CITY OF McALLEN

Mayor Javier Villalobos
Mayor Pro Tem/Commissioner Joaquin Zamora
Commissioner Tony Aguirre, Jr.
Commissioner J. Omar Quintanilla

Commissioner Tania Ramirez
Commissioner Victor "Seby" Haddad
Commissioner Pepe Cabeza de Vaca
City Manager Roel "Roy" Rodriguez, P.E.

**NOTICE OF WORKSHOP TO BE HELD BY THE**
**MCALLEN BOARD OF COMMISSIONERS**
**MONDAY, SEPTEMBER 13, 2021 – 4:00 PM**
**MCALLEN CITY HALL**
**CITY COMMISSION CHAMBERS; 3RD FLOOR**
**1300 HOUSTON AVENUE**
**MCALLEN TEXAS, 78501**

**AGENDA**
**https://zoom.us/j/5087553077?pwd=TjduYjR4U2l3cWU1NjlsZzlsM2hJUT09**

**Members of the public that wish to listen to the meeting can log in to the virtual Zoom meeting or dial (346) 248-7799 US (Houston) Meeting ID: 508 755 3077 Passcode: 878576.**

**Individuals that wish to participate in the meeting or comment on an agenda item should call (956) 681-1020 by 3:30 pm. Any individual dialing in acknowledges his or her phone number may be visible to the public.**

"At any time during the course of this meeting, the City Commission may retire to Executive Session under Texas Government Code 551.071(2) to confer with its legal counsel on any subject matter on this agenda in which the duty of the attorney to the City Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. Further, at any time during the course of this meeting, the City Commission may retire to Executive Session to deliberate on any subject slated for discussion at this meeting, as may be permitted under one or more of the exceptions to the Open Meetings Act set forth in Title 5, Subtitle A, Chapter 551, Subchapter D of the Texas Government Code."

## CALL TO ORDER

1. Present questions to staff relating to the September 13, 2021 Regular Meeting Agenda, to be discussed at such meeting.
2. Discussion of Emergency Medical Services.
3. Update on Palm Valley Animal Shelter.
4. Re-Naming of Palm View Golf Course.
5. Forming an Advisory Board for special needs persons.
6. Presentation by McAllen Chamber of Commerce regarding Small Business Grant Programs.
7. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)**

   **A)** Consultation with City Attorney regarding legal issues related to Cause No. C-2995-21-I; Dolores E Valdez v. City of McAllen. (Section 551.071, T.G.C.)

**B)** Consultation with City Attorney regarding Legal Issues related to Cause No. CL-21-2976-B; Abigael Carbajal v. City of McAllen. (Section 551.071, T.G.C.)

**C)** Discussion and possible lease, sale or purchase of real property; Tract 1 and Tract 2 (Section 551.072, T.G.C.)

**D)** Consultation with City Attorney regarding potential real estate litigation related to Northeast Blueline Drainage Improvements along Fullerton Ave, to wit-: Consider and take appropriate action on a resolution authorizing the use of eminent domain to condemn property more specifically described as: a 0.39-acre tract of land, more or less, out of the Northeast corner of Lot Two Hundred Forty-Nine (249), Pride-O-Texas Subdivision, out of Lot Fifty (50), La Lomita Irrigation and Construction Company's Subdivision of Porciones 61, 62 and 63, situated in the City of McAllen, Hidalgo County, Texas, more particularly by metes and bounds on file with the City Secretary. (Section 551.071, T.G.C.)

**E)** Consultation with City Attorney regarding legal aspects of contractual relationship with MedCare EMS. (Section 551.071, T.G.C.)

**ADJOURNMENT**

**IF ANY ACCOMMODATION FOR A DISABILITY IS REQUIRED (OR INTERPRETERS FOR THE DEAF), NOTIFY THE CITY SECRETARY'S DEPARTMENT AT 681-1020 FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING DATE. WITH REGARD TO ANY ITEM, THE BOARD OF COMMISSIONERS MAY TAKE VARIOUS ACTIONS INCLUDING BUT NOT LIMITED TO RESCHEDULING AN ITEM IN ITS ENTIRETY FOR A FUTURE DATE OR TIME.**

## 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 September 10, 2021 at 3:30 PM and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

/s/
Perla Lara, TRMC/CMC, CPM
City Secretary

## ITEM SUMMARY

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 1. |
| | DATE SUBMITTED | 09/03/2021 |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Present questions to staff relating to the September 13, 2021 Regular Meeting Agenda, to be discussed at such meeting.

2. Party Making Request:

3. Nature of Request:

4. Routing:
   Cindy Gonzalez Created/Initiated - 9/3/2021

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

CITY OF McALLEN

**ITEM SUMMARY**

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 2. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Discussion of Emergency Medical Services.

2. Party Making Request: James Schultz

3. Nature of Request:

4. Routing:
   Austin Stevenson Created -
   James Schultz
   Isaac Tawil

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

# McAllen Fire Department

REPORT ON 3RD PARTY EMS PROVIDER

CITY COMMISSION WORKSHOP

SEPTEMBER 13, 2021

- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
  - Priority 1 calls
  - Priority 2 calls
  - Total Call Volume
- Summary

- MedCare EMS has been 3rd Party EMS Provider since 1998.
- Current Contract with MedCare EMS was originally Signed November 30, 2015
- Renewed for 3 year extension October, 8, 2018.
- Current extension expires November 30, 2021.
- Eligible for a 2 year extension.

- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
  - Priority 1 calls
  - Priority 2 calls
  - Total Call Volume
- Summary

Members of Committee

- Cassandra Galvan – Mayor Darling
- Henry Cortez – Commissioner Villalobos
- Thomas Frey – Commissioner Zamora
- Rene Garcia – Commissioner Quintanilla
- Hitesh Chugani – Commissioner Ramirez
- Ben Smith – Commissioner Haddad
- Ester Akindayomi – Commissioner Whitacre
- City Legal
- Code Enforcement
- Fire Department

- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
    - Priority 1 calls
    - Priority 2 calls
    - Total Call Volume
- Summary

- 8 dedicated MICU units at all times in the City of McAllen.
- Fire Department has the ability to track all 8 units at all times.
- Complaints can be filed internally by FD personnel, externally by patients, and through 311.
- FD can designate one of the 8 dedicated units for City functions.

- Overview
- Ambulance Advisory Committee
- Current Status
- **Sample of Reports Provided**
- Historical Data
    - Priority 1 calls
    - Priority 2 calls
    - Total Call Volume
- Summary

MEDCARE EMS, INC.

