



**AGENDA**

**CITY COMMISSION REGULAR MEETING  
MONDAY, SEPTEMBER 23, 2013 – 5:00 PM  
CITY COMMISSION CHAMBERS; 3<sup>RD</sup> FLOOR**

**CALL TO ORDER** - Mayor Jim Darling

**PLEDGE OF ALLEGIANCE** - Mayor Jim Darling

**INVOCATION** – Aida Ramirez, Mayor Pro Tem

**PROCLAMATIONS** – *Palm Fest Celebration Days* – Omar Rodriguez

*National Customer Service Week* – MPU Employees

*Jackson School Day* – Jackson Elementary Students

**1. JOINT MEETING WITH MCALLEN PUBLIC UTILITY BOARD:**

- A) Order of the McAllen Public Utility Board, Approving and Recommending adoption of an ordinance amending the McAllen Code of Ordinances, Chapter 106. Section 106-82, providing for a utility rate increase.
- B) Ordinance amending the McAllen Code of Ordinances, Chapter 106. Section 106-82, approving a utility rate increase.
- C) Order of the McAllen Public Utility Board, Approving and Recommending approval of the McAllen Public Utility Proposed Budget for Fiscal Year 2013-2014.
- D) Roll call vote on adoption of an ordinance adopting the City of McAllen Proposed Budget for Fiscal Year 2013-2014, including the McAllen Public Utility budget.
- E) Resolution providing for the annual review and approval of the City's Investment Policy.
- F) Renewal of Property & Casualty Insurance, Public Officials Liability, Risk Management and Agency Services Agreement, continuation under the Third Party Administrative Service Contract and award Excess Workers' Compensation Insurance Policy.

**END OF JOINT MEETING**

2. Ordinance providing for the adoption of the City of McAllen Property Tax Rate for 2013.

**3. 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.]*

Rezone from R-3C (multifamily residential condominium) District to C-1 (office building) District: 0.80 acres out of Lot 4, Section 12, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1521 Trenton Road.

- B) **REZONING:**

Rezone from R-2 (Duplex-Fourplex Residential 1) District to C-3 (general business) District: Lots 14 & 15, Block 5, College Heights Subdivision, Hidalgo County, Texas; 2214 & 2212 Ithaca Avenue. **TABLED**

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

## **END OF PUBLIC HEARING**

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

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

- A) Approval of Minutes for various meetings.
- B) Approval of Change Order No. 1 for Re-Roof of Fire Station #2.
- C) Award of Contract for the purchase of Furniture, Fixtures, and Equipment for the McAllen Development Center Building.
- D) Authorization to contract for Procurement Card Services through the State of Texas Contract.
- E) Award of Contract for Perimeter Security Fencing at Airport.
- F) Award of Contract for Blast Fencing at Airport.
- G) Resolution approving acceptance of Airport Improvement Program (AIP) Grant 44 from the Federal Aviation Administration.
- H) Resolution opposing plans by Electric Transmission Texas, LLC and Sharyland Utility, L.P. to construct the proposed North Edinburg to Loma Alta Electric Transmission Line Project in Hidalgo and Cameron Counties.
- I) Authorization to declare vehicles as surplus and begin auction efforts.
- J) Authorization to purchase Communication Radios for regional partners with FY 2012 Assistance to Firefighters Grant Funds, utilizing the Houston-Galveston Area Council (H-GAC).

## **5. BIDS/CONTRACTS:**

- A) Consider approval of a Contract for Election Services with Hidalgo County Elections Administrator for the November 5, 2013 Bond Election.
- B) Award of Contract for Palm View Golf Course Pump Station Rehabilitation.
- C) Consideration and authorization to negotiate Scope of Service & Fee Schedule for Construction Project Management for McAllen Police Department Addition Project.
- D) Award of Contract for Northwest Police Community Center Additions and Site Improvements.
- E) Seek direction on opening and consideration of "sole proposal" for an Inmate Detention Facility.

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

- A) Discussion and possible action regarding waiver of penalty and interest on delinquent taxes for Sinbon Electronics Co. Ltd. Cause No. T-1113-12-J.
- B) Status Report on Parks and Recreation Construction Projects.
- C) Status Report on various City Projects thru August 31, 2013.
- D) Status Report on the Terminal Expansion Construction Project.
- E) Report on Subdivisions and Development.
- F) Report on convention activities by McAllen Convention and Visitors Bureau.
- G) Consider authorizing Mayor Jim Darling to commit 2.5 million dollars for design of FM 1016 from Bryan Road to Conway.
- H) Future Agenda Items.

7. **TABLED ITEM:** Resolution providing for the nomination of a candidate to the Hidalgo County Appraisal District Board of Directors.

### **PUBLIC COMMENT SESSION**

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

- A) Discussion of City Manager evaluation. (Section 551.074, T.G.C.)
- B) Consultation with City Attorney regarding economic incentives for Project Quadrant. (Sections 551.071 and 551.072, T.G.C.)
- C) Discussion and Possible Action regarding economic incentives for Project Phoenix. (Sections 551.087 and 551.071, T.G.C.)
- D) Discussion and Possible Action on award of bid proposal for the sale of Lot 11B, McAllen Convention Center. (Sections 551.072 and 551.071, T.G.C.)
- E) Consultation with City Attorney regarding Depository Contract and related legal issues. (Section 551.071, T.G.C.)
- F) Consultation with City Attorney regarding Case No. 13-09-00067-CV; City of McAllen vs. Arnaldo Ramirez. (Section 551.071, T.G.C.)
- G) Discussion and Possible Action regarding entering into a sales contract and authorizing the City Manager to complete transaction to acquire a 3.14 acre tract of 11.53 acre tract out of Lot 150, La Lomita Irrigation and Construction Company Subdivision, Hidalgo County, Texas. (Section 551.072, T.G.C.)
- H) Consideration of sale of Lot 6(b), Convention Center Subdivision, for full service hotel. (Section 551.072, T.G.C.)
- I) Consultation with City Attorney regarding economic incentives for Project Gauchos. (Section 551.087 and 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.**

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

I, the Undersigned Authority, do hereby certify that the attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the 20<sup>th</sup> day of September, 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

**McALLEN PUBLIC UTILITY  
STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION     X      
 UTILITY BOARD     X      
 PLANNING & ZONING COMMISSION       
 OTHER     

AGENDA ITEM     1A & 1B      
 DATE SUBMITTED     09/18/13      
 MEETING DATE     09/23/13    

1. Agenda Item:     Order and Ordinance Amending Chapter 106 Providing for Utility Rate Increase    

2. Party Making Request:     Roel Rodriguez, P.E., General Manager    

3. Nature of Request: (Brief Overview) Attachments:     X     Yes      No  
    An ordinance amending the code of Ordinances of the City of McAllen at Chapter 106, Article III, Division 3, Section 106-82, to increase the minimum monthly base fee charge for water from \$4.65 to \$5.65; and Article IV, Division 2, Section 106-166 to increase the Residential, Multi-Family, Commercial Industrial uses from \$1.30 to \$1.40.    

4. Policy Implication:     

5. Budgeted:      Yes      No      N/A

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

6. Reimbursement:      Is Applicable      Is Not Applicable

Water:      To:       
 Sewer:      To:       
 SWSC:      To:     

7. Alternate Option/Costs:     

8. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE YES/NO</u>
Roel Rodriguez, P.E.	<u>    </u>	<u>    9/18/13    </u>	<u>    </u>

9. Staff's Recommendation:     

10. City Attorney:      Approved      Disapproved      None

11. MPU General Manager:      Approved      Disapproved      None

12. Director of Finance for Utilities:      Approved      Disapproved      None

13. Director of Purchasing:      Approved      Disapproved      None

14. Action Taken:

**ORDINANCE NO. 2013- \_\_\_\_\_**

**ORDER NO. 2013- \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF McALLEN AT CHAPTER 106 (“UTILITIES”), ARTICLE III (“WATER”), DIVISION 3 (“RATES AND CHARGES”), SECTION 106-82 (“STANDARD WATER RATE SCHEDULE WITHIN THE CITY”), TO INCREASE THE MINIMUM MONTHLY BASE FEE CHARGE FOR WATER FROM \$4.65 TO \$5.65; AND ARTICLE IV (“SANITARY SEWER SYSTEMS”), DIVISION 2 (“SERVICE CHARGES”), SECTION 106-166 (“NECESSITY OF LEVY; RATE SCHEDULES.”) TO INCREASE THE RESIDENTIAL, MULTI-FAMILY, COMMERCIAL INDUSTRIAL USES (i) FROM \$1.30 TO \$1.40; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY, AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.**

**WHEREAS**, the City’s Board of Commissioners and the Public Utility Board of Trustees, after reviewing the existing rates and charges for the consumption of water, deems it in the best interest of the City to increase the minimum monthly base fee and the monthly levy as set out therein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS AND THE PUBLIC UTILITY BOARD OF TRUSTEES OF THE CITY OF McALLEN, TEXAS, THAT:**

**SECTION I:** The Code of Ordinances, City of McAllen, Texas, is hereby amended at Section 106-82(a)(1) to provide for an increase in the minimum monthly base fee, and the said section shall read as follows:

Sec. 106-82. – Standard water rate schedule within the city.

- a. Except as provided by subsection (b) hereof, the rate to be charged for water furnished and consumed by single-family residence, multi-family, commercial and industrial customers is as follows:

1. Minimum monthly base fee charges shall be made, and bills rendered at ~~\$4.65~~ \$5.65 per month, regardless of meter size. [...]

**SECTION II:** The Code of Ordinances, City of McAllen, Texas, is hereby amended at Section 106-166(1) to provide for an increase in the minimum monthly base fee, and the said section shall read as follows:

Sec. 106-166. – Necessity of levy; rate schedules.

It is hereby determined and declared to be necessary for the city to levy and collect charges from all persons using the sanitary sewer system and lines of the city, including storm sewer lines if such lines are used for the purpose of disposing of wastes, cooling water, etc. The schedules of such charges shall be as follows:

1. *Residential, multi-family, commercial, industrial uses:* \$9.00 per account for administrative charges and other fixed costs as a minimum monthly bill plus ~~\$1.30~~ \$1.40 per 1,000 gallons or part thereof of metered water according to the monthly water billing.
  - ii. ~~\$0.75 per 1,000 gallons or part thereof of metered water according to water billing effective December 1, 1999.~~ [...]

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

**SECTION IV:** The City Secretary of the City of McAllen is hereby authorized and directed to cause the language in Section 106-82(a)(1) and Section 106-166(1) of the McAllen Code of Ordinances, as amended by Section I and Section II, hereinabove, to be published in the appropriate location in the said Code of Ordinances.

**SECTION V:** This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners, and execution by the Mayor.

**SECTION VI:** If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

**SECTION VII:** This Ordinance shall take effect upon the first billing cycle of water accounts occurring after October 1, 2013.

**CONSIDERED, PASSED and APPROVED** this 23rd day of September, 2013, at a joint meeting of the Board of Commissioners and the McAllen Public Utility Board of Trustees of the City of McAllen, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

**SIGNED** this \_\_\_\_ day September, 2013.

**CITY OF McALLEN**

By: \_\_\_\_\_  
James E. Darling, Mayor

Attest:

By: \_\_\_\_\_  
Annette Villarreal, City Secretary, TRMC

Approved as to form:

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



**CONSIDERED, PASSED** and **APPROVED** this 23rd day of September, 2013, at a joint meeting of the McAllen Public Utility Board of Trustees and the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code and Chapter 102 of the Texas Local Government Code.

**SIGNED** this \_\_\_\_ day of September, 2013.

**McALLEN PUBLIC UTILITIES  
BOARD OF TRUSTEES**

By: \_\_\_\_\_  
Charles Amos, Chairman

ATTEST:

By: \_\_\_\_\_  
Nyla L. Flatau, Board Secretary

APPROVED AS TO FORM:

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

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

CITY COMMISSION	<u>X</u>	AGENDA ITEM	<u>1-C, 1-D</u>
UTILITY BOARD	<u>X</u>	DATE SUBMITTED	<u>09/13/13</u>
OTHER	<u>    </u>	MEETING DATE	<u>09/23/13</u>

1. Agenda Item: Adopt the City of McAllen’s Proposed Budget for FY 2013-2014

2. Parties Making Request: Mike R. Perez, City Manager, Jerry W. Dale, Finance Director

3. Nature of Request: (Brief Overview) Attachments: X Yes      No  
See 2013-2014 Combined Budget Summaries for all funds “Exhibit “A””  
    

4. Policy Implication State Law and City Charter

5. Budgeted:      Yes      No   X   N/A

6. Alternate Option/Costs: N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u> <u>YES/NO</u>
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a). Mike R. Perez City Manager	<u>    </u>	<u>    </u>	<u>    </u>
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b). Roel Rodriguez, P.E. General Manager/Assistant City Manager	<u>    </u>	<u>    </u>	<u>    </u>
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c). Jerry W. Dale Finance Director	<u>JWD</u>	<u>9/13/13</u>	<u>YES</u>
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8. Staff Recommendation: Approve as Presented , must be a roll call vote

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:   RR   Approved      Disapproved      None

13. Action Taken:



AN ORDINANCE ADOPTING THE BUDGET OF THE CITY OF McALLEN INCLUDING McALLEN PUBLIC UTILITIES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014, IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF McALLEN; PROVIDING FOR PUBLICATION; PROVIDING FOR A REPEALER; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Manager has filed the proposed budget with the City Secretary on August 1, 2013; and

WHEREAS, notice of the public hearing on the proposed budget was given and a public hearing was held on September 9, 2013 at which time all interested citizens were given an opportunity to participate in the hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS AND THE MCALLEN PUBLIC UTILITY BOARD OF TRUSTEES OF THE CITY OF McALLEN, TEXAS, THAT:

(a) SECTION I: The Budget Estimate of revenues for the City of McAllen and the expenses of conducting the affairs thereof for the ensuing fiscal year beginning October 1, 2013, and ending September 30, 2014, as submitted by the City Manager of the City of McAllen to the City Secretary on August 1, 2013 and as amended hereunder, be, and the same is in all things, adopted and approved as the budget estimate of all of the current revenues and expenses for the fiscal year beginning the 1<sup>st</sup> day of October, 2013 and ending the 30<sup>th</sup> day of September, 2014.

SECTION II: The amount of ad valorem taxes and revenue from other sources, as estimated by the City Manager, is hereby appropriated out of the following funds: General, Capital Projects, Sanitation, Airport, Toll Bridge, Anzalduas Bridge, Golf Course, Civic Center, Civic Center

Expansion, Internal Services, Employee Health Benefits, Development Corporation, General Insurance and Workers' Compensation, Water and Sewer, and Debt Service, for the payment of operating expenses and capital outlay of the City Government, including the operation of the aforementioned funds of the city, respectively. A copy of the Budget Summary indicating such revenues and appropriating their expenditure is attached hereto and made a part hereof for all purposes as Exhibit "A".

The adoption of this Ordinance specifically amends the proposed Budget as filed with the City Secretary, as required by the law, and the Board of Commissioners hereby finds such amendments to be in the interest of the taxpayers of McAllen, Texas.

SECTION III: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION IV: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners and execution by the Mayor.

SECTION V: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56 **Publication of Ordinances**, but it shall not be published in the Code of Ordinances of the City of McAllen as it is not amendatory thereof; however, it shall be cited in the appropriate appendix of the Code of Ordinances. A true copy of the approved budget shall be filed with the City Secretary and in the office of the Hidalgo County Clerk.

SECTION VI: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this 23rd day of September, 2013 at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code and Chapter 102 of the Texas Local Government Code.

SIGNED this \_\_\_\_ day of September, 2013.

CITY OF MCALLEN, TEXAS

By: \_\_\_\_\_  
James E. Darling, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

CONSIDERED, PASSED and APPROVED this 24th day of September, 2013, at a regular meeting of the McAllen Public Utility Board of Trustees of the City of McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code and Chapter 102 of the Texas Local Government Code.

SIGNED this \_\_\_\_\_ day of September, 2013.

McALLEN PUBLIC UTILITIES  
BOARD OF TRUSTEES

By: \_\_\_\_\_  
Charles E. Amos, Chairman

ATTEST:

By: \_\_\_\_\_  
Nyla L. Flatau, Board Secretary

APPROVED AS TO FORM:

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

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

<b>CITY COMMISSION</b>	<u>  X  </u>	<b>AGENDA ITEM</b>	<u>  1E  </u>
<b>UTILITY BOARD</b>	<u>  X  </u>	<b>DATE SUBMITTED</b>	<u>  9/17/2013  </u>
<b>OTHER (Audit/Investment Committee)</b>	<u>      </u>	<b>MEETING DATE</b>	<u>  9/23/2013  </u>

1. **Agenda Item:** Annual review and approval of the City’s Investment Policy

2. **Parties Making Request:** Investment Officers: Mike R. Perez, City Manager; Roel Rodriguez, P.E., General Manager; Jerry W. Dale, Finance Director; Melba D. Carvajal, Director of Finance for Utilities

3. **Nature of Request: (Brief Overview) Attachments:**   X   Yes     No  
Attached is the City’s Investment Policy for your review and approval. There are no recommended changes since last approved on 9/24/2012.

4. **Policy Implication** Required by law

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

6. **Alternate Option/Costs:**   N/A  

7. **Routing:**

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u> <u>YES/NO</u>
a.) Mike R. Perez City Manager	<u>  MRP  </u>	<u>  09/18/2013  </u>	<u>  YES  </u>
b.) Roel Rodriguez , P.E. General Manager	<u>  RR  </u>	<u>  09/18/2013  </u>	<u>  YES  </u>
c.) Jerry W. Dale Finance Director	<u>  JWD  </u>	<u>  09/18/2013  </u>	<u>  YES  </u>
c.) Melba D. Carvajal Director of Finance for Utilities	<u>  MDC  </u>	<u>  09/18/2013  </u>	<u>  YES  </u>

8. **Staff Recommendation:** Approve as submitted

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

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

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

12. **Director of Finance Recommendation:**     Approved     Disapproved     None

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



**RESOLUTION NO. 2013-\_\_\_\_\_**  
**P.U.B. RESOLUTION NO. 2013-\_\_\_\_\_**

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

**WHEREAS**, the City of McAllen, by and through its Board of Commissioners (hereinafter referred to as “City”) is required to maintain a formally approved investment policy under the provisions of the Public Funds Investment Act of 1988 (hereinafter referred to as "The Act"); and

**WHEREAS**, the City has previously adopted an investment policy to meet the investment opportunities of the City; and

**WHEREAS**, in conjunction with the adoption of this Resolution, the Board of Commissioners has reviewed the Investment Policy and the investment strategies carried out under such Policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF McALLEN, AND THE McALLEN PUBLIC UTILITY BOARD OF TRUSTEES OF THE CITY OF McALLEN, TEXAS THAT:**

The City of McAllen/Public Utility Board/McAllen-Hidalgo International Toll Bridge/Development Corporation, Inc. Investment Policy attached hereto as Exhibit "A" and made a part hereof for all purposes and the investment strategies set out therein and carried out thereunder, has been reviewed as is annually required by law and is hereby approved with the amendments as set out therein in accordance with the 2013/2014 Investment Policy attached hereto as Exhibit “A.”

CONSIDERED, PASSED and APPROVED this \_\_\_ day of September, 2013, at a meeting of the Board of Commissioners of the City of McAllen, Texas, and the McAllen Public Utility Board of Trustees of the City of McAllen, Texas, at which a quorum was present and which was held in accordance with the provisions of Chapter 551, Texas Government Code.

SIGNED this \_\_\_\_\_ day of September, 2013.

CITY OF MCALLEN

By: \_\_\_\_\_  
Jim Darling, Mayor

ATTEST:

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

MCALLEN PUBLIC UTILITY

By: \_\_\_\_\_  
Charles Amos, Chairman

ATTEST:

\_\_\_\_\_  
Nyla L. Flatau, Board Secretary

APPROVED AS TO FORM:

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

**ANNUAL REVIEW INVESTMENT POLICY**

**City of McAllen (CITY)**

**Public Utility Board (PUB)**

**McAllen-Hidalgo International Toll Bridge (BRIDGE)**

**Development Corporation of McAllen (CORP.)**

# **INVESTMENT POLICY**

**City of McAllen (CITY)  
Public Utility Board (PUB)  
McAllen-Hidalgo International Toll Bridge (BRIDGE)  
Anzalduas International Crossing (ANZALDUAS)  
Development Corporation of McAllen, Inc. (CORP.)**

## **INTRODUCTION**

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of McAllen/McAllen Public Utility Board/McAllen-Hidalgo International Toll Bridge/Anzalduas International Crossing/Development Corporation of McAllen, Inc. (hereinafter referred to collectively as “City”) in order to achieve the goals of safety, liquidity and yield for all investment activity. The City shall review its investment strategies and policy not less than annually. This policy serves to satisfy the statutory requirement, specifically the Public Funds Investment Act, Chapter 2256 of the Government Code (the "Act"), to define, adopt and review a formal investment strategy and policy.

## **INVESTMENT STRATEGY**

The City maintains portfolios that utilize five specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolios:

- A. Investment strategy for operating funds has as the primary objective to assure the anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure that will experience minimal volatility during economic cycles. This may be accomplished by purchasing high quality short-to-intermediate-term securities. The dollar weighted average maturity shall be calculated in accordance with GASB requirements.
- B. Investment strategy for bond debt service fund(s) shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the next unfunded bond debt service payment date.
- C. Investment strategy for bond reserve fund(s) shall have as the primary objective the ability to generate a dependable revenue stream to the appropriate debt service fund from securities with a low degree of volatility. Securities should be of high quality and, except as may be required by the Bond Ordinance specific to an individual issue, of short-to-intermediate-term maturities.
- D. Investment strategy for capital projects funds portfolios will have as the primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. These portfolios should include at least 10% in highly liquid securities to allow for flexibility and unanticipated project outlays. The stated final maturity dates of securities held should not exceed the estimated project completion date.

- E. Investment strategy for customer deposit funds shall have as the primary objective the assurance of investment liquidity adequate to cover the return of deposit to customers or its application to balances due. Securities purchased shall not have a stated final maturity date which exceeds two (2) years.

## **SCOPE**

The Investment Policy applies to activities of the City with regard to investing the financial assets of all funds, including the following:

### **Operating Funds**

General Fund (Including PEG Account)  
Development Corp. Fund (Operating Portion)  
Downtown Services Fund  
Water Fund  
Sewer Fund  
Palmview Golf Course Fund  
Sanitation Fund  
McAllen International Civic Center Fund  
McAllen International Airport Fund  
Transit System Fund  
Bus Terminal Fund  
McAllen International Toll Bridge Fund  
Anzalduas International Crossing  
Internal Service Fund  
Fleet/Materials Management Fund  
Employee Benefits Fund (Employee's Health Insurance Fund)  
Retiree Health Insurance Fund  
General Insurance Fund  
Hotel Occupancy Tax Fund (a conduit fund)  
Hotel Project Venue Fund

\* Grant Funds (operating portion)  
EB-5 Regional Center Fund

### **Bond Debt Service Funds**

Development Corp. Debt Service Fund  
Debt Service Fund (General Obligation)  
Water Debt Service Fund  
Sewer Debt Service Fund  
Sewer Debt Service 2010 (TWDB) Fund  
McAllen International Toll Bridge Debt Service Fund  
McAllen International Toll Bridge System Revenue Bonds, Series 2007A  
McAllen International Toll Bridge System Revenue Bonds, Series 2007B McAllen  
International Toll Bridge Contingency Fund

## **Bond Reserve Funds**

Sewer Bond Reserve Fund  
McAllen International Toll Bridge Bond Contingency Fund  
Anzalduas International Crossing Contingency Fund

## **Capital Project Funds**

Development Corp. Fund (Capital Portion)  
Park Land Zone Funds  
Capital Improvements Fund  
Airport Capital Improvement Fund  
Civic Center Depreciation Fund  
Anzalduas Crossing Capital Improvement Fund  
Convention Center Capital Improvement Fund  
Water Revenue Bond Construction Funds  
Sewer Revenue Bond Construction Funds  
Water Depreciation Fund  
Water Capital Improvement Fund  
Sewer Depreciation Fund  
Sewer Capital Improvement Funds  
McAllen International Toll Bridge Capital Improvement Fund  
General Depreciation Fund  
Certificates of Obligation, Series 2010 – Library Construction Fund  
Certificates of Obligation, Series 2010 – Boeye Reservoir Construction Fund  
\* Grant Funds (capital portion)  
Passenger Facility Charge Fund  
Developer's Escrow Fund  
Information Technology Fund  
Sanitation Depreciation Fund  
Palmview Golf Course Depreciation Fund

## **Customer Deposit Fund**

Water  
Sewer  
Sanitation

\* Grant Funds currently includes Miscellaneous Government Grant Funds, and Airport Grant Fund. Funds expressly exempt from investment activities may not be subject to this policy (i.e., Community Development Block Grant (CDBG)).

## **OBJECTIVES**

The City shall manage and invest its cash with three objectives, listed in order of priority: Preservation and Safety of Principal, Liquidity, and Yield. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local Law.

The City shall maintain a comprehensive cash management program that includes collection of

accounts receivable, vendor payment in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to increase cash availability and interest earnings on short-term investment of idle cash.

### Preservation and Safety of Principal

The primary objective of the City investment activity is the preservation of capital in the overall portfolio. Each investment transaction shall be conducted in a manner to avoid capital losses, whether they are from securities defaults or erosion of market value.

### Liquidity

The City investment portfolio shall be structured such that the City is able to meet all obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets.

### Yield

The City cash management portfolio shall be designed with the objective of regularly exceeding the average rate of return on three-month U.S. Treasury Bills. The investment program shall seek to augment returns above this threshold consistent with risk limitations identified herein and prudent investment policies.

## **RESPONSIBILITY AND CONTROL**

### Investment Committee

An Investment Committee, consisting of the audit committee members appointed by the City Commission and Public Utility Board will meet at least quarterly to determine operational strategies and to monitor results. The Investment Committee shall include in its deliberation such topics as: performance reports, economic outlook, portfolio diversification, maturity structure, potential risk to the City funds, authorized brokers and dealers, and the target rate of return on the investment portfolio.

### Delegation of Authority and Training

Authority to manage the City investment program is derived from a resolution of the City. Those authorized by said resolution are designated as investment officers of the City and in conjunction with the audit and investment committee, are responsible for investment decisions and activities. The Finance Director shall establish written procedures for the operation of the investment program consistent with this investment policy. The Finance Director and the investment officers shall attend at least one training session from an independent source approved by the governing body of the local government or a designated investment committee advising the investment officer and containing at least 10 hours of instruction relating to the officer's responsibility under the Act within 12 months after assuming duties and any other requirements of the Act. The Finance Director and the investment officers shall also attend such investment training sessions not less than once in a two-year period that begins on the first day of the City's fiscal year and consists of the consecutive fiscal years after that

date.

### Internal Controls

The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that the objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Finance Director shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points.

- A. Control of collusion.
- B. Separation of transaction authority from accounting and record keeping.
- C. Custodial safekeeping.
- D. Clear delegation of authority to subordinate staff members.
- E. Avoidance of physical delivery securities.
- F. Written confirmation for telephone (voice) transactions for investments.
- G. Development of a wire transfer agreement with the depository bank or third party custodian.
- H. Establishment of procedures to monitor rating changes in investments acquired with city funds and the liquidation of such investments consistent with the provisions of Section 2256.021, Government Code.

### Prudence

The standard of prudence to be applied by the investment officers shall be the "prudent investor" rule, which states: "Investments shall be made by following the objectives of this policy and with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether the investment officers have exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- A. The investment of all funds, or funds under the City's control, over which the officers had responsibility and not necessarily consideration as to the prudence of a single investment.



B. Whether the investments decision was consistent with this policy.

The investment officers, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific security's credit risk or market price changes, provided that these deviations are reported immediately.

### Ethics and Conflicts of Interest

City staff involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. City staff shall disclose to the City any material interests in financial institutions that conduct business with the City, and they shall further disclose positions that could be related to the performance of the City portfolio. City staff shall subordinate their personal financial transactions to those of the City, particularly with regard to timing of purchase and sales.

An investment officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the governing body of the entity.

## **REPORTING**

### Quarterly Reporting

The Finance Director shall submit a quarterly investment report signed by the investment officers that summarizes current market conditions, economic developments and anticipated investment conditions. The report shall summarize investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, risk characteristics, and shall explain the total investment return for the quarter.

### Annual Report

Within 60 days of the end of the fiscal year, the Finance Director shall present an annual report on the investment program and investment activity. The report may be presented as a component of the fourth quarter report to the City.

### Methods

The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will be provided to the City. The report will include the following:

A. A listing of individual securities held at the end of the reporting period.

- B. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- C. Additions and changes to the market value during the period.
- D. Average weighted yield to maturity of portfolio on entity investments as compared to applicable benchmarks.
- E. Listing of investments by maturity date.
- F. The percentage of the total portfolio that each type investment represents.
- G. Statement of compliance of the City investment portfolio with State Law and the investment strategy and policy approved by the City.

## **INVESTMENT PORTFOLIO**

### Investments

Assets of the City may be invested in the following instruments; provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized for investment under the Act, as the Act may from time to time be amended.

- I. Authorized
  - A. U.S. Treasury obligations and government agency securities, specifically, those issued by the Federal Home Land Bank, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Farm Credit Bank, excluding mortgage-backed securities.
  - B. Collateralized deposits, including Certificates of Deposit of state and national banks domiciled in Texas, guaranteed or insured by the Federal Deposit Insurance or its successor or secured by obligations described in A above.

In addition to the authority to invest funds in certificates of deposit, an investment in certificates of deposit made in accordance with the following conditions is an authorized investment under this subchapter:

- (1) the funds are invested by an investing entity through:
  - (a) a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025, Government Code; or
  - (b) a depository institution that has its main office or a branch office in this state and that is selected by the investing entity;

- (2) the broker or the depository institution selected by the investing entity under Subdivision (1) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the investing entity;
  - (3) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
  - (4) the depository institution selected by the investing entity under Subdivision (1), an entity described by Section 2257.041(d), or a clearing broker/dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity.
- C. Local government investment pools of political subdivisions in the State of Texas that invest in instruments and follow practices allowed by current law and that maintains as an investment objective a \$1.00 net asset value.

## II. Not Authorized

- A. Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pay no principal.
- B. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- C. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
- D. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

### Holding Period

The City intends to match the holding periods of investment funds with liquidity needs of the City. The maximum final stated maturity of any investment shall not exceed seven years and it is further provided that any stated maturity over five years must be approved by the investment committee and no more than ten per cent of the total investment portfolio may have a stated maturity exceeding five years.

### Risk and Diversification

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification which shall be achieved by the following general guidelines:

- A. Risk of issuer default is controlled by limiting investments to those instruments allowed by the Act, which are described herein.
- B. Risk of market price changes shall be controlled by avoiding over-concentration of assets in a specific maturity sector, limitation of average maturity of operating funds investments to one year, and avoidance of over-concentration of assets in specific instruments other than U.S. Treasury Securities and Insured or Collateralized Certificates of Deposits.

## **SELECTION OF BANKS AND DEALERS**

### Depository

At least every five years a Depository shall be selected through the City's banking services procurement process, which shall include a formal request for proposals (RFP). A review of the City's depository contract shall be made at least every three years and all depository agreements for a term of longer than three years, shall contain a provision that the City may terminate the agreement at its sole discretion at the expiration of three years. In selecting a depository, the credit worthiness of institutions may be considered.

### Certificates of Deposit

Banks seeking to establish eligibility for the City's competitive certificate of deposit purchase program shall submit for review annual financial statements, evidence of federal insurance and other information as required by the Finance Director.

### Securities Dealers

The City's Audit and Investment Committee shall approve those dealers through whom the City buys or sells securities. Investment officials shall not knowingly conduct business with any firm with whom public entities have sustained losses on investments based upon improper recommendations. All securities dealers shall provide the City with references from public entities, which they are currently serving.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the following as appropriate:

- 1) Audited financial statements
- 2) Proof of National Association of Security Dealers (NASD) certification
- 3) Proof of state registration
- 4) Completed broker/dealer questionnaire
- 5) Certification of having read the City investment policy signed by a registered principal of the organization

- 6) Acknowledgment that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investments transactions conducted between the City and the organization

## **SAFEKEEPING AND CUSTODY**

### Insurance or Collateral

All deposits including certificates of deposit shall be secured by pledged collateral. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 110% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC. The Finance Director or a third party financial institution shall maintain evidence of the pledged collateral. Collateral shall be reviewed weekly to assure that the market value of the pledged securities is adequate.

### Safekeeping Agreement

Collateral pledged to secure deposits of the City shall be held by a safekeeping institution in accordance with a Safekeeping Agreement which clearly defines the procedural steps for gaining access to the collateral should the City determine that the City funds are in jeopardy. The safekeeping institution, or Trustee, shall be the Federal Reserve Bank. The safekeeping agreement shall include the signatures of authorized representatives of the City, the firm pledging the collateral, and the Trustee.

### Collateral Defined

The City shall accept only the following securities as collateral:

- A. FDIC insurance coverage.
- B. U.S. Treasury obligations and government agency securities, specifically, those issued by the Federal Home Land Bank, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Farm Credit Bank, excluding mortgage-backed securities.

### Subject to Audit

All collateral shall be subject to inspection and audit by the Finance Director or the City independent auditors.

### Delivery vs. Payment

Treasury Bills, Notes, Bonds and Government Agencies' securities shall be purchased using the delivery vs. payment method. That is, funds shall not be wired or paid until verification has been made that the Trustee received the correct security. The security shall be held in the name of the City or held on behalf of the City. The Trustee's records shall assure the notation of the City ownership of or explicit claim on the securities. The original copy of the safekeeping receipts shall be delivered to the

City

## **INVESTMENT POLICY ADOPTION**

The City investment policy shall be adopted by resolution of the City Commission/ PUB/Bridge/Corp. The Investment Committee shall review the policy for effectiveness on an annual basis and any modification will be recommended for approval to the City.

