



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, FEBRUARY 14, 2022 – 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 February 14, 2022 Regular Meeting Agenda, to be discussed at such meeting.
- 2.** Discussion of Dove Avenue Extension from Bentsen Road to 41st Street.
- 3.** Discussion of 10th Street and Freddy Gonzalez Eastbound Left-Turn Lane.
- 4.** Discussion of Stimulus Capital Project for Alley Upgrades.
- 5.** Review of McAllen Property Maintenance Code.
- 6. 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 aspects of pending Texas Opioid Litigation. (Section 551.071, T.G.C.)
 - B)** Discussion and possible lease, sale or purchase of real property; Tract 1. (Section 551.072, T.G.C.)

- C) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- D) Consultation with City Attorney regarding legal aspects of MedCare EMS Contract. (Section 551.071, T.G.C.)
- E) Consultation with City Attorney regarding enforcement of ordinances. (Section 551.071, T.G.C.)
- F) Consultation with City Attorney regarding potential real estate litigation related to Verdin Heights - Phase II Subdivision utility connections, to wit:- Consider and take appropriate action on a resolution authorizing the use of eminent domain to condemn property more specifically described as: a 0.42- acre tract of land, more or less, described as an approximately 12.5 foot by 520 foot strip, out of the northern boundary of Plantation Gap Phase I Subdivision, 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.)
- G) Consultation with City Attorney regarding legal aspects of funding outside agencies. (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 February 11, 2022 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

02/08/2022

MEETING DATE

2/14/2022

1. Agenda Item: Present questions to staff relating to the February 14, 2022 Regular Meeting Agenda, to be discussed at such meeting.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Cindy Gonzalez
Perla Lara
Isaac Tawil
Created/Initiated - 2/8/2022
Approved - 2/8/2022
Final Approval - 2/9/2022
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



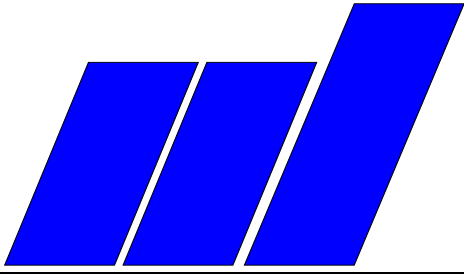
ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM	2.
DATE SUBMITTED	02/07/2022
MEETING DATE	2/14/2022

1. Agenda Item: Discussion of Dove Avenue Extension from Bentsen Road to 41st Street.
2. Party Making Request: Eduardo Mendoza
3. Nature of Request: Staff is presenting the project cost with the estimated additional funding required to complete the project and seeking direction.
4. Routing:

Eduardo Mendoza	Created/Initiated - 2/7/2022
Eduardo Mendoza	Approved - 2/7/2022
Michelle Rivera	Approved - 2/8/2022
Isaac Tawil	Final Approval - 2/9/2022
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



**CITY OF MCALLEN
DEPARTMENT OF ENGINEERING
MEMORANDUM**

To: Roel Rodriguez, P.E., City Manager
From: Eduardo Mendoza, P.E. Interim City Engineer
Date: January 17, 2022
Subject: **Dove Avenue Extension from Bentsen Road to 41st Street**

EXPLANATION

The Engineering Department is working on the roadway plans to extend the Dove Avenue from Bentsen Road to 41st Street. The proposed project will provide a 4-lane urban roadway with sidewalks. The proposed road improvements will require a bridge class culvert crossing and a siphon crossing along the Hidalgo County Irrigation District #1 main canal. The current construction estimates are more than the current budget.