**City of McAllen 9-1-1 Call December 2020**

| | Mcallen North | South | Total |
|---|---|---|---|
| Abdominal Pain/Problems | 18 | 8 | 26 |
| Allergies/Envenomations | 3 | 1 | 4 |
| Assault/Sexual Assault | 31 | 31 | 62 |
| Back Pain | 5 | 6 | 11 |
| Breathing Problems | 50 | 73 | 123 |
| Burns/Explosion | 15 | 8 | 23 |
| Cardiac/Respiratory Arrest | 13 | 13 | 26 |
| Chest Pain/Cardiac | 25 | 33 | 58 |
| Choking | 6 | 4 | 10 |
| Convulsions/Seizures | 30 | 28 | 58 |
| Diabetic Problems | 5 | 6 | 11 |
| Eye Problems/Injuries | 1 | 2 | 3 |
| Falls | 59 | 53 | 112 |
| Headache | 2 | 6 | 8 |
| Heart Problems/AICD | 10 | 21 | 31 |
| Heat/Cold Exposure | 0 | 1 | 1 |
| Hemorrhage/Lacerations | 16 | 18 | 34 |
| Industrial/Machinery Accidents | 1 | 0 | 1 |
| Interfacility Emergency | 0 | 18 | 18 |
| Overdose/Poisoning | 13 | 19 | 32 |
| Pregnancy/Childbirth | 4 | 5 | 9 |
| Psychiatric | 34 | 29 | 63 |
| Sick Person | 150 | 170 | 320 |
| Stab/GSW/Penetrating Trauma | 3 | 2 | 5 |
| Stroke | 13 | 14 | 27 |
| Traffic Accidents | 123 | 120 | 243 |
| Traumatic Injuries | 6 | 13 | 19 |
| Unconscious/Fainting | 33 | 27 | 60 |
| Unknown Problem | 32 | 36 | 68 |
| **Total** | **701** | **765** | **1466** |

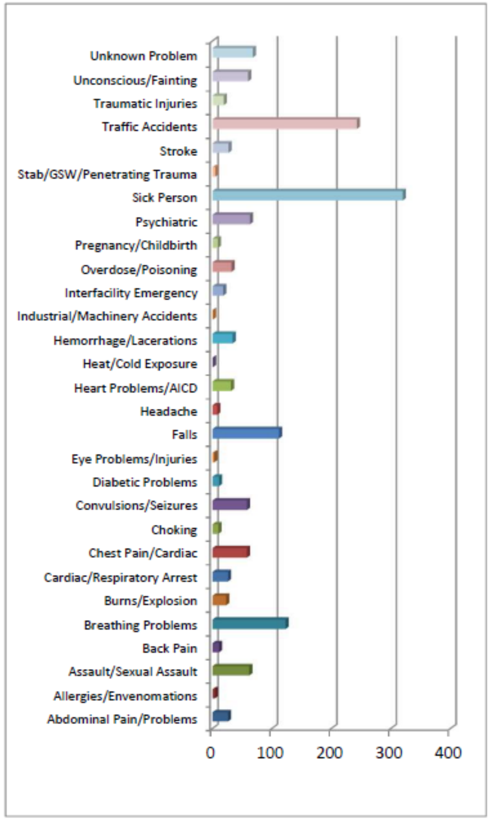
**Calls By Priority**

| | |
|---|---|
| Priority - 1 | 1228 |
| Priority - 2 | 238 |
| **Total** | **1466** |

**Calls by Status**

| | |
|---|---|
| Cancelled en route | 36 |
| Cancelled at scene | 72 |
| Refusal | 223 |
| Transports | 1135 |
| **Total** | **1466** |

| Priority 1 Compliance | Priority 2 Compliance |
|---|---|
| 92.2% | 95.0% |



- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
  - Priority 1 calls
  - Priority 2 calls
  - Total Call Volume
- Summary

| Priority 1 Calls | 8-min. or less 90% or better | | | |
|---|---|---|---|---|
| Critical - Life threatening injury or illness | | | | |
| | 2018 | 2019 | 2020 | 2021 |
| Jan. | 95.1% | 93.4% | 92.7% | 94.2% |
| Feb. | 94.6% | 93.7% | 94.1% | 95.5% |
| Mar. | 94.1% | 93.2% | 94.3% | 93.2% |
| Apr. | 95.2% | 94.1% | 96.5% | 96.0% |
| May | 94.0% | 92.1% | 95.2% | 93.8% |
| Jun. | 91.5% | 93.2% | 94.7% | |
| Jul. | 93.5% | 92.5% | 90.1% | |
| Aug. | 94.1% | 92.1% | 94.5% | |
| Sep. | 93.8% | 93.9% | 96.8% | |
| Oct. | 94.1% | 94.2% | 93.8% | |
| Nov. | 95.4% | 94.2% | 94.2% | |
| Dec. | 94.7% | 93.2% | 93.8% | |
| | | | | |
| Average | 94.20% | 93.3% | 94.2% | 94.5% |

- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
  - Priority 1 calls
  - Priority 2 calls
  - Total Call Volume
- Summary

| Priority 2 Calls | 10-min. or less 95% or better | | | |
|---|---|---|---|---|
| Less serious condition, requires medical attention | | | | |
| | 2018 | 2019 | 2020 | 2021 |
| Jan. | 96.1% | 96.2% | 95.8% | 96.6% |
| Feb. | 95.4% | 97.7% | 95.5% | 97.2% |
| Mar. | 95.2% | 97.2% | 95.1% | 95.4% |
| Apr. | 95.8% | 96.3% | 97.1% | |
| May | 96.0% | 95.5% | 95.8% | |
| Jun. | 95.3% | 96.2% | 95.0% | |
| Jul. | 96.2% | 96.7% | 95.1% | |
| Aug. | 95.4% | 95.3% | 95.7% | |
| Sep. | 96.3% | 96.0% | 96.0% | |
| Oct. | 95.2% | 95.6% | 95.2% | |
| Nov. | 95.6% | 95.8% | 96.4% | |
| Dec. | 95.8% | 95.3% | 95.2% | |
| | | | | |
| Average | 95.7% | 96.2% | 95.7% | 96.4% |

- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
  - Priority 1 calls
  - Priority 2 calls
  - Total Call Volume
- Summary

| | | Call Volume | | |
|---|---|---|---|---|
| | | | | |
| | 2018 | 2019 | 2020 | 2021 |
| Jan. | 1543 | 1435 | 1544 | 1391 |
| Feb. | 1416 | 1417 | 1497 | 1367 |
| Mar. | 1569 | 1529 | 1493 | 1511 |
| Apr. | 1457 | 1588 | 1053 | 1496 |
| May | 1524 | 1645 | 1191 | 1593 |
| Jun. | 1394 | 1605 | 1357 | 1675 |
| Jul. | 1454 | 1609 | 1781 | |
| Aug. | 1472 | 1732 | 1426 | |
| Sep. | 1509 | 1634 | 1268 | |
| Oct. | 1559 | 1525 | 1360 | |
| Nov. | 1457 | 1509 | 1309 | |
| Dec. | 1491 | 1652 | 1466 | |
| | | | | |
| Average | 1528 | 1608 | 1443 | 1579 |

- Overview
- Ambulance Advisory Committee
- Current Status
- Sample of Reports Provided
- Historical Data
  - Priority 1 calls
  - Priority 2 calls
  - Total Call Volume
- Summary

- MedCare is meeting the requirements of their contract.
- Issues are resolved in a timely manner.
- MedCare is very responsive and supportive of City Events.
- MedCare units are required to be licensed and permitted like all ambulances services as per ordinance.
- Fire Department is satisfied with their service.