**GLOSSARY**  
**Of**  
**COMMON TREASURY TERMINOLOGY**

<b>Agencies:</b>	Federal agency securities.
<b>Asked:</b>	The price at which securities are offered.
<b>Bid:</b>	The price offered for securities.
<b>Broker:</b>	A broker brings buyers and sellers together for a commission paid by the initiator of the transaction or by both sides; he does not position. In the money market brokers are active in markets in which banks buy and sell money and in interdealer markets.
<b>Certificate of Deposit (CD):</b>	A time deposit with a specific maturity evidenced by a certificate. Large denomination CD's are typically negotiable.
<b>Collateral:</b>	Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposit of public monies.
<b>Coupon:</b>	(a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value.  (b) A certificate attached to a bond evidencing interest due on a payment date.
<b>Dealer:</b>	A dealer, as opposed to a broker, acts as a principal in all transaction, buying and selling for his own account.
<b>Debenture:</b>	A bond secured on by the general credit of the issuer.
<b>Delivery versus Payment:</b>	There are two methods of delivery of securities; delivery versus payment and delivery versus receipt (also called free). Delivery versus payment is delivery of securities with an exchange of money for securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.
<b>Discount:</b>	The difference between the cost price of a security and its value at maturity when quoted at lower than face value. A security selling below original price shortly after sale also is considered to be at a discount.

<b>Discount Securities:</b>	Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g., U.S. Treasury bills.
<b>Diversification:</b>	Dividing investment funds among a variety of securities offering independent returns.
<b>Federal Credit Agencies:</b>	Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.
<b>Federal Deposit Insurance Corporation (FDIC):</b>	A federal agency that insures bank deposits, currently up to \$100,000 per deposit.
<b>Federal Funds Rate:</b>	The rate of interest at which Fed funds are traded. The Federal Reserve through open-market operations currently pegs this rate.
<b>Federal Home Loan Banks (FHLB):</b>	The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.
<b>Federal National Mortgage Association (FNMA):</b>	FNMA, like GNMA, was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development, (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder corporation. The corporation purchases include a variety of adjustable mortgages and second loans in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.
<b>Federal Open Market Committee (FOMC):</b>	Consists of seven members of the Federal Reserve Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve is a permanent member while the other presidents serve on a rotating basis. The committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.
<b>Government National Mortgage Association (GNMA of Ginnie Mae):</b>	Securities guaranteed by GNMA are issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions.



Security holder is protected by the full faith and credit of the U.S. Government. Ginnie Mae securities are backed by FHA, VA, or FMHM mortgages. The term pass-through is often used to describe Ginnie Maes.

**Liquidity:** A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

**Local Government Investment Pool (LGIP):** The aggregate of all funds from political subdivisions that are placed in a common pool for investment and reinvestment.

**Market Value:** The price at which a security is trading and could presumably be purchased or sold.

**Master Repurchase Agreement:** To protect investors, many public investors will request that repurchase agreements be preceded by a master repurchase agreement between the investor and financial institution or dealer. The master agreement should define the nature of the transaction, identify the relationship between the parties, establish normal practices regarding ownership and custody of the collateral securities during the term of the investment provide remedies in the case of default by either party and clarify issues of ownership. The master repurchase agreement protects the investor by eliminating the uncertainty of ownership and hence, allowing investors to liquidate collateral if a bank or dealer defaults during the term of the agreement.

**Maturity:** The date upon which the principal or stated value of an investment becomes due and payable.

**Money Market:** The market in which short-term debt instruments (bills, commercial paper, banker's acceptances, etc.) are issued and traded.

**Open Market Operations:** Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit: sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

**Portfolio:** Collection of securities held by an investor.

**Primary Dealer:** A group of government securities dealers that submit daily reports of

market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC) registered securities brokers-dealers, banks and a few unregulated firms.

**Prudent Person Rule:**

An investment standard. Investments shall be made with judgment and care, under circumstances the prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

**Qualified Public Depositories:**

A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Depository Protection Commission to hold public deposits.

**Rate of Return:**

The yield obtained on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

**Repurchase Agreement (RP or REPO):**

A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use REPOs extensively to finance their positions. Exception: When the Fed is said to be doing REPOs, it is lending money that is, increasing bank reserves.

**Safekeeping:**

A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

**Secondary Market:**

A market made for the purchase and sale of outstanding issues following the initial distribution.

**Securities & Exchange Commission:**

Agency created by Congress to protect investors in securities transactions by administering securities legislation.

**Treasury Bills:**

A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three

months, six months, and one year.

**Treasury Bonds:**

Long-term U.S. Treasury securities having initial maturities of more than ten years.

**Treasury Notes:**

Intermediate term coupon bearing U.S. Treasury securities having initial maturities from one to ten years.

**Yield:**

The rate of annual income return on an investment, expressed as a percentage. (a) Income Yield is obtained by dividing the current dollar income by the current market price of the security. (b) Net Yield or Yield to Maturity is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION	<u>  X  </u>	AGENDA ITEM	<u>  1F  </u>
UTILITY BOARD	<u>  X  </u>	DATE SUBMITTED	<u>  9/17/2013  </u>
PLANNING & ZONING BOARD	_____	MEETING DATE	<u>  9/23/2013  </u>
OTHER	_____		

**1 Agenda Item:** Renewal of Property-Casualty Insurance, Public Officials Liability, Risk Management and Agency Services Agreement, continuation under the Third Party Administrative Service Contract and award Excess Workers' Compensation Insurance Policy

**2 Party Making Request:** Yolanda V. Perez, Loss Prevention Director

**3 Nature of Request: (Brief Overview) Attachments:**           X   Yes        No  
Consider Renewal of Property-Casualty Insurance, Public Officials Liability Risk Management and Agency Services Agreement, and continuation under the Third Party Administrative Service Contract, and award Excess Workers' Compensation Insurance Policy

**4 Policy Implication:**   None  

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

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

**6 Alternate option costs:** \_\_\_\_\_

**7 Routing:**

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE YES/NO</u>
a) <u>Kevin Pagan City Attorney</u>	_____	_____	_____
b) <u>Wendy L. Smith Assistant City Manager</u>	<u>WS</u>	<u>9/17/2013</u>	<u>Yes</u>

**8 Staff Recommendation:** Award Excess Workers's Compensation Insurance Policy to Safety National Casualty Cooperation

**9 Advisory Board:**        Approved        Disapproved        None

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

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

# SHEPARD WALTON KING

INSURANCE GROUP VALLEYWIDE

September 16, 2013

Ms. Yolanda Perez, Loss Prevention Director  
City of McAllen  
P.O. Box 220  
McAllen, TX 78502

RE: Insurance Renewal

Dear Ms. Perez:

We are pleased to provide a recap of your upcoming October 1, 2013 insurance renewal as follows:

## I. History – Losses

Premium to Net Incurred Loss Ratio  
Valued as of 03-31-13

Line	Average Annual Claim Count	Loss Ratio Current Yr	Loss Ratio Prior 3 Yrs
General Liability	70	119%	75%
Law Enforcement	4	0%	85%
Public Officials	12	0%	113%
Automobile Liability	56	122%	152%
Airport Liability	5	0%	539%
Auto Phys Damage	3	28%	52%
Auto Catastrophe	0	0%	11733%
Property	0.7	0%	229%
Mobile Equipment	0.7	0%	207%
Crime	0.0	0%	0%

Note: Public Officials Liability claims for 2009/2011 valued as of 07-31-13.

## II. Property-Casualty Insurance

A. Renewal quoted through Texas Municipal League. Coverage highlights are as follows:

1. Flat windstorm deductible of \$10,000. Majority of markets now requiring wind/hail deductibles of 2% of total insured values.
2. Coverage is provided for Loss of Revenues and flood on the International Bridge, which requires manuscript wording and higher pricing from many insurers.
3. Rate of .10 very competitive in market place.

B. McAllen has an active claim volume and history thus the experience modifier remains unchanged at 1.20. This is the cap that TML uses for debit modifiers.

C. Rate Changes were as follows:

**2013-2014 Rate Changes**

General Liability	No Change
Law Enforcement Liability	No Change
Errors & Omissions Liability	4.30%
Auto Liability	No Change
Auto Physical Damage	No Change
Auto Catastrophe	No Change
Aviation	No Change
Property	No Change
Mobile Equipment	No Change

D. The expiring versus renewal premium summary is as follows:

	Expiring	Renewal	Premium %Change	Exposure basis change
Real & Personal Property	\$271,322	\$291,821	7.56%	Increase in limit by \$17,014,150.
Mobile Equipment - Scheduled	\$32,600	\$35,170	7.88%	Increase in limit by \$836,485.
Crime	\$5,915	\$5,941	0.44%	
General Liability	\$77,299	\$75,206	-2.71%	
Law Enforcement	\$145,293	\$148,728	2.36%	Increase # officers 268 to 280
Public Officials	\$130,414	\$132,499	1.60%	Rate increase 4.3%; exposure decrease
Automobile Liability	\$261,009	\$254,351	-2.55%	Increase # units from 810 to 826
Automobile Physical Damage	\$109,851	\$115,744	5.36%	Change in values, newer model years
Automobile Catastrophe	\$2,600	\$2,600	0.00%	
Airport Liability	\$8,678	\$9,568	10.26%	Error 2011-2012 contribution (10-11 \$10,487)
<b>Total TML Program Cost</b>	<b>\$1,044,981</b>	<b>\$1,071,628</b>	<b>2.55%</b>	
Excess Workers Compensation	\$ 147,312	\$ 141,122	-4.20%	Increase in payroll by \$1,679,199.
Risk Management Fee	\$ 35,000	\$ 35,000	0.00%	

- E. We are in the process of reconciling the Texas Municipal League rate sheets for mobile equipment and vehicles against the schedules submitted for accuracy. Amendments to the TML quoted limits may be required.

### **III. Excess Workers Compensation Insurance / Third Party Administrative Services**

Request for Proposals were sought for Workers Compensation Insurance due to the non-renewal of your existing Excess Worker's Compensation policy by Star Insurance. Star Insurance changed underwriting guidelines and no longer write law enforcement exposures.

The following sections explain the individual pieces of the program:

A. Workers Compensation proposals were received as follows:

1. Guaranteed Cost:
  - \$1,898,326. TML
  - \$2,351,736. TPS (Wells Fargo)
  
2. Deductible Program (Texas Municipal League)
  - \$230,457. \$500,000. Deductible / no aggregate
  - \$397,244. \$500,000. Deductible / \$1,500,000. Aggregate Deductible
  - \$1,000,000. Aggregate Limit of Liability
  
3. Self-Insured Retention w/no aggregate
  - \$141,122. \$500,000. SIR (Safety National )
  - \$247,273. \$600,000. SIR (Midwest Employers Casualty)
  - \$229,979. \$750,000. SIR (Midwest Employers Casualty)
  - \$198,950. \$1,000,000. SIR (Midwest Employers Casualty)

B. Third Party Claims Administration

1. Request for Proposals were issued in 2011 at which time the City elected to contract with 1-2-1 Claims Services. The contract was placed for a 3 year term, this is the second anniversary date with no change in annual fee of \$68,830.

C. Conclusions

1. The original intent of the City when awarding coverage in 2011 was to place the program for a 3 year period. The non-renewal of the Excess Workers Compensation made it necessary to re-bid one portion of the program but not the whole program.
  
2. Self-Insured Retention terms offered by Safety National Casualty Corporation are comparable to expiring terms through Star Insurance as follows:
  - a. Self-Insured Retention remains unchanged at \$500,000.
  - b. Estimated Annual Premium down from \$147,312. To \$141,122.
  - c. Rate per \$100 of payroll down from \$0.23797 to \$0.22195
  
3. Changing from the current Self-Insured Retention Program to a deductible or guaranteed cost program would require that arrangements be made and additional

fees paid for continued handling of all open claims with 1-2-1 claims. It would also mean that the City could not use the network that they are currently in.

## **V Recommendation**

In summary, our agency recommends the following:

- A. Renewal of the Property-Casualty Insurance program through Texas Municipal League at annual cost of \$1,071,628.
- B. Placement of the Excess Workers Compensation coverage through Safety National Casualty Corporation at proposed premium of \$141,122.
- C. Continuation under the Third Party Administrative Service Contract with 1-2-1 Claims at current rate for final year of 3 year contract.
- D. Renewal of the Risk Management and Agency Services Agreement with Raul Cabaza, Licensed Risk Manager and Principal, Cameron Investment Company, Inc. dba Shepard Walton King Insurance Group at annual fee of \$35,000.

Sincerely,

Shepard Walton King Insurance

alo

cc: Ms. Wendy Smith  
Ms. Sandra Garza



**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION	<u>  ✓  </u>	AGENDA ITEM	<u>  2  </u>
UTILITY BOARD	<u>          </u>	DATE SUBMITTED	<u>  9/17/2013  </u>
PLANNING & ZONING BOARD	<u>          </u>	MEETING DATE	<u>  9/23/2013  </u>
OTHER	<u>          </u>		

1 Agenda Item: Ordinances

\_\_\_\_\_

\_\_\_\_\_

2 Party Making Request: Martha Guel, Tax Assessor Collector

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

Providing for the adoption of the City of McAllen Property Tax Rate for 2013.

\_\_\_\_\_

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

5 Budgeted:        Yes        No        N/A

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

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

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>
a) <u>Martha Guel Tax Assessor</u>	<u>  mg  </u>	<u>  09/17/13  </u>
b) <u>                          </u>	<u>          </u>	<u>          </u>

8 Staff Recommendation: As recommended by City Commission

9 Advisory Board:        Approved        Disapproved        None

10 City Attorney:        Approved        Disapproved   KP   None

11 Manager's Recommendation:        Accepted        Disapproved   MRP   None

AN ORDINANCE ADOPTING THE TAX RATE AND LEVYING AD VALOREM TAXES FOR THE CITY OF McALLEN, TEXAS, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014 AND THE TAX YEAR 2013 IN CONFORMITY WITH THE CHARTER PROVISIONS AND ORDINANCES OF THE CITY AND THE PROPERTY TAX CODE OF THE STATE OF TEXAS; PROVIDING FOR A REPEALER; PROVIDING FOR PUBLICATION; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF.

WHEREAS, Section 26.05 Texas Tax Code provides for the procedures for adoption of the annual ad valorem tax rate for municipalities; and

WHEREAS, the vote on the tax rate must be a record vote as reflected hereunder and such vote was separate from the vote of the Board of Commissioners adopting the budget as required by law; and

WHEREAS, a motion being first made as follows: “ **I move that the property tax rate be increased by the adoption of a tax rate of \$0.431300**”, which is effectively a 01.99 percent increase in the tax rate and upon vote of the Board of Commissioners as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Mayor Jim Darling	_____	_____	_____
Mayor Pro Tem Aida Ramirez	_____	_____	_____
Mayor Pro Tem Hilda Salinas	_____	_____	_____
Commissioner John Ingram	_____	_____	_____
Commissioner Scott Crane	_____	_____	_____
Commissioner Trey Pebley	_____	_____	_____
Commissioner Veronica Vela Whitacre	_____	_____	_____

**WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE; and**

**WHEREAS, THE TAX RATE WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY 2.80% (DEPENDS ON THE AMOUNT OF INCREASE IN VALUATION FOR 2013).**

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

SECTION I: There shall be and is hereby levied for the fiscal year ending September 30, 2014 and the Tax year 2013, upon the assessed taxable value of all property of every description subject to taxation within the city of McAllen, Texas, on the 1<sup>st</sup> day of January A.D. 2013, the following tax rates, to-wit:

(a) An ad valorem tax to be computed at the rate of \$0.431300 per \$100.00 of the assessed taxable value thereof estimated in lawful currency of the United State of America for the purpose of paying the general expense of the City Government for the period ending September 30, 2014, as provided in the appropriation ordinance adopted by the Board of Commissioners of McAllen, Texas, and when collected such monies are to be deposited in the fund known as the "General Fund" and disbursed for the purpose stated in said ordinance.

(b) An ad valorem tax to be computed at the rate of \$0.000000 per \$100.00 of the assessed taxable value thereof estimated in lawful currency of the United States of America for the purpose of paying the interest and principal on the several outstanding bond issues of the City of McAllen, Texas, such levy being in conformity with the requirement of the levy of taxes heretofore made by ordinance and orders of the Board of Commissioners of the said city of McAllen relating to such bonded indebtedness.

SECTION II: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners and execution thereof by the Mayor.

SECTION IV: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in McAllen, Hidalgo County, Texas in accordance with the Code of Ordinances of the City of McAllen, Section 2-56 **Publication of Ordinances.**, but it shall not be published in the Code of Ordinances of the City of McAllen as it is not amendatory thereof; however, it shall be cited in the appropriate appendix of the Code of Ordinances.

SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

CONSIDERED, PASSED and APPROVED this 23rd day of September, 2013, at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present

and which was held in accordance with Chapter 551 of the Texas Government Code and Chapter 26 of the Texas Tax Code.

SIGNED this \_\_\_\_\_ day of September 2013

CITY OF MCALLEN

By: \_\_\_\_\_  
Jim Darling, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

## CITY OF McALLEN STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u>   X   </u>	AGENDA ITEM	<u>   3A   </u>
UTILITY BOARD	<u>          </u>	DATE SUBMITTED	<u>09/04/13</u>
OTHER	<u>          </u>	MEETING DATE	<u>09/23/13</u>

1. Agenda Item: Rezoning Request

2. Party Making Request: E. Madrigal

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

Rezone from R-3C (multifamily residential condominium) District to C-1 (office building) District: 0.80 acres out of Lot 4, Section 12, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas; 1521 Trenton Road.

4. Policy Implication: Zoning Ordinance

5. Budgeted:        Yes   X   No     N/A

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

If over budget how will it be paid for:   

6. Alternate option/costs:   

7. Routing:

	NAME/TITLE	INITIAL	DATE	CONCURRENCE
a) <u>Julianne R. Rankin</u> Director of Planning	<u>JRR</u>	<u>09/04/13</u>	<u>Yes</u>	
b) <u>  </u>	<u>          </u>	<u>          </u>	<u>          </u>	

8. Staff's Recommendation: Approval

9. Advisory Board:   X   Approved        Disapproved        None

10. City Attorney:   KP   Approved        Disapproved        None

11. Manager's Recommendation: MRP Approved        Disapproved     None

## **Memo**

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

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

**DATE:** September 3, 2013

**SUBJECT: REZONE FROM R-3C (MULTIFAMILY RESIDENTIAL CONDOMINIUM) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT: 0.80 ACRES OUT OF LOT 4, SECTION 12, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 1521 TRENTON ROAD. (REZ2013-0025)**

---

### **GOAL:**

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

### **BRIEF DESCRIPTION:**

The property is located along the south side of Trenton Road approximately 580 feet west of Main Street. The tract has 208.7 feet of frontage along Trenton Road with a depth of 166.2 feet for a tract size of .80 acres. A rezoning request for this property to R-3C (multifamily residential condominium) District was approved in 1993. There have been no rezoning requests since that time. The property has a single family residence on this property. The applicant is requesting C-1 (office building) District in order to sell the property for a daycare. A feasibility plan for the establishment of a daycare has not been submitted.

The adjacent zoning is A-O (agricultural-open space) District to the west and northeast, C-1 (office building) District to the east and R-1 (single family residential) District adjacent to the south. A rezoning request for C-1 District for the property to the east in 2004 was approved and is currently vacant. Surrounding land uses are single family, Homer J. Morris Middle School, and vacant land.

- The requested zoning does not conform to the Auto Urban Residential land use designation for the tract as indicated on the Foresight McAllen Comprehensive Plan, however the recent zoning trend along Trenton Road is commercial.
- C-1 (office building) District zoning is the most restrictive commercial zoning that allows office uses for professional, medical and financial services and personal services such as beauty salons, day care and nursing home. The maximum height for buildings within C-1 District is 2 stories.
- Trenton Road is designated as a principal arterial with 120 feet of proposed right-of-way and is constructed with 4 travel lanes, a left turn lane, curb and gutter, streetlights and a posted speed limit of 45 miles per hour and 20 miles per hour during school hours.
- Trees with a caliper of 20 inches or greater in commercial zones are protected and

require a permit for removal.

- An 8 foot masonry wall is required where a nonresidential use has a side adjacent to a residential use or district.
- A recorded subdivision plat may be required prior to issuance of a building permit if the existing building is removed or an addition is required.
- Conversion of the existing residence to commercial use requires compliance with building and fire codes, off-street parking, landscaping buffers, and site plan approval.

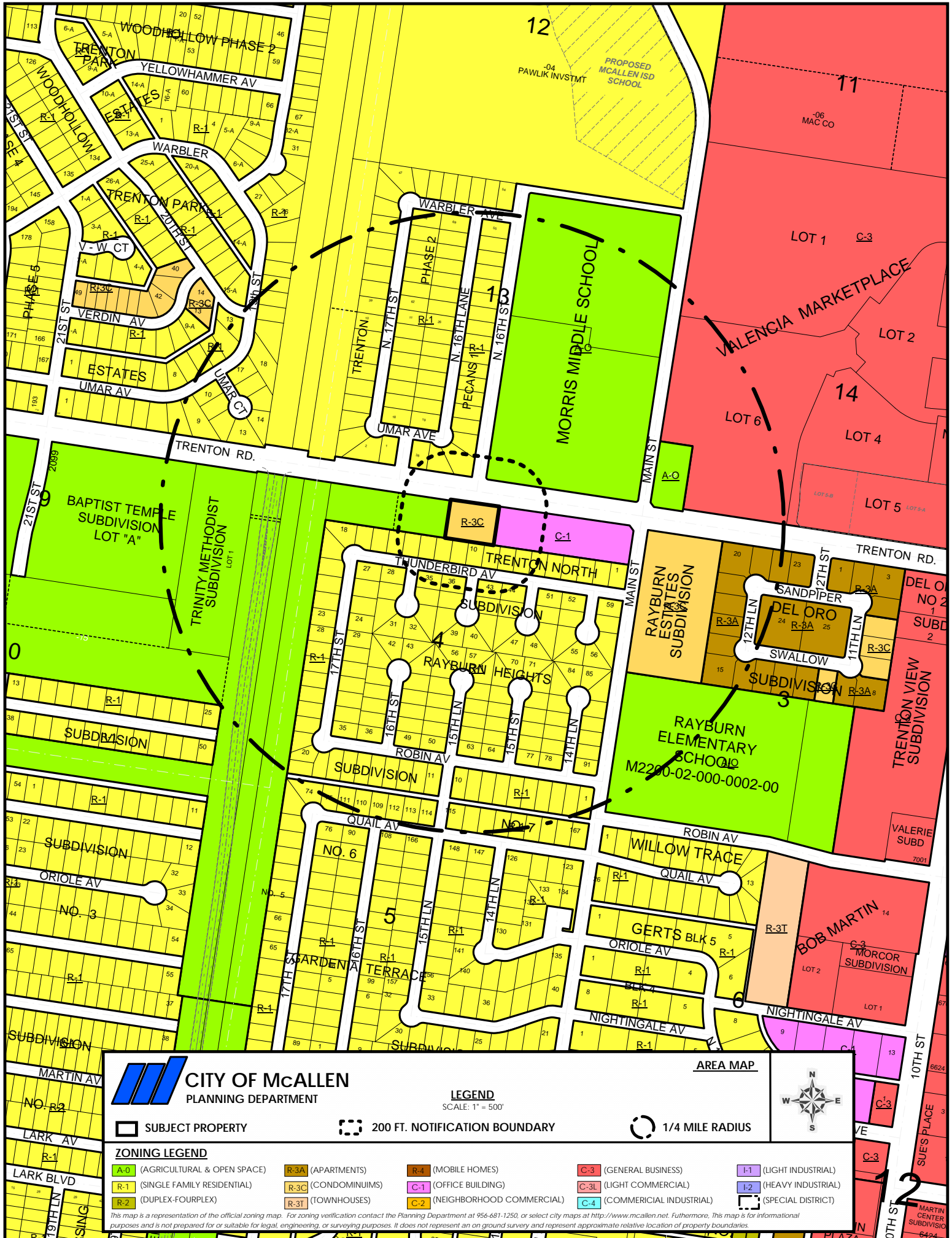
### **OPTIONS:**

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

### **RECOMMENDATION:**

At the Planning and Zoning Commission meeting of September 3, 2013 no one appeared in opposition to the rezoning request. Members commented on traffic circulation in the area. A question was asked by Board member Ric Godinez whether any traffic studies are required during the rezoning process. Staff replied that Traffic Impact Analyses (TIA) are required at the time of platting and not during rezoning. The Board then voted unanimously to recommend approval of the rezoning request to C-1 (office building) District with six members present and voting.





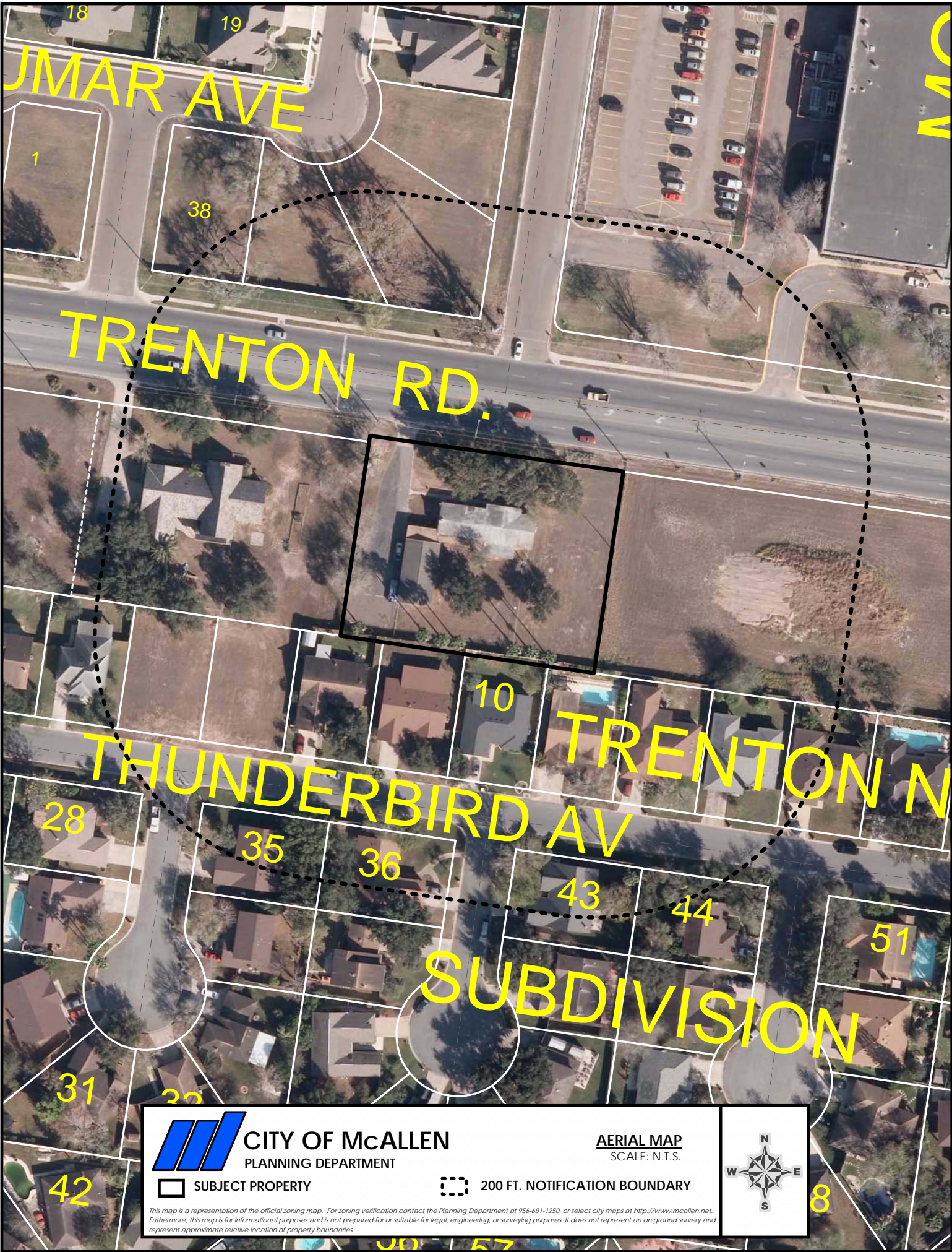
**CITY OF McALLEN**  
PLANNING DEPARTMENT

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

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

ZONING LEGEND			
A-0 (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)
R-2 (DUPLIX-FOURPLEX)	R-31 (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	I-1 (LIGHT INDUSTRIAL)
		C-4 (COMMERCIAL INDUSTRIAL)	I-2 (HEAVY INDUSTRIAL)
			(SPECIAL DISTRICT)

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



**CITY OF McALLEN**  
PLANNING DEPARTMENT

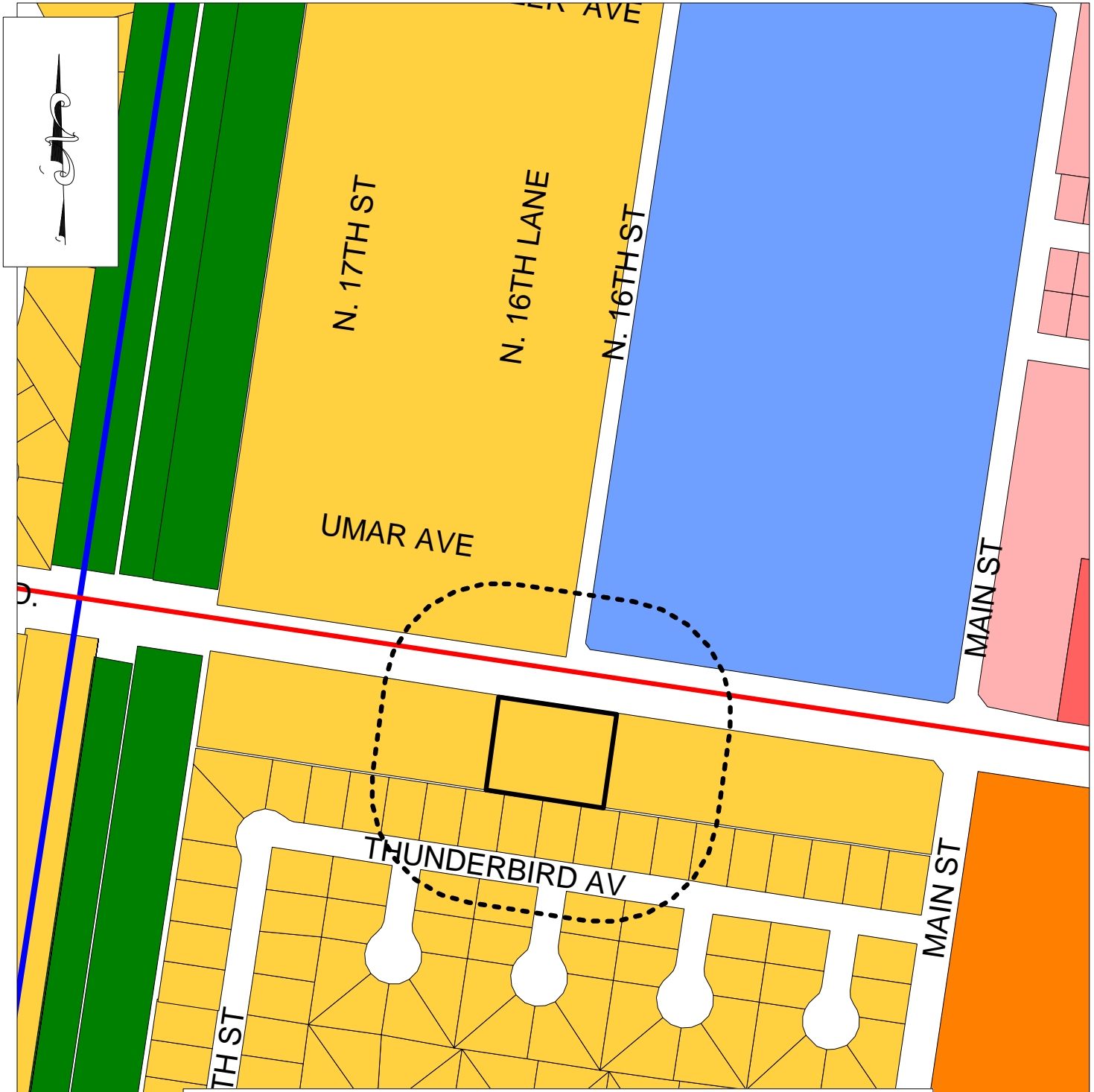
**AERIAL MAP**  
SCALE: N.T.S.

 SUBJECT PROPERTY

 200 FT. NOTIFICATION BOUNDARY



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

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

**FORESIGHT McALLEN COMPREHENSIVE PLAN**

**FUTURE LAND USE PLAN**

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

**THOROUGHFARE PLAN**

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

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



7:00AM-8:00AM  
3:00PM-4:00PM  
SCHOOL DAYS

NOTICE  
REZONING  
For  
This Property  
REZ2013-0025  
City of McAllen Planning Dept - 681-1250  
www.mcallen.net

CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION	<u>  X  </u>	AGENDA ITEM	<u>  3B  </u>
UTILITY BOARD	<u>         </u>	DATE SUBMITTED	<u>09/17/13</u>
OTHER	<u>         </u>	MEETING DATE	<u>09/23/12</u>

1. Agenda Item: Rezoning Request

2. Party Making Request: Jose A. Solis

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

Rezone from R-2 (duplex-fourplex residential) District to C-3 (general business)  
District: Lots 14 & 15, Block 5, College Heights Subdivision, Hidalgo County,  
Texas; 2214 & 2212 Ithaca Avenue.

