



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

Commissioner Rodolfo "Rudy" Castillo
Commissioner Victor "Seby" Haddad
Commissioner Pepe Cabeza de Vaca
City Manager Roel "Roy" Rodriguez, P.E.

AGENDA
CITY COMMISSION REGULAR MEETING
MONDAY, NOVEMBER 28, 2022 – 5:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501

<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 - Mayor Javier Villalobos

PLEDGE OF ALLEGIANCE - Mayor Javier Villalobos

INVOCATION - Commissioner Rodolfo "Rudy" Castillo

PRESENTATION - *Citizen Code Academy - Steven Kotsatos*

PROCLAMATION - 50th Anniversary Nutcracker Ballet - Deborah Case

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 5:00pm)

1. PUBLIC HEARING:

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.)

1. Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 7, Block 1, Southwest Heights Subdivision, Hidalgo County, Texas; 404 South 28th Street.
2. Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 10.201 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 North Shary Road.
3. Request of Fernando Cruz on behalf of Journey Church RGV for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for an Institutional Use (Church), at a 1.10 acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas; 6917 and 6925 State Highway 107.

B) CONDITIONAL USE PERMITS:

1. Request of Emigdio Salinas on behalf of M2 Engineering, PLLC, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development at 13.116 acres out of Lots 234 and 235, Pride o' Texas Subdivision (Proposed Sunset Valley Subdivision), Hidalgo County, Texas; 6100 North Bentsen Road.
2. Request of Jaime A. Salazar for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Guest House, at Lot 1, Orangewood North Subdivision, Hidalgo County, Texas; 8408 North 4th Street.

C) Amending the Zoning Ordinance of the City of McAllen.

END OF PUBLIC HEARING

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

- A)** Approval of Minutes of Workshop and Regular Meeting held November 14, 2022.
- B)** Ordinance providing for a Budget Amendment for land acquisition for Project Air.
- C)** Consideration and Approval of Pledge to Participate in the 2023 IT'S TIME TEXAS Community Challenge.
- D)** Consideration and Approval of an Interlocal Agreement for the 2023 South Texas All Hazard Conference.
- E)** Consideration and Approval of Change Order No. 1 for the City Hall Mechanical Upgrades.
- F)** CONSENT COOP PURCHASES
 1. Award of Contract for Installation of Water Boiler for McAllen Performing Arts Center.
 2. Award of Contract for the Purchase of Irrigation Materials for La Floresta Park.
- G)** Status Report on Parks & Recreation Projects.
- H)** Project Status Report through October 31, 2022.
- I)** Subdivision Monthly Report.

- J) Approval of Tax Refunds over \$500.00.
 - 1. Rocket Mortgage
 - 2. Gene D. Jr. & Ileana V. Poter
 - 3. H E Butt Grocery Co.

3. BIDS/CONTRACTS:

- A) Award of Contract for the Purchase of New City Vehicles.
- B) Award of Contract for the Purchase of Personal Protective Equipment for the McAllen Fire Department.
- C) Award of Contract for the Emergency Purchase of One (1) 40 Ton Carrier Air Cooled Condensing Unit with Selected Options.
- D) Award of Contract for Professional Engineering Services related to the El Rancho Subdivision Drainage Improvements Project.
- E) Consideration and Approval of Change Order No. 2 for FM1926 (23rd Street) Intersection Improvements at Hackberry Avenue.
- F) Consideration and Approval of Change Order No. 3 for the FM 1926 (23rd Street) Intersection Improvements at Kendlewood Avenue.
- G) Consideration and Approval of Change Order No. 4 for the New McAllen Metro Transfer Station and Change Order No. 3 for the New Parks and Recreation Administration.

4. MANAGER'S REPORT:

- A) Future Agenda Items.

5. 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) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)

ADJOURNMENT

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

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 November 25, 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.A.1.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 7, Block 1, Southwest Heights Subdivision, Hidalgo County, Texas; 404 South 28th Street.
2. Party Making Request: Edgar Garcia
3. Applicant: Jisella Ortiz
4. Nature of Request: Rezone from R-1 (single-family residential) District to R-2 (duplex-fourplex residential) District: Lot 7, Block 1, Southwest Heights Subdivision, Hidalgo County, Texas; 404 South 28th Street.
5. Fiscal Impact Summary:
6. Budgeted:

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

Jessica Cavazos	Created/Initiated - 11/16/2022
Edgar Garcia	Approved - 11/20/2022
Michelle Rivera	Approved - 11/21/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Staff recommends approval.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR

Memo

TO: Roel "Roy" Rodriguez, P.E., City Manager

FROM: Edgar I. Garcia, AICP, CNU-A, Planning Director

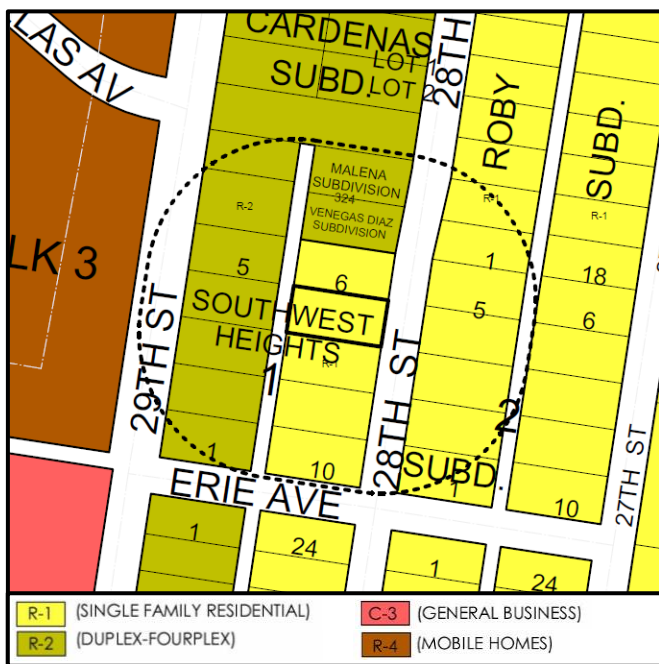
DATE: November 4, 2022

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT: LOT 7, BLOCK 1, SOUTHWEST HEIGHTS SUBDIVISION, HIDALGO COUNTY, TEXAS; 404 SOUTH 28TH STREET. (REZ2022-0039)

LOCATION: The property is located on the west side of South 28th Street, 193.33 ft. north of Erie Avenue according to the recorded subdivision plat. The tract has 64 ft. of frontage along South 28th Street with a depth of 130 ft. for a lot size of 8,320 sq. ft.

PROPOSAL: The applicant is requesting to rezone the property to R-2 (duplex-fourplex residential) District in order to add one unit to the existing non-conforming triplex, essentially making it a fourplex. A feasibility plan submitted by the applicant is included in the packet.

ADJACENT ZONING: The adjacent zoning is R-1 (single-family residential) District to the north, east, and south and R-2 (duplex-fourplex residential) District to the west.



LAND USE: There is a non-conforming triplex, a wood carport, and a storage building on the subject property as per the submitted site plan. Hidalgo County Appraisal District records indicate that the structures were built in 1960. The applicant is proposing to remove the wood storage and carport and attach a fourth unit to the existing triplex, changing it to a fourplex. Surrounding land uses include single-family residences, duplexes, fourplexes, Texan Mobile Park, AEP substation, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Auto Urban Single Family, which is comparable to R-1 District.

DEVELOPMENT TRENDS: The development trend for this area along South 28th Street is single and multi-family residential.

HISTORY: The tract was zoned R-1 District during the comprehensive zoning in 1979. There has been no other rezoning request for the subject property since then.

ANALYSIS: The requested zoning does not conform to the Auto Urban Single Family land use designation as indicated on Foresight McAllen Comprehensive Plan. However, it conforms to the adjacent zoning on the west side and follows the development trend of multifamily inside the City of McAllen. All residential properties on the west side of South 28th, located on the north side of subject property and south of US Business 83 are zoned R-2 or R-3A Districts, except for Lot 6, Block 1, Southwest Heights Subdivision.

If the request is approved, it provides an opportunity to change the non-conforming status of the subject property and bring it into compliance with City codes and requirements.

If the rezoning is approved, the proposed development must comply with City ordinances including Setback, Landscape, Parking, Building codes, and Fire Department requirements, including fire sprinkler system. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit might be required prior to building permit issuance.

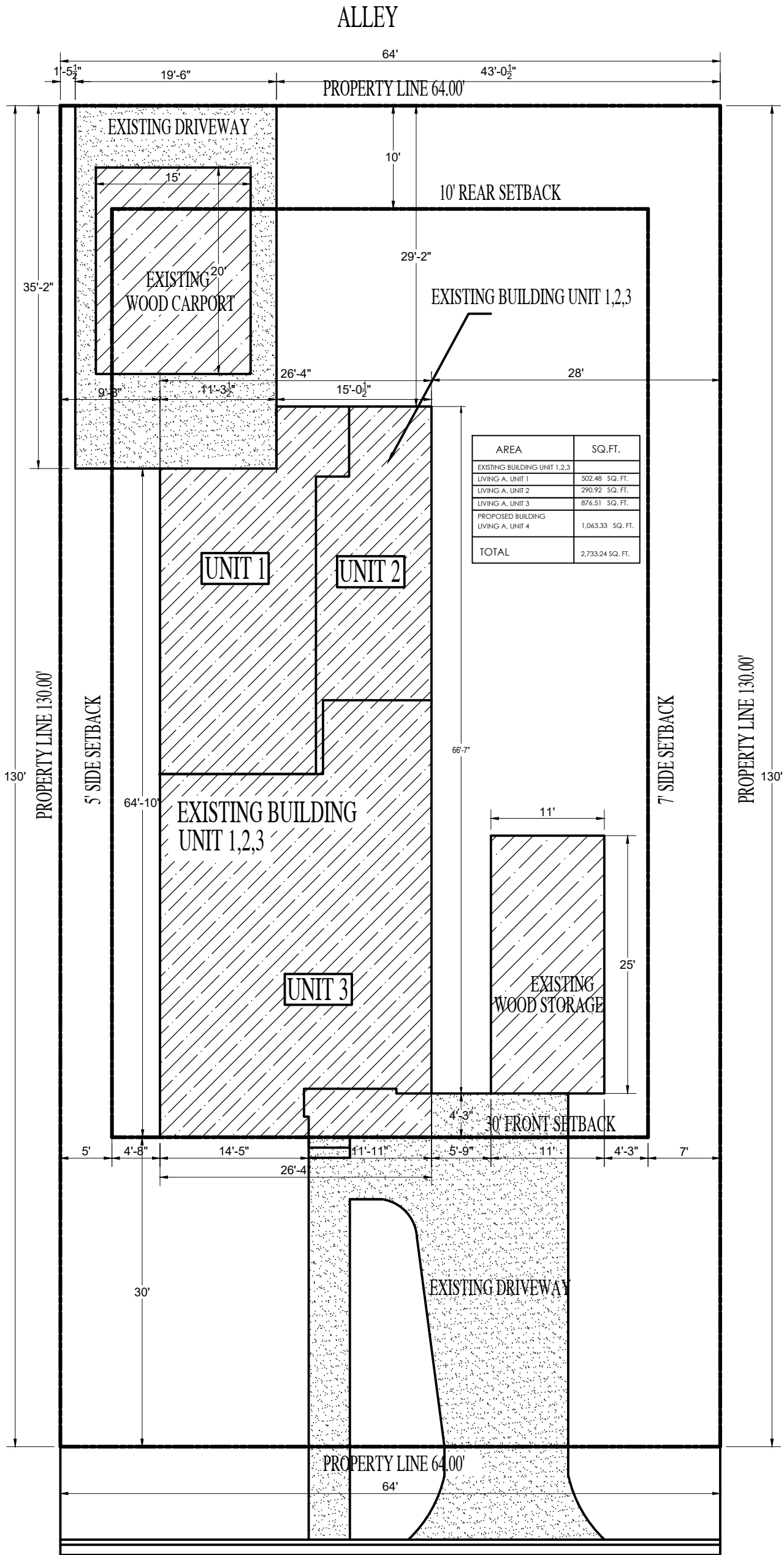
Staff has not received any calls or emails in opposition to the rezoning request.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 1, 2022:

At the Planning and Zoning Commission meeting of November 1, 2022, no one appeared in opposition to the rezoning request. Being no discussion, the Board unanimously voted to recommend approval of the request with four members present and voting.

P&Z RECOMMENDATION:

The Planning and Zoning Commission unanimously voted to recommend approval of the rezoning request to R-2 (duplex-fourplex residential) District.



LOT 7 BLOCK 1
SOUTHWEST HEIGHTS SUBD.

EXISTING SITE PLAN

SCALE: 1/8"=1'-0"

404 S.28 TH ST MCALLEN TX.

SHEET TITLE(S)
SITE PLAN

LOCATION
LOT 7 BLOCK 1
SOUTHWEST HEIGHTS SUBD.
404 S. 28 TH ST.
MCALLEN TX.

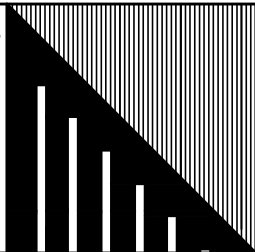
PROJECT: RESIDENTIAL
OWNER.
COMPANY
MONARCA PROPERTIES LLC
ARQ. JUAN BORJAS
CELL. (956) 570-3942

RESIDENTIAL & COMMERCIAL PLANS

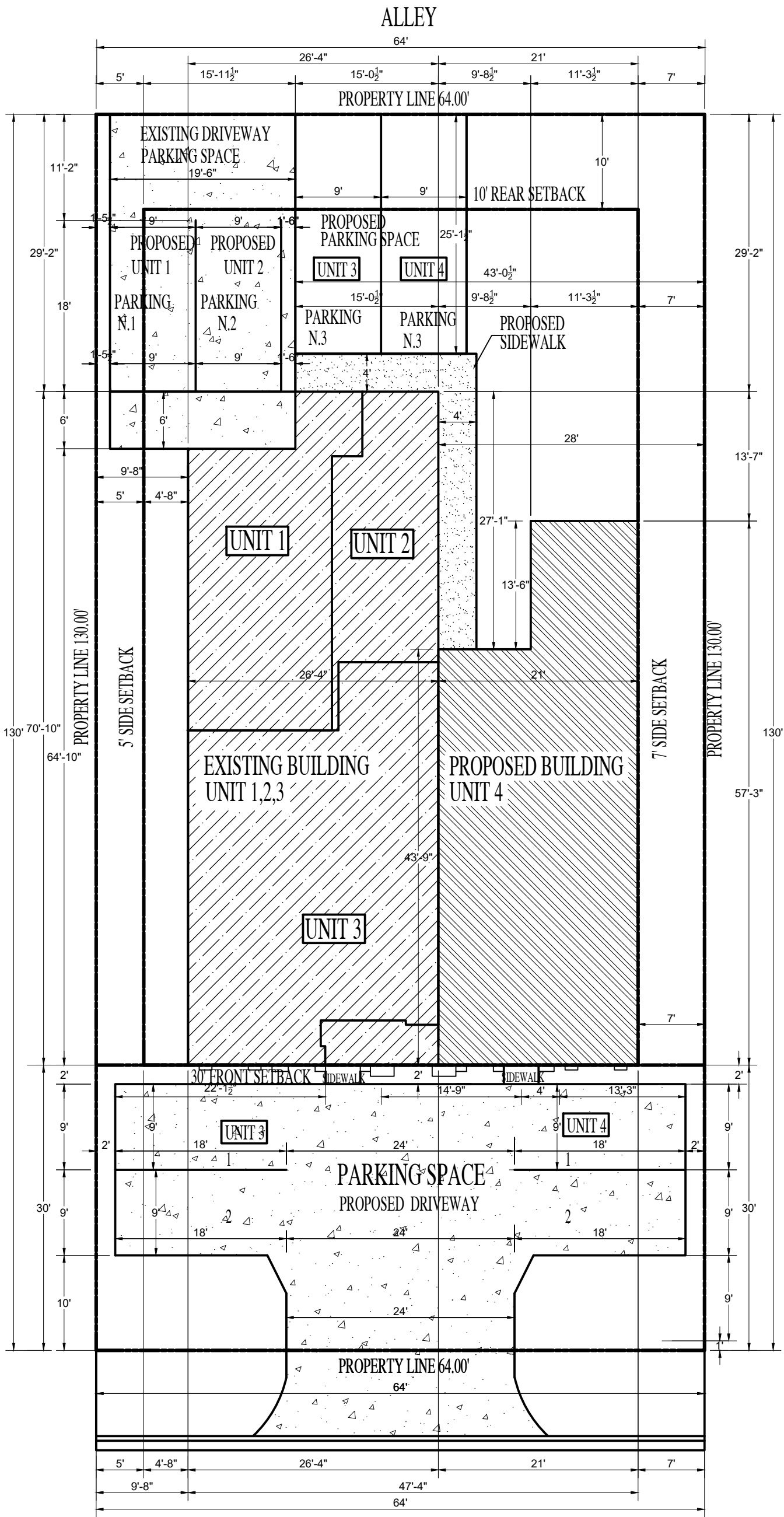
MONARCA PROPERTIES LLC

ARQ. JUAN BORJAS
CELL. (956) 570-3942

BORJAS
DESIGNS



DATE
9-26-22
SHEET NO.
1-14
SCALE
1/4" = 1'-0"



LOT 7 BLOCK 1
SOUTHWEST HEIGHTS SUBD.

PROPOSED SITE PLAN

SCALE: 1/8"=1'-0"

SHEET TITLE(S)
SITE PLAN

LOCATION
LOT 7 BLOCK 1
SOUTHWEST HEIGHTS SUBD.
404 S. 28 TH ST.
MCALLEN TX.