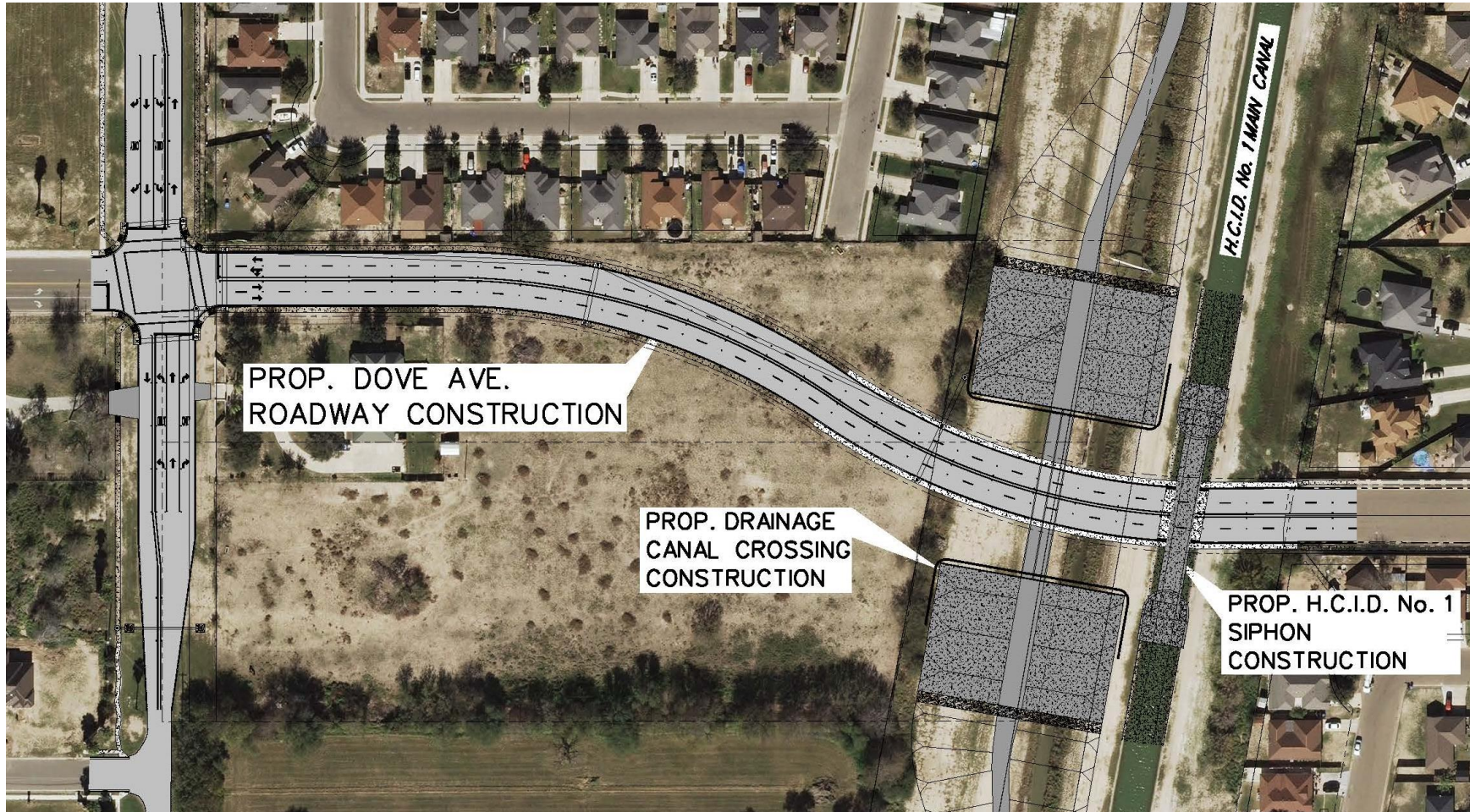
Staff is presenting the project cost with the estimated additional funding required to complete the project and seeking direction.