4. Policy Implication: Zoning Ordinance

5. Budgeted:        Yes   X   No    N/A

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

If over budget how will it be paid for:                                  

6. Alternate option/costs:                                  

7. Routing:

	NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)	<u>Julianne R. Rankin</u>	<u>JRR</u>	<u>09/03/13</u>	<u>  Yes  </u>
	<u>Director of Planning</u>			
b)	<u>                         </u>	<u>         </u>	<u>         </u>	<u>         </u>

8. Staff's Recommendation: Approval

9. Advisory Board:   X   Approved        Disapproved        None

10. City Attorney:           Approved        Disapproved   KP   None

11. Manager's Recommendation: MRP Approved        Disapproved        None



AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF McALLEN, TEXAS AS ENACTED ON MAY 29, 1979, BY PROVIDING THAT 0.80 ACRES OUT OF LOT 4, SECTION 12, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS SHALL BE CHANGED FROM R-3C (MULTIFAMILY RESIDENTIAL CONDOMINIUM) DISTRICT TO C-1 (OFFICE BUILDING) DISTRICT AMENDING THE ZONING MAP TO CONFORM TO THESE CHANGES.

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

SECTION I: The following tract of land which is located within the city limits of the City of McAllen, Texas shall be rezoned from R-3C (multifamily residential condominium) District to C-1 (office building) District:

Description of the North 208.7 feet of the West 208.7 feet of the East 836.35 feet of Lot 4, Section 12, Hidalgo Canal Company's Subdivision, Hidalgo County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point on the North line of Lot 4, North 81 Deg. 14 Min. West, 627.65 feet from the Northeast corner of Lot 4, for the Northeast corner, said point being in Trenton Road;

THENCE, parallel to the East line of said Lot 4, South 08 Deg. 46 Min. West, at 30.0 feet pass the South line of Trenton Road, and at 208.7 feet a point, for the Southeast corner;

THENCE, parallel to the North line of Lot 4, North 81 Deg. 14 Min. West,

208.70 feet to a point, for the Southwest corner;

THENCE, parallel to the East line of Lot 4, North 08 Deg. 46 Min. East, at 178.7 feet pass the South line of Trenton Road, and at 208.7 feet to a point on the North line of Lot 4, for the Northwest corner;

THENCE, with the North line of Lot 4, in Trenton Road, South 81 Deg. 14 Min. East, 208.7 feet to the POINT OF BEGINNING, containing 1.0 acre of land, more or less.

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

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

SECTION IV: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Ordinance is considered severable.

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

CONSIDERED, PASSED and APPROVED this 23rd day of September, 2013, at a regular meeting of the Board of Commissioners of the City of



McAllen at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this \_\_\_\_\_ day of September 2013.

CITY OF MCALLEN

By: \_\_\_\_\_  
James E. Darling, Mayor

ATTEST:

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

Approved as to form:

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

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION  
UTILITY BOARD  
PLANNING & ZONING BOARD  
OTHER

  X  

AGENDA ITEM  
DATE SUBMITTED  
MEETING DATE

  4A  

09/18/2013  
09/23/2013

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 Workshop and Regular Meeting held September 9, 2013. Approval of outstanding  
minutes for 2012 for Workshops held August 21st, August 22nd, August 28th, November 26th and December  
10, 2013. Additionally approval of minutes for Workshops held February 6th and October 25, 2010.

4 Policy Implication: Approval by City Commission

5 Budgeted:            Yes            No       X       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>	<u>CONCURRENCE</u> <u>YES/NO</u>
a)	<u>Annette Villarreal</u> <u>City Secretary, TRMC</u>	<u>AV</u>	<u>09/18/2013</u>	<u>YES</u>
b)	<u>                                  </u>	<u>                  </u>	<u>                  </u>	<u>                  </u>

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 Workshop on **Monday, September 9, 2013**, at 4:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Present: Mayor Jim Darling, Mayor Pro Tem Hilda Salinas, Mayor Pro Tem Aida Ramirez, Commissioner Scott Crane, Commissioner Trey Pebley, Commissioner John Ingram, Commissioner Veronica Vela Whitacre

Staff: City Manager Mike R. Perez, City Attorney Kevin Pagan, Deputy City Manager Brent Branham, Assistant City Manager Wendy Smith, Assistant City Manager/PUB General Manager Roy Rodriguez, City Secretary Annette Villarreal, IT Director Belinda Mercado, MCN Director Roy Cantu, Director of Grant Administration Carla Rodriguez, Director of Health and Code Compliance Josh Ramirez, Director of Finance for MPU Melba Carvajal, City Engineer Yvette Barrera

**1. PRESENT QUESTIONS TO STAFF RELATING TO SEPTEMBER 9, 2013 REGULAR MEETING AGENDA, TO BE ADDRESSED AT SUCH MEETING.**

There were no questions.

**2. DISCUSSION OF THE OFFICIAL NAME OF THE 311 CENTER AND MOBILE APP.**

Staff recapped the last direction for staff to seek public input in form of a contest for the naming of the 311 Center and mobile app. Seven recommendations were made including recommendations from the committee. Mayor Darling requested that the selection of the names be done by a vote of the top three names for each category by each City Commissioner and that they be submitted to staff to evaluate and bring back for a vote.

Staff announced that the Call Center name and the mobile app would be named McAllen 311.

Item 4 was addressed at this time.

**3. REPORT ON PROJECT IMAGINE TOMORROW.**

Staff introduce the team on the project comprised of Bobby Calvillo (Affordable Homes of South Texas, Inc.), Piedad Martinez (Community Development Director), Code Enforcement Department, Public Works Department, Cesar Rodriguez (Code Enforcement Analyst) and Commissioner Ingram. Staff reviewed the project goal including the program priorities comprising of the Crockett areas, 116 homes identified by the analyst, other homes around the city, staffing needs and proposed budget.

Direction was given to authorize staff to partner with Affordable Homes of South Texas, Inc. and to bring back an ordinance authorizing the voluntary demolition and a tax rebate program.

**4. PRESENTATION BY THE HIDALGO COUNTY REGIONAL MOBILITY AUTHORITY.**

Representatives from the County Regional Mobility Authority, Pilar Rodriguez and Dennis Burleson, gave a report on the progress and milestones of RMA projects. A PowerPoint presentation was given outlining the mission statement, leadership, master plan, progress of SH 365, schedule and funding/costs.

A lengthy discussion was held. Mayor Darling and City Commissioners thanked the RMA representatives for their presentation.

Item 6 was addressed at this time.

**5. DISCUSSION OF ADVISORY BOARD RELATED ISSUES.**

Said item was not addressed.

**6. SEEK DIRECTION ON CANDIDATE SELECTION PROCESS FOR CONSTRUCTION MANAGEMENT SERVICES FOR POLICE DEPARTMENT ADDITIONS.**

Staff requested direction on the candidate selection for Construction Management Services for the Police Department Additions relating to the interview of all five (5) submitting firms or only the top three (3) based on staff evaluation. A discussion was held.

Direction was given to staff to conduct interviews of the top three (3) firms on the next workshop agenda.

Item 7 was not addressed.

**7. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.087 (ECONOMIC DEVELOPMENT), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY).**

- A) DISCUSSION OF CITY MANAGER EVALUATION. (SECTION 551.074, T.G.C.)**
- B) CONSULTATION WITH CITY ATTORNEY REGARDING ECONOMIC INCENTIVES FOR PROJECT QUADRANT. (SECTIONS 551.071 AND 551.072, T.G.C.)**
- C) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT PHOENIX. (SECTIONS 551.087 AND 551.071, T.G.C.)**

- D) **DISCUSSION AND POSSIBLE ACTION ON AWARD OF BID PROPOSAL FOR THE SALE OF LOT 11B, MCALLEN CONVENTION CENTER. (SECTIONS 551.072 AND 551.071, T.G.C.)**
- E) **CONSIDERATION OF AND CONSULTATION WITH CITY ATTORNEY REGARDING ECONOMIC INCENTIVES FOR PROJECT MAGNET. (SECTIONS 551.087 AND 551.071, T.G.C.)**
- F) **CONSULTATION WITH CITY ATTORNEY REGARDING LITIGATION MATTER; ARNALDO RAMIREZ, ET AL VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**
- G) **CONSULTATION WITH CITY ATTORNEY REGARDING LITIGATION CAUSE NO. CL-13-2119-E; JUAN ALVAREZ VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**
- H) **CONSIDERATION OF A 380 ECONOMIC INCENTIVE AGREEMENT FOR GRUPO FERUAN, LLC. (SECTIONS 551.087 AND 551.071, T.G.C.)**
- I) **CONSULTATION WITH CITY ATTORNEY REGARDING POTENTIAL CLAIM BY G.R. BIRDWELL COMPANY. (SECTION 551.071, T.G.C.)**

## **ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 5:03 p.m.

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Jim Darling, Mayor

Attest:

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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, September 9 2013**, at 5:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Present: Mayor Jim Darling, Mayor Pro Tem Hilda Salinas, Mayor Pro Tem Aida Ramirez, Commissioner Scott Crane, Commissioner Trey Pebley, Commissioner John Ingram, Commissioner Veronica Vela Whitacre

Staff: City Manager Mike R. Perez, City Attorney Kevin Pagan, Deputy City Manager Brent Branham, Assistant City Manager Wendy Smith, Assistant City Manager/PUB General Manager Roy Rodriguez, City Secretary Annette Villarreal, City Engineer Yvette Barrera, Director of Planning Juli Rankin, Director of Parks and Recreation Sally Gavlik, Police Chief Victor Rodriguez, Public Works Director Carlos Sanchez

**CALL TO ORDER**

Mayor Darling called the meeting to order.

**PROCLAMATION - CONSTITUTION WEEK**

Mayor Pro Tem Ramirez read and presented a proclamation for *Constitution Week*.

**1. PUBLIC HEARING:**

Mayor Darling called the Public Hearing to order.

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

Mayor Darling asked if anyone was present to speak in opposition to the items listed under this section of the agenda. Mr. Charlie Balderas spoke in opposition to Item 1A-2.

Mayor Pro Tem Ramirez moved to approve the items listed on the Routine Items section of the agenda with exception of Item 1A-2 which would be addressed separately. Commissioner Ingram seconded the motion. The motion carried unanimously.

**1. TRACT ONE: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: 25.559 ACRES OUT OF LOT 15, BLOCK 1, C.E. HAMMONDS SUBDIVISION, HIDALGO COUNTY, TEXAS; 5700 NORTH 23<sup>RD</sup> STREET. TRACT TWO: REZONE FROM A-O (AGRICULTURAL-OPEN SPACE) DISTRICT TO C-3 (GENERAL**

**BUSINESS) DISTRICT: 1.61 ACRES OUT OF LOT 15, BLOCK 1, C.E. HAMMONDS SUBDIVISION, HIDALGO COUNTY, TEXAS; 5720 NORTH 23<sup>RD</sup> STREET.**

Approved a C-3 zoning at 5700 North 23<sup>rd</sup> Street (Tract One) and C-3 zoning at 5720 North 23<sup>rd</sup> Street (Tract Two), as per Planning and Zoning Commission.

**2. REZONE FROM R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT: LOT 14 & 15, BLOCK 5, COLLEGE HEIGHTS SUBDIVISION, HIDALGO COUNTY, TEXAS; 2214 & 2212 ITHACA AVENUE.**

Staff recommended approval of a C-3 zoning at 2214 & 2212 Ithaca Avenue, as per Planning and Zoning Commission.

Mayor Darling asked if anyone was present to speak in favor of the rezoning request. The applicants, Carla and Jose Solis, spoke in favor of the rezoning request.

A lengthy discussion was held.

After due consideration, Commissioner Ingram moved to disapprove the rezoning request. Mayor Pro Tem Ramirez seconded the motion. The vote on the motion was as follows:

AYES: Commissioner Ingram and Mayors Pro Tem Ramirez and Salinas  
NAYS: Commissioner Crane, Pebley and Mayor Darling  
ABSENT: None  
ABSTAINED: Commissioner Whitacre

The motion failed to carry due to tie vote.

A subsequent motion was made by Commissioner Crane to table said item. Commissioner Pebley seconded the motion. The motion carried unanimously.

**3. REQUEST OF JOSE LUIS ADAME JR. ON BEHALF OF MCALLEN CAREERS INSTITUTE, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (VOCATIONAL SCHOOL) AT LOTS 1-6, BLOCK 3, HARRY YOUNG'S SUBDIVISION AND THE NW 3.75 ACRES OUT OF LOT 3, QUIMBY SUBDIVISION, HIDALGO COUNTY, TEXAS; 1101 EAST DALLAS AVENUE.**

Approved a Conditional Use Permit, for life of the use, at 1101 East Dallas Avenue, as per Planning and Zoning Commission, subject to the Zoning Ordinance, Subdivision Ordinance, Fire Department and building permit requirements. The school must comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential-size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The property fronts South "J" Street and it does not generate traffic into residential areas.

- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the number of classrooms and offices, 12 parking spaces are required for the use. The remainder of the building requires 21 spaces and 35 are provided on site;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to the existing seating capacity for the building; and
- 7) Sides adjacent to commercially and residentially-zoned or used properties shall be screened by an 8 ft. masonry wall.

**4. REQUEST OF JOSE E. GUZMAN ON BEHALF OF DRESS CODE ENTERTAINMENT, LLC, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE AUGUST 6, 2013 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A NIGHT CLUB AT LOTS 1-4, THE DISTRICT AT MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 3300 NORTH MCCOLL ROAD, SUITE M.**

Granted a variance to the distance requirement and approved a Conditional Use Permit, for a night club, at 3300 North McColl, as per Planning and Zoning Commission, subject to added conditions for extra security and nightly trash pickup. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

- 1) The property line of the lot of any of the above-mentioned businesses must be at least 600 ft. from the nearest residence or residentially-zoned property, church, school, or publicly-owned property, and must be designed to prevent disruption of the character of adjacent residential areas, and must not be heard from the residential area after 10:00 p.m. The proposed establishment is within 600 ft. of residential zones and uses;
- 2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The establishment has access to North McColl Road and East Fern Avenue, and does not generate traffic onto residential areas;
- 3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance at a minimum, and make provisions to prevent the use of adjacent streets for parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, a restaurant (La Pampa) and three nightclubs. Based on the square footage and current uses, excluding La Pampa and existing nightclubs, to run simultaneously during business hours (8 a.m. to 7 p.m.), 140 parking spaces are required. The proposed nightclub would require an additional 51 parking spaces; 274 parking spaces are provided on the common parking area in the front and rear of the building. For the businesses that are after hours (La Pampa and the existing and proposed nightclubs) to run simultaneously, 303 parking spaces are required. There is a mutual access agreement, which allows the use of parking and access in and across Lots 1 through 5, 6A, 6B of The District of McAllen



Subdivision and Lot 9, 10, and 11 of The District of McAllen Phase II Subdivision. The 22 parking spaces will be utilized from Lot 6A;

4) The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties;

5) The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street in order to discourage vandalism and criminal activities;

6) The business must make provisions to keep litter to a minimum and keep it from blowing onto adjacent properties. Should this permit be granted, then the condition of keeping litter at a minimum on this property and on adjacent properties be maintained; and

7) The above-mentioned business shall restrict the number of persons within the building to those allowed by the Planning and Zoning Commission at the time of permit issuance, after having taken into account the recommendations of the Fire Marshal, Building Official and Planning Director. The maximum occupancy of the establishment will be determined at the time of building permit.

**5. REQUEST OF PAULA RODRIGUEZ ON BEHALF OF COCO BONGO SPORT BAR #2, APPEALING THE DECISION OF THE PLANNING & ZONING COMMISSION OF THE AUGUST 20, 2013 MEETING, DENYING A CONDITIONAL USE PERMIT, FOR ONE YEAR, FOR A BAR AT THE 1.24 ACRES OUT OF LOT 2, BLOCK 11, HIDALGO CANAL COMPANY SUBDIVISION, HIDALGO COUNTY, TEXAS; 5524 NORTH 10<sup>TH</sup> STREET.**

Granted a variance to the distance requirement and approved a Conditional Use Permit, for a bar, at 5524 North 10<sup>th</sup> Street, as per Planning and Zoning Commission. The establishment must also meet the requirements set forth in Section 138-118(4) of the Zoning Ordinance and specific requirements as follows:

1) The property line of 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. from the nearest residence and Bill Schupp Park;

2) The property must be as close as possible to a major arterial and shall not generate traffic onto residential-sized streets. The bar is located on a major arterial, North 10th Street and does not generate traffic into residential areas;

3) The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance at a minimum, and make provisions to prevent the use of adjacent streets for parking. Based on the 3,526 sq. ft. space (inside) 36 parking spaces are required; 36 spaces are provided on site.

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 allowable number of persons for this established is set at 188.

**6. REQUEST OF THOMAS B. WHITEHOUSE, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, FOR AN INSTITUTIONAL USE (CHURCH) AT LOT 26, OAK TREE SUBDIVISION, HIDALGO COUNTY, TEXAS; 7601 NORTH WARE ROAD.**

Approved a Conditional Use Permit, for an institutional use, at 7601 North Ware Road, as per Planning and Zoning Commission, subject to compliance with the Zoning Ordinance, Fire Department and building permit requirements. The proposed use must comply with the Zoning Ordinance and specific requirements as follows:

- 1) The proposed use shall not generate traffic onto residential-size streets or disrupt residential areas, and shall be as close as possible to a major arterial. The proposed location will have direct access to North Ware Road;
- 2) The proposed use shall comply with the McAllen Off-Street Parking Ordinance and make provisions to prevent the use of street parking, especially in residential areas. Based on the 28 parking spaces previously proposed, the seating capacity is limited to 112 persons in the main sanctuary; however, a new site plan must be submitted showing the parking and maneuvering spaces with dimensions to reflect onsite improvements;
- 3) The proposed use shall prevent the unauthorized parking of its patrons on adjacent businesses or residences by providing fences, hedges or reorientation of entrances and exits;
- 4) The proposed use shall provide sufficient lighting to eliminate dark areas, perimeter fencing, and an orientation of the building to provide maximum visibility from a public street in order to discourage vandalism and criminal activities;
- 5) Provisions shall be made to prevent litter from blowing onto adjacent streets and residential areas;
- 6) The number of persons within the building shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance; and
- 7) Sides adjacent to commercially and residentially-zoned or used properties shall be screened by a 6 ft. opaque fence. A 6 ft. opaque fence is required on the west and south side of the property; it is provided on site.

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

Adopted the Zoning Ordinance for the approved tract.

**B) PUBLIC HEARING ON FISCAL YEAR 2013-2014 CITY OF MCALLEN PROPOSED BUDGET.**

Mayor Darling asked if there was anyone to comment on the Fiscal Year 2013-2014 City of McAllen Proposed Budget. No one appeared. Mayor Darling declared the Public Hearing closed on this item.

**C) PUBLIC HEARING ON 2013 CITY OF MCALLEN PROPOSED TAX RATE.**

Mayor Darling asked if there was anyone to comment on the 2013 City of McAllen Proposed Tax

Rate. No one appeared. Mayor Darling declared the Public Hearing closed on this item.

## **END OF PUBLIC HEARING**

Mayor Darling 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. Commissioner Ingram seconded the motion. The motion carried unanimously.

### **A) APPROVAL OF MINUTES FOR VARIOUS MEETINGS.**

Approved the minutes of the Regular Meeting held August 26th, Special Meeting held August 26th and Workshops held April 8th and August 28, 2013. Additionally, approved outstanding minutes for 2012 for Workshops held August 27th and September 10, 2012.

### **B) APPROVAL OF CHANGE ORDER NO. 1 & FINAL RECONCILIATION OF QUANTITIES FOR THE REMOVAL, PURCHASE AND INSTALLATION OF THREE (3) LEBERT HVAC UNITS.**

Approved Change Order No. 1 & Final Reconciliation of Quantities, for the removal, purchase and installation of three (3) Lebert HVAC Units, in the deduct amount of \$4,500 and zero (0) additional working days, for a final contract amount of \$106,0000 and unadjusted final contract time of 60 working days.

### **C) CONSIDERATION AND ACTION FOR APPROVAL OF A DEDUCT CHANGE ORDER FOR THE PURCHASE OF THREE (3) TRACTORS AND MOWER EQUIPMENT.**

Approved a deduct change order in the amount of \$1,238.47, due to a decrease in BuyBoard pricing on the purchase of three (3) tractors and mower equipment.

### **D) CONSIDERATION AND ACTION FOR AUTHORIZATION TO REMOVE 3<sup>RD</sup> QUARTER FISCAL YEAR 2011-2012 UNCOLLECTIBLE SANITATION ACCOUNTS FROM THE LEDGER.**

Authorized the removal of 3<sup>rd</sup> Quarter Fiscal Year 2011-2012 Uncollectible Sanitation Accounts from the ledger, in the amount of \$6,749.67, which represents 0.18% of the total revenues.

### **E) AWARD OF CONTRACT FOR THE PURCHASE OF MEALS FOR INMATES.**

Awarded a contract for the Purchase of Meals for Inmates (delivered) to Rex Café & Bakery, in the amount of \$7.48 total cost daily.

**F) AWARD OF CONTRACT FOR ROADWAY ILLUMINATION ASSEMBLY INSTALLATION.**

Awarded a contract for Roadway Illumination Assembly Installation to Austin Traffic Signal Construction Co. LP, in the amount of \$115,705, to include Alternate Bid No. 1 in the amount of \$7,380 and a total of \$123,085.

**G) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION THROUGH ITS SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) FISCAL YEAR 2014.**

Approved a resolution authorizing the acceptance of grant funds from the Texas Department of Transportation through its Selective Traffic Enforcement Program (STEP) Fiscal Year 2014.

**H) RESOLUTION AUTHORIZING THE TRANSFER OF A 0.0116 ACRE TRACT OF LAND IDENTIFIED AS RGV-MCS-4011E AT MCALLEN INTERNATIONAL BRIDGE.**

Approved a resolution authorizing the transfer of a 0.0116 acre tract of land identified as RGV-MCS-4011E at McAllen International Bridge.

**I) AUTHORIZATION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH 19 PARTNERS SPANNING THE RIO GRANDE VALLEY IN ORDER TO FULFILL THE PROGRAM REQUIREMENTS OF THE U.S. DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY FY 2012 ASSISTANCE TO FIREFIGHTERS GRANT AWARD.**

Approved an Interlocal Agreement with 19 partners spanning the Rio Grande Valley in order to fulfill the program requirements of the U.S. Department of Homeland Security Federal Emergency Management Agency, FY 2012 Assistance to Firefighters Grant Award.

**3. BIDS/CONTRACTS:**

**A) CONSIDERATION AND APPROVAL OF CONTRACT AMENDMENT NO. 3 FOR ADDITIONS AND RENOVATIONS TO THE MCALLEN PUBLIC SAFETY BUILDING PROJECT.**

Staff recommended approval of Contract Amendment No. 3 with Milnet Architectural Services, PLLC, for additions and renovations to the McAllen Public Safety Building, in an amount not to exceed \$25,000, which represents 5% of the construction cost.

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

**B) AWARD OF CONTRACT FOR ONE (1) NEW AND USED COMPACT WHEEL LOADER AND ONE (1) DOZER REFURBISHMENT.**

Staff recommended award of contract for the purchase of One (1) New and Used Compact Wheel Loader to Romco Equipment Company, in the amount of \$75,946 and one (1) Dozer refurbishment to Border Engine Rebuilders, in the amount of \$73,000, subject to a budget amendment in the amount of \$23,000.

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

**C) CONSIDERATION AND ACTION FOR AUTHORIZATION TO PURCHASE SEVEN (7) SCULPTURES AND SEVEN (7) DONOR STONES FROM DOUGLAS CLARK FOR QUINTA MAZATLAN SCULPTURE TRAIL.**

Staff recommended approval of the purchase of seven (7) Sculptures and seven (7) Donor Stones from Douglas Clark for Quinta Mazatlan Sculpture Trail in the amount of \$54,750.

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

**D) AWARD OF CONTRACT FOR THE CONSTRUCTION OF AN IRRIGATION POND, IRRIGATION SYSTEM, INSTALLATION OF AN IRRIGATION CANAL FILL LINE AND INSTALLATION OF A DESIGN MASTER FENCE AT MORRIS RDF.**

Staff recommended award of contract for the Construction of an Irrigation System, Installation of a Design Master Fence at Morris RDF, to Valley Garden Center, in the amount of \$709,000.

A lengthy discussion ensued. After due consideration, staff was asked to bring back additional information relating to the cost of a fountain and decorative columns similar to Municipal Park.

Commissioner Crane moved to table the item. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

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

Staff reported on the cost of the requested fountain to be \$5,000 and \$15,000 for decorative columns for every 50 feet of fencing.

Commissioner Crane moved to award the contract as recommended and instructed staff to bring back a change order for the fountain with LED lighting as well as the decorative columns every 50 feet of fence. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**E) CONSIDERATION AND ACTION FOR APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS-PAN AMERICAN FOR ECOLOGICAL RESEARCH AT THE MCALLEN NATURE CENTER.**

Staff recommended approval of an Interlocal Agreement with the University of Texas-Pan American for Ecological Research at the McAllen Nature Center.

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

**F) AWARD OF CONTRACT FOR GROUND MAINTENANCE FOR VARIOUS CITY PROPERTIES.**

Staff recommended award of multiple contracts for Ground Maintenance for Various City Properties as follows: Native Land Design, Maldonado Nursery and Landscape, HLS Landscape and Lawn Care Experts.

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

**G) CONSIDERATION AND ACTION FOR APPROVAL OF AN INTERLOCAL AGREEMENT WITH MCALLEN ISD TO FACILITATE IMPROVEMENTS OF THE MEMORIAL VETERANS' STADIUM AND PROVIDE FOR THE LEASE OF THE STADIUM FROM MCALLEN ISD.**

Staff recommended tabling for discussion in Executive Session for Consultation with City Attorney under Section 551.071, T.G.C.

Commissioner Ingram moved to table said item as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

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

Staff recommended authorization for the Mayor to execute an alternative License Agreement with McAllen ISD for one year to include the Palm Bowl date, if found to be in an acceptable form by the Legal Department and City Manager in consideration that the document format was changed from an Interlocal Agreement. In addition, recommended authorizing staff to set a deadline of 30 days from today to work out a final comprehensive agreement that would involve multiple dates and funding of the proposed improvements to the stadium by the City.

Commissioner Crane moved to approve the license agreement as recommended. Commissioner Pebley seconded the motion. The motion carried unanimously.

**4. RESOLUTION PROVIDING FOR THE NOMINATION OF A CANDIDATE TO THE HIDALGO COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.**

Staff recommended approval of a resolution providing for the nomination of an individual to the Hidalgo County Appraisal District Board of Directors.

Staff was instructed to get with the school district on their nomination to this board.

Mayor Pro Tem Ramirez moved to table said item. Commissioner Ingram seconded the motion. The motion carried unanimously.

**5. VARIANCE REQUEST TO THE SUBDIVISION REQUIREMENT AT A 1.00 ACRE TRACT OF LAND OUT OF LOTS 19 AND 20, SECTION 229, TEXAS-MEXICAN RAILWAY COMPANY'S SURVEY; 4309 8 ½ MILE ROAD.**

Staff recommended disapproval of the variance request at 4309 8 ½ Mile Road.

The applicant, Ms. Lydia Luevano, spoke in favor of the variance.

After a lengthy discussion, Commissioner Ingram moved to approve the variance contingent upon the dedication of right-of-way and execution of a contractual agreement regarding utilities for the owner's share of future infrastructure improvements as recommended. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**6. MANAGER'S REPORT:**

**A) APPOINTMENT OF A REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO AMIGOS DEL VALLE INC. BOARD OF DIRECTORS, FOR FISCAL YEAR 2013-2014.**

Staff recommended the appointment of a Representative and Alternate representative to the Amigos Del Valle Board of Directors, for Fiscal Year 2013-2014.

Commissioner Ingram moved to re-appoint Carla Rodriguez, Director of Grant Administration, as Representative and Mayor Darling as Alternate. Mayor Pro Tem Ramirez seconded the motion. The motion carried unanimously.

**B) CONSIDERATION AND ACTION FOR AUTHORIZATION TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO "1115" PROGRAM REGARDING HEALTH CARE ASSISTANCE FOR THE ESTABLISHMENT OF THE MEDICAL SCHOOL IN HIDALGO COUNTY AND THAT COMPLIES WITH THE DIRECTION GIVEN BY THE CITY COMMISSION.**

Mayor Darling announced that he had a conflict on this item and would refrain from discussion and voting; subsequently, he filed a conflict form with the City Secretary. At this time, Mayor Pro Tem Ramirez presided over the meeting and item.

Staff recommended authorization to execute any and all documents related to the "1115" Program regarding Health Care Assistance for the establishment of a Medical School in Hidalgo County and that complies with the direction given by the City Commission. Staff gave a report on the subcommittee of the City Commission noting the review of the proposal with the two hospitals in

McAllen and asked them to submit their plans that qualified for the “1115” Program to the Department of Health and Human Services Center for Medicare and Medicaid, for the purpose of qualifying under the program that would serve the same purpose as noted above and that the City of McAllen would be willing to consider funding the said program for the next year.

At this time the CEOs for McAllen Medical Center and Rio Grande Regional Hospitals, Elmo Lopez Jr. and Chris Rivera, respectively, addressed the Commission in support of the program.

Commissioner Ingram moved to approve staff’s recommendation contingent on approval by the overseeing agency, CMS or otherwise, for the DSRIP Regional Healthcare Partnership (RHP) Plan 5 Category 1 Infrastructure Development projects associated with Project ID Number 160709501, for Demonstration Year 1 (DY1), as it relates to the funding commitment by the City. Commissioner Pebley seconded the motion. The vote on the motion was as follows:

AYES: Commissioners Ingram, Pebley, Crane, Whitacre, and Mayor Pro Tem Salinas  
NAYS: None  
ABSENT: None  
ABSTAINED: Mayor Darling

**C) CONSIDERATION AND ACTION FOR AUTHORIZATION TO INCREASE ENTRANCE FEES FOR QUINTA MAZATLAN BEGINNING JANUARY 1, 2014.**

Staff recommended approval of the proposed entrance fee increases for Quinta Mazatlan to \$3.00 for adults and \$2.00 for children and seniors, beginning January 1, 2014.

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

**D) FUTURE AGENDA ITEMS.**

The items for upcoming workshops were briefly reviewed: Conduct Interviews for Construction Management for Police Department additions; Airport Interior Design; Palm Bowl; Entry Monuments; Buffering; General Insurance; Procurement Policy; and Monthly Joint Meetings with Governmental Entities.

**7. MAYOR’S REPORT ON MAYOR’S BUSINESS COUNCIL.**

Mayor Darling gave a report on the Mayor’s Business Council noting that nominations from the Commission would be sought to complete a 15-member council.

**PUBLIC COMMENT SESSION**

No one appeared to speak.

**8. 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 8C, 8E and 8H; Section 551.071 Consultation with Attorney for Items 3G, 8B, 8C, 8D, 8E, 8F, 8G, 8H and 8I; Section 551.072 Deliberation regarding Real Property for Items 8B and 8D; and Section 551.074 (Personnel Matters) for Item 8A.

Commissioner Whitacre announced that she had a conflict with item 8D and would abstain from discussion and voting on said item; subsequently, a conflict form was filed with the City Secretary.

Commissioner Ingram 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 Ramirez seconded the motion. The motion carried unanimously.

Mayor Darling recessed the meeting at 6:22 pm to go into Executive Session. Commissioner Whitacre excused herself from the meeting at 8:15 pm. Mayor Darling reconvened the meeting at 8:26 pm and addressed item 3G followed by the action on Executive Session items.

**A) DISCUSSION OF CITY MANAGER EVALUATION. (SECTION 551.074, T.G.C.)**

No action.

**B) CONSULTATION WITH CITY ATTORNEY REGARDING ECONOMIC INCENTIVES FOR PROJECT QUADRANT. (SECTIONS 551.071 AND 551.072, T.G.C.)**

No action.

**C) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT PHOENIX. (SECTIONS 551.087 AND 551.071, T.G.C.)**

No action.

**D) DISCUSSION AND POSSIBLE ACTION ON AWARD OF BID PROPOSAL FOR THE SALE OF LOT 11B, MCALLEN CONVENTION CENTER. (SECTIONS 551.072 AND 551.071, T.G.C.)**

No action.

**E) CONSIDERATION OF AND CONSULTATION WITH CITY ATTORNEY REGARDING ECONOMIC INCENTIVES FOR PROJECT MAGNET. (SECTIONS 551.087 AND 551.071, T.G.C.)**

No action.

**F) CONSULTATION WITH CITY ATTORNEY REGARDING LITIGATION MATTER; ARNALDO RAMIREZ, ET AL VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**

No action.

**G) CONSULTATION WITH CITY ATTORNEY REGARDING LITIGATION CAUSE NO. CL-13-2119-E; JUAN ALVAREZ VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**

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

**H) CONSIDERATION OF A 380 ECONOMIC INCENTIVE AGREEMENT FOR GRUPO FERUAN, LLC. (SECTIONS 551.087 AND 551.071, T.G.C.)**

Mayor Pro Tem Ramirez moved to authorize city staff to offer economic incentives as discussed in Executive Session. Commissioner Ingram seconded the motion. The motion carried unanimously by those present.

**I) CONSULTATION WITH CITY ATTORNEY REGARDING POTENTIAL CLAIM BY G.R. BIRDWELL COMPANY. (SECTION 551.071, T.G.C.)**

No action.

## **ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 8:30 p.m.

---

Jim Darling, 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 Workshop on **Tuesday, August 21, 2012** at 5:30 pm, at Palm View Golf Course Meeting Room, with the following present:

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

Staff: City Manager Mike R. Perez, Assistant City Attorney Gary Henrichson, Deputy City Manager Brent Branham, Assistant City Manager/PUB General Manager Roy Rodriguez, Assistant City Manager Wendy Smith, City Secretary Annette Villarreal, Sally Gavlik, Park and Recreation Director, Rafael Balderas, Fire Chief, Belinda Mercado, I T Director, Jerry Dale, Finance Director, Budget Director, Angie Rodriguez, Strategic Coordinator Greg Townsend

Others: Nedra Kinerk, Davis Rankin

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**DISCUSSION OF FY 2012-13 CITY OF MCALLEN BUDGET.**

Staff reviewed the highlights of the Fiscal Year 2012-13 proposed budget. Accomplishments and highlights for fiscal year 2012-13 were reviewed for the following departments.

