



AGENDA

**CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 25, 2013 – 6:00 PM
CITY COMMISSION CHAMBERS; 3RD FLOOR**

CALL TO ORDER - Mayor Richard Cortez

PLEDGE OF ALLEGIANCE - Mayor Richard Cortez

INVOCATION – Jim Darling, City Commissioner

1. PUBLIC HEARING:

A) ROUTINE ITEMS: *[All Rezoning and Conditional Use Permits listed under this section come with a favorable recommendation from the Planning & Zoning Commission and will be enacted by one motion. However, if there is opposition at the meeting or a discussion is desired, that item(s) will be removed from the Routine Items section of the agenda and will be considered separately.]*

1. Rezone from A-O (agricultural-open space) District to C-4 (commercial industrial) District: 4.94 acres out of Lot 25, Block 3, C.E. Hammond’s Subdivision, Hidalgo County, Texas; 4601 South 23rd Street (Rear).

2. Rezone from C-3 (general business) District to R-3A (multifamily residential apartments) District: 1.49 acres out of the west 120 feet of Lot 66 and a 20-foot alley adjacent to the west of Lot 66, Jackson Meadows Subdivision, Hidalgo County, Texas; 1413 East Keeton Avenue.

3. Rezone from I-1 (light industrial) District to I-2 (heavy industrial) District: 81.44 acres out of Lots 10, 11, and 12, Block 5, Rio Bravo Plantation Company Subdivision, Hidalgo County, Texas; 6800 South 23rd Street.

4. Request of Dagoberto Quintanilla, appealing the decision of the Planning & Zoning Commission of the February 5, 2013 meeting, denying a Conditional Use Permit, for one year, for a nightclub at the north 120 ft. of the west 237.8 ft. of the west 2.40 acres of the south ½ of the north ½ of Lot 16, Block 3, C. E. Hammond Subdivision, Hidalgo County, Texas; 2203 South 23rd Street.

5. Request of Maria C. Hernandez on behalf of Rana’s Sports Club, LLC, appealing the decision of the Planning & Zoning Commission of the February 5, 2013 meeting, denying a Conditional Use Permit, for one year, for a nightclub at Lot 1, Nolana West Subdivision, Hidalgo County, Texas; 2200 Nolana Avenue, Suites 2232 and 2234.

6. Request of Joel L. Ozuna, appealing the decision of the Planning & Zoning Commission of the February 5, 2013 meeting, denying a Conditional Use Permit, for one year, for a home occupation (office) at the west 89 feet of Lot 12 and the south ½ of the west 89 feet of Lot 11, Block 17, North McAllen Subdivision, Hidalgo County, Texas; 502 North 11th Street.

B) REZONING:

Rezone from R-1 (single family residential) District to R-3A (multifamily residential apartments) District: Lot 18, Janice Addition #1 Subdivision, and Lot 9, Janice Addition #2 Subdivision, Hidalgo County, Texas; 1107 Tamarack Avenue and 1102 Sycamore Avenue. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

C) CONDITIONAL USE PERMITS:

1. Request of Jeff G. Stolpa on behalf of Stripes #9641, for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, Cassandra Subdivision, Hidalgo County, Texas; 3618 Pecan Boulevard, Suite A. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

2. Request of Jeff G. Stolpa on behalf of Stripes #9644, for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, Nolana Terrace Subdivision, Hidalgo County, Texas; 3920 North 23rd Street. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

3. Request of Jeff G. Stolpa on behalf of Stripes #9104, for a Conditional Use Permit, for life of the use, for a portable building (storage) at 0.80 acres out of Lot 76, R.E. Horn's Addition to McAllen First Suburban Citrus Grove Subdivision, Hidalgo County, Texas; 1520 South Ware Road. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

4. Request of Jeff G. Stolpa on behalf of Stripes #7318, for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lots 1 and 2, Block 64, Original Townsite of McAllen Subdivision, Hidalgo County, Texas; 720 South 10th Street. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

5. Request of Jeff G. Stolpa on behalf of Stripes #2234, for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, J.G. Ortegon Unit No. 2 Subdivision, Hidalgo County, Texas; 4600 South 23rd Street. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

6. Request of Jeff G. Stolpa on behalf of Stripes #7304, for a Conditional Use Permit, for life of the use, for a portable building (storage) at the north 110.0 feet of the east 150.0 feet of Lot 25, Block 2, C.E. Hammonds Subdivision, Hidalgo County, Texas; 1225 North 23rd Street. **STAFF WILL RECOMMEND THAT SAID ITEM BE TABLED**

7. Request of Jeff G. Stolpa on behalf of Stripes #9632, for a Conditional Use Permit, for life of the use, for a portable building (storage) at the east 200 feet of Lots 1 & 2, and the east 200 feet of the north 12 feet of Lot 3, Block 2, T.H.E. ENTERPRISE Subdivision, Hidalgo County, Texas; 4839 North 10th Street. **WITHDRAWN**

8. Request of Jeff G. Stolpa on behalf of Stripes #9625, for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, Lar-Lin Unit No. 2 Subdivision, Hidalgo County, Texas; 721 North McColl Road. **WITHDRAWN**

D) Amending the Zoning Ordinance of the City of McAllen as enacted May 29, 1979.

END OF PUBLIC HEARING

THE CITY COMMISSION HAS THE PREROGATIVE TO RECESS INTO EXECUTIVE SESSION AT ANY TIME DURING THE MEETING

2. **CONSENT AGENDA:** *[All matters listed under Consent Agenda are considered to be routine by the Governing Body and will be enacted by one motion. There will be no separate discussion of these items; however, if discussion is desired, that item(s) will be removed from the Consent Agenda and will be considered separately.]*

- A) Approval of minutes of Regular Meeting held February 11, 2013.
- B) Approval of Change Order No. 6 for Bentsen Road Paving Improvement from Pecan Blvd. (FM 495) to 3 Mile Line Road.
- C) Approval of Change Order No. 4 & Final Reconciliation of South 21st Street Drainage Improvements, Phase III.
- D) Consider approval of the Revised Library Weeding Policy.
- E) Approval of Tax Refund over \$500 for First National Bank.
- F) Ordinance amending the Water Conservation and Drought Contingency Plan approved on September 24, 2012.
- G) Ordinance amending the McAllen Code of Ordinances, Chapter 102, Article V, Division 3, Section 102-188, Subsection (B) providing for an amendment of the posted speed limit on 29th Street between Pecan Boulevard and Oxford Avenue.
- H) Ordinance amending the McAllen Code of Ordinances, Chapter 102, Article V, Division 3, Section 102-188, Subsection (B) providing for an amendment of the posted speed limit on Ware Road between Pecan Boulevard and Business Highway 83.
- I) Resolution authorizing the submission of a grant application to the Institute of Museum and Library Services for funding under the Fiscal Year 2014 Impact Grant Program.

3. **BIDS/CONTRACTS:** Item was withdrawn.

4. **VARIANCES:**

- A) Request for variance to allow proposed Lot 11B, McAllen Convention Center Subdivision, to develop without frontage on a street; 700 Convention Center Boulevard.
- B) Request for variance to allow the 50 ft. lot frontage requirement, Villagio Phase II Subdivision; 1121 Providence Avenue.

5. **MANAGER'S REPORT:**

- A) Advisory Board Appointments.
- B) Presentation of Tax Collection Report from October 1, 2012 to January 31, 2013.
- C) Status Report on various city projects through January 31, 2013.
- D) Status Report on Parks and Recreation Construction Projects.
- E) Construction Update on Terminal Expansion Project.
- F) Report on activities at Convention Center.
- G) Future Agenda Items.

6. **TABLED ITEMS:**

- A) Award of Contract for the Purchase and Installation of Synthetic Soccer/Football Field at DeLeon North Soccer Complex.

- B) Award of Contract for Demolition of former Sam Houston Elementary and the Old Central Fire Station.

PUBLIC COMMENT SESSION

- 7. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)**
 - A) Consultation with City Attorney regarding Economic Development project “Stripes”. (Section T.G.C. 551.087 and 551.071)
 - B) Discussion and Possible Action regarding economic incentives for Project Beer. (Section 551.087, T.G.C.)
 - C) Discussion and Possible Action regarding economic incentives for Project Shade. (Section 551.087, T.G.C.)
 - D) Discussion and Possible Action regarding economic incentives for Project House. (Section 551.087, T.G.C.)
 - E) Discussion and Possible Action regarding Initial Review of Civic Center Redevelopment Proposals. (Section T.G.C. 551.087, 551.071 and 551.072, T.G.C.)
 - F) Consultation with City Attorney regarding Cause No. C-0367-13-E; O.E. Investments Ltd, and Othal E. Brand, Jr. vs. Marjorie Lynn Brand Ferrell, Individually as a Successor Trustee of the Kathryn L. Brand Revocable Management Trust. (Section 551.071, T.G.C.)
 - G) Consultation with City Attorney regarding legal aspects relating to Fire Chief Position. (Section 551.071, T.G.C.)
 - H) Discussion and Possible Action to consider the sale of Lot 11 (b), Convention Center Subdivision. (Section 551.072 and 551.087, T.G.C.)

ADJOURNMENT

IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED (OR INTERPRETERS FOR THE DEAF), NOTIFY THE CITY SECRETARY’S DEPARTMENT AT 681-1020 FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE BOARD OF COMMISSIONERS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME. THE CITY COMMISSION MAY ELECT TO GO INTO EXECUTIVE SESSION ON ANY ITEM WHETHER OR NOT SUCH ITEM IS POSTED AS AN EXECUTIVE SESSION ITEM AT ANY TIME DURING THE MEETING WHEN AUTHORIZED BY THE PROVISIONS OF THE OPEN MEETINGS ACT.

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

I, the Undersigned Authority, do hereby certify that the attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 22nd day of February, 2013 at 2:00 pm and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

/s/

Annette Villarreal, TRMC/CMC, CPM
City Secretary

Memo

TO: Mike R. Perez, City Manager

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

DATE: February 5, 2013

SUBJECT: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT: 4.94 ACRES OUT OF LOT 25, BLOCK 3, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 4601 SOUTH 23RD STREET (REAR). (REZ2012-0055)

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 an interior tract located 200 feet east of South 23rd Street and Idela Avenue. The tract has a depth of 700 feet and a width of 350 feet at its widest point for a tract size of 215,186 square feet or 4.94 acres. This tract was initially zoned A-O (agricultural-open space) district upon annexation in 1989. This property is currently vacant. The applicant is requesting C-4 (commercial industrial) District in order to provide additional depth for a commercial industrial development. A subdivision plat nor feasibility plan have been submitted.

The adjacent zoning is C-3 (general business) District to the west, and A-O (agricultural-open space) District to north, east and south. A rezoning request for C-3 (general business) District for a .517 acre tract to the south was approved in September 2012 and is currently vacant. A rezoning request for a tract further to the south was rezoned to C-4 (commercial industrial) District in June 2011 and is currently vacant. The tract to the west was rezoned to C-3 District in 2001 and is the site for Quintero's Auto Sales and Dura Truck Sales. A tract located to the west across South 23rd Street was rezoned to C-3 District in 1981 and is the site for South Cross Shopping Center. A rezoning request for C-3 (general business) District for the tract to the southwest was approved in 1986 and was developed as a commercial center. Surrounding land uses are retail, auto sales, convenience store and vacant land.

- The requested zoning conforms to the Auto Urban Commercial and Industrial land use designation for the tract as indicated on the Foresight McAllen Comprehensive Plan.
- The zoning trend for this area along South 23rd Street is C-3 (general business) District.
- The development trend for tracts fronting along South 23rd Street in this area is for uses allowed in the C-3 (general business) District that includes any retail business, personal services, business services, restaurants with 51% food sales and any wholesale trade to a permitted retail operation.

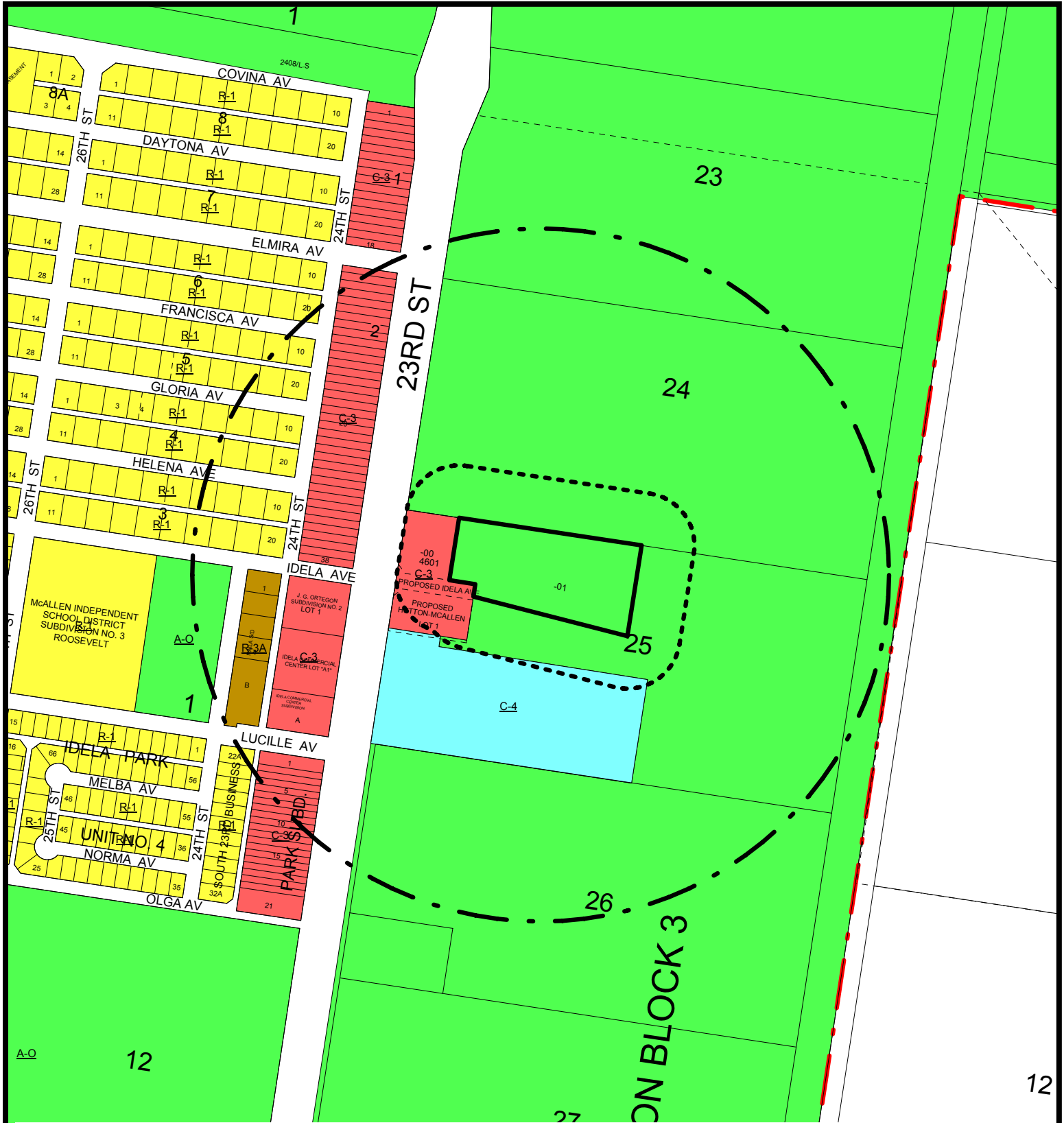
- South 23rd Street is a state highway and is designated as a High Speed Arterial with 150 feet of right-of-way and is constructed with 4 travel lanes, shoulders, a left turn lane or median, and has a posted speed limit of 45 miles per hour.
- A recorded subdivision plat and approved site plan are required 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. Approve the rezoning request for a lesser area.
4. Disapprove the request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of February 5, 2013 no one appeared in opposition of the rezoning request. The Board voted unanimously to recommend approval of the rezoning request with 6 members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

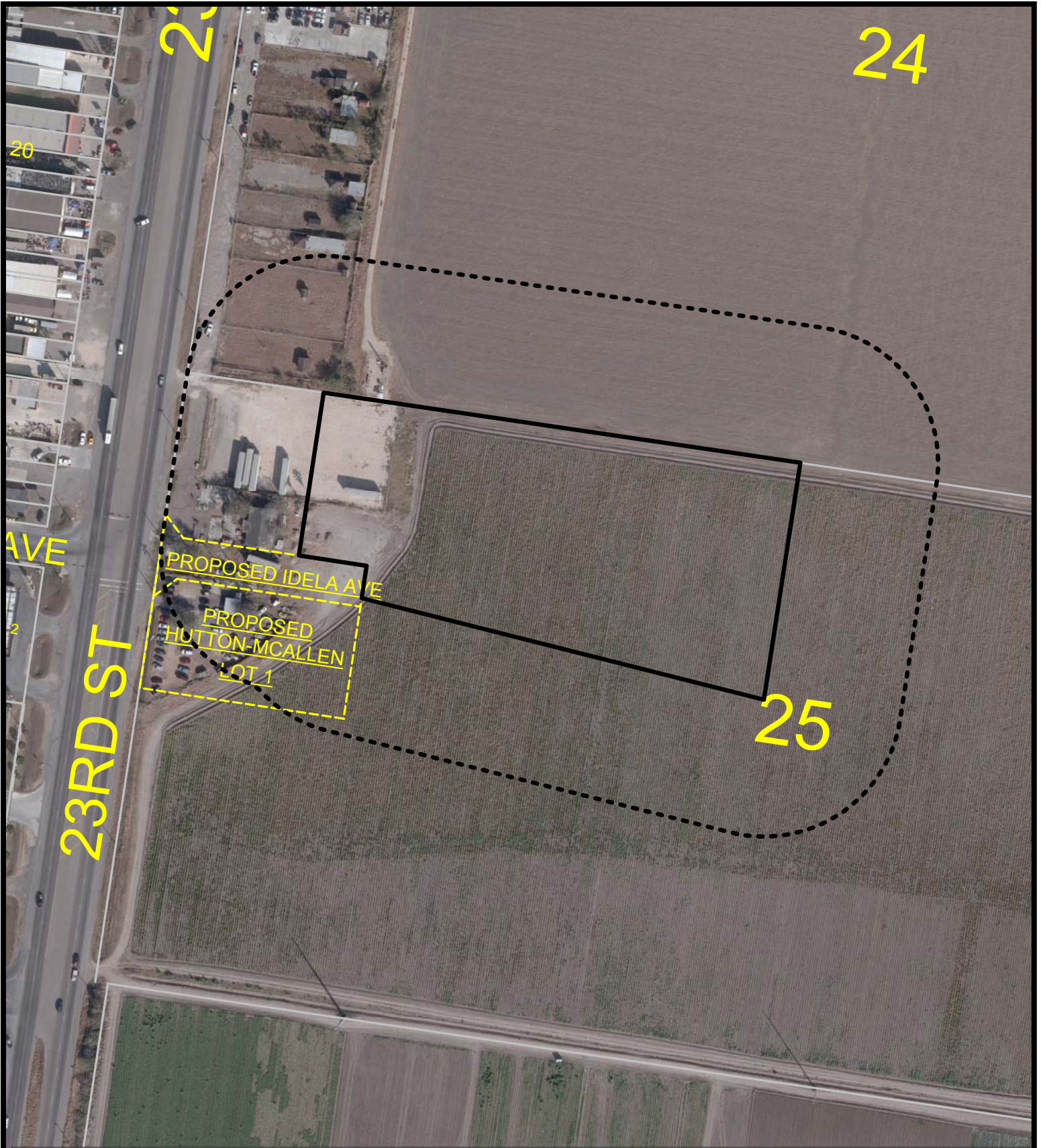
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-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

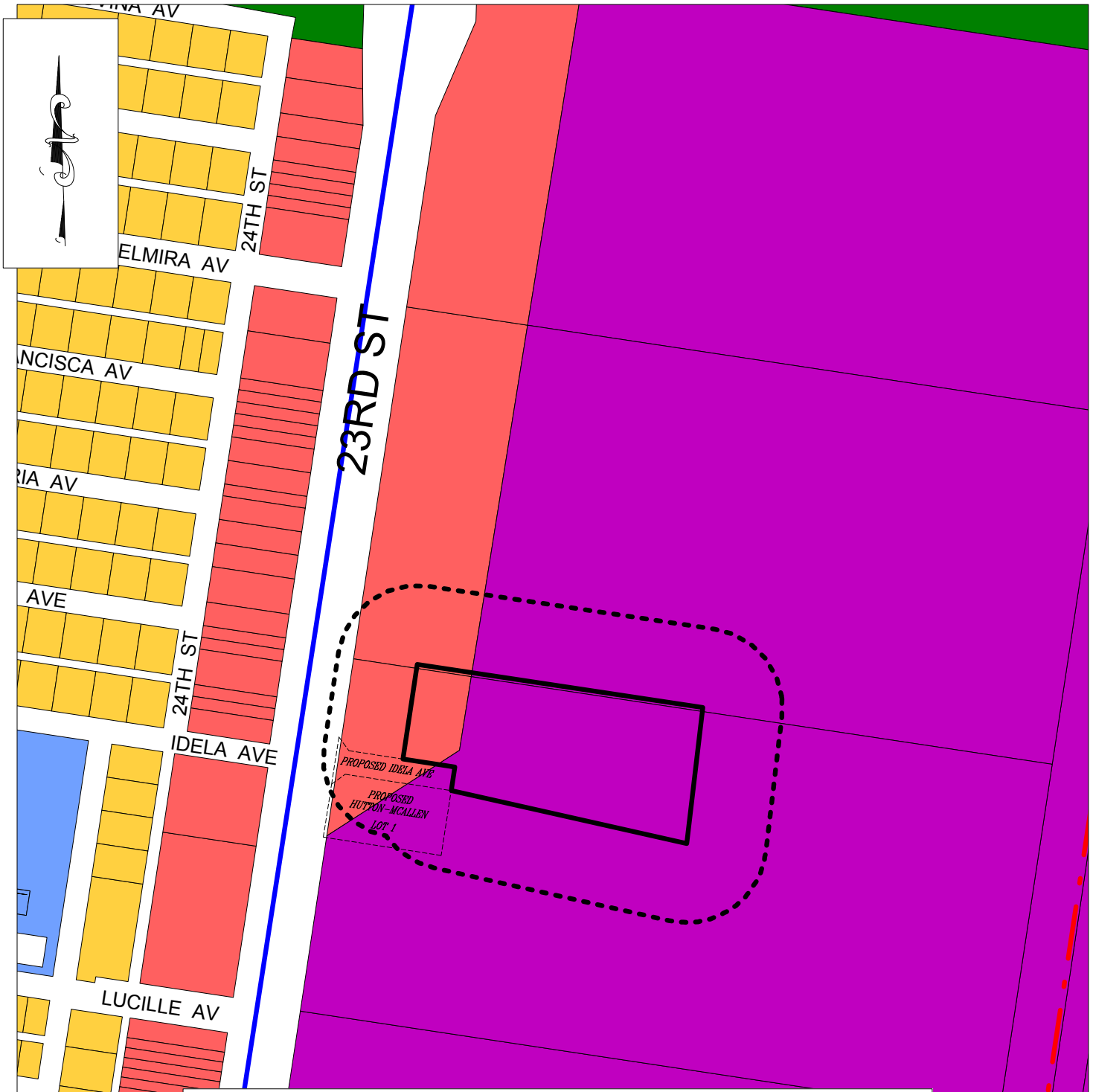
AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND
SCALE: 1 INCH = 2,000 FEET
APPROVED: SEPTEMBER 13, 2010

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 |

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

Memo

TO: Mike R. Perez, City Manager

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

DATE: February 5, 2013

SUBJECT: REZONE FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT: 1.49 ACRES OUT OF THE WEST 120 FEET OF LOT 66 AND A 20 FOOT ALLEY ADJACENT TO THE WEST OF LOT 66, JACKSON MEADOWS SUBDIVISION, HIDALGO COUNTY, TEXAS; 1413 EAST KEETON AVENUE. (REZ2013-0001)

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 on the north side of East Keeton Avenue approximately 273.5 feet west of Jackson Road. The tract has 120 feet of frontage along East Keeton Avenue and a depth of 542.91 feet for a tract size of approximately 1.49 acres. The subject property was rezoned to C-3 (general business) District in 2006. There have been no other rezoning requests since then. The property is currently vacant and the applicant is requesting R-3A (multifamily residential apartments) District in order to construct 24 apartments. A feasibility plan has been submitted (see attached). A subdivision replat under the name of Lot 66A & Lot 66B Jackson Meadows Subdivision has been submitted to the Planning Department and is being considered.

The adjacent zoning is C-3 (general business) District to the east, R-3A (multifamily residential apartments) District to the south, and R-1 (single family residential) District to the north and west. The property to the south across East Keeton Avenue was rezoned to R-3A (multifamily residential apartments) District in 2008 and developed as Las Jollas Condos. Surrounding land uses include single family residences, Las Jollas Condominiums, and vacant land. The area to the east across Jackson Road is in the Pharr city limits and land uses include a school, apartments, and commercial uses.

- The requested zoning does not conform to the Auto Urban Single Family land use designation for the property as indicated on the Foresight McAllen Comprehensive

Plan.

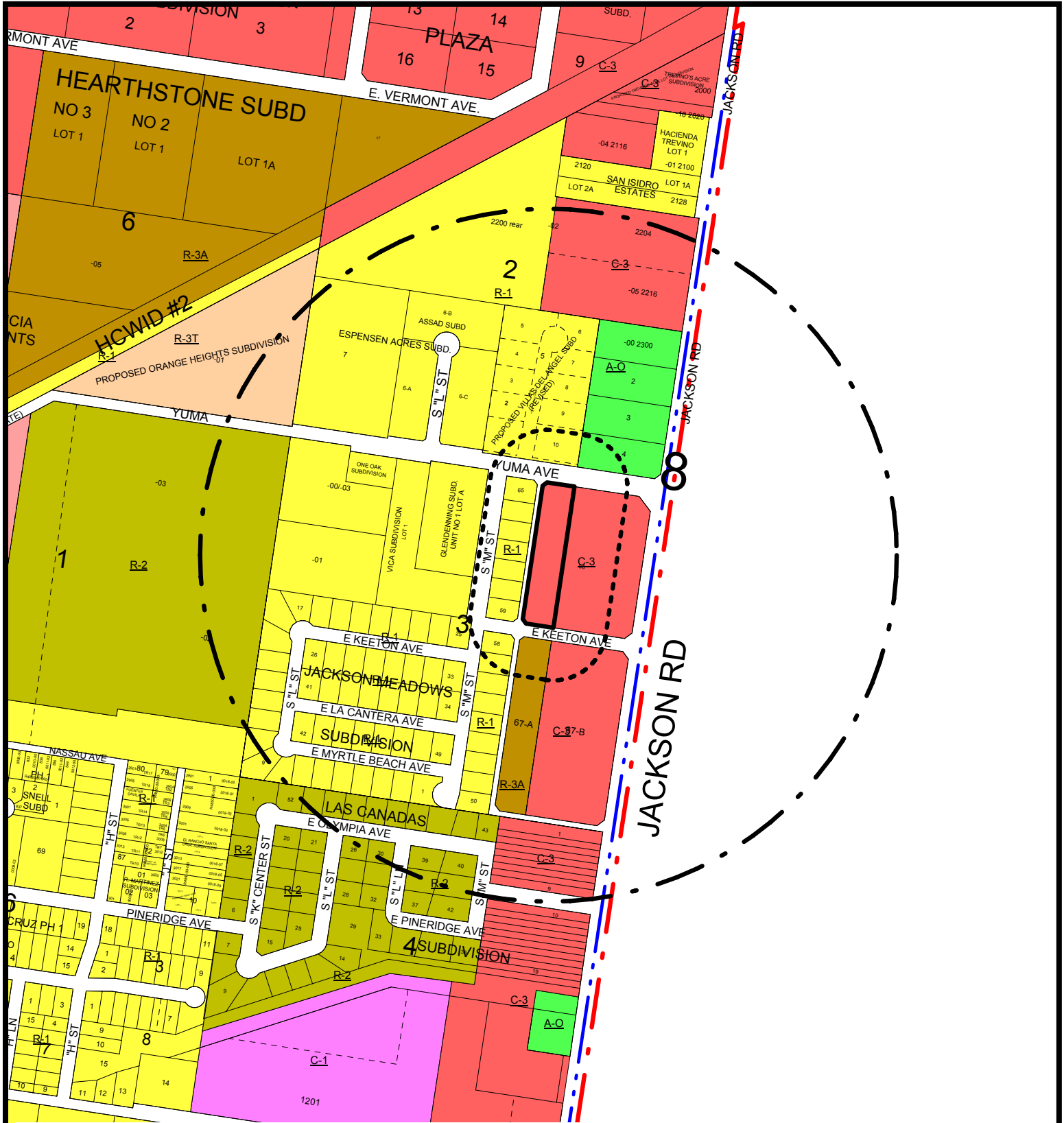
- The proposed apartments provide a transition zone between single family residential and general business commercial.
- The proposed 24 apartment units are similar to Las Jollas Condominiums to the south. The number of vehicle trips generated by low rise apartments is 6.59 vehicles trips per day or a total of 158 trips per day depending upon the number of units.
- East Keeton Avenue is a local street with 50 feet of right-of-way and 32 feet of pavement with two travel lanes, street lights, and curb and gutter.
- Yuma Avenue is designated as a major with a proposed right-of-way of 80 feet and 40 feet of pavement with two travel lanes, two parking lanes, curb and gutter, and a posted speed of 30 mph.
- A masonry screen eight feet in height is required where a multifamily use has a side or rear property line in common with a single family 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 any building permit.

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 approve a less intense zoning district.
4. Disapprove the rezoning request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of February 5, 2013, no one appeared in opposition to the rezoning request. The Board voted unanimously to recommend approval of the rezoning request with 6 members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

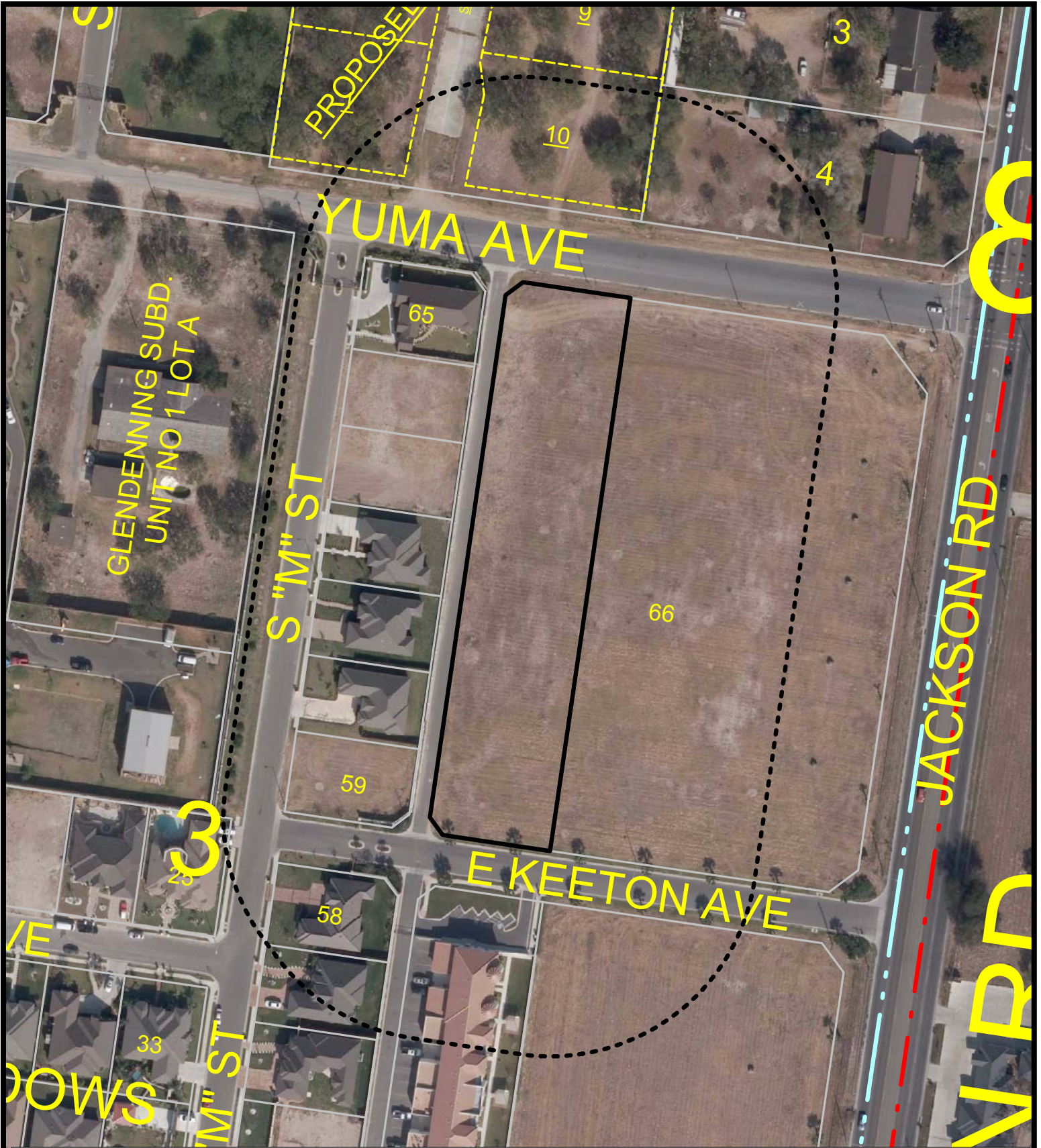
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ZONING LEGEND

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 (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 INCH = 2,000 FEET
APPROVED: SEPTEMBER 13, 2010

FORESIGHT McALLEN COMPREHENSIVE PLAN

FUTURE LAND USE PLAN

- | | |
|---------------------------------|------------------------------------|
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| AUCM - AUTO URBAN COMMERCIAL | WTBY - WATER BODIES |

THOROUGHFARE PLAN

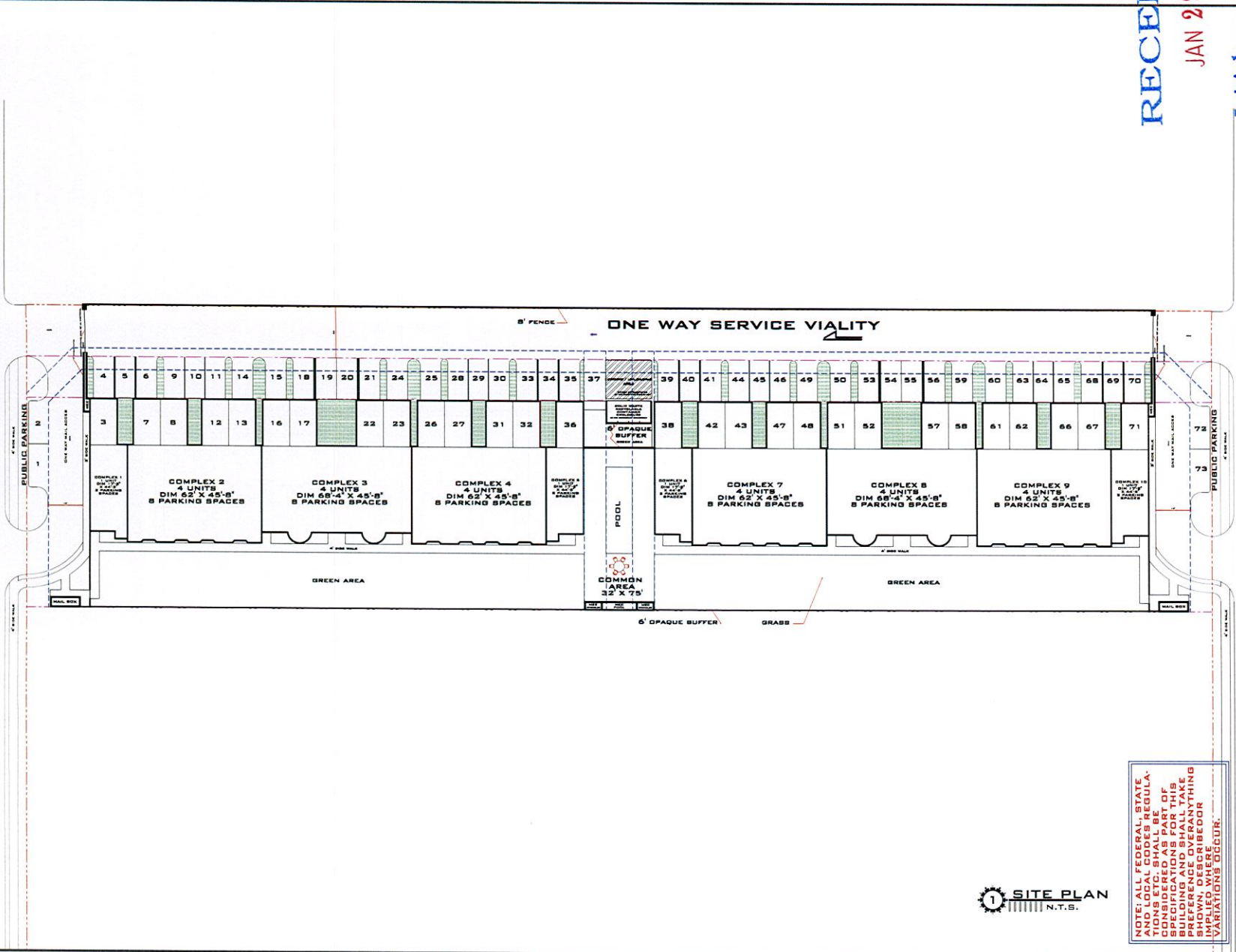
- | |
|--------------------------------|
| GRADE SEPARATION (INTERCHANGE) |
| EXPRESSWAY 350' |
| PARKWAY 350' |
| HI-SPEED ARTERIAL 150' |
| PRINCIPAL ARTERIAL 120' |
| MINOR ARTERIAL 100' |
| COLLECTOR 80' |
| ALTERNATIVE ALIGNMENT |
| McALLEN CITY LIMITS |
| McALLEN ETJ |

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

RECEIVED

JAN 29

Initial



SELA
CONSTRUCTION
L.L.C.

SELA DESIGNS.

SELA CONSTRUCTION
DESIGN AND DEVELOPMENT
711 MCALLAN STE. 101-D
MCALLEN, TX 78504
PHONE 956-369-4453



SCALE: N.T.S.

SITE PLAN

PROJECT NO. LJ-103

DATE: 01.16.13

DRAWN BY RS

CHK. BY RS

DRAWER

AUTHORING OFFICER

SELA CONSTRUCTION L.L.C. 711 MCALLAN STE. 101-D MCALLEN, TX 78504
 9. SELA CONSTRUCTION L.L.C. EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN THIS DOCUMENT.
 10. SELA CONSTRUCTION L.L.C. EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN THIS DOCUMENT.

REVISIONS	BY

PROJECT:
LAS JOLLAS PII

EDDIE CANTU

NOTE: ALL FEDERAL, STATE AND LOCAL CODES, REGULATIONS ETC. SHALL BE CONSIDERED AS PART OF THE DESIGN. THE DESIGNER SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED OR VARIATIONS OCCUR.

1 SITE PLAN
N.T.S.

A-1.1

SELA CONSTRUCTION L.L.C. EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, IN THIS DOCUMENT.



**NOTICE
REZONING
For
This Property
REZ2013-0001**

 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: February 5, 2013

SUBJECT: REZONE FROM I-1 (LIGHT INDUSTRIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) DISTRICT: 81.44 ACRES OUT OF LOTS 10, 11, & 12, BLOCK 5, RIO BRAVO PLANTATION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6800 SOUTH 23RD STREET. (REZ2013-0003)

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 west side of South 23rd Street approximately 1,320 feet south of Military Highway. The irregularly shaped tract has approximately 95 feet of frontage along South 23rd Street and a depth of 4,000 feet for a tract size of 81.44 acres. The subject property was zoned I-1 (light industrial) District upon annexation in 2007. There have been no rezoning requests on the subject property since that time. The subject property is currently the Pawlik Farms Orange Grove. The McAllen Foreign Trade Zone is the applicant requesting I-2 (heavy industrial) District in order to market the property for heavy industrial uses. A feasibility plan has not been submitted.

The adjacent zoning is I-1 (light industrial) District and C-4 (commercial industrial) District to the north, I-2 (heavy industrial) District to the west and outside the city limits to the north and south. Surrounding land uses are USA Carriers, McAllen Foreign Trade Zone, McAllen Produce Terminal, the Banker Floodway, and vacant land.