DOVE AVENUE EXTENTION
BENTSEN ROAD TO 41st STREET

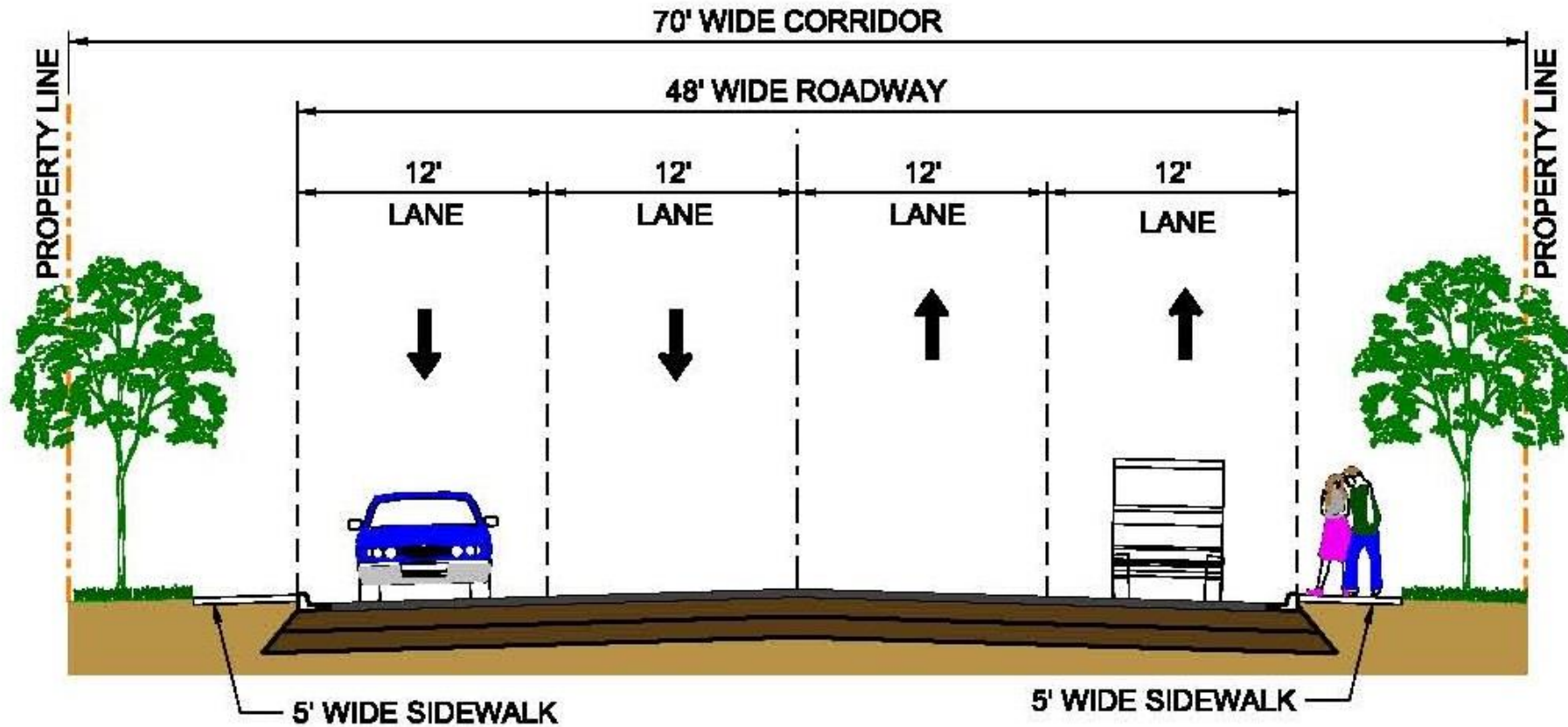
PROJECT SUMMARY

- Proposed quarter ($\frac{1}{4}$) mile new roadway construction from Bentsen Road to 41st Street.
- Four (4) -lane, urban roadway with concrete sidewalks along both sides of the road in a 70-feet of ROW.
- Undeveloped land with no existing roadway and drainage infrastructure.
- Roadway improvements include the construction of a bridge class culvert crossing at the Mission/McAllen Lateral Drain and a siphon crossing along the HCIDN1 main canal.
- Completion of Roadway extension is to facilitate and alleviate east/west connectivity and mobility of traffic.

PROJECT LAYOUT



DOVE AVENUE TYPICAL CROSS-SECTION



DOVE AVE: 41ST ST TO BENTSEN RD

SUMMARY OF PROJECT COST

Remaining Design Development Cost	\$	78,064.40
HCIDN1 Main Canal Siphon Construction Cost	\$	964,850.00
Mission/McAllen Drain Canal Crossing Construction Cost	\$	1,292,390.00
Roadway Construction Estimate Cost	\$	1,479,765.78
Total Project Cost	\$	3,815,070.18
Budgeted Amount	\$	2,153,534.00
Additional Funding Required	\$	1,661,536.18

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.