- Parks and Recreation Department
- Information Technology
- Fire Department

**ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 7:40 p.m.

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

The McAllen Board of Commissioners convened in a Workshop on **Wednesday, August 22, 2012** at 5:30 pm, at Palm View Golf Course Meeting Room, with the following present:

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

Absent: Aida Ramirez, Mayor Pro Tem

Staff: City Manager Mike R. Perez, Assistant City Attorney Gary Henrichson, Deputy City Manager Brent Branham, Assistant City Manager/PUB General Manager Roy Rodriguez, Assistant City Manager Wendy Smith, City Secretary Annette Villarreal, Transit Director, Liz Suarez, Airport Director, Phil Brown, Convention Center Director, Omar Rodriguez, Library Director, Kate Horan; Finance Director, Jerry Dale, Deputy Budget Director, Angie Rodriguez, Greg Townsend, Strategic Coordinator

Others: Nedra Kinerk, Davis Rankin

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**DISCUSSION OF FY 2012-13 CITY OF MCALLEN BUDGET.**

**AIRPORT DEPARMENT**

An overview of the department's proposed budget was reviewed. A discussion was held over landing fees. Comments were shared by Mayor and City Commission.

**BUS TERMINAL DEPARTMENT**

An overview of the department's proposed budget was reviewed. A discussion was held over the handouts distributed which touched on: Meter and Citation Revenue, Key Projects, Accomplishments and Revenue Opportunities. Comments were shared by Mayor and City Commission.

**CONVENTION CENTER**

An overview of the department's proposed budget was reviewed. A review of the department's highlights and accomplishments was given. Comments were shared by Mayor and City Commission.

## **MCALLEN PUBLIC LIBRARY**

Staff provided an overview of the department's proposed budget. A discussion was held about circulation and eBooks. Comments were shared by Mayor and City Commission.

## **ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 7:50 p.m.

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

The McAllen Board of Commissioners convened in a Workshop on **Wednesday, August 28, 2012** at 5:30 at McAllen City Hall, Third (3<sup>rd</sup>) Floor Commission Chambers, with the following present:

Mayor Richard Cortez, Commissioner Scott Crane, Commissioner Marcus C. Barrera, Commissioner John Ingram

Absent: Mayor Pro Tem Hilda Salinas, Mayor Pro Tem Aida Ramirez, Commissioner Jim Darling

Staff: City Manager Mike R. Perez, Deputy City Manager Brent Branham, City Attorney Kevin Pagan, MPU General Manager/Asst. City Manager Roy Rodriguez, Assistant City Manager Wendy Smith, City Secretary Annette Villarreal, Finance Director Jerry Dale, Assistant Budget Director Angie Rodriguez, Strategic Management Coordinator Greg Townsend

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**1. DISCUSSION OF FY 2012-13 CITY OF MCALLEN BUDGET.**

The following agency representatives reviewed their respective proposed budget for Fiscal Year 2012-2013 along with their accomplishments for current year and goals for next fiscal year:

- McAllen Chamber of Commerce
- McAllen Economic Development Corporation:
- McAllen International Museum of Arts And Sciences (IMAS)
- Boys & Girls Club of McAllen, Inc.
- 17<sup>th</sup> Street District Bar & Restaurant Association

A Question and Answer Session was held after each agency presentation. Mayor Cortez thanked the agencies for their respective presentations.

**ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 7:40 p.m.

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

The McAllen Board of Commissioners convened in a Workshop on **Monday, November 26, 2012**, at 5:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

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

Staff: Mike R. Perez, City Manager, Kevin Pagan, City Attorney, Brent Branham, Deputy City Manager, Roy Rodriguez, Assistant City Manager/PUB General Manager, Wendy Smith, Assistant City Manager, Annette Villarreal, City Secretary, Perla Zamora, Deputy City Secretary, Juli Rankin, Director of Planning, Sally Gavlik, Director of Parks and Recreation

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**CALL TO ORDER**

- 1. PRESENT QUESTIONS TO STAFF RELATING TO NOVEMBER 26, 2012 REGULAR MEETING AGENDA, TO BE ADDRESSED AT SUCH MEETING.**

Questions were asked about Item 3B and 6A of the regular meeting agenda.

- 2. REPORT AND DISCUSSION OF RECENT ANNEXATION (ORDINANCE 2012 -39) AND RELATED ANNEXATION SERVICE PLAN.**

A discussion was held about the Annexation Ordinance 2012-39. A question and answer session was held.

- 3. DISCUSSION OF LAND INVENTORY.**

Items 3 and 4 were addressed concurrently. A discussion was held about possible development and the Public Private Partnerships P3's. A question and answer session was held.

- 4. DISCUSSION OF PUBLIC-PRIVATE PARTNERSHIP PROGRAM.**

Said item was discussed under item 3.

- 5. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY) AND SECTION 551.074 (PERSONNEL MATTERS)**

Mayor Cortez recessed the meeting at 5:35 pm to go into Executive Session. Mayor Cortez reconvened the meeting at 6:00 pm and announced that any action on Executive Session items would be taken during the Regular Meeting later in the evening.

- A) DISCUSSION AND POSSIBLE ACTION REGARDING MAKING AN OFFER TO PURCHASE LOT 7 AND THE NORTH 1/2 OF LOT 8, BLOCK 37, NORTH MCALLEN TOWNSITE. (SECTION 551.071, T.G.C.)**
- B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO FIRE DEPARTMENT COLLECTIVE BARGAINING. (SECTION 551.071, T.G.C.)**
- C) DISCUSSION AND POSSIBLE ACTION - EVALUATION OF CITY MANAGER, CITY ATTORNEY, FIRE CHIEF, POLICE CHIEF, CITY SECRETARY AND MUNICIPAL COURT JUDGES. (SECTION 551.074, T.G.C.)**

## **ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 6:00 p.m.



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

The McAllen Board of Commissioners convened in a Workshop on **Monday, December 10, 2012**, at 5:00 pm, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

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

Staff: Mike R. Perez, City Manager, Kevin Pagan, City Attorney, Brent Branham, Deputy City Manager, Roy Rodriguez, Assistant City Manager/PUB General Manager, Wendy Smith, Assistant City Manager, Annette Villarreal, City Secretary, Perla Zamora, Deputy City Secretary, Victor Rodriguez, Police Chief, Juli Rankin, Director of Planning, Sally Gavlik, Director of Parks and Recreation, Omar Rodriguez, Convention Center Director

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**CALL TO ORDER**

- 1. PRESENT QUESTIONS TO STAFF RELATING TO DECEMBER 10, 2012 REGULAR MEETING AGENDA, TO BE ADDRESSED AT SUCH MEETING.**

There were no questions relating to the December 10, 2012 Regular Meeting Agenda.

- 2. DISCUSSION OF BASEBALL COMPLEX.**

Staff gave a presentation of the Baseball Complex and touched on the following: Baseball Complex Recommendations, Design Options, Budget and Existing Fields. Comments were shared and concerns were expressed. Questions were answered for the City Commission.

- 3. DISCUSSION OF MCALLEN DEVELOPMENT CODE.**

Said item was not addressed.

- 4. DISCUSSION OF PROPOSED SAFE PASSAGE ORDINANCE.**

Staff presented a summary of the Safe Passing Ordinance. Safeguards for vulnerable road users were mentioned as follows:

- Will establish a standard safe passing distance of 3 feet
- Prohibit the “right hook” or turning right dangerously in front of a vulnerable road user
- Prohibit failing to yield to vulnerable road users when making a left turn at an intersection

Comments were shared and concerns were expressed as it related to the ordinance. Staff answered questions posed by the City Commission. The City Commission directed staff to further review the ordinance and bring back item.

**5. DISCUSSION OF FOOD AND DRINK POLICY AT MCALLEN MAIN LIBRARY.**

Staff gave a brief presentation of the Food and Drink Policy at the McAllen Main Library. Comments were shared and concerns were expressed. Questions were answered for the City Commission.

**6. DISCUSSION OF PROPOSED CITY ART PROJECT.**

Staff mentioned that the Art Committee has selected and purchased a piece of art by sculptor John Eyfells. Staff made a brief presentation about the artist and made several possible site recommendations for the placement of the art piece. It was pointed out that this included the following locations: Roundabout, Bicentennial & Dove and Airport. After a lengthy discussion, direction was given to proceed with Roundabout.

**7. DISCUSSION REGARDING PERFORMING ARTS CENTER INTERIOR DESIGN.**

Staff made a presentation on the Performing Arts Center. Staff answered questions posed by City Commission. After a lengthy discussion, the City Commission instructed staff to bring back item in January. Mayor thanked staff for their work and complimented them on their presentation.

**8. EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.087 (ECONOMIC DEVELOPMENT), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.074, (PERSONNEL MATTERS).**

- A) DISCUSSION AND POSSIBLE ACTION FOR CONSIDERATION OF THE SALE OF A PORTION OF LOT 11, CONVENTION CENTER SUBDIVISION. (SECTION 551.072, T.G.C.)**
- B) DISCUSSION AND POSSIBLE ACTION RELATING TO A POSSIBLE SALE OF A 3.96 ACRE TRACT, MORE OR LESS, OUT OF LOT 7, BLOCK 5, RIO BRAVO PLANTATION COMPANY SUBDIVISION. (SECTION 551.072, T.G.C.)**
- C) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO FIRE DEPARTMENT COLLECTIVE BARGAINING. (SECTION 551.071, T.G.C.)**
- D) CONSULTATION WITH CITY ATTORNEY REGARDING THE COLLECTION OF TWO (2) DELINQUENT ACCOUNTS. (SECTION 551.071, T.G.C.)**
- E) DISCUSSION AND POSSIBLE ACTION - EVALUATION OF CITY MANAGER, CITY ATTORNEY AND MUNICIPAL COURT JUDGES. (SECTION 551.074, T.G.C.)**
- F) DISCUSSION AND POSSIBLE ACTION TO CONSIDER ENTERING IN A 380 ECONOMIC INCENTIVE AGREEMENT AND FARM LEASE AGREEMENT FOR CITY PROPERTY KNOWN AS LOTS 9 AND 10, SECTION 5, HIDALGO**

**CANAL COMPANY'S SUBDIVISION CONTAINING 47.53 ACRES, NET.  
(SECTION 551.087, T.G.C.)**

- G) DISCUSSION AND POSSIBLE ACTION REGARDING ECONOMIC INCENTIVES FOR PROJECT NEXT LEVEL. (SECTION 551.087, T.G.C.)**
- H) DISCUSSION AND POSSIBLE ACTION TO CONSIDER PROJECT EXTENSION FOR MCALLEN SKYLINE, LTD., FOR EMBASSY SUITES HOTEL SITE. (SECTION 551.087, T.G.C.)**
- I) CONSULTATION WITH CITY ATTORNEY RELATING TO A POSSIBLE CONTRACT WITH VIANOVO FOR LOBBYING SERVICES. (SECTION 551.071, T.G.C.)**

## **ADJOURNMENT**

There being no other business to come before the Commission, the meeting was adjourned at 6:10 p.m.

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

The McAllen Board of Commissioners convened in a Workshop on **Saturday, February 6, 2010**, at 8:00 am, at the McAllen Convention Center – Room 102, with the following present:

Present: Mayor Richard Cortez, Mayor Pro Tem Aida Ramirez, Commissioner Scott Crane, Commissioner Marcus C. Barrera, Commissioner John Ingram, Commissioner Jim Darling

Absent: Mayor Pro Tem Hilda Salinas

Staff: City Manager Mike R. Perez, Deputy City Manager Brent Branham, Assistant City Manager Pilar Rodriguez, Director of Aviation Phil Brown, City Secretary Annette Villarreal

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**1. DISCUSSION AND EVALUATION OF CITY OF MCALLEN FY 2009-10 GOALS.**

A discussion was held about a number of projects and ideas for retail, attraction, and planning for future retail development. Management staff was instructed to hire someone to recruit retail so that Keith Patridge can focus on attracting industry.

The city's business plan was reviewed along with branding. A recommendation was made to utilize the city's assets better. A report was given on the redevelopment of Boeye Reservoir with a mixture of amenities. Other topics discussed were annexation and transportation/traffic. Mayor Cortez asked staff to arrange for a fly over the city to look at traffic along with the Traffic Engineer.

**2. 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 Deliberation regarding Real Property for Item C and Section 551.071 Consultation with Attorney for Item A and B.

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

Mayor Cortez recessed the meeting at 9:56 a.m. to go into Executive Session. Mayor Cortez and Chairman reconvened the meeting at 11:10 a.m. and announced that no action would be taken on Executive Session items.

- A) CONSULTATION WITH CITY ATTORNEY RELATING TO PROPOSED CONTRACT WITH MCCREERY ON SOUTH FBO. (SECTION 551.071, T.G.C.)**
- B) CONSULTATION WITH CITY ATTORNEY RELATING TO POLICE/FIRE UNION CONTRACTS. (SECTION 551.071, T.G.C.)**
- C) DISCUSSION AND POSSIBLE ACTION RELATING TO CONVENTION CENTER HOTELS ON CITY PROPERTY. (SECTION 551.072, T.G.C.)**

## **ADJOURNMENT**

There being no other business to come before the boards, the meeting was adjourned at 11:58 a.m.

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

The McAllen Board of Commissioners convened in a Workshop on **Monday, October 25, 2010**, at 2:30 pm, at the McAllen City Hall Commission Chambers 3<sup>rd</sup> Floor, with the following present:

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

Staff: City Manager Mike R. Perez, City Attorney Kevin Pagan, Assistant City Manager/PUB General Manager Roy Rodriguez, Deputy City Manager Brent Branham, Assistant City Manager Wendy Smith, City Secretary Annette Villarreal, City Engineer Yvette Barrera, Deputy City Engineer Ramon Navarro, Deputy Director for Parks & Recreation Mike Hernandez, Director of Planning Juli Rankin

**CALL TO ORDER**

Mayor Cortez called the meeting to order.

**1. PRESENT QUESTIONS TO STAFF RELATING TO OCTOBER 25, 2010 REGULAR MEETING AGENDA, TO BE ADDRESSED AT SUCH MEETING.**

There were no questions relating to the Regular Meeting agenda.

**2. PRESENTATION BY TEXAS A&M SCHOOL OF RURAL PUBLIC HEALTH - MCALLEN CAMPUS.**

Ms. Olga Gabriel, Director of the McAllen Campus of the Texas A&M School of Rural Public Health McAllen Campus, gave an overview of the degree program as well as certificate program for more limited studies in Public Health. A Question and Answer Session was held.

**3. PRESENTATION BY UTPA ON A MCALLEN-EDINBURG CANAL TRAIL.**

Staff gave a report on the McAllen Edinburg Canal Trail noting that the trail project would provide the residents, students, faculty and staff with an alternative transportation route and contribute to a healthier lifestyle. It was noted that the project would create a 13-mile traffic-less hike and bike trail connecting McAllen and Edinburg.

Travis Hughes and Chelsea Bennett addressed the Commission reporting on funding opportunities from TxDOT, Texas Parks and Wildlife, National Park services, the Department of Interior and US EPA. A report was given on negotiations with Water District #1. A Question and Answer Session was held.

**4. DISCUSSION OF UNIFIED DEVELOPMENT CODE ISSUES.**

Said item was not addressed.

**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).**

Mayor Cortez recessed the meeting at 3:15 pm to go into Executive Session. Mayor Cortez reconvened the meeting at 4:00 pm and announced any action on Executive Session items would be taken at the Regular Meeting.

- A) DISCUSSION AND POSSIBLE ACTION RELATING TO ECONOMIC INCENTIVES FOR PROJECT BIG BOX. (SECTION 551.087, T.G.C.)**
- B) DISCUSSION AND POSSIBLE ACTION RELATING TO ECONOMIC INCENTIVES FOR PROJECT GLOBAL. (SECTION 551.087, T.G.C.)**
- C) DISCUSSION AND POSSIBLE ACTION RELATING TO CONVENTION CENTER SITE. (SECTION 551.087, T.G.C.)**
- D) CONSULTATION WITH CITY ATTORNEY REGARDING CONTRACTUAL AND LEGAL ISSUES WITH HCWID #3. (SECTION 551.071, T.G.C.)**
- E) CONSULTATION WITH LEGAL COUNSEL REGARDING POLICE AND FIRE COLLECTIVE BARGAINING ISSUES. (SECTION 551.071, T.G.C.)**
- F) CONSULTATION WITH CITY ATTORNEY RELATING TO NEW LAWSUIT CAUSE NO. C-3039-10-B; MCALLEN POLICE OFFICERS UNION, ET AL VS. CITY OF MCALLEN. (SECTION 551.071, T.G.C.)**
- G) CONSULTATION WITH CITY ATTORNEY REGARDING CITY OF MCALLEN, ET AL VS. TIME WARNER CABLE. (SECTION 551.071, T.G.C.)**
- H) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ASPECTS OF CONTRACTUAL AGREEMENT WITH FOCUSED ADVOCACY. (SECTION 551.071, T.G.C.)**
- I) CONSULTATION WITH CITY ATTORNEY RELATING TO WORKERS COMP/LOSS RUN REPORT AS OF SEPTEMBER 30, 2010. (SECTION 551.071, T.G.C.)**
- J) CONSULTATION WITH CITY ATTORNEY RELATING TO MOTOR VEHICLE ACCIDENT LIABILITY AND SUBROGATION CLAIM REPORTS AS OF SEPTEMBER 30, 2010. (SECTION 551.071, T.G.C.)**
- K) DISCUSSION AND POSSIBLE ACTION REGARDING LEASE OF WORKFORCE BUILDING. (SECTION 551.072, T.G.C.)**

**ADJOURNMENT**

There being no other business to come before the boards, the meeting was adjourned at 4:00 p.m.

**STANDARDIZED RECOMMENDATION FORM**

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

AGENDA ITEM   4b    
DATE SUBMITTED   09/11/13    
MEETING DATE   09/23/13  

1. Agenda Item:   RE-ROOF FIRE STATION #2 -- HAIL DAMAGE -- CHANGE ORDER #1    
  Project #05-13-C19-155  

2. Party Making Request:   Engineering Department  

3. Nature of Request: (Brief Overview) Attachments:        Yes   X   No  
  Consideration and approval of Change Order No. 1 adding an additional thirteen (13) weather days to contract time.  

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

5. Budgeted:   X   Yes        No        N/A

Funding Source(s):   690-6160-475-65-25  

Original Contract Amount	\$	33,900.00
Original Contract Time	20	Days
Change Order No. 1	13	Days
Revised Contract Time	33	Days

6. Alternate Option/Costs   Staff recommends approval of change order #1 for an additional of thirteen calendar days to the contract time.  

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>  9/11/13  </u>	<u>  yes  </u>
b) J. Dale, CPA, Finance Director	<u>  JD  </u>	<u>  9/11/13  </u>	<u>  YES  </u>
c) R. Rodriguez, PE, Asst. City Manager	<u>  RA  </u>	<u>  9/12/13  </u>	<u>  Y  </u>
d) S. Zamora, CPM, Director of P&C	<u>  SZ  </u>	<u>  9-13-13  </u>	<u>  Yes  </u>
f) R. Balderas, Fire Chief	<u>  RB  </u>	<u>  9/10/13  </u>	<u>  yes  </u>

8. Staff Recommendation:   Staff recommends approval of Change Order No. 1 for an additional of thirteen (13) calendar days to the contract time.  

9. Advisory Board:        Approved        Disapproved        None


10. City Attorney:   KP   Approved        Disapproved        None

11. Manager's Recommendation:   MRP   Approved        Disapproved        None





**CITY OF MCALLEN  
DEPARTMENT OF ENGINEERING  
ARCHITECTURAL DIVISION  
MEMORANDUM**

**To:** Mike R. Perez, City Manager  
**From:** Yvette Barrera, P.E., City Engineer   
**Dates:** 10 September 2013  
**Subject:** Re-Roof Fire Station Two (2) (Hail Damaged) - Change Order No. 01

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**Goal:**

Consideration and Approval of Change Order No. 01 for the Re-Roof Fire Station Two (2) (Hail Damaged) Project.

**Brief Explanation:**

This request is for additional days resulting from weather conditions that inhibited the work process for Thirteen (13) days. There are no additional cost of material and labor associated with this item. It will require an increase of Thirteen (13) days to the construction contract.

**Options:**

- 1) The City Commission may choose to approve the change order.
- 2) The City Commission may choose to reject the change order.

**Recommendation:**

The City's Engineering Staff and Fire Department Staff agree with the above stated items and recommend approval of the Change Order No. 01 the increase of Thirteen (13) days with no additional cost to the City of McAllen. The new revised completion date is 22 September 2013.

# STATEWIDE ROOFING LLC

(956) 386-1742, (956) 386-1884 FAX

405 W Owassa Rd, Edinburg, TX. 78539

**September 10, 2013**

**ATTN: ZEFF MENDOZA  
CITY OF MCALLEN  
1300 HOUSTON AVE.  
McAllen, TEXAS 78501**

**RE: MCALLEN FIRE STATION #2 MCALLEN TEXAS  
RAIN DAY COUNT**

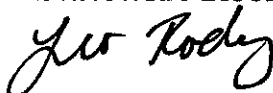
**Mr. Mendoza,**

**Statewide Roofing LLC started this job on the 20 of August. We had received materials the day before on August 19, 2013. We could not start that same day due to the first rain day we had on Monday afternoon. The next day we started because it but we only laid out one side of the building. The next rain day we had was on the weekend of August 23 through the 25 on Saturday and Sunday and it continued raining on Monday off in till today. Rain continued in the forecast on September the 2, 4, 5, 6, 7, 8, 9, and today, and is calling for rain for the next 6 to 8 days. We are currently done with the shingle area all we are lacking are the stainless steel vents which are already here at our shop and will be installed tomorrow if weather permits. We have order the material for the lower roof area which will arrive here tomorrow September 11, 2013. As soon as it clears up will we will continue to work on the Fire Station.**

**Sincerely**



**Donato Amaya JR  
Statewide Roofing LLC**



STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION           X            
UTILITY BOARD                             
PLANNING & ZONING BOARD                             
OTHER                                   

AGENDA ITEM           4C            
DATE SUBMITTED           9/12/2013            
MEETING DATE           9/23/2013          

1 Agenda Item: Award of Contract for Purchase of Furniture, Fixtures, and Equipment for McAllen Development Center Building (Project #09-13-P48-145)

2 Party Making Request: Engineering Department

3 Nature of Request: (Brief Overview) Attachments:           X           Yes            No  
Award contract for FFE for the McAllen Development Center Building for desks, cabinets and shelving for "front of house" area.

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

5 Budgeted:           X           Yes            No            N/A

Funding Source: 300-8708-416-66-10 Project ID# BB1201 \$2,230,000  
Furniture NTE \$37,162.26

6 Alternate option costs: N/A

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE YES/NO</u>
a) <u>Yvette Barrera, PE, CFM, City Engineer</u>	<u>YB</u>	<u>9/16/13</u>	<u>yes</u>
b) <u>Jerry Dale, CPA, Finance Director</u>	<u>S&amp;S for JWD</u>	<u></u>	<u></u>
c) <u>Sandra Zamora, CPM, Purchasing Contract Director</u>	<u>SZ</u>	<u>9-16-13</u>	<u>Yes</u>
d) <u>Roel Rodriguez, Assistant City Manager</u>	<u>RR</u>	<u>9/16/13</u>	<u></u>

8 Staff Recommendation: Award of contract to the lowest, responsive, responsible bidder, Texas Wilson of San Antonio, Texas.

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:** September 13<sup>th</sup>, 2013



**Subject: Award of Contract for purchase of Furniture, Fixture, and Equipment for McAllen Development Services Building (Proj. No. 09-13-P48-145)**

**GOAL:**  
 To Award Contract for FFE for McAllen Development Services Building for desks, cabinets and shelving for “front of house” area.

**BRIEF EXPLANATION:**  
 On September 5 2013, the Purchasing Department received three bids for the above referenced project. Only one contractor, Texas Wilson of San Antonio, is considered “responsive”. Other bids, contrary to request, submitted alternate products and exceed the low bid.


The desks will all be High Pressure Laminate top & edge for long term durability. The “front of house” is being furnished with these desks, as meetings with the development community will only be allowed in “front of house” areas, collaboration areas and conference rooms.

Company (COOP contract type, if applicable)	<b>Texas Wilson</b> (Via TxMAS contract)	<b>NON-RESPONSIVE</b> Valley Designs, Inc (Via U.S. Communities Contract)	<b>NON-RESPONSIVE</b> Standard Supply
	San Antonio, Tx	Harlingen, Tx	Harlingen, Tx
BASEBID	★ \$37,162.26	\$55,205.30	\$49,780.00

- OPTIONS:**
1. City Commission may award contract to the lowest, responsive, responsible bidder.
  2. City Commission may reject bids and readvertise.

**RECOMMENDATION:**  
 Staff recommends award of contract to the lowest, responsive, responsible bidder, Texas Wilson of San Antonio, Texas in the amount of \$37,162.26.

**BID OPENING: SEPTEMBER 5, 2013 AT 4:00 P.M.**  
**LOCATION: Large Conference Room**  
**PROJECT NO: 09-13-P48-145 FURNITURE DEVELOPMENT CENTER**

GROUP/ CODE	MFG/ MODEL	MODEL/PART #/ITEM DESCRIPTION	QTY	UOM	TEXAS WILSON		NON-RESPONSIVE		NON-RESPONSIVE		
					TXMAS	SAN ANTONIO, TX	STANDARD SUPPLY	McALLEN, TX	VALLEY DESIGNS, INC.	HARLINGEN, TX	
<b>Desks</b>			All Inwood "InLam" will be in High Pressure Laminate #2ML "Natural Maple" on desk horizontal surfaces and edge ("self edge") with overhang on front of desks, LPL on all other visible surfaces. All drawers to be locking. Appearance is same as photo except upper cabinet open areas (see detail below).							<b>KNOLL INC.</b>	
1		Inwood Inlam Desk for Right Hand "U" configuration, D672 R/L; 36"x72" Desk with one (1) pedestal file/file; Cronan & A	5	EA	\$ 566.98	\$ 2,834.90	\$ 735.00	\$ 3,675.00	\$ 664.58	\$ 3,322.90	<b>▲ ALT. BID</b>
2		Inwood Inlam Laminate Bridge Top for "U" (above), 1 pedestal, 48"x24"; B64824EH; Cronan & A	5	EA	\$ 224.44	\$ 1,122.20	\$ 285.00	\$ 1,425.00	\$ 664.58	\$ 3,322.90	
3		Inwood Inlam Single Pedestal Credenza for above "U" configuration; 24"x72"; C672R/L; Cronan & A	5	EA	\$ 464.43	\$ 2,322.15	\$ 595.00	\$ 2,975.00	\$ 664.58	\$ 3,322.90	
4		Inwood Inlam overhead sto. with doors on left and right for above "U" configuration. No doors in center. 72" wide; O0672; Cronan & A	5	EA	\$ 500.16	\$ 2,500.80	\$ 645.00	\$ 3,225.00	\$ 664.58	\$ 3,322.90	
5		Inwood Inlam Double Pedestal Executive - 72" Desk; 36"x72"; F672; Cronan & A	1	EA	\$ 666.18	\$ 666.18	\$ 865.00	\$ 865.00	\$ 1,063.00	\$ 1,063.00	
6		Inwood Inlam Right Return Desk for "L" configuration: Right return Desk, 36"x72"; with (1) pedestal; file/file; D672L; Cronan & A	9	EA	\$ 566.98	\$ 5,102.82	\$ 735.00	\$ 6,615.00	\$ 669.34	\$ 6,024.06	
7		Inwood Inlam Right Return for above Desk, 24"x48" with box/box/file ped; R624R3D; Cronan & A	9	EA	\$ 369.87	\$ 3,328.83	\$ 475.00	\$ 4,275.00	\$ 669.34	\$ 6,024.06	
8		Inwood Inlam Right Return Desk for "L" configuration: 30"x66", with file/file pedestal; D66630L; Cronan & A	8	EA	\$ 519.92	\$ 4,159.36	\$ 675.00	\$ 5,400.00	\$ 648.02	\$ 5,184.16	
9		Inwood Inlam Right Return for above Desk; 24"x48" with box/box/file ped; R624R3D; Cronan & A	8	EA	\$ 369.87	\$ 2,958.96	\$ 475.00	\$ 3,800.00	\$ 648.02	\$ 5,184.16	
10		Inwood Inlam Left Return Desk for "L" configuration: with one (1) pedestal file/file; 36"x72"; D672R; Cronan & A	3	EA	\$ 566.98	\$ 1,700.94	\$ 735.00	\$ 2,205.00	\$ 669.34	\$ 2,008.02	
11		Inwood Inlam Left Return for above Desk; 24"x48" with box/box/file ped; R624L3D; Cronan & A	3	EA	\$ 369.87	\$ 1,109.61	\$ 475.00	\$ 1,425.00	\$ 669.34	\$ 2,008.02	
<b>Cabinets/Bookshelves</b>											
12	InLam	Inwood Inlam 4-Drawer Lateral File 36"W; 4FD636; Cronan & A	5	EA	\$ 680.89	\$ 3,404.45	\$ 885.00	\$ 4,425.00	\$ 684.84	\$ 3,424.20	
13	InLam	Inwood Inlam Tall Bookcase; 12"x36"x72"; BC672; Cronan & A	6	EA	\$ 292.11	\$ 1,752.66	\$ 625.00	\$ 3,750.00	\$ 570.96	\$ 3,425.76	
14	InLam	Inwood Inlam 2-Drawer Lateral File; 36" W; 2FD636; Cronan & A	5	EA	\$ 393.83	\$ 1,969.15	\$ 495.00	\$ 2,475.00	\$ 526.50	\$ 2,632.50	
15	InLam	Inwood Inlam 72" double pedestal Credenza; drawers on both sides with door storage in center w/one (1) adjustable shelf; CR672D; Cronan & A (locking drawers)	1	EA	\$ 696.85	\$ 696.85	\$ 885.00	\$ 885.00	\$ 1,417.76	\$ 1,417.76	
<b>Seating</b>											
16	Global	Duet-Counter height stool with nylon arms; 24"h; poly; 6660. Color: "Latte Beige" (LAB)	8	EA	\$ 191.55	\$ 1,532.40	\$ 295.00	\$ 2,360.00	\$ 439.75	\$ 3,518.00	
<b>ALL UNIT COSTS SHOULD INCLUDE FREIGHT, LABOR COSTS TO INSTALL/SET-UP AND DISPOSE OF DEBRIS:</b>											
<b>GRAND TOTAL ALL ITEMS BID :</b>					<b>\$37,162.26</b>		<b>\$49,780.00</b>		<b>\$55,205.30</b>		
<b>DELIVERY :</b>					<b>APPROX 6-7 WKS</b>		<b>LATEST DELIVERY DATE 11/15/13</b>		<b>APPROX. 6 WEEKS AFTER RCPT OF ORDER</b>		
<b>BID BOND INCLUDED (YES) :</b>					<b>NOT REQUIRED</b>		<b>SUBMITTED COPY</b>		<b>NOT REQUIRED</b>		
<b>ELECTRONIC BID SUBMITTED :</b>					<b>SUBMITTED</b>		<b>SUBMITTED</b>		<b>SUBMITTED</b>		
<b>HARD COPY OF BID SUBMITTED :</b>					<b>SUBMITTED</b>		<b>SUBMITTED</b>		<b>SUBMITTED</b>		

 QUOTED PER TXMAS (TXMAS-3;  
 7110180) CONTRACT INCLUDING  
 DELIVERY & INSTALL IN UNIT  
 PRICE. PRODUCT TO BE RCVD'  
 DIRECT FROM FACTORY TO  
 INSTALL SITE. NO OFFSIRE  
 RECEIPT OR STORAGE INCLUDED.

 US COMMUNITIES CONTRACT  
 #4460003404 WAS USED FOR  
 PRICING ON THIS BID. KNOLL  
 INC. WAS USED AS BID  
 ALTERNATE.

**Standardized Recommendation Form**

City Commission   X    
Utility Board             
Other Board           

Agenda Item       4d        
Date Submitted   09/16/13    
Meeting Date       09/23/13      

1. Agenda Item: Request authorization to contract through the State of Texas contract for Procurement Card Services. **Project No. 09-13-S72-02.**

2. Party Making Request: Purchasing & Contracting

3. Nature of Request: (Brief Overview) Attachments:   X   Yes    No  
Request the City Commissions' authorization to contract for P-Card Services through the State of Texas-Comptroller of Public Accounts for these services. Our new provider would be Citibank, N.A. (Citi) providing a higher Rebate percentage of 1.63%. If approved, staff is requesting authorization upon City Manager approval to exercise the option to extend the Services Contract(s) as incremented by the State of Texas subject to the performance of the vendor remaining satisfactory and percentage of rebate remaining advantageous to the City of McAllen.

4. Policy Implication:                   City Commission approval needed.

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: N/A – this is a "Revenue Generating program"

6. Alternate option/costs:   N/A

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) <u>Sandra Zamora, CPM</u> Dir. Purchasing & Contracting	<u>SZ</u>	<u>09/16/13</u>	<u>  X  </u> Yes <u>  </u> No
b) <u>Jerry Dale, C.P.A., Fin. Director</u>	<u>SL for JD</u>	<u>09/16/13</u>	<u>  X  </u> Yes <u>  </u> No
c) <u>Belinda Mercado, IT Director</u>	<u>BM</u>	<u>09/16/13</u>	<u>  X  </u> Yes <u>  </u> No
d) <u>Roel Rodriguez, P.E., ACM,</u> General Manager	<u>RR</u>	<u>09/16/13</u>	<u>  X  </u> Yes <u>  </u> No

8. Staff's Recommendation: Allow staff to proceed in contracting with Citibank, N.A. (Citi) for procurement Card Services as depicted in Item 3.

Advisory Board:            Approved            Disapproved    None

City Attorney:   KP   Approved            Disapproved    None

Manager's Recommendation:   MRP   Approved            Disapproved    None

# Memo

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

**FROM:** Sandra Zamora, CPM, Director of Purchasing & Contracting

**DATE:** September 17, 2013

**SUBJECT:** Project No. 09-13-S72-02  
P-Card Services

**GOAL:**

Request the City Commissions' authorization to contract for P-Card Services through the State of Texas-Comptroller of Public Accounts for these services; our new provider would be Citibank, N.A. (Citi) providing a higher Rebate percentage of 1.63%. If approved, staff is requesting authorization upon City Manager approval to exercise the option to extend the Services Contract(s) as incremented by the State of Texas subject to the performance of the vendor remaining satisfactory and percentage of rebate remaining advantageous to the City of McAllen.