## ITEM SUMMARY

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 3. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Update on Palm Valley Animal Shelter.
2. Party Making Request:
3. Nature of Request:
4. Routing:
   Cindy Gonzalez Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

McAllen Police Department

# INTRA-DEPARTMENTAL COMMUNICATION

**TO:** ROY RODRIGUEZ, CITY MANAGER

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

**SUBJECT:** AGENDA ITEM – ANNUAL SERVICE CONTRACT FOR THE OPERATION OF A REGIONAL ANIMAL SHELTER

**DATE:** 8/26/2021

## GOAL:

The goal of this item is Award of Annual Service Contract for the Operation of a Regional Animal Shelter to the Palm Valley Animal Society (PVAS) in Edinburg, Texas.

## BACKGROUND:

The City of McAllen contracts with the Palm Valley Animal Society for the operation of a regional animal shelter. Services under this contract include quarantine, impoundment, shelter, spray and neuter services for animal delivered to the Center by City of McAllen Animal Control Wardens.

Yearly animal transports of live and dead animals to the PVAS approximate 9,000 by City of McAllen Animal Control Wardens. However, this contract provides a cap at 6,000 live animals and no cap for dead-on-arrival (DOA) animals.

It is noted that these terms are flat monthly rates regardless of the number of transports to the PVAS.

The proposed contract period is a three (3) year term beginning October 1, 2021. Provisions include:

- A monthly rate of $85,390 for all live animals transported to PVAS by McAllen Animal Control Wardens up to a cap of 6,000 animals;
- Live animals are limited to dogs and cats;
- Opossums will no longer be accepted by the PVAS;
- Through this action, the current temporary moratorium on opossums becomes indefinite; and

- No additional charge for DOA animals delivered to the PVAS by McAllen Animal Control Wardens.

**FUNDING:** The City of McAllen's General Fund budget includes funding for this expense.

Account No. 011-5020-457-71-12 (Outside Agencies – Health & Welfare)

**RECOMMENDATION:**
Award Annual Service Contract for the Operation of a Regional Animal Shelter to the Palm Valley Animal Society in Edinburg, Texas.

**INTERGOVERNMENTAL COOPERATIVE AGREEMENT FOR THE OPERATION OF A REGIONAL ANIMAL SHELTER**

I.

Parties:

The Parties to this Agreement are THE PALM VALLEY ANIMAL SOCIETY, a Texas Non-Profit Corporation, hereinafter referred to as ***The Animal Society***, whose principal place of business is on Trenton Road, in the City of Edinburg, Hidalgo County, Texas, and the CITY OF MCALLEN, governmental entity located in Hidalgo County, Texas, hereinafter referred to as ***The City***.

II.

Purpose:

A. ***Whereas*** *The Animal Society* has operated an Animal Adoption program and Regional Animal Shelter in Hidalgo County since 1983;

B. ***Whereas*** *The City* desires to continue its participation in the ongoing operation of a Regional Animal Shelter in conjunction with *The Animal Society* and other governmental entities in Hidalgo County;

C. ***Therefore***, The Parties hereby mutually agree as set out below:

III.

***The Animal Society* agrees**:

A. To provide a facility that complies with all requirements of the Texas Health and Safety Code Chapter 823 and all other relevant regulations for the operation of a Regional Animal Shelter;

B. To provide a quarantine and impoundment facility that complies with all requirements of the Texas Health and Safety Code Chapter 826 and all other relevant regulations, for the control of rabies and to house and care for any stray animal ordered quarantined for causing bodily injury to a person;

C. To provide a Regional Animal Shelter for housing and care of companion animals as defined by the ASPCA (ASPCA defines as such: companion animals should be domesticated or domestic-bred animals whose physical, emotional, behavioral and social needs can be readily met as companions in the home, or in close daily relationship with humans) delivered to the Regional Animal Shelter by *The City*;

D. To maintain *The Animal Society* for Animal Control drop-off by *The City* Animal Control Wardens. Animals qualifying for drop-off include all sick and injured dogs and cats in addition to healthy strays;

E. To maintain *The Animal Society* for all Dead-On-Arrival (DOA) Animal Control drop-off by *The City* Animal Control Wardens;

F. To provide a program of mandatory spaying and neutering of all dogs and cats adopted from the Regional Animal Shelter in accordance with Chapter 828 of the Texas Health and Safety Code;

G. To maintain the Regional Animal Shelter for Animal Control drop-off Monday - Saturday from 10:30 a.m. – 6:30 p.m. An emergency number will be provided for after-hour emergencies that will be handled on a case-by-case basis. After-hours emergencies include, and are defined as, quarantine, extremely ill or injured, and animals picked up due to the owner being placed in custody;

H. To maintain office hours Monday through Saturday from 10 a.m. to 6 p.m. and 10 a.m. to 5 p.m. on Sunday;

I. In the event of an emergency, *The Animal Society* reserves the right to close all operations to the public and Animal Control operations at its discretion. *The Animal Society* will post on its website and Facebook page any closures that need to occur as well as will keep all gates locked in the event of a closure;

J. With the exception of a State Emergency and in the event of temporary closure, *The City* may reduce its monthly payment to The Animal Center by the sum of one-thousand four hundred dollars ($1,400) for every calendar day closed;

K. To notify *The City* of the date, time and location of all meetings of *The Animal Society*'s Board of Directors. A representative of *The City* is welcome to attend all board meetings. Any representative of *The City* who wishes to be placed on the agenda to address the board must notify *The Animal Society* in writing 48 hours in advance of the meeting. Any action taken by *The Animal Society* shall be at the Sole discretion of the Board of Directors;

L. To establish methods of communication between Animal Shelter Management and *The City* Animal Control operations and to provide a logbook where each Animal Control Warden can note any complaint as well as the date and time the complaint was made. The Regional Animal Shelter manager will then investigate complaints and respond to the Animal Control Warden as soon as reasonably possible;

M. To provide an area where *The City*'s Animal Control Wardens shall rinse and sanitize out waste material from their units after dropping off animals;

N. To accept responsibility for the acts and/or omissions of employees of the Regional Animal Shelter while acting within the course and scope of their employment and hold *The City* harmless from any claims resulting from those acts and/or omissions;

O. To accept responsibility for the condition and operation of the Regional Animal Shelter and hold *The City* harmless from any claims resulting from that condition and operation;

P. To maintain during the life of this Agreement a policy of liability insurance in an amount equal to the value of the Regional Animal Shelter and its contents;

Q. *The Animal Society* expressly denies any liability for the acts and/or omissions of the employees or agents of *The City* and for the capture and transportation of animals to the Regional Animal Shelter until such animal is actually in the care, custody and/or control of *The Animal Society*; and

R. To provide monthly statements to *The City* setting out the total number of animals delivered to the Regional Animal Shelter by *The City's* Animal Control Wardens in the preceding month and the total amount due from *The City*;

IV.

