13

2. Party Making Request: Public Works

3. Nature of Request: (Brief Overview) Attachments: X Yes No
 Public Works is recommending award of supply contract for the purchase & delivery of concrete to Magic Valley Concrete (CAPA) of Mission, TX.

4. Policy Implication: City Commission Policy, Local Government Code

5. Budgeted: X Yes No N/A

Account #: 011-3026-433-62-04

6. Alternate Option/Costs: N/A

7. Routing:

	<u> NAME/TITLE </u>	<u> INITIAL </u>	<u> DATE </u>	<u> CONCURRENCE </u>
a.)	<u> C. A. Sanchez, P.E., PW Director </u>	<u> CAS </u>	<u> 01/08/13 </u>	<u> YES </u>
b.)	<u> W. Smith, Asst.City Manager/ Deputy EMC </u>	<u> </u>	<u> </u>	<u> </u>
c.)	<u> S. Zamora, CPM, Dir of Pur. & Con. </u>	<u> </u>	<u> </u>	<u> </u>
d.)	<u> J.W. Dale, CPA, Finance Director </u>	<u> JWD </u>	<u> 01/08/13 </u>	<u> YES </u>

8. Staff Recommendation: Staff recommends award of supply contract to Magic Valley Concrete (CAPA) of Mission, TX for the purchase & delivery of concrete at a unit price of \$70.00 per cubic yard for Class "A"; \$72.00 per cubic yard for Class "C"; and \$74.00 per cubic yard for Class "F" type concrete all with a 24 hour delivery clause and for the term of one (1) year. If awarded, staff is requesting authorization, with City Manager approval, to exercise the option to extend the contract for two (2) additional years, in one (1) year increments, subject to the performance of the successful vendor(s) being satisfactory and the unit price(s) remaining unchanged. In addition, we respectfully request authorization to terminate such contract(s) with City Manager approval and re-award affected item(s) to the next low bidder meeting the requirements of the specifications, in the event that an awarded vendor fails to meet or perform under the terms and conditions of the Supply Contract.

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

TO: Mike R. Perez, City Manager

FROM: Carlos A. Sanchez, P.E., CFM, and Public Works Director *Carlos A. Sanchez*

DATE: January 8, 2013

SUBJECT: **Supply Contract for the Purchase & Delivery of Concrete - Project No: 12-12-SP05-13**

Goal:

Public Works Staff seeks approval of supply contract for the purchase of concrete for the construction of sidewalks, wheelchair ramps, and curb & valley gutter replacements within the city.

Explanation:

The Public Works Sidewalk Division is responsible for construction of sidewalks, wheelchair ramps, as well as replacing curb and gutter when necessary. Additionally, the crew is also responsible for the tie-in and installation of new drainage inlet structures and outfalls in drainage ditches to prevent erosion and/or cave-ins. On December 13, 2012 the Purchasing & Contracting Department received a total of three (3) bids in response to the bid solicitation for a supply contract for the purchase & delivery of concrete. Concrete is purchased on an as needed basis. During fiscal year 2011-2012, the city purchased approximately 507.5 cubic yards of concrete and spent approximately \$36,397.25.

Options/Alternatives:

The City can award contract or choose to outsource concrete work to private contractors at an added cost.

Recommendation:

Upon review of bids submitted Public Works staff recommends award of supply contract to Magic Valley Concrete (CAPA) of Mission, Texas for the purchase of concrete Class "A" at a unit price of \$70.00 per cubic yard, Class "C" at \$72.00 per cubic yard, and Class "F" at \$74.00 per cubic yard all with a 24 hour delivery clause, for a period of one (1) year. If awarded, staff is requesting authorization, with City Manager approval, to exercise the option to extend the contract for two (2) additional years, in one (1) year increments, subject to the performance of the successful vendor being satisfactory and the unit price(s) remaining unchanged. In addition, we respectfully request authorization to terminate such contract(s) with City Manager approval and re-award affected item(s) to the next low bidder meeting the requirements of the specifications, in the event that an awarded vendor fails to meet or perform under the terms and conditions of the Supply Contract.

Attached is a copy of the bid tabulation and historical unit prices for your review and consideration.

If you should have any questions or require additional information, please advise.



CITY OF McALLEN

Location: Conference Room (2nd Floor)

Solicitation: 12-12-SP05-13 SUPPLY CONTRACT FOR THE PURCHASE AND DELIVERY OF CONCRETE

Bid Opening: December 13, 2012 at 4:00 p.m.



MAGIC VALLEY CONCRETE (CAPA)	SPENCE CONCRETE COMPANY	CEMEX
MISSION, TX	McALLEN, TX	EDINBURG, TX

ITEM NO.	CLASS ITEM	TYPE	DESCRIPTION	UOM	QTY	UNIT PRICE PER CUBIC YARD	UNIT PRICE PER CUBIC YARD	UNIT PRICE PER CUBIC YARD
1	750-70-01001-4	BASE	CONCRETE CLASS "A" DELIVERED. IDENTIFY THE NUMBER OF HOURS REQUIRED TO DELIVER CONCRETE TO THE PROJECT SITE AFTER RECEIVING ORDER BY TELEPHONE, FAX OR EMAIL IN THE COMMENT FIELD OF E-BID	CY	1	\$70.00	\$74.00	\$77.50
2	750-70-01005-2	BASE	CONCRETE CLASS "C" DELIVERED. IDENTIFY THE NUMBER OF HOURS REQUIRED TO DELIVER CONCRETE TO THE PROJECT SITE AFTER RECEIVING ORDER BY TELEPHONE, FAX OR EMAIL IN THE COMMENT FIELD OF E-BID	CY	1	\$72.00	\$80.00	\$82.00
3	750-70-01003-0	BASE	CONCRETE CLASS "F" DELIVERED. IDENTIFY THE NUMBER OF HOURS REQUIRED TO DELIVER CONCRETE TO THE PROJECT SITE AFTER RECEIVING ORDER BY TELEPHONE, FAX OR EMAIL IN THE COMMENT FIELD OF E-BID	CY	1	\$74.00	\$86.00	\$86.50
DELIVERY						NOT SPECIFIED	48 HOURS	24 HOUR NOTICE



CONCRETE ▲ ASPHALT ▲ FILLER ▲ AGGREGATES

Rio Valley Pipe | Magic Valley Concrete | Upper Valley Materials
7301 W Expressway 83 | Mission, TX 78572
P: (956) 580-2502 | (956) 584-5770 | F: (956) 583-2086

January 7, 2013

Carlos A. Sanchez, P.E., CPM, CFM
Public Works Director
City of McAllen

RE: Annual Concrete Contract
Delivery Request Time (24 Hours)

Mr. Sanchez,

We have reviewed the attached e-mail and concur with Mr. Romeo's request to deliver concrete within 24 hours of notice.

We appreciate the opportunity to work alongside with the City of McAllen and look forward to meeting your material needs and expectations.

Should you have any further questions, feel free to call me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Saul R. Munoz', with a long, sweeping flourish extending to the right.

Saul R. Munoz, P.E.
Chief of Operations



CONCRETE ▲ ASPHALT ▲ FILLER ▲ AGGREGATES

(956)369-7035 Cell
(956)580-2502 Office
smunoz@capatexas.com Email

FY 2011/2012

SPENCE CONCRETE CO. MCALLEN, TX.	QTY	UNIT PRICE	TOTAL AMOUNT
UNIT PRICE PER CY CLASS A 3000 PSI	498.25	\$ 71.50	\$ 35,624.88
UNIT PRICE PER CY CLASS C 3600 PSI			
UNIT PRICE PER CY CLASS F 4200 PSI	9.25	\$ 83.50	\$ 772.38
TOTAL	507.50		\$ 36,397.25

City of McAllen
Standardized Recommendation Form

City Commission **X**
 Utility Board _____
 Other Board _____

Agenda Item **2F**
 Date Submitted 1/08/13
 Meeting Date 1/14/13

1. Agenda Item: Purchase of P25 capable radios through HGAC

2. Party Making Request: Belinda Mercado, Information Technology Director

3. Nature of Request: (Brief Overview) Attachments: **X** Yes No
 Request approval to purchase 55 radios (P-25 capable) as outlined in attachments for
 increased radio needs and replacement of inoperable radios. (55 Radios)

4. Policy Implication: _____

5. Budgeted: **X** Yes No N/A 12-13 Budget
 Bid Amount: **\$ 102,917** Budgeted Amount: **\$ 116,650**
 Under Budget: **\$ 13,733** Over Budget: _____
 Amount Remaining: _____

If over budget, how will it be paid for: _____

6. Alternate option/costs: _____

7. Routing: _____

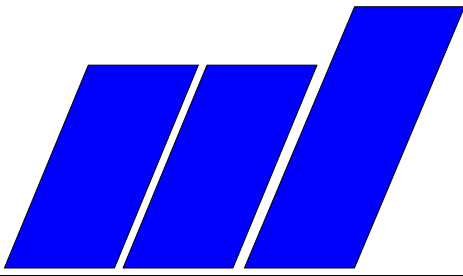
<u>Name/Title</u>	<u>Initial</u>	<u>Date</u>	<u>Concurrence</u>	
a) <u> Belinda Mercado, IT Director </u>		<u> 1/8/2013 </u>	<u> x </u> Yes <u> </u> No	
b) <u> Roel Rodriguez, Assistant City Manager </u>		<u> 1/8/2013 </u>	<u> x </u> Yes <u> </u> No	
c) <u> Sandra Zamora, Purchasing Director </u>			<u> x </u> Yes <u> </u> No	
d) _____			<u> </u> Yes <u> </u> No	
e) _____			<u> </u> Yes <u> </u> No	

8. Staff's Recommendation: Authorize purchase of radios in the amount of \$102,917

Advisory Board: Approved Disapproved None

City Attorney: **KP** Approved Disapproved None

Manager's Recommendation: **MRP** Approved Disapproved None



To: Mike R. Perez, City Manager
From: Belinda Mercado, Information Technology Director
Thru: Roel Rodriguez, Assistant City Manager
Date: January 7, 2013
Subject: Radio Purchase for City Departments

GOAL:

To replace outdated radios, and radios beyond repair, with current models which provide for P25 digital functionality in-line with the interoperability goals as requested by the State of Texas.

BRIEF EXPLANATION:

Over 78% of the City of McAllen's radio inventory will not operate on a P25 based radio system such as the Rio Grande Valley Regional Radio System. In addition, many departments have radios that Motorola no longer supports for parts and service. This purchase will begin to replace those radios with P25 capable radios, which are supported with parts and service availability, and will enhance operability as well as interoperability on current and future radio platforms.

OPTIONS:

The following are the options to consider:

- Authorize purchase of the new radios from Motorola Solutions on HGAC contract.
- Attempt to locate aftermarket parts and service to extend the life of existing radios.

RECOMMENDATION:

Staff recommends approval of new radios totaling \$ 102,916.05 to be purchased through HGAC from Motorola Solutions, Inc. of Farmers Branch, Texas.

January 2013 Consolidated Radio Purchase

City of McAllen

Department	Type	Qty	Accessories	Contact	Account Number(s)	Budgeted	Quote	
Downtown Services	XTS1500 M 1.5	5	See Below	Doris Hein 681-3525	160-3032-436.66-20	\$7,700.00	\$6,898.00	
Downtown Services		1	Bank Charger	Doris Hein 681-3525	"		\$630.40	
Downtown Services		1	Single Charger	Doris Hein 681-3525	"		\$132.00	
						DT Sub Total		\$7,660.40
Public Works	XTS1500 M 1.5	1	Single Charger for each	Esmer Garcia 681-4065	500-4250-446.66-20	\$2,250.00	\$1,511.60	
Public Works	XTS1500 M 1.5	2	See Below	Esmer Garcia 681-4065	500-4252-446-66-16	\$4,000.00	\$3,389.60	
Public Works	Accessory	1	Bank Charger	Esmer Garcia 681-4065	500-4252-446-66-16	incl		
Public Works	XTL1500	3		Esmer Garcia 681-4065	500-4252-446-66-16	\$6,750.00	\$5,880.45	
Public Works	XTS1500 M 1.5	1	Single Charger for each	Esmer Garcia 681-4065	500-4254-446-66-20	\$2,000.00	\$1,511.60	
Public Works	XTL1500	3		Esmer Garcia 681-4065	500-4254-446-66-20	\$6,750.00	\$5,880.45	
Public Works	XTS1500 M 1.5	2	Single Charger for each	Esmer Garcia 681-4065	011-3022-436-66-20	\$4,000.00	\$3,023.20	
Public Works	XTL1500	2		Esmer Garcia 681-4065	011-3022-436-66-20	\$4,500.00	\$3,920.30	
Public Works	XTS1500 M 1.5	2	Single Charger for each	Esmer Garcia 681-4065	011-3030-436-66-20	\$4,000.00	\$3,023.20	
Airport Operations	XTS1500 M 1.5	5	No Chargers	Mike Fray 681-1526	500-4860-446-66-20	\$6,000.00	\$6,898.00	
Convention Center	XTS1500 M 1.5	11	No Chargers	Al Diaz 681-3828	541-5251-466-66-20	\$16,500.00	\$15,175.60	
Police Department	XTL5000 moto	5		Javier Rodriguez 681-2060	011-2002-426-66-20	\$37,200.00	\$19,706.75	
Police Department	XTL2500	3		Javier Rodriguez 681-2060	011-2002-426-66-20	incl	\$10,218.90	
						PD Sub Tot		\$29,925.65
Parks and Rec	XTS1500 M 1.5	10	With Individual Chargers	Dave Melas 681-3318	300-8708-466.66-30	\$15,000.00	\$15,116.00	

Total Radios 55 \$116,650.00 \$102,916.05

Purchase \$102,916.05
Under Budget \$13,733.95

PURCHASE SUMMARY

Item	Qty	
XTS1500 M1.5	39	Smartnet 3600 baud trunking
XTL1500	8	Smartnet 3600 baud trunking
XTL5000 Moto	5	3600, 9600, data, otap
XTL2500	3	3600, 9600, data, otap
	<u>55</u>	



Quote Number: QU0000213139
Effective: 05 DEC 2012
Effective To: 04 JAN 2013

Bill-To:
 MC ALLEN, CITY OF
 PO BOX 220
 MC ALLEN, TX 78505
 United States

Ultimate Destination:
 MC ALLEN, CITY OF
 1501 PECAN BLVD
 MC ALLEN, TX 78501
 United States

Attention:
Name: Randy Ashley
Email: rashley@mcallen.net
Phone: (956) 607-3250

Sales Contact:
Name: Ronald Martin
Email: ron.martin@motorolasolutions.com
Phone: 512-801-4660

Contract Number: HGAC
Freight terms: FOB Destination
Payment terms: Net 30

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
1	39	H66UCD9PW5BN	ASTRO DIGITAL XTS1500 MODEL 1.5 764-870MHZ 1-3W 96 CHANNEL (DISPLAY)	\$750.00	\$615.00	\$23,985.00
1a	39	Q575BJ	ENH: TRUNKING 3600 BAUD	\$830.00	\$680.60	\$26,543.40
1b	39	QA00542AA	ADD: SPARE KNOB KIT	-	-	-
1c	39	H885BK	ENH: 2 YEAR REPAIR SERVICE ADVANTAGE	\$84.00	\$84.00	\$3,276.00
1d	39	H415EH	ADD: BULK PACKAGING	-	-	-
2	2	WPLN4108BR	IMPRES MULTI UNIT CHARGER - 110V	\$788.00	\$630.40	\$1,260.80
3	17	WPLN4111AR	110V SUC SMART CHARGER	\$165.00	\$132.00	\$2,244.00
4	8	M28URS9PW1AN	XTL 1500 MOBILE 35 WATT, 764-870MHZ	\$1,600.00	\$1,336.00	\$10,688.00
4a	8	G24AX	ENH: 2 YEAR REPAIR SERVICE ADVANTAGE	\$121.00	\$121.00	\$968.00
4b	8	G799AB	ADD: PRINTED TEST RESULTS	-	-	-
4c	8	B18CL	ADD: AUXILIARY SPKR SPECTRA 7.5 WATT	\$60.00	\$50.10	\$400.80
4d	8	G789AS	ENH: 3600 ASTRO DIGITAL	\$530.00	\$442.55	\$3,540.40
4e	8	G335AT	ADD: ANTENNA 1/4 WAVE 764-870MHZ	\$14.00	\$10.50	\$84.00
5	5	M20URS9PW1AN	XTL 5000 MOBILE 10-35 WATT, 764-870MHZ	\$1,497.00	\$1,122.75	\$5,613.75
5a	5	G806AT	ENH: SOFTWARE ASTRO DIGITAL CAI OPERATION	\$515.00	\$386.25	\$1,931.25
5b	5	G24AX	ENH: 2 YEAR REPAIR SERVICE ADVANTAGE	\$121.00	\$121.00	\$605.00
5c	5	W22AS	ADD: PALM MICROPHONE	\$72.00	\$54.00	\$270.00
5d	5	G67AP	ADD: MID REMOTE MOUNT, THUMB SCREW	\$297.00	\$222.75	\$1,113.75
5e	5	G799AB	ADD: PRINTED TEST RESULTS	-	-	-
5f	5	B18CL	ADD: AUXILIARY SPKR SPECTRA 7.5 WATT	\$60.00	\$50.10	\$250.50
5g	5	G114AE	ENH: ENHANCED DIGITAL ID DISPLAY	\$75.00	\$60.00	\$300.00
5h	5	G996AF	ENH: PROGRAMMING OVER P25	\$100.00	\$75.00	\$375.00
5i	5	W947AL	ADD: RS232 & IV&D PACKET DATA INTERFACE	\$200.00	\$150.00	\$750.00
5j	5	G442AB	ADD: XTL 5000 O5 CONTROL HEAD	\$432.00	\$324.00	\$1,620.00
5k	5	G444AA	ADD: ADD: CONTROL HEAD SOFTWARE	-	-	-
5l	5	G51AM	ENH: 3600 SMARTZONE OPERATION	\$1,500.00	\$1,125.00	\$5,625.00
5m	5	G361AE	ENH: ASTRO PROJECT 25 TRUNKING SOFTWARE	\$300.00	\$240.00	\$1,200.00

Item	Quantity	Nomenclature	Description	List price	Your price	Extended Price
5n	5	G335AT	ADD: ANTENNA 1/4 WAVE 764-870MHZ	\$14.00	\$10.50	\$52.50
6	3	M21URM9PW1AN	XTL 2500 764-870MHZ, 10-35W	\$1,497.00	\$1,122.75	\$3,368.25
6a	3	G806BD	ENH: XTL SOFTWARE ASTRO DIGITAL CAI OPERATION	\$515.00	\$412.00	\$1,236.00
6b	3	G24AX	ENH: 2 YEAR REPAIR SERVICE ADVANTAGE	\$121.00	\$121.00	\$363.00
6c	3	G66AF	ADD: DASH MOUNT, NO CONTROL HEAD	\$125.00	\$93.75	\$281.25
6d	3	W22AR	ADD: PALM MICROPHONE	\$72.00	\$57.60	\$172.80
6e	3	G799AB	ADD: PRINTED TEST RESULTS	-	-	-
6f	3	B18CL	ADD: AUXILARY SPKR SPECTRA 7.5 WATT	\$60.00	\$50.10	\$150.30
6g	3	G114AE	ENH: ENHANCED DIGITAL ID DISPLAY	\$75.00	\$60.00	\$180.00
6h	3	G361AE	ENH: ASTRO PROJECT 25 TRUNKING SOFTWARE	\$300.00	\$240.00	\$720.00
6i	3	G996AE	ENH: OVER THE AIR PROGRAMMING	\$100.00	\$75.00	\$225.00
6j	3	W947AL	ADD: RS232 & IV&D PACKET DATA INTERFACE	\$200.00	\$150.00	\$450.00
6k	3	G444AA	ADD: ADD: CONTROL HEAD SOFTWARE	-	-	-
6l	3	G442AA	ADD: XTL2500 CONTROL HEAD	\$292.00	\$233.60	\$700.80
6m	3	G51AR	ENH: SOFTWARE SMARTZONE/SINGLE TONE	\$975.00	\$780.00	\$2,340.00
6n	3	G335AT	ADD: ANTENNA 1/4 WAVE 764-870MHZ	\$14.00	\$10.50	\$31.50

Total Quote in USD

\$102,916.05

City of McAllen
Reference HGAC Contract: RA05-12

PO Issued to Motorola Solutions Inc. must:
 >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
 >Have a PO Number/Contract Number & Date
 >Identify "Motorola Solutions Inc." as the Vendor
 >Have Payment Terms or Contract Number
 >Be issued in the Legal Entity's Name
 >Include a Bill-To Address with a Contact Name and Phone Number
 >Include a Ship-To Address with a Contact Name and Phone Number
 >Include an Ultimate Address (only if different than the Ship-To)
 >Be Greater than or Equal to the Value of the Order
 >Be in a Non-Editable Format
 >Identify Tax Exemption Status (where applicable)
 >Include a Signature (as Required)

Standardized Recommendation Form

City Commission XX
Utility Board _____
Other Board _____

Agenda Item 2G
Date Submitted 01/08/13
Meeting Date 01/14/13

1. Agenda Item: Award of Purchase Contract for thirty (30) computers through the Texas Department of Information Resources (DIR) Contract #DIR-SDD-890-TX. Project No. 01-13-P14-01.

2. Party Making Request: Police Department and Purchasing & Contracting

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Staff is respectfully seeking the Commission's approval to award a Purchase Contract for thirty (30) computers from DELL Marketing L.P. of Round Rock, Texas through Texas Department of Information Resources (DIR) Contract #DIR-SDD-890-TX for a total amount of \$29,635.20.

4. Policy Implication: City Commission approval needed.

5. Budgeted: X Yes No N/A
Bid Amount: \$ 29,635.20 Budgeted Amount: \$ 30,000.00
Under Budget: \$ 364.80 Over Budget: \$ _____
Amount Remaining: \$ _____
If over budget how will it be paid for: N/A

6. Alternate option/costs: N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) <u>Victor Rodriguez</u> <u>Chief of Police</u>	<u>[Signature]</u>	<u>01/08/2013</u>	<u>XX</u> Yes <u> </u> No
b) <u>Sandra Zamora, CPM</u> <u>Director of Purchasing & Contracting</u>	<u>SZ</u>	<u>01/08/2013</u>	<u>XX</u> Yes <u> </u> No

8. Staff's Recommendation: As recommended above.

Advisory Board: Approved Disapproved None

City Attorney: KP Approved Disapproved None

Manager's Recommendation: MRP Approved Disapproved None



McAllen Police Department

INTRA-DEPARTMENTAL COMMUNICATION

TO: MIKE R. PEREZ, CITY MANAGER

FROM: VICTOR RODRIGUEZ, CHIEF OF POLICE *VR*

SUBJECT: AGENDA ITEM – AWARD OF PURCHASE CONTRACT FOR THIRTY (30) COMPUTERS THROUGH TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR), PROJECT NO. 01-13-P14-01

DATE: 1/8/2013

GOAL:

The goal of this item is City Commission approval of Award of Purchase Contract to purchase thirty (30) computers through Texas Department of Information Resources (DIR) from DELL Marketing L.P. of Round Rock, Texas.

BACKGROUND:

Based on 2012 desktop inventory, thirty (30) computers are due for replacement for the Police Department. The Police Department's current replacement cycle on computers is 5 to 6 years.

BID ANALYSIS:

Nature of Bid Request:

Procurement of thirty (30) computers.

Bid Response:

DELL Marketing L.P. of Round Rock, Texas through Texas Department of Information Resources (DIR) Contract #DIR-SDD-890-TX submitted the following quotation:

Quote No. 636324266 for \$29,635.20

The Texas Government Code Section 791.025 states that the Texas Department of Information Resources (DIR) program has met the competitive bid requirement.

FUNDING:

The Department will apply Capital Outlay Funds for this purchase.

Account #011-2002-426-66-20: \$29,635.20

OPTIONS:

1. City Commission approval to purchase thirty (30) computers totaling \$29,635.20 from DELL Marketing L.P. of Round Rock, Texas through Texas Department of Information Resources (DIR) Contract #DIR-SDD-890-TX.
2. Not approve to purchase thirty (30) computers totaling \$29,635.20 from DELL Marketing L.P. of Round Rock, Texas through Texas Department of Information Resources (DIR) Contract #DIR-SSD-890-TX.

RECOMMENDATION:

City Commission approval to purchase thirty (30) computers totaling \$29,635.20 from DELL Marketing L.P. of Round Rock, Texas through Texas Department of Information Resources (DIR) Contract #DIR-SDD-890-TX.



QUOTATION

QUOTE #: 636324266
 Customer #: 2439583
 Contract #: 48ABO

Customer Agreement #: DIR-SDD-890-TX

Quote Date: 11/7/12

Customer Name: CITY OF MCALLEN

Date: 11/7/12 11:50:23 AM

TOTAL QUOTE AMOUNT:	\$29,635.20		
Product Subtotal:	\$29,635.20		
Tax:	\$0.00		
Shipping & Handling:	\$0.00		
Shipping Method:	Ground	Total Number of System Groups:	1

GROUP: 1	QUANTITY: 30	SYSTEM PRICE: \$987.84	GROUP TOTAL: \$29,635.20
Base Unit:	OptiPlex 790 Desktop Base,Standard PSU (225-0772)		
Processor:	Opti 790,CORE I7 2600 Processor (3.4GHz, 8M) (317-6642)		
Memory:	4GB,Non-ECC,1333MHz DDR3,2X2GB,Dell OptiPlex 990 (317-6987)		
Keyboard:	Dell USB Entry Keyboard, No Hot Keys, English, OptiPlex (331-2024)		
Monitor:	Dell P1913S,19VIS,VGA/DVI,OptiPlex, Precision and Latitude (321-0097)		
Video Card:	Integrated Video,HD Graphics 2000, Dell Optiplex 790 (320-2520)		
Hard Drive:	250GB SATA 6.0Gb/s and 8MB Data Burst Cache,Dell OptiPlex (342-2453)		
Operating System:	Windows 7 Professional,Media, 64-bit, Optiplex, English (421-5608)		
Operating System:	Windows 7 Label, OptiPlex, Fixed Precision, Vostro Desktop (330-6228)		
Operating System:	Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps),OptiPlex (421-5334)		
Mouse:	Dell MS111 USB Optical Mouse,OptiPlex and Fixed Precision (330-9458)		
NIC:	Intel Standard Manageability, Dell OptiPlex 790 (331-2680)		
CD-ROM or DVD-ROM Drive:	16X DVD+/-RW SATA,Data Only,Dell OptiPlex 790 Desktop or Minitower,Black (318-0623)		
CD-ROM or DVD-ROM Drive:	Roxio Creator Starter,Media, Dell OptiPlex, Latitude and Precision Workstation (421-4540)		
CD-ROM or DVD-ROM Drive:	Cyberlink Power DVD 9.5.1,Media, Dell OptiPlex, Latitude and Precision Workstation (421-5095)		
Sound Card:	Heat Sink, Performance, Dell OptiPlex 790 Desktop (317-6621)		
Speakers:	No Speaker, OptiPlex (313-4825)		
Cable:	Enable Low Power Mode for EUP Compliance,Dell OptiPlex (330-7422)		
Cable:	Dell Data Protection Access,OptiPlex (421-5078)		
Cable:	OptiPlex 790 Desktop Standard Power Supply (318-0872)		
Cable:	Regulatory Label,Dell OptiPlex 790 Desktop (331-2678)		
Documentation Diskette:	Documentation,English and French,Dell OptiPlex (331-2030)		
Documentation Diskette:	Power Cord,125V,2M,C13,Dell OptiPlex (330-1711)		
Bundled Software:	No Productivity Software,Dell OptiPlex,Precision and Latitude (421-3872)		
Factory Installed Software:	Dell Energy Smart Power Management Settings Enabled,This Item is Not EStar Qualified,OptiPlex (330-4817)		
Feature	No Resource DVD for Dell Optiplex, Latitude, Precision (313-3673)		
Service:	Basic Hardware Service: Next Business Day Onsite Service After Remote Diagnosis 2 Year Extended (938-7662)		

Service:	Basic Hardware Service: Next Business Day Onsite Service After Remote Diagnosis Initial Year (951-7510)
Service:	Dell Limited Hardware Warranty Plus Service Extended Year(s) (935-2478)
Service:	Dell Limited Hardware Warranty Plus Service Initial Year (929-6637)
Misc:	1 W ready mode - exceeds FEMP 3W recommendation. Mode can be disabled in BIOS. OptiPlex (310-1959)
Misc:	Tech Sheet, English, Dell OptiPlex 790, Factory Install (331-2686)
Misc:	Shipping Material for System, Desktop, Dell OptiPlex 990 (331-1269)

SALES REP:	John L Daly	PHONE:	512-728-9489
Email Address:	john_l_daly@dell.com	Phone Ext:	728-9489

Please review this quote carefully. You may order online by signing into Premier at www.premier.dell.com. Click on the eQuotes link. To order without Premier, go to www.dell.com/qto.

If you do not have a separate agreement with Dell that applies to your order, please refer to www.dell.com/terms as follows:

If purchasing for your internal use, your order will be subject to *Dell's Terms and Conditions of Sale-Direct* including Dell's U.S. Return Policy, at www.dell.com/returnpolicy#total. If purchasing for resale, your order will be subject to *Dell's Terms and Condition of Sale for Persons or Entities Purchasing to Resell*, and other terms of Dell's PartnerDirect program at www.dell.com/partner. If your order includes services, visit www.dell.com/servicecontracts for service descriptions and terms.

Quote information is valid for U.S. customers and U.S. addresses only, and is subject to change. Sales tax on products shipped is based on "Ship To" address, and for downloads is based on "Bill To" address. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, with seller listed as *Dell Marketing L.P.*, to Dell's Tax Department at 800-433-9023. Please include your Customer Number.

For certain products shipped to end-users in California, a State Environmental Fee will be applied. For Asset Recovery/Recycling Services, visit www.dell.com/assetrecovery.

Memo

TO: Mike R. Perez, City Manager
FROM: Sandra Zamora, CPM, Director of Purchasing & Contracting *Sandra Zamora*
DATE: January 9, 2013
SUBJECT: Project No. 01-13-S09-124 - Uniform Rental/Cleaning Services or Purchase of Uniforms 2013-2016

GOAL: To award a Service Contract for Uniform Rental/Cleaning Services of Uniforms to Unifirst Holdings, Inc. of McAllen, TX for an initial three (3) year contract period at the attached unit prices as depicted on the bid tabulation. The contract will be for the uniformed City of McAllen and McAllen Public Utility employees to include the prorated replacement costs. In addition, we have included language affording the City of McAllen the option to extend the contract for two (2) additional one (1) year periods, subject to the performance of the successful vendor being satisfactory and the unit price(s) as proposed for Year 4 and Year 5 respectively remaining unchanged. Extension of contracts is subject to staff seeking City Manager approval, to exercise these options prior to contract extension. Recommend rejection of Item No. 7.1 through 7.9.

BRIEF EXPLANATION OF THE ITEM(S): On January 3rd, 2013, Purchasing & Contracting solicited sealed bids for Uniform Rental/Cleaning Services or Purchase of Uniforms, a total of 124-electronic bid invitations were sent out, this project was advertised in the our local newspaper, as well as, the City's bidding Portal (E-Bid). A total of four (4) companies responded to our solicitation as depicted on attached bid tab.

HISTORY: The unit costs associated with the previous contract are denoted on the attached bid tab.

<i>Previous Contract (3 yrs)</i>	<i>Anticipated Contract Spend (3 yrs)</i>	<i>Anticipated Contract Spend (3 yrs) 2013-2016</i>
\$300,562.48	\$312,112.50	\$307,799.40
Employees Serviced: 556	Employees Serviced: 609 (COM-478;MPU-131)	Employees Serviced: 580 (COM-433;MPU-147)

City of McAllen anticipated spend per year: \$76,596.06/yr x 3 years = \$229,788.17 (433 COM Employees)
 McAllen Public Utility spend per year: \$26,003.74/yr x 3 years = \$ 78,011.23 (147 MPU Employees)
 Grand Total = \$307,799.40 for 3 years.

OPTIONS:

- 1.) Approve award of a Service Contract for Uniform Rental/Cleaning Services of Uniforms with Unifirst Holdings, Inc., from McAllen, TX at their unit bid prices as attached.
- 2.) Purchase the employee uniforms outright for a total of \$113,923.00, if option 2 is selected the employees shall be furnished with seven (7) complete sets of uniform clothing. During the three (3) years the employee shall be responsible to service their own uniform(s). Potential Savings of \$193,876.40 for the following two (2) years.
- 3.) Reject all bids and re-bid project.

RECOMMENDATION:

Staff recommends Option No. 1 to award a Service Contract to Unifirst Holdings, Inc of McAllen, TX for an initial contract term of three (3) years with the option to extend for two (2) additional years in one (1) year increments as depicted in GOAL area.



JANUARY 3, 2013 AT 2:00 P.M.
 LARGE CONFERENCE ROOM

PROJECT NUMBER: 01-13-S09-124 UNIFORM RENTAL/CLEANING SERVICE				UNIFIRST HOLDINGS MCALLEN, TX.		CINTAS CORPORATION MERCEDAS, TX.		G & K SERVICES SAN ANTONIO, TX.		MODEL LAUNDRY, LLC. LOS INDIOS, TX.	
--	--	--	--	---	--	---	--	--	--	--	--

ONE - TIME EMBLEM CHARGE												
ITEM #	COMMODITY #	ITEMS:	QTY.	LAST YEARS UNIT PRICE	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1.1	983-86-01001	DEPARTMENT EMBLEMS EA.	6380	\$0.25	\$0.25	\$1,595.00	\$0.50	\$3,190.00	\$0.25	\$1,595.00	\$1.50	\$9,570.00
1.2	983-86-01002	EMPLOYEE NAME EA.	6380	\$0.25	\$0.25	\$1,595.00	\$0.50	\$3,190.00	\$0.25	\$1,595.00	\$1.50	\$9,570.00
1.3	983-86-01003	CITY LOGO	4763	—	\$0.25	\$1,190.75	\$1.00	\$4,763.00	\$0.25	\$1,190.75	\$2.50	\$11,907.50
1.4	983-86-01004	MPU LOGO	1617	—	\$0.25	\$404.25	\$1.00	\$1,617.00	\$0.25	\$404.25	\$2.50	\$4,042.50
SUB-TOTAL				\$ 3,349.50		\$4,785.00		\$12,760.00		\$4,785.00		\$35,090.00

BASE BID - PERIOD OF THIRTY - SIX (36) MONTHS
5 CHANGES PER EMPLOYEE PER WEEK (11 UNIFORMS PANTS & SHIRTS)

1.5	983-86-02001	COST PER EMPLOYEE PER WEEK (607 EMPLOYEES)	1	3.35		\$3.20		\$4.57		\$4.95		\$5.25
1.6	983-86-02003	ADDITIONAL COST PER EMPLOYEE PER WEEK FOR EXECUTIVE SHIRTS & PANTS	1	OXFORD \$6.70 / POPLIN \$6.35		\$3.24		\$7.04		\$7.70		\$9.00
1.7	983-86-02005	ADDITIONAL COST PER EMPLOYEE PER WEEK FOR ENHANCED VISIBILITY STRIPING	1	\$3.10		\$5.12		\$7.32		\$8.58		\$12.00
SUB-TOTAL COST ALL EMPLOYEES PER WEEK 156 WEEKS. (36 MOS.)				\$308,763.00		\$303,014.40		\$432,742.44		\$468,725.40		\$497,133.00
GRAND TOTAL				\$312,112.50		\$307,799.40		\$445,502.44		\$473,510.40		\$532,223.00

TOTAL COST ALL EMPLOYEES

2.1	983-86-03001	BASE BID: ONE-TIME UP-CHARGE FOR REPLACEMENT OF SHIRTS 2-XL; SPECIFY PRICE PER SHIRT	1	—		\$1.25		\$0.25		\$1.50		\$18.00
2.2	983-86-03002	BASE BID: ONE-TIME UP-CHARGE FOR REPLACEMENT OF SHIRTS 3-XL; SPECIFY PRICE PER SHIRT	1	—		\$1.25		\$0.25		\$1.50		\$18.00
2.3	983-86-03003	BASE BID: ONE-TIME UP-CHARGE FOR REPLACEMENT OF SHIRTS 4-XL; SPECIFY PRICE PER SHIRT	1	—		\$1.25		\$0.35		\$1.50		\$19.00
2.4	983-86-03004	BASE BID: ONE-TIME UP-CHARGE FOR REPLACEMENT OF SHIRTS 5-XL; SPECIFY PRICE PER SHIRT	1	—		\$1.25		\$0.35		\$1.50		\$19.00



JANUARY 3, 2013 AT 2:00 P.M.
 LARGE CONFERENCE ROOM




PROJECT NUMBER: 01-13-S09-124 UNIFORM RENTAL/CLEANING SERVICE				UNIFIRST HOLDINGS MCALLEN, TX.	CINTAS CORPORATION MERCEDES, TX.	G & K SERVICES SAN ANTONIO, TX.	MODEL LAUNDRY, LLC. LOS INDIOS, TX.					
3.1	983-86-03005	BASE BID: ONE-TIME UP-CHARGE FOR REPLACEMENT OF PANTS SIZE(S) 42 OR LARGER	1	—	\$1.25	\$0.25	\$1.50	\$18.00				
MISSING/LOST OR NEGLIGENT DAMAGE BEYOND REPAIR TO UNIFORMS (AS CAUSED BY THE CITY/McALLEN PUBLIC UTILITIES)												
4.1	983-86-04001	PRORATED REPLACEMENT COST WITHIN THE 1ST YEAR - SHIRT	1	\$13.50	\$13.50	\$15.00	\$16.65	\$18.00				
4.2	983-86-04002	PRORATED REPLACEMENT COST WITHIN THE 1ST YEAR - PANT	1	\$18.50	\$18.50	\$17.75	\$16.65	\$18.00				
4.3	983-86-04003	PRORATED REPLACEMENT COST WITHIN THE 2ND YEAR - SHIRT	1	\$8.40	\$8.40	\$15.00	\$16.65	\$18.00				
4.4	983-86-04004	PRORATED REPLACEMENT COST WITHIN THE 2ND YEAR - PANT	1	\$11.60	\$11.60	\$17.75	\$16.65	\$18.00				
4.5	983-86-04005	PRORATED REPLACEMENT COST WITHIN THE 3RD YEAR - SHIRT	1	\$6.70	\$6.70	\$15.00	\$16.65	\$18.00				
4.6	983-86-04006	PRORATED REPLACEMENT COST WITHIN THE 3RD YEAR - PANT	1	\$9.30	\$9.30	\$17.75	\$16.65	\$18.00				
5.1	983-86-02002	ALTERNATE BID NO. 1 - 1ST YEAR EXTENSION MONTHS 37-48 FOR RENTAL/SERVICING OF UNIFORMS PER EMPLOYEE PER WEEK (5-CHANGES PER EMPLOYEE PER WEEK (11 UNIFORM PANTS AND SHIRTS))	1	—	\$3.15	\$4.57	\$4.18	\$5.25				
6.1	983-86-02004	ALTERNATE BID NO. 2 - 2ND YEAR EXTENSION MONTHS 49-60 FOR RENTAL/SERVICING OF UNIFORMS PER EMPLOYEE PER WEEK (5-CHANGES PER EMPLOYEE PER WEEK (11 UNIFORM PANTS AND SHIRTS))	1	—	\$3.10	\$4.57	\$3.75	\$5.25				
ALTERNATE BID - PURCHASE OF UNIFORMS - ONE TIME EMBLEM CHARGE												
7.1	200-92	DEPARTMENT EMBLEMS EA.	4060	\$2.00	\$2.00	\$8,120.00	\$1.68	\$6,820.80	\$3.00	\$12,180.00	\$2.00	\$8,120.00
7.2	200-92	EMPLOYEE NAME EA.	4060	\$1.25	\$1.25	\$5,075.00	\$1.68	\$6,820.80	\$2.50	\$10,150.00	\$1.50	\$6,090.00
7.3	200-92	CITY LOGO	3031	—	\$2.00	\$6,062.00	\$4.21	\$12,760.51	\$3.00	\$9,093.00	\$2.50	\$7,577.50
7.4	200-92	MPU LOGO	1029	—	\$1.25	\$1,286.25	\$4.21	\$4,332.09	\$3.00	\$3,087.00	\$2.50	\$2,572.50
SUB -TOTAL					\$20,543.25	\$30,734.20	\$34,510.00	\$24,360.00				
ALTERNATE BID - PURCHASE OF UNIFORMS (7 COMPLETE PAIRS PER EMPLOYEE)												
GENERAL UNIFORM												
7.5	200-92	SHIRTS SHORT/LONG SLEEVE UNIT PRICE (4060)	4060	10.02	\$10.00	\$40,600.00	\$12.50	50,750	\$14.44	58,626	\$11.01	\$44,700.60



JANUARY 3, 2013 AT 2:00 P.M.
 LARGE CONFERENCE ROOM

PROJECT NUMBER: 01-13-S09-124 UNIFORM RENTAL/CLEANING SERVICE				UNIFIRST HOLDINGS MCALLEN, TX.		CINTAS CORPORATION MERCEDES, TX.		G & K SERVICES SAN ANTONIO, TX.		MODEL LAUNDRY, LLC. LOS INDIOS, TX.		
7.6	200-92	PANTS ASSORTED SIZES UNIT PRICE (4060)	4060	13.86	\$13.00	\$52,780.00	\$13.50	54,810	\$14.44	58,626	\$14.70	\$59,682.00
SUB -TOTAL FOR ALTERNATE BID				—	\$93,380.00		\$105,560.00		\$117,252.80		\$104,382.60	
GRAND TOTAL				101,800.44	\$113,923.25		\$136,294.20		\$151,762.80		\$128,742.60	
7.7	200-92	EXECUTIVE SHIRTS UNIT PRICE (1)	1	12.89	\$12.75	\$12.75	\$16.99	\$16.99	\$19.54	\$19.54	\$16.00	\$16.00
7.8	200-92	EXECUTIVE PANTS UNIT PRICE (1)	1	16.43	\$16.35	\$16.35	\$17.99	\$17.99	\$16.14	\$16.14	\$25.50	\$25.50
7.9	200-92	ENHANCED VISIBILITY STRIPED SHIRT UNIT PRICE (1)	1	26.48	\$21.54	\$21.54	\$23.99	\$23.99	\$38.22	\$38.22	\$30.00	\$30.00
NUMBER OF HOURS TO COMPLETE MEASURING				35 DAYS			1 WEEK		32 HRS.		72 HRS.	
NUMBER OF DAYS TO COMPLETE DELIVERY ARO:				—	36 DAYS		4 WEEKS		4-6 WEEKS		61 DAYS	
ADDENDUM NO. 1					ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED	

SPECIAL SIZE FEE OF 13.75
 FOR 11 SHIRTS

-  2 WEEK GRACE PERIOD
-  **5.10 FOR 11 ENHANCED
-  5.05 FOR 11 ENHANCED

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 2i
DATE SUBMITTED 01/04/13
MEETING DATE 01/14/13

1. Agenda Item: **ORDINANCE - DEVELOPER'S REIMBURSEMENT CONTRACT: BETWEEN 495 COMMERCE PARTNERS, LTD., AND FUTURE DEVELOPERS FOR PARTICIPATION COSTS FOR JASMINE AVENUE PAVING, DRAINAGE AND SIDEWALK IMPROVEMENTS AT 495 COMMERCE CENTER PHASE XIV SUBDIVISION.**

2. Party Making Request: Engineering Department

3. Nature of Request: (Brief Overview) Attachments: X Yes No

Consideration of an ordinance to execute a developer's reimbursement contract between 495 Commerce Center Partners, Ltd., and future developers in adjacent areas for participation costs for Jasmine Avenue paving, drainage and sidewalk improvements at 495 Commerce Center Phase XIV.

4. Policy Implication: City Commission Policy, Local Government Code

5. Budgeted: Yes No x N/A

6. Alternate Option/Costs N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) <u>Y. Barrera, PE, CFM, City Engineer</u>	<u>YB</u>	<u>1/7/13</u>	<u>yes</u>
b.) <u>R. Rodriguez, PE, Asst. City Manager</u>	<u>RR</u>	<u>1/8/13</u>	<u>YES</u>
c.) <u>J. Dale, CPA, Finance Director</u>	<u> </u>	<u> </u>	<u> </u>

8. Staff Recommendation: **Consideration of ordinance-reimbursement contract.**

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None



CITY OF MCALLEN
ENGINEERING DEPARTMENT
MEMORANDUM

To: Mike R. Perez, City Manager

From: Yvette Barrera, PE, City Engineer

A handwritten signature in black ink, appearing to read "Yvette Barrera", written over the "From:" line.

Date: January 4, 2013

Subject: ORDINANCE –CONSIDERATION OF DEVELOPER’S REIMBURSEMENT CONTRACT FOR PAVING AND DRAINAGE IMPROVEMENTS COSTS FOR JASMINE AVENUE AT 495 COMMERCE CENTER PHASE XIV SUBDIVISION

Goal

Consideration of an ordinance to execute a developer’s reimbursement contract for Jasmine Avenue improvements costs for 495 Commerce Center Phase XIV Subdivision.

Explanation

The developer, 495 Commerce Center Partners, Ltd., submitted a request for a reimbursement contract. Jasmine Avenue was constructed in 2006 as a public street, a 40 ft. pavement cross-section and a drainage system was installed. The proposed reimbursement contract will require participation costs by future developers in the adjacent areas. The cost for paving including change orders is \$141,792.50, the drainage system cost \$44,950.00 and the sidewalk on the north side was \$20,000.00 for a total cost of \$206,742.50. A breakdown for said improvements is attached.

Options:

1. Approve request.
2. Disapprove request.

Recommendation

Staff recommends approval for the ordinance to authorize execution of a developer’s reimbursement contract between 495 Commerce Center Partners, Ltd., and future developers in adjacent areas.

Exhibit 'A'

**PROJECT NAME: Jasmine Ave Improvements - McColl Rd to North 'J' Street
with storm sewer system (40' B-B Road Section & 60.0' R.O.W.)**

PAVEMENT	Paving Construction Cost	\$142,725	(As shown on breakdown dated September 9, 2008)
	-	\$20,000.00	(To be shown as a separate item)
	Total Cost of Paving w/o Lime	\$	122,725.00
	Pavement w/o Lime Stabilization	\$	122,725.00
	Lime Stabilization (C.O.#2) +	\$19,067.00	(As shown on Change Order No. 2, dated Oct. 28, 2008)
Total Cost of Paving w/ Lime	\$	141,792.50	

DRAINAGE	Drainage	\$	44,950.00

SIDEWALK	Sidewalk		
	(Northside of Jasmine)	\$	20,000.00

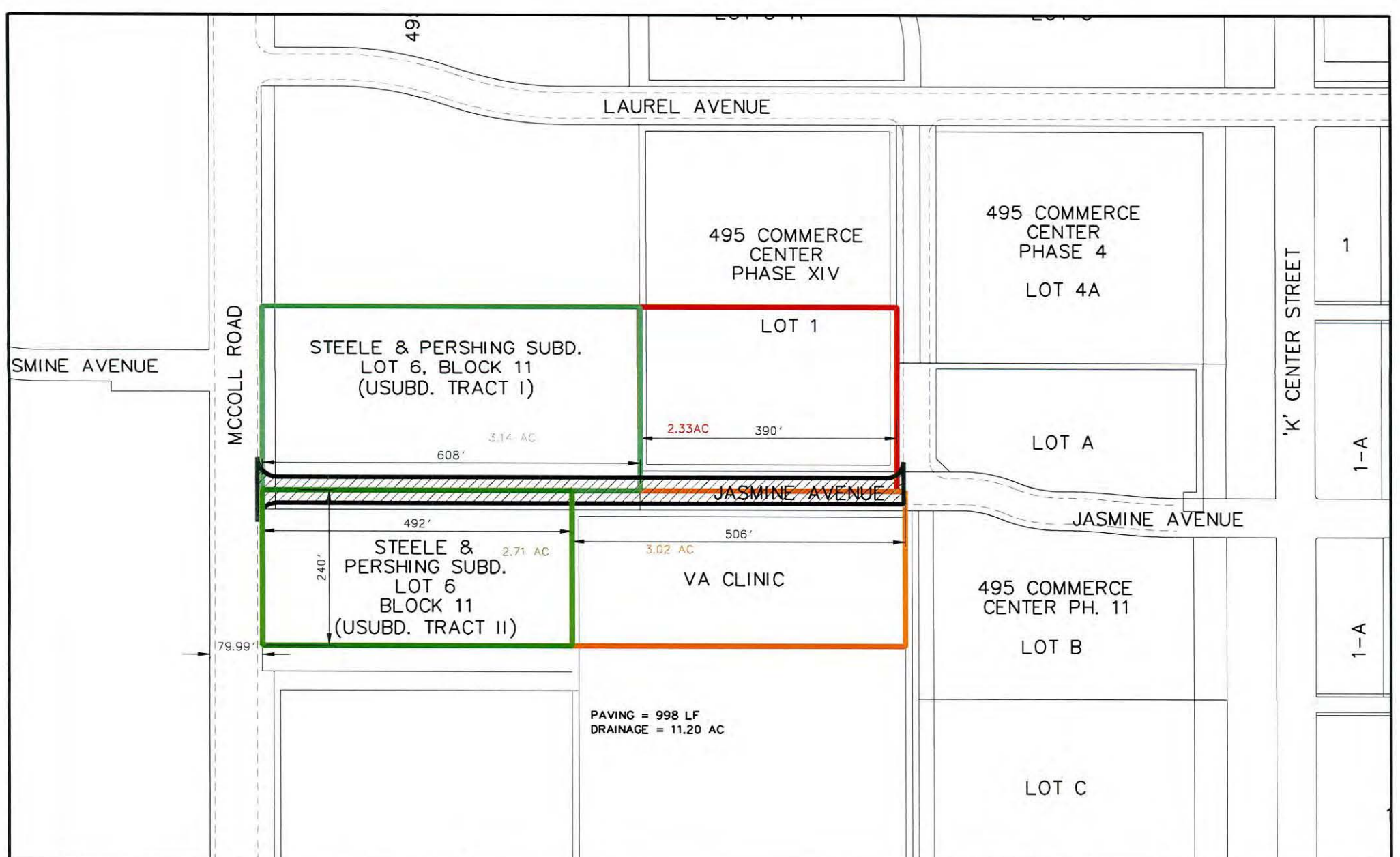
Grand Total = \$ 206,742.50

	JASMINE AVE UNIT	JASMINE AVE QUANTITY	**JASMINE AVE UNIT COST	JASMINE AVE TOTAL COST
PAVEMENT	LINEAR FOOT (LF)	998.00	\$ 142.07	\$ 141,792.50
DRAINAGE	ACREAGE (AC)	11.20	\$ 4,013.00	\$ 44,950.00
*SIDEWALK	LINEAR FOOT (LF)	1000.00	\$ 20.00	\$ 20,000.00
			TOTAL(S)	\$ 206,742.50

* ONLY NORTHSIDE OF JASMINE AVE WAS TAKEN INTO ACCOUNT FOR THIS ESTIMATE: SOUTHSIDE TO BE BUILT BY FUTURE DEVELOPERS

** TOTAL COST(S) INCLUDES ALL CHANGE ORDER(S).

NOTE: SEE ATTACHED COST ESTIMATE DATED SEPT 9, 2008 AND CHANGE ORDER NO. 2 DATED OCT. 28, 2008 FOR DETAILED COSTS.