**EXPLANATION:**

Purchasing & Contracting in conjunction with Finance, McAllen Public Utility, and IT Departments have reviewed the State of Texas contract, as well as, the Texas Consortium Cooperative contract for P-Card services. Below is a summary comparison:

Description	State of Texas	Texas Consortium
Bank	<b>Citibank, N.A. (Citi)</b>	<b>JPMorgan Chase</b>
Rebate	1.63%	1.60%
Minimum Dollar Spend	\$125,000	\$500,000
Software Platform	Smart Data Online	Smart Data Online
Training	Will conduct City staff training	Will conduct City staff training
Term of Contract	September 2010 to August 2013	September 2012 to 2015
Renewal Options	On 1 <sup>st</sup> Renewal term to August 2014; Contract provides (3) -1yr Renewal Terms	Two (2) - 2 yr. Renewal Terms

**OPTIONS:**

- 1) Authorize staff to move forward with utilizing the State of Texas Contract for P-Card services as depicted in GOAL area.
- 2) Disapprove staff's recommendations and direct staff accordingly.

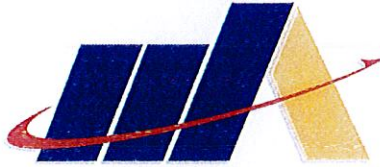
**RECOMMENDATION:**

Staff recommends Option 1.

/sz







Department of Aviation  
**MEMO**

To: Mike R. Perez, City Manager

Thru: Brent Branham, Deputy City Manager

From: Philip K. Brown, Director of Aviation

Date: September 16, 2013

Subject: **Project No. 09-13-C33-98, Bidder Recommendation for Improvements to Airport Security Fencing**

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Goal

Staff requests authorization to award a construction contract for Airport perimeter security fencing improvements to Central Fence & Supply LTD., of Pharr, Texas, in the amount of \$87,228.04 (Base Bid amount of \$87,228.04).

Explanation

The project is for improvements to the perimeter security fencing of the airport and also is in accordance with the airport's Wildlife Hazard Management Plan (WHMP). Project includes the replacement of approx 5,500 feet of six (6) foot perimeter fencing with eight (8) foot fencing to include topping with three (3) strands of barbed wire. It also includes replacement of seven (7), six foot high vehicle gates with eight foot high vehicle gates.

Additionally, this is an FAA reimbursable (90%), Airports Improvement Plan (AIP) project for FY-2013 programmed funds.

Staff recommends approval.



**CITY OF  
McALLEN**

BT prepared by MM-09/09/13

BID OPENING: September 05, 2013 @ 3:00 PM

LOCATION: City Commision Room - 3rd Floor

PROJECT NO. 09-13-C33-98; FAA - MCALLEN-MILLER INTERNATIONAL AIRPORT PERIMETER FENCE & GATE IMPROVEMENTS

**NON-RESPONSIVE**

BIDDERS	CENTRAL FENCE & SUPPLY LTD. ★ PHARR, TX		GARCIA FENCE BROWNSVILLE, TX		HURFCO INDUSTRIES INC. dba HURRICANE FENCE COMPANY HARLINGEN, TX		CONSTRUCTION RENT-A-FENCE INC. THRALL, TX		A-1 AMERICAN FENCE ORANGE, TX	
	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
<b>TOTAL BASE BID :</b>	★ \$87,228.04		\$99,250.00		\$108,012.58		\$139,699.00		\$172,163.20	
<b>NUMBER OF CALENDAR DAYS TO COMPLETE CONTRACT :</b>	30		30		30		30			
<b>BID BOND :</b>	TELLER'S CHECK		SUBMITTED		SUBMITTED		CASHIER'S CHECK		SUBMITTED	
<b>ADDENDUM :</b>	ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED		ACKNOWLEDGED	
<b>HARDCOPY OF BID SUBMITTED :</b>	SUBMITTED		SUBMITTED		SUBMITTED		SUBMITTED		BID FORM w/ SIGNATURE PAGE NOT INCLUDED	
<b>ELECTRONIC BID SUBMITTED :</b>	SUBMITTED		SUBMITTED		SUBMITTED		SUBMITTED		SUBMITTED	

\*\*PURCHASING & CONTRACTING HAS CHECKED DEBARMENT LIST & BOND INFORMATION FOR THE THREE (3) LOW BIDDERS.\*\*



# MFE FENCELINE & GATES

- Replace a total of 5,429' of existing 6' fencing along with barbed wire capping at various locations.
  - 5,183' steel galvanized chain link fencing
  - 246' black powder coated chain link fencing
- Gates requiring replacement; 6' to 8':
  - 27 – 12'
  - 28 – 17'
  - 30 – 20'
  - 31 – 25'
  - 32 – 20'
  - 33 – 12'





eye Reservoir



• Los Amigos

• County

• Chateau He

**Legend:**

— Fencing

— Gate

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION   X    
UTILITY BOARD \_\_\_\_\_  
ADVISORY BOARD \_\_\_\_\_

AGENDA ITEM \_\_\_\_\_  
DATE SUBMITTED 09/16/13  
MEETING DATE 09/23/13

1. Agenda Item: AWARD OF CONTRACT – BLAST FENCING AT AIRPORT (PROJECT NO.09-13-C34-160)

2. Party Making Request: Aviation Department

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

Consideration and approval of award of contract to Rigney Construction & Development Co., for the purchase and installation of a blast fence to provide protection to the airport facilities from the jet blast of taxiing aircraft.

4. Policy Implication:   N/A  

5. Budgeted:   X   Yes    No    N/A

Funding Source: **554-8708-446-66-30**  
**Budget Amount: \$ 96,000.00**  
**(FAA Reimbursement – 90%: \$ 86,400.00)**  
**(Airport share: \$ 9,600.00)**

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

7. Routing:

	<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.)	<u>Philip K. Brown, Director of Aviation</u>	<u>[Signature]</u>	<u>09/16/13</u>	<u>  </u>
b.)	<u>Sandra Zamora, CPM, Director of P&amp;C</u>	<u>[Signature]</u>	<u>9-16-13</u>	<u>yes</u>
c.)	<u>Brent Branham, Deputy City Manager</u>	<u>[Signature]</u>	<u>9-16-13</u>	<u>yes.</u>

8. Staff Recommendation: Award of contract to lowest responsive and responsible bidder, Rigney Construction and Development in the amount of \$96,000.00 with a contract time of 30 consecutive calendar days.

9. Advisory Board:    Approved    Disapproved   X   None

10. City Attorney:   KP   Approved    Disapproved    None

11. Manager's Recommendation:   MRP   Approved    Disapproved    None



Department of Aviation  
**MEMO**

To: Mike R. Perez, City Manager

Thru: Brent Branham, Deputy City Manager

From: Philip K. Brown, Director of Aviation

Date: September 16, 2013

Subject: **Project No. 09-13-C34-160, Bidder Recommendation for Blast Fencing at Airport**

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Goal

Staff requests authorization to award a construction contract for the purchase and installation of a blast fence to Rigney Construction and Development Co., of Edinburg, Texas, in the amount of \$96,000.00 (Base Bid amount of \$96,000.00).

Explanation

The blast fence is necessary for the protection of vital infrastructure for the airport's terminal facility, specifically the HVAC cooling towers and the emergency backup generator. Project includes the installation of a twenty (20) foot high deflector that redirects the jet blast of taxiing aircraft. Deflector is designed to protect areas from all models of taxiing aircraft, up to a B747, A380 and MD-11.

Additionally, this is an FAA reimbursable (90%), Airports Improvement Plan (AIP) project for FY-2013 programmed funds.

Staff recommends approval.

**BID OPENING: September 12, 2013 at 4:00 pm**
**LOCATION: Conference Room**
**PROJECT NO. 09-13-C34-160 McALLEN-MILLER INTERNATIONAL AIRPORT BLAST FENCE IMPROVEMENTS**
**NON RESPONSIVE**

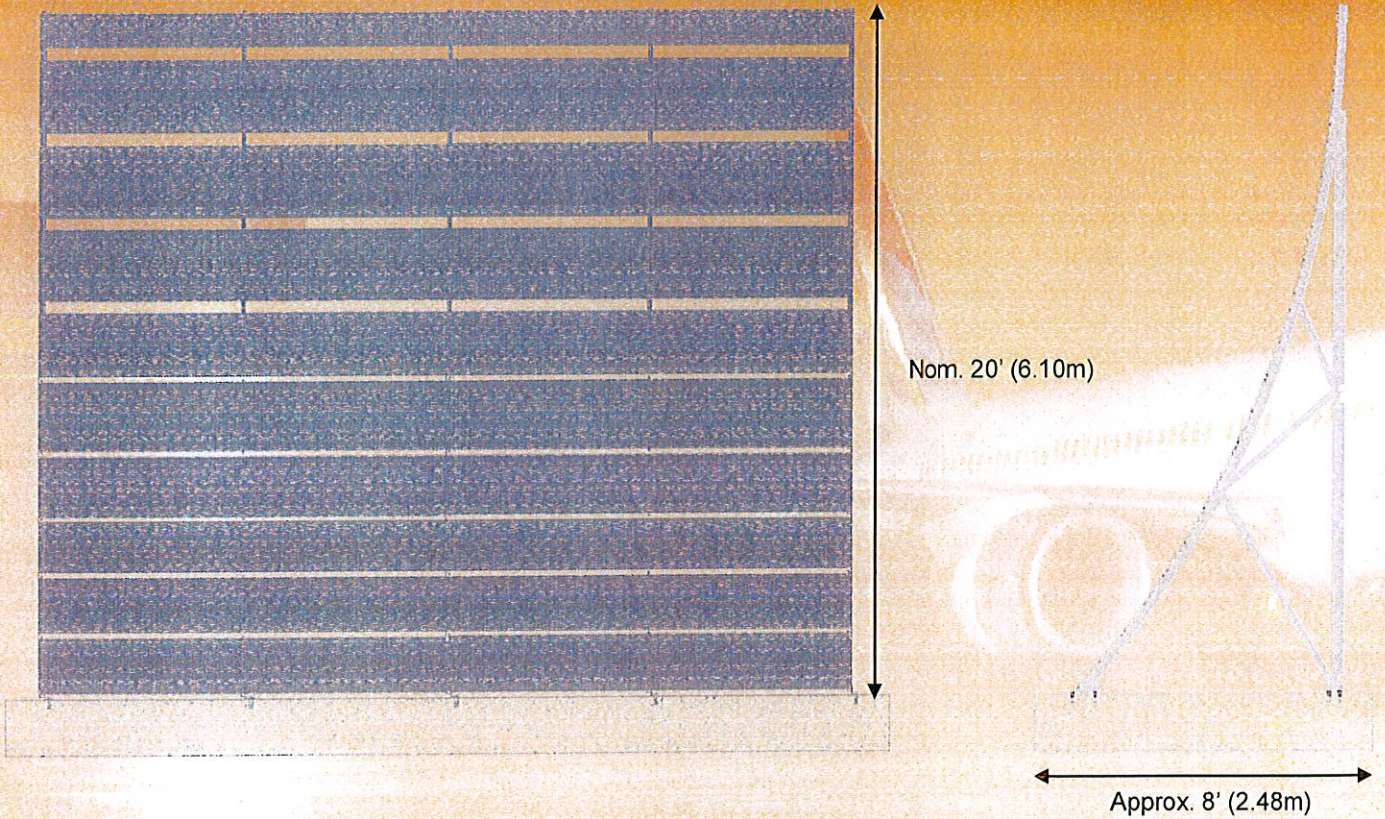
NO.	INTERNAL REFERENCE NO.	DESCRIPTION	UOM	QTY	DON KRUGER	RIGNEY CONSTRUCTION	BLASTWALL, LTD
					VICTORIA, TX	EDINBURG, TX	TORONTO, OH
1	909-11	BASE BID: 20' GALVANIZED BLAST FENCE	LF	75	\$146,025.00	\$96,000.00	\$37,312.50
NUMBER OF DAYS TO COMPLETE CONTRACT:					30 WORKING DAYS	30 WORKING DAYS	
BID BOND:					SUBMITTED	SUBMITTED	
VERIFIED BID BOND IS DEPARTMENT OF TREASURY LISTED (T-LISTED) (REQUIRED FOR 3 LOW BIDDERS)					YES	YES	
ADDENDUM NO. 1:					ACKNOWLEDGED	NOT ACKNOWLEDGED	
HARDCOPY OF BID SUBMITTED:					SUBMITTED	SUBMITTED	NOT SUBMITTED
ELECTRONIC BID SUBMITTED:					SUBMITTED	SUBMITTED	SUBMITTED



FEATURING  PRODUCTS

J B D

G20NB-6



## Jet Blast Deflector, G20NB-6

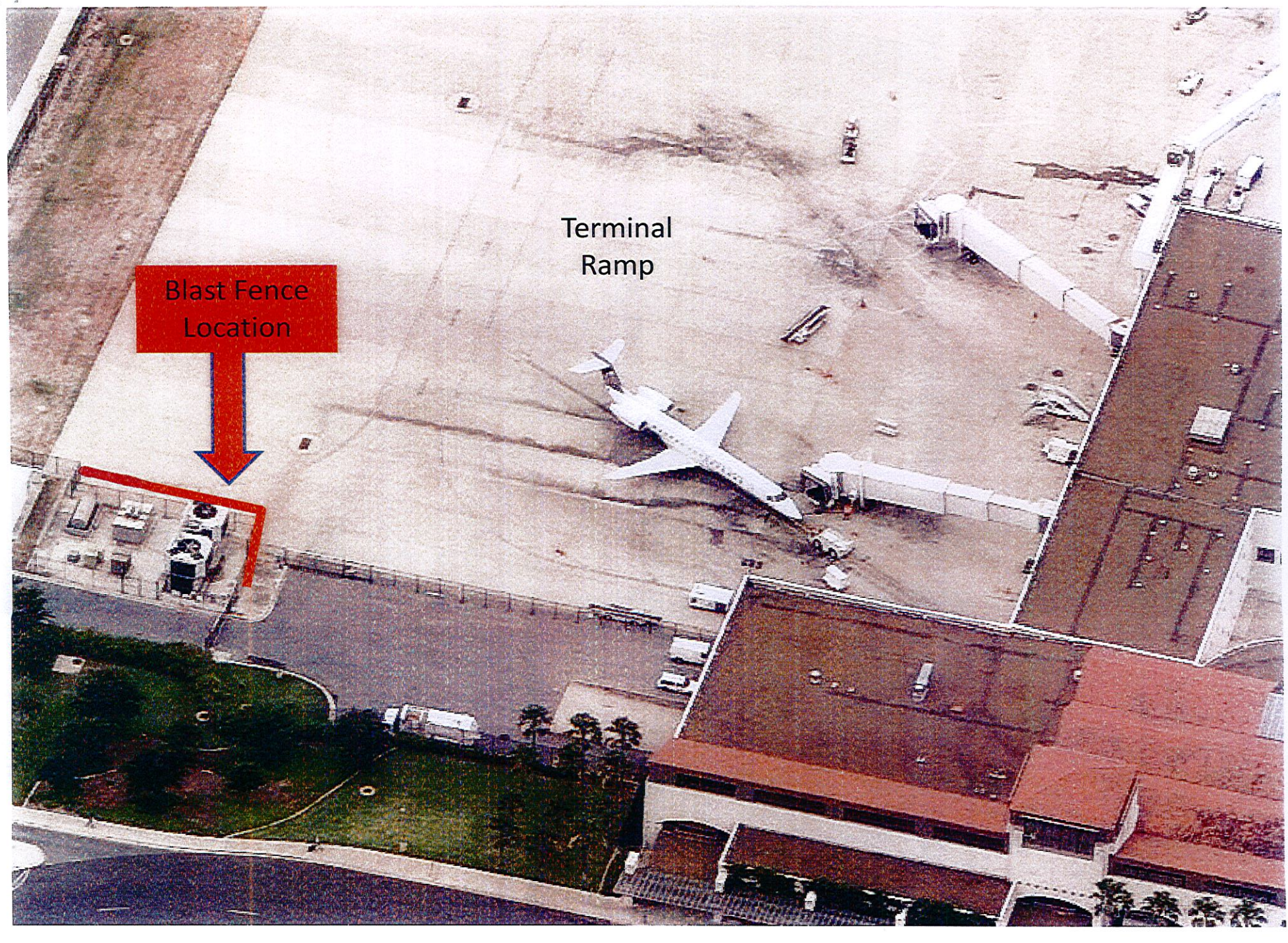
This deflector is designed to protect areas from all models taxiing aircraft, especially the B747, A380 and MD-11.

Details: This model can support jet blasts of 140 mph (225 km/h) or 50 PSF/2.4 kPa). Although the height is 20' (6m) this deflector has a quite narrow footprint of just over 8' (2.48m).



Terminal  
Ramp

Blast Fence  
Location



CITY OF MCALLEN  
STANDARD RECOMMENDATION FORM

CITY COMMISSION	<u>          X          </u>	AGENDA ITEM	<u>          4G          </u>
UTILITY BOARD	<u>                          </u>	DATE SUBMITTED	<u>          9/14/13          </u>
PLANNING & ZONING COMMISSION	<u>                          </u>	MEETING DATE	<u>          9/23/13          </u>
OTHER			

1. Agenda Item: Resolution Approving Acceptance of Airport Improvement Program (AIP) Grant 44 from the Federal Aviation Administration (FAA).

2. Party Making Request: DEPARTMENT OF AVIATION PXB

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

The Airport has received a Federal Aviation Administration (FAA) AIP grant offer for \$762,352 to fund the ARFF Vehicle Maintenance, the Runway Safety Area (RSA) Improvements Design, the Blast Fence, and the Security Fence. The match, \$159,575, will be funded by a combination of the Fire Department Operating account and the Airport Operating account.

4. Policy Implication:

5. Budgeted:	<u>          X          </u> YES	<u>                          </u> NO	<u>                          </u> N/A
FUND:	<u>          554-8708-446-66.30          </u>		
Bid Amount:	<u>          \$762,352          </u>	Budgeted Amount:	<u>          \$828,000          </u>
Under Budget:	<u>          \$65,648          </u>	Over Budget:	<u>                          0          </u>
		Amount Remaining:	<u>                          </u>

If over budget, how will it be paid: Airport operating funds and PFC

6. Alternate option/costs:

7. Routing:

<u>          NAME/TITLE          </u>	<u>          INITIAL          </u>	<u>          DATE          </u>	<u>          CONCURRENCE          </u>
Brent Branham, Deputy City Manager	<u>          amb          </u>	<u>          9.16.13          </u>	<u>          jrs.          </u>

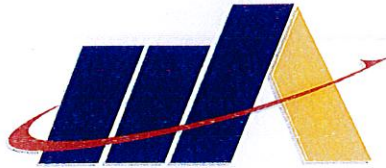
8. Staff Recommendation:           Approve Resolution          

9. Advisory Board:                            Approved                            Disapproved                                      X           None

10. City Attorney:           KP           Approved                            Disapproved                            None

11. Manager's Recommendation:           MRP           Approved                            Disapproved                            None

12. Action Taken:



Department of Aviation  
**MEMO**

To: Mike R. Perez, City Manager  
Thru: Brent Branham, Deputy City Manager  
From: Philip K. Brown, Director of Aviation  
Date: September 13, 2013  
Subject: Acceptance of FAA Grant AIP 44

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The Airport has received a Federal Aviation Administration (FAA) AIP grant offer for \$762,352 to fund the ARFF Vehicle Maintenance, the Runway Safety Area (RSA) Improvements Design, the Blast Fence, and the Security Fence. The match, \$159,575, will be funded by a combination of the Fire Department Operating account and the Airport Operating account.

Because the FAA required acceptance of the grant prior to the September 23rd Commission Meeting, the grant was accepted by the City Manager. City Commission approval of the acceptance is necessary to complete the record.

Staff recommends approval

**AUTHORIZING ACCEPTANCE OF AN AIRPORT IMPROVEMENT PROGRAM (AIP)  
GRANT FROM THE FEDERAL AVIATION ADMINISTRATION (FAA)**

**STATE OF TEXAS           §**  
**COUNTY OF HIDALGO   §**  
**CITY OF McALLEN       §**

**WHEREAS**, the City of McAllen has submitted to the FAA a Grant Application for a grant of Federal funds; and

**WHEREAS**, the Federal funds are for ARFF Vehicle Maintenance, Runway Safety Area (RSA) Improvements Design, the Blast Fence, and the Security Fence at the McAllen-Miller International Airport; and

**WHEREAS**, the FAA has approved the projects and costs more particularly described in the Grant Application.

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

- 1) The Department of Aviation is hereby directed to accept the grant award provided by the Federal Aviation Administration.
- 2) The Finance Department accepts reimbursements in the amounts submitted by the Department of Aviation pending audited documentation to the FAA, and the FAA's acceptance of those costs. A match of \$159,757 is required.
- 3) The maximum obligation of the United States payable under this grant award shall be \$762,352.
- 4) Upon the approval of this application, the City Manager is authorized to execute all legal documents necessary, and to perform any acts necessary to implement this project.
- 5) In the event of loss or misuse of funds, the governing body assures that all funds will be returned to the Federal Aviation Administration.

**CONSIDERED, PASSED, APPROVED AND SIGNED** this 23rd day of September, 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

\_\_\_\_\_  
James E Darling, Mayor

**Approved as to form:**

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

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

<b><u>CITY COMMISSION</u></b>	<u>  X  </u>	<b>AGENDA ITEM</b>	<u>  4H  </u>
<b>UTILITY BOARD</b>	<u>      </u>	<b>DATE SUBMITTED</b>	<u>  9-17-13  </u>
<b>PLANNING &amp; ZONING COMMISSION</b>	<u>      </u>	<b>MEETING DATE</b>	<u>  9-23-13  </u>
<b>OTHER</b>			

1. Agenda Item: RESOLUTION

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

3. Nature of Request: (Brief Overview) ATTACHMENT:   X   YES        NO  
DISCUSSION AND POSSIBLE ACTION ON RESOLUTION OPPOSING PLANS BY ELECTRIC TRANSMISSION TEXAS, LLC AND SHARYLAND UTILITIES, L.P. TO CONSTRUCT THE PROPOSED NORTH EDINBURG TO LOMA ALTA ELECTRIC TRANSMISSION LINE PROJECT IN HIDALGO AND CAMERON COUNTIES

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

5. Budgeted: \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_ N/A

FUND:

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

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

Budgeted Amount: \$   N/A  

Over Budget: \$ \_\_\_\_\_

Amount Remaining: \$ \_\_\_\_\_

If over budget how will it be paid for:

6. Alternate option/costs:

7. Routing:

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

8. Staff recommendation:

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

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

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




# CITY OF MCALLEN

City Attorney's Office

**TO:** Mayor and City Commission

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

**FROM:** Isaac J. Tawil, Assistant City Attorney 

**DATE:** September 11, 2013

**SUBJECT:** Resolution Opposing Plans to Construct Electric Transmission Line Project

---

**Brief explanation of the item:** ETT, LLC and Sharyland Utilities, LP (the "Utilities") propose to construct a new electric transmission line through the City of McAllen. The route suggested by the Utilities takes the line directly in the vicinity of the flight path to and from the McAllen Miller International Airport. The proposed route will also have a direct negative impact on the future expansion plans for the McAllen Miller International Airport. Pursuant to the authorization of the City Commission, the City has filed an intervention in the Public Utility Commission proceeding addressing this matter. In its intervention, the City opposes the route suggested by the Utilities. In support of the testimony to be given by City elected officials, staff and citizens, it is requested that the City Commission adopt the proposed Resolution in Opposition to the position of the Utilities.

- Options:**
1. The City Commission can adopt the Resolution, or
  2. The City Commission can not adopt the Resolution.

**Recommendation:** The City Attorney's office recommends adoption of the Resolution in the form presented.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MCALLEN, TEXAS, OPPOSING PLANS BY ELECTRIC TRANSMISSION TEXAS, LLC AND SHARYLAND UTILITIES, L.P. TO CONSTRUCT THE PROPOSED NORTH EDINBURG TO LOMA ALTA ELECTRIC TRANSMISSION LINE PROJECT IN HIDALGO AND CAMERON COUNTIES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, Electric Transmission Texas, LLC and Sharyland Utilities, L.P. (“ETT and Sharyland”) have proposed the construction of a transmission line project in Hidalgo and Cameron Counties, designated the “North Edinburg to Loma Alta Project,” and assigned Public Utility Commission of Texas (“PUC” or “Commission”) Docket No. 41606; and

WHEREAS, ETT and Sharyland are considering routes for construction of the proposed transmission line that would utilize links near to the McAllen-Miller International Airport (“Links 102, 111, and 118a”); and

WHEREAS, links 102, 111, and 118a will negatively impact the McAllen-Miller International Airport, and especially, the planned expansion of the airport; and

WHEREAS, the McAllen-Miller International Airport is the closest commercial airport for McAllen and surrounding communities; and

WHEREAS, the McAllen-Miller International Airport is of great economic importance to the region, by enabling commerce and providing employment to citizens of the region; and

WHEREAS, the McAllen-Miller International Airport’s close proximity to the United States border with Mexico makes it a crucial trading hub; and

WHEREAS, the McAllen-Miller International Airport is located adjacent to one of the first established Foreign Trade Zones in the United States; and

WHEREAS, in 2012, the United Parcel Service began a new daily cargo flight to McAllen-Miller International Airport to connect shippers in the Rio Grande Valley with customers all over the world; and

WHEREAS, Mexican citizens frequently enter the United States through the McAllen-Miller International Airport and contribute to the local and greater Texas economy by eating and shopping as tourists in Texas; and

WHEREAS, the airport generates hundreds of millions of dollars in economic activity for the area; and

WHEREAS, in 2012, construction began on renovation of the airport terminal; and



WHEREAS, both the City and the Federal Aviation Administration (“FAA”) have approved plans to expand the airport, including extension of the primary existing runway and construction of an additional runway; and

WHEREAS, the City believes that construction of the transmission line utilizing links 102, 111, and/or 118a would not respect the character, integrity, and community values of the area.

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

SECTION ONE: The City Commission approves and adopts the findings set forth in the above recitals.

SECTION TWO: The City Commission believes that construction of the proposed transmission line along links 102, 111, and/or 118a is not consistent with the character, integrity, and community values of the area.

SECTION THREE: The City Commission encourages the PUC not to adversely affect the future development and economic viability of the McAllen-Miller International Airport and urges the PUC to select a route that does not utilize links 102, 111, and/or 118a.

SECTION FOUR: This Resolution shall become effective immediately upon its passage.

**CONSIDERED, PASSED, APPROVED** and **SIGNED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013 at a regular called 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 the provisions of Chapter 551, Texas Government Code.

CITY OF McALLEN

By: \_\_\_\_\_  
James E. Darling, Mayor

ATTEST:

\_\_\_\_\_  
Annette Villiarreal, City Secretary

APPROVED AS TO FORM:

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

**STANDARDIZED RECOMMENDATION FORM**

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

AGENDA ITEM   4I    
DATE SUBMITTED  9/16/2013   
MEETING DATE  9/23/2013 

1. Agenda Item: City Property Surplus Declaration – Vehicles

2. Party Making Request: Public Works Department

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

Public Works requests authorization to declare vehicles described in attachments as surplus and begin auction efforts.

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.)   Wendy Smith, Asst. City Manager   \_\_\_\_\_

b.)   Carlos A. Sanchez, P.E., PW Director     CAS     9/16/13     YES  

8. Staff Recommendation: Staff recommends approval to declare listed vehicles and equipment as surplus and begin marketing efforts.

9. Advisory Board:    Approved    Disapproved    None

10. City Attorney:   KP   Approved    Disapproved    None

11. Manager's Recommendation:   MRP   Approved    Disapproved    None



CITY OF MCALLEN  
DEPARTMENT OF PUBLIC WORKS  
**MEMORANDUM**

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

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

**DATE:** September 16, 2013

**SUBJECT: Vehicle Surplus Declaration**

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**Goal:** Public Works staff has a need to declare—as surplus—unusable, inoperable, outdated or otherwise worn out vehicles gathered from various departments. These vehicles are in different stages of disrepair and most have been replaced by new vehicles.

**Explanation:** The City of McAllen conducts auctions or requests formal sealed bids as needed to dispose of vehicles that are not economical to repair, have been replaced, or are unsafe to operate. All proceeds are returned to the appropriate fund where the vehicle purchase originated (i.e. General Fund, Sanitation Fund, Public Utility Fund). Attached is a comprehensive list of all vehicles including the respective photos of these items proposed for surplus declaration.

**Options:**

1. The City can defer the sale of some or all vehicles at the risk of significantly lower returns.
2. The City may elect to retain some or all vehicles.

**Recommendation:** Public Works recommends approval to declare the described vehicles as surplus and begin the disposal of said assets through auctioneering services and/or recycling salvage yards.

Please advise if you require additional information. Attached is a list and description of all items being presented for review and consideration.

**CITY OF MCALLEN**  
Rolling Stock Surplus  
Tuesday, October 01, 2013

Department	Unit#	Year	Make	Description	Condition	VIN#	Mileage	LTD Maintenance
POLICE	PD011X	2007	FORD	CROWN VICTORIA	inoperable, salvage parts	2FAFP71W57X110934	86,708	\$ 28,536.66
POLICE	23X	2006	FORD	CROWN VICTORIA	inoperable, salvage parts	2FAFP71W06X149297	92,350	\$ 16,444.86
POLICE	PD0034X	2007	FORD	CROWN VICTORIA	inoperable, salvage parts	2FAFP71W67X110943	88,240	\$ 15,619.07
POLICE	35X	2005	FORD	CROWN VICTORIA	inoperable, salvage parts	2FAFP71W25X135206	78,650	\$ 17,056.70
POLICE	PD0041X	2007	FORD	CROWN VICTORIA	inoperable, salvage parts	2FAFP71W17X110932	89,880	\$ 17,115.68
POLICE	PD0932X	2006	FORD	CROWN VICTORIA	inoperable, salvage parts	2FAFP71WX6X149291	100,906	\$ 17,212.31
METER READERS	203	2004	CHEVROLET	1500 PICK UP	operable	1GCEC14V74Z273365	98,046	\$ 11,737.58
TRAFFIC OPERATIONS	165	2001	DODGE	2500 PICK UP	operable	3B6KC26Z91M281025	96,525	\$ 18,145.53
WASTE WATER	215	2003	FORD	F-150 PICK UP	operable	1FTRF17243NB56181	108,505	\$ 7,828.42
WASTE WATER	216	2003	FORD	F-150 PICK UP	operable	1FTRF17223NB56180	97,613	\$ 7,125.02
METER READERS	PU0210	2006	CHEVROLET	1500 PICK UP	operable	1GCEC14X15Z322885	104,820	\$ 13,139.86
STREET MAINT.	126	2001	DODGE	2500 PICK UP	operable	1B7KF232ZX1J589793	112,365	\$ 12,877.15
PLANNING	118A	2002	CHEVROLET	MALIBU	inoperable; repairs exceed value	1G1ND52J92M724917	22,079	\$ 6,160.38
SIDEWALK CONST.	528	2003	DODGE	2500 PICK UP	inoperable; needs engine	3D7KA28D33G798816	45,187	\$ 8,623.11
POLICE DEPARTMENT	30	1994	DODGE	RAM VAN	inoperable; repairs exceed value	2B7KB31Z7RK549546	185,578	\$ 15,342.08
RECYCLING	426	1998	DODGE	2500 PICK UP	operable	3B6KC26Z4WM257366	72,719	\$ 16,773.86
COMMERCIAL BOX	450-1	1999	DODGE	1500 PICK UP	inoperable; repairs exceed value	1B7HC16Y3XS248643	87,358	\$ 9,864.22
POLICE DEPARTMENT	46	2001	DODGE	RAM VAN	operable	2B7JB21Y41K538585	63,772	\$ 12,686.00
DRAINAGE	SD0824	1998	CHEVROLET	1500 PICK UP	inoperable; interior badly worn	1GTEK19M2WE539775	120,383	\$ 8,564.95
SEWER COLLECTION	PU0283	2005	CHEVROLET	2500 PICK UP	inoperable; no start	1GCHC24U45E305580	110,136	\$ 8,660.72
BUILDING CODE	IN0100	2005	FORD	F-150 PICK UP	inoperable, needs engine	1FTPX125X5FB37251	74,156	\$ 7,911.26
FIRE DEPARTMENT	187	1994	CHEVROLET	S-10 PICK UP	inoperable; interior badly worn	1GCCS14Z0R8208058	73,903	\$ 2,808.47
TRAFFIC OPERATIONS	175-2	2001	DODGE	3500 PICK UP	operable; interior badly worn	3B6KC26Z51M281023	61,683	\$ 16,532.69
TRAFFIC OPERATIONS	174-2	2001	DODGE	3500 PICK UP	inoperable; no start	3B7KC26Z2YM215373	72,669	\$ 14,312.08



PD0011X



23X



PD0034X



35X



PD0041X



PD0932X



203



165



215



216



PU0210



126

**CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM**

**CITY COMMISSION**                                      **X**    
**UTILITY BOARD**                                              
**PLANNING & ZONING BOARD**                        

**AGENDA ITEM**                                      **4J**    
**DATE SUBMITTED**                                 **09/03/13**   
**MEETING DATE**                                  **09/23/13** 

1. Agenda Item: Request authorization to purchase communications radios for regional partners with FY2012 Assistance to Firefighters Grant funds, utilizing the Houston-Galveston Area Council (H-GAC) Contract for the amount of \$1,058,044.90.

2. Party Making Request: Wendy Smith, Assistant City Manager

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

The grant will assist fire departments throughout the region with the purchase of P25 compliant radios. The purchase also includes a communications core controller for the Regional Radio System which will be installed at the McAllen EOC. The grant requires a 20% match, which each jurisdiction is responsible for; Hidalgo County will provide the 20% match for the core controller. The purchase is utilizing H-GAC Contract pricing.

4. Policy Implication:   None  

5. Budgeted:      Yes      No   X   N/A

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

7. Routing:

<b>NAME/TITLE</b>	<b>INITIAL</b>	<b>DATE</b>	<b>CONCURRENCE</b>
a) Carla M. Rodriguez, Dir. Of Grants	<u>  <b>CMR</b>  </u>	<u> <b>09/03/13</b> </u>	<u>  <b>YES</b>  </u>

8. Staff Recommendation: Approve the purchase with AFG funds.

9. Advisory Board:      Approved      Disapproved      None

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

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



**CITY OF MCALLEN  
GRANT ADMINISTRATION OFFICE  
MEMORANDUM**

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

**From: Wendy Smith, Assistant City Manager**

**Date: September 10, 2013**

**Subject: Purchase of radios and core controller with FY2012 AFG funds**

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**GOAL:** Utilize AFG funds to purchase communications radios and core controller.

**BRIEF EXPLANATION OF THE ITEM:**

The grant funds will assist fire departments throughout the region purchase P25 compliant radios. Funds will also be used for the purchase of a communications core controller for the Regional Radio System, which will be installed at the McAllen EOC. Each jurisdiction will be responsible for the 20% match of their radio purchase. Hidalgo County will be responsible for the 20% match of the core controller. This purchase will be utilizing the Houston-Galveston Area Contract pricing. Total project cost is \$1,058,044.90

**RECOMMENDATION:** Staff recommends approval of purchase with grant funds.



**AFG - MOTOROLA**

DATE: 09/17/2013  
 QUOTE #: 12-100000  
 BY: DAVID CHAMPION, JR.  
 ATTN: MIKE PEREZ - CITY MANAGER  
 PHONE: 956-681-1001  
 FAX: 956-681-1010  
 EMAIL: R. ASHLEY  
 USER CONTACT 956-681-1444  
 USER CONTACT #  
 EMAIL: [RASHLEY@MCALLEN.NET](mailto:RASHLEY@MCALLEN.NET)

**MCALLEN-CITY OF**

1300 EAST HOUSTON  
 MCALLEN, TEXAS 78501

**HGAC CONTRACT # RA05-12**

**2012 - ASSISTANCE TO FIREFIGHTERS GRANT**

QTY	NOMENCLATURE	DESCRIPTION	ENTITY	HGAC EACH	HGAC AMOUNT
20	XTL 2500	XTL 2500 MOBILE - O5 - DASH MOUNT	BROWNSVILLE	\$ 3,834.25	\$ 76,685.00
20	XTS 2500	XTS 2500 PORTABLE - MODEL 2	BROWNSVILLE	\$ 3,812.25	\$ 76,245.00
8	APX 7000	APX 7000 PORTABLE - DUAL DISPLAY	ELSA	\$ 5,107.75	\$ 40,862.00
2	APX 6500	APX 6500 CONTROL STATION - O5	ELSA	\$ 3,963.00	\$ 7,926.00
6	APX 4500	APX 4500 MOBILE - O2 - DASH MOUNT	ELSA	\$ 3,130.75	\$ 18,784.50
11	APX 6000XE	APX 6000XE PORTABLE	HIDALGO	\$ 4,613.26	\$ 50,745.85
5	XTL 2500	XTL 2500 MOBILE - O5 - DASH MOUNT	HIDALGO	\$ 3,486.50	\$ 17,432.50
11	APX 6000	APX 6000 PORTABLE - MODEL 2.5	LA FERIA	\$ 3,628.75	\$ 39,916.25
9	APX 6500	APX 6500 MOBILE - O5 - DASH MOUNT	LA FERIA	\$ 4,019.50	\$ 36,175.50
2	APX 7000XE	APX 7000XE PORTABLE - MODEL 1.5	LA VILLA	\$ 5,878.75	\$ 11,757.50
4	APX 4500	APX 4500 MOBILE - O2 - DASH MOUNT	LA VILLA	\$ 3,130.75	\$ 12,523.00
2	XTL 2500	XTL 2500 CONTROL STATION - O5	LA VILLA	\$ 4,934.40	\$ 9,868.80
16	XTS 2500	XTS 2500 PORTABLE - MODEL 2	LA VILLA	\$ 3,343.50	\$ 53,496.00
7	APX 4000	APX 4000 PORTABLE - MODEL 2	LA SARA	\$ 2,710.65	\$ 18,974.55
3	APX 4500	APX 4500 MOBILE - O2 - DASH MOUNT	LYFORD	\$ 3,251.75	\$ 9,755.25
10	APX 4000	APX 4000 PORTABLE - MODEL 2	LYFORD	\$ 2,710.65	\$ 27,106.50
10	APX 7000	APX 7000 PORTABLE - DUAL DISPLAY	MISSION	\$ 5,695.00	\$ 56,950.00
12	APX 6500	APX 6500 MOBILE - O5 - DASH MOUNT	MISSION	\$ 4,140.50	\$ 49,686.00

CITY OF MCALLEN WILL NOT BE HELD RESPONSIBLE FOR CHANGE IN EQUIPMENT QUANTITIES.



**AFG - MOTOROLA**

QTY	NOMENCLATURE	DESCRIPTION	ENTITY	HGAC EACH	HGAC AMOUNT
15	APX 6000	APX 6000 PORTABLE - MODEL 1.5	PALMVIEW	\$ 3,403.75	\$ 51,056.25
2	APX 6500	APX 6500 MOBILE - O5 - DASH MOUNT	PALMVIEW	\$ 4,019.50	\$ 8,039.00
19	XTS 1500	XTS 1500 PORTABLE MODEL 1.5	PHARR	\$ 2,002.20	\$ 38,041.80
5	APX 4500	APX 4500 MOBILE - O2 - DASH MOUNT	PORT MANSFIELD	\$ 3,251.75	\$ 16,258.75
18	APX 4000	APX 4000 PORTABLE - MODEL 2	PORT MANSFIELD	\$ 2,710.65	\$ 48,791.70
5	APX 4500	APX 4500 MOBILE - O2 - DASH MOUNT	RAYMONDVILLE	\$ 3,251.75	\$ 16,258.75
10	APX 4000	APX 4000 PORTABLE - MODEL 2	RAYMONDVILLE	\$ 2,710.65	\$ 27,106.50
5	APX 7000XE	APX 7000XE PORTABLE - MODEL 1.5	RAYMONDVILLE	\$ 5,980.75	\$ 29,903.75
8	APX 6000	APX 6000 PORTABLE - MODEL 2.5	RAYMONDVILLE	\$ 3,694.00	\$ 29,552.00
10	APX 7000XE	APX 7000XE PORTABLE - MODEL 3.5	RIO GRANDE CITY	\$ 6,138.44	\$ 61,384.40
7	APX 7000XE	APX 7000XE PORTABLE - MODEL 1.5	RIO GRANDE CITY	\$ 5,489.60	\$ 38,427.20
2	APX 6500	APX 6500 CONTROL STATION - O5	SAN BENITO	\$ 3,963.00	\$ 7,926.00
6	APX 6500	APX 6500 MOBILE - O5 - DASH MOUNT	SAN BENITO	\$ 4,019.50	\$ 24,117.00
12	APX 6000XE	APX 6000XE PORTABLE	SAN BENITO	\$ 4,378.08	\$ 52,537.00
13	APX 4000	APX 4000 PORTABLE - MODEL 2	SAN PERLITA	\$ 2,710.65	\$ 35,238.45
5	APX 4000	APX 4000 PORTABLE - MODEL 2	SANTA MONICA	\$ 2,710.65	\$ 13,553.25
5	APX 4000	APX 4000 PORTABLE - MODEL 2	SEBASTIAN	\$ 2,710.65	\$ 13,553.25
4	APX 6000	APX 6000 PORTABLE - MODEL 1.5	SOUTH PADRE ISLAND	\$ 4,081.55	\$ 16,326.20
17	XTS 2500	XTS 2500 PORTABLE - MODEL 2	SOUTH PADRE ISLAND	\$ 3,491.90	\$ 59,362.30
		<b>MOTOROLA SOLUTIONS - TOTAL EQUIPMENT AND SERVICES</b>			<b>\$ 1,202,323.75</b>
		<b>SPECIAL DISCOUNT FOR ORDER BY SEPTEMBER 25, 2013</b>			<b>\$ (144,278.85)</b>
	▶▶▶	<b>MOTOROLA SOLUTIONS - PURCHASE AMOUNT</b>			<b>\$ 1,058,044.90</b>

CITY OF MCALLEN WILL NOT BE HELD RESPONSIBLE FOR CHANGE IN EQUIPMENT QUANTITIES.



118A



528



30



426



450-1



46



SD0824



PU0283



IN0100



187



175-2



174-2

STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION UTILITY BOARD PLANNING & ZONING BOARD OTHER	X <hr/> <hr/> <hr/> <hr/>	AGENDA ITEM DATE SUBMITTED MEETING DATE	<u>5A</u> <hr/> <u>9/13/2013</u> <hr/> <u>9/23/2013</u> <hr/>
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**1 Agenda Item:** Contract with Hidalgo County Elections Administrator for election services for the November 5, 2013 Bond Election

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**2 Party Making Request:** Annette Villarreal, City Secretary

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**3 Nature of Request: (Brief Overview) Attachments:** X Yes    No  
Consider approval of a contract for election services for the conduct and supervision of the November 5, 2013 Bond Election. The preliminary estimate for these services is \$57,914.27 which includes a 10% administrative fee allowed by law for this service. The preliminary estimate does not reflect shared costs as those will be reflected on the final invoice after the election.

---

**4 Policy Implication:** Approval by City Commission

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**5 Budgeted:**    Yes x No    N/A  
Bid Amount:    Budgeted Amount:     
Under Budget:    Over Budget:   

**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>

**8 Staff Recommendation:** Approval

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**9 Advisory Board:**    Approved    Disapproved    None

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

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

# Memorandum

TO: Mayor Cortez and City Commissioners

FROM: Annette Villarreal, City Secretary

CC: Mike R. Perez, City Manager  
Kevin Pagan, City Attorney

DATE: September 16, 2013

SUBJECT: Contract for Election Services for November 5, 2013 City Bond Election

---

GOAL: To enter into a contract with Hidalgo County Elections Administrator on behalf of Hidalgo County, for election services for the conduct and supervision of the November 5, 2013 Bond Election.

BRIEF EXPLANATION: The City of McAllen desires to enter into a contract with Hidalgo County Elections Administrator for full election services including the administration/supervision of the election, use of the electronic voting machines (iVotronic) and other election-related services that include:

- Ballot Programming fee of \$150 per election( Refer to Exhibit “A” attached)
- Leasing of iVotronic voting machines at \$150 each
- Leasing of the ADA iVotronic voting machines at \$150 each
- Additional charges for programming (audio files, election media) delivery/pick-up of machines, electronic poll book (voter registration database access, laptop rental, printer labels, passwords), training, supplies (forms, maps, sample ballots), mail-in ballots service (applications, paper ballots for mail-in and provisional, mail-in ballot kits, postage), advertising costs (notice), payroll for election workers (early voting and election day employees, ballot board), insurance (election workers), cell phones.
- 10% administrative fee (based on overall costs)

Certain items under “Additional charges” and voting machines lease will be shared costs based on use of common polling places in this joint election; nevertheless, the estimated election cost of \$57,914.27 is based on a joint ballot and joint use of voting machines.

RECOMMENDATION: Approval of the contract for Election Services as presented.

This Contract is entered into by and between the HIDALGO COUNTY ELECTIONS ADMINISTRATOR, Yvonne Ramón, hereinafter referred to as “ADMINISTRATOR”, on behalf of Hidalgo County, a political subdivision of the State of Texas, and the **CITY OF McALLEN**, hereinafter referred to as the “ENTITY”, pursuant to Texas Election Code Section 31.092.

RECITALS

WHEREAS, the ENTITY, by appropriate action of its governing body acting in accordance with all applicable laws, has called an election to be held on **November 5, 2013**.

WHEREAS, pursuant to Section 31.092(a) of the Texas Election Code, the County Election Officer may contract with the governing body of a political subdivision situated wholly or partly in the county served by the officer to perform election services in any one or more elections ordered by an authority of the political subdivision; and

WHEREAS, pursuant to Section 31.091(1) of the Texas Election Code, the County Election Officer means the Elections Administrator for Hidalgo County; and

WHEREAS, the ENTITY is a political subdivision in Hidalgo County that desires the County to conduct and supervise the **November 5, 2013**, election of the ENTITY\_(the “Election”); and

WHEREAS, the ENTITY and the COUNTY, through the ADMINISTRATOR, desire to enter into a contract setting out the respective responsibilities of the parties; and

WHEREAS, the COUNTY agrees to perform election services for the ENTITY; and

WHEREAS, pursuant to Section 271.002(a) of the Texas Election Code that authorizes two or more political subdivisions to enter into an agreement to hold elections jointly in the election precincts that can be served by common polling places; and

WHEREAS, pursuant to Sections 271.003 (a) (b) the location of a common polling place may be used in a joint election, where the voters of a particular precinct or political subdivision may be served in a joint election by common polling places located outside the boundary of the precinct or political subdivision if the location can adequately and conveniently serve the affected voters and if it will facilitate the orderly conduct of the election.

WHEREAS, ADMINISTRATOR has provided costs for election services to be rendered by ADMINISTRATOR’S office pursuant to the terms of this Contract, which costs are set out in Article VI hereof; and

NOW, THEREFORE, the COUNTY, through the ADMINISTRATOR, and the ENTITY for good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, do hereby agree to hold contract, covenant and agree as follows:

## ARTICLE I PURPOSE

1.01. The parties hereto have entered into this Contract for election services described in Article II to be provided to the ENTITY for its election to be held on **November 5, 2013**, and any Runoff, if applicable.

## ARTICLE II SERVICES

2.01. The COUNTY, through the ADMINISTRATOR, agrees to provide to the ENTITY the following:

- (A) Procure, provide, prepare, program and distribute Direct Recording Electronic (DREs) voting systems and necessary election equipment, as well as an ADA voting system, and transport equipment to and from the polling locations, including early voting substations, for the ENTITY;
- (B) Prepare and provide Direct Recording Electronic training for election workers;
- (C) Prepare and provide Logic and Accuracy testing on ENTITY's election ballot for every iVotronic voting machine to be utilized by ENTITY during early voting and election day;
- (D) Procure, provide, prepare and program Electronic Poll Book(s) per polling location with the Voter Registration Database. To include laptop(s), training for poll book, insurance, and delivery fee, as well as supplies such as, but not limited to labels and printer;
- (E) Provide and prepare all mail-in ballot supplies, including applications, paper ballots, envelopes and postage;
- (F) Provide training for Judges/Clerks;
- (G) Procure, provide, prepare, and distribute all necessary election supplies, including:
  - 1) Ballots (preparation and distribution only);
  - 2) Election kits and election paperwork;
  - 3) Ballot boxes and voting booths
- (H) Provide cages and covers, cage kit, to include, but not limited to surge protectors, tape, printer, headphones and scanner as well as supplies such as bags, aprons, clipboards, pens, pencils, rulers, magnifiers, inkpads, screen cloths, sanitizers and badges;
- (I) Procure early voting polling places and election day polling places, as ordered;
- (J) Prepare Writ of Election to election officers and notice of appointment to Presiding and Alternate judges, as required by law;
- (K) Notify the election judges of the date, time and place of the election;

(L) Procure and pay election judges and clerks for early voting and election day voting;

(M) Provide the general overall supervision of the Election and provide the advisory services in connection with the decisions to be made and the actions to be taken by the ENTITY;

(N) Procure and pay Ballot Board members ;

(O) Provide information for election officers;

(P) Provide such incidental related services as may be necessary to conduct the election;

(Q) Serve as the Early Voting Clerk;

(R) Establish a Central Counting Station for the purpose of tabulating ballots; and

(S) Tabulate election results in preparation for ENTITY's canvassing.

2.02 The ENTITY shall be responsible for performing the following:

(A) Payment of all necessary election supplies as required by the COUNTY, including but not limited to ballots, election kits, mail-in ballot supplies, laptop rental, labels and combination forms;

(B) Pay the cost of judges and election workers for hourly pay submitted by the County Elections Administrator at the rate of \$9.00 per hour for Election Judges and \$8.00 per hour for Alternate Judges and Early Voting Clerks for both Early Voting and General Election and pay the cost for training of Judges and Clerks at the rate of \$7.00 per hour per person.

(C) Reimburse the COUNTY for the cost for liability insurance coverage for election workers employed for both Early Voting and General Election;

(D) Prepare, distribute, and publicize notice of election (Texas Election Code Section 4.003.a1) and early voting and election day schedules in newspaper;

(E) Canvass the Election results for the ENTITY'S governing body;

(F) Prepare and submit to the Secretary of State the Precinct by Precinct reports;

(G) As stated in Section 31.096 of the Texas Election Code, this Contract may not change:

(1) the authority with whom applications of candidates for a place on a ballot are filed; (2) the authority with whom documents are filed under Title 15; or (3) the authority to serve as custodian of voted ballots or other election records, except that the contract may provide that the County Election Officer will be the custodian of voted ballots. Under this Contract, the Hidalgo County Elections Administrator shall be the custodian of voted ballots.

(H) The ADMINISTRATOR shall be the agent of the ENTITY for the purposes of contracting with third parties with respect to the election expenses within the scope of the County Elections Administrator's duties;

- (I) The COUNTY shall file copies of this Contract with the County Treasurer and the County Auditor; and
- (J) Reimburse the COUNTY for any and all costs associated with recounts and/or election contests associated with the election;
- (K) In accordance with Section 31.100(b) of the Texas Election Code, only actual expenses directly attributable to this Contract may be paid. The ADMINISTRATOR shall submit the actual costs for items contracted pursuant to the Contract with the ENTITY no sooner than ten (10) days after the Election and/or as soon as all invoices from third party vendors are received;
- (L) Confirm and/or correct the boundaries of the political subdivision holding the election on a map provided by the County. Once confirmed and/or corrected, Entity certifies the veracity of the boundaries and geographical area that represents the Entity and the area subject to the election.

ARTICLE III  
SCHEDULE FOR PERFORMANCE OF SERVICES

- 3.01. Specific services to be provided related to the general services identified in Article II shall be performed in accordance with the time requirements set out in the Texas Election Code.

ARTICLE IV  
SERVICES NOT PROVIDED BY COUNTY

- 4.01. ADMINISTRATOR shall have no responsibility for insuring the passage of the appropriate Election Order by the ENTITY, publishing and (or) posting the Election Order as required by the Texas Election Code Section 3.004(3), or Texas Election Code 67.002(2) which is canvassing election results.

ARTICLE V  
TERM

- 5.01. Except as hereinafter set out, the term of this Contract shall be from the time of execution until all items with respect to this Contract and the election held hereunder have been completed.

ARTICLE VI  
COST OF SERVICE AND BILLING

In consideration for the services provided hereunder by ADMINISTRATOR, the ENTITY agrees to pay ADMINISTRATOR for the following costs of services:

- 6.01 iVotronic Voting Machines:
- A. One base charge of \$150.00 for Programming iVotronic ballot for voting machines, a \$25 additional charge per additional ballot styles and a minimum of a \$10 charge for Request Changes on Programmed Ballot;
  - B. Base charge for Audio Setup of \$300 for English/Spanish;



- C. A \$10.00 recording fee for Audio Files for each Contest and/or Office;
- D. A \$10.00 recording fee for Audio Files for each Proposition/Amendment/Charter/Instructions;
- E. A \$10.00 recording fee for Audio Files for each Candidate and/or Responses;
- F. Cost of creating election media, such as, but not limited to Personal Electronic Ballot cartridges (PEB), compact flash cards, labels, bags, keys, etc.;
- G. The amount of \$150.00 leasing fee for each iVotronic and \$150.00 leasing fee for each ADA iVotronic;
- H. Cost of delivery and pick-up of iVotronics for Early Voting and Election Day to include fuel charge and mileage at COUNTY's cost;
- I. The above described fees for each machine and programming fee shall be additionally charged for any Runoff Election.

6.02 Electronic Poll Book:

- A. Database access at \$100.00 per day;
- B. Laptop rental, magnetic card swipes, bar code scanner, Dymo printers, insurance and delivery fee of \$150.00 per location;
- C. Printer label fee of \$.03 per label (price subject to change);
- D. Creation of separate Username and password for each polling location at \$20.00 per location;

6.03 Fee for Early Voting and General Election Combination forms, maps and election kits. One-hundred sample ballots at no charge with additional sample ballots at twenty cents per copy; No charge for provisional bags, table tops if necessary, ballot box (es), custom signs and flags;

6.04 Reimbursement of ballot supplies, including applications, paper ballots, correspondence, envelopes and postage at COUNTY's cost;

6.05 Reimbursement fee for publications of all notices and newspaper advertisements, (if applicable);

6.06 Reimbursement of rental fees incurred for early voting polling places and Election Day polling places, as ordered;

6.07 Cost of judges and election workers for time worked to be submitted to the ENTITY by the ADMINISTRATOR. The ENTITY shall reimburse the COUNTY for the cost of payroll for election workers at \$9.00 per hour for Election Judge, \$8.00 per hour for Alternate Judge and Clerk(s); includes cost of payroll for training of Election Judge, Alternate Judge and Clerk(s) at \$7.00 per hour per person;

6.08 Pay for the cost of the Ballot Board judge at \$9.00 per hour and Ballot Board clerks at \$8.00 per hour;

6.09 One copy of canvass report provided to ENTITY at no charge; each additional canvass report requested to be reimbursed by the ENTITY at COUNTY's cost;

6.10 Reimbursement to the COUNTY for the cost of liability insurance coverage as set by the County for all election workers employed for the elections;

- 6.11 Reimbursement to the COUNTY for the cost of the use of wireless cell phones at polling locations with the rate set by the wireless vendor at the time of usage which includes an additional per minute fee as charged by the vendor, a service charge of \$10.00 per phone line and a Verizon base fee of \$3.99 per phone line;
- 6.12 Billing:
- A. The form of the invoice to be used in the billing by the COUNTY, including a good faith estimate of costs, is attached hereto as Exhibit A. The ENTITY shall submit to the COUNTY, an administrative fee of ten percent (10%) of the entire estimated cost of the Election, as shown in Exhibit A referenced above. This fee shall be submitted to the County with this signed contract. The parties agree that time is of the essence on this payment obligation. The ten percent (10%) administrative fee is prescribed by Section 31.100(d) of the Election Code.
  - B. The ADMINISTRATOR shall, as soon as practicable after the Election, prepare and send an itemized invoice with the actual costs of the Election to the ENTITY.
  - C. Full payment of the remaining balance, if any, shall be made by the ENTITY within thirty (30) days of receipt of the invoice.
  - D. Payment shall be made by check payable to the Hidalgo County Elections.
  - E. Notice. Except as may be otherwise specifically provided in this contract, all notices, demands, requests or communication required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:  
  

Yvonne Ramón  
Hidalgo County Elections Administrator  
PO Box 659  
Edinburg, Texas 78540

Annette Villarreal  
City Secretary  
City of McAllen  
PO Box 220  
McAllen, TX 78505
  - F. Any balances, if any remain after the payment of all costs of election bills, shall be the property of the ENTITY and returned to it.

## ARTICLE VII

- 7.01 IF ANY OF THE ELECTION EQUIPMENT IS LOST, STOLEN, DESTROYED, OR DAMAGED, THE CITY, SCHOOL DISTRICT OR ENTITY WHO LEASED THE EQUIPMENT IS LIABLE FOR THE DAMAGE AND AGREES TO PAY THE ADMINISTRATOR THE COST OF THE REPLACEMENT OR REPAIR OF THE ELECTION EQUIPMENT SO LOST, STOLEN, DESTROYED OR DAMAGED.

ARTICLE VIII  
GENERAL PROVISIONS

- 8.01. This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Hidalgo County, Texas.
  
- 8.02. In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision thereof, and this Contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
  
- 8.03. This Contract constitutes the sole and only agreement of the parties hereto and supersedes any prior understanding or written or oral agreement between the parties respecting the written subject matter.
  
- 8.04. No amendment, modification, or alteration of the term hereof shall be binding unless the same be in writing, dated subsequent to the date hereof and duly executed by the parties hereto.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2013

APPROVAL COUNTY OF HIDALGO:

CITY OF MCALLEN  
ENTITY

BY: \_\_\_\_\_  
RAMON GARCIA  
COUNTY JUDGE

BY: \_\_\_\_\_

PRINT: JIM DARLING

TITLE: MAYOR

ATTEST:

ATTEST

BY: \_\_\_\_\_  
ARTURO GUAJARDO, JR.  
COUNTY CLERK

BY: \_\_\_\_\_

PRINT: ANNETTE VILLARREAL

TITLE: CITY SECRETARY

ELECTIONS ADMINISTRATOR

BY:

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YVONNE RAMÓN

APPROVED AS TO LEGAL FORM:

HIDALGO COUNTY  
ASSISTANT DISTRICT ATTORNEY

BY:

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VICTOR M. GARZA



## 2013 Hidalgo County Elections Contract Estimate Calculator

EXHIBIT A

PLEASE NOTE THAT THIS TOOL IS FOR ESTIMATION PURPOSES ONLY.  
PRICES ARE SUBJECT TO CHANGE AS DETERMINED BY FINAL INVOICE.

ELECTION: City of McAllen		DATE: November 5, 2013			
Propositions (3)					
<b>6.01</b>	<b>Programming Services for iVotronic</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
A	Base Charge: Ballot Programming	\$150.00	1	\$150.00	
A	Additional Ballot Style(s)	\$25.00	0	\$0.00	
A	Request Change on Programmed Ballot	\$10.00	0	\$0.00	
B	Audio Files Set up Charge English/ Spanish	\$300.00	1	\$300.00	
C	Audio Files (Per Contest/Office)	\$10.00	0	\$0.00	
D	Audio Files (Per Propositions/ Amendments/ Charters/ Instructions)	\$10.00	3	\$30.00	
E	Audio Files (Per Candidate/ Responses)	\$10.00	6	\$60.00	
F	Election Media per Polling Location(s)	\$100.00	20	\$2,000.00	
G	*iVotronic Voting Machine(s)	\$150.00	96	\$7,200.00	
G	*ADA iVotronic Voting Machine(s)	\$150.00	20	\$1,500.00	
H	Delivery/ Pick-up Fee (includes Mileage)	\$450.00	1	\$450.00	
<b>Total iVotronic Programming Charges</b>				<b>\$11,690.00</b>	
<b>6.02</b>	<b>Electronic Poll Book (VoteSafe)</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
A	*Voter Registration Database Access (Per Day)	\$100.00	13	\$650.00	
B	*Laptop Rental (includes Bar Code Scanner/Dymo Printer)	\$150.00	14	\$1,050.00	
C	Printer Labels (per vote)	\$0.03	59553	\$1,786.59	
D	Username/Password - Per Polling Location	\$20.00	20	\$400.00	
<b>Total Electronic Poll Book Charges</b>				<b>\$3,886.59</b>	
<b>6.03</b>	<b>Supplies</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
	Early Voting Combination Forms	\$0.55	1250	\$687.50	
	Election Day Combination Forms	\$0.55	1250	\$687.50	
	*Election Judge Kit for Early Voting	\$35.00	6	\$105.00	
	*Election Judge Kit for Election Day	\$35.00	14	\$245.00	
	Polling Location Map(s)	\$17.00	20	\$340.00	
	100 Sample ballots provided. Additional Copies of Sample Ballots @ \$0.20 each.	\$0.20	500	\$100.00	
<b>Total Supplies Charges</b>				<b>\$2,165.00</b>	
<b>6.04</b>	<b>Mail &amp; Ballot Service</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
	Mail-in-Ballot Applications	\$0.25	300	\$75.00	
	Paper Ballots for Mail-in-Ballots and Provisionals	\$0.40	4500	\$1,800.00	
	Mail-in-Ballots Kit(s) per request	\$2.00	300	\$600.00	
	Postage Mail-in-Ballots (per request)	\$0.61	300	\$183.00	
	Correspondence Postage	\$0.46	14	6.44	
<b>Total Mail &amp; Ballot Service Charges</b>				<b>\$2,664.44</b>	
<b>6.05</b>	<b>Advertisements/Notices</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
	The Monitor newspaper	\$1,800.00	1	\$1,800.00	
	Local newspaper		0	\$0.00	
<b>Total Advertisement/Notice Charges</b>				<b>\$1,800.00</b>	
<b>6.06</b>	<b>Polling Location Rental Fees</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
			0	\$0.00	
<b>Total Polling Location Rental Charges</b>				<b>\$0.00</b>	
<b>6.07</b>	<b>Payroll for Training and Election Poll Workers</b>	<b>Price</b>	<b>Total</b>		
	*Payroll for Early Voting Employees	\$41,310.00	\$20,655.00		
	*Payroll for Election Day Employees	\$11,669.00	\$5,834.50		
<b>Total Payroll Charges</b>				<b>\$26,489.50</b>	
<b>6.08</b>	<b>Payroll for Ballot Board</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
	Ballot Board	\$250.00	1	\$250.00	
<b>Total Ballot Board Charges</b>				<b>\$250.00</b>	
<b>6.09</b>	<b>Canvass Reports</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
	Canvass Report (One Certified Copy Included)	\$0.00	1	\$0.00	
	Additional Canvass Reports	\$0.00	0	\$0.00	
<b>Total Canvass Report Charges</b>				<b>\$0.00</b>	
<b>6.10</b>	<b>Insurance</b>	<b>Hourly rate</b>	<b>Workers</b>	<b>Hours wrk</b>	<b>Total</b>
	Liability insurance for Early Voting Supervisors (hourly rate X workers X hrs worked X 0.002)	\$ 9.00	6	840	\$90.72
	Liability insurance for Early Voting Clerks (hourly rate X workers X hrs worked X 0.002)	\$ 8.00	30	4200	\$2,016.00
	Liability insurance for Election Day Presiding Judges (hourly rate X workers X hrs worked X 0.002)	\$ 9.00	14	231	\$58.21
	Liability insurance for Election Day Alternate/Clerks (hourly rate X workers X hrs worked X 0.002)	\$ 8.00	70	1155	\$1,293.60
<b>Total Insurance Charges</b>					<b>\$3,458.53</b>
<b>6.11</b>	<b>Cell Phones</b>	<b>Price</b>	<b>Quantity</b>	<b>Total</b>	
	Verizon Wireless phone	\$17.52	14	\$245.28	
<b>Total Cell Phone Charges</b>				<b>\$245.28</b>	
<b>6.12</b>				<b>Subtotal</b>	<b>\$52,649.34</b>
				<b>Administrative Fees (10%)</b>	<b>\$5,264.93</b>
<b>*Shared cost with County</b>				<b>ESTIMATED GRAND TOTAL</b>	<b>\$57,914.27</b>

**STANDARDIZED RECOMMENDATION FORM**

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

AGENDA ITEM   5b    
DATE SUBMITTED 09/12/13  
MEETING DATE 09/23/13

1. Agenda Item: **AWARD OF CONTRACT - "PALM VIEW GOLF COURSE PUMP STATION REHABILITATION"** Project #08-13-C31-242.

2. Party Making Request: Palm View Golf Course

3. Nature of Request: (Brief Overview) Attachments:   X   Yes    No  
Request authorization to award a construction contract to the low bidder Watertronics LLC from Hartland, WI, for improvements to the Palm View Golf Course Pump Station in the amount of \$234,648. (Contract price includes the Base Bid - Pump Station (\$216,373), Alternates 1, 1A - Fertigation System (\$18,275) and Alternate 2 - Electronic Butterfly Valves (No Charge) for Grand Total contract amount of \$234,648.

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

5. Budgeted:   X   Yes    No    N/A

Bid Amount: \$234,648.00 Budgeted Amount: \$240,000.00

Over Budget:   

If over budget how will it be paid for:   

6. Alternate Options/Costs:

- a) Award bid to low bidder for Base Bid to include **Alternates 1, 1A (Fertigation System) and 2 (Electronic butterfly valves) for a total project cost of \$234,648.**
- b) Award bid to low bidder for **Base Bid and, Alternate 2 (Electric Butterfly Valves-no cost) for a total project cost of \$ 216,373.**
- c) Award bid to lowest bidder to include Option a) **plus Alternate 3 (2 additional years of warranty) \$261,936.**

7. Routing:   NAME/TITLE  

	<u>  INITIAL  </u>	<u>  DATE  </u>	<u>  CONCURRENCE  </u>
a.) <u>  Yvette Barrera, P.E., CFM, City Engineer  </u>	<u>  YB  </u>	<u>  09-13-13  </u>	<u>  Yes  </u>
b.) <u>  Brent Branham, DCM  </u>	<u>  BB  </u>	<u>  09-13-13  </u>	<u>  Yes  </u>
c.) <u>  S. Zamora, CPM Dir. of Purchasing &amp; Contracting  </u>	<u>  SZ  </u>	<u>  09-13-13  </u>	<u>  Yes  </u>
d.) <u>  Carlos Espinoza, Director of Golf  </u>	<u>  CE  </u>	<u>  09-13-13  </u>	<u>  Yes  </u>

8. Staff Recommendation: **Staff recommends Option a) to Award Contract to Watertronics, LLC., in the amount of \$234,648 for Base Bid plus Alternates 1, 1A & 2, and all work to be completed with 45 working days from the date of delivery of the pump equipment.**

9. Advisory Board:    Approved    Disapproved    None

10. City Attorney:   KP   Approved    Disapproved    None

11. Manager's Recommendation:   MRP   Approved    Disapproved    None



**ENGINEERING DEPARTMENT  
MEMORANDUM**

**To:** Mike R. Perez, City Manager  
**From:** Carlos Espinosa, Director of Golf  
**Date:** September 12, 2013  
**Subject:** **PROJECT # 08-13-C31-242**  
**Palm View Golf Course Irrigation Pump Rehab**

**Goal**

Consider and approve Award of Contract to the low bidder Watertronics, LLC, of Heartland, Wisconsin for the above referenced project in the amount of \$234,648. (bid tabulation attached)

**Explanation**

On September 4, 2013 the Purchasing and Contracting department received three (3) bid proposals for the above referenced project. The project involves demolition of the existing irrigation pump station and control systems and installation of three new 100 HP irrigation pumps with a small 5 HP jockey pump, new control systems, filtration system and piping to connect to the existing irrigation distribution system. The project also includes modifications to the existing building to facilitate removal of the existing pumps and controls and installation of the new facilities. To consider all cost options, alternate bids were also requested to include a Fertigation System (alternates 1 & 1A), electronic butterfly valves (alternate 2) and two options for extended warranties (alternates 3 & 4).