***The City* agrees**:

A. To compensate *The Animal Society* $1,024,680 per 12 months for Animal Shelter services for animals dropped off at the Animal Shelter by *The City's* Animal Control Wardens up to the intake of 6,000 animals, payable on a monthly basis at $85,390.00 per month. Intake from *The City's* Animal Control Wardens over 6,000 animals annually will be accepted at a rate of $170.78 per animal. Animals qualifying for drop-off by *The City's* Animal Control Wardens include all sick, injured, dangerous or nuisance animals. The actual cost of intake per animal delivered to The Animal Society by *The City's* Animal Control Wardens will be figured once yearly by PVAS and submitted to *The City* prior to the end of *The City*'s fiscal year to be used for the coming year. *The Animal Society* will provide data on expenses, budget and the total number of animals from the previous year;

B. To deliver all animals designated by the authority of *The City* to the Regional Animal Shelter in a safe and humane manner and after reasonable attempts to find the owner and return in the field. This includes not transporting deceased animals in the same compartment as live animals. This also includes not transporting obviously contagious animals with non-contagious animals, including on the same vehicle, as well as using humane efforts to unload the animals from the transport vehicles and only utilizing catch poles when absolutely necessary;

C. To provide veterinary grade disinfectant to each of its Animal Control Wardens delivering animals to the Regional Animal Shelter for use during the rinsing out of *The City*'s trucks;

D. To train each Animal Control Officer in the proper preparation of the necessary documentation when dropping off animals at *The Animal Society*, requiring that each Animal Control Officer fully utilize the universal document provided by *The Animal Society*;

E. To provide training to *The City*'s new Animal Control Wardens for the safe and humane control of animals in accordance with Chapter 829 of the Texas Health and Safety Code;

F. To establish methods of communication between Shelter Management and City Animal Control Supervisor. To provide a logbook where *The Animal Society* managers can note any complaint as well as the date and time the complaint was made. *The City* will then investigate complaints and respond to the Animal Control Officer as soon as reasonably possible;

G. To deliver to *The Animal Society* any stray or dangerous animal required to be quarantined by the Texas Health and Safety Code, ensuring that complete and proper documentation, including details on bite quarantine animals, is provided to *The Animal Society* upon delivery of the animal;

H. To designate *The Animal Society* as an authorized Local Rabies Control Authority representative for *The City*;

I. To permit *The Animal Society* to dispose of any animal quarantined pursuant to this Agreement as it sees fit in accordance with the Texas Health and Safety Code requirements; and

J. In the event that *The Animal Society* hosts workshops for <u>all</u> Animal Control personnel that deliver and drop off animals at the Animal Shelter, *The City's* Animal Control Wardens will attend two (2) such workshops each calendar year provided that each workshop does not exceed eight (8) hours, the workshops occur within Hidalgo County and with not less than four (4) weeks' notice to *The City* for each scheduled workshop. It is understood that during any scheduled workshop, *The City* may keep sufficient Animal Control Wardens in the field to respond to *The City's* Call-For-Service. All requests for a ride-along will be subject to the department's ride-along policies.

V.

Payment for invoices shall be made by *The City* within thirty (30) days after receipt of invoice for service. Should *The City* fail to pay any invoice, and such failure is not cured within Sixty (60) days, *The Animal Society* shall be permitted to suspend service without any written notice of same. At *The Animal Society* 's option, *The Animal Society* may pursue any available remedy, a law or in equity in addition to collecting the late payment charge and/or any outstanding principal amount due from *The City* under the provisions of this Agreement for its Term.

VI.

This Agreement may only be amended by written mutual agreement of the Parties. This Agreement contains all of the terms of the agreements of the Parties. This Agreement shall be in effect for three (3) years, from October 1, 2021 through September 30, 2024.

VII.

Neither *The Animal Society* nor *The City* shall terminate this agreement nor take any adverse action against the other party without first giving written notice of the problem and advising the other party of its right to cure such problem. If the party corrects or cures the problem within the specified 30-day period, then no adverse action related to this Agreement shall be taken by either participant. Notwithstanding, *The Animal Society* or *The City* may terminate this Agreement with or without cause by providing a 90-day written notice to the other party.

It is the intent of the parties that litigation be avoided and in order to allow for quick resolution of any and all disputes, the parties hereby agree that any claims, demands or disputes that cannot be amicably resolved between the parties upon written request by either party shall be submitted within two weeks to a neutral, trained party for assistance in dispute resolution by means of non-binding mediation. If mediation efforts are unsuccessful, parties may resort to protecting their rights by litigation in district court.

Said neutral third party should, if possible, be a local person with a background in dispute resolution and subject law. If the parties cannot agree on a neutral third party, then they shall submit the process to the American Arbitration Association for the selection of a neutral third party and the accomplishment of dispute resolution, in accordance with its guidelines.

VIII.

*The City*, at its own expense, may audit the financial records of *The Animal Society* from time to time from the latest fiscal year for transactions involving expenditures of funds from *The City*, arising under this contract. The audit shall not extend to all transactions of *The Animal Society*, but only to those transactions, which relate directly to services provided to *The City*. At the written request of *The City*, *The Animal Society* will furnish *The City* with a copy of *The Animal Society*'s budget which relates to the expenditure of funds of *The City* arising under this contract. *The Animal Society* agrees to reasonably cooperate with audit inquiries relating to such budget and expenditures arising out of this contract.

IN WITNESS THEREOF, *The City* and *The Animal Society* have executed this agreement as of the date first above written.

ATTEST:

By: ______________________

Title: ______________________

Date: ______________________

City of MCALLEN, Texas

By: ____________________________

Title: ____________________________

Date: ____________________________

Palm Valley Animal Society

By: ____________________________

Title: ____________________________

Date: ____________________________

Approved as to form:

______________________________

City Attorney

Date: __________________________

CITY OF McALLEN

**ITEM SUMMARY**

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 4. |
| | DATE SUBMITTED | 09/04/2021 |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Re-Naming of Palm View Golf Course.

2. Party Making Request: Carlos Espinosa

3. Nature of Request: Staff seeks City Commission input on a new name for Palm View Golf Course.

4. Routing:

| | |
|---|---|
| Carlos Espinosa | Created/Initiated - 9/4/2021 |
| Joe Vera | New - |
| Isaac Tawil | |

5. Staff Recommendation: Staff recommends consideration of the names listed in the attached Memo.

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

Palm View Golf Course
2701 South Ware Road
McAllen Texas 78503
956-681-3444 Tel
956-681-3447 Fax

**Palm View Golf Course**

# Memo

**To:** Mr. Roy Rodriguez, City Manager

**From:** Carlos Espinosa, Director of Golf

**Date:** September 1, 2021

**Re:** **Re-Naming of Palm View Golf Course**

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## GOAL:

Staff seeks City Commission input on possible new names for Palm View Golf Course.

## BRIEF EXPLANATION OF THE ITEM(S):

As directed at the recent Workshop, Golf Course Staff gathered input on possible new names from members of the Golf Course Advisory Board as well as golfers that frequently play at Palm View Golf Course. Following please find the names containing the words mentioned the most; please note the word "McAllen's" could precede all the names and the words "at McAllen" could also follow them all; the names are not listed in any order.