ARCHITECT
ARQ. JUAN BORJAS
CELL: (956) 570-3942

COMPANY
MONARCA PROPERTIES LLC

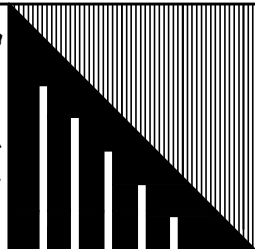
PROJECT: RESIDENTIAL
OWNER:
OWNER:

RESIDENTIAL & COMMERCIAL PLANS

MONARCA PROPERTIES LLC

ARCHITECT
ARQ. JUAN BORJAS
CELL: (956) 570-3942

BORJAS
DESIGNS



DATE
10-25-22
SHEET NO.
2-14
SCALE
1/4" = 1'-0"



**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2022-0039**

 CITY OF MCALLEN PLANNING DEPT.
956-681-1220
WWW.MCALLE.NET





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.2.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 10.201 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 North Shary Road.
2. Party Making Request: Edgar Garcia
3. Applicant: Aldape Development, LLC
4. Nature of Request: Rezone from R-1 (single-family residential) District to R-3A (multifamily residential apartment) District: 10.201 acres out of Lot 445, John H. Shary Subdivision, Hidalgo County, Texas; 9400 North Shary Road.
5. Fiscal Impact Summary:
6. Budgeted:

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

Jessica Cavazos	Created/Initiated - 11/16/2022
Edgar Garcia	Approved - 11/20/2022
Michelle Rivera	Approved - 11/21/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Staff recommends approval.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR

Memo

TO: Roel "Roy" Rodriguez, P.E., City Manager

FROM: Edgar I. Garcia, AICP, CNU-A, Planning Director

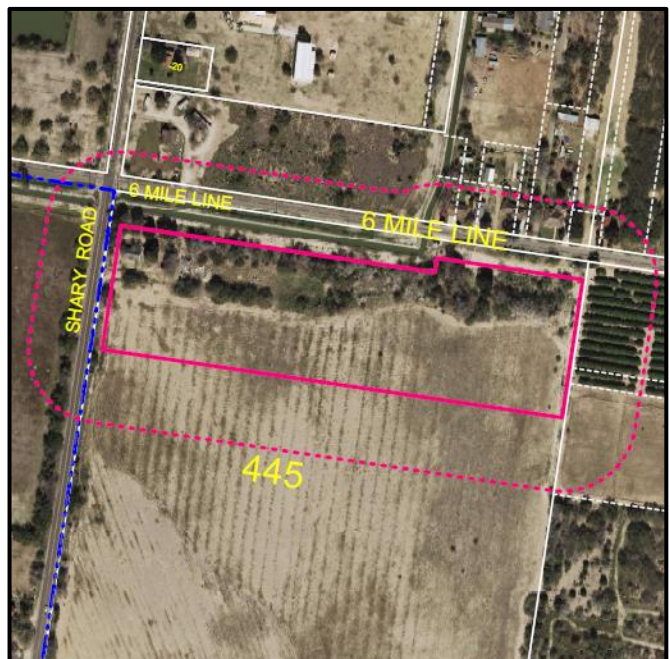
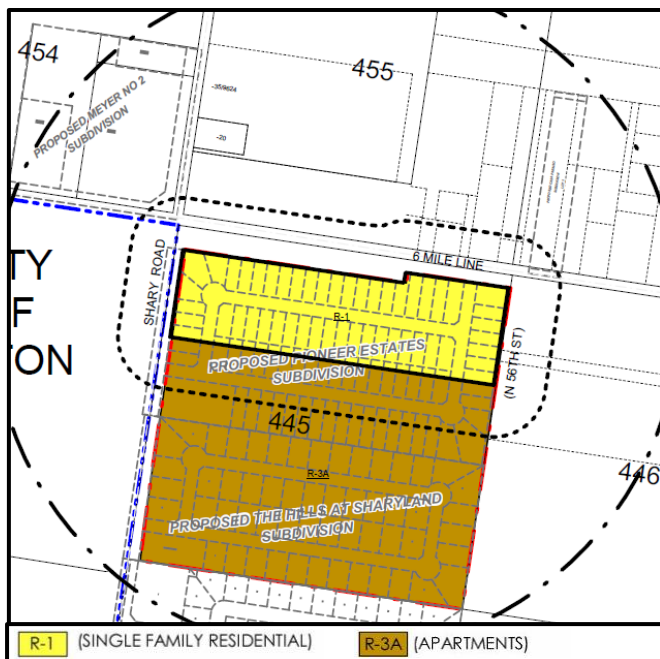
DATE: November 4, 2022

SUBJECT: REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT: 10.201 ACRES OUT OF LOT 445, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 9400 NORTH SHARY ROAD. (REZ2022-0038)

LOCATION: The property is located on the east side of North Shary Road, 90 ft. south of Mile 6 Road. The tract has 339.97 ft. of frontage along North Shary Road with a depth of 1,259.91 ft. for a lot size of 10.201 acres.

PROPOSAL: The applicant is requesting to rezone the property to R-3A (multifamily residential apartment) District in order to construct detached duplexes. A proposed 32-lot subdivision under the name of The Pioneer Estates Subdivision was approved in revised preliminary form on October 18, 2022, by the Planning and Zoning Commission.

ADJACENT ZONING: The adjacent zoning is R-3A (multifamily residential apartment) District to the south side. The properties on the other side of the subject property are outside McAllen City limits.



LAND USE: There is a vacant house on the subject property which was built in 1961 according to the Hidalgo County Appraisal District records, proposed to be demolished. Surrounding land uses include United Irrigation District Canal Right-of-Way, single-family residences, agricultural land, Sharyland Pioneer High School, and vacant land.

COMPREHENSIVE PLAN: The Foresight McAllen Comprehensive Plan designates the future land use for this property as Estate Residential, which is comparable to R-1 District.

DEVELOPMENT TRENDS: The development trend for this area along North Shary Road is multifamily residential.

HISTORY: The tract was annexed and initially zoned to R-1 District on January 10, 2022. A rezoning application to R-3A District for the subject property was submitted on September 29, 2022.

ANALYSIS: The requested zoning does not conform to the Estate Residential land use designation as indicated on the Foresight McAllen Comprehensive Plan. However, it follows the development trend in the surrounding area to multifamily residential. A rezoning request to R-3A District for the adjacent property to the south side was approved by the City Commission on January 10, 2022.

The proposed development will be in proximity to compatible uses, Sharyland Pioneer High School, since institutional uses are located in vicinity of residential neighborhoods.

A recorded subdivision plat is required prior to building permit issuance. Required park land dedication or a fee in lieu of land comprising \$700 per dwelling unit is required prior to recording a subdivision plat.

Staff has not received any calls or emails in opposition to the rezoning request.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 1, 2022:

At the Planning and Zoning Commission meeting of November 1, 2022, no one appeared in opposition to the rezoning request. Being no discussion, the Board unanimously voted to recommend approval of the request with four members present and voting.

P&Z RECOMMENDATION:

The Planning and Zoning Commission unanimously voted to recommend approval of the rezoning request to R-3A (multifamily residential apartment) District.

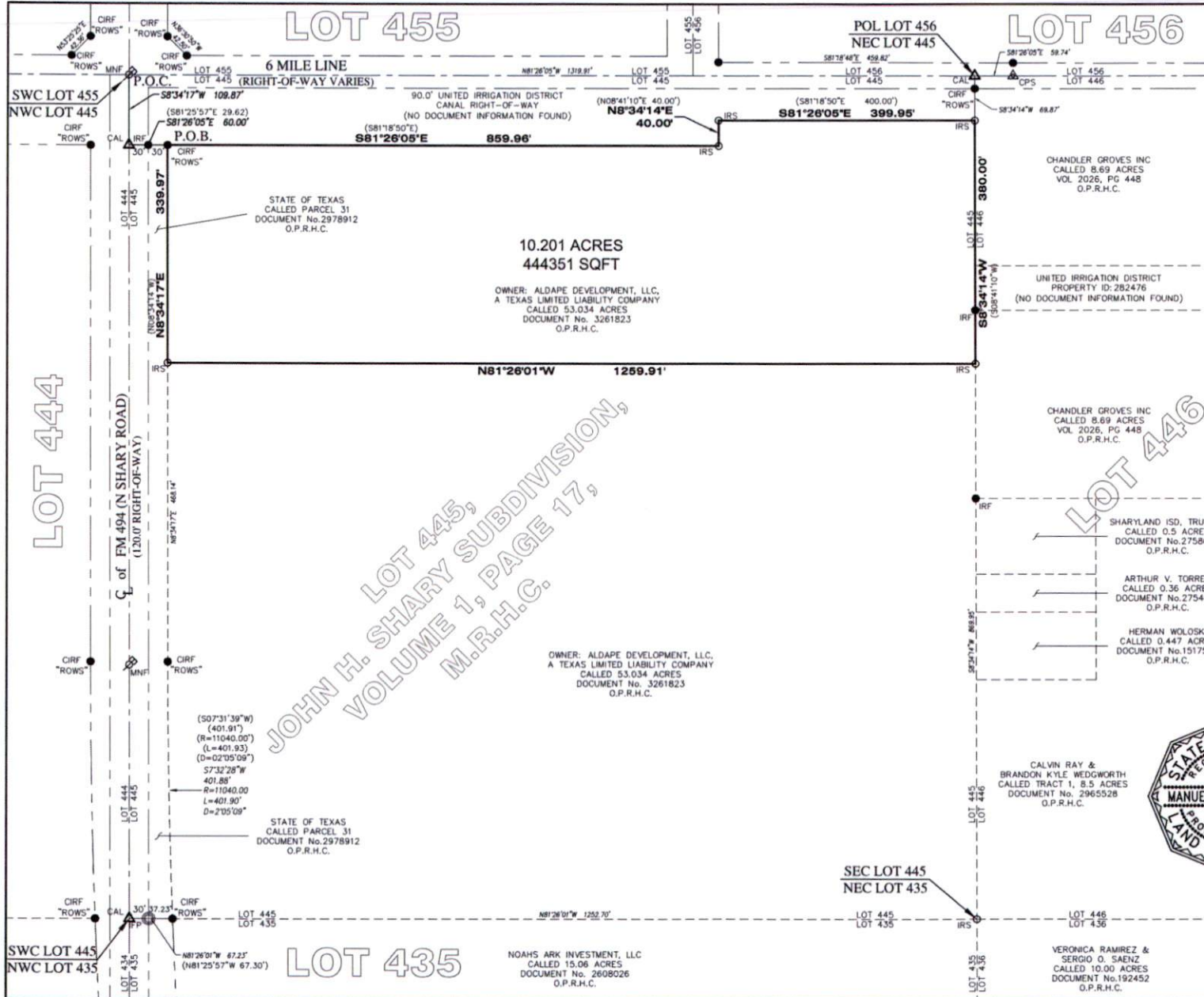


EXHIBIT B
BEING 10.201 ACRES OUT LOT 445, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 17, HIDALGO COUNTY, TEXAS, SAME BEING OUT OF A 53.034 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED DATED SEPTEMBER 9, 2021, CONVEYED TO ALDAPE DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN DOCUMENT No. 3261823, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS

BEARING BASIS
TEXAS STATE PLANE
COORDINATE SYSTEM,
TEXAS SOUTH
ZONE 4205

0 150 300 Feet

SCALE 1" = 150'

- LEGEND**
- 1/2" IRON ROD FOUND "IRF" "CIRF"
 - 1/2" IRON ROD SET W/PINK CAP "IRS"
 - (S0°00'00"W 0.0') - RECORD BEARING & DISTANCE
 - ⊗ MAG NAIL FOUND "MNF"
 - ⊗ IRON PIPE "IPF"
 - △ CALCULATED POINT "CAL"
 - △ COTTON PICKER SPINDLE "CPS"
 - POL POINT ON LINE
 - SEC SOUTHEAST CORNER
 - SWC SOUTHWEST CORNER
 - NEC NORTHEAST CORNER
 - NWC NORTHWEST CORNER

- NOTES:**
1. SURVEY DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
 2. CLIENT REQUESTED A METES AND BOUNDS SURVEY ONLY.
 3. NO IMPROVEMENTS WERE LOCATED AT THE REQUEST OF THE CLIENT.
 4. NO EASEMENT RESEARCH WAS PERFORMED BY THIS SURVEYOR.
 5. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.



MANUEL CARRIZALES
R.P.L.S. #6388

10/3/2021
DATE

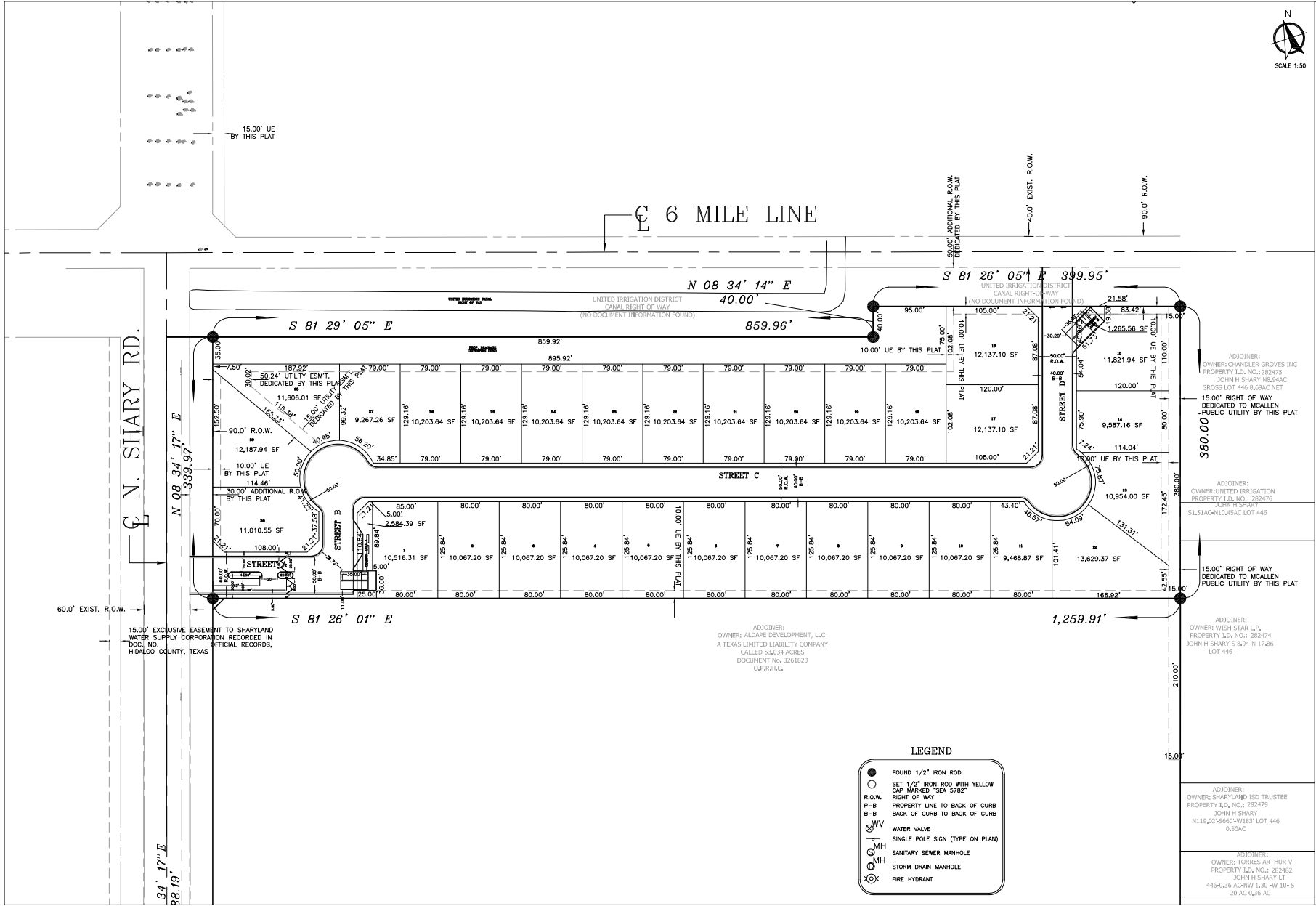
JOB No. 21-256A



ENTERED

SEP 29 2022

Initial: *OC*



PROJECT NAME:	PIONEER ESTATES SUBDIVISION
ADDRESS:	MCALLEN, TEXAS
CLIENT INFORMATION:	ALDAPE DEVELOPMENT LLC

MAS ENGINEERING LLC.
CONSULTING ENGINEERING
FIRM NO. F-15499

3911 N. 10TH STREET, SUITE H
MCALLEN, TEXAS 78501

PH: (956) 537-1311
E-MAIL: MSALINAS@39ATT.NET

THIS IS THE PROPERTY OF THE PROFESSIONAL ENGINEER WHOSE SEAL APPEARS ON THIS DRAWING AND IT IS UNLAWFUL TO REUSE THIS DRAWING OR ANY OTHER PART THEREOF WITHOUT THE WRITTEN CONSENT OF THE ENGINEER.