**Bid Summary:**

Rank	Company Name	Company Location	Bid Amount (Base + Alternates 1, 1A & 2)
1	Watertronics, LLC	Heartland, WI	\$ 234,648.00
2	Monroe Pump Services, Inc.	Farmers Branch, TX	\$ 252,780.60
3	MRI	Richland, SC	\$ 270,242.00

**Options**

- 1) Award contract to the low bidder for **Base Bid to include Alternates 1, 1A, and 2.** (Fertigation System, Electric Butterfly Valves respectively) for a total project cost of **\$234,648.**
- 2) Award bid to lowest bidder for Base Bid and, at no additional cost, Alternate 2 (Electric Butterfly Valves) for a total project cost of \$ 216,373.
- 3) Award bid to lowest bidder to include Base Bid, Alternate 2 (Electric Butterfly Valves), Alternates 1 and 1A (Fertigation System) plus Alternate 3 (2 additional years of warranty) \$261,936.
- 4) Reject all bids and re-advertise the project.

**Recommendation**

Staff recommends Option 1 above with all work to be completed in not more than **45 working days (based upon commencement date established as date of delivery of pump equipment).**

BID OPENING: September 04, 2013 at 3:00 p.m.

LOCATION: Conference Room

PROJECT: 08-13-C31-242 PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB

**NON RESPONSIVE**

ITEM	INTERNAL REFERENCE NO.	TYPE	DESCRIPTION	UOM	QTY	WATERTRONICS, LLC ★ HEARTLAND, WI	MONROE PUMP SERVICES, INC. FARMERS BRANCH, TX	MRI RICHLAND SC
<b>TOTAL BASE BID ITEMS 1-3 - PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB:</b> Item 1 Temporary Expansion of Building Opening Restoration upon Completion of Installation; Item 2 Demolition of Ex. Pump Station; Item 3 Installation of New Pump Station (Complete and operational)(Reference Specification Section 02990)						★ \$216,373.00	\$233,912.00	\$254,843.00
4	912-27	ALT	ALTERNATE ITEM NO. 1 - FERTIGATION SYSTEM - PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB: Installation of Fertigation System (Complete and Operational)(Reference Specification 02990, Part 8.5 8.6)	LS	1	★ \$13,063.00	\$14,839.80	\$11,780.00
5	912-27	ALT	ALTERNATE ITEM NO. 1A - FERTIGATION SYSTEM - PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB: Installation of Chemical Storage Tanks (Complete and Operational)(Reference Specification 02990, Part 9.4)	LS	1	★ \$5,212.00	\$4,028.80	\$3,619.00
6	912-27	ALT	ALTERNATE ITEM NO. 2 - ELECTRONIC BUTTERFLY VALVES - PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB: Electronic Butterfly Valves (Reference: Specification 02990, Part 8.4)	EA	3	★ NO CHARGE	NO BID	NO BID
7	936-63	ALT	ALTERNATE ITEM NO. 3 - EXTENDED WARRANTY OPTION A - PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB: Extended Warranty (Reference: Specification 02990, Part 15) (ADDITIONAL 2 YEAR EXTENDED (5 YEAR TOTAL) COMPLETE MANUFACTURER PARTS LABOR WARRANTY)	LS	1	\$27,288.00	\$35,772.00	\$15,965.00
8	936-63	ALT	ALTERNATE ITEM NO. 4 - EXTENDED WARRANTY OPTION B - PALMVIEW GOLF COURSE IRRIGATION PUMP REHAB: Extended Warranty (ADDITIONAL 3 YEAR EXTENDED (6 YEAR TOTAL) MAJOR COMPONENTS ONLY MANUFACTURER PARTS LABOR WARRANTY TO INCLUDE: MOTORS, PUMPS, VFD'S, PLC (CPU AND RACK COMPONENTS ONLY) AND HMI)	LS	1	\$47,188.00	\$46,472.00	\$17,510.00
<b>TOTAL RECOMMENDED FOR AWARD</b>						★ \$234,648.00	\$252,780.60	\$270,242.00
<b>GRAND TOTAL INCLUDING BASE BID 1-3 AND ALTERNATE 1-4</b>						\$525,497.00	\$568,936.60	\$558,560.00
<b>NUMBER OF DAYS TO COMPLETE CONTRACT</b>						45 DAYS	45 DAYS	45 DAYS
<b>BID BOND</b>						BB	BB	BB COPIES
<b>ADDENDUM # 1</b>						ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED
<b>ADDENDUM # 2</b>						ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED
<b>HARDCOPY OF BID SUBMITTED</b>						YES	YES	COPIES
<b>ELECTRONIC BID SUBMITTED</b>						YES	YES	YES

\*LATE BID RECEIVED BY NORTHWESTERN SUPPLY INC. ON 09/05/13\*

\*\*PURCHASING &amp; CONTRACTING HAS CHECKED DEBARMENT LIST &amp; BOND INFORMATION FOR THE THREE (3) LOW BIDDERS.\*\*



**STANDARDIZED RECOMMENDATION FORM**

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

AGENDA ITEM   5c    
DATE SUBMITTED   09/06/13    
MEETING DATE   09/23/13  

1. Agenda Item:   Consideration, Approval and Authorization to Negotiate Scope of Services & Fee Schedule with top ranked firm for Construction Project Management for McAllen PD Addition Project (Project No. 08-13-S68-280)  

2. Party Making Request:   Engineering Department  

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

  Acknowledge the list of Construction Project Management firms that submitted a Statement of Qualications and authorize the Engineering Department to negotiate a scope of services and fee schedule for the services with the top ranked firm.  

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

5. Budgeted:   X   Yes        No        N/A

**Funding Source: 300-8708-426-66-10      Project ID# BB1306      \$2,445,000.00**

6. Alternate Option/Costs   N/A  

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) Y. Barrera, PE, CFM, City Engineer	<u>  YB  </u>	<u>  9/10/13  </u>	<u>  yes  </u> I recommend top 4.
b) Roel "Roy" Rodriguez, P.E. Asst. City Manager/General Manager	<u>  RR  </u>	<u>  9/16/13  </u>	<u>  3 &amp; 4 are very close.  </u>
c) V.Rodriguez, Chief of Police	<u>  VR  </u>	<u>  9/11/13  </u>	<u>  YES  </u>

8. Staff Recommendation:   Select top ranked firm and authorize to negotiate with said firm.  

9. Advisory Board:        Approved        Disapproved        None

10. City Attorney:        Approved        Disapproved   KP   None

11. Manager's Recommendation:        Approved        Disapproved   MRP   None



CITY OF MCALLEN  
ENGINEERING DEPARTMENT  
**MEMORANDUM**

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

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

**Date:** September 6, 2013

**Subject:** Selection of Consultant for Construction Project Management for McAllen PD Addition Project (Project No. 08-13-S68-280)

**Goal**

Consideration, approval and authorization to negotiate a scope of services and fee schedule with top ranked firm for Construction Project Management for McAllen PD Addition Project.

**Explanation**

On August 30, 2013 Purchasing and Contracting received responses from 5 firms for the Request for Qualifications. An evaluation committee, comprised of members noted on the attachment, has reviewed the SOQ's and ranked the firms. A summary of the evaluation is attached for your use.

RANK	FIRM	AVE SCORE
1	Broaddus & Associates	89.2
2	Milnet Architectural Services	87.2
3	The Warren Group	72.4
4	Prodigy Construction Management	71.6
5	Highmark Construction	61.0

The City Commission requested to interview the top three consultants on workshop scheduled for September 23, 2013. Staff is requesting that authorization be approved to negotiate a scope of service and fee schedule with the top ranked firm as determined by the interview process. If negotiations with a firm are not successful, staff is also requesting authorization to cease negotiations and begin negotiations with the next ranked firm until a successful negotiation is reached.

**Options**

1. Authorize staff to negotiate services with top ranked firm.
2. Authorize staff to negotiate surveying services with a selected firm.
3. Reject all Statements of Qualifications and readvertise the request of qualifications
4. Do construction management in-house.

**Recommendation**

Staff recommends selection of top ranked firm and is requesting authorization to negotiate said firm. However, if negotiations are not successful, staff will cease negotiations and continue with the next ranked firm. Upon reaching a negotiated work and fee structure, contracts will be submitted to the City Commission for approval.

**Project Name:**

Statement of Qualifications for McAllen PD Construction Project Management  
Project No. 08-13-S68-280

**Date:** September 10, 2013

**Evaluation Committee Members:**

Yvette Barrera, P.E., CFM, City Engineer

Ramon Navarro, IV, P.E., CFM, Deputy City Engineer

Zef Mendoza, Construction Manager

Victor Gonzalez, Architectural Designer

Javier Rodriguez, Director for Fiscal Management



## City of McAllen Evaluation Matrix

Project Name: Request for Statement of Qualifications for McAllen Police Department Additions Project Management

Project No. 08-13-S68-280

Evaluator:

Date:

CRITERIA	POINT SCALE (0-Worst, 20-Best)	HIGHMARK CONST.	MILNET ARCHITECTURAL	PRODIGY CONST. MGMT.	BROADDUS & ASSOC.	THE WARREN GROUP
1. Provide a statement of interest for the project, including a narrative describing the prime firm's unique qualifications and current workload. Indicate the availability and commitment of the prime firm and its principal(s) and key professionals to undertake the project.	5					
2. Provide a profile and history for the prime firm that will be involved in the project.	5					
3. Provide number of years firm has been providing professional services and if the firm has a history of work in McAllen.	5					
4. Provide an organizational chart showing the roles of the key team members assigned to the project.	5					
5. Provide resumes giving the experience and expertise of the team members that will be involved in the project, including their experience with similar public sector projects	20					
6. Describe the process your team uses in the Construction Management of public sector government projects and demonstrate ability to meet schedules or deadlines.	5					
7. In the proposed management process, describe any unique capabilities or resources that will add value to the overall project	10					
8. Give examples and successes of your Construction Management efforts that have added value and have generated project savings for public sector clients, including municipal governments.	15					
9. Submit breakdown of services to be provided by main office. Describe how the main office will monitor the work of the field representatives assigned to the project.	5					
10. Identify important characteristic resources or abilities that the firm offers to assist the City of McAllen and the contractor to complete this project on schedule and within budget.	10					
11. List public sector projects for which the firm provided or is providing professional Construction Management or project management services which are most related to this request. Provide evidence of providing services on renovation projects, \$2 million and above, and information for each project listed	10					
12. List additional information that the Construction Project Management firm might deem important for consideration by City of McAllen and that will assist in evaluation and identification of best value respondent.	5					
<b>TOTAL</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**STANDARDIZED RECOMMENDATION FORM**

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

AGENDA ITEM   5D    
 DATE SUBMITTED   08/29/13    
 MEETING DATE   9/23/13  

1. Agenda Item: Northwest Police Community Center Additions and Site Improvements – award of contract
2. Party Making Request: Engineering Department
3. Nature of Request: (Brief Overview) Attachments:   X   Yes    No

**Consideration and approval of award of contract to the lowest, responsive, responsible bidder, Pietra Construction, in the amount of \$579,000.00. Construction activities are scheduled to be completed within one-hundred eighty (180) calendar days.**

4. Policy Implication: City Commission Policy, Local Government Code
5. Budgeted:   X   Yes    No    N/A Account No.: \_\_\_\_\_

Funding Source: 300-8708-426.66-10 Project ID# BB1302

*FOR ENCUMBRANCE PURPOSES ONLY  
 WILL BE FUNDED NEXT YEAR  
 FROM P.D. SEIZELIUNIN  
 WS*

6. Alternate Option/Costs The City Commission may elect to reject bids and re-advertise the project.

Low Bid: \$ 579,000.00  
 Budgeted: \$ 542,000.00  
 Over Budget by: \$ 37,000.00

7. Routing:


NAME/TITLE	INITIAL	DATE	CONCURRENCE
a) <u>Yvette Barrera, PE, CFM, City Engineer</u>	<u>YB</u>	<u>9/10/13</u>	<u>yes</u>
b) <u>Sandra Zamora, Director of Purchasing</u>	<u>SZ</u>	<u>9-13-13</u>	<u>yes</u>
c) <u>Jerry W. Dale, Director of Finance</u>	<u>JD</u>	<u>9/11/13</u>	<u>yes</u>
d) <u>Roy Rodriguez, Assistant City Mngr.</u>	<u>RR</u>	<u>9/17/13</u>	<u>y</u>
d) <u>Victor Rodriguez, Chief of Police</u>	<u>VR</u>	<u>9/11/13</u>	<u>YES</u>

8. Staff Recommendation: Staff recommends approval of contract to Pietra Construction, in the amount of \$579,000.00.

9. Advisory Board:    Approved    Disapproved    None
10. City Attorney:    Approved    Disapproved    None
11. Manager's Recommendation:    Approved    Disapproved    None



CITY OF MCALLEN  
DEPARTMENT OF ENGINEERING  
ARCHITECTURAL DIVISION  
**MEMORANDUM**

**To:** Mike R. Perez, City Manager  
**From:** Yvette Barrera, P.E., City Engineer   
**Date:** September 9, 2013  
**Subject:** Award of Contract - Northwest Police Community Center Additions and Improvements

**Goal**

City staff intends award of contract for building additions and site improvements, to the lowest, responsive, responsible bidder.

**Brief Explanation**

On August 15, 2013 the Purchasing and Contracting Department received eight (8) bid proposals for the above referenced project and are identified in the attached spreadsheet.

The project consists of pre-manufactured metal building construction, foundation system, flat work, masonry and stucco, exterior lighting, asphalt placement, curbing, a half mile of 8' wide walking trail with various surfaces and exercise stations. Bids ranged from \$ 579,000 to \$ 964,564. The perceived low bidder proposes to be complete within 180 calendar days. A copy of the bid tabulation is attached for your review and consideration.

Staff has spoken with the perceived low bidder's representative as well as several references and is comfortable with the submitted proposal.

**Options:**

- 1.) The City Commission may choose to award contract to the lowest, responsive, responsible bidder.
- 2.) The Commission may choose to add other alternates to the contract.
- 3.) The Commission may choose to reject bids and re-advertise the project.

**Recommendation** - The Engineering Department staff along with Milnet Architectural Consultants recommends award of contract to the low bidder, Pietra Construction of Harlingen, Texas, for the base bid totaling \$579,000.00 and allowing one-hundred eighty (180) calendar days to complete the work.

PROJECT NO. 08-13-C30-399

PROJECT NAME: NORTHWEST POLICE COMMUNITY CENTER ADDITIONS AND IMPROVEMENTS

BID OPENING: AUGUST 15, 2013 AT 4:00 P.M.

LOCATION: LARGE CONFERENCE ROOM

BIDDERS						★ PIETRA CONSTRUCTION HARLINGEN, TX	NM CONTRACTING LLC McALLEN, TX	RIGNEY CONSTRUCTION DEVELOPMENT LLC EDINBURG, TX	PEACOCK GENERAL CONTRACTORS HARLINGEN, TX	JCON CONSTRUCTION LLC MISSION, TX	CAS COMPANIES MISSOURI CITY, TX	HOLCHEMONT LTD. McALLEN, TX	COLAIR INC MISSION, TX
No.	Internal Ref. No.	Type	Description	UOM	QTY								
1	910-65	BASE	BASE BID: NORTHWEST POLICE COMMUNITY NETWORK CENTER ADDITIONS AND SITE IMPROVEMENTS as per plans, specifications and summary: (LUMP SUM)	LS	1	\$579,000.00	\$620,000.00	\$649,000.00	\$662,000.00	\$668,000.00	\$700,925.00	\$773,000.00	\$964,564.00
TOTAL :						★ \$579,000.00	\$620,000.00	\$649,000.00	\$662,000.00	\$668,000.00	\$700,925.00	\$773,000.00	\$964,564.00
5 % BID BOND :						SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED
VERIFIED BID BOND IS T LISTED (FOR 3 LOW BIDDERS) :						VERIFIED	VERIFIED	VERIFIED					
ADDENDUM 1 :						ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED	ACKNOWLEDGED
HARD COPY SUBMITTED :						SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED
ELECTRONIC COPY SUBMITTED :						SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED	NOT SUBMITTED	SUBMITTED	SUBMITTED	SUBMITTED

**Standardized Recommendation Form**

City Commission   X    
Utility Board             
Other Board           

Agenda Item           5e            
Date Submitted           09/16/13            
Meeting Date           09/23/13          

1. Agenda Item: Seeking direction with regards to "Sole Proposal" received from the The GEO Group on RFP – Inmate Detention Facility Project No.09-13-S58-323.

2. Party Making Request:   City Manager and Purchasing & Contracting          

3. Nature of Request: (Brief Overview) Attachments:   X   Yes    No  
Staff is respectfully seeking the Commission's authorization to open and consider the "Sole Proposal" received from the GEO Group from Boca Raton, FL, received on September 10<sup>th</sup>, 2013.

4. Policy Implication:           City Commission approval needed.          

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:                           N/A                          

6. Alternate option/costs:                           N/A                          

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) <u>Sandra Zamora, CPM</u> Director of Purchasing & Contracting	<u>SZ</u>	<u>09/16/13</u>	<u>  X  </u> Yes <u>  </u> No

8. Staff's Recommendation:   Allow staff to open and consider the "sole proposal."          

Advisory Board:            Approved            Disapproved    None

City Attorney:            Approved            Disapproved   KP   None

Manager's Recommendation:            Approved            Disapproved   MRP   None



# Memo

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

**FROM:** Sandra Zamora, CPM, Director of Purchasing & Contracting

**DATE:** September 17, 2013

**SUBJECT:** Project No. 09-13-S58-323  
RFP – Inmate Detention Facility

---

**GOAL:**

Staff respectfully requests that the above referenced project be brought before the City Commission to obtain their authorization to open and consider the “Sole Proposal” received from the GEO Group from Boca Raton, FL, received on September 10<sup>th</sup>, 2013.

**EXPLANATION:**

The Purchasing & Contracting Department solicited formal sealed proposals seeking Developers to Design, Develop, Construct and Operate and Inmate Detention Facility on City Property.

This project was advertised in our local newspaper, as well as, the City’s bidding portal (E-Bid) sending out total of (323) electronic solicitation invitations. Approximately (88) vendors downloaded information regarding this project. Twenty-three (23) individuals attend the Pre-proposal Conference held on July 25<sup>th</sup>, 2013. (this number includes call-in representatives and City Staff).

**OPTIONS:**

- 1) Authorize staff to open and consider the “Sole Proposal” as depicted in GOAL area.
- 2) Disapprove staff’s recommendations and direct staff accordingly.

**RECOMMENDATION:**

Staff recommends Option 1.

**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION	<u>  ✓  </u>	AGENDA ITEM	<u>  6A  </u>
UTILITY BOARD	<u>          </u>	DATE SUBMITTED	<u>  9/17/2013  </u>
PLANNING & ZONING BOARD	<u>          </u>	MEETING DATE	<u>  9/23/2013  </u>
OTHER	<u>          </u>		

1 Agenda Item:   City Manager's  

\_\_\_\_\_

\_\_\_\_\_

2 Party Making Request:   Lucy Canales and Kelly Salazar Linebarger Firm  

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

  Discussion, consideration and possible action regarding waiver of penalty and interest on delinquent taxes for Sinbon Electronics Co. Ltd. Cause No. T-1113-12-J  

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>  09/17/13  </u>
b) <u>                                  </u>	<u>                  </u>	<u>                  </u>

8 Staff Recommendation:   None  

\_\_\_\_\_

10 City Attorney:        Approved        Disapproved        KP        None

11 Manager's Recommendation:   MRP   Approved        Disapproved        None

# Memorandum

Tax Office

**To:** Mayor Jim Darling and City Commission

**Through:** Mike Perez, City Manager

**From:** Martha Guel, Tax Assessor *mg*

**Date:** 9/16/2013

**Re:** Request for Waiver of Penalty and Interest

---

Attached is the request from our Delinquent Tax Attorneys for discussion of waiver of penalty and interest.

The Property they will be discussing is personal property and inventory that was taxable in McAllen when the company requesting the waiver was in operation. The company (Sinbon) did not pay the taxes that were due at the time and now the penalties are \$7,904.12. They are requesting a waiver on these penalties.

I have attached a copy of the most current statement for your review.

City of McAllen Tax Office  
 Martha Guel, CTA Tax Assessor Collector  
 P.O. Box 220 - 1501 W. Pecan Blvd.  
 McAllen, Texas 78505-0220  
 (956) 681-1330

SEPTEMBER 03, 2013

TAX STATEMENT FOR TAXES DUE

ACCOUNT NUMBER: S298299000001223

PROPERTY DESCRIPTION  
 INVENTORY AT 5200 GEORGE MCVAY STE  
 C (INSIDE SPAN AMERICA) / NEW ACC  
 T 2009

SINBON ELECTRONICS CO LTD  
 4F 13 N 79 SEC  
 1 HSIN TAI WU RD  
 TAIPEI HSIEN 221, TA WAN R

USER CODES: LRP TXS

CAUSE# : T-1113-12-J  
 P&I/DISC. COLL FEE

YEAR	SQ	ENTITY	DESC.	BASE TAX	CAUSE# : T-1113-12-J P&I/DISC.	COLL FEE	TOTAL
009	0	CITY OF MCALLEN		3850.18	2002.09	877.84	6730.11
009		TAX DUE		3850.18	2002.09	877.84	6730.11
-----							
010	0	CITY OF MCALLEN		3850.18	1694.08	831.64	6375.90
		LATE RENDITION PENAL		385.02	169.41	83.16	637.59
010		TAX DUE		4235.20	1863.49	914.80	7013.49
-----							
011	0	CITY OF MCALLEN		3941.57	1261.30	780.43	5983.30
		LATE RENDITION PENAL		394.16	126.13	78.04	598.33
011		TAX DUE		4335.73	1387.43	858.47	6581.63
-----							
R		TAX DUE		12421.11	5253.01	2651.11	20325.23
R		TOTAL DUE		12421.11	5253.01	2651.11	20325.23
-----							
TOTAL AMOUNT DUE IF PAID DURING THE MONTH OF				SEPTEMBER	2013	.....	20325.23
				OCTOBER	2013	.....	20468.08
				NOVEMBER	2013	.....	20610.93

## **Martha Guel**

---

**From:** Elvira Hernandez [Elvira.Hernandez@lgbs.com]  
**Sent:** Tuesday, September 03, 2013 2:20 PM  
**To:** Martha Guel  
**Subject:** Sinbon Electronics Request for Waiver of Penalties  
**Attachments:** Jay Chadha settlement offer.pdf

Good Afternoon Martha,

Lucy has asked me to send you the following with regard to the request for the waiver of penalties and interest for Sinbon Electronics:

Attached is a copy of request for waiver of penalties and interest submitted by Mr. Chadra, attorney for Sinbon Electronics. The item should be placed under executive session and listed as:

Discussion, consideration and possible action regarding waiver of penalty and interest on Cause No. T-1113-12-J, styled Sharyland Independent School District, City of McAllen and South Texas College et al vs. Sinbon Electronics Co. Ltd.

Let me know if you have any questions.

Thanks!

**Elvira Hernandez**

Asst Office Mgr

**Linebarger Goggan Blair & Sampson, LLP**

**Attorneys at Law**

[Elvira.Hernandez@lgbs.com](mailto:Elvira.Hernandez@lgbs.com)

205 South Pin Oak Avenue

Edinburg, TX 78539

Main: (956) 383-4500

Direct: (956) 289-7912

Fax: (956) 383-7820

<http://www.lgbs.com/>

### **CONFIDENTIALITY STATEMENT**

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January 31, 2013

VIA TELECOPY - (956) 316-4935

**FOR SETTLEMENT DISCUSSION PURPOSES ONLY**

Ms. Kelly R. Salazar  
Linebarger Goggan Blair & Sampson, LLP  
205 S. Pin Oak Avenue  
Edinburg, TX 78539

Re: Cause No. T-113-12-J; *Sharyland ISD et al. v. Sinbon Electronics, Co., Ltd.*

Dear Ms. Salazar:

Sinbon Electronics, Co., Ltd. ("Sinbon") makes the following offer to settle the above-referenced cause:

Sinbon would pay the property taxes owed for tax years 2009, 2010, and 2011, provided that the taxing units waive any and all interest, penalties and fees on such tax amounts. We estimate that the total amount of the taxes to be \$68,163.68, based on the attached information provided by the Hidalgo County Appraisal District.

Waiver of interest and penalties is authorized under Section 33.011 of the Texas Tax Code when an act or omission of an officer, employee, or agent of the taxing unit or the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before the delinquency. Waiver of interest and penalties is appropriate in this case because Sinbon did not receive any notices from the Hidalgo County Appraisal District or any notices from any taxing jurisdiction. The taxing units have admitted in discovery responses that they used an erroneous address for Sinbon (for example, the taxing units used "Tawiwan" instead of "Taiwan"). It was not until the Texas Secretary of State corrected this error in serving this lawsuit did Sinbon learn of any property taxes owed.

If this proposal is agreeable, we will prepare a settlement agreement providing that Sinbon will make the payment to the taxing units within twenty-one (21) days after the settlement agreement is signed. Plaintiff taxing units will dismiss the above-referenced suit within the twenty-one (21) day period after the settlement agreement is signed and within seven

Ms. Kelly R. Salazar

January 31, 2013

Page 2

(7) days after receiving payment, shall issue tax certificates under Section 31.08 of the Texas Tax Code for each year, confirming that there are no amount of delinquent taxes, penalties, interest, and any known costs and expenses due on the property. Each party would bear its own attorney's fees and costs.

If the terms and conditions are acceptable to Plaintiffs, please indicate so by signing in the space provided and return via telecopier. Thank you for your consideration to this matter.

Sincerely,



Jay M. Chadha

Attachments

AGREED:

---

Kelly R. Salazar

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

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

**AGENDA ITEM**               6B    
**DATE SUBMITTED**        09/17/13   
**MEETING DATE**          09/23/13 

1. Agenda Item: Update on Parks and Recreation construction projects.

2. Party Making Request: Parks and Recreation Department

3. Nature of Request: (Brief Overview) Attachments:   X   Yes    No  
Monthly update on construction projects within the Parks and Recreation Department.

4. Policy Implication:  None 

5. Budgeted Information:    Yes    No  X  N/A  
Budgeted Amount: \_\_\_\_\_  
Under Budget: \_\_\_\_\_

6. Alternate option/costs:  NA 

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a) S. Gavlik, Director	sg	09-17-13	Yes
b) D. Melaas, Dep.Dir.	dm	09-17-13	Yes
c) B. Branham, Dept. C.M.	<i>amb</i>	<i>9-18-13</i>	<i>yes</i>

8. Staff Recommendation: Staff recommends approval of the report

9. Advisory Board:    Approved    Disapproved    None

10. City Attorney:    Approved    Disapproved   KP   None

11. Manager's Recommendation:    Approved    Disapproved   MRP   None

12. Action Taken: \_\_\_\_\_



**To:** MIKE R. PEREZ, CITY MANAGER  
**From:** SALLY GAVLIK, DIRECTOR *mg*  
**Subject:** PROJECT UPDATES  
**Date:** SEPTEMBER 17, 2013

### **COMMENT**

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

#### **Bicentennial Trail Extension**

The contractor continues to install the shade structures and seat walls. There has been little work completed on the project since last month by the contractor.

#### **DeLeon Soccer Fields**

The Contractor is working on the parking lots. The Musco field lights have been installed. The concession/restroom building is being constructed. The contractor is on time and moving along very rapidly.

#### **Irrigation Wells**

The study for the wells is complete, department is securing cost for test wells for both DeLeon and Morris.

#### **Hidalgo Bridge Landscape Improvements**

Bids are being secured for this project.

#### **Morris Park**

The bid has been awarded. A change order will be done to add columns on the fence and to have LED lighted sprays in the pond.

#### **Airport Landscape Plan**

Plan is being finalized so it can be bid.

#### **Los Encinos Park**

Community build playground was completed on Saturday August 31, 2013. The funding for the project came from CDBG and KABOOM.



























One VIDA at a Time

Engineering Sustainable Economic Growth in the Region

MORE THAN A MAJOR IT'S A CALLING STC NURSING

808003



**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION       X    
UTILITY BOARD                   
OTHER                           

AGENDA ITEM               6C    
DATE SUBMITTED         09/11/13   
MEETING DATE           09/23/13 

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

2. Party Making Request:      Engineering Department 

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

 Project Status Report for August 31, 2013. 

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

5. Budgeted:                    Yes                    No       X   N/A

6. Alternate Option/Costs      N/A 

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
a.) Y. Barrera, PE, CFM, City Engineer	<u>  YB  </u>	<u> 9/10/13 </u>	<u> N/A </u>
b.) Roel "Roy" Rodriguez, P.E. Asst. City Manager/General Manager	<u>  RA  </u>	<u> 9/16/13 </u>	<u>  /  </u>

8. Staff Recommendation:      **Project Status through August 31, 2013.** 

9. Advisory Board:                Approved            Disapproved            None

10. City Attorney:                Approved            Disapproved       KP   None

11. Manager's Recommendation:            Approved            Disapproved      MRP  None



**ENGINEERING DEPARTMENT**  
**MEMORANDUM**

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

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



**Date:** September 13, 2013

**Subject: Project Status Report through August 31, 2013**

---

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

The following projects are included:

1. Bentsen Road Paving Improvements – Pecan Boulevard (FM 495) to 3 Mile Line
2. McAllen Development Center
3. Retiree Haven Stormwater Improvements
4. Kendlewood Drainage Improvements
5. Firemans Park Lake Liner Improvements



Construction Status Report for work performed through August 31, 2013

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

Project consists of paving infrastructure improvements along the future widening of Bentsen Road, connection of Vine Ave across the corridor, widening of Daffodil to 46<sup>th</sup> Street and local drainage improvements.

**Contractor:** IOC Company, LLC  
**Original Contract:** \$ 4,879,306.99 160 working days  
**Change Orders:** \$ 459,625.90 91 working days  
**Revised Contract:** \$ 5,338,932.89 251 working days  
**Completion Date:** June 4, 2013

**Construction Status:** Construction is very close to completion. Sidewalks, driveway installation and seeding green areas is near end. Concrete curb, sub-grade, flexible base, sidewalk is complete from Pecan to 3 Mile. Daffodil and Nolana intersections are open. Contractor will proceed with last lane of final lift of asphalt and complete striping thereafter. Final lift will be placed along the west half of the road to move traffic over prior to finishing final lift on east half of the road. The project is approximately 92% complete and liquidated damages will be assessed for work beyond the contract time. Contractor is currently behind schedule.

Paving 96% Complete  
Drainage 98% Complete  
Utilities 100% Complete



Project limits of Bentsen Road Paving Improvements.



Final pavement lift on future southbound lanes just north of Daffodil.

## 2) Development Services Center

This project consists of renovation work including upgrades to meet the new IBC codes, architectural finishes, M.E.P. and special systems. The remodeled building will accommodate the tax office, environmental code compliance, engineering, planning, inspections and public utility departments. It will also have two new additions that will accommodate bathrooms and conference spaces. It incorporates partial demolition work and, interior partition walls. Asbestos abatement and limited general demolition have already occurred.

**Construction Company:** Peacock General Contractors, Inc.  
**Contract:** \$2,005,197.00  
**Completion Date:** November 23, 2013  
**Contract Time:** 160 working days

**Construction Status:** The renovation portion of this project is about 65% complete. Elevator walls are currently being laid along with painting of interior gypsum walls. Electrical systems have been delayed due to vandalism and replacement. Scheduled for a working clearance request by Sept. 9, 2013. The City's service provider should be ready by mid-September. Exterior stucco work has begun at the southern employee entrance.



Glazed block placement at elevator shaft



View into elevator shaft from above





Placement of ceiling grid is in over most spaces now. Data cabling continues.



Typical HVAC (air handling equipment) throughout several areas of the building

### 3) Retiree Haven Stormwater Improvements

**SCOPE OF WORK:** The project involves excavation of two ponds within the central portion of the subdivision; construction of a network of pipes and inlets within the existing roadways to collect the stormwater runoff and direct it to one of the two proposed dry detention ponds; construction of a stormwater pump station to be located on the south side of the southernmost dry detention pond; construction of a force main discharge pipe to run from the stormwater pump station south along the west side of S. 10th Street and discharging into the pilot channel within the floodway. This portion of the project is a FEMA Hazard Mitigation Grant Program (HMGP) project with 75% federal funding and 25% local funding. Additional work includes off-site water improvements funded by MPU and off-site drainage improvements funded by developer contributions.

**CONTRACTOR:** 2GS, LLC.

Original Contract: \$1,734,292.07 150 working days for base bid items, plus 90 days for alt. items

Change Orders: \$ 0.00 0 working days

Current Contract: \$1,734,292.07 150 working days for base bid items, plus 90 days for alt. items

**Date of Completion:** February 17, 2014 (base bid) and June 20, 2014 (alternate item).

**CONSTRUCTION STATUS:** Construction commenced on July 12, 2013. Pond excavation and grading complete. Storm structures and pipes approx.. 50% complete. On-site water improvements complete.

#### EXHIBITS & PHOTOS:



**4) Kendlewood Drainage Improvements**

This project consist of installing storm sewer infrastructure in the area bounded by Kendlewood Ave to Hackberry Ave and 22 ½ St to 20<sup>th</sup> St. The project is being funded by CDBG funds and aims to relieve ponding and flooding issues experienced in the area by extending a storm sewer trunkline and installing inlets at various locations throughout the project area. The construction will be split into three phases by location: Hackberry Ave, 21<sup>st</sup> Street, Kendlewood Ave.