1. Champions Lakes Golf Course
2. Champions Crossing Golf Course
3. Escondido Lakes Golf Course
4. Escondido Crossing Golf Course
5. Lake View Golf Course

## HISTORY:

Palm View has been the name of the City's Golf Course for over 52 years; in recent years, this name has often been connected or linked to the City of Palmview. Renaming the Golf Course should avert such link or connection.

## OPTIONS:

The names listed above offer 5 different name options that will not yield connections to the City of Palm View.

## RECOMMENDATION:

Staff recommends consideration of the names listed above.

CITY OF McALLEN

## ITEM SUMMARY

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 5. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Forming an Advisory Board for special needs persons.
2. Party Making Request:
3. Nature of Request:
4. Routing:
   Perla Lara Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

## ITEM SUMMARY

BOARD: City Commission

| | |
|---|---|
| AGENDA ITEM | 6. |
| DATE SUBMITTED | 08/30/2021 |
| MEETING DATE | 9/13/2021 |

1. Agenda Item: Presentation by McAllen Chamber of Commerce regarding Small Business Grant Programs.

2. Party Making Request:

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

| | | | |
|---|---|---|---|
| Bid Amount: | ______ | Budgeted Amount: | ______ |
| Under Budget: | ______ | Over Budget: | ______ |
| | | Amount Remaining: | ______ |

7. Routing:
   Michelle Rivera Created/Initiated - 8/30/2021

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:

## Executive Summary of McAllen Small Business Growth Fund

McAllen Small Business Growth Fund is an initiative sponsored by the City of McAllen and the McAllen Chamber of Commerce to foster the expansion of existing small businesses and start-up ventures. The funds exist to provide entrepreneurs, early-stage businesses (Start-up Fund), and businesses older than five years (Growth and Expansion Fund) opportunities to drive McAllen's economic growth and job creation.

Qualified applicants will be able to apply to the McAllen Small Business Growth Fund in two possible categories: 1) McAllen Start-up Fund range is $10,000 to $15,000; or 2) McAllen Growth and Expansion Fund range is $15,000 to $25,000. Start-ups and existing companies seeking funding from the McAllen Small Business Growth Fund will go through a rigorous due diligence process and be judged in terms of their growth potential, job creation, market uniqueness, return on investment, sustainability, and profitability.

An applicant for the **Growth and Expansion Fund** may request funding to grow, expand, develop or advance an existing business. An applicant for the **Start-up Fund** may request funding to develop a new product idea or business concept that may be a tangible product or intangible service that is a new and original idea and that can generate local economic development and growth.

The McAllen Small Business Growth Fund is a grant, not a loan, and it does not have to be repaid. Allocated funds will be distributed in a "third party" pay manner, meaning that the McAllen Chamber of Commerce will process and pay for products and services on behalf of the applicant, but not to the applicant. No reimbursements will be issued, no exceptions.

### FUNDING STAGES

Applicants need to select what funding source they wish to pursue. There are two funding sources:

- **Start-up Fund** ranges between $10,000 and $15,000 for new ventures, ideas and start-up businesses.

- **Growth and Expansion Fund** ranges between $15,000 and $25,000 for established businesses in operation for five years or longer and who want to grow and expand an existing business.

The selection of the funding source needs to correspond to the type of business (start-up or established business), specifying how the funds will be used and the impact it will generate in their business and in McAllen.

Along with the specific amount of funds requested, applicants will need to specify quantitative milestones that will be achieved with these funds and a timeframe of completion.

The McAllen Chamber of Commerce, its administrator, and/or the panel of judges have the right to negotiate goals, metrics, and milestones with the applicants.

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# McAllen Small Business Growth and Expansion Fund

The Growth and Expansion Fund is designed to assist existing McAllen businesses (older than five years) to grow their existing McAllen businesses and take their enterprises to the next level of growth and opportunity. The funds are designed to be a "tipping point" for new opportunities to expand and grow existing McAllen businesses.

**Growth and Expansion Fund Document Requirements:**

- Secretary of State of Texas file number
- State of Texas Driver's License Number
- Doing Business As (DBA) documentation
- Company bank statements for the last 90 days
- Current listing of all bank deposits and debt schedule
- Current and year-end financial statement
- Personal financial statement
- Employer Identification or Social Security Number (if Sole Proprietorship)
- 2020 or 2021 tax return that has been filed depending on the structure of the business (Form 1065 for Partnership, Form 1120-S for an S-Corporation, 1120 for a C-Corporation, Form Schedule C for a Sole Proprietor/Single Member, LLC)

**GENERAL INFORMATION for McAllen Small Business Growth and Expansion Fund:**

1. All executive summaries and business plans must be the original work of the entering individual or team.
2. For the McAllen Small Business Growth and Expansion Fund, a team can be composed of one leader and up to 3 members.
3. Applicants, including any persons named in the application form, may not submit or participate in more than one application.
4. At least one member of the team must be a resident of the City of McAllen.
5. Applications, executive summary, and the business plan may not be sent by mail or facsimile. Applications should be turned in through the online portal: www.mcallen.org/growthfund
6. The McAllen Small Business Growth and Expansion Fund judging panel, its administrator, the McAllen Chamber of Commerce, and the City of McAllen have the sole right to alter, amend, or supplement at any time, and from time to time, the rules, regulations, terms, and conditions regarding the McAllen Small Business Growth Fund.
7. All decisions regarding the McAllen Small Business Growth and Expansion Fund, including the selection of the winners, are at the sole discretion and judgment of

the McAllen Small Business Growth and Expansion Fund judges, whose decisions in each case are final and may not be appealed.

8. Each applicant shall release and hold harmless the City of McAllen, the McAllen Chamber of Commerce, McAllen Small Business Growth and Expansion Fund, its administrator, the panel of judges, participants, and all others associated with or assisting with the McAllen Small Business Growth and Expansion Fund from any and all matters regarding the McAllen Small Business Growth and Expansion Fund.
9. Each team must authorize the McAllen Chamber of Commerce to conduct a credit check report and background check of the team's leader and participating team members. The entire panel of judges will not review the credit report and background check.
10. If there are no acceptable applicants, the McAllen Small Business Growth and Expansion Fund judging panel, in its sole discretion, reserves the right to declare no winner and not to award any funds.
11. All businesses must be located in the City of McAllen.
12. The following businesses are not considered eligible for the competition: tobacco production, hard liquor production, casinos or other gamble ventures, fur production, currency speculation, securities investment, speculative industries, adult entertainment-related industries, real estate syndications, tax shelters, licensing agreements, or other arrangements for distribution in a different geographical area, relocations, and multilevel marketing ventures. In addition, no home-based businesses are eligible to be applicants.
13. Also excluded from the competition are businesses operated by, owned by (partially or in whole), or managed by any member of the judging panel and any businesses operated by, owned by (partially or in whole), or managed by any member of the McAllen Chamber of Commerce staff, board of directors, and/or any relatives, such as family members and spouses, of such persons. In addition, the administrator and panel of judges may exclude other ventures at their discretion.
14. All businesses must have an established business (physical location) in the exact same location for longer than three years.
15. Multiple applications for the same address are not allowed (unless the facility is a multi-tenant building). Address must be a valid United States Postal Service (USPS) address.
16. All individual applicants must be 21 years or older.