PAVING = 998 LF
DRAINAGE = 11.20 AC



EXHIBIT 'B'
JASMINE AVE PAVING
AND DRAINAGE IMPROVMENTS
SERVICE AREA MAP

NOT FOR CONSTRUCTION
RELEASED FOR INTERIM
REVIEW ONLY
CITY OF McALLEN
ENGINEERING DEPARTMENT
ENGINEER:
MARIO A. SALINAS, P.E.
TEXAS LICENSE NO.:
XXXXXXXXXX
DATE: 12/05/12

SCALE:	HORZ: 1"=200'
	VERT:
DATE:	12/05/12
REVISIONS	
1.	
2.	
3.	
SHEET NO.	1 OF 1

THIS CERTIFICATE, issued by the City of McAllen (“City”), as authorized by its Board of Commissioners, hereinafter called to, 495 Commerce Centers Partners, Ltd. hereinafter called the DEVELOPER and future intervening developers, hereinafter called the INTERVENING DEVELOPER(S).

1. The Developer is the developer of the following described property:

495 Commerce Center Phase XIV Subdivision and has extended paving, drainage and sidewalk improvements for Jasmine Avenue as shown on the plan(s) designed by Perez Consulting Engineers, and has constructed improvements, as approved by the City on June 13, 2006.

2. The Developer’s Cost, the Pro Rata Share to be reimbursed to the Developer by the Intervening Developers, in accordance with the presently existing City’s Reimbursement Policy, is shown on Exhibit “A” attached hereto and made a part hereof.

3. Intervening developer(s) shall deposit with Developer or make necessary arrangements for the payment to 495 Commerce Center Partners, Ltd., for the improvements outlined on Exhibit “B” attached hereto. In lieu of the actual payment to the Developer, an Intervening Developer may provide adequate documentation to the City Engineer that the improvements installed in the property herein described are of the value indicated above.

4. This certificate hereby entitles the holder hereof, being the Developer, to receive reimbursement of the Pro Rata Share from Intervening Developers, in accordance with the City’s Reimbursement Policy.

5. The installation of the above-described Improvements has been completed and is operational, and the City has approved its installation.

ISSUED in duplicate originals this _____ day of _____, 2013

CITY OF McALLEN

ATTEST:

Annette Villarreal, City Secretary

By: _____
Mike R. Perez, City Manager

495 Commerce Center Partners, Ltd.

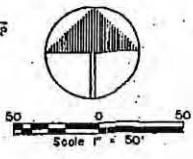
By: _____
Charles D. Mueller
Synergis, LLC, Managing Partner

Approved as to form:

Kevin Pagan, City Attorney

LOT 5
495 COMMERCE CENTER PHASE V
(VOL. 43, PG. 78, H.C.M.R.)

- LEGEND:**
- IR3-SET 1/2" DIA. IRON ROD WITH PLASTIC CAP STAMPED "CVOLS"
 - IRF-ROUND 1/2" DIA. IRON ROD
 - 1 - LOT LINE
 - BOC - BACK OF CONC. CURB & GUTTER
 - R.O.W. - RIGHT OF WAY
 - O.R. - OFFICIAL RECORDS
 - D.R. - DEED RECORDS
 - M.R. - MAP RECORDS
 - ESMT. - EASEMENT
 - "X" MARK - "X" MARKED ON CONCRETE
 - E - DENOTES PROPERTY LINE
 - U.E. - DENOTES UTILITY EASEMENT
- (SEE GENERAL NOTE 12 FOR RESTRICTIONS)



METES AND BOUNDS DESCRIPTION:

A 5.70 ACRE TRACT OF LAND OUT OF A PORTION OF LOT 6, BLOCK 11, STEELE AND PERSHING SUBDIVISION, AS RECORDED IN VOLUME 1342, PAGE 186 OF THE DEED RECORDS OF HIDALGO COUNTY, TEXAS, SAID TRACT OF LAND BEING OUT OF THAT CERTAIN PROPERTY BELONGING TO 495 COMMERCE CENTER PARTNERS, L.T.D., McALLEN, TEXAS AND BEING BOUND BY E. LAUREL AVENUE (A 80 FT. PUBLIC DEDICATED STREET) TO THE NORTH, AND BOUND TO THE EAST BY LOT 4-A, 495 COMMERCE CENTER PHASE IV AS RECORDED IN VOLUME 44, PAGE 163, HIDALGO COUNTY MAP RECORDS AND LOT A OF 495 COMMERCE CENTER PHASE XI AS RECORDED IN VOLUME 50, PAGE 19 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS, AND BOUND TO THE SOUTH BY MAGIC VALLEY ESTATES TRAILER PARK SUBDIVISION, AS RECORDED IN VOLUME 19, PAGE 170 OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS, SAID 5.70 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING A CUT "X" MARK ON THE NORTHEAST CORNER OF THE HEREIN DESCRIBED 5.70 ACRE TRACT OF LAND, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE FOREMENTIONED LOT 4-A, 495 COMMERCE CENTER PHASE IV;

THENCE WITH THE WEST LINE OF SAID LOT 4-A, S8°38'18"W 158'48"W, 370.0 FEET TO AN "X" MARK BEING THE SOUTHWEST CORNER OF THE SAID LOT 4-A, 495 COMMERCE CENTER PHASE IV;

THENCE N81°21'49"W, AT 25 FEET PASSING A POINT ON THE WEST LINE OF A 50 FT. RECIPROCAL ACCESS EASEMENT DOCUMENT NO. 873202, A TOTAL DISTANCE OF 347.75 FEET (35 FT.) TO AN IRON ROD FOUND FOR AN INTERIOR CORNER OF THIS TRACT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE SAID LOT A, 495 COMMERCE CENTER PHASE XI;

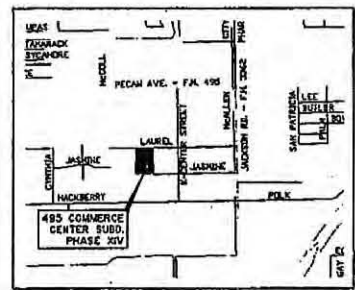
THENCE WITH THE WEST LINE OF LOT A AND THE WEST LINE OF A 60 FT. RECIPROCAL ACCESS EASEMENT, S9°28'04"W, 229.26 FEET (229.45 FT.) TO AN IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE WITH THE SOUTH LINE OF THIS TRACT AND THE NORTH LINE OF THE SAID MAGIC VALLEY ESTATES TRAILER PARK SUBDIVISION, N81°21'44"W, 390.0 FEET TO A 1/2" IRON ROD FOUND FOR THE SOUTHWEST CORNER;

THENCE N8°38'18"E (N8°48'E), WITH A LINE PARALLEL TO THE EAST LINE AND PERPENDICULAR TO E. LAUREL AVENUE, 599.93 FEET TO A 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVOLS" SET FOR THE NORTHWEST CORNER OF THIS TRACT, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF E. LAUREL AVENUE, A 60 FT. PUBLIC DEDICATED STREET;

THENCE WITH THE NORTH LINE OF THIS TRACT AND THE SOUTH LINE OF E. LAUREL STREET, S81°21'49"E, 428.09 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.70 ACRES OF LAND MORE OR LESS.

- GENERAL NOTES**
1. THE SUBJECT PROPERTY CONTAINED IN THIS SUBDIVISION IS SUBJECT TO ALL CONDITIONS CONTAINED IN THE "AMENDED AND RESTATED PROTECTIVE COVENANTS AND RELATED EASEMENTS FOR 495 COMMERCE CENTER" AS RECORDED IN DOCUMENT NO. 87302 OF THE DEED RECORDS OF HIDALGO COUNTY, TEXAS.
 2. MINIMUM BUILDING SETBACKS SHALL BE AS FOLLOWS: E. LAUREL AVE. - 30 FT., E. JASMINE AVE. - 30 FT., OTHER SETBACKS AS PER THE CITY OF McALLEN ZONING ORDINANCE OR GREATER FOR EASEMENTS.
 3. THE FLOOD ZONE DESIGNATION FOR THIS PROPERTY IS FLOOD ZONE "B", ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 480343 0005C, REVISED NOVEMBER 2, 1982. FLOOD ZONE IS DETERMINED BY GRAPHIC PLOTTING ONLY.
 4. THE FINISH FLOOR OF ANY BUILDING CONSTRUCTED WITHIN THIS SITE SHALL BE SET AT A MINIMUM ELEVATION OF 18 INCHES ABOVE TOP OF CURB OR 12 INCHES ABOVE NATURAL GROUND, WHICHEVER IS HIGHER.
 5. NO BUILDING SHALL BE CONSTRUCTED OVER ANY EASEMENT.
 6. FLOOD DETENTION REQUIREMENTS FOR THE SUBDIVISION SHALL BE 0.715 ACRE-FEET AND SHALL BE DETERMINED BY ON-SITE DETENTION PONDS OR OTHER APPROVED METHODS. AN ENGINEERED DRAINAGE DETENTION PLAN APPROVED BY THE CITY OF McALLEN ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
 7. ANY BUILDING OR STRUCTURE LOCATED BEYOND 300 FEET FROM A FIRE HYDRANT WILL REQUIRE EXTENSION OF FIRE PROTECTION LINES FOR ADDITIONAL HYDRANTS.
 8. A 6 FT. HIGH BUFFER IS REQUIRED BETWEEN MULTIFAMILY RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONES/USES. A 8 FT. HIGH MASONRY BUFFER FENCE IS REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTIFAMILY RESIDENTIAL ZONES/USES.
 9. A 4 FT. SIDEWALK IS REQUIRED ALONG THE SOUTH SIDE OF E. LAUREL AVE. AND THE NORTH SIDE OF E. JASMINE AVE.
 10. BENCHMARK: THE BENCHMARK USED FOR THIS SUBDIVISION IS DESIGNATED AS "MC 73" (McALLEN CITY DATUM) LOCATED ON THE SOUTHWEST CORNER OF PECAN BLVD. AND N. McCOLL ROAD: ELEVATION = 55.87 (NGVD 88).
 11. 25" X 25" CORNER CLIP EASEMENT REQUIRED AT ALL STREET INTERSECTIONS.
 12. THE UTILITY EASEMENTS SHOWN ON THE PLAT ARE DEDICATED UTILITY EASEMENTS FOR 495 COMMERCE CENTER AND ASSIGNS. ALL UTILITIES FOR THIS SUBDIVISION SHALL BE UNDERGROUND. NO OVERHEAD UTILITIES WILL BE ALLOWED. ALL UTILITY LOCATIONS SHALL BE COORDINATED WITH THE SUBDIVISION OWNER.



LOCATION MAP
SCALE: 1" = 2000'

STATE OF TEXAS
COUNTY OF HIDALGO

THAT 495 COMMERCE CENTER PARTNERS, LTD, A TEXAS LIMITED PARTNERSHIP, OWNERS OF THAT CERTAIN 5.70 ACRES OUT OF THAT PROPERTY REMAINING WITHIN LOT 6, BLOCK 11, STEELE AND PERSHING SUBDIVISION AS RECORDED IN VOLUME 8, PAGE 18 OF THE DEED RECORDS OF HIDALGO COUNTY, TEXAS DO HEREBY SUBDIVIDE SAID PROPERTY WITHIN THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS ENTITLED 495 COMMERCE CENTER PHASE XIV, AND DO HEREBY DEDICATE TO THE CITY OF McALLEN THE STREETS AND EASEMENTS SHOWN HEREON

Charles D. Mueller
495 COMMERCE CENTER PARTNERS, LTD.
CHARLES D. MUELLER, MANAGER
SYNERGIS, LLC
ITS GENERAL MANAGING PARTNER
1400 NORTH McCOLL, SUITE 201
McALLEN, TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO

ON THIS DAY PERSONALLY APPEARED CHARLES D. MUELLER, WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND ACTING IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND ON THIS THE 5th DAY OF JUNE A.D. 2008.

Sherry Joff
NOTARY PUBLIC

SHERRY JOFF
Notary Public, State of Texas
My Commission Expires August 12, 2011

APPROVED - PLANNING COMMISSION

THIS PLAT HAS BEEN SUBMITTED AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF McALLEN AND HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS THE 17th DAY OF JUNE A.D. 2008.

Sonia Falcon
SONIA FALCON, CHAIRMAN
PLANNING AND ZONING COMMISSION
McALLEN, TEXAS

APPROVED - CITY OF McALLEN, TEXAS

I, THE UNDERSIGNED, MAYOR OF THE CITY OF McALLEN, TEXAS HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

DATED THIS THE 13th DAY OF JUNE A.D. 2008.

Richard F. Cortez
RICHARD F. CORTAZ, MAYOR
CITY OF McALLEN, TEXAS

APPROVED - HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.28 (C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER AND HIS ENGINEER TO MAKE THESE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: *[Signature]*

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY ON THE GROUND MADE UNDER MY SUPERVISION.

DATED THIS THE 10th DAY OF JUNE A.D. 2008.

Carlos Vasquez
CARLOS VASQUEZ, R.P.L.S.
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4608
CVO LAND SURVEYORS, L.L.C.
517 BEAUMONT AVENUE
McALLEN, TEXAS 78501

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION WAS GIVEN TO THIS PLAT.

DATED THIS THE 10th DAY OF JUNE A.D. 2008.

J. David Perez
J. DAVID PEREZ, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 89429



495 COMMERCE CENTER
PHASE XIV
McALLEN, TEXAS

A 5.70 ACRE TRACT OF LAND OUT OF LOT 6, BLOCK 11, STEELE AND PERSHING SUBDIVISION HIDALGO COUNTY, TEXAS

FILED FOR RECORD IN:
HIDALGO COUNTY
BY ARTURO GUARDIA, JR.
COUNTY CLERK
ON: 6/23/08 AT 3:41 AM
AS A RECORDING NUMBER 1703052

Recorded in Volume 55 Page 96
of the map records of Hidalgo
County, Texas
Arturo Guardia, Jr.
County Clerk

REMAINDER OF LOT 6, BLOCK 11,
STEELE & PERSHING SUBDIVISION
VOL. 1342, PG. 186 H.C.D.R.

LOT 1
5.70 ACRES
PHASE XIV
RECIPROCAL ACCESS EASEMENT DEDICATED BY THIS PLAT FOR THE BENEFIT OF 495 COMMERCE CENTER PARTNERS, LTD.

LOT 4A,
495 COMMERCE CENTER PHASE IV
(VOL. 44, PG. 163, H.C.M.R.)

LOT A
495 COMMERCE CENTER
PHASE XI
(VOL. 50, PG. 19, H.C.M.R.)

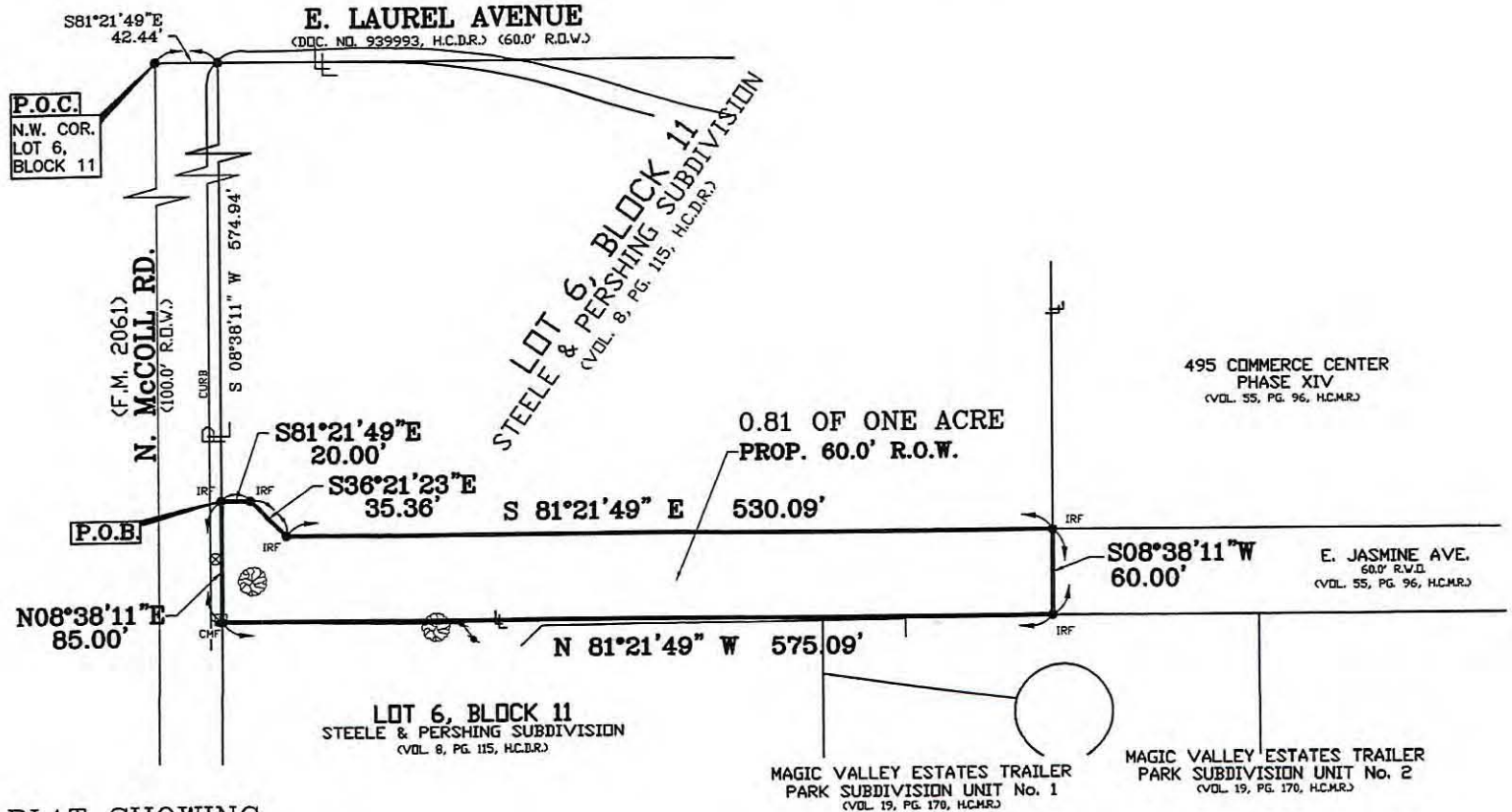
LOT B 495 COMMERCE
CENTER PHASE XI
(VOL. 50, PG. 19, H.C.M.R.)

MAGIC VALLEY ESTATES
TRAILER PARK SUBDIVISION
(VOL. 19, PG. 170, H.C.M.R.)

H:\S\170\170\SUBDIVISION\1703052.DWG
MAR 27, 2008 3:56:16 P.M. LIS:SCALE: 1:00 PLS:SCALE: 1



SCALE: 1" = 100.0'



PLAT SHOWING
 PROP. 60.0' RIGHT-OF-WAY
 1.35 ACRES OUT OF
 LOT 6, BLOCK 11,
 STEELE & PERSHING SUBDIVISION
 (VOL. 8, PG. 115, H.C.D.R.)
 HIDALGO COUNTY, TEXAS

- LEGEND**
- ⊕ = FIRE HYDRANT
 - ⊙ = POWER POLE
 - ⊗ = SANITARY SEWER MANHOLE
 - ⊘ = TELEPHONE PEDESTAL
 - ⊙ = TREE
 - ⊙ = WATER VALVE
 - ⊙ = LOT LINE
 - ⊙ = CHAIN LINK FENCE
 - ⊙ = PROPERTY LINE
 - ⊙ = FOUND 1/2" IRON ROD WITH A PLASTIC CAP STAMPED "CVO LS"
 - CFM = CONCRETE MONUMENT FOUND
 - H.C.D.R. = HIDALGO COUNTY DEED RECORDS
 - H.C.M.R. = HIDALGO COUNTY MAP RECORDS

PROJECT INFORMATION	
SURVEYED DATE:	05/28/09
JOB NO.:	090515
DRAWN BY:	C.V.
CHECKED BY:	C.V.
REVISIONS:	06/08/09
TEXT	

CVO
LAND SURVEYORS
 LLC

517 BEAUMONT AVE.
 McALLEN, TEXAS 78501
 Ph. (956) 618-1551
 FAX (956) 618-1547
 www.cvois.com

SURVEYOR'S CERTIFICATION

I, Carlos Vasquez, a Registered Professional Land Surveyor, do hereby certify the above foregoing plat to be a true and correct representation of the land as surveyed, on the ground on May 28, 2009, under my direction.

Carlos Vasquez

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Carlos Vasquez
 R.P.L.S. NO. 4608
 STATE OF TEXAS

Revised: June 8, 2009
METES AND BOUNDS DESCRIPTION
0.81 OF ONE ACRE OF LAND
STEELE AND PERSHING SUBDIVISION
HIDALGO COUNTY, TEXAS



A tract of land containing 0.81 of one acre, situated in Hidalgo County, Texas and also being a part or portion of **LOT 6, BLOCK 11, STEELE AND PERSHING SUBDIVISION**, map reference: Volume 8, Page 115, H.C.D.R., and said 0.81 of one acre of land also being more particularly described as follows:

COMMENCING on the Northwest corner of said Lot 6 and the Centerline of N. McColl Rd. (F.M. 2061); **THENCE**, S 81° 21' 49" E, along the North line of said Lot 6, a distance of 42.44 feet to the East right-of-way of N. McColl Rd. (F.M. 2061) and South right-of-way of E. Laurel Avenue, recorded in Document No. 939993, H.C.D.R., **THENCE**, S 08° 38' 11" W, along the East right-of-way of said N. McColl Rd. (F.M. 2061), a distance of 574.94 feet to a 1/2" iron rod with a plastic cap stamped "CVQ LS" found, for the northwest corner of this tract and **POINT OF BEGINNING**;

THENCE, S 81° 21' 49" E, a distance of 20.00 feet to a 1/2" iron rod with a plastic cap stamped "CVQ LS" found, for an outside corner of this tract;

THENCE, S 36° 21' 23" E, a distance of 35.36 feet to a 1/2" iron rod with a plastic cap stamped "CVQ LS" found, for an inside corner of this tract;

THENCE, S 81° 21' 49" E, a distance of 530.09 feet to a 1/2" iron rod with a plastic cap stamped "CVQ LS" found on the North right-of-way line of E. Jasmine Avenue and the southwest corner of Lot 1, 495 Commerce Center Phase XIV, recorded in Volume 55 Page 96, H.C.M.R., for the northeast corner of this tract;

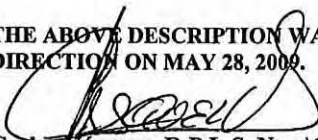
THENCE, S 08° 38' 11" W, along the West line of said 495 Commerce Center Phase XIV, a distance of 60.00 feet to a 1/2" iron rod with a plastic cap stamped "CVQ LS" found on the North line of Magic Valley Estates Trailer Park Subdivision Unit No. 2, recorded in Volume 19, Page 170, H.C.M.R., for the southeast corner of this tract;

THENCE, N 81° 21' 49" W, a distance of 575.09 feet to a concrete monument found on the East right-of-way line of said N. McColl Rd. (F.M. 2061), for the southwest corner of this tract;

THENCE, N 08° 38' 11" E, along the East right-of-way of said N. McColl Rd. (F.M. 2061), a distance of 85.00 feet to the **POINT OF BEGINNING**, containing 0.81 of one acre of land, more or less.

Bearing basis as per **TEXAS STATE PLANE COORDINATES SYSTEM NAD 1983, South Zone.**

THE ABOVE DESCRIPTION WAS SURVEYED ON THE GROUND UNDER MY DIRECTION ON MAY 28, 2009.


Carlos Vasquez, R.P.L.S. No. 4608
CVQ Land Surveyors, LLC

BID TABULATION
495 COMMERCE CENTER PHASE XIV SUBDIVISION
PROPOSED JASMINE AVENUE PAVING, DRAINAGE,
WATER AND SANITARY SEWER IMPROVEMENTS
MCALLEN, TEXAS

BIDS OPENED: TUESDAY, SEPTEMBER 9, 2008

TIME: 2:00 PM

LOCATION: SYNERGIS 495 COMMERCE CENTER CONF. ROOM

					Sascon, Inc.	
ITEM NO.	DESCRIPTION	QTY.	UNIT	UNIT COST	TOTAL COST	
BASE BID						
I CONCRETE PAVING (BASE BID)						
1	Street Excavation, clearing and grubbing, filling, fine grading	6,575		\$3.00	\$19,725.00	
2	6" Compacted Flexible Base Material, with -3 to +3 Moisture Content, compacted to 95% Modified Proctor	4,600		\$5.00	\$23,000.00	
3	6" Thick Reinforced Concrete Pavement, 4,400 psi @ 28 days Portland Concrete	4,400		\$44.00	\$193,600.00	
4	4" Reinforced Concrete Sidewalks, (4' wide) including joints and joint sealer	4,000		\$5.00	\$20,000.00	
TOTAL FOR CONCRETE PAVING (BASE BID)					\$256,325.00	
I-A ASPHALT PAVING (ALTERNATE BID)						
1	Street Excavation, clearing and grubbing, filling, fine grading	6,575		\$3.00	\$19,725.00	
2	10" Compacted Flexible Base Material, with -3 to +3 Moisture Content, compacted to 95% Modified Proctor	4,600		\$8.00	\$36,800.00	
3	2-1/2" Hot Mix Asphaltic Concrete Pavement Surface (Compacted Thickness), including Prime and Tack Coat	3,950		\$12.00	\$47,400.00	
4	24" Non-Reinforced Concrete Curb and Gutter, including grading preparation, Stand-Up or Lay-Down, jointing	2,000		\$8.00	\$16,000.00	
5	6' Reinforced Concrete Valley Gutter, all complete with 3,000 psi Concrete, steel reinforcement, jointing	400		\$7.00	\$2,800.00	
6	4" Reinforced Concrete Sidewalks, (4' wide) including joints and joint sealer	4,000		\$5.00	\$20,000.00	
TOTAL FOR ASPHALT PAVING (ALTERNATE BID)					\$142,725.00	
II DRAINAGE IMPROVEMENTS: (BASE BID)						
1	24" Diameter Reinforced Concrete Pipe, (RCP), Class 3, Bell-Spigot with Rubber Gasket, ASTM C-76,	740		\$39.00	\$28,860.00	
2	18" Diameter Reinforced Concrete Pipe, (RCP), Class 3, Bell-Spigot with Rubber Gasket, ASTM C-76,	85		\$30.00	\$2,550.00	
3	5' Reinforced Concrete Type "A" Curb-Type Storm Water Inlets, Precast or Cast-In-Place, All Depths",	4		\$2,600.00	\$10,400.00	
4	5' Reinforced Concrete Type "A" Curb-Type SP-I Storm Water Inlets, Precast or Cast-In-Place, All Depths",	1		\$2,900.00	\$2,900.00	
5	Reinforced Concrete Drainage Apron, 6" thick, including 3000 psi Concrete, Steel Reinforcement,	60		\$4.00	\$240.00	
TOTAL DRAINAGE IMPROVEMENTS (BASE BID)					\$44,950.00	
III WATER LINE IMPROVEMENTS: (BASE BID)						
1	8"x8" Tapping Sleeve and Valve, including all necessary fittings, connections, etc.,	2		\$2,200.00	\$4,400.00	
2	8" PVC DR 18 AWWA C-900 Water Line constructed to 36" of cover depth (from finish grade),	1,150		\$15.00	\$17,250.00	
3	6" PVC DR 18 AWWA C-900 Water Line constructed to 36" of cover depth (from finish grade),	12		\$20.00	\$240.00	
4	5-1/4" Fire Hydrant Assembly including 6" Gate Valve with Box and Cover, all necessary Meg-a-Lug Fittings	1		\$2,700.00	\$2,700.00	
5	Ductile Iron Fittings, including 6 Mill Poly Wrap, Concrete Thrust Blocking, all as per City of McAllen Specs	600		\$3.00	\$1,800.00	
TOTAL FOR WATER LINE IMPROVEMENTS (BASE BID)					\$26,390.00	



Paving
\$122,725



IV	SANITARY SEWER LINE IMPROVEMENTS: (BASE BID)				
1	8" Tie-In to Existing Manhole with "Insert-a-Tee" Fiberglass Fittings, including all necessary fittings,	1		\$1,500.00	\$1,500.00
2	8" PVC DR 35 ASTM D3034 Sanitary Sewer Pipe, ALL DEPTHS,	770		\$22.00	\$16,940.00
3	8" PVC DR 26 ASTM D3034 Sanitary Sewer Pipe, ALL DEPTHS, for water line CONFLICT CROSSINGS,	20		\$24.00	\$480.00
4	48" Diameter Pre-Cast Fiberglass Sanitary Sewer Manhole, 0.5" wall thickness, ALL DEPTHS,	4		\$2,600.00	\$10,400.00
5	Reinforced Concrete Pavement Patch for 6" thickness, 4000 psi Concrete for trench limits	400		\$7.00	\$2,800.00
6	Trench Safety System for sanitary sewer construction over 5 feet deep to invert,	770		\$4.00	\$3,080.00
	TOTAL SANITARY SEWER LINE IMPROVEMENTS (BASE BID)				\$35,200.00
GRAND TOTAL (BASE BID)- WITH CONCRETE PAVING					\$362,865.00
GRAND TOTAL WITH ASPHALT (I-A,II,III AND IV)					\$249,265.00

Change Order

No. 2

Date of Issuance: 10-28-08 Effective Date: _____

Project: 495 Commerce Center Phase XIV Subdivision	Owner: 495 Commerce Center Partners, Ltd.	Owner's Contract No.:
Contract: Proposed Jasmine Avenue Paving, Drainage, Water and Sanitary Sewer Improvements		Date of Contract: 9-17-2008
Contractor: SASCON, INC. ; 5200 N. 26th Lane; McAllen, Texas 78501		Engineer's Project No.: SYN07113

The Contract Documents are modified as follows upon execution of this Change Order:

Description: **Addition of 1½% Lime to subgrade for stabilization and lowering of plasticity index.**

Attachments: (List documents supporting change):

SASCON, Inc. Proposal ; L&G Laboratory Lime recommendation for Subgrade modification.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 249,265.00

{Increase} {Decrease} from previously approved Change Orders No. 1 to No. 1 :

\$ 5,426.00

Contract Price prior to this Change Order:

\$ 243,839.00

{Increase} {Decrease} of this Change Order:

\$ 19,067.50

Contract Price incorporating this Change Order:

\$ 262,906.50

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days
Substantial completion (days or date): 45
Ready for final payment (days or date): 60

{Increase} {Decrease} from previously approved Change Orders No. _____ to No. _____ :
Substantial completion (days): _____
Ready for final payment (days): _____

Contract Times prior to this Change Order:
Substantial completion (days or date): 45
Ready for final payment (days or date): 60

{Increase} {Decrease} of this Change Order:
Substantial completion (days or date): _____
Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:
Substantial completion (days or date): 45
Ready for final payment (days or date): 60

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 10-28-08

ACCEPTED:

By: [Signature]
Owner (Authorized Signature)

Date: 10.30.08

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 11-03-08

Approved by Funding Agency (if applicable): _____ Date: _____



SASCON INC.

- LAND CLEARING
- STREET EXCAVATION
- DRAINAGE DITCHES
- UTILITIES

CONTRACT CHANGE ORDER

<i>P.C.E. ENGRS</i> <i>90 RIVA GONZALEZ</i>		DATE: CHANGE ORDER NO.	
ITEM NO. (1)	DESCRIPTION OF CHANGES, QUANTITIES, UNITS, UNIT PRICES, CHANGE IN COMPLETION SCHEDULE, ETC (2)	DECREASE IN CONTRACT PRICE (3)	INCREASE IN CONTRACT PRICE (4)
	LIME STABILIZE 6" Subgrade to achieve desirable P.I. limit 6575 sy @ 2.⁹⁰ sy		<i>19,067⁵⁰</i>

CHANGE IN CONTRACT PRICE DUE TO THIS CHANGE ORDER:

TOTAL DECREASE

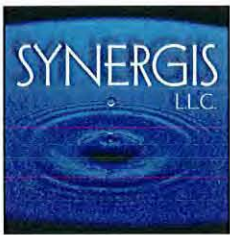
TOTAL INCREASE

DIFFERENCE BETWEEN COL. (3) AND (4)

NET (INCREASE) (DECREASE) CONTRACT PRICE

\$	\$
\$	\$
\$	\$
\$	\$

THE SUM OF \$ _____ IS HEREBY (ADDED TO) (DEDUCTED FROM) THE TOTAL CONTRACT PRICE



November 14, 2012

Ms. Yvette Barrera, P.E., C.F.M.
City Engineer
1300 Houston Avenue
McAllen, Texas 78501

Re: Reimbursement Contract Request
Jasmine Avenue
495 Commerce Center Phase XIV Subdivision
McAllen, Texas

Dear Ms. Barrera:

The 495 Commerce Center Partners, Ltd., 1400 N. McColl Road, Suite 201, McAllen, Texas 78501 hereby request to have filed a paving and drainage reimbursement contract in reference to improvements to Jasmine Avenue performed in January 7, 2009 for the development of 495 Commerce Center Phase XIV.

We are attaching a copy of the Plat, the Special Warranty Deed for street dedication, Survey Map to the dedication deed, and the cost breakdown for the Paving and Drainage Improvements. The following is a cost breakdown summary:

Paving	\$142,725.00
Drainage	\$ 44,950.00
Lime Stabilization	\$ 19,067.50

TOTAL \$206,742.50

If you require any additional information, please advise.

Respectfully submitted,
495 Commerce Center Partners, Ltd.


Shelly Goff
Executive Assistant
shellyg@synergisllc.com

Paving = \$ 141,792.50
(+142.07/lf)
Drainage \$ 44,950.00
(+4,013/AC)
S/w \$ 20,000.00
(+20/lf)

Total = \$ 206,742.50

CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM

<u>CITY COMMISSION</u>	<u> X </u>	AGENDA ITEM	<u> 2J </u>
UTILITY BOARD	<u> ✓ </u>	DATE SUBMITTED	<u> 1-8-13 </u>
PLANNING & ZONING COMMISSION	<u> </u>	CC MEETING DATE	<u> 1-14-13 </u>
BRIDGE BOARD	<u> </u>		

1. Agenda Item: ORDINANCE

2. Party Making Request: KEVIN D. PAGAN, CITY ATTORNEY

3. Nature of Request: (Brief Overview) ATTACHMENT: x YES NO
CONSIDERATION AND POSSIBLE ACTION ON ORDINANCE AUTHORIZING THE REPLACEMENT OF COMPASS BANK, AS THE SUCCESSOR TO TEXAS STATE BANK, AS THE PAYING AGENT/REGISTRAR FOR CERTAIN OUTSTANDING BOND ISSUES AND THE APPOINTMENT OF SUCCESSOR PAYING AGENT/REGISTRARS FOR SUCH ISSUES.

4. Policy Implication: _____

5. Budgeted: _____ YES _____ NO _____ N/A


FUND:

Bid Amount:	\$ _____	Budgeted Amount:	\$ <u> N/A </u>
Under Budget:	\$ _____	Over Budget:	\$ _____
		Amount Remaining:	\$ _____

If over budget how will it be paid for:

6. Alternate option/costs:

7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
				<u>YES/NO</u>
a.)	Kevin D. Pagan City Attorney		_____	<u> Yes </u>
b.)	_____	_____	_____	_____

8. Staff recommendation:


9. Advisory Board: ✓ Approved _____ Disapproved _____ None

10. City Attorney: ✓ Approved _____ Disapproved _____ None

11. Manager's Recommendation: MRP Approved _____ Disapproved _____ None

Memo

To: Kevin Pagan, City Attorney

From: Melba Carvajal, Director of Finance for Utilities 

CC: Mike R. Perez, City Manager; Roel Rodriguez, General Manager; Jerry W. Dale, Finance Director

Date: January 7, 2013

Re: Appointment of Successor Paying Agent/Registrar

BBVA Compass has submitted a notice of intent to terminate the Paying Agent/Registrar agreement with the City for the following bond issues:

- City of McAllen, Texas Waterworks and Sewer System Improvement Revenue and Refunding Bonds, Series 2005
- City of McAllen, Texas Waterworks and Sewer System Improvement Revenue and Refunding Bonds, Series 2006
- City of McAllen, Texas International Toll Bridge System Revenue Bonds, Series 2007A
- City of McAllen, Texas International Toll Bridge System Revenue Bonds, Series 2007B

The City's Financial Advisor, First Southwest, solicited proposals from various institutions for a successor. The following banks submitted proposals:

- Amegy Bank
- The Bank of New York Mellon Trust Company, N.A.
- Bank of Texas
- Regions Bank
- U.S. Bank
- Wells Fargo
- Wilmington Trust

At the December 10, 2012 meeting of the International Toll Bridge Board, the Board approved Regions Bank to succeed BBVA Compass as Paying Agent/Registrar for the bridge bonds listed above. At its December 11, 2012 meeting, the McAllen Public Utility Board approved Wells Fargo Bank as a replacement Paying Agent/Registrar for the waterworks and sewer system revenue bonds listed above.

Attached for approval is the ordinance authorizing the replacement of BBVA Compass Bank as the successor to Texas State Bank as the Paying Agent/Registrar for the bond issues listed above and the appointment of successor Paying Agent/Registrars for those issues.

Please do not hesitate to call me should you have any questions.

**ORDINANCE AUTHORIZING THE REPLACEMENT OF COMPASS BANK,
AS THE SUCCESSOR TO TEXAS STATE BANK, AS THE PAYING
AGENT/REGISTRAR FOR CERTAIN OUTSTANDING BOND ISSUES AND
THE APPOINTMENT OF SUCCESSOR PAYING AGENT/REGISTRARS
FOR SUCH ISSUES**

THE STATE OF TEXAS :
COUNTY OF HIDALGO :
CITY OF McALLEN :

WHEREAS, the **CITY OF McALLEN, TEXAS** (the "**City**") has outstanding the following issues of bonds in which **COMPASS BANK**, as the successor to Texas State Bank, in McAllen, Texas (the "**Bank**"), serves as the Paying Agent/Registrar pursuant to separate Paying Agent/Registrar Agreements between the City and the Bank:

City of McAllen, Texas Waterworks and Sewer System Improvement Revenue and Refunding Bonds, Series 2005 (the "**Series 2005 WWSS Bonds**"); and

City of McAllen, Texas Waterworks and Sewer System Improvement Revenue and Refunding Bonds, Series 2006 (the "**Series 2006 WWSS Bonds**," and together with the Series 2005 WWSS Bonds, the "**WWSS Bonds**");

and

City of McAllen, Texas International Toll Bridge System Revenue Bonds, Series 2007A (the "**Series 2007A Toll Bridge Bonds**"); and

City of McAllen, Texas International Toll Bridge System Revenue Bonds, Series 2007B (the "**Series 2007B Toll Bridge Bonds**," and together with the Series 2007A Toll Bridge Bonds, the "**Toll Bridge Bonds**"); and

WHEREAS, the City received letters from the Bank notifying the City that the Bank intends to terminate the paying agent/registrar agreements related to each of the WWSS Bonds and the Toll Bridge Bonds and has requested the City appoint a successor Paying Agent/Registrar for each of such WWSS Bonds and the Toll Bridge Bonds; and

WHEREAS, on December 11, 2012, the Board of Trustees of the McAllen Public Utility approved and recommended that the City appoint Wells Fargo Bank, N.A. to serve as the successor Paying Agent/Registrar for the WWSS Bonds; and

WHEREAS, on December 10, 2012, the McAllen-Hidalgo International Toll Bridge Board and Anzalduas International Toll Bridge Board approved and recommended that the City appoint Regions Bank to serve as the successor Paying Agent/Registrar for the Toll Bridge Bonds; and

WHEREAS, for the reasons described above, the City Commission deems it prudent and appropriate to (i) accept the Bank's request to terminate all Paying Agent/Registrar Agreements between the City and the Bank in connection with the Bank serving as Paying Agent/Registrar Agreement for the WWSS Bonds and the Toll Bridge Bonds, (ii) appoint Wells Fargo Bank, N.A. to serve as successor Paying Agent/Registrar for the WWSS Bonds; and (iii) and appoint Regions Bank to serve as successor Paying Agent/Registrar for the Toll Bridge Bonds; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS:

SECTION 1. TERMINATION OF COMPASS BANK AS PAYING AGENT/REGISTRAR AND APPOINTMENT OF SUCCESSOR PAYING AGENT/REGISTRARS. The City hereby (i) accepts the Bank's request to terminate all Paying Agent/Registrar Agreements between the City and the Bank in connection with the Bank serving as Paying Agent/Registrar Agreement for the WWSS Bonds and the Toll Bridge Bonds, (ii) appoints Wells Fargo Bank, N.A. to serve as successor Paying Agent/Registrar for the WWSS Bonds; and (iii) and appoints Regions Bank to serve as successor Paying Agent/Registrar for the Toll Bridge Bonds. The Mayor and City Manager are each hereby authorized to approve and execute all documents and agreements on behalf of the City which are deemed necessary to accomplish such actions, and the City Secretary is authorized to attest any related documents if so required.

SECTION 2. INCORPORATION OF RECITALS. The City Commission hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Commission hereby incorporates such recitals as a part of this Ordinance.

SECTION 3. SEVERABILITY. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the City Commission hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective immediately after it is approved by the City Commission.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS AT A REGULAR MEETING ON THE 14th DAY OF JANUARY, 2013, AT WHICH MEETING A QUORUM WAS PRESENT.

Richard F. Cortez, Mayor
City of McAllen, Texas

ATTEST:

Annette Villarreal, City Secretary
City of McAllen, Texas

CITY SEAL

APPROVED AS TO LEGALITY

Kevin D. Pagan, City Attorney
City of McAllen, Texas

** ** * * *

CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 2K </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 01-07-13 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 01-14-13 </u>
OTHER			

1. Agenda Item: Approval of Amendment to Ordinance 2012-29.
2. Party Making Request: M. Piedad Martinez, CD Director
3. Nature of Request: (Brief Overview) Attachments: X Yes No

Approval of the program and budget amendment to delete the McAllen Youth Soccer Association project and reprogram said funds into a new line item (Unprogrammed Funds) for redistribution.

4. Policy Implication: None
5. Budgeted: Yes No X N/A
6. Alternate option costs: N/A

7. Routing:

NAME/TITLE	INITIALS	<u> DATE </u>	<u> CONCURRENCE </u> <u> YES/NO </u>
a) <u>Brent Branham</u> Deputy City Manager	<u> </u>	<u> </u>	<u> </u>
b) <u>M. Piedad Martinez</u> 681-3200 CD Director	<u> MPM </u>	<u> 1/7/13 </u>	<u> Yes </u>

8. Staff Recommendation: Approval of CDBG Amendment
9. Advisory Board: X Approved Disapproved None
10. City Attorney: KP Approved Disapproved None
11. Manager's Recommendation: MRP Approved Disapproved None
12. Action Taken: Public Hearing occurred on December 12, 2012



MEMORANDUM

To: Mayor and City Commissioners
From: Olga Gabriel, Community Development Board Chair
Date: January 7, 2013
Subject: CDBG Amendment

Goal – The Community Development Advisory Council (CDAC) respectfully requests approval of the amendment to the FY 2012-2013 Action Plan (Ordinance 2012-29).

Explanation – In accordance with the Citizen Participation process, a public hearing was held soliciting comments on the deletion of the McAllen Youth Soccer Association (MYSA) project and reprogramming of said funds *temporarily* into a new line item, Matrix code 22 Unprogrammed Funds. No one provided comment on these amendments.

MYSA staff requested deletion of their project and no contract between the City and MYSA was ever executed. Because the amount of the funds would not exceed the substantial amendment threshold, these funds may be temporarily held and redistributed to a currently-funded agency without further citizen participation (public hearings).

A motion to approve the deletion of MYSA project and creation of Unprogrammed Funds line item was passed by the CDAC at a regularly scheduled meeting on December 3, 2012.

Options – Acceptance, rejection or modification of the amendment.

Recommendation – The CDAC recommends acceptance of the CDBG program amendment.

Should you have any questions, please advise.

Thank you,
OG:MPM/ymb

ORDINANCE NO. 2012-29

AN ORDINANCE ADOPTING THE ANNUAL ACTION PLAN APPLICATION AND BUDGET FOR HUD ENTITLEMENT FUNDS TO BE RECEIVED BY THE CITY OF McALLEN UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED; ESTABLISHING AN ANNUAL BUDGET PERIOD OF OCTOBER 1, 2012 TO SEPTEMBER 30, 2013; AUTHORIZING THE IMPLEMENTATION OF THE THIRTY-EIGHTH YEAR PROGRAM; PROVIDING FOR THE PUBLICATION OF THE ORDINANCE AND SEVERABILITY OF SECTIONS AND AUTHORIZING THE MAYOR TO PERFORM ALL ACTIONS NECESSARY TO IMPLEMENT THE PROGRAM.

WHEREAS, the City of McAllen is an entitlement City under the provisions of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, during the thirty-eighth year of such entitlement, the City of McAllen will have available for the benefit of its citizens, primarily low income citizens, \$2,094,722.14; and

WHEREAS, the Community Development Council, as established by the City Commission of the City of McAllen, held public hearings in regard to the proposed use of Community Development Block Grant and HOME Investment Partnership Program funds and recommended that the budget be approved and adopted; and

WHEREAS, the City of McAllen has completed its Thirty-eighth Year Community Development Block Grant Application, a copy of which is on file at the office of the City Secretary of the City of McAllen, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The Thirty-eighth Year Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Fund Budget for Fiscal Year 2012-2013 is hereby adopted in the following particulars:

- **Affordable Homes of South Texas, Inc. - Helping Hands Grants** **\$100,000**
Funds will be used for principle reduction grants to qualified families
- **Affordable Homes of South Texas , Inc. – Neighborhood Revitalization** **\$200,000**
Funds will be used for the purchase and rehabilitation of properties for resale

▪ Amigos Del Valle, Inc.	\$15,000
Funds will be used to provide hot meals to homebound senior citizens	
▪ Boys and Girls Club on McAllen- Scholarship Program	\$8,500
Funds will be used for membership, sports league and summer camp scholarships	
▪ Children’s Advocacy of Hidalgo County	\$10,000
Funds will be used for salaries to provide services to victims of child abuse	
▪ Comfort House Services, Inc.	\$34,300
Funds will be used for salaries of caregivers who provide palliative care	
▪ Community HOPE Projects, Inc.	\$10,000
Funds will be used for lab fees, surgeries, medical procedures and medicine	
▪ Court Appointed Special Advocates (CASA)	\$5,310
Funds will be used for Case Manager’s and Supervisor’s salaries and for mileage	
▪ Dentists Who Care, Inc.	\$19,600
Funds will be used for dental services and care	
▪ Easter Seals – Rio Grande Valley	\$10,000
Funds will be used for physical, occupational, and speech therapy services	
▪ Engineering Dept. – Drainage Imp.: South McColl at E. Pineridge	\$75,900
Funds will design/construct storm sewer line along McColl from Pineridge to Nassau	
▪ Engineering Dept. – Kendlewood Ave. Drainage Improvements	\$485,800
Funds will construct a storm sewer line along Kendlewood between 19 th and 22½ nd	
▪ Engineering Dept. – Uvalde Soccer Complex Parking Improvements	\$132,000
Funds will construct a 62-space paved parking lot for the soccer complex	
▪ First United Methodist Church (“In His Steps” Shoe Bank of McAllen)	\$10,000
Funds will be used for the purchase of shoes for school-aged children	
▪ Girl Scouts of Greater South Texas	\$4,000
Funds will be used for membership dues, program supplies and salaries	
▪ LRGV Community Health Management Corp., Inc. – El Milagro Clinic	\$5,000
Funds will be used to provide specialty and ancillary services	
▪ LRGVDC – Area Agency on Aging	\$5,420
Funds will be used for medication, dentures and hearing aids for the elderly	
▪ LRGVDC – Foster Grandparent Program	\$4,000
Funds will be used for stipends of elderly participants who mentor children	
▪ McAllen Food Pantry	\$40,000
Funds will be used for purchase of food to be distributed via 5 pantries	
▪ McAllen Youth Soccer Association	\$2,450
Funds will be used for membership dues	
<i>Delete project and award</i>	
▪ Parks and Recreation Department – Los Encinos Park	\$40,000
Funds will be used for parks improvements at the Los Encinos Park	
▪ Planned Parenthood Association	\$15,000
Funds will be used for physical exams, pap tests, lab work and STI testing	
▪ Silver Ribbon Community Partners	\$6,000
Funds will be used for rent/utilities/deposits, medication, physician/dental visits, glasses, DME	
▪ Senior Communities Outreach Services, Inc.	\$4,900
Funds will reimburse stipends to the elderly who provide companionship	
▪ The Salvation Army – Emergency Shelter and Social Services	\$5,520
Funds will be used for rent/utilities, food, transportation, medication assistance, work clothes, culinary arts supplies, shelter hygiene kits and baby diapers	

▪ The Salvation Army – Repair Shelter Family Bathrooms	\$40,000
Funds will be used for rehabilitation of the four family bathrooms within the shelter	
▪ Vannie E. Cook, Jr. Cancer Foundation, Inc.	\$8,000
Funds will be used for services to children with cancer or other blood diseases	
▪ Women Together Foundation, Inc. – Transitional Housing Services	\$12,000
Funds will be used for the Transitional Housing Coordinator and Caseworker	
▪ Community Development Administration	\$320,097.14
Funds will be used for program administration	
▪ Affordable Homes of South Texas, Inc. – HOME PROGRAM	\$419,333
Funds will be used for the construction of homes throughout the City	
▪ Community Development Administration – HOME PROGRAM	\$46,592
Funds will be used for program administration	
▪ Community Development – Unprogrammed Funds	\$2,450
Funds will be provided to a current subrecipient that has encumbered its award <i>Create line item</i>	
TOTAL	\$2,094,722.14

Alternate projects (in order of priority)

▪ Engineering Dept. – S. 20th St. Storm Sewer Inlet Rehabilitation	\$122,519
Funds will design/replace inlets along S. 20 th between Beaumont and Dallas	
▪ McAllen Public Utilities–Water/Sewer Imp. Colonia Hermosa Phase B	\$208,900
Funds will construct a sewer line between Jordan, El Rancho, 20 th and 23 rd Streets	
▪ McAllen Public Utilities–Water/Sewer Imp. Colonia Hermosa Phase C	\$318,400
Funds will construct a sewer line between Jordan, El Rancho, 20 th and 23 rd Streets	
▪ Affordable Homes of South Texas, Inc. – New Beginnings Program	\$150,000
Funds will be used for rehabilitation or life estate grants to qualified households	

And, in compliance with the Community Housing Development Organization (CHDO) and Community Based Development Organization (CBDO) Agreements, CHDO and CBDO Proceeds, as defined by the U.S. Department of Housing and Urban Development, received during the program year will remain with Affordable Homes of South Texas, Inc. and are subject to City approval prior to expenditure.

SECTION II: The Thirty-eighth Year Community Development Block Grant Application of the City of McAllen are hereby approved and shall be submitted to the U. S. Department of Housing and Urban Development, upon execution by the Mayor of the City of McAllen, Texas. The Mayor is hereby authorized to sign the contracts with HUD, contracts resulting from HUD funding, as well as perform all other actions necessary to implement this program.

SECTION III: This ordinance shall not be published in the Code of Ordinances of the City of McAllen, Texas, as it is not amendatory thereof.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and

directed to publish the caption of this ordinance in a newspaper of general circulation in the City of McAllen in accordance with The Code of Ordinance of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION V: This ordinance shall become effective upon its passage and publication in accordance with the law.

SECTION VI: Should any part or parts of this ordinance be held invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining portions thereof and such remaining parts shall remain in full force and effect and to that extent that section is considered severable.

CONSIDERED, PASSED and APPROVED this 14th day of January 2013, at a Regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this _____ day of _____, 2013.

CITY OF McALLEN

By: _____
Richard F. Cortez, Mayor

ATTEST

By: _____
Annette Villarreal, City Secretary

APPROVED AS TO FORM:

Kevin Pagan, City Attorney

CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM

<u>CITY COMMISSION</u>	<u>X</u>	AGENDA ITEM	<u>2L</u>
UTILITY BOARD	_____	DATE SUBMITTED	<u>1-7-13</u>
PLANNING & ZONING COMMISSION	_____	MEETING DATE	<u>1-14-13</u>
OTHER			

- 1. Agenda Item: RESOLUTION

- 2. Party Making Request: MIKE R. PEREZ, CITY MANAGER

- 3. Nature of Request: (Brief Overview) ATTACHMENT: X YES _____ NO _____
DISCUSSION AND POSSIBLE ACTION ON RESOLUTION RELATING TO ENDORSING CERTAIN TEXAS LEGISLATIVE ACTION REGARDING MEMBERS OF TEXAS COALITION FOR AFFORDABLE POWER (TCAP)

4. Policy Implication: _____

5. Budgeted: _____ YES _____ NO _____ N/A
FUND: _____
Bid Amount: \$ _____ Budgeted Amount: \$ N/A
Under Budget: \$ _____ Over Budget: \$ _____
Amount Remaining: \$ _____

If over budget how will it be paid for:

6. Alternate option/costs:

7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u> <u>YES/NO</u>
a.)	Mike R. Perez City Manager	_____	_____	_____
b.)	_____	_____	_____	_____

8. Staff recommendation:

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. City Attorney: KP Approved _____ Disapproved _____ None

11. Manager's Recommendation: MRP Approved _____ Disapproved _____ None

Annette Villarreal

From: Mike R. Perez
Sent: Wednesday, December 12, 2012 1:11 PM
To: Annette Villarreal
Cc: Kevin D. Pagan
Subject: FW: TCAP Agenda for 83rd Legislative Session
Attachments: 2012 12 03 Resolution Endorsing 83rd Legislative Action.doc; 2012-12-06-TCAP-LegislativeAgenda.pdf

Place on city commission agenda for first meeting in January, mike

From: Randy Moravec [<mailto:RCMoravec@tcaptx.com>]
Sent: Wednesday, December 12, 2012 9:25 AM
Cc: Margaret Somereve
Subject: TCAP Agenda for 83rd Legislative Session

TCAP Members,

The Texas Legislature will be meeting next month for its biannual legislative session. I know many of you approach your governing bodies with legislative agendas. The TCAP Board of Directors also has approved a legislative agenda and requests your entity's support with the attached resolution. I have also attached a flyer that communicates the agenda in terms easily understood by the general public. Please review this information and consider presenting it to your governing body.

If you or other government officials are interested in communicating with your state representatives and senators on TCAP matters or testifying on related legislation during the session, please let me know and I will include you on a list of local officials we may contact for assistance. TCAP favors laws that promote affordable electricity and opposes laws that erode local authority and consumer protections. Your support is important. If you have any questions related to this topic please contact me.

Best regards,
Randolph (Randy) C. Moravec, PhD
Executive Director
972.764.3135



Texas Coalition
for Affordable Power

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF _____, TEXAS, ENDORSING CERTAIN LEGISLATIVE ACTION IN THE REGULAR SESSION OF THE 83RD TEXAS LEGISLATURE TO ENHANCE THE COMPETITIVE ELECTRIC MARKET AND SYSTEM RELIABILITY AND TO PROTECT THE TRADITIONAL ROLE OF CITIES IN THE REGULATORY PROCESS

WHEREAS, the City of _____, Texas is a member of Texas Coalition for Affordable Power (“TCAP”), a non-profit political subdivision created by cities throughout Texas to secure affordable electric energy for its members in the deregulated electric market; and

WHEREAS, TCAP pools the energy needs of its more than 160 political subdivision members to negotiate favorable prices and contract terms for the purchase of approximately 1.3 billion kilowatt hours annually; and

WHEREAS, affordable and reliable power means economic development for the City and a better standard of living for our citizens; and

WHEREAS, the City supports legislative initiatives that promote a healthy electric market where competition can flourish and electric customers can save money; and

WHEREAS, the City endorses the legislative agenda of TCAP and opposes legislative initiatives that would fundamentally alter the ERCOT energy market or the traditional role of cities in the regulatory process.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF _____, TEXAS, THAT:

1. The Regular Session of the 83rd Texas Legislature be encouraged to preserve the traditional role of cities in the regulatory process, including original jurisdiction and reimbursement of reasonable rate case expenses.

2. The Legislature make no statutory changes that would lead to a reduction in revenues paid by public utilities as franchise fees for rental of public rights-of-way.

3. The Legislature facilitate and encourage public/private partnerships between cities and electric generation developers in creating small-scale (not to exceed 50 MW) power plants capable of rapidly meeting peak power needs.

4. The Legislature recognize that “smart meters” are under-utilized with regard to encouraging and incentivizing reductions in energy consumption during peak periods and that the regulated transmission and distribution utilities which own the “smart meters” be allowed to re-enter the retail electric market to the extent they offer regulated rate plans designed to incent reductions in peak energy consumption.

5. The Legislature preclude foreign ownership of electric distribution assets and make it clear that, notwithstanding any other provision in law, home rule cities, individually or collectively, shall be permitted to own and operate electric distribution assets so long as said cities are not involved in retail sales of electricity.

6. The Legislature resist any efforts to transform the energy-only ERCOT market into a capacity market which would increase the price of electricity by artificially inflating generator profits.

7. The Legislature enhance protections against anti-competitive activities in the wholesale market and require the Public Utility Commission ("PUC") to reform its rules related to Voluntary Mitigation Plans and allow cities and other interested parties to participate in review of such plans.

8. The Legislature mandate that the PUC and market participants provide consumer education regarding the relationship between time of use, cost of energy production and transmission, and the price paid by consumers.

9. The Legislature require the PUC to establish certain uniform products that must be offered by all retail electric providers ("REPs") and to establish new rules governing the powertochoose.org and powertosavetexas.org websites that will better inform retail customers of complaints against REPs and better educate customers regarding the economic and market benefits of reducing demand during peak periods.

10. This resolution shall take effect immediately upon its passage.

11. A copy of this resolution shall be sent to the elected lawmakers representing the City's interests in the Texas House and Senate and to Randolph C. Moravec, Executive Director of TCAP, 15455 Dallas Parkway, Addison, Texas 75001.

PRESENTED AND PASSED on this _____ day of _____, 20____ by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of _____, Texas.

Mayor

ATTEST:

To: MIKE R. PEREZ, CITY MANAGER
From: SALLY GAVLIK, DIRECTOR 
Subject: APPROVAL OF RESOLUTION TO TEXAS STATE LEGISLATURE
Date: JANUARY 4, 2013

COMMENT

Goal:

To adopt the attached Resolution in support of the retention of the Texas Recreation and Parks Account Local Park Grant Program and the Texas State Park System.

Explanation:

The local Parks fund is funded through sporting goods sales tax and is used to assist cities across Texas through grants to develop new parks. The program is managed by the Texas Parks and Wildlife Department who shares a portion of the funding with local Parks in support of the State Park System. Bi-annually the Texas Legislature determines the amount to be appropriated into the local Park fund. With the current budget situation in Texas, this Resolution supports the retention of the Local Park Grant Program to provide matching grants for local governments to expand and improve local park systems.

This Resolution aggressively opposes any of the local Park funding to be used to offset budget shortfalls at the State level, and to oppose any additional cuts to the local Park fund and Legislation to maximize the use of revenue from the sporting goods tax to increase funding for all parks and recreation programs at the local and state level.

Recommendation:

Staff recommends adoption of the attached Resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF McALLEN CITY COMMISSION REQUESTING THE MEMBERS OF THE 83rd LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION & PARKS ACCOUNT AND LARGE COUNTY AND MUNICIPALITY RECREATION AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAMS, AND THE TEXAS STATE PARK SYSTEM.

WHEREAS, the Texas Parks & Wildlife Department (“TPWD”) administers the Texas Recreation & Parks Account Local Park Grant Program (“TRPA”) and the Large County and Municipality Recreation and Parks Account (Urban Account) and manages 94 State parks and historical sites in Texas; and

WHEREAS, TPWD has a separate accounts in their general revenue fund referred to as the TRPA and Urban Account for the purpose of providing matching grants to political subdivisions for parks and recreation projects, and for outreach grants to introduce new populations to outdoor experiences; and

WHEREAS, the matching grants provided by the TPWD are utilized for the planning, acquisition, and development of local park, recreation and open space areas to be owned and maintained by political subdivisions; and

WHEREAS, funds granted to political subdivisions under the TRPA and Urban Account guidelines have funded 1629 projects of the 3,470 submitted over 30 years delivering over \$800 million to the local Texas economy; and

WHEREAS, political subdivisions throughout the State of Texas depend on grants from TPWD through the TRPA to stimulate the acquisition and development of parks and recreational areas for the benefit and enjoyment of their citizenry; and

WHEREAS, the TRPA, Urban Account, and State parks are funded from sales tax on sporting goods and that the development of new parks stimulates the purchase of sporting goods; and

WHEREAS, the maintenance and improvements of State park and historic sites and the addition of new parks is a priority to Texans due to the State’s expanding population and extensive tourism industry; and

WHEREAS, the development of parks encourages and promotes public health, economic development, job creation, education; corporate relocations, an improved quality of life, and juvenile crime prevention; and

WHEREAS, funds are needed for major repairs at state parks and for the acquisition and development of parks and facilities; and

WHEREAS, it is the desire of this City Commission that a copy of this resolution with appropriate names affixed be presented to the Governor of Texas and the leadership of the 83rd Texas Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF McALLEN, TEXAS:

- 1. That members of the 83rd Legislature of Texas seek passage of legislation maximizing the use of revenue from the sporting goods sales tax to increase funding for parks and recreation programs for both Local and State parks and that all TRPA and Urban Account funded park projects be subject to the established TPWD competitive scoring system.
- 2. That members of the 83rd Legislature of Texas restore funding to the TRPA and Urban accounts in the amount of at least \$15.5 million per year.

PASSED AND APPROVED by the McAllen City Commission on this the ____ day of _____, 2013.

APPROVED:

Mayor Richard F. Cortez

ATTEST:

Annette Villarreal, City Secretary

APPROVED AS TO FORM:

Kevin D. Pagan, City Attorney



**CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM**

To: Mike R. Perez, City Manager
From: Carla M. Rodriguez, Director of Grant Administration
Date: January 8, 2013
Subject: FY 2013 Local Border Security Program

GOAL: Authorize the submission of a grant application to and the acceptance of any grant funds from the Texas Department of Public Safety, Texas Ranger Division under the FY2013 Local Border Security Program.

BRIEF EXPLANATION OF THE ITEM:

The Police Department requests authorization to submit a grant application to the Texas Department of Public Safety, Texas Ranger Division in the amount of \$450,000.04. Funds will be used for overtime salaries and fringe benefits of police officers for operations of a Gang Crime Control Initiative. Operations will consist of identification, detection, apprehension, and intervention of trans-national gang members engaged in organized crime. The amount of funds requested is \$450,000.04 with no local match required.

OPTIONS: Option 1: Approving the submission of the grant application will allow the Police Department to fund the operations of a Gang Crime Control Initiative program.

Option 2: Not approving the submission of the grant application will result in a loss of a grant opportunity to fund overtime operations of a Gang Crime Control Initiative.

RECOMMENDATION: Staff recommends submission of the application.

RESOLUTION NO. 2013-_____

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF ANY GRANT FUNDS FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY, TEXAS RANGER DIVISION, FOR THE FISCAL YEAR 2013 LOCAL BORDER SECURITY PROGRAM.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

WHEREAS, the Texas Department of Public Safety, Texas Ranger Division, has made funding available through the Local Border Security Program FY 2013 to provide payment of overtime and operational costs for local law enforcement officers;

WHEREAS, the McAllen Police Department is required to provide essential public safety services to the residents of the City;

WHEREAS, McAllen Police Department personnel may be required to work under dangerous conditions in the course of duty to prevent and deter criminal activity in the City; and

WHEREAS, the McAllen Police Department has created a Gang Crime Control Initiative to conduct preventive law enforcement operations that will deter and control organized criminal activity in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

- 1) The McAllen Police Department and the Office of Grant Administration are hereby directed to prepare and submit an application to the Texas Department of Public Safety, Texas Ranger Division in the amount of \$450,000.04 with no local match required.
- 2) Upon the approval of this application, the Mayor is authorized to execute all legal documents necessary, and to perform any acts necessary to implement the project.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Texas Department of Public Safety, Texas Ranger Division in full.

CONSIDERED, PASSED, APPROVED, AND SIGNED this 14TH day of January 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

Annette Villarreal, City Secretary

Richard F. Cortez, Mayor

Approved as to form:

Kevin Pagan, City Attorney



**CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM**

To: Mike R. Perez, City Manager

From: Carla M. Rodriguez, Director of Grant Administration/Asst. EMC for Administration

Date: January 8, 2013

Subject: Fiscal Year 2013 Emergency Management Performance Grant

GOAL: Authorize the submission of a grant application to the Texas Department of Public Safety, Texas Division of Emergency Management for funding under the Fiscal Year 2013 Emergency Management Performance Grant Program.

BRIEF EXPLANATION OF THE ITEM:

The grant will reimburse 50% of the salary for the Emergency Management Analyst, travel expenses for required training, and for the CodeRed Notification System yearly subscription. Funding is being requested for a period of one year in the amount of \$42,628 (50%) with a local match amount of \$42,628 (50%), a total project cost of \$85,256.

OPTIONS: Option 1: Approving the submission of the grant application will allow the City to continue receiving funding for emergency management administrative costs. Option 2: Not approving the submission of the grant application will result in the loss of an opportunity to continue receiving funding for emergency management administrative costs.

RECOMMENDATION: Staff recommends submission of the grant application.

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY, TEXAS DIVISION OF EMERGENCY MANAGEMENT, FOR FUNDING UNDER THE FISCAL YEAR 2013 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

WHEREAS, the Texas Division of Emergency Management is to assist Cities in planning and implementing their emergency management programs, including pre- and post-disaster mitigation of known hazards to reduce their impact; preparedness activities, such as emergency planning, training, and exercises; provisions for effective response to emergency situations; and recovery programs for major disasters; and

WHEREAS, the Texas Division of Emergency Management has made funding available to Cities to carry out emergency management and preparedness activities; and

WHEREAS, all Cities are expected to carry out preparedness activities to enhance their capabilities in order to mitigate potential hazards and respond to, and recover from emergencies and disasters.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

- 1) The Office of Grant Administration is hereby directed to prepare and submit an application to the Texas Division of Emergency Management in the amount of \$42,628 (50%) with a local match of \$42,628 (50%), a total project cost of \$85,256 for a portion of salary for the Emergency Management Analyst, CodeRed Emergency Notification system, and other administrative expenses.
- 2) Upon the approval of this application, the Mayor is authorized to execute all legal documents necessary and to perform any acts necessary to implement the project.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Texas Division of Emergency Management in full.

CONSIDERED, PASSED, APPROVED AND SIGNED this 14th day of January 2013, at a regular meeting of the Board of Commissioners of the City of McAllen Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.

Attest:

City of McAllen

Annette Villarreal, City Secretary

Richard F. Cortez, Mayor

Approved as to form:

Kevin D. Pagan, City Attorney



CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM

To: Mike R. Perez, City Manager
From: Carla M. Rodriguez, Director of Grant Administration
Date: January 8, 2013
Subject: Texas Department of Transportation, STEP FY 2014 Comprehensive Project

GOAL: Promote public safety and defray costs by approving the submission of a grant application to the Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program FY 2014 Comprehensive Project.

BRIEF EXPLANATION OF THE ITEM:

The Texas Department of Transportation (TxDOT) Selective Traffic Enforcement Program (STEP) FY 2014 Comprehensive Project grant will allow approximately 2,000 hours of overtime enforcement to reduce the incidence of speeding, driving while intoxicated, failure to use occupant restraint systems, and intersection traffic control violations. The amount requested is \$80,000, with a local match of \$20,000 for a total cost of \$100,000. The performance period will begin October 1, 2013 and extend through September 30, 2014.

OPTIONS:

Option 1: Authorizing the submission of a grant application to the TxDOT STEP FY 2014 Comprehensive Program to enable the Police Department overtime enforcement of traffic safety laws.

Option 2: Not authorize the submission of the grant and lose an opportunity to defray overtime enforcement costs.

RECOMMENDATION: Staff recommends approving the submission of a grant application for the STEP FY 2014 Comprehensive Project grant.

RESOLUTION NO. 2013-_____

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FY 2014 COMPREHENSIVE GRANT.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

WHEREAS, the McAllen Police Department is required to provide essential public safety services;

WHEREAS, TxDOT has organized the Selective Traffic Enforcement Program, as part of a statewide and national mobilization effort, to reduce the number and severity of traffic related crashes, injuries, and fatalities; and

WHEREAS, TxDOT has made funding available through its Selective Traffic Enforcement Program Comprehensive Grant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

- 1) The Grant Administration Office and McAllen Police Department are hereby directed to submit a grant application to the Texas Department of Transportation Selective Traffic Enforcement Program FY 2014 Comprehensive program in the amount of \$80,000 with a local match of \$20,000, a total project cost of \$100,000 for the purpose of enhancing traffic laws and safety.
- 2) Upon the acceptance of this grant, the Mayor is authorized to execute all legal documents necessary, and to perform any acts necessary to implement the project.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Texas Department of Transportation in full.

CONSIDERED, PASSED, APPROVED, AND SIGNED this 14th day of January 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

Annette Y. Villarreal, City Secretary

Richard F. Cortez, Mayor

Approved as to form:

Kevin Pagan, City Attorney



CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM

To: Mike R. Perez, City Manager
From: Carla M. Rodriguez, Director of Grant Administration
Date: January 8, 2013
Subject: 2012 Assistance to Firefighters Fire Prevention and Safety Grant Program

GOAL: Authorize the submission of a grant application to the U.S. Department of Homeland Security, Federal Emergency Management Agency under the Fiscal Year 2012 Assistance to Firefighters Fire Prevention and Safety Grant Program.

BRIEF EXPLANATION OF THE ITEM: The Assistance to Firefighters Fire Prevention and Safety Grant Program provides funding to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The City is eligible to apply for and receive a Fire Prevention and Safety Grant that will provide funding for the purchase of a fire safety and emergency training trailer to be used for various fire prevention efforts as well as automatic sprinkler system training for McAllen residents and surrounding communities. The federal request is \$70,856 (80%) with a local match of \$17,714 (20%). The total project cost is \$88,570.

OPTIONS: Option 1: Approving the submission of the grant application will allow the City to acquire funds to offset the cost of a fire prevention training project.

Option 2: Not approving the submission of the grant application will result in the loss of an opportunity to acquire grant funds to support the fire safety project.

RECOMMENDATION: Staff recommends submission of the application.

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY FOR FUNDING UNDER THE FISCAL YEAR 2012 ASSISTANCE TO FIREFIGHTERS FIRE PREVENTION AND SAFETY GRANT PROGRAM.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF MCALLEN

WHEREAS, the U. S. Department of Homeland Security, Federal Emergency Management Agency has made funding available to States and local jurisdictions through the Fire Prevention and Safety Grant Program; and

WHEREAS, the Fire Prevention and Safety Grant Program provides funding to local jurisdictions to mitigate incidences of death and injuries caused by fire and related hazards; and

WHEREAS, the Fire Prevention and Safety Grant Program supports development activities aimed at improvements of firefighter safety; and

WHEREAS, the McAllen Fire Department Fire Prevention and Safety Division has identified a training program that will enhance its fire prevention and safety efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

- 1) The Grant Administration Office is hereby directed to prepare and submit an application to the U.S. Department of Homeland Security, Federal Emergency Management Agency under the Fiscal Year 2012 Assistance to Firefighters Fire Prevention and Safety Grant Program for the purchase of a fire safety and emergency training trailer to be used for various fire prevention efforts as well as automatic sprinkler system training for McAllen residents and surrounding communities. The amount of funds requested is \$70,856 (80%) with a local match of \$17,714 (20%), for a total project cost of \$88,570.
- 2) Upon the approval of this application, the Mayor is authorized to execute all legal documents necessary, and to perform any acts necessary to implement the project.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Department of Homeland Security, Federal Emergency Management Agency in full.

CONSIDERED, PASSED, APPROVED, AND SIGNED this 14TH day of January 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

Annette Villarreal, City Secretary

Richard F. Cortez, Mayor

Approved as to form:

Kevin D. Pagan, City Attorney



CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM

To: Mike R. Perez, City Manager
From: Carla M. Rodriguez, Director of Grant Administration
Date: January 8, 2013
Re: Texas Book Festival Grants

Goal: Authorizing the submission of four (4) grant applications to the Texas Book Festival, for funding under the FY 2013 Collections Enhancement and Literacy Initiative Grant Programs.

Brief Explanation of Item: The Texas Book Festival, established in 1995 to honor Texas authors and serve the State's public libraries, provides funding to upgrade or increase book collections in support of community needs and supports programs that increase literacy in the community. The City of McAllen will submit four (4) applications as follows:

- Application to purchase books for the Main Library's young adult collection in the amount of \$2,500.
- Application to purchase books for the Lark Library's young adult collection in the amount of \$2,500.
- Application to purchase books for the PalmView Library's young adult collection in the amount of \$2,500.
- Application to purchase books as part of the Teen Reading Club's curriculum in the amount of \$5,000.

Total grant amount is \$12,500 with no local match required.

Options 1: Approving the submission of the grant applications will allow the Main, Lark, and Palmview Libraries to receive funding for the purchase of Manga books and enhance its Teen Reading Club's curriculum.

Option 2: Not approving the submission of the grant will result in the loss of an opportunity to receive funding for the purchase of books needed for the Main, Lark, and Palmview Libraries.

Recommendation: Staff recommends submission of the grant application.

RESOLUTION NO. 2013-_____

AUTHORIZING THE SUBMISSION OF four (4) GRANT APPLICATIONS TO THE TEXAS BOOK FESTIVAL FOR FUNDING UNDER THE FY2013 COLLECTIONS ENHANCEMENT AND LITERACY INITIATIVE GRANT PROGRAMS.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

WHEREAS, the Texas Book Festival has made funding available under the Collections Enhancement and Literacy Initiative Grant Program; and

WHEREAS, funding from the grant programs will provide much needed young adult literature to visitors of McAllen public libraries; and

WHEREAS, the Teen Reading Club will benefit from additional books purchased from grant funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MCALLEN, TEXAS, THAT:

- 1) The Grant Administration Office is hereby directed to submit four (4) applications to the Texas Book Festival in order to receive funding from the Collections Enhancement and Literacy Initiative Grant Programs as follows:
 - a. Application to purchase books for the Main Library's young adult collection in the amount of \$2,500.
 - b. Application to purchase books for the Lark Library's young adult collection in the amount of \$2,500.
 - c. Application to purchase books for the PalmView Library's young adult collection in the amount of \$2,500.
 - d. Application to purchase books as part of the Teen Reading Club's curriculum in the amount of \$5,000.
- 2) Upon the approval of this application, the Mayor is authorized to execute all legal documents necessary, and to perform any acts necessary to implement the project.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Universal Service Administrative Company in full.

CONSIDERED, PASSED, APPROVED AND SIGNED this 14th day of February 2013, at a regular meeting of the Board of Commissioners of the City of McAllen Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.

Attest:

City of McAllen

Annette Villarreal, City Secretary

Richard F. Cortez, Mayor

Approved as to form:

Kevin D. Pagan, City Attorney

Standardized Recommendation Form

City Commission XX
Utility Board _____
Other Board _____

Agenda Item 2S
Date Submitted 01/08/13
Meeting Date 01/14/13

1. Agenda Item: Award of Purchase Contract to CDW-Government through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SDD-1381 for the purchase of five (5) Cisco Switches. Project No. 01-13-P13-01.

2. Party Making Request: Police Department and Purchasing & Contracting

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Staff is respectfully seeking the Commission's approval to award a Purchase Contract to CDW-Government of Vernon Hills, Illinois through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SDD-1381 for the purchase of five (5) Cisco Switches for a total contract amount of \$36,569.14.

4. Policy Implication: City Commission approval needed.

5. Budgeted: X Yes No N/A
Bid Amount: \$ 36,569.14 Budgeted Amount: \$ 43,290.00
Under Budget: \$ 6,720.86 Over Budget: \$
Amount Remaining: \$
If over budget how will it be paid for: N/A

6. Alternate option/costs: N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) <u>Victor Rodriguez</u> Chief of Police	<u>[Signature]</u>	<u>01/08/2013</u>	<u>XX</u> Yes <u> </u> No
b) <u>Sandra Zamora, CPM</u> Director of Purchasing & Contracting	<u>SZ</u>	<u>01/08/2013</u>	<u>XX</u> Yes <u> </u> No

8. Staff's Recommendation: As recommended above.

Advisory Board: Approved Disapproved None

City Attorney: KP Approved Disapproved None

Manager's Recommendation: MRP Approved Disapproved None



McAllen Police Department

INTRA-DEPARTMENTAL COMMUNICATION

TO: MIKE R. PEREZ, CITY MANAGER

FROM: VICTOR RODRIGUEZ, CHIEF OF POLICE

SUBJECT: AGENDA ITEM – AWARD OF PURCHASE CONTRACT TO CDW-GOVERNMENT THROUGH TEXAS CISCO DEPARTMENT OF INFORMATION RESOURCES (DIR) CONTRACT #DIR-SDD-1381 FOR THE PURCHASE OF FIVE (5) CISCO SWITCHES, *PROJECT #01-13-P13-01*

DATE: 1/8/2013

GOAL:

The goal of this item is City Commission approval of Award of Purchase Contract to CDW-Government of Vernon Hills, Illinois through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SDD-1381 for the purchase of five (5) Cisco Switches.

BACKGROUND:

City of McAllen Police Department's Computer Network provides the backbone for all the desktop computers, VoIP (Voice over Internet Protocol) telephones and IT servers to operate. Cisco Switches form the basis to connect the computers and telephones on the network.

Due to their perennial uptime, hardware failure of these Cisco Switches could make the switches non-operational. In turn the computers and telephones connected to these switches become temporarily unavailable on the network as well. To ensure continuous availability of telephones and other IT services, it is imperative to have the Cisco Switches functional at all times.

Two (2) of our current Cisco Switches at the Police Department had hardware failure and became non-operational this year. This affected the Jail Section and Dispatch Center for few hours. Backup Cisco Switches were readily available for replacement and the network connection was restored within few hours. To avoid sudden hardware failures, upgrading the existing switches is recommended.

The Police Department identified the new upgraded versions for the existing twelve (12) Cisco Switches. The purchase of new model Cisco 3750x would help the department to upgrade the existing switches which were originally purchased in 2008. We have already replaced six (6) Cisco Switches and we are requesting to replace an additional five (5) Cisco Switches.

HISTORY:

In August 2012 the Police Department purchased six (6) Cisco Switches from CDW-Government at a total cost of \$43,552.26 through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SDD-1381.

BID ANALYSIS:

Nature of Bid Request:

Procurement of five (5) Cisco Switches.

Bid Response:

CDW-Government of Vernon Hills, Illinois through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SDD-1381 submitted the following quotation:

Quote No. DDZS161 for \$36,569.14

FUNDING:

The Department will apply Capital Outlay Funds for this purchase.
Account #011-2002-426-66-20: \$36,569.14

OPTIONS:

1. City Commission approval of Award of Purchase Contract totaling \$36,569.14 to CDW-Government of Vernon Hills, Illinois through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SSD-1381 for the purchase of five (5) Cisco Switches.
2. Not award purchase contract totaling \$36,569.14 to CDW-Government of Vernon Hills, Illinois through Texas Cisco Department of Information Resources (DIR) Contract #DIR-SSD-1381 for the purchase of five (5) Cisco Switches.

RECOMMENDATION:

City Commission approval of Award of Purchase Contract totaling \$36,569.14 to CDW-Government of Vernon Hills, Illinois through State of Texas Cisco Department of Information Resources (DIR) Contract #DIR-SSD-1381 for the purchase of five (5) Cisco Switches.



SALES QUOTATION

QUOTE NO.	ACCOUNT NO.	DATE
DDZS161	0811161	1/8/2013

BILL TO:
 CITY OF MCALLEN TEXAS
 PO BOX 220

SHIP TO:
 CITY OF MCALLEN TEXAS
 Attention To: KALA KASBA
 PO BOX 220

Accounts Payable
 MCALLEN , TX 78505-0220

MCALLEN , TX 78505-0220
 Contact: KALA KASBA 956.681.2469

Customer Phone #956.972.7000

Customer P.O. # DDZS161 QUOTE

ACCOUNT MANAGER		SHIPPING METHOD	TERMS	EXEMPTION CERTIFICATE
MELVIN HARMON 877.625.7681		UPS Ground	Net 30 Days-Govt State/Local	GOVT-EXEMPT
QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
5	2087117	CISCO CATALYST 3750X 48 PORT POE IP Mfg#: WS-C3750X-48P-S Contract: Texas Cisco DIR SDD 1381 Gov DIR-SDD-1381	6,983.12	34,915.60
4	2542675	CISCO 1000BASE-SX SFP Mfg#: GLC-SX-MMD= Contract: Texas Cisco DIR SDD 1381 Gov DIR-SDD-1381	274.97	1,099.88
2	2089752	CISCO CAT3K-X 1G NTWK MOD Mfg#: C3KX-NM-1G= Contract: Texas Cisco DIR SDD 1381 Gov DIR-SDD-1381	276.83	553.66
SUBTOTAL				36,569.14
FREIGHT				0.00
TAX				0.00

US Currency

TOTAL 36,569.14

CDW Government
 230 North Milwaukee Ave.
 Vernon Hills, IL 60061

Fax: 312.752.4223

Please remit payment to:
 CDW Government
 75 Remittance Drive
 Suite 1515
 Chicago, IL 60675-1515

From: Kala S. Kasba
Sent: Tuesday, January 08, 2013 12:23 PM
To: Javier Rodriguez
Subject: FW: CDW-G Quote Confirmation: Quote #DDZS161/P.O. Ref. DDZS161
Attachments: DDZS161.pdf

From: Melvin Harmon [mailto:melvhar@cdwg.com]
Sent: Tuesday, January 08, 2013 12:21 PM
To: Kala S. Kasba
Subject: CDW-G Quote Confirmation: Quote #DDZS161/P.O. Ref. DDZS161

CDW-G QUOTE CONFIRMATION



DEAR KALA KASBA,

Thank you for considering CDW-G for your computing needs. The details of your quote are below. [Click here](#) to convert your quote to an order.

QUOTE DETAILS

Requested: 1/8/2013
Quote #: DDZS161
Quote Reference: DDZS161

Grand Total: **\$36,569.14**
Customer Number: 0811161

QUOTE DETAILS LIST

ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
 <p>Cisco Catalyst 3750X-48P-S - switch - 48 ports - managed - rack-mountable Mfg. Part#: WS-C3750X-48P-S UNSPSC: 43222612 Contract: Texas Cisco DIR SDD 1381 Gov (DIR-SDD-1381) Go to Site</p>	5	2087117	\$6,983.12	\$34,915.60
 <p>Cisco SFP (mini-GBIC) transceiver module Mfg. Part#: GLC-SX-MMD= UNSPSC: 43201553 Contract: Texas Cisco DIR SDD 1381 Gov (DIR-SDD-1381) Go to Site</p>	4	2542675	\$274.97	\$1,099.88



Cisco expansion module - 4 ports 2 2089752 \$276.83 \$553.66
Mfg. Part#: C3KX-NM-1G=
UNSPSC: 43201404
Contract: Texas Cisco DIR SDD 1381
Gov (DIR-SDD-1381)
[Go to Site](#)

Subtotal: \$36,569.14
Shipping: \$0.00
Sales Tax: \$0.00
GRAND TOTAL: **\$36,569.14**

[Convert Quote to Order](#)

SHIPPING DETAILS

Shipping Address:

CITY OF MCALLEN TEXAS
KALA KASBA
PO BOX 220
MCALLEN, TX 78505-0220

Phone: (956) 972-7000

Shipping Method: UPS Ground

Payment Terms: Net 30 Days-Govt
State/Local

SALES CONTACT INFO

Melvin Harmon | (877) 625-7681 | melvhar@cdwg.com

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This email was sent to ykasba@mcallenpd.net.
Please add cdwsales@cdwemail.com to your address book.

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SPS-OC:001 | SPS 1 | Customer#: 0811161 | SPS46e56a31-1b57-4730-b311-c6c865c7937f

City of McAllen
Standardized Recommendation Form

City Commission X
 Utility Board _____
 Other Board _____

Agenda Item 3A
 Date Submitted 1/04/13
 Meeting Date 1/14/13

1. Agenda Item: BIDS/CONTRACTS

2. Party Making Request: Kevin D. Pagan, City Attorney

3. Nature of Request: (Brief Overview) Attachments: X Yes No
 Consideration and Possible Action on Collective Bargaining Agreement with McAllen Firefighters' Association.

4. Policy Implication: None


5. Budgeted: Yes No X N/A

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____

If over budget, how will it be paid for: _____


6. Alternate option/costs: _____

7. Routing: _____

	<u>Name/Title</u>	<u>Initial</u>	<u>Date</u>	<u>Concurrence</u>				
a)	<u>Kevin D. Pagan</u>	<u>KDP</u>	<u>1/04/13</u>	<u></u>	Yes <u> </u>	No <u> </u>	N/A <u> </u>	
b)	_____	_____	_____	_____	Yes <u> </u>	No <u> </u>	N/A <u> </u>	
c)	_____	_____	_____	_____	Yes <u> </u>	No <u> </u>	N/A <u> </u>	
d)	_____	_____	_____	_____	Yes <u> </u>	No <u> </u>	N/A <u> </u>	
e)	_____	_____	_____	_____	Yes <u> </u>	No <u> </u>	N/A <u> </u>	

8. Staff's Recommendation: _____

9. Advisory Board:  Approved Disapproved None

10. City Attorney:  Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None



CITY OF MCALLEN
City Attorney's Office
MEMORANDUM

To: Mayor and City Commissioners

Cc: Mike R. Perez, City Manager

From: Kevin D. Pagan, City Attorney

Date: January 4, 2013

Subject: Collective Bargaining Agreement with McAllen Firefighters' Association

- **Goal** – To consider and approve the collective bargaining agreement with McAllen Firefighters' Association.
- **Background** – The City and the McAllen Firefighters' Association have been negotiating the attached agreement.
- **Options** –
 1. The City Commission can approve the agreement as presented.
 2. The City Commission can disapprove the agreement.
- **Recommendation** – It is the recommendation of the City Attorney's office that the agreement be approved.



**Collective Bargaining Agreement
Between the**

City of McAllen, Texas

And the

**McAllen Fire Fighters' Assn.
IAFF Local No. 2602**

Covering

**Approval Date
Through September 30, 2016**

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Jan
MK

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JRM *201*

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Chapter H – Vacation Leave Policy (as amended)by reference

SIGNATURE & EXECUTION PAGElast page



ARTICLE NO 1: PURPOSE OF AGREEMENT

- Section 1. It is the intent and purpose of this Agreement to implement the mandate of the citizens of McAllen, Texas who by a duly initiated election and petition, adopted the provisions of Chapter 174, TLGC establishing collective bargaining in the City of McAllen Fire Department if a majority of the affected employees favor representation by an employees association, preserves the prohibition against strikes and lockouts, and provides penalties for strikes and lockouts.
- Section 2. More specifically, it is further the intention and purpose of this Agreement to comply with the statutory provisions of §174.021, TLGC, as amended.

ARTICLE NO 2: RECOGNITION

- Section 1. The City of McAllen recognizes the McAllen Professional Fire Fighters Association, Local 2602, as the sole and exclusive bargaining agent for all Fire Fighters as that term is defined in Section 174.003 Texas Local Government Code, with the sole exception of the Fire Chief.
- Section 2. By this term it is intended to include only permanent paid non-probationary employees of the Department who have been hired in substantial compliance with provisions of the Local Government Code, Chapter 143, but does not include civilians or other employees.

ARTICLE NO 3: NO STRIKE - NO LOCK OUT

- Section 1. The Association agrees that it shall not authorize, ratify, encourage, or otherwise support any strike, slow-down, sick-out, nor any other form of work stoppage or interference with the business of the City and shall cooperate fully with the City in preventing and/or halting any such action. Employer agrees that it shall not authorize, ratify, encourage, or otherwise support any lock-out during the term if this Agreement.
- Section 2. Should the Association violate the provision, the City reserves the right to assert any remedies available to it (at law, in equity, or otherwise) such forum(s) as may be appropriate.
- Section 3. The Association agrees that it will not support or assist in any manner any Association member or any other employee who violates the Article. Such agreement includes, but is not limited to, the agreement to not provide representation for such person in the event of disciplinary action for

violation of this Article and to not approve nor put forward any grievance on behalf of any such person.

ARTICLE NO 4: DURATION OF AGREEMENT

- Section 1. This Agreement shall be effective upon approval by both parties and shall remain in full force and in effect until the 30th day of September of 2016.
- Section 2. The agreement automatically shall be renewed from year to year thereafter, unless either party shall have notified the other, in writing, at least 150 days prior to September 30th, 2016. In the event that such notices are given, negotiations shall begin no later than 120 days prior to September 30, 2016.
- Section 3. In the event that negotiations have commenced and no agreement has been reached between the parties before the expiration date, this agreement shall be automatically renewed for a period of one (1) year, and may be extended beyond this period by mutual agreement, in writing, between the City of McAllen and the Association. In the absence of an extension agreement beyond the automatic one (1) year renewal, the existing contract shall remain in full force and in effect until such time as impasse has been reached, as defined in Section 174.152, Texas Local Government Code.

ARTICLE NO 5: STABILITY OF AGREEMENT

- Section 1. Notwithstanding anything contained herein to the contrary, this instrument embodies the whole agreement between the parties and no other instrument or agreement, understanding, alteration, or variation of the agreement, terms or provisions herein contained shall bind the parties unless made and executed in writing by the parties thereto.
- Section 2. The failure of the Employer or the Association to insist in any one or more instances upon performance of any of the terms or conditions of this agreement shall not be considered as a waiver or relinquishment of the right of the Employer or the Association to future performance of any such term or condition, and the obligation of the Employer and the Association to such performance shall continue in full force and effect.
- Section 3. This agreement shall be binding upon the successors and assigns of the parties hereto, and no provisions, terms, or obligations hereto contained shall be affected, modified, altered, or changed to any respect whatsoever by the consolidation, merger, annexation, transfer, or assignment of either

party hereto or by a change geographically or otherwise in the location or place of business of either party hereto.

ARTICLE NO 6: SAVING CLAUSE

Section 1. If any provisions of the agreement or application of such provision should be rendered or declared invalid by any court of competent jurisdiction or by any existing or subsequently enacted legislation, the remaining parts or portions of this agreement shall remain in full force and in effect for the duration of this agreement.

ARTICLE NO 7: MAINTENANCE OF STANDARDS

Section 1. All benefits, privileges, working conditions and conditions of employment not specifically provided for by this agreement for members of the bargaining unit, in effect upon the execution of this agreement, shall remain in full force and effect unchanged and unmodified except by written agreement by the City and the Association.

Section 2. Any claim that this Section has been violated shall go through the grievance process. If the grievance is not resolved in Step 2 of that process, the matter shall be submitted to the City Manager for final disposition. The decision of the City Manager is final and binding with respect to any claim brought under this Section.

ARTICLE NO 8: MANAGEMENT RIGHTS

Section 1. The Employer, through the McAllen City Commission, and its management staff, on its own behalf and on behalf of the citizens of the City of McAllen, hereby retains and reserves unto itself all powers, rights, authority, duties, and responsibilities conferred upon and vested in it by the laws and the Constitution of the State of Texas and the United States, including but without limiting the generality of the foregoing, except as specifically limited and governed by this Agreement, the right:

1. To the Executive Management and Administrative control of the McAllen Fire Department and its properties and facilities.
2. To maintain the efficiency of governmental operations.
3. To assign any or overtime work.



4. To schedule operations, assign shifts, and determine appropriate staffing requirements.
5. To hire, promote, demote, transfer, assign, retain, suspend, discharge, and discipline employees, including but not limited to fire fighters, subject to Chapter 143 of Texas Local Government Code.
6. To relieve employees from duties because of lack of work, subject to Chapter 143 of Texas Local Government Code.
7. To control production and service standards.
8. To determine the methods, processes, means and personnel by which operations are to be carried out.
9. To determine the safety, health, and property protection measures for the Fire Department.
10. To establish, modify, and enforce Fire Department rules, regulations, and orders, provided, however, that nothing in this subsection should be construed so as to modify Article ~~9~~³³ of this Agreement related to Lateral Transfers.
11. To schedule operations and determine the number and duration of hours of assigned duty per week as assigned in Article 6, "Duty Hours."
12. To make technological changes.
13. To schedule leaves of absence.
14. To have uninterrupted work.
15. To retain the cooperation of the Association.
16. To control the City's overall budget.
17. To determine the City's programs and functions.
18. To determine the City's organizational structure.
19. To use civilians in the Fire Department to perform duties which do not require a Certified Fire Fighter. The duties may include, but are not necessarily limited to, Administration, Informational Systems, Dispatch and Clerical Support, subject to Chapter 143 of the Texas Local Governmental Code.

Section 2. The exercise of the foregoing powers, rights, authority, duties, and responsibilities by the City, the adoption of policies, rules, regulations, and practices in the furtherance thereof, and the use of judgment and discretion in connection therewith shall be limited only by the express and specific terms of the Agreement and then only to the extent such specific

and express terms hereof are in conformance with the Constitution and laws of the United States and the State of Texas.

Section 3. Nothing contained herein shall be construed to deny or restrict the City of its rights, responsibilities, and authority under the laws of the State of Texas or any other national state, county, district, or local law regulations or executive order as they pertain to fire service and emergency medical services.

ARTICLE NO 9: ASSISTANT FIRE CHIEF

Section 1. If during the duration of this Agreement, the position of Assistant Fire Chief becomes vacant, it shall be filled by appointment by the Fire Chief.

Section 2. The person so selected must be ^{credited firefighter} member of McAllen Fire Department at the time of appointment.

ARTICLE NO 10: ASSOCIATION ACTIVITY AND RIGHT TO WORK

Section 1. The Employer agrees not to discriminate against any employee for their activity in behalf of, or membership in, the Association.

Section 2. The Association agrees that it shall not interfere with, coerce, or intimidate any employee into joining the Association. The Association recognizes that no employee is required to join the Association, but each fire fighter has the right to choose of their own free will as to whether or not they will or will not join the Association.

Section 3. The Association further agrees that there shall be no interference with the free right of any employee of the City to enter and leave its premises and property unmolested and without harassment.

ARTICLE NO 11: ASSOCIATION BUSINESS LEAVE

Section 1. No fire fighter involved in collective bargaining activity on behalf of the Association during the collective bargaining period which does not interfere with the discharge of his duties or any assignments, or violate any of the provisions of this agreement, shall be discharged, disciplined or

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discriminated against for such involvement. No other Association activity shall be conducted while employees are on duty.

Section 2. The three (3) members of the Association negotiating committee shall be granted leave from their duty with full pay for all meetings between the City and the Association for the purpose of negotiation the terms of an agreement when such meetings take place at a time during which such members are scheduled to be on duty.

Section 3. On each October 1, starting on October 1, 2000, the city shall provide 300 hours of paid leave to a pool to be known as the "Association Business Leave Pool". The pool shall be used for activities that include the following:

1. Attending seminars or workshops by up to three (3) members.
2. Attending Association conventions and business meetings by up to three (3) members.
3. Appearing before the City Council, the Texas Legislature, or U.S. Congress by the President or the designated representative.
4. Handling grievances, arbitrations, and other labor relations problems by the president or the designated representative.
5. Attending Association monthly meetings by the president and the Executive Board; and
6. Attending to any other business of the Association by the president or the designated representatives subject to the approval of the Fire Chief.

Section 4. The Association will be responsible for the payment of travel expenses and training fees for any meetings of the Association.

Section 5. The Fire Chief shall establish a reasonable policy that permits the Association to use the Association Business Leave Days of this Agreement.

Section 6. Only with the written authorization of two Association Officers may this resource be utilized.

Section 7. The Association may send four personnel to IAFF or TSAFF Annual Conventions at their own or the Association's expense. Association members shall use the Association Business Leave Pool for paid leave.

Section 9. The Association may send up to four personnel to annual training on Negotiating Labor Agreements and all expenses will be incurred by the

City. If the Association sends personnel to such training, up to four persons will be granted paid leave for any regularly scheduled duty time the person misses as a result of attendance at the training. The personnel selected by the Association to attend must schedule any such time off so that it does not unduly interfere with the operations of the Department.

ARTICLE NO 12: PAYROLL DEDUCTION OF DUES

- Section 1. The Employer agrees to deduct dues and assessments in an amount certified to be current by the authorized officer or officers of the Association from the pay of those employees who individually request, in writing, that such deductions be made. The total amount of deductions shall be remitted together with the names of the employees from whom dues have been collected by the employer and the dues shall be forwarded by direct deposit to the bank account of said Association. Any employee may terminate dues deductions by notifying the city and association in writing to be effective at the next pay period.
- Section 2. The Association agrees to indemnify, defend and hold harmless the Employer against any claims, demands, suits, or any other form of liability that shall arise out of or as a result of any action taken by the employer for purposes of complying with the provisions of this Article.
- Section 3. In lieu of the currently allowed ICMA Retirement deductions, a firefighter may substitute a substantially similar retirement account deduction, the NRS sponsored by IAFF.

ARTICLE NO 13: BULLETIN BOARDS

- Section 1. Announcements shall be posted on official bulletin boards. Parties to this agreement, both of whom may use the bulletin boards for notices of routine nature, agree that it would be improper to post derogatory or inflammatory written material or any material not in good taste on such bulletin boards. Approval must be obtained in advance from the Fire Chief for the posting of all material except for routine notices of meetings, social events and other official Association Business.
- Section 2. In addition, the Association may utilize the City e-mail system to send notices of meetings (containing the date, time, and location of the meeting only) to the various fire stations, provided that such e-mails must otherwise be in compliance with the City's e-mail policy and a copy of same must be forwarded to the Fire Chief and the City Manager, or their designee.

PAY, SALARY, AND BENEFITS

ARTICLE 14. BASE SALARY

Section 1. Effective first pay period after approval of this agreement through September 30, 2016, the Base Salary in the following fiscal years for each rank shall be:

Rank	FY 2012-2013 0.5% increase	FY 2013-2014 0.5% increase	FY 2014-2015 0.5% increase	FY 2015-2016 0% increase
Fire Fighter	\$38,632.41	\$38,825.57	\$39,019.70	\$39,019.70
Hourly	\$14.02	\$14.09	\$14.16	\$14.16
Driver	\$43,666.51	\$43,884.84	\$44,104.26	\$44,104.26
Hourly	\$15.84	\$15.92	\$16.00	\$16.00
Lieutenant	\$49,436.55	\$49,683.74	\$49,932.15	\$49,932.15
Hourly (operations)	\$17.94	\$18.03	\$18.12	\$18.12
Hourly (administration)	\$23.77	\$23.89	\$24.01	\$24.01
Captain	\$55,883.19	\$56,162.60	\$56,443.41	\$56,443.41
Hourly (operations)	\$20.28	\$20.38	\$20.48	\$20.48
Hourly (administration)	\$26.87	\$27.00	\$27.14	\$27.14
Deputy Chief	\$63,824.32	\$64,143.45	\$64,464.16	\$64,464.16
Hourly	\$30.68	\$30.84	\$30.99	\$30.99
Assistant Fire Chief	\$72,250.31	\$72,611.57	\$72,974.62	\$72,974.62
Hourly	\$34.74	\$34.91	\$35.08	\$35.08

Section 2. Hourly rates for the Fire Fighter, Driver, Lieutenant and Captain classifications shall be calculated by dividing the annual salaries shown in Section 1

above by 2756, which is approximately the number of straight time hours to be worked in a twelve month period.