SHEET NAME:			
SITE PLAN			
REVISION:	BY:	APPROVED BY:	
1	JB	MAS	
DATE OF PREPARATION:			
09-27-2022			
PROJECT No.		SHEET No.	
		C-1	

**NOTICE
REZONING
FOR
THIS PROPERTY
REZ2022-0038**

 CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.NET





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.A.3.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Request of Fernando Cruz on behalf of Journey Church RGV for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for an Institutional Use (Church), at a 1.10 acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas; 6917 and 6925 State Highway 107.
2. Party Making Request: Edgar Garcia
3. Applicant: Fernando Cruz
4. Nature of Request: Request of Fernando Cruz on behalf of Journey Church RGV for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for an Institutional Use (Church), at a 1.10 acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas; 6917 and 6925 State Highway 107.
5. Fiscal Impact Summary:
6. Budgeted:

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

Jessica Cavazos	Created/Initiated - 11/16/2022
Edgar Garcia	Approved - 11/20/2022
Michelle Rivera	Approved - 11/21/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Staff recommends approval.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR

Planning Department

Memo

TO: Roel "Roy" Rodriguez, P.E., City Manager

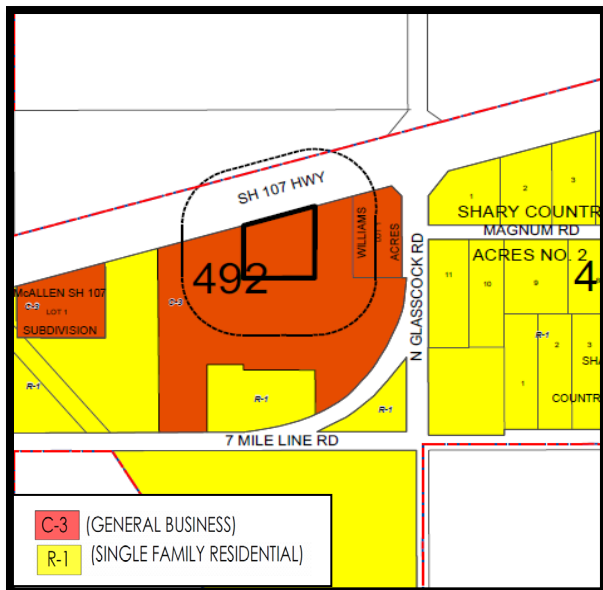
FROM: Edgar I. Garcia, AICP, CNU-A, Planning Director

DATE: November 04, 2022

SUBJECT: REQUEST OF FERNANDO CRUZ ON BEHALF OF JOURNEY CHURCH RGV FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR AN INSTITUTIONAL USE (CHURCH), AT A 1.10 ACRE TRACT OF LAND OUT OF LOT 492, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS; 6917 AND 6925 STATE HIGHWAY 107. (CUP2022-0163)

BRIEF DESCRIPTION:

The property is located on the south side of State Highway 107, west of North Glasscock Road, and is zoned C-3 (general business) District. The adjacent zoning is C-3 District to the east, south and west. The area to the north is outside of the McAllen city limits. Surrounding land uses include a propane business and single family residential. A church is permitted in a C-3 District with a Conditional Use Permit and in compliance with the requirements.



HISTORY:

The initial Conditional Use Permit for this location to operate as a church was approved by the Planning and Zoning Commission at the meeting of June 7, 2022, with only the main building to be

used for worship services.

REQUEST/ANALYSIS:

The applicant is proposing to operate a church from an existing 4,000 square feet building and adding a 2,300 square feet building for children and youth worship to be used as part of the church ministry. The applicant is proposing to remodel both buildings to be used for worship services. The hours of operation of the church (Journey Church RGV) will be from 9 a.m. to 9 p.m. Sundays and Wednesdays, from 9 a.m. to 5 p.m. on Tuesday, Thursday and Friday and from 9 a.m. to 12 p.m. on Saturdays.

Based on the 180 proposed seats in the main sanctuary and 120 proposed seats in the Youth/kids building, 75 parking spaces are required of which 3 parking spaces must be for persons with disabilities of which one should be van accessible with an 8 foot aisle. There are 75 total parking spaces proposed on-site.

The Fire Department is pending to conduct a necessary inspection. Should the conditional use permit be approved, the applicant would be required to sign the application acknowledging and agreeing to all conditions of the permit. The proposed use must also 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 State Highway 107.
- 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 seating area of 300 seats, 75 parking spaces are required; 75 parking spaces are proposed. The parking lot is in good condition and in compliance with city requirements.
- 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 each building shall be restricted to the existing seating capacity for the building.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 1, 2022:

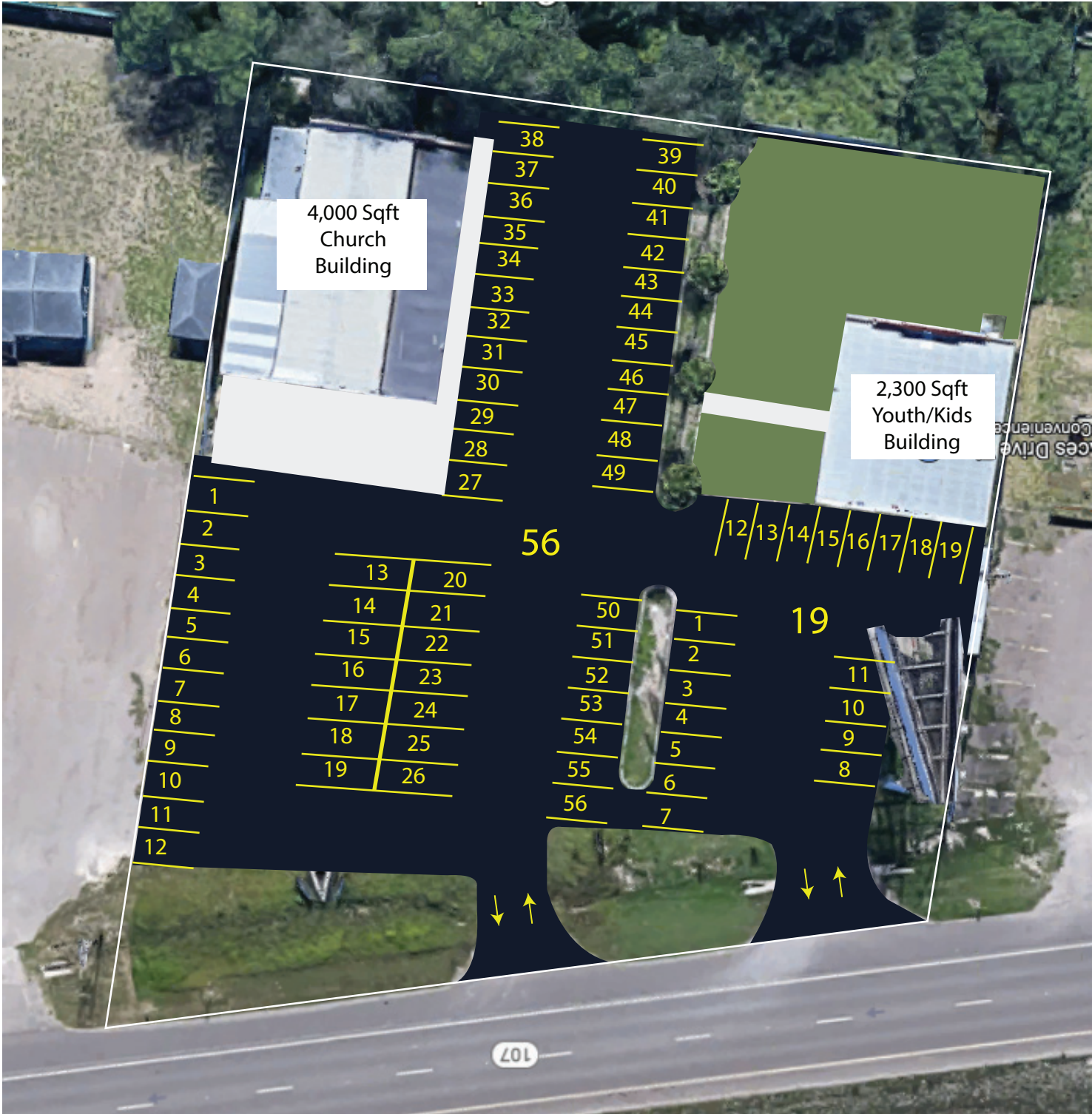
At the Planning and Zoning Commission meeting of November 1, 2022, no one appeared in opposition to the Conditional Use Permit request. The Board unanimously voted to recommend

approval of the request. There were four members present and voting.

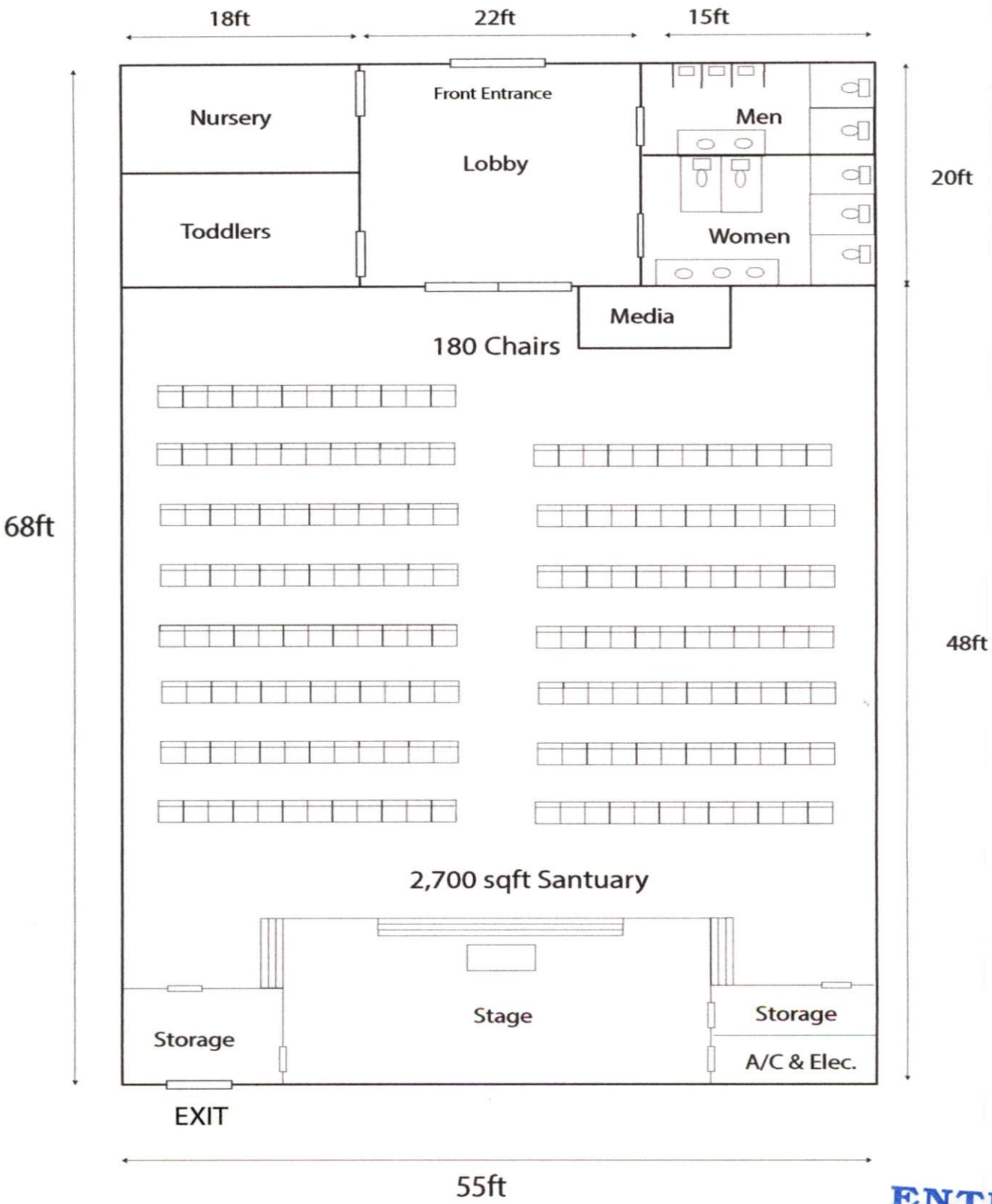
PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Board unanimously voted to recommend approval of the request, subject to the stated requirements.

6917 & 6925 W. Hwy 107 McAllen, Tx



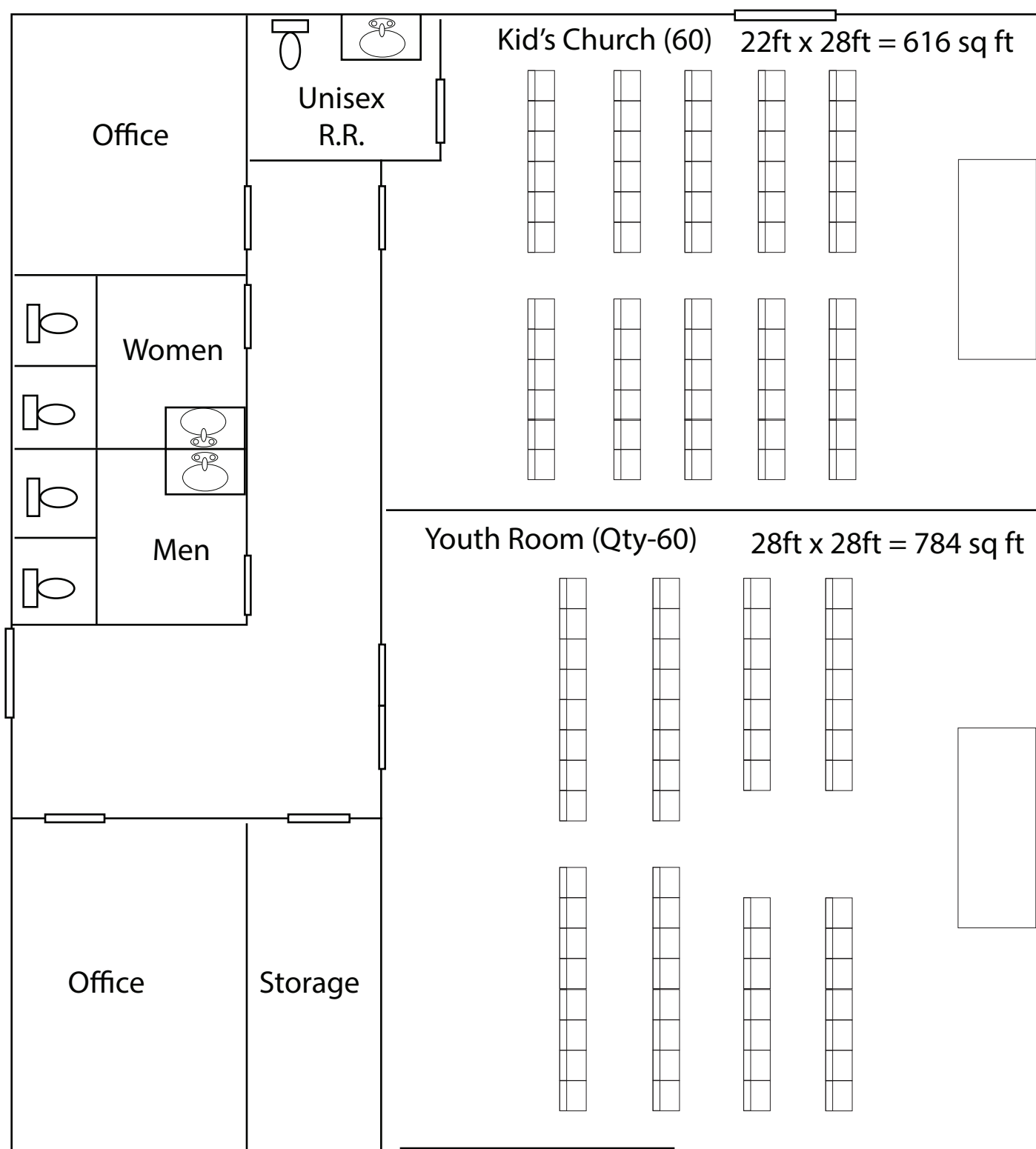
Layout Option-1



ENTERED
MAY 03 2022
Initial: *Am*



New Layout
6925 W. Hwy 107





**NOTICE
INSTITUTIONAL
USE
FOR
THIS PROPERTY
CUP2022-0163**

CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLE.NET



ORDINANCE NO. 2022 – ____

**AN AMENDMENT TO THE CITY OF MCALLEN ZONING
ORDINANCE TO ISSUE A CONDITIONAL USE PERMIT,
REQUIRING COMPLIANCE WITH LISTED CONDITIONS
AND ORDAINING OTHER PROVISIONS RELATING TO
THE SUBJECT MATTER THEREOF.**

WHEREAS, on November 28, 2022 the City of McAllen Board of Commissioners considered an application for a Conditional Use Permit for an Institutional Use (Church) at a 1.10 acre tract of land out of Lot 492, John H. Shary Subdivision, Hidalgo County, Texas; 6917 and 6925 State Highway 107; and

WHEREAS, after reviewing the application, the recommendation of the Planning and Zoning Commission, public comment, if any, and staff's presentation, the Board of Commissioners finds the proposed use does not interfere with compatible and orderly development within the City;

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

SECTION I: A Conditional Use Permit is hereby granted for an Institutional Use (Church) at a 1.10 acre tract of land out of Lot 492, John H. Shary, Hidalgo County, Texas; 6917 and 6925 State Highway 107. The Conditional Use Permit shall be for life of the use from the date this ordinance is signed, or when the use ceases.

SECTION II: The Conditional Use Permit issued pursuant to this ordinance shall only remain in effect and retain validity while all conditions listed on the permit as authorized by the City Commission at a meeting held on November 28, 2022 or contained in the McAllen Code of Ordinances are met. Should the conditions of the permit be violated, the City retains the complete and sole authority to suspend or revoke the permit.

SECTION III: The City Secretary of the City of McAllen is hereby directed **not** to publish this ordinance in the Code of Ordinances of the City of McAllen as it is not amendatory thereof.

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.

CONSIDERED, PASSED and APPROVED this 28th day of November 2022, at a Regular Meeting of the Board of Commissioners at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this _____ day of November 2022.

CITY OF McALLEN, TEXAS

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM
City Secretary

APPROVED AS TO FORM:

Isaac J. Tawil, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.B.1.