DATE SUBMITTED

02/07/2022

MEETING DATE

2/14/2022

1. Agenda Item: Discussion of 10th Street and Freddy Gonzalez Eastbound Left-Turn Lane.
2. Party Making Request: Eduardo Mendoza
3. Nature of Request: Staff is presenting three design options with cost estimates for review and consideration.
4. Routing:

Eduardo Mendoza	Created/Initiated - 2/7/2022
Eduardo Mendoza	Approved - 2/7/2022
Michelle Rivera	Approved - 2/8/2022
Isaac Tawil	Final Approval - 2/9/2022
5. Staff Recommendation: Staff is presenting three design options with cost estimates for review and consideration.
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



CITY OF MCALLEN
DEPARTMENT OF ENGINEERING
MEMORANDUM

To: Roel Rodriguez, P.E., City Manager
From: Eduardo Mendoza, P.E. Interim City Engineer
Date: February 2nd, 2022
Subject: **10th Street and Freddy Gonzalez Eastbound Left-Turn Lane**

EXPLANATION

Staff was requested to study the intersection of 10th Street and Freddy Gonzalez to determine if an eastbound left-turn lane was needed. Staff has studied the intersection and determined cars making a left-turn cause a backup of traffic due to the lack of an eastbound left-turn storage lane. Staff determined that the left-turn lane is needed.

As a temporary measure the Traffic Operations Department has modified the signal sequence to allow the eastbound movement to be separate and independent from the westbound movement. This allows cars to make left-turns free of conflict avoiding cars from backing up.

Staff is presenting three design options with cost estimates for review and consideration.

10th St and Freddy Gonzalez

Existing Intersection Layout

- Unbalanced lanes east and west
- Westbound, left, through, right
- Eastbound, combination left, through, right
- Concern:
 - Cars making eastbound left cause traffic to backup due to lack of left turn bay.