Section 3. Within 30 of the signing of this Agreement, overtime rates shall be calculated in the manner prescribed by the Department of Labor guidelines, taking into account longevity and certification pay(s), as illustrated by the example below:

A Captain is paid at an hourly rate of \$19.08 and has longevity and certification pays totaling \$882.04 per 14-day pay period. If he worked 144 hours, of which 136 are paid at straight time and 8 are paid at overtime, the overtime rate and total wages are to be calculated as follows:

\$19.08
X
144

\$2747.52
+\$882.04

\$3629.56 divided by 144= \$25.21 divided by 2= \$12.6 x 8 = \$100.80.

\$3629.56 + \$100.82 = \$3730.38.

If the changes in this Section are not implemented within 30 days, they shall be retroactively implemented to the date of the 30th day from the signing of this agreement.

ARTICLE NO 15: LONGEVITY

Section 1. The following table shall be used to determine the longevity premium applicable to a qualifying firefighter:

Years of Service	FY 2012-2013 through 2014-2015
1	\$ 1,750
2	\$ 1,750
3	\$ 2,500
4	\$ 2,500
5	\$ 4,500
6	\$ 4,500
7	\$ 4,500
8	\$ 7,000
9	\$ 7,000
10	\$ 7,000
11	\$ 8,500
12	\$ 8,500
13	\$10,500
14	\$10,500
15	\$12,000
16	\$12,000
17	\$13,000
18	\$13,000
19	\$13,000
20	\$15,000
25+	\$16,500

Section 2. The foregoing benefit shall be payable in pro-rata installments in accordance with the City's usual and customary payroll schedule beginning in the first full pay period after the firefighter qualifies for the benefit.

Section 3. In order for a firefighter to qualify for the longevity pay, the firefighter must have the indicated years of service with the McAllen Fire Department.

Section 4. For those firefighters who had reached 25+ years of service before the beginning of the current fiscal year, the longevity pay attributable to the time period between October 1, 2010 and the ratification of this Agreement shall be paid as a premium pay in a future pay period in FY 2010-2011 so long as this labor agreement is also ratified in this same fiscal year.

ARTICLE NO 16: CERTIFICATION PAY

Section 1. In addition to the wage rates established by this agreement, the Employer shall pay the premium pay for the successful attainment of increasing certifications above basic from the Texas Commission on Fire Protection personnel standards and Education.

Section 2. The employee will be eligible for premium pay for up to 5 TCFP certifications of the employee's choice.

Section 3. The premium paid shall be paid monthly as follows:

Effective first pay period after approval of this Agreement through 9/30/2016:

	BASIC	INTERMEDIATE	ADVANCED	MASTER
Structure Firefighter	0	50	100	200
ARFF	0	50	100	200
Fire Investigator	0	50	100	200
Arson Investigator	0	50	100	200
Inspector	25	50	100	200
Hazmat Technician¹	150	N/A	N/A	N/A
Driver/Operator Pumper	25	N/A	N/A	N/A
Fire Officer	25	N/A	N/A	N/A
Fire Instructor²	I	II	III	III Master
	25	50	100	200
EMT Instructor³	50			

¹ No more than 50 60 employees shall be eligible to receive Hazardous Material Technician Certification pay at any one time. The Fire Chief, with the input of the Association, shall develop an SOP to determine the specific employees entitled to such pay, with priority given to those employees who have been so certified for the longest period of time.

~~courses leading up to a degree in [reference to city policy, as amended from time to time], in an amount not to exceed the rate applicable to a Texas resident at a Texas public university, for example, the University of Texas Pan American, for equivalent course work. Employer shall also reimburse employees 100% of the cost of tuition and required materials in an amount not to exceed \$750 per employee for courses necessary to becoming certified in fire inspections. All reimbursements shall be made within 30 work days from the date the employee submits receipts after successful completion of the course with a C grade or better.~~

Section 1. The City shall reimburse firefighters in accordance with the terms of the City's Tuition Reimbursement Program, as it may be amended from time to time, and as applicable to employees of the McAllen Fire Department, including textbooks required for approved courses. If the City makes a change to the list of pre-approved courses, before the changes become effective as to fire fighters, the parties shall bargain over the changes.

Section 2. The City agrees that every Fire Fighter may be allowed to attend college courses as long as he can substitute another Fire Fighter of equal rank for the duration of said class hours, subject to immediate supervisor's approval, and in such a manner so that the substitution shall not result in any overtime obligation to the City.

Section 3. In addition to the wage rates established by this agreement, the Employer shall pay a premium pay for the successful attainment of University level degrees in the pre-approved courses of study contained in the City's Tuition Reimbursement Program or other course of study approved pursuant to the Program. Upon proof of graduation, the premium pay shall be as follows.

<u>Degree</u>	<u>Premium per month</u>
Associate	\$ 150.00
Bachelors	\$ 250.00
Masters	\$ 350.00

Any individual firefighter receiving premium pay as of the date of this agreement for a course not included on the pre-approved list shall continue to receive that level of premium pay.

Section 4. Not less than 4 Operations personnel, 1 from each shift, and one employee from Administration, Training or Prevention shall be allowed to attend at least one course at the Texas Fire Training School held each year at Texas A & M University ~~or another accredited training program.~~

Additional personnel may be allowed to attend at the discretion of the Fire Chief, subject to the City's ability to meet staffing and other personnel requirements. All costs to attend the school shall be paid by the city.

ARTICLE NO 18: ASSIGNMENT / STAND-BY PAY

Section 1. The Employer shall pay assignment pay to all personnel assigned to the Prevention, Training, and/or Administration divisions through, and including, the rank of Assistant Fire Chief:

1. Effective as of the signing of this Agreement, 5.25% of base salary as assignment pay.
2. Effective as of 10/01/2013, 5.5% of base salary as assignment pay.
3. Effective as of 10/01/2014, 5.75% of base salary as assignment pay.
4. Effective as of 10/01/2015, 6% of base salary as assignment pay.
5. In the event that overtime is worked by non-exempt persons covered by this Article the employee shall choose either overtime pay or compensation time as method of payment for hours worked; provided, however, the Employer may elect to pay persons for accumulated compensation time at the conclusion of each fiscal year and, provided, further that such compensation time shall be handled in accordance with Federal Law.

Section 2. When any employee is officially designated standby duty, the employee shall receive Seventy-five (.75) cents per hour for standby time. Any employee called out while on standby shall receive overtime pay for the actual time called out with a minimum of one hour; provided, however, that such "standby overtime" pay shall only be used in unusual or emergency situations and the parties agree that the Association and the City shall develop procedures to reduce and/or eliminate such "standby overtime" pay to the extent possible.

Section 3. Three Fire Prevention Lieutenants, as selected by the Fire Chief, shall be assigned from their current forty-hour work week to a twenty-four hour rotation. The Lieutenants shall continue to perform their fire prevention, investigation and inspection duties during their twenty-four hour rotation. In addition, the Lieutenants will also be required to respond to regular fire alarms, to perform the duties of an Operations Division safety officer and

when necessary, to perform fire suppression-related duties that may be assigned by any of the Incident Commanders. The Lieutenants will continue to receive assignment pay while on twenty-four hour rotation. The Lieutenants shall also be eligible for overtime compensation in accordance with the Fair Labor Standards Act and department policy and shall follow the same Holiday and Vacation Leave credit protocol as Operations personnel, in accordance with this agreement.

Section 4. Employees assigned to the FTO program shall be paid \$100 per month as assignment pay. Assignment to the FTO program and the program itself shall be at the sole discretion of the Fire Chief.

ARTICLE NO 19: HOLIDAYS

Section 1. The Holidays listed below shall be observed by Fire Department employees and shall consist of 12 hours segments:

- | | |
|----------------------------|---------------------|
| 1. New Year's Day | 5. Labor Day |
| 2. Good Friday | 6. Thanksgiving Day |
| 3. Memorial Day | 7. Christmas Eve |
| 4. 4 th of July | 8. Christmas Day |

Section 2. Operations, Administration, Training and Prevention personnel shall be credited holidays as they occur and not in conjunction with all other city personnel. Holiday credit shall accrue at a rate of 8 hours for Administration, Training and Prevention personnel, and 12 hours for Operations personnel. The credit shall be at the rate of 18 hours for those Operations personnel working the actual holiday.

Section 3. Holiday credit shall continue to follow Departmental /City policy in use April 1, 2000 unless otherwise specified.

Section 4. The City shall allow for Fire Department personnel to use accumulated holidays as time off at the member's discretion, subject to staffing requirements, or to sell the accumulated days back to the City on November 15 of each year. The City shall ensure that the check for holidays sold back to the city is issued no later than the first pay period in December.

Section 5. Nothing herein shall modify benefits to which members of the bargaining unit are entitled to in accordance with Texas Local Government Code 142.0013.

Section 6. Floating Holiday: Personnel will be provided a floating holiday at a rate of 8 hours for Administration, Training, and Prevention personnel, and 12 hours for Operations personnel.

ARTICLE NO 20: VACATION LEAVE

Section 1. Annual Leave shall follow current SOP policy in effect on October 1, 2000, as amended. See Chap. H – Annual Leave Procedures, as amended.

Section 2. Vacation shall be earned at a rate of 15 hours per month for Operations personnel. The vacation list for the following month shall be posted not less than thirty (30) calendar days prior to the assigned vacation period.

Section 3. The City shall allow the members the option to keep or sell all or part of their accumulated vacation provided, however, that on December 31 of each calendar year, no employee may carryover more than 22.5 days (180 hours) of accumulated vacation for Administration, Training and Prevention personnel, and 270 hours for operations personnel. In the event that any individual exceeds that limit, the city shall buyback the time that exceeds the limit set forth in this agreement. The buyback of vacation shall be paid on the first pay period in December. In the event any individual exceeds the limit because of a decision of management, City shall grant the employee ninety (90) days to reschedule vacation or buy back all or portion of such days, depending on the number of days actually taken.

Section 4. The department may grant vacation/holiday leave to any individual asking for such so long as the allocated number of vacation slots per shift has not been exhausted.

Section 5. The annual vacation calendar, for each shift, shall be posted on the Fire Department Intranet for all firefighters to view and shall be updated by Sector Captains daily.

ARTICLE NO 21: SICK LEAVE

Section 1. All personnel shall be entitled to fifteen (15) hours of sick leave per month. Sick leave not actually used may be accumulated without any maximum limit; however, accrued time up to 120 days shall be paid upon separation from the fire department regardless of reason, except as provided by Texas Local Government Code 143.045(d).

- Section 2. Sick leave is a privilege that is to be used for the sole purpose of providing wage continuation when an employee, or immediate family, is incapacitated due to a bona-fide illness, medical treatment and / or exposure to contagious disease that may jeopardize the health of others. However, it is expressly understood and agreed that nothing herein shall prohibit the use of sick leave pursuant to the Family Medical Leave Act.
- Section 3. Sick leave may not be used for any purpose other that stated in Section 2 and Section 7 and immediate family shall be defined as a spouse, a child (natural or adopted), a ~~minor~~ sibling, a ~~grandchild~~ and or a parent of either the employee ~~or spouse~~. If sick leave is used as a result of the sickness, etc. of any person other than the employee, the employee's absence must be reasonably related to a medical necessity or caretaker responsibility relationship between the employee and such person.
- Section 4. The Employer shall not require a medical certificate if sick leave does not exceed two 24-hour shifts (two 8-hour shifts for 40 hour personnel) unless the city has reason to believe that the sick leave is being abused.
- Section 5. Personnel who are required to submit a medical certificate must provide such certificate from a licensed physician. Such certificate need only indicate the day and time the physician was consulted and a return to work status. Nothing in this Article shall be construed so as to limit the medical information that may be necessary for the City to process a medical claim, worker's compensation, or other claims pursuant to standard City procedures for the same.
- Section 6. Accrued sick leave will be deducted on a first earned first used basis notwithstanding Section VII of Ordinance 1990-47, including pre-civil service sick leave.
- Section 7. Notwithstanding the foregoing, an individual firefighter may, but shall never be required to, transfer up to forty (40) hours of sick leave to another firefighter, provided:
- a) such transfer will leave the transferring firefighter with at least 30 days of sick leave
 - b) such transfer is to a firefighter who has exhausted his own sick leave due to use of same in accordance with this Article,
 - c) the receiving firefighter does not receive more than sixty (60) days total of such transfers, and,

- d) such transfers are done for only the actual amount of sick leave needed by the receiving firefighter to deal with a situation covered by this Article, with any "excess" transfers returned to the transferring firefighter(s) (if more than one, on a pro-rata basis)

ARTICLE NO 22: COURT LEAVE

Section 1. When a member is subpoenaed by a Court of Law to attend a deposition, testify or any other official business on a job related case excluding an employment liability case where the employee is the plaintiff or has been subpoenaed by the plaintiff in an employment liability case, while off duty or on vacation, the employee shall be compensated by the City according to law.

ARTICLE NO 23: FUNERAL LEAVE

Section 1. During the four (4) calendar days immediately following the death of an immediate family member, up to four (4) 12-hour days of funeral leave of absence with pay shall be granted to all operations personnel and three (3) work shifts to all 40 hour employees. The term "immediate family" shall include only: ~~father, mother, grandparent, wife, husband, son, daughter, sister, brother, or grandchildren of either an employee or an employee's spouse.~~ a spouse, a child (natural or adopted), a sibling, a parent, or grandparent of the employee.

Section 2. If additional time is needed then sick leave, vacation or Holiday time may be used.

Section 3. If the employee is not scheduled to work during the four (4) calendar days immediately following the death of the family member as specified in Section 1, no special leave with pay shall be granted.

Section 4. All leave under this clause shall be approved by the Fire Chief or designated representative.

ARTICLE NO 24: HEALTH, LIFE AND HAZARDOUS HOSPITALIZATION INSURANCE

Section 1. The Employer shall furnish a hospitalization and medical insurance policy equivalent to that of the other city employees.

Section 2. Life Insurance shall be provided at no charge to the employee for an amount of twice the employee's salary or to a maximum of \$100,000.

ARTICLE NO 25: CIVIC DUTIES

Section 1. An employee who has not voted during the early voting period shall be given time off, without loss of pay, to vote in all Federal, State and Local elections.

Section 2. Upon adequate notice by employee, such time shall not exceed one (1) hour of paid compensation and shall be taken at times specified by the supervisor on duty, so that time off will not unduly interfere with the regular work shift of the employee. Additionally, employee shall travel to and from the voting location in a personal vehicle.

ARTICLE NO 26: RETIREMENT FUND

Section 1. Subject to the approval of the plan participants, employees shall contribute up to 11% of their pay to the Firemen's Retirement Fund. The Employer shall increase its contribution of the Fire Fighter's pay toward the Firemen's Retirement Fund for all employees in accordance with the following:

- i) Effective as of the signing of this Agreement the City shall increase its contribution to the Firemen's Retirement Fund to an amount equal to 12.75% of annual salaries.
- ii) Effective October 1, 2013, the City shall increase its contribution to 13% of annual salaries.
- iii) Effective October 1, 2014 the City shall increase its contribution to 13.25% of annual salaries.
- iv) Effective October 1, 2015 through September 29, 2016, the City shall increase its contribution to 13.50% of annual salaries.
- v) Effective September 30, 2016 the City shall decrease its contribution to 13.00% of annual salaries.

Section 2. The parties understand, agree, and approve any and all payroll deductions and adjustments to individual retirement accounts that may be necessary to synchronize and modify both the City's payroll system and retirement system accounts to effectuate the terms of this Article on the effective dates indicated shall be implemented only if this labor agreement is approved and ratified by the parties.

OTHER CONDITIONS OF EMPLOYMENT

ARTICLE NO 27: DUTY HOURS

Section 1. Every firefighter, unless otherwise controlled by Federal Law, shall be required to work the following work schedule:

Section 2. All operations personnel assigned to shift schedule, will be scheduled to work 72 hours in a 9 calendar day cycle. The 9 calendar-day cycle will be composed of three (3) 24 hour shifts of work and six (6) 24 hour shifts off duty. Each 24-hour work shift will constitute two (2) 12 hour work days.

Section 3. The schedule shall be as follows:

DAY:	_____	1	2	3	4	5	6	7	8	9
Shift:		C	A	C	B	C	B	A	B	A

Section 4. Each workday shall begin at 8:00 am on the date to be worked and shall end at 8:00 am on the following day. The work cycle shall reoccur continuously.

Section 5. Department issued casual "exercise" wear shall be allowed after 5 P.M. Monday through Friday and on weekends and holidays.

Section 6. Fire fighters assigned to Administration, Training, and Prevention shall have a workweek of 40 hours from Monday through Friday. Administration, Training, and Prevention personnel may be assigned "flex time", such flex time rotated as evenly as possible among Administration, Training, and Prevention personnel. The final decision with respect to assignment of flex time shall be with management, provided, however, if the employee feels flex time is being abused, a grievance may be filed regarding same.

ARTICLE NO 28: DUTIES OF FIRE FIGHTER PERSONNEL

Section 1. Employees shall not be assigned to perform duties which are not directly related to fire fighting, fire prevention, rescues, salvage, overhaul work, training and maintenance of on-board firefighting equipment and apparatus.

Duties not related to the above are:



1. Cleaning out warehouse
2. Cleaning of administrative office (Central Station)
3. Electrical work
4. ~~Painting fire hydrants~~
5. Carpentry
6. Car washing
7. Bee control, except in an emergency situation
8. Yard Work

Duties related to the above shall specifically include:

1. Safety education
2. Public education
3. Public service
4. Business inspections
5. Building capacity enforcement
6. Subdivision approval process (fire hydrants and access)
7. Cleaning and general maintenance of fire houses
8. Fire hydrant testing and painting.
9. Emergency management
10. Interlocal agreement for fire fighting
11. Maintenance of equipment and clothes supplies
12. First responder operations
13. Flood condition traffic control under emergency conditions

Section 2. After one year from the date of this Agreement, the parties will convene a Labor Relations Committee meeting to evaluate the cost effectiveness of requiring fire fighters to paint hydrants.

ARTICLE NO 29: HEALTH AND SAFETY

Section 1. It is the desire of the Employer and the Association to maintain a high degree of health and safety standards in the Fire Department in order to eliminate as much as possible illness, injuries and death. The Employer and the Association agree to work together to develop a standard operating procedure for administering physical exams based on NFPA 1582.

Section 2. Management will provide the opportunity for proper training of employees.

ARTICLE NO 30: UNIFORMS / UNIFORM MAINTENANCE

Section 1. The Department shall institute a summer uniform policy for use by Fire Department personnel.

Section 2. The City shall credit every fire fighter up to the amount of \$550 600 for each fiscal year to purchase uniforms; provided however, if an employee wishes to purchase uniforms in excess of the \$550 600, the employee shall be allowed to pay the difference for and purchase same. The following items shall be made available for purchase:

1. Uniform pants (EMS style utility pants)
2. Class B shirts (long sleeve and short sleeve)
3. Class C T-shirts (long sleeve and short sleeve)
4. Exercise shorts
5. Uniform baseball cap (and boonie style hat)
6. Leather belt
7. Set of linen
8. Pillow
9. Summer uniform shorts
10. Polo style summer uniform shirts
11. Gear bag
12. Running shoes
13. Working boots with steel toes
14. Wind breaker
15. Warm ups
16. Rescue gloves
17. Coveralls
18. Safety glasses
19. Class A Dress uniform

Section 3. Each firefighter shall order replacement gear through the department Administrative Chief, until such time as an on-line purchasing system is available. The cost of replacement gear shall be deducted from the individual's credit. The employees shall strive to ensure the highest level of safeguarding of all assigned uniforms. Uniform insignia shall be the sole responsibility of the department. Any used uniforms that are suitable for maintenance will be kept by the fire fighter to be used for maintenance.

Section 4. The City shall provide firefighting apparel to all members of the bargaining unit. All protective gear shall meet the requirements of the National Fire Protection Association (NFPA) and National Bureau of Standards (NBS). Fire fighting apparel shall consist of bunker coat, bunker pants, helmet, chin strap, shield, suspenders, gloves, firefighting boots, nomex hood and a suitable flashlight. Reason for replacement shall be damage occurring during the performance of duties, wear and tear and resizing. The

employee shall report any lost or damaged apparel which the city shall replace or repair the items.

- Section 5. The Fire Chief may require that the dress Class A uniform be worn by all members of the Fire Department on "special occasions", such as national holidays, parades, ceremonies, visits to the Department by dignitaries and / or formal inspections provided that these uniforms are issued by the City. Employees shall keep the dress uniforms and / or work uniforms in good conditions. Use of any part of the uniform for outside employment is expressly prohibited. The city will continue uniform cleaning.
- Section 6. All personnel shall be required to wear the appropriate department issued uniform while on duty.
- Section 7. The items described in Section 2 of this article shall only be issued to and worn by City of McAllen firefighters. White uniform shirts shall only be issued to and worn by Deputy Chiefs and above.

ARTICLE NO 31: STAFFING OF ALL COMPANIES AND STATIONS

- Section 1. It is agreed and understood by both parties to make a good faith effort to maintain the minimum staffing requirement of operations personnel at 38 as per the email directive dated 1/18/2011 to command staff personnel.
- Section 2. The City shall endeavor to call off-duty personnel to maintain any additional units needed for emergency status.

ARTICLE NO 32: SHIFT EXCHANGES

- Section 1 Shift exchange is subject to immediate supervisor approval and shall not be unreasonably denied. All denials shall be in writing with a reason stated at the time of denial. Shift exchanges are also subject to the Fire Department's Policies, Procedures, and SOPs in effect on July 15, 2001. Shift exchanges, as per the SOP's shall be done in a manner so as to be exempt from FLSA overtime requirements and/or so as to preclude the Employer from becoming liable for overtime.

ARTICLE NO 33: PERSONNEL TRANSFERS

- Section 1. All lateral transfers shall be made in accordance with the procedures established by the Fire Chief in effect on January 1, 2001.



Section 2. If an Administrative, Training or Prevention employee is assigned to serve in an Acting capacity for more than two days, the employee shall be compensated at the rate of pay for that position after the second day. After four days, the employee shall be paid at said rate retroactive to the first day the employee began serving in an Acting capacity.

ARTICLE NO 34: FIRE DEPARTMENT UNITS

Section 1. Any additional units purchased or assigned for departmental use shall come fitted with air conditioning. The City shall endeavor to maintain the air conditioning in full working condition.

ARTICLE NO 35: SPECIAL OPERATIONS AND RESCUE DIVE TEAM

Section 1. The City shall maintain, staffed exclusively by Fire Department personnel, a Special Operations Team. The Special Operations Team shall operate under the direction of the Fire Chief or his designee and according to SOPs which shall be issued by the Fire Chief upon creation of the Team, or as thereafter amended.

Section 2. In the event that the City decides in the future to create and maintain a Rescue Dive Team, it shall be staffed exclusively by Fire Department personnel.

ARTICLE NO 36: DEFENSE OF CIVIL SUITS

Section 1 The City shall defend any fire fighter, on the fire fighter's request, against a suit for damages by a party, if the claim involves an official act, on the day and time in question, of the fire fighter during the course and scope of the fire fighter's authority and employment under orders of the Fire Chief, and pursuant to City policy.

Section 2 In the event a judgment is rendered against a fire fighter under the above mentioned terms and conditions, the City shall indemnify the fire fighter the amount of the judgment excluding any amount specified by the Court to be punitive or exemplary damages, or as a result of the fire fighter's illegal acts, or as a result of the fire fighter's unauthorized act or acts.

Section 3 The fire fighter shall fully cooperate with the City in the defense of any such claim and shall not enter into any agreement with respect to any such claim without the express, written consent of the City.



**CONTRACT INTERPRETATION DISPUTES
GRIEVANCE PROCEDURE AND ARBITRATION**

ARTICLE NO 37: GRIEVANCE AND ARBITRATION PROCEDURES

- Section 1. The purpose of this grievance procedure is to establish an effective method for the fair, expeditious and orderly adjustment of grievances.
- Section 2. A grievance is defined as any dispute, claim, or complaint involving the interpretation, application, or alleged violation of any provisions of this Agreement, or the discipline, discharge, or demotion in rank of any member of the bargaining unit.
- Section 3. The Association or any bargaining unit Employee may file a grievance under the terms of this Agreement.
- Section 4. Each grievance shall be submitted on a form agreed to by the parties and must include (1) a brief statement of the grievance and the facts or events on which it is based; (2) the section (s) of the contract alleged to have been violated; (3) the remedy or adjustment sought; and the Employees signature or if filed by the Association, the signature of the Grievance Committee Chair or Local Association President.
- Section 5. Notwithstanding anything in this Article, any grievance or claim based upon Article 26 – Maintenance of Standards, shall be final upon a decision being rendered by the City Manager under Step 3 of this Article.
- Section 6. Grievance Procedures.

A. Step 1. An Employee who is aggrieved must file a grievance with the Association Grievance Committee within ten (10) days of the date upon which the member knew of or should have known of the facts giving rise to the grievance, or for a disciplinary grievance, within ten (10) days after the date the Employee receives notice of such discipline. A copy of notice of receipt of the grievance shall be forwarded to the Fire Chief by the Association Grievance Committee within three (3) days of receipt of the grievance. The Association Grievance Committee shall within its sole discretion determine if a grievance exists. If the Association Grievance Committee determines that no grievance exists, it shall notify the Fire Chief in writing that no further proceedings will be necessary. If the Association Grievance Committee determines that the grievance is valid, within ten (10) days of its receipt of the grievance, it shall process the grievance on behalf of the Employee(s) by forwarding the written grievance to Step 2 of this procedure. Any grievance filed by the Association shall proceed directly to Step 2 of this procedure. Any employee who files a grievance shall be provided by the Grievance committee with a notice stating that such employee has certain rights to file certain claims with persons or entities other than the Association, including, in certain cases, filing such claims directly with the City of McAllen. Further, nothing in this Article shall preclude the City from receiving, reviewing, and taking appropriate action on claims or complaints that are filed directly with the City.

B. Step 2. Any grievance found to be valid by the Association Grievance Committee shall be submitted to the Fire Chief within three (3) days of the Step 1 ruling. After receipt of the grievance, the Fire Chief shall within ten (10) days submit his response in writing to the Association Grievance Committee.

C. Step 3. If the grievance is not resolved in Step 2, the Association Grievance Committee shall submit the grievance in writing to the City Manager or his designee within ten (10) days from receipt of the Step 2 decision. The City Manager or his designated representative shall review the matter and render a decision in writing to the Association Grievance Committee within ten (10) calendar days of the receipt of the grievance.

D. Step 4. If the grievance is not resolved at Step 3, the Association shall have fifteen (15) calendar days from receipt of the City Manager's decision to submit the matter to arbitration. Any Arbitration may be broadcast through the Cities Cable network system. Arbitration will be invoked by the Association Grievance Committee delivering a letter so stating to the City Manager or his designee.

Section 7. If a grievance is submitted to arbitration, the Employer and the Association may within five (5) days of such request jointly appoint an agreed upon arbitrator.

- Section 8. Upon a failure to agree, the Employee and Association shall within five (5) days request a list of seven (7) arbitrators from the American Arbitration Association, Federal Mediation and Conciliation Service, or any Arbitration Service agreed to in writing by both parties.
- Section 9. Within ten (10) days following receipt of the list of arbitrators, the parties shall select an arbitrator by each party in turn striking one name from the list until only one (1) name remains. The remaining individual on the list shall serve as the Arbitrator. The choice of who shall strike first will be rotated with the City going first. The arbitrator so selected shall, through the agency selected, be promptly notified of his selection and the parties in agreement with the arbitrator shall select a time, and date for the hearing of the grievance. All grievance hearings shall be conducted at City Hall in McAllen, Texas.
- Section 10. Within thirty (30) days after conclusion of the hearing, the arbitrator shall issue a written opinion and ruling with respect to the issues presented. A copy of which shall be mailed or delivered to the Association and the Employer.
- Section 11. With respect to the application, interpretation and enforcement of the provisions of this agreement, the decision of the arbitrator shall be final and binding on the parties to this agreement provided however either party may bring an action in a district court in Hidalgo County, Texas seeking to vacate the decision of the arbitrator solely on the grounds that the arbitrator violated the provisions of (c) below.
- Section 12. The arbitrator's authority shall be limited to the interpretation and application of the terms of this agreement and/or supplement thereto. The arbitrator shall have no jurisdiction or authority to establish provisions of a new agreement or variations of the present agreement or to arbitrate away, in whole or in part any provisions of amendments thereof.
- Section 13. The cost of the impartial arbitrator shall be shared equally between the Association and the Employer. If a transcript of the proceedings is requested, then the party so requesting shall pay for such transcript, unless otherwise agreed to by the parties.
- Section 14. All time limits set forth in this article may be extended by written mutual consent, but if not so extended they must be strictly observed. Failure of the Association or the grievant to comply with the same limits set forth will serve to declare the grievance settled and no further action may be taken. Failure of the Employer to respond within the time limits shall constitute a denial of the grievance and the grievant (Association) may proceed to the next step.

- Section 15. It is specifically and expressly understood that filing a grievance under this article that has as its last step final and binding arbitration, constitutes an election of remedies and a waiver of any and all rights by both parties, to litigate or otherwise contest the last answer rendered through this grievance procedure in any court or other appeal form provided however either party may bring an action in a district court in Hidalgo County, Texas seeking to vacate the decision of the arbitrator solely on the grounds that the arbitrator violated the provisions of (c) above.
- Section 16. Grievances of Non-Association members must follow the same procedure outlined by this article and in accordance with the law will be pursued by the Association until final resolution is reached. However, should the grievance of a Non-Association member require that Association resources be used, the Non-Association member will be required to pay 85% of all expenses incurred while pursuing final disposition of their grievance. These shall include cost for payment of time expended from the Association Business Pool, Arbitrator fees, counsel fees and any other fees directly related to the grievance.
- Section 17. Civil Service Appeals. All appeals of Employees' disciplinary matters heretofore heard by the Civil Service Commission or Hearing Examiner shall continue to be so heard and with all rights of appeals as provided in the Texas Local Government Code, Chapter 143, et seq., Vernon's Texas Codes Annotated, as amended.
- Section 18. However, the affected Employee may choose to process his appeal of such disciplinary action through the contract grievance procedure. Appeals through the contract grievance procedure may consist of disciplinary suspensions, demotions, promotions, and promotional passovers and/or terminations.
- Section 19. By selecting the contract grievance procedure, said Employee has selected arbitration as a final and binding resolve of his appeal and has no further rights of appeal as provided under the Texas Local Government Code, Chapter 143, et. seq., Vernon's Texas Codes Annotated, as amended.
- Section 20. All disciplinary grievances shall follow procedure as outlined in chapter 143 of the Texas Local government Code. Notwithstanding the above any non-Association member may unilaterally utilize the appeal procedures for disciplinary actions as provided under such Chapter 143.

ARTICLE NO 38: LABOR RELATIONS COMMITTEE

- Section 1. General Purpose. There shall be a Labor Relations Committee (LRC) the purpose of which is to act as a forum for informal, non-binding discussions between the ASSOCIATION and the CITY on issue bearing on contract maintenance and labor-management relations.
- Section 2. How Constituted. The Labor Relations Committee shall consist of six (6) members: three (3) selected by the CITY and three (3) selected by ASSOCIATION.
- Section 3. The ASSOCIATION Committee Members from the ASSOCIATION shall be comprised of:
- A. The President of the ASSOCIATION or a board designate (or a TSAFF representative);
 - B. The Vice-President of the ASSOCIATION or a board designate; and,
 - C. The Secretary of the ASSOCIATION or the Grievance Committee Chair.
- Section 4. The three LRC Committee Members from the CITY shall be comprised of:
- A. The Fire Chief or his department designate (or labor counsel);
 - B. The City Manager or his designate; and,
 - C. the City Attorney or his designated Assistant City Attorney.
- Section 5. The LRC shall meet on a quarterly basis, provided that an agenda has been established by either the CITY or the ASSOCIATION, during the usual and customary business hours of the CITY administration. If no agenda is established then the quarterly meeting shall be passed.
- Section 6. Convening a Meeting. An LRC meetings may called upon the written request either the ASSOCIATION LRC members or the CITY LRC members.
- Section 7. The request shall be in writing (email allowed) and must include a bulleted list of items to be discussed.
- Section 8. To convene a meeting, other than the quarterly meeting, no less than five LRC members must assent to and attend the meeting. If five members assent to a meeting, the Fire Chief (or his staff) shall schedule a meeting at a Fire Station conference room as soon as practicable.

Section 9. The convening of an LRC meeting shall constitute full compliance with this Article.

Section 10. Subject Matter of LRC Meetings. The subject matter of any LRC meeting shall be issues related to contract maintenance and labor management relations such as:

- A. The interpretation and application of one or more contract articles to a set of facts;
- B. Issues that could become the subject of a contract grievance if interpreted or applied in a certain way or avoided if interpreted or applied in a different way;
- C. Administrative implementation issues that would foster efficiency in the department.

Section 11. Prohibited Subjects. Under no circumstances does the ASSOCIATION or the CITY LRC members have the obligation to consider the following subject matter areas at an LRC meeting:

- A. Disciplinary decisions and any misconduct issues;
- B. Bypass, promotion, or demotion issues involving any specific position or individual members of the Fire Department;
- C. Any issues that would require the modification of, or amendments to, the existing language of the Labor Agreement;
- D. Issues relating to departmental operations and functions falling within the sole responsibility of departmental management
- E. Personalized criticism or claims of incompetence against any one or more members of the Fire Department, including the Fire Chief or supervisory staff.

Section 12. Named LRC Members who are on duty when an LRC meeting is scheduled may attend on duty, subject to the operational and staffing needs of the department, such determination being left to the discretion of the Fire Chief. LRC Members who are off-duty when an LRC meeting is convened shall attend on their own time, or shall utilize ASSOCIATION business leave time.

MISCELLANEOUS ISSUES

ARTICLE NO 39: PROMOTIONAL EXAMINATIONS

Section 1. Promotional testing will be conducted annually, every July 1, resulting in a promotional list to be effective for one year from that date.

Section 2. The deadlines applicable to posting notifications of exams, posting notification of study materials, and making promotional decisions, including bypass, shall continue to be those set forth in Tex. Loc. Gov't Code Chapter 143, as amended.

Section 3. If a list for any particular rank is exhausted prior to its expiration, a new exam need not be conducted until a new vacancy arises in that rank. The exam will be conducted in accordance with the deadlines for promotion in the event of a vacancy without a list as per Chapter 143. The date of that exam shall become the new anniversary date for that exam.

Section 4. Any promotional list in effect on the date of this agreement shall continue to be effective for its usual term. After its expiration, a new exam will not be conducted until the July 1st following its expiration. If delaying the exam until the next July 1st will not permit adherence to the deadlines for promotion in the event of a vacancy without a list, then the exam will be conducted earlier pursuant to Section 3.

ARTICLE NO 40: CONTRACT COPIES

Section 1. The City shall provide one (1) copy of this agreement and one (1) copy of Local Government Code Chapter 143 for every Fire Station library and the Fire Department Training Center.

ARTICLE NO 41: DISCIPLINARY INVESTIGATION PROCEDURE

Section 1. Definitions.

The following terms and phrases have these meanings:

A. "Investigation" means an administrative investigation, conducted by the City, of alleged misconduct by a fire fighter that could result in disciplinary action against the fire fighter.

B. "Investigator" means any agent or employee of the City who is assigned to conduct an investigation.

Section 2. Interview of Subject Fire Fighter.

A. The Fire Chief may not take disciplinary action arising solely from a complaint by a complainant who is not a City employee unless the complaint is in writing and signed by the complainant. This does not preclude disciplinary action arising from a written complaint prepared by an investigator or the Fire Chief based on information from a complainant that is not in writing.

B. If an investigation is based on a written complaint as described in Subsection A., then prior to being interviewed or ordered to give a written statement, a fire fighter who is the subject of an investigation is entitled to a copy of the complaint.

C. A fire fighter who is the subject of an investigation is entitled to forty-eight (48) hours written notice in advance of any interview or requirement to give a written statement.

D. An investigator may interview a fire fighter who is the subject of an investigation only during the fire fighter's normally assigned working hours, unless the seriousness of the investigation, as determined by the Fire Chief, or the Fire Chief's designee, requires interview at another time. The duration of the interview shall be considered productive time.

E. Regular duties missed as a result of mandatory participation in an investigation shall not be considered misconduct.

F. An investigator may not interview a fire fighter who is the subject of an investigation at the fire fighter's home without the fire fighter's permission.

G. Any interview may be recorded.

H. The Fire Chief may consider events or conduct reported by a witness who is not a complainant without disclosing the name of the witness.

I. A fire fighter who is the subject of an investigation shall have the right to be represented by an Association representative or an attorney of the fire fighter's choice during an interview. The representative or attorney cannot be a fire fighter who has any involvement with the matter under investigation, other than the fire fighter's role as representative of the fire fighter who is the subject of the investigation.

J. A fire fighter may not use this Article as a basis for refusal to respond any administrative inquiry that is not related to a investigation of the fire fighter.



K. A fire fighter may request a copy of any recorded statement given by the fire fighter and any transcription made of it, which the Department shall provide within a reasonable time.

Section 3. Any claim of breach or non-compliance with the foregoing procedures may be raised only in the context of a disciplinary appeal, if any. Allegations that a provision of this Article have been violated shall not be grounds for a grievance or arbitration brought under those Articles relating to the enforcement of the contractual provisions of this Agreement. However, the Civil Service Commission or the hearing examiner before whom any disciplinary appeal is pending may give such weight to claims of breach of this Article as that adjudicative body finds appropriate and may impose an appropriate remedy based on a totality of the facts and circumstances.

Section 4. This Article shall constitute provisions for the investigation of, and disciplinary action arising from, complaints against a fire fighter for the purpose of Texas Government Code §614.021(b), and shall preempt the application of Chapter 614, Subchapter B, in accordance with that section.

GLOSSARY

ARTICLE NO 42: DEFINITIONS

For purposes of this Labor Agreement, the following definitions shall apply:

AAA - refers to the American Arbitration Association;

Agreement - refers to this Collective Bargaining Agreement, also referred to as the Labor Agreement negotiated between the CITY OF McALLEN and the ASSOCIATION;

Bargaining Agent - refers to duly recognized ASSOCIATION that serves as the exclusive bargaining agent for the CITY OF McALLEN Fire Fighters under Chapter 174, TLGC;

Bargaining Unit - all full time, non-probationary fire fighter employees, except the Fire Chief, as herein.

Budget (Fiscal) Year- refers to a city's fiscal year commencing on October 1 and ending on September 30 of the subsequent year.

Business Days – shall be defined as Monday through Friday during normal business hours of 8:00 o'clock am to 5:00 o'clock p.m, excluding official holidays.



Calendar Day- refers to a specified 24 hour period calendar period beginning at midnight and ending at midnight 24 hours later.

Calendar Year- refers to a year beginning on January 1 and ending on December 31 of that year.

CBA - refers to a Collective Bargaining Agreement and, when specified, to this Agreement;

Chapter 143 - refers to the provisions of Chapter 143, Texas Local Government Code in effect at any given time, unless otherwise specified;

Chapter 174 - refers to the provisions of Chapter 174, Texas Local Government Code in effect at any given time, unless otherwise specified;

Civil Service - refers to the classified civil service system organized pursuant to Chapters 141, 142, and 143, the Texas Local Government Code;

Civil Service Commission or CSC – refers to the duly appointed body appointed under the provisions of Chapter 143, TLGC;

City - refers to the home rule municipality organized under the laws of the State of Texas known as the CITY OF McALLEN, TEXAS;

City Manager - refers to the City Manager appointed under the City Charter or a designated representative;

City Management – refers to the administrative chain of authority within the City's administrative structure starting within the Fire Department and rising through to the City Manager and, if necessary, the City Commission;

Department - unless otherwise specified, refers to the CITY OF McALLEN Fire Department;

Employee – refers to all fire department personnel who qualify as members of the bargaining unit under Chapter 174, TLGC and this Agreement.

Effective Date - refers to the date on which the terms and conditions of this Agreement are formally adopted and approved by both the ASSOCIATION and the CITY OF McALLEN, TEXAS;

Fire Chief - refers to the Fire Chief appointed as the department head for the Fire Department, and includes the Fire Chief's designated representative.



Fire Department - refers to that department of the City of McALLEN responsible for the provision of fire fighting functions, prevention, and other public safety functions entrusted to the department.

Fire Fighter – means a non-probationary, certified, permanent, paid employee of the Fire Department. The term does not include the Chief of the Department or a volunteer fire fighter.

FLSA - refers to the Fair Labor Standards Act, as amended;

FMLA - refers to the Family Medical Leave Act, as amended;

Grievance – is defined in the Article related to grievances.

~~**Immediate family** – shall cover the same family members identified in the City of McAllen Personnel Policy Manual, as it may be amended from time to time.~~

Labor Agreement - is this Collective Bargaining Agreement negotiated between the CITY and the duly recognized bargaining agent.

Overtime Pay (OT) – shall refer to overtime pay established and determined by reference to state or federal law, and as established by CITY policy and practice.

Paid Time Off – refers to any time period for which an employee is entitled to receive pay without actually being engaged in productive hours worked time.

Parties – refers to the CITY OF McALLEN and the ASSOCIATION jointly.

Personnel (Administrative and Fire Suppression) - Fire Suppression personnel is defined as those employees who work a 24-48 schedule. Administrative personnel, for purposes of this labor agreement, are those who work a 40 hour work week.

Shall – in this Agreement “shall” is synonymous with the term “will” and means a mandatory obligation.

Shift Day - when applied to fire suppression personnel, a shift day refers to one twenty-four (24) hours work period as part of a work cycle; it also amounts to two (2) work days, that is two (2) twelve hour (12) work days. See Work Day.

Work Cycle – refers to the period of time that the employer uses to determine scheduling and any FLSA overtime obligations imposed law.

Work Day - A work day is equal to one twelve hour shift; the first work day begins at 8 AM and runs through 8 PM, and the 2nd work day starts 8 PM and runs through 8 AM.

T.A. - 1-3-13 *Mr. Lee*
T.A. - 1-3-13 *Jerry Nelson*

MM

JAN

SIGNATURE & EXECUTION PAGE

**THE FOREGOING INSTRUMENT AS BEEN DULY NEGOTIATED, REVIEWED,
AND APPROVED BY EACH OF THE SIGNATORIES INDICATED BELOW:**

THE CITY OF McALLEN, TEXAS

(Approved by City Commission action on _____)

By: _____
Hon. Richard F. Cortez, Mayor

By: _____
Mr. Mike Perez, City Manager

By: _____
Ms. Annette Villareal
City Secretary

Dated: _____

THE McALLEN FIREFIGHTERS' ASSOCIATION, LOCAL #2602

(Approved by MFFA, Local 2602 on _____).

By: _____
Mr. _____
President, MFFA, Local 2602

Dated: _____

Mr. _____
Secretary, MFFA, Local 2602



STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
 UTILITY BOARD _____
 OTHER _____

AGENDA ITEM 3B
 DATE SUBMITTED 01-07-13
 MEETING DATE 01-14-13

1. Agenda Item: **Consideration and award of Supply Contract for the Purchase of Irrigation Controllers and Materials to Interspec LLC, Aubrey, Texas.** Project No. 12-12-SP02-22

2. Party Making Request: **Parks & Recreation Department**

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Our department continues to automate landscape irrigation systems for remote radio control. We can set watering times, turn on and off sprinkler systems remotely, within seconds. This is done from a laptop computer or a PDA in the field. Prior to this, it would take 2 men, 2 days to go reset each sprinkler system controller every season, or turn them off during rain. Since then, every new sprinkler system installed has included this technology. We have also maintained a steady pace upgrading existing locations. The City provides the irrigation controllers for each project to assure continuity with the Department's Central Irrigation System located in the main office.

This was the second time this project was bid out. The first time there was no response and this time there was a sole bid from Interspec, LLC of Aubrey, Texas.

4. Policy Implication: Local Government Code

5. Budget Information: **Irrigation Controllers are to be installed at each new project site. Repairs and other projects that come up during the year also receive the advantage of this supply contract. During the last contract period, the City of McAllen spent approximately \$60,000 for the purchase of Irrigation Controllers and accessories.**

Account Number: Various General Fund Accounts and Capital Improvement Accounts
Estimated Cost per Location: \$3,200. -- \$10,000.

6. Alternate Option/Costs: N/A

7. Routing:	<u> NAME/TITLE </u>	<u> INITIAL </u>	<u> DATE </u>	<u> CONCURRENCE </u>
a.)	<u> S.Gavlik, Dir.Parks&Rec </u>	<u> sg </u>	<u> 01-04-13 </u>	<u> Yes </u>
b.)	<u> S. Zamora, Purchasing Dir. </u>	<u> sz </u>	<u> 01-08-13 </u>	<u> Yes </u>
c.)	<u> D. Melaas, Dep. Dir. Parks </u>	<u> dm </u>	<u> 01-04-13 </u>	<u> Yes </u>
d.)	<u> A.B. Branham, Dept. City Mgr. </u>	<u> </u>	<u> </u>	<u> </u>

8. Staff Recommendation: **Staff requests authorization to award supply contract for Irrigation System Controllers and Materials listed on the attached bid tabulation to InterSpec, LLC of Aubrey, Texas. The initial contract period shall be for one year. If awarded, staff is requesting authorization upon City Manager approval to exercise the option to extend the Supply Contract for two (2) additional 1-year periods if the performance of the successful contractor is satisfactory and the unit price(s) remain unchanged. Staff is also requesting authorization to terminate such contract(s) with City Manager's approval in the event that the awarded vendor fails to meet or perform under the terms and conditions of their Supply Contract.**

9. ADVISORY BOARD: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP* Approved Disapproved None
***We bid the project twice and could not get others to bid.**

12. Action Taken: _____

MEMORANDUM

To: MIKE R. PEREZ, CITY MANAGER

From: SALLY GAVLIK, PARKS AND RECREATION DIRECTOR

Subject: PROJECT NO. 12-12-SP02-22
SUPPLY CONTRACT FOR THE PURCHASE OF IRRIGATION CONTROLLERS/MATERIALS

Date: January 10, 2013

COMMENT

GOAL: Request authorization to award a Supply Contract for the Purchase of Irrigation Controllers/Materials to the sole bidder (Manufacturer) for a period of one (1) year. If awarded, staff is requesting authorization upon City Manager’s approval to exercise the option to extend the Supply Contract for two (2) additional years, in one (1) year increments, if the performance of the successful vendor is satisfactory and the unit price(s) remain unchanged. Items to be awarded as noted on the attached bid tabulation. Staff is also requesting authorization to terminate such contract(s) with City Manager’s approval in the event that the awarded vendor fails to meet or perform under the terms and conditions of their Supply Contract.

DISCUSSION: About ten years ago we began automating our landscape irrigation systems for remote radio control. In doing so, we can set watering times, turn on and off sprinkler systems remotely, within seconds. We can do this from a laptop computer or from a PDA in the field. Prior to this, it would take two men, two days to go reset each sprinkler system controller every season, or turn them off when it rained.

Since that time every new sprinkler system installed has included this technology. We have also maintained a steady pace upgrading existing locations. Projects for 2012-13 which will require irrigation controllers include DeLeon Sports Complex, Morris Park, upgrades to the airport, and Bensten Trail. By utilizing this system, we are able to manage our water usage more closely.

This is the second time this project was bid out. The first time there were no bids received.

HISTORICAL DATA: During the last contract period, the City of McAllen spent approximately \$45,525 for the purchase of Irrigation Controllers and accessories.

RECOMMENDATION: Staff recommends award of bid to Interspec, LLC of Aubrey, Texas for the various controllers and support materials as per commodity numbers listed on the accompanying bid material. This includes commodity 670-17-05004-9 IS-PH-SUPPORT-2 Annual Telephone Support package including 2 visits per year from the current vendor.

Two visits per year is what we have been using for the past 6 years. This allows two technicians to come to McAllen and go through our system with us and help maintain it to its best possible conditions. They provide unlimited telephone support for this service and monitor our system

remotely throughout the year.

Memo

TO: Sally Gavlik, Director of Parks and Recreation

FROM: Sandra Zamora, CPM, Director of Purchasing & Contracting

DATE: December 6, 2012

SUBJECT: Project No. 12-12-SP02-22
Supply Contract for the Purchase of Irrigation Controllers



This memorandum serves to officially inform you that there was a single bid received for the above referenced project, from Interspec LLC, from Aubrey, TX. (Please note that this was the second time the project was bid out, the first did not produce any bids.) Attached is a copy of the bid tabulation and a copy of the bid received. Please send, in written form, your recommendation as soon as possible.

Any recommendations for City Commission/Public Utility Board must be submitted to the Purchasing and Contracting Department by Thursday or Friday, prior to the deadline of agenda items.

If any additional information is needed, please advise.

SZ/ma

BID OPENING: December 05, 2012 at 11:00 a.m.

LOCATION: Conference Room

PROJECT NO.: 12-12-SP02-22 Supply Contract for the Purchase of Irrigation Controllers

NO.	INTERNAL REF. NUMBER	DESCRIPTION	UOM	PREVIOUS PRICING	INTERSPEC LLC AUBREY, TX	
					ITEM BID	COMMENT
1	670-17-03001	HYDROMETER: 1.5 ARAD Hydrometer / AC Solenoid - Enter A or B availability in comments area.	EA	\$680.00	\$650.00	A
2	670-17-03002	HYDROMETER: 1.5 ARAD Hydrometer / DC Solenoid - Enter A or B availability in comments area.	EA	\$709.00	\$680.00	A
3	670-17-03003	HYDROMETER: 2.0 ARAD Hydrometer / AC Solenoid - Enter A or B availability in comments area.	EA	\$680.00	\$680.00	A
4	670-17-03004	HYDROMETER: 2.0 ARAD Hydrometer / DC Solenoid - Enter A or B availability in comments area.	EA	\$709.00	\$710.00	A
5	670-17-03005	HYDROMETER: 3.0 ARAD Hydrometer / AC Solenoid - Enter A or B availability in comments area.	EA	\$1,150.00	\$1,150.00	B
6	670-17-03006	HYDROMETER: 3.0 ARAD Hydrometer / DC Solenoid - Enter A or B availability in comments area.	EA	\$1,195.00	\$1,190.00	B
7	670-17-03007	HYDROMETER: 4.0 ARAD Hydrometer / AC Solenoid - Enter A or B availability in comments area.	EA	\$1,740.00	\$1,750.00	B
8	670-17-03008	HYDROMETER: 4.0 ARAD Hydrometer / DC Solenoid - Enter A or B availability in comments area.	EA	\$1,801.00	\$1,800.00	B
9	670-17-03009	HYDROMETER: 6.0 ARAD Hydrometer / AC Solenoid - Enter A or B availability in comments area.	EA	\$4,080.00	\$4,200.00	B
10	670-17-03010	HYDROMETER: 6.0 ARAD Hydrometer / DC Solenoid - Enter A or B availability in comments area.	EA	\$4,140.00	\$4,400.00	B
11	670-17-04040	ACCESSORY: Reed Switch for Arad Hydrometers - Enter A or B availability in comments area.	EA	\$52.00	\$52.00	A
12	670-17-04041	ACCESSORY: Pressure Regulating Kit - Enter A or B availability in comments area.	EA	\$130.00	\$150.00	B
13	670-17-04042	ACCESSORY: 3W AC Solenoid, Normally Open - Enter A or B availability in comments area.	EA	\$118.00	\$120.00	A
14	670-17-04043	ACCESSORY: DC Latching Solenoid - Enter A or B availability in comments area.	EA	\$142.00	\$150.00	A
15	670-17-04044	ACCESSORY: Replacement Register - Enter A or B availability in comments area.	EA	\$148.00	\$150.00	A
16	670-17-09001	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 16 Station ACE / RReady / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$11,200.00	\$13,670.00	B
17	670-17-09002	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 32 Station ACE / RReady / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$12,030.00	\$14,570.00	B
18	670-17-09003	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 48 Station ACE / RReady / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$12,860.00	\$15,670.00	B

BID OPENING: December 05, 2012 at 11:00 a.m.

LOCATION: Conference Room

PROJECT NO.: 12-12-SP02-22 Supply Contract for the Purchase of Irrigation Controllers

NO.	INTERNAL REF. NUMBER	DESCRIPTION	UOM	PREVIOUS PRICING	INTERSPEC LLC AUBREY, TX	
					ITEM BID	COMMENT
19	670-17-09004	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 64 Station ACE / RReady / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$13,690.00	\$16,360.00	B
20	670-17-09005	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 80 Station ACE / RReady / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$14,740.00	\$17,780.00	B
21	670-17-09006	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 16 Station ACE / RReady / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$11,200.00	\$13,670.00	B
22	670-17-09007	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 32 Station ACE / RReady / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$12,030.00	\$14,570.00	B
23	670-17-09008	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 48 Station ACE / RReady / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$12,860.00	\$15,670.00	B
24	670-17-09009	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 64 Station ACE / RReady / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$13,690.00	\$16,360.00	B
25	670-17-09010	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 80 Station ACE / RReady / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$14,740.00	\$17,780.00	B
26	670-17-09011	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 16 Station ACE / UHF / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$9,240.00	B
27	670-17-09012	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 32 Station ACE / UHF / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$10,140.00	B
28	670-17-09013	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 48 Station ACE / UHF / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$11,040.00	B
29	670-17-09014	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 64 Station ACE / UHF / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$11,930.00	B
30	670-17-09015	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 80 Station ACE / UHF / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$13,140.00	B
31	670-17-09016	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 16 Station ACE / UHF / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$9,240.00	B
32	670-17-09017	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 32 Station ACE / UHF / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$10,140.00	B

BID OPENING: December 05, 2012 at 11:00 a.m.

LOCATION: Conference Room

PROJECT NO.: 12-12-SP02-22 Supply Contract for the Purchase of Irrigation Controllers

NO.	INTERNAL REF. NUMBER	DESCRIPTION	UOM	PREVIOUS PRICING	INTERSPEC LLC AUBREY, TX	
					ITEM BID	COMMENT
33	670-17-09018	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 48 Station ACE / UHF / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$11,040.00	B
34	670-17-09019	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 64 Station ACE / UHF / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$11,930.00	B
35	670-17-09020	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radio - 80 Station ACE / UHF / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$13,140.00	B
36	670-17-09021	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Weather Station /Order with ACE - Enter A or B availability in comments area.	EA		\$2,310.00	B
37	670-17-09022	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Console, Additional - Enter A or B availability in comments area.	EA		\$310.00	B
38	670-17-09023	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Software iET; to Run WS on ICC - Enter A or B availability in comments area.	EA		\$3,500.00	B
39	670-17-09024	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Repeater Weather Station - Enter A or B availability in comments area.	EA		\$260.00	B
40	670-17-09025	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Sensor, Soil Moisture and Temperature WS - Enter A or B availability in comments area.	EA		\$610.00	B
41	670-17-09026	MOTOROLA FIELD SATELLITE CONTROLLER: SMS / i-Remote for ICC - i-Remote Software, Unlimited users - Enter A or B availability in comments area.	EA		\$1,950.00	B
42	670-17-09027	MOTOROLA FIELD SATELLITE CONTROLLER: SMS / i-Remote for ICC - i-Remote Modem Hardware - Enter A or B availability in comments area.	EA		\$800.00	B
43	670-17-09028	MOTOROLA FIELD SATELLITE CONTROLLER: SMS / i-Remote for ICC - i-Remote SIM Text Option, Annual Fee - Enter A or B availability in comments area.	EA		\$700.00	A
44	670-17-10001	IRRInet-M (Moscad / ACE Communications) AC: 8 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$4,210.00	B
45	670-17-10002	IRRInet-M (Moscad / ACE Communications) AC: 16 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$4,830.00	B
46	670-17-10003	IRRInet-M (Moscad / ACE Communications) AC: 24 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$4,700.00	\$6,510.00	B

BID OPENING: December 05, 2012 at 11:00 a.m.

LOCATION: Conference Room

PROJECT NO.: 12-12-SP02-22 Supply Contract for the Purchase of Irrigation Controllers

NO.	INTERNAL REF. NUMBER	DESCRIPTION	UOM	PREVIOUS PRICING	INTERSPEC LLC AUBREY, TX	
					ITEM BID	COMMENT
47	670-17-10004	IRRInet-M (Moscad / ACE Communications) AC: 32 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA		\$7,000.00	B
48	670-17-10005	IRRInet-M (Moscad / ACE Communications) AC: 8 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$4,210.00	B
49	670-17-10006	IRRInet-M (Moscad / ACE Communications) AC: 16 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$4,830.00	B
50	670-17-10007	IRRInet-M (Moscad / ACE Communications) AC: 24 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$4,700.00	\$6,510.00	B
51	670-17-10008	IRRInet-M (Moscad / ACE Communications) AC: 32 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA		\$7,000.00	B
52	670-17-11001	IRRInet-M (Moscad / ACE Communications) DC: 12 Station DC IRRInet-M / SS Ped. - Enter A or B availability in comments area.	EA		\$3,660.00	B
53	670-17-11000	IRRInet-M (Moscad / ACE Communications) DC: 24 Station DC IRRInet-M / SS Ped. - Enter A or B availability in comments area.	EA		\$3,940.00	B
54	670-17-12001	IRRInet-M (Irrinet Communications) AC8 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$4,200.00	\$4,350.00	B
55	670-17-12002	IRRInet-M (Irrinet Communications) AC16 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$4,700.00	\$4,950.00	B
56	670-17-12003	IRRInet-M (Irrinet Communications) AC24 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$6,225.00	\$6,570.00	B
57	670-17-12004	IRRInet-M (Irrinet Communications) AC32 Station IRRInet-M / SS Ped. w/ Surge - Enter A or B availability in comments area.	EA	\$8,800.00	\$7,025.00	B
58	670-17-12005	IRRInet-M (Irrinet Communications) AC8 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$4,200.00	\$4,350.00	B
59	670-17-12006	IRRInet-M (Irrinet Communications) AC16 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$4,700.00	\$4,950.00	B
60	670-17-12007	IRRInet-M (Irrinet Communications) AC24 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$6,225.00	\$6,570.00	B
61	670-17-12008	IRRInet-M (Irrinet Communications) AC32 Station IRRInet-M / Wall Mt. w/ Surge - Enter A or B availability in comments area.	EA	\$8,800.00	\$7,025.00	B
62	670-17-13001	IRRInet-M (Irrinet Communications) DC 8 Station DC IRRInet-M / SS Ped. - Enter A or B availability in comments area.	EA	\$3,650.00	\$3,770.00	B
63	670-17-13002	IRRInet-M (Irrinet Communications) DC16 Station DC IRRInet-M / SS Ped. - Enter A or B availability in comments area.	EA	\$3,900.00	\$4,050.00	B
64	670-17-04007	REPAIR ITEMS: CPU. ACE - Enter A or B availability in comments area.	EA		\$1,880.00	A



CITY OF McALLEN

BID OPENING: December 05, 2012 at 11:00 a.m.

LOCATION: Conference Room

PROJECT NO.: 12-12-SP02-22 Supply Contract for the Purchase of Irrigation Controllers

NO.	INTERNAL REF. NUMBER	DESCRIPTION	UOM	PREVIOUS PRICING	INTERSPEC LLC AUBREY, TX	
					ITEM BID	COMMENT
65	670-17-04008	REPAIR ITEMS: Power Supply, ACE - Enter A or B availability in comments area.	EA	\$1,025.00	\$1,050.00	A
66	670-17-04009	REPAIR ITEMS: Expansion Kit, ACE 16 sta output - Enter A or B availability in comments area.	EA		\$1,560.00	A
67	670-17-04010	REPAIR ITEMS: Expansion Kit, ACE from 64 to 80 sta - Enter A or B availability in comments area.	EA		\$3,200.00	B
68	670-17-04011	REPAIR ITEMS: Expansion Kit, IRRInet-M AC - Enter A or B availability in comments area.	EA		\$950.00	A
69	670-17-04012	REPAIR ITEMS: Expansion Kit, IRRInet M DC - Enter A or B availability in comments area.	EA		\$700.00	A
70	670-17-04013	REPAIR ITEMS: Transformer, ACE/IRRIInet M - Enter A or B availability in comments area.	EA		\$120.00	A
71	670-17-04015	REPAIR ITEMS: Radio UHF Narrow,Scorpio replacement - Enter A or B availability in comments area.	EA		\$850.00	A
72	670-17-04016	REPAIR ITEMS: Radio UHF HT750, kit for IRRInet M - Enter A or B availability in comments area.	EA		\$950.00	A
73	670-17-04017	REPAIR ITEMS: Radio UHF CM200, Kit for IRRInet M/ACE - Enter A or B availability in comments area.	EA		\$1,000.00	A
74	670-17-04018	REPAIR ITEMS: Radio 800T ASTRO, Kit for ACE - Enter A or B availability in comments area.	EA		\$4,500.00	B
75	670-17-04019	REPAIR ITEMS: Radio Interface /Scorpio GRI FRN5935 - Enter A or B availability in comments area.	EA		\$0.00	NOT AVAILABLE
76	670-17-04020	REPAIR ITEMS: Solar Panel Regulator - Enter A or B availability in comments area.	EA	\$95.00	\$100.00	A
77	670-17-04021	REPAIR ITEMS: DC IRRInet M Solar Panel - Enter A or B availability in comments area.	EA	\$425.00	\$500.00	A
78	670-17-04022	REPAIR ITEMS: DC IRRInet M Battery - Enter A or B availability in comments area.	EA	\$175.00	\$175.00	A
79	670-17-04023	REPAIR ITEMS: 24 VAC Surge Card only 8 Station - Enter A or B availability in comments area.	EA	\$214.00	\$230.00	A
80	670-17-04024	REPAIR ITEMS: 24 VAC Surge Card only 12 Station - Enter A or B availability in comments area.	EA		\$300.00	A
81	670-17-04026	REPAIR ITEMS: 110 VAC Surge Protection Unit only - Enter A or B availability in comments area.	EA	\$154.00	\$160.00	A
82	670-17-04027	REPAIR ITEMS: 110 VAC Assembly w/GFI - Enter A or B availability in comments area.	EA		\$290.00	A
83	670-17-04028	REPAIR ITEMS: Antenna cable IRRInet M - Enter A or B availability in comments area.	EA	\$40.00	\$50.00	A
84	670-17-04029	REPAIR ITEMS: Antenna cable ACE - Enter A or B availability in comments area.	EA		\$50.00	A



BID OPENING: December 05, 2012 at 11:00 a.m.

LOCATION: Conference Room

PROJECT NO.: 12-12-SP02-22 Supply Contract for the Purchase of Irrigation Controllers

NO.	INTERNAL REF. NUMBER	DESCRIPTION	UOM	PREVIOUS PRICING	INTERSPEC LLC AUBREY, TX	
					ITEM BID	COMMENT
85	670-17-04030	REPAIR ITEMS: Antenna, UHF - Enter A or B availability in comments area.	EA	\$68.00	\$90.00	A
86	670-17-04031	REPAIR ITEMS: Antenna, UHF External Mount - Enter A or B availability in comments area.	EA		\$190.00	B
87	670-17-04032	REPAIR ITEMS: Antenna, 800 Mhz - Enter A or B availability in comments area.	EA	\$89.00	\$90.00	A
88	670-17-04033	REPAIR ITEMS: Antenna, UHF Yagi - Enter A or B availability in comments area.	EA	\$96.00	\$110.00	A
89	670-17-04034	REPAIR ITEMS: Antenna Cable (Custom Length w/ Connectors) - Enter A or B availability in comments area.	EA	\$6.00	\$7.00	A
90	670-17-05003	TECHNICAL SUPPORT:Annual Support Contract - Tel. Remote Access Support. Owner responsible for providing Remote Access via approved method. Contact Interspec for specifics.	EA	\$1,800.00	\$1,800.00	A
91	670-17-05004	TECHNICAL SUPPORT:Annual Support Contract - To include 2 Site Visits p/ Year	EA	\$5,600.00	\$5,700.00	A
92	670-17-05005	TECHNICAL SUPPORT:Annual Support Contract - To include 4 Site Visits p/ Year	EA	\$9,400.00	\$9,500.00	A

CITY OF McALLEN SPECIFICATIONS FOR A SUPPLY CONTRACT FOR THE PURCHASE OF IRRIGATION CONTROLLER/MATERIALS (continued)

IRRinet – ACE – Trunked Radio Satellite Controller (cont')

The Central Processing Unit (CPU) module shall provide the following status LED's:

- POWER FAIL
- REMOTE FAIL
- RESET FAIL
- IRRIGATING
- STOP
- BATTERY LOW
- TERMINAL
- FLOW ALARM
- LEAK ALARM
- UNOPENED ALARM
- FLOW ALARM
- CENTRAL COMMUNICATION TX, RX, CM
- REMOTE COMMUNICATION TX, RX, CM

Each I/O module shall provide the following status LED's:

- MODULE DIAGNOSTIC FAIL
- CLOCK FAILURE
- OUTPUTS (1-16)
- INPUTS (1-4)

The satellite/stand alone controller shall be F.C.C. type accepted and listed.

The satellite/stand alone controller shall have 117VAC 50/60 Hz input, and 24 VAC 50/60 Hz output to up to 48 stations for operating 24 VAC solenoids.

The controller shall be manufactured/assembled by Motorola and Interspec, LLC.

11/30/12
DATE

Steve Pittsinger
PRINT/TYPER NAME
Member
TITLE
Interspec LLC
COMPANY

BIDDER SHALL SIGN & UPLOAD THIS FORM IN E-BID PORTAL: www.ebidexchange.com/mcallen

CITY OF McALLEN
BID FORM FOR A SUPPLY CONTRACT FOR THE PURCHASE OF
IRRIGATION CONTROLLER/MATERIALS

PROJECT NO. 12-12-SP02-22

BID OPENING DATE: December 05, 2012 at 11:00 a.m.

I/We submit the following bid in **ORIGINAL FORM** for the purchase of the below mentioned items according to City of McAllen specifications, less tax:

Unit prices quoted to be F.O.B. City of McAllen, Parks & Recreation Department, 1000 S. Ware Rd., McAllen, Texas 78501.

Bidders are advised that **BOTH** a formal **Sealed Bid** and an **Electronic Bid** submittal are required. As previously instructed via Invitation, Notice to Bidders, and Instructions to Bidders, Bidders must go online to the City's Bidding Portal (www.ebidexchange.com/mcallen) to submit their electronic response. Bidders are asked to read the Welcome Screen (PDF document) and Register if you have not done so previously. Once on the bidding portal, Click on the **Solicitation** tab, Click on the **View** button for the appropriate project and kindly answer the two (2) questions on the **Description** tab and then you may proceed to the **Bid** tab. Click on the **Edit Bid** tab, scroll down and enter your Unit Prices on the bid form. Once all prices have been entered, check-off the box on the lower left hand corner and Click the **Submit Bid** button; the software will calculate your Total amount being bid. Bidders may then click on **Export** button, the system will export the file to Excel, where you must print and attach a printed copy of your bid to the hard copy submittal (pages 22 & 34); submit your Sealed Bid and accompanying documents in accordance with the bid solicitation requirements.

All items are to be quoted as per the model numbers specified, which are compatible to the existing Motorola Irrigation Central Control System in use by the city. All bids must be submitted with a manufacturer's product "cut-sheet". (1 sheet per category)

Please provide a unit price for each item that your firm can provide.

Number	Internal Ref. Number	Manufacturer	Description	Type	Unit of Measure	Quantity	Unit Price	Extended Bid
1	670-17-03001	IS-BM-15	HYDROMETER: 1.5" ARAD Hydrometer / AC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	650.0000	\$650.00
2	670-17-03002	IS-BM-15-DC	HYDROMETER: 1.5" ARAD Hydrometer / DC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	680.0000	\$680.00
3	670-17-03003	IS-BM-20	HYDROMETER: 2.0" ARAD Hydrometer / AC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	680.0000	\$680.00
4	670-17-03004	IS-BM-20-DC	HYDROMETER: 2.0" ARAD Hydrometer / DC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	710.0000	\$710.00
5	670-17-03005	IS-BM-30	HYDROMETER: 3.0" ARAD Hydrometer / AC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	1150.0000	\$1,150.00
6	670-17-03006	IS-BM-30-DC	HYDROMETER: 3.0" ARAD Hydrometer / DC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	1190.0000	\$1,190.00
7	670-17-03007	IS-BM-40	HYDROMETER: 4.0" ARAD Hydrometer / AC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	1750.0000	\$1,750.00
8	670-17-03008	IS-BM-40-DC	HYDROMETER: 4.0" ARAD Hydrometer / DC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	1800.0000	\$1,800.00
9	670-17-03009	IS-BM-60	HYDROMETER: 6.0" ARAD Hydrometer / AC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	4200.0000	\$4,200.00
10	670-17-03010	IS-BM-60-DC	HYDROMETER: 6.0" ARAD Hydrometer / DC Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	4400.0000	\$4,400.00
11	670-17-04040	IS-RDSW	ACCESSORY: Reed Switch for Arad Hydrometers - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	52.0000	\$52.00
12	670-17-04041	IS-BM-PR	ACCESSORY: Pressure Regulating Kit - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	150.0000	\$150.00
13	670-17-04042	IS-SOL-AC-NO	ACCESSORY: 3W AC Solenoid, Normally Open - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	120.0000	\$120.00
14	670-17-04043	IS-SOL-DC	ACCESSORY: DC Latching Solenoid - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	150.0000	\$150.00
15	670-17-04044	IS-REG-xx	ACCESSORY: Replacement Register - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	150.0000	\$150.00
16	670-17-09001	IS-A1A-T8N-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 16 Station ACE / RReady / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	13670.0000	\$13,670.00
17	670-17-09002	IS-A2A-T8N-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 32 Station ACE / RReady / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	14570.0000	\$14,570.00
18	670-17-09003	IS-A3A-T8N-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 48 Station ACE / RReady / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	15670.0000	\$15,670.00
19	670-17-09004	IS-A4A-T8N-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 64 Station ACE / RReady / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	16360.0000	\$16,360.00
20	670-17-09005	IS-A5A-T8N-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 80 Station ACE / RReady / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	17780.0000	\$17,780.00
21	670-17-09006	IS-A1A-T8N-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 16 Station ACE / RReady / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	13670.0000	\$13,670.00
22	670-17-09007	IS-A2A-T8N-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radio - 32 Station ACE / RReady / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	14570.0000	\$14,570.00

23	670-17-09008	IS-A3A-T8N-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radlo - 48 Station ACE / RReady / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	15670.0000	\$15,670.00
24	670-17-09009	IS-A4A-T8N-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radlo - 64 Station ACE / RReady / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	16360.0000	\$16,360.00
25	670-17-09010	IS-A5A-T8N-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- 800T/UHF Remote Ready Radlo - 80 Station ACE / RReady / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	17780.0000	\$17,780.00
26	670-17-09011	IS-A1A-IPU-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 16 Station ACE /UHF / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	9240.0000	\$9,240.00
27	670-17-09012	IS-A2A-IPU-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 32 Station ACE / UHF / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	10140.0000	\$10,140.00
28	670-17-09013	IS-A3A-IPU-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 48 Station ACE / UHF / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	11040.0000	\$11,040.00
29	670-17-09014	IS-A4A-IPU-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 64 Station ACE / UHF / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	11930.0000	\$11,930.00
30	670-17-09015	IS-A5A-IPU-RN-SS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 80 Station ACE / UHF / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	13140.0000	\$13,140.00
31	670-17-09016	IS-A1A-IPU-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 16 Station ACE / UHF / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	9240.0000	\$9,240.00
32	670-17-09017	IS-A2A-IPU-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 32 Station ACE / UHF / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	10140.0000	\$10,140.00
33	670-17-09018	IS-A3A-IPU-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 48 Station ACE / UHF / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	11040.0000	\$11,040.00
34	670-17-09019	IS-A4A-IPU-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 64 Station ACE / UHF / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	11930.0000	\$11,930.00
35	670-17-09020	IS-A5A-IPU-RN-WS	MOTOROLA FIELD SATELLITE CONTROLLER: ACE- UHF Remote Ready Radlo - 80 Station ACE / UHF / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	13140.0000	\$13,140.00
36	670-17-09021	IS-WS-ACE	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Weather Station /Order with ACE - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	2310.0000	\$2,310.00
37	670-17-09022	IS-WS-CS	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Console, Additional - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	310.0000	\$310.00
38	670-17-09023	IS-WS-IET	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Software IET; to Run WS on ICC - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	3500.0000	\$3,500.00
39	670-17-09024	IS-WS-REP	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Repeater Weather Station - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	260.0000	\$260.00
40	670-17-09025	IS-WS-SMT	MOTOROLA FIELD SATELLITE CONTROLLER: Weather Station for ACE - Sensor, Soil Moisture and Temperature WS - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	610.0000	\$610.00
41	670-17-09026	IS-SMS-ICC	MOTOROLA FIELD SATELLITE CONTROLLER: SMS / I-Remote for ICC - I-Remote Software, Unlimited users - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	1950.0000	\$1,950.00
42	670-17-09027	IS-SMS-M	MOTOROLA FIELD SATELLITE CONTROLLER: SMS / I-Remote for ICC - I-Remote Modem Hardware - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	800.0000	\$800.00
43	670-17-09028	IS-SMS-UL	MOTOROLA FIELD SATELLITE CONTROLLER: SMS / I-Remote for ICC - I-Remote SIM Text Option, Annual Fee - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	700.0000	\$700.00
44	670-17-10001	IS-R1A-RU-SS	IRRInet-M (Moscad / ACE Communications) AC: 8 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	4210.0000	\$4,210.00
45	670-17-10002	IS-R2A-RU-SS	IRRInet-M (Moscad / ACE Communications) AC: 16 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	4830.0000	\$4,830.00

46	670-17-10003	IS-R3A-RU-SS	IRRInet-M (Moscad / ACE Communications) AC: 24 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	6510.0000	\$6,510.00
47	670-17-10004	IS-R4A-RU-SS	IRRInet-M (Moscad / ACE Communications) AC: 32 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	7000.0000	\$7,000.00
48	670-17-10005	IS-R1A-RU-WS	IRRInet-M (Moscad / ACE Communications) AC: 8 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4210.0000	\$4,210.00
49	670-17-10006	IS-R2A-RU-WS	IRRInet-M (Moscad / ACE Communications) AC: 16 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4830.0000	\$4,830.00
50	670-17-10007	IS-R3A-RU-WS	IRRInet-M (Moscad / ACE Communications) AC: 24 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	6510.0000	\$6,510.00
51	670-17-10008	IS-R4A-RU-WS	IRRInet-M (Moscad / ACE Communications) AC: 32 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	7000.0000	\$7,000.00
52	670-17-11001	IS-R1D-RU-S0	IRRInet-M (Moscad / ACE Communications) DC: 12 Station DC IRRInet-M / SS Ped. - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	3660.0000	\$3,660.00
53	670-17-11000	IS-R2D-RU-S0	IRRInet-M (Moscad / ACE Communications) DC: 24 Station DC IRRInet-M / SS Ped. - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	3940.0000	\$3,940.00
54	670-17-12001	IS-R1A-IU-SS	IRRInet-M (Irrinet Communications) AC8 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4350.0000	\$4,350.00
55	670-17-12002	IS-R2A-IU-SS	IRRInet-M (Irrinet Communications) AC16 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4950.0000	\$4,950.00
56	670-17-12003	IS-R3A-IU-SS	IRRInet-M (Irrinet Communications) AC24 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	6570.0000	\$6,570.00
57	670-17-12004	IS-R4A-IU-SS	IRRInet-M (Irrinet Communications) AC32 Station IRRInet-M / SS Ped. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	7025.0000	\$7,025.00
58	670-17-12005	IS-R1A-IU-WS	IRRInet-M (Irrinet Communications) AC8 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4350.0000	\$4,350.00
59	670-17-12006	IS-R2A-IU-WS	IRRInet-M (Irrinet Communications) AC16 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4950.0000	\$4,950.00
60	670-17-12007	IS-R3A-IU-WS	IRRInet-M (Irrinet Communications) AC24 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	6570.0000	\$6,570.00
61	670-17-12008	IS-R4A-IU-WS	IRRInet-M (Irrinet Communications) AC32 Station IRRInet-M / Wall Mt. w/ Surge - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	7025.0000	\$7,025.00
62	670-17-13001	IS-R1D-IU-S0	IRRInet-M (Irrinet Communications) DC 8 Station DC IRRInet-M / SS Ped. - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	3770.0000	\$3,770.00
63	670-17-13002	IS-R2D-IU-S0	IRRInet-M (Irrinet Communications) DC16 Station DC IRRInet-M / SS Ped. - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	4050.0000	\$4,050.00
64	670-17-04007	IS-7502	REPAIR ITEMS: CPU, ACE - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	1880.0000	\$1,880.00
65	670-17-04008	IS-FPN1644	REPAIR ITEMS: Power Supply, ACE - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	1050.0000	\$1,050.00
66	670-17-04009	IS-EXP-3537-M2	REPAIR ITEMS: Expansion Kit, ACE 16 sta output - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	1560.0000	\$1,560.00
67	670-17-04010	IS-EXP-3537-M8	REPAIR ITEMS: Expansion Kit, ACE from 64 to 80 sta - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	3200.0000	\$3,200.00
68	670-17-04011	IS-EXP-RA	REPAIR ITEMS: Expansion Kit, IRRInet-M AC - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	950.0000	\$950.00
69	670-17-04012	IS-EXP-RD	REPAIR ITEMS: Expansion Kit, IRRInet M DC - Enter "A" or "B" availability in comments area.	BASE EA	1.0000	700.0000	\$700.00

70	670-17-04013	IS-FLN9588	REPAIR ITEMS: Transformer, ACE/IRRInet M - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	120.0000	\$120.00
71	670-17-04015	IS-GDS215U2	REPAIR ITEMS: Radio UHF Narrow,Scorpio replacement - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	850.0000	\$850.00
72	670-17-04016	IS-FUE1050	REPAIR ITEMS: Radio UHF HT750, kit for IRRInet M - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	950.0000	\$950.00
73	670-17-04017	IS-FUE1067	REPAIR ITEMS: Radio UHF CM200, Kit for IRRInet M/ACE - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	1000.0000	\$1,000.00
74	670-17-04018	IS-FUF1810	REPAIR ITEMS: Radio 800T ASTRO, Kit for ACE - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	4500.0000	\$4,500.00
75	670-17-04019	IS-GRI	REPAIR ITEMS: Radio Interface /Scorpio GRI FRN5935 - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	0.0000	\$0.00
76	670-17-04020	IS-ASC-12/8	REPAIR ITEMS: Solar Panel Regulator - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	100.0000	\$100.00
77	670-17-04021	IS-SP-20	REPAIR ITEMS: DC IRRInet M Solar Panel - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	500.0000	\$500.00
78	670-17-04022	IS-BATSOL	REPAIR ITEMS: DC IRRInet M Battery - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	175.0000	\$175.00
79	670-17-04023	IS-24SUR8	REPAIR ITEMS: 24 VAC Surge Card only 8 Station - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	230.0000	\$230.00
80	670-17-04024	IS-24SUR12	REPAIR ITEMS: 24 VAC Surge Card only 12 Station - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	300.0000	\$300.00
81	670-17-04026	IS-110SURGE	REPAIR ITEMS: 110 VAC Surge Protection Unit only - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	160.0000	\$160.00
82	670-17-04027	IS-110ASSY	REPAIR ITEMS: 110 VAC Assembly w/GFI - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	290.0000	\$290.00
83	670-17-04028	IS-82NB-48	REPAIR ITEMS: Antenna cable IRRInet M - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	50.0000	\$50.00
84	670-17-04029	IS-82NM	REPAIR ITEMS: Antenna cable ACE - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	50.0000	\$50.00
85	670-17-04030	IS-TRA4503	REPAIR ITEMS: Antenna, UHF - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	90.0000	\$90.00
86	670-17-04031	IS-FG4503	REPAIR ITEMS: Antenna, UHF External Mount - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	190.0000	\$190.00
87	670-17-04032	IS-TRA8063	REPAIR ITEMS: Antenna, 800 Mhz - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	90.0000	\$90.00
88	670-17-04033	IS-MYA4503	REPAIR ITEMS: Antenna, UHF Yagi - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	110.0000	\$110.00
89	670-17-04034	IS-ANT-xxx	REPAIR ITEMS: Antenna Cable (Custom Length w/ Connectors) - Enter "A" or "B" availability in comments area.	BASE	EA	1.0000	7.0000	\$7.00
90	670-17-05003	IS-PH-SUPPORT	TECHNICAL SUPPORT:Annual Support Contract - Tel. & Remote Access Support, Owner responsible for providing Remote Access via approved method. Contact Interspec for specifics.	BASE	EA	1.0000	1800.0000	\$1,800.00
91	670-17-05004	IS-PH-SUPPORT-2	TECHNICAL SUPPORT:Annual Support Contract - To include 2 Site Visits p/ Year	BASE	EA	1.0000	5700.0000	\$5,700.00
92	670-17-05005	IS-PH-SUPPORT-4	TECHNICAL SUPPORT:Annual Support Contract - To include 4 Site Visits p/ Year	BASE	EA	1.0000	9500.0000	\$9,500.00

CITY OF McALLEN BID FORM FOR A SUPPLY CONTRACT FOR THE PURCHASE OF IRRIGATION CONTROLLER/MATERIALS (continued)

NOTE: In addition to responding to our "local" solicitation for bids vendors/contractors are encouraged to provide pricing on the above referenced items/products/services based on BuyBoard, H-GAC, TPASS, TX DOT, US Communities and/or any other State of Texas recognized and approved cooperative which has complied with the bidding requirements for the State of Texas (any and all applicable fees must be included) All cooperative pricing must be submitted on or before bid opening date and hour.


Check one

<input type="checkbox"/> BUYBOARD	<input type="checkbox"/> H-GAC	<input type="checkbox"/> TPASS	<input type="checkbox"/> DEALER/LOCAL
<input type="checkbox"/> TX DOT	<input type="checkbox"/> U.S. COMMUNITIES	<input type="checkbox"/> OTHER _____	Specify

CONTRACT NUMBER: _____ COMMODITY NUMBER: _____
(if applicable) (if applicable)

All Addenda issued in respect to this project shall be considered official changes to the original bidding documents. It shall be the Respondent(s) responsibility to ensure that all Addenda have been received. Furthermore, respondents are advised that they must recognize, comply with, and attach a signed copy of each Addendum which shall be made part of their Bid Submittal. Respondent(s) signature on Addenda shall be interpreted as the vendor's "recognition and compliance to" official changes as outlined by the City of McAllen and as such are made part of the original bidding documents.

Respectfully submitted this the 3 day of December, 2012.

SIGNATURE: 

PRINT/TYPE NAME: Debra Pittsinger

TITLE: Member

COMPANY: Interspec LLC

ADDRESS: 9810 Liberty Rd
(Street) Aubrey, TX 76227
(City, State, Zip Code) 940-440-9757

TELEPHONE NO.: _____

FAX NO.: _____

E-MAIL: deby@inter-spec.com

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session. This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).
By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.
A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No


B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4 
Signature of person doing business with the governmental entity

12-3-12
Date

Request for Taxpayer Identification Number and Certification

**Give Form to the
 requester. Do not
 send to the IRS.**

Print or type
 See Specific Instructions on page 2.

Name (as shown on your income tax return)
Interspec LLC

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax classification:
 Individual/sole proprietor C Corporation S Corporation Partnership Trust/estate

Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ **P** Exempt payee

Other (see instructions) ▶

Address (number, street, and apt. or suite no.)
9810 Liberty Road

City, state, and ZIP code
Aubrey, TX 76227

Requester's name and address (optional)

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

				-			-				
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Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number

7	5	-	2	7	9	3	0	0	4
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Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person ▶ Date ▶ **11-20-12**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

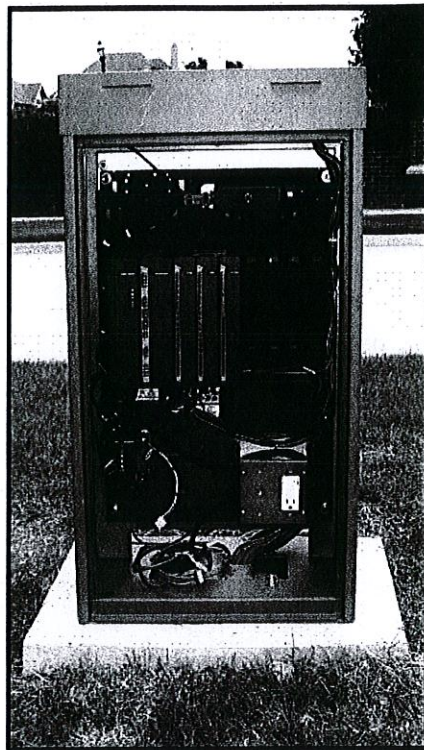
Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

As a member of the IRRInet family, the ACE Controller is able to function as a stand-alone controller, or as a powerful component of the (ICC) IRRInet Central Control system.

The IRRInet-ACE is capable of providing 24 VAC to operate standard irrigation valves in station counts of 16/32/48/64/80 stations, and will recognize 16 "dry contact" inputs. These inputs may be used to detect a change of status (i.e. rain switch), or monitor a pulse count / pulse rate (i.e. flow meter).

As a field satellite of the ICC, the unit will be shipped with one UHF radio to allow communication from the ICC Base Station to the ACE. The radio will also provide a communications link to the IRRInet-M remote unit.

The ACE controller is provided as a complete unit in a stainless steel pedestal, with both 120 VAC Surge Protection on the incoming power and 24 VAC Surge Protection on the field wiring terminal blocks.



MODEL NUMBERS:

IRRInet-ACE Controller: Available in 16/32/48/64/80 Stations

# IS-A1A-U4N-00-SS	16 Station ACE
# IS-A2A-U4N-00-SS	32 Station ACE
# IS-A3A-U4N-00-SS	48 Station ACE
# IS-A4A-U4N-00-SS	64 Station ACE
# IS-A5A-U4N-00-SS	80 Station ACE

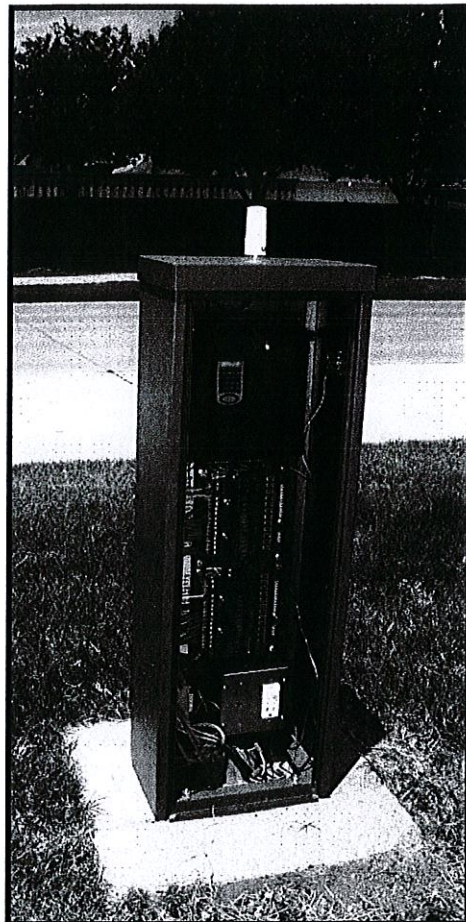
- ⊖ Use the following designation for a Wall Mount IS-AXA-U4N-RN-**WS**
- ⊖ The IRRInet-ACE controller has a very specific set of guidelines concerning installation of control wires, flow meters and range of radio coverage. Please consult Interspec, LLC prior to designing or installing this equipment.

As a member of the IRRInet family, the IRRInet-M functions as a wireless remote controller to provide additional station count to an existing IRRInet-ACE controller.

The IRRInet-M provides the ability to extend the coverage of an IRRInet-ACE controller. The unique capabilities of the IRRInet-M allow for wireless linking between controllers and sensors that once required trenching and boring. Motorola's wireless expertise allows all of these devices to function seamlessly together.

The controller provides a 24 VAC control output for 12/24/36 or 48 stations and will also recognize 2/4/6 or 8 "dry contact" inputs. These inputs may be used to detect a change of status (i.e. rain switch), or monitor a pulse count / pulse rate (i.e. flow meter).

The AC IRRInet-M is provided as a complete unit, housed in a stainless steel pedestal, with secondary surge protection on both the incoming 120 VAC and the outgoing 24 VAC terminals.



MODEL NUMBERS

AC IRRInet-M Controller: Available in 12/24/36 & 48 stations.

# IS-R1A-RU-SS	12 Station AC IRRInet-M
# IS-R2A-RU-SS	24 Station AC IRRInet-M
# IS-R3A-RU-SS	36 Station AC IRRInet-M
# IS-R4A-RU-SS	48 Station AC IRRInet-M

- ⊖ The AC IRRInet-M controller has a very specific set of guidelines concerning installation of control wires and range of radio coverage. Please consult Interspec prior to designing or installing this equipment.
- ⊖ When selecting a Wall Mount Cabinet, please use Model – **WS** instead of SS.



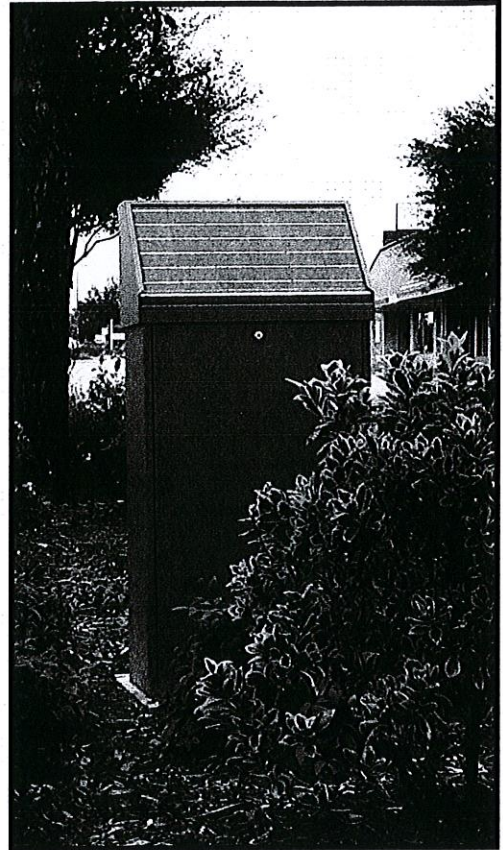
IRRInet-M-DC

As a member of the IRRInet family, the IRRInet-M-DC functions as a wireless remote controller to provide additional station count to an existing IRRInet-ACE controller.

The IRRInet-M-DC does not require an external power source, which allows for installation in virtually any location.

The controller provides a 24 VDC latching control output for 12/24 stations and will also recognize 2/4 "dry contact" inputs. These inputs may be used to detect a change of status (i.e. rain switch), or monitor a pulse count / pulse rate (i.e. flow meter).

The IRRInet-M-DC is provided as a complete unit in a stainless steel pedestal, with a solar panel, a 12 VDC battery and voltage regulator. The controller will operate any standard irrigation valve that has been installed with the E2003 DC latching solenoid as manufactured by Irritrol Systems.



MODEL NUMBERS

IRRInet-M-DC Controller: Available in 12 & 24 Stations.

IS-R1D-RU-S0 12 Station IRRInet-M-DC

IS-R2D-RU-S0 24 Station IRRInet-M-DC

⊖ The IRRInet-M-DC controller has a very specific set of guidelines concerning length of wire runs, installation of control wires, proper orientation of solar panel and range of radio coverage. Please consult Interspec Brochure titled: *IRRInet-M-DC Design Notes* prior to designing or installing this equipment.

Interspec, LLC
940-440-9757

A Motorola Value Added Reseller
www.Inter-Spec.com
Specifications subject to change without notice.

David Peters
214-325-1505





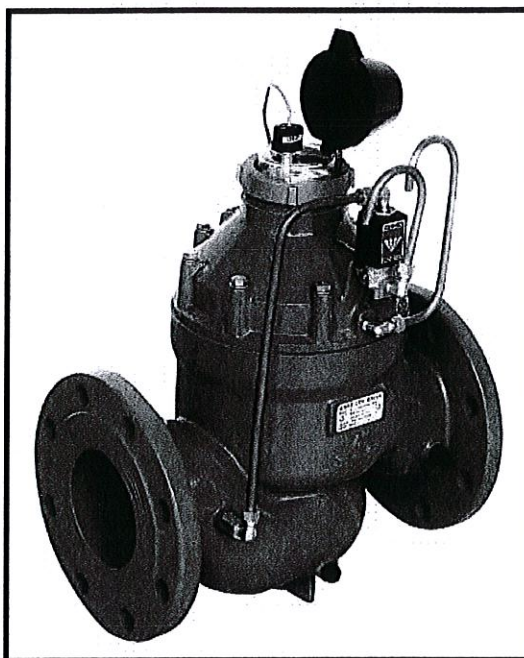
Hydrometer

The ARAD Hydrometer brings together two components into a single unit; a water meter and an electrically activated double-chambered irrigation valve. This unit is typically used as a combination Flow Meter and Master Valve when installed as a component of the (ICC) IRRInet Central Control system.

The hydrometer is capable of transmitting a “dry contact” closure, or pulse to the IRRInet family of controllers. This pulse is then used to calculate the actual volume of water passing through the valve.

The impeller drives the register through a dry magnetic coupling which allows only the impeller to come into contact with the water. The register is hermetically sealed within a stainless steel capsule with a hardened plastic lens. The register also includes a totalizer and a rotating leak detector.

The hydrometer is available in 1 1/2”, 2”, 3”, 4”, 6” and 8”. When specifying or ordering the valve it is necessary to select either a standard 24 VAC solenoid, or an optional 12 VDC latching solenoid. The valve is shipped as a Normally Closed valve. Standard pulse rates are 1 pulse per 10 gallons metered, unless otherwise specified.



When installing this valve as part of the ICC system, the valve will be installed with 2 pairs (a total of 4) wires from the hydrometer to the controller.

MODEL NUMBERS

SIZE
1.5”
2”
3”
4”
6”
8”

AC Solenoid
IS-BM-15
IS-BM-20
IS-BM-30
IS-BM-40
IS-BM-60
IS-BM-80

DC Solenoid
IS-BM-15-DC
IS-BM-20-DC
IS-BM-30-DC
IS-BM-40-DC
IS-BM-60-DC
IS-BM-80-DC

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iRemote

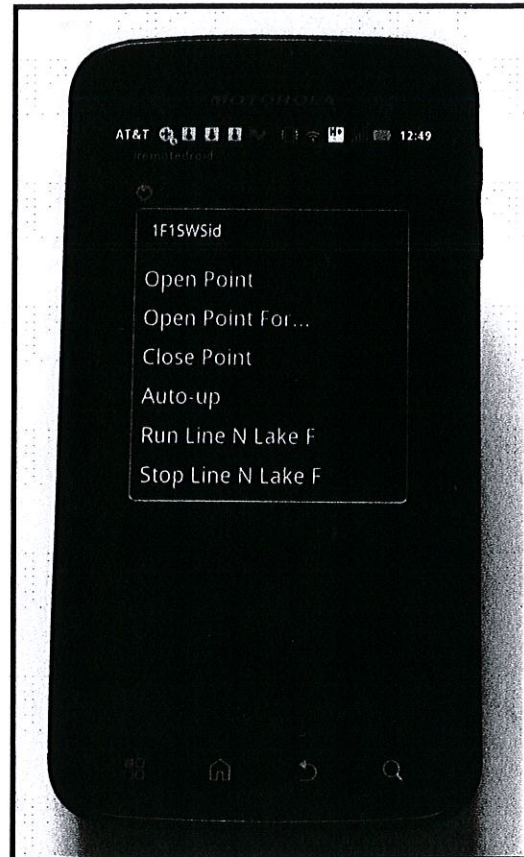
iRemote is the revolutionary remote control device designed specifically to work with the Motorola ICC System.

Using this remote allows the system operator to manually activate the system from anywhere.

Features: Valve Manual ON/OFF
 Valve Semi-Auto ON/OFF
 Advance Station Sequence
 Mainline ON/OFF

Repairing a valve or flushing a sprinkler line? With iRemote there is no need to walk back to the controller to turn the valve ON and OFF. iRemote places the power of ICC in your hands.

If a last minute change of plans requires the irrigation system be turned OFF after leaving the office for the day. iRemote is the answer. In a matter of minutes the system may be turned OFF from anywhere.



System Requirements: iRemote Software & SMS Modem (Interspec)

Mobile device: **Android**
 Blackberry (NON-iDEN/Nextel)

Unlimited Text Messaging Plan
Annual Contract with Mobile Provider/SMS Modem SIM Card

Interspec, LLC
940-440-9757

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David Peters
214-325-1505



Commercial Warranty

(STANDARD)

Motorola radio communications products are warranted to be free from defects in material and workmanship for a period of ONE (1) YEAR, except for crystal devices and channel elements which are warranted for a period of ten (10) years, from the date of shipment. Parts, including crystals and channel elements, will be replaced free of charge for the full warranty period but the labor to replace defective parts within the original shipped products plus travel costs for work on non-movable installed equipment will only be provided for One Hundred Twenty (120) days from the date of shipment. After said 120 days, Buyer must pay for the labor involved in repairing the product or replacing the parts at the prevailing rates together with any travel or transportation charges to or from the place where warranty service is provided. This express warranty is extended by Motorola Communications and Electronics, Inc., 1301 E. Algonquin Road, Schaumburg, Illinois 60196, to the original buyer only, and only to those purchasing for purpose of leasing or solely for commercial, industrial, or governmental use.

THIS WARRANTY IS GIVEN IN LIEU OF ALL OTHER WARRANTIES EXPRESS OR IMPLIED WHICH ARE SPECIFICALLY EXCLUDED, INCLUDING WARRANTIES OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL MOTOROLA BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES TO THE FULL EXTENT SUCH MAY BE DISCLAIMED BY LAW.

In the event of a defect, malfunction or failure to conform to specifications established by Seller, or if appropriate, to specifications accepted by Seller in writing, during the applicable periods stated above, Seller, at its option, will either repair or replace the product or refund the purchase price thereof, and such action on the part of Seller shall be the full extent of Seller's liability hereunder, and Buyer's exclusive remedy. This warranty shall automatically terminate if:

- a. the product is used in other than its normal and customary manner;
- b. the product has been subject to misuse, accident, neglect or damage;
- c. improper alterations or repairs have been made, or if nonconforming parts are used in the product unless done by a service facility authorized by Seller to perform warranty service.

This warranty extends only to individual products; frequency sensitive components, towers, vidicon tubes, test equipment, and batteries are excluded but carry their own separate limited warranty. Because each radio system is unique, Seller disclaims liability for range, coverage, or operation of the system as a whole under this warranty except by a separate written agreement signed by an officer of Seller.

Non-Motorola manufactured products are excluded from this warranty (unless bearing a Motorola Part Number in the form of an "alpha-numeric number"; i.e. TDE6030B) but such products are subject to the warranty provided by their manufacturers, a copy of which will be supplied to Buyer on specific written request.

Any claim for breach of this warranty shall be waived unless Buyer notifies Seller's salesperson or Seller at the above address, Attention: Quality Assurance Department, within the applicable warranty period.

This warranty applies only within the 50 United States.



MOTOROLA

Communications and Electronics Inc.

Revised date: 5/1/81
RO-O-10A
54C82256B88

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
 UTILITY BOARD _____
 OTHER _____

AGENDA ITEM 3C
 DATE SUBMITTED 01/07/13
 MEETING DATE 01/14/13

1. Agenda Item: **AWARD OF CONTRACT – PURCHASE OF ONE (1) NEW CURRENT MODEL DIESEL CAB CHASSIS W/ NEW 4,000 GALLON WATER TANK FOR THE STREET AND DRAINAGE DEPARTMENT OF PUBLIC WORKS PROJECT # 12-12-P04-16.**

2. Party Making Request: Public Works

3. Nature of Request: (Brief Overview) Attachments: X Yes No

Consideration and approval of award of contract for the purchase of new current model diesel cab chassis w/new 4,000 gallon water tank for the Streets & Drainage Department of Public Works.