DATE SUBMITTED

11/20/2022

MEETING DATE

11/28/2022

1. Agenda Item: Request of Emigdio Salinas on behalf of M2 Engineering, PLLC, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development at 13.116 acres out of Lots 234 and 235, Pride o' Texas Subdivision (Proposed Sunset Valley Subdivision), Hidalgo County, Texas; 6100 North Bentsen Road.
2. Party Making Request: Edgar Garcia
3. Applicant: Emigdio Salinas on behalf of M2 Engineering, PLLC
4. Nature of Request: Request of Emigdio Salinas on behalf of M2 Engineering, PLLC, for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Planned Unit Development at 13.116 acres out of Lots 234 and 235, Pride o' Texas subdivision (Proposed Sunset Valley Subdivision), Hidalgo County, Texas; 6100 North Bentsen Road.
5. Fiscal Impact Summary:
6. Budgeted:

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

Jessica Cavazos	Created/Initiated - 11/20/2022
Edgar Garcia	Approved - 11/20/2022
Michelle Rivera	Approved - 11/21/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Staff recommends approval.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR

Memo

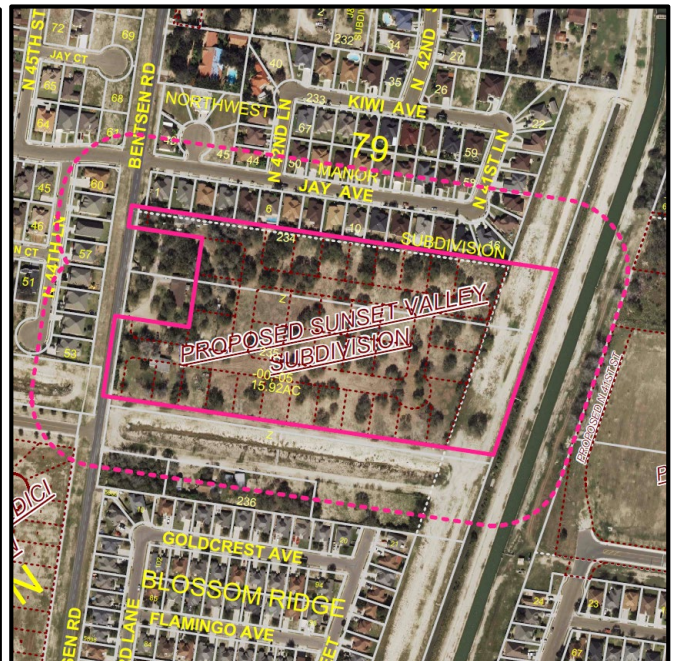
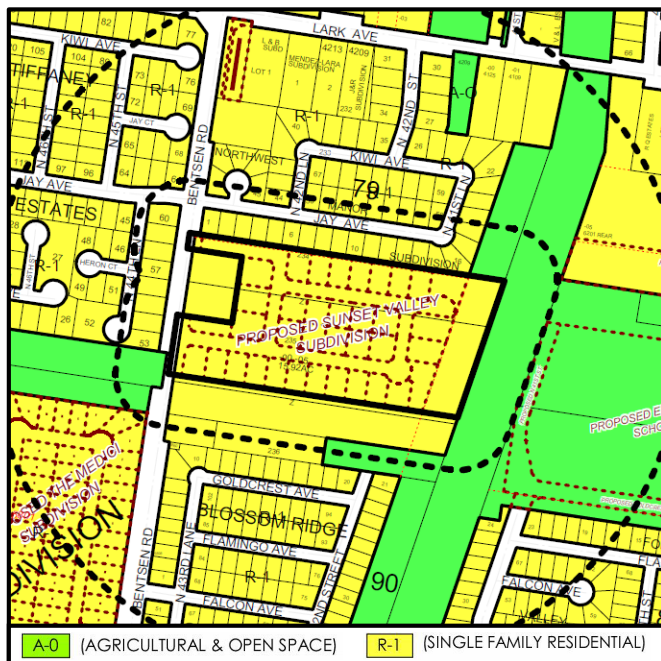
TO: Roel "Roy" Rodriguez, P.E., City Manager

FROM: Edgar I. Garcia, AICP, CNU-A, Planning Director

DATE: November 16, 2022

SUBJECT: REQUEST OF EMIGDIO SALINAS ON BEHALF OF M2 ENGINEERING, PLLC, FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A PLANNED UNIT DEVELOPMENT AT 13.116 ACRES OUT OF LOTS 234 AND 235, PRIDE O' TEXAS SUBDIVISION (PROPOSED SUNSET VALLEY SUBDIVISION), HIDALGO COUNTY, TEXAS; 6100 NORTH BENTSEN ROAD. (CUP2022-0165)

BRIEF DESCRIPTION: The subject property is located on the east side of North Bentsen Road, 101.95 ft. south of Jay Avenue. The irregularly-shaped tract has 286.87 ft. of frontage along North Bentsen Road and a depth of 1,206.37 ft. at its deepest point for a lot size of 13.116 acres. A proposed 36-lot subdivision under the name of Sunset Valley for the subject property was approved in preliminary form on October 5, 2021. The property is zoned R-1 (single-family residential) District. The adjacent zoning is R-1 District to the north, west, and south and A-O (agricultural-open space) District to the east and southwest. The property is currently vacant. Surrounding land use include single-family residences, Donna Wernecke Elementary School, Hidalgo County Drainage District No.1 Ditch R.O.W and vacant land. A Planned Unit Development is permitted in an R-1 District with a conditional use permit and in compliance with Article IV Planned Developments of the Subdivision Ordinance.



HISTORY: A rezoning request to R-3A (multifamily residential apartment) District for the subject property was withdrawn by the applicant after it was disapproved by the Planning and Zoning Commission on May 4, 2021. The Planning and Zoning Commission voted to approve the proposed subdivision in preliminary form subject to conditions noted on October 5, 2021. A submitted Conditional Use Permit request for a Planned Unit Development for the subject property was withdrawn on January 21, 2022, after being tabled at the Planning and Zoning Commission meeting on December 21, 2021, and the City Commission meeting on January 10, 2022, for pending revisions and documents. A new Conditional Use Permit request for a Planned Unit Development for the subject property was submitted on October 5, 2022.

REQUEST/ANALYSIS: The property is currently vacant. The applicant is proposing to develop 143 dwelling units in form of two detached duplexes on Lots 2 to 35 and five units on Lot 1, and a duplex on Lot 36 as a Planned Unit Development.

Planned unit developments allow a variety of land uses that complement each other within the development and with existing land uses in the vicinity. Specific requirements for approval are specified in the Ordinance creating a Planned Unit Development for the subject property and summarized as the following:

1. CONCEPTUAL SITE PLAN: Development and use of the property must comply with the conditional use permit conceptual site plan.
2. PERMITTED USES: Permitted uses are uses permitted in the R-1 District for buildings designated as residential. The applicant is proposing multifamily residences, allowed in R-3A District.
3. OFF-STREET PARKING AND LOADING: Parking in compliance with Chapter 134 Article VI, which requires two parking spaces per unit, with one being located beyond the front yard setback.
4. LANDSCAPING: Each lot requires 10% landscaping and a minimum of 50% of the area within the required front yard of any residential lot shall be devoted to landscape material including the portion of the front yard located between the property line and the extension of the side yard setback line. Tree requirement for multifamily development is calculated as per Section 110-51 of Vegetation Ordinance. A landscape strip area with a minimum width of ten feet shall be provided along and within the property lines of all nonresidential and multifamily uses contiguous to a public street, excluding driveway entrances and exits. For properties having a lot depth of less than 200 feet, the landscaped strip may be reduced to a minimum width of five feet with a landscape hedge not exceeding three feet in height.
5. STREETS AND SETBACKS: A minimum of 60 ft. right-of-way with 40 ft. of pavement width is required on all internal streets, as well as a minimum of 96 ft. pavement on cul-de-sacs face to face. The applicant is proposing 55 ft. of right-of-way, 5 ft. utility and sidewalk easement on both sides, and 40 ft. of pavement back to back. An R-1 zone requires a front yard setback of 25 ft. on interior streets; 20 ft. is being proposed. The side setback for corner lots is 10 ft. or greater for easements, whichever is greater; Rear: 10 ft. or greater or easements; A 4 ft. wide minimum sidewalk required on North Bentsen Road and both sides of all interior streets. 5 ft. sidewalk might be required by Engineering Department prior to final plat review. Sidewalk must comply with subdivision

requirement. No encroachment is allowed over the setback or easements.

6. DRAINAGE: The drainage report must be approved.
7. ADDITIONAL PROVISIONS: The Conditional Use Permit site plan controls if there is conflict with other City ordinances. A decision by the Planning Director may be reviewed by Planning and Zoning Commission for recommendation to Board of Commissioners for final determination. The Conditional Use Permit calls for mixed use and a minimum of five (5) acres. The development has 13.116 acres and includes multifamily residences. The proposed site plan must be approved by Development Departments.
8. Owner, Engineer and Surveyor certification and signature blocks need to be shown on the PUD site plan.
9. The subdivision plat and the Planned Unit Development site plan must be recorded prior to issuance of building permits. Therefore, Sunset Valley Subdivision process must be completed, and recorded together with the site plan.

The request must comply with requirements set forth in the Zoning and Subdivision ordinances. Specific modifications required for approval are the following:

- Request a variance to allow 10 ft. separation instead of 12 ft.
- Request a variance to allow a 20 ft. front setback instead of 25 ft.
- Request a variance to 55 ft. or right-of-way on interior streets and 5 ft. utility easement on both sides, and 40 ft. of pavement back to back, instead of 60 ft. right-of-way.

If the subdivision layout changes, the conditional use permit will need to be amended to resemble the approved Subdivision Plat.

Staff received an email and a petition in opposition to the conditional use permit request with 12.5% of the property owners within 200 ft. of the subject property. The opposition expressed concern regarding building apartments in vicinity of their single-family properties.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 1, 2022:

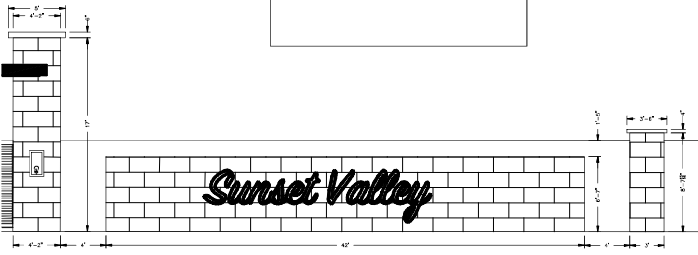
At the Planning and Zoning Commission meeting of November 1, 2022, The Board unanimously voted to table the request with four members present and voting, since additional documents were required by staff.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 16, 2022:

At the Planning and Zoning Commission meeting of November 16, 2022, The Board unanimously voted to remove the item from the table. Damian Cantu, 4105 Jay Avenue, spoke in opposition of the Conditional Use Permit request. His main concerns were increasing traffic, flooding, and potential crimes as a result of multifamily development in the area. Emigdio Salinas, the applicant and the project's engineer was present and spoke in favor of the request. He explained that the project complied with City requirements including 8 ft. masonry wall adjacent to single-family zone on the north and south side, traffic, and drainage requirements. After further discussion, the Board unanimously voted to approve the request for life of the use subject to conditions noted and approval of the requested variances with four members present and voting.

RECOMMENDATION:

The Planning and Zoning Commission unanimously voted to recommend approval of the request for life of the use subject to the conditions noted and approval of the requested variances.



CITY OF OFFICIAL RECORDS DEVELOPER/OWNERS ASSOCIATION/OWNER. THEIR SUCCESSORS AND/OR ASSIGNS, AND NOT THE CITY OF McALLEN SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND OTHER REQUIREMENTS AS PER SECTION 110-72 OF THE CODE OF ORDINANCE OF THE CITY OF McALLEN, INCLUDING BUT NOT LIMITED TO COMMON AREAS AND DETENTION PONDS. ANY AMENDMENT TO DECLARATION THAT CONFLICTS WITH THE REQUIREMENTS OF SECTION 110-72 SHALL BE NULL AND VOID.

	PROP. SANITARY SEWER SERVICE
	PROP. S.E.T.
	PROP. GATE VALVE
	PROP. WATER METER
	PROP. STREET LIGHT
	PROP. SANITARY SEWER MANHOLE
	PROP. FIRE HYDRANT
	PROP. CURB INLET
	PROP. TREE
	PROP. DUMPSTER PAD
----- BUILDING SET BACK LINE	
----- CENTER LINE	
	PROP. MASONRY WALL
	PROP. CEDAR FENCE
	PROP. SIDEWALK
LANDSCAPE	

ENTRANCE SIGN
SCALE: 1"=60'

BEING 13.116 ACRES OUT OF LOT 234 (4.404 ACRES) AND LOT 235 (8.712 ACRES), PRIDE O' TEXAS SUBDIVISION, OF A PART OF THE LA LOMITA IRRIGATION AND CONSTRUCTION COMPANY SUBDIVISION, RECORDED IN VOLUME 5, PAGE 58-59, MAP RECORDS HIDALGO COUNTY, TEXAS.

ROBERTO GARZA
MANAGING MEMBER
1804 N. 23rd ST.
MCALLEN, TEXAS 78501

SET #	BUILDING AREA		SET #	AREA		AREA PROPOSED	AREA VISIBLE FROM STREET	AMOUNT OF 6-FOOT WIDE SIDEWALK
	LOT AREA AC.	SET AREA SQ. FT.		LOT AC.	AREA SQ. FT.			
2	0.074	4704	2	0.074	4677	2,434	20K	072
3	0.074	4709	3	0.074	4677	2,434	20K	072
4	0.074	4709	4	0.074	4677	2,434	20K	072
5	0.074	4709	5	0.074	4677	2,434	20K	072
6	0.074	4709	6	0.074	4677	2,434	20K	072
7	0.074	4709	7	0.074	4677	2,434	20K	072
8	0.074	4709	8	0.074	4677	2,434	20K	072
9	0.105	6299	9	0.105	6161	3,218	25K	072
10	0.091	5622	10	0.091	5518	2,700	20K	072
11	0.162	9822	11	0.162	9822	3,442	25K	072
12	0.091	5611	12	0.151	9151	4,192	40K	264
13	0.111	6811	13	0.111	1,011	3,104	30K	117
14	0.111	6811	14	0.111	911	1,209	22K	254
15	0.147	6021	15	0.147	1,029	3,262	40K	264
16	0.188	1040	16	0.088	488	2,430	20K	072
17	0.148	8488	17	0.148	488	3,500	35K	274
18	0.066	4206	18	0.066	307	2,180	20K	078
19	0.052	4206	19	0.052	307	2,440	20K	079
20	0.052	4206	20	0.052	307	2,440	20K	079
21	0.050	4206	21	0.050	307	2,440	20K	080
22	0.113	5417	22	0.113	1,013	3,220	30K	188
23	0.050	3418	23	0.050	3418	1,811	18K	118
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99	0.050	3418	99	0.050	3418	1,820	18K	118
100	0.050	3418	100	0.050	3418	1,820	18K	118

# OF BEDROOMS/ENCLING UNIT	
MIN	2
MAX	3

# OF ENCLING UNITS/LOT	
LOT 1	5
LOTS 2-35	4
LOT 36	2

CHORD TABLE						
CHORD TAG	CHORD BEARING	CHORD DISTANCE	ARC RADIUS	ARC LENGTH	FIELD AREA	
C1	S81°02'22"W	45.48'	55.50'	50.00'	48°58'18"	
C2	N60°44'39"W	54.28'	55.50'	56.45'	59°17'38"	
C3	N1°43'41"W	45.48'	55.50'	50.00'	48°58'18"	
C4	N41°31'12"E	61.41'	55.50'	64.85'	63°19'48"	
C5	N59°40'19"W	22.15'	55.50'	7.50'	8°35'38"	
C6	N21°33'51"E	90.68'	55.50'	103.76'	101°35'21"	
C7	S62°11'18"E	81.14'	55.50'	88.67'	49°47'19"	