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## McAllen Small Business Growth and Expansion Fund may be used for the following:

- New equipment purchases
- Purchasing inventory, supplies, accounting and inventory software, furniture, fixtures, and new equipment
- Professional services including engineering, architectural, legal fees and contracts for growth, local permits or fees
- New Product Development or new product line
- Business Consulting (marketing, market analysis, product development, product testing). Business Consulting services must be approved by the McAllen Chamber of Commerce
- Marketing material and advertising, including website development for new markets
- New online sales and development
- Expansion and construction costs of existing facilities for growth

The executive summary must be **limited to 5 pages** of typed text; double-spaced with a minimum 12 font using Arial type and 1" margins on all sides, plus a cover page. The cover page is NOT included in the five pages. In addition, the appendix should not exceed a 2-page limit.

## The Executive Summary Guidelines for the McAllen Small Business Growth and Expansion Fund

The **Executive Summary** will be judged using the following criteria:

1.Company Overview **(Score: 10 points)**

Criteria:

- Describe what you do and why you do it
- Briefly mention the most essential elements of your company and growth potential

2. The Problem **(Score: 15 points)**

Criteria:

- Establish the need for your proposed growth/expansion
- Justify the need; why should you attempt to grow

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3. The Solution: Your Product/Service Growth Opportunity **(Score: 15 points)**

Criteria:

- Describe the new growth/expansion product/service in plain language
- Provide evidence that the product/service is needed in the market and can sustain growth
- Identify unique features and benefits of the proposed growth opportunity.
- Identify product/service growth liabilities and potential solutions

4. Market and Competitive Analysis **(Score: 15 points)**

Criteria:

- Define the current size and growth potential of the targeted market and industry
- Discuss market trends
- Describe competitive advantages of the growth of product/service
- Identify direct, indirect, and future competition for your product/services (types, not specific companies)
- Types of businesses that compete with yours

5. Path to Market and Sales Strategy **(Score: 15 points)**

Criteria:

- Describe the sales strategy growth
- Describe the pricing strategy
- Describe the marketing strategy for growth
- Business Model

6. Management Strength **(Score: 10 points)**

Criteria:

- Demonstrated management experience
- Past business success
- Demonstrated experience in the field
- Educational/professional certification, etc.

7. Accolades, Creativity **(Score: 10 points)**

Criteria:

- Milestones achieved
- Investment highlight
- Growth potential for this market
- Presentation of idea

8. Funding requests, goals, and job creation **(Score: 10 points)**

Criteria:
- Amount of money requested
- Goals or milestones to be achieved
- Number of jobs to be generated
- Timeline to reach milestones

9. Appendix

Criteria:
- Pictures of products or services

## The Full Business Plan for the McAllen Small Business Growth and Expansion Fund

If selected by the panel of judges to proceed to the next round, McAllen Growth and Expansion Fund applicants will then submit a full 30-page business plan. The business plan must be **limited to 30 pages** of typed text; double-spaced with a minimum 12 font size using Arial type and 1" margins on all sides, plus a cover page. The cover page is NOT included in the 30 pages. No spiral or similarly bound (report covers, fastening folders, ring binders, paper clips, and staples) will be accepted. Images of the product or services are required and should be included in an appendix, not to exceed 2 pages.

The **Business Plan** will be judged using the following criteria:

**1. Executive Summary** **(Score: 10 points)**

Criteria:
- Abstract – Introduction, material and methods, results
- Problem Solution – Growth Situation, problem, solution, evaluation
- Clear, concise, and coherent plan for growth

**2. Company Overview** **(Score: 5 points)**

Criteria:
- Nature of business
- Business legal status
- New products or services offered
- Marketplace, which is aimed to grow
- New target customers
- Future outlook

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**3. Products or Services** **(Score: 10 points)**

Criteria:

- The growth/expansion opportunity is relevant for the customer
- The growth opportunity has a value-added
- Potential growth for profits and sustainability

**4. Competitor Analysis** **(Score: 10 points)**

Criteria:

- Identify direct and indirect competitors
- Comparison between competitors
- Competitive position

**5. Sales and Marketing Plan** **(Score: 10 points)**

Criteria:

- Define target market (demographics, demand, purchase motivation)
- Pricing strategy
- Establish a budget
- Designate measurement criteria and objectives for growth
- Define marketing strategy to grow

**6. Path to Market** **(Score: 5 points)**

Criteria:

- Evaluate distribution landscape
- Identify the most robust distribution channels
- Analyze potential partnerships

**7. Management** **(Score: 10 points)**

Criteria:

- Demonstrated management experience
- Past business success
- Demonstrated experience in the field
- Educational/professional certification, etc.

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**8. Risk Factors** **(Score: 5 points)**

Criteria:

- Identify problems that might occur in the development or growth process
- Clarify industry, company, or employee risks
- Exit strategy (if planned)

**9. Job Creation** **(Score: 5 points)**

Criteria:

- Number of jobs to be created
- Wage level – the amount of salaries, benefits, etc.
- Skill level for new positions and any special education requirements

**10. Viability** **(Score: 10 points)**

Criteria:

- Funds for growth
- Timing and timeline for growth/expansion
- Continuing cash flow
- Market size growth
- Competitive landscape

**11. Competitive Advantage** **(Score: 10 points)**

Criteria:

- New product or new service provided as value-added to market
- Trade secret or patent
- Uniqueness of idea

**12.Financial Highlights** **(Score: 10 points)**

Criteria:

- Amount and justification of funds requested
- Accurate and complete historical financial statements
- Previous income statements and balance sheet (annual basis)
- Explain any abnormalities in your historical financial statements (if needed)

**JUDGING CRITERIA AND PROCESS**

The judging criteria are those of a venture capitalist; simply, how likely are the judges to invest capital into your business?

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**Selection round.** Judges will review the executive summaries using the judging criteria individually. Then, as a group, the panel will vote on which executive summaries are more appealing for investment and decide which ones they would like to continue to the next round.

**Notification and preparation round**. Judges will select projects for the presentation round. The participants will be notified as to whether they were selected or not. Selected participants will be given proper time to prepare their business plans and for the presentation.

**Presentation round**. Judges will review the written business plans of each of the finalists using the business plan judging criteria. Judges will listen to and evaluate each oral presentation and record an assessment of each of the presentations.

The quantitative assessment provided by the business plan judging criteria is only meant to guide the judges in ranking the teams. Then, they will vote to select winners based on where judges would invest money. Judges' decisions are final and not subject to negotiation or appeal.

## CONTACT INFORMATION

For more information about the McAllen Small Business Growth Fund or its rules, please contact the administrator listed below:

McAllen Chamber of Commerce--

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## McAllen Small Business Start-up Fund

An applicant for the **Start-up Fund** may request funding to develop a new product idea or business concept that may be a tangible product or intangible service that is a new and original idea and that can generate local economic development and growth.