4. Policy Implication: City Commission Policy, Local Government Code

5. Budgeted: X Yes No N/A

	Bid Quote	Rep. New	Budget Available	Account # / Project No.	Over/Under Budget
<u>Depreciation Fund -FY 12-13</u>					
Water Truck	\$166,260.00	R	130,000.00	678-6382-436.66-14 EC1315	\$36,260.00

6. Alternate Option/Costs N/A

7. Routing: NAME/TITLE INITIAL DATE CONCURRENCE

- a.) C. Sanchez, PE, PW Director CAS 01/08/13 YES
- b.) W. Smith Asst City Manager/EMC _____ _____ _____
- c.) Sandra Zamora, CPM, Dir of P&C _____ _____ _____
- d.) JW Dale, CPA, Finance Director JWD 01/08/13 YES

8. Staff Recommendation: **Staff recommends award of purchase contract to the low bidder, Freightliner of Austin, Austin TX for the purchase of one (1) 2014 Freightliner 114 SD with a Niece WT4000 water tank to include an optional extended warranty for a total base bid purchase price of \$166,260.00. Approval of purchase of contract is subject to a budget amendment to the General Depreciation Fund in the amount of \$36,260.00**

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

TO: Mike R. Perez, City Manager

FROM: Carlos A. Sanchez, P.E., CPM, CFM, Public Works Director *Carlos A. Sanchez*

DATE: January 04, 2013

SUBJECT: **Award of Contract – Purchase of New and Unused Current Model Diesel Cab & Chassis W/New 4000 Gallon Water Tank for the Streets and Drainage Department of Public Works. Project No. 12-12-P04-16**

GOAL

Staff requests authorization to award a purchase contract to the lowest responsive and responsible bidder meeting the requirements of the specifications and bid solicitation documents for one (1) New and Unused Current Model Cab & Chassis with a new 4000 gallon water truck for the Streets and Drainage Department of Public Works.

Brief Explanation:

Staff is seeking to replace an existing water truck Unit 511 that has reached its full depreciation point, is problematic, and is no longer economical to maintain. The replacement of Unit 511 will assist staff meet performance standards that include sub grade and base work for the alley rehabilitation program and emergency repairs on all paved City Streets and Alley's. Unit 511 was purchased in 2004 from auction for \$36,000.00 and has a life to date maintenance cost of \$20,667.19. Public Works through the Purchasing & Contracting Department solicited formal bids for the above referenced unit and on December 05, 2012 received a total of two (2) responses from two (2) separate vendors.

Freightliner of Austin, TX met all requirements of the specifications and is considered low bidder for the bid item listed as a New and Unused Model Diesel Cab & Chassis W/ New 4000 Gallon Water Tank. Staff recommends award of purchase contract to Freightliner of Austin, TX for one (1) 2014 Freightliner 114 SD with a unit price of \$165,202.00 plus \$1,058.00 for the Optional Extended Warranty. The total purchase contract is for an aggregate amount of \$166,260.00.

Options:

- 1) To award a purchase contract as recommended.
- 2) The City Commission may elect to direct staff to reject part or all bids received and/or to re advertise this project.

Recommendation:


Staff recommends award of a purchase contract to the low bidder, Freightliner of Austin, Austin TX, for the purchase of one (1) 2014 Freightliner 114 SD with a Niece WT4000 water tank to include the optional extended warranty for a total Base Bid purchase price of \$166,260.00. Approval of purchase contract is subject to a budget amendment to the General Depreciation Fund in the amount of \$36,260.00.




Please advise if you require additional information. A copy of the bid tabulation is attached for your review and consideration.

Location: Conference Room

Solicitation: Project 12-12-P04-16 Purchase of Water Tank Truck

Bid Opening: December 05, 2012 at 4:00 p.m.

 Recommended award vendor

No	Comm. No.	Type	Description	UOM	QTY	FREIGHTLINER OF AUSTIN  AUSTIN, TX 		HOLT CAT TRUCK CENTER EDINBURG, TX	
						BUYBOARD	UNIT PRICE	UNIT PRICE	COMMENT
1	070-47	BASE	BASE BID: ONE (1) NEW AND UNUSED MODEL DIESEL CAB CHASSIS w/ NEW 4,000 GALLON WATER TANK	EA	1	\$165,202.00	\$171,552.38	This is for a 2014 Cat CT660	
MANUFACTURER/MODEL						2014 FREIGHTLINER NIECE WT4000	2014 CAT CT660		
2	070-47	BASE	OPTIONAL EQUIPMENT/SERVICES: EXTENDED WARRANTY: BASE BID: NEW UNUSED - 2 years or 50,000 miles on chassis, above and beyond standard warranty	EA	1	\$1,058.00	\$3,520.00	You will have up to 3 years/100,000 miles or 10,000 hours which ever comes first to purchase this extended warranty	
3	070-47	ALT	ALTERNATE BID: ONE (1) PRE-OWNED MODEL DIESEL CAB CHASSIS w/NEW 4,000 GALLON WATER TANK	EA	1	NO BID	NO BID	NO BID	
						 Submitted via Hard Copy format only; Not entered in eBid			

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
 UTILITY BOARD
 OTHER

AGENDA ITEM 3d
 DATE SUBMITTED 01/01/13
 MEETING DATE 01/14/13

1. Agenda Item: **AWARD OF CONTRACT - PURCHASE & DELIVERY OF TYPE "D" HOT MIX ASPHALTIC CONCRETE (HMAC) FY 2012-2013 PROJECT NO. 12-12-SP04-22.**

2. Party Making Request: Engineering Department

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Consideration and award of contract for Purchase & Delivery of Type "D" Hot Mix Asphaltic Concrete FY 2012 - 2013.

4. Policy Implication: City Commission Policy, Local Government Code

5. Budgeted: X Yes No N/A

Funding Source:	011-3022-435.65-15	\$	1,294,768.98
	160-3032-436.66-30 (Downtown Lot)		\$ 6,972.72
Engineers Estimated Material Costs:		\$	1,412,472.00
Low Amount Bid:		\$	1,301,741.70
Amount <u>under</u> estimate		\$	110,730.30

6. Alternate Option/Costs N/A

7. Routing:

NAME/TITLE

	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) Y. Barrera, PE, CFM, City Engineer	<u>YB</u>	<u>1/8/13</u>	<u>yes</u>
b.) J. Dale, CPA, Finance Director	<u>JD</u>	<u>1/8/13</u>	<u>YES</u>
c.) R. Rodriguez, PE, General Manager Assistant City Manager	<u>RR</u>	<u>1/8/13</u>	<u>YES</u>
d.) S. Zamora, Director of P&C	<u> </u>	<u> </u>	<u> </u>
e.) E. Suarez, Transit Director	<u> </u>	<u> </u>	<u> </u>

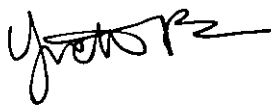
8. Staff Recommendation: **Award contract to the responsive, responsible bidders, Upper Valley Materials in the amount of \$1,212,221.70 for delivery and in the amount of \$89,250 for pick-up (HMAC).**

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

To: Mike R. Perez, City Manager

From: Yvette Barrera, PE, CFM, City Engineer 

Date: January 2, 2012

Subject: Award of Contract – Purchase & Delivery of Type “D” Hot Mix Asphaltic Concrete FY2012-2013. Project No. 12-12-SP04-22

GOAL
To award contract for the Purchase & Delivery of Type “D” Hot Mix Asphaltic Concrete for FY 2012-2013.

EXPLANATION
Every year the City of McAllen continues its maintenance of streets through this project. This contract will provide the material needed to recycle and repave approximately 244,889 square yards, or approximately 11.94 centerline miles, of streets.

The table below provides historical prices for comparison purposes.

HMAC	09-10	10-11	11-12	12-13	% DIFFERENCE
DELIVERED	\$55.30	\$65.00	\$67.00	\$68.65	2.5%
PICKED UP	N/A	N/A	\$54.20	\$59.50	9.8%

Please see attachment for a detailed bid tabulation and exhibit showing street locations.

A separate bid was advertised for the labor and equipment, as the Single Machine Project, which has been presented under separate cover. Combined, the project falls below the estimated budget amount with a total cost of \$2,666,072.95.

- OPTIONS**
- 1) Award as recommended
 - 2) Reject bids and re-advertise project

RECOMMENDATION
Based on review by this office award of purchase contract is recommended to **Upper Valley Materials** for Item 1, delivered Type “D” Limestone H.M.A.C. in the amount of \$1,212,221.70 and for Item 2, picked up at Plant Type “D” Limestone H.M.A.C. in the amount of \$89,250.00.



**CITY OF
McALLEN**

Bid Opening: December 13, 2012 at 3:00 p.m. and read aloud at 3:15 p.m.

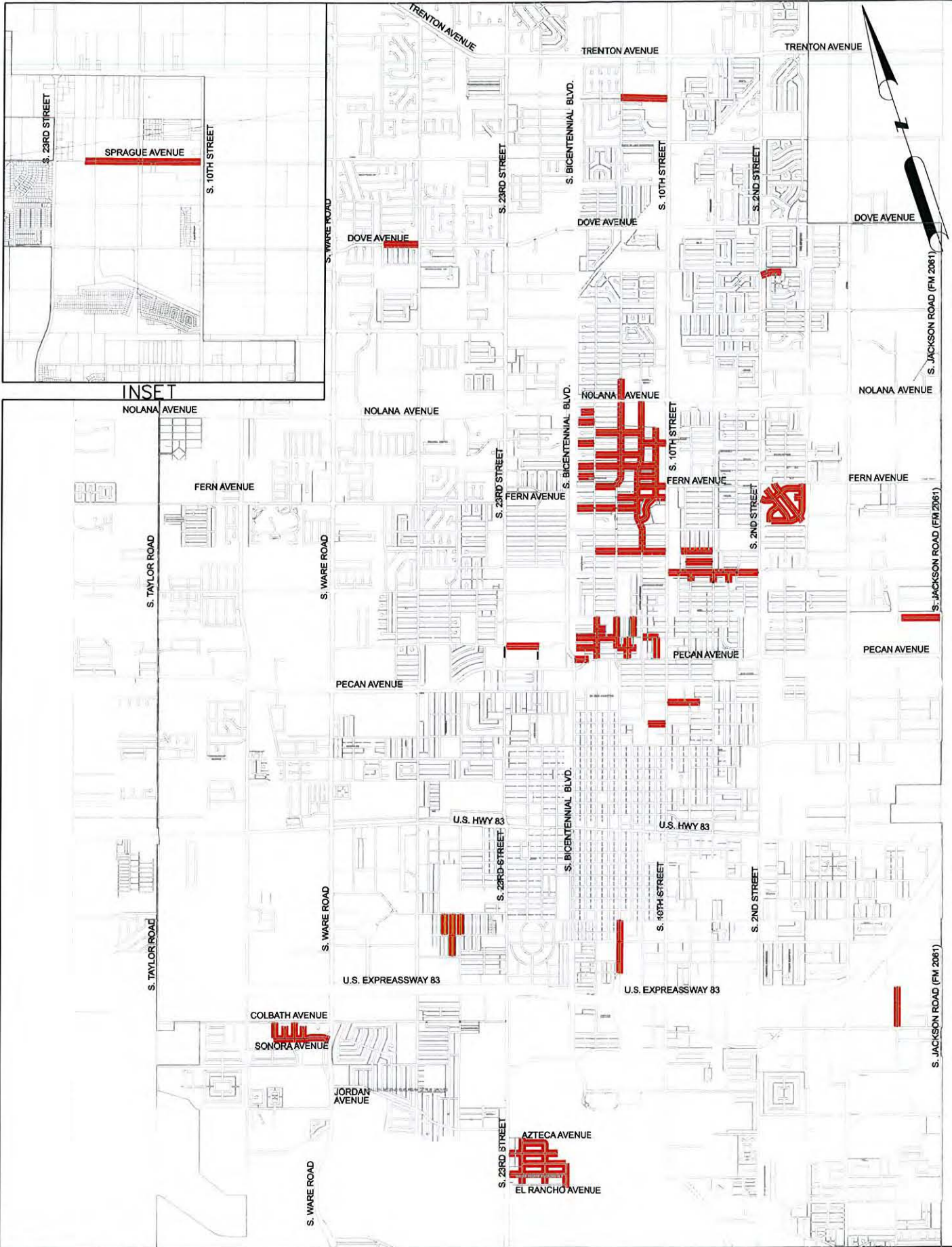
Location: Conference Room (2nd Fl)

Solicitation: 12-12-SP04-20 Type "D" Hot Mix Asphaltic Concrete

BIDDERS						UPPER VALLEY MATERIALS LLC (CAPP) MISSION, TX		FRONTERA MATERIALS INC ELSA, TX	
No.	Internal Ref. Number	Type	Description	UOM	Quantity	Unit Price/ Ton	Total Amount Bid	Unit Price/ Ton	Total Amount Bid
1	913-06	BASE	DELIVERED UNIT PRICE PER TON - TYPE "D" H.M.A.C. LIMESTONE AGGREGATE	TON	17,658.00	\$68.65	\$1,212,221.70	\$68.95	\$1,217,519.10
2	913-06	BASE	UNIT PRICE PER TON - ASPHALT PICKED UP AT THE PLANT	TON	1,500.00	\$59.50	\$89,250.00	\$59.95	\$89,925.00
TOTAL AMOUNT BID						\$1,301,471.70		\$1,307,444.10	
BID BOND						SUBMITTED		SUBMITTED	

1/27/2013

A:\Engineering Files\Projects\2012\17-1042 Single Machine Repaving 2012-2013\CADD\Exhibits\EXHB_Overall Mill & Overlay_2.dgn



CITY OF
McALLEN
 ENGINEERING DEPARTMENT

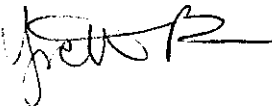
STREET REPAVING 2013

SCALE:	HORZ: 4000'
DATE:	01/03/13
REVISIONS	
1.	
2.	
3.	
SHEET NO.	1 OF 1



**CITY OF MCALLEN
ENGINEERING DEPARTMENT
MEMORANDUM**

To: Mike R. Perez, City Manager

From: Yvette Barrera, PE, CFM, City Engineer 

Date: January 2, 2012

Subject: **Award of Contract – 2012-2013 Single Machine Repaving Project
Project No. 12-12-C04-104**

Goal
To award contract for the 2012-2013 Single Machine Repaving project.

Explanation
Every year the City of McAllen continues its maintenance of streets through this project. This year, this project will provide the work needed to recycle and repave approximately 244,889 square yards, or approximately 11.94 centerline miles, of streets, plus repair of base failures and repair of concrete work such as curb and gutter and valley gutters.

A copy of the bid tabulation, exhibit and street list are included for your review and consideration.

Item	09-10	10-11	11-12	12-13	% Difference
Recycling (with 1" overlay)	\$2.35	\$2.10	\$2.50	\$2.65	6.0%
Curb Milling	\$1.90	\$1.00	\$2.00	\$2.00	0.0%
Full Depth Scarification	\$32.75	\$20.00	\$41.25	\$28.75/\$75.00	-43.5% / 81.8%

Included in the bid tab was Alternate #1, which included the full depth scarification for Sprague Road from 10th Street to the Wastewater treatment plant (located east of 23rd Street). This portion of the project was bid as alternate due to the extensive work that would be required to the base before the surface could be paved.

A separate bid was advertised for the materials, as the Purchase & Delivery of Type "D" Hot Mix Asphaltic Concrete (HMAC) FY 2012-2013 and is presented under separate cover. Combined, the project falls below the estimated budget amount with a total cost of \$2,666,072.95.

Options
Approve or reject bid.

Recommendation
Based on review by this office, award of contract for the base bid and alternate #1 is recommended to the only, responsive, responsible bidder, **Cutler Repaving, Inc.**, from Lawrence, Kansas, for a bid in the amount of **\$1,386,100.40**.



**CITY OF
McALLEN**

Project No. 12-12-C04-104 Single Machine Repaving Project

BID OPENING: December 13, 2012 at 3:00 p.m.

**CUTLER REPAVING
LAWRENCE, KS**

#	INTERNAL REF. NO	TYPE	DESCRIPTION	UOM	QTY	UNIT PRICE	TOTAL AMT BID
101	913-06	BASE	BASE BID: Recycling: Section 2616-1.01A-c-1 in Depth	SY	244,536	\$2.65	\$648,020.40
102	913-06	BASE	BASE BID: Recycling Agent	GAL	18,341	\$3.60	\$66,027.60
103	913-06	BASE	BASE BID: Curb Milling	LF	160,201	\$2.00	\$320,402.00
104	913-06	BASE	BASE BID: Lane Milling; 12 ft Width	LF	1,092	\$2.50	\$2,730.00
105	913-06	BASE	BASE BID: Adjust Manholes to Grade	EA	90	\$250.00	\$22,500.00
106	913-06	BASE	BASE BID: Adjust Water Valves & Monitor Wells to Grade	EA	43	\$150.00	\$6,450.00
107	913-06	BASE	BASE BID: 6' Valley Gutter	LF	10	\$200.00	\$2,000.00
108	913-06	BASE	BASE BID: Remove Asphalt Pavement	SY	10	\$165.00	\$1,650.00
109	913-06	BASE	BASE BID: 18" Valley Gutter	LF	10	\$600.00	\$6,000.00
110	913-06	BASE	BASE BID: Remove Existing Valley Gutter or Curb & Gutter	LF	10	\$60.00	\$600.00
111	913-06	BASE	BASE BID: 24-in Curb and Gutter	LF	10	\$110.00	\$1,100.00
112	913-06	BASE	BASE BID: Full Depth Scarification w/ 3% Cement Stabilization & 1.5-in Overlay	SY	1000	\$75.00	\$75,000.00
113	913-06	BASE	BASE BID: 3" Scarification with overlay	SY	100	\$4.35	\$435.00
TOTAL BASE BID							\$1,152,915.00
201	913-06	ADD	ALTERNATE BID #1: Recycling: Section 2616-1.01A-c-1 in Depth	SY	7,363	\$2.65	\$19,511.95
202	913-06	ADD	ALTERNATE BID #1: Recycling Agent	GAL	552	\$3.60	\$1,987.20
203	913-06	ADD	ALTERNATE BID #1: Full Depth Scarification w/ 3% Cement Stabilization & 1.5-in Overlay	SY	7,363	\$28.75	\$211,686.25
TOTAL ALTERNATE BID NO. 1							\$233,185.40
301	913-06	ADD	ALTERNATE BID NO. 2: HMAC, TYPE "D" Limestone Aggregate - Delivered	TON	17,658	\$77.00	\$1,359,666.00
TOTAL ALTERNATE BID NO. 2							\$1,359,666.00
TOTAL AMOUNT BID INCLUDING ALTERNATES							\$2,745,766.40
NUMBER OF DAYS TO COMPLETE CONTRACT							65 Days
BID BOND							Submitted

Sheet No.	Street Name	From (north or west)	To (south or east)	Length (ft)	Width (ft)	Area (SY)	Curb Milling (lf)	Lane Milling (lf)
1	AZTECA AVENUE	S. 22ND STREET	S. 21ST STREET	660	28	2,094	1,320	
1	BALBOA AVENUE	S. 23RD STREET	S. 22ND STREET	389	28	1,231	862	
1	BALBOA AVENUE	S. 22ND STREET	S. 21ST STREET	681	28	2,113	1,446	
1	BALBOA AVENUE	S. 21ST STREET	END OF STREET	379	28	1,187	842	
1	CORTEZ AVENUE	S. 22ND STREET	S. 21ST STREET	678	28	2,099	1,440	
1	CORTEZ AVENUE	S. 21ST STREET	S. 20TH STREET	629	28	1,937	1,258	
1	DIAZ AVENUE	S. 23RD STREET	S. 22ND STREET	384	28	1,208	852	
1	DIAZ AVENUE	S. 22ND STREET	S. 21ST STREET	681	28	2,123	1,362	
1	DIAZ AVENUE	S. 21ST STREET	S. 20TH STREET	628	28	1,978	1,340	
1	S. 22ND STREET	END OF STREET	EL RANCHO AVENUE	1,406	28	4,388	3,316	
1	S. 21ST STREET	AZTECA AVENUE	EL RANCHO AVENUE	1,228	28	3,943	2,876	
1	S. 20TH STREET	CORTEZ AVENUE	END OF STREET	740	28	2,240	1,564	
2	S. 42ND STREET	SONORA AVENUE	COLBATH AVENUE	464	28	1,425	1,012	
2	S. 41ST STREET	SONORA AVENUE	END OF STREET	368	28	1,473	736	
2	S. 40TH STREET	SONORA AVENUE	COLBATH AVENUE	480	38	2,059	1,074	
2	S. 39TH STREET	SONORA AVENUE	END OF STREET	363	28	1,453	810	
2	SONORA AVENUE	S. 42ND STREET	S. WARE ROAD	1,745	36	7,034	3,814	
3	S. 27TH STREET	GALVESTON AVENUE	ITHACA AVENUE	628	27	1,886	1,418	
3	S. 26TH 1/2 STREET	GALVESTON AVENUE	ITHACA AVENUE	1,293	27	3,999	2,748	
3	S. 26TH STREET	GALVESTON AVENUE	LINDBERG AVENUE	631	28	1,974	1,430	
4	LA VISTA AVENUE	10TH STREET	2ND AVENUE	2,842	28	9,492	5,852	
4	5TH STREET	LA VISTA AVENUE	WALNUT AVENUE	290	28	922	664	
4	6TH STREET	LA VISTA AVENUE	WALNUT AVENUE	291	36	1,187	798	
4	HIGHLAND AVENUE	DEAD END	6TH STREET	1,002	28	3,144	2,172	
4	WESTWAY AVENUE	8TH STREET	6TH STREET	857	28	2,749	1,882	
4	8TH STREET	LA VISTA AVENUE	WALNUT AVENUE	241	28	773	650	
4	16TH STREET	TAMARACK AVENUE	PECAN AVENUE	1,283	28	4,065	2,734	
4	SYCAMORE AVENUE	16TH STREET	DEAD END	240	28	773	564	

Sheet No.	Street Name	From (north or west)	To (south or east)	Length (ft)	Width (ft)	Area (SY)	Curb Milling (lf)	Lane Milling (lf)
4	REDWOOD AVENUE	DEAD END	16TH STREET	680	28	2,150	1,444	
4	REDWOOD AVENUE	16TH STREET	MAIN STREET	574	28	1,825	1,232	
4	QUINCE AVENUE	DEAD END	16TH STREET	676	28	2,142	1,520	
4	MAIN STREET	TAMARACK AVENUE	QUINCE AVENUE	669	28	2,147	1,506	
4	13TH STREET	TAMARACK AVENUE	REDWOOD AVENUE	621	28	2,023	1,410	
4	QUINCE AVENUE	MAIN STREET	BROADWAY	980	28	3,128	2,128	
4	QUINCE AVENUE	BROADWAY	DEAD END	268	28	868	620	
4	BROADWAY	REDWOOD AVENUE	PECAN AVENUE	642	28	2,139	1,452	
4	REDWOOD AVENUE	12TH STREET	11TH STREET	477	19	1,058	1,068	
4	11TH STREET	REDWOOD AVENUE	PECAN AVENUE	633	28	1,797	1,434	
4	PECAN	BICENTENNIAL AVENUE	PECAN AVENUE	456	28	1,285	1,416	
5	QUINCE AVENUE	23RD STREET	21ST STREET	1,026	28	3,172	2,388	
6	N. 12TH STREET	NOLANA AVENUE	HIGHLAND AVENUE	4,665	31	16,231	9,981	
6	N. 11TH STREET	DEAD END	ESPERANZA AVENUE	2,115	28	6,580	4,398	
6	ROYAL PALM	ESPERANZA AVENUE	12TH STREET	915	28	3,118	1,830	
6	DAFFODIL AVENUE	DEAD END	16TH STREET	583	28	1,851	1,334	
6	DAFFODIL AVENUE	16TH STREET	MAIN STREET	645	28	1,977	1,458	
6	DAFFODIL AVENUE	MAIN STREET	12TH STREET	612	28	1,887	1,308	
6	ESPERANZA AVENUE	MAIN STREET	12TH STREET	612	26	1,828	1,380	
6	ESPERANZA AVENUE	12TH STREET	10TH STREET	894	28	2,833	1,956	
6	FERN AVENUE	16TH STREET	MAIN STREET	643	28	1,963	1,454	
6	FERN AVENUE	12TH STREET	11TH STREET	545	28	1,686	1,090	
6	FERN AVENUE	11TH STREET	10TH STREET	320	28	980	724	
6	GARDENIA AVENUE	DEAD END	16TH STREET	543	28	1,724	1,254	
6	GARDENIA AVENUE	12TH STREET	11TH STREET	545	28	1,737	1,258	
6	HIBISCUS AVENUE	DEAD END	16TH STREET	551	35	2,183	1,312	
6	HIBISCUS AVENUE	16TH STREET	MAIN STREET	772	35	3,051	1,649	
6	HIBISCUS AVENUE	MAIN STREET	12TH STREET	529	28	1,683	1,226	
6	HIBISCUS AVENUE	12TH STREET	11TH STREET	493	28	1,530	1,154	

Sheet No.	Street Name	From (north or west)	To (south or east)	Length (ft)	Width (ft)	Area (SY)	Curb Milling (lf)	Lane Milling (lf)
6	IRIS AVENUE	16TH STREET	MAIN STREET	773	28	2,364	1,546	
6	IRIS AVENUE	MAIN STREET	12TH STREET	601	28	1,910	1,286	
6	JONQUIL AVENUE	DEAD END	16TH STREET	561	28	1,728	1,290	
6	KERRIA AVENUE	16TH STREET	MAIN STREET	1,272	28	4,328	2,712	
6	KERRIA AVENUE	MAIN STREET	12TH STREET	600	28	1,905	1,368	
6	LARKSPUR AVENUE	DEAD END	16TH STREET	552	28	1,721	1,272	
6	MARIGOLD AVENUE	DEAD END	16TH STREET	466	28	1,717	1,016	
6	MAIN STREET	NOLANA AVENUE	FERN AVENUE	2,647	35	10,504	5,609	
6	HIGHLAND AVENUE	16TH STREET	MAIN STREET	642	30	2,026	1,464	
6	HIGHLAND AVENUE	MAIN STREET	12TH STREET	776	30	2,530	1,732	
6	HIGHLAND AVENUE	12TH STREET	10TH STREET	735	30	2,349	1,650	
6	MAIN STREET	PRIMROSE AVENUE	NOLANA AVENUE	631	36	2,574	1,478	
6	JONQUIL AVENUE	12TH STREET	11TH STREET	421	28	1,335	1,010	
6	JONQUIL AVENUE	11TH STREET	10TH STREET	320	28	1,016	808	
7	K CENTER STREET	OAKLAND AVENUE	RIDGE ROAD	1,236	43	5,965	2,730	
8	JASMINE AVENUE	12TH STREET	10TH STREET	562	28	1,736	1,292	
8	LAUREL AVENUE	10TH STREET	7TH STREET	1,004	29	3,283	2,182	
9	TAMARACK AVENUE	DEAD END	JACKSON ROAD	1,223	35	4,722	2,656	
9	DOVE AVE (NORTH LANE ONLY)	29TH STREET	32ND STREET	1,063	12	1,404	2,198	
9	DOVE AVE (SOUTH LANE ONLY)	29TH STREET	32ND STREET	1,063	12	1,420	2,198	
10	YUCCA AVENUE	2ND STREET	1ST LANE	636	38	2,793	1,500	
10	14TH STREET	HOUSTON AVE	MOBILE AVE	1,635	38	7,177	3,498	
11	CYNTHIA STREET	FERN AVENUE	CAMELIA AVENUE	1,016	28	3,258	2,368	
11	CYNTHIA CIRCLE	END	CYNTHIA STREET	225	28	960	534	
11	1ST STREET	FERN AVENUE	CULDESAC	1,458	28	5,093	3,252	

Sheet No.	Street Name	From (north or west)	To (south or east)	Length (ft)	Width (ft)	Area (SY)	Curb Milling (lf)	Lane Milling (lf)
11	1ST LANE	CULDESAC	CAMELIA AVENUE	1,184	28	3,970	2,620	
11	ESPERANZA AVENUE	2ND STREET	15T LANE	392	28	1,497	952	
11	ESPERANZA AVENUE	1ST LANE	1ST STREET	250	28	805	668	
11	ESPERANZA AVENUE	1ST STREET	CYNTHIA STREET	688	28	2,170	1,544	
11	CAMELIA AVENUE	DAFFODIL AVENUE	1ST STREET	888	28	2,728	1,860	
11	DAFFODIL AVENUE	1ST LANE	CAMELIA AVENUE	625	28	2,368	1,334	
12	ROBIN AVENUE	MAIN AVENUE	10TH STREET	1,461	36	6,206	3,354	
13	SPRAGUE ROAD	N.10TH STREET	N. 23RD STREET	3,600	18	7,363		
14	PARKING LOT	CORNER OF BEAUMONT AND BROADWAY				1,451		1092

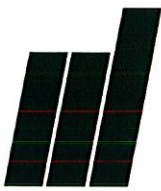


INSET



STREET REPAVING 2013

SCALE:	HORZ: 4000'
DATE:	01/03/13
REVISIONS	
1.	
2.	
3.	
SHEET NO.	1 OF 1



To: Mike R. Perez, City Manager

From: Jeremy Santoscoy, PE, CFM, Transportation Engineer

Through: Yvette Barrera, PE, CFM, City Engineer

Date: January 8, 2013

Subject: Change Order No.4 - Bentsen Road Paving Improvements from Pecan Boulevard to 3 Mile Line Road (Project # 12-11-C04-98)

GOAL

Consideration and approval of Change Order No.4 for Bentsen Road Paving Improvements from Pecan Boulevard to 3 Mile Line Road for IOC Company.

EXPLANATION

As construction plans were prepared for the extension of Daffodil, it was established that various utilities would need adjustment to continue storm sewer infrastructure to the western limits as previously approved. The storm sewer is being extended with the new roadway limits and is intended to serve the future Daffodil corridor reconstruction and its adjacent contributing drainage areas. This would include an increase in cost of \$19,244.80. The additional road extension would extend contract time by an additional 10 days.

Additionally, there is an area along the east side of Bentsen, just south of 3 Mile in which a defined grade difference occurs. In order to comply with Texas accessibility standards, a small retaining wall with fencing is proposed along this area. The additional scope is proposed at a cost of \$11,658.75 with a request of 5 additional days.

Attached is a breakdown for your review.

OPTIONS

Approve or reject Change Order No.4.

RECOMMENDATION

Based on review by this office, staff recommends approval of Change Order No. 4 for the Bentsen Road Paving Improvements Project from Pecan Boulevard to 3 Mile Line Road in the amount of \$30,903.55 and an additional 15 days, for a total revised contract amount of \$ 5,193,407.59 and 191 working days, subject to a budget amendment.

BENTSEN ROAD DAFFODIL EXTENSION

IOC COMPANY, LLC

PO BOX 4737

EDINBURG, TX 78540

Contact: OSCAR CUELLAR

Phone: 956-380-2897

Fax: 956-380-4085

Quote To:

CITY OF MCALLEN
ATTN: JEREMY SANTOSCOY, P.E.

Job Name:

Date of Plans:

Revision Date:

Phone:

956-681-1150

Fax:

DAFFODIL EXTENSION TO THE WEST

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	42" RCP CLIII RUBBER GASKET	323.00	LF	109.50	35,368.50
2	REMOVE REPLACE 48" FG MANHOLE DROP STRUCTURE	1.00	EA	11,400.00	11,400.00
3	10" PVC SRD26 SS LINE	31.00	LF	54.30	1,683.30
4	TIE INTO EXISTING SS MANHOLE	1.00	EA	1,900.00	1,900.00
5	CONCRETE COLLAR	1.00	EA	1,400.00	1,400.00
6	REMOVE & PLUG EXISTING SS STRUCTURE ADJUST INVERT	1.00	LS	8,600.00	8,600.00

GRAND TOTAL (CO#3 ADDITIONAL 25 DAYS) \$60,351.80

BENTSEN ROAD PROJECT RETAINING WALL

IOC COMPANY, LLC

PO BOX 4737

EDINBURG, TX 7 78540

Contact: OSCAR CUELLAR

Phone: 956-380-2897

Fax: 956-380-4085

Quote To:

CITY OF MCALLEN
ATTN: JEREMY SANTOSCOY
956-681-1150

Job Name:

Date of Plans:

Revision Date:

Phone:

Fax:

JOB NO 121204DRV3

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	8" CONCRETE RETAINING WALL	165.00	SF	59.65	9,842.25
2	4' CHAINLINK FENCE	47.00	LF	19.50	916.50
3	REMOVE CURB & GUTTER 24"	20.00	LF	27.00	540.00
4	REMOVE EXISTING CHAINLINK FENCE	20.00	LF	18.00	360.00
GRAND TOTAL (PROP. REQUEST NO. 5 ADDITIONAL 5 DAYS)					\$11,658.75

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 4A </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 1/8/2013 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 1/14/2013 </u>
OTHER	<u> </u>		

1 Agenda Item: Budget Amendment to the General Depreciation Fund for the purpose of funding the purchase of a Water Truck for the Streets and Drainage Department.

2 Party Making Request: Public Works - Streets and Drainage Department

3 Nature of Request: (Brief Overview) Attachments: Yes ___ No
Consideration and authorization to amend the General Depreciation Fund in the amount of \$36,260.00 to fund the remaining balance of the purchase of a Water Truck.

4 Policy Implication: City Commission Policy; Local Government Code

5 Budgeted: X Yes No N/A

Account #: 678-6382-436-66-14 EC1315 Amount: \$ 36,260

6 Alternate option costs: N/A

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE</u>
			YES/NO
a) <u>Carlos Sanchez</u> Dir., Public Wks	<u>CAS</u>	<u>1/8/2013</u>	<u>YES</u>
b) <u>Wendy Smith</u> Asst. City Mgr.	<u> </u>	<u> </u>	<u> </u>
c) <u>Jerry Dale</u> Dir., Finance	<u>JWD</u>	<u>1/8/2013</u>	<u>YES</u>

Staff Recommendation: Staff recommends approval as presented.

8
9 Advisory Board: Approved Disapproved None

10 City Attorney: KP Approved Disapproved None

11 Manager's Recommendation: MRP Approved Disapproved None



PUBLIC WORKS
MEMORANDUM

To: Mike R. Perez, City Manager

From: Carlos A. Sanchez, P.E., CFM, CPM, Public Works Director

Date: January 8, 2013

Subject: Budget Amendment to the General Depreciation Fund for the purchase of a Water Truck for the Streets and Drainage Department of Public Works.

GOAL:

Consideration and approval of budget amendment in the amount of \$36,260 for the purchase and replacement of a Water Truck for the Streets and Drainage Department of Public Works.

BRIEF EXPLANATION:

Public Works in coordination with the Purchasing and Contracting Department solicited bids and is recommending the award of a purchase contract to the low bidder, Freightliner of Austin, Austin TX, for the purchase of one (1) 2014 Freightliner 114 SD with a Niece WT4000 water tank to include the optional extended warranty for a total Base Bid purchase price of \$166,260.00. The Water Truck was budgeted in the General Depreciation Fund in the amount of \$130,000.00. Therefore, an amendment in the amount of \$36,260.00 is required to account for the remaining balance.

RECOMMENDATION:

Public Works staff recommends approval of the budget amendment in the amount of \$36,260.00 to account for the cost related to the purchase of a Water Truck for the Streets and Drainage Department.

**CITY OF McALLEN
BUDGET AMENDMENT**

REF.NO. _____
To be assigned by Finance Dept.

FUND: GENERAL DEPRECIATION FUND

DEPARTMENT: STREETS AND DRAINAGE DEPARTMENT

Fund	Dept. & Division	Activity	Element & Object	Project Code	Description	Beginning/Revised Budget	Debit	Credit	Revised Budget
678	6382	436	66.14	EC1315	CAPITAL OUTLAY/VEHICLE	\$ 130,000	\$ 36,260		\$ 166,260
									\$ -
678	6382				GENERAL DEPRECIATION FUND	\$ 14,125,749		\$ 36,260	\$ 14,089,489
TOTALS						\$14,255,749	\$36,260	\$36,260	\$14,255,749

(Round up all amounts to the nearest hundred dollars)

Justification: Budget Amendment in the amount of \$36,260 for the purpose of funding the purchase of a Water Truck for the Streets and Drainage Department. The amount budgeted for the Water Truck was \$130,000, however, the total purchase amount is \$166,260. Therefore, an amendment in the amount of \$36,260 is required to account for the remaining balance.	Department Head Approval	
	Signature	Date
	Finance Department	
	Signature	Date
	City Manager's approval is necessary for transfers to purchase Capital Outlay.	
	City Manager	
	Signature	Date

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF McALLEN FOR THE FISCAL YEAR 2012/2013 EFFECTIVE OCTOBER 1, 2012, BY PROVIDING FOR AN INCREASE IN EXPENDITURES TO-WIT: \$36,260 FOR THE PURCHASE OF A WATER TRUCK FOR STREETS AND DRAINAGE DEPARTMENT OF PUBLIC WORKS.

WHEREAS, the Board of Commissioners of the City of McAllen pursuant to Chapter 102 of the Local Government Code has heretofore adopted a budget for the City of McAllen for Fiscal Year 2012/2013. Such budget was effective October 1, 2012 and

WHEREAS, the Board of Commissioners of the City of McAllen deems it in the best interest of the City and for municipal purposes to amend the budget heretofore adopted for such fiscal year by providing for unanticipated expenditures which were not known to the governmental body prior to the adoption of the budget but have since become necessary to fund since the effective date of the budget and to also show revenues which were not anticipated by the governing body in the adoption of the 2012/2013 budget but have been received by the governmental body since that date.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The Budget for the City of McAllen for the Fiscal Year 2012/2013 which became effective October 1, 2012 as set out in Ordinance 2012-60 adopted on September 24, 2012 is hereby amended in the following particulars as shown on Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION II: The City Manager as Budget Officer shall provide for the filing of a true copy of this Budget Amendment in the office of the County Clerk, Hidalgo County, Texas.

SECTION III: This Ordinance shall be effective after its passage and execution in accordance with the law.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen Section 2-56. **Publication of ordinances.**

SECTION V: The City Secretary of the City of McAllen is hereby directed not to publish this Ordinance in the Code of Ordinances of the City of McAllen as it is not

amendatory thereof; however, it shall be cited in the appropriate appendix of the Code of Ordinances.

SECTION VI: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this 14th day of January, 2013, at a regular meeting of the Board of Commissioners of the City of McAllen, Texas, at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this day of January, 2013.

CITY OF McALLEN, TEXAS

Richard F. Cortez, Mayor

ATTEST:

Annette Villarreal, City Secretary

Approved as to form:

Kevin D. Pagan, City Attorney

CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 4B </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 01-07-13 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 01-14-13 </u>
OTHER			

1. Agenda Item: Approval of Amendments to Ordinance 2010-33 and Ordinance 2011-30 increasing the scope of work for the Boys and Girls Club – Brand Center project.

2. Party Making Request: M. Piedad Martinez, CD Director

3. Nature of Request: (Brief Overview) Attachments: X Yes No

Approval of the program amendment for Boys and Girls Club of McAllen to increase the scope of work to include design and architectural fees.

4. Policy Implication: None

5. Budgeted: Yes No X N/A

6. Alternate option costs: N/A

7. Routing:

NAME/TITLE	INITIALS	DATE	CONCURRENCE <u> YES/NO </u>
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a) <u>Brent Branham</u> Deputy City Manager	<u> </u>	<u> </u>	<u> </u>
b) <u>M. Piedad Martinez</u> 681-3200 CD Director	<u> MPM </u>	<u> 1/7/13 </u>	<u> Yes </u>

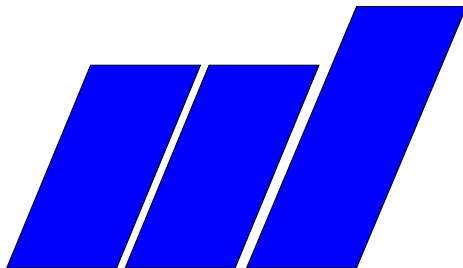
8. Staff Recommendation: Approval of CDBG Amendment

9. Advisory Board: Approved Disapproved X None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

12. Action Taken: Public Hearing held on October 31, 2012



**CITY OF MCALLEN
COMMUNITY DEVELOPMENT DEPARTMENT**

MEMORANDUM

To: Mayor and City Commissioners
From: Olga Gabriel, Community Development Board Chair
Date: January 7, 2013
Subject: CDBG Amendment

Goal – The Community Development Advisory Council (CDAC) respectfully requests approval of the amendments to the FY 2010-2011 and FY 2011-2012 Boys and Girls Club of McAllen contracts, originally awarded via Ordinance 2010-33 and 2011-30.

Explanation – The current FY 2010-2011 (Ordinance 2010-33) and FY 2011-2012 (Ordinance 2011-30) Action Plans awarded funding for construction and energy efficiency improvements to the Boys and Girls Club of McAllen – Brand Center. The proposed program amendment would increase the scope of work to allow for design and building assessments as well as construction and energy efficient improvements to the facility.

Of note, no additional funds will be provided. These amendments would solely increase the scope of work of the Boys and Girls Club contracts.

In accordance with the Citizen Participation process, a public hearing was held soliciting comments on this change to the Boys and Girls Club contracts. No one commented on these amendments.

Options – Acceptance, rejection or modification of the amendment.

Recommendation – Staff recommends acceptance of the program amendment.

Should you have any questions, please advise.

Thank you,
OG:MPM/ymb

AN ORDINANCE ADOPTING THE REGIONAL CONSOLIDATED PLAN AND STRATEGY AND APPLICATION AND BUDGET FOR HUD ENTITLEMENT FUNDS TO BE RECEIVED BY THE CITY OF McALLEN UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED; ESTABLISHING AN ANNUAL BUDGET PERIOD OF OCTOBER 1, 2010 TO SEPTEMBER 30, 2011; AUTHORIZING THE IMPLEMENTATION OF THE THIRTY-SIXTH YEAR PROGRAM; AMENDED MAY 14, 2012; PROVIDING FOR THE PUBLICATION OF THE ORDINANCE AND SEVERABILITY OF SECTIONS AND AUTHORIZING THE MAYOR TO PERFORM ALL ACTIONS NECESSARY TO IMPLEMENT THE PROGRAM.

WHEREAS, the City of McAllen is an entitlement City under the provisions of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, during the thirty-sixth year of such entitlement, the City of McAllen will have available for the benefit of its citizens, primarily low income citizens, \$2,617,012.20; and

WHEREAS, the Community Development Council, as established by the City Commission of the City of McAllen, held public hearings in regard to the proposed use of Community Development Block Grant and HOME Investment Partnership Program funds and recommended that the budget be approved and adopted; and

WHEREAS, the City of McAllen has completed its Thirty-sixth Year Community Development Block Grant Application and regional Consolidated Plan and Strategy, a copy of which is on file at the office of the City Secretary of the City of McAllen, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The Thirty-sixth Year Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Fund Budget for Fiscal Year 2010-2011 is hereby adopted in the following particulars:

- **Affordable Homes of South Texas, Inc. - Helping Hands Grants** **\$200,000**
Funds will be used for principle reduction grants to qualified families
- **Affordable Homes of South Texas , Inc. – Homebuyer Education** **\$7,500**
Funds will be used for the salary of the homebuyer counselor

▪ Affordable Homes of South Texas, Inc. – New Way Home	\$10,000
Funds will be used as an individual development account (IDA) match	
▪ Affordable Homes of South Texas , Inc. – New Beginnings Program	\$250,000
Funds will be used for the rehabilitation or reconstruction of homes	
• Increased award by \$100,000 5/14/12	
▪ Affordable Homes of South Texas , Inc. – Scattered Site Construction	\$100,000
Funds will be used for the construction of homes in eligible locations	
• Decreased award by \$100,000 5/14/12	
▪ Amigos Del Valle, Inc.	\$15,000
Funds will be used to provide hot meals to homebound senior citizens	
▪ Boys and Girls Club on McAllen- Brand Center	\$123,000
Funds will be used for improvements to the Brand Center facility	
<i>Increase scope of work to include design services/assessments (no funding change)</i>	
▪ Boys and Girls Club on McAllen- Scholarship Program	\$10,000
Funds will be used for membership and program dues	
▪ Children’s Advocacy of Hidalgo County	\$12,000
Funds will be used for salaries to provide services to victims of child abuse	
▪ Comfort House Services, Inc.	\$34,000
Funds will be used for salaries of caregivers who provide palliative care	
▪ Community HOPE Projects, Inc.	\$16,000
Funds will be used for lab testing, medicine, case management & diabetic supplies	
▪ Court Appointed Special Advocates (CASA)	\$5,000
Funds will be used for the salary of the Case Manager and mileage	
▪ Dentists Who Care, Inc.	\$20,000
Funds will be used for dental services and care	
▪ Easter Seals – Rio Grande Valley	\$12,500
Funds will be used for physical, occupational, and speech therapy services	
▪ Engineering Dept. – Kendlewood Ave. Drainage Improvements: Design	\$18,000
Funds will design a storm sewer line along Kendlewood between 19 th and 22½ nd	
▪ Engineering Dept. – 21st Street Storm Sewer Improvements: Phase III	\$428,443.77
Funds will construct a storm sewer line along 21 st St. from Austin to Galveston	
• Increased award by \$78,443.77 5/14/12	
▪ First United Methodist Church (“In His Steps” Shoe Bank of McAllen)	\$10,000
Funds will be used for the purchase of shoes for school-aged children	
▪ Girl Scouts of Greater South Texas	\$5,000
Funds will be used for dues, badges/patches, books/supplies and salaries	
▪ LRGV Community Health Management Corp., Inc. – El Milagro Clinic	\$10,000
Funds will be used to provide laboratory services	
▪ LRGVDC – Area Agency on Aging	\$7,500
Funds will be used for medication and hearing aid assistance for the elderly	
▪ LRGVDC – Foster Grandparent Program	\$5,000
Funds will be used for stipends of elderly participants who mentor children	
▪ McAllen Food Pantry	\$40,000
Funds will be used for purchase of food to be distributed via 5 pantries	
▪ McAllen Literacy Center	\$8,000
Funds will be used for staff costs, books and program supplies	
▪ McAllen Youth Soccer Association	\$8,000
Funds will be used for membership dues	

▪ Palmer Drug Abuse Program	\$5,000
Funds will be used for counselors' salaries	
▪ Parks and Recreation Department – Roosevelt Elem. City/School Improvements	\$70,000
Funds will be used for parks improvements at the Roosevelt Elementary campus	
▪ Public Utilities – Phase 2F: South-Central Sanitary Sewer	\$200,000
Funds will construct sanitary sewer along Beaumont between Bicentennial & 23 rd	
▪ Senior Communities Outreach Services, Inc.	\$9,500
Funds will reimburse stipends to the elderly who provide companionship	
▪ The Salvation Army	\$15,000
Funds will be used for homeless prevention, food, bus tickets, and work clothes	
▪ Vannie E. Cook, Jr. Cancer Foundation, Inc.	\$20,000
Funds will be used for services to children with cancer or other blood diseases	
▪ Women Together Foundation, Inc. – Emergency Shelter Facility	\$15,000
Funds will be used for replacement of the roof at the Emergency Shelter	
▪ Women Together Foundation, Inc. – Satellite Office	\$6,000
Funds will be used for replacement of the air conditioning/heating at the satellite office	
▪ Women Together Foundation, Inc. – Transitional Housing Services	\$5,000
Funds will be used for the Transitional Housing Coordinator and Caseworker	
▪ Community Development Administration	\$330,705.20
Funds will be used for program administration	
▪ Affordable Homes of South Texas, Inc. – HOME PROGRAM	\$664,307
Funds will be used for the construction of homes throughout the City	
TOTAL	\$2,617,012.20
REVISED	\$2,695,455.97

And, in compliance with the Community Housing Development Organization (CHDO) and Community Based Development Organization (CBDO) Agreements, CHDO and CBDO Proceeds, as defined by the U.S. Department of Housing and Urban Development, received during the program year will remain with Affordable Homes of South Texas, Inc. and are subject to City approval prior to expenditure.

SECTION II: The Thirty-sixth Year Community Development Block Grant Application of the City of McAllen and regional Consolidated Plan and Strategy have been considered, are hereby approved and shall be submitted to the U. S. Department of Housing and Urban Development, upon execution by the Mayor of the City of McAllen, Texas. The Mayor is hereby authorized to sign the contracts with HUD, contracts resulting from HUD funding, as well as perform all other actions necessary to implement this program.

SECTION III: This ordinance shall not be published in the Code of Ordinances of the City of McAllen, Texas, as it is not amendatory thereof.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and directed to publish the caption of this ordinance in a newspaper of general circulation in the

City of McAllen in accordance with The Code of Ordinance of the City of McAllen, Section 2-56. Publication of ordinances.

SECTION V: This ordinance shall become effective upon its passage and publication in accordance with the law.

SECTION VI: Should any part or parts of this ordinance be held invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining portions thereof and such remaining parts shall remain in full force and effect and to that extent that section is considered severable.

CONSIDERED, PASSED and APPROVED this 14th day of January 2013, at a Regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this _____ day of _____, 2013.

CITY OF McALLEN

By: _____
Richard F. Cortez, Mayor

ATTEST

By: _____
Annette Villarreal, City Secretary

APPROVED AS TO FORM:

Kevin Pagan, City Attorney

AN ORDINANCE ADOPTING THE APPLICATION AND BUDGET FOR HUD ENTITLEMENT FUNDS TO BE RECEIVED BY THE CITY OF McALLEN UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED; ESTABLISHING AN ANNUAL BUDGET PERIOD OF OCTOBER 1, 2011 TO SEPTEMBER 30, 2012; AUTHORIZING THE IMPLEMENTATION OF THE THIRTY-SEVENTH YEAR PROGRAM; AMENDED MAY 14, 2012; PROVIDING FOR THE PUBLICATION OF THE ORDINANCE AND SEVERABILITY OF SECTIONS AND AUTHORIZING THE MAYOR TO PERFORM ALL ACTIONS NECESSARY TO IMPLEMENT THE PROGRAM.