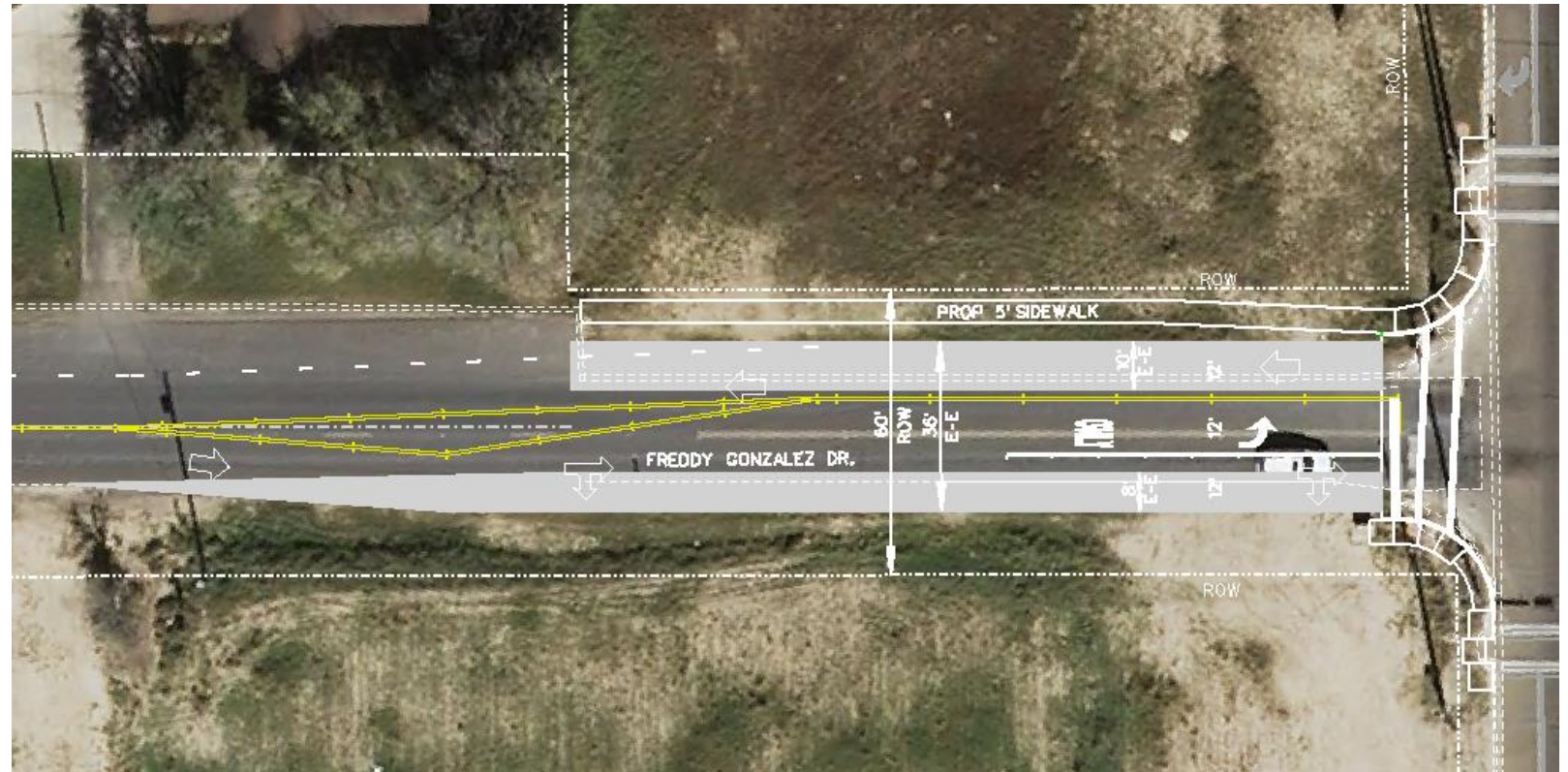
Option 1

- Add left turn at intersection
- Cost \$43,443



Option 2

- Add left turn with sidewalks
 - Cost \$61,370
- 



Option 3

- Extend left turn XX feet for center turn lane
- Cost \$176,250





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.

DATE SUBMITTED

02/08/2022

MEETING DATE

2/14/2022

1. Agenda Item: Discussion of Stimulus Capital Project for Alley Upgrades.
2. Party Making Request: Elvira Alonzo
3. Nature of Request:
4. Routing:

Javier Zamora	Created/Initiated - 2/8/2022
Elvira Alonzo	Approved - 2/8/2022
Jeff Johnston	Approved - 2/8/2022
Isaac Tawil	Final Approval - 2/9/2022
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



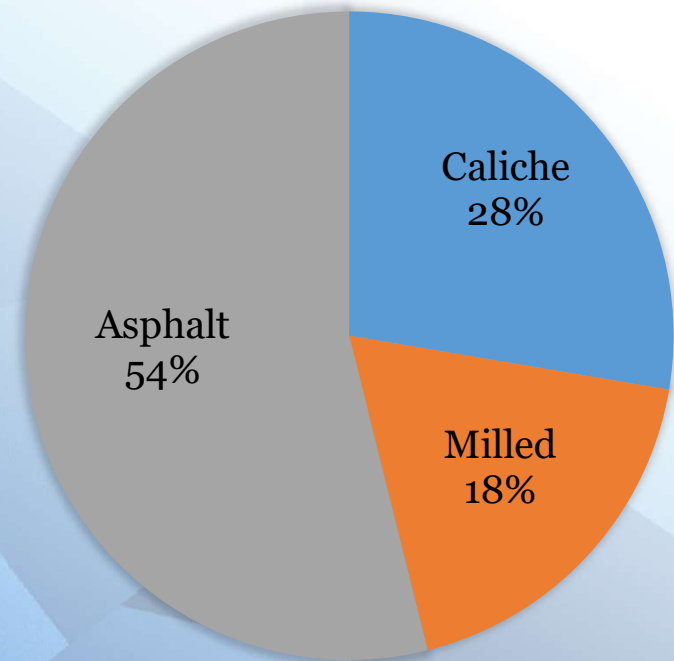
Stimulus Capital Project

Alley Upgrades - Residential

Inventory of Alleys

➤ Inventory Overall 141 Miles

▪ Caliche	40
▪ Milled	26
▪ Asphalt	76



Inventory by District – In Miles

District	Miles	Paved	Non-Paved	% Paved	Cost to Pave
1	30	27	3	90%	\$ 1,061,025
2	6	6	0	100%	
3	14	4	10	29%	\$ 3,667,200
4	24	3	21	13%	\$ 8,318,475
5	33	15	18	45%	\$ 7,128,150
6	35	21	14	60%	\$ 5,604,375
Total:	141	76	66	54%	\$ 25,779,225

Budget of \$3.6 M

- Professional Services - \$360,000
 - Estimating 10% of overall budget
- Budget for actual construction - \$3.2M
 - **8 Miles** = 66 Alleys
 - 650 Ft - typical alley
 - \$48,750 per alley

Scope of Work

- Selection of Alleys (66) – 8 Miles
- Identify specifics of each alley
 - Rear access – driveways
 - Solid Waste Collection service
 - Utilities

Option 1 – Equal Distribution

- 13 Alleys per District = 1.6 miles each
- Excludes District 2

	CURRENT	UPGRADES
➤ District 1	90%	95%
➤ District 3	29%	40%
➤ District 4	13%	19%
➤ District 5	45%	50%
➤ District 6	60%	65%

Option 2 – Proportional Distribution

District	Miles	Paved	Non-Paved	% Paved	% of Total Non-Paved Miles	Proportional % of \$3.2M	Miles
1	30	27	3	90%	5%	\$ 145,454.55	0.25
2	6	6	0	100%	0%	\$ -	
3	14	4	10	29%	15%	\$ 484,848.48	1.25
4	24	3	21	13%	32%	\$ 1,018,181.82	2.50
5	33	15	18	45%	27%	\$ 872,727.27	2.25
6	35	21	14	60%	21%	\$ 678,787.88	1.75
Total:	141	76	66	54%	100%	\$ 3,200,000.00	8.00

The background of the slide is an abstract composition of various-sized triangles in shades of blue and white. The triangles are arranged in a way that creates a sense of depth and movement, with some triangles pointing towards the center and others pointing outwards. The colors range from a deep, dark blue to a very light, almost white blue, creating a gradient effect. The overall style is modern and minimalist.

Questions ?



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

5.

DATE SUBMITTED

02/09/2022

MEETING DATE

2/14/2022

1. Agenda Item: Review of McAllen Property Maintenance Code.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Michelle Rivera Created/Initiated - 2/9/2022
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



Memo

To: Roel "Roy" Rodriguez, P.E., City Manager
Isaac Tawil, City Attorney

From: Michelle Rivera, Assistant City Manager 

Date: February 7, 2022

Re: McAllen Property Maintenance Code Adoption

On various occasions Commissioners have requested that we adopt a fence maintenance code. In researching the International Property Maintenance Code (IPMC) we found that it addresses a number of code violations that we have difficulty enforcing right now that affect our residents at times. For instance, fence maintenance, insect infestation, garbage and rubbish, structural deterioration, and general appearance and upkeep.

Much of the IPMC is already covered under the International Building Code, the International Fire Code, and various nuisance ordinances already on the books so we have reduced the document to include only those items we believe would help us maintain the quality of life and beautification efforts in our neighborhoods while protecting property values.

The following pages are proposed to be added to our Code of Ordinances as McAllen Property Maintenance Code if approved by the Commission.