The McAllen Small Business Start-up Fund is a grant, not a loan, and it does not have to be repaid. Allocated funds will be distributed in a "third party" pay manner, meaning that the McAllen Chamber of Commerce will process and pay for products and services on behalf of the applicant, but not to the applicant. No reimbursements will be issued, no exceptions.

### QUALIFIED APPLICATIONS START-UP LEVEL FUND:

- A for-profit business start-up located in the City of McAllen
- Applicant(s) is/are 51%+ majority owner(s) of the business
- Must be in good standing with the City of McAllen as determined by the City of McAllen tax office
- Owner/Applicant is not and has not been in bankruptcy
- Owner/Applicant is current with property taxes and City deeds or has a payment plan in place with the City as of June 1, 2021

### Start-up Level Fund Grants may be used for any of the following:

1. New product evaluation;
2. Assessment of commercial potential;
3. Primary or secondary research;
4. Product development;
5. Performance proofing or testing;
6. Test marketing;
7. Patent research;
8. Intellectual property rights procurement;
9. Concept development;
10. Other activities deemed appropriate by the review committee.

The awards are intended to simulate the real-world process of inventors and entrepreneurs soliciting start-up funds from early-stage investors and venture capital firms. The judges function as venture capital investors deciding which business venture they would most likely fund. The quality of the idea, the strength of the management team, and the clarity and persuasiveness of the project plan and oral presentation will influence the judges' decisions. Ultimately, the winning team should present the project in which the judges would most likely invest money.

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The grant process is divided into two (2) phases. The selection round is based on a five-page project summary and the presentation round is a 10-minute oral presentation.

## START-UP FUND GENERAL INFORMATION

1. All ideas must be the original work of the entering individual or team.
2. A team is composed of one leader and up to 3 members.
3. Applicants, including any persons named in the application form, may not submit or participate in more than one application.
4. At least one member of the team must be a resident of the City of McAllen.
5. Applications and executive summaries may not be sent by mail or facsimile.
6. The McAllen Start-up Fund awards judging panel and its administrator have the sole right to alter, amend, or supplement at any time, and time to time, the rules, regulations, terms, and conditions regarding the McAllen Start-Up Fund awards.
7. All decisions regarding the McAllen Start-up Fund awards, including the selection of the recipients, are at the sole discretion and judgment of the McAllen Start-up Fund awards judges, whose decisions in each case are final and may not be appealed.
8. Each contestant shall release and hold harmless the McAllen Start-up Fund awards, the City of McAllen, the McAllen Chamber of Commerce, its Administrator, Selection Committee, Participants, and all others associated with or assisting with the McAllen Start-up Fund awards from any and all matters regarding the McAllen Start-up Fund awards.
9. Each team must authorize the McAllen Chamber of Commerce to conduct a credit check report and background check of the team's leader. The entire selection committee will not review the credit report and background check.
10. If there are no acceptable projects, the McAllen Start-up Fund judging panel, in its sole discretion, reserves the right to declare no recipient and not to award the award to any contestant.
11. If a business is created, it must be located or planned to be located in McAllen.
12. Applicants who have been convicted of a felony or a Class A or B misdemeanor in the last ten years are not eligible to receive awards.
13. The team leader must have an acceptable credit rating.
14. All entrants must be 21 years or older.
15. All winners must complete the McAllen Chamber of Commerce's IDEAPLACE program before receiving funding.
16. All participants must have a prototype.

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**DATES AND DEADLINES**:

1. Submission of application: www.mcallen.org/growthfund no later than 4:00 p.m. (CST) on________, 2022.
2. Review of documentation: The administrator will have until _______ to review applications for missing documentation. After that, the administrator will be requesting missing information from applicants.
3. Applications documentation deadline: Applicants with missing information will have until ________ to submit the requested information. After that, applicants with missing information will be dismissed.
4. Packet distribution: The administrator will distribute the packet with applications to the panel of judges by ___________________.
5. Judging panel review: The panel of judges will have until _______ to review applications and select a presentation day.
6. Round 2 notification stage: Applicants will receive a notification by _______ as to whether they were or were not selected for the presentation stage. The applicants will have until ________ to submit a full business plan and a presentation.
7. Presentation stage: Tentatively scheduled for ______, the awardees will be announced during 1MC McAllen on __________ at 9:00 A.M. CST.

## DOCUMENTS REQUIRED for Start-up Fund application:

**For Startup Fund:**

- Doing Business As (DBA) documentation
- State of Texas Driver's License Number
- Employer Identification or Social Security Number (if Sole Proprietorship)
- Executive Summary

## Executive Summary Start-up Fund application guidelines:

The executive summary must be **limited to 5 pages** of typed text, double-spaced with a minimum 12 font using Arial type and 1" margins on all sides, plus a cover page. The cover page is NOT included in the five pages. In addition, images of the product or related services are required and should be included in an appendix, not to exceed a 2-page limit.

The **Executive Summary** will be judged using the following criteria:

1. **Company Overview** **(Score: 10 points)**

Criteria:

- Describe what you do and why you do it
- Briefly mention the most essential elements of your company

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2. **The Problem** **(Score: 15 points)**

Criteria:

- Establish the need for the solution
- Justify the need; why should you attempt to solve the problem

3. **The Solution: Your Product/Service** **(Score: 15 points)**

Criteria:

- Describe product/service in plain language
- Provide evidence that the product/service is technically and economically feasible
- Identify unique features and benefits
- Identify product/service liabilities and potential solutions

4. **Market and Competitive Analysis** **(Score: 15 points)**

Criteria:

- Define current size and growth potential of the targeted market and industry
- Discuss market trends
- Describe competitive advantages of the product/service
- Identify direct, indirect, and future competition (types, not specific companies)
- Types of businesses that compete with yours

5. **Path to Market and Sales Strategy** **(Score: 15 points)**

Criteria:

- Describe the sales strategy
- Describe the pricing strategy
- Describe the marketing strategy
- Business Model

6. **Management Strength** **(Score: 10 points)**

Criteria:

- Demonstrated management experience
- Past business success
- Demonstrated experience in the field
- Educational/professional certification, etc.

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6. **Accolades, Creativity** **(Score: 10 points)**

Criteria:

- Milestone achieved
- Investment highlight
- Grants or awards obtained
- Novelty of idea
- Presentation of idea

8. **Funding request, goals, and job creation** **(Score: 10 points)**

Criteria:

- Level of funding selection
- Amount of money requested
- Goals to be accomplished
- Number of jobs to be generated

## The Full Business Plan for McAllen Small Business Start-up Fund Guidelines

If selected by the panel of judges to proceed to the next round, the Start-up Fund applicant will then submit a full 30-page business plan. The business plan must be **limited to 30 pages** of typed text; double-spaced with a minimum 12 font using Arial type and 1" margins on all sides, plus a cover page. The cover page is NOT included in the 30 pages. No spiral or similarly bound (report covers, fastening folders, ring binders, paper clips, and staples) will be accepted. Images of the product or services are required and can include an appendix, not to exceed 2 pages.