**Construction Company:** OG Construction  
**Contract:** \$487,900.00  
**Completion Date:** December 4, 2013  
**Contract Time:** 100 working days

**Construction Status:** The contractor is working on the second phase of the construction which includes installing the trunkline located on 21<sup>st</sup> Street, between Hackberry Ave and Kendlewood Ave. The storm sewer along Hackberry Ave has been installed. The contractor is still pending paving over the trench on Hackberry Ave. The contractor is on schedule to complete construction prior to the end of the contract time.



**Top:** Map of contractor's progress.  
**Left:** Compaction of subgrade along Hackberry Ave.  
**Right:** Installation of storm sewer.

## 5) Firemans Park Lake Liner Improvements

**SCOPE OF WORK:** The project includes re-construction of an existing lake to install a clay liner with a low permeability rate and reduce the exfiltration of water from the lake into the surrounding environment..

**CONTRACTOR:** Rován Texas LLC.

Original Contract: \$ 212,512.18 30 working days

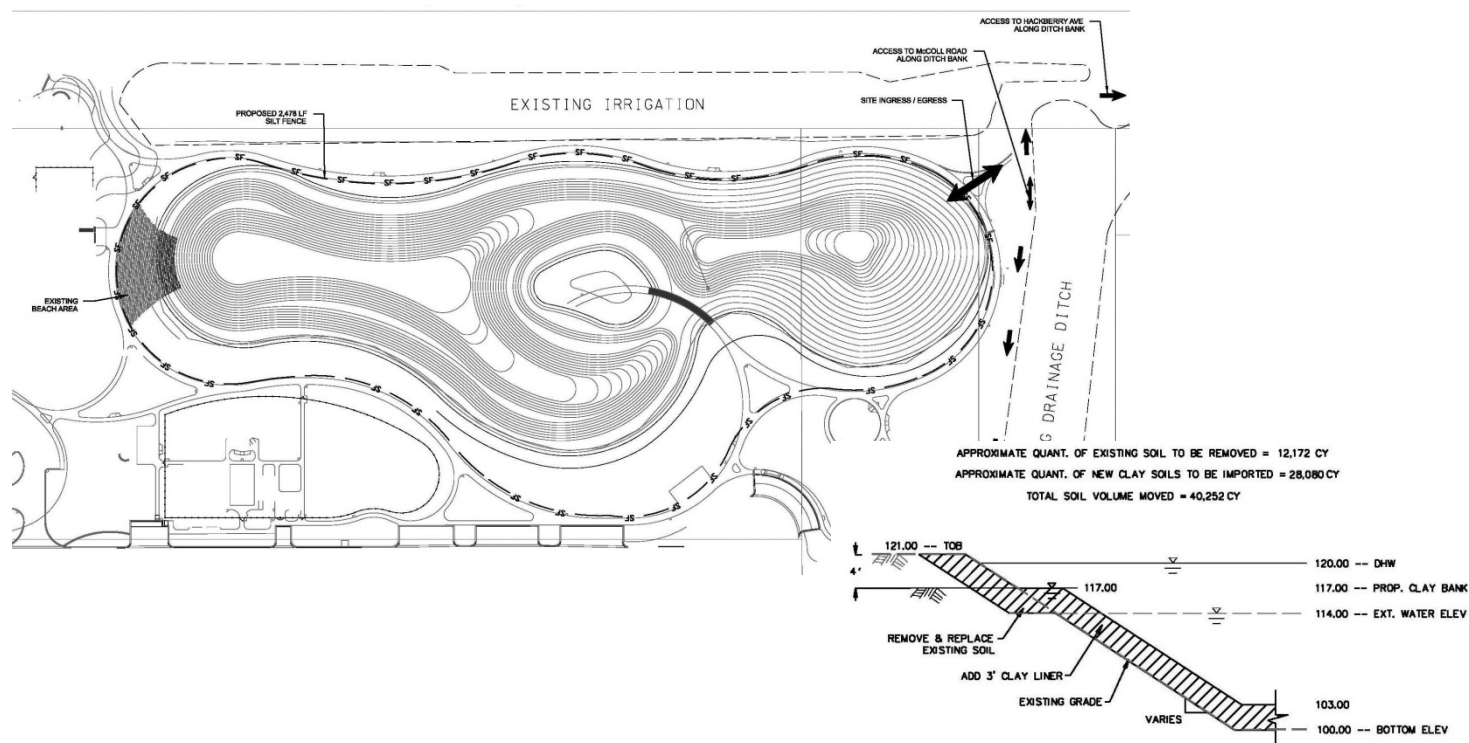
Change Orders: \$ 0.00 0 working days

Current Contract: \$ 212,512.18 30 working days

**Date of Completion:** October 2, 2013

**CONSTRUCTION STATUS:** Construction commenced on August 21, 2013. Erosion control set in place. Construction access points established. Existing vegetation stripped from area of proposed clay liner. Analysis of clay liner source (new Boeys Reservoir) completed.

### EXHIBITS & PHOTOS:



CITY OF MCALLEN  
STANDARD RECOMMENDATION FORM

CITY COMMISSION	<u>  X  </u>	AGENDA ITEM	<u>  6D  </u>
UTILITY BOARD	<u>          </u>	DATE SUBMITTED	<u>  9/16/13  </u>
PLANNING & ZONING COMMISSION	<u>          </u>	MEETING DATE	<u>  9/23/13  </u>
OTHER	<u>          </u>		

1. Agenda Item:           Construction Update for Terminal Expansion Project

2. Party Making Request:       DEPARTMENT OF AVIATION                       PKB

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

4. Policy Implication:

5. Budgeted:	<u>      </u> YES	<u>      </u> NO	<u>  X  </u> N/A
FUND:			
Bid Amount:	\$ <u>          </u>	Budgeted Amount:	\$ <u>          </u>
Under Budget:	\$ <u>          </u>	Over Budget:	\$ <u>          </u>
		Amount Remaining:	\$ <u>          </u>

If over budget, how will it be paid:

6. Alternate option/costs:

7. Routing:

<u>NAME/TITLE</u>	<u>INITIAL</u>	<u>DATE</u>	<u>CONCURRENCE</u>
Brent Branham, Deputy City Manager	<u>          </u>	<u>          </u>	<u>          </u>

8. Staff Recommendation: \_\_\_\_\_

9. Advisory Board:              Approved              Disapproved         X   None

10. City Attorney:              Approved              Disapproved         KP   None

11. Manager's Recommendation:              Approved              Disapproved         MRP   None

12. Action Taken: \_\_\_\_\_



# Airport Construction Status Report through September 23, 2013

## Terminal Expansion Project

The Project is the expansion of the existing terminal and ramp at the McAllen Miller International Airport. It consists of adding approximately 55,000 square feet of new terminal, renovation of approximately 40,000 square feet of terminal, addition of a new passenger boarding bridge, a new and expanded baggage handling facility for outbound baggage, and upgrades to the airport central plant equipment and infrastructure.

Contractor:	Don Krueger Construction Company, Inc.	
Original Contract:	\$18,879,500	713 calendar days
Change Orders:	\$ 469,917	29 calendar days
Revised Contract:	\$19,349,417	742 calendar days
Completion Date:	April 7, 2014	

## Project Finance Summary

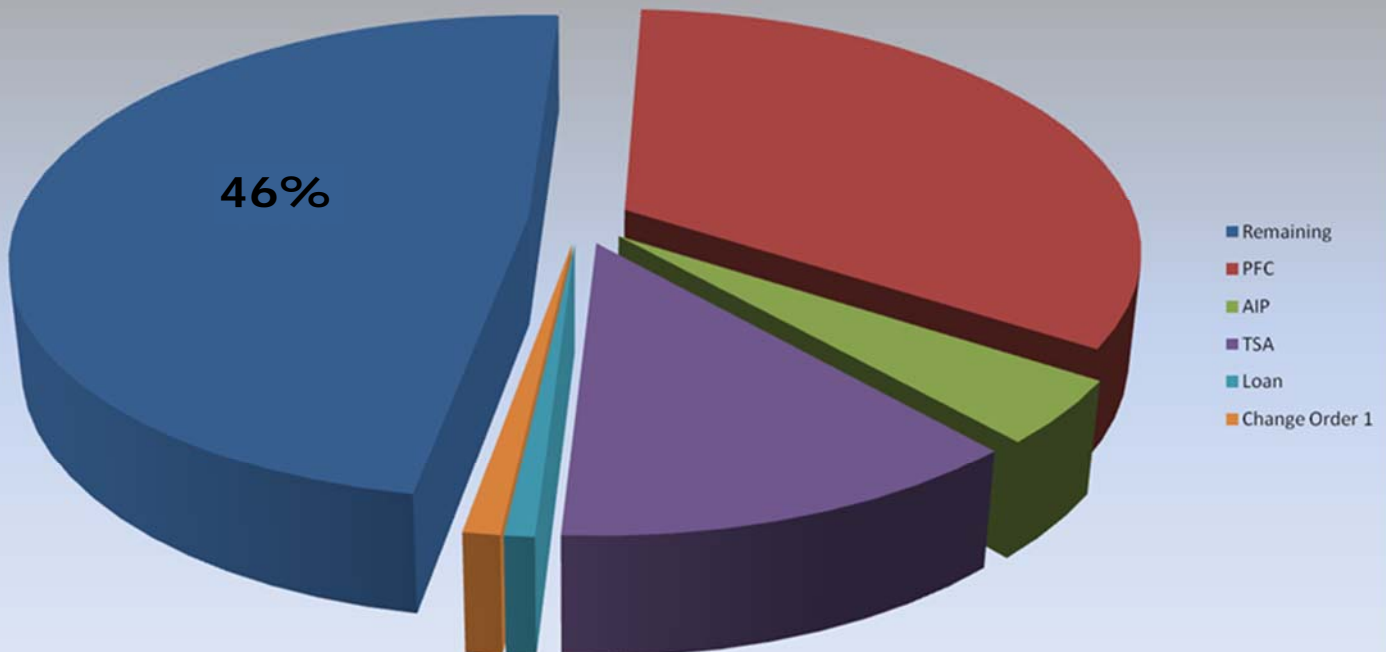
Used to Date	\$ 10,489,121
Remaining	\$ 8,860,296

## Funding Sources:

PFC	\$ 6,392,630
AIP 42	\$ 812,157
TSA	\$ 2,417,225
Inter Department Loan	\$ 153,332
Operating	\$ 189,321**

\*\*Change Order #1 (Improvements to Cargo Ramp) Reimbursable through AIP 43

## Terminal Expansion Funding Summary



### Construction Status:

The project continues as the sheathing is installed at the parapet wall framing above the new terminal addition. The completion of the spray-on fireproofing is complete on the lower level and almost complete on upper level. HVAC ductwork, electrical, data and metal stud framing continue on the lower level and commenced at upper level. Roof drains are also being installed. Pre-security concessions has commenced inside the existing terminal. The baggage handling building continues to progress as the canopy is raised and baggage conveyor belt systems are installed. Project time and budget metrics:

Percent of Project Complete (Time)	73%
Percent of Project Complete (Budget)	54%

The Project, through coordination with staff and contractor, is on schedule for completion in April 2014.

### Overview of Terminal Expansion



Installation of HVAC ductwork at upper level of Terminal Expansion



Inspection of new Passenger Boarding Bridge at Thyssen Krupp Airport Systems Plant



Priming of Steel Beams at upper level of Terminal Expansion



Metal stud framing at upper level of Terminal Expansion



Metal stud framing of exterior wall of upper level at Terminal Expansion



East view of Terminal Expansion



Installation of canopy at the Baggage Handling Building



Joint sealing of interior walls at the Baggage Handling Building



Interior framing of the General Aviation FIS Corridor at the Baggage Handling Building



Installation of the baggage handling equipment at the Baggage Handling Building



Canopy of Baggage Handling Building from west end view





**CITY OF McALLEN  
STANDARDIZED RECOMMENDATION FORM**

**CITY COMMISSION**               X     
**UTILITY BOARD**                        
**OTHER**                                  

**AGENDA ITEM**               6E     
**DATE SUBMITTED**      09/17/2013    
**MEETING DATE**          09/23/2013  

1. **Agenda Item:**   Manager's Report  

2. **Party Making Request:**   Planning Department  

3. **Nature of Request: (Brief Overview):**   X   Yes     No  
  Subdivision Development Monthly Report - August 2013  

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

	<b>NAME/TITLE</b>	<b>INITIAL</b>	<b>DATE</b>	<b>CONCURRENCE</b>
a)	<u>Julianne R. Rankin, FAICP</u> Julianne R. Rankin, Planning Director	<u>JRR</u>	<u>9/17/13</u>	<u>N/A</u>

8. **Staff's Recommendation:**   Subdivision Development August 2013  

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

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

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

# Planning Department

Memo

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

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

**DATE:** September 16, 2013

**SUBJECT: Subdivision Development Monthly Report: August 2013**

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## New Subdivisions:

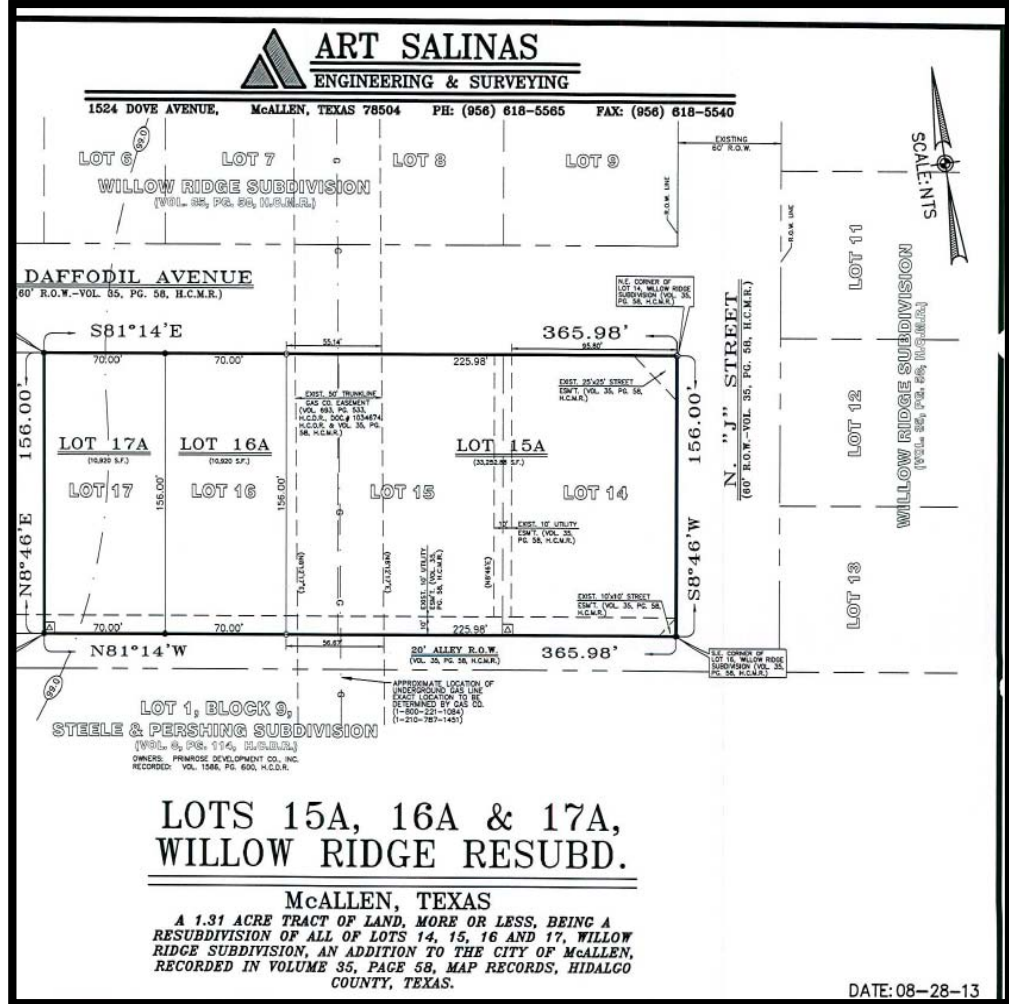
Name	Zoning	Type of Development	Number of lots	Acres
<b>1. Willow Ridge Lots 15A, 16A, 17A Subdivision</b>	<b>R-3A</b>	<b>Apartments</b>	<b>3</b>	<b>1.31</b>

## Subdivisions Recorded:

Name	Zoning	Type of Development	Number of lots	Acres
<b>1. South Texas College Technology Campus Subdivision</b>	<b>I-2</b>	<b>Institutional</b>	<b>1</b>	<b>35.51</b>
<b>2. Aim Media Subdivision</b>	<b>C-3</b>	<b>Commercial</b>	<b>4</b>	<b>12.34</b>
<b>3. Jackson Meadows Lot 66A and 66B</b>	<b>R-3A &amp; C-3</b>	<b>Commercial and Multifamily Residential Apartments</b>	<b>2</b>	<b>5.42</b>
<b>4. Vitruvian Plaza Subdivision</b>	<b>C-3</b>	<b>Commercial</b>	<b>2</b>	<b>1.31</b>

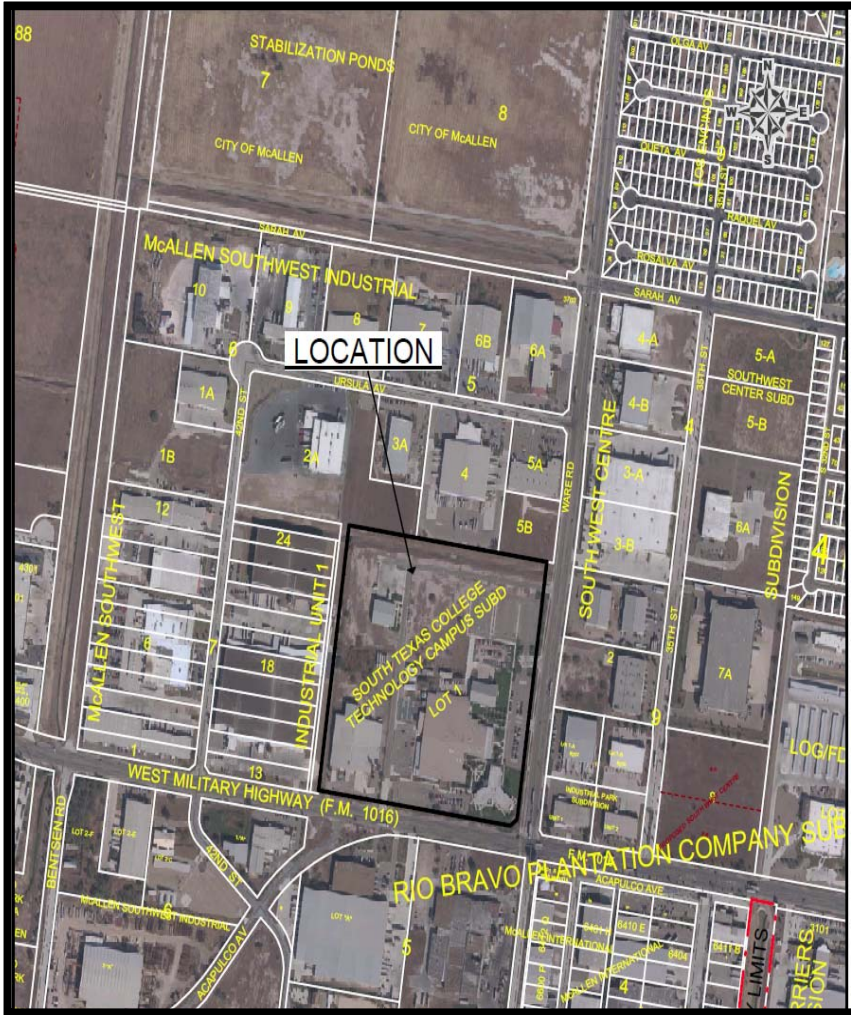
# WILLOW RIDGE LOTS 15A,16A,17A SUBDIVISION

## 3 LOT RESIDENTIAL APARTMENTS – 1.31 ACRES

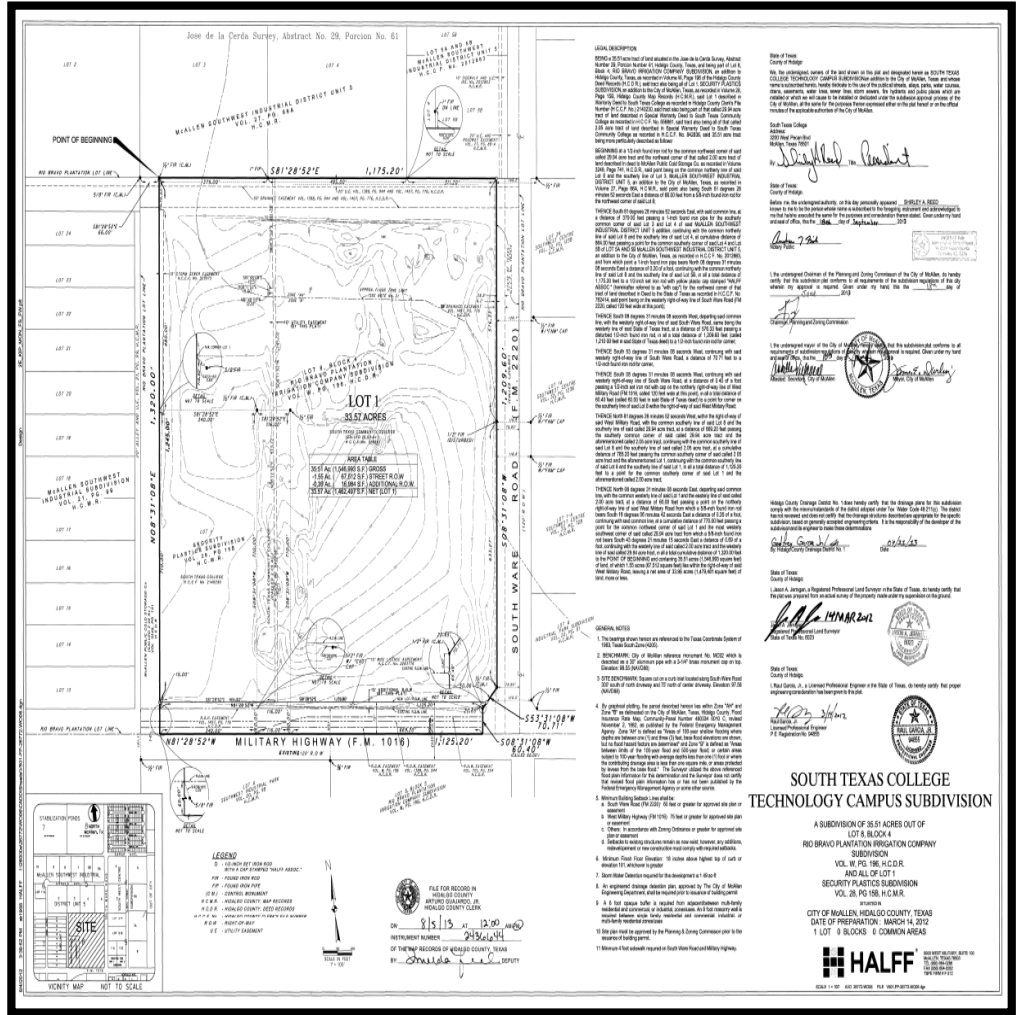


# SOUTH TEXAS COLLEGE TECHNOLOGY CAMPUS SUBDIVISION

## 1 LOT INSTITUTIONAL – 35.51 ACRES



**LOCATION**



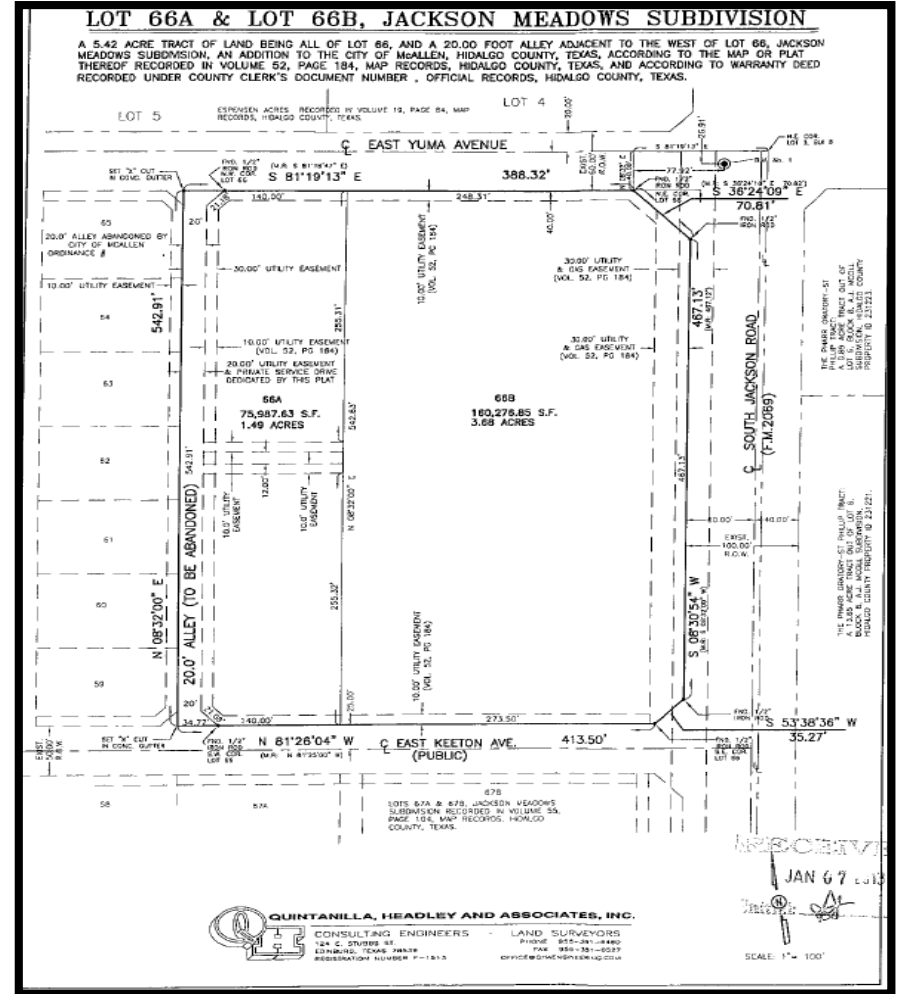
**LEGAL DESCRIPTION**  
 BEING THAT PART OF THE FIRST PART OF THE PLAN FOR THE SOUTH TEXAS COLLEGE TECHNOLOGY CAMPUS SUBDIVISION, AS SHOWN ON PLAT NO. 29, PARCELS 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**SOUTH TEXAS COLLEGE TECHNOLOGY CAMPUS SUBDIVISION**  
 A SUBDIVISION OF 35.51 ACRES OUT OF LOT 8 BLOCK 4 RIO BRAVO PLANTATION IRRIGATION COMPANY SUBDIVISION VOL. 16, PG. 196, H.C.M.R. AND ALL OF LOT 1 SECURITY PLASTICS SUBDIVISION VOL. 28, PG. 198, H.C.M.R.  
 CITY OF MALLEN, HALL COUNTY, TEXAS  
 DATE OF PREPARATION: MARCH 14, 2024  
 1 LOT 1 BLOCKS 6 COMMON AREAS  
**HALFF**  
 REGISTERED PROFESSIONAL ENGINEER  
 1825 - 1ST ST. SUITE 3000 WACO, TEXAS 76792-3422  
 (817) 777-1100



# JACKSON MEADOWS LOT 66A AND 66 B SUBDIVISION

## 2 LOT COMMERCIAL AND MULTIFAMILY RESIDENTIAL- 5.42 ACRES





**STANDARDIZED RECOMMENDATION FORM**

CITY COMMISSION  
UTILITY BOARD  
PLANNING & ZONING BOARD  
OTHER

    X      
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AGENDA ITEM     6H      
DATE SUBMITTED     09/18/2013      
MEETING DATE     09/23/2013    

1 Agenda Item:     FUTURE AGENDA ITEMS    

---

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

3 Nature of Request: (Brief Overview) Attachments:     \_\_\_     Yes     X     No  
    City Manager will report on Future Agenda Items.    

---

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

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

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

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

7 Routing:

<u>NAME/TITLE</u>	<u>INITIALS</u>	<u>DATE</u>	<u>CONCURRENCE</u>
			<u>YES/NO</u>

a) \_\_\_\_\_

b) \_\_\_\_\_

8 Staff Recommendation: \_\_\_\_\_

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

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

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



STANDARDIZED RECOMMENDATION FORM

CITY COMMISSION  
UTILITY BOARD  
PLANNING & ZONING BOARD  
OTHER

    X      
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AGENDA ITEM  
DATE SUBMITTED  
MEETING DATE

    7      
9/3/2013  
9/23/2013

1 Agenda Item: Resolution Nominating a candidate to the Hidalgo County Appraisal District Board of Directors

2 Party Making Request: Annette Villarreal, City Secretary

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

The Appraisal District is governed by a board of directors comprised of five (5) directors appointed by the taxing units that participate in the district. Governing bodies must submit the name of the nominee by written resolution to the Chief Appraiser before October 15th.

4 Policy Implication: Section 6.03 of the Texas Property Tax Code stipulates eligibility requirements to serve on the board of directors including that an individual be a resident of the district and must have resided in the district for at least two years immediately preceding the date the individual takes office. The term is for two years beginning January 1st of even numbered years. Our current representative is Art Guerra.

5 Budgeted:      Yes      No     x     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>	<u>CONCURRENCE</u> <u>YES/NO</u>
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a) \_\_\_\_\_

b) \_\_\_\_\_

8 Staff Recommendation: Seek Direction

9 Advisory Board:      Approved      Disapproved      None

10 City Attorney:      Approved      Disapproved      KP None

11 Manager's Recommendation:      Approved      Disapproved      MRP None

# HIDALGO COUNTY APPRAISAL DISTRICT

## ADMINISTRATION

Rolando Garza, Chief Appraiser  
Guadalupe Navarro, Asst. Chief Appraiser  
PO Box 208  
Edinburg, TX 78540-0208  
(956) 381-8466 (956) 565-2461  
Administration Fax: (956) 289-2120



[www.hidalgoad.org](http://www.hidalgoad.org)

## BOARD OF DIRECTORS

Richard A. Garza	Chairman
Arturo E. Guerra, Jr.	Vice-Chairman
David Hernandez	Secretary
Pete Garcia	Member
Amador Requenez	Member
Pablo "Paul" Villarreal, Jr.	Member

August 29, 2013

City Secretary  
City of McAllen  
PO Box 220  
McAllen, TX 78505-0220

Re: Selection/Election of Board of Directors 2014-2015

Dear City Secretary:

The Hidalgo County Appraisal District is governed by a Board of Directors that are appointed by vote of the taxing units that participate in the district. In accordance with Section 6.03 of the Property Tax Code, the Appraisal District will be conducting the 2014-2015 election for the Board of Directors of the Hidalgo County Appraisal District. Below you will find important information and dates for you to keep in mind for the 2014-2015 selection/election process.

The Board of Directors consists of six (6) members, five (5) voting members who are appointed by vote and one (1) nonvoting member, which is the County Tax Assessor/Collector. Therefore, for this election each voting taxing unit may nominate one (1) but no more than five (5) candidates for the election. The candidate(s) name(s) must be submitted to the Chief Appraiser by resolution adopted by the governing body before **October 15<sup>th</sup>**.

The Chief Appraiser shall prepare and deliver to the presiding officer of the governing body of each voting taxing unit a ballot listing all the candidates whose names were timely submitted and the taxing unit's voting entitlement before **October 30<sup>th</sup>**. The governing body of each voting taxing unit shall determine its vote by resolution and submit such resolution before **December 15<sup>th</sup>** to the Chief Appraiser.



**Hidalgo County Appraisal District  
Timeline  
Election of Board of Directors  
2014 - 2015**

**August 2013  
But before October 1, 2013**

Notify all presiding officers of each taxing unit about upcoming election and their voting entitlement for the 2014-2015 election for the Board of Directors for the Appraisal District.

**Before October 15, 2013**

The presiding officer of the unit submits the names of the nominees by written resolution to the Chief Appraiser

**Before October 31, 2013**

The Chief Appraiser prepares the ballot, listing the candidates in order to surname and delivers a copy of the ballot to the presiding officer of each unit.

**Before December 15, 2013**

Each voting unit casts its vote by written resolution and submits it to the Chief Appraiser.

**Before December 31, 2013**

The Chief Appraiser shall count the votes and declare the candidates who received the largest cumulative vote total elected and submit the results to the governing bodies and to the candidates.

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

**STATE OF TEXAS                   §**  
**COUNTY OF HIDALGO           §**  
**CITY OF McALLEN               §**

**RESOLUTION NOMINATING CANDIDATE TO HIDALGO  
COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**

**WHEREAS**, the City of McAllen, a governmental unit entitled to vote in the selection of a Director of the Board of Directors for the Hidalgo County Appraisal District, has been notified by the Chief Appraiser that nominations to said Board of Directors shall be submitted, by resolution of the governmental unit, to the Hidalgo County Appraisal District by October 15, 2013; and

**WHEREAS**, the Board of Commissioners of the City of McAllen wished to nominate \_\_\_\_\_, as candidate for the position of Director of the Hidalgo County Appraisal District.

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

1. The City of McAllen does hereby nominate \_\_\_\_\_ as a candidate for the position of Director to the Board of the Hidalgo County Appraisal District:
2. The City Secretary is hereby authorized to cause a certified copy of this Resolution to be delivered to the Chief Appraiser of the Hidalgo County Appraisal District to evidence this nomination.

**READ, CONSIDERED, PASSED, APPROVED** this 9th day of September, 2013 at a regular meeting of the Board of Commissioners of the City of McAllen at which a quorum was present and which was held in accordance with the provisions of Chapter 551 of the Texas

Government Code.

SIGNED this \_\_\_\_ day of September, 2013.

**CITY OF McALLEN, TEXAS**

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Jim Darling, Mayor

ATTEST:

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Annette Villarreal, TRMC/CMC, CPM  
City Secretary

APPROVED AS TO FORM:

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Kevin D. Pagan, City Attorney