WHEREAS, the City of McAllen is an entitlement City under the provisions of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, during the thirty-seventh year of such entitlement, the City of McAllen will have available for the benefit of its citizens, primarily low income citizens, \$2,304,080.52; and

WHEREAS, the Community Development Council, as established by the City Commission of the City of McAllen, held public hearings in regard to the proposed use of Community Development Block Grant and HOME Investment Partnership Program funds and recommended that the budget be approved and adopted; and

WHEREAS, the City of McAllen has completed its Thirty-seventh Year Community Development Block Grant Application, a copy of which is on file at the office of the City Secretary of the City of McAllen, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, TEXAS, THAT:

SECTION I: The Thirty-seventh Year Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Fund Budget for Fiscal Year 2011-2012 is hereby adopted in the following particulars:

- **Affordable Homes of South Texas, Inc. - Helping Hands Grants** **\$200,000**
Funds will be used for principle reduction grants to qualified families
- **Affordable Homes of South Texas , Inc. – New Beginnings Program** **\$250,000**
Funds will be used for the rehabilitation or reconstruction of homes
 - Increased award by \$100,000 5/14/12

Affordable Homes of South Texas, Inc. – Scattered Site Construction	\$100,000
Funds will be used for the construction of homes in eligible locations	
• Deleted project and award 5/14/12	
Amigos Del Valle, Inc.	\$15,000
Funds will be used to provide hot meals to homebound senior citizens	
Boys and Girls Club on McAllen- Brand Center	\$77,000
Funds will be used for improvements to the Brand Center facility	
Increase scope of work to include design services/assessment (no funding change)	
Boys and Girls Club on McAllen- Scholarship Program	\$10,000
Funds will be used for membership and program dues	
C.A.M.P. University	\$3,000
Funds will reimburse the salaries of persons who supervise special needs persons	
Children’s Advocacy of Hidalgo County	\$5,000
Funds will be used for salaries to provide services to victims of child abuse	
Comfort House Services, Inc.	\$35,000
Funds will be used for salaries of caregivers who provide palliative care	
Community HOPE Projects, Inc.	\$10,000
Funds will be used for lab testing, medicine, case management & diabetic supplies	
Court Appointed Special Advocates (CASA)	\$3,400
Funds will be used for the salary of the Case Manager	
Dentists Who Care, Inc.	\$17,800
Funds will be used for dental services and care	
Easter Seals – Rio Grande Valley	\$10,000
Funds will be used for physical, occupational, and speech therapy services	
Engineering Dept. – Drainage Improvements: Judith at S. 33rd	\$165,807
Funds will design and construct a storm sewer along Judith Ave.	
Engineering Dept. – Drainage Improvements: 2200 Block of Gumwood	\$39,186
Funds will design/construct a storm sewer line between Fir, Gumwood, 22 nd & 23 rd	
Engineering Dept. – Single Machine Resurfacing: 21st St.	\$28,629.59
Funds will resurface the streets along 21 st between Pecan and Kendlewood	
• Reduced award by \$27,575.41 5/14/12	
Engineering Dept. – Single Machine Resurfacing: Maple St.	\$43,447.64
Funds will resurface Maple St. from 19 th to 22½ th Streets	
• Reduced award by \$50,868.36 5/14/12	
First United Methodist Church (“In His Steps” Shoe Bank of McAllen)	\$10,000
Funds will be used for the purchase of shoes for school-aged children	
Girl Scouts of Greater South Texas	\$4,800
Funds will be used for dues, badges/patches, books/supplies and salaries	
LRGVDC – Area Agency on Aging	\$6,000
Funds will be used for medication and hearing aid assistance for the elderly	
LRGVDC – Foster Grandparent Program	\$4,000
Funds will be used for stipends of elderly participants who mentor children	
McAllen Food Pantry	\$38,000
Funds will be used for purchase of food to be distributed via local pantries	
McAllen Public Utilities – Phase 1G: Kennedy Circle Sewer Yardline	\$30,000
Funds will be used to construct a sewer line along Kennedy Circle and Jackson	
McAllen Public Utilities – Phase A: Water/Sewer Imp. Colonia Hermosa	\$214,486
Funds will construct a sewer line between Jordan, El Rancho, 20 th and 23 rd	

▪ McAllen Youth Soccer Association	\$2,000
Funds will be used for membership dues	
▪ Parks and Recreation Department – Uvalde St. Practice Fields	\$85,000
Funds will be used for parking, fence, fountains, picnic units, trees & restrooms	
▪ Senior Communities Outreach Services, Inc.	\$5,000
Funds will reimburse stipends to the elderly who provide companionship	
▪ Silver Ribbon Community Partners	\$5,000
Funds will pay for homeless prevention, medication, eyeglasses, DME & salaries	
▪ The Salvation Army	\$6,000
Funds will be used for food, bus tickets, and work clothes	
▪ Vannie E. Cook, Jr. Cancer Foundation, Inc.	\$10,000
Funds will be used for services to children with cancer or other blood diseases	
▪ Women Together Foundation, Inc.	\$15,000
Funds will be used for the Transitional Housing Coordinator and Caseworker	
▪ Community Development Administration – CDBG PROGRAM	\$291,287.52
Funds will be used for program administration	
▪ Affordable Homes of South Texas, Inc. – HOME PROGRAM	\$530,000
Funds will be used for the construction of homes throughout the City	
▪ Community Development Administration – HOME PROGRAM	\$55,793
Funds will be used for program administration	
	TOTAL \$2,304,080.52
	REVISED \$2,225,636.75

And, in compliance with the Community Housing Development Organization (CHDO) and Community Based Development Organization (CBDO) Agreements, CHDO and CBDO Proceeds, as defined by the U.S. Department of Housing and Urban Development, received during the program year will remain with Affordable Homes of South Texas, Inc. and are subject to City approval prior to expenditure.

SECTION II: The Thirty-seventh Year Community Development Block Grant and HOME Investment Partnership Program Application of the City of McAllen has been considered, is hereby approved and shall be submitted to the U. S. Department of Housing and Urban Development, upon execution by the Mayor of the City of McAllen, Texas. The Mayor is hereby authorized to sign the contracts with HUD, contracts resulting from HUD funding, as well as perform all other actions necessary to implement this program.

SECTION III: This ordinance shall not be published in the Code of Ordinances of the City of McAllen, Texas, as it is not amendatory thereof.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and directed to publish the caption of this ordinance in a newspaper of general circulation in the City of McAllen in accordance with The Code of Ordinance of the City of McAllen, Section

2-56. Publication of ordinances.

SECTION V: This ordinance shall become effective upon its passage and publication in accordance with the law.

SECTION VI: Should any part or parts of this ordinance be held invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining portions thereof and such remaining parts shall remain in full force and effect and to that extent that section is considered severable.

CONSIDERED, PASSED and APPROVED this 14th day of January 2013, at a Regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this _____ day of _____, 2013.

CITY OF McALLEN

By: _____
Richard F. Cortez, Mayor

ATTEST

By: _____
Annette Villarreal, City Secretary

APPROVED AS TO FORM:

Kevin Pagan, City Attorney

**CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 5A
DATE SUBMITTED 01/07/13
MEETING DATE 01/14/13

1. **Agenda Item:** Variance Request – Bentsen Industrial Subdivision

2. **Party Making Request:** Mario Salinas, P.E.

3. **Nature of Request: (Brief Overview) Attachments:** X Yes No

Variance request to allow Lot 3 to develop without frontage on a street.

4. **Policy Implication:** Section 134-1 of the Subdivision Ordinance

5. **Budgeted:** Yes No X N/A

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____

If over budget how will it be paid for: _____

6. **Alternate option/costs:** _____

7. **Routing:**

	NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)	<u>Julianne R. Rankin,</u> <u>Planning Director</u>	<u>JRR</u>	<u>1/8/13</u>	<u>Yes</u>
b)	_____	_____	_____	_____

8. **Staff's Recommendation:** Staff recommended approval based on the fact that a similar request was approved to allow Lot 2 to develop without frontage on a street. Lot 2 is for the purpose of drainage detention.

9. **Advisory Board:** X **Approved** **Disapproved** **None**

The Planning and Zoning Commission considered the requested variance at their meeting of December 18, 2012. Being no discussion, the board unanimously voted to approve the subdivision in revised preliminary/final form with favorable recommendation to allow Lot 3 to develop without frontage on a street; a 40 ft. wide access easement is proposed. There were six members present and voting.

10. **City Attorney:** KP **Approved** **Disapproved** **None**

11. **Manager's Recommendation:** MRP **Approved** **Disapproved** **None**

Memo

TO: Mike R. Perez, City Manager

FROM: Leonel Garza, III, Chairman, Planning and Zoning Commission

DATE: January 3, 2013

SUBJECT: BENTSEN INDUSTRIAL SUBDIVISION – VARIANCE REQUEST TO ALLOW LOT 3 TO DEVELOP WITHOUT FRONTAGE ON A STREET; 7301 SOUTH BENTSEN ROAD.

GOAL:

The goal for developments is to: 1) safeguard the character of neighborhoods and improve the quality of life, and 2) encourage the development of transportation facilities that efficiently move people and goods.

BRIEF DESCRIPTION:

Bentsen Industrial Subdivision is now a three-lot subdivision consisting of 24.92 acres and is located on the east side of S. Bentsen Road, approximately ½ mile south of Military Highway (F.M. 1016). Lot 1 was annexed and zoned I-2 (heavy industrial) District by the City Commission on October 22, 2012. The balance of the property, Lots 2 & 3 are also zoned I-2 District. The adjacent zoning is I-2 to the north and east, I-1 (light industrial) District to the west, and the property to the east and south of Lot 1 is located outside city limits.

Mr. Mario Salinas, P.E., has since revised the subdivision layout, which now consists of three lots. The proposed subdivision shows one of the three lots (Lot 1) fronting on S. Bentsen Road. On November 12, 2012, the City Commission granted a variance to allow Lot 2 to develop without frontage on a street based on the indication that Lot 2 is for the purpose of drainage detention only. A 40 ft. wide private access easement is also being dedicated as part of the subdivision to provide for access onto S. Bentsen Road for Lot 2.

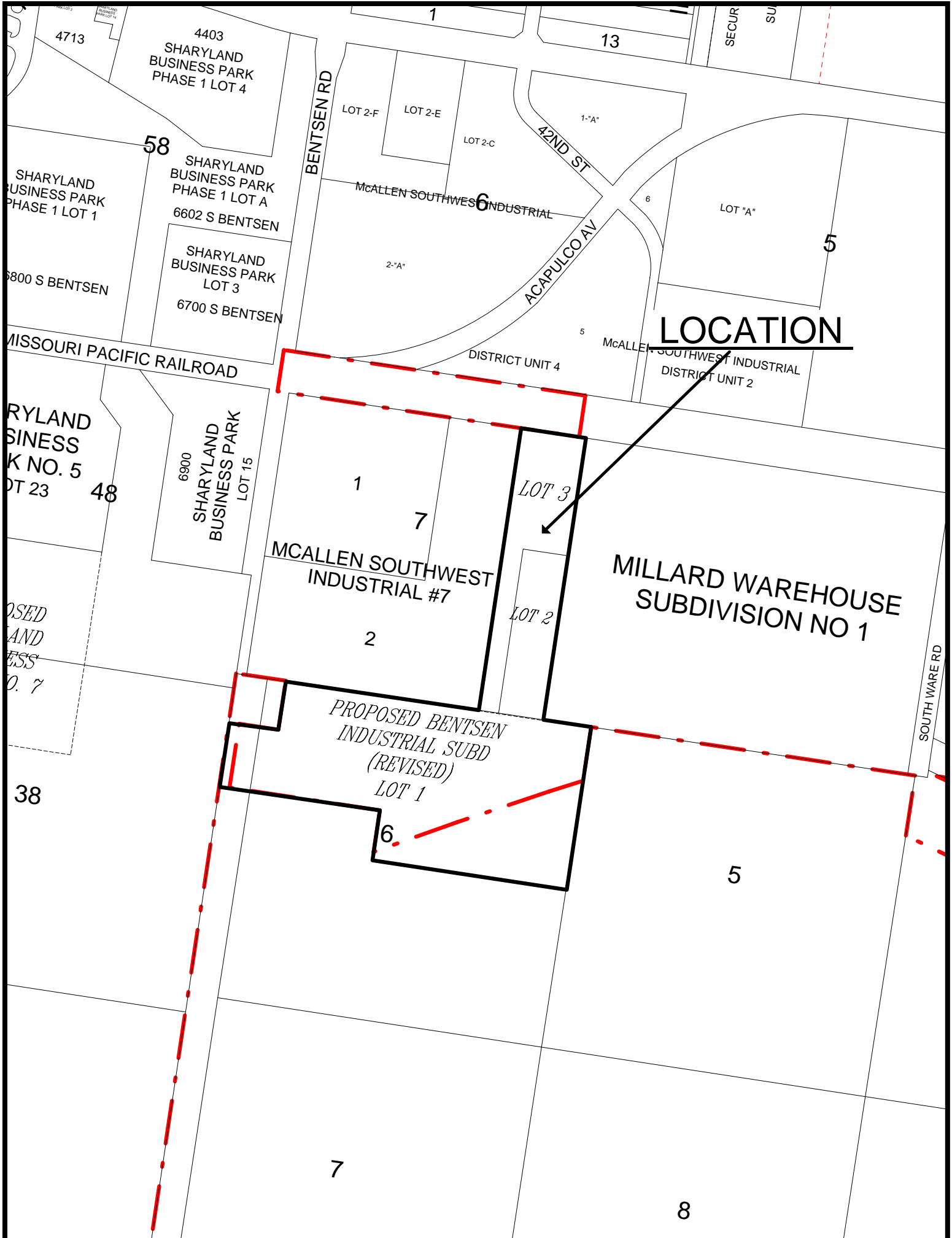
On behalf of the developer, the project engineer is now requesting a similar variance to also allow Lot 3, which is proposed to be developed to front the proposed 40 ft. wide private access easement in lieu of a street. Specifically, the variance is from Section 134-1 of the Subdivision Ordinance which defines a lot as having frontage on a street.

OPTIONS:

1. Approve the variance request allowing Lot 3 to front the proposed 40 ft. wide private access easement and not a street.
2. Table the item for additional information.
3. Disapprove the variance request.

RECOMMENDATION:

The subdivision was considered in revised preliminary/final form by the Planning and Zoning Commission at their meeting of December 18, 2012. The project engineer was present at the meeting. Being no discussion, the board unanimously voted to approve the subdivision in revised preliminary/final form with a favorable recommendation to allow Lot 3 to develop without frontage on a street. There were six members present and voting.



4403 SHARYLAND BUSINESS PARK PHASE 1 LOT 4

58 SHARYLAND BUSINESS PARK PHASE 1 LOT A
6602 S BENTSEN

SHARYLAND BUSINESS PARK LOT 3
6700 S BENTSEN

BENTSEN RD

LOT 2-F LOT 2-E
LOT 2-C

42ND ST

MCCALLEN SOUTHWEST INDUSTRIAL

LOCATION

DISTRICT UNIT 4

MCCALLEN SOUTHWEST INDUSTRIAL DISTRICT UNIT 2

MISSOURI PACIFIC RAILROAD

SHARYLAND BUSINESS PARK NO. 5 LOT 23

6900 SHARYLAND BUSINESS PARK LOT 15

MCCALLEN SOUTHWEST INDUSTRIAL #7

LOT 3

MILLARD WAREHOUSE SUBDIVISION NO 1

LOT 2

PROPOSED BENTSEN INDUSTRIAL SUBD (REVISED) LOT 1

SOUTH WARE RD

7

8



CITY OF
McALLEN

December 13, 2012

To: Julie Rankin, Director of Planning
RE: Bentsen Industrial Subdivision (Variance Request)

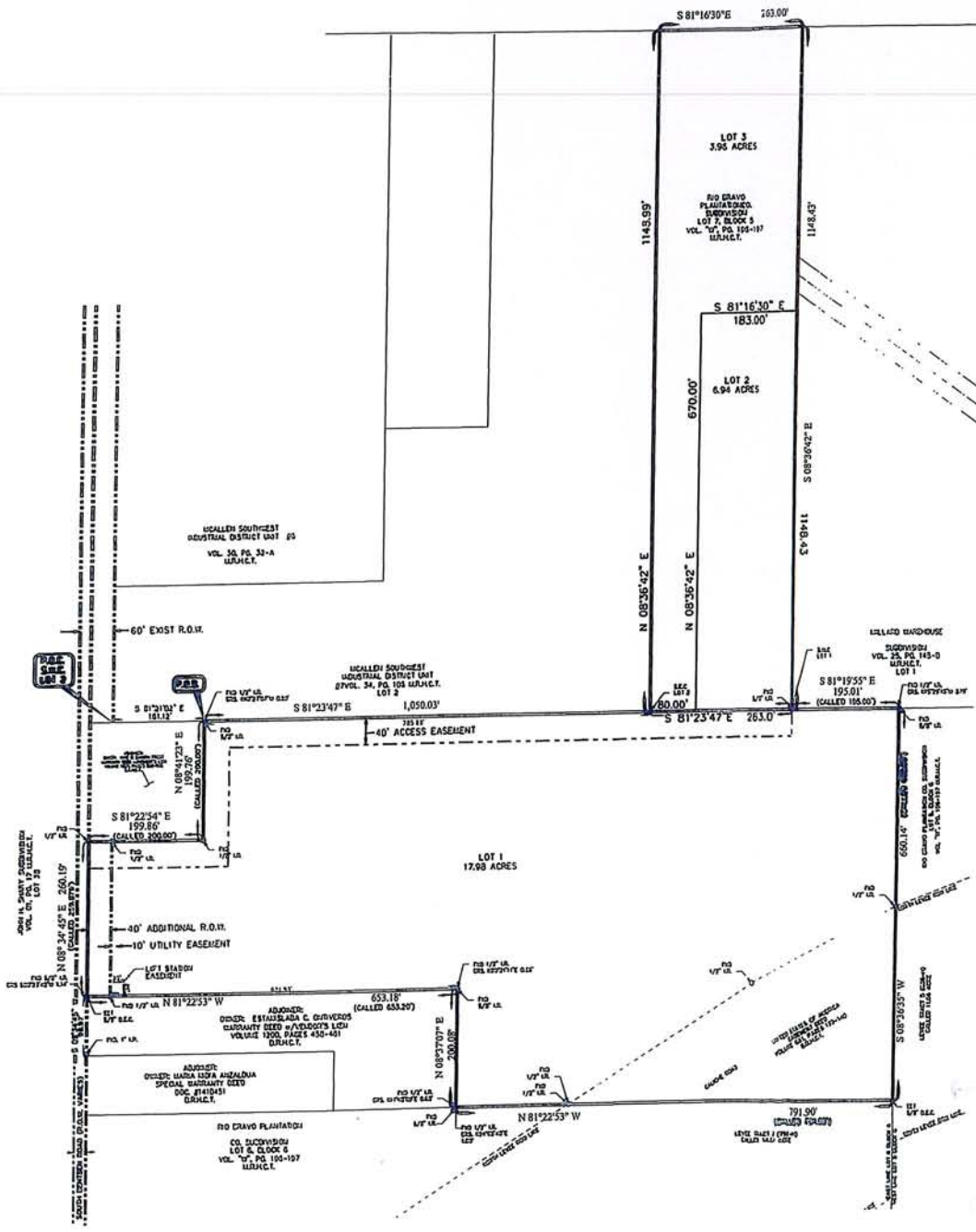
On behalf of the City of McAllen, we are requesting a variance to not front a Public Street on Lot No. 2 and 3; instead we will provide a private access easement.

If you should have any further questions in regards to this matter, please contact us.

Sincerely,

Mario A. Salinas, P.E., C.F.M.
Development Engineer

8/13/2012



DEC 13 2012
 kg@3:45pm

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES.



**BENTSEN INDUSTRIAL
 SUBDIVISION
 PLAT DRAWING**

NOT FOR CONSTRUCTION
 RELEASED FOR INTERIM
 REVIEW ONLY
 CITY OF McALLEN
 ENGINEERING DEPARTMENT
 ENGINEER: MARIO A. SALINAS
 ENGINEERS NAME, P.E.
 TEXAS LICENSE NO. 96611

SCALE:	HORZ: 200'
	VERT: 200'
DATE:	8/14/2012
REVISIONS	
1.	
2.	
3.	
SHEET NO.	1 OF 1

DATE: 8/14/2012

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD
PLANNING & ZONING BOARD
OTHER

AGENDA ITEM 5B
DATE SUBMITTED 1/2/13
MEETING DATE 1/14/13

1. Agenda Item: Sign Variance

2. Party Making Request: Miguel Ramirez

3. Nature of Request: (Brief Overview) Attachments: X Yes No

Variance request of Miguel Ramirez, to allow a freestanding sign to exceed the 300 square foot maximum and allow off-premise advertising, at Lot 1, Ginther Estates Subdivision, 5025 Expressway 83.

4. Policy Implication: Sign Ordinance, Section 130-110(2) and Section 130-82(6)

5. Budgeted: Yes No N/A

Bid Amount:	<u> </u>	Budgeted Amount:	<u> </u>
Under Budget:	<u> </u>	Over Budget:	<u> </u>
		Amount Remaining:	<u> </u>

6. Alternate option costs: _____

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE <u>YES/NO</u>
a) <u>Julianne R. Rankin</u> Director of Planning	<u>JRR</u>	<u>1/8/13</u>	<u>No</u>
b) _____	<u> </u>	<u> </u>	<u> </u>

8. Staff's Recommendation: Disapproval of variance request due to non-compliance with Section 130-110(2) and Section 130-82(6) of the Sign Ordinance.

9. Advisory Board: Approved Disapproved None
_____.

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

Yes to off premise but cannot do progressive advertising – (3)

Memo

TO: Mike Perez, City Manager
FROM: Julianne Rankin, Planning Director
DATE: January 2, 2013
SUBJECT: SIGN VARIANCE – LOT 1, GINTHER ESTATES SUBDIVISION; 5025 EXPRESSWAY 83.

GOAL:

The intent of the Sign Ordinance is the following: 1) to enhance economic value by avoiding visual clutter, 2) to promote safety of persons and property by providing that signs do not create a hazard, 3) to reduce confusion and distraction to motorist and enhance motorist's ability to see pedestrians, obstacles, vehicles and traffic signs, 4) to enhance city impression to tourists and visitors, 5) to protect adjacent properties from the impact of lighting, size, height, and location of signs, and 6) to preserve, protect, and enhance areas of historic, architectural, scenic and aesthetic value. Section 130-3 Scope, Chapter 130 Signs, McAllen Code of Ordinance

PROPOSAL:

The property is located on the southeast corner of U.S. Expressway 83 and Taylor Road. The lot has 322.69 feet of frontage along U.S. Expressway 83. This property and the surrounding area to the north, east, and west is zoned C-3 (general business) District. The land to the south is zoned I-1 (light industrial) District. Surrounding land uses include commercial uses and vacant property. An existing multi-tenant building is constructed on the property.

The applicant is proposing to construct one 317.56 free-standing sign on the one lot Ginther Estates Subdivision. This sign will advertise businesses on this lot as well as the businesses located on Lots 1 thru 4 of Shary Gateway Subdivision, which is located approximately 200 feet to the east of Ginther Estates Subdivision. The proposal to advertise businesses on this lot and also in a different subdivision/development would make this an "off-premise" signs. Some of the advertising would be in a "sequential" manner.

The applicant has submitted a variance request to allow for the square footage of the sign to be 317.52 square feet and to allow for off premise advertising. Specifically, the variance involving the square feet, is from Section 130-110(2) of the Sign Ordinance which limits the maximum square feet for free standing sign to 300 square feet. The second variance to allow for an off premise sign is from Section 130-82(6) of the Sign Ordinance which classifies off premise signs as a prohibited sign.

The vacant land between the Shary Gateway Subdivision and the Ginther Estates Subdivision is not owned by the applicant and therefore is not part of the development. Future development of the vacant land could result in a request for another freestanding sign.

SUMMARY:

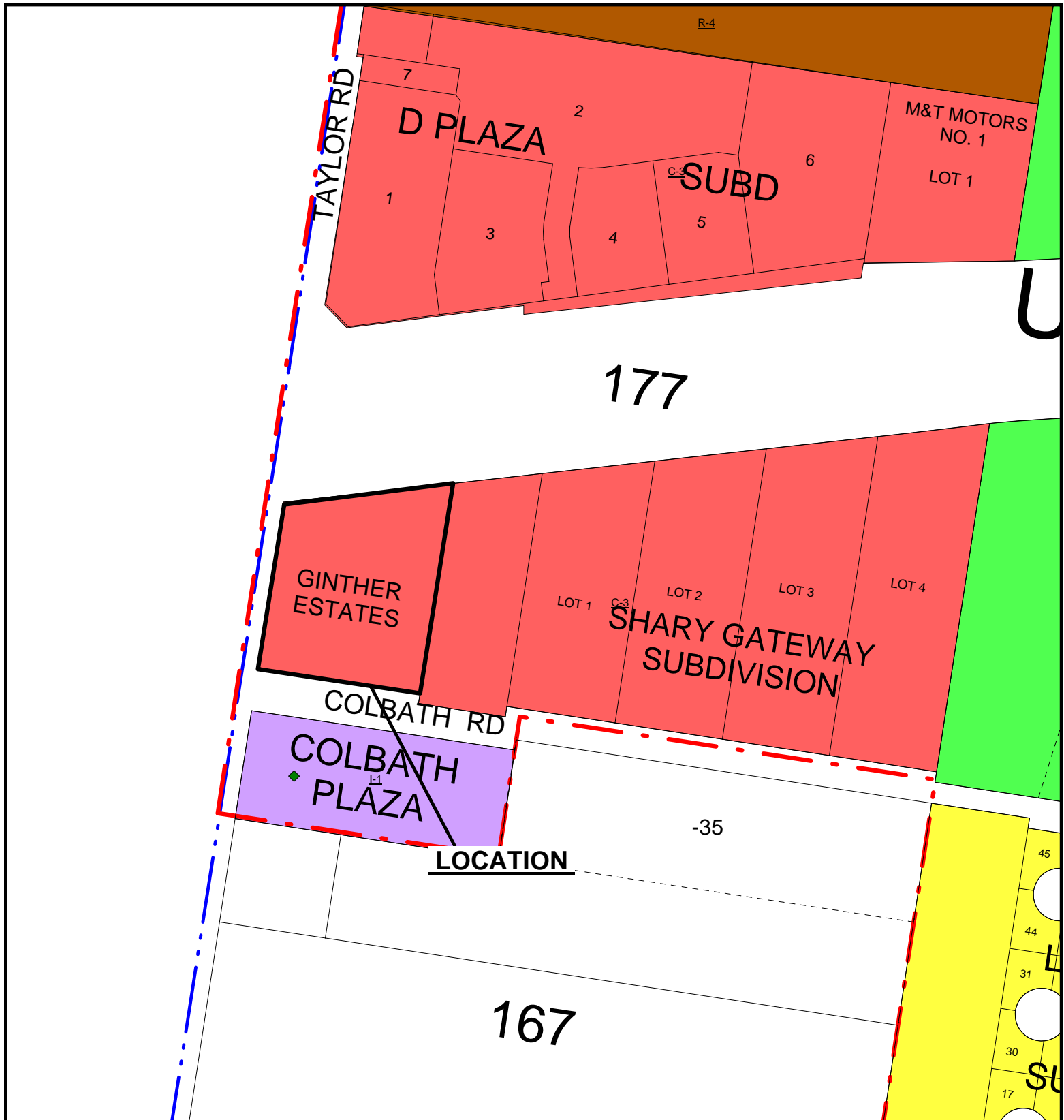
- The request is to allow one free-standing sign on the property with the potential to advertise businesses in another subdivision/development, thus making it an off premise sign.
- The request is to allow one sign to exceed the maximum 300 square feet of sign area.
- The request does not comply with the current code.

OPTIONS:

- 1) Disapprove variance request.
- 2) Table the request for further information.
- 3) Approve the variance as requested subject to off premise advertising limited to development located on Lots 2 and 4 of Shary Gateway Subdivision and no sequential messaging.
- 4) Approve off premise advertising specific to this development subject to maximum square footage and no sequential messaging.

RECOMMENDATION:

Staff recommends disapproval of the variance request.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

4

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY

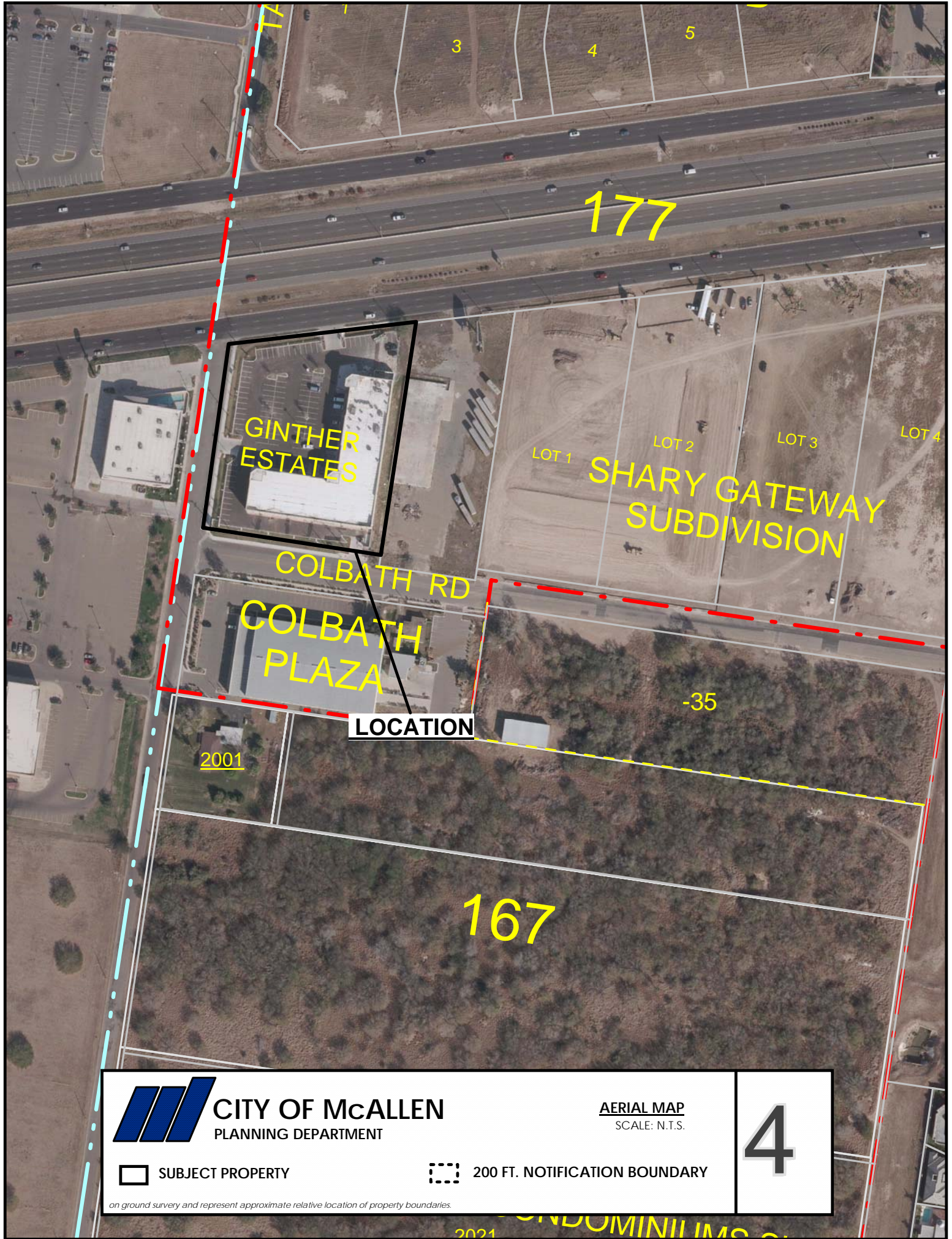
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcallen.net>. Furthermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.



GINTHER
ESTATES

COLBATH RD
COLBATH
PLAZA

LOT 1 LOT 2 LOT 3 LOT 4
SHARY GATEWAY
SUBDIVISION

177

LOCATION

-35

167

2001



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.

4

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY

on ground survey and represent approximate relative location of property boundaries.

2021 CONDOMINIUM...



City of McAllen

Planning Department

APPEAL TO CITY COMMISSION

VARIANCE TO MCALLEN SIGN ORDINANCE

1300 Houston Avenue
 McAllen, TX 78501
 P. O. Box 220
 McAllen, TX 78505-0220
 (956) 681-1250
 (956) 681-1279 (fax)

Project	Legal Description <u>Gintner Estates</u> <u>Lot No 1</u> Subdivision Name <u>Gintner Estate</u> Street Address <u>5025 Ex Way 83 McAllen Tx zip 78501</u> <input checked="" type="checkbox"/> \$200.00 non-refundable filing fee <input checked="" type="checkbox"/> Site plan <input checked="" type="checkbox"/> Elevation plan <input checked="" type="checkbox"/> Sign face dimensions <u>317.56</u> Zone district <u>C3</u> Lot frontage <u>281</u> Sign square feet <u>317</u> Height <u>501</u>
Type	<input checked="" type="checkbox"/> Off - premise signage <input type="checkbox"/> Sign size <input checked="" type="checkbox"/> Sign height <input type="checkbox"/> Number of signs <input type="checkbox"/> Location/within corner clip <input type="checkbox"/> CEVMS <input type="checkbox"/> Other
Applicant	Name <u>Miguel Ramirez</u> Phone <u>956-227-5446</u> Address <u>1800 El Sabinal St.</u> City <u>Mission</u> State <u>TX</u> Zip <u>78572</u>
Owner	Name <u>Facility Industrial</u> Phone <u>956-843-6009</u> Address <u>15025 Ex Way 83</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would restrict signage on the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u>[Signature]</u> Date <u>2/6/2012</u> Print Name <u>Melissa Almendarez</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent
Staff	Accepted by _____ Payment received by _____ Date _____

November 29, 2012

City Of McAllen

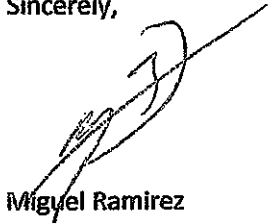
To whom it may concern

We would like to place three LED monument signs for our entire development as depicted in annexed "A". The LED signs comply with the city ordinance in demission (296.10 sq.ft), location, height, and placement. Two signs are located in phase two of the development and one is located in phase one. Phase one is separated from phase two by a piece of property that as of today is not owned by us. The separation is of approximately 100 ft, you can see this in exhibit "A". We would like for the city to approve the following:

1.- That phase one and phase two be considered as one development for the purpose of being able to place the development's tenant's image in all three LED monument signs.

2.- The LED sign is 296.10 sq.ft. within the acceptable parameters of the city ordinance and we would like to place the name of the plaza in Channel Letters as depicted in exhibit "A". The channel letters would be 21.46 sq.ft. This would make the total 317.56 sq.ft. Including both the LED sign and Channel Letter area. The city ordinance permits a total of 300 sq.ft. and we have 317.56 we would like for the city to approve the 317.56.

Sincerely,



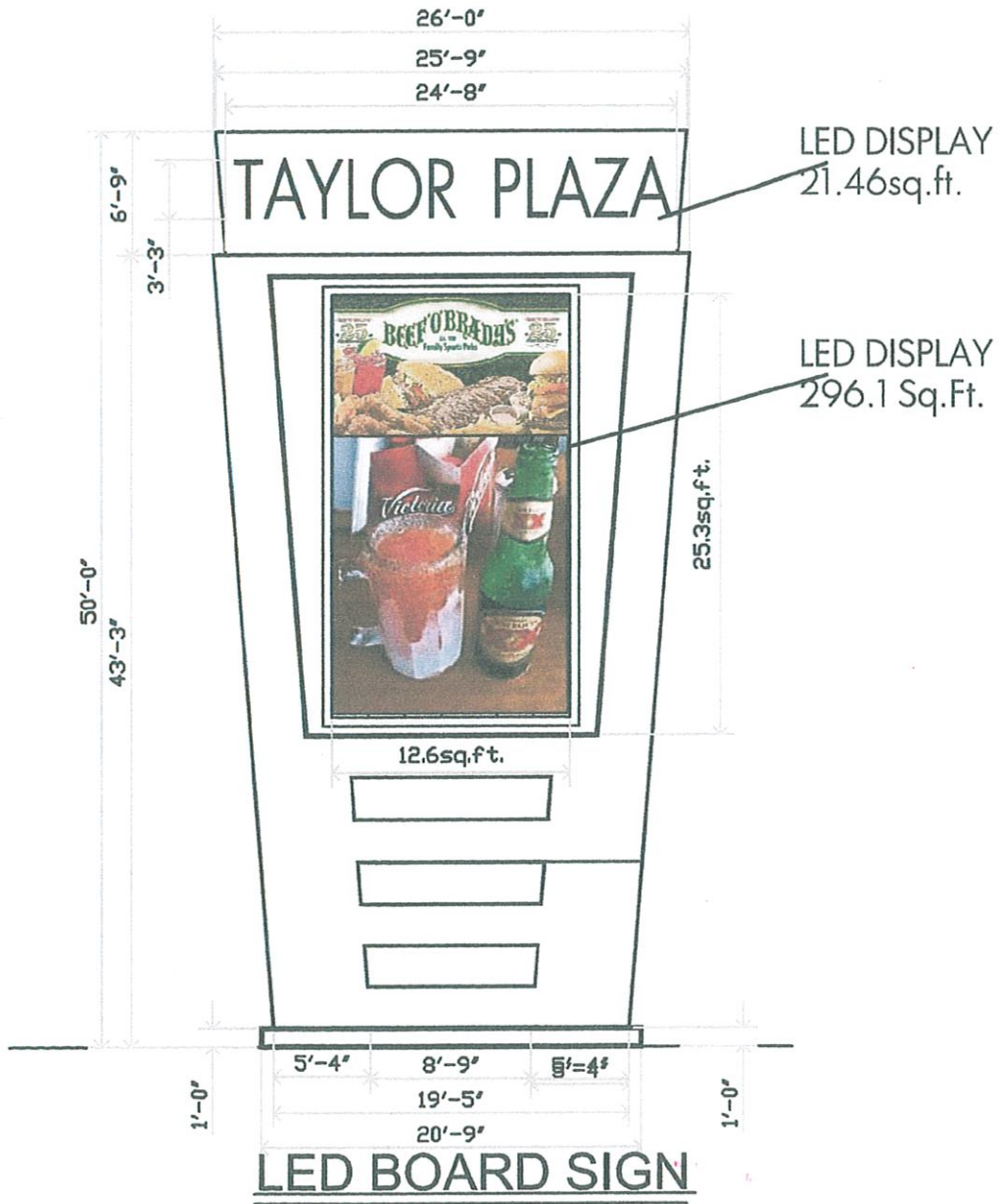
Miguel Ramirez

Ginther Development Group

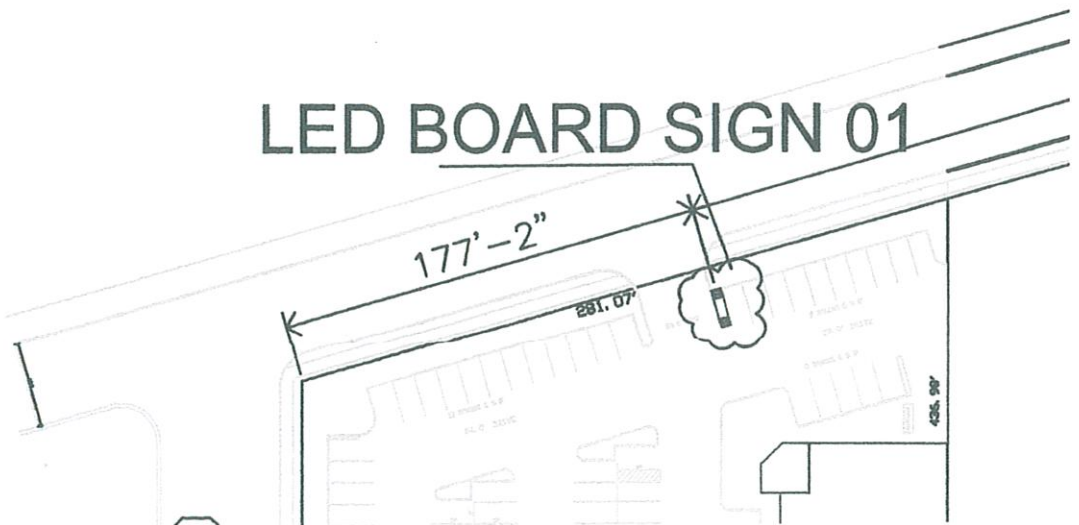
(956) 227-5446

miguel@ginther.com.mx

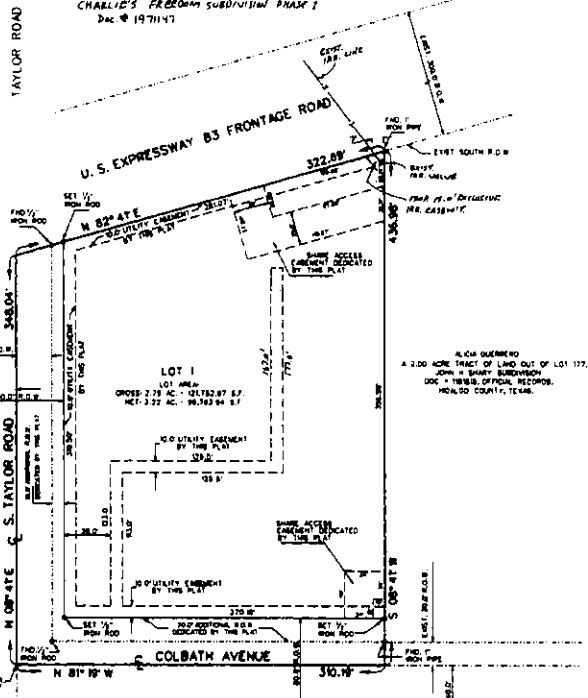
EXHIBIT "A"



LED BOARD SIGN 01



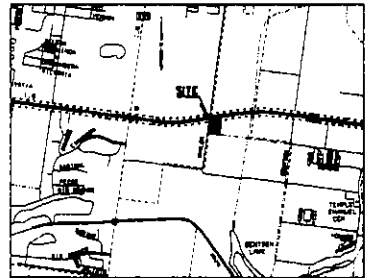
LOT 17B
JOHN H. SHARY SUBDIVISION
VOL. 31 PAGE 17 MAP RECORDS
HIDALGO COUNTY, TEXAS



LOT 1
COLBATH PLAZA SUBDIVISION
VOL. 18 PAGE 8 MAP RECORDS
HIDALGO COUNTY, TEXAS

GENERAL NOTES:

1. MINIMUM BUILDING SETBACK LINES SHALL BE AS FOLLOWS:
 U.S. EXP. B3 382.0 FT.
 GREATER FOR EASEMENTS
 S. TAYLOR ROAD 43.0 FT.
 GREATER FOR EASEMENTS
 COLBATH AVENUE 43.0 FT.
 GREATER THAN 43.0 FT.
 OTHERS - ACCORDING TO ZONING ORDINANCE OR GREATER FOR EASEMENTS.
2. NO STRUCTURE SHALL BE PERMITTED OVER ANY EASEMENT.
3. MINIMUM FINISH FLOOR ELEVATION TO BE 18" ABOVE TOP OF CURB AT CENTER OF THE LOT.
4. FLOOD ZONE "X" AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTH LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE AND ARE PROTECTED BY LEVERS FROM THE BASE FLOOD.
 COMMUNITY FLOOD CONTROL DISTRICT NO. 1
 MAP REVISED NOVEMBER 9, 1982
5. ALL LOT CORNERS MARKED WITH NO. 4 NAIL UNLESS OTHERWISE NOTED.
6. BOUNDARY ELEVATION SHALL BE LOCATED ON THE SOUTH BOUNDARY OF U.S. EXP. B3 APPROXIMATELY 300 FEET EAST OF TAYLOR ROAD AND 16 FEET NORTH FROM THE END OF A CROWN FOUND 30" ALUMINUM PIPE WITH 3/4" BRASS CAP.
7. 4" CONC. SIDEWALK IS REQUIRED ON U.S. EXP. B3 FRONTAGE ROAD, SOUTH TAYLOR ROAD AND COLBATH AVE.
8. DRAINAGE DETENTION REQUIRED FOR THIS PROPERTY IS 3.75 ACFT.
9. AN ENGINEERED DETENTION PLAN APPROVED BY THE ENGINEERING DEPARTMENT IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
10. A 6.0 DBY (DRY WEIGHT) REQUIRED FROM ADJACENT FIFTEEN MULTIFAMILY, RESIDENTIAL AND COMMERCIAL OR INDUSTRIAL CONSIDERABLE (1) BARRIERS SHALL BE REQUIRED BETWEEN SINGLE FAMILY RESIDENTIAL AND COMMERCIAL, INDUSTRIAL OR MULTIFAMILY RESIDENTIAL ZONING USES.
11. SIGNAGE WILL BE REQUIRED AT THE TIME OF CONSTRUCTION.
12. SIGNAGE ENTRANCE PERMIT IS REQUIRED PRIOR TO THE CONSTRUCTION OF A DRIVEWAY/ENTRANCE ON TOL'S EXPRESSWAY B3 FRONTAGE ROAD PRIOR TO THE CITY ISSUING A BUILDING PERMIT.
13. LOT OWNER SHALL MAINTAIN THE GREEN AREAS ALONG U.S. EXP. B3 FRONTAGE ROAD, S. TAYLOR ROAD AND COLBATH AVENUE.
14. 25 FT. 18" BENT DETENTION EASEMENTS REQUIRED AT ALL STREET INTERSECTIONS.



LOCATION MAP

GINTHER ESTATES

A 2.79 ACRE TRACT OF LAND OUT OF LOT 177, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS.

METES AND BOUNDS

A 2.79 ACRE TRACT OF LAND OUT OF LOT 177, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME 1, PAGE 17, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINES OF TAYLOR ROAD AND W. COLBATH AVENUE FOR THE SOUTHWEST CORNER OF LOT 177 AND THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N 08°45'E, ALONG THE WEST LINE OF LOT 177 AND THE CENTERLINE OF S. TAYLOR ROAD, A DISTANCE OF 348.04 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF U.S. EXPRESSWAY B3 FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 82°47'E, ALONG THE SOUTH R.O.W. LINE OF U.S. EXPRESSWAY B3, FINISHING AT 3131 FEET A 1/4" IRON ROD FOUND FOR THE EAST R.O.W. LINE OF S. TAYLOR ROAD, A TOTAL DISTANCE OF 333.89 FEET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 01°15' P. PASSING A 1" IRON PIPE FOUND AT 298.80 FEET FOR THE NORTH R.O.W. LINE OF COLBATH AVENUE, A TOTAL DISTANCE OF 436.88 FEET TO A POINT ON THE SOUTH LINE OF LOT 177 AND IN THE CENTERLINE OF COLBATH AVENUE FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE S 81°29' W, ALONG THE SOUTH LINE OF LOT 177 AND WITH THE CENTERLINE OF COLBATH AVENUE, A DISTANCE OF 310.9 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.79 ACRES OF LAND MORE OR LESS.

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, OWNER(S) OF THE LAND ON THIS PLAT, AND DESIGNATED AS GINTHER ESTATES TO THE CITY OF WAXLER, TEXAS AND KNOWN NAMED AS LINDA BURNHARDT GINTHER, HEREBY DEDICATE TO THE CITY OF WAXLER, TEXAS ALL RIGHTS, ALLEYS, PASSES, WATER COURSES, DRAINAGE EASEMENTS, WATCHES, SEWER LINES, FIVE HYDRAULIC AND PUBLIC PLACES WHICH ARE INSTALLED ON WHICH I AM WELL CARE TO BE INSTALLED THEREON BEFORE OR NOT KNOWN BY ME OR OTHERWISE TO BE INSTALLED OR DEDICATED UNDER THE SUBDIVISION APPROVAL PROCESS OF THE CITY OF WAXLER, ALL THE SAME FOR THE PURPOSES THEREON EXPRESSED OTHER ON THE PLAT HEREIN OR IN THE OFFICIAL WRITES OF THE APPLICABLE AUTHORITIES OF THE CITY OF WAXLER.

TELLI ENGINEERING SERVICES, L.L.C.
A TEXAS LIMITED LIABILITY COMPANY
8711 HILLCREST BLVD. SUITE 100
ADDRESS: 1940 STATE AVE.
MCKINNEY, TEXAS 75071

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THE DAY PERSONALLY APPEARED
LINDA BURNHARDT GINTHER, KNOWN TO ME TO BE THE PERSON
WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED
TO THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONVEYANCES THEREIN
EXPRESSED UNDER HIS HAND AND SEAL OF OFFICE, THIS THE 22ND DAY OF

March 20 09

[Signature]
NOTARY PUBLIC FOR THE STATE OF TEXAS



THIS PLAT IS HEREBY APPROVED BY UNITED IRIGATION DISTRICT NO. 1 SUBJECT TO THE CONDITION THAT THE SUBDIVIDER WILL PROVIDE DOMESTIC WATER SUPPLY TO DISTRIBUTE PORTABLE WATER. THIS DISTRICT WILL PROVIDE WATER ONLY IRRIGATION WATER WHERE DISTRIBUTING FACILITIES MUST BE CONSTRUCTED AND MAINTAINED AT THE EXPENSE OF THE OWNER AND CONSTRUCTION OF SPINNAKES, VALVES, CHECK GATES TO BE CONNECTED TO THE NEAREST DISTRICT FACILITY DATED THIS THE 22nd DAY OF April 20 2009.

[Signature]
SECRETARY

[Signature]
PRESIDENT

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE IS ARE FOR THIS SUBDIVISION CONFORMS WITH THE SPECIAL PROVISIONS OF THE DISTRICT. THE DISTRICT DOES NOT GUARANTEE OR WARRANT THE QUALITY OF THE DRAINAGE OR THE DESIGN OR CONSTRUCTION OF THE DRAINAGE OR THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND ITS CHANGE TO MAKE THE DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

BY: *[Signature]*
P.O. Box 800

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WAXLER, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHENEVER BY APPROVAL IS REQUIRED.

[Signature]
CHAIRMAN, PLANNING COMMISSION

I, THE UNDERSIGNED, MAYOR OF THE CITY OF WAXLER, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF SUBDIVISION REGULATIONS OF THIS CITY WHENEVER BY APPROVAL IS REQUIRED.

[Signature]
MAYOR, CITY OF WAXLER

STATE OF TEXAS
COUNTY OF HIDALGO

I, HONORABLE LUIS OUTREMENT, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY ON THE PROPERTY HERE LIES UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MARKERS WERE PROPERLY PLACED UNDER MY SUPERVISION.

[Signature]
HONORABLE LUIS OUTREMENT
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2781
2300 SAN LEO
WAXLER, TEXAS 76782



STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, GUILLERMO A. ARRIBAS, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PROPOSED ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THE PLAT.

[Signature]
GUILLERMO A. ARRIBAS
LICENSED PROFESSIONAL ENGINEER NO. 88001
228 N. 21st ST.
DOWAL, TEXAS 76827



FILED FOR RECORD BY
HIDALGO COUNTY
ARLINO GUERRERO, JR.

ON: 2/4/2009 AT 9:50 AM
INSTRUMENT NUMBER 2022036
RECORDED IN VOLUME PAGE
OF THE MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: *[Signature]* DEPUTY

NAIN ENGINEERING, L.L.C.
CONSULTING ENGINEER

326 N. 37th STREET
DOWAL, TEXAS 76827

PHONE NO. P. 8050

PL. 1986-124-0226

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD _____
PLANNING & ZONING BOARD _____
OTHER _____

AGENDA ITEM _____
DATE SUBMITTED 5C
MEETING DATE 1/2/13
 1/14/13

1. Agenda Item: Sign Variance

2. Party Making Request: Miguel Ramirez

3. Nature of Request: (Brief Overview) Attachments: X Yes No

Variance request of Miguel Ramirez, to allow a two freestanding signs to exceed the 300 square feet maximum and to allow off-premise advertising, at Lots 2 and 4, Shary Gateway Subdivision, 4901 & 4801 Expressway 83.

4. Policy Implication: Sign Ordinance, Section 130-110(2) and Section 130-82(6).

5. Budgeted: Yes No N/A

Bid Amount: Budgeted Amount:
Under Budget: Over Budget:
Amount Remaining:

6. Alternate option costs: _____

7. Routing:
NAME/TITLE INITIAL DATE CONCURRENCE
 YES/NO

a) Julianne R. Rankin JRR 1/8/13 No
 Director of Planning
b) _____ _____ _____ _____

8. Staff's Recommendation: Disapproval of variance request due to non-compliance with Section 130-110(2) and Section 130-82(6) of the Sign Ordinance.

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None

Yes to off premise but cannot do progressive advertising – (3)

Memo

TO: Mike Perez, City Manager
FROM: Julianne Rankin, Planning Director
DATE: January 2, 2013
SUBJECT: SIGN VARIANCE – LOTS 2 AND 4, SHARY GATEWAY SUBDIVISION; 4901 & 4801 EXPRESSWAY 83.

GOAL:

The intent of the Sign Ordinance is the following: 1) to enhance economic value by avoiding visual clutter, 2) to promote safety of persons and property by providing that signs do not create a hazard, 3) to reduce confusion and distraction to motorist and enhance motorist's ability to see pedestrians, obstacles, vehicles and traffic signs, 4) to enhance city impression to tourists and visitors, 5) to protect adjacent properties from the impact of lighting, size, height, and location of signs, and 6) to preserve, protect, and enhance areas of historic, architectural, scenic and aesthetic value. Section 130-3 Scope, Chapter 130 Signs, McAllen Code of Ordinance

PROPOSAL:

The property is located along the south side of U.S. Expressway 83 approximately 850 feet east of Taylor Road. Lots 2 and 4 each have 213.28 feet of frontage along U.S. Expressway 83. This property and the surrounding area to the north, east, and west is zoned C-3 (general business) District. The land to the south is in the McAllen Extraterritorial Jurisdiction and therefore is not zoned. A multi-tenant building is being constructed on each lot.

The applicant is proposing to construct two 317.56 free-standing signs, one on Lot 2 and one on Lot 4 of Shary Gateway Subdivision. These signs will advertise businesses on these two lots as well as the businesses located on Lots 1 and 3. The applicant also proposes to advertise businesses that are located in Ginther Estates Subdivision, which is located approximately 200 feet to the west of Shary Gateway Subdivision. The proposal to advertise businesses on different lots other than where the signs are located and businesses in a different subdivision/development make the signs "off-premise" signs. Some of the advertising would be in a "sequential" manner.

The applicant has submitted a variance request to allow for the square footage of the sign to be at 317.52 square feet and to allow for off premise advertising. Specifically, the variance involving the square feet, is from Section 130-110(2) of the Sign Ordinance which limits the maximum square feet for a free-standing sign to 300 square feet. The second variance to allow for off premise signs is from Section 130-82(6) of the Sign Ordinance which classifies off premise signs as a prohibited sign.

The City has received an inquiry from a franchise restaurant in Lot 3 regarding a free standing

sign for their advertisement only as per the franchise requirements. This sign would be in addition to the two signs currently proposed for the development.

The vacant land between the Shary Gateway Subdivision and the Ginther Estates Subdivision is not owned by the applicant and therefore is not part of the development. Future development of the vacant land could result in a request for another freestanding sign.

SUMMARY:

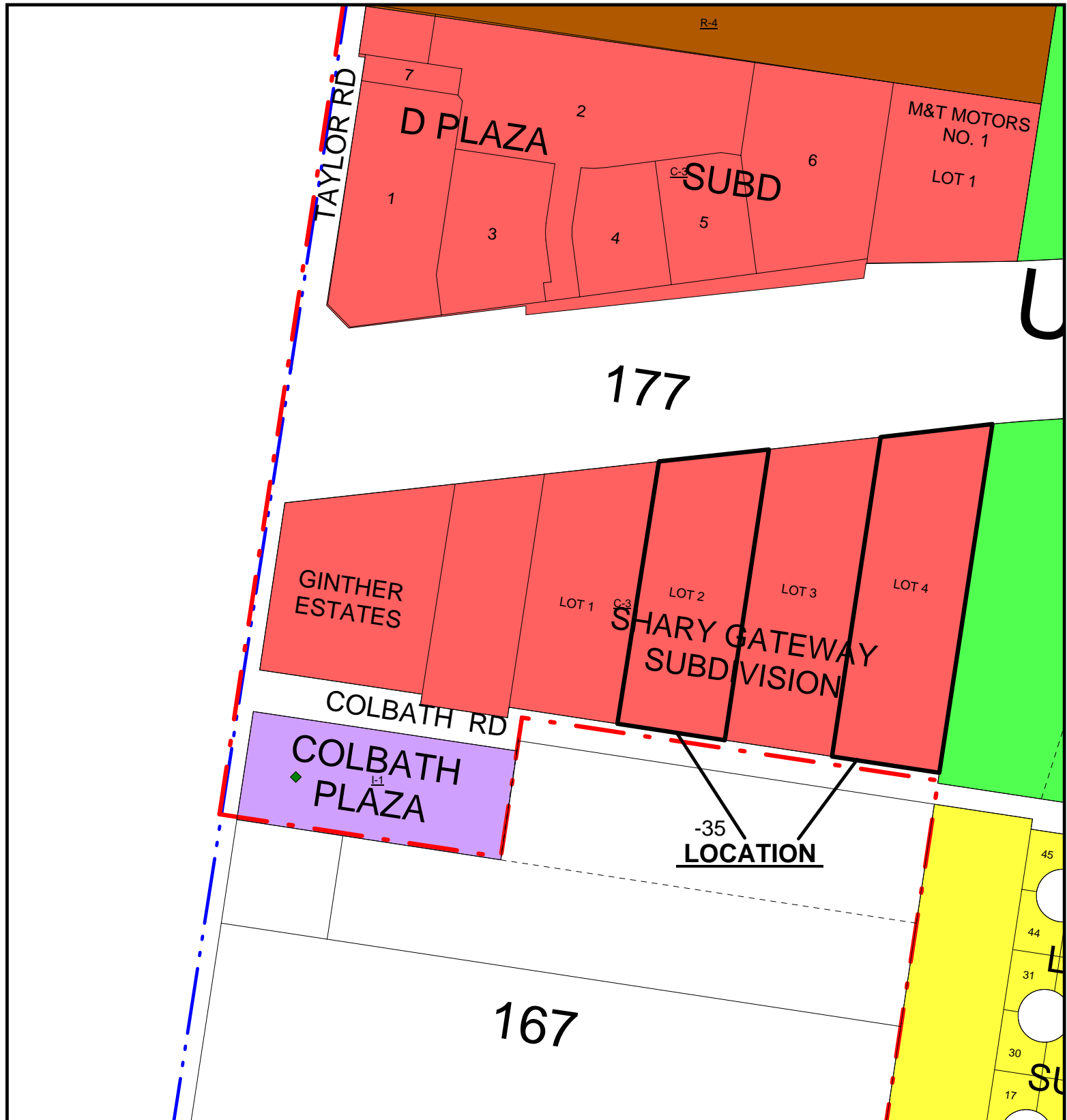
- The request is to allow two free-standing signs on the property with the potential to advertise businesses in another subdivision/development, thus making it an off premise sign.
- The request is to allow two signs to exceed the maximum 300 square feet of sign area.
- The request does not comply with the current code.

OPTIONS:

- 1) Disapprove variance request.
- 2) Table the request for further information.
- 3) Approve the variance as requested subject to off premise advertising limited to development located on Lots 1 of Ginther Estates Subdivision and no sequential messaging.
- 4) Approve off premise advertising specific to this development subject to maximum square footage and no sequential messaging.

RECOMMENDATION:

Staff recommends disapproval of the variance request.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

4

LEGEND
SCALE: 1" = 500'

SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcalen.net>. Furthermore, This map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.



CITY OF McALLEN
PLANNING DEPARTMENT

AERIAL MAP
SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY

4

on ground survey and represent approximate relative location of property boundaries.



City of McAllen

Planning Department

APPEAL TO CITY COMMISSION

VARIANCE TO MCALLEN SIGN ORDINANCE

1300 Houston Avenue
 McAllen, TX 78501
 P. O. Box 220
 McAllen, TX 78505-0220
 (956) 681-1250
 (956) 681-1279 (fax)

Project	Legal Description Feed Board Sign <u>Lote No 2 of Lote No 4</u> Subdivision Name <u>Shary Gateway Subdivision</u> Street Address <u>Ex way 83 4901 v 4801</u> Existing zone <u>C3</u> Lot frontage <u>No 2 = 213.25 No 4 151.68</u> Square feet of sign <u>296.1 sq ft.</u> Sign height <u>50'</u> <input checked="" type="checkbox"/> \$200.00 non-refundable filing fee <input type="checkbox"/> Sign face dimensions <u>317.56 sq ft</u> <input checked="" type="checkbox"/> Site plan <input checked="" type="checkbox"/> Elevation Plan
Type	<input type="checkbox"/> Within corner clip <input type="checkbox"/> More than 4 signs at site = NO <input checked="" type="checkbox"/> Off-premise signage <input checked="" type="checkbox"/> Other <u>Sign face dimensions LED.</u>
Applicant	Name <u>Miguel Ramirez</u> Phone <u>956-227-5446</u> Address <u>1800 El Señorial St.</u> City <u>Mission.</u> State <u>TX</u> Zip <u>78522</u>
Owner	Name <u>Laram Properties LLC</u> Phone <u>956-843-6000.</u> Address <u>4817 Ex way 83</u> City <u>McAllen</u> State <u>TX</u> Zip <u>78501</u>
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would restrict signage on the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization. Signature <u>[Signature]</u> Date <u>12/26/2012</u> Print Name <u>Melissa Amendorez</u> <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Authorized Agent
Office	Accepted by _____ Payment received by _____ Date _____

RECEIVED

November 29, 2012

City Of McAllen

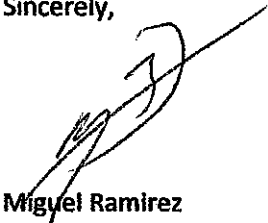
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2.- The LED sign is 296.10 sq.ft. within the acceptable parameters of the city ordinance and we would like to place the name of the plaza in Channel Letters as depicted in exhibit "A". The channel letters would be 21.46 sq.ft. This would make the total 317.56 sq.ft. Including both the LED sign and Channel Letter area. The city ordinance permits a total of 300 sq.ft. and we have 317.56 we would like for the city to approve the 317.56.

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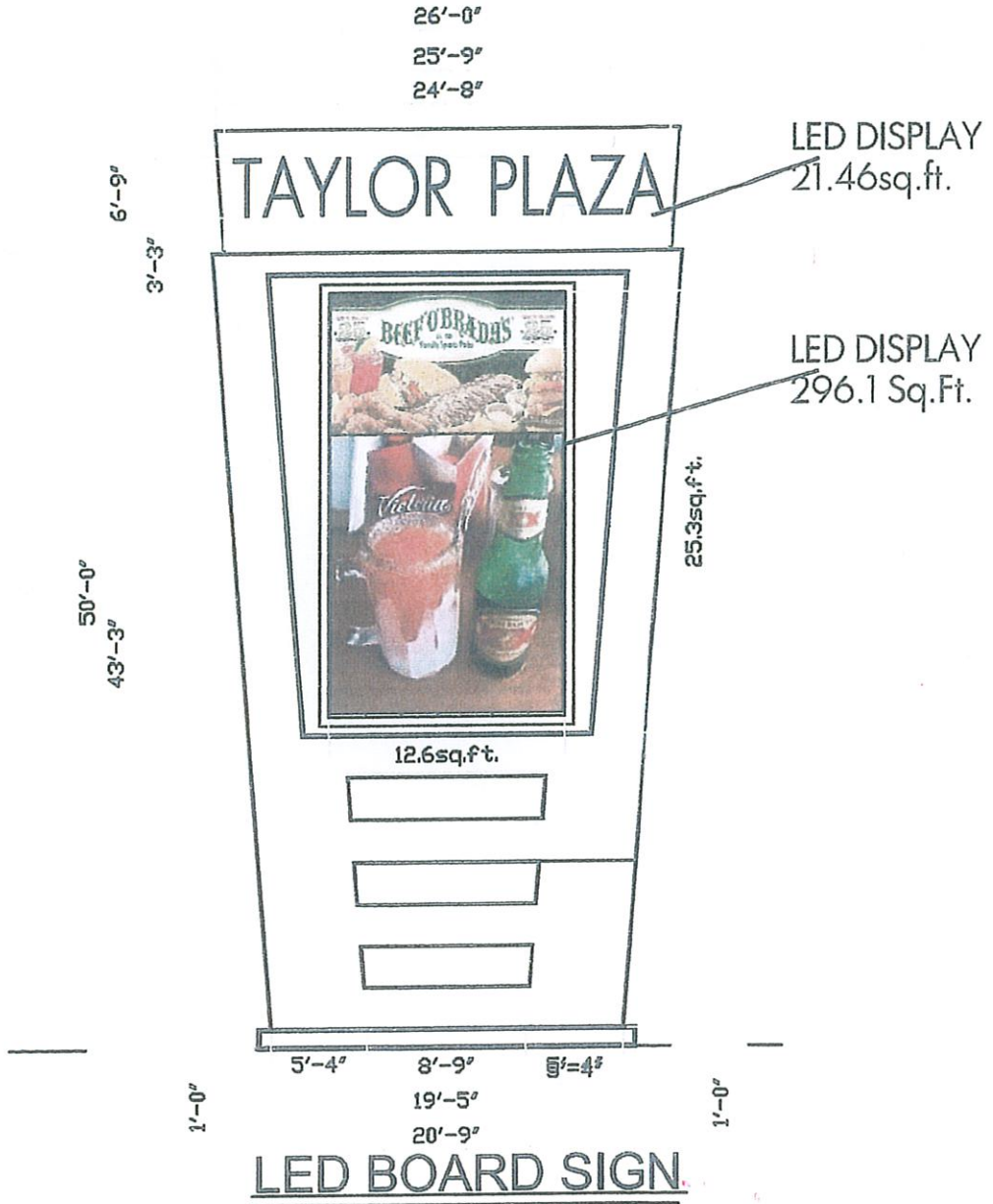
Miguel Ramirez

Ginther Development Group

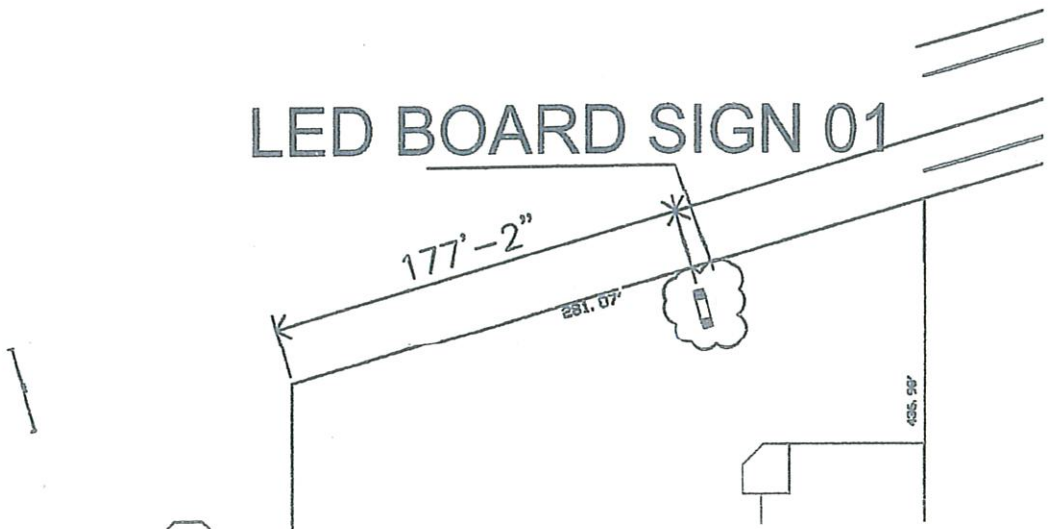
(956) 227-5446

miguel@ginther.com.mx

EXHIBIT "A"



LED BOARD SIGN 01



STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION
UTILITY BOARD
PLANNING & ZONING BOARD
OTHER

 X

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

6A
11-26-12
1/14/13

1 Agenda Item: DISCUSSION & POSSIBLE ACTION - Submission of name of man or woman from our community for RGV Walk of Fame at State Farm Arena.

2 Party Making Request: Mike R. Perez, City Manager

3 Nature of Request (Brief Overview) Attachments: X Yes No
Request from City of Hidalgo to submit a name of a man or woman to be considered for the 2013 induction ceremony that will take place during BorderFest Festivities on February 28 - March 03, 2013.

4 Policy Implication: _____

5 Budgeted: Yes No N/A

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____

6 If over budget, how will it be paid for: _____
Alternate option/costs: _____

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE</u>
			<u>YES/NO</u>
a) _____	_____	_____	_____
b) _____	_____	_____	_____

8 Staff Recommendation: _____

9 Advisory Board: Approved Disapproved None

10 City Attorney: Approved Disapproved KOP None

11 Manager's Recommendation: Approved Disapproved MRP None

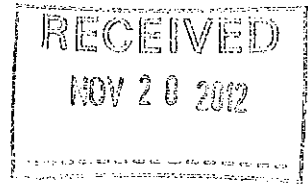
Martin Cepeda, Mayor
Daniel (Dan) Dillard II, Mayor Pro-Tem

COUNCILMEMBERS

Pedro Fonseca
Guillermo Ramirez
Rodolfo (Rudy) Franz
Gustavo "Gus" Sanchez

JOE VERA III, CECD, CFEE

*11/26/12
Committee
for next city
Common meeting
mk*



November 16, 2012

Mr. Mike R. Perez, City Manager
City of McAllen
P.O. Box 220
McAllen, Texas 78505

Dear Mr. Perez,

As you know the Rio Grande Valley Walk of Fame at the State Farm Arena was created as part of BorderFest 2005. The walk celebrates the life achievements and the significant civic contributions these outstanding men and woman have made to their Rio Grande Valley communities and South Texas. The walk and induction festivities will continue next year as part of BorderFest 2013 "Celebrating the Cultural Treasurers of Mexico." The City of Hidalgo, BorderFest Association, Hidalgo Chamber of Commerce and City of Hidalgo Texas Municipal Facilities Corporation request that you submit a name from your community to be considered for 2013 induction ceremonies.

The Rio Grande Valley Walk of Fame Commission will have final approval on all inductions. To avoid duplications attached please find the names of those who have been inducted since 2005.

We are asking that your selection and nomination forms be received no later than, Monday January 14, 2013. The induction ceremony will take place during the BorderFest Festivities which; is February 28 – March 03, 2013.

Enclosed please find the nomination form. If you have any questions, feel free to call me at (956) 843-2286 or (956) 225-8731. You may also contact Joe Vera III at (956) 843-2286 or (956) 393-8546.

Best Regards,

Martin Cepeda
Mayor

CC: Mayor Richard F. Cortez



**Rio Grande Valley Walk of Fame
State Farm Arena
Hidalgo, Texas
2013**

Introduction

As you know the Rio Grande Valley Walk of Fame at the State Farm Arena was created as part of the 2005 BorderFest "A Salute to the Rio Grande Valley," The City of Hidalgo, BorderFest Association, Hidalgo Chamber of Commerce and; City of Hidalgo Texas Municipal Facilities Corporation created the Rio Grande Valley Walk of Fame at the State Farm Arena. New inductees in The Walk will be unveiled during the 2013 BorderFest "Celebrating Cultural Treasurers of Mexico." People from all walks of life are inducted into the Walk. The walk celebrates the life, achievements and significant civic contributions of outstanding men and women to communities in the Rio Grande Valley and South Texas.

Selection Process

The Rio Grande Valley Walk of Fame Commission will make the final selection for induction into the Walk. The commission includes key people from the Rio Grande Valley. Representatives from local libraries, arts organizations, media journalists and other citizens with an informed understanding of the Rio Grande Valley cultural heritage will serve on the commission. The previous groups of inductees include one person selected by every City Council in the Rio Grande Valley and one person selected by each Chamber in the Rio Grande Valley each year. In addition, the previous groups also include persons selected by the BorderFest Association and the City of Hidalgo. Additional persons will be inducted and recognized during BorderFest each year. Any individual previously nominated into the walk cannot be considered for re-nomination. To avoid any duplications attached please find a copy of all the previous inductees.

Nomination Criteria

Submit the name, date and place of birth, and a short history of the person you wish to nominate. Include the Rio Grande Valley connection, life achievements and a description of his or her contributions to the community.

Anyone may participate in the nomination process. Simply complete the Walk of Fame nomination form, which would include facts and contributions the person has made to the Rio Grande Valley. Please send to:

**Rio Grande Valley Walk of Fame Commission
704 East Texano Drive
Hidalgo, Texas 78557
(956) 843-2286
(956) 843-2317 Fax
Email address: maggcab@yahoo.com
Attention: Maggie Cabrera**

Rio Grande Valley Walk of Fame
Nomination Form
2013

Nominee _____ Address _____

City _____ State _____ Zip _____

Phone # (Day) _____ (Evening) _____ (Cell) _____

Business Association / Organization _____ Title _____

E-Mail Address _____

Date of Birth _____ Still Living Yes _____ No _____ Date of Death _____

Born in Rio Grande Valley Yes _____ No _____

Did this person spend most of his/her life in Rio Grande Valley or Texas? Yes _____ No _____

How many years? _____

What contribution has this nominee made to your Community, the Rio Grande Valley or Texas?

What impact has this nominee's work had on the Community, Rio Grande Valley or Texas?

List Nominee's Community or Volunteer Work.

List Nominee's participation in Civic or Non-Profit Organizations.

List Nominee's Family Information.

List Nominee's Professional Organization Affiliations.

Describe how this nominee has gone above and beyond the call of duty in their work for the community.

Are there other indicators of the nominee's achievements not listed previously? (Honors, Memberships, Recognition, Awards, Publications, etc.)

Nominator Organization _____

Contact Person _____ Address _____

City _____ State _____ Zip _____

Phone # (Day) _____ (Evening) _____ (Cell) _____

Business Association / Organization _____ Title _____

E-Mail Address _____

Nominator's Signature

Title

Nominator's Signature

Title

Nominator's Signature

Title

Nominator's Signature

Title

Nominator's Signature

Title

Nominator's Signature

Title

Walk of Fame Inductees

City of Alamo

2012 Irma Chavez
2011 Roel Landa Jr.
2010 Eleazar Escobedo
2009 Ricardo Chavez
2008 Diana Martinez
2007 Victor Perez
2006 Rudy Villarreal
2005 Francisco "907" Sandoval

Alamo Chamber of Commerce

2012 Gloria Espinosa
2011 Rolando Espinoza
2010 Bob Acosta
2009 Keith Hackland
2006 Arturo Espinosa
2005 Albert Garcia

City of Alton

2012 San Juanita Zamora +
2011 Carla Garza
2010 Manuel De La Garza +
2009 Transito Vargas
2008 Arturo R. Galvan Jr.
2007 Felipe Gomez

Alton Chamber of Commerce

2012 Arturo Galvan Sr.
2011 Calixto Hernandez
2010 Ricardo Garza
2009 Humberto Salinas Sr. +
2008 Salvador Vela

City of Brownsville

2012 Dr. Rose M. Z. Gowen
2011 Edward C. Camarillo
2010 Ricardo Longoria Jr.
2009 Charles Atkinson
2007 Eddie Trevino Jr.
2006 Blanca S. Vela
2005 Senator Eddie Lucio

Brownsville Chamber of Commerce

2012 John Wood
2011 Father Armand Mathew
2010 Rene Capistran
2009 Maribel M. Baca
2008 Fred W. Rusteberg
2007 Traci Wickett
2006 Reba Cardenas McNair
2005 William Hudson

City of Donna

2012 Filogonio A. Sandoval
2011 Jose Guadalupe Garza +
2010 David S. Simmons
2009 Dr. Celestino Avila
2008 Miles W. Boyce +
2007 Oscar G. Adame
2006 Mr. Isabel Infante +
2005 Pedro L. Ayala +

Donna Tourist Information Center/Donna Hooks Fletcher Museum

2012 Earl Scott
2011 Viola Jimenez De Reyna
2010 Roberto Lugo
2008 Ricardo V. Rios
2007 Estela Villegas
2006 Adan Hernandez
2005 Hilda R. Adame

Delta Area Chamber of Commerce

2005 Los Hermanos Layton

City of Edinburg

2012 Noe Garza +
2011 Alfonso Rene Ramirez +
2010 Ciro Trevino
2009 Shawn M. Snider
2005 Charlie Rankin

Edinburg Chamber of Commerce

2012 Cris M. Torres
2011 Doug Martin
2010 Lionel Aron Pena Sr.
2009 Cullen R. Looney
2008 Elva Jackson Garza
2007 Robert Gandy III
2006 Alfred Andrew Martin
2005 Lucille De La Garza

City of Elsa

2009 Dr. Rene Rodriguez
2008 Arturo C. Trevino

Edcouch, Elsa, La Villa Chamber of Commerce

2010 Frances S. Rocha
2009 Robert Capello Sr.
2008 Mary Pena Moreno
2007 Jose Borrego
2006 Dr. Ricardo R. Gonzalez

City of Granjeno

2012 Gloria Garza
2011 Manuel Olivarez Sr. +
2010 Maria Isabel Garza
2010 Santos Graciela Garza
2009 Vicente Garza Sr.
2008 Yvette Cabrera Prevot
2007 Manuel Olivarez Jr.
2006 Rafael Garza
2005 Lupita Segura

City of Harlingen

2009 Jim Solis
2007 David E. Allex
2006 Matt E. Gorges
2005 Col. H. William (Bill) Card

Harlingen Chamber of Commerce

2010 Ruthie Ewers
2008 Alan Johnson
2007 R.K. (Randy) Whittington
2006 Salomon Maldonado
2005 Frank N. Boggus

City of Hidalgo

2012 Siglinde Franz
2011 Elliott & Adelle Bottom
2010 Ester Franz Rodriguez+
2009 Concepcion Franz +
2008 Josefina Fonseca
2007 Mr. & Mrs. Paul & +Anita Henderson
2006 Mr. & Mrs. Pedro Cisneros
2006 Olaf Frandsen
2005 Mayor Eduardo C. Vela
2005 Mayor Eduardo Vela +
2005 Mayor J.P. Baker +
2005 Mayor Enedina F. Garza
2005 Mayor Thomas Perez Jr. +
2005 Mayor John David Franz
2005 Joe Vera III

City of La Feria

2008 Sunny K. Philip

City of La Joya

2012 Mike Alaniz
2012 Mary A. Salinas
2011 Lee Roy Alaniz
2011 Jose A. "Fito" Salinas
2010 Martha E. Trevino
2010 Gonzalo Gonzalez
2009 Rodolfo "Fito" Farias
2009 Socorro Garza
2008 Alicia Montes
2007 William "Billy" Leo
2007 Dr. Javier Andres Saenz
2006 Mari Gonzalez
2006 Angelica "Angie" Garza
2005 Filomena Leo

City of Los Fresnos

2012 James A. Keillor
2011 Eduardo "Eddie" Cantu +
2009 F. Feliberto Pereira
2008 Harry H. Whipple +
2007 Carmen Silva

Hidalgo Chamber of Commerce

2012 Martin+ & Tina Vazquez
2011 Calvin Bentsen
2010 Ramon Garcia
2009 Henry + & Elsie Kawahata
2008 Jud & Gloria Brady
2007 Mr. & Mrs. Abel & Alicia Longoria +
2006 Dr. Daniel King

Linn-San Manuel

2005 Rafael Guerra Sr.

Los Fresnos Chamber of Commerce

2012 Gene Daniels
2011 Mercedes Vicinaiz Cantu
2010 Don R. Badeaux Sr.
2008 Antonio Rivas
2007 Erwin W. Scott Jr. "Scottie" +
2006 Dora Romero +

City of McAllen

2012 Elva M. Cerda
2011 Alida Salinas Hernandez +
2010 Representative Roberto Gutierrez Sr.
2009 Dr. Lauro Guerra
2008 Lucile Hendricks +
2007 Mr. Jan M. Klinck
2005 Othal Brand Sr. +

City of Mercedes

2011 Ricardo Garcia
2008 Joel Quintanilla
2005 Liborio Hinojosa

City of Mission

2012 Ricardo Martinez
2011 Ricardo A. Perez
2010 Tomas Tijerina
2009 Father Roy Snipes OMI
2008 Pat Townsend Jr.
2007 Jo Beth (J.B.) Townsend
2006 June K. Brann +
2005 Leonel "Leo" Pena +

City of Palmhurst

2012 Robert A. Salinas
2012 Irma Garcia
2011 Jose E. Garza
2010 Alicia C. Sandoval +
2010 Maria G. Leal
2008 Will Klement
2007 Elton Key +
2006 Ramiro J. Rodriguez Jr.

City of Penitas

2012 Jerry Bell
2012 Roberto Cardenas Jr.
2011 Jose Roel Cardenas
2011 Efren Garza
2010 Vidal G. Loya +
2005 Dr. Mauro L. Reyna Jr.

McAllen Chamber of Commerce

2012 Frank Birkhead
2011 Paul Moxley
2010 Dora Brown
2009 Kirk Clark
2008 Robert L. Lozano
2007 Rick D. Guerra
2006 Tony Aguirre
2005 Leo Montalvo

Mercedes Chamber of Commerce

2007 Congressman Ruben Hinojosa
2005 Frances R. Cooper

Mission Chamber of Commerce

2012 Sylvia Wolf
2011 Julio Cerda
2010 Yvonne Salinas
2009 Ruben Dario Plata
2008 Joseph (Joe) Roseland
2007 Norberto "Beto" Salinas
2006 Ben A. Cavazos
2005 Linda Z. Castaneda

City of Palmview

2012 Noe Ruben Munoz
2011 Aida Rivas
2008 Alderwoman Graciela S. Flores
2007 Irene M. Garcia
2006 Gerardo "Jerry" Perez
2005 Jorge G. Garcia

City of Pharr

2012 Adan Farias
2011 Leopoldo "Leo" Palacios
2010 Cris S. Vela
2009 Elva I. Michal
2005 A.C. "Beto" Jaime

City of Progresso Lakes

2007 John Trainor Evans
2006 Sam Sparks
2005 William C. Cain

Port Mansfield Chamber of Commerce

2009 Betty Glaze

City of Raymondville

2012 Hector Ramirez
2011 Paul E. Whitworth
2010 Father Richard MacDonald, SCJ
2009 SSG Hector Leija +
2008 Albert Tijerina +
2007 Ezequiel A. (Zeke) Martinez
2006 Anna Gause Smith (Mrs. Gene)
2005 Katheryn Hanshaw

City of Roma

2005 Arnulfo Guerra +

City of Rio Grande City

2012 Ruben D. Saenz
2011 Basilio D. Villarreal Jr.
2010 Representative Ryan Guillen
2009 Albert Barrera
2008 Mayor Basilio Villarreal Sr. +
2007 Ernestina C. Trevino
2006 Baldemar Garza
2005 Sam Vale

Rio Grande Valley Partnership Chamber of Commerce

2012 Obidio C. "Billy" Canales
2011 H. William "Bill" Card III
2009 Representative Armando Martinez

Pharr Chamber of Commerce

2012 Gary Lewis Rodriguez
2011 Gene & Gracie Williams
2010 Quentin Newcomb Jr.
2007 Anna Mae Kelly
2006 Quentin Newcomb
2005 Dr. Tully Mayer

City of Port Isabel

2012 Scott Friedman
2011 Benito Ochoa III
2010 Donald Raymond Guillot
2009 Juan Castillo
2005 Eliseo Vega +

Raymondville Chamber of Commerce

2012 Mary Casillas
2011 Virginia Torres
2010 Elma Chavez
2009 Frank Torres
2008 Mary Gutierrez
2007 Viola Franks
2006 Winifred Raymond Wetegrove
2005 Glenn Harding

Rio Grande City Chamber of Commerce

2012 Ruben O. Villarreal
2010 U. David Gonzalez
2009 Ruben Saenz
2007 Manuel Benavidez Jr.
2005 Judge Ricardo Hinojosa

City of San Benito

2012 Victor Garza
2011 Manuel Lara
2010 Lupita Passement
2009 Joe Hodges Hernandez
2008 Mark Moody
2007 San Benito Montalvo +
2005 Cesar Gonzalez

San Benito Chamber of Commerce

2010 Hector Jalomo
2005 Freddy Fender +

City of Santa Rosa

2005 Pedro Garza

City of San Juan

2012 Rick Diaz
2011 Roberto F. Loreda
2010 Commission Hector "Tito" & Bertha Palacios
2009 Juan Pedro Contreras
2008 Roel Garza
2007 Raul Yzaguirre
2006 Arnoldo Cantu Sr.
2005 Jorge Arcuate

San Juan Chamber of Commerce

2010 Leon & Velma Sue De Leon
2007 Estela Salazar
2006 James C. Shawn
2005 Eleazar Romero

Town of South Padre Island

2012 Robert Nixon
2011 Leslie Ruth Blasing
2010 Paul Y. Cunningham Jr.
2009 Peggy Trahan
2008 Lucinda "Sandy Feet" Wierenga
2007 Minnie Solomonson +
2006 John L. Tompkins +
2005 Ila Loetscher +

South Padre Island Chamber of Commerce

2012 Lynne Tate
2011 David Friedman
2010 Dan Stanton
2009 Darrell Mangham
2008 Jake Falgout
2007 Robert N. Pinkerton Jr.
2006 Richard Franke
2005 Troy W. Giles

City of Sullivan City

2009 Rosendo "Cheno" Benavides +
2007 Guillermina "Ginger" Villarreal
2006 Reynaldo Ruiz
2005 Gumaro "Maro" Flores

City of Weslaco

2012 Eloy R. Alaniz
2011 Robert A. McAllen
2010 Eugene Richard Vaughn Jr.
2009 Dr. Robert Sepulveda
2008 Mayor Hector "Buddy" de la Rosa
2007 Dr. Benigno (Ben) Villalon
2006 Isaac D. Rodriguez
2005 Joe V. Sanchez

Weslaco Chamber of Commerce

2012 Margaret Looney McAllen
2011 Noble C. Allen
2010 Robert W. Vanderveer
2009 Patti Dittburner
2008 Ruben Cardenas
2007 Fred McCaleb
2006 Dr. Armando Cuellar +
2005 Gene A. Braught +

United States Ambassador's of International Goodwill

2012 Diana Reyes
2011 Lazaro G. Megret
2010 Maria Antonietta Collins
2009 Raul De Molina "El Gordo"
2008 Yolanda De La Cruz
2007 Raul Gonzalez
2006 Raul Brindis
2005 Joe Morales
2004 Fernando Arau
2003 Alberto Kreimerman
2002 Tony De La Rosa
2001 Intocable
2000 Ana Maria Canseco
1999 Freddy Martinez
1998 Roberto Pulido
1997 Carlos Guzman
1996 Hugo De La Cruz
1995 Rogelio Botello Rios
1994 Johnny Canales
1993 Nano Ramirez
1992 Othal Brand Jr.

Mexico Ambassador's of International Goodwill

- 2012 Gabriel Soto
- 2011 Beatriz Adriana
- 2010 El Comediante – Teo Gonzalez
- 2009 Gilberto Gless
- 2008 Sergio Sendel
- 2007 Sergio Goyri
- 2006 Ninel Conde
- 2006 Eric Del Castillo
- 2005 Bronco El Gigante De America
- 2004 Pablo Montero
- 2003 Laura Flores
- 2002 Alicia Villarreal y Limite
- 2001 Veronica Castro
- 2000 Lupita D'Alesio
- 1999 Maribel Guardia
- 1998 Laura Leon
- 1997 Martin Urieta
- 1996 Carlos Cuevas
- 1995 Jorge Vargas
- 1994 Lucila Mariscal “Dona Lencha”
- 1993 Angeles Ochoa
- 1992 Queta Jimenez “La Prieta Linda”
- 1991 Ramon Ayala y Los Bravos
- 1990 Rosenda Bernal
- 1989 Maria De Lourdes
- 1988 Arianna
- 1987 Prisma
- 1986 Aida Cuevas
- 1985 Francisco “Charro” Avitia

Border Texan of the Year

- 2012 Senator Juan J. "Chuy" Hinojosa
- 2011 Lt. Gov. David Dewhurst
- 2010 Frank N. Boggus
- 2009 Mayor John David Franz
- 2008 Lt. Gen. (Ret.) Ricardo Sanchez
- 2007 Dr. Shirley Reed
- 2006 Michael Allen
- 2005 Senator John Cornyn
- 2004 Joe La Mantia Jr.
- 2003 Tony Garza
- 2002 Senator Phil Gramm
- 2001 Governor Rick Perry
- 2000 Senator Kay Bailey Hutchinson
- 1999 Charles C. Butt
- 1998 Governor George W. Bush
- 1997 Lt. Governor Bob Bullock +
- 1996 Wayne W. Showers
- 1995 Dr. Mario Ramirez
- 1994 Lloyd M. Bentsen +
- 1993 Dr. Miguel Nervarez
- 1992 Congressman Enrique "Kika" De La Garza
- 1991 Morris Atlas
- 1990 Glen E. Roney
- 1989 Celia Hare Martin +

Federal and State Leaders

- 2012 Francisco "Paco" Valentin Jr.
- 2007 Senator Juan "Chuy" Hinojosa
- 2006 Bill Summers +
- 2005 Bryan Daniels
- 2005 Pedro Garza
- 2005 Amadeo Saenz

Outstanding Community Supporters

- 2007 Charles Chuck Snyder
- 2006 Bob Roux
- 2006 Dr. Robert + & Mrs. Vi Norton
- 2005 Representative Ismael "Kino" Flores

Outstanding Entertainers

- 2012 Estudiantina Guadalupana Cesar Cervantes
- 2012 Charo
- 2011 Bill & Helen Dillard +
- 2011 Rene Sandoval
- 2011 Tina Compean
- 2010 Edwin M. Bigsby +
- 2010 Roland Garcia
- 2006 Joseph "German Joe" Sakulenzki
- 2006 Doria Avila +
- 2005 Myron Floren
- 2005 Jimmy Gonzalez y Grupo Mazz
- 2005 Wiley Hutchinson

At Large Inductee

- 2012 United Way Hero Jenise Diaz
- 2012 Judy Anderson
- 2012 Jim Deuser
- 2009 Dr. Bert D. Levine +

CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION _____ x _____
UTILITY BOARD _____
OTHER _____

AGENDA ITEM _____ 6C
DATE SUBMITTED _____ 01-09-13
MEETING DATE _____ 01-14-13

1. Agenda Item: Authorization to construct an Off-Road Vehicle Track on 35 acres of property located at Monte Cristo and Ware Road. Further, to authorize a grant application for \$300,000 with an in-kind match of \$60,000 for the construction of the track.

2. Party Making Request: Parks and Recreation Department

3. Nature of Request: (Brief Overview) Attachments: x Yes No
The McAllen Motocross Group has approached the Parks and Recreation Department to assist with the construction of a sanctioned track on 35 acres located on the property know as Monte Cristo. The group would provide the in-kind services of design, grading and starting gates as the match for a grant to Texas Parks and Wildlife for a total grant amount of \$300,000.

4. Policy Implication: Local Government Code

5. Budgeted Information: Yes x No N/A
Grant Amount: \$300,000

6. Alternate option/costs: _____

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) <u>S.Gavlik, Dir. Pk.&Rec.</u>	<u>sg</u>	<u>1-9-13</u>	<u>Yes</u>
b) <u>C. Rodriguez, Dir. Grants</u>			
c) <u>B.Branham, Dep. C.M.</u>			

8. Staff Recommendation: Staff recommends authorization to apply for the Texas Parks and Wildlife grant in the amount of \$300,000 and to utilize 35 acres of the Monte Cristo track to build the Off-Road Vehicle Track.

9. Advisory Board: Approved Disapproved None

10. City Attorney: x Approved Disapproved None

11. Manager's Recommendation: x Approved Disapproved None

12. Action Taken: _____

MEMORANDUM

To: MIKE R. PEREZ, CITY MANAGER

From: SALLY GAVLIK, DIRECTOR

Subject: AUTHORIZATION TO CONSTRUCT AN OFF-ROAD VEHICLE TRACK ON 35 ACRES OF MONTE CRISTO PROPERTY, AND TO APPLY FOR AN OFF-ROAD VEHICLE GRANT FROM TEXAS PARKS AND WILDLIFE IN THE AMOUNT OF \$300,000.

Date: JANUARY 9, 2013

COMMENT

Goal: To fund the development of an Off-Road Vehicle Track through grant funding from Texas Parks and Wildlife with the assistance of the McAllen Motocross Group.

Discussion: The McAllen Motocross Group approached the Parks and Recreation Department about assisting with the construction of an Off-Road Vehicle Park. Various site locations were evaluated and the Monte Cristo site adjacent to the Recycling area was determined to be the best site.

The Texas Parks and Wildlife Department has a grant opportunity to fund Off-Road Vehicle Tracks with an 80/20 grant. The McAllen Motocross Group will furnish the 20% grant match through in-kind services of design, grading, and starting gates. These elements will be identified within the grant. The grant is due February 1, 2013.

Off-Road Vehicle Parks have become very popular and often include the development of circuit races. McAllen could be a part of a circuit that includes Austin, Floresville and the Houston areas. Teams travel from one site to the other racing for points. In addition to the circuit course, an ATV course is planned.

Once completed, the McAllen Motocross Group will either operate or assist with operations of the park depending on the city's direction. There will be standard guidelines, rules and fees for entrance and use.

Recommendation: The Parks and Recreation Department recommends approval to authorize the utilization of 35 acres of the Monte Cristo site, and for the submission of the grant to Texas Parks and Wildlife for an Off-Road Vehicle Park.



Monte Cristo and Ware Road

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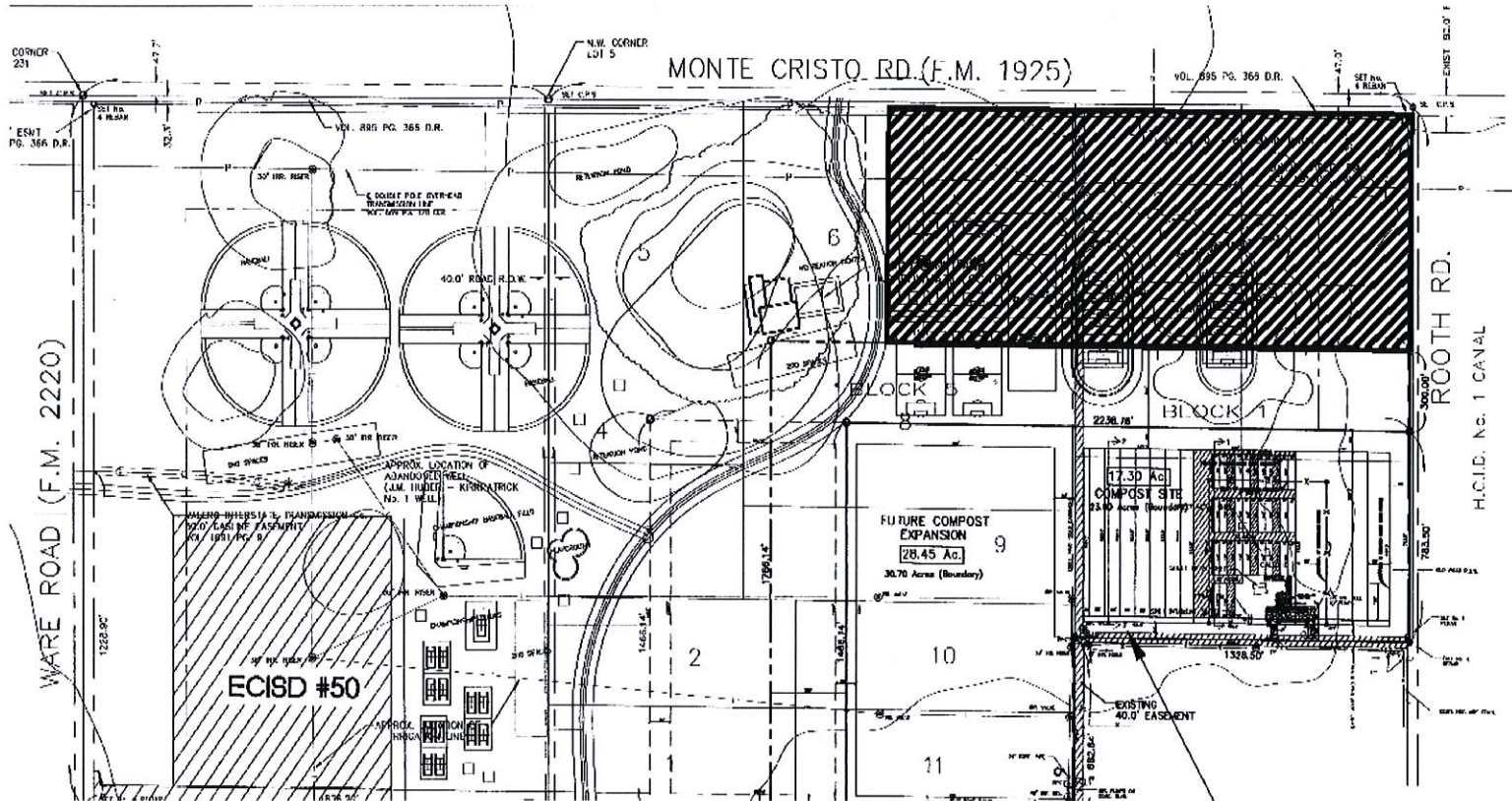
Google

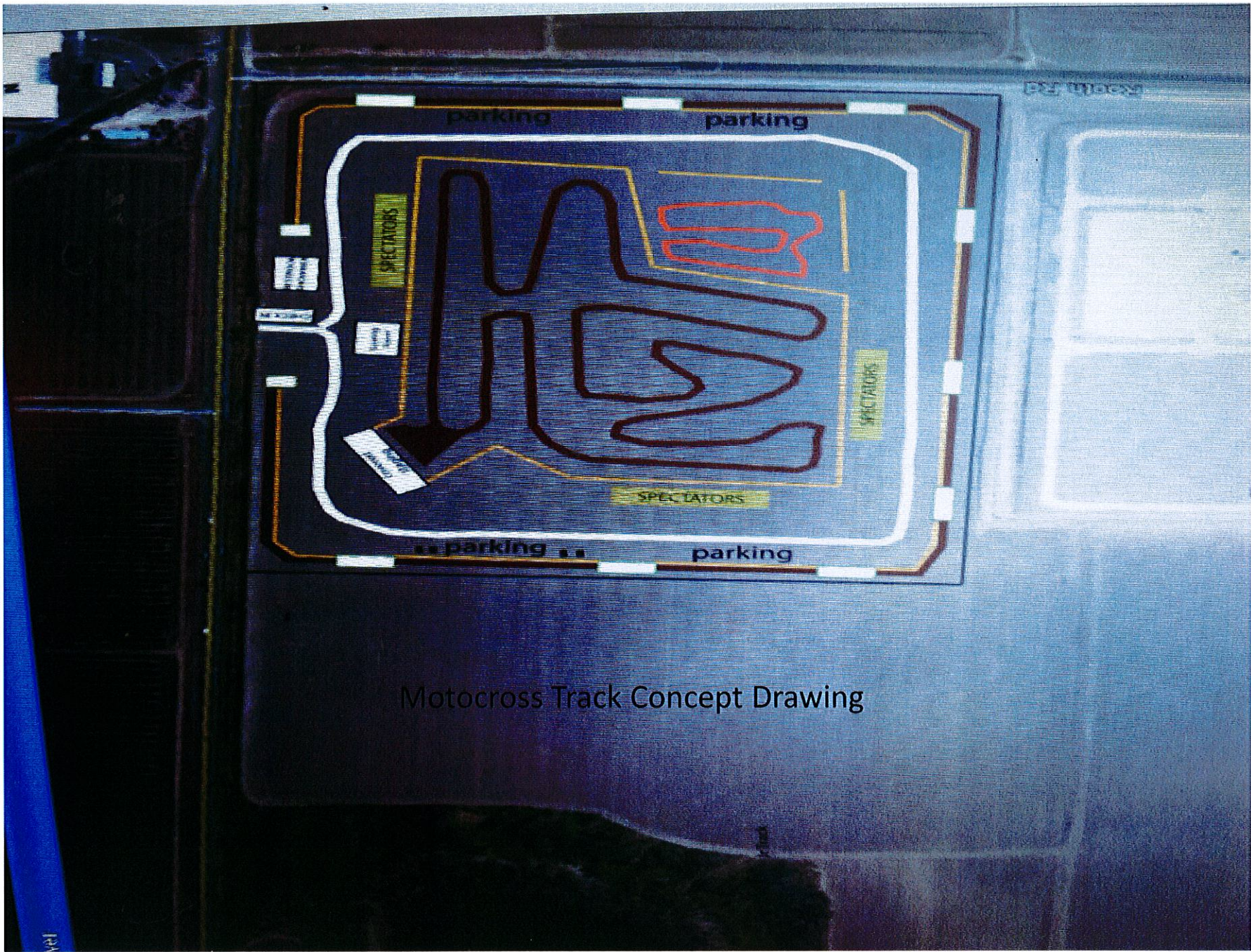
Imagery Date: 12/25/2010 1996

28°20'44.52" N 98°14'11.06" W elev 116 ft

Eye alt 5859 ft

Proposed 35 Acre Motocross Park





Motocross Track Concept Drawing