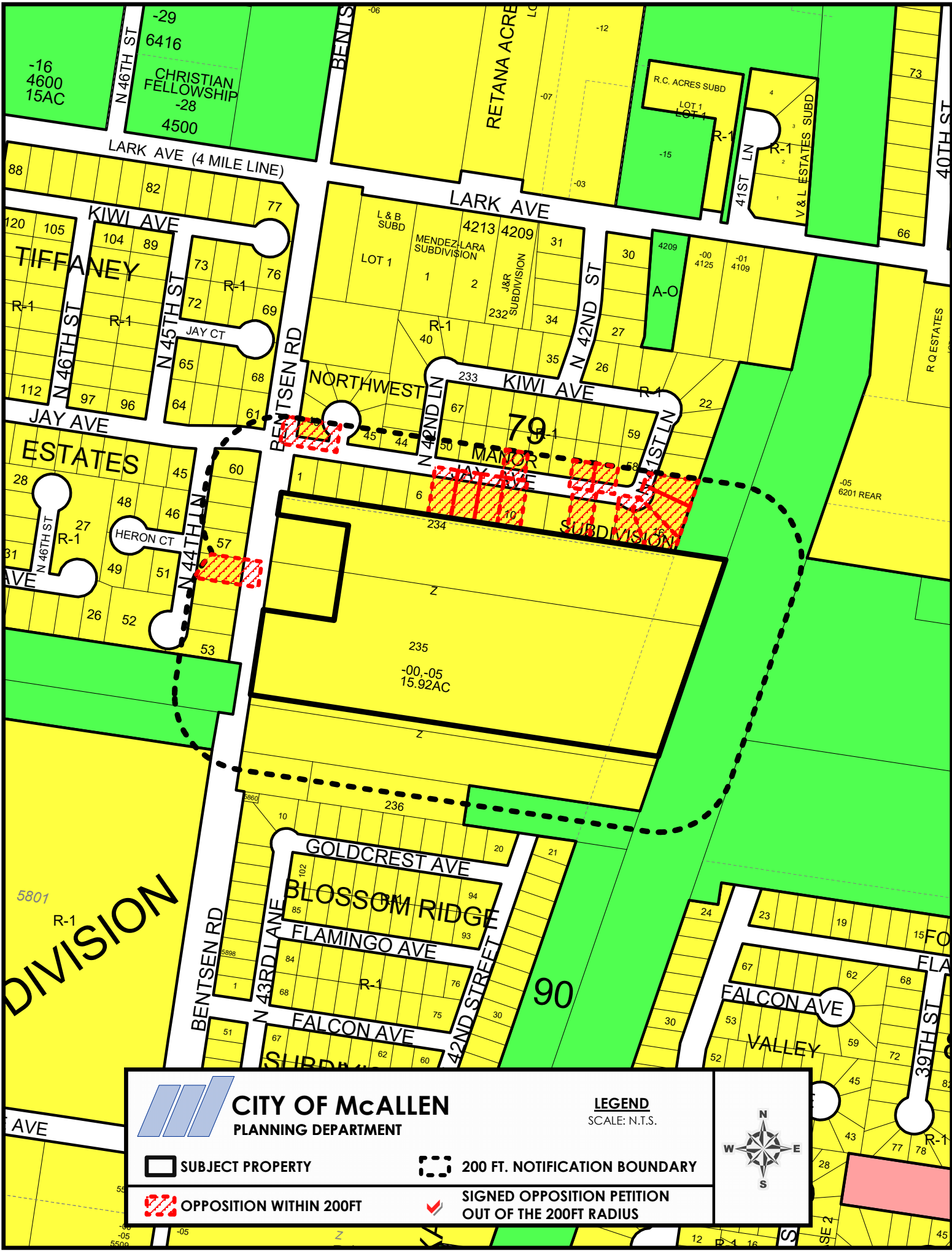
LINE TABLE		
CURVE TAG	DISTANCE	BEARING
L1	21.22'	S38°22'34"E
L2	21.21'	N0°24'27"W
L3	21.21'	N03°35'35"E
L4	13.80'	S30°43'08"E
L5	16.65'	S54°50'24"W
L6	21.21'	N0°24'27"W
L7	21.21'	S53°35'35"E
L8	21.21'	N0°24'27"W
L9	21.21'	S53°35'35"E

"Petition"

CUP2022-0165	Petition signed by residents of Northwest Manor, Tiffany Estates and surrounding affected areas
Action petitioned for	We, the undersigned, are OPPOSED to the following: Request of Emigdio Salinas on behalf of M2 Engineering, PLLC, for lie of the use, and adoption of ordinance, for a Planned Unit Development at 13.116 acres of lots 234 and 235, Pride o' Texas subdivision (proposed Sunset Valley Subdivision), Hidalgo County, Texas; 6100 North Bentsen Road.

Printed Name	Signature	Address	Comment	Date
Damia Cantu	Damia A Cantu	4105 Jay Ave McAllen, TX 78504	I oppose CUP 2022 - 0165	10/25/22
Maija Moreano	[Signature]	4109 Jay Ave McAllen, TX 78504	I oppose CUP 2022-0165	10/26/22
Jesus Loran	Jesus M. Loran	6206 N 41st McAllen TX	I oppose CUP 2022-0165	10/26/22
Maeleen DelaRosa	[Signature]	6202 N. 41st McAllen TX	I oppose CUP 2022-0165	10/27/22
Armona Bernal	[Signature]	4117 Jay Ave. McAllen TX 78504	I oppose CUP 2022-0165	10/27/22
Rosa E. Carrillo	[Signature]	4205 Jay Ave	I oppose CUP 2022-0165	10/27/22
Jesus Colorado	[Signature]	4209 Jay Ave	I oppose CUP 2022-0165	10/27/22
Jaime Garcia Jr.	[Signature]	4213 Jay Ave	I oppose CUP 2022-0165	10/27/22
Eduardo J. Olivarez	Eduardo J. Olivarez	4217 Jay Ave.	I oppose CUP 2022-0165	10/27/22
Rodrigo Rodriguez	[Signature]	4320 Jay Ct. McAllen 78504	CUP 2022-0165	10/27/22
Marlene Martin	[Signature]	4116 Jay Ave. McAllen TX 78504	marlene4god@aol.com	10/28/22
Nancy L. Muniz	[Signature]	4121 Jay Ave Mission	I oppose CUP 2022-0165	
Jaime Martinez	[Signature]	4305 Jay St	I oppose CUP 2022 0165	10/27/22
Janie Martinez	[Signature]			

[illegible]



CITY OF McALLEN
PLANNING DEPARTMENT

LEGEND

SCALE: N.T.S.



SUBJECT PROPERTY



200 FT. NOTIFICATION BOUNDARY



OPPOSITION WITHIN 200FT



SIGNED OPPOSITION PETITION
OUT OF THE 200FT RADIUS





JAVIER VILLALOBOS, Mayor
JOAQUIN "J.J." ZAMORA, Mayor Pro Tem & Commissioner District 2
TONY AGUIRRE, JR., Commissioner District 1
J. OMAR QUINTANILLA, Commissioner District 3
RODOLFO "RUDY" CASTILLO, Commissioner District 4
VICTOR "SEBY" HADDAD, Commissioner District 5
PEPE CABEZA DE VACA, Commissioner District 6

ROEL "ROY" RODRIGUEZ, P.E., City Manager

CUP2022-0135
6000 N BENTSEN RD
13.116AC TR O/O LT 234 & 235 PRIDE O' TEXAS

200 Ft. Radius: 1,406,442 Sq. Ft.
Subject Property: 564,811.54 Sq. Ft.
Total Area of Opposition: 105,286.30.42 Sq. Ft.

$\frac{200 \text{ Ft Radius} - \text{Subject Property}}{\text{Total Adjusted Area}}$	$\frac{\text{Total Area of Opposition}}{\text{Total Adjusted Area}} = 0.*** \times 100 = \text{Percentage for Opposition}$
--	--

$\frac{1,406,422.00 \text{ Sq.Ft.} - 564,811.54 \text{ Sq.Ft.}}{841,610.46 \text{ Sq.Ft.}}$	$\frac{105,286.30 \text{ Sq.Ft.}}{841,610.46 \text{ Sq.Ft.}} = 0.125 \times 100 = \mathbf{12.5\% \text{ Opposition}}$
---	---

**NOTICE
PLANNED UNIT
DEVELOPMENT
FOR
THIS PROPERTY
CUP2022-0165**

CITY OF MCALLEN PLANNING DEPT.
956-381-1233
WWW.MCALLE.NET



ORDINANCE NO. 2022 – ____

**AN AMENDMENT TO THE CITY OF MCALLEN ZONING
ORDINANCE TO ISSUE A CONDITIONAL USE PERMIT,
REQUIRING COMPLIANCE WITH LISTED CONDITIONS
AND ORDAINING OTHER PROVISIONS RELATING TO
THE SUBJECT MATTER THEREOF.**

WHEREAS, on November 28, 2022, the City of McAllen Board of Commissioners considered an application for a Conditional Use Permit for a Planned Unit Development, at 13.116 acres out of Lots 234 and 235, Pride o’ Texas subdivision (Proposed Sunset Valley Subdivision), Hidalgo County, Texas, 6100 North Bentsen Road; and

WHEREAS, after reviewing the application, the recommendation of the Planning and Zoning Commission, public comment, if any, and staff’s presentation, the Board of Commissioners finds the proposed use does not interfere with compatible and orderly development within the City;

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

SECTION I: A Conditional Use Permit is hereby granted for a Planned Unit Development, 13.116 acres out of Lots 234 and 235, Pride o’ Texas subdivision (Proposed Sunset Valley Subdivision), Hidalgo County, Texas, 6100 North Bentsen Road. The Conditional Use Permit is for the life of the use and expires when the use ceases.

SECTION II: The Conditional Use Permit issued pursuant to this ordinance shall only remain in effect and retain validity while all conditions listed on the permit as authorized by the City Commission at a meeting held on November 28, 2022 or contained in the McAllen Code of Ordinances are met. Should the conditions of the permit be violated, the City retains the complete and sole authority to suspend or revoke the permit.

SECTION III: The City Secretary of the City of McAllen is hereby directed **not** to publish this ordinance in the Code of Ordinances of the City of McAllen as it is not amendatory thereof.

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.

CONSIDERED, PASSED and APPROVED this 28th day of November 2022, at a Regular Meeting of the Board of Commissioners at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this ____ day of November 2022.

CITY OF McALLEN, TEXAS

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM
City Secretary

APPROVED AS TO FORM:

Isaac J. Tawil, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.B.2.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Request of Jaime A. Salazar for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Guest House, at Lot 1, Orangewood North Subdivision, Hidalgo County, Texas; 8408 North 4th Street.
2. Party Making Request: Edgar Garcia
3. Applicant: Jaime A. Salazar
4. Nature of Request: Request of Jaime A. Salazar for a Conditional Use Permit, for life of the use, and adoption of an ordinance, for a Guest House, at Lot 1, Orangewood North Subdivision, Hidalgo County, Texas; 8408 North 4th Street.
5. Fiscal Impact Summary:
6. Budgeted:

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

Jessica Cavazos	Created/Initiated - 11/16/2022
Edgar Garcia	Approved - 11/20/2022
Michelle Rivera	Approved - 11/21/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Staff recommends approval.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR

Memo

TO: Roel "Roy" Rodriguez, P.E., City Manager

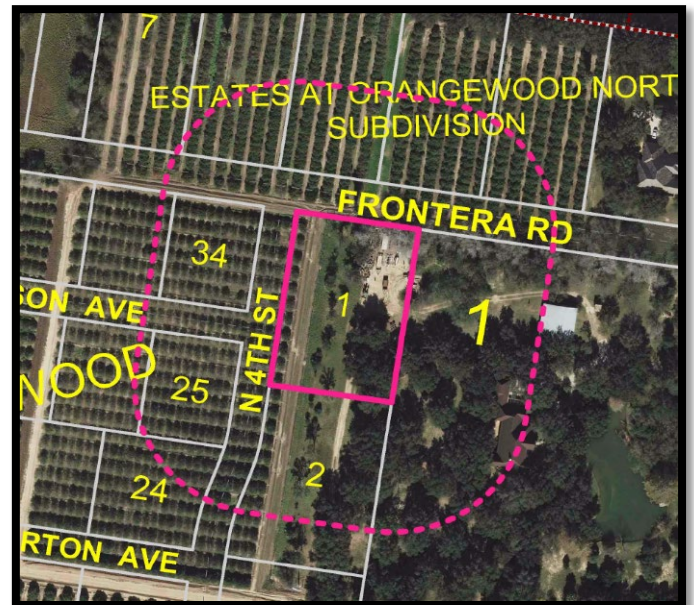
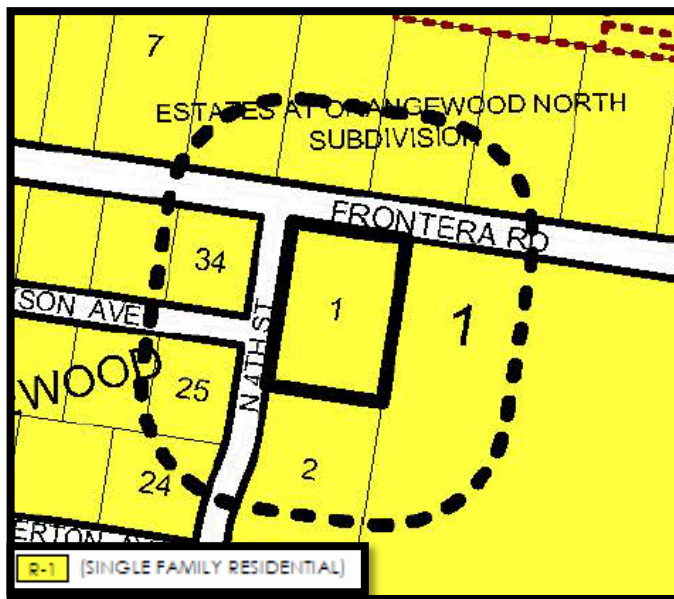
FROM: Edgar I. Garcia, AICP, CNU-A, Planning Director

DATE: November 04, 2022

SUBJECT: REQUEST OF JAIME A. SALAZAR FOR A CONDITIONAL USE PERMIT, FOR LIFE OF THE USE, AND ADOPTION OF AN ORDINANCE, FOR A GUEST HOUSE, AT LOT 1, ORANGEWOOD NORTH SUBDIVISION, HIDALGO COUNTY, TEXAS; 8408 NORTH 4TH STREET. (CUP2022-0160)

BRIEF DESCRIPTION:

The subject property is located at the southeast corner of North 4th Street and Frontera Road. The property is zoned R-1 (single-family residential) District. The applicant is proposing to construct a guest house as an accessory use. A guest house is permitted in an R-1 (single-family residential) District with a Conditional Use Permit (CUP). The adjacent zoning is R-1 (single-family residential) District in all directions. Surrounding land uses are single-family residences.



HISTORY:

Orangetown North Subdivision was recorded on April 20, 2016. A building permit was issued for the construction of a new home on May 17, 2022 and construction of the house is underway. The applicant submitted an application for a Conditional Use Permit for a guest house on September 29, 2022.

REQUEST/ANALYSIS:

The proposed one-story guest house has a size of 671.77 square feet, and includes one guest bedroom, one bathroom, and one pool house area.

The guest house must meet the requirements for Building Permits and Inspections Department, Fire Department and set forth in Section 138-118(a)(5) of the Zoning Ordinance and specific requirements as follows:

- 1) Only one guest house shall be permitted on the property;
- 2) The proposed use shall comply with setback requirements. The proposed structure's setbacks are in compliance;
- 3) The proposed use shall be connected to the same utilities as the primary residence;
- 4) Lot size must be a minimum 8,000 square feet. According to the Hidalgo County Appraisal District, the lot size is 22,034.81 square feet;
- 5) Separate driveways or garages for the proposed use shall not be permitted. Applicant is not proposing an independent driveway for the proposed guesthouse;
- 6) The proposed use shall not be rented;
- 7) The permit shall be revoked if money is ever paid for rent or utility expenses are shared with the proposed use.

PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 1, 2022:

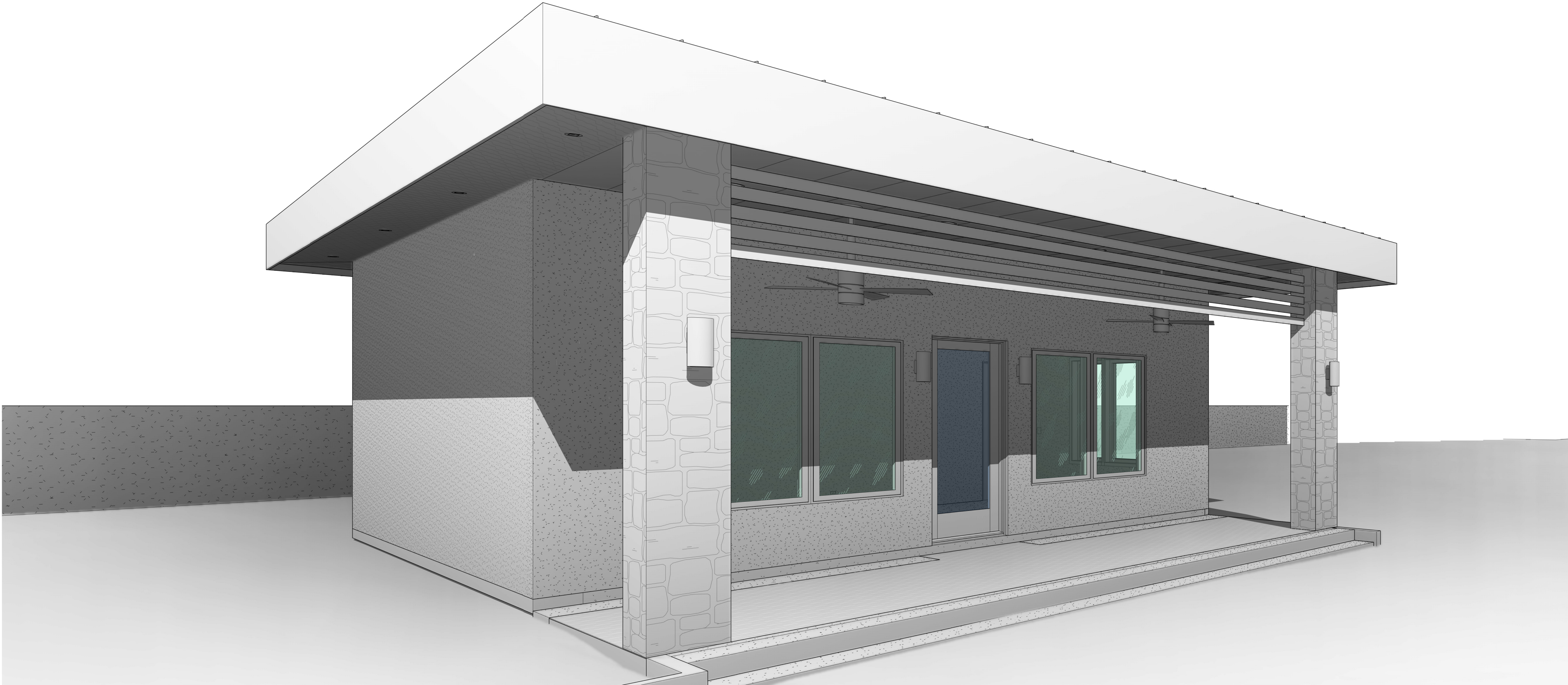
At the Planning and Zoning Commission meeting of November 1, 2022, Mr. Brandon Wallace appeared in opposition of the Conditional Use Permit request stating his concerns as regarding loss of privacy due to the proximity of the proposed structure to his property line. The proposed window openings of the proposed structure also were privacy concerns. Jaime Salazar, applicant, stated the proposed structure will be a guest house and will have an area for a pool house. Following discussion, the Board voted to recommended disapproval of the Conditional Use Permit request with three Board members voting in favor of the motion to disapprove and one Board member voting nay.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

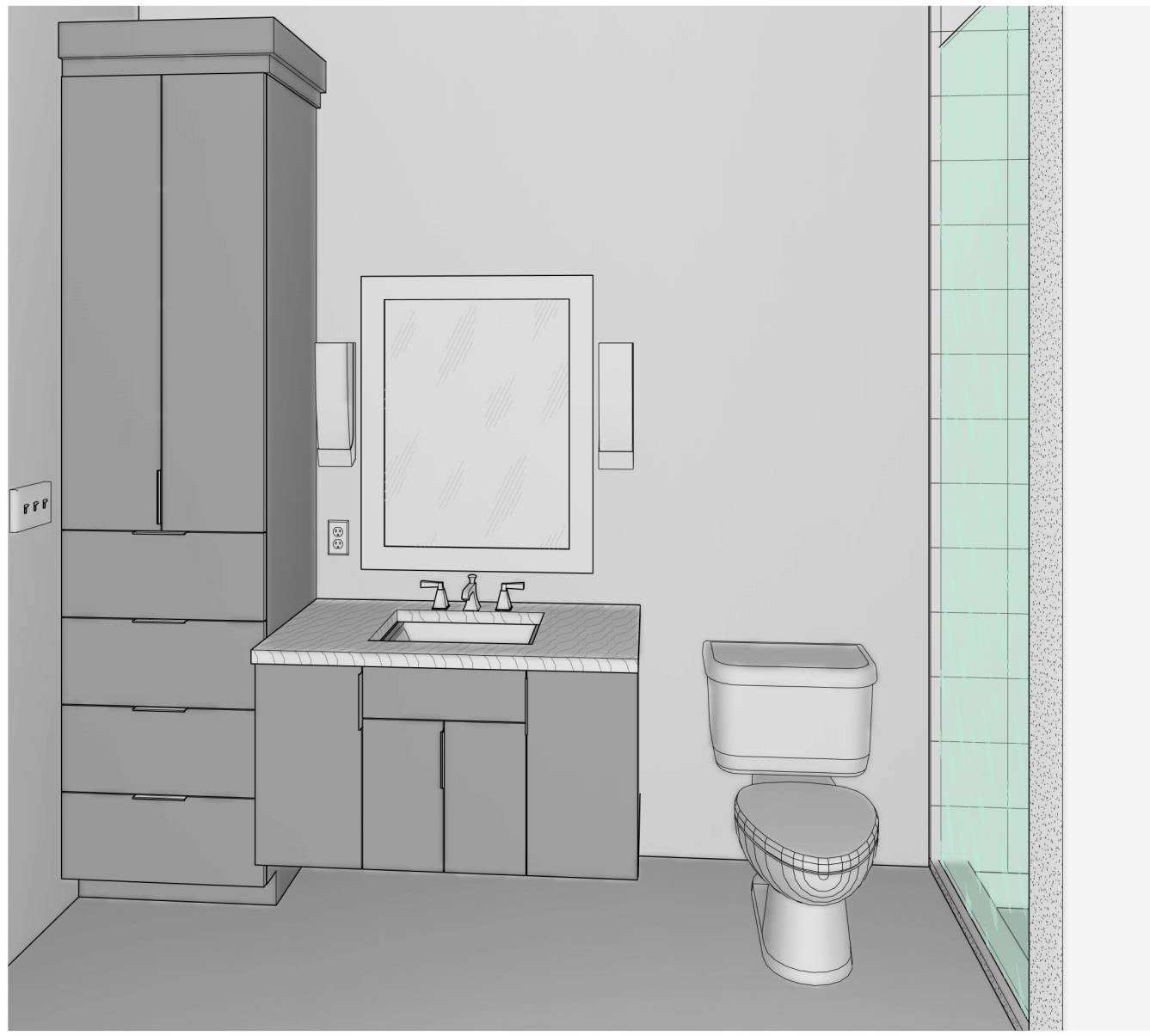
The Board voted to recommend disapproval with three voting in favor of the motion to disapprove and one Board member voting against.

UPDATE: Since the Planning & Zoning Commission meeting, the applicant has removed all east facing windows from the guesthouse to assuage the neighbor's privacy concerns.

RODRIGUEZ FAMILY POOL HOUSE



2 KITCHEN



3 BATHROOM

WORKING DRAWINGS SHALL NOT BE SCALED. BEFORE PROCEEDING WITH ANY WORK, THE USER SHALL VERIFY THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE USER SHALL BE RESPONSIBLE FOR ANY DISCREPANCIES IN OR OMISSIONS FROM THE WORKING DRAWINGS. THE USER SHALL BE RESPONSIBLE FOR ANY CHANGES TO THE WORKING DRAWINGS. THE USER SHALL BE RESPONSIBLE FOR ANY VIOLATIONS OF ANY APPLICABLE CODES. THE USER SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE PROJECT. THE USER SHALL BE RESPONSIBLE FOR ANY COSTS INCURRED BY THE USER. THE USER SHALL BE RESPONSIBLE FOR ANY DELAYS TO THE PROJECT. THE USER SHALL BE RESPONSIBLE FOR ANY OTHER MATTERS ARISING OUT OF THE CONSTRUCTION OF THIS PROJECT MEETING ALL LOCAL STRUCTURAL CODES.

S.C. DRAFTING
AND DESIGN
1305 E NOLANA SUITE G
MCALLEN, TX. 78504
(956)618-4680

POOL HOUSE FOR:
RODRIGUEZ FAMILY
8408 N. 4TH ST.
MCALLEN, TX.

PROJProject Number
DRAWN BY: SC
CHECKED BY: SC

Owner
POOL HOUSE
COVER

SHEET NO.

1

Scale:

DATE: 11/3/2022
11:31:26 AM

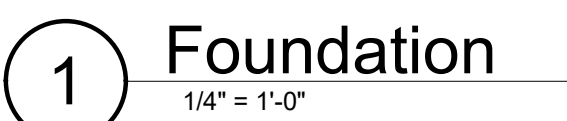


SHEET NO.

2

Scale: 1/16" = 1'-(

DATE: 11/3/2022
11:31:26 AM



1. CONCRETE SHALL DEVELOP 3,000 PSI COMPRESSIVE STRENGTH AT 28 DAYS MINIMUM COMPRESSIVE STRENGTH
2. CONCRETE SHALL HAVE MAXIMUM SLUMP OF 5"
3. REINFORCING SHALL BE INTERMEDIATE GRADE DEFORMED BARS CONFORMING TO ASTM A615-60. (OR X66 & G4. WWM.)
4. FILL MATERIAL SHALL BE COMPRISED OF NON-SWELLING HOMOGENIOUS EARTH WHICH SHALL HAVE A MAXIMUM PI OF 12. SUCH MATERIAL SHALL BE COMPACTED TO 95% STANDARD PROCTOR DENSITY AT OPTIMUM MOISTURE. ALL SUCH EARTH IN ACCORDANCE WITH REQUIREMENTS OF PSI REPORT PREPARED FOR THIS SITE.
5. PROVIDE 1/2" MINIMUM CLEAR COVER ON ALL BEAM STEEL AND 3/4" CLEAR COVER ON ALL SLAB STEEL. PROVIDE BRICK BATTS OR OTHER SUITABLE SUPPORTS TO MAINTAIN IT IN THE POSITIONS CALLED FOR IN THESE PLANS AND SPECIFICATIONS.
6. THE BUILDING AREA SHALL BE CLEARED OF DEBRIS AND ORGANIC MATERIAL PRIOR TO FOUNDATION CONSTRUCTION.
7. PROVIDE A MINIMUM OF 40 DIA. SPLICE FOR ALL BEAM AND SLAB STEEL. RUN STEEL FULL STACK LENGTHS. HOOK ALL BEAMS AT DISCONTINUITY WITH 90 DEGREE BENDS. HOOK BOTTOM BARS ONLY. STAGGER TOP AND BOTTOM BEAM SPLICES.

- ## ② CONCRETE NOTES

WORKING DRAWINGS SHALL NOT BE GOLED, BEFORE PROCEEDING WITH ANY WORK ON THE PROJECT. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND MEASUREMENTS. CONTRACTOR SHALL REPORT ANY DISCREPANCIES OR OMISSIONS FROM THE WORKING DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CORRECTION OF THIS SET OF PLANS HEREIN NOTIFIED BOTH OWNER AND CONTRACTOR THAT HE, THE DESIGNER, RELIEVES HIMSELF OF LIABILITIES TO PROBLEMS AT SITE IN REFERENCE TO ALL OF THE DESIGN CONCEPTS, WORKING DRAWINGS AND DETAILS PLANS CONTAINED HEREIN REMAIN THE SOLE AND EXCLUSIVE PROPERTY OF S C ARCHITECTS AND DESIGN WHO EXPRESSLY RESERVES AND RETAINS THE RIGHT TO DUPLICATE.

S.C. DRAFTING
AND DESIGN
1305 E NOLANA SUITE
MCALLEN, TX. 78504
(956)618-4680

**POOL HOUSE FOR:
RODRIGUEZ FAMILY
8408 N. 4TH ST.
MCALLEN, TX.**

[illegible]

CHECKED BY:Checker

Owner

POOL HOUSE

FOUNDATION
PLAN

SHEET NO.

3

Scale: As indicated

DATE: 11/3/2022
11:31:26 AM





NOTICE
GUEST HOUSE
FOR
THIS PROPERTY
CUP2022-0160

CITY OF MCALLEN PLANNING DEPT.
956-681-1250
WWW.MCALLEN.NET

ORDINANCE NO. 2022 – ____

**AN AMENDMENT TO THE CITY OF MCALLEN ZONING
ORDINANCE TO ISSUE A CONDITIONAL USE PERMIT,
REQUIRING COMPLIANCE WITH LISTED CONDITIONS
AND ORDAINING OTHER PROVISIONS RELATING TO
THE SUBJECT MATTER THEREOF.**

WHEREAS, on November 28, 2022 the City of McAllen Board of Commissioners considered an application for a Conditional Use Permit for a Guest House at Lot 1, Orangewood North Subdivision, Hidalgo County, Texas; 8408 North 4th Street; and

WHEREAS, after reviewing the application, the recommendation of the Planning and Zoning Commission, public comment, if any, and staff's presentation, the Board of Commissioners finds the proposed use does not interfere with compatible and orderly development within the City;

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

SECTION I: A Conditional Use Permit is hereby granted for a Guest House at Lot 1, Orangewood North Subdivision, Hidalgo County, Texas; 8408 North 4th Street. The Conditional Use Permit shall be for life of the use from the date this ordinance is signed, or when the use ceases.

SECTION II: The Conditional Use Permit issued pursuant to this ordinance shall only remain in effect and retain validity while all conditions listed on the permit as authorized by the City Commission at a meeting held on November 28, 2022 or contained in the McAllen Code of Ordinances are met. Should the conditions of the permit be violated, the City retains the complete and sole authority to suspend or revoke the permit.

SECTION III: The City Secretary of the City of McAllen is hereby directed **not** to publish this ordinance in the Code of Ordinances of the City of McAllen as it is not amendatory thereof.

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.

CONSIDERED, PASSED and APPROVED this 28th day of November 2022, at a Regular Meeting of the Board of Commissioners at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code.

SIGNED this _____ day of November 2022.

CITY OF McALLEN, TEXAS

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM
City Secretary

APPROVED AS TO FORM:

Isaac J. Tawil, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.C.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Amending the Zoning Ordinance of the City of McAllen.

2. Party Making Request: Edgar Garcia

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Cindy Gonzalez

Edgar Garcia

Michelle Rivera

Isaac Tawil

Created/Initiated - 11/16/2022

Approved - 11/20/2022

Approved - 11/21/2022

Final Approval - 11/22/2022

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Approve. RR

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF McALLEN, TEXAS, BY PROVIDING THAT 10.201 ACRES OUT OF LOT 445, JOHN H. SHARY SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE REZONED FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-3A (MULTIFAMILY RESIDENTIAL APARTMENT) DISTRICT; THAT LOT 7, BLOCK 1, SOUTHWEST HEIGHTS SUBDIVISION, HIDALGO COUNTY, TEXAS, SHALL BE REZONED FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO R-2 (DUPLEX-FOURPLEX RESIDENTIAL) DISTRICT; AMENDING THE ZONING MAP TO CONFORM TO THESE CHANGES.

NOW, 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-1 (single-family residential) District to R-3A (multifamily residential apartment) District:

BEING 10.201 ACRES OUT LOT 445, JOHN H. SHARY SUBDIVISION, RECORDED IN VOLUME 1, PAGE 17, HIDALGO COUNTY, TEXAS, SAME BEING OUT OF A 53.034 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED DATED SEPTEMBER 9, 2021 CONVEYED TO ALDAPE DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, RECORDED IN DOCUMENT No. 3261823, OFFICIAL PUBLIC RECORDS HIDALGO COUNTY, TEXAS, SAID 10.201 ACRES TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A MAG NAIL FOUND, THE NORTHWEST CORNER OF THE SAID LOT 445, SAME BEING A POINT ON THE CENTER LINE OF FM. 494 (N SHARY ROAD);

THENCE, ALONG THE WEST LINE OF THE SAID LOT 445, SAME BEING THE CENTER LINE OF F.M. 494 (N SHARY ROAD), SOUTH 08 DEG. 34 MIN. 17

SEC. WEST, A DISTANCE OF 109.87 FEET TO A CALCULATED POINT ON THE WEST LINE OF THE SAID LOT 445, SAME BEING A POINT ON THE CENTER LINE OF F.M. 494 (N SHARY ROAD);

THENCE, SOUTH 81 DEG. 26 MN. 05 SEC. EAST, ACROSS THE SAID LOT 445, PASSING AT A DISTANCE 30.00 FEET A 1/2 INCH IRON ROD FOUND, CONTINUING FOR A TOTAL DISTANCE OF 60.00 FEET TO A CAPPED IRON ROD STAMPED "ROWSS" FOUND ON THE EAST RIGHT-OF-WAY LINE OF F.M. 494 (N SHARY ROAD), FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE POINT OF BEGINNING;

THENCE, SOUTH 81 DEG. 26 MIN. 05 SEC. EAST, ALONG THE SOUTH LINE OF A UNITED IRRIGATION DISTRICT CANAL RIGHT-OF-WAY, SAME BEING THE NORTH LINE OF THE SAID ALDAPE TRACT, A DISTANCE OF 859.96 FEET TO AN IRON ROD WITH A PINK CAP SET FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 08 DEG. 34 MIN. 14 SEC. EAST, ALONG THE EAST LINE OF A UNITED IRRIGATION DISTRICT CANAL RIGHT-OF-WAY, SAME BEING AN INTERIOR LINE OF THE SAID ALDAPE TRACT, A DISTANCE OF 40.00 FEET TO AN IRON ROD WITH A PINK CAP SET FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 81 DEG. 26 MIN. 05 SEC. EAST, ALONG THE SOUTH LINE OF A UNITED IRRIGATION DISTRICT CANAL RIGHT-OF-WAY, SAME BEING THE NORTH LINE OF THE SAID ALDAPE TRACT, A DISTANCE OF 399.95 FEET TO AN IRON ROD WITH A PINK CAP SET ON THE EAST LINE OF THE SAID LOT 445, SAME BEING THE NORTHEAST CORNER OF THE SAID ALDAPE TRACT, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 08 DEG. 34 MIN. 14 SEC. WEST, ALONG THE EAST LINE OF THE SAID LOT 445, SAME BEING THE EAST LINE OF THE SAID ALDAPE TRACT, A DISTANCE OF 380.00 FEET TO

AN IRON ROD WITH A PINK CAP SET ON THE EAST LINE OF THE SAID LOT 445, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 81 DEG. 26 MIN. 01 SEC. WEST, ACROSS THE SAID LOT 445, A DISTANCE OF 1259.91 FEET TO AN IRON ROD WITH A PINK CAP SET ON THE EAST RIGHT-OF-WAY LINE OF FM. 494 (N SHARY ROAD), FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 08 DEG. 34 MIN. 17 SEC. EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF FM. 494 (N SHARY ROAD), SAME BEING THE WEST LINE OF THE SAID ALDAPE TRACT, A DISTANCE OF 339.97 FEET TO THE POINT OF BEGINNING, AND CONTAINING 10.201 ACRE OF LAND, MORE OR LESS.

SECTION II: The following tract of land which is located within the city limits of the City of McAllen, Texas shall be rezoned from R-1 (single-family residential) District to R-2 (duplex-fourplex residential):

Lot 7, Block 1, Southwest Heights Subdivision, as recorded in Volume 13, Page 22, of the Map Records of Hidalgo County, Texas.

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

SECTION IV: 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 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.

SECTION VI: 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 28th day of November 2022, 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 November 2022.

CITY OF MCALLEN

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC, CPM
City Secretary

Approved as to form:

Isaac Tawil, City Attorney



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.A.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Approval of Minutes of Workshop and Regular Meeting held November 14, 2022.