McAllen Property Maintenance Regulations

City Commission Workshop – February 14, 2022

Purpose

- There are some nuisance and appearance concerns that we see repeatedly but don't have a code we can point to that allows deals with those
- The Property Maintenance Code gives us an area we can capture those nuisance type violations and improve the health safety and appearance of properties in McAllen
- These will be enforced on an as-needed basis
- Typical concerns are failing fences, insect infestations, light concerns, unfinished construction and rain gutter discharge

Highlights of Proposed Regulations

- Establishes minimum maintenance standards for existing buildings for light, ventilation, structures (including fences), equipment and sanitation
- Applies to residential and non-residential buildings placing responsibility on the owner or the owner's agent



- Requires walking surfaces, stairways and exits to be safe and provide adequate means of egress



- Structures that don't comply must be altered or repaired to provide a minimum level of health and safety

- Requires repair of a building that has been fire damaged, vandalized or otherwise damaged to an extent that it is likely to collapse or become dislodged



- Requires the securing of a building that is an attractive nuisance or may harbor vagrants or criminals

- Requires the resolution of a building that has not completed construction and has been idle for more than two years



- Requires the resolution of a building that has been partially demolished

- Allows us to address garbage accumulation, pest infestations or rubbish
- Requires exterior property to be maintained in a clean safe sanitary condition (no vegetable peels thrown into the alley – only properly composted)
- Rodent and insect infestations must be addressed



- Accessory structures including detached garages, fences, and walls must be maintained structurally sound and in good repair



- Swimming pools must be maintained in a clean and sanitary condition and in good repair



- Requires premises to be graded to prevent erosion of soil and stagnant water
- Doesn't allow pipes, ducts, conductors, fans or blowers to discharge directly on abutting or adjacent public or private property



- Requires all decorative features to be properly anchored
- Chimney and other appurtenances must be properly anchored or capable of withstanding wind loads



Any Questions?



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.A.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Consultation with City Attorney regarding legal aspects of pending Texas Opioid Litigation. (Section 551.071, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Consultation with City Attorney regarding legal aspects of pending Texas Opioid Litigation. (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

6.B.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Discussion and possible lease, sale or purchase of real property; Tract 1. (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. (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:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.C.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Consideration of Economic Development Matters. (Section 551.087, 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

6.D.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Consultation with City Attorney regarding legal aspects of MedCare EMS Contract. (Section 551.071, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Nature of Request: Consultation with City Attorney regarding legal aspects of MedCare EMS Contract. (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

6.E.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Consultation with City Attorney regarding enforcement of ordinances. (Section 551.071, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Applicant:
4. Nature of Request: Consultation with City Attorney regarding enforcement of ordinances. (Section 551.071, T.G.C.)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:
Leilani Estrada Colima

Created -
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney:
11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.F.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Consultation with City Attorney regarding potential real estate litigation related to Verdin Heights - Phase II Subdivision utility connections, to wit:- Consider and take appropriate action on a resolution authorizing the use of eminent domain to condemn property more specifically described as: a 0.42- acre tract of land, more or less, described as an approximately 12.5 foot by 520 foot strip, out of the northern boundary of Plantation Gap Phase I Subdivision, 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. Applicant:
4. Nature of Request: Consultation with City Attorney regarding potential real estate litigation related to Verdin Heights - Phase II Subdivision utility connections, to wit:- Consider and take appropriate action on a resolution authorizing the use of eminent domain to condemn property more specifically described as: a 0.42- acre tract of land, more or less, described as an approximately 12.5 foot by 520 foot strip, out of the northern boundary of Plaintation Gap Phase I Subdivision, 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.)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:
Leilani Estrada Colima Created -
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney:
11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.G.

DATE SUBMITTED

MEETING DATE

2/14/2022

1. Agenda Item: Consultation with City Attorney regarding legal aspects of funding outside agencies. (Section 551.071, T.G.C.)
2. Party Making Request: Isaac Tawil
3. Applicant:
4. Nature of Request: Consultation with City Attorney regarding legal aspects of funding outside agencies. (Section 551.071, T.G.C.)
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount:	_____	Budgeted Amount:	_____
Under Budget:	_____	Over Budget:	_____
		Amount Remaining:	_____
7. Routing:
Leilani Estrada Colima Created -
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney: None - IJT
11. Manager's Recommendation: None. RR