The **Business Plan** will be judged using the following criteria:

**1. Executive Summary** **(Score: 10 points)**

Criteria:

- Abstract – Introduction, material and methods, results
- Problem Solution – Situation, problem, solution, evaluation
- Clear, concise, and coherent

**2. Company Overview** **(Score: 5 points)**

Criteria:

- Nature of business
- Business legal status
- Products or services offered

- Marketplace it is aimed to fulfill
- Target customers
- Future outlook

**3. Products or Services** **(Score: 10 points)**

Criteria:

- The solution is relevant for the customer
- The solution has a value-added
- Potential for profit

**4. Competitor Analysis** **(Score: 10 points)**

Criteria:

- Identify direct and indirect competitors
- Comparison between competitors
- Competitive position

**5. Sales and Marketing Plan** **(Score: 10 points)**

Criteria:

- Define target market (demographics, demand, purchase motivation)
- Pricing strategy
- Establish a budget
- Designate measurement criteria and objectives
- Define marketing strategy

**6. Path to Market** **(Score: 5 points)**

Criteria:

- Evaluate distribution landscape
- Identify the most robust distribution channels
- Analyze potential partnerships

**7. Management** **(Score: 10 points)**

Criteria:

- Demonstrated management experience
- Past business success
- Demonstrated experience in the field
- Educational/professional certification, etc.

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**8. Risk Factors** **(Score: 5 points)**

Criteria:

- Identify problems that might occur in the development of growth process
- Clarify industry, company or employee risks
- Exit strategy (if planned)

**9. Job Creation** **(Score: 5 points)**

Criteria:

- Number of jobs to be created
- Wage level – the amount of salaries, benefits, etc.
- Skill level for the new position and any special education requirements

**10. Viability** **(Score: 10 points)**

Criteria:

- Start-up funds
- Timing
- Continuing cash flow
- Market size
- Competitive landscape

**11. Competitive Advantage** **(Score: 10 points)**

Criteria:

- Product or service provides a value-added
- Trade secret or patent
- Uniqueness of idea

**JUDGING CRITERIA AND PROCESS**

The judging criteria are those of a venture capitalist; simply, how likely are the judges to invest capital into your business?

**Selection round.** Judges will review the executive summaries using the judging criteria individually. Then, as a group, the panel will vote on which executive summaries are more appealing for investment and decide which ones they would like to continue to the next round.

**Notification and preparation round.** Judges will select projects for the presentation round. The participants will be notified whether they were selected or not. Selected participants will be given proper time to prepare their business plans and for the presentation.

**Presentation round**. Judges will review the written business plans of each of the finalists using the business plan judging criteria. Then, each judge will listen to and evaluate each oral presentations and record an assessment of each presentation.

The quantitative assessment provided by the business plan judging criteria is only meant to serve as a guide to the judges for ranking the teams. They will vote to select

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winners based on where judges would invest money. Judges' decisions are final and not subject to negotiation or appeal.

**PRESENTATION GUIDELINES**

1. Each applicant must submit its business plan electronically at www.mcallen.org/growthfund no later than 4:00 P.M. (CST)_______, 2022.

The team or individual will have 10 minutes to present the proposal, followed by up to 10 minutes of Q&A by the judging panel. The team is allowed to use an electronic presentation. Projection equipment

# ITEM SUMMARY

BOARD: City Commission

| | |
|---|---|
| AGENDA ITEM | 7.A. |
| DATE SUBMITTED | |
| MEETING DATE | 9/13/2021 |

1. Agenda Item: Consultation with City Attorney regarding legal issues related to Cause No. C-2995-21-I; Dolores E Valdez v. City of McAllen. (Section 551.071, T.G.C.)

2. Party Making Request: Isaac Tawil

3. Nature of Request: Consultation with City Attorney regarding legal issues related to Cause No. C-2995-21-I; Dolores E Valdez v. City of McAllen. (Section 551.071, T.G.C.)

4. Routing:
   Leilani Estrada Colima　　Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

## ITEM SUMMARY

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 7.B. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Consultation with City Attorney regarding Legal Issues related to Cause No. CL-21-2976-B; Abigael Carbajal v. City of McAllen. (Section 551.071, T.G.C.)

2. Party Making Request: Isaac Tawil

3. Nature of Request: Consultation with City Attorney regarding legal issues related to Cause No. CL-21-2976-B; Abigael Carbajal v. City of McAllen. (Section 551.071, T.G.C.)

4. Routing:
   Leilani Estrada Colima Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

## ITEM SUMMARY

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 7.C. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Discussion and possible lease, sale or purchase of real property; Tract 1 and Tract 2 (Section 551.072, T.G.C.)

2. Party Making Request: Isaac Tawil

3. Nature of Request: Discussion and possible lease, sale or purchase of real property; Tract 1 and Tract 2 (Section 551.072, T.G.C.)

4. Routing:
   Leilani Estrada Colima Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

CITY OF McALLEN

**ITEM SUMMARY**

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 7.D. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Consultation with City Attorney regarding potential real estate litigation related to Northeast Blueline Drainage Improvements along Fullerton Ave, to wit-: Consider and take appropriate action on a resolution authorizing the use of eminent domain to condemn property more specifically described as: a 0.39-acre tract of land, more or less, out of the Northeast corner of Lot Two Hundred Forty-Nine (249), Pride-O-Texas Subdivision, out of Lot Fifty (50), La Lomita Irrigation and Construction Company's Subdivision of Porciones61, 62 and 63, situated in the City of McAllen, Hidalgo County, Texas, more particularly by metes and bounds on file with the City Secretary. (Section 551.071, T.G.C.)

2. Party Making Request: Isaac Tawil

3. Nature of Request: Consultation with City Attorney regarding potential real estate litigation related to Northeast Blueline Drainage Improvements along Fullerton Ave, to wit-: Consider and take appropiate action on a resolution authorizing the use of eminent domain to condemn property more specifically described as: a 0.39-acre tract of land, more or less, out of the Northeast corner of Lot Two Hundred Forty-Nine (249), PRIDE-O-TEXAS SUBDIVISION, out of Lot Fifty (50), La Lomita Irrigation and Construction Company's Subdivision of Porciones61, 62 and 63, situated in the City of McAllen, Hidalgo County, Texas, more particularly by metes and bounds on file with the City Secretary. (Section 551.071, T.G.C.)

4. Routing:
   Leilani Estrada Colima Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

## ITEM SUMMARY

| | | |
|---|---|---|
| BOARD: City Commission | AGENDA ITEM | 7.E. |
| | DATE SUBMITTED | |
| | MEETING DATE | 9/13/2021 |

1. Agenda Item: Consultation with City Attorney regarding legal aspects of contractual relationship with MedCare EMS. (Section 551.071, T.G.C.)

2. Party Making Request: Isaac Tawil

3. Nature of Request: Consultation with City Attorney regarding legal aspects of contractual relationship with MedCare EMS. (Section 551.071, T.G.C.)

4. Routing:
   Leilani Estrada Colima Created -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation: