



**AGENDA**

**CITY COMMISSION REGULAR MEETING  
MONDAY, MAY 13, 2013 – 6:00 PM  
CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** - Mayor Richard Cortez

**PLEDGE OF ALLEGIANCE** - Mayor Richard Cortez

**INVOCATION** – John Ingram, City Commissioner

**PROCLAMATION** – *Peace Officers’ Memorial Week* – Chief Victor Rodriguez  
- *National Public Works’ Week* – Carlos Sanchez

**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.]*

Request of Mark Gill, appealing the decision of the Planning & Zoning Commission of the April 16, 2013 meeting, denying a Conditional Use Permit, for one year, for a Nail Salon and Bar at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Unit L.

**B) CONDITIONAL USE PERMIT:**

Request of Perla P. Martinez, appealing the decision of the Planning & Zoning Commission of the April 16, 2013 meeting, denying a Conditional Use Permit, for one year, for a Party Center at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Units M & N.

- C)** Public Hearing to consider a variance from Section 6-2 of the Alcoholic Beverage Code, for Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Suite L.
- D)** Consider approval of a variance request from Section 6-2 of the Alcoholic Beverage Code at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas; 2000 South McColl Road, Suite L.
- E)** Public Hearing to consider a variance from Section 6-2 of the Alcoholic Beverage Code, for Lot 4, Block 56, North McAllen Subdivision, Hidalgo County, Texas; 120 North Bicentennial Boulevard.

- F) Consider approval of a variance request from Section 6-2 of the Alcoholic Beverage Code, for Lot 4, Block 56, North McAllen Subdivision, Hidalgo County, Texas; 120 North Bicentennial Boulevard.

**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 Special Meeting held April 16<sup>th</sup> and Regular Meeting held April 22, 2013.
  - B) Confirmation and Appointment of nominee to Building Board of Adjustments.
  - C) Approval of Tax Refunds over \$500 for:
    - 1. David & Mary Ault
    - 2. E.J. DeSutter
    - 3. Wells Fargo Bank - Miguel Bravo
  - D) Consider authorizing the increase of P-Card single transaction dollar limit from \$1,000 to \$2,500.
  - E) Approval of Change Order No. 1 for Bicentennial Trail Project.
  - F) Award of Supply Contract for the Purchase of Tires.
  - G) Consider approval of a change order providing for a cost decrease to the purchase contract for one (1) Pre-Owned Model Trommel Screen for the Composting Facility of Public Works.
  - H) Consideration of approval of an amendment to Change Order No. 1 and Final Reconciliation of Quantities for the Bicentennial Boulevard Paving Improvements Project.
  - I) Resolution supporting the Draft Environmental Impact Statement to allow Space Explorations Technologies Inc. (SpaceX), to launch the Falcon 9 and Falcon Heavy Orbital Vertical Launch Vehicles and a variety of smaller reusable suborbital launch vehicles from a launch site on privately-owned property in Cameron County.
  - J) Resolution authorizing the acceptance of a grant award from the Federal Emergency Management Agency, Texas Department of Public Safety, Texas Division of Emergency Management under the Hazard Mitigation Grant Program, for funds provided through the Presidential Disaster Declaration DR – 1931 from Hurricane Alex for flood mitigation projects.
  - K) Resolution authorizing the submission of a grant application to the Texas School Safety Center on behalf of the Department of State Health Services, for funding under the FY 2014 Tobacco Enforcement Program.
  - L) Resolution authorizing the submission of a grant application to the Office of the Attorney General of Texas, Crime Victim Services Division, for funding under Fiscal Years 2013 and 2014 Victim Coordinator and Liaison Grant Program.
  - M) Resolution authorizing the submission of a grant application to the U.S. Department of Justice, Office Programs, under the FY 2013 Bulletproof Vest Partnership Program.
  - N) Consideration approval of a variance request to the subdivision process requirement at Country Club Terrace, Lot 93, N. 85.3 ft. at 2200 S. Augusta Square West.

### **3. BIDS/CONTRACTS:**

- A) Authorization to open single bid and Consider Award of Service Contract for Polygraph Examination Project.
- B) Award of Contract for Retiree Haven Subdivision Drainage Improvements.
- C) Consider approval of Reimbursement Contract with T5, Inc. and TAVAMASO for improvements associated with Retiree Haven Paving and Drainage Improvements.

### **4. MANAGER'S REPORT:**

- A) Consider contribution for the Regional Mobility Plan update.
- B) Consider authorization to declare Unit #FD-613 as surplus and donate to South Texas College.
- C) Future Agenda Items.

### **PUBLIC COMMENT SESSION**

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

- A) Consultation with City Attorney regarding Request for Proposals for old Civic Center Redevelopment. (Section 551.071, T.G.C.)
- B) Discussion and Possible Action regarding economic incentives for Project Next Level. (Section 551.087, T.G.C.)
- C) Discussion and Possible Action on award of bid proposal for sale of Lot 11B, McAllen Convention Center. (Section 551.072, T.G.C.)
- D) Consultation with City Attorney regarding Civil Action No. M-13-175; Allen J. McCleaf vs. City of McAllen, Parks and Recreation Department, Sally Gavlik, Director, Llea O'Donnell, Pool Manager, et al. (Section 551.071, T.G.C.)
- E) Consideration and Consultation with Legal Counsel regarding Economic Development Project Pompeii. (Section 551.087 and 551.071, T.G.C.)
- F) Discussion and Possible Action regarding economic incentives for Project Vernus. (Section 551.087, T.G.C.)
- G) Discussion and Possible Action regarding economic incentives for North American Diaper Company, LLC. (Section 551.087, T.G.C.)
- H) Discussion and Possible Action to consider the possible sale of 300 acres on Ware Road and Monte Cristo. (Section 551.072, T.G.C.)
- I) Discussion and Possible Action to consider making an offer to acquire a 12.29 acre tract of land, more or less, out of Lot 3, Block 5, Hidalgo Canal Company. (Section 551.072, T.G.C.)
- J) Discussion and Possible Action to consider entering into an agreement with the owner of a tract of land out of Lot 149, La Lomita Irrigation and Construction Company Subdivision. (Section 551.072, T.G.C.)
- K) Discussion and Possible Action to consider entering into a sales contract and authorizing the City Manager by resolution, to complete the transaction to acquire Lot 15, Block 5, Whitewing Addition, Unit No. 1, and addition to the City of McAllen, Hidalgo County, Texas. (Section 551.072, T.G.C.)

- L) Discussion and Possible Action regarding the possible acquisition of a tract of land 60 feet north and south and 160 feet east and west of the northwest corner of Lot 177, John H. Shary Subdivision. (Section 551.072, T.G.C.)
- M) Discussion and Possible Action to consider making an offer to acquire 25,907.25 square feet out of Lot 3, Block 4, A.J. McColl Subdivision, Hidalgo Canal Company. (Section 551.072, T.G.C.)
- N) Consultation with City Attorney regarding a possible contract with Vianovo relating to International Bridge Facilities. (Section 551.071, T.G.C.)
- O) Consultation with the City Attorney regarding a possible lease with the Embajada de Honduras for Section B of the building on 709 S. Broadway. (Section 551.071, T.G.C.)

**ADJOURNMENT**

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

**CERTIFICATION**

I, the Undersigned Authority, do hereby certify that the attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the **10<sup>th</sup>** day of **May, 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

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION	<u> X </u>	AGENDA ITEM	<u> 1A </u>
UTILITY BOARD	_____	DATE SUBMITTED	<u> 5/07/13 </u>
PLANNING & ZONING BOARD	_____	MEETING DATE	<u> 5/13/13 </u>
OTHER	_____		

1. Agenda Item:  Conditional Use Permit

2. Party Making Request:  Mark Gill

3. Nature of Request: (Brief Overview) Attachments:  X  Yes   No  
 Appeal the decision of the Planning and Zoning Commission of the April 16, 2013 meeting denying the request of Mark Gill, for a Conditional Use Permit, for one year, for a nail salon and bar at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas: 2000 South McColl Road, Unit L.

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 <u>YES/NO</u>
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a) <u> Julianne R. Rankin </u> Director of Planning	<u> JRR </u>	<u> 05/07/2013 </u>	<u> No </u>
b) _____	_____	_____	_____

8. Staff's Recommendation:  Disapproval of the request based on non-compliance to requirement # 3 (distance to residential uses) of the Zoning Ordinance.

9. Advisory Board:   Approved  X  Disapproved   None  
 With a favorable recommendation to grant the variance to the 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, Chairperson, Planning and Zoning Commission L.G.

**DATE:** May 7, 2013

**SUBJECT: APPEAL THE DECISION OF THE PLANNING AND ZONING COMMISSION OF THE APRIL 16, 2013 MEETING DENYING THE REQUEST OF MARK GILL FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NAIL SALON AND BAR AT LOT A, RIDGE CROSSING #2 SUBDIVISION; 2000 SOUTH MCCOLL ROAD, UNIT L.**

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**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 west side of South McColl Road, approximately 540 ft. south of East Ridge Road, and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the north, east and south and C-1 (office building) District to the west. Surrounding land uses include commercial businesses, offices, restaurants, and multi-family residences. A bar is allowed in a C-3 zone with a Conditional Use Permit and in compliance with requirements.

Currently, there is a 14,329 sq. ft. multi-tenant commercial building on the property. The only tenant in the building at the moment is Sendero Community Church, which utilizes 5,182 sq. ft. of floor area. The applicant is proposing to utilize Unit L, approximately 1,801 sq. ft. of lease space, for a nail salon with alcohol being served for its customers; therefore, a conditional use permit is required. The hours of operation will be from 10:00 a.m. to 8:00 p.m. Monday thru Saturday. Based on the square footage for the nail salon, 8 parking spaces are required; 120 parking spaces are provided on site as part of the common parking area for the development. There is a party center being proposed in the same commercial building for which the conditional use permit is also on this agenda. The party center will be utilizing 3,487 sq. ft. of lease space and will require 35 parking spaces. The church requires 25 parking spaces for a total of 68 parking spaces required for the three uses, leaving 52 spaces available. Approximately 3,859 sq. ft. of building area is still not used and is available for rent.

The Health and Fire Departments have inspected the establishment; however, a final

inspection is still pending once the work is complete. 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;
- 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 South McColl Road 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 for the nail salon, 8 parking spaces are required; 120 parking spaces are provided on site as part of the common parking area for the development. There is a party center being proposed in the same commercial building for which the conditional use permit is also on this agenda. The party center will be utilizing 3,487 sq. ft. of lease space and will require 35 parking spaces. The church requires 25 parking spaces for a total of 68 parking spaces required for the three uses, leaving 52 spaces available;
- 4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;
- 5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;
- 6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties; and
- 7) The above mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum number of persons allowed will be determined at time of building permit.

**OPTIONS:**

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

**RECOMMENDATION:**

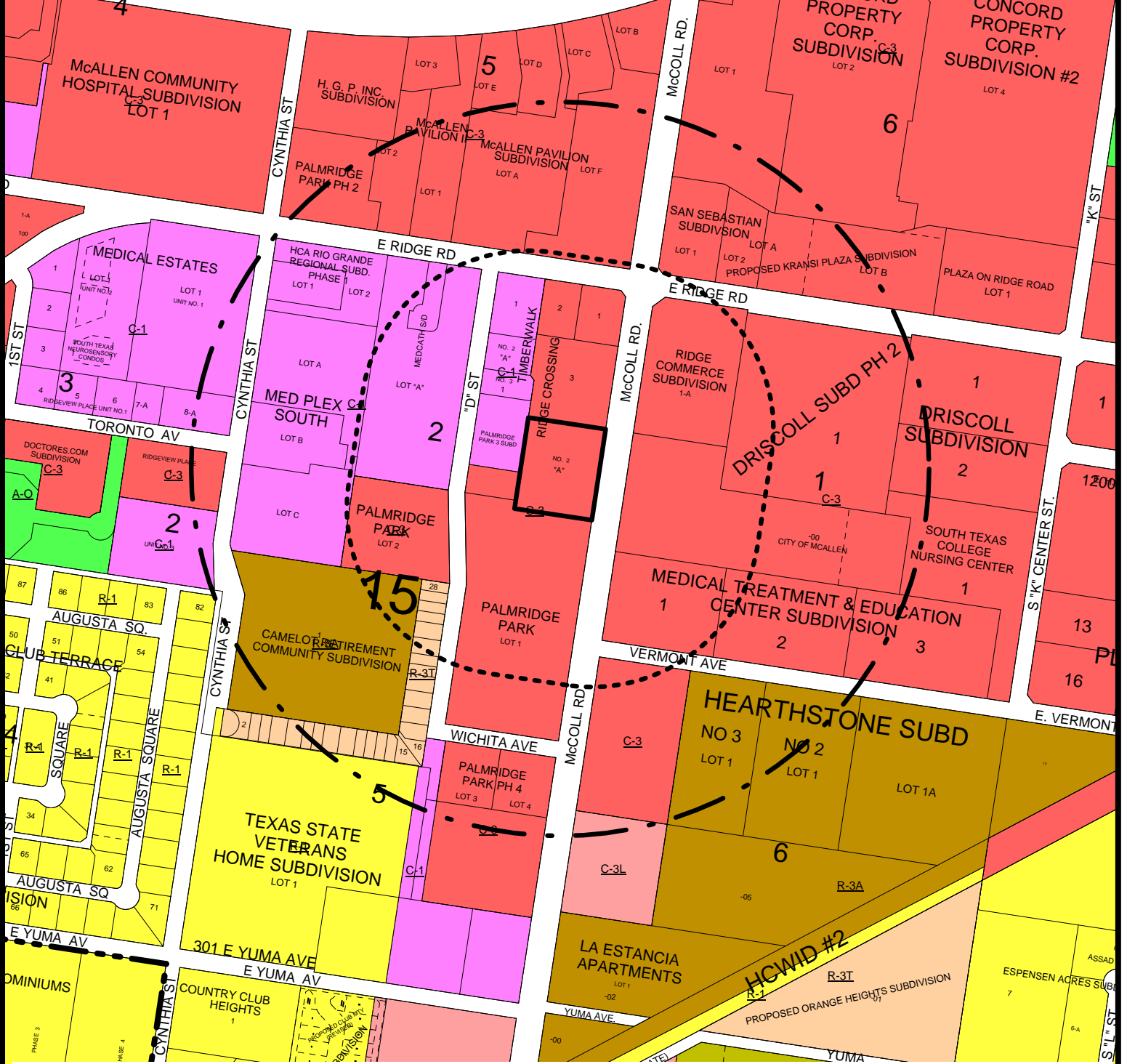
The request was heard at the April 16, 2013 Planning and Zoning Commission meeting. There was no one present in opposition of the request. The applicant, Mark Gill and his representative, Steve Spoor were present.

The board inquired information about the proposed nail salon and the bar. They asked if the alcohol was going to be given away for free or sold to either their customers or the public. Mr. Mark Gill, the applicant, stated that the alcohol will be sold and be only available to their customers.

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.



# RESSWAY



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AREA MAP**

**LEGEND**

SCALE: 1" = 500'



SUBJECT PROPERTY

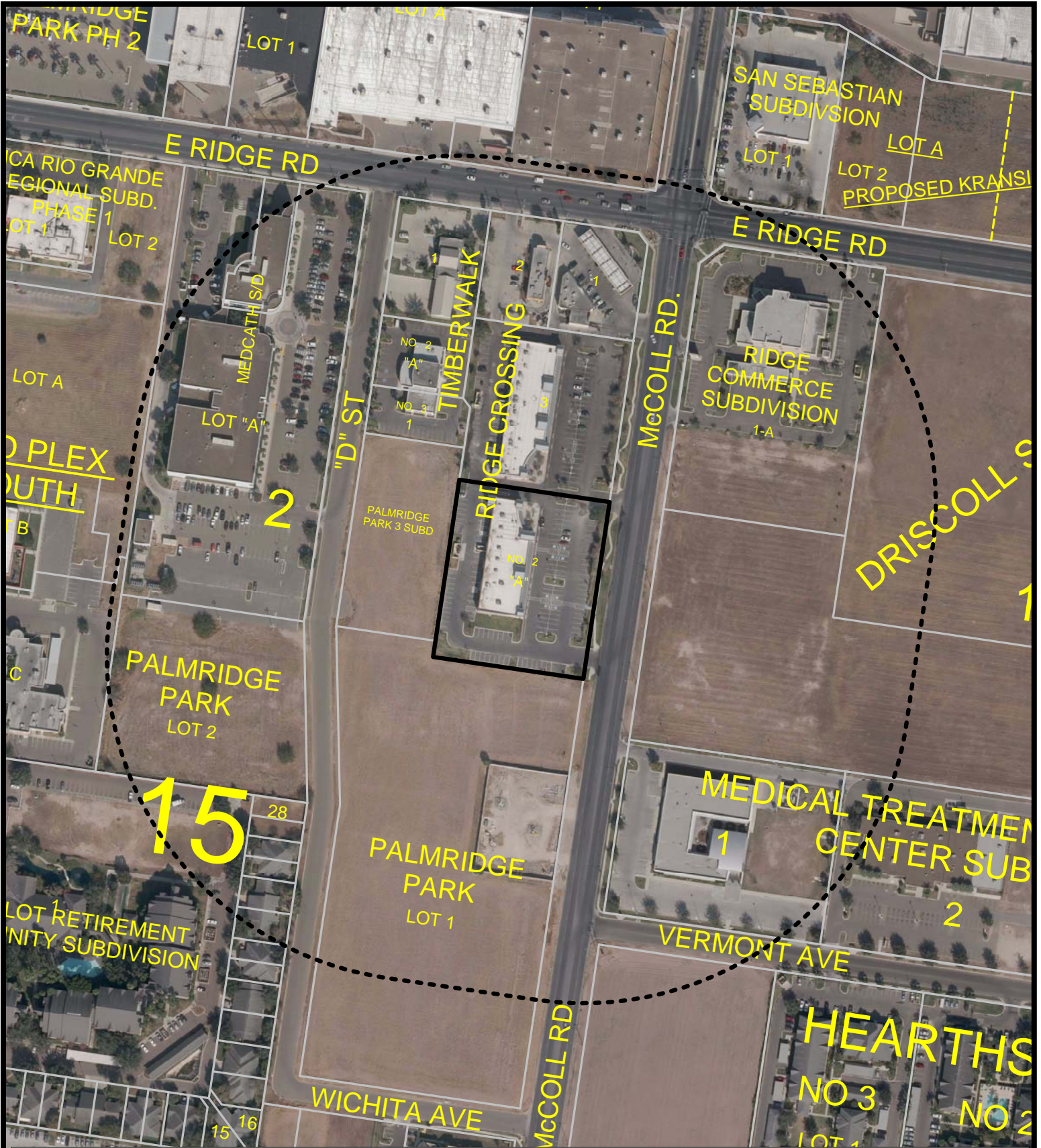
600 FT. NOTIFICATION BOUNDARY

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 (DUPLIX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	(SPECIAL DISTRICT)

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



**CITY OF McALLEN**  
 PLANNING DEPARTMENT

**AERIAL MAP**  
 SCALE: N.T.S.

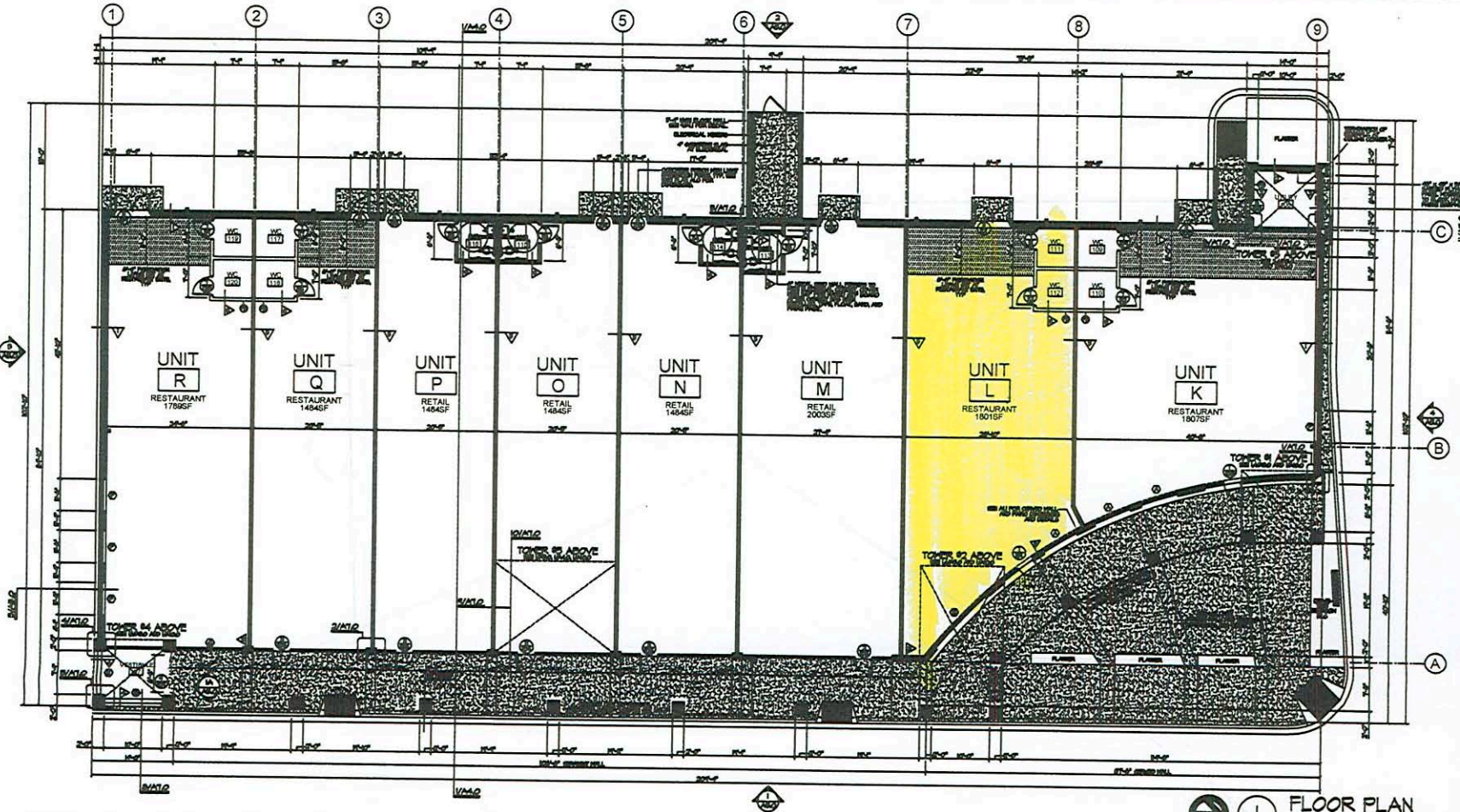
 SUBJECT PROPERTY

 600 FT. NOTIFICATION BOUNDARY



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



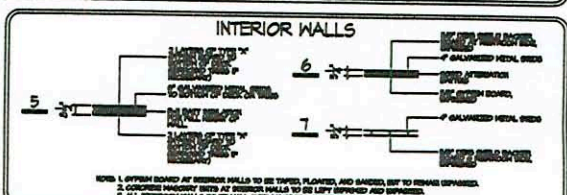


FLOOR PLAN  
SCALE 1/8"=1'-0"

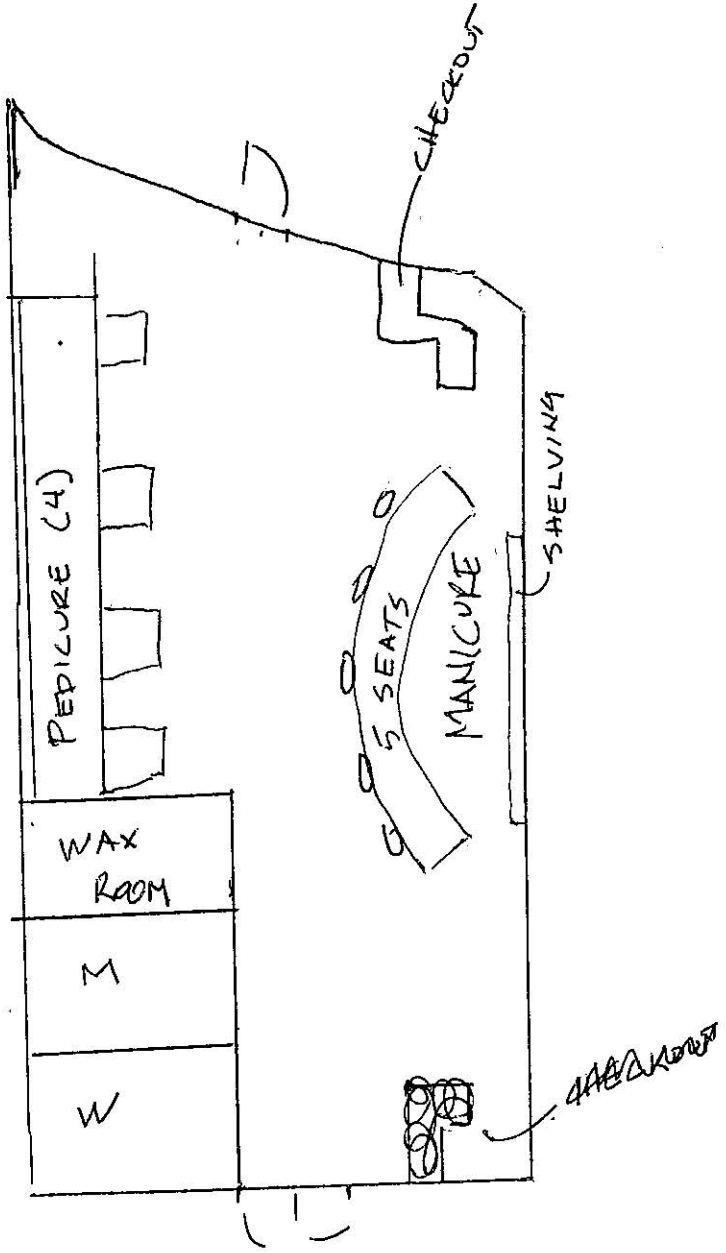
**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED OR FACE OF BLOCK OR GIRD HALL.
2. PROVIDE 8" TO PERIMETER WALL, MINIMUM FIVE DIMENSIONS PERIMETER GROUND ON PLAN AT 4" ABOVE GRADE.
3. SUPPLY ROOM 800 TO 8000 SPREADER RISER, TELEPHONE BOARD, CABLE TV, AND COFFER.
4. ASSEMBLED RISER CLASSED IN FIELD, SETS SET, 8" DIA, AND 8" TO HANG TOLLY AND BSK, PROVIDED IN PLACE.
5. ASSEMBLED RISER CLASSED IN FIELD, SETS SET, 8" DIA, AND 8" TO HANG TOLLY AND BSK, PROVIDED IN PLACE.
6. SEE ALL SITE PLAN DETAILS FOR CONCRETE.
7. SEE ADD SITE PLAN FOR PERIMETER LOCATIONS.
8. PROVIDE 8" TO PERIMETER WALL, MINIMUM FIVE DIMENSIONS PERIMETER GROUND ON PLAN AT 4" ABOVE GRADE.
9. 8" BAY PERIMETER LINE OF WELDED TO TRACE OVERHEAD CANOPY LINE, SEE STRUCTURAL.
10. PROVIDE 8" TO PERIMETER WALL, MINIMUM FIVE DIMENSIONS PERIMETER GROUND ON PLAN AT 4" ABOVE GRADE.
11. SEE ADD FOR PERIMETER DETAILS.

**WALL TYPE LEGEND**



NOTE 1. GYPHUM BOARD AT EXTERIOR WALLS TO BE TYPED, PLASTERED, AND SANDED, SET TO REMAIN UNFINISHED.  
NOTE 2. CONCRETE MASONRY UNITS AT EXTERIOR WALLS TO BE LEFT UNFINISHED AND UNPAINTED.  
NOTE 3. ALL EXTERIOR WALLS TO BE 12" TYPED 1/2" GILDED CONCRETE BLOCK.



2000 S. McCOLL

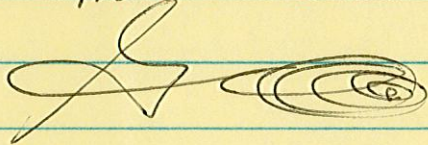
"UNIT ~~14~~"

NOT TO SCALE

09-17-13


I am Mark Cull Appeal  
the decision of the planning  
and zoning commission for the  
meeting yesterday for my ~~own~~  
condition use permit located at  
2000 S McColl Sub "L"

Mark Cull

A handwritten signature in dark ink, appearing to be 'Mark Cull', with a large, stylized flourish at the end consisting of several overlapping loops.

956-624-2734

**NOTICE  
NAIL SALOON  
For  
This Property  
CUP2013-0067**

 City of McAllen Planning Dept - 681-1250  
[www.mcallen.net](http://www.mcallen.net)

COMING SOON  
NAIL  
LOUNGE



**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION     X      
UTILITY BOARD \_\_\_\_\_  
PLANNING & ZONING BOARD \_\_\_\_\_  
OTHER \_\_\_\_\_

AGENDA ITEM \_\_\_\_\_  
DATE SUBMITTED     5/07/13      
MEETING DATE     5/13/13    

1. Agenda Item:     Conditional Use Permit      
\_\_\_\_\_  
\_\_\_\_\_

2. Party Making Request:     Perla P. Martinez    

3. Nature of Request: (Brief Overview) Attachments:     X     Yes      No  
Appeal the decision of the Planning and Zoning Commission of the April 16, 2013 meeting denying the request of Perla P. Martinez, for a Conditional Use Permit, for one year, for a Party Center at Lot A, Ridge Crossing #2 Subdivision, Hidalgo County, Texas: 2000 South McColl Road, Unit M&N.

4. Policy Implication: \_\_\_\_\_

5. Budgeted:      Yes      No      N/A

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

6. Alternate option costs: \_\_\_\_\_

7. Routing:  
NAME/TITLE INITIAL DATE CONCURRENCE  
    YES/NO    

a)     Julianne R. Rankin         JRR     \_\_\_\_\_  
Director of Planning  
b) \_\_\_\_\_ \_\_\_\_\_

8. Staff's Recommendation:     Disapproval of the request based on non-compliance to requirement # 3 (distance to residential uses) of the Zoning Ordinance.

9. Advisory Board:      Approved     X     Disapproved      None  
With a favorable recommendation to grant the variance to the distance requirement.

10. City Attorney:      Approved      Disapproved      None

11. Manager's Recommendation:      Approved      Disapproved      None



**CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM**

**CITY COMMISSION**          X    
**UTILITY BOARD**        \_\_\_\_\_  
**OTHER**                    \_\_\_\_\_

**AGENDA ITEM**              1C&D    
**DATE SUBMITTED**         05/06/2013    
**MEETING DATE**           05/13/2013  

1. **Agenda Item:**   Variance Request  

2. **Party Making Request:**   Mark Gill  

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

Variance from the City of McAllen's Alcoholic Beverage Code, Section 6-2's 300 ft. minimum distance requirement from a church at Lot A, Ridge Crossing #2 Subdivision; 2000 South McColl Road, Suite L.

4. **Policy Implication:**   Section 6-2 of the Alcoholic Beverage Code  

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:**

	<b>NAME/TITLE</b>	<b>INITIAL</b>	<b>DATE</b>	<b>CONCURRENCE</b>
a)	<u>  Julianne R. Rankin,  </u> <u>  Planning Director  </u>	<u>  JRR  </u>	<u>  5/7/2013  </u>	<u>  Yes  </u>
b)	_____	_____	_____	_____

8. **Staff's Recommendation:**   Staff recommends compliance with Chapter 6 of the Alcoholic Beverage Code.  

9. **Advisory Board:**    Approved    Disapproved   X   None  
\_\_\_\_\_

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

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

  Church does not object to the request

## Memo

**TO:** Mike R. Perez, City Manager

**FROM:** Julianne R. Rankin, FAICP, Director of Planning

J.R.R.

**DATE:** May 6, 2013

**SUBJECT: REQUEST OF MARK GILL FOR A VARIANCE FROM SECTION 6-2 OF THE ALCOHOLIC BEVERAGE CODE AT LOT A, RIDGE CROSSING #2 SUBDIVISION; 2000 SOUTH MCCOLL ROAD, SUITE L.**

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**GOAL:** To encourage commercial development or redevelopment that protects the character of surrounding areas.

**BRIEF DESCRIPTION:**

The property is located on the west side of S. McColl Road, approximately 540 ft. south of E. Ridge Road and is zoned C-3 (general business) District. The adjacent zoning is C-3 to the north, east, west and south, and C-1 (office building) District also to the west. Surrounding land uses include commercial businesses, restaurants, offices, and Sendero Community Church which is located within the same commercial plaza.

The applicant, Mr. Mark Gill, is requesting a variance to the distance requirement from a place of business with alcohol sales that is within 300 ft. of any church, public or private school, or public hospital. Mr. Gill is proposing to operate a nail salon (Nails Lounge & Gifts) with alcohol being served for its customers. Therefore, a Conditional Use Permit (CUP) for a bar is required and is also on the same agenda for consideration of the CUP. The proposed days and hours of operation are from 10 a.m. to 8 p.m. Monday thru Saturday.

Based on Chapter 6 of the City of McAllen's Alcoholic Beverage Code (which is substantially the same as the Texas Alcoholic Beverage Code), no beer or other alcoholic beverage shall be sold within the city by any dealer where the place of business of such dealer is within 300 ft. of any church, public or private school or public hospital. The measurements are from property line to property line as provided in the Texas Alcoholic Beverage Code, § 109.33. The property line of the lot is within 300 ft. of Sendero Community Church. Further, the Texas Alcoholic Beverage Commission (TABC) treats any operation that sells wine, beer or alcohol as a "dealer".

Should the variance to the distance requirement be granted, then the applicant will proceed to continue to apply for a Beer & Wine Retailer's On Premises Permit.

**OPTIONS:**

1. Approve the variance as requested.
2. Table the item for additional information.
3. Disapprove the request.

**RECOMMENDATION:**

Staff recommends compliance with Chapter 6 of the Alcoholic Beverage Code.