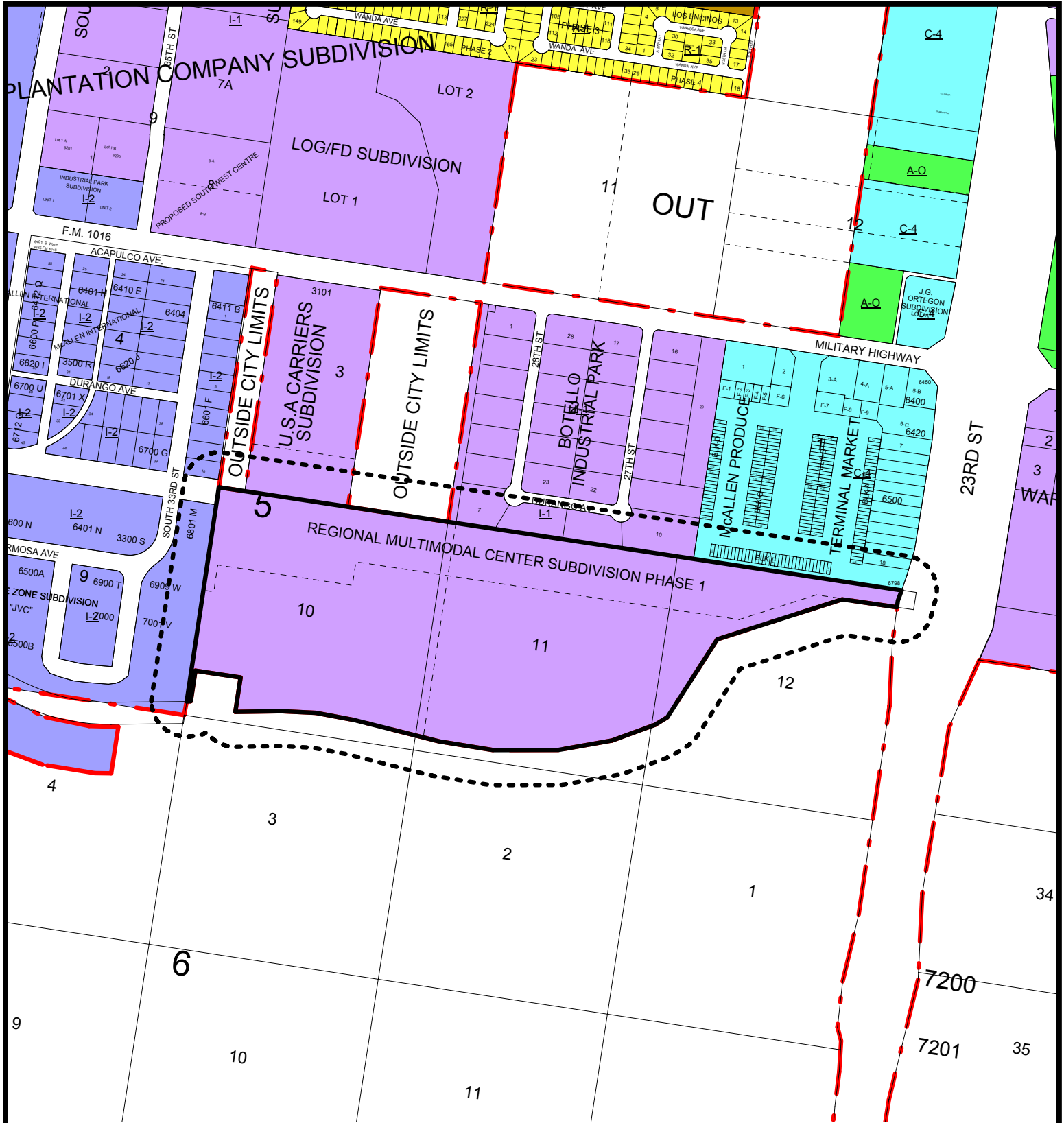
- The requested zoning conforms to the Industrial land use designation as indicated on the Foresight McAllen Comprehensive Plan
- Heavy industrial uses are compatible with the surrounding land uses.
- The tract is adjacent to heavy industrial district located to the west.
- The development trends in the area are outdoor uses and operations suitable to the heavy industrial district. Rezoning would allow the expansion of heavy industrial.
- Water, sewer, drainage and roadway infrastructure are available to support industrial activities.
- 23rd Street is designated as a high speed arterial with 150 feet of right-of-way and is constructed with six travel lanes, a median, frontage road, and curb and gutter.

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 approve a less intense zoning district.
4. Disapprove the request.

RECOMMENDATION:

At the Planning and Zoning Commission meeting of February 5, 2013, no one appeared in opposition to the rezoning request. The Board voted unanimously to recommend approval of the rezoning request with 6 members present and voting.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

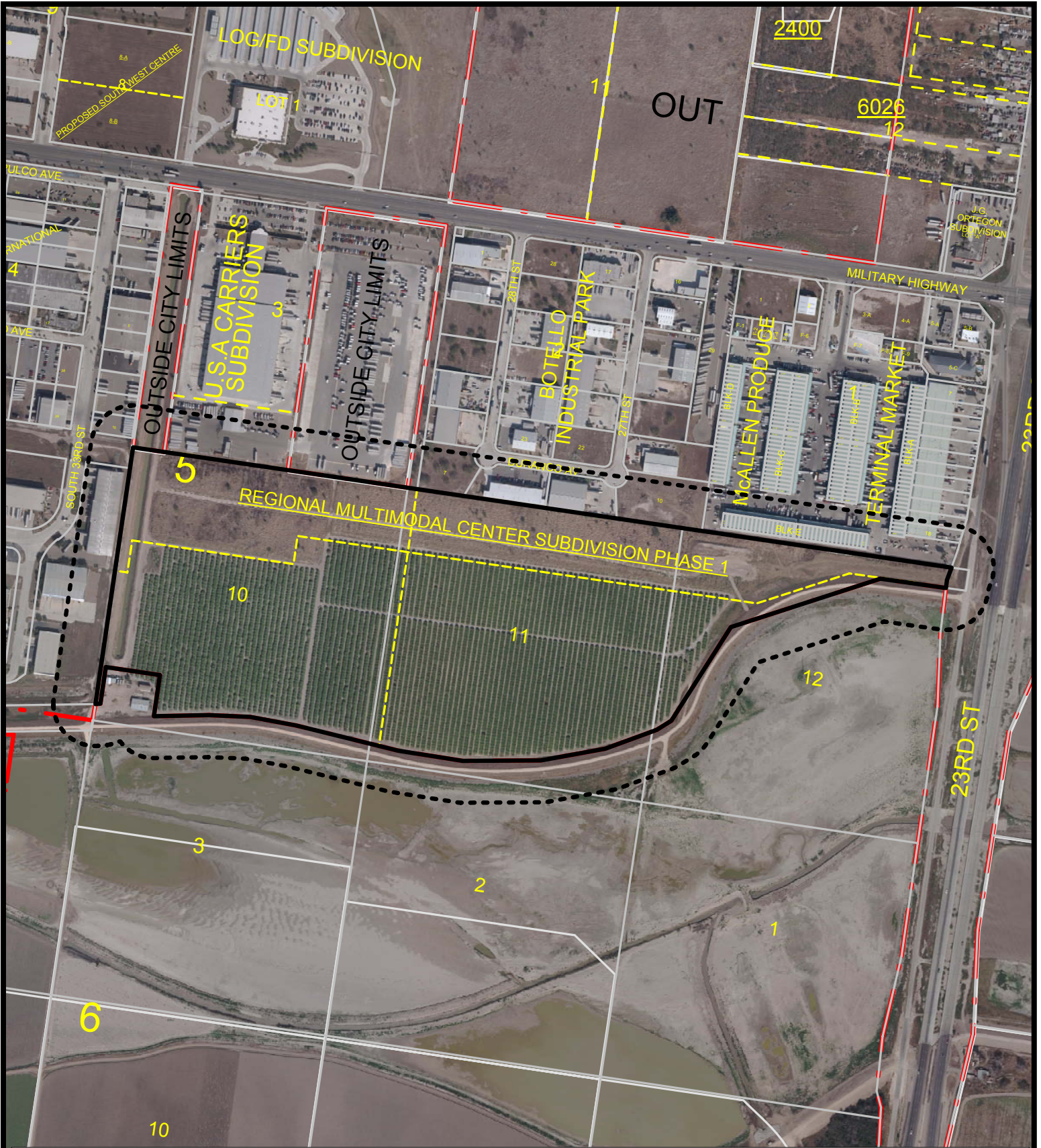
200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

ZONING LEGEND

A-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)

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CITY OF McALLEN
 PLANNING DEPARTMENT

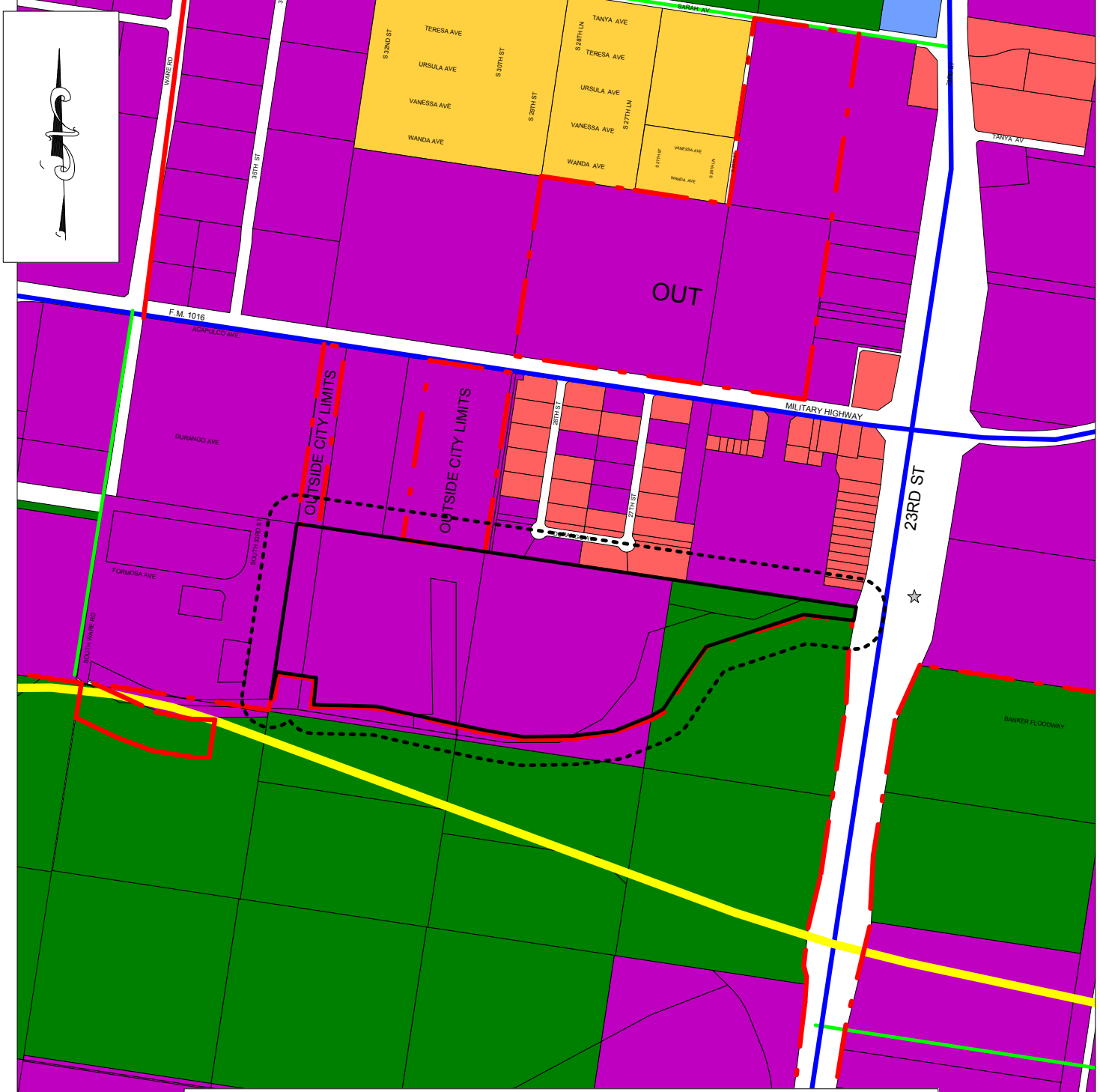
AERIAL MAP
 SCALE: N.T.S.

 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 INCH = 2,000 FEET
APPROVED: SEPTEMBER 13, 2010

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 |

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

**NOTICE
REZONING
For
This Property
REZ2013-0003**

City of McAllen Planning Dept - 972-7050
www.mcallen.net

RENTAL UNIT 1400 HAST A 10,000 FT² 630-5255

Memo

TO: Mike R. Perez, City Manager

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

DATE: February 19, 2013

SUBJECT: APPEAL THE DECISION OF THE PLANNING AND ZONING COMMISSION OF THE FEBRUARY 5, 2013 MEETING DENYING THE REQUEST OF DAGOBERTO QUINTANILLA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT THE NORTH 120 FT. OF THE WEST 237.8 FT. OF THE WEST 2.40 ACRES OF THE SOUTH ½ OF THE NORTH ½ OF LOT 16, BLOCK 3, C. E. HAMMOND SUBDIVISION; 2203 SOUTH 23RD 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 east side of South 23rd Street, approximately 100 ft. north of Uvalde Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, and A-O (agricultural and open space) District to the east, south and west. Surrounding land uses include commercial businesses, the airport, and vacant land. A night club 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 this use at this location by the Planning and Zoning Commission on July 7, 1998. The permit had been renewed annually by different tenants. The last renewal was approved for one year by the Planning and Zoning Commission on August 4, 2009. Subsequently, the permit expired in August 2010, but the bar continued to be in operation. Code Enforcement issued a citation on August 4, 2011 for an expired Conditional Use Permit and was advised to submit an application in order to continue the use. The application was received on August 3, 2011. The Planning and Zoning Commission disapproved the request with a favorable recommendation on September 6, 2011. The City Commission approved the request for one year with a variance to the distance requirement on September 26, 2011. On December 2012 Code Enforcement issued another citation for an expired Conditional Use Permit, subsequently the applicant submitted an application.

The applicant is proposing to continue to operate a night club (El Toro Club II) from the existing 3,540 sq. ft. building. The hours of operation will continue to be from 4:00 p.m. to 2:00 a.m. daily.

A police activity report is attached indicating service calls from January 2012 to present. The Health and Fire Departments have inspected the establishment which is in compliance with health and safety codes and regulations. The establishment must comply with 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 establishment is within 600 ft. of publicly owned properties (Boeye Reservoir and the City of McAllen Airport);
- 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 direct access to South 23rd Street and does not generate traffic into 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. Based on the square footage of the building, 23 parking spaces are required; 23 spaces are 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 capacity for this establishment is 220 persons.

OPTIONS:

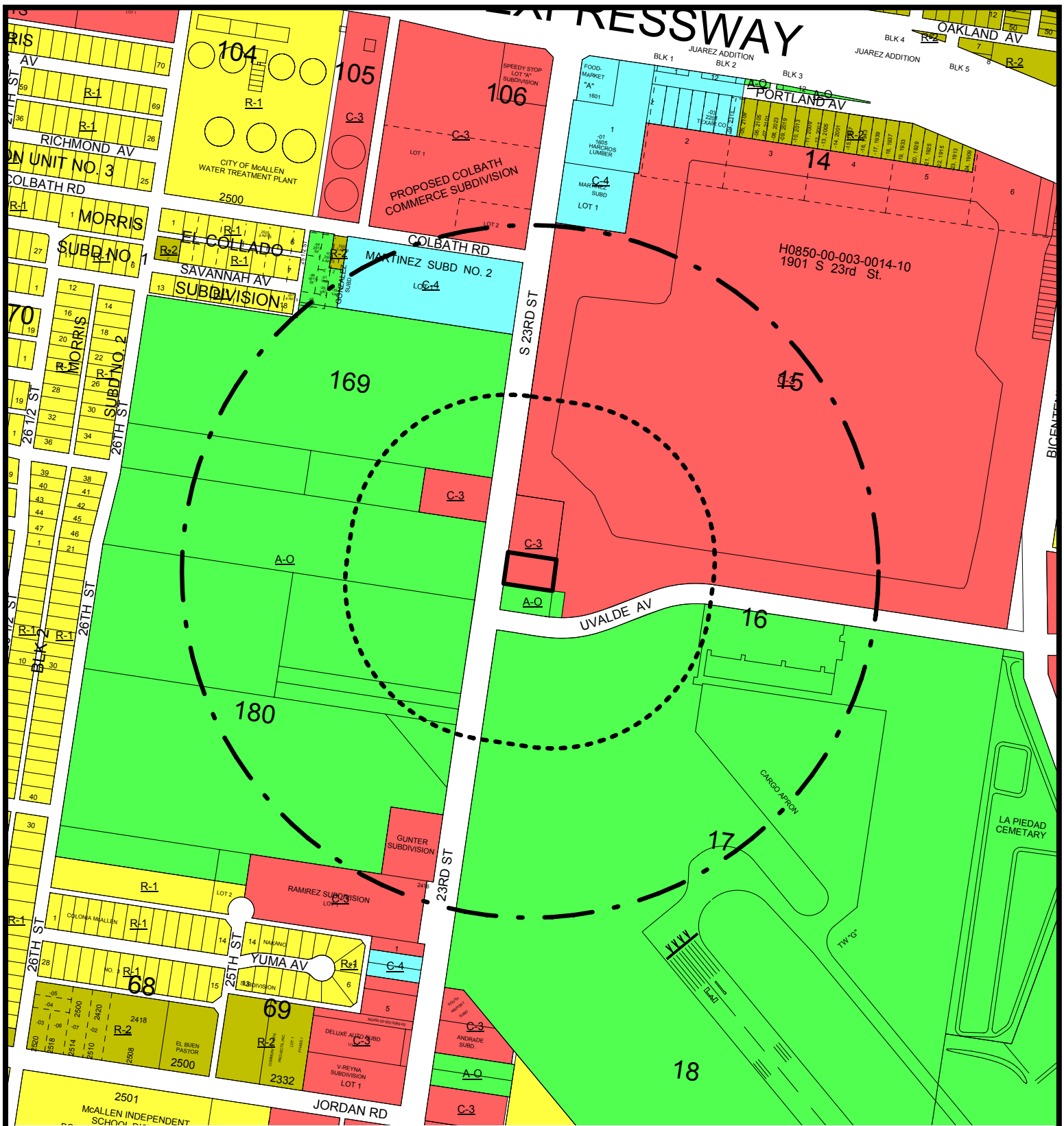
1. Approve the Conditional Use Permit request, for one year.
2. Table the item for additional information.
3. Disapprove the Conditional Use Permit.

RECOMMENDATION:

The request was heard at the February 05, 2013 Planning and Zoning Commission meeting. There was no one present in opposition of the request and the applicant was not present.

Following discussion, 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 for a variance to be granted to the distance requirement with the added conditions to provide extra security, nightly trash pickup and enough lighting around the area. There were six members present and voting.

The applicant has submitted a letter of appeal.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

SUBJECT PROPERTY

60 FT. NOTIFICATION BOUNDARY

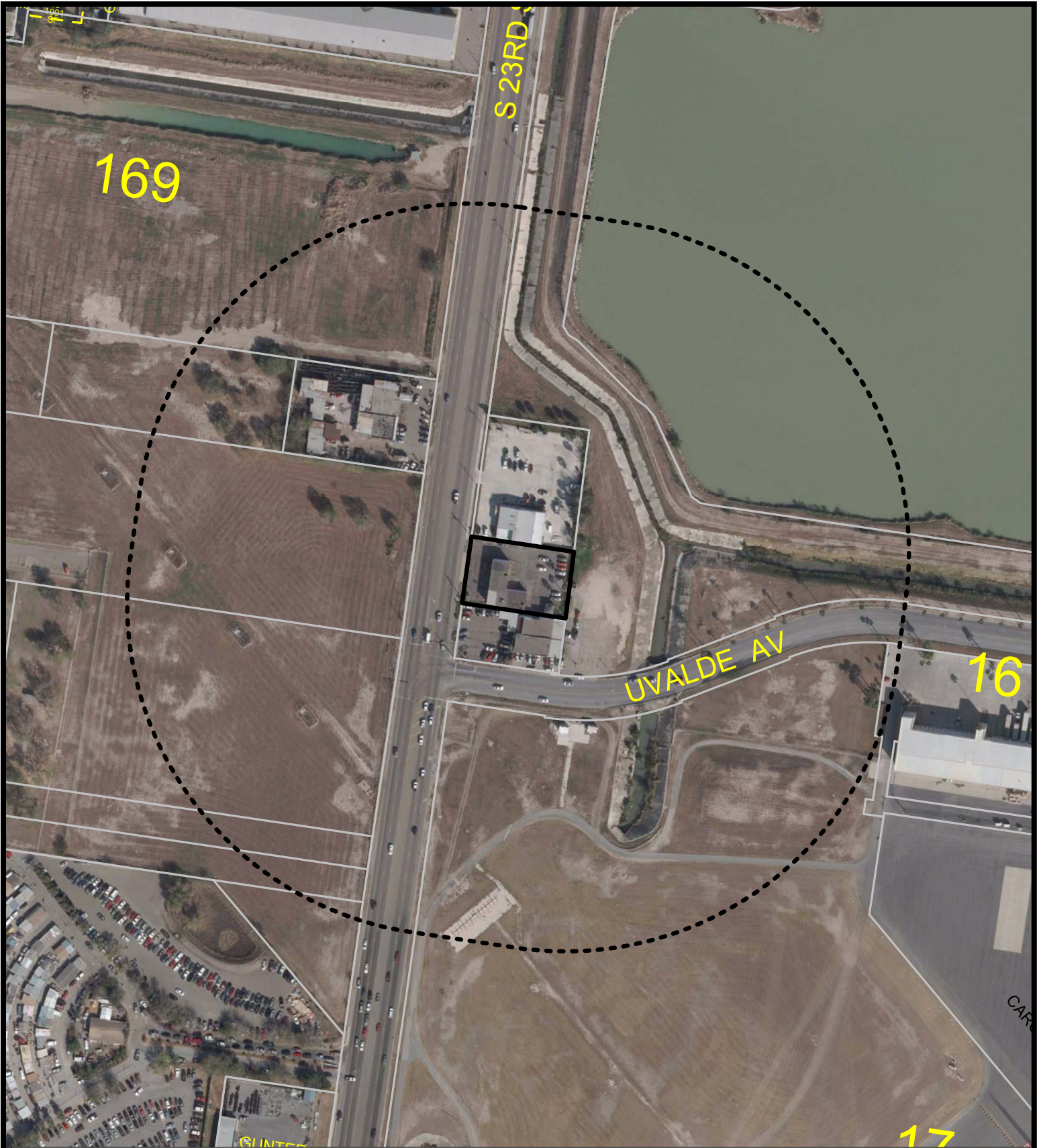
1/4 MILE RADIUS



ZONING LEGEND

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

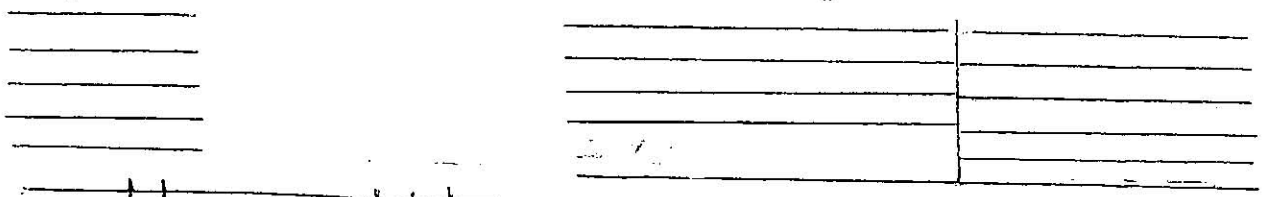
AERIAL MAP
SCALE: N.T.S.

 SUBJECT PROPERTY

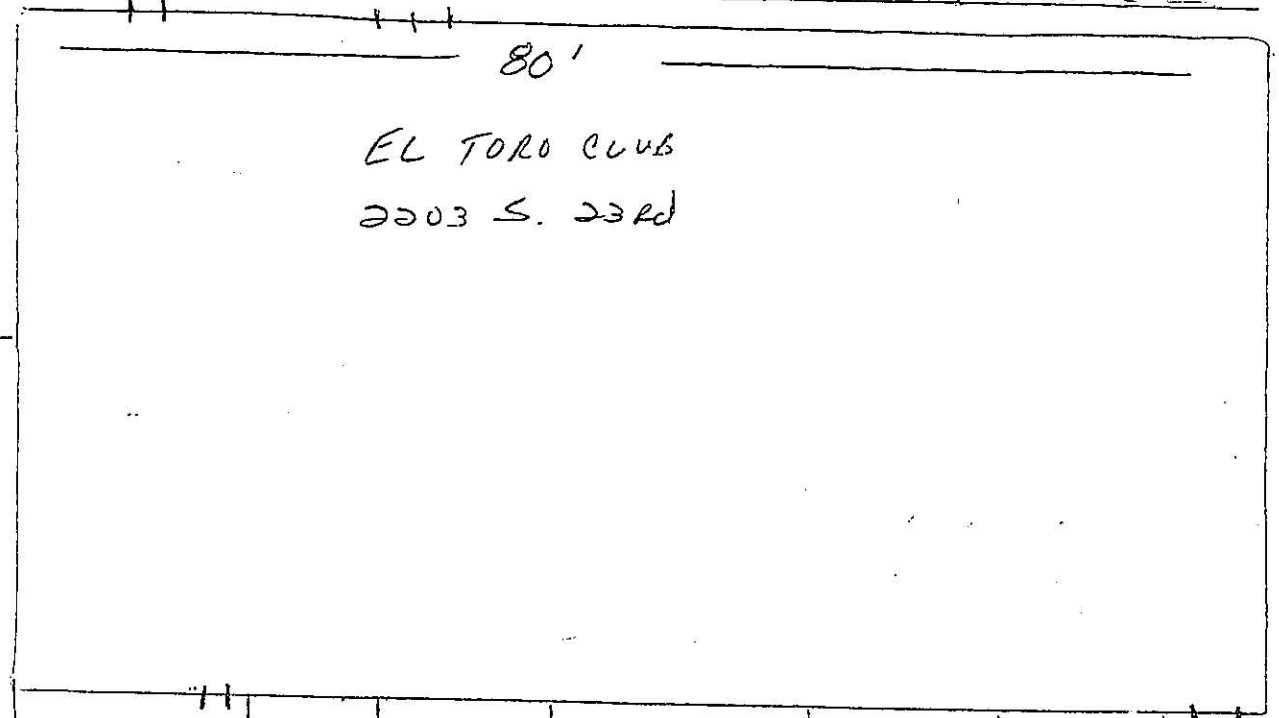
 600 FT. NOTIFICATION BOUNDARY



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



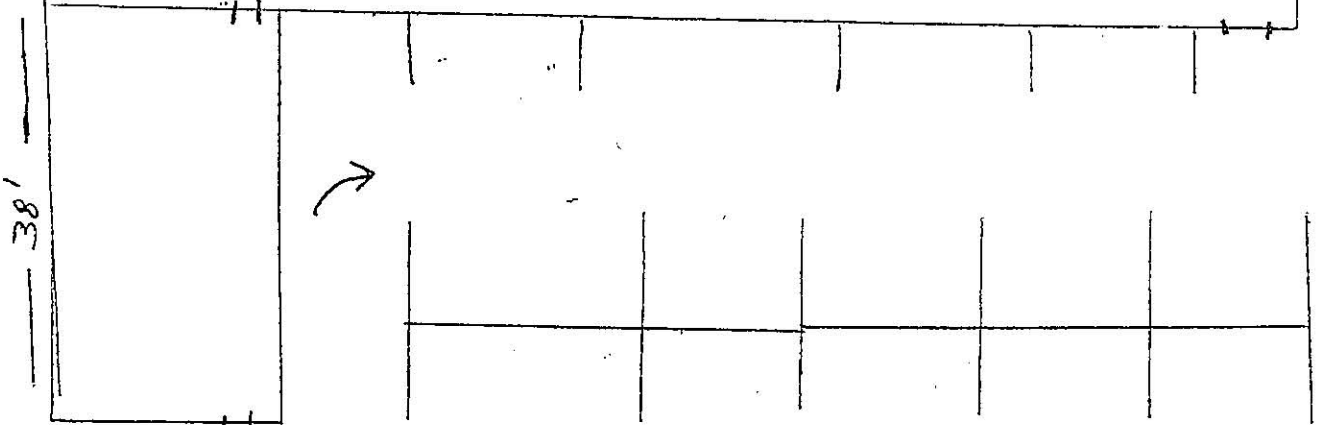
→ N



EL TORO CLUB
2203 S. 23RD

30'

25
EXISTING
PARKING
SPACES



16 PARKING
SPACES
ADDED

38'

30'

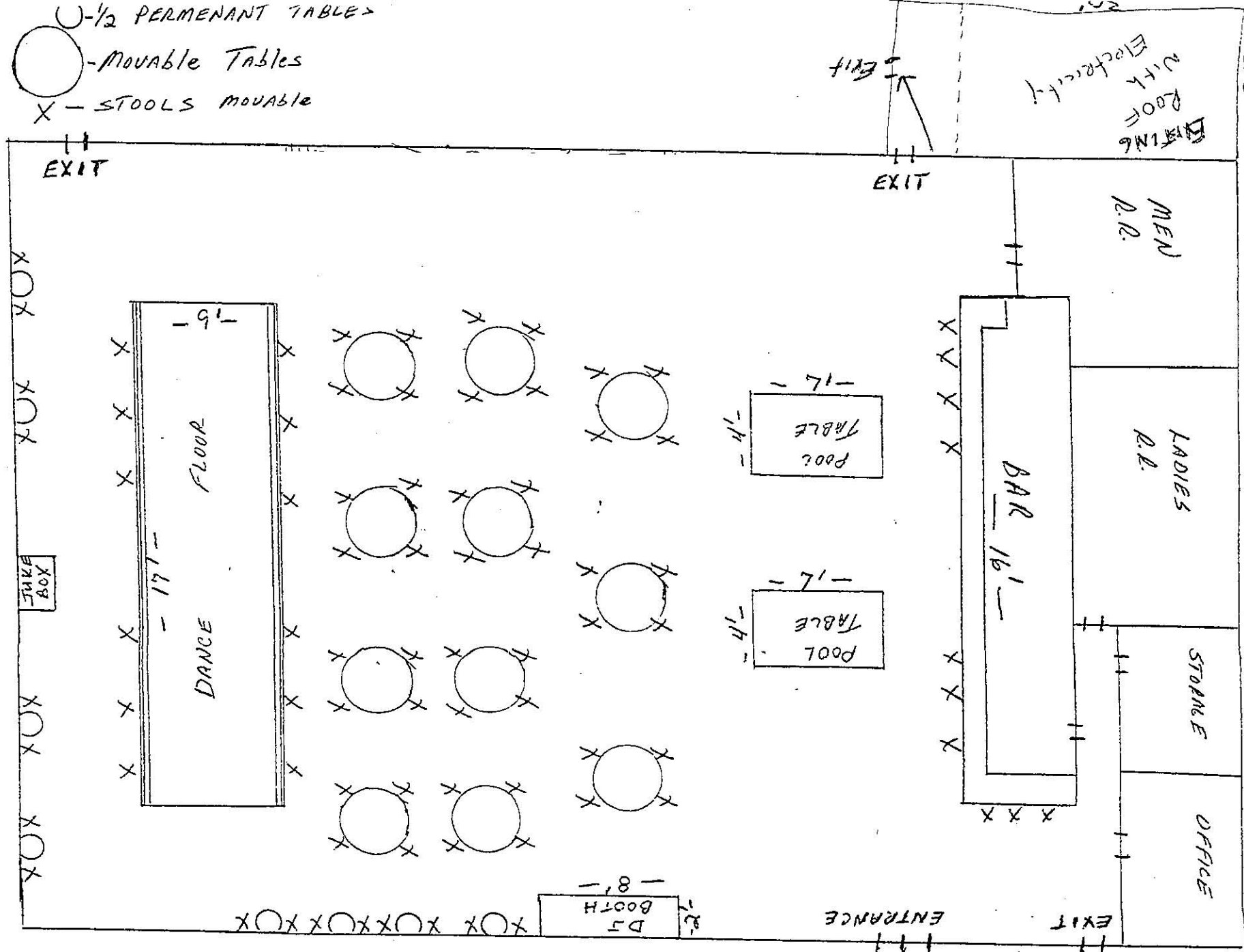
STORAGE
ROOM



- 80' -

- 30' -

○ - 1/2 PERMANENT TABLES
 ○ - MOVABLE TABLES
 X - STOOLS MOVABLE



MCALLEN POLICE DEPARTMENT**RE: CFS 2203 S 23RD ST****JAN 2012-2013**

DATE	TIME	INC#	INCIDENT TYPE	ADDRESS
2/10/2012	1:54	201200011851	ASSAULT W/ A DEADLY WEAPON	2203,S,23RD,ST,,
2/20/2012	1:09	201200014978	SUSPS SUBJ/CIRCUMST	2203,S,23RD,ST,,
3/10/2012	7:11	201200021061	REQUEST OFFICER	2203,S,23RD,ST,,
3/17/2012	0:31	201200023255	MINOR ACCIDENT	2203,S,23RD,ST,,
6/18/2012	1:48	201200056233	CRIMES AGAINST PROPERTY	2203,S,23RD,ST,,
11/2/2012	21:33	201200104690	Traffic Stop	2203,S,23RD,ST,,
12/15/2012	1:48	201200119170	FIGHT	2203,S,23RD,ST,,
1/16/2013	1:40	201300004956	MINOR ACCIDENT	2203,S,23RD,ST,,

McAllen Municipal Court
1601 N. Bicentennial Blvd.
McAllen, TX 78501
(956) 681-2900

Warning

Ticket #
15717

Date: **12/21/12** Time: **8:05 PM** Issuer: **H. Canales** ID # **9378**

Location/Block/Street: **2003 S 3rd St** License Plate: _____

Permits	Health	Zoning
<input type="checkbox"/> Building	<input type="checkbox"/> Weedy Lot	<input type="checkbox"/> Sign Placed in ROW
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Accumulation of trash	<input type="checkbox"/> Signs w/o Permit
<input type="checkbox"/> Electrical	<input type="checkbox"/> Stagnant Water	<input type="checkbox"/> Erecting Signs w/o Permit
<input type="checkbox"/> Mechanical	<input type="checkbox"/> Illegal Dumping	<input type="checkbox"/> Proh. Portable Signs
Work w/o Inspection	<input type="checkbox"/> Gross Unsanitary Cond.s	<input type="checkbox"/> Front Yard Parking
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Deposit of Wastes	<input type="checkbox"/> Fail to Obtain C.U.P.
<input type="checkbox"/> Electrical	Food/Retail	<input checked="" type="checkbox"/> Expired C.U.P.
<input type="checkbox"/> Mechanical	<input type="checkbox"/> No Certified Manager	<input type="checkbox"/> Violation of C.U.P. Cond.
<input type="checkbox"/> Construction (com./res)	<input type="checkbox"/> No Food Handling Cert.	Animal
Performing Work w/o Lic.	<input type="checkbox"/> Hazardous Foods	<input type="checkbox"/> Leash Law
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Selling Food w/o Permit	<input type="checkbox"/> No Vaccinations
<input type="checkbox"/> Electrical	<input type="checkbox"/> Business on Sidewalks	Fire
<input type="checkbox"/> Mechanical	<input type="checkbox"/> Display/Sale on St/Sidewalk	<input type="checkbox"/> Exceed Occupancy
	<input type="checkbox"/> Proh. Outdoor Display/Sale of Merch.	<input type="checkbox"/> Blocked Exits
	<input type="checkbox"/> No Garage Sale Permit	<input type="checkbox"/> Fail to Maintain Fire Alarm

Violation/Offense: _____

Violation/Offense: _____

Last Name: _____ First Name: _____ Middle: _____

Street Address: **509 E 24th St** City: **McAllen** State: **TX** Zip: **78572**

Res. Phone: **956-941-9410** Sex: _____ DOB: _____ Age: _____ D.L. #: _____ State: _____

Occupation: **FL TACO** Employer: _____ Phone: **956-941-9410**

Business Address: **2003 S 3rd St** City: **McAllen** State: **TX** Zip: _____

I HEREBY PROMISE TO APPEAR BEFORE THE MUNICIPAL COURT ON OR BEFORE:

Jan 12, 20**13**

Signature: _____

YOUR FAILURE TO APPEAR MAY CAUSE A CRIMINAL COMPLAINT TO BE FILED AGAINST YOU AND A WARRANT FOR YOUR ARREST WILL BE ISSUED.

Letter of Appeal

02/13/13

ATTN: City Secretary's Office

RE: Conditional use PERMIT REQUEST FOR
A NIGHT CLUB AT 2203 SOUTH 23RD STREET.

As a retired law enforcement officer, and past state private security license holder for many years. And having the honor to have serviced the City of McAllen. I am well aware of the security, safety and precaution of the bar business. Above all being personally present about 90% of the time. I strongly believe the proper security is present. But will adapt ~~to~~ additional, if city required. Regarding lighting at present, I have complete around the building neon bright lighting. Plus one front and one rear C.P. & L business area lights, which to my opinion is well lite. But again if more is required, it will be added. It has been my instructions to my barback staff for nightly trash pickup. And if it has been overlooked. The matter will be taken care of.

Sincerely,

Dagoberto Quintanilla
DAGOBERTO QUINTANILLA

PC# 94,869

RECEIVED

FEB 13 2013

Initial: DA
1:09 pm

Live & D.J.

WHERE THE PARTY
NEVER ENDS



DRESS
CODE
ENFORCED
I.D. REQUIRED
SMOKING ALLOWED

2
2 BUSINESS HOURS
0 FRIDAY-SUNDAY
3 7 P.M.-2 A.M.
CLOSED MONDAY

**NOTICE
BAR**
For
This Property
CUP2012-0197
City of McAllen Planning Dept - 681-1250
www.mcallen.net

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 1A5 </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 2/19/13 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 2/25/13 </u>
OTHER	<u> </u>		

1. **Agenda Item:** Conditional Use Permit

2. **Party Making Request:** Maria C. Hernandez on behalf of Rana's Sports Club, LLC

3. **Nature of Request: (Brief Overview) Attachments:** X Yes No
 Appeal the decision of the Planning and Zoning Commission of the February 5, 2013 meeting denying the request of Maria C. Hernandez on behalf of Rana's Sports Club, LLC, for a Conditional Use Permit, for one year, for a nightclub at Lot 1, Nolana West Subdivision, Hidalgo County, Texas: 2200 Nolana Avenue, Suites 2232 & 2234.

4. **Policy Implication:** _____

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

Bid Amount:	<u> Budgeted </u>	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> 02/19/13 </u>	<u> No </u>
b) _____	<u> </u>	<u> </u>	<u> </u>

8. **Staff's Recommendation:** Disapproval of the request based on non-compliance to 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.

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 L.G.

DATE: February 19, 2013

SUBJECT: APPEAL THE DECISION OF THE PLANNING AND ZONING COMMISSION OF THE FEBRUARY 5, 2013 MEETING DENYING THE REQUEST OF MARIA C. HERNANDEZ ON BEHALF OF RANA'S SPORTS CLUB, LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHTCLUB AT LOT 1, NOLANA WEST SUBDIVISION; 2200 NOLANA AVENUE SUITES 2232 & 2234.

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 northeast corner of North 23rd Street and Nolana Avenue and is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions. Surrounding land uses include restaurants, retail, offices and McAllen's Library. A nightclub is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

The applicant is proposing to continue to operate a nightclub (Rana's) from 4:00 p.m. to 2:00 a.m. Monday through Sunday. The initial Conditional Use Permit was approved by the City Commission on July 9, 2007 with a variance to the 600 ft. distance requirement. The permit since then has been renewed annually with variances to the distance requirements. The last approval by the City Commission was on July 25, 2011 with a variance to the 600 ft. distance requirement. On December 2012 Code Enforcement issued a citation for an expired Conditional Use Permit, subsequently the applicant submitted an application.

Attached is the police activity report indicating service calls from January 2012 until present. The Fire and Health Department have inspected and cleared the establishment. 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 abovementioned 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. from residential zones/uses and the McAllen Library;
- 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 a major arterial, Nolana Avenue, and does not generate traffic into 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. The building is a mixture of retail, restaurants, bars and a vacant suite. At this time there are restaurants (Cabritos Nuevo Leon, La Terraza, La Tasca), 26,332 sq. ft. of retail suites including Dollar General, and two bars (Cigar's Bar & DeLoreans). Based on the square footage and uses, 208 parking spaces are required and 269 are provided on site. The proposed 2,590 sq. ft. bar would require 35 parking spaces for a total of 243 spaces for the plaza, leaving 26 available. The vacant suite of 23,911 sq. ft. of retail, if open, would require 60 parking spaces. For every business to run simultaneously, 303 parking spaces would be required and would need to be provided before permits could be issued;
- 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.

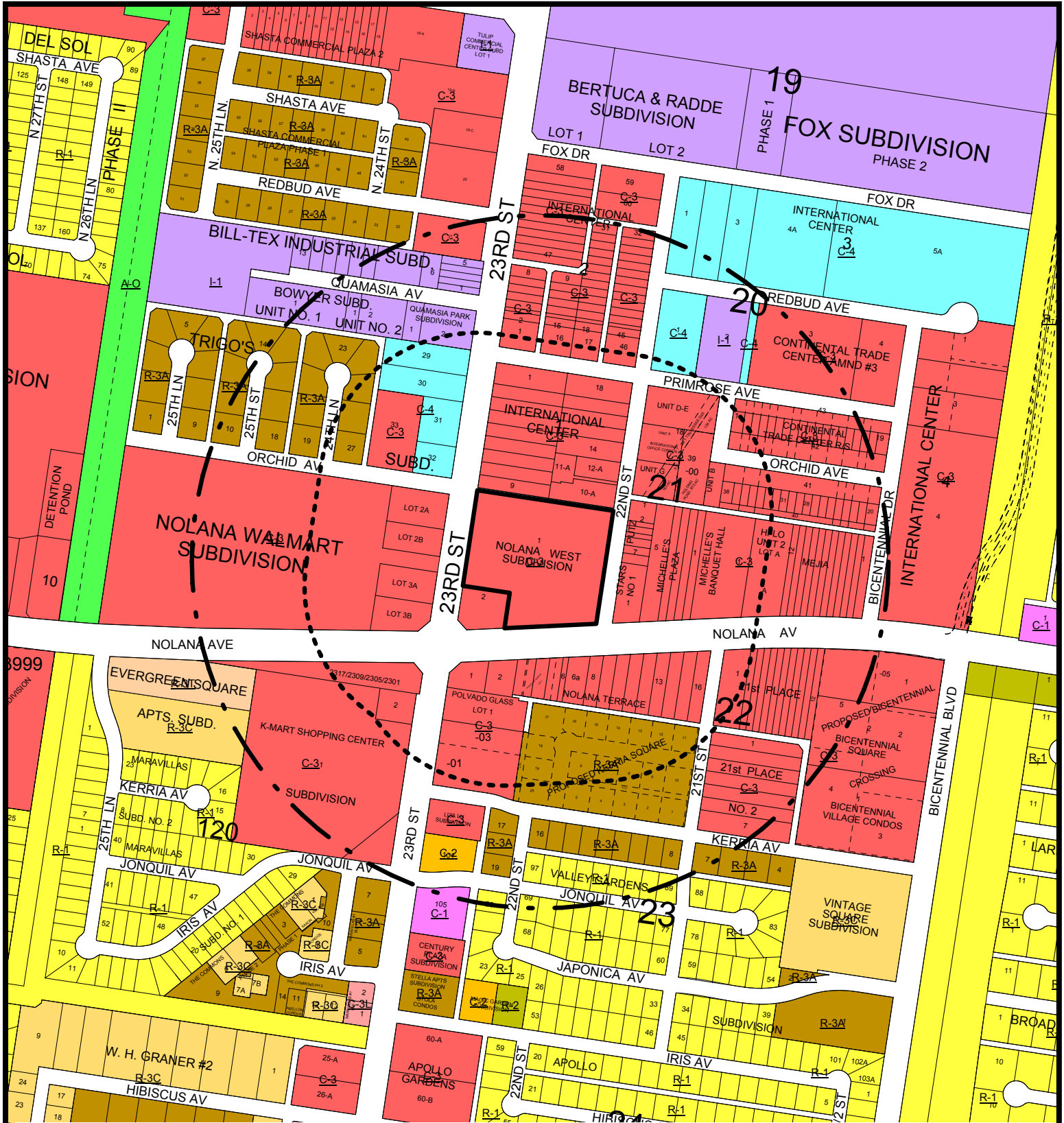
OPTIONS:

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

RECOMMENDATION:

The request was heard at the February 05, 2013 Planning and Zoning Commission meeting. There was no one present in opposition of the request. The applicant was not present; however, the applicant's representative was at the meeting.

Following discussion, 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 for a variance to be granted to the distance requirement. There were six members present and voting. The applicant has submitted a letter of appeal.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND

SCALE: 1" = 500'



SUBJECT PROPERTY

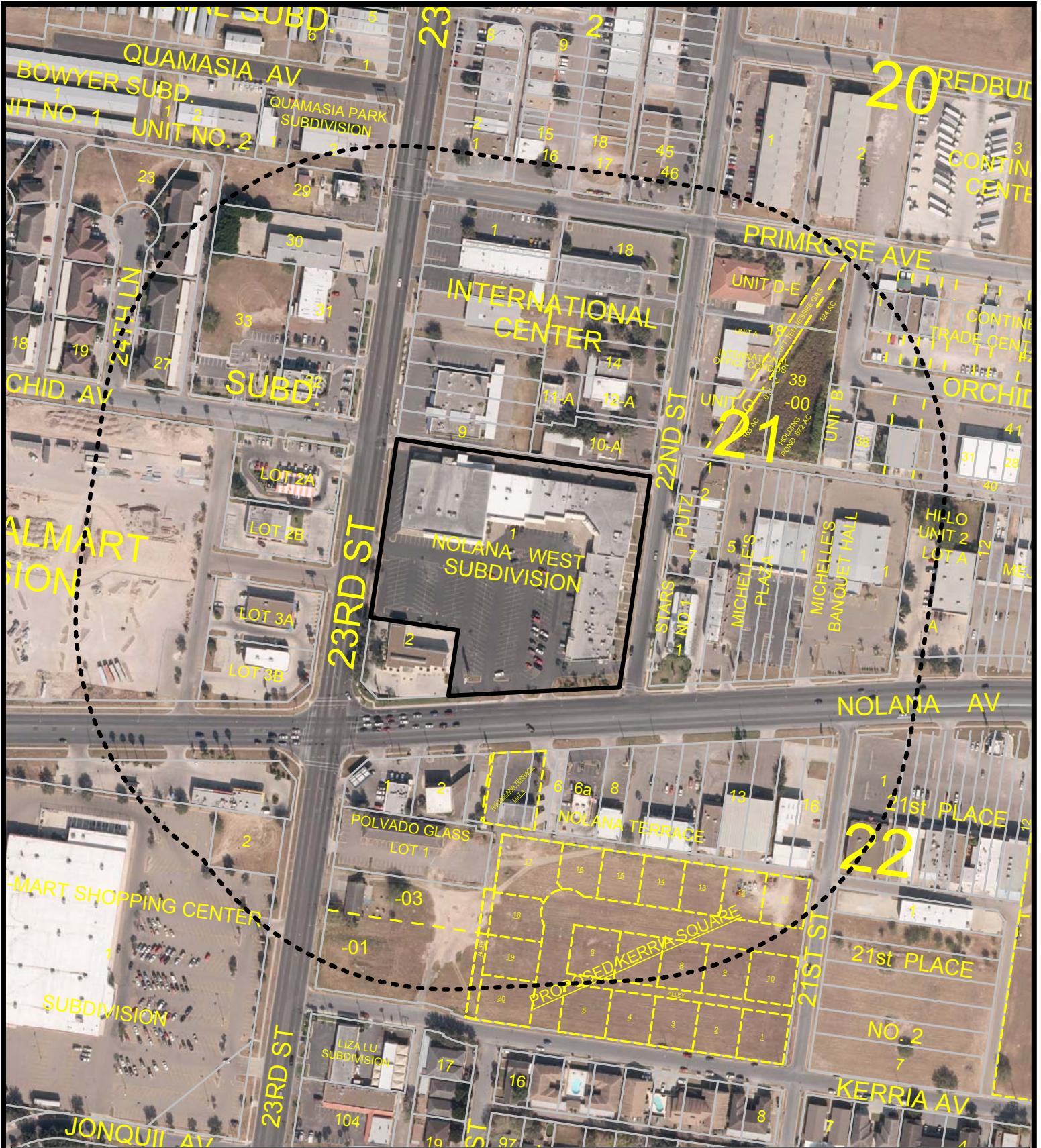
600 FT. NOTIFICATION BOUNDARY

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.

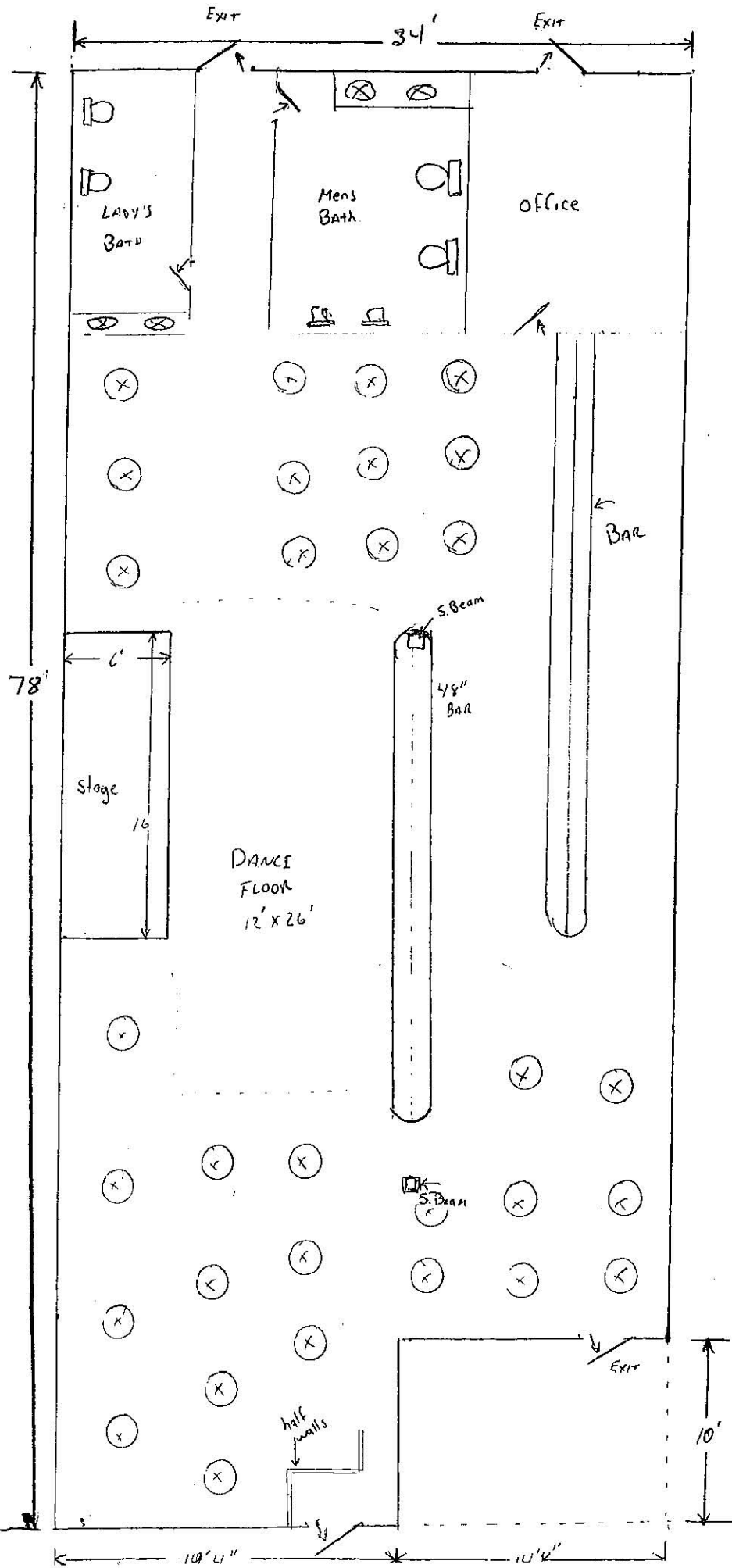
 SUBJECT PROPERTY

 600 FT. NOTIFICATION BOUNDARY



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

RECEIVED
MAY 25 2007



$1/8'' \rightarrow 1ft$
⊗ = TABLE
CAP. = over 150 People.
2504 sft.

MCALLEN POLICE DEPARTMENT
RE: CFS 2200 W NOLANA (RANAS)
JAN 2012-2013

<u>DATE</u>	<u>TIME</u>	<u>INC#</u>	<u>INCIDENT TYPE</u>	<u>ADDRESS</u>
8/20/2012	2:05	201200078276	REQUEST OFFICER	2200,W,NOLANA,AV,,STE 2234
9/3/2012	1:23	201200083317	ASSAULT	2200,W,NOLANA,AV,,STE 2234
6/2/2012	1:53	201200050903	DISTURBANCE	2200,W,NOLANA,AV,,STE 2234
4/3/2012	10:11	201200029499	MINOR ACCIDENT	2200,W,NOLANA,AV,,STE 2234
4/28/2012	1:01	201200038571	DISTURBANCE	2200,W,NOLANA,AV,,STE 2234
10/1/2012	2:19	201200093040	DISTURBANCE	2200,W,NOLANA,AV,,STE 2234
5/6/2012	23:23	201200041767	ASSAULT	2200,W,NOLANA,AV,,STE 2234
1/14/2013	1:43	201300004355	DISTURBANCE	2200,W,NOLANA,AV,,STE 2234
10/1/2012	3:11	201200093046	SUSPS SUBJ/CIRCUMST	2200,W,NOLANA,AV,,STE 2234
4/7/2012	1:32	201200030978	DISTURBANCE	2200,W,NOLANA,AV,,STE 2234
7/28/2012	2:02	201200070121	TOWED VEHICLE	2200,W,NOLANA,AV,,STE 2234
1/9/2012	1:56	201200002441	FIGHT	2200,W,NOLANA,AV,,STE 2234

February 13, 2013

City of McAllen
1300 Houston Ave.
McAllen, Texas 78502

To whom it may concern,

This letter is to appeal the decision made by the Planning Commission on February 5 regarding Ranas Sports Club at 2200 West Nolana, Suites 2232 & 2234 in McAllen. Please reconsider your decision and consider our appeal request for a continued night club permit.

Thank you for your anticipated cooperation regarding this matter.

Respectfully,



Owner: Maria C. Hernandez



Manager: Roberto Ramirez



**BREAKFAST
BUFFET**

CABRITOS BREAKFAST BUFFET
NUEVO LEON RESTAURANTE CATERING

LA GENERAL

LA TERTAZA

LaTertaza

SAVE TIME SAVE MONEY

HESU
NO ALCOHOL
STATE OF EMERGENCY, TEXAS
1-877-746-9799

**NOTICE
NIGHT CLUB
For
This Property
CUP2013-0006**
City of McAllen Planning Dept - 681-1250
www.mcallen.net

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM _____ 1A6
DATE SUBMITTED _____ 2/19/13
MEETING DATE _____ 2/25/13

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Joel L. Ozuna

3. Nature of Request: (Brief Overview) Attachments: X Yes _____ No
Appeal the decision of the Planning and Zoning Commission of the February 5, 2013 meeting denying the request of Joel L. Ozuna, for a Conditional Use Permit, for one year, for a home occupation (office) at the west 89 feet of Lot 12 and the south 1/2 of the west 89 feet of Lot 11, Block 17, North McAllen Subdivision, Hidalgo County, Texas: 502 North 11th Street.

4. Policy Implication: _____

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

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

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>02/19/13</u>	<u>Yes</u>
Director of Planning			
b) _____	_____	_____	_____

8. Staff's Recommendation: Approval of the request, for one year, subject to no sign and in compliance with requirement in Section 138-118(1) of the Zoning Ordinance and Fire Department requirements.

9. Advisory Board: x Approved _____ Disapproved _____ None
As recommended by staff for approval, subject to no sign and in compliance with requirement in Section 138-118(1) of the Zoning Ordinance 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 Garza III, Chairman, Planning and Zoning Commission L.G.

DATE: February 19, 2013

SUBJECT: **APPEAL THE DECISION OF THE PLANNING AND ZONING COMMISSION OF THE FEBRUARY 5, 2013 MEETING DENYING THE REQUEST OF JOEL L. OZUNA FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A HOME OCCUPATION (OFFICE) AT THE WEST 89 FEET OF LOT 12 AND THE SOUTH ½ OF THE WEST 89 FEET OF LOT 11, BLOCK 17, NORTH McALLEN SUBIVISION; 502 NORTH 11TH 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 northeast corner of Ebony Avenue and North 11th Street. The property dimensions are 75 ft. by 89 ft. and is zoned R-3A (apartments) District. The adjacent zoning is R-3A District in all directions and also C-3 (general business) District to the east. Surrounding land uses include single family residences, and open land. A home occupation is permitted in an R-1 zone with a Conditional Use Permit and in compliance with requirements.

A conditional use permit was approved the past for a law office with a variances granted by the City Commission to allow the applicant not to live on site, to allow a 2' X 3' sign and to allow additional employees.

A new applicant was approved for a conditional use permit in September 2011 and renewed, subject to conditions of applicant living on site, not offering music lessons, and no sign. The most recent renewal was approved in November 2012, subject to the same conditions. The applicant submitted a new application in December 2012 for the purpose of requesting a 2' X 3' sign advertising the business.

He plans to continue operating an office from the existing residence for an instrument repair shop and also to propose a sign for the home occupation. The proposed hours of operation are from 12:00 p.m. to 6:00 p.m. Monday through Friday and from 11:00 a.m. to 4:00 p.m. on Saturdays.

The business consists of repairing string instruments and sales of instruments through a website. The business deals primarily with various schools. He also proposes customers to come by the office to drop off instruments for repair and pick up instruments. The applicant stated that the clientele will be by appointment only.

Should the conditional use permit be approved, the applicant would be required to sign the certificate acknowledging and agreeing to the conditions of the permit. The occupation may not be operational until issuance of the certificate. The Fire Department has inspected and cleared the building. The business must comply with requirements set forth in Section 138-118(1) of the Zoning Ordinance and other specific requirements as follows:

- 1) The home occupation must be clearly secondary to the residential use. The applicant lives at the residence;
- 2) A 2' X 2' name plate attached to the building in an R-2 to R-4 zones is permitted. A 2' X 3' free standing sign is proposed;
- 3) There shall be no exterior display or alterations indicating that the building is being used for any purpose other than that of a dwelling. No exterior display is proposed;
- 4) There shall be no more than one additional unrelated employee other than immediate members of the family residing on the premises. The applicant proposes no additional employees;
- 5) There shall be no outside storage of materials or products. The applicant proposes no outside storage; storage of some instruments is proposed inside the residence; and
- 6) The permitted use shall not create frequent or heavy traffic, not greater than ten percent (10%) of the average load per hour as determined by the traffic safety engineer of the city. The applicant is proposing clientele by appointment only;
- 7) No retail sales (items can be delivered) . Retail sales are through a website and will be delivered;
- 8) No additions to the residence or accessory building specifically to accommodate the business. The applicant proposes no additions or accessory building to accommodate the business;
- 9) The business must take place in the primary residential structure on the property rather than in a detached garage or separate accessory building. The occupation is proposed to take place in the primary residential structure; and
- 10) The activity must take place at the location of which the permit was issued.

OPTIONS:

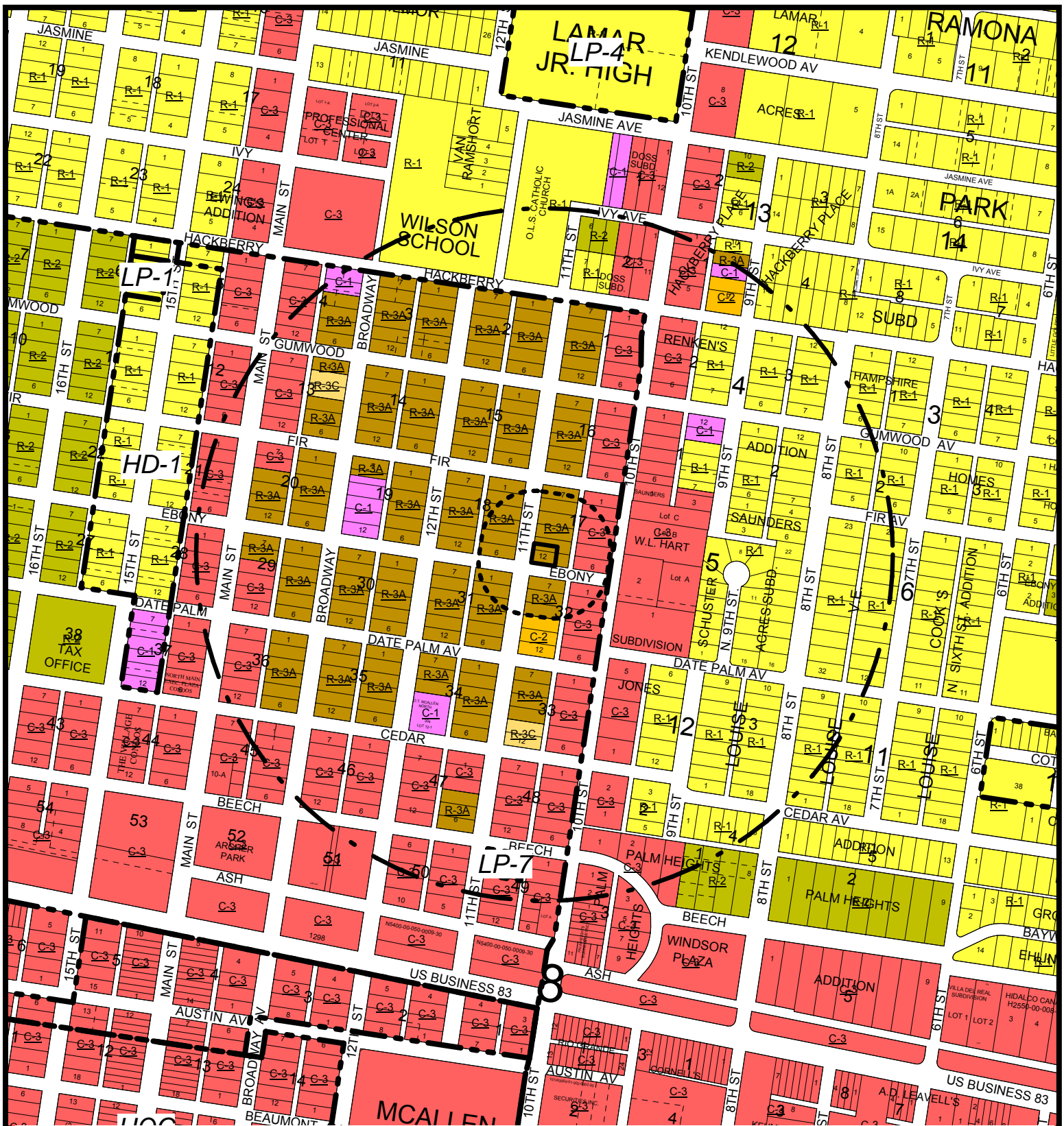
1. Approve the conditional use permit.
2. Table the item for additional information.
3. Disapprove the request.

RECOMMENDATION:

The request was heard at the February 05, 2013 Planning and Zoning Commission meeting. There was no one present in opposition of the request and the applicant was not at the meeting.

Following discussion, the board unanimously voted to approve the conditional use permit as recommended by staff for approval, for one year, subject to no sign and in compliance with requirements in Section 138-118(1) of the Zoning Ordinance and Fire Department requirements. There were six members present and voting.

The applicant has submitted a letter of appeal to pursue the request for one 2' X 3' free standing sign.



CITY OF McALLEN
PLANNING DEPARTMENT

AREA MAP

LEGEND
SCALE: 1" = 500'



SUBJECT PROPERTY

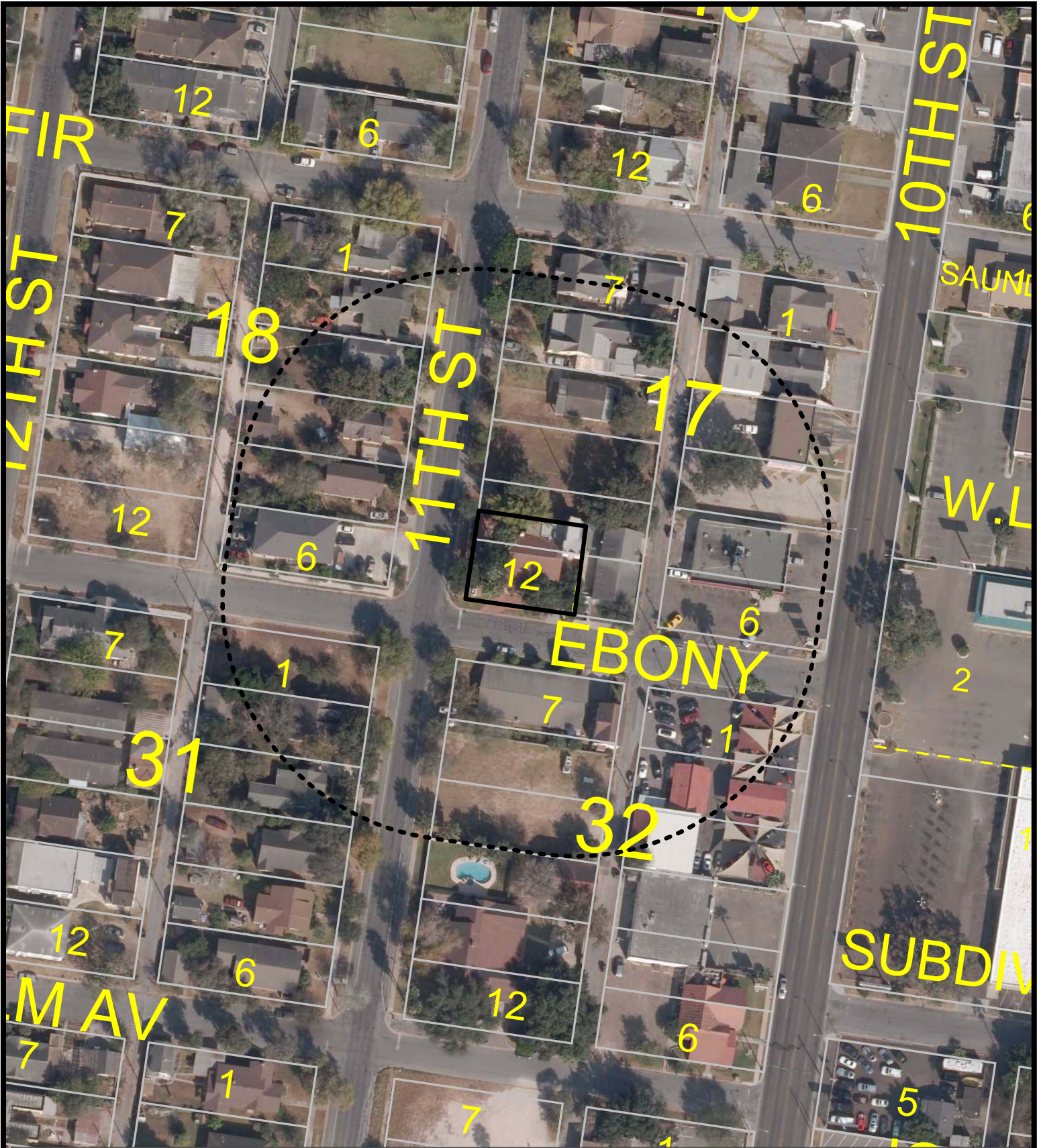
200 FT. NOTIFICATION BOUNDARY

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

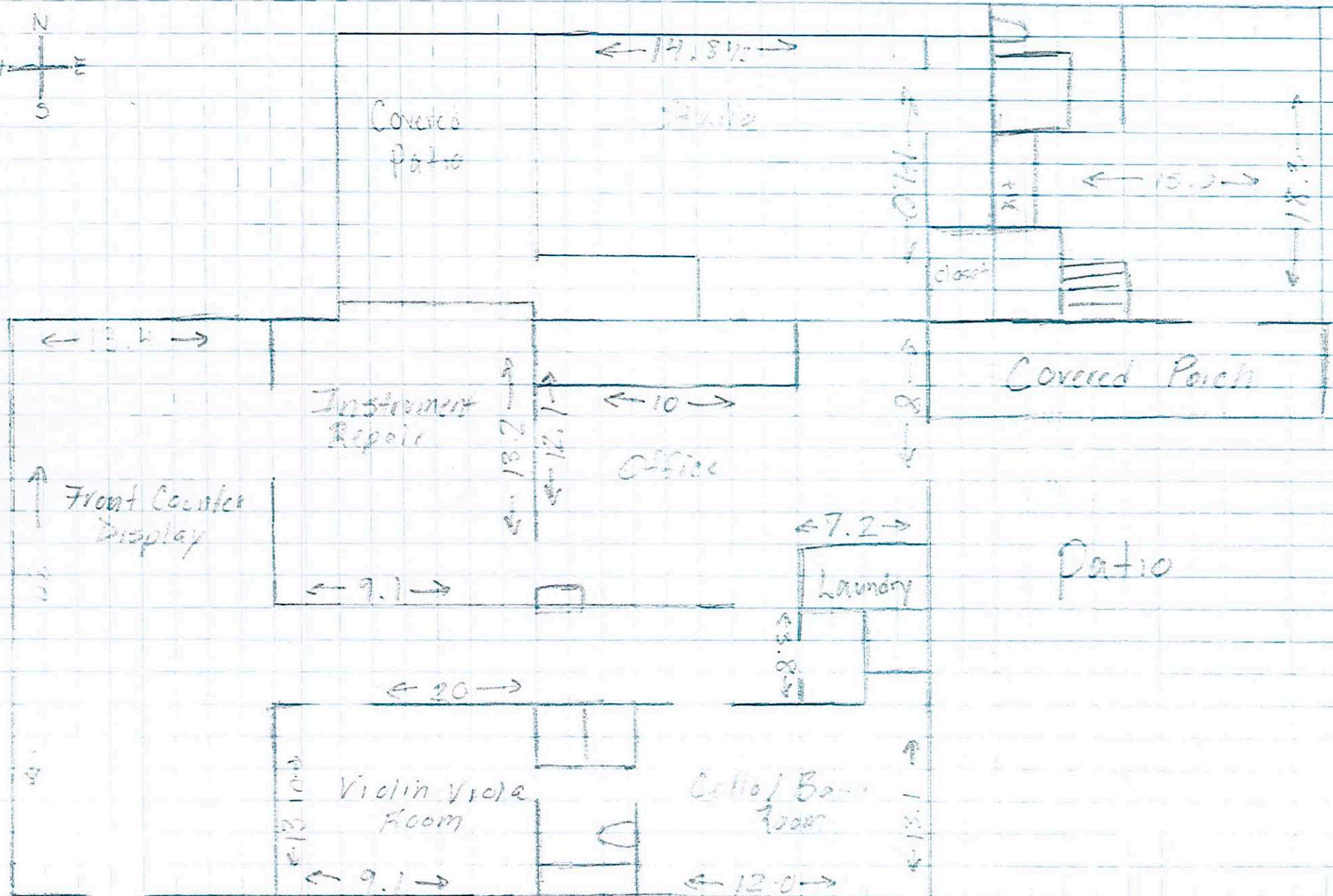
AERIAL MAP
 SCALE: N.T.S.

 SUBJECT PROPERTY

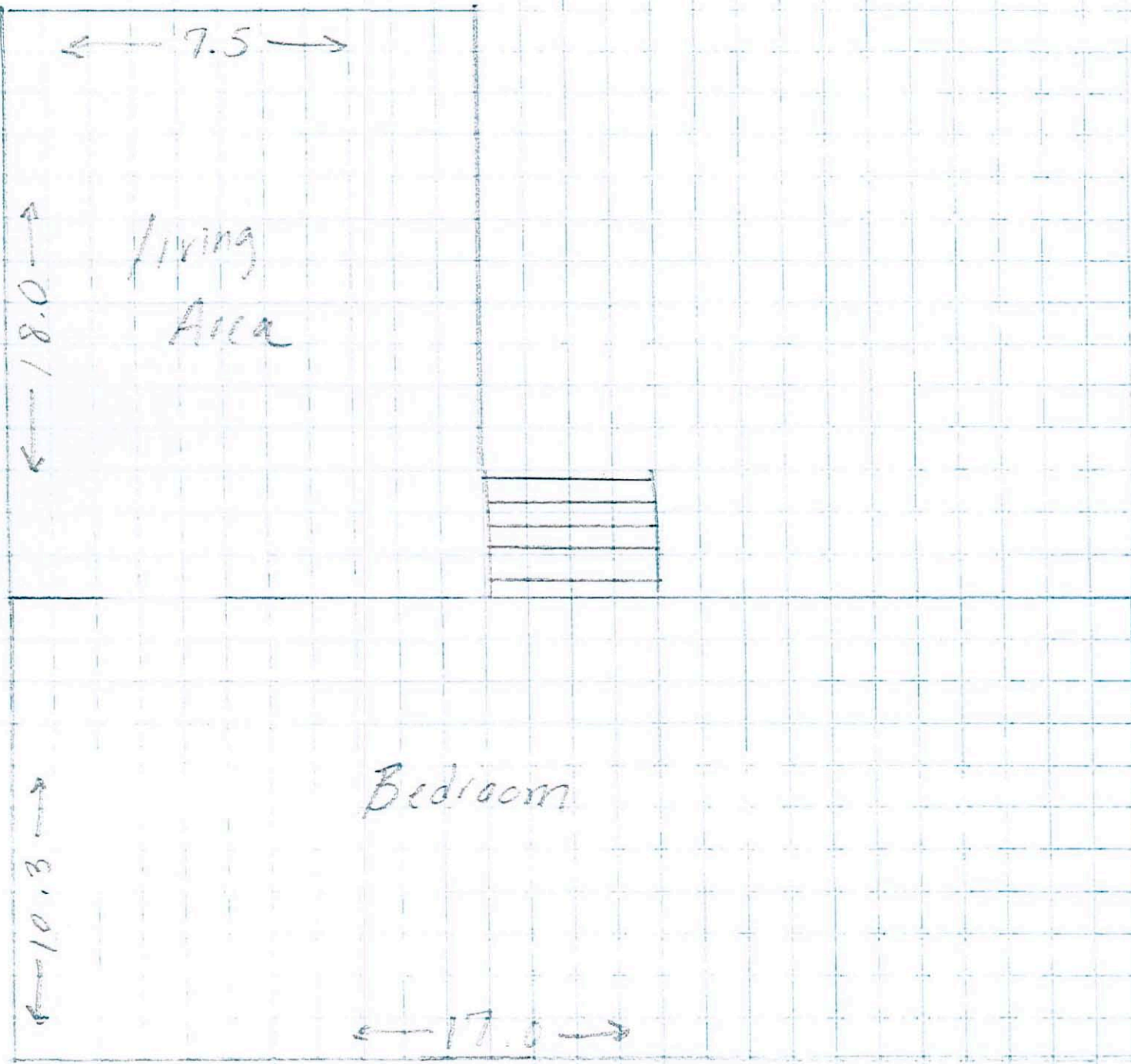
 200 FT. NOTIFICATION BOUNDARY



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



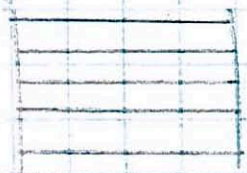
2nd Floor
Living Quarters



← 9.5 →

← 8.0 →

Living Area



Bedroom

← 10.3 →

← 17.0 →

Monday, February 12, 2013

City of McAllen
Planning Department
1300 Houston Ave
McAllen, Texas 78501

To Whom It May Concern:

I re-applied for a CUP (Conditional Use Permit) in hope that I could ask the board for an exemption on having a sign earlier this year.

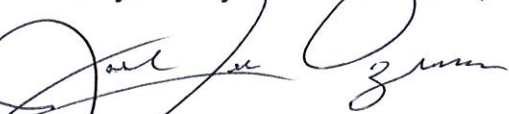
It is my understanding, based on your letter of approval dated February 6, 2013, is subject to no sign and in compliance with the requirements in Section 138-18(1) of the Zoning Ordinance and Fire Department requirements.

I am appealing the denial of having a sign.

The previous tenant, Attorney Carlos Ochoa, had a CUP for 10 years with a special exemption that allowed him to have not one, but two signs. One on the corner of 502 N. 11th Street and another on top of his main entrance facing Ebony Street. I'm only asking to have a sign on the corner no bigger than the one he had.


Based on this information, I'm asking that you reconsider your previous decision and allow me to have a sign.

Thank you for your consideration,



Joel Ozuna
502 N. 11th Street
cell: 956-536-5635
email: jozuna@me.com

**NOTICE
HOME BUSINESS
For
This Property
CUP2013-0005**

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

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 1C1 </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 2/16/13 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 2/25/13 </u>
OTHER	<u> </u>		

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Jeff G. Stolpa on behalf of Stripes #9641

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

 Request of Jeff G. Stolpa on behalf of Stripes #9641 for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, Cassandra Subdivision; 3618 Pecan Boulevard.

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid	Amount:	<u> Budgeted </u>	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 YES/NO
a) <u> Julianne R. Rankin </u>	<u> JRR </u>	<u> 2/19/13 </u>	<u> Yes, 1 year </u>
Director of Planning			
b) _____	<u> </u>	<u> </u>	<u> </u>

8. Staff's Recommendation: Staff recommends disapproval of the request, for life of the use; however, staff recommends approval for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks and Fire Department requirements.

9. Advisory Board: Approved Disapproved X None
 This item was heard on the February 5, 2012 meeting; however, item was tabled. Applicant wishes the item to remain tabled for the February 19, 2012 Planning and Zoning Commission meeting and the February 25, 2013 City Commission.

10. City Attorney: Approved Disapproved KP None

11. Manager's Recommendation: Approved Disapproved MRP None

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 1C2 </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 2/16/13 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 2/25/13 </u>
OTHER	<u> </u>		

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Jeff G. Stolpa on behalf of Stripes #9644

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

Request of Jeff G. Stolpa on behalf of Stripes #9644 for a Conditional Use Permit, for life of the use, for a portable building at Lot 1, Nolana Terrace Subdivision; 3920 North 23rd Street.

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid	Amount:	<u> Budgeted </u>	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>	<u> JRR </u>	<u> 2/19/13 </u>	<u> Yes, 1 year </u>
Director of Planning			
b) _____	<u> </u>	<u> </u>	<u> </u>

8. Staff's Recommendation: Staff recommends disapproval of the request, for life of the use; however, staff recommends approval for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks and Fire Department requirements.

9. Advisory Board: Approved Disapproved X None
This item was heard on the February 5, 2012 meeting; however, item was tabled. Applicant wishes the item to remain tabled for the February 19, 2012 Planning and Zoning Commission meeting and for the February 25, 2013 City Commission.

10. City Attorney: Approved Disapproved KP None

11. Manager's Recommendation: Approved Disapproved MRP None

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM _____ 1C3
DATE SUBMITTED _____ 2/16/13
MEETING DATE _____ 2/25/13

1. **Agenda Item:** Conditional Use Permit

2. **Party Making Request:** Jeff G. Stolpa on behalf of Stripes #9104

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

Request of Jeff G. Stolpa on behalf of Stripes #9104 for a Conditional Use Permit, for life of the use, for a portable building (storage) at 0.80 acres out of Lot 76, R.E. Horn's Addition to McAllen First Suburban Citrus Grove Subdivision; 1520 South Ware Road.

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 YES/NO
a) <u>Julianne R. Rankin</u> <u>Director of Planning</u>	<u>JRR</u>	<u>2/19/13</u>	<u>Yes, 1 year</u>
b) _____	_____	_____	_____

8. **Staff's Recommendation:** Staff recommends disapproval of the request, for life of the use; however, staff recommends approval for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks, Fire Department requirements and subject to having a 12 ft. separation between portable building and main building.

9. **Advisory Board:** Approved Disapproved X None
This item was on the February 5, 2012 meeting; however, item was tabled. Applicant wishes the item to remain tabled for the February 19, 2012 Planning and Zoning Commission meeting and the February 25, 2013 City Commission.

10. **City Attorney:** Approved Disapproved KP None

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

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM 1C4
DATE SUBMITTED 2/16/13
MEETING DATE 2/25/13

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Jeff G. Stolpa on behalf of Stripes #7318

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

Request of Jeff G. Stolpa on behalf of Stripes #7318 for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lots 1 and 2, Block 64, Original Townsite of McAllen Subdivision; 720 South 10th Street.

4. Policy Implication: _____

5. Budgeted: Yes No N/A

Bid	Amount:	<u> Budgeted </u>	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>2/19/13</u>	<u>Yes, 1 year</u>
b) _____	_____	_____	_____

8. Staff's Recommendation: Staff recommends disapproval of the request, for life of the use; however, staff recommends approval for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks and Fire Department requirements.

9. Advisory Board: Approved Disapproved X None
This item was heard on the February 5, 2012 meeting; however, item was tabled. Applicant wishes the item to remain tabled for the February 19, 2012 Planning and Zoning Commission meeting and the February 25, 2013 City Commission.

10. City Attorney: Approved Disapproved KP None

11. Manager's Recommendation: Approved Disapproved MRP None

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM 1C5
DATE SUBMITTED 2/16/13
MEETING DATE 2/25/13

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Jeff G. Stolpa on behalf of Stripes #2234

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

 Request of Jeff G. Stolpa on behalf of Stripes #2234 for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, J. G. Ortegon Unit No. 2 Subdivis ion; 4600 South 23rd 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>
a) <u> Julianne R. Rankin </u> Director of Planning	<u> JRR </u>	<u> 2/19/13 </u>	<u> Yes, 1 year </u>
b) _____	_____	_____	_____

8. Staff's Recommendation: Staff recommends disapproval of the request, for life of the use; however, staff recommends approval for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks, Fire Department requirements and subject to having a 12 ft. separation between portable building and main building.

9. Advisory Board: Approved Disapproved X None

 This item was on the February 5, 2012 meeting; however, item was tabled. Applicant wishes the item to remain tabled for the February 19, 2012 Planning and Zoning Commission meeting and the February 25, 2013 City Commission.

10. City Attorney: Approved Disapproved KP None

11. Manager's Recommendation: Approved Disapproved MRP None

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM _____
DATE SUBMITTED 1C6
MEETING DATE 2/16/13
 2/25/13

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Jeff G. Stolpa on behalf of Stripes #7304

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

Request of Jeff G. Stolpa on behalf of Stripes #7304 for a Conditional Use Permit, for life of the use, for a portable building (storage) at the North 110.0 ft. of the East 150.0 ft. of Lot 25, Block 2, C. E. Hammonds Subdivision; 1225 North 23rd Street.

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

a) Julianne R. Rankin JRR 02/19/13 YES/NO
 Director of Planning Yes 1year
b) _____

8. Staff's Recommendation: Staff recommends disapproval of the request, for life of the use; however, staff recommends approval for one year, subject to Section 138-118(3) of the Zoning Ordinance, comply with minimum setbacks, Fire Department requirements, placing the portable building in a concrete pad or paved area, and all parking areas being paved and landscaped.

9. Advisory Board: Approved Disapproved X None

This item was on the February 5, 2012 meeting; however, item was tabled. Applicant wishes the item to remain tabled for the February 19, 2012 Planning and Zoning Commission meeting and the February 25, 2013 City Commission.

10. City Attorney: Approved Disapproved KP None

11. Manager's Recommendation: Approved Disapproved MRP None

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM _____ 1C7
DATE SUBMITTED _____ 2/16/13
MEETING DATE _____ 2/25/13

1. **Agenda Item:** Conditional Use Permit

2. **Party Making Request:** Jeff G. Stolpa on behalf of Stripes #9632

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

Request of Jeff G. Stolpa on behalf of Stripes #9632 for a Conditional Use Permit, for life of the use, for a portable building (stor age) at the east 200 ft. of Lots 1 & 2, and the east 200 ft. of the north 12 ft. of Lot 3, Block 2, T.H.E. ENTERPRISE Subdivision; 4839 North 10th 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> </u>	<u> </u>
Director of Planning			
b) <u> </u>	<u> </u>	<u> </u>	<u> </u>

8. **Staff's Recommendation:** None (Item withdrawn).

9. **Advisory Board:** Approved Disapproved X None
This item was withdrawn.

10. **City Attorney:** Approved Disapproved KP None

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

STANDARDIZED RECOMMENDATION FORM

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

AGENDA ITEM _____ 1C8
DATE SUBMITTED _____ 2/16/13
MEETING DATE _____ 2/25/13

1. Agenda Item: Conditional Use Permit

2. Party Making Request: Jeff G. Stolpa on behalf of Stripes #9625

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

Request of Jeff G. Stolpa on behalf of Stripes #9625 for a Conditional Use Permit, for life of the use, for a portable building (storage) at Lot 1, Lar-Lin Unit No. 2 Subdivision; 721 North McColl Road.

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>
a) <u>Julianne R. Rankin</u> Director of Planning	<u>JRR</u>	<u> </u>	<u> </u>
b) <u> </u>	<u> </u>	<u> </u>	<u> </u>

8. Staff's Recommendation: None (Item withdrawn).

9. Advisory Board: Approved Disapproved X None
This item was withdrawn.

10. City Attorney: Approved Disapproved KP None

11. Manager's Recommendation: Approved Disapproved MRP None

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF McALLEN, TEXAS AS ENACTED ON MAY 29, 1979, BY PROVIDING THAT 4.94 ACRES OUT OF LOT 25, BLOCK 3, C.E. HAMMOND'S SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM A-O (AGRICULTURAL - OPEN SPACE) DISTRICT TO C-4 (COMMERCIAL INDUSTRIAL) DISTRICT; THAT 1.49 ACRES OUT OF THE WEST 120 FEET OF LOT 66 AND A 20 FOOT ALLEY ADJACENT TO THE WEST OF LOT 66, JACKSON MEADOWS SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM C-3 (GENERAL BUSINESS) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT; THAT LOT 18, JANICE ADDITION #1 SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE CHANGED FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENTS) DISTRICT; THAT 81.44 ACRES OUT OF LOTS 10, 11, AND 12, BLOCK 5, RIO BRAVO PLANTATION COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS SHALL BE CHANGED FROM I-1 (LIGHT INDUSTRIAL) DISTRICT TO I-2 (HEAVY INDUSTRIAL) 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 A-O (agricultural - open space) District to C-4 (commercial industrial) District:

A 4.94 acre tract of land out of Lot 25, Block 3, C.E. Hammond's Subdivision, Hidalgo County, Texas, said 4.71 acres being more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of said Lot 25;

THENCE, with the North line of said Lot, South 89 Deg. 44 Min. 46 Sec. East, at 50.00 feet found a ½ inch diameter iron rod at the East right-of-way of South 23rd Street, at 250.00 feet in all to a ½ inch diameter iron rod set for the Northwest corner hereof and Place of Beginning;

THENCE, continuing with the North line of said Lot, South 89 Deg. 44 Min. 46 Sec. East, 700.00 feet in all to a ½ inch diameter iron rod set for the Northeast corner;

THENCE, South 350.00 feet to a ½ inch diameter iron rod set for the Southeast corner;

THENCE, North 83 Deg. 44 Min. 24 Sec. West, 603.59 feet to a ½ inch diameter iron rod set for the most Southerly Southwest corner;

THENCE, North 47.70 feet to a ½ inch diameter iron rod set for an inside corner;

THENCE, North 89 Deg. 44 Min. 45 Sec. West, 100.00 feet to a ½ inch diameter iron rod set for the most Northerly Southwest corner;

THENCE, North 239.15 feet to the PLACE OF BEGINNING, containing 4.94 acres, 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 C-3 (general business)

District to R-3A (multi-family residential apartments) District:

A 1.49 acre tract of land being the West 120.00 feet of Lot 66, and a 20 foot alley adjacent to the West of Lot 66, Jackson Meadows Subdivision, Hidalgo County, Texas, said tract of land being described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod with cap stamped RPLS 4856 set on the South line of Lot 66 and on the North right-of-way line of East Keeton Avenue, for the Southeast corner, said rod bears North 81 Deg. 26 Min. 04 Sec. West (Map Record: North 81 Deg. 25 Min. 00 Sec. West), 273.50 feet from the Southeast corner of Lot 66;

THENCE, North 81 Deg. 26 Min. 04 Sec. West (Map Record: North 81 Deg. 25 Min. 00 Sec. West), along the South line of Lot 66 and the North right-of-way line of East Keeton Avenue, passing a ½ inch iron rod found at 105.23 feet for the Southeast corner of Lot 66, a total distance of 140.00 feet to an "X" mark made in concrete for the Southwest corner;

THENCE, North 08 Deg. 32 Min. 00 Sec. East, along the West right-of-way line of a 20.00 foot alley, a distance of 542.91 feet to an "X" mark made on concrete on the South right-of-way line of East Yuma Avenue for the Northwest corner;

THENCE, South 81 Deg. 19 Min. 13 Sec. East (Map Record: South 81 Deg. 18 Min. 47 Sec. East), along the South right-of-way line of East Yuma Avenue, passing a ½ inch iron rod found at 34.91 feet for the Northwest corner of Lot 66, and continuing along the North line of Lot 66, a total distance of 140.00 feet to a ½ inch iron rod with cap stamped RPLS 4856 set for the Northeast corner;

THENCE, South 08 Deg. 32 Min. 00 Sec. West, a distance of 542.63 feet to the POINT OF BEGINNING and containing 1.49 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 R-1 (single family residential) District to R-3A (multi-family residential apartments) District:

Lot 18, Janice Addition #1 Subdivision,
and Lot 9, Janice Addition #2
Subdivision, Hidalgo County, Texas.

SECTION IV: The following tract of land which is located within the city limits of the City of McAllen, Texas shall be rezoned from I-1 (light industrial) District to I-2 (heavy industrial) District:

A 81.44 acre tract of land out of Lots 10-12, Block 5, Rio Bravo Plantation Company Subdivision, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch diameter iron rod found for the Northwest corner of Lot 10, Block 5, for the Northwest corner for the Point of Beginning, said point being located on the West line of a 150.00 foot drainage easement;

THENCE, South 81 Deg. 22 Min. 0 Sec. East, with and along the North line of Lots 10, 11, and 12, a distance of 150.00 feet pass a point on the East line of a 150.00 drainage easement, at 744.00 feet pass a point at the Southeast corner of an 18.0 acre tract of land out of Lot 3, Block 5, at 1,320.00 feet pass a point at the common North corner between Lot 10 and Lot 11, at 2,640.00 feet pass the common North corner between Lot 11 and Lot 12, at

3,965.00 feet pass the West line of Spur 115, and a total distance of 4,015.00 feet to a point at the Northeast corner of Lot 12, for the Northeast corner;

THENCE, South 08 Deg. 37 Min. 0 Sec. West, with and along the East line of Lot 12, a distance of 94.85 feet to the point of intersection with the projection of the North line of levee embankment for the most Easterly Southeast corner;

THENCE, North 81 Deg. 46 Min. 30 Sec. West, with and along the North line of levee, a distance of 410.26 feet to a ½ inch diameter iron rod found for a corner;

THENCE, South 72 Deg. 17 Min. 0 Sec. West, continuing with and along the North line of levee, a distance of 746.94 feet to a ½ inch diameter iron rod found for a corner;

THENCE, South 31 Deg. 57 Min. 0 Sec. West, continuing with and along the North line of levee, a distance of 427.45 feet to a ½ inch diameter iron rod found for a corner;

THENCE, South 35 Deg. 30 Min. 25 Sec. West, continuing with and along the North levee, a distance of 99.99 feet to a point for a corner;

THENCE, South 58 Deg. 19 Min. 25 Sec. West, continuing with and along the North levee, a distance of 82.10 feet to a point for a corner;

THENCE, South 70 Deg. 04 Min. 10 Sec. West, continuing with and along the North levee, a distance of 260.80 feet to a point for a corner;

THENCE, South 79 Deg. 55 Min. 15 Sec. West, continuing with and along the North levee, a distance of 310.20

175.91 feet to a ½ inch diameter iron rod found at the intersection with the I.B.W.C. levee right-of-way, of the most Westerly Southeast corner;

THENCE, South 89 Deg. 26 Min. 0 Sec. West, with and along the North line of I.B.W.C. levee right-of-way, a distance of 25.34 feet to a ½ inch diameter iron rod found at the intersection with the West line of Lot 10, for the Southwest corner and also being a point on the West line of a 150.00 foot drainage ditch;

THENCE, North 08 Deg. 38 Min. 0 Sec. East, with and along the West line of Lot 10 and also being the West line of drainage ditch, a distance of 1231.90 feet to a ½ inch diameter iron rod found for the POINT OF BEGINNING, containing 81.44 acres.

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

SECTION VI: 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 VII: 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 VIII: 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 25th day of February, 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 February 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 Regular Meeting on Monday, February 11, 2013, at 6:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Hilda Salinas, Mayor Pro Tem
Aida Ramirez, Mayor Pro Tem
Scott Crane, Commissioner
Marcus C. Barrera, Commissioner
John Ingram, Commissioner
Jim Darling, Commissioner

Staff: Mike R. Perez, City Manager
Kevin Pagan, City Attorney
Brent Branham, Deputy City Manager
Roy Rodriguez, PUB General Manager/Asst. City Mgr.
Wendy Smith, Assistant City Manager
Annette Villarreal, City Secretary
Yvette Barrera City Engineer
Victor Rodriguez, Police Chief
Juli Rankin, Director of Planning
Jerry Dale, Finance Director
Sally Gavlik, Director of Parks and Recreation
Perla Zamora, Deputy City Secretary

CALL TO ORDER

Mayor Pro Tem Ramirez called the meeting to order in the Mayor's absence.

PROCLAMATIONS

CHILDREN'S ADVOCACY OF HIDALGO COUNTY, ESTRELLA'S HOUSE DAY

Commissioner Darling read and presented a proclamation for *Children's Advocacy of Hidalgo County, Estrella's House Day*.

NATIONAL ENGINEER'S WEEK

Mayor Pro Tem Salinas read and presented a proclamation for *National Engineer's Week*.

***AMERICAN SOCIETY OF CIVIL ENGINEERS TEXAS SECTION CENTENNIAL
CELEBRATION***

Commissioner Crane read and presented a proclamation for *American Society of Civil Engineers Texas Section Centennial Celebration*.

1. PUBLIC HEARING:

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

Commissioner Barrera moved to approve the items listed on the Routine Items section of the agenda. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

1. **REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 0.53 ACRES OUT OF LOT 2, RANCHO DE LA FRUTA NO. 1 SUBDIVISION, HIDALGO COUNTY, TEXAS; 100 EAST HIGHWAY 83 (REAR).**

Approved the C-3 zoning at 100 East Highway 83 (rear), as per Planning and Zoning Commission

2. **REQUEST OF ALONZO CANTU FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN ASSOCIATED RECREATION AT 9.186 ACRES OUT OF LOT 13, BLOCK 278, TEXAS MEXICAN RAILWAY COMPANY'S SURVEY, HIDALGO COUNTY, TEXAS; 1121 PROVIDENCE AVENUE.**

Approved a Conditional Use Permit, for life of the use at 1121 Providence Avenue, as per Planning and Zoning Commission, subject to the recording of the subdivision plat, compliance with the Zoning Ordinance and building permit requirements. The proposed use shall meet all the minimum standards and must comply with the applicable subdivision ordinances, the zoning ordinance and specific requirements as follows:

- 1) No form of pollution shall emanate beyond the immediate property line of the permitted use;
- 2) Additional reasonable restrictions or conditions such as increased open space, loading and parking requirements, suitable landscaping, curbing, sidewalks or other similar improvements may be imposed in order to carry out

the spirit of the Zoning Ordinance or mitigate adverse effects of the proposed use. The use is limited for the lot owners only; therefore, no parking is proposed;

3) The associated recreation shall comply with the requirements established for accessory uses;

4) The associated recreation shall be customarily incidental to and maintained and operated as a part of the primary residential use;

5) The associated recreation shall not be hazardous to and does not impair the uses or enjoyment of nearby residential uses in a greater degree than the residential uses;

6) The associated recreation shall not add to levels of noise, odor, vibration and lighting or degrees of traffic congestion, dust or pollutants, in a greater amount than the adjacent residential uses.

B) REZONINGS:

1. REZONE FROM C-2 (NEIGHBORHOOD COMMERCIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 3, VILLA BONITA PHASE I SUBDIVISION, HIDALGO COUNTY, TEXAS; 825 NORTH WARE ROAD.

Staff recommended disapproval of the C-3 zoning at 825 North Ware Road as per the Planning and Zoning Commission. Additionally, staff reported that the applicant has requested an alternative C-3L designation.

A brief discussion was held relating to the proposed use.

Mayor Pro Tem Ramirez asked if there was anyone to speak in opposition to the proposed C-3L zoning. No one appeared.

After due consideration, Mayor Pro Tem Salinas moved to approve the alternative C-3L zoning. Commissioner Barrera seconded the motion. The motion carried unanimously by those present.

2. REZONE FROM R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: LOT 3, HART'S ACRES SUBDIVISION, HIDALGO COUNTY, TEXAS; 1705 TAMARACK AVENUE. WITHDRAWN

Item was withdrawn; no action required.

C) AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN AS ENACTED MAY 29, 1979.

Commissioner Barrera moved to adopt the Zoning Ordinance for the approved tracts. Commissioner Crane seconded the motion. The motion carried unanimously by those present.

END OF PUBLIC HEARING

Mayor Pro Tem Ramirez declared the Public Hearing closed.

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.]**

Commissioner Darling moved to approve the items listed on the Consent Agenda. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

- A) **APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 28, 2013.**

Approved the minutes of Regular Meeting held January 28, 2013, as submitted.

- B) **RESOLUTION ADOPTING THE TEXAS DEPARTMENT OF TRANSPORTATION MUNICIPAL MAINTENANCE AGREEMENT.**

Approved a resolution adopting the Texas Department of Transportation Municipal Maintenance Agreement.

- C) **RESOLUTION ADOPTING THE CITY OF MCALLEN 2012 TAX ROLL.**

Approved a resolution adopting the City of McAllen 2012 Tax Roll.

- D) **APPROVAL OF A CHANGE ORDER FOR THE PURCHASE OF 1,600 TOTER REFUSE AND RECYCLING CARTS FOR THE PUBLIC WORKS DEPARTMENT.**

Approved a change order for the purchase of 1,600 Toter Refuse and Recycling Carts for the Public Works Department in the amount of \$7,232 for a revised purchase price of \$83,248.

3. **BIDS/CONTRACTS:**

- A) **AUTHORIZATION TO OPEN SINGLE BID AND AWARD PURCHASE CONTRACT FOR ONE (1) NEW CURRENT MODEL ASPHALT RECYCLER FOR THE STREETS AND DRAINAGE DEPARTMENT OF PUBLIC WORKS.**

Staff recommended the opening of the single bid for the purchase of one (1) new Current Model Asphalt Recycler for the Streets and Drainage Department of Public Works and award the contract if the bid is not greater than 5% of the budgeted amount of \$190,000 and subject to a budget amendment not to exceed \$9,500.

Commissioner Darling moved to authorize the opening of the single bid from Cooper Equipment and defer awarding until after staff reviews the bid for compliance. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

Later on the agenda, staff recommended award of bid to Cooper Equipment in the amount of \$193,795 which included a two year warranty.

Commissioner Ingram moved to award the bid as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

B) AWARD OF CONTRACT FOR THE PURCHASE OF VARIOUS TRACTORS WITH MOWERS FOR THE AIRPORT DEPARTMENT AND STREETS AND DRAINAGE DEPARTMENT OF PUBLIC WORKS.

Staff recommended award of contract for the purchase of various Tractors with Mowers for the Airport Department and Streets and Drainage Department of Public Works, to Neuhaus Company LTD as follows:

Item 1 in the amount of \$56,216.58 which includes a full machine extended warranty

Item 2 in the amount of \$61,927.82 which includes the optional extended warranty with acceptance of two exceptions

Item 4 in the amount of \$131,498.20 which includes the optional extended warranty

Commissioner Ingram moved to award the bid as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

C) AWARD OF CONTACT FOR THE PURCHASE OF FOURTEEN (14) NEW 2012 POLICE DEPARTMENT VEHICLES.

Staff recommended award of contract for the purchase of fourteen (14) new 2012 Police Department Vehicles, to Caldwell County Chevrolet as follows:

Item #1 at a unit cost of \$21,144 for a total purchase contract amount of \$148,008

Item #2 at a unit cost of \$29,625 for a total purchase amount of \$118,500

Item #3 at a unit cost of \$26,744 for a total purchase amount of \$80,232

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

D) AUTHORIZATION TO MAKE PAYMENT FOR REPAIRS ON SANITATION REFUSE TRUCK FOR PUBLIC WORKS DEPARTMENT.

Staff recommended authorization to make payment for repairs on the Sanitation Refuse Truck to Rush Truck Center in the amount of \$65,753.37, due to an electric fire.

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

E) AWARD OF CONTRACT FOR THE CONSTRUCTION OF DELEON NORTH SOCCER COMPLEX AND APPROVAL OF ALTERNATES 7, 9 AND 10.

Staff recommended award of contract for the Construction of DeLeon North Soccer Complex, to Highmark Construction, in the amount of \$2,635,000.

Questions were asked. A recommendation was made to look at alternative decorative fencing.

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

F) CONSIDER APPROVAL OF PURCHASE OF ATHLETIC FIELD LIGHTS FOR SOCCER FIELDS AND TENNIS COURT LIGHTS AT DELEON NORTH SOCCER COMPLEX FROM TEXAS BUY BOARD.

Staff recommended approval of the purchase of Athletic Field Lights for Soccer Fields and Tennis Court Lights at DeLeon North Soccer Complex from Texas Buy Board, in the amount of \$770,000. Staff noted that the lights would be installed by in-house staff.

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

G) AWARD OF CONTRACT FOR THE PURCHASE AND INSTALLATION OF FOUNTAINS/SPLASH PAD AT DELEON NORTH SOCCER COMPLEX.

Staff recommended award of contract for the Purchase and Installation of Fountains/Splash Pad at DeLeon North Soccer Complex to Kraftsman Commercial Playgrounds and Water Parks in the amount of \$299,981.17.

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

H) AWARD OF CONTRACT FOR THE PURCHASE AND INSTALLATION OF SYNTHETIC SOCCER/FOOTBALL FIELD AT DELEON NORTH SOCCER COMPLEX.

Staff recommended that said item be tabled.

Commissioner Barrera moved to table said item. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

I) AWARD OF CONTRACT FOR THE CONSTRUCTION OF FENCING AT MUNICIPAL PARK.

Staff recommended award of contract for the construction of fencing at Municipal Park, to Hurricane Fence Company, in the amount of \$48,992 unless, the Commission preferred the alternate wrought iron fencing bid at a purchase price of \$91,473.

A brief discussion was held.

After due consideration, Commissioner Barrera moved to award the contract providing for the wrought iron fencing. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

J) MULTIPLE INTERLOCAL AGREEMENTS WITH MCALLEN INDEPENDENT SCHOOL DISTRICT (MISD) FOR PAVILIONS:

- 1. WILSON ELEMENTARY**
- 2. SANCHEZ ELEMENTARY**
- 3. CASTANEDA ELEMENTARY**
- 4. FIELDS ELEMENTARY**
- 5. ROOSEVELT ELEMENTARY**

Staff recommended approval of multiple Interlocal Agreements with McAllen Independent School District for construction of a pavilion on property owned by the school district at the various elementary schools listed above, subject to 50/50 participation.

Mayor Pro Tem Salinas moved to approve the agreements as recommended. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

K) INTERLOCAL AGREEMENT WITH MCALLEN INDEPENDENT SCHOOL DISTRICT (MISD) FOR DEVELOPMENT OF A SOCCER COMPLEX AT DELEON MIDDLE SCHOOL.

Staff recommended approval of an Interlocal Agreement with McAllen Independent School District for development of a Soccer Complex at Deleon Middle School.

Commissioner Ingram moved to approve the agreement as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

L) AWARD OF CONTRACT FOR ARMORED CAR SERVICES.

Staff recommended award of contract for Armored Car Services, to Rochester Armored Car Co., Inc., for one year. Additionally, staff recommended authorization 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 rate(s) remaining unchanged.

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

M) INTERLOCAL WITH CITY OF MISSION RELATING TO TAYLOR ROAD FROM EXPRESSWAY 83 TO 3 MILE LINE.

Staff recommended approval of an Interlocal Agreement with City of Mission for resurfacing of Taylor Road from Expressway 83 to 3 Mile Line, for a project cost of \$523,111.74, with each entity being responsible for one-half of the improvements, said amount being \$261,555.87.

Mayor Pro Tem Salinas moved to approve the agreement as recommended. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

N) APPROVAL OF CHANGE ORDER NO. 2 FOR 2012-2013 SINGLE MACHINE REPAVING PROJECT.

Staff recommended approval of Change Order No. 2 for 2012-2013 Single Machine Repaving Project in the amount of \$228,215.90, for a revised contract amount of \$1,658,554 and no additional working days to the original 65-day contract time and subject to a budget amendment and an Interlocal Agreement with the City of Mission.

Commissioner Darling moved to approve the change order as recommended. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

O) APPROVAL OF CHANGE ORDER NO. 2 FOR PURCHASE AND DELIVERY OF TYPE "D" HOT MIX ASPHALTIC CONCRETE (HMAC) FISCAL YEAR 2012-2013.

Staff recommended approval of Change Order No. 2 for the purchase and delivery of Type "D" Hot Mix Asphaltic Concrete (HMAC) Fiscal Year 2012-2013 in the amount of \$276,934.10.

Commissioner Darling moved to approve the change order as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

P) AWARD OF CONTRACT FOR DEMOLITION OF FORMER SAM HOUSTON ELEMENTARY AND THE OLD CENTRAL FIRE STATION.

Commissioner Darling moved to table this item. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

Q) CONSIDER APPROVAL OF SCHEMATIC DESIGN PHASES FOR PUBLIC SAFETY BUILDING/NORTHWEST POLICE COMMUNITY NETWORK CENTER ADDITIONS AND RENOVATIONS AND AUTHORIZATION TO PROCEED WITH DESIGN DEVELOPMENT PHASES.

Staff recommended approval of Schematic Design Phase in order to proceed with the Design Development Document Phase for the Public Safety Building and Northwest Police Community Network Center Additions and Renovations.

Commissioner Crane moved to approve the schematic design as recommended and authorization to proceed to next phase. Commissioner Ingram seconded the motion. The motion carried

unanimously by those present.

4. ORDINANCE:

A) PROVIDING FOR A BUDGET AMENDMENT FOR SINGLE MACHINE REPAVING PROJECT ADD TAYLOR ROAD FROM EXPRESSWAY 83 TO 3 MILE LINE.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$525,000 for the Taylor Road Resurfacing Project.

Commissioner Crane moved to adopt the ordinance as recommended. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

B) CALLING A GENERAL & SPECIAL CITY ELECTION ON MAY 11, 2013. ORDENANZA CONVOCANDO UNA ELECCIÓN GENERAL Y ESPECIAL EN LA CIUDAD DE MCALLEN EL 11 DE MAYO, 2013.

Staff recommended adoption of an ordinance calling a General & Special City Election on May 11, 2013, for various city offices. Additionally, the ordinance provides for the designation of the Old Police Department as an early voting polling place in place of the Old City Hall due to remodeling of the facility and addresses numerous other election-related issues.

Commissioner Ingram moved to adopt the ordinance as recommended. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

El personal recomendó la adopción de la ordenanza la cual convoca una Elección General y Especial en la Ciudad de McAllen con fecha del 11 de Mayo, 2013, para varios funcionarios de la Ciudad. También, queda así designado el Antiguo Departamento de Policía como una casilla electoral para la votación temprana puesto que el Antiguo Palacio Municipal será reconstruido y así también estipulando aspectos adicionales relacionados con la elección.

El Comisionado Ingram movió el adoptar la ordenanza así presentado. La Alcalde Pro Tem Salinas secundo la moción. La moción fue aprobada por unanimidad por aquellos presentes.

5. VARIANCE REQUEST TO ALLOW DRIVEWAYS ON BICENTENNIAL BOULEVARD AT THE NORTHWEST AND SOUTHWEST INTERSECTIONS WITH DOVE.

Staff recommended disapproval of a variance to allow driveways onto Bicentennial Boulevard. Additionally, staff recommended that if the variance is approved then that approval be subject to a shared access agreement being in place with the adjacent property owners so that only one driveway is constructed onto Bicentennial Boulevard.

A lengthy discussion was held.

After due consideration, Commissioner Darling moved to approve the variance subject to the condition relating to the shared access agreement recommended by staff. Commissioner Barrera seconded the motion. The motion carried unanimously by those present.

6. MANAGER'S REPORT:

A) REVIEW OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED SEPTEMBER 30, 2012.

Staff presented the Quarterly Investment Report for the quarter ended September 30, 2012 and recommended acceptance of said report.

Commissioner Darling moved to accept the report as presented. Commissioner Barrera seconded the motion. The motion carried unanimously by those present.

B) FUTURE AGENDA ITEMS.

Staff briefly reviewed the upcoming workshops items: Fireworks Display Permit and Quinta Mazatlan Master Plan.

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

On behalf of the Presiding Officer, the City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney for Items 7A, 7B, 7F, 7G and 7H; and Section 551.072 Deliberation regarding Real Property for Item 7B, 7C, 7D and 7E.

Commissioner Barrera moved to accept the recommendation for the basis of the discussion in Executive Session under the sections cited by the City Attorney. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

Mayor Pro Tem Ramirez recessed the meeting at 7:12 pm to go into Executive Session. Mayor Pro Tem Ramirez reconvened the meeting at 8:52 pm and announced the action on Executive Session items.

A) CONSULTATION WITH CITY ATTORNEY RELATING TO LITIGATION CAUSE NO. C1-09-0121-G; FERNANDO VALBUENA, ET AL VS. CITY OF MCALLEN, ANGELINA MARTINEZ, EDUARDO AND MARIA G. VALDEZ REGARDING POSSIBLE DISMISSAL OF CROSS ACTION AFTER SETTLEMENT FOR OTHER ISSUES. (SECTION 551.071, T.G.C.)

Commissioner Barrera moved to authorize the City Attorney to dismiss the Cross Action against the plaintiff in this lawsuit. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

B) DISCUSSION AND POSSIBLE ACTION REGARDING SALE OR EXCHANGE OF A PORTION OF LOT 11 (B); CONVENTION CENTER

SUBDIVISION, LOT 8. (SECTION 551.071 AND 551.072, T.G.C.)

Commissioner Barrera moved to authorize the City Attorney and City Manager to finalize the Request for Proposals (RFP) and put that out and take the other action discussed in Executive Session. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

C) DISCUSSION AND POSSIBLE ACTION REGARDING ENTERING INTO A SALES CONTRACT FOR A 3.56 ACRE TRACT OUT OF LOT 3, BLOCK 10, STEELE PERSHING SUBDIVISION. (SECTION 551.072, T.G.C.)

Commissioner Barrera moved to authorize the City Attorney to respectfully decline the offer to purchase the land described in this item. Commissioner Crane seconded the motion. The motion carried unanimously by those present.

D) DISCUSSION AND POSSIBLE ACTION REGARDING ENTERING INTO A SALES CONTRACT OR LEASE WITH JAMES NIKKI ROWE VETERANS OF FOREIGN WARS POST 2369. (SECTION 551.072, T.G.C.)

Commissioner Ingram moved to authorize the City Manager to communicate with the VFW the directive given in Executive Session. Commissioner Crane seconded the motion. The motion carried unanimously by those present.

E) DISCUSSION AND POSSIBLE ACTION REGARDING POSSIBLE EXCHANGE OF PROPERTY ON 33RD STREET FOR HOUSING DEVELOPMENT. (SECTION 551.072, T.G.C.)

Commissioner Crane moved to authorize the City Manager and City Attorney to continue working with the developer in an effort to encourage the developer different ways in what was presented. Commissioner Barrera seconded the motion. The motion carried unanimously by those present.

F) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO FUNDING FOR CERTAIN CONTRACTUAL OBLIGATIONS. (SECTION 551.071, T.G.C.)

Commissioner Barrera moved to authorize the City Attorney and City Manager to take the necessary action as described in Executive Session. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

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

Commissioner Barrera moved to authorize the City Manager and City Attorney to continue negotiations with Vianovo related to the services for the Bridge Facility. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

ADJOURNMENT


There being no other business to come before the Commission, the meeting was adjourned at 8:55 p.m.


Aida Ramirez, Mayor Pro Tem

Attest:

Annette Villarreal, TRMC/CMC, CPM
City Secretary

To: Mike R. Perez, City Manager

From: Jeremy Santoscoy, PE, CFM, Transportation Engineer 

Through: Yvette Barrera, PE, CFM, City Engineer 

Date: February 18, 2013

Subject: Change Order No.6 - 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.6 for Bentsen Road Paving Improvements from Pecan Boulevard to 3 Mile Line Road for IOC Company.

EXPLANATION

As construction continues on the Bentsen Road project, a conflict was encountered with the existing 16-inch waterline and the proposed pavement section at the intersection of Bentsen and Westway Avenue. Several options were reviewed, and an adjustment to lower the transmission water line to maintain adequate cover is the most effective recommendation. The recommendation was reviewed and agreed upon with MPU staff. MPU will fund the water main adjustment.

Attached is a breakdown for your review. No additional time has been requested.

OPTIONS

Approve or reject Change Order No.6.

RECOMMENDATION

Based on review by this office, staff recommends approval of Change Order No. 6 for the Bentsen Road Paving Improvements Project from Pecan Boulevard to 3 Mile Line Road in the amount of \$18,432.40, for a total revised contract amount of \$ 5,316,839.99.

BENTSEN ROAD 16" WATERLINE ADJUSTEMENT

IOC COMPANY, LLC

PO BOX 4737

EDINBURG, TX 78540

Contact:

Phone:

Fax:

Job Name:

Date of Plans:

Revision Date:

Quote To:

Phone:

Fax:

JOB NO 130215C

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	16"X8" ductile iron tee	1.00	EA	2,750.00	2,750.00
2	8"x8" ductile iron tee	1.00	EA	1,675.00	1,675.00
3	8"x8" ductile iron 90 degree	1.00	EA	900.00	900.00
4	ductile iron connect to exist 8 in line	1.00	EA	900.00	900.00
GRAND TOTAL					\$6,225.00

NOTES:

EXCLUDES:

MATERIAL FOR THE 16"X8" MJ TEE WITH MEGALUG ACCESSORIES TO CONNECT TO EXIST 16" LINE
(CITY WILL PROVIDE 16"X8" TEE WITH ACCESSORIES)

Connect 16" x 8" - 12,707.⁴⁰
16" x 4" - 2,750.-
16" x 6, 7, 8" - 3,475.-

\$18,432.⁴⁰

** No additional days*

Date of Issuance: February 15, 2013

Project: Bentsen Road Paving Improvements (Pecan Blvd. to Buddy Owens)	Owner: City of McAllen	Owner's Contract No.: 12-11-C04-98
Contract:	Date of Contract: February 17, 2012	
Contractor: IOC Company, LLC.		Engineer's Project No.: MCN99111A5

Please submit an itemized proposal for changes to the contract sum and contract time for proposed modifications to the contract documents described herein. Within seven (7) days, the Contractor must submit this proposal or notify the Engineer, in writing, of the date on which proposal submissions is anticipated.

ITEM No. (1)	DESCRIPTION OF CHANGES <i>Items in the construction contract documents that will be increasing or decreasing in quantities to satisfy the required changes.</i> (2)	DECREASE IN CONTRACT PRICE (3)	INCREASE IN CONTRACT PRICE (4)
1.	Bid Proposal Item 65 16-inch PVC C-905 Water Line, all depths including all necessary fittings, complete in place; Add 67 L.F. at the bid price of \$ 53.00 per L.F.		\$ 3,551.00
2.	Bid Proposal Item 68 8-inch PVC C-900 Water Line Minimum 48-inches of cover, all depths including all necessary fittings, complete in place; Add 32 L.F. at the bid price of \$ 18.00 per L.F.		\$ 576.00
3.	Change Order #2 – Bid Item 3 16-inch 45-degree Ductile Iron Short Body Bends, Thrust Blocks, connections to existing line, all complete in place including MEGALUG restraints. Add 4 EA at the change order #2 bid price of \$1,500 per EA		\$ 6,000.00
4.	16"X8" Ductile Iron Tee connection to existing 16 inch PVC water line including all necessary fittings, concrete blocking, adjustments, all complete in place.		
5.	Bid Proposal Item 69 8-inch AWWA Gate Valve, including Box and Cover, all complete in place; Add 1 EA at bid price of \$2,000 EA		\$2,000.00
6.	Bid Proposal Item 75 Trench Safety System for trenches deeper than 5 feet, complete in place; Add 67 LF at bid price of \$1.20 per LF		\$80.40
	Number of working days to complete waterline adjustment		



Attachments:


- **Sheets: 1 of 2 to 2 of 2.**

Purpose for Proposal Request:

Omissions, Clarifications, and Additions to contract documents as described above.

Other: _____

This is not a change order, a construction change directive or a direction to proceed with the work described in the proposed modifications.

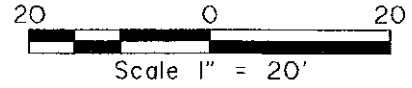


René González, P.E.
Perez Consulting Engineers

2-15-2013

Date





ADJUST EXISTING 8-INCH DIAMETER WATERLINE HORIZONTALLY AS SHOWN, CONTRACTOR TO FIELD VERIFY DEPTH OF LINE PRIOR TO ADJUSTMENT AND VERIFY ALLOWABLE DEPTH AND COVER

28 LF~8-INCH C-900 DR18 PVC WATERLINE

CONNECT TO EXISTING

8-INCH CAP

8-INCH~90° BEND

16"X8" TEE

67 FT. WATERLINE ADJUSTMENT (SEE SHEET 2 OF 2)

PROP. 5' SIDEWALK 16" W

PROP. 5' SIDEWALK 16" W

16"x8" MECHANICAL JOINT TEE (AWWA A21.10 AND A21.53) WITH CONCRETE THRUST BLOCK 8-INCH GATE VALVE 5 L.F.~8-INCH C900 DR18 PVC WATERLINE

EXISTING 16" Ø WATERLINE

PROPOSED BENTSEN ROAD

37+00

STATE OF TEXAS
★ ★ ★ ★ ★
RENE GONZALEZ
93819
LICENSED PROFESSIONAL ENGINEER
[Signature] P.E.
2-14-2013



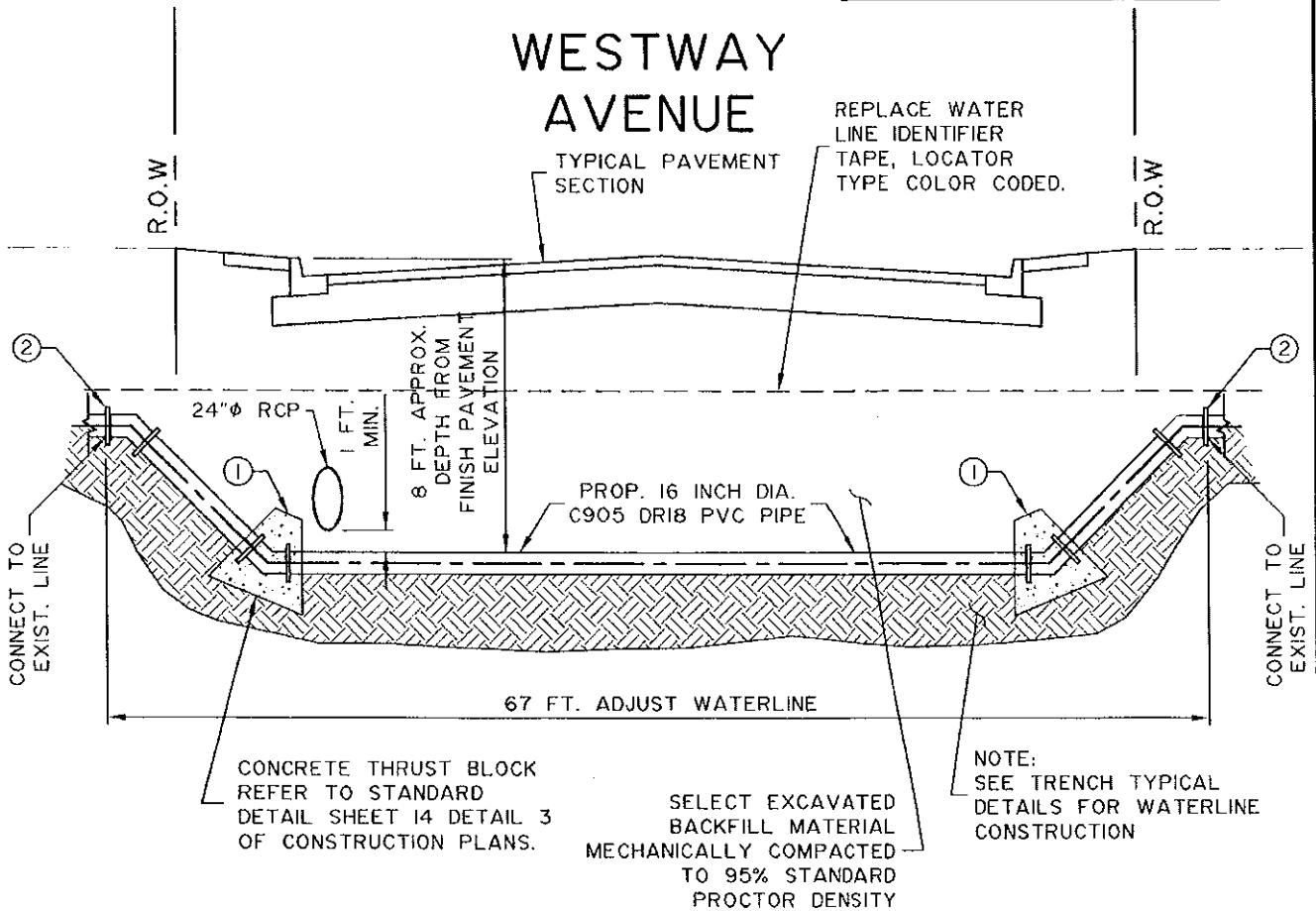
SHEET TITLE		
PROPOSAL REQUEST #6		
PROJECT		
BENTSEN ROAD		
S.H. 495(PECAN BLVD.) TO 3 MILE(BUDDY OWENS)		
CITY OF McALLEN, TEXAS		
PROJECT NUMBER:	DATE:	
MCN99111A5	02/14/2013	SHT. 1 OF 2

NOTES:

① 45° M.J. BEND (AWWA A21.10 AND A21.53) WITH CONCRETE THRUST BLOCK.

② 45° MECHANICAL JOINT (M.J.) BEND WITH MEG-A-LUG RESTRAINT.

WESTWAY AVENUE



CONCRETE THRUST BLOCK REFER TO STANDARD DETAIL SHEET 14 DETAIL 3 OF CONSTRUCTION PLANS.

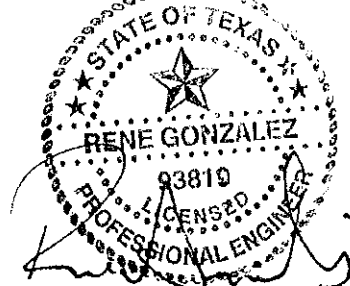
SELECT EXCAVATED BACKFILL MATERIAL MECHANICALLY COMPACTED TO 95% STANDARD PROCTOR DENSITY

NOTE: SEE TRENCH TYPICAL DETAILS FOR WATERLINE CONSTRUCTION

1

16 INCH WATER LINE ADJUSTMENT DETAIL

NOT TO SCALE



2-14-2013

SHEET TITLE

PROPOSAL REQUEST #6

PROJECT

BENTSEN ROAD

S.H. 495(PECAN BLVD.) TO 3 MILE(BUDDY OWENS)

CITY OF McALLEN, TEXAS

PROJECT NUMBER:

MCN99111A5

DATE:

02/14/2013

SHT. 2 OF 2



Texas Registered Engineering Firm F-2158
908 Dallas Ave. McAllen, Texas 78501
(351) 631-4492 fax (351) 682-1545

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD
ANZALDUAS BRIDGE

AGENDA ITEM 2c
DATE SUBMITTED 02/14/13
MEETING DATE 02/25/13

1. Agenda Item: **CHANGE ORDER #4 & FINAL RECONCILIATION – South 21st Street Drainage Improvements, Phase III Project # B-10-MC-48-0506**

2. Party Making Request: Engineering Department

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

Request that the City Commission consider Change Order #4 & Final Reconciliation to South 21st Street Drainage Improvements, Phase III project. This change order addresses the final reconciliation of as-built quantities for the completed project.

4. Policy Implication: none

5. Budgeted: X Yes No N/A

Account #:	132-8036-437-91-03	Project: ZA3611
Funding Source:	B-10-MC-48-0506	(\$443,444.77)
Original Contract	\$ 394,291.78 (100.0%)	67 days
Previous Change Orders	\$ 39,205.55 (+ 9.94%)	30 days
This Change Order	\$ (10,757.89) (- 2.98%)	0 days
Total Contract	\$ 422,739.44 (107.21%)	97 days

6. Alternate Option/Costs None

7. Routing:
NAME/TITL E INITIAL DATE CONCURRENCE

a.)	<u>R. Rodriguez, PE, General Manager</u>	<u> RR </u>	<u>02/19/13</u>	<u> YES </u>
	Assistant City Manager			
b.)	<u>Yvette Barrera, P.E., CFM, City Engineer</u>	<u> YB </u>	<u>02/19/13</u>	<u> YES </u>
c.)	<u>Jerry Dale, CPA, Director of Finance</u>	<u> JD </u>	<u>02/19/13</u>	<u> YES </u>
d.)	<u>S. Zamora, CPM Director of</u>	<u> SZ </u>	<u>02/19/13</u>	<u> YES </u>
	Purchasing & Contracting			

8. Staff Recommendation: **Approve Change Order #4 & Final Reconciliation for South 21st Street Drainage Improvements, Phase III to decrease contract amount by \$10,757.89 to a revised total of \$422,739.44.**

9. Advisory Board: Approved Disapproved None

10. City Attorney: KP Approved Disapproved None

11. Manager's Recommendation: MRP Approved Disapproved None



ENGINEERING DEPARTMENT
MEMORANDUM

To: Mike R. Perez, City Manager

From: Yvette Barrera, PE, CFM, City Engineer

A handwritten signature in black ink, appearing to read "Yvette Barrera".

Date: February 15, 2013

Subject: Change Order #4 & Final Reconciliation
21st Street Drainage Improvements, Phase III
Project No. B-10-MC-48-0506

Goal

Consider and approve Change Order #4 & Final Reconciliation to the existing contract.

Explanation

Item 1: During the course of construction an old existing water main ruptured along S. 21st Street resulting in extensive damage to approximately 200 linear feet of S. 21st Street. An agreement (copy attached) was reached with the contractor in which the contractor agreed to complete the repairs to the damaged roadway and the City would waive the anticipated liquidated damages in lieu of charging the City for the roadway repairs.

Item 2: The project has been completed. This change order is to address the final reconciliation of the final as-built quantities.

Summary: The total contract amount will decrease in the amount \$10,757.89 from \$433,497.33 to \$422,739.44.

Recommendation

Based upon review by this office, approval of Change Order #4 and Final Reconciliation is recommended to the contractor, **Dos Logistics LLC**, for a **decrease in contract amount from \$433,497.33 to \$422,739.44.**

PROJECT MEMO

December 28, 2012
Project No. 11-1001

To: Eric C. Ybarra, President/CEO; Dos Logistics Inc.
From: Robert L. Canterbury, P.E., CFM, Capital Projects Engineer, City of McAllen
Re: **11-1001 21st Street Drainage Improvements**
Change Order #4

AGREEMENT FOR ROADWAY REPAIRS

On the morning of Saturday, September 22, 2012 a water main broke along S. 21st Street at the alley between Eric and Fresno. The water main repairs were completed by MPU staff. As a result of the main break, a portion of the roadway along S. 21st Street was significantly damaged from the intersection S. 21st Street & Fresno Avenue north to the alley, a linear distance of approximately 200 feet.



Based on field observations and measurements, the cost of the repairs is estimated to be \$12,309.80 as follows:

<u>Item</u>	<u>Quantity</u>	<u>Units</u>	<u>Unit \$</u>	<u>Item \$</u>
Pavement Demolition	481	SY	0.93	447.33
Asphalt Repair	481	SY	20.37	9,797.97
Concrete Sidewalk, Remove & Replace	50	SF	3.27	163.50
Concrete Curb, Remove & Replace	10	LF	11.10	111.00
Excavation and Re-compaction of Utility Trench using Cement Stabilized Sand	1	LS	500.00	500.00
Traffic Control	1	LS	500.00	500.00
Adjust WM Valves	1	LS	300.00	300.00
Additional backfill, compaction & cleanup of areas between curb & right of way	1	LS	500.00	500.00
Total Estimated Cost				\$12,319.80


As of the end of the day, Friday, September 20, 2012, the contractor was 72 days past the contract completion date of September 4, 2012 (taking into account 4 days of delay not previously addressed via change order). At a liquidated damage rate of \$250.00 per day that would be \$18,000 in liquidated damages. At this time, the contract time is on hold, effective as of September 21, 2012.

In recognition of the contractor's previous cooperation and efforts in addressing the multiple issues related to completing this project within an area with significant conflicts with old and previously undocumented infrastructure, the City of McAllen has offered to waive the current liquidated damages in the amount of \$18,000.00 in exchange for the timely and complete repair of the damaged roadway at no additional costs to the City of McAllen.

This offer is contingent upon the entire 21st Street Drainage Improvements, Phase III project, including all described roadway repairs as well as all other outstanding work associated with this project, being 100% complete no later than Friday, January 25, 2013. If the project is not completed by that date, then this agreement is null and void and the contractor will be compensated in full for the repairs in accordance with the schedule of items and values as set forth above. Additionally, the Contractor shall be subject to any and all liquidated damages from September 4, 2012 until the date of completion, subject to any approved adjustments since that date.

AGREED TO BY:


Eric C. Ybarra,
President/CEO; Dos Logistics Inc.


Mike R. Perez,
City Manager

1/08/2013

Date


Date

Cc: 11-1001 Construction Team

Dos Logistics, Inc.

1002 E. Expressway 83
Weslaco TX, 78596

CONTRACTOR'S PAY ESTIMATES
21ST STREET DRAINAGE IMPROVEMENTS, PHASE III
11-1001

SUMMARY

DRAINAGE IMPROVEMENTS (BASE BID)						AS-BUILT QUANT	FINAL CHANGE ORDER RECONCILIATION	
Item No.	Description	Unit	Quantity	Unit Price	Bid Cost		Quant	Costs
BASE BID - PHASE A								
101	BASE BID-PHASE A-15-in RCP, All Depths	LF	30	\$ 26.47	\$ 794.10	0.00	(30)	\$ (794.10)
102	BASE BID-PHASE A-18-in RCP, All Depths	LF	101	\$ 30.34	\$ 3,064.34	145.00	44	\$ 1,334.96
103	BASE BID-PHASE A-24-in RCP, All Depths	LF	684	\$ 39.64	\$ 27,113.76	506.00	(178)	\$ (7,055.92)
104	BASE BID-PHASE A-30-in RCP, All Depths	LF	20	\$ 48.51	\$ 970.20	31.00	11	\$ 533.61
105	BASE BID-PHASE A-36-in RCP, All Depths	LF	668	\$ 67.65	\$ 45,190.20	655.40	(13)	\$ (852.39)
106	BASE BID-PHASE A-42-in RCP, All Depths	LF	452	\$ 81.67	\$ 36,914.84	417.00	(35)	\$ (2,868.45)
107	BASE BID-PHASE A-Remove Ex. Inlet	EA	2	\$ 240.36	\$ 480.72	2.00	-	\$ -
108	BASE BID-PHASE A-Connect to Ex. Structure	EA	3	\$ 906.09	\$ 2,718.27	3.00	-	\$ -
109	BASE BID-PHASE A Type A Inlet, All Sizes, All Depths	EA	6	\$ 2,257.54	\$ 13,545.24	7.00	1	\$ 2,257.54
110	BASE BID-PHASE A-Type CC Inlet, All Depths	EA	1	\$ 2,861.70	\$ 2,861.70	1.00	-	\$ -
111	BASE BID-PHASE A-Type F Inlet, All Sizes, All Depths	EA	20	\$ 2,626.90	\$ 52,538.00	15.00	(5)	\$ (13,134.50)
112	BASE BID-PHASE A-Type M Manhole, 48 DIA.	EA	4	\$ 4,324.87	\$ 17,299.48	3.00	(1)	\$ (4,324.87)
113	BASE BID-PHASE A-Type M Manhole, 60 DIA.	EA	1	\$ 6,031.60	\$ 6,031.60	1.00	-	\$ -
114	BASE BID-PHASE A-Type M Manhole, 72 DIA.	EA	4	\$ 6,161.75	\$ 24,647.00	2.00	(2)	\$ (12,323.50)
115	BASE BID-PHASE A-Type M Manhole, 72 DIA. (CAST IN PLACE)	EA	1	\$ 7,483.24	\$ 7,483.24	1.00	-	\$ -
116	BASE BID-PHASE A-Manhole, 4'x4'	EA	2	\$ 2,719.83	\$ 5,439.66	2.00	-	\$ -
117	BASE BID-PHASE A-Manhole, 6'x6'	EA	1	\$ 3,630.12	\$ 3,630.12	1.00	-	\$ -
118	BASE BID-PHASE A-Curb and Gutter, Remove and Replace	LF	428	\$ 11.10	\$ 4,750.80	484.00	56	\$ 621.60
119	BASE BID-PHASE A-Pavement Demolition	SY	2,983	\$ 0.93	\$ 2,774.19	3,530.00	547	\$ 508.71
120	BASE BID-PHASE A-Asphalt Repair	SY	2,983	\$ 20.37	\$ 60,763.71	3,530.00	547	\$ 11,142.39
121	BASE BID-PHASE A-Concrete Sidewalk, Remove and Replace	SF	790	\$ 3.27	\$ 2,583.30	847.00	57	\$ 186.39
122	BASE BID-PHASE A-Concrete Apron	SY	29	\$ 38.44	\$ 1,114.76	25.30	(4)	\$ (142.23)
123	BASE BID-PHASE A-Handicap Ramp, Type 7	EA	2	\$ 698.00	\$ 1,396.00	3.00	1	\$ 698.00
124	BASE BID-PHASE A-Handicap Ramp, Type 8	EA	2	\$ 698.00	\$ 1,396.00	2.00	-	\$ -
125	BASE BID-PHASE A-Handicap Ramp, Type 10	EA	1	\$ 1,072.81	\$ 1,072.81	1.00	-	\$ -
126	BASE BID-PHASE A-Trench Safety System	LF	1,955	\$ 1.83	\$ 3,577.65	1,754.40	(201)	\$ (367.10)
127	BASE BID-PHASE A-Sodding	SY	500	\$ 2.42	\$ 1,210.00	75.00	(425)	\$ (1,028.50)
128	BASE BID-PHASE A-Erosion Control, Implementation and Maintenance	LS	1	\$ 4,500.00	\$ 4,500.00	1.00	-	\$ -
129	BASE BID-PHASE A-Traffic Control Plan	LS	1	\$ 10,000.00	\$ 10,000.00	1.00	-	\$ -
130	BASE BID-PHASE A-Construction Staking and Surveying	LS	1	\$ 2,500.00	\$ 2,500.00	1.00	-	\$ -
PHASE A SUBTOTAL					\$ 348,341.69			\$ (25,598.36)

Dos Logistics, Inc.

1002 E. Expressway 83

Weslaco TX, 78596

CONTRACTOR'S PAY ESTIMATES**21ST STREET DRAINAGE IMPROVEMENTS, PHASE III**

11-1001

SUMMARY

DRAINAGE IMPROVEMENTS (BASE BID)						AS-BUILT QUANT	FINAL CHANGE ORDER RECONCILIATION	
Item No.	Description	Unit	Quantity	Unit Price	Bid Cost		Quant	Costs
	BASE BID - PHASE B				\$ -			
202	BASE BID-PHASE B-18-in RCP, All Depths	LF	26	\$ 31.20	\$ 811.20	26.00	-	\$ -
203	BASE BID-PHASE B-24-in RCP, All Depths	LF	85	\$ 38.36	\$ 3,260.60	82.00	(3)	\$ (115.08)
211	BASE BID-PHASE B-Type F Inlet, All Sizes, All Depths	EA	6	\$ 3,080.87	\$ 18,485.22	6.00	-	\$ -
212	BASE BID-PHASE B-Type M Manhole, 48 DIA.	EA	1	\$ 4,280.87	\$ 4,280.87	1.00	-	\$ -
214	BASE BID-PHASE B-Type M Manhole, 72 DIA.	EA	2	\$ 6,161.74	\$ 12,323.48	2.00	-	\$ -
218	BASE BID-PHASE B-Curb and Gutter, Remove and Replace	LF	103	\$ 10.88	\$ 1,120.64	125.00	22	\$ 239.36
219	BASE BID-PHASE B-Pavement Demolition	SY	158	\$ 1.04	\$ 164.32	424.00	266	\$ 276.64
220	BASE BID-PHASE B-Asphalt Repair	SF	158	\$ 20.85	\$ 3,294.30	424.00	266	\$ 5,546.10
221	BASE BID-PHASE B-Concrete Sidewalk, Remove and Replace	SF	85	\$ 3.28	\$ 278.80	91.00	6	\$ 19.68
223	BASE BID-PHASE B-Handicap Ramp, Type 7	EA	1	\$ 885.41	\$ 885.41	1.00	-	\$ -
225	BASE BID-PHASE B-Handicap Ramp, Type 10	LF	1	\$ 885.41	\$ 885.41	1.00	-	\$ -
226	BASE BID-PHASE B-Trench Safety System		111	\$ 1.44	\$ 159.84	108.00	(3)	\$ (4.32)
	PHASE B SUBTOTAL				\$ 45,950.09			\$ 5,962.38
	SUBTOTAL, ORIGINAL BID				\$ 394,291.78			\$ (19,635.98)

Dos Logistics, Inc.

1002 E. Expressway 83

Weslaco TX, 78596

**CONTRACTOR'S PAY ESTIMATES
21ST STREET DRAINAGE IMPROVEMENTS, PHASE III
11-1001**

SUMMARY

DRAINAGE IMPROVEMENTS (BASE BID)						AS-BUILT QUANT	FINAL CHANGE ORDER RECONCILIATION	
Item No.	Description	Unit	Quantity	Unit Price	Bid Cost		Quant	Costs
CHANGE ORDERS								
<u>ITEM 1 - GALVESTON & 22ND STREET</u>								
CO#1	BASE BID-PHASE A-Pavement Demolition	SY	417	\$ 0.93	\$ 387.81	430.00	13	\$ 12.09
CO#1	BASE BID-PHASE A-Asphalt Repair	SY	417	\$ 20.37	\$ 8,494.29	430.00	13	\$ 264.81
CO#1	BASE BID-PHASE A-Curb and Gutter, Remove and Replace	LF	200	\$ 11.10	\$ 2,220.00	240.00	40	\$ 444.00
CO#1	Valley Gutter, 6' Wide	LF	46	\$ 19.00	\$ 874.00	83.00	37	\$ 703.00
CO#1	Handicap Ramp, Type 4	EA	1	\$ 900.00	\$ 900.00	0.00	-	\$ -
CO#1	BASE BID-PHASE A-Handicap Ramp, Type 8	EA	2	\$ 698.00	\$ 1,396.00	2.00	-	\$ -
CO#1	BASE BID-PHASE A-Handicap Ramp, Type 10	EA	1	\$ 1,072.81	\$ 1,072.81	1.00	-	\$ -
CO#1	BASE BID-PHASE A-Concrete Sidewalk, Remove and Replace	SF	240	\$ 3.27	\$ 784.80	337.00	97	\$ 317.19
CO#1	Traffic Control Plan	LS	1	\$ 4,000.00	\$ 4,000.00	1.00	-	\$ -
	SUBTOTAL, ITEM 1				\$ 20,129.71			\$ 1,741.09
<u>ITEM 2 - ERIE & 21ST STREET</u>								
CO#1	NEW ITEM - INLET EXTENSION	EA	1	\$ 1,500.00	\$ 1,500.00	1.00	-	\$ -
	SUBTOTAL, ITEM 2				\$ 1,500.00			\$ -
<u>ITEM 3 - DALLAS & 20TH STREET</u>								
CO#1	BASE BID-PHASE A-24-in RCP, All Depths	LF	16	\$ 39.64	\$ 634.24	16.00	-	\$ -
CO#1	BASE BID-PHASE A-Type M Manhole, 60 DIA.	EA	1	\$ 6,031.60	\$ 6,031.60	1.00	-	\$ -
CO#1	MODIFICATION TO EX. SYSTEM	LS	1	\$ 3,350.00	\$ 3,350.00	1.00	-	\$ -
	SUBTOTAL, ITEM 3				\$ 10,015.84			\$ -
<u>ITEM 4 - REMOVE & REPLACE SEWER MAINS/LATERALS</u>								
CO#2	REMOVE & REPLACE SEWER MAIN/LATERALS	EA	3	\$ 1,500.00	\$ 4,500.00	6.00	3	\$ 4,500.00
<u>ITEM 5 - CLEAN STORM DRAIN DUE TO WM BREAK</u>								
CO#2	STORM DRAIN CLEANING	LS	1	\$ 3,080.00	\$ 3,080.00	1.00	-	\$ -
<u>ITEM 6 - FINAL ITEMS</u>								
CO#4	FREIGHT FOR INLET TOP REPLACEMENT	LS	-	\$ 600.00	\$ -	1.00	1	\$ 600.00
CO#4	INLET D-36 FIELD ADJUSTMENT	LS	-	\$ 2,037.00	\$ -	1.00	1	\$ 2,037.00
	SUBTOTAL, ITEM 4				\$ -			\$ 2,637.00
SUBTOTAL, CHANGE ORDER #1 - #3					\$ 39,205.55			\$ 8,878.09
CURRENT TOTAL				109.94%	\$ 433,497.33			\$ (10,757.89)
FINAL CONTRACT AMOUNT								\$ 422,739.44

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 2D </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 2/18/13 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 2/25/13 </u>
OTHER	<u> </u>		

1 Agenda Item: Consideration of request to approve the revised Library Weeding policy.

2 Party Making Request: LIBRARY

3 Nature of Request: (Brief Overview) Attachments: X Yes No
 Request to approve the revised Library Weeding policy.

4 Policy Implication: None.

5 Budgeted: Yes No X N/A

Budgeted Amount:

6 Alternate option costs: N/A

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE YES/NO</u>
a) <u> Kate Horan, Library Director </u>	<u> KH </u>	<u> 02/18/13 </u>	<u> </u>
b) <u> Brent Branham, Deputy City Manager </u>	<u> </u>	<u> </u>	<u> </u>

8 Staff Recommendation:
 Approve revised Library Weeding policy.

9 Advisory Board: X Approved Disapproved None

10 City Attorney: KP Approved Disapproved None

11 Manager's Recommendation: MRP Approved Disapproved None



Where people & ideas meet & connect.

To: Mike R. Perez, City Manager
From: Kathleen P. Horan, Library Director
CC: Brent Branham, Deputy City Manager
Date: 2/18/2013
Re: Revised Weeding Policy

EXPLANATION

To provide the service community with a library collection of quality, veracity, currency, and usefulness, the library shall continuously and regularly examine the collection for material needing to be withdrawn and removed. The estimated annual weeding goal is 5% of the collection. Weeded materials are disposed of in an appropriate manner deemed most beneficial to the library system and community.

OPTIONS

1. Approved revised Library Weeding policy.
2. Disapprove proposed Library weeding policy.

RECOMMENDATION

Staff and Library Board recommend that the revised Library Weeding policy be approved as proposed.

Attachment

STANDARD LIBRARY WEEDING POLICY

TO: All Staff

FROM: Michael Fisher, Assistant Director for Support Services; Kate Horan, Library Director

SOP: Main and Branch Library Weeding Policy

REVISED DATE: 2/14/2013

General Guidelines:

In order to provide a collection with value, quality, currency and usefulness to the community of McAllen, the library shall continuously and regularly examine the collection for material needing to be withdrawn.

Overall authority for weeding the collection shall lie with the library director, who mediates the process and serves as final arbiter and consultant in case of dispute or question. The director shall designate qualified personnel for both selection and weeding of material.

Materials weeded from the collection shall be disposed of in an appropriate manner deemed most beneficial to the library system and community. After withdrawal, weeded items may be given to the Library Advocates bookstore for sale to the public, given to the recycling department for recycling or disposed of as garbage, if recycling is not possible.

Weeding Criteria:

Weeding shall be done in accordance with *CREW* (Continuous Review Evaluation and Weeding) methodology and guidelines, as published and updated by the Texas State Library and Archives Commission.

McAllen Public Library has an annual weeding goal of 5% of the total collection, in accordance with *CREW* standards and recommendations.

The following material is subject to weeding: Materials in poor or unusable condition (if in demand, the library will seek to replace), unused copies, items in obsolete formats, material with dated or misleading information, and material that does not meet sufficient user interest (Interlibrary Loan may be used to satisfy infrequent demand in this case).

Weeding Procedure and Timeline (General Guidelines):

Weeding shall be a continuously-undertaken process, involving the following steps:

ACTIVITY: Selectors choose items to weed, and fill out weeding slips indicating reason for weeding, and recommended replacement (same title or newer title or edition).

TIMELINE: One-half-day to two days.

ACTIVITY: The director shall spot-check carts to make sure items for weeding conform to *CREW* standards and library policy. S/he makes sure items needing immediate replacement are targeted as a priority (e.g., current bestsellers) and corrects other problems.

TIMELINE: One-half hour per cart (but carts may wait for one or two days for workload considerations if the director is otherwise busy).

ACTIVITY: Weeded materials are added to a withdrawal list with the following information: Date added to the collection, date weeded, barcode, author, title, call number, price, reason for withdrawal and disposition.

TIMELINE: One to two days by hand.

NOTE: This shall be a hand-generated report until TLC can design a report that includes the information required. This will reduce the time needed and serve as a backup to the locally-generated list.

ACTIVITY: Item information is deleted from the collection database.

TIMELINE: Two to four hours.

ACTIVITY: Technical Services clerks remove all physical identifying information

TIMELINE: One-half day to one day per cart (Items designated for resale will take longer).

NOTES ON MEDIA (BELOW): Media shall follow the same activity and timeline as above, after carts are brought to Technical Services

ACTIVITY: The director shall review and sign off on media carts brought in for repair or replacement of missing disks. S/he shall spot-check carts to make sure items for weeding conform to *CREW* standards and library policy. S/he makes sure items needing immediate replacement are targeted as a priority (e.g., current DVD's). The Circulation Supervisor shall have previously included a form indicating the number of attempts made to collect unreturned disks. This form shall be attached to the item.

TIMELINE: One-half hour per cart (but carts may wait for one or two days for workload considerations if the director is otherwise busy).

ACTIVITY: Weeded media are added to a withdrawal list with the following information: Date added to the collection, date weeded, barcode, author, title, call number, price, reason for withdrawal and disposition.

TIMELINE: One to two days by hand.

NOTE: This shall be a hand-generated report until TLC can design a report with the required information. This will reduce time needed and serve as a backup to the locally-generated list.

ACTIVITY: Item information is deleted from the collection database.

TIMELINE: Two to four hours.

ACTIVITY: Technical Services clerks remove all physical identifying information from items.

TIMELINE: One-half day to one day per cart (Items designated for resale will take longer).

NOTES ON TIMELINES FOR BOTH PRINT AND NON-PRINT MEDIA: The above timelines are best-case. Material may take up to two to three weeks, depending on incoming material.

NOTES ON PRICING: It is customary library practice to use list price for the value of material. List price is a more accurate indicator of actual replacement cost than the discount price at the time of purchase. Discounts are temporary, especially for bestsellers. If an item is lost or damaged at a later date, discounts often will not apply.

The Fixed Assets Supervisor in Finance applies an average discount to library items that factors in outsourced processing costs. We recommend 27 ½%.

Weeding lists shall be synchronized with the City's fiscal year and submitted to the Finance Department monthly, quarterly or as the Finance Department may otherwise request for processing and posting.

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> ✓ </u>	AGENDA ITEM	<u> 2E </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 2/18/2013 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 2/25/2013 </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 First National Bank.

Amount of refund: \$1,296.90

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>02/18/13</u>
b) _____	_____	_____

8 Staff Recommendation: To 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

MCALLEN TAX OFFICE MEMO

Date: 2/18/13
To: Mayor Richard F. Cortez and City Commission
Through: Mike R. Perez, City Manager
From: Martha Guel, Tax Assessor *M.G.*
Re: \$500.00 Refunds

After the supplements from the Appraisal District for the month of January, we need your approval on the following refund:

Name	Amount Paid	Corrected Levy	Refund	Change Reason
First Natl. Bank	7,944.44	6,647.54	1,296.90	Failed Notification

***Note:** According to Hidalgo Co. Appraisal Dist. the property owner submitted his letter of protest in value, but the Appraisal District failed to send him a notification of the Appraisal Review Hearing.

APPLICATION FOR TAX REFUND

09/12

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 FIRST NATIONAL BANK
Owner's name and address	Present mailing address (number and street) P O BOX 810
	City, town or post office, state, ZIP code EDINBURG TX 78540
	Phone (area code and number)

Step 2:	Legal description (or attach copy of the tax bill or tax receipt): GATEWAY PLAZA SHOPPING CENTER N140' & S443.83'-N583.83' LOT 5
Describe the property	Address or location of property:
	Account number of property: G2600-00-000-0005-01 OR Tax receipt number:

Step 3:	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
Give the tax payment information	1. <u>CITY OF MCALLEN</u>	<u>2012</u>	<u>12/27</u> / <u>2012</u>	\$ <u>7,944.44</u>	\$ <u>1,296.90</u>
	2. _____	_____	_____ / _____	\$ _____	\$ _____
	3. _____	_____	_____ / _____	\$ _____	\$ _____
	4. _____	_____	_____ / _____	\$ _____	\$ _____
	5. _____	_____	_____ / _____	\$ _____	\$ _____
	Taxpayer's reason for refund (attach supporting documentation): CORRECTION DUE TO FAILURE TO SEND REQUIRED NOTICE SEC.41.411				
	01-15-13ng				

Step 4:	"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 the form	sign here Signature	Date of application for tax refund 11/31/13
	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:	This tax refund is <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	
Tax refund determination	sign here Authorized officer	Date 1/15/13
	sign here 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

Geo

Supp Group: 143

12/20/2012 1:47PM

Current Property Data as of Supp 6

Supp Code: CN

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
178756	640050	100.00 R	Geo: G2600-00-000-0005-01 GATEWAY PLAZA SHOPPING CENTER N140' & S443.83'-N583.83' LOT 5 Appraiser: R1 Operator: ralvarez State Codes: F1 Acres: 0.0000 Situs: 1401 S 10TH TX	Effective Acres: 0.0000	Imp HS: 0	Market: 1,541,280	
	NAVARRETTE & ROBLES INVESTORS LL				Imp NHS: 944,607	Prod Loss: 0	
	1401 S 10TH ST				Land HS: 0	Appraised: 1,541,280	
	MCALLEN, TX 78501-5025				Land NHS: 596,673	Cap: 0	
					Prod Use: 0	Assessed: 1,541,280	
					Mtg Cd: 0		
					Ref ID1: 208268		Late Ag: F
					Ref ID2: R178756		

Change Desc:

CORRECTION DUE TO FAILURE TO SEND REQUIRED NOTICE. SEC 41.411

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
NAVARRETTE & ROBLES INVEST	640050	100.00	CML	100.00		1,541,280	1,541,280		0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values			
178756	640050	100.00 R	Geo: G2600-00-000-0005-01 GATEWAY PLAZA SHOPPING CENTER N140' & S443.83'-N583.83' LOT 5 Appraiser: B7 Operator: ralvarez State Codes: F1 Acres: 0.0000 Situs: 1401 S 10TH TX	Effective Acres: 0.0000	Imp HS: 0	Market: 1,841,976	
	NAVARRETTE & ROBLES INVESTORS LL				Imp NHS: 1,245,303	Prod Loss: 0	
	1401 S 10TH ST				Land HS: 0	Appraised: 1,841,976	
	MCALLEN, TX 78501-5025				Land NHS: 596,673	Cap: 0	
					Prod Use: 0	Assessed: 1,841,976	
					Mtg Cd: 0		
					Ref ID1: 208268		Late Ag: F
					Ref ID2: R178756		

Change Desc:

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
NAVARRETTE & ROBLES INVES	640050	100.00	CML	100.00		1,841,976	1,841,976		0.00

Gain or Loss of Value for:

Property: 178756 Geo: G2600-00-000-0005-01

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	1,541,280	1,541,280	0.00	1,841,976	1,841,976	0.00	-300,696	-300,696	0.00

NT 6647.54

OT 7944.44

Adj. 1296.90-

City of McAllen
Standardized Recommendation Form

City Commission x
 Utility Board _____
 Other Board _____

Agenda Item 2F
 Date Submitted 2/18/13
 Meeting Date 2/25/13

1. Agenda Item: **ORDINANCE**

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

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Consideration and Action to Adopt an Amendment to Water Conservation and Drought Contingency Plan approved on September 24, 2012.

4. Policy Implication: _____

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: _____

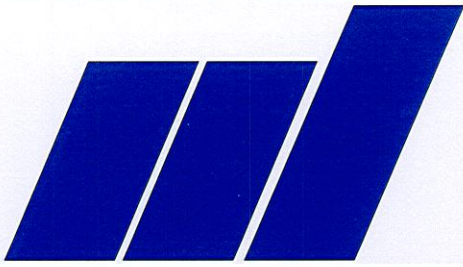
<u>Name/Title</u>	<u>Initial</u>	<u>Date</u>	<u>Concurrence</u>		
a) _____			<u> </u> Yes	<u> </u> No	<u> </u> N/A
b) _____			<u> </u> Yes	<u> </u> No	<u> </u> N/A
c) _____			<u> </u> Yes	<u> </u> No	<u> </u> N/A
d) _____			<u> </u> Yes	<u> </u> No	<u> </u> N/A
e) _____			<u> </u> Yes	<u> </u> No	<u> </u> N/A

8. Staff's Recommendation: _____

9. Advisory Board: Approved Disapproved None


10. City Attorney: **KDP** Approved Disapproved None

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



CITY OF MCALLEN
City Attorney's Office
MEMORANDUM

To: Mayor and City Commissioners

From: Isaac J Tawil, Assistant City Attorney 

Date: February 18, 2013

Subject: Amendment to Water Conservation and Drought Contingency Plan

Background –

On September 24, the City Commission adopted the City's Water Conservation Ordinance. The Ordinance adopted inadvertently omitted Section V, 106-120 of the City's Drought Contingency Plan. The attached proposed Amendment to the ordinance contains the inadvertently omitted language from the then proposed ordinance, and fixes the section numbering to account for this addition.

Recommendation/Options –

1. Adopt the amendment to the ordinance
2. Not adopt the amendment to the ordinance.

The City Attorney's office recommends that the amendment to the ordinance be adopted.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN CHAPTER 106 UTILITIES, ARTICLE III. WATER, DIVISION 5. EMERGENCY CONSERVATION. BY ADOPTION OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR PUBLICATIONS; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATING TO THE SUBJECT MATTER THEREOF.

WHEREAS, Title 30, Chapter 288 of the Texas Administrative Code and the regulations of the TCEQ require that the City of McAllen adopt a Water Conservation Plan; and

WHEREAS, the McAllen City Commission deems it in the best interest of the City to adopt the City of McAllen Public Utility Water Conservation and Drought Contingency Plan dated September 2012; and

WHEREAS, the McAllen Public Utility Board has heretofore adopted a Water Conservation and Drought Contingency Plan that needs updating.

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

SECTION I: The McAllen City Commission hereby adopts the City of McAllen Public Utilities Water Conservation and Drought Contingency Plan dated September 2012, a copy of which is attached hereto.

SECTION II: That, this ordinance shall take effect immediately upon its passage and publication according to the law.

SECTION III: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Texas in accordance with the provisions of the code of Ordinances of the City of McAllen, Section 2-56.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and directed to cause the contents of Section I and hereof to be published in the appropriate location in the Code of Ordinances of the City of McAllen.

SECTION V: 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 ____ 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 552 of the Texas Government Code.

SIGNED this ___ day of February, 2013.

CITY OF McALLEN, TEXAS

By: _____
Richard F. Cortez, Mayor

ATTEST:

Annette Villarreal, City Secretary, TRMC, CPM

APPROVED AS TO FORM:

Kevin D. Pagan, City Attorney

CONSIDERED, PASSED and APPROVED this ____ day of February, 2013, at a regular meeting of the McAllen Public Utility Board of Trustees 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 and Chapter 102 of the Texas Local Government Code.

SIGNED this ____ day of February, 2013.

**McALLEN PUBLIC UTILITY
BOARD OF TRUSTEES**

By: _____
Charles Amos, Chairman

ATTEST:

By: _____
Nyla L. Flatau, Board Secretary

APPROVED AS TO FORM:

By: _____
Kevin D. Pagan, City Attorney



*City of McAllen
McAllen Public Utility*

*WATER CONSERVATION
AND
DROUGHT CONTINGENCY PLAN
2012*

Revised and Updated February 2013

Approved _____

Date

**CITY OF MCALLEN
MCALLEN PUBLIC UTILITY
WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN**

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- VIII. VARIANCES**

- IX. PENALTY OF VIOLATION**

- X. ADMINISTRATIVE PENALTIES**

I. Sec. 106-116. - Introduction.

McAllen Public Utility (MPU) provides the public with its water and sewer services within the City limits. The water and wastewater system is owned and operated by the City of McAllen in Hidalgo County, Texas, and is governed by the McAllen Public Utility Board of Trustees. The amount of water the City water system can store, treat divert, and distribute to customers is limited. MPU wants to avoid waste or unreasonable use of water, which could lead to possible drought and emergency conservation strategies. With an expected population increase over the next fifty years that well exceeds the national average; it is imperative that we maximize efficient water use practices and minimize both direct and indirect water waste. While short-term water shortages and water supply emergencies are often unpreventable, response measures can be determined and implemented in advance to avoid, minimize, or mitigate the risks and impacts of drought-related water shortages and other emergencies.

The purpose of this plan is to establish a water conservation and drought contingency plan for the City in accordance with Texas Administrative Code Title 30, Chapter 288. The basic goal of the water conservation and drought contingency plan is to ensure an uninterrupted supply of water in an amount sufficient to satisfy essential human needs. The water conservation plan develops a conservation strategy for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for increasing the recycling and reuse of water, and for preventing the pollution of water. The drought contingency plan is a strategy for temporary supply management and demand management responses to temporary and potentially recurring water supply shortages and other water supply emergencies.

(Ord. No. 2009-56, § I, 9-14-09)

II. Sec. 106-117. - Utility profile.

(a) Demographics. MPU provides water supply and wastewater services within the city limits. The service area is 48.7 square miles. The 2010 U.S. Census data for the population of the city of McAllen is 129,877. The current estimated dynamic population in the winter, when long-term visitor counts are higher, is 138,398; and in the summer, the estimate is 132,338. This figure includes people who live in the city permanently, as well as winter visitors and people who commute here from Mexico. The McAllen city limits population has grown 2.16 percent annually over the past decade and is projected to continue to grow another 3 percent annually through 2016¹.

(b) Water supply.

(1) Raw water supply. The Rio Grande River is the sole source of water for citizens of the City, and MPU has water delivery contracts with four districts, as follows:

¹ http://www.retailattractions.com/Portals/20/market_report/McAllen_Texas_Market_Report.pdf

Hidalgo County Irrigation District Number 2	8,111 acre ft/year
Hidalgo County Water Improvement District Number 3	13,980 acre ft/year
United Irrigation District	11,250 acre ft/year
Brownsville Irrigation District	2,000 acre ft/year

- (2) Water treatment system. The City has two water treatment plants:
 Southwest Water Treatment Plant: (rerated in 2010) 47.25 MGD
 Northwest Water Treatment Plant: (rerated in 2011) 11.25 MGD
 Total System Treatment Capacity: 58.5 MGD

- (3) Water pumpage and storage. Current annual pumpage for 2011 was 109 billion gallons of water. MPU has various pumps located at the Southwest Water Treatment Plant to pump raw water from the raw water reservoir into the plant facilities for treatment. The plant also has high service pumps to pump water from the ground storage tanks into the distribution system. MPU relies on elevated storage and high service pumps for pressure maintenance.

MPU has seven water towers with a total of 6.75 million gallons of elevated storage, and 11.9 million gallons of ground storage. All ground storage and elevated towers are monitored by a SCADA system. The system allows MPU to monitor flow data and record historical trends in the treatment and distribution system.

MPU has a total of 713.6 miles of water lines, of which approximately 16 percent are 12 inches in diameter or larger. The MPU system has 7,375 water valves and 4,050 active fire hydrants.

- (4) Water master plan. An updated water master plan was completed by Freese and Nichols, Inc. in July 2009 to evaluate the integrity of the existing water systems and to recommend a phased capital improvements plan to serve growth through 2025. The recommended improvements will serve as a basis for the design, construction and financing of facilities required to meet MPU's water service needs as a result of projected population growth.

- (c) Water use characteristics. MPU supplies water for residential, commercial, industrial, and public use. The total per capita use for the City in 2011 is estimated at 172 gallons per capita per day (gpcd)². This is an average taken by dividing the total water treated by the population served. The residential gallons per capita per day are estimated at 108 gpcd². Residential gpcd is made by dividing total single-family and multi-family residential water sales by the population served.

The City's industrial users accounted for 16 percent of total water use. The largest volume industrial user for 2011 was Magic Valley Fresh Frozen, which purchased approximately 84.4 MG of water, or 1.11 percent of total water usage.

² Texas Water Development Board Water Conservation Annual Report 2011

Large sized meters, or those 1.5 inches and larger in size, make up only 4.8 percent of the meters used but use 33.3 percent of the water. Conversely, small sized meters, or those 1-inch and below, make up 95.1 percent of all meters, but account for less than 66.7 percent of metered sales.

- (d) Unaccounted-for water. The City's unaccounted-for water is due to breaks, leaks, meter under-registration, processing, flushing mains, system loss, and un-metered fire hydrants. The amount of unaccounted for water is determined by the difference between production and sales of water. The average amount of unaccounted-for water loss for the past three years was 10 percent. The unaccounted-for loss of water for 2011 was 10 percent.
- (e) MPU operates two wastewater treatment plants. Both treatment plants are based upon extended aeration activated sludge system, with secondary effluent limitations. Treated effluent is discharged into floodways and eventually into the Arroyo Colorado and Laguna Madre Estuary. The average annual treated wastewater volume for 2009-2011 was 5100.8 million gallons. The average monthly amount of treated wastewater for that same period was 425.0 million gallons per month, or 14.2 MGD. The sanitary sewer infrastructure consists of 500 miles of sanitary sewer line, with 44 lift stations within the City of McAllen and 10 lift stations within the City of Alton.

The South Wastewater Treatment Plant is a 10 MGD design flow with 16.2 MGD peak flow capabilities. It is currently 61 percent hydraulically loaded with effluent limitations of 10 mg/l of carbonaceous biochemical oxygen demand; 15 mg/l of total suspended solids; 2 mg/l of ammonia nitrogen and E. coli, CFU or MPN/100 ml 126.

The North Wastewater Treatment Plant is an 11.25 MGD design flow with 28.125 MGD peak flow capability. The permit limitations include 10 mg/l of biochemical oxygen demand, and 15 mg/l of total suspended solids, 3 mg/l of ammonia nitrogen and 35 mg/L Enterococci bacteria.

- (5) Wastewater master plan. An updated wastewater master plan was completed by Freese and Nichols, Inc. in July 2009 to evaluate the integrity of the existing wastewater systems and to recommend a phased capital improvements plan to serve growth through 2025. The recommended improvements will serve as a basis for the design, construction and financing of facilities required to meet MPU's wastewater service needs as a result of projected population growth.

The following is a description of the public utility system.

WATER SUPPLY AND USE DATA

2011 Data

Population: 129,877

Water Sources:

Hidalgo County Irrigation District Number 2	8,111 acre ft/year
Hidalgo County Water Improvement District Number 3	13,980 acre ft/year
United Irrigation District	11,250 acre ft/year
Brownsville Irrigation District	2,000 acre ft/year
TOTAL:	acre feet/year

Water Production:

Average annual pumpage (3-year average 2009-2011): 771.701 MG/year

Maximum daily treatment capacity: 58.5 MGD

Average daily pumpage (3-year average): 25.37 MGD

Wastewater Production:

Average annual amount treated (4 year average 2008-2011): 2,159.01 MG/yr

Maximum daily treatment capacity: 44.325 MGD

Average daily treated: 5.92MGD

(Ord. No. 2009-56, § I, 9-14-09)

**III.
Sec. 106-118. - Water conservation goals.**

Based on the data found in the utility profile and on careful evaluation of the City's water consumption and practices, MPU has set the following goals to be achieved through the adoption of this water conservation plan:

- (1) To reduce daily municipal per capita water use to 168 gpcd by the year 2015 and to maintain the unaccounted-for water loss at 10 to 12 percent by 2017. Also, to reduce daily municipal per capita water use to 160 gpcd by the year 2020 and to maintain the unaccounted-for water loss at 8 to 10 percent by 2022. At present, the gpcd 10-year average is 187 and the unaccounted-for water loss is at 10 percent.
- (2) To implement long term cost-effective recovery measures for major causes of unaccounted-for water related to metering. We have implemented a meter change out policy that requires all meters to be changed out after 12 years or 1.5 MG of total flow and an aggressive meter testing program to identify and deal with problem meters. A 2011 audit reflected that our program is working.
- (3) To increase both public and employee awareness regarding water conservation and water related issues. This will especially be encouraged during summer months when water consumption increases significantly.
- (4) To investigate the potential for wastewater effluent reuse.
- (5) To promote xeriscape landscape use like low-water using shrubs and plants, patios, rocks, decks, and walkways in order to reduce the amount of high water consuming landscape

area. Businesses as well as residential users will be encouraged to participate.

- (6) To promote more efficient irrigation techniques for agriculture, industry, and private use through rebates, retrofit, and education.
- (7) A full time water education specialist is on staff. This specialist will be developing conservation programs and educational offerings to both public and school children audiences to enhance understanding of water utility systems as well as promote water conservation and prevention of pollution of water resources.
- (8) Wholesale customers will be required to implement and adhere to a water conservation and drought contingency plan. Currently, no wholesale contracts exist.
- (9) MPU will strive to attain a 2 percent reduction goal during water conservation stages.

(Ord. No. 2009-56, § I, 9-14-09)

IV.

Sec. 106-119. - Water conservation strategies.

- (a) Public education. Water conservation is promoted in the City through the following:
 - (1) Public service announcements have been and will continue to be made regarding water conservation inside and outside the home, as well as in the workplace. For example, tips on efficient lawn watering, repairing leaks in the home, and installing low-flow showerheads and faucet aerators have been publicized on local radio stations, in newspapers, and on television stations. Educational videos and service announcements are and will continue to be shown periodically on the McAllen Cable Network.
 - (2) New customers are given information such as brochures about water conservation when they open a new account with the City. Informative brochures as well as flyers are also on display at City Hall where many customers come in to pay their water bill or take care of business with the utility department and at other city offices.
 - (3) Employee education will also be furthered in the utility by periodic presentations regarding water use and conservation. Posters and additional brochures will also be distributed in City Hall for employee use. City employees who do not work at City Hall will also be sent materials such as pamphlets and brochures to be displayed and read at their facilities.

Customer Service Week is celebrated within all City departments every October. During this time, the utility has a booth at City Hall to inform citizens on water conservation efforts and to improve public perception and awareness of the utility's conservation efforts.

MPU's water education specialist will make every effort to work with other City departments, McAllen-area schools, the International Museum of Art and Science (IMAS), and other

community groups to promote water conservation education by participating in special public events, educational offerings, and other activities. Examples include co-sponsoring a poster contest, having a booth at festivals or fairs, or hosting community groups for water plant tours.

(b) Recycling and reuse. MPU currently has a recycle or reuse program for water via irrigation of treated wastewater effluent on the City's golf course. Additionally, MPU has contracts to sell Calpine and Duke Energy 5 MGD and 4.8 MGD, respectively, of treated wastewater effluent for reuse. MPU began constructing a reuse line in 2011 that will eventually supply the Convention Center District and the City's nearby Westside Park with treated wastewater effluent for irrigation and landscape feature use such as decorative water fountains and other water features.

(c) Metering devices and universal metering.

(1) Metering devices. New meters, 2 inches and smaller in size, are bought according to the latest revision of "AWWA New Meter Standard for Cold-Water Meters" in order to specify all materials, design, manufacture, and testing of all meters. The manufacturer will guarantee that all new meters will test at 98.1 to 101 percent accurate at the maximum rate and 95 to 101 percent at the "low flow" rate as designed by AWWA Standards Manual M-6 on a meter size for size basis. This ensures accurate and precise measurement of water diverted.

Older meters that may be registering too high or low will be replaced as time permits in order to accurately account for water and lower any unaccounted-for water loss.

(2) Metering. MPU currently meters all water usage except that of fire hydrants and water loss due to leaks, breaks, processing, flushing of mains, and system loss. MPU, however, does keep track of water used by fire hydrants through the city fire department.

MPU uses computers to maintain billing, to keep accurate records of water consumption, and to identify high and low water users. MPU will test all meters that appear to show unusually high or low water usage based on fluctuating meter data. Water distribution tests meters based on an "as needed" basis when customers complain or a problem arises.

The MPU water distribution department is responsible for maintaining all 53,200 connections. Meter readers use a portable meter tester and/or a read-a-flow recorder to test meters in the field. When meters cannot be read in the field, they are taken into a meter shop to be assessed. Priority is always given to water leaks with all other tasks including, service calls, maintenance calls, and other water distribution projects.

Meter management study. In September 2011, JBS Associates, Inc. prepared a report of meter management study for the utility. The study included an analysis of production and metered sales from January 2009 to June 2011 1993, and of

individually metered water consumption accounts from February 2008 to January 2011. The report made recommendations that are currently being utilized, such as the recommendation to implement quarterly testing of meter accuracy in the case of zero-consumption or low-use accounts.

- (d) Water distribution audit and leak survey. In November 1997, JBS Associates, Inc. completed a water distribution audit and leak survey. The audit was conducted to determine causes for unaccounted-for water and develop recommendations for unaccounted-for water recovery in a cost-effective manner. This audit and leak survey is conducted every 5 (5) years at a minimum.

A continuous leak detection and repair program is carried out by MPU. Meter readers also check for leaks while reading meters and performing regular maintenance. For the year 2006-2007, a full-scale leak detection project was implemented.

- (e) Plumbing codes and retrofit program. The City does have plumbing codes pursuant to the 2006 standard plumbing code issued from the International Code Council. Additionally, the 72nd Texas Legislature passed legislation which requires plumbing fixtures sold in the state after January 1, 1992 to meet strict standards that incorporate efficient water use and conservation in new structures. This law subsequently effects plumbing fixtures sold in the City and will help to eliminate inefficient plumbing fixtures.

MPU does encourage businesses and homeowners to replace older water fixtures like low-flow showerheads, faucet aerators, and toilet dams, purchased before January 1, 1992, with the newer water efficient replacements. MPU will also advocate the use of low demand water appliances instead of older, high use ones in homes and businesses.

- (f) Water conservation landscaping. When practical, MPU will advocate the use of drip irrigation for the watering of landscapes for commercial establishments. Also, the use of ornamental fountains will be discouraged except when they recycle and use minimal quantities of water.

MPU will continue to work with the City parks and recreation department in order to eliminate any wasteful water use. The watering of parks for example will be evaluated and done according to efficient water conserving methods. Municipal pools will also be evaluated for efficient water use.

Local landscape architects and local nurseries will be asked and encouraged to utilize efficient irrigation systems and native low water using plants and grasses. Xeriscape gardening and landscaping techniques will also be asked to be promoted.

Licensed irrigation contractors will be asked to use drip irrigation systems, where possible, and to use water conserving irrigation systems like sprinklers which produce large drips instead of a fine mist and a sprinkler layout which accommodates prevailing wind patterns.

(g) Conservation oriented water rate structure. The City has established three schedules of rates to be charged for the consumption of water supplied through the City water system, as follows:

- (1) Standard water rate schedule within the City for City customers under the City's certificate of convenience and necessity.
- (2) Standard water rate schedule for areas previously covered by Sharyland Water Supply Corporation certificate of convenience and necessity relating to any buyout phases whereby the City has entered into agreements with Sharyland Water Supply Corporation for buyout of their certified area.
- (3) Standard water rate schedule outside the City

The standard rate to be charged for water furnished and consumed by single-family residence, multi-family, commercial, and industrial customers within the City is as follows:

(1) Base meter charge: \$4.00 per meter

(2) Commodity charge: Approved September 23, 2008.

Residential: \$1.30 per 1,000 gallons for the first 12,999 gallons and \$1.60 for 13,000 to 17,999 and \$1.80 per 1,000 gallons thereafter.

Multi-family: \$1.30 per 1,000 gallons for all usage under last fiscal year's average monthly usage, and \$1.80 per 1,000 gallons for all usage above last fiscal year's average monthly usage.

Commercial: \$1.30 per 1,000 gallons for all usage under last fiscal year's average monthly usage, and \$1.80 per 1,000 gallons for all usage above last fiscal year's average monthly usage.

Industrial: \$1.30 per 1,000 gallons for all usage under last fiscal year's average monthly usage, and \$1.80 per 1,000 gallons for all usage above last fiscal year's average monthly usage.

Irrigation/pool services: \$1.80 per 1,000 gallons.

Water and sewer rates are periodically evaluated and updated as needed, so the above information is subject to future change.

(h) A monitoring and records management program is in place for tracking annual budget allocation for Hidalgo County Irrigation District No. 2, Hidalgo County Irrigation District

No. 3, United Irrigation District and Brownsville Irrigation District to determine water deliveries, sales and losses.

(Ord. No. 2009-56, § I, 9-14-09)

V.

106-120. – Drought Contingency Plan

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of McAllen/McAllen Public Utility hereby adopts the following regulation and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (Drought Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in this section.

A. Public Involvement

Opportunity for the public to provide input into the preparation of the Drought Plan was provided by the MPU by scheduling and providing notice of public meetings considering adoption of the Water Conservation and Drought Contingency Plan.

B. Public Education

MPU will periodically provide the public with information about the Drought Plan, including information about the conditions under which each stage of the Drought Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of periodic publications in the local newspaper and utility bill inserts or mail-outs.

C. Coordination with Regional Water Planning Groups

The service area of the MPU is located within the Lower Rio Grande Valley and MPU has provided a copy of this Water Conservation and Drought Contingency Plan to the Lower Rio Grande Valley Development Council.

D. Implementation and Enforcement

The General Manager or his designee is hereby authorized and directed to implement the applicable provisions of this Drought Plan upon the determination that such implementation is necessary to protect public health, safety, and welfare. The General Manager, or his designee, shall have the authority to initiate or terminate drought or other water supply emergency response measure as described in this Plan. In the case of an emergency situation, such as a canal breakdown, pump failures, line ruptures, ect., the General Manager is authorized to take

immediate actions deemed necessary to minimize or mitigate the risks and impacts of the water supply emergency.

VI.

106-121. - Triggering criteria for drought response stages.

The general manager *or* his or her designee shall monitor water supply and demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the plan. Notification will be made through major media outlets. The designated City representative will notify water users when water use restrictions have been eased due to lessening of drought conditions.

The triggering criteria described below are based on the level of the United States share of water in the Falcon-Amistad Reservoirs as reported by the TNRCC watermaster, and demand on the municipal system capacity. The stages of the drought plan may be rescinded when all of the conditions listed as triggering events have ceased for a period of three (3) consecutive days. **Any one** of the triggers listed below *may* cause the utility to initiate water restrictions.

Current as of 2012 WTP capacities:

Southwest Water Treatment Plant: rerated in 2010, 47.25 MGD

Northwest Water Treatment Plant: rerated in 2011, 11.25 MGD

Total System Treatment Capacity: 58.5 MGD

Table 3. Demand, Supply and Emergency Triggers

	Trigger	Action
Demand Triggers	Water demand reaches or exceeds 85 percent of delivery capacity for three (3) consecutive days (<i>currently 49.73 MGD</i>)	Public Utility Board may enact Stage Two water restrictions
	Water demand reaches or exceeds 90 percent of delivery capacity for three (3) consecutive days (<i>currently 52.65 MGD</i>)	Public Utility Board may enact Stage Three water restrictions
	Water demand reaches or exceeds 95 percent of delivery capacity for three (3) consecutive days (<i>currently 55.58 MGD</i>)	Public Utility Board may enact Stage Four water restrictions
	Water demand reaches or exceeds 100 percent of delivery capacity at any time (<i>currently 58.5 MGD</i>)	Public Utility Board may enact Stage Five water restrictions
Supply Triggers	Stage One Water Restrictions at all time unless:	
	Reservoir levels of Amistad/Falcon reach 40 percent of capacity	Public Utility Board may enact Stage Two water restrictions
	Reservoir levels of Amistad/Falcon reach 25 percent of capacity	Public Utility Board may enact Stage Three water restrictions
	Reservoir levels of Amistad/Falcon reach 20 percent of capacity	Public Utility Board may enact Stage Four water restrictions
	Reservoir levels of Amistad/Falcon reach 15 percent of capacity	Public Utility Board may enact Stage Five water restrictions

Emergency Triggers	As determined by utility general manager, including but not limited to system outage, equipment failure, or supply source contamination	Reduce water use to levels deemed necessary
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VII.

Sec. 106-122. - Drought response stages.

The City/City public utility has an emergency conservation plan that outlines five stages for possible water shortage and/or emergency conditions. A brief description is summarized below.

(1) **Stage One: Voluntary conservation.** Voluntary conservation is the first stage of the conservation program. It is always in force unless a higher stage is required and enacted. Customers of the City utility during Stage One are requested to voluntarily limit the amount of water used to that amount absolutely necessary for health, business, and irrigation. Notice of such request shall be given by the general manager through appropriate circulars, television, radio, and newspaper media at his or her discretion.

(2) **Stage Two: Mandatory compliance-water alerts.** During Stage Two, MPU will aim to reduce per capita consumption by 2 percent. The following restrictions shall apply to all persons:

- a. Irrigation of outdoor vegetation shall be limited except for during the days and times as provided in this section and in such zones as designated herein. Irrigation by drip method or hand-held buckets is permitted at any time in any zone.

Zone 1: Northern City limits on the north, 10th Street on the east, Nolana Avenue on the south and western City limits on the west—Sunday and Wednesday during the time periods as provided for below.

Zone 2: Northern City limits on the north, eastern City limits on the east, Nolana on the south and 10th Street on the west—Monday and Thursday during the time periods as provided for below.

Zone 3: Nolana on the north, 10th Street on the east, Business 83 on the south and western City limits on the west—Tuesday and Friday during the time periods as provided for below.

Zone 4: Nolana on the north, eastern City limits on the east, Business 83 on the south, 10th Street on the west—Wednesday and Saturday.

Zone 5: Business 83 on the north, 10th Street on the east, southern City limits on the south and western City limits on the west—Thursday and Monday during the times as provided for below.

Zone 6: Business 83 on the north, eastern City limits on the east, southern City limits on the south, and 10th Street on the west—Friday and Tuesday during the time period as provided below.

Table 4. Map of City Irrigation Zones

Zone 1	10 th Street	Zone 2
Nolana Avenue		
Zone 3		Zone 4
		Business Highway 83
Zone 5		Zone 6

Irrigation may only be conducted during the hours of midnight to 10 a.m. and 6 p.m. to midnight on the authorized days.

b. The washing of automobiles, trucks, trailers boats, airplanes and other types of mobile equipment is prohibited except on designated irrigation days between the hours of 6 p.m. to 10 a.m. Such washing, when allowed, shall be done with a handheld bucket or a handheld hose equipped with a positive shutoff nozzle for quick rinses.

Exception: Washing may be done at any time on the immediate premises of a commercial carwash or commercial service station. Further, such washing may be exempted from this provision if the health, safety and welfare of the public is contingent upon frequent vehicle cleaning, such as garbage trucks and vehicles to transport food and perishables.

c. The washing or sprinkling of foundations is prohibited except on designated irrigation days between the hours of 8 p.m. and 12 midnight.

d. The refilling or adding of water to residential swimming and/or wading pools is prohibited except on designated irrigation days between the hours of 8 p.m. to 10 a.m.

e. The operation of any ornamental fountain or other structure making similar use of water is prohibited except for those fountains or structures with a recycling system.

f. The use of water for irrigation for golf greens and tees is prohibited except on designated irrigation days between the hours of 6 p.m. to 10 a.m.

The irrigation of golf course fairways is absolutely prohibited. Provided, however, any golf course utilizing wastewater effluent or raw water is exempted from the provision of this division.

g. Use of water from fire hydrants shall be limited to firefighting and related activities, and/or other governmental use activities necessary to maintain the health, safety, and welfare of the citizens of the City.

h. The following uses of water are defined as waste of water and are absolutely prohibited:

1. Allowing irrigation water to ran off into a gutter, ditch or drain;
2. Failure to repair a controllable leak;
3. Washing sidewalks, driveways, parking areas, tennis courts or other paved areas, except to alleviate immediate fire hazards.

i. No bulk water sales shall be made from City or other sources for any purpose when such water will be transported by any tanker truck or similar type vehicle.

(3) Stage Three: Mandatory compliance-water warning. During Stage Three, the following restrictions shall apply to all persons. All elements of Stage Two, including the goal of 2 percent reduction of water use per capita, shall remain in effect in Stage Three except that:

- a. It shall be unlawful for any person to irrigate any outdoor vegetation other than in zones and on the days as designated in Stage Two and only during the hours of midnight to 10 a.m. and 7 p.m. to midnight on such designated days. Irrigation by drip or hand-held buckets is permitted at any time in any zone.
- b. The watering of golf fairways areas is prohibited unless done with treated wastewater, reused water, or well water.

A water surcharge shall be levied against all customers in the following amounts:

1. Residential/domestic metered customers (5/8 inch 3/4-inch 1-inch meters) shall pay a 50 percent surcharge for any water used over an amount of 15,000 gallons per month.
2. Those irrigation-metered customers shall pay a 50 percent surcharge for any water used over 10,000 gallons per month.
3. Those commercial and industrial metered customers shall pay a 10 percent surcharge for any water used over an amount equal to 80 percent of the maximum monthly consumption over any one billing cycle out of the last 12 months preceding the month in which the Stage Three designation was implemented.

(4) Stage Four: Mandatory compliance-water shortages. During Stage Four, the following restrictions shall apply to all persons. All elements of Stage Three, including the goal of 2 percent reduction of water use per capita, shall remain in effect in Stage Four except that it shall be unlawful for any person to irrigate any vegetation outdoors except on the following designated days in the zones established herein:

1. Zone 1 - Sunday
2. Zone 2 - Monday
3. Zone 3 - Tuesday
4. Zone 4 - Wednesday
5. Zone 5 - Thursday
6. Zone 6 - Friday

And only during the times established under Stage Three of this section.

- a. All outdoor irrigation of vegetation shall be allowed only between the hours of midnight to 10 a.m. and 8 a.m. to midnight on designated days.

b. The washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment not occurring upon the immediate premises of commercial carwashes and commercial service stations and not in the immediate interest of the public health, safety and welfare shall be prohibited except on designated irrigation days and only on the owners of such vehicles, etc., premises.

c. Carwashes and commercial service stations in the immediate interest of the public health, safety and welfare shall be limited to 50 percent of their monthly average usage based on the last 12 billing periods for each of such customer. After such usage, the general manager shall enforce this subsection by terminating water service.

d. Commercial nurseries, commercial sod farmers, and similarly situated establishments shall water only on designated days between the hours of 10 p.m. and 5 a.m. and shall use only handheld hoses, drip irrigation systems, or handheld buckets.

e. The filling, refilling or adding of water, except to maintain the structure integrity of the pool, to swimming and/or wading pools is prohibited.

f. The operation of any ornamental fountain or similar structure is prohibited.

g. A water surcharge shall be levied against all customers during Stage Four in the following amounts:

1. Residential/domestic metered customers (5/8- inch, 3/4-inch, and 1-inch meters) shall pay a 75 percent surcharge for any water used over an amount 10,000 gallons per month.

2. Those irrigation-metered customers shall pay a 75 percent surcharge for any water used.

3. Those commercial and industrial metered customers shall pay a 10 percent surcharge for any water used over an amount equal to 60 percent of the maximum monthly consumption over any one billing cycle out of the last 12 months preceding the month in which the Stage Four designation was implemented.

(e) Stage Five: Mandatory compliance-water shortage emergency. During Stage Five, the following restrictions shall apply to all persons. All elements of Stage Four, including the goal of 2 percent reduction of water use per capita, shall remain in effect in Stage Five except that:

(1) No applications for new, additional, further expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed, approved or installed except as approved by the public utility board.

(2) All allocations of water use to non-essential industrial and commercial customers shall be reduced to amounts as established by the public utility board.

(3) The maximum monthly water use allocation for residential customers may be established with revised rate schedules and penalties by the board of commissioners on recommendation by the public utility board.

(4) Irrigation is permitted only by:

- a. Continuously handheld hoses;
- b. Handheld or faucet filled bucket;
- c. Drip irrigation during the hours from 6 a.m. to 8 a.m., once every 10 days, by a schedule established by the general manager.

(5) The washing of automobiles, trucks, trailers boats, airplanes, and other types of mobile equipment not occurring upon the immediate premises of commercial carwashes and commercial service stations and not in the immediate interest of the public health, safety and welfare shall be prohibited.

(6) A water surcharge shall be levied against all customers during Stage Five in the following amounts:

- a. Residential/domestic metered customers shall pay a 100 percent surcharge for any water used over an amount of 8,000 gallons per month.
- b. Those irrigation-metered customers shall pay a 100 percent surcharge for any water used.
- c. Those commercial and industrial metered customers shall pay a 10 percent surcharge for any water used over an amount equal to 20 percent of the maximum monthly consumption over any one billing cycle out of the last 12 months preceding the month in which the Stage Five designation was implemented.

VIII.

Sec. 106-123. - Variances.

The general manager, or his designee, may grant temporary variance from the provisions of the drought plan if the person requesting the variance can satisfactorily demonstrate that failure to grant such variance would adversely affect the health, sanitation, or fire protection for the public or the person requesting such variance, and if one or more of the following conditions are met:

- (1) Compliance with this plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the plan is in effect.
- (2) Alternative methods can be implemented which will achieve the same level of reduction in water use.

(Ord. No. 2009-56, § I, 9-14-09)

IX.

Sec. 106-124. - Penalty of violation.

Any person violating any provision of the water conservation plan after order and notice as specified in this division shall be deemed guilty of an offense, and, upon conviction, shall be punished as prescribed in this Code, section 1-14, provided,

however, a first offense shall be punishable by a fine of not to exceed \$200.00, exclusive of court costs. In the event of a second subsequent conviction of said person for violating any provision of this division during an emergency conservation period, the minimum fine shall be not less than \$300.00 exclusive of court costs. A third conviction during the emergency conservation period by the same person shall be punished by a fine of not less than \$400.00 exclusive of court costs. The violation of each provision of this division, and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly. Provided, however, compliance may be further sought through injunctive relief in the district court.

For purposes of this division, in any case where water has been used in any manner contrary to any provision of this section, It shall be presumed that the person, individual corporation, or partnership in whose name a water meter connected is registered with the utility department as the customer on the water account for the property where the violation occurs or originates shall be presumed to be the violator.

It shall be presumed that the utility customer has intentionally and knowingly, recklessly, or negligently made, caused, used, or permitted to be used, the water in such a contrary manner.

In any prosecution charging a violation of this section: Proof that the violations occurred in this property serviced by the utility connection the name of the account holder thereof shall constitute in evidence a prima facie presumption that the registered customer of such account was the person responsible at the place and time during which such violation occurred.

Any police officer or authorized utility department personnel may:

Issue citations for violations of this division to the person he reasonably believes to be in violation of this article. The citation shall be prepared in duplicate and shall contain the name and address of the violator, if known, the offense charged and shall direct such person to appear at the city municipal court no later than ten days from the date of service of the citation.

The alleged violator shall be requested to sign the citation and shall be served a copy of the citation. Service of the citation shall be complete upon the attempt to give it to the alleged violator, to an agent or employee of the violator or to a person over 14 years of age who is a member of the violator's family or a resident at the violator's residence. In the event no person is available to sign the complaint, a copy of the complaint shall be left at the address of the violator, which shall constitute notice of violation.

Corporations will be served in accordance with the Code of Criminal Procedure.

Police department citations issued for violations of this section shall be of the same force and effect as a citation issued under section 61-2 of this Code. The

utility department personnel citations issued for violations of this division will provide that if a person fails to answer such citation, that a municipal court complaint will be sworn to upon a failure to respond to the citation.

Upon continuous violations of any mandated stage, the general manager may provide for a notice of disconnections of water services for deferred periods. Anyone receiving such notice may appeal the same to the utility board by giving written notice therefore, within 72 hours of receipt of notice of disconnection. Prior to the reconnection of service, the standard reconnection fee shall be paid.

(Ord. No. 2009-56, § I, 9-14-09)

X.

Sec. 106-125. - Administrative penalties.

- (a) In lieu of the charge for violation of the division as set out in section [106-124], the general manager may provide that any person violating, shall be subject to an administrative charge being added to their monthly utility bill, which such charge shall be payable as part of the monthly water utility bill. Such payment shall be subject to the disconnecting procedures as set out in section 106-221 of this chapter, including the right to appeal such disconnect notice to the general manager's authorized representative, as set out in such section.
- (b) Police officers or utility department personnel may issue notice of violation and notice of administrative charge to be imposed when such officer or personnel reasonably believes that a violation of the article has occurred. The administrative charge shall be established by minute order of the public utility board from time to time, and shall compensate the public utility system for activities such as issuing citations, inspecting properties, administering its conservation program including public education. Such charge may be tiered based on the number of frequency of violations and the public health concerns relating to various stages of conservation measures.
- (c) A notice of administrative charge shall be left, when possible, at the structure at the location of the violation of the city's conservation ordinance.
- (d) The person receiving such administrative notice or the person responsible for the account under which the administrative charge will be assessed, may appeal the imposition of the administrative assessment prior to the issuance of the utility bill by contacting the general manager or his authorized representative if such party believes there has been an error in such charge or there is some other reason there is no justification for the charge being issued. The general manager or his authorized representative is hereby authorized to make determinations concerning the assessment of administrative charges, upon the appeal of any such parties.

(Ord. No. 2009-56, § I, 9-14-09)

To: Mike Perez, City Manager

From: Eduardo Mendoza, PE, PTOE, Director of Traffic Operations

Date: February 13, 2013

Subject: Agenda Item- Ordinance Amending the Speed Limit to increase the posted speed limits on 29th Street between Pecan Boulevard and Oxford Avenue.

GOAL

Amend the posted speed limit on 29th Street between Pecan Boulevard and Oxford Avenue.

EXPLANATION

Staff conducted speed studies on 29th Street to determine if the posted speed limits could be increased. The study was requested by Commissioner Marcus C. Barrera. The segment of 29th Street between Pecan Boulevard and Nolana Avenue currently has a posted speed limit of 30 mph, and the segment of 29th Street between Nolana Avenue and Oxford Avenue currently has a posted speed limit of 35 mph. A map is included for your review. The study was conducted in August 2012.

Proposed:

Based on the results of study, and with a positive recommendation from the Traffic Commission, we propose to amend ordinance to revise the speed limit as follows:

Twenty-ninth Street. The maximum speed limit on 29th Street shall be as follows:

Beginning at a point ~~at the intersection of 29th Street and Nolana Avenue~~ 150 feet north of the centerline of Quince Avenue northward to the intersection of 29th Street and Lark Avenue (Four-Mile Line) a point 150 feet north of the centerline of Nolana Avenue, the maximum speed limit shall be 35 miles per hour.

Beginning at a point 150 feet of the center line of Nolana Avenue northward to Oxford Avenue, the maximum speed limit shall be ~~35~~ 40 miles per hour.

OPTIONS

1. Approve proposed speed limit amendment.
2. Disapprove proposed speed limit amendment.

RECOMMENDATION

Staff recommends that the speed limit be amended to set the speed limits on 29th Street as proposed.

cc: Roel Rodriguez, PE, Asst. City Manager
Yvette Barrera, PE, CFM, City Engineer

ORDINANCE NO. 2013- _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN CHAPTER 102, ARTICLE V, DIVISION 3, SEC. 102-188, SUBSECTION (B), IS HEREBY AMENDED BY CHANGING THE SPEED LIMITS; PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR ANY VIOLATION THEREOF; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

SECTION I: The Code of Ordinances of the City of McAllen, CHAPTER 102 (“TRAFFIC AND VEHICLES”), ARTICLE V (“OPERATION OF VEHICLES”), DIVISION 3 (“SPEED LIMITS”), SECTION 102-188 (“MAXIMUM LIMITS ON SPECIFIC STREETS”) at Subsection (b) is hereby amended, in part, as follows:

(b) The following speed limits have been found to be reasonable and prudent, subject to the additional limitations of section 102-187(b), for those portions of the streets set forth in this subsection: [...]

Twenty-ninth Street. The maximum speed limit on 29th Street shall be as follows:

Beginning at a point at the intersection of 29th Street and Nolana Avenue 150 feet north of the centerline of Quince Avenue northward to the intersection of 29th Street and Lark Avenue (Four Mile Line) a point 150 feet north of the centerline of Nolana Avenue, the maximum speed limit shall be 35 miles per hour.

Beginning at a point 150 feet of the center line of Nolana Avenue northward to Oxford Avenue, the maximum speed limit shall be 35 40 miles per hour.

SECTION II: This ordinance shall become effective upon its passage and upon the placement of the appropriate signs by the traffic safety coordinator.

SECTION III: A violation of any of the provisions of this Ordinance shall, upon conviction thereof, be punishable by a fine of up to \$500.00 per violation.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and directed to cause the contents of Sections I hereof to be published, added and/or deleted in the appropriate location in the Code of Ordinances of the City of McAllen.

SECTION V: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Texas in accordance with the provisions of the Code of Ordinances of the City of McAllen, Section 2-56 Publication of Ordinances.

SECTION VI: If any part or parts of this Ordinances 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 ____ day of _____, 2013 at a regular meeting of Board Commissioners of the City of McAllen, Texas, at which 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

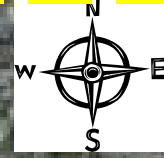
By: _____
Richard F. Cortez, Mayor

Attest:

Annette Villarreal, City Secretary

Approved as to form:

Kevin Pagan, City Attorney



Existing



Proposed



29th Street



Existing



Proposed

Quince Avenue

Existing



Proposed



Existing

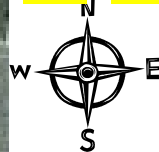


Proposed

Pecan Boulevard

MATCHLINE B

MATCHLINE B



SPEED LIMIT 35

Existing

SPEED LIMIT 40

Proposed

Buddy Owens Boulevard

Existing

SPEED LIMIT 35

Proposed

SPEED LIMIT 40

29th Street

SPEED LIMIT 35

Existing

SPEED LIMIT 40

Proposed

Nolana Avenue

Existing

SPEED LIMIT 30

Proposed

SPEED LIMIT 35

SPEED LIMIT 30

Existing

SPEED LIMIT 35

Proposed

MATCHLINE A

Daffodil Avenue

MATCHLINE A



SPEED LIMIT 35 Existing

SPEED LIMIT 40 Proposed

Lark Avenue

Existing SPEED LIMIT 35

Proposed SPEED LIMIT 40

29th Street

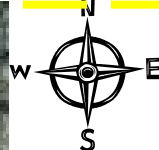
SPEED LIMIT 35 Existing

SPEED LIMIT 40 Proposed

Dove Avenue

Existing SPEED LIMIT 35

Proposed SPEED LIMIT 40



Trenton Road

SPEED LIMIT 35 Existing

SPEED LIMIT 40 Proposed

Existing SPEED LIMIT 35

Proposed SPEED LIMIT 40

29th Street



Oxford Avenue

Existing

SPEED
LIMIT
35

Proposed

SPEED
LIMIT
40

29th Street

MATCHLINE D

MATCHLINE D

To: Mike Perez, City Manager

From: Eduardo Mendoza, PE, PTOE, Director of Traffic Operations

Date: February 13, 2013

Subject: Agenda Item- Ordinance Amending the Speed Limit on Ware Road between Pecan Boulevard and Business Highway 83

GOAL

Amend the posted speed limit on Ware Road between Pecan Boulevard and Business Highway 83.

EXPLANATION

Traffic Operations staff requested that the speed limits on the segment of Ware Road (SH 2220) between Pecan Boulevard (FM 495) and Business Highway 83 be studied to determine if an increase in speed limits was warranted. This segment currently has a posted speed limit of 40 mph. The segment of Ware Road north of Pecan Boulevard currently has a posted speed limit of 45 mph, and the segment of Ware Road south of Business Highway 83 currently has a posted speed limit of 50 mph. A map is included for your review. The study was conducted by Traffic Operations staff in accordance with TxDOT's Procedures for Establishing Speed Zones. The study was conducted in August 2012.

Proposed:

Based on the results of the speed study and the positive recommendation from Traffic Commission, we propose to amend the ordinance to revise the speed limit as follows:

~~Ware Road/Neuhaus Drive~~. The maximum speed limit on Ware Road/~~Neuhaus Drive~~ shall be as follows:

From F.M. 1016 to 300 feet south of the centerline of Neuhaus Drive, the maximum speed limit shall be 50 miles per hour.

From 300 feet south of the centerline of Neuhaus Drive to Expressway 83, the maximum speed limit shall be 40 miles per hour.

From Expressway 83 to Business 83, the maximum speed limit shall be 50 miles per hour.

~~From such point to a point thence north to a point 400 feet north of the centerline of Pecan Boulevard, the maximum speed limit shall be 40 miles per hour.~~

From such point proceeding north to a point 528 feet north of the centerline of Daffodil Avenue, the maximum speed limit shall be 45 miles per hour.

From such point proceeding north to the north city limit, the maximum speed limit shall be 50 miles per hour.

OPTIONS

1. Approve proposed speed limit amendment.
2. Disapprove proposed speed limit amendment.

RECOMMENDATION

Staff recommends that the speed limit be amended to set the speed limits on Ware Road as proposed.

cc: Roel Rodriguez, PE, Asst. City Manager
Yvette Barrera, PE, CFM, City Engineer

ORDINANCE NO. 2013- _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN CHAPTER 102, ARTICLE V, DIVISION 3, SEC. 102-188, SUBSECTION (B), IS HEREBY AMENDED BY CHANGING THE SPEED LIMITS; PROVIDING FOR A PENALTY NOT TO EXCEED \$500 FOR ANY VIOLATION THEREOF; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

SECTION I: The Code of Ordinances of the City of McAllen, CHAPTER 102 (“TRAFFIC AND VEHICLES”), ARTICLE V (“OPERATION OF VEHICLES”), DIVISION 3 (“SPEED LIMITS”), SECTION 102-188 (“MAXIMUM LIMITS ON SPECIFIC STREETS”) at Subsection (b) is hereby amended, in part, as follows:

(b) The following speed limits have been found to be reasonable and prudent, subject to the additional limitations of section 102-187(b), for those portions of the streets set forth in this subsection: [...]

~~Ware Road/Neuhaus Drive~~. The maximum speed limit on Ware Road/~~Neuhaus Drive~~ shall be as follows:

From F.M. 1016 to 300 feet south of the centerline of Neuhaus Drive, the maximum speed limit shall be 50 miles per hour.

From 300 feet south of the centerline of Neuhaus Drive to Expressway 83, the maximum speed limit shall be 40 miles per hour.

From Expressway 83 to Business 83, the maximum speed limit shall be 50 miles per hour.

~~From such point to a point thence north to a point 400 feet north of the centerline of Pecan Boulevard, the maximum speed limit shall be 40 miles per hour.~~

From such point proceeding north to a point 528 feet north of the centerline of Daffodil Avenue, the maximum speed limit shall be 45 miles per hour.

From such point proceeding north to the north city limit, the maximum speed limit shall be 50 miles per hour.

SECTION II: This ordinance shall become effective upon its passage and upon the placement of the appropriate signs by the traffic safety coordinator.

SECTION III: A violation of any of the provisions of this Ordinance shall, upon conviction thereof, be punishable by a fine of up to \$500.00 per violation.

SECTION IV: The City Secretary of the City of McAllen is hereby authorized and directed to cause the contents of Sections I hereof to be published, added and/or deleted in the appropriate location in the Code of Ordinances of the City of McAllen.

SECTION V: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Texas in accordance with the provisions of the Code of Ordinances of the City of McAllen, Section 2-56 Publication of Ordinances.

SECTION VI: If any part or parts of this Ordinances 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 ____ day of _____, 2013 at a regular meeting of Board Commissioners of the City of McAllen, Texas, at which 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:

Annette Villarreal, City Secretary

Approved as to form:

Kevin Pagan, City Attorney



SPEED LIMIT 45 Existing

SPEED LIMIT 45 Proposed

Pecan Boulevard (FM 495)

Existing SPEED LIMIT 40

Proposed SPEED LIMIT 45

Ware Road (SH 2220)

SPEED LIMIT 40 Existing

SPEED LIMIT 45 Proposed

Business 83

Existing SPEED LIMIT 50

Proposed SPEED LIMIT 50



CITY OF MCALLEN
GRANT ADMINISTRATION OFFICE
MEMORANDUM

To: Mike R. Perez, City Manager
From: Carla M. Rodriguez, Director of Grant Administration *CMR*
Date: February 19, 2013
Re: FY 2014 Impact Grant

Goal: Authorize the submission of a grant application to the Institute of Museum and Library Services for funding under the FY 2014 Impact Grant Program.

Brief Explanation of Item: The FY 2014 Impact Grant Program encourages libraries to create or expand their programming and services in innovative ways that directly impact the lives of Texans. McAllen Public Library will request funding for the acquisition and promotion of 30 customizable, content-specific tablet computers. The electronic information technology will enhance library patrons' access to Internet-connected resources and services (such as E-books) to meet citizens' personal, economic and educational goals. The amount requested is \$10,000 with no local match required.

Options 1: Approving the submission of the FY 2014 Impact Grant application will allow the Library to receive funding for 30 customizable, content-specific tablet computers that will provide patrons with enhanced access to electronic information.

Option 2: Not approving the submission of the FY 2014 Impact Grant application will result in the loss of a funding opportunity for the Library to provide patrons with enhanced access to electronic information.

Recommendation: Staff recommends submission of the grant application.

RESOLUTION NO. 2013-_____

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES FOR FUNDING UNDER THE FY 2014 IMPACT GRANT PROGRAM.

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF McALLEN

WHEREAS, the Institute of Museums and Library Services has made funding available under the FY 2014 Impact Grant Program; and

WHEREAS, the McAllen Public Library is eligible to apply for and receive an Impact Grant to fund the acquisition and promotion of customizable, content-specific tablet computers.

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 an application to the Institute of Museum and Library Services in order to receive a FY 2014 Impact Grant in the amount of \$10,000 for the acquisition and promotion of customizable, content-specific tablet computers at the McAllen Public Library, 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 Universal Service Administrative Company in full.

CONSIDERED, PASSED, APPROVED AND SIGNED this 25th 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

**XCITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 4A
DATE SUBMITTED 02/19/13
MEETING DATE 02/25/13

1. **Agenda Item:** Variance Request – McAllen Convention Center, Lots 11A & 11B Subdivision

2. **Party Making Request:** Mario Salinas, P.E.

3. **Nature of Request: (Brief Overview) Attachments:** X Yes No
Variance request to allow proposed Lot 11B to develop without frontage on a street; 700 Convention Center Boulevard.

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>2/19/13</u>	<u>Yes</u>
b)	_____	_____	_____	_____

8. **Staff's Recommendation:** Staff recommends approval of the request based on the project engineer's indication that a 24 ft. – 30 ft. wide access easement will be provided.

9. **Advisory Board:** X **Approved** **Disapproved** **None**
The resubdivision was considered in preliminary form by the Planning and Zoning Commission at their meeting of February 19, 2013. Following a brief discussion, the board unanimously voted to approve the resubdivision with a favorable recommendation to allow Lot 11B to develop without frontage on a street. There were five 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 L.G.

DATE: February 19, 2013

SUBJECT: McALLEN CONVENTION CENTER, LOTS 11A & 11B SUBDIVISION – VARIANCE REQUEST TO ALLOW LOT 11B TO DEVELOP WITHOUT FRONTAGE ON A STREET; 700 CONVENTION CENTER BOULEVARD.

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:

McAllen Convention Center, Lots 11A & 11B Subdivision is a two-lot resubdivision consisting of 24.25 acres and is bordered by Houston, Galveston and Erie Avenues, and Convention Center Boulevard. The property is zoned C-3 (general business) District. The adjacent zoning is C-3 in all directions.

Mr. Mario Salinas, P.E., on behalf of the property owner, is requesting a variance to allow Lot 11B to develop without fronting a street. Specifically, the variance is from Section 134-1 of the Subdivision Ordinance which defines a lot as having frontage on a street.

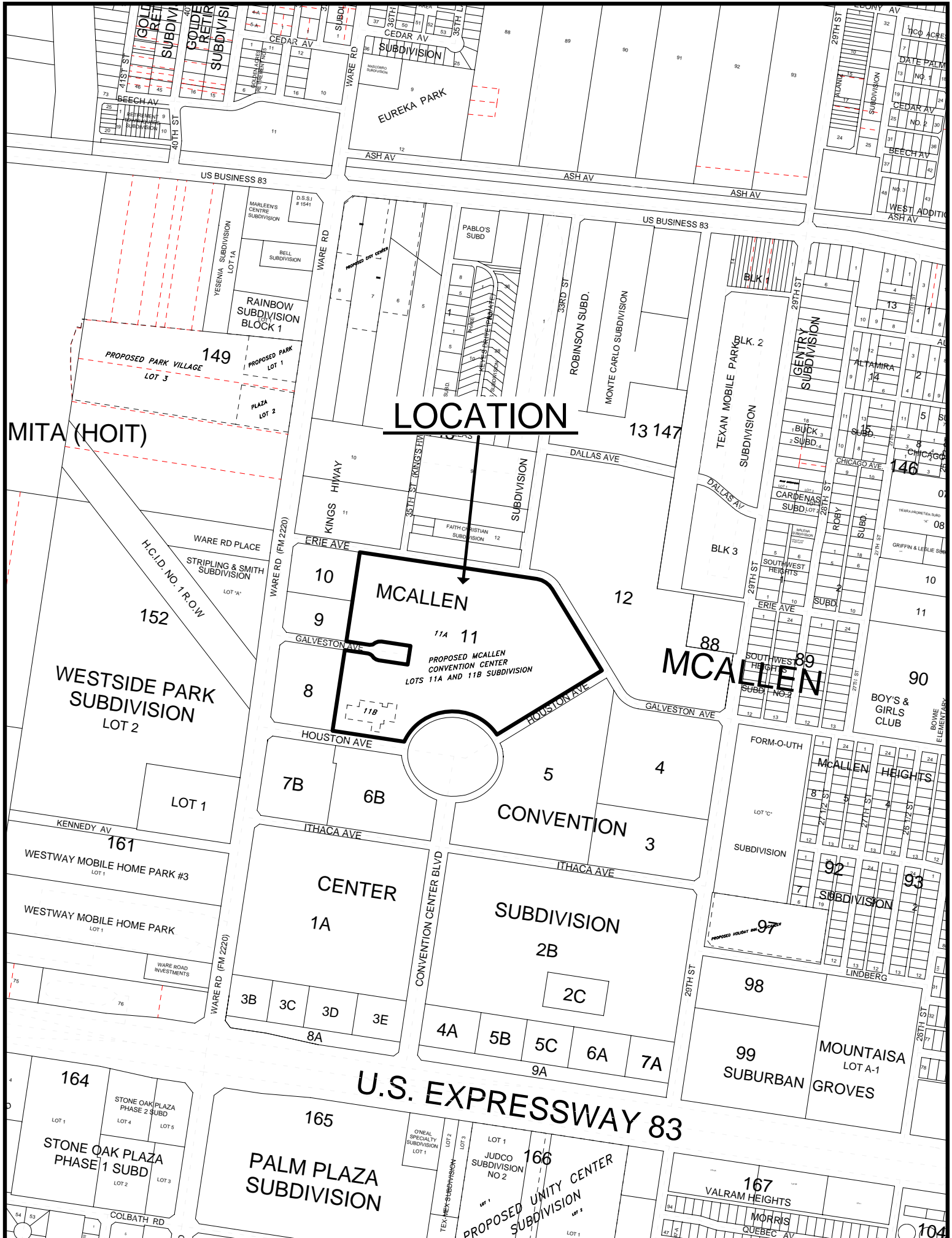
The proposed two-lot resubdivision shows one of the lots (Lot 11A) fronting on Houston, Galveston and Erie Avenues, and Convention Center Boulevard. The remaining lot (Lot 11B) will front and have access from a proposed 24 ft. – 30 ft. wide access easement as shown on the resubdivision. The access easement connects to Houston Avenue, which is located to the south of Lot 11B.

OPTIONS:

1. Approve the variance request allowing Lot 11B to front the proposed 24 ft. – 30 ft. wide access easement and not a street.
2. Table the item for additional information.
3. Disapprove the variance request.

RECOMMENDATION:

The resubdivision was considered in preliminary form by the Planning and Zoning Commission at their meeting of February 19, 2013. The project engineer was present at the meeting. Following a brief discussion, the board unanimously voted to approve the subdivision in preliminary form with a favorable recommendation to allow Lot 11B to develop without frontage on a street. There were five members present and voting.



LOCATION

MCALEN
11A 11
PROPOSED MCALEN
CONVENTION CENTER
LOTS 11A AND 11B SUBDIVISION

MITA (HOIT)

U.S. EXPRESSWAY 83

**WESTSIDE PARK
SUBDIVISION
LOT 2**

**CENTER
1A**

**CONVENTION
SUBDIVISION
2B**

**99
SUBURBAN
MOUNTAISA
LOT A-1
GROVES**

**PALM PLAZA
SUBDIVISION**

**167
VALRAM HEIGHTS
MORRIS
QUEBEC AV**

**164
STONE OAK PLAZA
PHASE 1 SUBD**

**166
PROPOSED UNITY CENTER
SUBDIVISION**

**149
PROPOSED PARK VILLAGE
LOT 3**

152

**161
WESTWAY MOBILE HOME PARK #3
LOT 1**

**WESTWAY MOBILE HOME PARK
LOT 1**

13 147

MCALEN

**90
BOYS & GIRLS CLUB**

**92
SUBDIVISION**

97

146

**BOY'S
& GIRLS
CLUB
BOY'S
ELEMENTARY**

93

104



CITY OF
McALLEN

February 8, 2013

Julianne Rankin, FAICP
Director of Planning
City of McAllen
1300 Houston
McAllen, Texas 78503

Re: McAllen Convention Center Subdivision Lots 11A & 11B

Dear Mrs. Rankin,

In regards to the above mentioned subdivision we are requesting a waiver to the following:

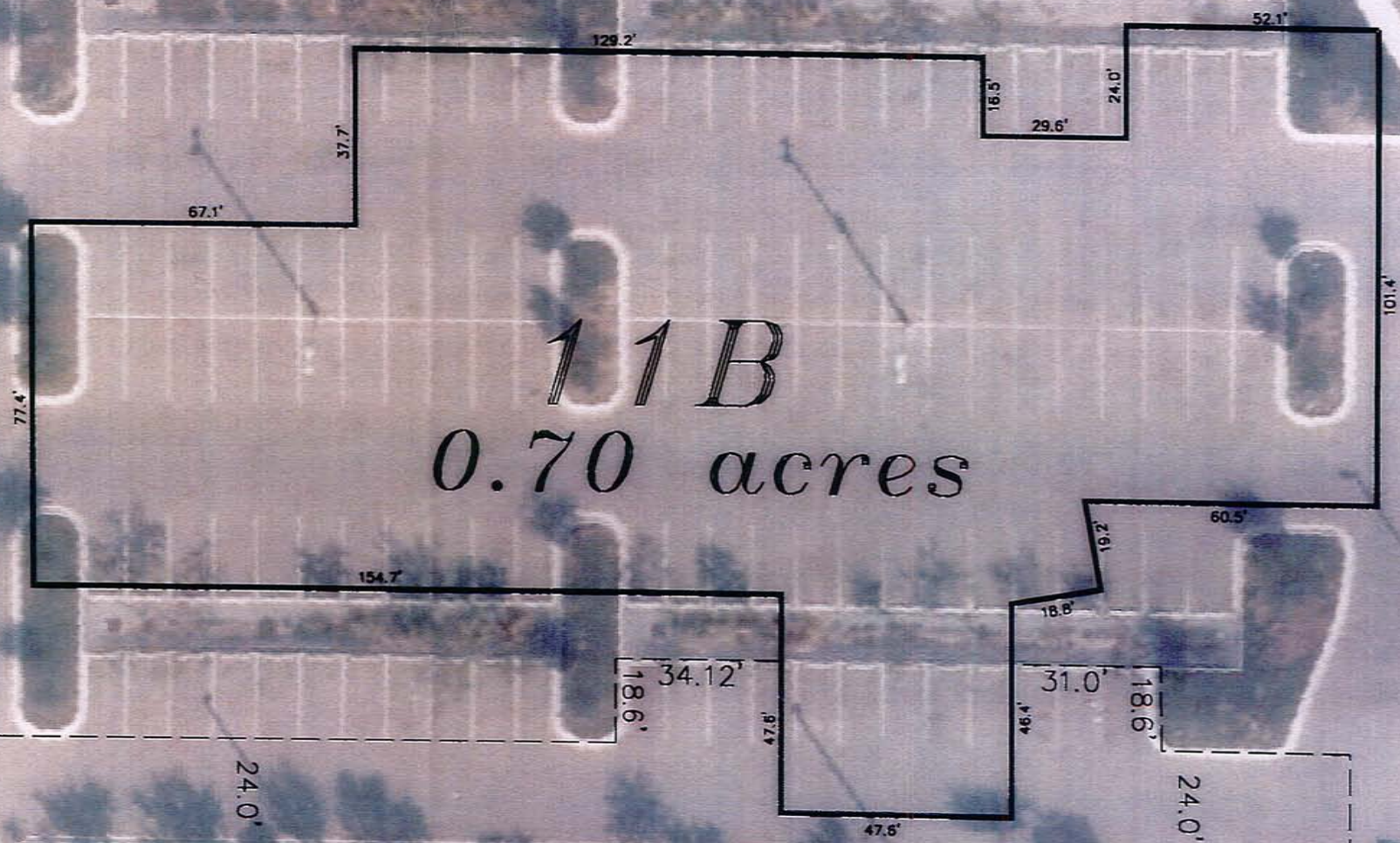
Lot 11B Not Fronting a Public Street.
Lot 11B Building Setbacks.

See attached site plan for reference.

Sincerely,
CITY OF McALLEN

Mario A. Salinas, P.E., C.F.M.
Development Engineer

11B
0.70 acres



383.29'

RECEIVED

FEB 14 2013

Initial: _____

**CITY OF McALLEN
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 4B
DATE SUBMITTED 02/18/13
MEETING DATE 02/25/13

1. **Agenda Item:** Variance Request – Villagio Phase II Subdivision

2. **Party Making Request:** Fred L. Kurth, P.E.

3. **Nature of Request: (Brief Overview) Attachments:** X Yes No
 Variance request to the 50 ft. lot frontage requirement; 1121 Providence Avenue.

4. **Policy Implication:** Section 138-356 of the Zoning 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> 2/19/13 </u>	<u> Yes </u>
b)	_____	_____	_____	_____

8. **Staff's Recommendation:** Compliance with Ordinance

9. **Advisory Board:** X **Approved** **Disapproved** **None**
 The Planning and Zoning Commission considered the requested variance at
 their meeting of February 5, 2013. Following discussion of the item, the Board
 voted to approve the subdivision in Revised Preliminary form with a favorable
 recommendation to the City Commission for approval of the requested variance.
 There were six members present with five voting aye and one abstention.

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 & Zoning Commission L.G.

DATE: February 18, 2013

SUBJECT: PROPOSED VILLAGIO PHASE II SUBDIVISION – VARIANCE REQUEST TO THE 50 FT. LOT FRONTAGE REQUIREMENT; 1121 PROVIDENCE AVENUE.

GOAL:

The goal for residential developments is to 1) safeguard the character of neighborhoods and improve the quality of life for their residents, and 2) encourage the development of transportation facilities that efficiently move people and goods.

BRIEF DESCRIPTION:

Villagio Phase II Subdivision consists of 10.184 gross acres with 74 lots proposed for residential use and is located on the west side of N. 10th Street, at Providence Avenue. The subdivision is currently vacant and is zoned R-1 (single family residential) District and R-3T (townhouses) District. The R-3T zoning was approved by the City Commission at their meeting on January 14, 2013 with the exception of the three irregular lots (Lots 104-106) at the end of Providence Avenue, which remain R-1. The adjacent zoning is R-4 (mobile homes) District to the north, A-O (agricultural and open space) District to the northeast and southeast, and R-1 to the west and south. The property to the east is outside city limits.

Mr. Fred L. Kurth, P.E., on behalf of the property owner, is requesting a variance to the 50 ft. lot frontage requirement for Lots 104-106. Those three lots will develop with similar structures as proposed in the R-3T zoning district. The R-3T lots are allowed to have a minimum 20 ft. lot width.

The requested variance is from Section 138-356 of the Zoning Ordinance, which indicates that the minimum lot width along the front for a single family residential district is 50 ft. wide. The developer is requesting that Lots 104-106 be developed with 38.70 ft. – 38.92 ft. of frontage along the portion of the cul-de-sac.

OPTIONS:

1. Approve the variance request allowing Lots 104-106 to develop with less than the minimum frontage requirement.
2. Table the item for additional information.
3. Disapprove the variance as requested and require that the engineer revise the layout so that all lots comply with the minimum frontage requirements for single family residential use.
4. Disapprove the variance as requested and require that the developer request a change of zone to R-3T.

RECOMMENDATION:

The Planning and Zoning Commission considered the requested variance at their meeting of February 5, 2013. The project engineer was present at the meeting. The Board inquired as to the Subdivision Model Rules and minimum lot frontage requirements with the possibility of shared driveways. Mr. Kurth stated that the three lots at the portion of the cul-de-sac would be consistent with the square footage of lots and homes in the area. Following discussion of the item, Board voted to approve the subdivision in revised preliminary form with a favorable recommendation to the City Commission for approval of the requested variance. There were six members present with five voting aye and one abstention.



TBPE Firm # F-1435

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS
FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA

January 21, 2013

City of McAllen Planning and Engineering Departments
Kim Guajardo, Planner II
PO Box 220
McAllen, Texas 78501-220

RE: Villagio Phase II – Variance Request for a lot with a less than 50' Frontage

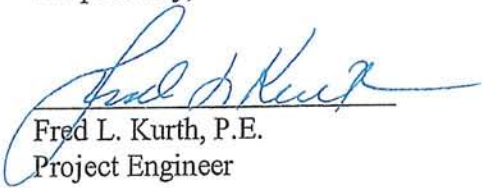
Dear Ms. Guajardo,

On behalf of the owner, Mr. Alonzo Cantu, and in reference to Villagio Phase II, we respectfully request a variance on the following item:

1. Lots 104, 105 & 106 are less than then the required 50 feet of frontage on a single family zone.

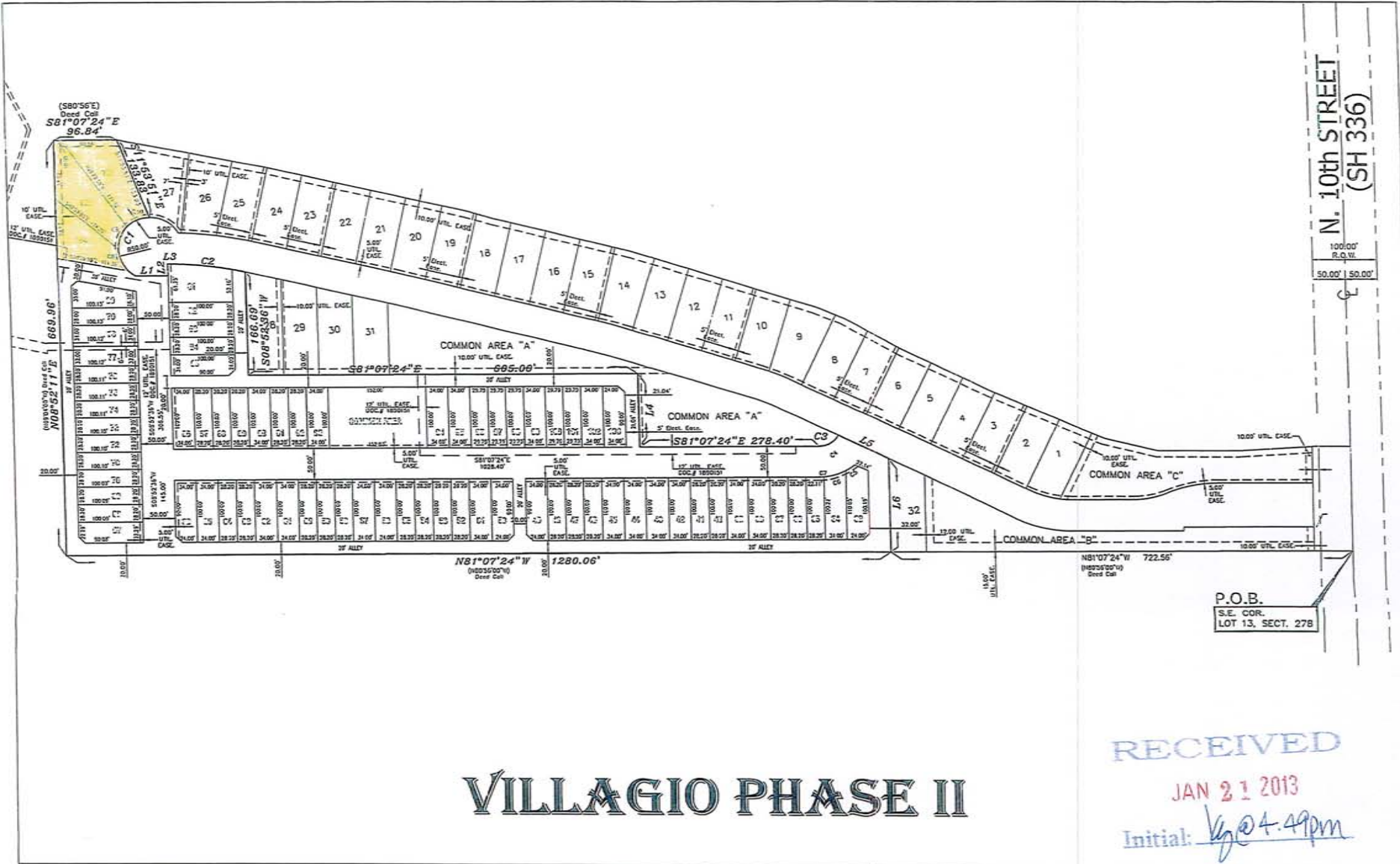
If you have any questions or need further information please contact the office.

Respectfully,



Fred L. Kurth, P.E.
Project Engineer

Cc: Alonzo Cantu, Owner



N. 10th STREET
(SH 336)

100.00'
R.O.W.
50.00' | 50.00'

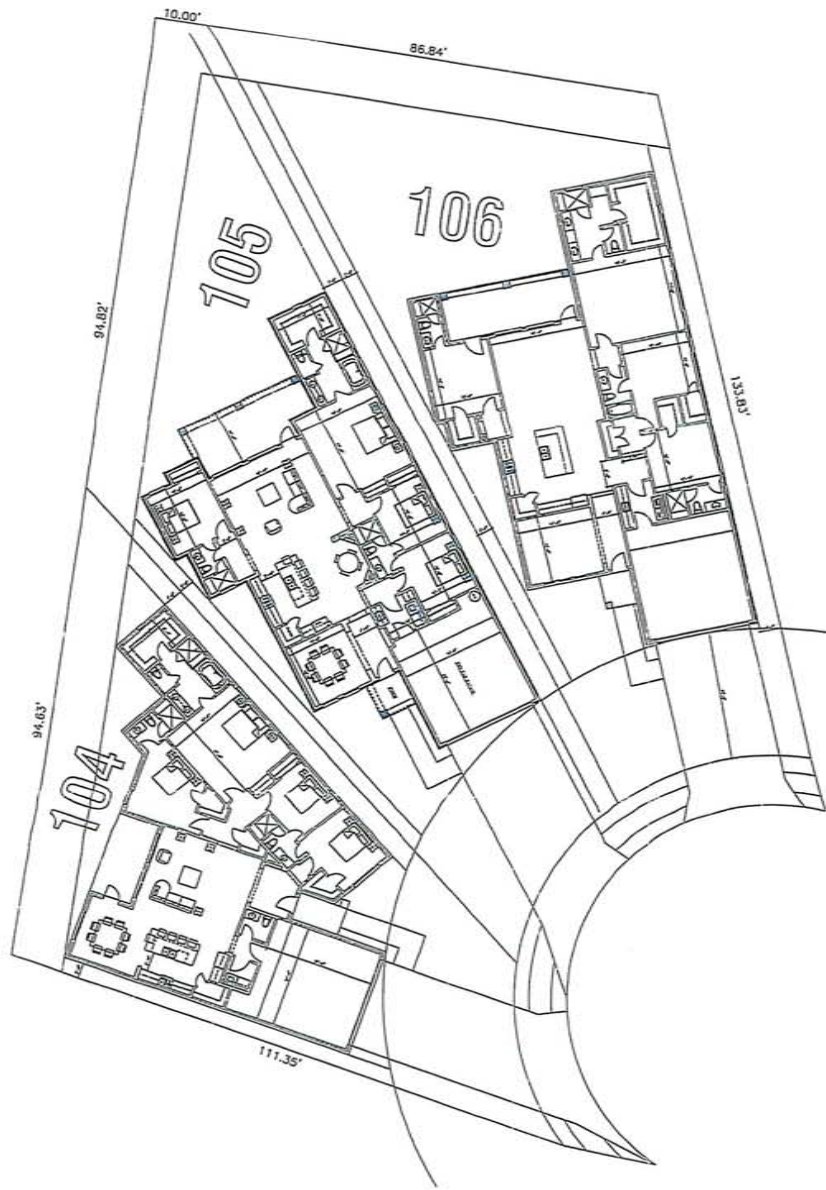
P.O.B.
S.E. COR.
LOT 13, SECT. 278

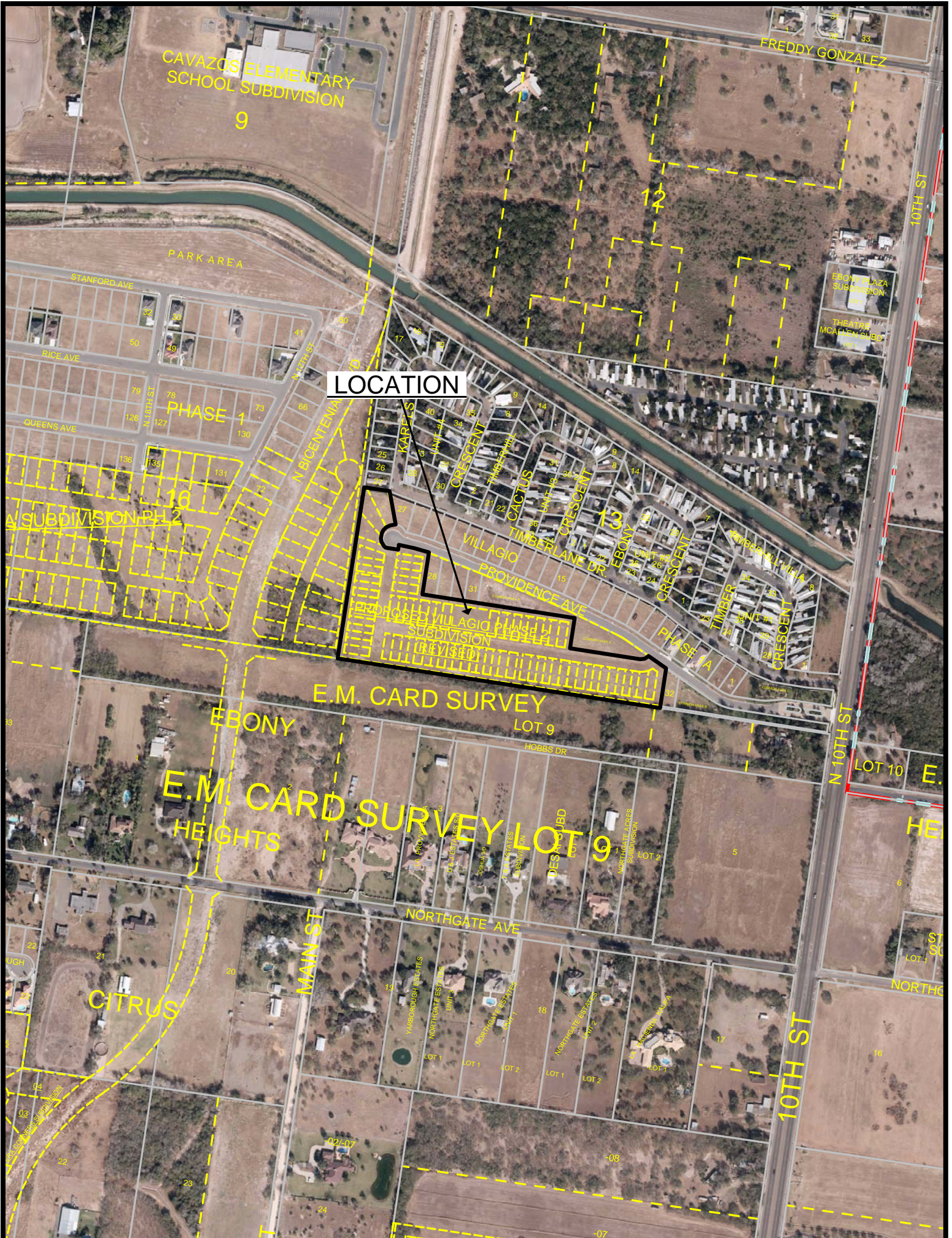
RECEIVED

JAN 21 2013

Initial: *ky @ 4:49pm*

VILLAGIO PHASE II





CAVAZOS ELEMENTARY SCHOOL SUBDIVISION

9

FREDDY GONZALEZ

12

LOCATION

PHASE 1

16

PHASE 2

KARFUS

CRESCENT

VILLAGIO

PROVIDENCE AVE

CRESCENT

CRESCENT

CRESCENT

CRESCENT

E.M. CARD SURVEY

LOT 9

E.M. CARD SURVEY

HEIGHTS

LOT 9

CITRUS

MAIN ST

NORTHGATE AVE

N 10TH ST

10TH ST

10TH ST

E.

HE

ST

NORTH

LOT 1

LOT 1

LOT 1

LOT 1

LOT 1

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u> ✓ </u>	AGENDA ITEM	<u> 5B </u>
UTILITY BOARD	<u> </u>	DATE SUBMITTED	<u> 2/18/2013 </u>
PLANNING & ZONING BOARD	<u> </u>	MEETING DATE	<u> 2/25/2013 </u>
OTHER	<u> </u>		

1 Agenda Item: City Manager's

2 Party Making Request: Martha Guel, Tax Assessor

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

Tax Collection Report from Oct, 1, 2012 to Jan. 31, 2013

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>
a) <u>Martha Guel Tax Assessor</u>	<u>mg</u>	<u>02/18/13</u>
b) _____	<u> </u>	<u> </u>

8 Staff Recommendation: To accept report as submitted.

9 Advisory Board: Approved Disapproved None

10 City Attorney: Approved Disapproved None

11 Manager's Recommendation: MRP Accept Disapproved None

TAX OFFICE MEMORANDUM

TO: MAYOR RICHARD CORTEZ & MEMBERS OF THE CITY COMMISSION
THROUGH: MIKE R. PEREZ, CITY MANAGER
FROM: MARTHA GUEL, TAX ASSESSOR *MG*
DATE: 2/15/2013
SUB: TAX COLLECTION REPORT

ATTACHED IS THE TAX COLLECTION REPORT THAT INCLUDES COLLECTIONS FROM OCTOBER 1, 2012 THROUGH JANUARY 31, 2013. THIS REPORTING PERIOD IS FOR THE CURRENT COLLECTION SEASON. IF YOU WILL NOTICE, OUR TAX COLLECTIONS ARE 4% HIGHER ON BOTH THE CURRENT AND DELINQUENT COLLECTIONS THIS YEAR COMPARED TO LAST YEAR.

PLEASE LET ME KNOW IF YOU HAVE ANY QUESTIONS OR NEED ADDITIONAL INFORMATION.

CITY OF MCALLEN TAX OFFICE
Tax Collection Report from 10/1/12 - 1/31/13

	<u>2011 (last year)</u>	<u>2012 current tax year</u>
Beginning Bal. 100%	31,996,394.74	32,234,648.77
Total Base Collections	23,855,555.14	25,462,632.82
Receivable Balance	8,171,485.01	6,764,052.96
Additions & Deletions (due to adjustments)	(9,506.60)	(11,659.10)
Collection Rate	75.00%	79.00%

Collections on Delinquent Years 1986-2010

	<u>10/1/2011</u>	<u>10/1/2012</u>
Beginning Balances	3,777,236.63	3,645,954.19
Delinquent taxes collected	523,369.22	660,040.63
Receivable Balance	3,233,361.64	3,645,954.19
Additions & Deletions	(34,473.15)	(50,895.71)
Del. Collection Rate	14.00%	18.00%

Other Collections and Fees for this Fiscal Year

Late Rendition Penalties	18,475.35
Penalty & Interest	188,040.22
Attorneys Fees	109,320.56
Tax Certificates	260.00

City of McAllen Tax Office
 OVERALL COLLECTION REPORT
 FROM 10/02/2012 TO 01/31/2013
 ALL OTHERS

CML	-----										
YEAR	BEGINNING TAX BALANCE	MAINT ADJ	REFUND ADJ	BASE TAX COLLECTED	RECEIVABLE TAX BALANCE	P & I COLLECTED	COLL FEES COLLECTED	RFND P & I ATTY/DISC	DISCOUNT	TOTAL COLLECTED	
1988	4.62	.00	.00	.00	4.62	.00	.00	.00	.00	.00	.00
1989	115.51	.00	.00	.00	115.51	.00	.00	.00	.00	.00	.00
1990	76.88	.00	.00	.00	76.88	.00	.00	.00	.00	.00	.00
1991	92.28	.00	.00	.00	92.28	.00	.00	.00	.00	.00	.00
1992	113.18	.00	.00	.00	113.18	.00	.00	.00	.00	.00	.00
1993	112.33	.00	.00	.00	112.33	.00	.00	.00	.00	.00	.00
1994	177.89	.00	.00	.00	177.89	.00	.00	.00	.00	.00	.00
1995	609.29	.00	.00	.00	609.29	.00	.00	.00	.00	.00	.00
1996	277.84	.00	.00	.00	277.84	.00	.00	.00	.00	.00	.00
1997	336.37	.00	.00	.00	336.37	.00	.00	.00	.00	.00	.00
1998	351.08	.00	.00	.00	351.08	.00	.00	.00	.00	.00	.00
1999	968.97	.00	.00	.00	968.97	.00	.00	.00	.00	.00	.00
2000	948.52	.00	.00	.00	948.52	.00	.00	.00	.00	.00	.00
2001	1376.12	.00	.00	.00	1376.12	.00	.00	.00	.00	.00	.00
2002	7876.68	.00	.00	.00	7876.68	.00	.00	.00	.00	.00	.00
2003	7668.69	.00	.00	.00	7668.69	.00	.00	.00	.00	.00	.00
2004	1125.03	.00	.00	.00	1125.03	.00	.00	.00	.00	.00	.00
2005	3572.11	.00	.00	.00	3572.11	.00	.00	.00	.00	.00	.00
2006	4156.41	.00	.00	80.86	4075.55	16.98	14.68	.00	.00	112.52	
2007	4478.97	3263.26	.00	263.21	7479.02	99.31	53.40	.00	.00	415.92	
2008	6345.04	48.11	.00	282.07	6014.86	92.90	56.24	.00	.00	431.21	
2009	27135.28	91.35	.00	19124.02	7919.91	170.75	95.91	.00	.00	19390.68	
2010	24657.92	87.82	.00	13480.73	11089.37	146.37	96.19	.00	.00	13723.29	
2011	38310.91	217.71	155.55	25631.24	12617.51	168.12	148.82	2.25	.00	25790.38	
TOTL	130887.92	2818.27	155.55	58862.13	74999.61	694.43	465.24	2.25	.00	59864.00	
2012	137917.51	6.75	109.52	51595.98	86437.80	.00	.00	.00	.00	51486.46	
ENTITY	-----										
TOTL	268805.43	2825.02	265.07	110458.11	161437.41	694.43	465.24	2.25	.00	111350.46	

City of McAllen Tax Office
 OVERALL COLLECTION REPORT
 FROM 10/02/2012 TO 01/31/2013
 PERSONAL PROPERTY

CML -- CITY OF MCALLEN											
YEAR	BEGINNING TAX BALANCE	MAINT ADJ	REFUND ADJ	BASE TAX COLLECTED	RECEIVABLE TAX BALANCE	P & I COLLECTED	COLL FEES COLLECTED	RFND P & I ATTY/DISC	DISCOUNT	TOTAL COLLECTED	
1986	130.58	.00	.00	.00	130.58	.00	.00	.00	.00	.00	
1987	137.72	.00	.00	.00	137.72	.00	.00	.00	.00	.00	
1988	148.84	.00	.00	.00	148.84	.00	.00	.00	.00	.00	
1989	1260.61	.00	.00	.00	1260.61	.00	.00	.00	.00	.00	
1990	962.29	.00	.00	.00	962.29	.00	.00	.00	.00	.00	
1991	3179.02	.00	.00	.00	3179.02	.00	.00	.00	.00	.00	
1992	3341.64	.00	.00	.00	3341.64	.00	.00	.00	.00	.00	
1993	909.48	.00	.00	.00	909.48	.00	.00	.00	.00	.00	
1994	1340.85	.00	.00	.00	1340.85	.00	.00	.00	.00	.00	
1995	777.03	.00	.00	.00	777.03	.00	.00	.00	.00	.00	
1996	1264.10	.00	.00	.00	1264.10	.00	.00	.00	.00	.00	
1997	905.05	.00	.00	.00	905.05	.00	.00	.00	.00	.00	
1998	1443.32	.00	.00	.00	1443.32	.00	.00	.00	.00	.00	
1999	1062.92	.00	.00	.00	1062.92	.00	.00	.00	.00	.00	
2000	35147.81	.00	.00	.00	35147.81	.00	.00	.00	.00	.00	
2001	37426.48	.00	.00	.00	37426.48	.00	.00	.00	.00	.00	
2002	14248.22	.00	.00	.00	14248.22	.00	.00	.00	.00	.00	
2003	22479.40	.00	.00	.00	22479.40	.00	.00	.00	.00	.00	
2004	32886.00	256.82	.00	.00	33142.82	.00	.00	.00	.00	.00	
2005	32859.91	256.82	.00	51.82	33064.91	48.19	15.00	.00	.00	115.01	
2006	40952.91	256.82	.00	51.82	41157.91	41.97	14.07	.00	.00	107.86	
2007	91190.93	230.00-	6207.52	9140.57	88027.88	408.60	99.18	.00	.00	3440.83	
2008	108996.03	1711.63-	4803.29	7650.31	104437.38	145.59	60.16	6.13-	.00	3046.64	
2009	146161.28	3446.66-	1876.72	1866.71	142724.63	846.51	405.47	170.43-	.00	1071.54	
2010	116967.01	4017.01-	2008.12	4646.28	110311.84	1542.19	926.78	706.58-	.00	4400.55	
2011	120177.24	16085.17-	12410.80	19539.15	96963.72	4017.36	3213.18	933.24-	.00	13425.65	
TOTL	816356.67	24720.01-	27306.45	42946.66	775996.45	7050.41	4733.84	1816.38-	.00	25608.08	
2012	4150400.39	3764.14	371.69	2878743.07	1275793.15	.00	.00	.00	.00	2878371.38	
ENTITY											
TOTL	4966757.06	20955.87-	27678.14	2921689.73	2051789.60	7050.41	4733.84	1816.38-	.00	2903979.46	

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
UTILITY BOARD _____
OTHER _____

AGENDA ITEM 5c
DATE SUBMITTED 02/15/13
MEETING DATE 02/25/13

1. Agenda Item: Project Status Report through January 31, 2013.

2. Party Making Request: Engineering Department

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

 Project Status Report for December 31, 2012.

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.) Y. Barrera, PE, CFM, City Engineer	<u> YB </u>	<u> 2/19/13 </u>	<u> YES </u>
b.) Roel "Roy" Rodriguez, P.E. Asst. City Manager/General Manager	<u> RR </u>	<u> 2/19/13 </u>	<u> YES </u>

8. Staff Recommendation: Project Status through January 31, 2013.

9. Advisory Board: _____ Approved _____ Disapproved _____ None

10. City Attorney: _____ Approved _____ Disapproved KP None

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



ENGINEERING DEPARTMENT
MEMORANDUM

To: Mike R. Perez, City Manager

From: Yvette Barrera, PE, CFM, City Engineer

A handwritten signature in blue ink, appearing to read "Yvette Barrera".

Date: February 15, 2013

Subject: Project Status Report through January 31, 2013

Please find attached a list of various projects that are currently under construction and for which the Engineering Department performs Construction Management services. The work depicted is work performed through January 31, 2013.

The following projects are included:

1. Bentsen Road Paving Improvements – Pecan Boulevard (FM 495) to 3 Mile Line
2. Paving and Drainage Improvements at the McAllen-Hidalgo International Bridge
3. 21st Street Drainage Improvements, Phase III (between Austin Ave. and Galveston)
4. McAllen-Miller International Airport Stormwater Pump Station Upgrade
5. Toronto & S. 10th Street Drainage Improvements
6. Northbound Pedestrian Canopy
7. HVAC System Repairs
8. 2012-2013 Annual Repaving Project

Construction Status Report for work performed through January 31, 2013

1) Bentsen Road Paving Improvements – Pecan Boulevard (FM 495) to 3 Mile Line

Project consists of paving infrastructure improvements along the future widening of Bentsen Road, connection of Vine Ave across the corridor and local drainage improvements.

Contractor:	IOC Company, LLC	
Original Contract:	\$ 4,879,306.99	160 working days
Change Orders:	\$ 419,100.60	46 working days
Revised Contract:	\$ 5,298,407.59	206 working days
Completion Date:	April 2013	

Construction Status: Construction continues with preparation of right-of-way and traffic control as construction crews moved on to the west side of the corridor. Drainage utility work, along with roadway excavation, concrete curb, subgrade and flexible base preparation is progressing. Various utilities have required adjusting as the construction moves to commence on the pavement section. Contractor is now working the west side from south to north throughout the project limits. The project is approximately 53% complete and on schedule.



Utility crews adjusting 16-inch water main just north of Daffodil along the west side of Bentsen Road (looking north).

2) Paving and Drainage Improvements at the McAllen-Hidalgo International Bridge

Project consists of paving and drainage infrastructure improvements at the southbound lanes at the Hidalgo Port of Entry from Bridge Street to the southbound inspection canopies.

Contractor: REIM Construction, Inc.
Original Contract: \$ 957,020.50 90 working days
Change Orders: \$ 9,741.70 0 working days
Revised Contract: \$ 966,762.20 90 working days
Completion Date: January 31, 2013

Construction Status: Construction began on September 24, 2012 and was substantially complete on January 30, 2013. All new pavement is now open to traffic and contractor is addressing punch list items.



New concrete paving at Hidalgo Port of Entry looking southbound.

3) 21st Street Drainage Improvements, Phase III (between Austin Ave. and Galveston)

SCOPE OF WORK: The proposed project involves construction of storm water system improvements, curbing, sidewalk and pavement repair along S. 21st Street between Austin Avenue and Galveston; along Dallas Avenue from S. 20th Street to S. 21st Street and at intersection of S. 22nd Street & Galveston Avenue.

CONTRACTOR: Dos Logistics, Inc.

Original Contract: \$394,291.78 67 working days

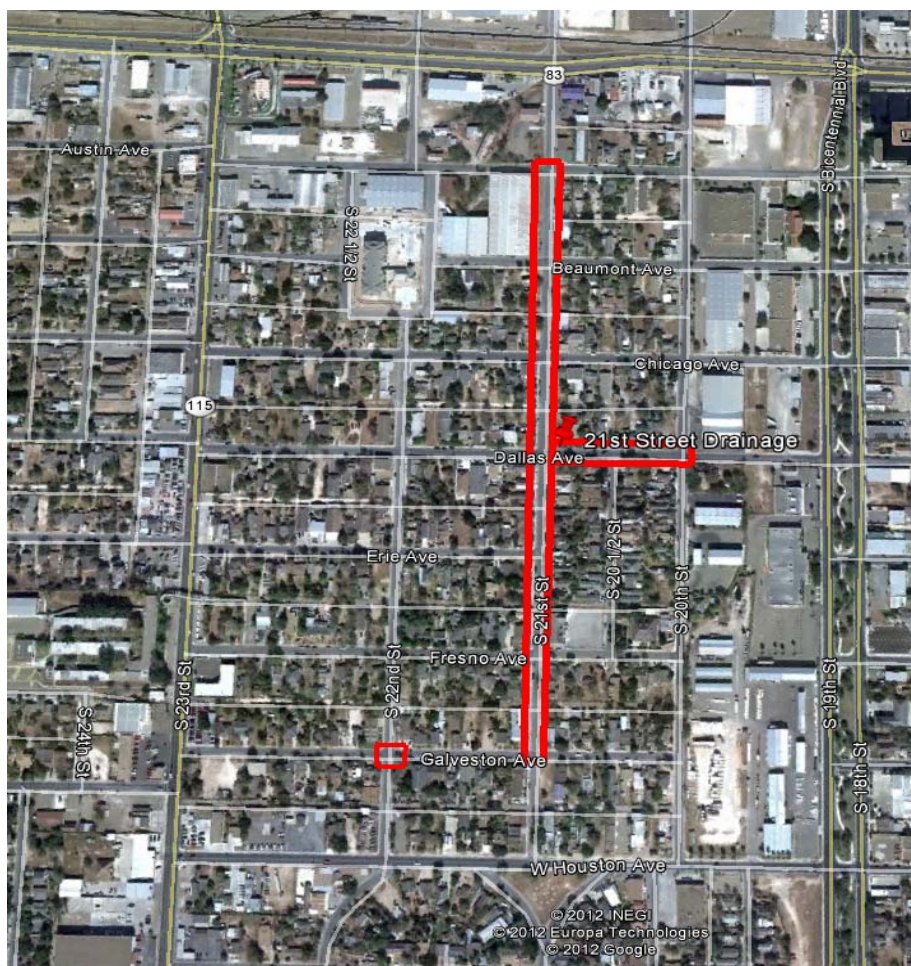
Change Orders: \$ 39,205.55 30 working days (Change Orders #1, 2 & 3)

Current Contract: \$433,497.33 97 working days

Completion Date January 25, 2012. (Project substantially complete.)

CONSTRUCTION STATUS: Notice to Proceed was issued April 3, 2012. Work commenced on Wednesday, May 16, 2012. All drainage improvements are complete and pavement restorations are complete. Contractor is currently working on final restoration of sidewalks and handicap ramps. The project is substantially complete.

SITE PLAN:



CONSTRUCTION PHOTOS:



Drainage improvements complete. Curb reconstruction complete. Preparing for repairs to sidewalks and handicap ramps.



Improvements complete at intersection of Galveston and 22nd. Six foot wide valley gutters constructed to allow flow to cross roadway and reduce ponding of stormwater at intersection.

4) McAllen-Miller International Airport Stormwater Pump Station Upgrade

SCOPE OF WORK: The proposed project involves removal of an existing stormwater pump station that was placed in service in the 1950's and the installation of a new larger capacity pump station with an emergency backup generator. This project is a FEMA Hazard Mitigation Grant Program (HMGP) project with 75% federal funding and 25% local funding.

CONTRACTOR: Ferguson Service Systems, Inc.
Original Contract: \$385,320.00 130 working days
Change Orders: \$ 1,140.00 0 working days
Current Contract: \$386,460.00 130 working days
Completion Date: February 5, 2013.

CONSTRUCTION STATUS: Notice to Proceed was issued April 3, 2012. Work commenced on Wednesday, May 16, 2012. All structural and electrical improvements are completed. Emergency generator has been delivered and installed. Currently waiting for delivery of turbine pump (anticipated in mid March) to complete the project. All other work complete to the extent possible pending delivery of the pump.

SITE PLAN:



Status as of end of January. Major structural components complete. Transformer pad and electrical conduits complete. All piping complete. Generator in place. Awaiting delivery of pump.

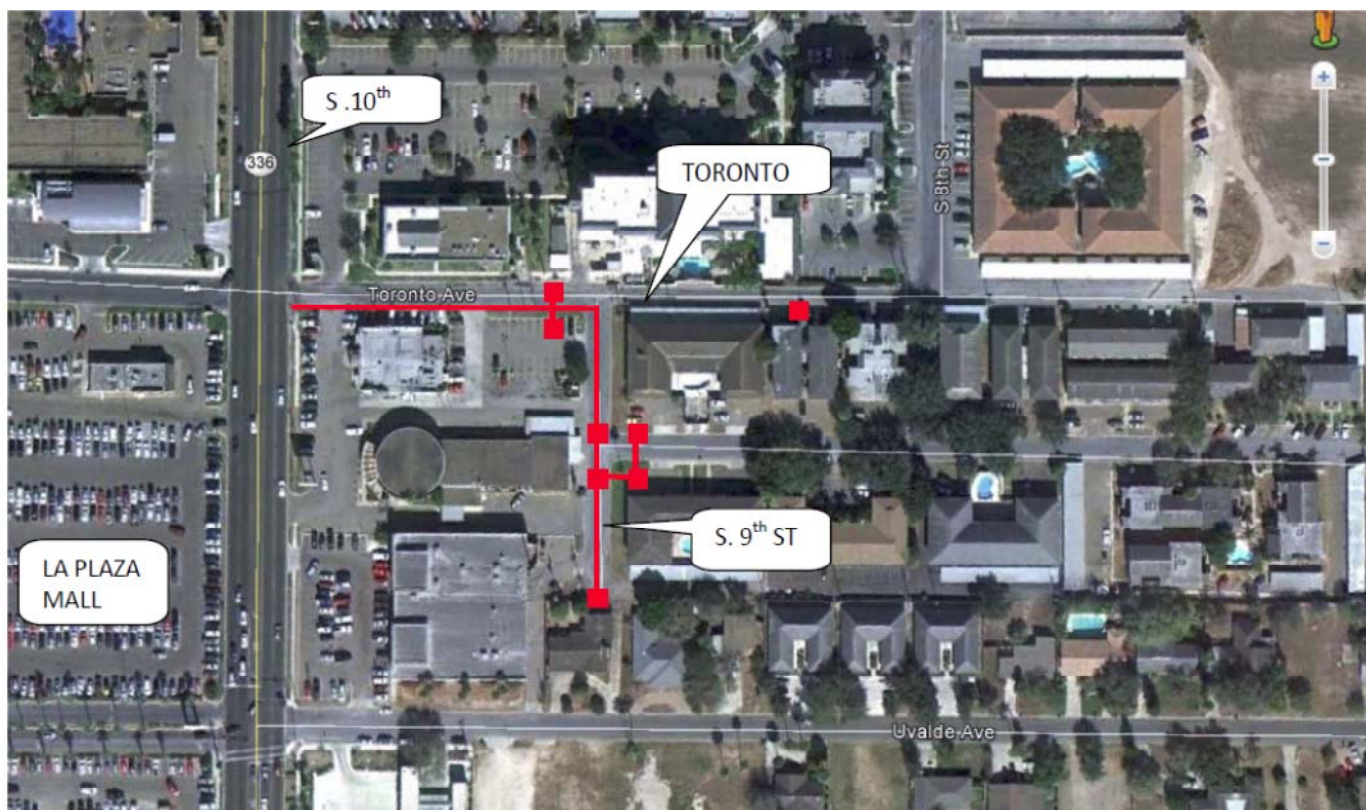
5) Toronto & S. 10th Avenue Drainage Improvements

SCOPE OF WORK: The proposed project involves construction of storm water system improvements, curbing and pavement repair along S. Toronto Avenue from S. 10th Street, east and along S. 9th Street between Toronto Avenue (north) and Toronto Avenue (south).

CONTRACTOR: Rojas Construction and Paving
Original Contract: \$135,494.03 70 working days
Change Orders: \$ 0.00 0 working days
Current Contract: \$135,494.03 70 working days
Completion Date: May 8, 2013.

CONSTRUCTION STATUS: Notice to Proceed was issued January 3, 2013. Work commenced on Thursday, January 24, 2013. Contractor is currently installing inlets and pipe along S. 9th Street.

SITE PLAN:



CONSTRUCTION PHOTOS:



Drainage improvements in process along S. 9th Street. 36-inch RCP being installed to serve residential area.



Pipe and structures being place. Trenches benched back to provide required trench safety.



Contractor has implemented appropriate Traffic Control. Alternate routes of ingress and egress are being provided to residents and businesses in the area. City Engineering staff has been in close communications with area businesses.

6) Northbound Pedestrian Canopy

SCOPE OF WORK: The project proposes installation of a canopy on the east side of the southbound bridge. The canopy will be extending 530'-0" north to the Administration building. The work consists of a purchase and installation of a one story canopy including complete structural framing (columns, rafters, rail, bracing), pre-finished Curved Tee Panel covered roof, fasteners accessories and other components and material required for complete installation.

CONTRACTOR: Celso Gonzalez Construction, Inc.
Original Contract: \$716,000.00 120 working days
Change Orders: \$ 0 0 working days
Current Contract: \$371,154 86 working days

Note: Completion Date – February 26, 2013

The Notice to Proceed (NTP) was issued to Celso Gonzalez Construction on August 21, 2012. The project is currently 48% completed and on schedule for a February 26, 2013 completion



Area to be canopied



Erected columns on land

7) **HVAC System Repairs**

SCOPE OF WORK: This project consists of replacing eleven (11) HVAC Systems and eighteen (18) Condenser Coil HVAC Systems for a total Twenty Nine (29) existing HVAC Systems as specified, located thru-out McAllen, Texas.

CONTRACTOR: Central Air & Heating Service
Original Contract: \$174,760.00
Completion Date: April 16, 2013

CONSTRUCTION STATUS: The Notice to Proceed (NTP) was issued to Frank Matz III, President of Central Air & Heating Service Inc on December 20, 2012. The project is currently 85% completed and on schedule for April 16, 2013 completion. The project is scheduled for completion on or before April 16, 2013.

New Unit – Old Police Department



New Condenser Unit – Lark Community Center

8) **2012-2013 Annual Repaving Project**

SCOPE OF WORK: This project involves recycling the top 1” of asphalt pavement and placing 1” of new asphalt on top of the recycled inch.

CONTRACTOR: Cutler Repaving Inc

Original Contract: \$1,386,100.

65 working days

Change Orders: \$ 272,453.60

0 working days


Current Contract: \$1,658,554.00

65 working days

Completion Date: May 8, 2013

CONSTRUCTION STATUS: City Commission Awarded the Contract for Construction on January 14, 2013. Notice to Proceed was issued February 1, 2013 and work was started on February 5, 2013. The repaving contractor currently has three crews, 1 milling crew and 2 repaving crews, working in various parts of the City to complete the project. The drawing below shows the project’s progress.



To: MIKE R. PEREZ, CITY MANAGER
From: SALLY GAVLIK, DIRECTOR 
Subject: PROJECT UPDATES
Date: FEBRUARY 18, 2013

COMMENT

This month the Parks and Recreation Department will highlight the following projects:

Bicentennial Trail Extension

Contractor is working on the conduit for the lighting south of Dove as well as the irrigation, and hardscape.

Morris Park

Engineering is designing the irrigation pond and fill lines.

DeLeon Soccer Fields

The demolition of the park is underway. The utilities are being installed. The contractor is working to get all insurances so the main construction work can begin.

Westside Park Ball Fields

This project is complete. Parks staff has designed artwork that will be installed at the entrance of the park.

Uvalde Park

The parking lot has been awarded. Restroom foundation is going in.

Baseball Complex

Request to have a Miracle Field as part of the Baseball Complex site. Survey of site requested through Engineering.

Airport Landscaping Upgrade

Airport staff reviewing plans for new landscaping for the entrance of the airport.









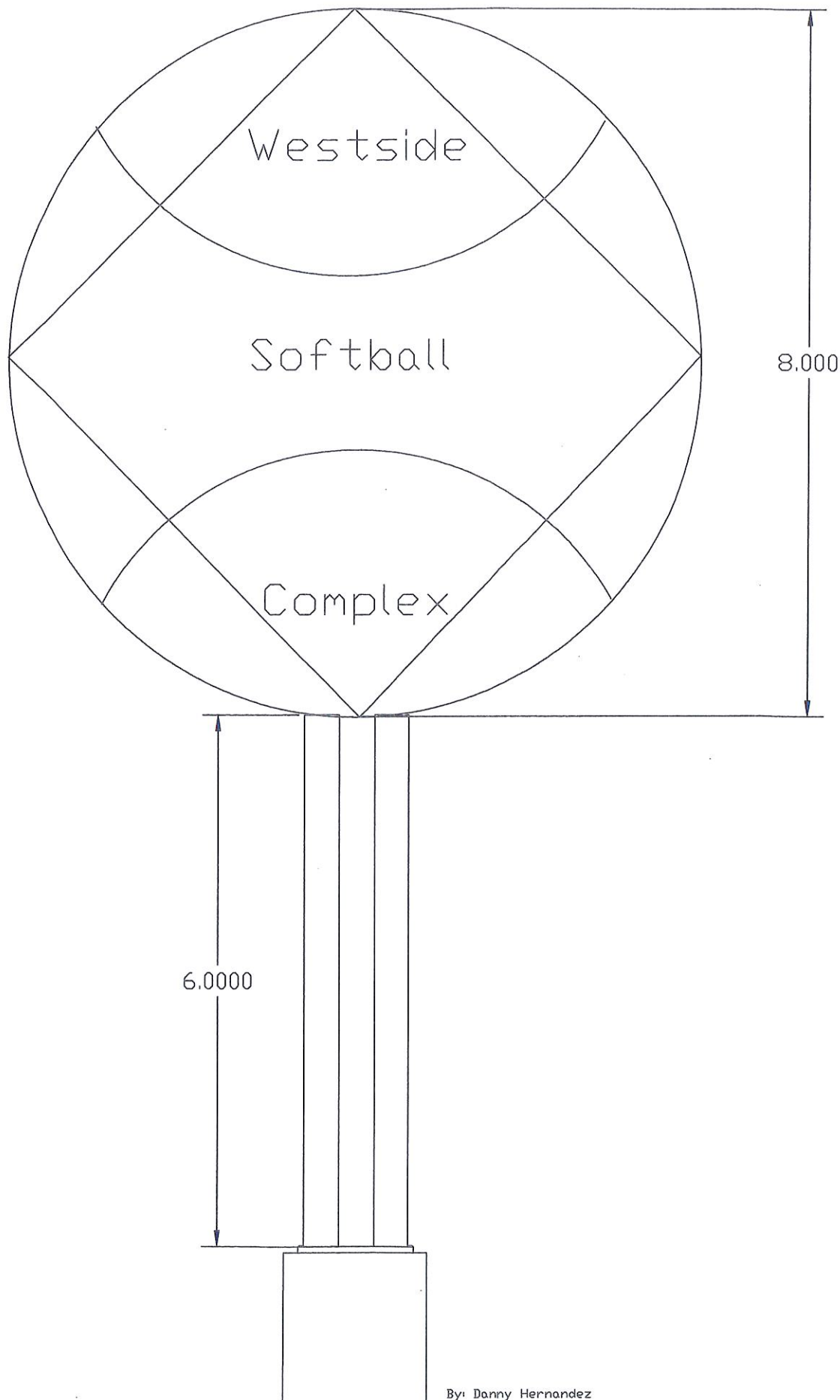












By: Danny Hernandez





Airport Construction Status Report through February 25, 2013

Terminal Expansion Project

The Project is the expansion of the existing terminal and ramp at the McAllen Miller International Airport. It consists of adding approximately 55,000 square feet of new terminal, renovation of approximately 40,000 square feet of terminal, addition of a new passenger boarding bridge, a new and expanded baggage handling facility for outbound baggage, and upgrades to the airport central plant equipment and infrastructure.

Contractor:	Don Krueger Construction Company, Inc.	
Original Contract:	\$18,879,500	713 calendar days
Change Orders:	\$ 304,471	0 calendar days
Revised Contract:	\$19,183,971	713 calendar days
Completion Date:	March 2014	

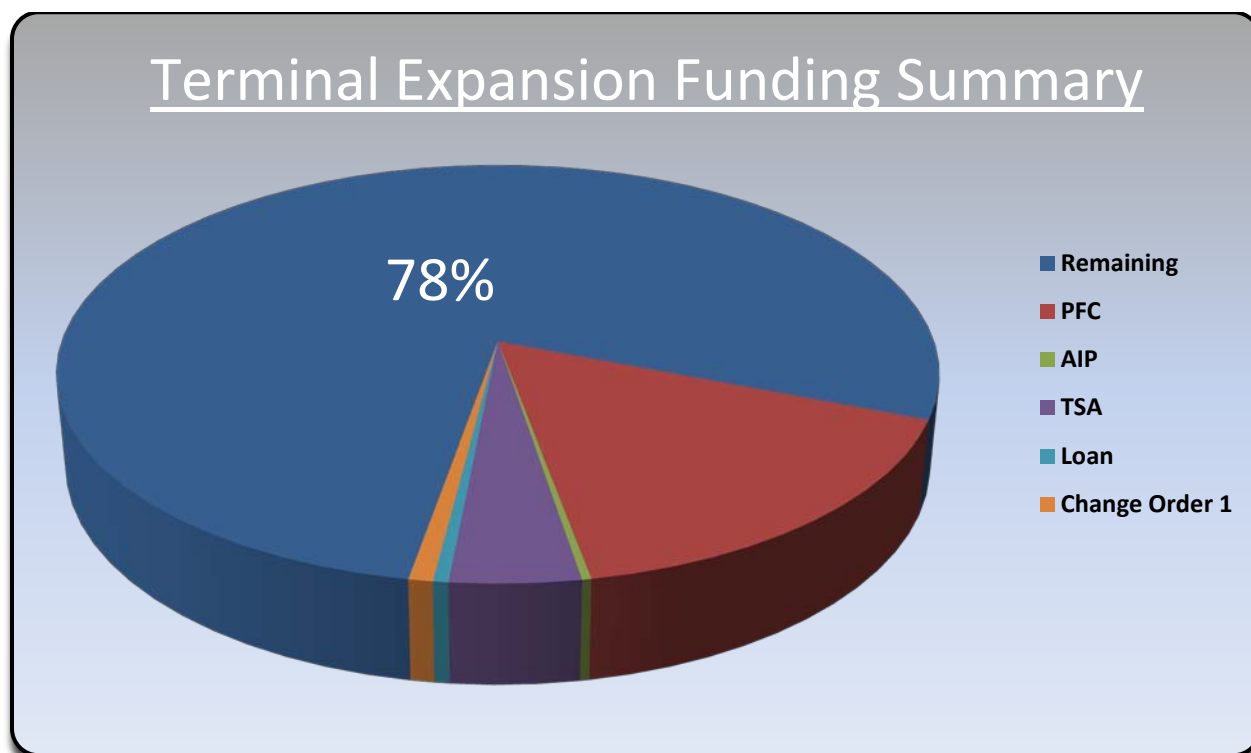
Project Finance Summary

Used to Date	\$ 5,366,213.70
Remaining	\$ 13,817,757.30

Funding Sources:

PFC	\$ 3,970,762.28
AIP 42	\$ 72,045.23
TSA	\$ 1,015,021.26
Inter Department Loan	\$ 119,064.21
Operating	\$ 189,320.75**

**Change Order #1 (Improvements to Cargo Ramp) Reimbursable through AIP 43



Construction Status:

The project continues steel erection for the new terminal addition. The columns have all been placed, beams being attached to the columns and to the existing terminal building. Electrical and data underslab work was completed; pad preparation for the new mechanical room slab is in progress. Approximately one quarter (1/4) of the new addition perimeter wall is complete. The baggage handling system facility pad was completed and footings being prepared in the area. Five (5) footings have been excavated and poured. Project time and budget metrics:

Percent of Project Complete (Time) 45%

Percent of Project Complete (Budget) 28%

Column Erection



Beam Attachment to Columns



Beam Attachment to Existing Building



New Addition electrical Underslab Work



New Addition Perimeter Wall



Baggage Handling Facility Pad Preparation



Baggage Handling Facility Footing Preparation



Baggage Handling Facility Footing Concrete





inter-office

MEMORANDUM

city of mcallen

TO: MIKE R. PEREZ, CITY MANAGER

FROM: OMAR RODRIGUEZ, DIRECTOR

SUBJECT: January Report

DATE: February 19, 2013

CONVENTION CENTER:

The month of January the Convention Center hosted 45 events with an attendance of 48,968 people. Events to note were four Consumer shows held, which included the McAllen International Travel Show, the Rio Grande Valley Wedding Fair, the Winter Texan Expo, and the McAllen International Car Fest. Also, taking place was Texas Cheerleading Magazine's State Cheerleading Championships and a comedy concert presented by Carlos Mencia in the Ballroom. We also hosted the "State of the City" with over 800 attending the annual event.

The Convention Center produced the "McAllen International Car Fest" for its 3rd annual installment, bringing in \$95,029 in revenue for the venue. The show had 212 cars displayed and drew 14,249 attendees for the three day show.

Sales activity showed 55 leads (inquiries for rental) and 42 new reservations confirmed for \$105,826 in future rental revenue.

Operating revenue covered 78% of expenses for the month with revenues of \$182,911 and expenditures of \$235,172. Hotel Occupancy Tax revenue for the month was \$101,037 covering the operating deficit of \$ (52,261).

AUDITORIUM:

The Auditorium hosted four events with an attendance of 17,984 people. Dream Shows presented the hypnotist "John Milton" for three consecutive weeks. We also hosted performances presented by the Valley Symphony Orchestra, UTPA Mariachi and McAllen Community Concerts.

Operations revenues covered 315% of expenses for the month with revenues of \$65,531 and expenditures of \$20,786.



Convention Facilities Department
 Monthly Report FY1213
 January 1 - 31, 2013

Convention Center	Month	YTD
Events ¹	45	162
Bookings ²	208	805
Occupied Square Foot Days ³ (OSFD) %	36%	36%
Attendance	48,968	179,423
Convention/Conference/Tradeshows(s)	0	3
Consumer Show(s)	4	12
Other meetings...	41	147
Revenue ⁴ (operating less Hotel Occupancy Tax subsidy) est.	\$ 182,911.42	\$ 657,408.19
Expenditures (operating less capital/depreciation) est.	\$ 235,172.97	\$ 1,104,553.35
Profit (Loss) ⁵	\$ (52,261.55)	\$ (447,145.16)
Transfer-in Hotel Occupancy Tax	\$ 101,037.42	\$ 677,770.28
Dollar of operation recovered by revenue	\$ 0.78	\$ 0.60

Centerplate		
Banquet Event Orders (Gross Revenue) est.	\$ 141,512.73	\$ 609,528.58
Commission to City est.	\$ 30,373.15	\$ 146,723.31

Auditorium		
Events ¹	4	16
Bookings ²	21	46
Occupied Square Foot Days ³ (OSFD) %	68%	42%
Attendance	17,984	41,103
Revenue ⁴ (operating less Hotel Occupancy Tax subsidy) est.	\$ 65,531.32	\$ 150,338.17
Expenditures (operating less capital/depreciation) est.	\$ 20,786.69	\$ 89,320.70
Profit (Loss) ⁵	\$ 44,744.63	\$ 61,017.47
Dollar of operation recovered by revenue	\$ 3.15	\$ 4.02

Sales:		
Leads	55	180
New Reservations (confirmed)	42	155
Conversion of Lead to Confirmed	76%	88%
New Reservations (rental revenue confirmed)	\$ 105,826.20	\$ 402,696.08

Notes:

1. An event is defined as the collective booking of space for one client for one event. (example: A conference booking multiple rooms, over multiple days would be counted as one (1) event, just as a luncheon for a quarterly meeting would be counted as one (1) event.
2. A booking is defined as the occupancy of a single space for a day. (Example: A conference that leases the Exhibit Hall for three (3) days would be counted as three (3) bookings.)
3. OSFD is calculated as the product of total exhibit space occupied or rented during the year as a percent of the total amount of space available for rent. OSFD is calculated as the product of total exhibit space utilized per event and the number of event days (including move-in/ move-out). ASFD is calculated as the product of total exhibit space and 365 days. (Monthly ASFD is calculated as the product of total exhibit space and the number of days occurring that month.)
4. Revenues do not include Hotel Occupancy Tax Transfers or Sales of Land. Expenditures do not include capital outlay purchases.
5. The City charges a 7% Hotel Occupancy Tax paid for by visitors using McAllen hotels. This tax is dedicated to the operation of the Convention Center, the Auditorium and the McAllen Chamber of Commerce's Convention & Visitor's Bureau. Profit/Loss is related only to operational revenues/expenses. General Fund Tax Revenues are NOT used to subsidize the Convention Center or Auditorium operations.

CONVENTION CENTER
EVENT SCHEDULE

Tuesday, January 01, 2013

- City of McAllen New Year's Eve Bash! Oval Park

Wednesday, January 02, 2013

- City of McAllen MDC Meeting

Thursday, January 03, 2013

- City of McAllen Collective Bargaining

Saturday, January 05, 2013

- XS Legacy Business Opportunity
- Hidalgo County Cotillion 2013

Sunday, January 06, 2013

- Wedding Fair January 2013

Tuesday, January 08, 2013

- City of McAllen Environmental & Health Dept. Food Handlers Class Meeting
- McAllen Chamber of Commerce McAllen International Travel Show
- Camp Longhorn Reunion

Wednesday, January 09, 2013

- Rod Robertson Enterprises Auto Auction
- McAllen Chamber of Commerce McAllen International Travel Show

Thursday, January 10, 2013

- City of McAllen Convention Center Staff Meeting
- McAllen Chamber of Commerce McAllen International Travel Show
- Jack in the Box RM Rally
- XS Legacy Business Opportunity

Friday, January 11, 2013

- Workforce Solutions: Child Care Symposium
- City of McAllen Public Utilities Conference Planning Meeting

Saturday, January 12, 2013

- Workforce Solutions Workforce Solutions: Child Care Symposium

Sunday, January 13, 2013

- Texas Cheerleader Magazine Inc., Texas Cheerleader Open State Championship
- McAllen Chess Club

Monday, January 14, 2013

- McAllen I.S.D. Board of the Year/ Partners in Excellence Breakfast
- Spawglass UT Pan Am Performing Arts Center

Wednesday, January 16, 2013

- Centerplate Tasting
- City Manager's Meeting

Thursday, January 17, 2013

- McAllen Economic Development Corporation MEDC Monthly Meeting
- State Firemen & Fire Marshalls Assoc. of Texas Association Planning Meeting
- XS Legacy Business Opportunity

Friday, January 18, 2013

- State Firemen & Fire Marshalls Assoc. of Texas Association Planning Meeting
- Edward's Abstract & Title Co. Annual State of Real Estate Forum

Saturday, January 19, 2013

- UTPA Engineering Workshop for High School Teachers
- Right C3 Meeting
- State Firemen & Fire Marshalls Assoc. of Texas Association Planning Meeting

Sunday, January 20, 2013

- Right C3 Meeting
- Icon Entertainment Group, Inc. Carlos Mencia

Monday, January 21, 2013

- City of McAllen Advisory Board Meeting
- Winter Texan Expo Winter Texan Expo

Tuesday, January 22, 2013

- City of McAllen Development Code Meeting
- City of McAllen Environmental & Health Dept. Food Handlers Class
- Winter Texan Expo
- People to People Ambassador program

Wednesday, January 23, 2013

- Eaton Manager's Review Meeting
- McAllen Convention Center Car Fest
- Region One ESC Poetry Seminar
- IDEA Public Schools
- Winter Texan Expo
- City of McAllen State of the City Ambassadors Meeting
- Ambit Energy Opportunity Presentation

Thursday, January 24, 2013

- McAllen Convention Center Car Fest
- City of McAllen Human Resources Meeting
- City of McAllen Commissioner Workshop Unified Development Code
- XS Legacy Business Opportunity

Friday, January 25, 2013

- McAllen Convention Center Car Fest
- Centerplate State of the City Tasting
- City of McAllen New Employee Orientation
- City of McAllen Employee Banquet Meeting

Saturday, January 26, 2013

- McAllen Convention Center Car Fest

Sunday, January 27, 2013

- McAllen Convention Center Car Fest

Tuesday, January 29, 2013

- Advocacy Sciences, Inc Research Study

Wednesday, January 30, 2013

- City of McAllen State of the City
- Rio South Texas Economic Council Annual Meeting of Board of Directors and Members

Thursday, January 31, 2013

- City of McAllen State of the City
- Top Rank Boxing Press Conference “Solo Boxeo” on UNImas
- XS Legacy Business Opportunity

CIVIC CENTER AUDITORIUM
EVENT SCHEDULE

Wednesday, January 02, 2013

- Dreamshows Inc. John Milton

Thursday, January 03, 2013

- Dreamshows Inc. John Milton

Friday, January 04, 2013

- Dreamshows Inc. John Milton

Saturday, January 05, 2013

- Dreamshows Inc. John Milton

Sunday, January 06, 2013

- Dreamshows Inc. John Milton

Monday, January 07, 2013

- City of McAllen Police training

Tuesday, January 08, 2013

- City of McAllen Police training
- McAllen Community Concerts The Abrams Brothers

Wednesday, January 09, 2013

- City of McAllen Police training
- Dreamshows Inc. John Milton

Thursday, January 10, 2013

- City of McAllen Police training
- Dreamshows Inc. John Milton

Friday, January 11, 2013

- City of McAllen Police training
- Dreamshows Inc. John Milton

Saturday, January 12, 2013

- Dreamshows Inc. John Milton

Sunday, January 13, 2013

- Dreamshows Inc. John Milton

Wednesday, January 16, 2013

- Dreamshows Inc. John Milton

Thursday, January 17, 2013

- Dreamshows Inc. John Milton

Friday, January 18, 2013

- Valley Symphony Orchestra – Educational Concert
- Dreamshows Inc. John Milton

Saturday, January 19, 2013

- Dreamshows Inc. John Milton

Sunday, January 20, 2013

- Dreamshows Inc. John Milton

Friday, January 25, 2013

- Valley Symphony Orchestra – Educational Concert
- Valley Symphony Orchestra Pop's Concert

Saturday, January 26, 2013

- Valley Symphony Orchestra Pop's Concert

Thursday, January 31, 2013

- Ballet Folklorico UT Pan American Alegria 2013

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION
UTILITY BOARD
PLANNING & ZONING BOARD
OTHER

 X

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

5G
02/20/2013
02/25/2013

1 Agenda Item: FUTURE AGENDA ITEMS

2 Party Making Request: Mike R. Perez, City Manager

3 Nature of Request: (Brief Overview) Attachments: Yes X No
City Manager will report on Future Agenda Items.

4 Policy Implication: _____

5 Budgeted: Yes No X 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</u>
			<u>YES/NO</u>
a) _____	_____	_____	_____
b) _____	_____	_____	_____

8 Staff Recommendation: _____

9 Advisory Board: Approved Disapproved None

10 City Attorney: Approved Disapproved KP None

11 Manager's Recommendation: Approved Disapproved MRP None

To: MIKE R. PEREZ, CITY MANAGER
From: SALLY GAVLIK, DIRECTOR
Subject: DELEON NORTH SOCCER COMPLEX EXPANSION
Date: FEBRUARY 11, 2013

COMMENT

Goal:

To approve a buy board contract for the purchase and installation of synthetic soccer/football field at DeLeon North Soccer Complex with Field Turf, a Tarkett Sports Company from Montreal, Canada for Field Turf Classic 57 in the amount of \$ 726,594.00.

Discussion:

Commission approved the Master Plan for the construction of the DeLeon North Soccer Complex Expansion with an overall project budget of \$4,783,000.00. An element of the design was the synthetic stadium field that will be used for both soccer and football. Staff has solicited bids through the Texas Buy Board from Field turf, a Tarkett Sports Company in the amount of \$726,594.00.

Recommendation:

The Parks and Recreation Department recommends approval of a Texas Buy Board contract with Field Turf, a Tarkett Sports Company, in the amount of \$726,594.00.



FieldTurf

A Tarkett Sports Company

January 18, 2013

PRICING PROPOSAL FOR CITY OF MCALLEN – DELEON SOCCER COMPLEX - TEXAS BUYBOARD PROPOSAL – CONTRACT #391-12

FieldTurf is pleased to offer to supply and install the following high performance artificial infilled grass surface.

Field Name	De Leon North Soccer Expansion	
Turf System	FieldTurf Revolution FieldTurf Classic-57 FieldTurf XM-57 FieldTurf XT57	
Square Footage	Approx. 93,600sf	
Field Markings	Football and Soccer	
Price	FieldTurf Revolution	\$ 736,594.00
	FieldTurf Classic-57	\$ 726,594.00
	FieldTurf XM-57	\$ 712,059.00
	FieldTurf XT57	\$ 702,368.00

Product Details

FieldTurf, the worldwide leader in artificial turf, is pleased to offer the FieldTurf systems, with the following product characteristics:

REVOLUTION:

Pile Height: 2.25 inches
Infill Weight: 8.4 lbs / ft²

Pile Weight: 36oz / sqy
Total System Weight: 1,266 oz / sqy

CLASSIC-57:

Pile Height: 2.25 Inches
Infill Weight: 8 lbs/sq.ft.

Pile Weight: 33 oz./sq.yd.
Total System Weight: 1263 oz./sq.yd.

XM57:

Pile Height: 2.25 inches
Infill Weight: 6.0 lbs / ft²

Pile Weight: 33oz / sqy
Total System Weight: 916 oz / sqy



FieldTurf

A Tarkett Sports Company

XT57:

Pile Height: 2.25 inches
Infill Weight: 6.0 lbs / ft²

Pile Weight:
Total System Weight:

33oz / sqy
916 oz / sqy

The FieldTurf Quality Guarantee

To achieve unmatched quality and level of performance, we have invested heavily in modernizing our plants with the latest fiber manufacturing, coating and tufting technologies along with top manufacturing talent, and specialized installation equipment. Our dedicated CAD-based design department supports customization for each client, and our experts ensure timely delivery and installation on every project.

The world leader in artificial turf innovation is ISO 9001, ISO 14001 and OHSAS 18001 certified for its leadership in quality, environment and safety management systems. FieldTurf's Calhoun facility represents the only artificial turf manufacturing operation in North America to have received these ISO certifications.

FieldTurf has taken the necessary steps to ensure that your project will run smoothly and that the quality promised will be the quality delivered.

Price Includes:

- a) Mobilization, supervision and layout of our work.
- b) Excavation and shape as required to achieve required subgrade elevations
- c) Import, place and compact 12" of select fill
- d) Form and pour new concrete perimeter curbs at field perimeter
- e) Furnish and install new 2" x 4" treated wood turf nailer
- f) Furnish and install 20 mil. impermeable liner
- g) Furnish and install perimeter drainage system -12" perf. HDPE & fittings extended to within 10ft outside limits of FieldTurf
- h) Stone Profile (4.5" of 3/4" Base Stone and 1.5" of 3/8" Finish Stone)
- i) Site restoration
- j) Laser grade and compact final grades
- k) One year warranty on civil work
- l) Installation of the artificial in-filled grass surface upon an existing suitable base;
- m) Buy Board Fees
- n) Performance and Payment Bond fees
- o) An 8 Year third party insured manufacturer warranty on the artificial grass surface
- p) A Parker field sweeper and a GroomRight field groomer
- q) Installation of inlaid football markings
- r) Installation of inlaid soccer markings
- s) The price is subject to an increase without notice in the event that there is an increase in raw materials, freight, or direct expenses in manufacturing or installing the grass surface



FieldTurf

A Tarkett Sports Company

Price does not include:

- a) Unless otherwise specified, does not include any G-max testing of the finished FieldTurf playing surfaces.
- b) The supply of manholes or clean-outs or grates, or supply of the manhole covers that are not required within the limits of proposed FieldTurf; and downstream treatment structures that may be deemed necessary upon SWP3 Engineering reviews and approvals.
- c) Irrigation and layout.
- d) Electrical work.
- e) Repair of any un-marked utilities excluded.
- f) Relocation, removal or repairs of existing utilities that are un-marked.
- g) Testing by others.
- h) Site security
- i) Asphalt paving
- j) Relocation, removal and repair of existing utilities not limited to electrical conduits, power poles, water, sewer, gas, cable, telephone, owner placed conduits or communication feeds within the field of play
- k) Design services and construction documentation, including, but not limited to: conceptual drawings/preliminary design; construction drawings; storm water management; submittal reviews and processing; architectural/engineering inspections; soil borings; professional survey; and as-built drawings.
- l) All applicable taxes, union labor or other labor law levies.

The price is valid for a period of 90 days. The price is subject to increase if affected by an increase in raw materials, freight, or other manufacturing costs, a tax increase, new taxes, levies or any new legally binding imposition affecting the transaction. The price of the base preparation is subject to increase in the event FieldTurf encounters any of the following site conditions: soil contamination; bedrock; unknown utilities; underground springs; unstable or unsuitable ground; and any concealed or unknown conditions.

Please feel free to reach out to any member of our project team with questions about our offer:

Lisa Nettles
Project Administrator
PH: 512.778.9447
lnettles@fieldturf.com

Vince Sebo
Regional Sales Manager
PH: 832.370.7104
Vince.Sebo@fieldturf.com

Thank you again for your interest in FieldTurf, we look forward to working with you.

Per:

Charles Cook – VP of Construction and Installation
FieldTurf USA, Inc.



FieldTurf

A Tarkett Sports Company

Conditions

Notwithstanding any other document or agreement entered into by FieldTurf in connection with the supply and installation only of its product pursuant to the present bid proposal, the following shall apply:

- a) This bid proposal and its acceptance is subject to strikes, accidents, delays beyond our control and *force majeure*;
- b) Final payment shall be upon the substantial completion of FieldTurf's obligations;
- c) Accounts overdue beyond 30 days of invoice date will be charged at an interest rate of 1.5% per month (19.56% per annum);
- d) FieldTurf requires a minimum of 21 days after receiving final approvals on shop drawings to manufacture, coordinate delivery and schedule arrival of installation crew. Under a typical field size and scenario, FieldTurf further requires approximately 75 days unencumbered access to the field to complete the field, subject to weather, other delays beyond the control of FieldTurf and *force majeure*.
- e) FieldTurf requires a suitable staging area. Staging area must be square footage of field x 0.12, have a minimum access of 15 feet wide by 15 feet high, and, no more than 100ft from the site. A 25 foot wide by 25 foot long hard or paved clean surface area located within 50 feet of the playing surface shall be provided for purposes of proper mixing of infill material. Access to any field will include suitable bridging over curbs from the staging area to permit suitable access to the field by low clearance vehicles.
- f) This proposal is based on a single mobilization. If the site is not ready and additional mobilizations are necessary, additional charges will apply.
- g) FieldTurf shall be accountable for its negligence but shall not be bound by any penalty clauses.
- h) FieldTurf shall be entitled to recover all costs and expenses, including attorney fees, associated with collection procedures in the event that FieldTurf pursues collection of payment of any past due invoice.
- i) All colors are to be chosen from FieldTurf's standard colors.

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION X
 UTILITY BOARD _____
 OTHER _____

AGENDA ITEM X 6B
 DATE SUBMITTED 02/01/13
 MEETING DATE 02/11/13 2/25/13

1. Agenda Item: Demolition of Former Sam Houston Elementary and the Old Central Fire Station – Award of Contract

2. Party Making Request: Engineering Department

3. Nature of Request: (Brief Overview) Attachments: X Yes No
Consideration and approval of: 1) award of contract for Project "A" (Former Sam Houston Elementary) to the lowest, responsive, responsible bidder, R.L. Abatement in the amount of \$233,900.00 to be completed within 40 days. 2) award of contract for Project "B" (Old Central Fire Station) to the lowest, responsive, responsible bidder, Camacho Demolition, LLC, in the amount of \$24,000.00 to be completed within 20 days.

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

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

Budgeted: \$ 150,000.00

110 8702 466 66 99 ID# NP1304 \$ 75,000.00

300 8716 416 66 99 ID# NP1301 \$ 75,000.00

Low Bids:

Project "A" \$ 233,900.00

Project "B" \$ 24,000.00

Total: \$ 257,900.00

Over Budget by: \$ 107,900.00

6. Alternate Option/Costs The City Commission may elect to reject bids and re-advertise the project.

7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.)	<u>Yvette Barrera, PE, City Engineer</u>	<u>YB</u>	<u>2/7/13</u>	<u>yes</u>
b.)	<u>Sandra Zamora, Director of Purchasing</u>	_____	_____	_____
c.)	<u>J.W. Dale, Director of Finance</u>	_____	_____	_____
d.)	<u>Roy Rodriguez, Assistant City Mngr.</u>	_____	_____	_____

8. Staff Recommendation: Staff recommends approval of contracts to the low bidders of each Project: 1) Project "A" - RL Abatement in the amount of \$ 233, 900.00 and 2) Project "B" - Camacho Demolition LLC in the amount of \$ 24,000.00.

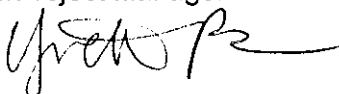
9. Advisory Board: Approved Disapproved None

10. City Attorney: Approved Disapproved None

11. Manager's Recommendation: Approved Disapproved None



CITY OF MCALLEN
DEPARTMENT OF ENGINEERING
MEMORANDUM

To: Mike R. Perez, City Manager
From: Victor Gonzalez, Architectural Coordinator/Project Manager
Through: Yvette Barrera, P.E., CFM, City Engineer 
Date: February 6, 2013
Subject: Award of Contract – Demolition of Former Sam Houston Elementary (Project “A”) and the Old Central Fire Station (Project “B”)

Goal

City staff intends award of contract for asbestos abatement and general demolition of the Former Sam Houston Campus site and the Old Central Fire Station, to the two low, responsive, responsible bidders.

Brief Explanation

On February 6, 2013 the Purchasing and Contracting Department received five (5) bid proposals for the above referenced project. The five bidders are identified in the attached spreadsheet. The project consists of asbestos abatement and general demolition of all building foot prints (above grade and below), flat work as shown on the drawings and then grading and seeding.

Bids ranged from \$ 233,900 to \$ 400,000 on Project “A” and from \$ 24,000 to \$ 69,003 on Project “B”. The perceived low bidder for Project “A” (Former Sam Houston Elementary) proposes to be complete within 40 working/calendar days. The perceived low bidder for Project “B” (Old Central Fire Station) proposes to be complete within 20 working/calendar days. A copy of the bid tabulation is attached for your review and consideration.

Options:

- 1.) The City Commission may choose to award contracts to the lowest, responsive, responsible bidders.
- 2.) The Commission may choose to reject bids and re-advertise the project.

Recommendation – The Engineering Department staff recommends award of contracts to the low bidders of each Project; 1) Project “A” – RL Abatement in the amount of \$ 233,900.00 to be completed within 40 days and 2) Project “B” – Camacho Demolition LLC in the amount of \$ 24,000.00 to be completed within 20 days.



BID OPENING: FEBRUARY 06, 2013 AT 4:00 PM
 LOCATION: Conference Room

PROJECT NO. 02-13-C09-211 PROJECT " A " - DEMOLITION OF OLD SAM HOUSTON ELEMENTARY; PROJECT " B " - DEMOLITION OF OLD CENTRAL FIRE STATION

BIDDERS :	R.L. ABATEMENT WESLACO, TX	CAMACHO DEMOLITION LLC CORPUS CHRISTI, TX	LaSALLE AFFORDABLE BUILDERS, LLC SAN ANTONIO, TX	J.T.B. SERVICES INC. HOUSTON, TX	SOUTH PLAINS CONTRACTING, INC. ADKINS, TX
BASE BID: PROJECT "A" - FORMER SAM HOUSTON ELEMENTARY - ABATEMENT DEMOLITION - TOTAL FOR REMOVAL AND DISPOSAL OF APPROXIMATELY 37,000 SQUARE FEET OF ASBESTOS TILE AND MASTIC, 2,800 SQUARE FEET OF ASBESTOS CHALK BOARDS AND 3,000 LINEAR FEET OF ASBESTOS PIPE INSULATION AND OTHER COMPONENTS AS MAY BE DESCRIBED IN THE APPLICABLE ASBESTOS SURVEY REPORT.	\$49,900.00	\$82,000.00	\$65,000.00	\$111,285.00	\$80,000.00
BASE BID: PROJECT "A" - FORMER SAM HOUSTON ELEMENTARY - GENERAL DEMOLITION - TOTAL DEMOLITION AND DISPOSAL OF APPROXIMATELY 96,000 SQUARE FEET OF BUILDING FOOT PRINT TO INCLUDE BELOW-GRADE STRUCTURES TO A DEPTH OF 3 FEET.	\$184,000.00	\$191,000.00	\$245,120.00	\$210,000.00	\$320,000.00
PROJECT "A" - NO. OF DAYS TO COMPLETE THE ABATEMENT DEMOLITION AFTER NTP	15	45	10	22	30
PROJECT "A" - NO. OF DAYS TO COMPLETE THE GENERAL DEMOLITION AFTER NTP	25	75	35	60	90
TOTAL FOR PROJECT " A "	\$233,900.00	\$273,000.00	\$310,120.00	\$321,285.00	\$400,000.00
BASE BID: PROJECT "B" - OLD CENTRAL FIRE STATION - ABATEMENT DEMOLITION - TOTAL FOR REMOVAL AND DISPOSAL OF ASBESTOS CEILING TEXTURE AND ASBESTOS PIPE INSULATION ABOVE CEILING.	\$1,300.00	\$4,000.00	\$1,300.00	\$8,970.00	\$4,000.00
BASE BID" PROJECT "B" - OLD CENTRAL FIRE STATION - GENERAL DEMOLITION - TOTAL DEMOLITION AND DISPOSAL OF APPROXIMATELY 12,177 SQUARE FEET OF BUILDING FOOT PRINT TO INCLUDE PIERS OF DEPTHS TO 6 FEET OF VARIOUS DIAMETERS AND ALL OTHER BELOW-GRADE STRUCTURES TO A DEPTH OF 3 FEET.	\$49,600.00	\$20,000.00	\$32,077.19	\$60,033.00	\$44,000.00
PROJECT "B" - NO. OF DAYS TO COMPLETE THE ABATEMENT DEMOLITION AFTER NTP	3	5	45	5	5
PROJECT "B" - NO. OF DAYS TO COMPLETE THE GENERAL DEMOLITION AFTER NTP	10	15	120	24	15
TOTAL FOR PROJECT " B "	\$50,900.00	\$24,000.00	\$33,377.19	\$69,003.00	\$48,000.00
GRAND TOTAL PROJECT "A" AND "B"	\$284,800.00	\$297,000.00	\$343,497.19	\$390,288.00	\$448,000.00
BID BOND	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED
ADDENDUM	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	NOT ACKNOWLEDGED