**City of McAllen**  
**Planning Department**  
**VARIANCE TO CHAPTER 6 OF**  
**THE ALCOHOLIC BEVERAGE CODE**

1300 Houston Avenue  
 McAllen, TX 78501  
 P. O. Box 220  
 McAllen, TX 78505-0220  
 (956) 681-1250  
 (956) 681-1279 (fax)

**Project**

Legal Description LOT 2 RIDGE CROSSING SUBD.

Subdivision Name Ridge Crossing #2

Street Address 2000 South McCall SUITE "L"

Number of lots \_\_\_\_\_ Gross acres \_\_\_\_\_

Existing Zoning C-3 Existing Land Use Shopping Center

Reason for the Request (please use other side if necessary) serve wine to nail salon customers

\$225.00 non-refundable filing fee  Site Plan  Floor Plan

Applicant's Request to Include the Type of Permit being Requested from the Texas Alcoholic Beverage Commission (TABC)

**Applicant**

Name Mark Gill Phone (956) 624-2734

Address 6704 N 8th Apt A " 739-1138

City Mc Allen State TX Zip 78504

**Owner**

Name MEYERHOFF FAMILY TRUST <sup>KATHERINE ZETTLER</sup> Phone 956 453-5211

Address 1/2 5415 N. SUGAR RD

City PHARR State TX Zip 78577

**Authorization**

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated?

Yes  No

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Katherine Zetler Date 4-17-2013

Owner  Authorized Agent

**Office**

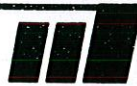
Accepted by \_\_\_\_\_ Date \_\_\_\_\_

10/11

RECEIVED

APR 17 2013

PCPT # 111.354



# City of McAllen

## Planning Department

### VARIANCE TO CHAPTER 6 OF THE ALCOHOLIC BEVERAGE CODE

Reason for Request

Request Beer + Wine

Hour - 10 am to 8 pm  
Mon - Sat  
Sunday closed.

City Commission Action

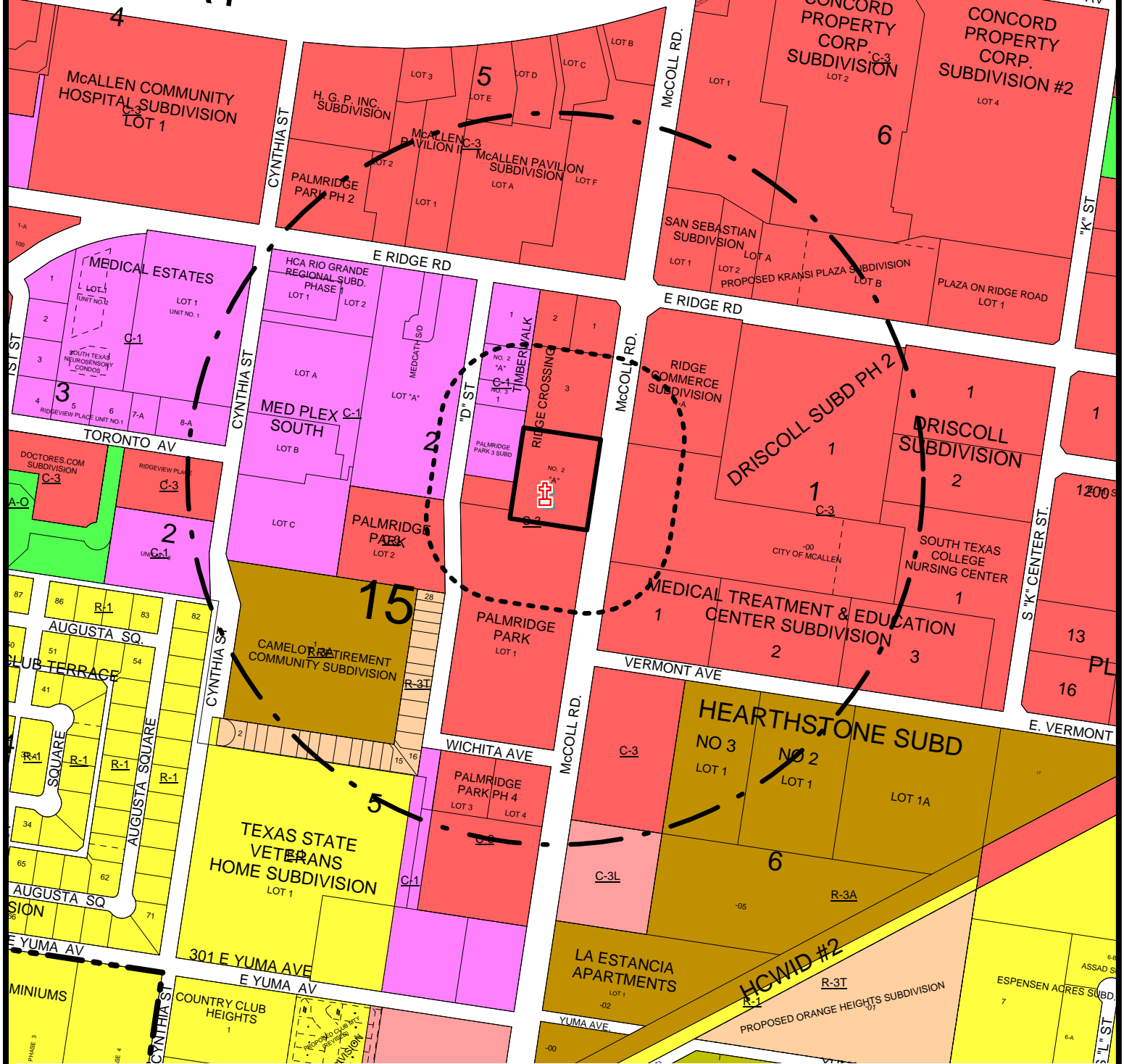
Signature

Date

\_\_\_\_\_

\_\_\_\_\_

# RESSWAY



**CITY OF McALLEN**  
PLANNING DEPARTMENT

AREA MAP

**LEGEND**

SCALE: 1" = 500'



SUBJECT PROPERTY

300 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

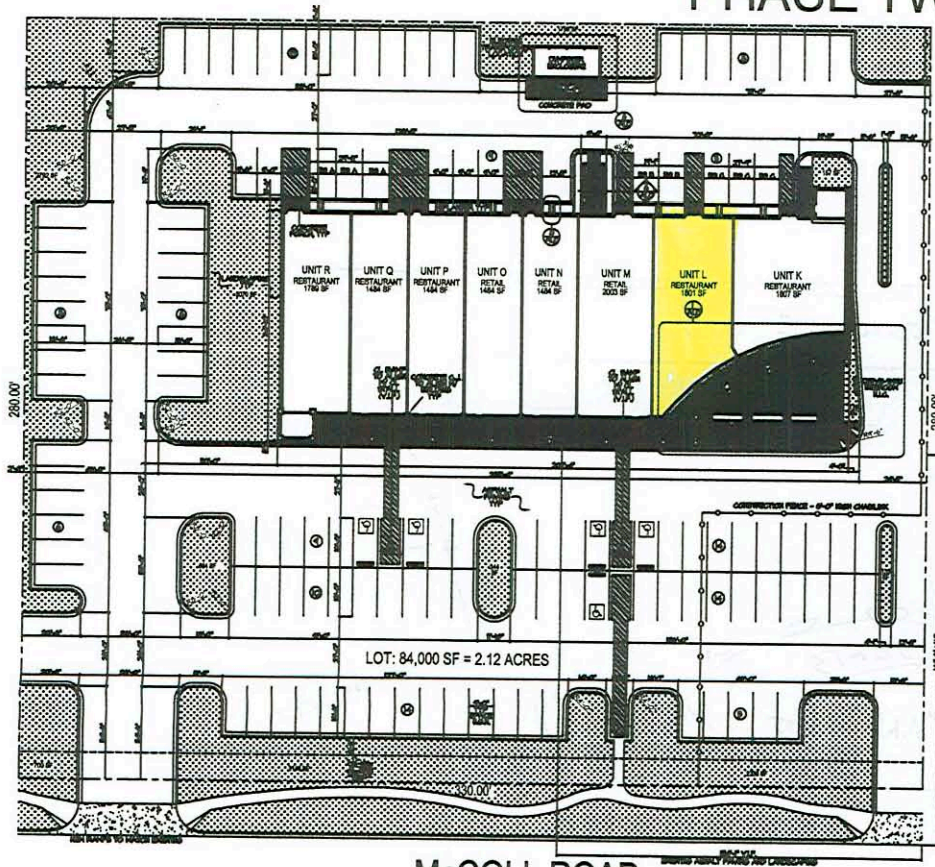
**ZONING LEGEND**

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

*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.*

# RIDGE CROSSING

## PHASE TWO



LOT: 84,000 SF = 2.12 ACRES

McCOLL ROAD

### SITE PLAN GENERAL NOTES

1. ALL CONCRETE ARE TO BACK OF CURB OR BELIND FORDCOURT.
2. SEE AN FOR SITE PLAN DETAILS.
3. ALL FINISH SLOPE ARE 1/4" PER FEET X 1/4" PER LINE UNLESS OTHERWISE NOTED.
4. ALL CURBS TO BE CONCRETE 4" HIGH WITH 1/2" SLOPE TO DRAINAGE. SEE 2000 CONCRETE AND 2000 CIVIL DRAWINGS FOR ALL CURB, WALKWAY, DRIVEWAY, AND 1/4" SLOPE TO DRAINAGE.
5. SEE ELECTRICAL, SEE PLAN FOR SITE LAYOUTS.
6. SHOT FOUNDATION LINE OF BELIND TO TRANCE OVERSIGHT CARRY. SEE 2000 AND 2000.
7. CURB RISE IS 8" OF BOX.

### SITE LANDSCAPING

LOT GROSS AREA: 43,400 SF  
TOTAL LANDSCAPE PROVIDED: 4,340 SF  
TOTAL LANDSCAPE PROVIDED: 8,680 SF

### PARKING

REQUIREMENT (1) DRIVE: 7500 SF (75) X 450 (15) = 13125 SPACES REQUIRED  
RETAIL, (4) DRIVE: 8700 SF (87) X 450 (19) = 39150 SPACES REQUIRED  
NO TOTAL SPACES REQUIRED  
OR TOTAL SPACES PROVIDED: 22 SPACES PROVIDED  
(2) ACCESSIBLE SPACES PROVIDED  
(3) ACCESSIBLE SPACES PROVIDED

2 ARCHITECTURAL SITE PLAN  
SCALE: 1"=20'-0"

### CODE ANALYSIS

**SITE ADDRESS:** 2000 NORTH MCCOLL ROAD, MOALLER, TEXAS 75001  
**OWNER:** HENNINGSON FAMILY TRUST **DEVELOPER:** SHELLEN DEVELOPMENT COMPANY  
CROFTSMAN, TX 75001  
**BUILDING DESCRIPTION:** SINGLE STORY SHOPPING CENTER  
**BUILDING FOOTPRINT:** 14,229 SF  
**CODE:** 2009 INTERNATIONAL BUILDING CODE  
CITY OF MOALLER, TEXAS  
LOCAL ACCREDITED JURISDICTION  
**CONSTRUCTION TYPE:** TYPE I  
**OCCUPANCY:** 1. HAZARDOUS OCCUPANCY - ASSEMBLY GROUP (NOT PERMITTED)  
2. HAZARDOUS OCCUPANCY - ASSEMBLY GROUP (NOT PERMITTED)  
3. HAZARDOUS OCCUPANCY - ASSEMBLY GROUP (NOT PERMITTED)

**OCCUPANT LOAD:**  
ASSEMBLY GROUP (BASED ON BEST USE, THE LARGEST RESTAURANT UNIT)

**EXITS:** TOTAL = 126 OCCUPANTS

**PLUMBING FIXTURES:** ALL FIXTURES ARE ACCESSIBLE  
(1) WASH AND (2) TOWELS NO CLOSETING PROVIDED  
(3) WASH AND (2) TOWELS LAUNDRY PROVIDED  
(4) WASH AND (2) TOWELS LAUNDRY PROVIDED

**OCCUPANT LOAD:**  
RETAIL (BASED ON BEST USE, THE LARGEST RETAIL UNIT)

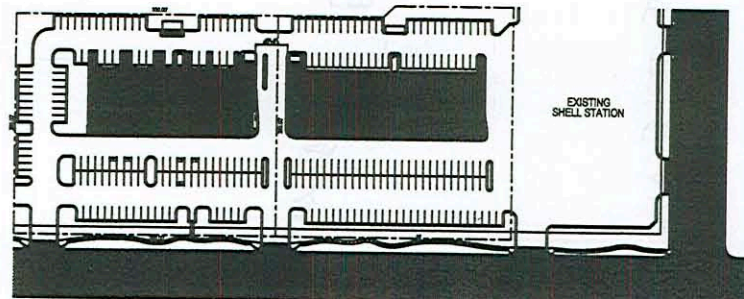
**EXITS:** TOTAL = 67 OCCUPANTS

(1) BEST RESTROOM (2) BEST PROVIDED  
**PLUMBING FIXTURES:** ALL FIXTURES ARE ACCESSIBLE  
(1) WASH AND (2) TOWELS NO CLOSETING PROVIDED  
(3) WASH AND (2) TOWELS LAUNDRY PROVIDED  
(4) WASH AND (2) TOWELS LAUNDRY PROVIDED

**TRAVEL DISTANCE:**  
WALKWAY TRAVEL: CORNER ALLOWED: 300 FT  
ASBESTOS: HAZARDOUS TRAVEL: 47 FT  
**FIRE ACCESSORIES:**  
FIRE EXTINGUISHERS: 4 PROVIDED SEE FLOOR PLAN ALSO FOR LOCATIONS  
SMOKE DETECTORS: 4 PROVIDED SEE FLOOR PLAN ALSO FOR LOCATIONS

### SHEET INDEX

- A0.0 COVER SHEET/ARCHITECTURAL SITE PLAN
  - C1.0 GRADING PLAN
  - C2.0 STORM WATER POLLUTION PREVENTION PLAN
  - S1.1 GENERAL NOTES
  - S1.2 GENERAL NOTES
  - S2.1 FOUNDATION PLAN
  - S3.1 FRAMING PLAN
  - S3.2 FRAMING PLAN
  - S3.3 FRAMING PLAN
  - SD.1 DETAILS
  - SD.2 DETAILS
  - SD.3 DETAILS
  - SD.4 DETAILS
  - A1.0 SITE PLAN DETAILS
  - A2.0 FLOOR PLAN
  - A3.0 EXTERIOR ELEVATIONS & PHASE 1 REMODEL
  - A4.0 BUILDING SECTION/ SCHEDULES
  - A5.0 WALL SECTIONS
  - A6.0 WALL SECTION DETAILS & RESTROOM DETAILS
  - A7.0 PLAN DETAILS & TOWER DETAILS
  - A8.0 DOOR AND WINDOW DETAILS
  - A9.0 REFLECTED CEILING PLAN & DETAILS
  - A10.0 ROOF PLAN & DETAILS
  - MPE1.0 SYMBOL SHEET
  - MPE2.0 SITE PLAN
  - M1.1 MECHANICAL PLAN
  - P1.1 PLUMBING PLAN
  - P1.2 PLUMBING PLAN
  - E1.1 ELECTRICAL LIGHTING PLAN
  - E2.1 ELECTRICAL PANEL AND RISER
  - E3.1 ELECTRICAL RISER
- ARCHITECT:** BOUTLINGHOUSE SIMPSON ARCHITECTS  
3301 NORTH MCCOLL ROAD  
MOALLER, TEXAS 75001  
PHONE: 956.630.9484 FAX: 956.630.2058  
**CIVIL:** STEVE SPOOKER ENGINEERING  
202 SOUTH 4TH STREET  
MOALLER, TEXAS 75001  
PHONE: 956.683.1000 FAX: 956.683.1002  
**STRUCTURAL:** HINDOUSA ENGINEERING  
108 WEST 18TH STREET  
MISSION, TEXAS 78572  
PHONE: 956.581.0143 FAX: 956.581.2074  
**MEP:** CFC ENGINEERING  
2001 INDUSTRIAL DRIVE  
MOALLER, TEXAS 75004  
PHONE: 956.683.9630 FAX: 956.631.4820



1 AREA PLAN  
SCALE: 1"=15'

ARCHITECTURAL SITE PLAN  
RIDGE CROSSING SHOPPING CENTER  
PHASE TWO  
5800 SOUTH MCCOLL ROAD MOALLER TEXAS 75001

OCTOBER 2006

PROJECT # 600  
SHEET # 10  
SCALE: 1/8"=1'-0"

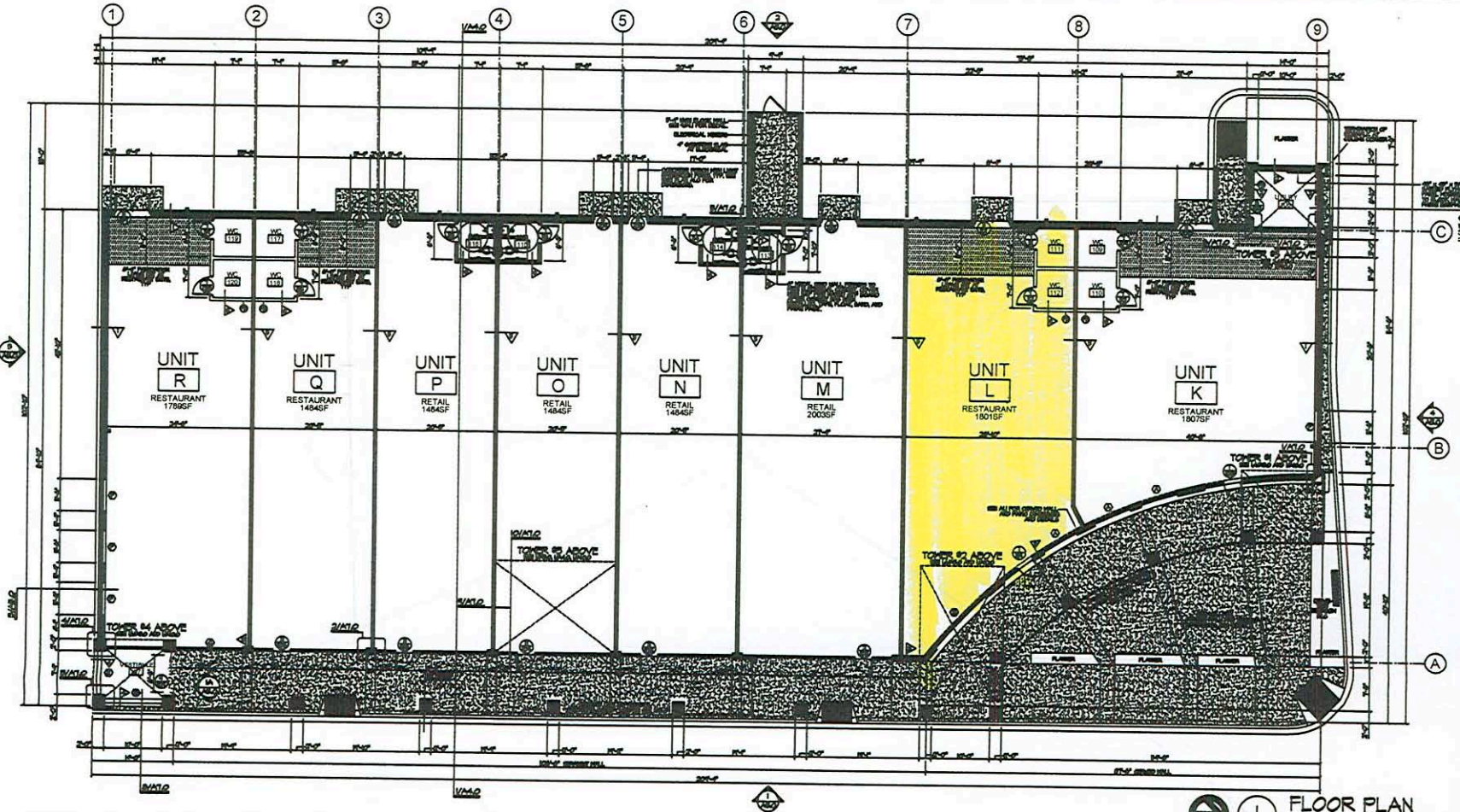
DATE: 10/10/06  
A0.0

Boutlinghouse Simpson ARCHITECTS  
5800 SOUTH MCCOLL ROAD MOALLER, TEXAS 75001-0004

RECEIVED

MAR 2

Taylor

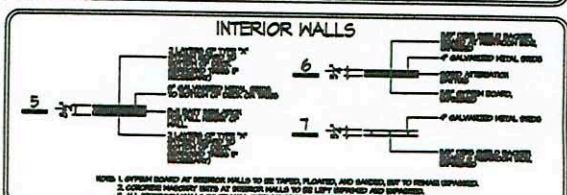


FLOOR PLAN  
SCALE 1/8"=1'-0"

GENERAL NOTES

1. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED OR FACE OF BLOCK OR GIRD HALL.
2. PROVIDE 8" TO PERIMETER WALL, MINIMUM FIVE DIMENSIONS PERIODS GIVEN ON PLAN AT 45° ABOVE G.L.
3. SUPPLY ROOM 800 TO 8000 SPREADER RISER, TELEPHONE BOARD, CABLE TV, AND COFFER.
4. ASSEMBLED WOOD GLAZING IN FRAME, SETS 1/2" DIA. AND 1/2" TO HANG TOLLY AND BSK. PROVIDED IN PLACE.
5. ASSEMBLED COPPER GLAZING IN FRAME, SETS 1/2" DIA. AND 1/2" TO HANG TOLLY AND BSK. PROVIDED IN PLACE.
6. SEE ALL SITE PLAN DETAILS FOR CURVE DETAIL.
7. SEE ADD SITE PLAN FOR FIRE FIGHTER LOCATIONS.
8. PROVIDE 8" TO PERIMETER WALL, MINIMUM FIVE DIMENSIONS PERIODS GIVEN ON PLAN AT 45° ABOVE G.L.
9. 8" BAY PERIMETER LINE OF WELDED TO TRACE OVERHEAD CANOPY LINE, SEE STRUCTURAL.
10. PROVIDE 8" TO PERIMETER WALL, MINIMUM FIVE DIMENSIONS PERIODS GIVEN ON PLAN AT 45° ABOVE G.L.
11. SEE ADD FOR REVISION DETAIL.

WALL TYPE LEGEND



NOTE 1. GYPSON BOARD AT EXTERIOR WALLS TO BE TYPED, PLASTERED, AND SANDED, BUT TO REMAIN UNFINISHED.  
2. CONCRETE MASONRY UNITS AT EXTERIOR WALLS TO BE LEFT UNFINISHED AND UNPAINTED.  
3. ALL EXTERIOR WALLS TO BE FULL TYPE "W" GLAZED OVERHEAD SYSTEM.

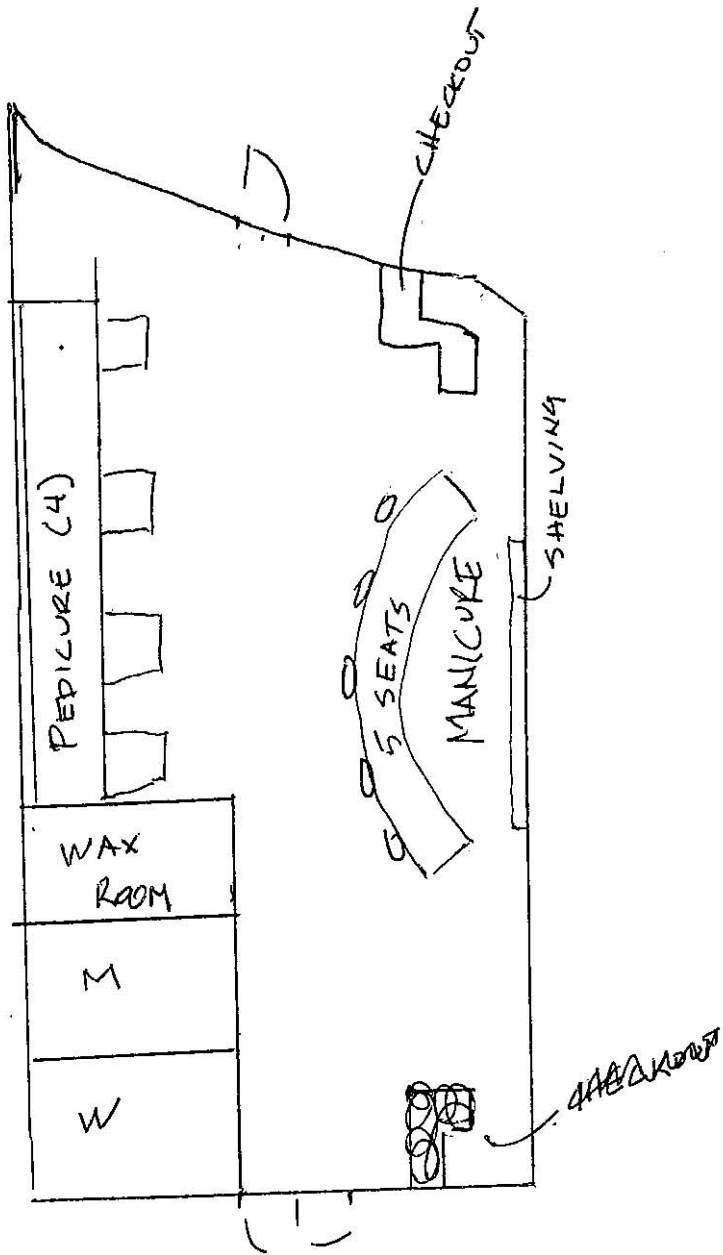
FLOOR PLAN  
RIDGE CROSSING SHOPPING CENTER  
PHASE TWO  
SOUTH BRICOLL ROAD AND RIDGE ROAD, WALLER, TEXAS

OCTOBER 2006  
PROJECT #: 0609  
SHEET NO. 10  
REVISIONS:

SHEET TITLE:  
A20

THE STATE OF TEXAS  
COUNTY OF DALLAS  
I, **RECO**, ARCHITECT  
DO HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS SUBMITTED TO THE CITY OF DALLAS FOR REVIEW AND APPROVAL.

**Routinhouse  
Simpson  
ARCHITECTS**  
4000 SOUTH BRICOLL ROAD, WALLER, TEXAS 75084-0004

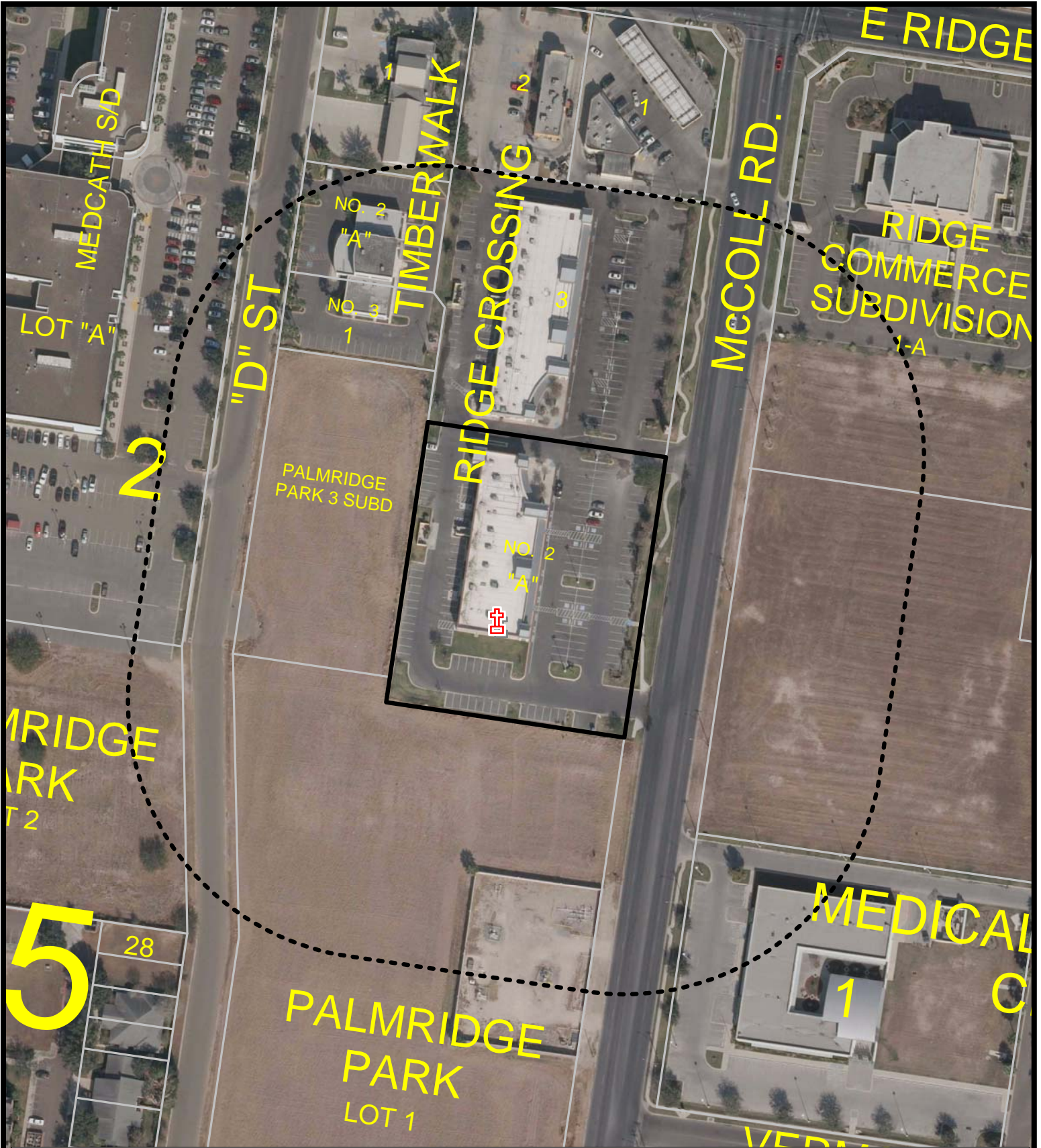


2000 S. McLOLL

"UNIT ~~1~~"

NOT TO SCALE





**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 300 FT. NOTIFICATION BOUNDARY



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

DATE: April 16, 2013

TO: City of McAllen  
Texas Alcohol Beverage Commission

FROM: Cameron Gillett  
Pastor-Sendero Church  
2000 S. McColl, Ste. R, McAllen, TX

RE: Proposed Nail Lounge &  
Mexican Food Restaurant

Please be advised that Sendero Church, as a tenant, in Ridge Crossing Shopping Center does not have objections to the addition of two new tenants to the center. The church is aware that both businesses intend to serve alcohol (wine & beer) as part of their business models. The tenants have emphasized that alcohol sales are not their primary business but simply on offer while dining (restaurant tenant) or having a service done (nail salon).

The church has no objections to either of these tenants and welcomes them to the center. If you have any questions or require additional discussions, please feel free to contact me at 956-537-0867 or 2000 S. McColl, Ste. R, McAllen, TX, 78503.

Sincerely,

A handwritten signature in cursive script that reads "Rev. Cameron Gillett". The signature is written in black ink and is positioned above the typed name and title.

Rev. Cameron Gillett  
Pastor, Sendero Church

CC: Katherine Zeigler



## Memo

**TO:** Mike R. Perez, City Manager

**FROM:** Julianne R. Rankin, FAICP, Director of Planning

J.R.R.

**DATE:** May 6, 2013

**SUBJECT: REQUEST OF ROLANDO RUIZ, JR. FOR A VARIANCE FROM SECTION 6-2 OF THE ALCOHOLIC BEVERAGE CODE AT LOT 4, BLOCK 56, NORTH MCALLEN SUBDIVISION; 120 NORTH BICENTENNIAL BOULEVARD.**

---

**GOAL:** To encourage commercial development or redevelopment that protects the character of surrounding areas.

### **BRIEF DESCRIPTION:**

The property is located at the southeast corner of Beech Avenue and N. Bicentennial Boulevard and is zoned C-4 (commercial industrial) District. The adjacent zoning is C-4 to the east and south, C-3 (general business) District to the north and I-1 (light industrial) District to the west. Surrounding land uses include commercial businesses, residences, and Mid Valley Academy, a Charter High School.

A similar variance for the previous applicant at the same location was approved by the City Commission on October 8, 2012. The City Commission approved the variance to the 300 ft. distance requirement from a school, Mid Valley Academy.

The new applicant, Mr. Rolando Ruiz, Jr. is requesting a variance to the distance requirement from a place of business with alcohol sales that is within 300 ft. of any church, public or private school, or public hospital. The applicant is proposing to continue to operate a restaurant under the name of Taqueria Trochas from a 1,200 sq. ft. building and has applied for a Beer & Wine Retailers On Premises and Late Hour Permit with the City. The days and hours of operation for the existing establishment are from 9:00 a.m. – 2:00 a.m. daily.

Based on Chapter 6 of the City of McAllen's Alcoholic Beverage Code (which is substantially the same as the Texas Alcoholic Beverage Code), no beer or other alcoholic beverage shall be sold within the city by any dealer where the place of business of such dealer is within 300 ft. of any church, public or private school or public hospital. The measurements are from property line to property line as provided in the Texas Alcoholic Beverage Code, § 109.33. The property line of the lot is within 300 ft. of Mid Valley Academy. Further, the Texas Alcoholic Beverage Commission (TABC) treats any operation that sells wine, beer or alcohol as a "dealer".

Should the variance to the distance requirement be granted, then the applicant will proceed to continue to apply for the Wine & Beer Retailer's Permit (BG), Food and Beverage Certificate (FB), and Mixed Beverage Late Hours Permit (LB) from TABC.

**OPTIONS:**

1. Approve the variance as requested.
2. Table the item for additional information.
3. Disapprove the request.

**RECOMMENDATION:**

Staff recommends approval of the request based on a previous variance to the distance requirement at the same location being granted by the City Commission on October 8, 2012.

# City of McAllen

## Planning Department

### VARIANCE TO CHAPTER 6 OF THE ALCOHOLIC BEVERAGE CODE

1300 Houston Avenue  
McAllen, TX 78501  
P. O. Box 220  
McAllen, TX 78505-0220  
(956) 681-1250  
(956) 681-1279 (fax)

<b>Project</b>	Legal Description <u>North McAllen <del>120</del> Lot 4</u>
	Subdivision Name <u>Block 56 North McAllen</u>
	Street Address <u>120 N. Bicentennial Blvd McAllen, TX 78501</u>
	Number of lots <u>4</u> Gross acres <u>1607</u>
	Existing Zoning <u>CL</u> Existing Land Use <u>(Restaurant) Taqueria Trocheros</u>
	Reason for the Request (please use other side if necessary) <u>(See Back)</u>

- \$225.00 non-refundable filing fee  
  Site Plan  
  Floor Plan  
 Applicant's Request to Include the Type of Permit being Requested from the Texas Alcoholic Beverage Commission (TABC)

<b>Applicant</b>	Name <u>Rolando Ruiz Jr.</u> Phone <u>956-310-0130</u>
	Address <u>1108 Hibiscus Apt. B</u>
	City <u>McAllen</u> State <u>TEXAS</u> Zip <u>78501</u>

<b>Owner</b>	Name <u>JAVIER kcal</u> Phone <u>956-458-5772 (cell)</u>
	Address <u>617 Fairview Dr.</u>
	City <u>Mission</u> State <u>TEXAS</u> Zip <u>78572</u>

<b>Authorization</b>	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable) OR I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.
	Signature <u>[Signature]</u> Date <u>4/25/13</u> <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent

<b>Office</b>	Accepted by _____ Date _____
	<b>RECEIVED</b> APR 25 2013 10/11 Initial: <u>[Signature]</u> @ 3:15pm

Rept # 113.334

**City of McAllen**  
**Planning Department**

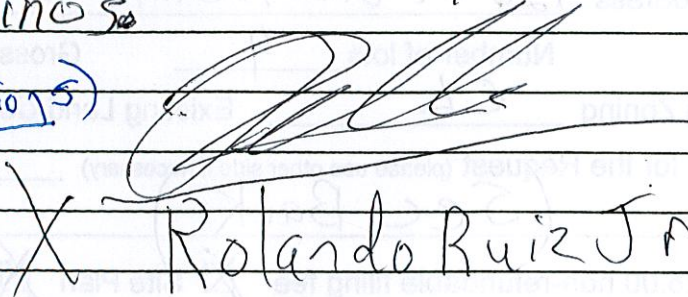
**VARIANCE TO CHAPTER 6 OF  
THE ALCOHOLIC BEVERAGE CODE**

Reason for Request

Estoy Aplicando por Este Permiso para brindar un mejor servicio a nuestros clientes de Macallen y Circunvecinos

(hours of operation)

9:00am - 2:00AM  
(every day)

  
X Rolando Ruiz Jr

Requesting BG wine and Retailers Permit on Premise  
FB Food and Beverage Certificate  
LB Mixed Beverage Late Hours Permit

City Commission Action

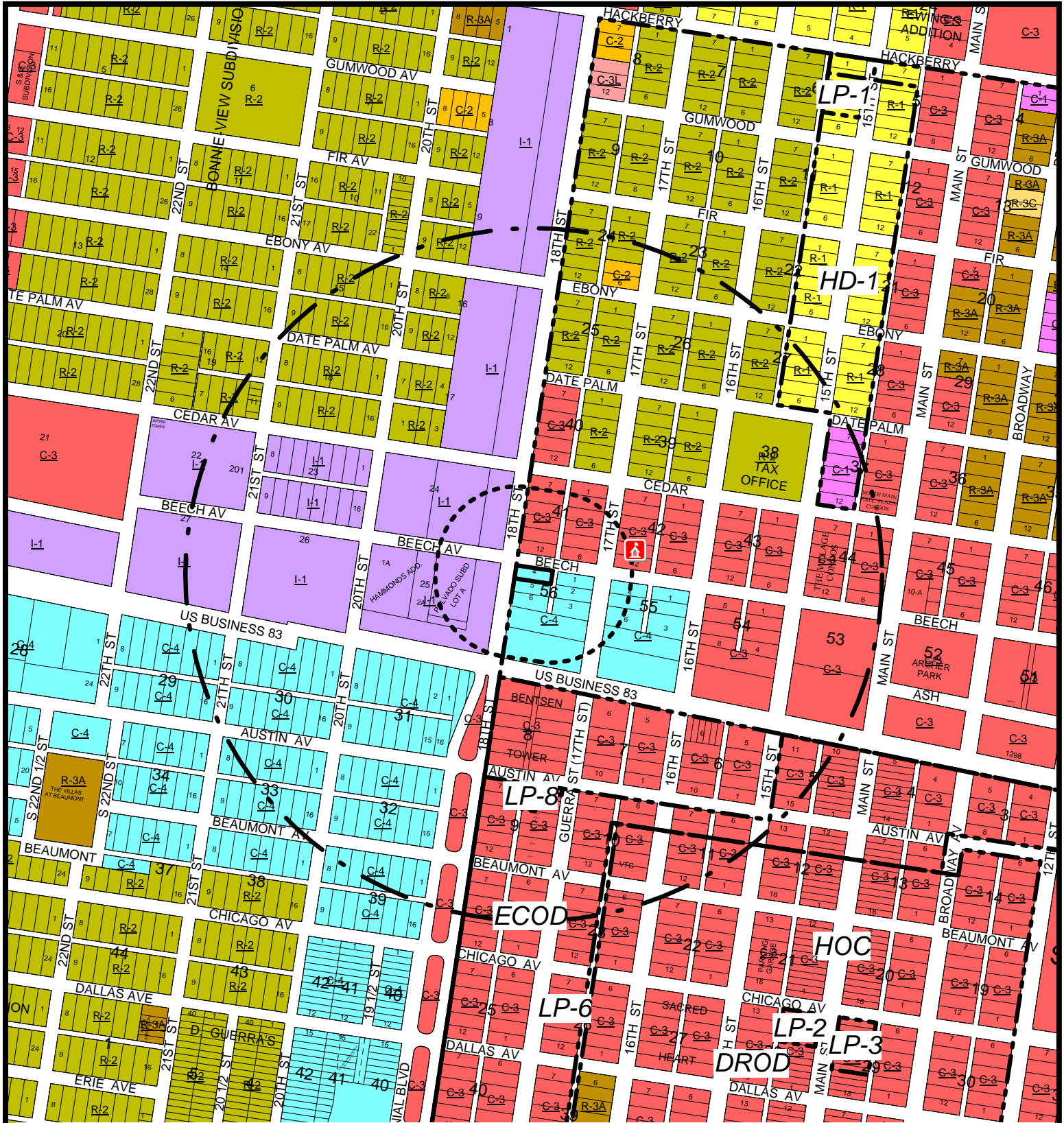
From TABC

Signature

Date

\_\_\_\_\_

\_\_\_\_\_



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AREA MAP**

**LEGEND**

SCALE: 1" = 500'



SUBJECT PROPERTY

300 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

**ZONING LEGEND**

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

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

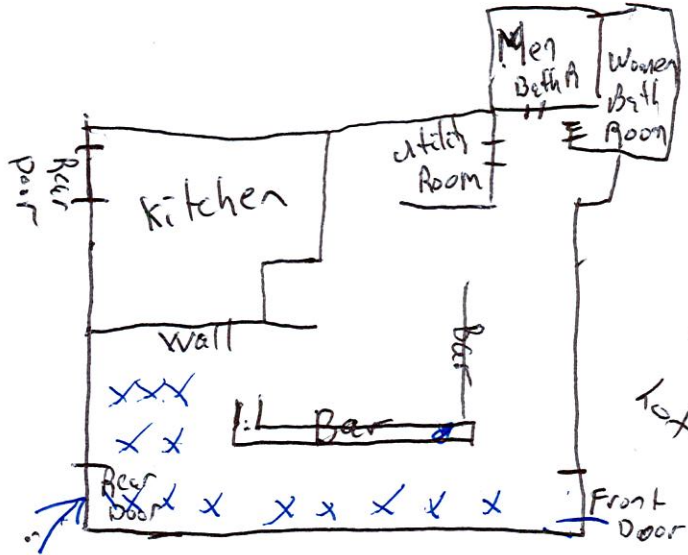


# Tagueria Trochms

## Floor Plan

Floor Plan

South



Picentennial Blvd

East

Beedh Ave

Restaurant Sq ft 1280.

North



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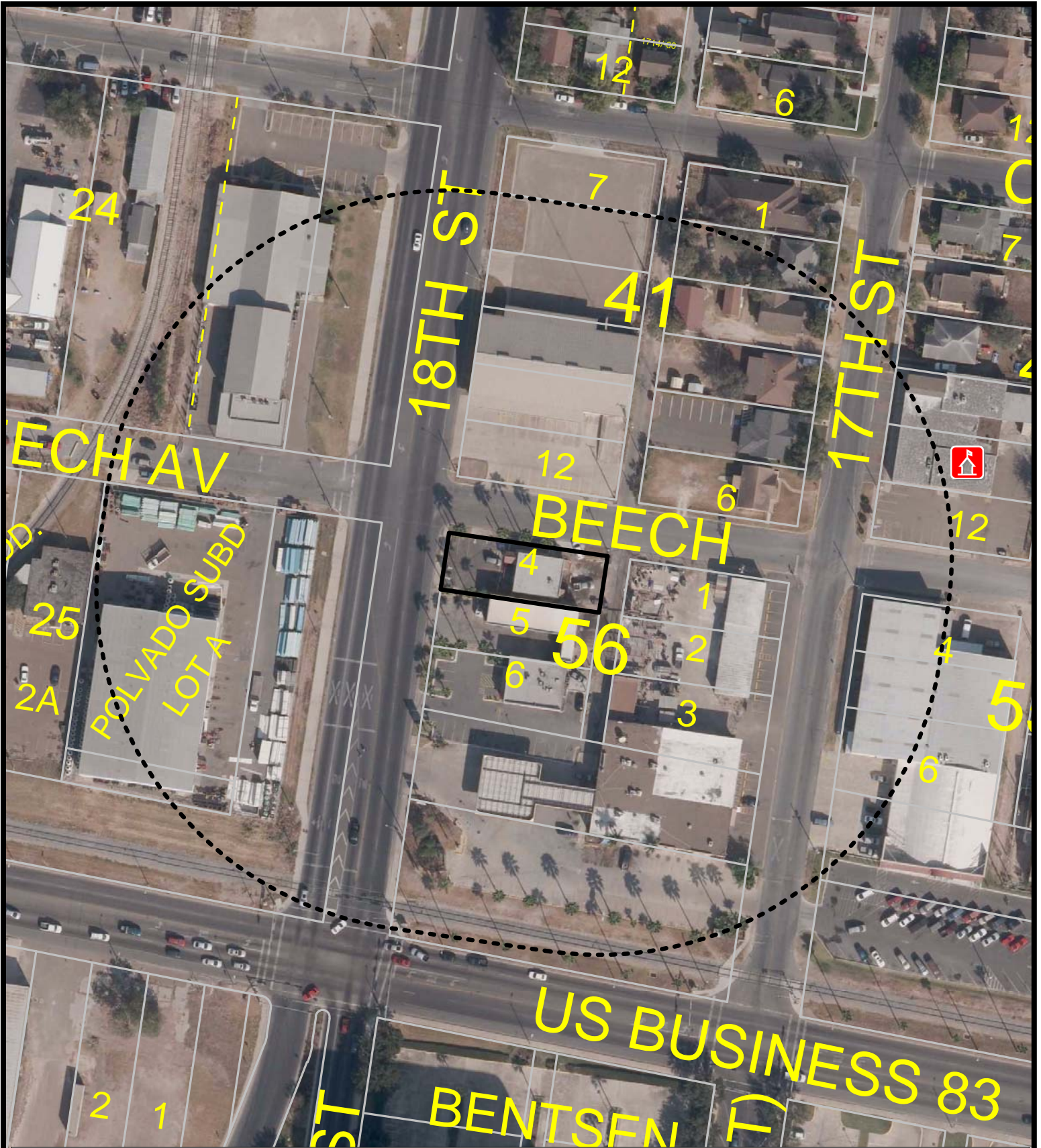
APR 25 2013

Initial: kg 2:3:15pm

Floor Plan

4/25/13

West



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 300 FT. NOTIFICATION BOUNDARY



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

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u>X</u>	AGENDA ITEM	<u>2A</u>
UTILITY BOARD	_____	DATE SUBMITTED	<u>05/08/2013</u>
PLANNING & ZONING BOARD	_____	MEETING DATE	<u>05/13/2013</u>
OTHER	_____		

1 Agenda Item: Approval of minutes.

2 Party Making Request: Annette Villarreal, City Secretary

3 Nature of Request: (Brief Overview) Attachments: \_\_\_\_\_ Yes x No  
Approval of Minutes of Special Joint Meeting held April 16 and Regular Meeting held April 22, 2013

4 Policy Implication: Approval by City Commission

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) <u>Annette Villarreal</u> <u>City Secretary, TRMC</u>	<u>AV</u>	<u>05/08/2013</u>	<u>YES</u>
b) _____	_____	_____	_____

8 Staff Recommendation: Approval

9 Advisory Board: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None

10 City Attorney: KP Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None

11 Manager's Recommendation: MRP Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None

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

The McAllen Board of Commissioners convened in a Special Joint Meeting on **Tuesday, April 16, 2013**, at 4:30 pm, at the McAllen Convention Center – Room 102, with the following present:

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

Absent: Aida Ramirez, Mayor Pro Tem

MPUB: Tony Aguirre, Chairman  
Charles Amos, Vice Chairman  
Ernest Williams, Trustee  
Trey Pebley, Trustee  
Jim Darling, Commissioner/Ex-Officio Member

Staff: Mike R. Perez, City Manager  
Kevin Pagan, City Attorney  
Brent Branham, Deputy City Manager  
Roy Rodriguez, Assistant City Manager/PUB General Manager  
Wendy Smith, Assistant City Manager  
Annette Villarreal, City Secretary  
Edith Shelton, MPU Administrative Assistant

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**JOINT MEETING WITH MCALLEN PUBLIC UTILITY BOARD OF TRUSTEES:**

Chairman Amos called the meeting to order on behalf of the MPUB.

**1. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY) AND SECTION 551.087 (ECONOMIC DEVELOPMENT).**

On behalf of the Presiding Officer, the City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.087 Economic Development and Section 551.071 Consultation with Attorney for Item 1.

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.

Vice Chairman Williams moved to accept the recommendation for the basis of the discussion in Executive Session under the sections cited by the City Attorney. Trustee Pebley seconded the motion. The motion carried unanimously by those present.

Mayor Cortez and Chairman Amos recessed the meeting at 4:39 pm to go into Executive Session. Mayor Cortez and Chairm an reconvened the m eeting at 5:43 pm and announced the action on Executive Session items.

**CONSIDERATION AND CONSULTATION WITH LEGAL COUNSEL REGARDING ECONOMIC DEVELOPMENT PROJECT POMPEII. (SECTION 551.087 AND 551.071, T.G.C.)**

No action.

**ADJOURNMENT**

There being no other business to come before the boards, the meeting was adjourned at 5:45 p.m.

\_\_\_\_\_  
Richard

\_\_\_\_\_  
Cortez, Mayor

Attest:

\_\_\_\_\_  
Annette Villarreal, TRMC/CMC, CPM  
City Secretary

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

The McAllen Board of Commissioners convened in a Regular Meeting on **Monday, April 22, 2013**, at 6:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

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

Absent: Jim Darling, Commissioner

Staff: Mike R. Perez, City Manager  
Kevin Pagan, City Attorney  
Brent Branham, Deputy City Manager  
Roy Rodriguez, Assistant City Manager/PUB General Manager  
Wendy Smith, Assistant City Manager  
Annette Villarreal, City Secretary  
Yvette Barrera City Engineer  
Juli Rankin, Director of Planning  
Sally Gavlik, Director of Parks and Recreation  
Sandra Zamora, Director of Purchasing  
Carlos Espinoza, Director of Golf  
Phil Brown, Director of Aviation  
Perla Zamora, Deputy City Secretary

**CALL TO ORDER**

Mayor Cortez called the meeting to order at 6:13 pm.

**PROCLAMATIONS:**

***ELDER ABUSE/SILVER RIBBON MONTH***

Commissioner Crane read and presented a proclamation for *Elder Abuse/Silver Ribbon Month*.

***MOTORCYCLE SAFETY MONTH***

Commissioner Barrera read and presented a proclamation for *Motorcycle Safety Month*.

***MEDICAL LABORATORY PROFESSIONALS' WEEK***

Mayor Pro Tem Salinas read and presented a proclamation for *Medical Laboratory Professionals' Week*.

## 1. PUBLIC HEARING:

Mayor Cortez called the Public Hearing to order.

- 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.]*

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

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

**REZONE FROM R-3T (MULTIFAMILY RESIDENTIAL TOWNHOUSE) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: .75 ACRES OUT OF LOT 9, WAYNE COURTS SUBDIVISION, HIDALGO COUNTY, TEXAS; 3512 NORTH 6<sup>TH</sup> STREET.**

Approved the R-3A zoning at 3512 North 6<sup>th</sup> Street, as per Planning and Zoning Commission.

## B) REZONINGS:

**REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: THE EAST 77.7 FEET OF LOT 5 AND THE WEST 17 FEET OF LOT 7, HOLLENBECK SUBDIVISION, HIDALGO COUNTY, TEXAS; 824 UVALDE AVENUE. ITEM WITHDRAWN**

Said item was withdrawn.

## C) CONDITIONAL USE PERMIT:

**REQUEST OF BEATRIZ GARCIA, APPEALING OF THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE APRIL 2, 2013 MEETING, DENYING CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A PARTY CENTER AT LOT ALL OF BLOCK 4, NORTH CENTER SUBDIVISION, HIDALGO COUNTY, TEXAS; 1700 NORTH 10<sup>TH</sup> STREET, SUITE K.**

Staff recommended disapproval of the Conditional Use Permit, for one year, for a party center at 1700 North 10<sup>th</sup> Street, Suite K and alternatively, recommended approval of a variance to the distance requirement and hours of operation being limited from 9:00 a.m. to 9:00 p.m., as per the

Planning and Zoning Commission. The establishment must also comply with requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of the lot of any of the above-mentioned businesses must be at least 600 ft. from the nearest residence or residentially-zoned property, church, school, or publicly-owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. of residentially zoned properties;
2. The property must be as close as possible to a major arterial and shall no generate traffic onto residential sized streets. The establishment has direct access to North 10<sup>th</sup> Street and Quince Avenue;
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance at a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a multi-tenant commercial plaza on the property. The plaza is a mixture of retail and a restaurant. Based on the current uses, approximately 98 parking spaces are required; 138 spaces are provided on site as part of the common parking area. The proposed 4,500 sq. ft. party center requires 45 parking spaces for a total of 143 spaces for the plaza, being 5 parking spaces short. No parking agreement could be acquired due to the surrounding businesses being opened at the same time. The applicant is proposing the moon jumps as permanent exhibits, taking approximately 544 sq. ft. of area, this can be comparable to the 5 parking spaces;
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 occupancy of the establishment will be determined at time of building permit.

Mayor Cortez asked if there was anyone to speak in opposition to the Conditional Use Permit. The following individuals spoke in opposition: Les Roberson and Jose A. Escamilla. Mr. Abdala Kalifa spoke in favor of the permit.

After due consideration, Commissioner Crane moved to grant a variance and approve a Conditional Use Permit subject to the condition of the closing time to be at 9:00 pm. Commissioner Barrera seconded the motion. The motion carried unanimously by those present.

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

Mayor Pro Tem Ramirez moved to adopt the Zoning Ordinance for the approved tract. Commissioner Barrera seconded the motion. The motion carried unanimously by those present.

**END OF PUBLIC HEARING**



Mayor Cortez declared the Public Hearing closed.

**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.]*

Mayor Pro Tem Ramirez 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 APRIL 8, 2013.**

Approved the minutes of the Regular Meeting held April 8, 2013, as submitted.

- B) CHANGE ORDER NO. 1 & FINAL RECONCILIATION OF QUANTITIES FOR THE DRAINAGE IMPROVEMENTS AT SOUTH 10<sup>TH</sup> STREET & TORONTO AVENUE.**

Approved Change Order No. 1 & Final Reconciliation of Quantities for the Drainage Improvements at South 10<sup>th</sup> Street & Toronto Avenue for a decrease of \$2,186.80, for a revised contract amount of \$133,307.23.

- C) CHANGE ORDER NO. 3 AND FINAL RECONCILIATION OF QUANTITIES 2012-2013 SINGLE REPAVING MACHINE.**

Approved Change Order No. 3 and Final Reconciliation of Quantities 2012-2013 Single Repaving Machine for a decrease of \$119,218.78, for a revised amount of \$1,539,335.22 and no additional time to the current contract time.

- D) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION FY 2013 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM *CLICK IT OR TICKET* CAMPAIGN.**

Approved a resolution authorizing the acceptance of grant funds from the Texas Department of Transportation FY 2013 Selective Traffic Enforcement Program *Click It or Ticket* Campaign. The grant award

- E) ORDINANCE PROVIDING FOR A BUDGET AMENDMENT TO THE GENERAL DEPRECIATION FUND FOR THE PURCHASE OF A CURRENT MODEL (CM) 25 FOOT SLIDE SLOPE MOWER FOR DRAINAGE DEPARTMENT OF PUBLIC WORKS.**

Adopted an ordinance providing for a budget amendment in the amount of \$113,795 to the General Depreciation Fund for the purchase of a current model (CM) 25-foot Slide Slope Mower for the Drainage Department of Public Works.

**F) CONFIRMATION AND APPOINTMENT OF NOMINEE TO LIBRARY ADVISORY BOARD.**

Appointed Nicholas A. Pardo to the McAllen Public Library Advisory Board as nominated by Commissioner Ingram.

**G) INTERLOCAL AGREEMENT WITH HIDALGO COUNTY FOR THE SOUTH TEXAS HURRICANE CONFERENCE.**

Approved an Interlocal Agreement with Hidalgo County for the South Texas Hurricane Conference.

**H) INTERLOCAL AGREEMENT WITH HIDALGO COUNTY TO TRANSFER EQUIPMENT FOR THE REGIONAL RADIO SYSTEM.**

Approved an Interlocal Agreement with Hidalgo County to transfer equipment for the Regional Radio System.

**3. BIDS/CONTRACTS:**

**A) CONSIDER APPROVAL OF CHANGE ORDER NO. 1 FOR THE BICENTENNIAL TRAIL.**

Staff recommended approval of Change Order No. 1 in the amount of \$30,870 for the purchase of Irrigation Controllers for the Bicentennial Trail.

Questions were asked about the effectiveness of the controllers. Staff responded that these controllers would be more effective and would facilitate compliance with the water conservation requirements.

After due consideration, Commissioner Ingram moved to approve the change order as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously by those present.

**B) AUTHORIZATION TO REJECT SINGLE BID AND CONSIDERATION OF OPTIONS ON PALMVIEW GOLF COURSE PEDESTRIAN BRIDGE REPLACEMENT PROJECT.**

Staff recommended authorization to reject the single bid for the Palmview Golf Course Pedestrian Bridge Replacement Project on the basis of being over budget, and reported that staff would explore other options and materials.

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

**C) CONSIDERATION OF ADDITIONAL FUNDING FOR ASBESTOS ABATEMENT FOR THE MCALLEN DEVELOPMENT CENTER RENOVATIONS.**

Staff recommended approval of additional funding in the amount of \$1,672 for the abatement of unforeseen asbestos containing materials for the McAllen Development Center Renovations.

Commissioner Barrera moved to approve the additional funding as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously by those present.

**4. ORDINANCES:**

**A) PROVIDING FOR THE ABANDONMENT OF THE NORTH 4 FT. OF THE 10 FT. UTILITY EASEMENT LOCATED ON THE SOUTH SIDE OF LOTS 42 & 43, SENDERO RANCH ESTATES SUBDIVISION; 5301 & 5300 NORTH 46<sup>TH</sup> STREET.**

Staff recommended adoption of an ordinance providing for the abandonment of a utility easement at 5301 & 5300 North 46<sup>th</sup> Street.

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

**B) BUDGET AMENDMENT FROM DEVELOPMENT CORPORATION FUNDS FOR THE GOLF COURSE IRRIGATION IMPROVEMENTS.**

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$611,125 for the Golf Course Irrigation Improvements.

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

**5. MANAGER'S REPORT:**

**A) ANNUAL REPORT BY MAYOR'S YOUTH ADVISORY COUNCIL.**

A report was given by the Chairman of the Mayor's Youth Advisory Council Julian Whitacre and member Mason Rankin. No action required.

**B) REVIEW OF QUARTERLY INVESTMENT FOR THE QUARTER ENDED DECEMBER 31, 2012.**

Staff presented the Quarterly Investment Report for the quarter ended December 31, 2012 and recommended acceptance of the report as per the Audit and Investment Committee.

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

**C) CONSTRUCTION UPDATE ON TERMINAL EXPANSION PROJECT.**

A construction update was given on the Terminal Expansion Project. No action required.

**D) STATUS REPORT ON PARKS AND RECREATION CONSTRUCTION PROJECTS.**

A construction status report was given on Parks and Recreation Projects. No action required.

**E) STATUS REPORT ON VARIOUS CITY PROJECTS THROUGH MARCH 31, 2013.**

A status report was given on various city projects underway. No action required.

**F) ADVISORY BOARD APPOINTMENTS.**

Mayor Pro Tem Salinas announced that she would have an appointment at the next meeting. Commissioner Barrera announced that he would allow the incoming City Commissioner Pebley to make such appointment.

**G) FUTURE AGENDA ITEMS.**

The items for upcoming workshops were briefly reviewed: Special Meeting to canvass election results on May 15<sup>th</sup> at 5:30 pm; Workshop/Retreat in June; and stacking issues at airport.

**PUBLIC COMMENT SESSION**

No one appeared.

**6. 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 551.087 Economic Development for Items 6A and 6B; Section 551.071 Consultation with Attorney for Items 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I and 6O; and Section 551.072 Deliberation regarding Real Property for Items 6J, 6K, 6L, 6M and 6N.

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

Mayor Cortez recessed the meeting at 7:30 pm to go into Executive Session. Mayor Cortez reconvened the meeting at 9:40 pm and announced the action on Executive Session items.

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

Commissioner Ingram moved to instruct the City Attorney to draft an agreement related to that project and bring it back to the Commission for approval. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**B) CONSIDERATION AND CONSULTATION WITH LEGAL COUNSEL REGARDING ECONOMIC DEVELOPMENT PROJECT POMPEII. (SECTION 551.087 AND 551.071, T.G.C.)**

No action.

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

No action.

**D) CONSULTATION WITH CITY ATTORNEY REGARDING REQUEST FOR PROPOSALS FOR OLD CIVIC CENTER REDEVELOPMENT. (SECTION 551.071, T.G.C.)**

Commissioner Crane moved to instruct the City Manager and City Attorney to contact the proposer discussed in Executive Session with the purpose to discuss the possibility of entering into a development agreement. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

**E) CONSULTATION WITH CITY ATTORNEY REGARDING NEW LAWSUIT; CL-13-1108-G MARY CUNNINGHAM VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**

Commissioner Barrera moved to authorize the City Attorney or appropriate outside counsel to defend the City in this lawsuit. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**F) CONSULTATION WITH CITY ATTORNEY REGARDING NEW LAWSUIT; C-1602-13-F; ANDRES RODRIGUEZ VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**

Commissioner Barrera moved to authorize the City Attorney or appropriate outside counsel to defend the City in this lawsuit. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**G) CONSULTATION WITH CITY ATTORNEY RELATING TO MOTOR VEHICLE ACCIDENT LIABILITY AND SUBROGATION CLAIM REPORTS AS OF MARCH 31, 2013. (SECTION 551.071, T.G.C.)**

No action.

- H) CONSULTATION WITH CITY ATTORNEY RELATING TO WORKERS' COMP/LOSS RUN REPORT AS OF MARCH 31, 2013. (SECTION 551.071, T.G.C.)**

No action.

- I) CONSULTATION WITH CITY ATTORNEY REGARDING CONTRACTUAL ISSUES RELATED TO CONVENTION CENTER. (SECTION 551.071, T.G.C.)**

No action.

- J) DISCUSSION AND POSSIBLE ACTION TO CONSIDER THE POSSIBLE SALE OF 300 ACRES ON WARE ROAD AND MONTE CRISTO. (SECTION 551.072, T.G.C.)**

No action.

- K) DISCUSSION AND POSSIBLE ACTION FOR RIGHT OF FIRST REFUSAL WITH BORDER CAPITAL BANK REGARDING 1.17 ACRES OUT OF LOT 1, BLOCK 15, STEELE & PERSHING SUBDIVISION NOW KNOW AS LOT 1A, RIDGE COMMERCE SUBDIVISION. (SECTION 551.072, T.G.C.)**

No action.

- L) CONSIDERATION AND APPROVAL TO PROCEED WITH ACQUISITION OF PROPERTY AT 2401 N. 24<sup>TH</sup> STREET UNDER THE FEMA REPETITIVE FLOOD CLAIMS GRANT PROGRAM FY 12-003 AND UNDER REQUEST FOR AUTHORIZATION FOR CITY MANGER TO ACT AS AGENT FOR THE CITY TO EXECUTE PURCHASE AGREEMENT. (SECTION 551.072, T.G.C.)**

Mayor Pro Tem Salinas moved to authorize the City Attorney's Office to make an offer on the property within the parameters discussed in Executive Session. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

- M) DISCUSSION AND POSSIBLE ACTION ON AWARD OF BID PROPOSAL FOR SALE OF LOT 11B, MCALLEN CONVENTION CENTER. (SECTION 551.072, T.G.C.)**

Commissioner Barrera moved to authorize staff to open single bid and bring back at the next meeting. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**N) DISCUSSION AND POSSIBLE ACTION REGARDING MAKING AN OFFER TO ACQUIRE A 12.29 ACRE TRACT OF LAND, MORE OR LESS, OUT OF LOT 3, BLOCK 5, HIDALGO CANAL COMPANY. (SECTION 551.072, T.G.C.)**

Commissioner Barrera moved to authorize the City Attorney and City Manager's Office to offer the first property within the parameters discussed in Executive Session. Mayor Pro Tem Salinas seconded the motion. The motion carried unanimously by those present.

**O) CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LAWSUIT; DAHLILA GUERRA CASSO VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**

Commissioner Barrera moved to authorize the City Attorney to take action with respect to the appeal in the lawsuit and the other matters discussed in Executive Session. Commissioner Ingram 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 9:42 p.m.

---

Richard Cortez, Mayor

Attest:

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Annette Villarreal, TRMC/CMC, CPM  
City Secretary





**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION         ✓        

AGENDA ITEM

2C1

UTILITY BOARD         ✓        

DATE SUBMITTED

4/29/2013

PLANNING & ZONING BOARD                                 

MEETING DATE

5/13/2013

OTHER                                 

1 Agenda Item: Property Tax Refunds

2 Party Making Request: Martha Guel, Tax Assessor

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

Over \$500.00 refund for David and Mary Ault

Amount of refund: \$ 544.99

4 Policy Implication:   

5 Budgeted:          Yes          No          N/A

Bid Amount:                                   
Under Budget:                                 

Budgeted Amount:                                   
Over Budget:                                   
Amount Remaining:                                 

6 Alternate option costs:   

7 Routing:

NAME/TITLE

INITIALS

DATE

a) Martha Guel Tax Assessor         mg                 04/29/13        

b)         

8 Staff Recommendation To grant refund in order to comply with PTC Sec. 31.11

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: 4/29/13  
To: Mayor Richard F. Cortez and City Commission  
Through: Mike R. Perez, City Manager  
From: Martha Guel, Tax Assessor *MG*  
Re: \$500.00 Refunds

After the supplements from the Appraisal District for the month of April, your approval on the following refunds is needed:

Name	Amount Paid	Corrected Levy	Refund	Change Reason
David & Mary Ault	2,199.37	1,654.38	544.99	Incorrect improvement value.
DeSutter, E.J.	609.28	-0-	609.28	Granted 100% Disabled Vet. Expt.
Wells Fargo Bank Miguel Bravo	1,577.82	-0-	1,577.82	Granted 100% Disabled Vet. Expt.

Please let me know if you have any questions.

Mguel.

# APPLICATION FOR TAX REFUND

Collecting office name <b>City of McAllen Tax Office</b>	Collecting tax for: (taxing units) <p style="text-align: center;"><b>CITY OF MCALLEN</b></p>
Present mailing address (number and street) <b>P.O. Box 220/311 N. 15th St.</b>	
City, town or post office, state, ZIP code <b>McAllen, TX 78505-0220</b>	Phone (area code and number) <p style="text-align: center;"><b>(956)681-1330</b></p>

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

<b>Step 1:</b>	Owner's name	<b>AULT DAVID &amp; MARY</b>
<b>Owner's name and address</b>	Present mailing address (number and street)	<b>3005 GULL AVE</b>
	City, town or post office, state, ZIP code	<b>MCALLEN TX 78504</b>
	Phone (area code and number)	

<b>Step 2:</b>	Describe the property	Legal description (or attach copy of the tax bill or tax receipt): <b>GARDENIA TERRACE # 14 LT 213 UNIT 14</b>
	Address or location of property:	<b>3005 GULL AVE</b>
	Account number of property:	<b>G1200-14-000-0213-00</b>
	Tax receipt number:	

<b>Step 3:</b>	<b>Give the tax payment information</b>	<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:35%;">Name of Taxing Unit from Which Refund is Requested</th> <th style="width:15%;">Year for Which Refund is Requested</th> <th style="width:15%;">Date of the Tax Payment</th> <th style="width:15%;">Amount of Taxes Paid</th> <th style="width:15%;">Amount of Tax Refund Requested</th> </tr> </thead> <tbody> <tr> <td>1. <u>CITY OF MCALLEN</u></td> <td style="text-align: center;"><u>2012</u></td> <td style="text-align: center;"><u>01/29</u> / <u>2013</u></td> <td style="text-align: right;">\$ <u>448.74</u></td> <td style="text-align: right;">\$ <u>140.87</u></td> </tr> <tr> <td>2. <u>CITY OF MCALLEN</u></td> <td style="text-align: center;"><u>2011</u></td> <td style="text-align: center;"><u>01/23</u> / <u>2012</u></td> <td style="text-align: right;">\$ <u>445.27</u></td> <td style="text-align: right;">\$ <u>102.68</u></td> </tr> <tr> <td>3. <u>CITY OF MCALLEN</u></td> <td style="text-align: center;"><u>2010</u></td> <td style="text-align: center;"><u>01/27</u> / <u>2011</u></td> <td style="text-align: right;">\$ <u>434.95</u></td> <td style="text-align: right;">\$ <u>100.31</u></td> </tr> <tr> <td>4. <u>CITY OF MCALLEN</u></td> <td style="text-align: center;"><u>2009</u></td> <td style="text-align: center;"><u>01/27</u> / <u>2010</u></td> <td style="text-align: right;">\$ <u>437.81</u></td> <td style="text-align: right;">\$ <u>103.17</u></td> </tr> <tr> <td>5. <u>CITY OF MCALLEN</u></td> <td style="text-align: center;"><u>2008</u></td> <td style="text-align: center;"><u>01/29</u> / <u>2009</u></td> <td style="text-align: right;">\$ <u>432.60</u></td> <td style="text-align: right;">\$ <u>97.96</u></td> </tr> </tbody> </table>	Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested	1. <u>CITY OF MCALLEN</u>	<u>2012</u>	<u>01/29</u> / <u>2013</u>	\$ <u>448.74</u>	\$ <u>140.87</u>	2. <u>CITY OF MCALLEN</u>	<u>2011</u>	<u>01/23</u> / <u>2012</u>	\$ <u>445.27</u>	\$ <u>102.68</u>	3. <u>CITY OF MCALLEN</u>	<u>2010</u>	<u>01/27</u> / <u>2011</u>	\$ <u>434.95</u>	\$ <u>100.31</u>	4. <u>CITY OF MCALLEN</u>	<u>2009</u>	<u>01/27</u> / <u>2010</u>	\$ <u>437.81</u>	\$ <u>103.17</u>	5. <u>CITY OF MCALLEN</u>	<u>2008</u>	<u>01/29</u> / <u>2009</u>	\$ <u>432.60</u>	\$ <u>97.96</u>
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	Taxpayer's reason for refund (attach supporting documentation):	<b>SUBMITTED/ENTERED WRONG</b>																														
	<b>PC</b>																															

<b>Step 4:</b>	<b>Sign the form</b>	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."
	sign here <i>X</i> Signature <b>David M. Ault</b>	Date of application for tax refund <p style="text-align: center;"><b>4-25-13</b></p>
	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.	

<b>Step 5:</b>	<b>Tax refund determination</b>	This tax refund is <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
	sign here <i>X</i> Authorized officer <b>[Signature]</b>	Date <b>4/25/13</b>
	sign here <i>X</i> 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: 146

3/21/2013 1:02PM

Current Property Data as of Supp 50

Supp Code: CC

Supp Action: M

Prop ID	Owner	%	Legal Description	Values
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000 Imp HS: 52,231 Market: 79,431 Imp NHS: 0 Prod Loss: 0 Land HS: 27,200 Appraised: 79,431 Land NHS: 0 Cap: 0 Prod Use: 0 Assessed: 79,431 Prod Mkt: 0 Late Ag: F
Appraiser: G17 Operator: gcasas Acres: 0.0000 State Codes: A Map ID: Mtg Cd: Ref ID1: 207581 Ref ID2: R177888				
Situs: 3005 GULL AVE MCALLEN, TX				

Change Desc:

SUBMITTED/ENTERED WRONG

Owner	Pct	Exemptions	Entry	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	79,431	79,431		0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000 Imp HS: 76,718 Market: 103,918 Imp NHS: 0 Prod Loss: 0 Land HS: 27,200 Appraised: 103,918 Land NHS: 0 Cap: 1,237 Prod Use: 0 Assessed: 102,681 Prod Mkt: 0 Late Ag: F
Appraiser: O4 Operator: System Acres: 0.0000 State Codes: A Map ID: Mtg Cd: Ref ID1: 207581 Ref ID2: R177888				
Situs: 3005 GULL AVE MCALLEN, TX				

Change Desc:

Owner	Pct	Exemptions	Entry	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	102,681	102,681		0.00

Gain or Loss of Value for:

Property: 177888 Geo: G1200-14-000-0213-00

Entry	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	79,431	79,431	0.00	102,681	102,681	0.00	-23,250	-23,250	0.00

NT 334.64

OT 432.59

Adj. 99.95

Geo

Supp Group: 146

3/21/2013 1:02PM

Current Property Data as of Supp 45

Supp Code: CC

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 52,231	Market: 79,431	
AULT DAVID & MARY					Imp NHS: 0	Prod Loss: 0	
3005 GULL AVE					Land HS: 27,200	Appraised: 79,431	
MCALLEN, TX 78504-5095				Appraiser: G17	Land NHS: 0	Cap: 0	
				Operator: gcasas	Prod Use: 0	Assessed: 79,431	
				Acres: 0.0000	Prod Mkt: 0		
				Map ID:			
				Mtg Cd:			
				Ref ID1: 207581			Late Ag: F
				Ref ID2: R177888			

Change Desc:

SUBMITTED/ENTERED WRONG

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Froze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	79,431	79,431		0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values			
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 76,718	Market: 103,918	
AULT DAVID & MARY					Imp NHS: 0	Prod Loss: 0	
3005 GULL AVE					Land HS: 27,200	Appraised: 103,918	
MCALLEN, TX 78504-5095				Appraiser: O4	Land NHS: 0	Cap: 0	
				Operator: System	Prod Use: 0	Assessed: 103,918	
				Acres: 0.0000	Prod Mkt: 0		
				Map ID:			
				Mtg Cd:			
				Ref ID1: 207581			Late Ag: F
				Ref ID2: R177888			

Change Desc:

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Froze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	103,918	103,918		0.00

Gain or Loss of Value for:

Property: 177888 Geo: G1200-14-000-0213-00

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	79,431	79,431	0.00	103,918	103,918	0.00	-24,487	-24,487	0.00

NT 334.64

OT 437.80

Adj. 103.16

Geo

Supp Group: 146

3/21/2013 1:02PM

Current Property Data as of Supp 35

Supp Code: CC

Supp Action: M

Prop ID	Owner	%	Legal Description	Values		
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 52,911	Market: 79,431
			Appraiser: G17	Operator: gcasas	Acres: 0.0000	
			State Codes: A	Map ID:	Prod Use:	Assessed: 79,431
			Situs: 3005 GULL AVE MCALLEN, TX	Mtg Cd:	Prod Mkt:	
				Ref ID1: 207581		Late Ag: F
				Ref ID2: R177888		

Change Desc:

SUBMITTED/ENTERED WRONG

Owner	Pct	Exemptions	Entity	Ent Pct	Statmnt	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	79,431	79,431		0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values		
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 76,720	Market: 103,240
			Appraiser: F3	Operator: jgarate	Acres: 0.0000	
			State Codes: A	Map ID:	Prod Use:	Assessed: 103,240
			Situs: 3005 GULL AVE MCALLEN, TX	Mtg Cd:	Prod Mkt:	
				Ref ID1: 207581		Late Ag: F
				Ref ID2: R177888		

Change Desc:

Owner	Pct	Exemptions	Entity	Ent Pct	Statmnt	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	103,240	103,240		0.00

Gain or Loss of Value for:

Property: 177888 Geo: G1200-14-000-0213-00

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	79,431	79,431	0.00	103,240	103,240	0.00	-23,809	-23,809	0.00

NT 334.64

OT 434.95

Adj. 100.30

Geo

Supp Group: 146

3/21/2013 1:02PM

Current Property Data as of Supp 17

Supp Code: CC

Supp Action: M

Prop ID	Owner	%	Legal Description	Values					
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 52,911	Market: 79,431	Imp NHS: 0	Prod Loss: 0	Appraised: 79,431
			Appraiser: G17	Operator: gcasas	Acres: 0.0000	Land NHS: 0	Cap: 0	Assessed: 79,431	
			State Codes: A	Map ID:	Prod Use: 0				
			Situs: 3005 GULL AVE MCALLEN, TX	Mtg Cd:	Prod Mkt: 0				
				Ref ID1: 207581					Late Ag: F
				Ref ID2: R177888					

Change Desc:  
SUBMITTED/ENTERED WRONG

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	79,431	79,431		0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values					
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 76,720	Market: 103,240	Imp NHS: 0	Prod Loss: 0	Appraised: 103,240
			Appraiser: F3	Operator: gcasas	Acres: 0.0000	Land NHS: 0	Cap: 0	Assessed: 103,240	
			State Codes: A	Map ID:	Prod Use: 0				
			Situs: 3005 GULL AVE MCALLEN, TX	Mtg Cd:	Prod Mkt: 0				
				Ref ID1: 207581					Late Ag: F
				Ref ID2: R177888					

Change Desc:

Owner	Pct	Exemptions	Entity	Ent Pct	Statemnt	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	103,240	103,240		0.00

Gain or Loss of Value for:

Property: 177888 Geo: G1200-14-000-0213-00

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	79,431	79,431	0.00	103,240	103,240	0.00	-23,809	-23,809	0.00

NT 342.58

OT 445.27

Adj. 102.68

Supp Group: 146

3/21/2013 1:02PM

Geo

Current Property Data as of Supp 9

Supp Code: CC

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 54,861	Market: 81,381	
AULT DAVID & MARY 3005 GULL AVE MCALLEN, TX 78504-5095				Appraiser: G17 State Codes: A Situs: 3005 GULL AVE MCALLEN, TX	Operator: jportillo Acres: 0.0000 Map ID: Mtg Cd: Ref ID1: 207581 Ref ID2: R177888	Land HS: 26,520 Land NHS: 0 Prod Use: 0 Prod Mkt: 0	Prod Loss: 0 Appraised: 81,381 Cap: 0 Assessed: 81,381 Late Ag: F

Change Desc:

SUBMITTED/ENTERED WRONG;GRANT OA FILED LATE QY 2012

Owner	Pct	Exemptions	Entity	Ent/Pct Statement	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS OV65	CML	100.00	81,381	71,381	0.00

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values			
177888	54592	100.00 R	Geo: G1200-14-000-0213-00 GARDENIA TERRACE #14 LT 213 UNIT 14	Effective Acres: 0.0000	Imp HS: 77,523	Market: 104,043	
AULT DAVID & MARY 3005 GULL AVE MCALLEN, TX 78504-5095				Appraiser: G17 State Codes: A Situs: 3005 GULL AVE MCALLEN, TX	Operator: Imartinez Acres: 0.0000 Map ID: Mtg Cd: Ref ID1: 207581 Ref ID2: R177888	Land HS: 26,520 Land NHS: 0 Prod Use: 0 Prod Mkt: 0	Prod Loss: 0 Appraised: 104,043 Cap: 0 Assessed: 104,043 Late Ag: F

Change Desc:

Owner	Pct	Exemptions	Entity	Ent/Pct Statement	Assessed	Taxable	Freeze	Tax
AULT DAVID & MARY	54592	100.00	HS	CML	100.00	104,043	104,043	0.00

Gain or Loss of Value for:

Property: 177888 Geo: G1200-14-000-0213-00

Entity	Current			Previous			Gain / Loss		
	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	81,381	71,381	0.00	104,043	104,043	0.00	-22,662	-32,662	0.00

NT 307.86

OT 448.73

Adj: 140.87



**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION	<u>      ✓      </u>	AGENDA ITEM	<u>      2C2      </u>
UTILITY BOARD	<u>                  </u>	DATE SUBMITTED	<u>      4/29/2013      </u>
PLANNING & ZONING BOARD	<u>                  </u>	MEETING DATE	<u>      5/13/2013      </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 E.J. DeSutter

Amount of refund: \$ 609.28

4 Policy Implication: \_\_\_\_\_

5 Budgeted:        Yes        No        N/A

Bid Amount: \_\_\_\_\_

Under Budget: \_\_\_\_\_

Budgeted Amount: \_\_\_\_\_

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>04/29/13</u>
b) _____	_____	_____

8 Staff Recommendation To grant refund in order to comply with PTC Sec. 31.11

9 Advisory Board:        Approved        Disapproved        None

10 City Attorney:   KP   Approved        Disapproved        None

11 Manager's Recommendation:   MRP   Approved        Disapproved        None

**APPLICATION FOR TAX REFUND**

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

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

<b>Step 1: Owner's name and address</b>	Owner's name <b>DESUTTER, E J</b>
	Present mailing address (number and street) <b>3108 N CYNTHIA ST</b>
	City, town or post office, state, ZIP code <b>MCALLEN TX 78501</b>

Phone (area code and number)

<b>Step 2: Describe the property</b>	Legal description (or attach copy of the tax bill or tax receipt): <b>WINDFERN LOT 66</b>
	Address or location of property: _____
	Account number of property: <b>W6600-00-000-0066-00</b> OR Tax receipt number: _____

<b>Step 3: Give the tax payment information</b>  C08/12 C16/11	Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested
	1. <u>CITY OF MCALLEN</u>	<u>2012</u>	<u>1/22</u> / <u>2013</u>	\$ <u>304.64</u>	\$ <u>304.64</u>
	2. <u>CITY OF MCALLEN</u>	<u>2011</u>	<u>1/23</u> / <u>2012</u>	\$ <u>304.64</u>	\$ <u>304.64</u>
	3. _____	_____	_____ / _____	\$ _____	\$ <u>609.28</u>
	4. _____	_____	_____ / _____	\$ _____	\$ _____
	5. _____	_____	_____ / _____	\$ _____	\$ _____
	Taxpayer's reason for refund (attach supporting documentation): <b>GRANTED DVHS EXEMPTION</b>				

<b>Step 4: Sign the form</b>	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct."	
	sign here	Date of application for tax refund <b>03-24-2013</b>
<b>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.</b>		

<b>Step 5: Tax refund determination</b>	This tax refund is <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	
	sign here	Date <b>4/24/13</b>
	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)	

Geo

Supp Group: 145

2/26/2013 10:16AM

Current Property Data as of Supp 8

Supp Code: CE

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
329513	173705	100.00 R	Geo: W6600-00-000-0066-00 WINDFERN LOT 66	Effective Acres: 0.0000	Imp HS: 51,063	Market: 82,311	
DESUTTER E J					Imp NHS: 0	Prod Loss: 0	
3108 N CYNTHIA ST					Land HS: 31,248	Appraised: 82,311	
MCALLEN, TX 78501-9466			Appraiser: D1	Operator: jportillo	Acres: 0.0000	Land NHS: 0	Cap: 0
			State Codes: A		Map ID:	Prod Use: 0	Assessed: 82,311
			Situs: 3108 N CYNTHIA ST MCALLEN, TX		Mtg Cd:	Prod Mkt: 0	
					Ref ID1: 324743		Late Ag: F
					Ref ID2: R329513		

Change Desc:  
GRANT DVHS FILED LATE QY 2011

Owner	Pct	Exemptions	Entty	Ent Tot State/Int	Assessed	Taxable	Freeze	Tax
DESUTTER E J	173705	100.00	CML	100.00	82,311	0	Year: 2009	0.00
		DVHS					304.640000	
		HS						
		OV65						

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values			
329513	173705	100.00 R	Geo: W6600-00-000-0066-00 WINDFERN LOT 66	Effective Acres: 0.0000	Imp HS: 51,063	Market: 82,311	
DESUTTER E J					Imp NHS: 0	Prod Loss: 0	
3108 N CYNTHIA ST					Land HS: 31,248	Appraised: 82,311	
MCALLEN, TX 78501-9466			Appraiser: D1	Operator: jportillo	Acres: 0.0000	Land NHS: 0	Cap: 0
			State Codes: A		Map ID:	Prod Use: 0	Assessed: 82,311
			Situs: 3108 N CYNTHIA ST MCALLEN, TX		Mtg Cd:	Prod Mkt: 0	
					Ref ID1: 324743		Late Ag: F
					Ref ID2: R329513		

Change Desc:

Owner	Pct	Exemptions	Entty	Ent Tot State/Int	Assessed	Taxable	Freeze	Tax
DESUTTER E J	173705	100.00	CML	100.00	82,311	72,311	Year: 2009	0.00
		HS					304.640000	
		OV65						

Gain or Loss of Value for:

Property: 329513 Geo: W6600-00-000-0066-00

Current				Previous				Gain / Loss		
Entty	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax	
CML	82,311	0	0.00	82,311	72,311	0.00	0	-72,311	0.00	

304.64  
Adj. 311.87

Geo

Supp Group: 145

2/26/2013 10:16AM

Current Property Data as of Supp 16

Supp Code: CE

Supp Action: M

Prop ID	Owner	%	Legal Description	Values					
329513	173705	100.00 R	Geo: W6600-00-000-0066-00	Effective Acres: 0.0000	Imp HS:	52,765	Market:	84,013	
DESUTTER E J			WINDFERN LOT 66		Imp NHS:	0	Prod Loss:	0	
3108 N CYNTHIA ST					Land HS:	31,248	Appraised:	84,013	
MCALLEN, TX 78501-9466			Appraiser: D1	Operator: jportillo	Acres: 0.0000	Land NHS:	0	Cap:	0
			State Codes: A		Map ID:	0	Assessed:	84,013	
			Situs: 3108 N CYNTHIA ST MCALLEN, TX		Mtg Cd:	0			
					Ref ID1: 324743	Prod Use:		Late Ag:	F
					Ref ID2: R329513	Prod Mkt:			

Change Desc:  
GRANT DVHS FILED LATE QY 2011

Owner	PC	Exemptions	Entity	Ent PC	Statement	Assessed	Taxable	Exempt	Tax
DESUTTER E J	173705	100.00		CML	100.00	84,013	0	Year: 2009	0.00
			DVHS					304.640000	
			HS						
			OV65						

Previous Property Data as of Supp: 0

Prop ID	Owner	%	Legal Description	Values					
329513	173705	100.00 R	Geo: W6600-00-000-0066-00	Effective Acres: 0.0000	Imp HS:	52,765	Market:	84,013	
DESUTTER E J			WINDFERN LOT 66		Imp NHS:	0	Prod Loss:	0	
3108 N CYNTHIA ST					Land HS:	31,248	Appraised:	84,013	
MCALLEN, TX 78501-9466			Appraiser: D1	Operator: jportillo	Acres: 0.0000	Land NHS:	0	Cap:	0
			State Codes: A		Map ID:	0	Assessed:	84,013	
			Situs: 3108 N CYNTHIA ST MCALLEN, TX		Mtg Cd:	0			
					Ref ID1: 324743	Prod Use:		Late Ag:	F
					Ref ID2: R329513	Prod Mkt:			

Change Desc:

Owner	PC	Exemptions	Entity	Ent PC	Statement	Assessed	Taxable	Exempt	Tax
DESUTTER E J	173705	100.00		CML	100.00	84,013	74,013	Year: 2009	0.00
			HS					304.640000	
			OV65						

Gain or Loss of Value for: Property: 329513 Geo: W6600-00-000-0066-00

	Current			Previous			Gain / Loss		
Entity	Assessed	Taxable	Tax	Assessed	Taxable	Tax	Assessed	Taxable	Tax
CML	84,013	0	0.00	84,013	74,013	0.00	0	-74,013	0.00

30464  
Adj: 31921

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	_____ <input checked="" type="checkbox"/>	AGENDA ITEM	<u>2C3</u>
UTILITY BOARD	_____ <input type="checkbox"/>	DATE SUBMITTED	<u>4/29/2013</u>
PLANNING & ZONING BOARD	_____ <input type="checkbox"/>	MEETING DATE	<u>5/13/2013</u>
OTHER	_____ <input type="checkbox"/>		

1 Agenda Item: Property Tax Refunds

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2 Party Making Request: Martha Guel, Tax Assessor

3 Nature of Request: (Brief Overview) Attachments: \_\_\_\_\_  Yes

Over \$500.00 refund for Wells Fargo Bank.

Amount of refund: \$1,577.82

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>04/29/13</u>
b) _____	_____	_____

8 Staff Recommendation To grant refund in order to comply with PTC Sec. 31.11

9 Advisory Board: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None

10 City Attorney: KP Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None

11 Manager's Recommendation: MRP Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None

FS/TAX

008/12

**APPLICATION FOR TAX REFUND**

Collecting office name <b>City of McAllen Tax Office</b>	MAR 18 2013	Collecting tax for: (taxing units) <b>City of McAllen</b>
Present mailing address (number and street) <b>P O Box 220/311 N 15th St</b>		Phone (area code and number) <b>(956)681-1330</b>
City, town or post office, state, ZIP code <b>McAllen TX 78505-0220</b>		

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

<b>Step 1:</b>	Owner's name <b>WELLS FARGO BANK/REFUND DEPT</b>
<b>Owner's name and address</b>	Present mailing address (number and street) <b>ONE HOME CAPUS MAC X2302-04D</b>
	City, town or post office, state, ZIP code <b>DES MOINES IA 50328</b>
	Phone (area code and number)

<b>Step 2:</b>	Legal description (or attach copy of the tax bill or tax receipt): <b>ARBOLEDAS PH 1 LOTS 28 &amp; 29</b>
<b>Describe the property</b>	Address or location of property: <b>421 Yellowhammer Ave</b>
	Account number of property: <b>A5527-01-000-0028-00</b>
	Tax receipt number:

<b>Step 3:</b>	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
<b>Give the tax payment information</b>	1. <b>CITY OF MCALLEN</b>	<b>2012</b>	<b>1/8 / 2013</b>	<b>\$ 1,577.82</b>	<b>\$ 1,577.82</b>
	2. _____	_____	_____ / _____	\$ _____	\$ _____
	3. _____	_____	_____ / _____	\$ _____	\$ _____
	4. _____	_____	_____ / _____	\$ _____	\$ _____
	5. _____	_____	_____ / _____	\$ _____	\$ _____
	Taxpayer's reason for refund (attach supporting documentation): <b>GRANTED DVHS EXEMPTION</b>				
	<b>03-12-13ng</b>				

<b>Step 4:</b>	"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."	
<b>Sign the form</b>	Signature 	Date of application for tax refund <b>4/2/2013</b>
	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.	

<b>Step 5:</b>	This tax refund is <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	
<b>Tax refund determination</b>	Authorized officer 	Date <b>4/2/13</b>
	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: 145

2/26/2013 10:16AM

Current Property Data as of Supp 8

Supp Code: CE

Supp Action: M

Prop ID	Owner	%	Legal Description	Values			
612955	680046	100.00 R	Geo: A5527-01-000-0028-00 Effective Acres: 0.0000	Imp HS:	260,523	Market:	400,779
			ARBOLEDAS PH 1 LOTS 28 & 29	Imp NHS:	0	Prod Loss:	0
			Appraiser: A3 Operator: rcastillo Acres: 0.0000	Land HS:	140,256	Appraised:	400,779
			State Codes: A Map ID: 36 PG 50	Land NHS:	0	Cap:	0
			Situs: 421 YELLOWHAMMER AVE	Prod Use:	0	Assessed:	400,779
			Ref ID1: 434573	Prod Mkt:	0	Late Ag:	F
			Ref ID2: R612955				

Change Desc:

GRANT DVHS Q/YR 2012 FILED LATE

Owner	Pct	Exemption	Entity	Ent Pct	Summ	Assessed	Taxable	Freeze	Year	Rate
BRAVO MIGUEL & ALICIA S	680046	100.00		CML	100.00	400,779	0	Year: 2011	0.00	
			DVHS				1,577.82000			
			HS				0			
			OV65							

Previous Property Data as of Supp: 5

Prop ID	Owner	%	Legal Description	Values			
612955	680046	100.00 R	Geo: A5527-01-000-0028-00 Effective Acres: 0.0000	Imp HS:	260,523	Market:	400,779
			ARBOLEDAS PH 1 LOTS 28 & 29	Imp NHS:	0	Prod Loss:	0
			Appraiser: A3 Operator: ralvarez Acres: 0.0000	Land HS:	140,256	Appraised:	400,779
			State Codes: A Map ID: 36 PG 50	Land NHS:	0	Cap:	0
			Situs: 421 YELLOWHAMMER AVE	Prod Use:	0	Assessed:	400,779
			Ref ID1: 434573	Prod Mkt:	0	Late Ag:	F
			Ref ID2: R612955				

Change Desc:

Freeze/Refreeze

Owner	Pct	Exemption	Entity	Ent Pct	Summ	Assessed	Taxable	Freeze	Year	Rate
BRAVO MIGUEL & ALICIA S	680046	100.00		CML	100.00	400,779	378,779	Year: 2011	0.00	
			DV1				1,577.82000			
			HS				0			
			OV65							

Gain or Loss of Value for:

Property: 612955 Geo: A5527-01-000-0028-00

	Current			Previous			Gain / Loss		
Entity	Assessed	Taxable	Rate	Assessed	Taxable	Rate	Assessed	Taxable	Rate
CML	400,779	0	0.00	400,779	378,779	0.00	0	-378,779	0.00

*Aj. 1633.67-*

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION   X    
UTILITY BOARD             
OTHER           

AGENDA ITEM   2d    
DATE SUBMITTED 04-30-13  
MEETING DATE 05-13-13

1. Agenda Item: Request authorization to increase the P-Card Single Transaction Dollar Limit from \$1,000 to \$2,500.

2. Party Making Request: Purchasing & Contracting

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

Request the City Commissions' approval to increase the P-Card Single Transaction Dollar Limit to \$2,500 per transaction.

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

5. Budgeted:    Yes    No   X   N/A

6. Alternate Option/Costs   N/A  

7. Routing:   NAME/TITLE   INITIAL DATE CONCURRENCE

a.) Roel Rodriguez, P.E., General Manager,            04-30-13   Yes    
Assistant City Manager

b.) Jerry Dale, C.P.A., Finance Director            04-30-13   Yes  

c.) Sandra Zamora, CPM, Purchasing Director   SZ   04-30-13   Yes  

8. Staff Recommendation: Staff recommends approval as outlined above.

9. **Advisory Board:**            Approved            Disapprove            None

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

11. **City Manager:**   MRP   Approved            Disapprove            None



# Memo

**TO:** Mike R. Perez, City Manager  
**FROM:** Sandra Zamora, CPM, Director of Purchasing & Contracting *Sandra Zamora*  
**DATE:** May 7, 2013  
**SUBJECT:** Increase to Procurement Card Single Transaction Dollar Limit

**GOAL:**

Staff requests the City Commissions' authorization to increase the Single Transaction dollar limit for P-Card transactions from \$1,000 to \$2,500.

**BRIEF EXPLANATION:**

The increase from \$1,000 to \$2,500 is coming with a favorable recommendation from the Audit Committee. If approved we will coordinate this change with our current provider JP Morgan Chase.

**HISTORY:**

During the first 5-year term, the City averaged \$1.66 million dollar expenditure.  
From June 2007 to May 2008, we spent \$1.85 million dollars. (FY07-08 \$2,151,193.33)  
From June 2008 to May 2009, we spent \$2.24 million dollars. (FY08-09 \$2,323,248.99)  
FY09-10 \$3,445,719.73  
FY10-11 \$3,557,412.85  
FY11-12 \$3,789,143.96  
FY12-13 \$2,056,760.07 from October '12 to March '13 (6 months)

**Recommendation:**

Staff recommends approval.

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION   X    
UTILITY BOARD \_\_\_\_\_  
OTHER \_\_\_\_\_

AGENDA ITEM   2E    
DATE SUBMITTED 05/06/13  
MEETING DATE 05/13/13

1. Agenda Item: **Request to approve Change Order No. 1 to Vision Construction Co., Inc. in the amount of \$8,739.87 for allowance to Magic Valley Electrical Service requirements for the Bicentennial Hike and Bike Trail. Project No. 110-8702-466.36, CP1204.**

2. Party Making Request: **Parks and Recreation Department**

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

**To provide electric service requirements from Magic Valley to provide electrical service to the site.**

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

5. Budgeted:   X   Yes   X   No    N/A

**Funding Source: 110-8702-466.66-36 CP1204**

<b>Original Contract Amount</b>	<b>\$1,120,000.00</b>
<b>Change Order No. 1</b>	<b>\$ 8,739.87</b>
<b>Revise Contract Amount:</b>	<b>\$ 1,128,739.87</b>

6. Alternate Option/Costs: \_\_\_\_\_

7. Routing:	<u>NAME/TITLE</u>	INITIAL	DATE	CONCURRENCE
a.)	<u>S. Gavlik, Dir. Parks/Rec</u>	<u>  sg  </u>	<u>5-06-13</u>	<u>  yes  </u>
b.)	<u>D. Melaas, Deputy. Dir. Parks</u>	_____	_____	_____
c.)	<u>Sandra Zamora, Dir Purchasing</u>	_____	_____	_____
d.)	<u>Jerry Dale, Finance Director</u>	_____	_____	_____
e.)	<u>Yvette Barrera, City Engineer</u>	_____	_____	_____


8. Staff Recommendation: **Approval of change order No. 1 to Vision Construction Co., Inc. in the amount of \$8,739.87. A budget amendment is required however, an amount up to \$17,068.80 will be reimbursed by the State.**

9. Advisory Board:    Approved    Disapproved   X   None

10. City Attorney:   KP   Approved    Disapproved    None

11. Manager's Recommendation:   MRP   Approved    Disapproved    None

**MEMORANDUM**

**To:** MIKE R. PEREZ, CITY MANAGER  
**From:** SALLY GAVLIK, DIRECTOR   
**Subject:** CHANGE ORDER NO. 1 FOR BICENTENNIAL TRAIL, PROJECT NO. 110-8702-466.36 CP1204  
**Date:** MAY 6, 2013

**COMMENT**

**GOAL:**

To provide a change order for project 110-8702-466.66-36 CP1204, Bicentennial Trail in the amount of \$8,739.87 to Vision Construction Co., Inc.

**DISCUSSION:**

The allowance for Magic Valley Electric Company to provide electric services to the Bicentennial Trail was estimated incorrectly in the plans and specifications. The amount budgeted was \$3,000 for each section and the actual amount was \$13,599.88 creating a difference of \$4,136.51 for Trenton and \$3,463.38 for Dove for a total request of \$8,739.87.

There is a remaining balance of \$17,068.80 in the grant which will offset part of the increased cost.

**RECOMMENDATION:**

The Parks and Recreation Department recommends approval of Change Order No. 1 in the amount of \$8,739.87 to Vision Construction Co., Inc.. A budget amendment will be required for this project..

# Vision Construction Co. Inc

1603 N. Cage Blvd.

Unit #1

Pharr, TX 78557

Phone number (956) 284-0775

Fax number (956) 723-8782

Email: luisg@visionconstructionco.com

## CHANGE ORDER: 002

Job#:06-12-C21-136	Date: April 30, 2013
Reference: Bicentennial Hike & Bike Trail	Phone number: 956-284-0775
Customer: City of McAllen Parks and Rec. Dept.	Fax number: 956-723-8782
Property Address: Trenton to Nolana McAllen. TX	Contractor: Vision Construction Co. Inc

Description:	Amount
Request for the attached change order as per field discussion with City of McAllen PM Jose Fuentes	
1. Change order for difference between allowance on electrical plans for Magic Valley for three phase allowed allowance \$3,000.00 and Magic Valley charging \$7,136.51 difference	\$4,136.51
2. Change order for difference between allowance on electrical plans for Magic Valley for three phase allowance of \$3,000.00 and Magic Valley charging \$6,436.38 difference on change order	\$3,463.38
<b>SUBTOTAL</b>	<b>\$7,599.89</b>
<b>15% Profit &amp; OH</b>	<b>\$1,139.98</b>
<b>TOTAL AMOUNT of CHANGE ORDER</b>	<b>\$8,739.87</b>
Request for Additional Days	0
<b>Total</b>	<b>\$8,739.87</b>

**Accepted:** The above prices, specifications, and conditions are satisfactory and are accepted. Vision Construction Co. Inc. is hereby authorized to do work as specified upon approval of change order

Customer Signature

Date

Luis A. Garcia  
Vision Construction Co. Inc



April 30, 2013  
Date

vision const (2)

Cost estimate prepared for: **Vision Const (acct xxxxxx-xxx, wo 1961406)**  
c/o Marco Soto

March 7, 2013

Description: **Extend 3-phase primary and add 3-phase bank & service to new meter pedestal for City of McAllen "hike & bike trails" lighting at Trenton Road and Bicentennial Blvd.**

	acct 107.2	acct 108.8	
<b><u>Labor</u></b>			
Install-OH	\$1,771.86	\$0.00	
Install-URD	\$0.00	\$0.00	
Retire-URD	\$0.00	\$164.12	
<b><u>Material</u></b>			
Install-OH	\$2,024.69	\$0.00	
Install-URD	\$0.00		
Scrap	\$0.00	\$51.04	(50% of <b><u>\$102.08</u></b> )
Salvage		\$0.00	
Transformer	\$848.00		(25 kva transformer)
Transformer	\$848.00		(25 kva transformer)
Transformer	\$848.00		(25 kva transformer)
Engineering (Install)	\$531.56		
Engineering (retire)		\$49.24	
	<b>\$6,872.11</b>	<b>\$264.40</b>	

**Net cost to member = install + retire = \$7,136.50 (Payable prior to scheduling)**

Cost estimate valid through: June 6, 2013

**-COST ESTIMATE ONLY. THIS IS NOT AN INVOICE. DO NOT PAY.-**

BY: jbarco

Cost estimate prepared for: **Vislon Const (acct xxxxxx-xxx, wo 1966607)**  
**c/o Marco Soto**

**March 22, 2013**

Description: **Add 3-phase primary pole, add 3-phase bank & service to new meter pedestal for City of McAllen "hike & bike trails" lighting at Dove Avenue and Bicentennial Blvd.**

	acct 107.2	acct 108.8	
<b><u>Labor</u></b>			
Install-OH	\$1,430.20	\$0.00	
Install-URD	\$0.00	\$0.00	
Retire-URD	\$0.00	\$0.00	
<b><u>Material</u></b>			
Install-OH	\$2,060.12	\$0.00	
Install-URD	\$0.00		
Scrap	\$0.00	\$0.00	(50% of <b><u>\$0.00</u></b> )
Salvage		\$0.00	
Transformer	\$848.00		(25 kva transformer)
Transformer	\$848.00		(25 kva transformer)
Transformer	\$848.00		(25 kva transformer)
Engineering (Install)	\$429.06		
Engineering (retire)		\$0.00	
	<b>\$6,463.38</b>	<b>\$0.00</b>	

**Net cost to member = install + retire = \$6,463.38 (Payable prior to scheduling)**

Cost estimate valid through: July 3, 2013

**--COST ESTIMATE ONLY. THIS IS NOT AN INVOICE. DO NOT PAY.--** BY: j barco

# MVEC

Magic Valley Electric Cooperative, Inc.

Your Touchstone Energy® Cooperative  
The power of human connections



P.O. Box 267 • Mercedes, Texas 78570  
Phone: 1-866-225-5683 • Fax: (956) 289-4160 • www.magicvalley.coop

20048

04-29-2013

VISION CONSTRUCTION  
C/O MARCO SOTO  
1603 NORTH CAGE STE 1  
PHARR, TEXAS

7254-001

78577

DESC	QTY	U/M	PRICE	TOTAL
BALANCE FORWARD				.00
cost estimate to add 3 phase primary pole, add 3 phase bank & service to new meter pedestal for City of McAllen hike & bike trails lightning at Dove Avenue and Bicentennial w/o# 1966607		EA	6463.38	6463.38
cost estimate 3 phase primary and add 3 phase bank & service to new meter pedestal for city of McAllen hike and bike trails lighting at Trenton road and Bicentennial w/o# 1961406		EA	7136.50	7136.50

INVOICE TOTAL 13599.88

ACCOUNT BALANCE 13599.88

INVOICE NUMBER 20048  
INVOICE DATE 04-29-2013

7254-001

ACCOUNT BALANCE 13599.88

VISION CONSTRUCTION  
C/O MARCO SOTO  
1603 NORTH CAGE STE 1  
PHARR, TEXAS

PHONE: 1-866-225-5683 FAX: (956) 289-4160 WWW.MAGICVALLEY.COOP

**Standardized Recommendation Form**

City Commission   X    
Utility Board         
Other Board       

Agenda Item   2F    
Date Submitted 05/06/13  
Meeting Date   05/13/13  

1. **Agenda Item:**   Supply Contract for the Purchase of Tires, Project No. 02-13-SP16-31  

2. **Party Making Request:**   Public Works  

3. **Nature of Request:** (Brief Overview) Attachments:   X   Yes        No  
Request authorization to award a Supply Contract for the Purchase of Tires to multiple responsible bidders, A to Z Tires from Amarillo, TX (items 3-6, 13-16, 19, 21, 26-27, 31, 41-44); Southern Tire Mart from Columbia, MS (items 1-2, 7-10, 12, 17, 20, 22, 28-29, 32, 35-36, 38, 40); Tire Centers LLC from Pharr, TX (items 18, 23-25, 33-34, 37) as depicted below for a period of one (1) year. If awarded, staff is requesting authorization, with City Manager approval, to exercise the option to extend the contract for two (2) additional years, in one (1) year increments if the performance of the successful contractor is satisfactory and the unit prices remain unchanged. Staff recommends bid for items 11 and 39 be rejected and rebid. Recommendations are based on a per item basis. Staff is also requesting authorization to terminate such contract(s) with City Manager approval and re-award the affected item(s) to the next low bidder meeting the requirements of the specifications, in the event that an awarded vendor fails to meet or perform under the terms and conditions of their Supply Contract. Attached, for your review, is the Bid Tabulation depicting the proposed vendor(s) to be contracted with, upon City Commission approval.

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

5. **Budgeted:**   X   Yes        No        N/A  
Bid Amount:   \$ 448,239.50    
*\*This Supply Contract shall be paid for from the Materials Management Inventory purchase account Department's maintenance expense account shall be billed accordingly via the Work Order process by Fleet Management. The City of McAllen has spent approximately \$465,229 for the purchase of Tires in the past 12 month period.*

6. **Alternate option/costs:**   N/A  

7. **Routing:**

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) <u>Carlos A. Sanchez, PE, PW Director</u>	<u>  CAS  </u>	<u>  05/07/13  </u>	<u>  YES  </u>
b.) <u>Wendy Smith , Asst City Manager/EMC</u>	<u>      </u>	<u>      </u>	<u>      </u>
c.) <u>Sandra Zamora, CPM, Dir. of P&amp;C</u>	<u>      </u>	<u>      </u>	<u>      </u>
d.) <u>JW Dale, CPA, Finance Director</u>	<u>      </u>	<u>      </u>	<u>      </u>

8. **Staff's Recommendation:**   As per the above mentioned information.  

9. **Advisory Board:**        Approved        Disapproved        None

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

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



**To:** Mike R. Perez, City Manager

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

**Date:** May 6, 2013

**Subject:** **Award of Contract – Supply Contract for the Purchase of Tires  
Project No. 02-13-SP16-31**

### GOAL

Request authorization to award a Supply Contract for the Purchase of Tires to multiple responsible bidders, A to Z Tires from Amarillo, TX (items 3-6, 13-16, 19, 21, 26-27, 31, 41-44); Southern Tire Mart from Columbia, MS (items 1-2, 7-10, 12, 17, 20, 22, 28-29, 32, 35-36, 38, 40); Tire Centers LLC from Pharr, TX (items 18, 23-25, 33-34, 37) as depicted below for a period of one (1) year. If awarded, staff is requesting authorization, with City Manager approval, to exercise the option to extend the contract for two (2) additional years, in one (1) year increments if the performance of the successful contractor is satisfactory and the unit prices remain unchanged. Staff recommends bid for items 11 and 39 be rejected and rebid. Recommendations are based on a per item basis. Staff is also requesting authorization to terminate such contract(s) with City Manager approval and re-award the affected item(s) to the next low bidder meeting the requirements of the specifications, in the event that an awarded vendor fails to meet or perform under the terms and conditions of their Supply Contract. Attached, for your review, is the Bid Tabulation depicting the proposed vendor(s) to be contracted with, upon City Commission approval.

### BRIEF EXPLANATION

On February 27, 2013, Purchasing and Contracting solicited and opened sealed bids for the Supply Contract for the Purchase of Tires. A total of four (4) companies responded to our solicitation providing their pricing structure reflecting dealer pricing.

### HISTORICAL DATA

(Estimated) Expense for Items (02/12 to 02/13)	(Anticipated) Expense for Items (04/13 to 04/14)
\$465,229	\$460,059

### OPTIONS

1. Award as recommended below.
2. Recommend rejection of bids and direct staff to re-bid project.

### RECOMMENDATION

To award multiple supply contracts as depicted below

COMPANY NAME, CITY	ITEMS RECOMM. FOR AWARD	RECOMM. VENDOR TOTAL.
A to Z Tires, Amarillo, TX	3-6, 13-16, 19, 21, 26-27, 31, 41-44	\$319,660.48
Southern Tire Mart, Columbia, MS	1-2, 7-10, 12, 17, 20, 22, 28-29, 32, 35-36, 38, 40	\$79,937.40
Tire Centers LLC, Pharr, TX	18, 23-25, 33-34, 37	\$48,641.62
Reject and Re-bid	11, 39	
	<b>GRAND TOTAL</b>	<b>\$448,239.50</b>

**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:				★ A TO Z TIRES AMARILLO, TX		GCR TIRE CENTERS PHARR, TX ▲		★ SOUTHERN TIRE MART COLUMBIA, MS		★ TX MAS (TIRE CENTERS LLC) ▲ PHARR TX	
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
1	APN401-8812 TIRE, AIRCRAFT, 26x6.6 R14, 14 PLY RADIAL AIRCRAFT TIRE, "NON-STOCK ITEM". 863-03-01001	EA	\$282.44	\$1,243.00	Goodyear A		NO BID	★ \$89.00	GENSCO #C3		NO BID
2	APT26x9.0x15 TIRE, AIRCRAFT, 26x9.0x15, 16 PLY RADIAL AIRCRAFT TIRE, "NON-STOCK ITEM". 863-03-01002	EA	\$250.00		NO BID		NO BID	★ \$119.00	GENSCO #C8		NO BID
3	APT255/70R22.5 TIRE, HIGHWAY TREAD, 255/70R22.5, STEEL BELTS, TUBELESS, LOAD RANGE H, BRANDS: BF GOODRICH #ST 230-95971, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (BF GOODRICH #ST 230-95971). 863-25-01004	EA	\$289.95	★ \$238.00	Cooper A; Alternate - Samson \$198.00	\$303.00	ITEM 3 192982 FIRESTONE 255/70R22.5/16PLY FS560 PLUS STEER \$303.00 11/30/201313	\$298.00	FIRESTONE FS560 #192982	\$254.93	AH12 Hankook A
4	APT215/75R17.5/16 TIRE, HEAVY ON-ROAD P215/75 R17.5, 16 PLY, SAM MID/LONG HAUL HIGHWAY APGL283A 135/133J, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (88000-2), "NON-STOCK ITEM". 863-25-01003	EA	\$136.93	★ \$160.00	Cooper A; Alternate Samson \$131.00	\$258.00	ITEM 4 208860 FIRESTONE 215/75R17.5/16PLY FS560 PLUS STEER \$258.00 11/30/2013	\$234.00	FIRESTONE FS560 PLUS #208860	\$210.98	TH10 Hankook A
5	APT20.5X25 E-3 TIRE, IMPLEMENT, 20.5X25E3, ROCK LUG TREAD, TUBELESS, FOR 2006 DAEWOO M200-V FRONT-END WHEEL LOADER, LOAD RANGE H, (DURAMAX ROCK LUG). 863-20-01003	EA	\$1,195.00	★ \$1,029.00	Samson A	\$1,524.74	ITEM 5 □408476□FIRESTONE 20.5-25/16PLY SRG TU E3/L3□\$1,524.74 □11/30/2013	\$1,486.80	FIRESTONE SUPER ROCK GRIP #408476	\$1,166.00	galaxie 16 ply A
6	APT1000X16 TIRE, LIGHT OFF ROAD EQUIPMENT, 1000-16, 3 RIB INDUSTRIAL TYPE, TUBELESS, LOAD RANGE E, NYLON, 10 PLY, MAX PSI 60 BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP, "NON-STOCK ITEM".863-15-01002	EA	\$250.00	★ \$135.00	Samson A	\$194.88	ITEM 6 378032 FIRESTONE 10.00-16/8PLY REGENCY 3R TLF2 \$194.88 11/30/2013	\$172.06	FIRESTONE CH GG 4R TTF2	\$154.00	galaxie 8 ply A
7	APLT225/75R16AT TIRE, LIGHT TRUCK, LT 225/75 R16 AT, ALL TERRAIN TREAD, LOAD RANGE D, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE TRANSFORCE AT 10PLY #189-667). 863-07-01001	EA	\$87.30	\$132.00	Goodyear A	\$103.56	ITEM 7 189667 FIRESTONE LT225/75R16/10PLY TRANSFORCE AT BL \$103.56 11/30/2013	★ \$112.00	FIRESTONE TRANSFORCE AT #189633	\$138.30	Hankook RF10 10 ply A

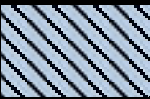










**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:				★ A TO Z TIRES AMARILLO, TX		GCR TIRE CENTERS PHARR, TX ▲		★ SOUTHERN TIRE MART COLUMBIA, MS		★ TX MAS (TIRE CENTERS LLC) PHARR TX ▲	
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
8	APLT23585R16MS TIRE, LIGHT TRUCK, LT235/85R16, ALL TERRAIN TREAD, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE TRANSFORCE AT 10 PLY #189-633). 863-07-01003	EA	\$97.00	\$137.00	Goodyear A; Alternate - Pegasus \$113.00	\$110.61	ITEM 8 189633 FIRESTONE LT235/85R16/10PLY TRANSFORCE AT BL \$110.61 11/30/2013	\$117.00	★ FIRESTONE TRANSFORCE AT #189633	\$143.80	Hankook RF 10 10 ply A
9	APLT245/75R16 TIRE, LIGHT TRUCK, LT245/75R16 E, ALL TERRAIN TREAD, STEEL BELTS, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE TRANSFORCE A/T 10 PLY #189-582). PLEASE ENTER BRAND NAME, DELIVERY TIME (A,B, OR DAYS), AND/OR ANY OTHER PERTINENT INFORMATION IN COMMENTS AREA. 863-10-01003	EA	\$93.80	\$141.00	Goodyear A; Alternate - Pegasus \$115.00	\$107.44	ITEM 9 189582 FIRESTONE LT245/75R16/10PLY TRANSFORCE AT BL \$107.44 11/30/20133	\$113.00	★ FIRESTONE TRANSFORCE AT #189582	\$148.72	Hankook RF 10 10 ply A
10	APLT285/70R17MS TIRE, LIGHT TRUCK, LT285/70R17, ALL TERRAIN TREAD, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE DESTINATION A/T 10-PLY #232-803). 863-10-01004	EA	\$121.80	\$219.00	Cooper A; Alternate - Toyo \$204.00	\$257.80	ITEM 10 232803 FIRESTONE LT285/70R17/10PLY DEST AT OWL 121R \$257.80 11/30/2013	\$148.00	★ FIRESTONE DESTINATION AT #232803	\$198.54	Hankook RF 10 10 ply A
11	APTC11R22.5MS TIRE, MEDIUM TRUCK/BUS 11R22.5 DRIVE/TRACTION TIRE 16 PLY CLOSED SHOULDER, (FIRESTONE T819, BRIDGESTONE M850, GOODYEAR G287, CONTINENTAL HSC1, YOKOHAMA MY507). 863-10-01011	EA	\$405.00	\$329.00	Cooper A; Alternate - Samson \$274.00	\$407.40	ITEM 11 294535 FIRESTONE 11R22.5/16PLY T819 ON/OFF AP \$407.04 11/30/2013	\$394.00	FIRESTONE FS820 #241252	\$340.05	Hankook Z35A 16ply A
12	APTM11R22.5 TIRE, MEDIUM TRUCK/BUS, 11R22.5, HIGHWAY TREAD, STEEL BELTS, TUBELESS, LOAD RANGE H, 1ST LINE ONLY: (MICHELIN 186301 M860). 863-10-01012	EA	\$464.53	\$670.00	Bridgestone A; Alternate - Samson \$253.00		NO BID	\$399.00	★ BRIDGESTONE R260F #158863	\$505.52	Michelin XZE2 16ply A
13	APT11R22.5 TIRE, MEDIUM TRUCK/BUS, 11R22.5, STEERING TIRE, HIGHWAY TREAD, STEEL BELTS, TUBELESS, LOAD RANGE H, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (COOPER RM 185 92036). 863-10-01005	EA	\$271.47	\$292.00	★ Cooper A; Alternate - Samson \$253.00	\$363.34	ITEM 13 156558 FIRESTONE 11R22.5/16PLY FS560 PLUS STEER \$363.34 11/30/2013	\$359.00	FIRESTONE FS560 PLUS \$359.00	\$313.17	Hankook AH11 16 ply A











**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:				★ A TO Z TIRES AMARILLO, TX		GCR TIRE CENTERS PHARR, TX ▲		★ SOUTHERN TIRE MART COLUMBIA, MS		★ TX MAS (TIRE CENTERS LLC) PHARR TX ▲	
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
14	APT11R22.5MS TIRE, MEDIUM TRUCK/BUS, 11R22.5, DRIVE/TRACTION TREAD, STEEL BELTS, TUBELESS, UNI-STEEL, LOAD RANGE G, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE FD-663 14 PLY #281-042). 863-10-01006	EA	\$296.50	★ \$306.00	Cooper A; Alternate - Samson \$272.00	\$382.38	ITEM 14 281042 FIRESTONE 11R22.5/14PLY FD663 DRV \$382.38 11/30/2013	\$377.00	FIRESTONE FD633	\$333.48	Hankook Z35A 14 ply A
15	APT11R24.5 TIRE, MEDIUM TRUCK/BUS, 11R24.5, STEERING TIRE, HIGHWAY TREAD, STEEL BELTS, TUBELESS, LOAD RANGE H, (FIRESTONE FD-663 - #293-733). 863-10-01007	EA	\$260.74	★ \$329.00	Cooper A; Alternate - Samson \$269.00	\$425.93	ITEM 15 293733 FIRESTONE 11R24.5/16PLY FD663 DRV \$425.93 11/30/2013	\$380.00	FIRESTONE FS560 PLUS #156582	\$345.41	Hankook AH11 16ply A
16	APT11R24.5MS TIRE, MEDIUM TRUCK/BUS, 11R24.5, DRIVE/TRACTION TREAD, STEEL BELTS, TUBELESS, LOAD RANGE H, (FIRESTONE FD-663 - #293-733). 863-10-01008	EA	\$365.80	★ \$345.00	Cooper A; Alternate - Samson \$321.00	\$425.93	ITEM 16 293733 FIRESTONE 11R24.5/16PLY FD663 DRV \$425.93 11/30/2013	\$420.00	FIRESTONE FD633 #293733	\$371.74	Hankook Z35A 16ply A
17	APTM315/80R22.5 TIRE, MEDIUM TRUCK/BUS, 315/80R22.5, STEERING TIRE, HIGHWAY TREAD, STEEL BELTS, TUBELESS, LOAD RANGE L, 1ST LINE ONLY: (MICHELIN XZUS #90902 "ONLY"). 863-10-01013	EA	\$360.40	\$982.00	Michelin A; Alternate - Samson \$343.00	\$738.95	ITEM 17 151300 BRIDGESTONE 315/80R22.5/20 M843 EC ON/OFFHWY \$738.95 11/30/2013	★ \$608.00	BRIDGESTONE M860 #186301	\$767.85	Michelin XZUS2 20 ply A
18	APT315/80R22.5 TIRE, MEDIUM TRUCK/BUS, 315/80R22.5, STEERING TIRE, HIGHWAY TREAD, STEEL BELTS, TUBELESS, LOAD RANGE L, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (BRIDGESTONE M860 20PLY #186-301). 863-10-01009	EA	\$409.80	\$428.00	Cooper A; Alternate - Samson \$343.00	\$613.83	ITEM 18 186301 BRIDGESTONE 315/80R22.5/20 M860 SEVERE SVC \$613.83 11/30/2013	\$608.00	BRIDGESTONE M860 #186301	★ \$427.51	Hankook AH11 20 ply A
19	APLT225/70R19.5 TIRE, MEDIUM TRUCK/BUS, LT225/70R19.5, HIGHWAY TREAD, TUBELESS, LOAD RANGE F, R250F BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (COOPER RM170 95802). 863-10-01001	EA	\$160.52	★ \$177.00	Cooper A; Alternate - Samson \$145.00	\$303.22	ITEM 19 227057 FIRESTONE 225/70R19.5/14 F560 PLUS STEER \$303.22 11/30/2013	\$264.00	FIRESTONE FS560 PLUS #160716	\$219.06	Hankook AH11 12 ply A
20	APLT245/70R19.5 TIRE, MEDIUM TRUCK/BUS, LT245/70R19.5 XZE, HIGHWAY TREAD, LOAD RANGE H, 1ST LINE ONLY: MICHELIN XZ. 863-10-01002	EA	\$225.87	\$520.00	Michelin A; Alternate - Samson \$164.00	\$345.21	ITEM 20 227261 BRIDGESTONE 245/70R19.5/14 R250F REG AP \$345.21 11/30/2013	★ \$354.00	BRIDGESTONE R250F #227295	\$364.21	Michelin XZE 16 ply A

**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:				 A TO Z TIRES AMARILLO, TX	GCR TIRE CENTERS PHARR, TX 	 SOUTHERN TIRE MART COLUMBIA, MS	 TX MAS (TIRE CENTERS LLC) PHARR TX 				
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
21	APT425/65R22.5 TIRE, MEDIUM/TRUCK/BUS, 425/65R22.5MX, STEERING TIRE, HIGHWAY TREAD, TUBELESS, LOAD RANGE L, BRAND: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (BRIDGESTONE M884F - #B291684). 863-10-01010	EA	\$407.06	 \$548.00	Cooper A	\$695.14	ITEM 21 291684 BS 425/65R22.5/20 M844F DT WB \$695.14 11/30/2013	\$690.00	BRIDGESTONE R250F #291684	\$556.81	Hankook AH10 20 ply A
22	APT11L16 TIRE, OFF ROAD EQUIPMENT, 11L16, INDUSTRIAL TYPE, TUBELESS, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE REGENCY IND TLF3 10 PLY #378). 863-15-01003	EA	\$125.11	\$137.00	Firestone A	\$142.00	ITEM 22 378372 FIRESTONE 11L16/10 REGENCY IND FRONT TLF3 \$142.00 0	 \$133.45	FIRESTONE REGENCY IND FRONT TLF3 #378372	\$148.00	Galaxie 10 ply A
23	APT14.9R24 TIRE, OFF ROAD EQUIPMENT, 14.9 R24 OR 380/85R24, ON ROAD USE ONLY, R1 DESIGN, INDUSTRIAL TYPE, TUBELESS, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP #373-238, "NON-STOCK ITEM". 863-15-01004	EA	\$340.00	\$935.00	Firestone A	\$1,065.00	ITEM 23 362715 FIRESTONE 380/85R24 RAD AT DT TLR1W 131A8 \$1,065.00	\$506.43	FIRESTONE AT UTILITY TLR4 #351849	 \$625.00	Galaxie R-1 A
24	APT18.4R34 TIRE, OFF ROAD EQUIPMENT, 18.4 R34 OR 460/85R34 , ON ROAD USE ONLY, R1 DESIGN, INDUSTRIAL TYPE, TUBELESS, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP #372-507), "NON-STOCK ITEM". 863-15-01006	EA	\$950.00	\$1,330.00	Firestone A	\$1,275.00	ITEM 24 354740 FIRESTONE18.4R34/1* RAD 23 TLR1 \$1,275.00	\$847.61	FIRESTONE SUPER AT II 23 TL R1 #372507	 \$980.00	Galaxie R-1 A
25	APT18.4R30 TIRE, OFF ROAD EQUIPMENT, 18.4R30 OR 460/85R30 , INDUSTRIAL TYPE, TUBELESS, LOAD RANGE E, BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP #372-626, "NON-STOCK ITEM". 863-15-01005	EA	\$1,221.78	\$1,813.00	Firestone A	\$2,152.96	ITEM 25 352683 FIRESTONE 460/85R30 RAD 7000 TLR1W 145A8 \$2,152.96 11/30/2013	\$728.87	FIRESTONE SUPER AT II 23 TL R1 #372626	 \$1,085.00	Galaxie R-1 A

**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:			 A TO Z TIRES AMARILLO, TX	GCR TIRE CENTERS PHARR, TX 	 SOUTHERN TIRE MART COLUMBIA, MS	 TX MAS (TIRE CENTERS LLC) PHARR TX 					
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
26	APT235/75R17.5/16 TIRE, PASSENGER P235/75R17.5/16, MID/LONG HAUL 143/141J SAM,HWY AP GL283A, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RAGE C-BRANDS: BF GOODRICH, GOODYEAR, FIRESTONE, CONTINENTAL, MICHELIN, GENERAL, KELLY SPRINGFIELD (88011-2), "NON-STOCK ITEM". 863-15-01007	EA	\$315.70	 \$185.00	Cooper A; Alternate - Samson \$152.00	NO BID		\$404.00	BRIDGESTONE R184 #158183	\$222.84	Hankook TH10 16 ply
27	APP20575R15 TIRE, PASSENGER, 205/75R15, HIGHWAY TREAD, POLYESTER, STEEL BELTS, STANDARD LOAD, WHITEWALL, LOAD RANGE B, (FIRESTONE #098-051). 863-15-01001	EA	\$539.40	 \$62.00	Duro A	NO BID		\$93.00	FIRESTONE DESTINATION LE2 #026495	\$78.17	Hankook H724 A
28	APT215/70R16 TIRE, PASSENGER, P215/70R16MS, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE C- BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE DESTINATION LE2 SL#097-725), "NON-STOCK ITEM". 863-05-01004	EA	\$150.99	\$117.00	Cooper A	\$125.83	ITEM 28 97725 FIRESTONE P215/70R16 DEST LE2 BL 99H \$125.83 11/30/2013	 \$98.00	FIRESTONE DESTINATION LE2 #097725	\$128.33	BFG Long trailer T/A A
29	APP225/60VR16 TIRE, PASSENGER, P225/60VR16 PV41, POLICE SPECIAL, LOAD RANGE C BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (BRAND - FIRESTONE FIREHAWK PV-41 (067-911)). 863-05-01001	EA	\$74.25	\$94.00	Goodyear A	\$83.84	ITEM 29 67911 FIRESTONE P225/60R16 FH PV41 BW 97V \$83.84 11/30/2013	 \$90.00	FIRESTONE FIREHAWK PV41 #067911	\$97.44	BFG Advantage T/A A
30	DELETED DELETED 863-05-01005	EA	\$90.00	\$0.00	Deleted	\$0.00	DELETED	\$0.00		\$0.00	none
31	APT225/75R15 TIRE, TRAILER, ST225/75R15, POLYESTER, STEEL BELTS, LOAD RANGE C- BRANDS: BF GOODRICH, BRIDGESTONE, FIRESTONE, GOODYEAR, YOKOHAMA, GENERAL, PIRELLI, KUMHO, DUNLOP (102 HAN OPTIMO H724), "NON-STOCK ITEM". 863-05-01006	EA	\$77.60	 \$90.00	Goodyear A; Alternate - Gladiator \$72.00	NO BID		\$97.00	OMNI TRAIL RADIAL ST #OT1305	\$86.62	Hankook H724 4 ply A

**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:				★ A TO Z TIRES AMARILLO, TX		GCR TIRE CENTERS PHARR, TX ▲		★ SOUTHERN TIRE MART COLUMBIA, MS		★ TX MAS (TIRE CENTERS LLC) PHARR TX ▲	
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
32	APP235/55WR17 TIRE, PASSENGER, P235/55WR17, POLICE SPECIAL, LOAD RANGE C BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE FIREHAWK GT Z PURSUIT #077-325). 863-05-01002	EA	\$85.30	\$112.00	Goodyear A	\$95.67	ITEM 32 77325 FIRESTONE P235/55R17 FH GTZ PURSUIT BL 98W \$95.67 11/30/2013	★ \$103.00	FIRESTONE FIREHAWK GT Z PURSUIT #077325	\$123.94	BFG super sport a/s A
33	APT235/70R16 TIRE, PASSENGER, P235/70R16, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, STANDARD LOAD - BRANDS: BF GOODRICH, BRIDGESTONE, FIRESTONE, GOODYEAR, CONTINENTAL, MICHELIN, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, HANKOOK, DUNLOP (GOODYEAR 185276), "NON-STOCK ITEM". 863-05-01007	EA	\$103.84	\$120.00	Goodyear A	\$103.95	ITEM 33 26767 FIRESTONE P235/70R16 DEST AT OWL 104S \$103.95 11/30/2013	\$112.00	FIRESTONE DESTINATION AT #026767	★ \$107.91	Hankook RF10 4 ply A
34	ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE C- BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (1085 HAN RF08AT DYNA #1002438), "NON-STOCK ITEM". 863-05-01008	EA	\$127.07	\$122.00	Goodyear A	\$163.52	ITEM 34 54239 FIRESTONE P235/75R17 DEST AT OWL 108S \$163.52 11/30/2013	\$123.00	FIRESTONE DESTINATION AT #054239	★ \$120.49	Hankook RF08 4 ply A
35	APP245/70R17MS TIRE, PASSENGER, P245/70R17MS, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE E BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE DESTINATION A/T SL (#054-273). 863-05-01003	EA	\$90.17	\$135.00	Goodyear A	\$110.99	ITEM 35 200173 FIRESTONE LT245/70R17/10 TRANSFORCE AT BL \$110.99 11/30/2013	★ \$111.00	FIRESTONE DESTINATION AT #054273	\$127.71	Hankook RF10 4 ply A
36	APTLT245/70R17 TIRE, LT245/70R17, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE E BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE DESTINATION A/T SL (#054-273). 863-05-01012	EA	\$90.70	\$155.00	Goodyear A; Alternate - Toyo	\$144.00	ITEM 36 200173 FIRESTONE LT245/70R17/10 TRANSFORCE AT BL \$110.99 11/30/2013	★ \$119.00	FIRESTONE TRANSFORCE AT #200173	\$162.10	Hankook RF10 10 ply A

**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

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ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
37	APT255/70R16MS TIRE, PASSENGER, P255/70R16MS, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE C- BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP (FIRESTONE DESTINATION AT SL#026-869). 863-05-01009	EA	\$103.40	\$134.00	Cooper A	\$157.48	ITEM 37 26869 FIRESTONE P255/70R16 DEST AT OWL 109S \$157.48 11/30/2013	\$119.00	FIRESTONE DESTINATION AT #026869	\$117.69	Hankook RF10 4 ply A
38	APT265/60R17 TIRE, PASSENGER, P265/60R17, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE C- BRANDS: BF GOODRICH, FIRESTONE, GOODYEAR, CONTINENTAL, YOKOHAMA, GENERAL, KELLY SPRINGFIELD, COOPER, HANKOOK, DUNLOP, FIREHAWK GT PURSUIT BL (023-189), "NON-STOCK ITEM". 863-05-01010	EA	\$194.86	\$130.00	Goodyear A	\$110.00	ITEM 38 23189 FIRESTONE P265/60R17 FH GTV PURSUIT BL108V \$110.00 11/30/2013	\$115.00	FIRESTONE FIREHAWK GT V PURSUIT #023189	\$135.14	Hankook RF10 4 ply A
39	APT265/70R17 TIRE, PASSENGER, P265/70R17, ALL TERRAIN TREAD, POLYESTER, STEEL BELTS, LOAD RANGE C- BRANDS: FIREHAWK GT PURSUIT BL265/60R17 108V ARTICLE# 023189. 863-05-01011	EA	\$107.59	\$140.00	Goodyear A	\$112.22	ITEM 39 26784 FIRESTONE P265/70R17 DEST AT OWL 113S \$112.22 11/30/2012	\$115.00	FIRESTONE FIREHAWK GT V PURSUIT #023189	NO BID	
40	APLT235/75R15MS TIRES, LIGHT TRUCK, LT235/75R15, ALL TERRAIN TREAD, BLACKWALL, TUBELESS, LOAD RANGE C, (FIRESTONE TRANSFORCE AT #189-650) "NON-STOCK ITEM". 863-07-01002	EA	\$75.97	\$125.00	Cooper A; Alternate - Pegasus \$88.00	\$145.94	ITEM 40 184278 FIRESTONE LT235/75R15/6 DEST AT OWL 104R \$145.94 11/30/2013	\$101.00	FIRESTONE TRANSFORCE AT #189650	\$121.30	Hankook RF10 6 ply A
41	APLSR1000X16 TUBE, 1000X16 S/S, HEAVY DUTY, BLACK, BUTYL, MEDIUM TRUCK/BUS, FOR FLAT BASE RIMS., TUBE, 1000X16, BIAS SHORT STEM, STATE DESCRIPTION: 10.00-15/16 TR-15CW #62010 "NON-STOCK ITEM". 863-25-01002	EA	\$10.84	\$19.00	Doberman A	\$31.00	ITEM 41 552437 TUBE FIRESTONE 9/10.00R15/16 TR15CW TRAC RAD \$31.00	\$25.00	GATEWAY TUBE TR15 #2WE16	\$22.00	gateway A
42	APLS18.4X34 TUBES, BIAS, REAR, FARM, 14/18.4-R34, WITH TR218A VALVE - CUPPLES - #655-750 "NON-STOCK ITEM". 863-20-01002	EA	\$52.94	\$52.00	Doberman A	\$129.00	ITEM 42 518433 TUBE FIRESTONE 16.9/18.4R34 TR218A TRAC RAD \$129.00	\$78.00	GATEWAY TUBE TR218A #KF41	\$73.00	Gateway A
43	APLS750X16 TUBES, HEAVY DUTY, BLACK, BUTYL, LIGHT TRUCK, FOR FLAT BASE RIMS., 7.00/7.50-16 - CUPPLES - #51-2508 1.00% 10 "NON-STOCK ITEM". 863-25-01001	EA	\$3.25	\$11.00	A	\$21.00	43 552062 TUBE FIRESTONE 7/7.50R16 TR150 LT RAD IMPT	\$12.00	GATEWAY TUBE TR13 #1AJ39	\$15.00	gateway A



BID OPENING: March 6, 2013 at 3:00 p.m.

LOCATION: Conference Room

PREPARED BY: ERICA MARTINEZ

**PROJECT: 02-13-SP16-31 Supply Contract for the Purchase of Tires**

BIDDERS:				★ A TO Z TIRES AMARILLO, TX		GCR TIRE CENTERS PHARR, TX ▲		★ SOUTHERN TIRE MART COLUMBIA, MS		★ TX MAS (TIRE CENTERS LLC) PHARR TX ▲	
ITEM	DESCRIPTION	UOM	PREVIOUS PRICING	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT	UNIT PRICE	COMMENT
44	APLS169/184R30 TUBES, RADIAL, REAR, FARM, TUBE, RADIAL 169/184R 30, STATE DESCRIPTION: 16.9R30, TR218A VALVE, - FIRESTONE - #538-353 "NON-STOCK ITEM". 863-20-01001	EA	\$42.64	★ \$49.00	A	\$126.00	FIRESTONE 14.9/16.9/18.4R30 TR218A TRAC \$126.00 0	\$64.00	GATEWAY TUBE TR218A #1KC32	\$56.00	Gateway A
ADDENDUM NO. 1				ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED	
ADDENDUM NO. 2 (BID OPENING EXTENSION ONLY)				ACKNOWLEDGED		NOT ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED	
HARDCOPY SUBMITTAL				SUBMITTED		SUBMITTED		SUBMITTED		SUBMITTED	
ELECTRONIC BID SUBMITTAL				SUBMITTED		SUBMITTED		SUBMITTED		SUBMITTED	

▲  
VENDOR CONDITIONED BID; UNIT PRICES TO EXPIRE 11/30/13

Vendor did not meet specs: unit prices to expire 11/30/13

Did not meet specification  
Item #23 - non-radial tire  
Item # 24 - wrong size tire  
Item #25 - non-radial tire  
Item #31 - item quoted is 4 ply

RETURN OF TIRES LIMITED TO NEW & UNUSED TIRES PURCHASED FROM TCI WITHIN ONE YEAR. ▲

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION   X    
UTILITY BOARD \_\_\_\_\_  
OTHER \_\_\_\_\_

AGENDA ITEM   2G    
DATE SUBMITTED 05/07/13  
MEETING DATE   05/13/13  

1. **Agenda Item:** CONSIDERATION AND APPROVAL OF A DEDUCT CHANGE ORDER TO PURCHASE CONTRACT - ONE (1) PRE-OWNED MODEL TROMMEL SCREEN FOR THE COMPOSTING FACILITY OF PUBLIC WORKS – PROJECT NO. 02-13-P17-21

2. **Party Making Request:** Public Works Department

3. **Nature of Request:** (Brief Overview) Attachments:   X   Yes    No  
Public Works requests consideration and approval of a change order to reflect a cost decrease for a Vacuum Wind Sifter from \$24,350.00 to \$21,350.00. The Vacuum Wind Sifter is an optional attachment to the Trommel Screen. The aggregate purchase amount will therefore decrease from \$268,475.00 to \$265,475.00. This represents a \$3,000.00 price decrease.

4. **Policy Implication:**   N/A  

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

6. **Alternate Option/Costs** \_\_\_\_\_

7. **Routing:**

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.)	<u>C. Sanchez, P.E., PW Director</u>	<u>  CAS  </u>	<u>05/07/13</u>	<u>  YES  </u>
b.)	<u>Wendy Smith, Asst City Mgr.</u>	<u>          </u>	<u>          </u>	<u>          </u>
c.)	<u>Sandra Zamora, Purchasing Dir.</u>	<u>          </u>	<u>          </u>	<u>          </u>

8. **Staff Recommendation:** Public Works recommends approval of change order to reflect the decrease in cost from \$24,350.00 to \$21,350.00 for a total aggregate purchase order amount of \$265,475.00.

9. **Advisory Board:**    Approved    Disapproved    None

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

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

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**TO:** Mike R. Perez, City Manager

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

**DATE:** May 7, 2013

**SUBJECT:** Deduct Change Order to Purchase Contract One Pre-Owned Model Trommel Screen for the Composting Facility of Public Works – PROJECT NO. 02-13-P17-21

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**GOAL**

Consideration and approval of a change order for the purchase of a Vacuum Wind Sifter for the Pre-owned 2012 Model Trommel Screen.

**EXPLANATION**

On March 25, 2013, the City Commission awarded a purchase contract to McCourt & Sons Equipment of La Grange, TX for a pre-owned 2012 McCloskey 621RE Trommel Screen for a base unit cost of \$237,750.00. Award also included Optional Equipment bid items 4, 5, 6, and 7 for an added cost that had been requested for \$30,725.00. However, added costs instead should represent a total of \$27,725.00 for a total aggregate price of \$265,475.00. Due to the fact that Base Bid Item #5, Vacuum – Wind Sifter was added at a cost of \$24,350.00, instead of \$21,350.00, a Change Order for a decrease in price is being requested.

Purchase Order #00019107 was created and subsequently submitted to McCourt & Sons Equipment, Inc. On April 2, 2013, a Pre-Owned 2012 McCloskey 621RE Trommel Screen at a unit price of \$237,750.00, a Wind Break Attachment at a price of \$2,625.00 and a Reversible Fan at a price of \$3,750.00 were ordered. However, due to the price decrease and request for a change order, we are still pending ordering the Vacuum Wind Sifter at a price of \$21,350.00 to complete the purchase order contract awarded. Public Works is seeking authorization for a change order to reflect the decrease in price when the final invoice is received.

**RECOMMENDATION**

Public Works recommends approval of change order to reflect the decrease in price on the Vacuum Wind Sifter from \$24,350.00 to \$21,350.00 for a total aggregate price on the purchase order of \$265,475.00.

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION   X    
 UTILITY BOARD \_\_\_\_\_  
 OTHER \_\_\_\_\_

AGENDA ITEM   2h    
 DATE SUBMITTED   05/07/13    
 MEETING DATE   05/13/13  

1. Agenda Item:   Consideration of Approval of Amendment to Change Order No. 1 and Final Reconciliation of Quantities for the Bicentennial Boulevard Paving Improvements Project Nolana Ave to Dove Ave Project No. 09-12-C29-204  

2. Party Making Request:   Engineering Department  

3. Nature of Request: (Brief Overview) Attachments:   X   Yes      No  
  Consideration and Approval of Amendment to Change Order No. 1 and Final Reconciliation of Quantities for the Bicentennial Boulevard Paving Improvements Project - Nolana Avenue to Dove Avenue  

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

5. Budgeted:   X   Yes      No      N/A

**Funding Source: 110-8702-436.66-36**

<b>Original Contract Amount</b>	<b>\$</b>	<b>584,890.33</b>	<b>100.00%</b>	<b>30 days</b>
<b>Change Order No. 1 and Final (net)</b>	<b>\$</b>	<b>11,956.56</b>	<b>2.04%</b>	<b>7 days</b>
<b>Amendment to Change Order No. 1 and Final</b>	<b>\$</b>	<b>(3,000.00)</b>	<b>-0.51%</b>	<b>0 days</b>
<b>Final Amended Contract Amount</b>	<b>\$</b>	<b>593,846.89</b>	<b>101.53%</b>	<b>37 days</b>

6. Alternate Option/Costs \_\_\_\_\_

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>  5/6/13  </u>	<u>  yes  </u>
b.) R. Rodriguez, PE, Asst. City Manager	<u>  RR  </u>	<u>  5/6/13  </u>	<u>  YES  </u>
c.) J. Dale, CPA, Finance Director	<u>  JD/AR  </u>	<u>  5/6/13  </u>	<u>  YES  </u>
d.) S. Zamora, CPM, Director of P&C	<u>          </u>	<u>          </u>	<u>          </u>


8. Staff Recommendation:   Approve Amendment to Change Order No. 1 and Final Reconciliation of Quantities in the deduct amount of \$ 3,000.00 with zero (0) additional calendar days for a final amended contract amount of \$593,846.89 and final contract time of 37 calendar days  

9. Advisory Board:      Approved      Disapproved      None

10. City Attorney:   KP   Approved      Disapproved      None

11. Manager's Recommendation:   MRP   Approved      Disapproved      None

**To:** Mike R. Perez, City Manager

**From:** Yvette Barrera, PE, CFM, City Engineer 

**Date:** May 2, 2013

**Subject:** **Amendment to Change Order No. 1 & Final Reconciliation of Quantities for the Bicentennial Boulevard Paving Improvements Project (Nolana Ave to Dove Ave) Project No. 09-12-C29-204**

**Goal**

Consideration and approval of Amendment to Change Order No. 1 and Final Reconciliation of Quantities for the Bicentennial Boulevard Paving Improvements Project (Nolana Ave to Dove Ave).

**Explanation**

This item amends previously approved Change Order No. 1 and Final Reconciliation of quantities to reflect a deduct of \$3,000.00 from the originally presented amount approved by Commission on December 10, 2012 as item 2F. The deduct is associated with a bid item for hydromulch not used on the project. A summary is presented below.

	<b>Amount</b>	<b>Percentage of Original Contract</b>	<b>Contract Time</b>
Original Contract	\$ 584,890.33	100.00%	30 Calendar Days
Change Order No. 1 & Final (net)	\$ 11,956.56	2.04%	7 Calendar Days
Amendment to Change Order No. 1 & Final	- \$ 3,000.00	- 0.51%	0 Calendar Days
Final Contract	\$ 593,846.89	101.53%	37 Calendar Days

A detailed contract summary is also included for your review.

**Options**

- 1.) Approve staff's recommendation.
- 2.) Reject staff's recommendation

**Recommendation**

Based upon review by this office, staff recommends approval of Amended Change Order No. 1 and Final Reconciliation of Quantities in the deduct amount of **\$ 3,000.00** and **zero (0) additional calendar days** for a final contract amount of **\$593,846.89** and final contract time of **37-calendar days**.

**FINAL CONTRACT SUMMARY**



**Project:** Bicentennial Boulevard Paving Improvements - Nolana Avenue to Dove Avenue

**Project No.:** 09-12-C29-204

**Contractor:** Clore Construction Company, Harlingen, Texas

**Date:** May 2, 2013

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT COST	ORIGINAL CONTRACT		AMENDED		AMENDED	
					QUANTITY	AMOUNT	CHANGE ORDER #1 & FINAL		FINAL CONTRACT	
							QUANTITY	AMOUNT	QUANTITY	AMOUNT
1	ROADWAY PAVING IMPROVMENTS: 3-in HMAC, TY D; Limestone Aggregate	SY	7,976	\$ 17.25	7,976	\$ 137,586.00	0	\$ -	7,976.00	\$ 137,586.00
2	ROADWAY PAVING IMPROVMENTS: 12-in Flex Base	SY	8,830	\$ 9.15	8,830	\$ 80,794.50	0	\$ -	8,830.00	\$ 80,794.50
3	ROADWAY PAVING IMPROVMENTS: 12-in Subgrade; 4% Lime	SY	8,830	\$ 7.95	8,830	\$ 70,198.50	0	\$ -	8,830.00	\$ 70,198.50
4	ROADWAY PAVING IMPROVMENTS: Rework Existing 12-in Flex Base; 2% Lime	SY	1,186	\$ 6.15	1,186	\$ 7,293.90	0	\$ -	1,186.00	\$ 7,293.90
5	ROADWAY PAVING IMPROVMENTS: 24-in Curb Gutter	LF	1,992	\$ 14.06	1,992	\$ 28,007.52	0	\$ -	1,992.00	\$ 28,007.52
6	ROADWAY PAVING IMPROVMENTS: Remove/Replace 24-in Curb Gutter	LF	150	\$ 18.05	150	\$ 2,707.50	0	\$ -	150.00	\$ 2,707.50
7	ROADWAY PAVING IMPROVMENTS: Sidewalk; 5-ft Width	LF	869	\$ 15.81	869	\$ 13,738.89	425	\$ 6,719.25	1,294.00	\$ 20,458.14
8	ROADWAY PAVING IMPROVMENTS: Sidewalk; 10-ft Width	LF	319	\$ 27.08	319	\$ 8,638.52	0	\$ -	319.00	\$ 8,638.52
9	ROADWAY PAVING IMPROVMENTS: Sidewalk Ramp; TY I	EA	1	\$ 650.00	1	\$ 650.00	0	\$ -	1.00	\$ 650.00
10	ROADWAY PAVING IMPROVMENTS: Raised Concrete Median; 6-in	SY	286	\$ 62.49	286	\$ 17,872.14	0	\$ -	286.00	\$ 17,872.14
11	HIKE/BIKE TRAIL IMPROVEMENTS: Asphalt Trail; 12-ft Width	LF	4,542	\$ 23.02	4,542	\$ 104,556.84	-75	\$ (1,726.50)	4,467.00	\$ 102,830.34
12	HIKE/BIKE TRAIL IMPROVEMENTS: Concrete Apron; 6-in	SY	1,876	\$ 38.25	1,876	\$ 71,757.00	-235	\$ (8,988.75)	1,641.00	\$ 62,768.25
13	HIKE/BIKE TRAIL IMPROVEMENTS: Steel Pipe Bollard; 6-in w/ PVC Cover	EA	32	\$ 163.51	32	\$ 5,232.32	-4	\$ (654.04)	28.00	\$ 4,578.28
14	HIKE/BIKE TRAIL IMPROVEMENTS: Irrigation Sleeves; 6-in SCH40 PVC	LF	500	\$ 13.50	500	\$ 6,750.00	0	\$ -	500.00	\$ 6,750.00
15	HIKE/BIKE TRAIL IMPROVEMENTS: Sidewalk; 5-ft Width	LF	70	\$ 15.81	70	\$ 1,106.70	-70	\$ (1,106.70)	0.00	\$ -
16	MISCELLANEOUS: Demo Conc Headwall; 8-in Thk	LS	1	\$ 1,000.00	1	\$ 1,000.00	0	\$ -	1.00	\$ 1,000.00
17	MISCELLANEOUS: Abandon/Plug Field Drain; 18" RCP	LS	1	\$ 1,000.00	1	\$ 1,000.00	0	\$ -	1.00	\$ 1,000.00
18	MISCELLANEOUS: Storm Sewer MH Grade Ring Adjustment	EA	1	\$ 1,000.00	1	\$ 1,000.00	-1	\$ (1,000.00)	0.00	\$ -

**FINAL CONTRACT SUMMARY**



**Project:** Bicentennial Boulevard Paving Improvements - Nolana Avenue to Dove Avenue

**Project No.:** 09-12-C29-204

**Contractor:** Clore Construction Company, Harlingen, Texas

**Date:** May 2, 2013

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT COST	ORIGINAL CONTRACT		AMENDED CHANGE ORDER #1 & FINAL		AMENDED FINAL CONTRACT	
					QUANTITY	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
19	MISCELLANEOUS: Permanent Vegetative Stabilization	AC	4	\$ 750.00	4	\$ 3,000.00	-4	\$ (3,000.00)	0.00	\$ -
20	MISCELLANEOUS: 8-in Waterline Adjustment	EA	1	\$ 1,000.00	1	\$ 1,000.00	-1	\$ (1,000.00)	0.00	\$ -
21	MISCELLANEOUS: Trench Protection; Abandon/Plug Field Drain	LF	10	\$ 350.00	10	\$ 3,500.00	0	\$ -	10.00	\$ 3,500.00
22	MISCELLANEOUS: Temp Erosion & Sediment Control	LS	1	\$ 6,000.00	1	\$ 6,000.00	0	\$ -	1.00	\$ 6,000.00
23	MISCELLANEOUS: Construction Staking	LS	1	\$ 5,500.00	1	\$ 5,500.00	0	\$ -	1.00	\$ 5,500.00
24	ROADWAY PAVING IMPROVEMENTS: Roadway Excavation & Grading	CY	2,000	\$ 3.00	2,000	\$ 6,000.00	-1,167	\$ (3,500.00)	833.33	\$ 2,500.00
<b>SUB TOTAL - BASE BID</b>						<b>\$ 584,890.33</b>		<b>\$ (14,256.74)</b>		<b>\$ 570,633.59</b>
<b>CHANGE ORDER NO. 1 AND FINAL</b>										
CO1.1	16-IN PVC Waterline Casing	LS	1	\$ 8,089.80	0	\$ -	1	\$ 8,089.80	1.00	\$ 8,089.80
CO1.2	Roadway Embankment & Grading	CY	1,450	\$ 10.43	0	\$ -	1,450	\$ 15,123.50	1,450.00	\$ 15,123.50
<b>SUB TOTAL - CHANGE ORDER NO. 1 &amp; FINAL</b>						<b>\$ -</b>		<b>\$ 23,213.30</b>		<b>\$ 23,213.30</b>
<b>TOTALS</b>						<b>\$ 584,890.33</b>		<b>\$ 8,956.56</b>		<b>\$ 593,846.89</b>

CONTRACT SUMMARY			
	Amount	% of Original Contract Amt	Calendar Days
Original Contract	\$ 584,890.33	100.00%	30
Amended Change Order No. 1 & Final (net)	\$ 8,956.56	1.53%	7
Final Contract	\$ 593,846.89	101.53%	37

STANDARDIZED RECOMMENDATION FORM

21

CITY COMMISSION       X        
UTILITY BOARD         
PLANNING & ZONING BOARD         
OTHER       

AGENDA ITEM         
DATE SUBMITTED 04-23-13  
MEETING DATE 05-13-13

1 Agenda Item: RESOLUTION - CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT TO ALLOW SPACE EXPLORATIONS TECHNOLOGIES, INC (SPACE X) TO LAUNCH THE FALCON 9 AND FALCON HEAVY ORBITAL VERTICAL LAUNCH VEHICLES AND A VARIETY OF SMALLER RESUSABLE SUBORBITAL LAUNCH VEHICLES FROM A LAUNCH SITE ON PRIVATELY-OWNED PROPERTY IN CAMERON, COUNTY, TEXAS.

2 Party Making Request: Mike R. Perez, City Manager

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

4 Policy Implication:       

5 Budgeted:        Yes        No        N/A

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

If over budget, how will it be paid for:       

6 Alternate option/costs:       

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE</u> <u>YES/NO</u>
a) <u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>
b) <u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

8 Staff Recommendation:       

9 Advisory Board:        Approved        Disapproved        None

10 City Attorney:        Approved        Disapproved        None

11 Manager's Recommendation:        Approved        Disapproved        None



May 13, 2013

Ms. Stacey M. Zee  
FAA Environmental Specialist  
SpaceX EIS c/o Cardno TEC, Inc.  
275 West Street, Suite 110  
Annapolis, MD 21401

Dear Ms. Zee:

This letter is submitted in response to the May 7, 2013, Public Hearing on The Draft Environmental Impact Statement (EIS) to evaluate the potential environmental impacts that may result from the FAA/AST proposal to issue launch licenses and/or experimental permits to Space Exploration Technologies Corporation (SpaceX). I am pleased to submit this letter in support of SpaceX's proposal to launch from a site in Cameron County, Texas.

Locating the proposed launch facility on the Boca Chica Beach site off of Highway 4 would be an ideal location because of its close proximity to the Gulf of Mexico and because the land that SpaceX will need remains undeveloped today. I am confident that SpaceX will conduct its operations in a mutually beneficial and cooperative manner with respect to the environment, local residents, beachgoers, and the community as a whole. Just as they have in other areas, SpaceX's experience operating complex launches in and around wildlife refuges and other environmentally protected areas can lead to an eco-friendly facility for wildlife and natural habitat.

The proposed project will be an asset to the entire South Texas region. It will inspire our local school children to reach for the stars and focus more than ever on critical science, technology, engineering and math studies. It could also create opportunities for programs and degrees as well as research facilities at our local institutions of higher learning here in the Rio Grande Valley. The SpaceX project will create high-paying job opportunities for local residents and stimulate other indirect jobs. In addition, the tourism potential a project of this magnitude can bring to the region is immeasurable.

I am in full support of the project and am delighted that this commercial company is strongly considering Cameron County.

Sincerest regards,

Richard F. Cortez  
Mayor

**“CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION IN SUPPORT OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT TO ALLOW SPACE EXPLORATIONS TECHNOLOGIES, INC (SPACE X) TO LAUNCH THE FALCON 9 AND FALCON HEAVY ORBITAL VERTICAL LAUNCH VEHICLES AND A VARIETY OF SMALLER REUSABLE SUBORBITAL LAUNCH VEHICLES FROM A LAUNCH SITE ON PRIVATELY-OWNED PROPERTY IN CAMERON, COUNTY, TEXAS”**

**WHEREAS**, Space X, Inc. was founded in 2002 by Elon Musk for the purpose of solving the problem of providing a simple, low cost and reliable way to access and explore outer space; and

**WHEREAS**, the City of McAllen recognizes the importance of space exploration; and

**WHEREAS**, Space X Inc. has established its credibility in the area of private manned and unmanned space flight, having been awarded a significant contract with NASA for 12 flights for their Falcon 9 rocket and Dragon spacecraft to the International Space Station after the retirement of the Space Shuttle in 2011; and

**WHEREAS**, Space X, Inc. has expressed a strong interest in considering an area within Cameron County, Texas as a possible launch site for its Falcon 1 and Falcon 9 rockets and Dragon spacecraft; and

**WHEREAS**, the City of McAllen recognizes that the development of such a commercial launch site would have a tremendous positive economic impact on both job creation and economic growth to the region; and

**WHEREAS**, the City of McAllen wishes to express its strong support and pledges to work in cooperation with Space X, Inc. on this important project.

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

the City of McAllen unanimously expresses its strong support to Space X, Inc. for the establishment of a commercial launch site and command center within Cameron County, Texas.

**CONSIDERED, PASSED, APPROVED, AND SIGNED** this 13<sup>th</sup> day of May 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

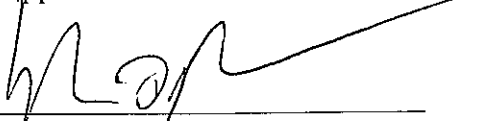
ATTEST:

CITY OF MCALLEN

\_\_\_\_\_  
Annette Y. Villarreal, City Secretary

\_\_\_\_\_  
Richard F. Cortez, Mayor

Approved as to form:

  
\_\_\_\_\_  
Kevin Pagan, City Attorney

CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION \_\_\_\_\_  
UTILITY BOARD \_\_\_\_\_  
PLANNING & ZONING BOARD \_\_\_\_\_

AGENDA ITEM 2J  
DATE SUBMITTED 5-07-2013  
MEETING DATE 5-13-2013

- Agenda Item: RESOLUTION - Authorization to accept a grant award from the Federal Emergency Management Agency, Texas Department of Public Safety, Texas Division of Emergency Management under the Hazard Mitigation Grant Program for funds provided through the Presidential Disaster Declaration DR-1931 from Hurricane Alex for flood mitigation projects.
- Party Making Request: Carla M. Rodriguez, Director of Grant Administration
- Nature of Request: (Brief Overview) Attachments: X Yes \_\_\_ No

The City is requesting authorization to accept a grant award for Hazard Mitigation Grant Program DR-1931-TX Project #12 under the Federal Emergency Management Agency, Texas Department of Public Safety, Texas Division of Emergency Management. The project will re-grade the existing man-made drainage ditch to the north of Redwood Avenue from N. 49<sup>th</sup> Street to N. 51<sup>st</sup> Street. The total award amount is \$190,013 (75%) with the City of McAllen providing a required local match of \$63,337 (25%), for a total project cost of \$253,351.

- Policy Implication: None
- Budgeted: \_\_\_ Yes \_\_\_ No X N/A
- Alternate Option/Costs: \_\_\_\_\_
- Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE
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a) Yvette Barrera, P.E., City Engineer	<u>YB</u>	<u>5-7-2013</u>	<u>YES</u>
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- Staff Recommendation: Motion to approve acceptance of award
- Advisory Board: \_\_\_ Approved \_\_\_ Disapproved \_\_\_ None
- City Attorney: KP Approved \_\_\_ Disapproved \_\_\_ None
- City Manager : MRP Approved \_\_\_ Disapproved \_\_\_ None



**CITY OF MCALLEN  
GRANT ADMINISTRATION OFFICE  
MEMORANDUM**

**To:** Mike R. Perez, City Manager  
**From:** Carla M. Rodriguez, Director of Grant Administration  
**Date:** May 7, 2013  
**Subject:** Hazard Mitigation Grant Program Acceptance of Award

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**GOAL:** Authorization to accept a grant award from Office of the Governor, Texas Division of Emergency Management under the Hazard Mitigation Grant Program for funds provided through the Presidential Disaster Declaration DR-1931 from Hurricane Alex for flood mitigation projects.

**BRIEF EXPLANATION OF THE ITEM:** The City is requesting authorization to accept a grant award for Hazard Mitigation Grant Program DR-1931-TX Project #12 under the Federal Emergency Management Agency, Texas Department of Public Safety, Texas Division of Emergency Management. The project will re-grade the existing man-made drainage ditch to the north of Redwood Avenue from N. 49<sup>th</sup> Street to N. 51<sup>st</sup> Street. The total award amount is \$190,013 (75%) with the City of McAllen providing a required local match of \$63,337 (25%), for a total project cost of \$253,351.

**OPTIONS:** Option 1: Approving the acceptance of award will allow the City to acquire funds to make the necessary improvements that will mitigate flooding in flood prone areas of the City.

Option 2: Not approving the acceptance of award will result in the City having to pay for the entire cost of the drainage improvements.

**RECOMMENDATION:** Staff recommends the acceptance of award.

**AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FOR HAZARD MITIGATION GRANT PROGRAM DR-1931-TX PROJECT #12 UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY, TEXAS DEPARTMENT OF PUBLIC SAFETY, TEXAS DIVISION OF EMERGENCY FOR FUNDS PROVIDED THROUGH THE PRESIDENTIAL DISASTER DECLARATION DR-1931 FROM HURRICANE ALEX FOR FLOOR MITIGATION PROJECTS.**

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN

**WHEREAS**, the U. S. Department of Homeland Security, Federal Emergency Management Agency has made funding available to states and local governments through the Hazard Mitigation Grant Program to mitigate the effects of flooding during periods of heavy or prolonged rains; and

**WHEREAS**, the Texas Department of Public Safety, Texas Division of Emergency Management (TDEM), is charged with awarding the funds to FEMA-approved projects submitted by eligible local governments under the Presidential Disaster Declaration for Hurricane Alex (DR-1931): and

**WHEREAS**, TDEM has selected the City of McAllen's DR-1931 Project #12 for funding; and

**WHEREAS**, TDEM requires formal acceptance of award from the City of McAllen to complete the award.

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

- 1) The City of McAllen accepts a grant award through the Hazard Mitigation Grant Program DR-1931-TX Project #12 under the Federal Emergency Management Agency, Texas Department of Public Safety, Texas Division of Emergency Management. The total award amount is \$190,013 (75%) with the City of McAllen providing a required local match of \$63,337 (25%), for a total project cost of \$253,351.
- 2) Upon the acceptance of the award, the Mayor is authorized to execute all legal documents necessary, and to perform any acts necessary to implement the project(s).
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Office of the Governor, Division of Emergency Management in full.

**CONSIDERED, PASSED, APPROVED, AND SIGNED** this 13th day of May 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

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Annette Villarreal, City Secretary

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Richard F. Cortez, Mayor

Approved as to form:

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Kevin Pagan, City Attorney

**CITY OF McALLEN**  
**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION  X   
UTILITY BOARD \_\_\_\_\_  
PLANNING & ZONING BOARD \_\_\_\_\_

AGENDA ITEM  2K   
DATE SUBMITTED  05-07-13   
MEETING DATE  05-13-13

1. Agenda Item: **Resolution:** Authorizing the submission of a grant application to the Texas School Safety Center on behalf of the Department of State Health Services for funding under the FY 2014 Tobacco Enforcement Program.

2. Party Making Request: Carla M. Rodriguez, Director of Grant Administration

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

The Tobacco Enforcement Program provides funding to support activities to reduce the extent of tobacco to which cigarettes and tobacco products are illegally sold or distributed to person who are younger than 18 years of age. The amount of funds awarded to jurisdictions is determined by the Texas School Safety Center based on the amount of overall applications received, the jurisdictional retail outlet density, and meeting DSHS' distribution goal for statewide coverage per Health and Human Services Region. Historically, award amounts have averaged \$5,000. There is no local match required for awarded funds.

4. Policy Implication: None

5. Budgeted: \_\_\_ Yes \_\_\_ No X N/A

6. Alternate Option/Costs: \_\_\_\_\_

7. Routing:  
NAME/TITLE INITIAL DATE CONCURRENCE

a) Victor Rodriguez, Chief of Police  VR   05-07-13   YES

8. Staff Recommendation: Motion to approve submission of application.

9. Advisory Board: \_\_\_ Approved \_\_\_ Disapproved \_\_\_ None

10. City Attorney: KP Approved \_\_\_ Disapproved \_\_\_ None

11. City Manager: MRP Approved \_\_\_ Disapproved \_\_\_ None



**CITY OF MCALLEN  
GRANT ADMINISTRATION OFFICE  
MEMORANDUM**

---

**To: Mike R. Perez, City Manager**

**From: Carla M. Rodriguez, Director of Grant Administration**

**Date: May 7, 2013**

**Subject: Tobacco Enforcement Grant Application**

---

**GOAL:** Authorize the submission of a grant application on behalf of the Police Department to the Texas School Safety Center on behalf of the Department of State Health Services for funding under the FY 2014 Tobacco Enforcement Program.

**BRIEF EXPLANATION OF THE ITEM:**

The Tobacco Enforcement Program provides funding to support activities to reduce the extent of tobacco to which cigarettes and tobacco products are illegally sold or distributed to person who are younger than 18 years of age. The amount of funds awarded to jurisdictions is determined by the Texas School Safety Center based on the amount of overall applications received, the jurisdictional retail outlet density, and meeting DSHS' distribution goal for statewide coverage per Health and Human Services Region. Historically, award amounts have averaged \$5,000. There is no local match required for awarded funds.

**OPTIONS:**

Option 1: Approving the submission of the grant application will allow the McAllen Police Department to conduct activities that will reduce the rate of underage usage of tobacco and enforce compliance laws among tobacco retailers.

Option 2: Not approving the submission of the grant application will result in the loss of funds to further enforce state tobacco compliance laws within the City.

**RECOMMENDATION:** Staff recommends submission of the application.

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TEXAS SCHOOL SAFETY CENTER ON BEHALF OF THE DEPARTMENT OF STATE HEALTH SERVICES FOR FUNDING UNDER THE FY 2014 TOBACCO ENFORCEMENT PROGRAM.**

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN

**WHEREAS**, the Texas School Safety Center on behalf of the Department of State Health Services has made funding available through the Tobacco Enforcement Program to provide assistance to municipal police departments to enforce State tobacco laws.

**WHEREAS**, the McAllen Police Department is required to uphold all Local, State and Federal laws pertaining to the sale and use of illegal, prohibited, restricted, or regulated substances; and

**WHEREAS**, the McAllen Police Department plans to conduct activities that will reduce the rate of tobacco usage among underage youths and increase compliance among tobacco retailers.

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

- 1) The McAllen Police Department and Grant Administration Office are hereby directed to prepare and submit an application to the Texas School Safety Center for funding to support activities to reduce the rate of tobacco usage among underage youths and increase compliance among tobacco retailers in the City of McAllen. The amount of State funds awarded will be determined by the Department of State Health Services based on the amount of overall applications received, the jurisdictional retail outlet density, and meeting DSHS' distribution goal for statewide coverage per Health and Human Services Region. There is no local match required for awarded funds, which historically have averaged \$5,000.
- 2) Upon the approval of this application, the Mayor is authorized to execute all legal documents necessary, and to perform any acts necessary to implement the project.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Texas School Safety Center in full.

**CONSIDERED, PASSED, APPROVED, AND SIGNED** this 13<sup>th</sup> day of May 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

\_\_\_\_\_  
Annette Villarreal, City Secretary

\_\_\_\_\_  
Richard F. Cortez, Mayor

Approved as to form:

\_\_\_\_\_  
Kevin D. Pagan, City Attorney







**CITY OF MCALLEN  
GRANT ADMINISTRATION OFFICE  
MEMORANDUM**

---

**To:** Mike R. Perez, City Manager  
**From:** Carla Rodriguez, Director of Grant Administration  
**Date:** May 7, 2013  
**Subject:** Fiscal Years 2013 and 2014 Victim Coordinator and Liaison Grant Program

---

**GOAL:** Authorize the submission of a grant application to the Office of the Attorney General of Texas, Crime Victim Services Division, for funding under Fiscal Years 2013 and 2014 Victim Coordinator and Liaison Grant Program.

**BRIEF EXPLANATION OF THE ITEM:** This grant opportunity will provide funding to support the salary and fringe benefits of the McAllen Police Department's Crime Victims Liaison position for a two-year period. The Crime Victim Liaison provides services to victims of crime, including informing victims of their rights, judicial procedures, and assisting them in accessing State and local funds and services. The amount of State funds requested is \$81,952 with no local match required.

**OPTIONS:**

Option 1 – Approving the submission of the grant application will allow the McAllen Police Department to request and receive funding for a two-year period for the Crime Victim Liaison position and sustain the victims of crime support system that is currently in place.

Option 2 – Not approving the submission of the grant application will result in the loss of an opportunity to acquire grant funding for the Crime Victim Liaison position.

**RECOMMENDATION:** Staff recommends submission of the grant application.

**RESOLUTION NO. 2013-\_\_\_\_\_**

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS, CRIME VICTIM SERVICES DIVISION, FOR FUNDING UNDER FISCAL YEARS 2013 AND 2014 VICTIM COORDINATOR AND LIAISON GRANT PROGRAM.**

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF McALLEN

**WHEREAS**, the Office of the Attorney General of Texas, Crime Victim Services Division, provides assistance and services to victims of crime under Article I, Section 30 of the Texas Constitution, and Articles 56.02 and 56.04 of the Texas Code of Criminal Procedure; and

**WHEREAS**, the services reduce victim trauma and focus community attention and resources on the problem of crime by informing victims of their rights, judicial procedures, compensation, and providing referral information to the appropriate agencies; and

**WHEREAS**, the McAllen Police Department currently receives funding under the Victim Coordinator and Liaison Grant Program and provides services to victims of crime.

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

- 1) The Grant Administration Office is hereby authorized to submit an application to the Office of the Attorney General of Texas, Crime Victims Services Division, for funding under Fiscal Years 2013 and 2014 Victim Coordinator and Liaison Grant Program in the amount of \$81,952 with no local match required, for salary and fringe benefits of the Crime Victims Liaison position for a two-year period.
- 2) Upon approval of this application, the City Manager is authorized to execute all legal documents, contracts and agreements, and to perform any and all acts necessary to implement this program.
- 3) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Office of the Attorney General of Texas in full.

**CONSIDERED, PASSED, APPROVED AND SIGNED** this 13<sup>th</sup> day of May 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 Pagan, City Attorney

**CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION  X   
 UTILITY BOARD \_\_\_\_\_  
 PLANNING & ZONING BOARD \_\_\_\_\_

AGENDA ITEM  2M   
 DATE SUBMITTED  05-07-13   
 MEETING DATE  05-13-13

1. Agenda Item: **Resolution:**  Authorizing the submission of a grant application to the U. S. Department of Justice, Office of Justice Programs, under the FY 2013 Bulletproof Vest Partnership Program.

2. Party Making Request:  Carla M. Rodriguez, Director of Grant Administration

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

The Bulletproof Vest Partnership Program will allow the McAllen Police Department to receive 50% reimbursement on the purchase of bulletproof vests it purchases annually to replace out-of-date vests. The grant requires a 50% local match. The funds will offset the cost for vests at the current price of \$675 per vest. The Federal request is \$3,037.31, with a \$3,037.31 local match, for a total of \$6,074.62.

4. Policy Implication:  None

5. Budgeted:  X  Yes   No   N/A

6. Alternate Option/Costs: \_\_\_\_\_

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)Victor Rodriguez, Police Chief	<u> VR </u>	<u> 05/07/13 </u>	<u> YES </u>

8. Staff Recommendation:  Motion to approve submission of grant application.

9. Advisory Board:   Approved   Disapproved   None

10. City Attorney:  KP  Approved   Disapproved   None

11. City Manager:  MRP  Approved   Disapproved   None



**CITY OF MCALLEN  
GRANT ADMINISTRATION OFFICE  
MEMORANDUM**

---

**To:** Mike R. Perez, City Manager  
**From:** Carla M. Rodriguez, Director of Grant Administration  
**Date:** May 7, 2013  
**Subject:** FY 2013 Bulletproof Vest Partnership Grant Application

---

**GOAL:** Authorize the submission of a grant application to the U. S. Department of Justice, Office of Justice Programs, under the FY 2013 Bulletproof Vest Partnership Grant Program.

**BRIEF EXPLANATION OF THE ITEM:**

The Bulletproof Vest Partnership Program will allow the McAllen Police Department to receive 50% reimbursement on the purchase of bulletproof vests it purchases annually to replace out-of-date vests. The grant requires a 50% local match. The funds will offset the cost for vests at the current price of \$675 per vest. The Federal request is \$3,037.31, with a \$3,037.31 local match, for a total of \$6,074.62.

**OPTIONS:** Option 1: Authorizing the submission of the grant application will allow the Police Department to leverage costs for bulletproof vests.

Option 2: Not authorizing the acceptance of funds will result in the loss of an opportunity to acquire additional funding to leverage costs for bulletproof vests.

**RECOMMENDATION:** Staff recommends authorization to accept grant funds.

RESOLUTION NO. 2013-\_\_\_\_\_

**AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, FOR FUNDING UNDER THE FY 2013 BULLETPROOF VEST PARTNERSHIP PROGRAM.**

STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF MCALLEN

**WHEREAS**, the McAllen Police Department is required to provide essential public safety services;

**WHEREAS**, McAllen Police Department personnel may be required to work under dangerous conditions in the course of duty; and

**WHEREAS**, the U. S. Department of Justice, Office of Justice Programs, has made funding available through the Bulletproof Vest Partnership Program to provide assistance to police departments in purchasing body armor and bulletproof vests.

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

- 1) The Grant Administration Office is hereby directed to prepare and submit a grant application to the U. S. Department of Justice, Office of Justice Programs, FY 2013 Bulletproof Vest Partnership Program for funding to purchase bulletproof vests in the amount of \$3,037.31, with a \$3,037.31 local match, for a total project cost of \$6,074.62.
- 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 U. S. Department of Justice, Office of Justice Programs in full.

**CONSIDERED, PASSED, APPROVED, AND SIGNED** this 13th day of May 2013, at a regular meeting of the Board of Commissioners, of the City of McAllen, Texas, at which a quorum was present and which was held pursuant to Chapter 551, Texas Government Code.

Attest:

City of McAllen

\_\_\_\_\_  
Annette Y. Villarreal, City Secretary

\_\_\_\_\_  
Richard F. Cortez, Mayor

Approved as to form:

\_\_\_\_\_  
Kevin Pagan, City Attorney

**CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION        X    
UTILITY BOARD                    
OTHER                             

AGENDA ITEM          2N    
DATE SUBMITTED      5/7/13    
MEETING DATE        5/13/13  

1. Agenda Item:   Variance  

2. Party Making Request:   Gerardo Gomez  

3. Nature of Request: (Brief Overview) Contract:    Yes   X   No  
  Request for Variance to not require the Subdivision process at Country Club Terrace, Lot 93, N. 85.3 ft. at 2200 S. Augusta Square West  

4. Policy Implication:   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> Planning Director	<u>  JRR  </u>	<u>  5/7/2013  </u>	<u>  Yes  </u>
b)	<u>                          </u>	<u>          </u>	<u>          </u>	<u>          </u>

8. Staff's Recommendation:   Approval  

9. Advisory Board:    Approved    Disapproved   X   None

10. City Attorney:   KP   Approved    Disapproved    None

11. Manager's Recommendation:   MRP   Approved    Disapproved    None

Memo

**TO:** Mike R. Perez, City Manager

**FROM:** Julianne Rankin, Director of Planning

**DATE:** May 7, 2013

**SUBJECT: REQUEST FOR VARIANCE TO NOT REQUIRE THE SUBDIVISION PROCESS AT COUNTRY CLUB TERRACE, LOT 93, N. 85.3 FT. 2200 S. AUGUSTA SQ. WEST**

---

**GOAL:**

The goal of 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:**

This lot is located on the west side of Augusta Square St. It has approximately 72.36 feet of frontage on Augusta Square and a depth of 120 feet. It's zoned R-1 (single family residential) District. Adjacent zoning is R-1 in all directions, with surrounding land uses of single family homes.

The lot is vacant and was subdivided in 1978. It was split by metes and bounds in 2005, and the current owner acquired the property in 2012. She wishes to build a 4,040.07 sq. ft. home on site. Single family homes exist on the abutting lots.

Mr. Gerardo Gomez (owner's son), is requesting a variance from the City codes which require land to be properly subdivided prior to issuing a building permit. If a variance is granted, Ms. Gomez would obtain building and related permits from the City of McAllen. However, if the variance is not approved, the subdivision process with the required public improvements would be required prior to issuance of the necessary building permits.

**OPTIONS:**

1. Approve the variance request not to require the subdivision process.
2. Table the item for additional information.
3. Disapprove the variance request and require the subdivision process prior to building permit issuance.

**RECOMMENDATION:**

Staff recommends approval of the variance.



Gerardo Gomez

On Behalf of Sandra Patricia Gomez

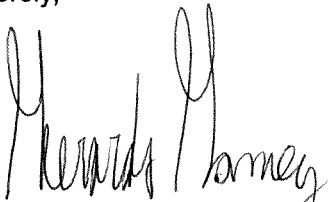
1522 Melanie Circle

San Antonio Texas, 78258

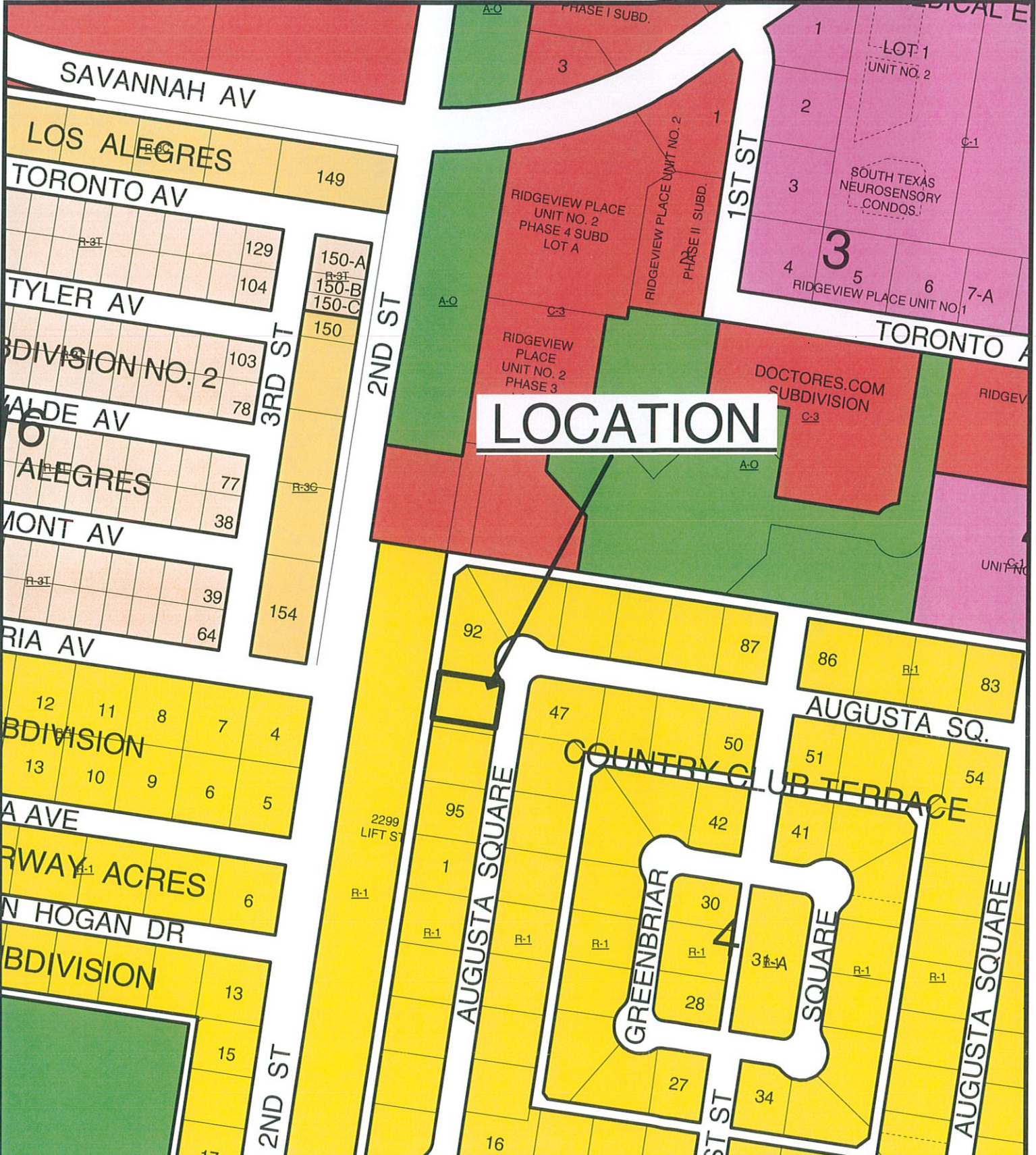
To City of McAllen,

I Gerardo Gomez, am submitting this request on behalf of my mother Sandra Patricia Gomez regarding LOT 93 at the Country Club Terrace in McAllen Texas. I would like to request a variance to not subdivide LOT 93 at the Country Club Terrace in McAllen. LOT 93 was purchased by Sandra Patricia Gomez minus 14ft on the south end of the lot. The previous owner of the lot is also the south end neighbor and he used 14ft on the south end to build his pool. We are requesting a variance not to subdivide the lot so Sandra Patricia Gomez may build her home. A property survey and proposed floor plan have been submitted to the city. Thank you for your attention in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerardo Gomez". The signature is written in a cursive style with a large initial "G".

Gerardo Gomez, on Behalf of Sandra Patricia Gomez



**LOCATION**



**CITY OF McALLEN**  
PLANNING DEPARTMENT

**LEGEND**  
SCALE: 1" = 500'

AREA MAP



SUBJECT PROPERTY

200 FT. NOTIFICATION BOUNDARY

1/4 MILE RADIUS

**ZONING LEGEND**

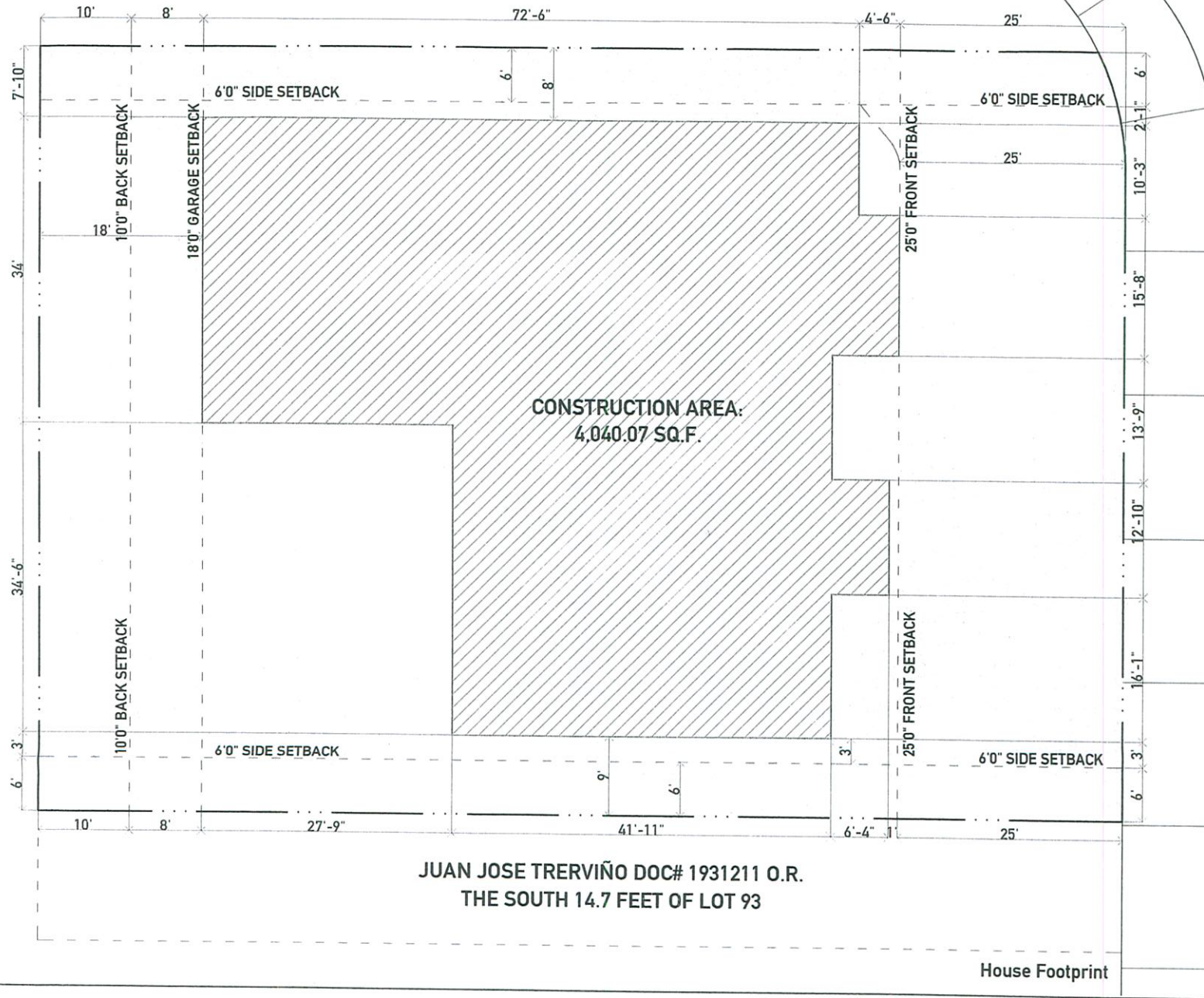
A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)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

# A1.1

Architectural Plan

Scale : 1' = 3/32"



Project : Casa CCT

Location : McAllen  
Texas  
U.S.

Date : 04/04/13

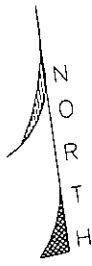
LRStudio



# PENA ENGINEERING

1001 WHITEWING · P.O. BOX 4320

(956) 682-8812 · McALLEN, TEXAS 78502 · FAX (956) 631-PENA

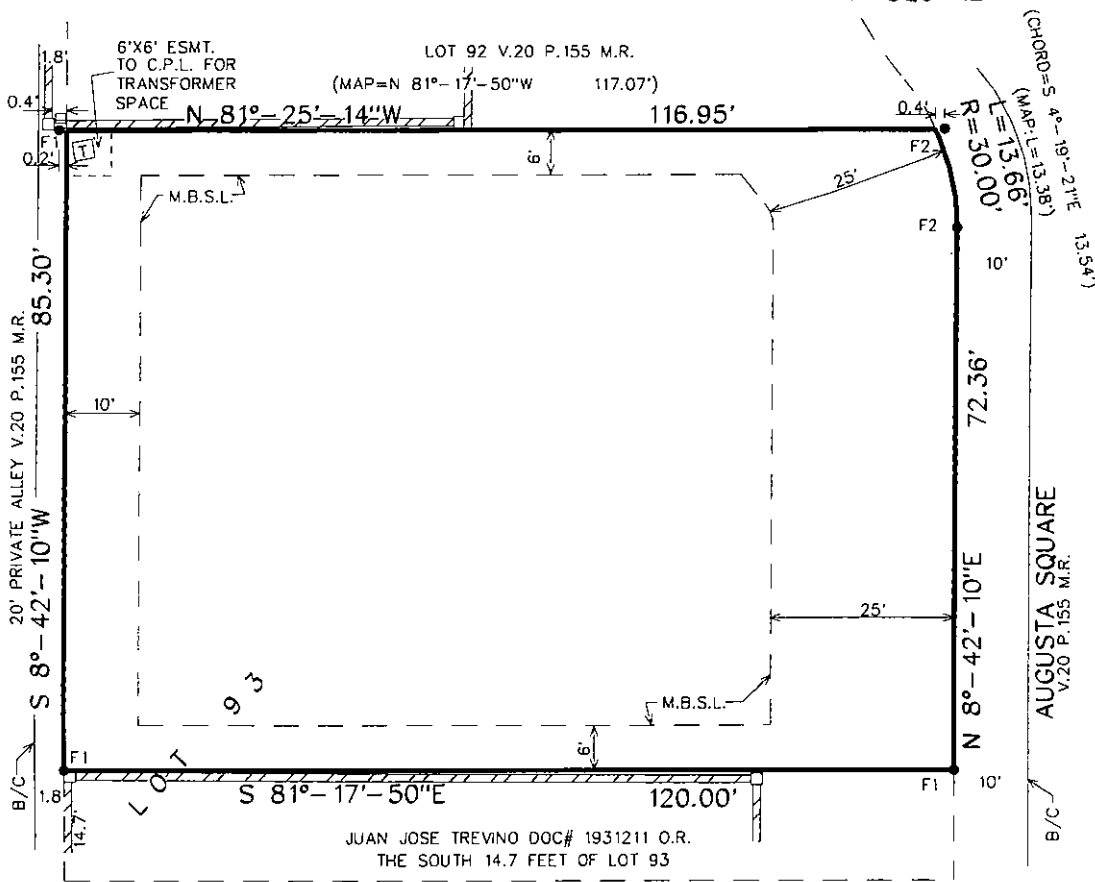


SCALE: 1"=20'  
CAD5: COUNTRYCP-93L  
JOB No. 51640

NOTE: BASIS OF BEARING  
THE EAST LINE OF LOT  
93, COUNTRY CLUB  
TERRACE SUB'D. V.20  
P.155 M.R.

NOTE:  
1.) BLANKET ESMT. TO C.P.L. V.20 P.155 M.R.  
2.) SURVEY PREPARED WITHOUT THE BENEFIT OF  
A TITLE COMMITMENT WHICH MAY SHOW EASEMENTS  
OF RECORDS THAT MAY AFFECT THE PROPERTY.

LEGEND  
F1-FOUND 1/2" DIAMETER IRON ROD  
M.B.S.L.-MINIMUM BUILDING SETBACK LINE  
B/C-BACK OF CONC. CURB & GUTTER  
R.O.W.- RIGHT OF WAY  
// - 10' CONC. BLK. FENCE  
□ - TELEPHONE PEDESTAL



JUAN JOSE TREVINO DOC# 1931211 O.R.  
THE SOUTH 14.7 FEET OF LOT 93

BUYER'S NAME: SANDRA PATRICIA GOMEZ

FLOOD ZONE: By GRAPHICAL PLOTTING Community Panel NO. 480343 0010 C  
Map Rev: Nov. 2, 1982

- Zone "A" - This is to certify that this property is in a flood prone area.
- Zone "B" - This is to certify that this property is not in a flood prone area. However limits between the 100 year and 500 year flood are subject to flooding with average depths less than one foot.
- Zone "C" - This is to certify that this property is not in a flood prone area.

I certify that this plat represents the facts found on the ground at the time of survey and that there are no visible discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or overlapping of improvements or visible easements except as shown on this plat. No subsurface utilities or service connections are shown. © copyright 2013 PENA ENGINEERING this survey was provided in multiple originals solely for the borrower named hereon, in conjunction with the original transaction which been created or implied to copy this survey, shall take place within 6 months after the survey was provided. No license has Survey valid only if print has original seal and signature.

ADDRESS: ALL OF LOT 93, COUNTRY CLUB TERRACE SUBDIVISION, AN ADDITION  
LEGAL DESCRIPTION: TO THE CITY OF McALLEN, HIDALGO COUNTY, TEXAS, SAVE & EXCEPT  
THE SOUTH 14.70 FEET HEREOF;

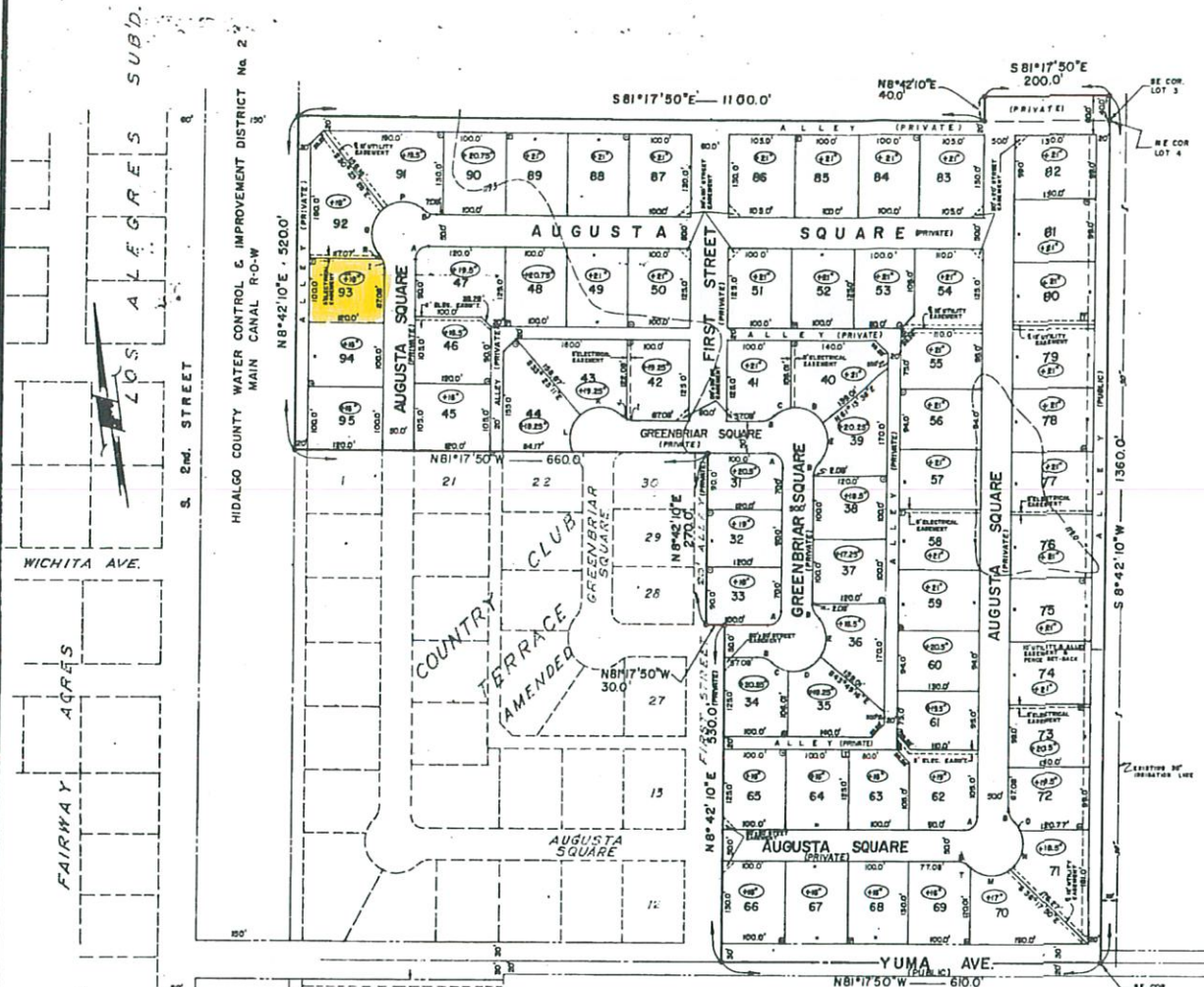
ACCORDING TO THE MAP RECORDED IN VOLUME 20 PAGE 155  
OF THE Map RECORDS OF Hidalgo COUNTY, TEXAS.

*Pablo Peña III*

04-01-13  
DATE

PABLO PEÑA III  
REG. PROFESSIONAL LAND SURVEYOR No. 5242

LOS ALLEGRES SUBD.



- NOTES:
1. SIDING SET-BACK SHALL BE MIN 5' EXCEPT SIDEYARDS ADJACENT TO STREETS SHALL BE 10'
  2. FRONTYARD SET-BACK SHALL BE A MIN. OF 25' EXCEPT AT END-DE-FACE IT SHALL BE 30'
  3. REARYARD SET-BACK SHALL BE A MIN. OF 10' MIN. FOR FLOOR ELEV. SHALL BE THE MIN. OF 10" INCHES ABOVE TOP OF CURB AT MIDDLE FRONT OF EACH LOT AS DENOTED BY (C)
  4. UNLESS SHOWN OTHERWISE ALL SIDEWALKS ARE 40 FT WIDE AND LOCATED WITH INNER EDGE OF WALK ON PROPERTY LINE. SIDEWALK REQUIRED ON NORTH SIDE OF YUMA AVE
  5. 6" EASEMENT TO CENTRAL POWER & LIGHT CO. FOR TRANSMISSION SPACE. SPECIFIC LOCATION SHOWN IN MAP BY THIS SYMBOL (P)
  6. 8" EASEMENT TO CENTRAL POWER & LIGHT CO. FOR PEDESTAL SPACE. SPECIFIC LOCATION SHOWN IN MAP BY THIS SYMBOL (P)

CENTRAL POWER & LIGHT CO. IS HEREBY GRANTED AN EASEMENT AND RIGHT OF WAY ON EACH SUBDIVISION FOR AN UNDERGROUND ELECTRIC SERVICE LATERAL TOGETHER WITH THE RIGHT OF WAY AND EGRESS FOR SUCH PURPOSE AT THE RIGHT LOCATION WHERE SUCH SERVICE LATERAL IS TO BE OR IS INSTALLED & MAINTAINED FROM TIME TO TIME.

Recorded in Book 20, Page 155 of the map records of Hidalgo County, Texas Charles L. Madole County Surveyor

PREPARED BY: FABIAN NELSON & MEDINA INC. McALLEN, TEXAS  
SCALE: 1" = 100' DATE: 12/27/77

APPROVED: [Signature] Date: 9-25-78

CURVE	RADIUS	LENGTH	CHORD	TANGENT	ANGLE
A	30'	31.42'	28.28'	30'	90°00'00"
B	30'	31.42'	28.28'	30'	90°00'00"
C	30'	28.07'	25.77'	33.34'	29°22'22"
D	30'	55.90'	53.04'	39.38'	64°05'39"
E	30'	68.84'	63.53'	41.13'	78°53'09"
F	30'	82.36'	75.25'	42.79'	93°13'54"
G	30'	95.93'	85.30'	44.19'	107°33'59"
H	30'	109.07'	93.59'	44.83'	121°29'54"
I	30'	121.50'	100.35'	44.83'	134°33'20"
J	30'	132.71'	105.67'	44.48'	146°38'58"
K	30'	142.20'	109.68'	43.80'	157°08'37"
L	30'	149.50'	112.50'	42.80'	165°58'37"
M	30'	154.20'	114.20'	41.50'	172°58'37"
N	30'	156.80'	114.80'	40.00'	178°38'37"
O	30'	156.80'	114.20'	37.50'	182°38'37"
P	30'	153.80'	111.80'	34.50'	184°58'37"
Q	30'	147.80'	107.80'	30.50'	185°58'37"
R	30'	138.80'	100.80'	25.50'	184°58'37"
S	30'	127.80'	91.80'	19.50'	181°58'37"
T	30'	114.80'	80.80'	12.50'	176°58'37"

STATE OF TEXAS: COUNTY OF HIDALGO:

KNOW ALL MEN BY THESE PRESENTS, THAT, WE THE OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS "COUNTRY CLUB TERRACE" OF THE CITY OF McALLEN, AND WHOSE NAMES ARE SUBSCRIBED HERETO, DO HEREBY GRANT AN EASEMENT TO THE CITY OF McALLEN AND THOSE WHO MAY NOW OR HEREAFTER HOLD FRANCHISE UNDER SAID CITY, THE USE OF THE STREETS, ALLEYS, AND EASEMENTS THEREON SHOWN. SURFACE USE OF THE STREETS AND ALLEYS IS RESTRICTED TO THE EMPLOYEES OR AGENTS OF THE CITY OF McALLEN, EMPLOYEES OF UTILITIES OPERATING UNDER FRANCHISE TO THE CITY OF McALLEN, AND RESIDENTS OF THE SUBDIVISION AND THEIR GUESTS.

[Signature] GABLE & PALMER JR.

[Signature] PAUL YEALE JR.

[Signature] PHILLIP S. YEALE

STATE OF TEXAS: COUNTY OF HIDALGO:

BEFORE ME, THE UNDEERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE ABOVE NAMED OWNERS KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 22nd DAY OF April, 1978.

[Signature] Notary Public

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF McALLEN HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHENEVER BY APPROVAL IS REQUIRED.

[Signature] Chairman, Planning Commission

STATE OF TEXAS: COUNTY OF HIDALGO:

I, THE UNDERSIGNED, A REGISTERED PUBLIC SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION OF THE GROUND.

[Signature] C. FABIAN REGISTERED PUBLIC SURVEYOR McAllen, Texas.

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

[Signature] Mayor, City of McAllen

THIS PLAT APPROVED BY HIDALGO COUNTY WATER IMPROVEMENT DISTRICT No. 2 ON THIS 22nd DAY OF April, 1978.

APPROVED: [Signature] Date: 9-25-78  
25th Sept 78  
[Signature]

FILED FOR RECORD THIS DATE  
MHE clerk P. M.  
SEP 25 1978  
COUNTY CLERK, HIDALGO COUNTY, TEXAS  
By: [Signature]





LOCATION

RIDGEVIEW PLACE  
UNIT NO. 2  
PHASE 3  
LOT A

3RD ST

2ND ST

JUSTA SQUARE

COUNTRY C

INBRIAR

2259 LIFT ST

154

92

4

5

6

95

1

47

50

42

30

4

**Standardized Recommendation Form**

City Commission XX  
Utility Board \_\_\_\_\_  
Other Board \_\_\_\_\_

Agenda Item 3A  
Date Submitted 05/06/13  
Meeting Date 05/13/13

1. Agenda Item: Authorization to open Single Bid and Consideration of Award on Service Contract for Polygraph Examinations Project. Project No. 04-13-S43-08.

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

3. Nature of Request: (Brief Overview) Attachments: X Yes \_\_\_ No  
Authorization to open single bid and consider award on Service Contract for Polygraph Examinations Project.

4. Policy Implication: City Commission approval needed.

5. Budgeted: X Yes \_\_\_ No \_\_\_ N/A  
Funding Source: 011-2002-424-63-45  
Project Estimate: \$35,000

6. Alternate option/costs: N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) <u>Victor Rodriguez</u> Chief of Police	<u>[Signature]</u>	<u>05/06/2013</u>	<u>XX</u> Yes ___ No
b) <u>Sandra Zamora, CPM</u> Director of Purchasing & Contracting		<u>05/06/2013</u>	<u>XX</u> Yes ___ No

8. Staff's Recommendation: Approve authorization to open single bid and consider award if the bid is consistent with current service contract and within budget.

Advisory Board: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None  
(TO OPEN)

City Attorney: KP Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None  
(TO OPEN)

Manager's Recommendation: MRP Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None



# McAllen Police Department

## INTER-DEPARTMENTAL COMMUNICATION

**TO:** MIKE PEREZ, CITY MANAGER

**FROM:** VICTOR RODRIGUEZ, CHIEF OF POLICE *JRV*

**SUBJECT:** SINGLE BID - PROJECT NO. 04-13-S43-08/SERVICE CONTRACT FOR POLYGRAPH EXAMINATIONS

**DATE:** 5/6/2013

### GOAL:

The goal of this item is Authority to Accept, Open and Award of Service Contract by City Commission for polygraph services to single bidder if the bid is consistent with current service contract and within budget.

### BACKGROUND:

The McAllen Police Department employs the use of polygraph services for pre-employment and investigative purposes. For such, the department has contracted for polygraph services on an as needed basis.

### BID ANALYSIS:

#### Nature of Bid Request:

Procurement of: Service Contract for Polygraph Examinations

Bid Response(s): Single Bid from Continental Polygraph Service of San Juan, Texas

### PREVIOUS HISTORY:

Bidder	Continental Polygraph Service – San Juan, Texas
Unit Price – Criminal Investigation	\$275.00
Unit Price – Pre Employment	\$175.00



Service Provided Previous Year:

Investigative: 35

Pre-employment: 110

Approximate Expense: \$28,875.

**FUNDING:** The Department has included purchase of this service in its department budget.

Account No:

#011-2002-424-63-45: \$35,000.

**OPTIONS:**

1. Accept, Open and Award of Service Award of service contract by City Commission for polygraph services to single bidder if the bid is consistent with current service contract and within budget.
2. Reject and re-bid single bid for service contract for polygraph services.

**RECOMMENDATION:**

Accept, Open and Award of Service Award of service contract by City Commission for polygraph services to single bidder if the bid is consistent with current service contract and within budget.

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION   X    
UTILITY BOARD \_\_\_\_\_  
ANZALDUAS BRIDGE \_\_\_\_\_

AGENDA ITEM   3b    
DATE SUBMITTED 05/06/13  
MEETING DATE 05/13/13

1. Agenda Item: **AWARD OF CONTRACT - RETIREE HAVEN SUBDIVISION DRAINAGE IMPROVEMENTS – Project # B-09-MC-48-0506**

2. Party Making Request: Engineering Department

3. Nature of Request: (Brief Overview) Attachments:   X   Yes    No  
Consider and approve award of contract to 2GS, LLC of Peñitas, Texas for the Retiree Haven Subdivision Drainage Improvements (FEMA HMGP Project 1780-TX-007).

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

5. Budgeted:   X   Yes    No    N/A

<b>Project #</b>	<b>05-12-C15-137</b>	<b>Project Budget</b>
<b>Funding Source:</b>	300-8708-436.66-36 (ID1107)	\$1,715,251.00 (Drainage)
	430-8708-446-66.36 (IU1306)	\$ 340,000.00 (MPU)
	Developer Contribution	\$ 52,700.00 (Escrow)
	<b>TOTAL</b>	<b>\$2,107,951.00</b>

<b>Low Bid Amount:</b>	Drainage	\$1,347,785.07
	Water (MPU)	\$ 333,807.00
	Off-Site Storm (Developer)	\$ 52,700.00
	<b>TOTAL</b>	<b>\$1,734,292.07</b>

**Budget**    **\$1,734,292.07**

**Amount Over Budget**    **\$ 373,658.93**

6. Alternate Option/Costs **1) Reject all bids and re-bid. 2) Award Base Bid plus Alternatives 1, 2 & 3 for total price of \$1,734,292.07 or 3) Award Base Bid plus Alternatives 1, 2, 3 & 4 for a total price of \$1,719,013.07.**

7. Routing: NAME/TITLE

	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) <u>R. Rodriguez, PE, General Manager</u> <u>Assistant City Manager</u>	_____	_____	_____
b.) <u>Y. Barrera, PE, CFM, City Engineer</u>	<u>YB</u>	<u>5/7/13</u>	<u>yes</u>
c.) <u>J. Dale, CPA, Director of Finance</u>	<u>JD</u>	<u>5/8/13</u>	<u>YES</u>
d.) <u>S. Zamora, CPM,</u> <u>Director of Purchasing &amp; Contracting</u>	_____	_____	_____
e.) <u>P. Martinez, CDBG Director</u>	_____	_____	_____

**Staff Recommendation: Approve Award of Contract to 2GS, LLC. as the lowest and responsible bidder in the amount of \$1,734,292.07 and to be constructed in no more than 150 working days**

9. Advisory Board:    Approved    Disapproved    None

10. City Attorney:   IP   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:** May 6, 2013

**Subject:** Award of Contract - Retiree Haven Subdivision Drainage Improvements (FEMA HMGP Project 1780-TX-007) -Project No. B-09-MC-48-0506

**Goal**

Consider and approve Award of Contract to 2GS, LLC of Peñitas, Texas for the Retiree Haven Subdivision Drainage Improvements (FEMA HMGP Project 1780-TX-007)

**Explanation**

On April 12, 2013 the Purchasing and Contracting department received four (4) bid proposals for the above referenced project. The project involves construction of stormwater improvements to include installation of new inlets and culverts, two new dry detention ponds, roadway, curbing, sidewalks and a stormwater pump station with a force main discharge main to serve an area not previously provided with a positive drainage system. The drainage improvements will include the entire area of the existing Retiree Haven subdivision. The drainage force main outfall will run along S. 10<sup>th</sup> Street and outfall into the floodway pilot channel. The project will also include the extension of a 10-inch water line from the Retiree Haven subdivision to the south side of the floodway, a distance of approximately 3,672 linear feet.

The project also includes construction of a 16" conduit for stormwater to be paid for by a private developer. A reimbursement agreement is being presented under a separate item.

The base bid was based on the use of reinforced concrete pipe (RCP) for a majority of the project. The request for bids included an option 4 that was based on the use of Polymer Coated Spiral Corrugated Metal Pipe (CMP).

**Bid Summary:**

Rank	Company Name	Company Location	Bid Amount (Base + Alternates 1,2 & 3)
1	2GS, LLC	Peñitas	\$ 1,734,292.07
2	REIM Construction, Inc.	Mission	\$ 1,919,123.80
3	Dos Logistics	Weslaco	\$ 2,222,759.04
4	OG Construction Company, LLC	Edinburg	\$ 2,245,884.65

## Options

- 1) Reject all bids and re-advertise the project.
- 2) Award bid to lowest bidder to include base bid plus alternatives 1, 2 & 3 for total project cost of \$ 1,743,292.07.
- 3) Award bid to lowest bidder to include base bid plus alternatives 1, 2, 3 & 4 (CMP option) for total project cost of \$ 1,719,013.07.

## Recommendation

Award of Contract is recommended to the low bidder, **2GS, LLC.**, from Peñitas, Texas in the amount of **\$1,734,292.07** (base bid plus alternatives 1, 2 & 3 only) with all work to be completed in not more than **150 working days.**

**10-1040 Retiree Haven Subdivision**

**Stormwater Improvements**

**Bid Tabulations**

eBid eXchange Export

Solicitation: B-09-MC-48-0506 Retiree Haven Drainage Improvements

Generated 4/12/2013 4:07:45 PM Central

prepared by: Robert L. Canterbury, April 12, 2013

			Penitas	2GS, LLC	Weslaco	DOS LOGISTICS	Edinburg	O.G. CONSTRUCTION COMPANY, LLC	Mission	REIM CONSTRUCTION INC	
<b>SUMMARY</b>											
BASE BID ONLY				\$1,347,785.07		\$1,699,999.11		\$1,694,856.15		\$1,520,710.80	
ALTERNATE NO. 1 - ON-SITE WM RELOCATION			\$	39,062.00		\$	49,684.05	\$	45,620.00	\$	23,812.25
ALTERNATE NO. 2 - OFF-SITE STORM FM			\$	52,700.00		\$	58,406.40	\$	87,692.50	\$	51,742.50
ALTERNATE NO. 3 - S. 10TH STREET WM EXTENSION			\$	294,745.00		\$	414,669.48	\$	417,716.00	\$	322,858.25
BASE BID + ALT. 1, 2 & 3				\$1,734,292.07		\$2,222,759.04		\$2,245,884.65		\$1,919,123.80	
ALTERNATE NO. 4 - CMP PIPE OPTION			\$	(15,279.00)		\$	-	\$	(43,690.00)	\$	(1,141.00)
BASE BID + ALT. 1, 2, 3 & 4				\$1,719,013.07		\$2,222,759.04		\$2,202,194.65		\$1,917,982.80	

FUNDING ALLOCATIONS			Penitas	2GS, LLC
HMGP FUNDING (BASE BID ONLY)				\$ 1,347,785.07
FEMA, 75%				\$ 1,010,838.80
LOCAL, 25%				\$ 336,946.27
MCALLEN PUBLIC UTILITIES (ALT 1 & 3 ONLY)				\$ 333,807.00
TOWNSEND (ALT 2 ONLY)				\$ 52,700.00
<b>TOTAL</b>				<b>\$ 1,734,292.07</b>



April 18, 2013  
AVO 28883

Robert L. Canterbury, P.E., CFM  
Capital Projects Engineer  
City of McAllen  
1300 Houston Ave.  
McAllen, Texas 78501

RE: Recommendation of Bidder on 10-1040 Retiree Haven Drainage Improvements

Dear Mr. Canterbury:


On April 11, 2013 the City of McAllen opened bids for the Retiree Haven Drainage Improvements Project. Four bids were received and the Bid Tabulation is attached as provided by City of McAllen.

The apparent low bidder is 2GS, LLC. 2GS has constructed several projects of similar nature in the valley and has been confirmed as a sound contractor by several references (recommendation letters attached). They also have the experience and resources to handle the project. We, therefore, recommend that the contract for Retiree Haven Drainage Improvements project be awarded to 2GS, LLC.

If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

**HALFF ASSOCIATES, INC.**



Marcos Diaz, P.E.  
Project Engineer



BID OPENING: April 11, 2013 at 3:00 p.m.

LOCATION: Conference Room

**Project No. B-09-MC-48-0506 Retiree Haven Drainage Improvements**

BIDDERS	REIM CONST MISSION 2	2GS LLC PINETAS 1	DOS LOGISTICS WESLACO 3	OG CONSTRUCTION EDINBURG 4	AVERAGE	LOW BID - AVG
BASE BID	\$ 1,520,710.80	\$ 1,347,785.07	\$ 1,699,999.11	\$ 1,694,856.15	\$ 1,565,837.78	\$ (218,052.71)
ALTERNATE NO. 1 - ON SITE WM	\$ 23,812.25	\$ 39,062.00	\$ 49,684.05	\$ 45,620.00	\$ 39,544.58	\$ (482.57)
ALTERNATE NO. 2 - OFF SITE FM	\$ 51,742.50	\$ 52,700.00	\$ 58,406.40	\$ 87,692.50	\$ 62,635.35	\$ (9,935.35)
ALTERNATE NO. 3 - OFF SITE WM	\$ 322,858.25	\$ 294,745.00	\$ 414,669.48	\$ 417,716.00	\$ 362,497.18	\$ (67,752.18)
ALTERNATE NO. 4 - CMP OPTION	\$ (1,141.00)	\$ (15,279.00)	\$ -	\$ (43,690.00)	\$ (15,027.50)	\$ (251.50)
NO OF DAYS TO COMPLETE	150+30	150+90	150+150	150+45		
BID BOND	YES	YES	YES	YES		
ADDENDUM	YES	YES	YES	YES		
HARDCOPY OF BID SUBMITTED	YES	YES	YES	YES		
ELECTRONIC BID SUBMITTED						

BASE PLUS 1, 2 & 3	\$ 1,919,123.80	\$ 1,734,292.07	\$ 2,222,759.04	\$ 2,245,884.65	\$ 2,030,514.89	\$ (296,222.82)
BASE PLUS 1, 2, 3 & 4	\$ 1,917,982.80	\$ 1,719,013.07	\$ 2,222,759.04	\$ 2,202,194.65	\$ 2,015,487.39	\$ (296,474.32)
BASE WITH RCP PIPE	\$	(184,831.73)	LESS THAN 2ND LOW BID			
ALT WITH CMP PIPE	\$	(198,969.73)	LESS THAN 2ND LOW BID			

ENGINEERING DEPT ESTIMATE	\$ 1,740,344.87
---------------------------	-----------------

**FUNDING ALLOCATION**

FEMA GRANT	\$ 1,386,847.07	BASE BID + ALT 1 ON-SITE WATER ADJ
TOWNSEND	\$ 52,700.00	ALT 2 - OFF SITE STORM FM
MCALLEN PUBLIC UTILITIES	\$ 294,745.00	ALT 3 - OFF SITE WATER MAIN EXT.
TOTAL	\$ 1,734,292.07	



First Hartford  
Realty Corp.

# THE SHOPPES

— AT RIO GRANDE VALLEY

Beto Garcia  
2GS, LLC  
P.O. Box 595  
Penitas, Tx 78576

September 28<sup>th</sup>, 2012

Beto ; It's been a pleasure working with you and your crews on two recent additions to the Shoppe's @ Rio Grande Valley in Edinburg, TX. Cooperation from office staff down through utility and paving crews was essential to meet yet another time sensitive schedule. 2GS demonstrated big picture thinking each and every day through insightful time savings ideas, value engineering and a willingness to forge ahead relying on your team experience, skill and determination. This helped us to achieve what seemed to be unattainable project goals.

Once principle construction began 2GS set the pace by competently completing the underground utilities. Swiftly other trades were able to mobilize. Paving crews followed the building trades flawlessly. Without disruption to our open mall you paved service roads, primary parking and a ring road extension without incident. The general public, daily delivery traffic and store operations have all expressed gratitude to me for choosing 2GS.

First Hartford wishes 2GS many thanks. We look forward to working with you, your crews and entire staff again on any project. I believe the decision to hire 2GS was one of the best decisions First Hartford has ever made. I would recommend 2GS to anyone.

Sincerely,

Jeff Radesi  
Construction Manager





## URBAN COUNTY PROGRAM

3304 WEST ALBERTA ROAD • EDINBURG, TEXAS 78539 • (956) 787-8127 FAX (956) 318-2989  
E-mail: ucp@ucp.co.hidalgo.tx.us

April 16, 2013

Humberto Garcia,  
2GS, LLC.  
PO Box 595  
Penitas, TX 78576

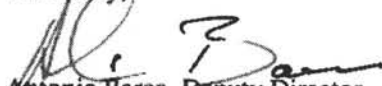
*Re: Recommendation Letter for 2GS, LLC.*

Mr. Garcia,

Over the past year, Hidalgo County Urban County Program has had the pleasure of working with 2GS, LLC. on three different occasions. Overall, our construction contracts with 2GS, LLC. have exceeded over \$1.2 Million. Your employees are very responsive to our program requirements through their communication and work ethic.

We strongly recommend 2GS, LLC. to the City of McAllen and are pleased to have had you do work for Hidalgo County. Please have the City of McAllen contact me if they have any questions or concerns at 956-787-8127. Thank you for your time.

Sincerely,

  
Antonio Barco, Deputy Director  
AB/cja

May 5, 2013

Robert Canterbury, P.E., CFM  
City of McAllen  
1300 Houston Ave.  
McAllen, TX 78501

Re: Bid Award\_Project No. 10-1040\_Retiree Haven Subd.

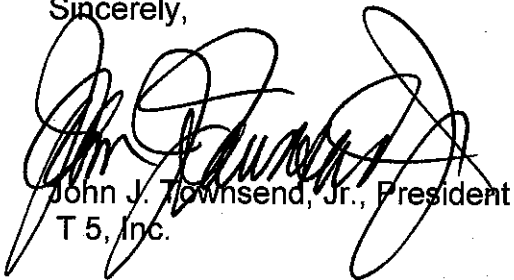
Bob,

We received your email dated April 11, 2012 regarding the bids received for the City of McAllen's storm water improvements project in the Retiree Haven Subdivision. We reviewed the bid tabulation attached and acknowledge that Bid Alternate 2, if awarded, would allow construction of the 16 inch future force main needed to drain our adjoining properties. We also acknowledge the low bidder's cost for Bid Alternate 2 of \$52,700.00.

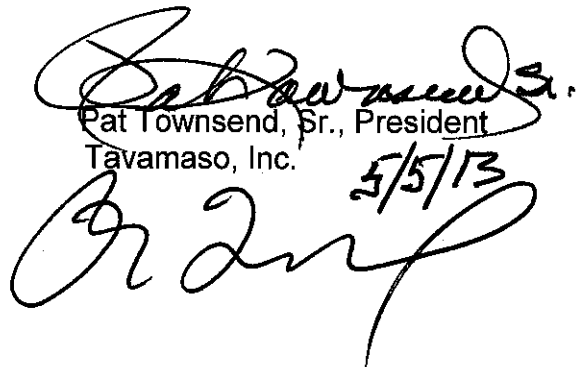
We encourage the City Commission to act favorably on the bids for the Retiree Haven improvements and to include Bid Alternate 2 in the award. We will remit the \$52,700.00 as per an agreement between the City of McAllen and our two corporations.

Thank you again for allowing us the opportunity to join this city project.

Sincerely,



John J. Townsend, Jr., President  
T 5, Inc.



Pat Townsend, Sr., President  
Tavamaso, Inc.  
5/5/13

**STANDARDIZED RECOMMENDATION FORM**

3C

CITY COMMISSION   X    
UTILITY BOARD \_\_\_\_\_  
OTHER \_\_\_\_\_

AGENDA ITEM \_\_\_\_\_  
DATE SUBMITTED   05/07/13    
MEETING DATE   05/13/13  

1. Agenda Item:   Reimbursement Contract with T5, Inc. and TAVAMASO for Improvements Associated with Retiree Haven Paving and Drainage Improvements.  

2. Party Making Request:   Engineering Department  

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

  Consideration and approval of the reimbursement contract to allow T5, Inc. and TAVAMASO, Inc. to participate with the drainage improvements associated with the Retiree Haven Paving and Drainage Improvements in the amount of \$59,700.00.  

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

5. Budgeted:   X   Yes    No    N/A

Funding Source: **CIP**                      **300-8708-436.66-36**    **Project ID 1108**

6. Alternate Option/Costs   N/A  

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) <u>  Y. Barrera, PE, CFM, City Engineer  </u>	<u>  YB  </u>	<u>  5/7/13  </u>	<u>  yes  </u>
b.) <u>  R. Rodriguez, PE, Asst. City Manager  </u>	<u>          </u>	<u>          </u>	<u>          </u>
c.) <u>  J. Dale, CPA, Finance Director  </u>	<u>          </u>	<u>          </u>	<u>          </u>
d.) <u>  S. Zamora, CPM, Director of P &amp; C  </u>	<u>          </u>	<u>          </u>	<u>          </u>

8. Staff Recommendation:   Approval of the reimbursement contract with T5 Inc. and TAVAMASO, Inc. for participation with improvements associated with Retiree Haven Subdivision Paving and Drainage Improvements in the amount of \$59,700.00.  

9. Advisory Board:    Approved    Disapproved    None


10. City Attorney:   KP   Approved    Disapproved    None

11. Manager's Recommendation:   MRP   Approved    Disapproved    None



CITY OF MCALLEN  
ENGINEERING DEPARTMENT  
**MEMORANDUM**

**To:** Mike R. Perez, City Manager

**From:** Yvette Barrera, PE, CFM, City Engineer 

**Date:** May 7, 2013

**Subject:** Reimbursement Contract with T5, Inc. and TAVAMASO, Inc for Improvements Associated with Retiree Haven Paving and Drainage Improvements.

**Goal:**

Consideration and approval of the reimbursement contract to allow T5, Inc. and TAVAMASO, Inc. to participate with the drainage improvements associated with the Retiree Haven Paving and Drainage Improvements

**Explanation:**

The City of McAllen was awarded a FEMA Hazard Mitigation Grant that proposes to construct drainage improvements within the limits of the Retiree Haven Subdivision. The improvements includes a drainage system that outfalls into two detention areas within the subdivision. These detention areas are drained with a lift station that outfalls through a 16 inch force main into the IBWC floodway.

Representatives from T5, Inc. and TAVAMASO, Inc. requested to participate with the outfall improvements if they could be oversized to include runoff from their tracts of land, located to the west of Retiree Haven Subdivision. However, due to the design of the lift station, it was not practical to upsize the outfall. Instead, the Consulting Engineers have provided a design that includes a parallel 16 inch force main that can be extended to service the tracts to the west of Retiree Haven.

T5 Inc. and TAVAMASO, Inc. have both indicated that they desire to participate with the costs necessary to install the parallel 16 inch force main. Those costs are identified as Alternate #4 in the bid documents, in the amount of \$52,700.00. However, there was a recent request to extend the line an additional 140 ft for a total cost of \$59,700.00. If the final quantity differs from this amount, the Developers will be assessed at the unit cost for the installed quantity.

**Options:**

1. Approve the reimbursement contract.
2. Disapprove the reimbursement contract.

**Recommendation:**

Staff recommends approval of the reimbursement contract with T5 Inc. and TAVAMASO, Inc. for participation with improvements associated with Retiree Haven Subdivision Paving and Drainage Improvements.



DEVELOPERS shall deposit into an escrow account with CITY or make necessary arrangements for the payment to CITY the sum of \$59,700.00. Such IMPROVEMENTS, when installed shall become property of the CITY, and escrow shall be transferred to appropriate City account. The amount of the final sum shall be based on the unit price of the installed quantity.

Any notice required to be given herein shall be in writing and shall be given by depositing same with the United States Postal Service, postage prepaid, via first-class mail and certified, with return receipt requested. Notice required to be given herein shall be addressed as follows:

TO CITY:                      City Manager  
                                    CITY OF McALLEN  
                                    P. O. Box 220  
                                    McAllen, Texas 78505-0220

TO DEVELOPERS:	T5, Inc.	TAVAMASO, Inc.
	_____	_____
	_____	_____
	_____	_____
		_____
		_____
		_____

DEVELOPERS further agree to give written notice to CITY of any and all changes of mailing address of DEVELOPERS. In the event of assignment of the Reimbursement Contract, Assignee shall give written notice to CITY of Assignee's mailing address, and all subsequent changes thereof.

In the event that reimbursement is made to CITY for the IMPROVEMENTS and CITY is unable to give notice of such reimbursement to DEVELOPERS or DEVELOPERS' Assignee, due to failure of DEVELOPERS or Assignee to provide CITY with written notice of current mailing address as required hereinabove, CITY will publish a Notice of Reimbursement to DEVELOPERS or Assignee, at the address last provided to CITY, on one (1) occasion, in a newspaper of general circulation within the CITY of McALLEN. If, within thirty (30) days of

publication of said Notice of Reimbursement, the party named therein fails to give notice to CITY of that party's current mailing address, all funds then held by CITY for reimbursement of the IMPROVEMENTS shall become property of CITY, without resource by any party otherwise entitled to such funds by virtue of this Reimbursement Contract.

WITNESS OUR HANDS, in duplicate originals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

CITY OF McALLEN

By: \_\_\_\_\_  
Annette Villareal, City Secretary

By: \_\_\_\_\_  
Mike R. Perez, City Manager

APPROVED AS TO FORM:

DEVELOPERS

\_\_\_\_\_  
Kevin Pagan, City Attorney

T5, Inc.  
Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

TAVAMASO, Inc.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

TAVAMASO, Inc.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STANDARDIZED RECOMMENDATION FORM

4A

CITY COMMISSION     X      
UTILITY BOARD \_\_\_\_\_  
PLANNING & ZONING BOARD \_\_\_\_\_  
OTHER \_\_\_\_\_

AGENDA ITEM \_\_\_\_\_  
DATE SUBMITTED 05-06-13  
MEETING DATE 05-13-13

1 Agenda Item: DISCUSSION & POSSIBLE ACTION - Consider contribution to the Regional Mobility Plan.

2 Party Making Request: Mike R. Perez, City Manager

3 Nature of Request (Brief Overview) Attachments:     X     Yes      No  
The Transportation Planning Partners, which include three MPOs, two RMAs, Starr County EDC, LRGVDC, TXDOT, and the RGV Partnership have been working on a new Regional Mobility Plan. The contribution amount from City would be \$30,000.00.

4 Policy Implication: \_\_\_\_\_

5 Budgeted:      Yes      No      N/A


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

If over budget, how will it be paid for: \_\_\_\_\_

6 Alternate option/costs: \_\_\_\_\_

7 Routing:

<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 \_\_\_\_\_ None \_\_\_\_\_

11 Manager's Recommendation:  Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ None \_\_\_\_\_



**Rio Grande Valley Partnership**

**P.O. Box 1499**

**Weslaco, TX 78599**

**Invoice**

<b>Date</b>	<b>P.O. No.</b>	<b>Invoice #</b>
4/18/2013		RMP1317

<b>Bill To</b>
<b>City of McAllen</b> <b>Attn: Mike Perez, City Manager</b> <b>1300 Houston</b> <b>McAllen, Texas 78501</b>

<b>Terms</b>
Net 30

<b>Description</b>	<b>Amount</b>
Regional Mobility Plan Update Contribution	30,000.00
<p>The Rio Grande Valley Chamber of Commerce, Inc. is a recognized 501(c)(6) organization. Payment of membership dues is deductible for most chamber members as an ordinary and necessary business expense. Contributions or gifts to the chamber are not deductible as charitable contributions for federal income tax purposes.</p>	



*CC:Trey Pebley*

<b>Total</b>	<b>\$30,000.00</b>
--------------	--------------------

*Please make checks payable to Rio Grande Valley Partnership.*

*If you have any questions concerning this invoice, please call Febe Zepeda at (956) 968-3141.*

**Rio Grande Valley**  
 **Partnership**

Rio Grande Valley Chamber of Commerce

*"One Region, One Voice"*

RECEIVED  
APR 23 2013

**Rio Grande Valley**  
 **Partnership**  
Rio Grande Valley Chamber of Commerce  
*"One Region, One Voice"*

May 3, 2013

Mike Perez  
McAllen City Manager  
1300 Houston Ave.  
McAllen, TX 78501

Dear Mr. Perez:

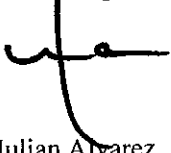
The Transportation Planning Partners, which include three MPOs, two RMAs, Starr County EDC, LRGVDC, TXDoT, and the Rio Grande Valley Partnership, have been working on a new Regional Mobility Plan which is to be distributed to our local elected delegation, as well as to our congressional legislators. Successfully working as a unified group over the past twenty years has enabled us to secure substantial funding for our regional transportation projects. The Regional Mobility Plan Update will:

- provide a single plan covering the entire region
- focus on regional needs
- be needs based (not financially constrained)
- document Valley-wide support of regional priorities
- support local delegations in pursuing additional funding
- build on previous success

The purpose of this is to update the 2003 Regional Mobility Plan. To do this, the aforementioned Transportation Planning Partners solicited the information from the four county region, the municipalities, and the TXDoT District Office. The primary objectives of this plan include identifying priority transportation, infrastructure needs throughout the Valley, developing action plans and advocating for project funding.

A link to the full report containing needs, demographics, and next steps for this RGV Regional Mobility Plan Update can be found on our website at [www.valleychamber.com](http://www.valleychamber.com). We thank you for your continued support and look forward to hearing from you.

Your amigo,



Julian Alvarez  
President/CEO  
Rio Grande Valley Partnership

**CITY OF McALLEN**  
**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION  
 UTILITY BOARD  
 OTHER

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

AGENDA ITEM 4B  
 DATE SUBMITTED 05/07/2013  
 MEETING DATE 05/13/2013

1. Agenda Item: The McAllen Fire Department is requesting that Unit #FD-613 be once again declared surplus and then be donated to South Texas College.

2. Parties Making Requests: Fire Chief Rafael Balderas

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

4. Policy Implication \_\_\_\_\_

5. Budgeted:  Yes  No  N/A

6. Alternate Option/Costs: N/A

7. Routing:

	<u>NAME/TITLE</u> <u>YES/NO</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a)	Mike R. Perez City Manager	_____	_____	_____
b)	Jerry W. Dale Finance Director	_____	_____	_____
c)	Rafael Balderas Fire Chief	<u>RB</u>	<u>5/7/13</u>	_____

8. Staff Recommendation The donation of the Reserve/Surplus Truck to South Texas College Fire Academy will improve the quality of real world instruction to new fire cadets.

9. Advisory Board:  Approved  Disapproved  None

10. City Attorney: KP Approved  Disapproved  None

11. Manager's Recommendation: MRP Approved  Disapproved  None

12. PUB's Recommendation:  Approved  Disapproved  None

13. Action Taken: \_\_\_\_\_



## MEMORANDUM

**TO:** Mike Perez, City Manager  
**FROM:** Rafael Balderas, Fire Chief *RB*  
**DATE:** May 6, 2013  
**RE:** Donation of Reserve/Surplus Engine Company to STC

Goal:

The McAllen Fire Department is requesting that Unit #FD-613 be once again declared surplus and then be donated to South Texas College.

Brief explanation of item(s):

Unit #FD-613 is an Engine Company that was declared surplus from the Fire Department on 12-14-2009 and that asset was transferred to the Street & Drainage Department, designated #SD8018 and painted white. In 2012, the asset was once again transferred back into the Fire Department, once again designated as #FD613.

South Texas College has submitted a letter, requesting the donation of a Engine Company Pumper, for use in the STC Fire Academy.

Options:

- 1.) The City Commission may choose to declare the unit surplus and donate it to South Texas College Fire Academy.
- 2.) The City Commission may choose to declare the unit surplus and not donate it to South Texas Fire Academy.
- 3.) The City Commission may choose not to declare the unit surplus.

Recommendation:

The donation of the Reserve/Surplus Truck to South Texas College Fire Academy will improve the quality of real world instruction to new fire cadets.

**PROPERTY CONTROL DIVISION  
ASSET TRACKING FORM**

Asset Number SD8018

Asset Description (Also Include Serial Number, Model Number, Type of asset, etc.)

1985 Pierce Fire Truck (Mobile Demolition Pumper truck)  
VIN # 1P9CA01D3FA040867  
LIC. Plate # 478-603

Please Check One (Only):

**TRANSFER OF AN ASSET**

FROM

TO

Fund	_____	_____
Department	_____	_____
Date of Transfer	_____	_____
Account Number	_____	_____

Dept Head Signatures	
Originating Dept: _____	New Dept: _____
City Manager: _____	Service Ctr: _____

**TRADE-IN OF AN ASSET**

Vendor \_\_\_\_\_  
 Amount of Trade-in \_\_\_\_\_  
 Date of Trade-in \_\_\_\_\_

Dept Head Signature: _____	City Mgr: _____
----------------------------	-----------------

**SALE OF AN ASSET**

Buyer \_\_\_\_\_  
 Amount of Sale \_\_\_\_\_  
 Date of Sale \_\_\_\_\_

Dept Head Signature: _____	City Mgr: _____
----------------------------	-----------------

**OTHER** (Circle One) Donated Auction Junked  
 If Donated, Please indicate to whom: South Texas College  
 Date: \_\_\_\_\_

Dept Head Signature: <u>X</u> _____
City Manager's Signature: _____

Explanations: \_\_\_\_\_

<b>FINANCE DEPT USE ONLY</b>	
Transaction recorded in Property Control Ledger	FA# _____
by: _____ Date _____	Cost _____
Transaction recorded in General Ledger by: _____	Ac. Dept _____
Date _____	Book Value _____

**PROPERTY CONTROL DIVISION  
ASSET TRACKING FORM**

Asset Number <sup>New</sup> SD8018

Asset Description (Also Include Serial Number, Model Number, Type of asset, etc.)  
1985 PIERCE FIRE TRUCK (MOBILE DEWATERING PUMPER TRUCK)  
VIN# 1P9CA01D3FA040867  
LIC. PLATE # 478-603

Please Check One (Only):

**TRANSFER OF AN ASSET**

	<b>FROM</b>	<b>TO</b>
Fund	_____	_____
Department	<u>STREET MAINTANANCE</u>	<u>FIRE DEPARTMENT</u>
Date of Transfer	_____	_____
Account Number	<u>030-220</u>	<u>020-200</u>

\_\_\_\_\_ Department Head Signature \_\_\_\_\_ City Manager  
 \_\_\_\_\_ Department Head Signature \_\_\_\_\_ City Manager

**TRADE-IN OF AN ASSET**

Vendor \_\_\_\_\_  
 Amount of Trade-In \_\_\_\_\_  
 Date of Trade-In \_\_\_\_\_

\_\_\_\_\_ Department Head Signature \_\_\_\_\_ City Manager

**SALE OF AN ASSET**

Buyer \_\_\_\_\_  
 Amount of Sale \_\_\_\_\_  
 Date of Sale \_\_\_\_\_

\_\_\_\_\_ Department Head Signature \_\_\_\_\_ City Manager

**OTHER (Circle One)**     Donated     Auction     Junked     Retained

If Donated, Please indicate to whom: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_ Department Head Signature \_\_\_\_\_ City Manager

Explanations: \_\_\_\_\_

<b>FINANCE DEPT USE ONLY:</b> Transaction recorded in Property Control ledger by _____ Dept _____ Transaction recorded in General ledger by _____ Dept _____	Date _____ Cust _____ Ac. Dept _____ Book Value _____
--	--

## PROPERTY CONTROL DIVISION ASSET TRACKING FORM

Asset Number \_\_\_\_\_

Asset Description (Also Include Serial Number, Model Number, Type of asset, etc.)

year, make, model	1985 PIERCE PUMPER TRUCK
VIN	1P9CA01D3FA040867
Unit#	Unit#613

Please Check One (Only):

<u>X</u>	<b>TRANSFER OF AN ASSET</b>		
	<b>FROM</b>	<b>TO</b>	
Fund _____ Department <b>SURPLUS</b> Date of Transfer <b>12/14/2009</b> Account Number _____		_____ <b>STREET &amp; DRAINAGE</b> 12/14/2009 030-220	

Originating Dept. _____ City Manager _____	Dept. Head Signatures 	New Dept. _____ Service City _____
---	---------------------------	---------------------------------------

12/28/09

**TRADE-IN OF AN ASSET**

Vendor \_\_\_\_\_  
 Amount of Trade-In \_\_\_\_\_  
 Date of Trade-In \_\_\_\_\_

Dept. Head Signature: _____	City Mgr: _____
-----------------------------	-----------------

**SALE OF AN ASSET**

Buyer \_\_\_\_\_  
 Amount of Sale \_\_\_\_\_  
 Date of Sale \_\_\_\_\_

Dept. Head Signature: _____	City Mgr: _____
-----------------------------	-----------------

**OTHER (Circle One)    Donated    Auction    Junked**

If Donated, Please indicate to whom: \_\_\_\_\_  
 Date: \_\_\_\_\_

Dept. Head Signature: _____	City Manager's Signature: _____
-----------------------------	---------------------------------

Explanations: \_\_\_\_\_

<b>FINANCE DEPT. USE ONLY</b> Transaction recorded in Property Control Ledger by _____ Date _____ Transaction recorded in General Ledger by _____ Date _____	FAW _____ Cost _____ Ac. Dep. _____ Book Value _____
--	---

Division of Business and Technology  
3700 W. Military Hwy • McAllen, TX 78503

(956) 872-2760  
Fax (956) 872-2762

April 15, 2013

Rafael A. Balderas  
Fire Chief  
McAllen Fire Department  
201 N. 21<sup>st</sup> Street  
McAllen, TX 78501

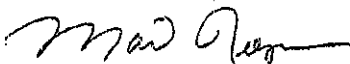
Chief Balderas:

We have entered into our third year of offering a Basic Fire Academy here at South Texas College, and we greatly appreciate all that you and your department have done to make this program succeed.

With that in mind, South Texas College Fire Academy is requesting the donation of a reserve/surplus fire (pumper) truck along with any extra equipment available on the truck. We know this is a huge service to ask of your department; however, we know having a fire truck in our Fire Program will improve the quality of real world instruction to new cadets.

Thank you in advance for your support.

Sincerely,



Mario Reyna, Dean  
Division of Business & Technology



**STANDARDIZED RECOMMENDATION FORM**

<b>CITY COMMISSION</b>	<u>  X  </u>	<b>AGENDA ITEM</b>	<u>  4C  </u>
<b>UTILITY BOARD</b>	<u>          </u>	<b>DATE SUBMITTED</b>	<u>  05/08/2013  </u>
<b>PLANNING &amp; ZONING BOARD</b>	<u>          </u>	<b>MEETING DATE</b>	<u>  05/13/2013  </u>
<b>OTHER</b>	<u>          </u>		

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

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

6 **Alternate option costs:**                    \_\_\_\_\_

7 **Routing:**

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE</u> <u>YES/NO</u>
a) _____	<u>          </u>	<u>          </u>	<u>          </u>
b) _____	<u>          </u>	<u>          </u>	<u>          </u>

8 **Staff Recommendation:**                    \_\_\_\_\_

9 **Advisory Board:**         Approved         Disapproved         None

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

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