2. Party Making Request: Perla Lara

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount:

Under Budget:

Budgeted Amount:

Over Budget:

Amount Remaining:

7. Routing:

Cindy Gonzalez

Perla Lara

Isaac Tawil

Created/Initiated - 11/22/2022

Approved - 11/22/2022

Final Approval - 11/22/2022

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Approve. RR

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

The McAllen Board of Commissioners convened in a workshop on **Monday, November 14, 2022**, at 4:00 p.m., at McAllen City Hall Third Floor (3rd) Commission Chambers.

Mayor Javier Villalobos, Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Rodolfo "Rudy" Castillo, Commissioner Victor "Seby" Haddad and Jose R. "Pepe" Cabeza de Vaca

Also present were City Manager Roy Rodriguez, City Attorney Isaac Tawil and City Secretary Perla Lara, Assistant City Manager Joe Vera and Assistant City Manager Jeff Johnston

CALL TO ORDER

1. PRESENT QUESTIONS TO STAFF RELATING TO THE NOVEMBER 14TH REGULAR MEETING AGENDA, TO BE DISCUSSED AT SUCH MEETING.

There were no questions of the regular city commission agenda.

2. MISD TRAFFIC IMPROVEMENTS.

Staff gave a presentation on improvements conducted along public roadways adjacent to MISD schools to improve school traffic. The following schools were briefly highlighted:

- Rayburn Elementary
- Seguin Elementary
- McAuliffe Elementary
- Escandon Elementary
- Cathey Middle School
- Lamar Academy
- McHi High School
- Nikki Row High School
- Morris Middle School

A discussion ensued. Comments and concerns were shared by Council. Staff answered questions posed by Council.

Mayor Javier Villalobos thanked staff for their presentation.

3. FIRE STATION 8 SCHEMATIC DESIGN REVIEW.

Chief Schultz presented on Schematic Design for Fire Station 8. It was noted that Gignac & Associates, LLP has completed the Schematic Design Development Phase of the project. It was noted was that the probable construction cost, less contingencies, currently exceeded the project budget. Also noted was the Gignac & Associates has agreed to move forward to Construction Documents with no increase in fees as per contract.

A discussion ensued. Comments and concerns were expressed by Council. Questions were asked regarding to why it was so expensive, original building size, schematic design, square footage and the learning center. Staff answered questions posed by Council.

Mayor Javier Villalobos thanked staff for their presentation.

4. **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) **DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL PROPERTY, TRACT 1. (SECTION 551.087, T.G.C.)**
 - B) **CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO TAX INCREMENT INVESTMENT ZONES. (SECTION 551.071, T.G.C.)**
 - C) **COSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)**
 - D) **CONSULTATION WITH CITY ATTORNEY REGARDING TO INTERNATIONAL PORTS OF ENTRY. (SECTION 551.071, T.G.C.)**
 - E) **CONSULTATION WITH CITY ATTORNEY REGARDING EMERGENCY MEDICAL SERVICES. (SECTION 551.071, T.G.C.)**
 - F) **CONSULATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES WITH GRANT AGREEMENTS. (SECTION 551.071, T.G.C.)**
 - G) **CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CMAR PROCEMENT. (SECTION 551.071, T.G.C.)**

PUBLIC COMMENT SESSION:

Mr. Manuel Pescador, Mr. Joshua Reyna, Mr. Abel Gutierrez and Mr. Christopher Hernandez spoke under the public comment section.

ADJOURNMENT

Without objection, the meeting was adjourned at 4:51 p.m.

Javier Villalobos, Mayor

Attest:

Perla Lara, 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, **November 14, 2022**, at 5:00 PM, at McAllen City Hall Third Floor (3rd) Commission Chambers, with the following present:

Mayor Javier Villalobos, Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Rodolfo "Rudy" Castillo, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

Staff: City Manager Roy Rodriguez, City Attorney Isaac Tawil, Assistant City Manager Michelle Rivera, City Secretary Perla Lara, City Engineer Eduardo Mendoza, Planning Director Edgar Garcia, Finance Director Sergio Villasana

CALL TO ORDER

Mayor Javier Villalobos called the meeting to order.

PROCLAMATION

TEXAS RECYCLES DAY

Commissioner Omar Quintanilla read and presented a proclamation for Texas Recycles Day.

AGENDA ITEM PUBLIC COMMENT (Individuals wishing to speak regarding an agenda item on today's agenda, please contact City Secretary before 5:00pm)

1. PUBLIC HEARING

Mayor Javier Villalobos 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 Javier Villalobos asked if there was anyone to speak in opposition to the items under this section of the agenda.

Mayor Pro Tem Joaquin Zamora moved to approve the items listed on the Routine Items section of the agenda except for item 1A1 to be addressed separately and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

1. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT 0.14 ACRE OUT OF LOT 6, BLOCK 4, HIDALGO CANAL COMPANY'S SUBDIVISION, HIDALGO COUNTY, TEXAS; 6416 SOUTH 10th STREET.

Staff recommended approval of the C-3 Zoning at 6416 South 10th Street, as per Planning and Zoning Commission.

Discussion ensued. Concerns were expressed relating to growth, residential, Upas and 10th Street. Staff answered questions posed by Council.

After due consideration, Commissioner Jose R. "Pepe" Cabeza de Vaca moved to as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr.. The motion passed with 5 votes in the affirmative with Mayor Pro Tem Joaquin Zamora voting against.

2. REQUEST OF JESSICA AGUILAR FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR (THE BEARDED LADY), AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITE Q.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar (The Bearded Lady) at 400 Nolana Avenue, Suite Q, as per Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of those businesses having late hours (after 10:00 PM) must be at least 400 feet from the nearest residence, church, school, or publicly owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 feet of residential zones and uses to the north and east, and a water tower to the west.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required from other Conditional Use Permits in this commercial plaza.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 20 parking spaces are required. Parking spaces are provided on site during the applicable hours of operation for this business.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street 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 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 considered the recommendations of the Fire Marshal, Building Official and Planning Director. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

3. REQUEST OF JESSICA AGUILAR FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A BAR (SUERTE BAR & GRILL UPTOWN), AT LOT A-1, NOLANA TOWER SUBDIVISION, HIDALGO COUNTY, TEXAS; 400 NOLANA AVENUE, SUITES N1-N2.

Approved a Conditional Use Permit and adopted an ordinance, for one year, for a bar (Suerte Bar & Grill Uptown) at 400 Nolana Avenue, Suites N1-N2, as per Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of those businesses having late hours (after 10:00 PM) must be at least 400 feet from the nearest residence, church, school, or publicly owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 feet of residential zones and uses to the north and east, and a water tower to the west.
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The property has direct access to Nolana Avenue, North 4th Street, and North 6th Street. The existing gates on North 4th Street need to be closed as required from other Conditional Use Permits in this commercial plaza.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Currently there is a multi-tenant commercial building on the property. The shopping center is a mixture of office, retail, vacant suites, restaurants, a children's event center, and bars. 729 parking spaces are provided on the common parking area in the front and rear of the building. For the 729 parking spaces of the common parking area, 15 accessible parking spaces are required and are provided on site. Based on the square footage of the building, 41 parking spaces are required. Parking spaces are provided on site during the applicable hours of operation for this business.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the vegetation ordinance.
5. The business shall provide sufficient lighting to eliminate dark areas and maximize visibility from a public street 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 considered the recommendations of the Fire Marshal, Building Official and Planning Director. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

4. REQUEST OF ROEL “ROY” RODRIGUEZ, P.E., CITY MANAGER ON BEHALF OF THE CITY OF MCALLEN FOR A CONDITIONAL USE PERMIT, FOR LIFE OF USE, AND ADOPTION OF AN ORDINANCE FOR AN INSTITUTIONAL USE FOR A GOLF PRACTICE FACILITY AND THE CHAMPION LAKES GOLF COURSE AT LOT 27, BLOCK 1, & LOTS 183-185 AND LOTS 188-190, BLOCK 1, MCALLEN FIRST SUBURBAN CITRUS GROVES, LA LOMITA, HIDALGO COUNTY, TEXAS; 2701 SOUTH WARE ROAD.

Approved a Conditional Use Permit and adopted an ordinance, for life of the use, for a golf practice facility and the Champion Lakes Golf Course at 2701 South Ware Road, as per Planning and Zoning Commission.

The proposed use must meet the requirements set forth in Section 138-118 of 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; There is access to South Ware Road.
2. The proposed use shall comply with the McAllen Off-Street Parking and Loading Ordinance and make provisions to prevent the use of street parking, especially in residential areas. There is an existing parking area along with designated parking spaces for the golf practice facility.
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 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 buildings shall be restricted to those allowed by the Fire Marshal and Building Official at the time of permit issuance.

B) REZONING:

1. REZONE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO C-3 (GENERAL BUSINESS) DISTRICT LOTS 7 AND 8, SAVE AND EXCEPT THE NORTH 15 FEET OF LOT 8, BLOCK 1, RENKEN'S ADDITION SUBDIVISION, HIDALGO COUNTY, TEXAS; 601 NORTH 9TH STREET. (TABLED)

Said item was withdrawn by applicant.

C) CONDITIONAL USE PERMITS:

1. REQUEST OF KATYA M. CANTU AND OMAR GARZA ON BEHALF OF POWERS XTRYM INK TATTOOS & BODY PIERCING STUDIO, LLC, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR AN EVENT CENTER (BYOB LOCALE), AT LOT 12, MEJIA SUBDIVISION UNIT NO. 1, HIDALGO COUNTY, TEXAS, 2022 NOLANA AVENUE.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for an event center at 2022 Nolana Avenue, as per Planning and Zoning Commission.

The establishment must also meet the requirements set forth in Section 138-118(a)(4) of the Zoning Ordinance and specific requirements as follows:

1. The property line of those businesses having late hours (after 10:00 PM) must be at least 400 feet from the nearest residence, church, school, or publicly owned property or must provide sufficient buffer and sound insulation of the building such that the building is not visible and cannot be heard from the residential areas. The establishment is within 400 feet of the International Museum of Arts & Science (IMAS).
2. The property must be as close as possible to a major arterial and shall not generate traffic onto residential sized streets. The establishment has direct access to Nolana Avenue and does not generate traffic into residential areas.
3. The business must provide parking in accordance with the McAllen Off-Street Parking Ordinance as a minimum and make provisions to prevent the use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking. Based on the square footage of the proposed site for the BYOB locale, 34 parking spaces will be required, which are provided as part of the common parking area.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent properties by providing, when necessary, fences, hedges or reorientation of entrances and exits under the Vegetation Ordinance.
5. The business shall provide sufficient lighting to eliminate dark areas and facilitate maximize visibility from a public street 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 considered the recommendations of the Fire Marshal, Building Official and Planning Director. The occupancy load for this establishment will be established by the Building Department as part of the building permitting review.

Mayor Pro Tem Joaquin Zamora moved to deny the Conditional Use Permit and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

Staff requested clarification of motion made. At this time Mayor Pro Tem Joaquin Zamora rescinded previous motion approved by the board.

Mayor Pro Tem Joaquin Zamora Approve the Conditional Use Permit for one year and permittee to abide with all conditions listed on the permit as authorized in the McAllen Code of Ordinances and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

2. REQUEST OF DAVID M. ROSSOW, FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE AND VAPE SHOP AT LOTS 5 & 6, TRENTON COMMERCIAL PARK SUBDIVISION, HIDALGO COUNTY, TEXAS; 2200 TRENTON ROAD, SUITE 2A.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year for a smoke and vape shop at 2200 Trenton Road Suite A, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the above-mentioned business must be at least 400 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 400 feet of a residential zone.
2. The abovementioned business must be as close as possible to a major arterial and shall not allow the traffic generated by such business onto residential streets or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along Trenton Road.
3. The abovementioned business must provide parking in accordance with the city off-street parking ordinance as a minimum and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking.
4. The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
5. The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street.
6. The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The abovementioned 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 considered the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

Mayor Pro Tem Joaquin Zamora moved to approve the Conditional Use Permit as recommended and seconded by Commissioner Antonio "Tony" Aguirre, Jr. The motion carried unanimously.

3. REQUEST OF DAVID ROSSOW FOR A CONDITIONAL USE PERMIT, FOR ONE YEAR, AND ADOPTION OF AN ORDINANCE FOR A SMOKE AND VAPE SHOP AT LOT 1A, WILSON SUBDIVISION, HIDALGO COUNTY, TEXAS; 4000 NORTH 10th STREET, SUITE 30.

Staff recommended approval of a Conditional Use Permit and adoption of an ordinance, for one year, for a smoke and vape shop at 4000 North 10th Street, Suite 30, as per Planning and Zoning Commission.

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

1. The property line of the lot of any of the above-mentioned business must be at least 400 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 400 ft. of a residential zone to the northeast.

2. The abovementioned business must be as close as possible to a major arterial and shall not allow the traffic generated by such business onto residential streets or allow such traffic to exit into and disrupt residential areas. The subject property has frontage along North 10th Street and Nolana Avenue and does not generate traffic into residential areas.
3. The abovementioned businesses must provide parking in accordance with the city off-street parking ordinance as a minimum and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional onsite parking. The proposed 1,350 sq. ft. smoke shop requires 4 parking spaces.
4. The abovementioned business must do everything possible to prevent the unauthorized parking by the patrons of such business on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances.
5. The abovementioned business should do everything possible and be designed to discourage criminal activities and vandalism, both on the site and on adjacent properties. Included would be provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility as much as possible of the site from a public street.
6. The abovementioned business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties.
7. The abovementioned 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 considered the recommendations of the Fire Marshal, Building Official and Director of Planning. The occupancy load for this establishment will be established by the Building and Inspections Department as part of the building permit review process.

Commissioner Antonio "Tony" Aguirre, Jr. moved to approve the Conditional Use Permit as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

D) AMENDING THE ZONING ORDINANCE OF THE CITY OF MCALLEN.

Mayor Pro Tem Joaquin Zamora moved to amend the Zoning Ordinance and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

E) REQUEST OF JACK E. AND HILDA EDWARDS FOR A DESIGNATION OF A MCALLEN CITY LANDMARK AT THE WEST 25 FT. OF LOT 11, AND ALL OF LOTS 12 AND 13, BLOCK 11, MILMOR ADDITION TO MCALLEN SUBDIVISION, HIDALGO COUNTY, TEXAS; 1321 JASMINE AVENUE.

Staff recommended approval of the designation of a McAllen City Landmark at 1321 Jasmine Avenue.

Discussion ensued. Comments and concerns were shared by Council. Question was asked relating to restrictions. Staff answered questions posed by Council.

Commissioner Victor "Seby" Haddad moved to approve the designation as recommended and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

END OF PUBLIC HEARING

Mayor Javier Villalobos declared the Public Hearing closed.

2. **CONSENT AGENDA (ALL MATTERS LISTED UNDER CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE GOVERNING BODY AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS; HOWEVER, IF DISCUSSION IS DESIRED, THAT ITEM(S) WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.)**

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the items listed on the Consent Agenda and Mayor Pro Tem Joaquin Zamora seconded. The motion carried unanimously.

- A) **APPROVAL OF MINUTES OF BUDGET WORKSHOPS HELD AUGUST 18TH, AUGUST 24TH, WORKSHOP AND REGULAR MEETINGS HELD OCTOBER 24, 2022.**

Approved the Minutes of Budget Workshops held August 18th, August 24th, Workshop and Regular Meetings held October 24, 2022.

- B) **CONSIDERATION AND ACCEPTANCE OF PUBLIC RIGHT-OF-WAY AND EASEMENTS FOR MCALLEN SOUTH INDUSTRIAL PARK.**

Approved the acceptance of public right-of-way and easements for McAllen South Industrial Park.

- C) **CONSIDERATION AND ACCEPTANCE OF DONATED COMMON AREAS OF SHOPS AT TRES LAGOS SUBDIVISION.**

Approved the acceptance of donated common areas of Shops at Tres Lagos Subdivision.

- D) **CONSIDERATION AND ACCEPTANCE OF DONATED COMMON AREAS IN CASCADA AT TRES LAGOS PHASE II.**

Approved the acceptance of donated common areas in Cascada at Tres Lagos Phase II.

- E) **AWARD OF CONTRACT TO CITIBOT, INC. FOR TEXT, CHATBOT AND SHORT DIGIT SERVICES.**

Awarded a contract to Citibot, Inc. in the amount of \$62,330 for text, chatbox and short digit services.

- F) **ORDINANCE PROVIDING FOR AN AMENDMENT TO THE POSTED SPEED LIMIT ON MONTE CRISTO ROAD (FM 1925) BETWEEN CITY OF MCALLEN LIMITS.**

Adopted an ordinance providing for an amendment to the posted speed limit on Monte Cristo Road (FM 1925) between City of McAllen Limits.

- G) **RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANT**

DIVISION UNDER THE FISCAL YEAR 2023 LOCAL BORDER SECURITY PROGRAM.

Approved a resolution authorizing the acceptance of grant funds from the Office of the Governor's Homeland Security Grant Division under the Fiscal Year 2023 Local Border Security Program.

H) CONSENT COOP PURCHASES

1. AWARD OF MAINTENANCE RENEWAL CONTRACT FOR GIS SYSTEM LICENSES THROUGH TEXAS DIR.

Awarded a maintenance renewal contract to ESRI in the amount of \$54,515.54 for GIS System Licenses.

3. BIDS/CONTRACTS

A) AWARD OF CONTRACT FOR THE PURCHASE OF 19 TRAFFIC SIGNALS.

Staff recommended award of contract to Consolidated Traffic Controls, Inc. in the amount of \$204,902.24 for the Purchase of 19 Traffic Signals.

Commissioner Victor "Seby" Haddad moved to award the contract as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

B) AWARD OF CONTRACT FOR DOVE AVENUE ROADWAY AND DRAINAGE IMPROVEMENTS FROM BENTSEN ROAD TO 41st STREET.

Staff recommended award of contract to Go Underground LLC in the amount of \$3,258,584.74 for the Dove Avenue Roadway and Drainage Improvements from Bentsen Road to 41st Street.

Commissioner Antonio "Tony" Aguirre, Jr. moved to award the contract as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

C) CONSIDERATION OF SELECTION OF TOP RANKED FIRMS FOR PROFESSIONAL CIVIL ENGINEERING SERVICES POOL.

Staff recommended the selection of the 16 top ranked firms for Professional Civil Engineering Services Pool.

Mayor Pro Tem Joaquin Zamora moved to approve the selection as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

D) CONSIDERATION AND APPROVAL OF CHANGE ORDER NO. 1 FOR MCALLEN HIDALGO INTERNATIONAL BRIDGE PEDESTRIAN IMPROVEMENTS PROJECT.

Staff recommended approval of Change Order No. 1 in the amount of \$67,875.00 for the McAllen Hidalgo International Bridge Pedestrian Improvements Project.

Mayor Pro Tem Joaquin Zamora moved to approve Change Order No. 1 as recommended and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

E) CONSIDERATION AND AUTHORIZATION TO NEGOTIATE SCOPE OF SERVICES AND FEES WITH THE TOP-RANKED ARCHITECTURAL FIRM FOR THE CITY HALL EXPANSION FEASIBILITY STUDY.

Staff recommended authorization to negotiate the scope of services and fee schedule with the top-ranked firm, Milnet Architectural Services, PLLC. for the City Hall Expansion Feasibility Study.

Mayor Pro Tem Joaquin Zamora moved to approve the negotiations from the workshop items of today's meeting limited to the 1400 block of Houston and seconded by Commissioner Omar Quintanilla. The motion carried unanimously.

F) CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 FOR PROJECT COST PARTICIPATION AS RELATED TO THE MAYBERRY ROAD TO GLASSCOCK ROAD AREA DRAINAGE IMPROVEMENTS PROJECT.

Staff recommended an Interlocal Agreement with the Hidalgo County Drainage District No. 1 for project cost participation as related to the Mayberry Road to Glasscock Road Area Drainage Improvements Project.

Mayor Pro Tem Joaquin Zamora moved to award the interlocal agreement as recommended and seconded by Commissioner Victor "Seby" Haddad. The motion carried unanimously.

4. ORDINANCES

A) PROVIDING FOR AN AMENDMENT TO ORDINANCE 2022-117 PROVIDING FOR AN INCREASE IN THE NUMBER OF AUTHORIZED POSITIONS FOR THE MCALLEN POLICE DEPARTMENT.

Staff recommended adoption of an ordinance providing for an amendment to Ordinance 2022-117 providing for an increase in the number of authorized positions to 316 for the McAllen Police Department.

Discussion ensued as to the grant applications and the increase by 15 fifteen positions and increasing the total strength to 316 three hundred sixteen.

Commissioner Antonio "Tony" Aguirre, Jr. moved to adopt the ordinance as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

B) PROVIDING FOR A BUDGET AMENDMENT FOR THE ANZALDUAS CARGO PROJECT FROM THE ANZALDUAS INTERNATIONAL CROSSING FUND.

Staff recommended adoption of an ordinance providing for a budget amendment in the amount of \$150,000.00 for the Anzaldua's Cargo Project.

Commissioner Victor "Seby" Haddad moved to adopt the ordinance as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

5. RESOLUTIONS

A) NOMINATING COLUMBIA RIO GRANDE HEALTHCARE, L.P. TO THE OFFICE OF GOVERNOR FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT UNDER THE TEXAS ENTERPRISE ZONE PROGRAM.

Staff recommended approval of a resolution nominating Columbia Rio Grande Healthcare, L.P. to the Office of Governor for Designation as a Qualified Business and Enterprise Project Under the Texas Enterprise Zone Program.

Commissioner Jose R. "Pepe" Cabeza de Vaca moved to approve the resolution as recommended and seconded by Mayor Pro Tem Joaquin Zamora. The motion carried unanimously.

B) PROVIDING FOR LETTER OF SUPPORT FOR THE TEXAS-OKLAHOMA PASSENGER RAIL STUDY.

Staff recommended approval of a resolution providing for a Letter of Support for the Texas-Oklahoma Passenger Rail Study.

Mayor Pro Tem Joaquin Zamora moved to approve the resolution as recommended and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

6. MANAGER'S REPORT

A) ADVISORY BOARD APPOINTMENTS.

GOLF COURSE ADVISORY BOARD

Mayor Javier Villalobos nominated Alex Munoz to the Golf Course Advisory Board.

PLANNING & ZONING BOARD

Commissioner Antonio "Tony" Aguirre Jr. nominated Aaron Daniel Rivera to the Planning and Zoning Advisory Board.

Mayor Pro Tem Joaquin Zamora moved to accept the nominations and Commissioner Antonio "Tony" Aguirre seconded the motion. The motion carried unanimously.

B) PRESENTATION OF YEAR-TO-DATE TAX COLLECTION REPORT.

Staff gave a presentation of Year-to-Date Tax Collection Report.

C) PRESENTATION OF YEAR-TO-DATE DELINQUENT TAX COLLECTION REPORT.

Jimmy Gonzalez of Linebarger, Goggan Blair & Sampson gave a presentation of Year-to-Date Delinquent Tax Collection Report.

D) IMMIGRATION AND RESPITE CENTER REPORT.

Said item was not addressed.

E) FUTURE AGENDA ITEMS.

No future agenda items were mentioned.

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).

On behalf of the Presiding Officer, City Attorney recommended recessing into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 Consultation with Attorney on Items 7B, 7D, 7E, 7F and 7G and Section 551.087 Economic Development on Items 7A and 7C.

Mayor Javier Villalobos recessed the meeting at 6:39 pm to go into Executive Session. Mayor Javier Villalobos reconvened the meeting at 7:21 pm and noting the following city commission members present: Mayor Javier Villalobos, Mayor Pro Tem Joaquin Zamora, Commissioner Antonio "Tony" Aguirre, Jr., Commissioner Omar Quintanilla, Commissioner Rodolfo "Rudy" Castillo, Commissioner Victor "Seby" Haddad and Commissioner Jose R. "Pepe" Cabeza de Vaca

A) DISCUSSION AND POSSIBLE LEASE, SALE OR PURCHASE OF REAL PROPERTY, TRACT 1. (SECTION 551.087, T.G.C.)

Commissioner Antonio "Tony" Aguirre Jr. moved to authorize City Manager and City Attorney to execute those documents necessary to purchase the property and to negotiate those ancillary documents necessary to purchase the property and structure the acquisition as described in executive session and seconded by Commissioner Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

B) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO TAX INCREMENT INVESTMENT ZONES. (SECTION 551.071, T.G.C.)

No action.

C) CONSIDERATION OF ECONOMIC DEVELOPMENT MATTERS. (SECTION 551.087, T.G.C.)

7C1 – Commissioner Antonio "Tony" Aguirre Jr. moved to approve the economic development incentives as described in executive session and seconded by Jose R. "Pepe" Cabeza de Vaca. The motion carried unanimously.

7C2 - Mayor Pro Tem Joaquin Zamora moved to authorize City Manager and City Attorney to negotiate the economic development incentives as described in executive session and seconded by Commissioner Antonio "Tony" Aguirre Jr. The motion carried unanimously.

D) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO INTERNATIONAL PORTS OF ENTRY. (SECTION 551.071, T.G.C.)

No action.

- E) CONSULTATION WITH CITY ATTORNEY REGARDING EMERGENCY MEDICAL SERVICES. (SECTION 551.071, T.G.C.)**

No action.

- F) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES WITH GRANT AGREEMENTS. (SECTION 551.071, T.G.C.).**

No action.

- G) CONSULTATION WITH CITY ATTORNEY REGARDING LEGAL ISSUES RELATED TO CMAR PROCUREMENT (SECTION 551.071, T.G.C.)**

No action.

ADJOURNMENT

Without objection the meeting was adjourned at 7:22 p.m.

Javier Villalobos, Mayor

Attest:

Perla Lara, TRMC/CMC, CPM
City Secretary

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.B.

DATE SUBMITTED

11/18/2022

MEETING DATE

11/28/2022

1. Agenda Item: Ordinance providing for a Budget Amendment for land acquisition for Project Air.
2. Party Making Request: Roel Rodriguez, Angie Rodriguez
3. Applicant:
4. Nature of Request: Budget Amendment to transfer \$3,273,600 from the Development Corp Fund to the Infrastructure and Improvement Fund for the land acquisition for Project Air and to record \$1,636,800 interfund loan between Workers Comp (Risk Management) Fund and the Development Corp Fund.
5. Fiscal Impact Summary:

Budget Amendment to transfer \$3,273,600 from the Development Corp Fund to the Infrastructure and Imp for the land acquisition for Project Air and to record \$1,636,800 interfund loan between Workers Comp (Risk Management) Fund and the Development Corp Fund.

6. Budgeted: No

Bid Amount: \$3,273,600
Under Budget: \$0.00

Budgeted Amount: \$0.00
Over Budget: \$0.00
Amount Remaining: \$0.00

7. Routing:

Denise Guerra	Created/Initiated - 11/18/2022
Angie Rodriguez	Approved - 11/22/2022
Sergio Villasana	Approved - 11/22/2022
Michelle Rivera	Approved - 11/22/2022
Isaac Tawil	Final Approval - 11/22/2022

8. Staff Recommendation: Staff recommends approval of the budget amendment.

9. Advisory Board:

10. City Attorney: Approve. IJT

¹
1. Manager's Recommendation: Approve. RR

Memo



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

From: Michelle Rivera, Assistant City Manager *MR*

Date: November 18, 2022

Re: Project Air

This budget amendment is necessary to fund a portion of the purchase of some land to be used for industrial buildings. The transaction and contract will be discussed further in executive session.

ORDINANCE NO. 2022-_____

AN ORDINANCE AMENDING THE BUDGET OF THE CITY OF McALLEN FOR THE FISCAL YEAR 2022-2023 EFFECTIVE OCTOBER 1, 2022, BY PROVIDING FOR AN INCREASE IN EXPENDITURES TO-WIT: \$3,273,600.00 FROM THE DEVELOPMENT CORP FUND TO THE INFRASTRUCTURE FUND FOR THE LAND ACQUISITION FOR PROJECT AIR AND TO RECORD \$1,636,800 INTERFUND LOAN BETWEEN FROM THE WORKERS COMP FUND AND THE DEVELOPMENT CORP.

WHEREAS, the Board of Commissioners of the City of McAllen pursuant to Chapter 102 of the Local Government Code has heretofore adopted a budget for the City of McAllen for Fiscal Year 2022-2023. Such budget was effective October 1, 2022 and

WHEREAS, the Board of Commissioners of the City of McAllen deems it in the best interest of the City and for municipal purposes to amend the budget heretofore adopted for such fiscal year by providing for unanticipated expenditures which were not known to the governmental body prior to the adoption of the budget but have since become necessary to fund since the effective date of the budget and to also show revenues which were not anticipated by the governing body in the adoption of the 2022-2023 budget but have been received by the governmental body since that date.

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

SECTION I: The Budget for the City of McAllen for the Fiscal Year 2022-2023 which became effective October 1, 2022 as set out in Ordinance 2022-112 adopted on September 26, 2022 is hereby amended in the following particulars as shown on Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION II: The City Manager as Budget Officer shall provide for the filing of a true copy of this Budget Amendment in the office of the County Clerk, Hidalgo County, Texas.

SECTION III: This Ordinance shall be effective after its passage and execution in accordance with the law.

SECTION IV: 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 V: The City Secretary of the City of McAllen is hereby directed not to publish this Ordinance 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 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 28th day of November 2022, 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 of the Texas Government Code.

SIGNED this _____ day of November 2022.

CITY OF McALLEN, TEXAS

Javier Villalobos, Mayor

ATTEST:

Perla Lara, TRMC/CMC,CPM
City Secretary

Approved as to form:

Isaac J. Tawil, City Attorney



BUDGET AMENDMENT REQUEST FORM

FUND: Development Corp and Workers Comp Fund
DEPARTMENT: City Manager
FISCAL YEAR: 22-23

To be assigned by Office of Management & Budget dep	
REVIEW BY	
DATE OF ENTRY	
ENTRY MADE BY	
JOURNAL ENTRY	
ORDINANCE NO.	
INTERFUND CROSS FUND CAPITAL IMPRV PROJECT LISTING UPDATE	

Fund	Dept. & Division	Activity	Element & Object	Project Code	Description	Original/Revised Budget	Debit/Credit	Revised Budget
110	9010	499	74.xx	pending	Transfer Out/Infrastructure & Improvement Fund	\$ -	\$ (3,273,600)	\$ (3,273,600)
321	0000	391	04-xx	pending	Transfer In/Development Corp. Fund			
110	0000	205	pending	pending	Loan due to Workers Comp Fund - Don't Post - Reporting Only	-	1,636,800	1,636,800
690	0000	111	pending	pending	Loan due from the Development Corp. Fund - Don't Post - Reporting Only	-	(1,636,800)	(1,636,800)
321	8708	416	66-02	pending	Land Acquisition - Project Air	4,000,000	3,273,600	7,273,600
TOTALS						\$ 4,000,000	\$ -	\$ 4,000,000

(Round up all amounts to the nearest hundred dollars)

JUSTIFICATION:

Budget Amendment to transfer \$3,273,600 from the Development Corp Fund to the Infrastructure and Improvement Fund for the land acquisition for Project Air and to record \$1,636,800 interfund loan between Workers Comp (Risk Management) Fund and the Development Corp Fund.

City Manager

Signature

Date

Office of Management & Budget

Signature

Date

Finance

Signature

Date



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.C.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration and Approval of Pledge to Participate in the 2023 IT'S TIME TEXAS Community Challenge.
2. Party Making Request: Steven Kotsatos
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary:
6. Budgeted:

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

Cynthia Reyna	Created/Initiated - 11/16/2022
Steven Kotsatos	Approved - 11/16/2022
Michelle Rivera	Approved - 11/16/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



CITY OF MCALLEN
HEALTH & CODE ENFORCEMENT
MEMORANDUM

To: Roy Rodriguez, P.E., City Manager

From: Steven Kotsatos, R.S., CPM, Environmental Health & Code Enforcement Director

Date: November 16, 2022

Subject: 2023 It's Time Texas Community Challenge

GOAL: To officially participate in the 2023 It's Time Texas Community Challenge. The City of McAllen has won 5 years in a row Statewide in the Large Cities Category and would like to win a 6th year in a row.

BRIEF EXPLANATION: I am honored to announce that the eleventh annual IT'S TIME TEXAS Community Challenge, presented by H-E-B, launches on January 9, 2023 and runs through March 5, 2023. The Challenge unites Texas Mayors, local schools, businesses, organizations, and community members to demonstrate a commitment to healthy living. This statewide healthy competition has made a huge impact on community health.

The results for the year 2022 have been phenomenal. In the City of McAllen, 2,225 participants participated in the 8-week competition logging some 31,981 healthy actions, signing 293 commitments or community pledges, giving 8,396 virtual high fives-effectively encouraging others on their health journey, and logging 3,761,350 points in the challenge. The nature of the top 5 healthy activities is as follows: water consumption happened 8,570 times, Walking (either in group, solo, or with pet) 4,624 times, personal healthy application synched healthy activities happened 2,825 times, eating some 2,371 healthy snacks, and logging 2,035 healthy breakfast activities.

The competition pitted cities of similar size against each other. McAllen competed against Garland, Pasadena, Round Rock, as well as neighboring cities Edinburg, placed third and Brownsville, which placed fourth, to name a few.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.D.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration and Approval of an Interlocal Agreement for the 2023 South Texas All Hazard Conference.
2. Party Making Request: Steven Kotsatos
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary: 011-5002-454-63-52 Rental and Contractual
6. Budgeted: Yes

Bid Amount:	<u>\$5,000</u>	Budgeted Amount:	<u>\$5,000</u>
Under Budget:	<u>\$0.00</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Cynthia Reyna	Created/Initiated - 11/16/2022
Steven Kotsatos	Approved - 11/16/2022
Angie Rodriguez	Approved - 11/18/2022
Michelle Rivera	Approved - 11/18/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



CITY OF MCALLEN
HEALTH & CODE ENFORCEMENT
MEMORANDUM

To: Roy Rodriguez, P.E., City Manager

From: Steven M. Kotsatos, R.S., CPM, Environmental Health & Code Enforcement Director

Date: November 16, 2022

Subject: South Texas All Hazards Conference March 22-23, 2023

GOAL: Seeking approval for the Interlocal Cooperation Agreement between City of McAllen and County of Hidalgo by and through its Department of Health and Human Services.

BRIEF EXPLANATION: The County of Hidalgo and the City of McAllen, Texas desire to provide the South Texas All Hazards Conference for personnel, including public health, emergency response managers, first-line supervisors and administrators who will function as incident commanders, emergency management coordinators, public utility workers, local stakeholders at all levels of government, public health, non-profit organizations, and any other entity including the volunteers from the general public who respond and provide services in cases of emergencies involving potential public calamities primarily in mitigation, preparedness, response and recovery and The County of Hidalgo to collaborate with the City of McAllen, Texas to provide an adequate facility and services in which to provide the conference described herein.

RECOMMENDATION: Staff recommends the approval of the agreement.

STATE OF TEXAS

§

COUNTY OF HIDALGO

§

§

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN CITY OF MCALLEN, TEXAS
AND HIDALGO COUNTY, TEXAS**

THIS Agreement is made on this the 29th day of November, 2022 by and between the **CITY OF MCALLEN, TEXAS**, herein after referred to as the "City", and the **COUNTY OF HIDALGO, TEXAS**, by and through its Department of Health and Human Services, hereinafter referred to as the "County", pursuant to the provisions of the Texas Interlocal Cooperation Act, Chapter 791, the "Act", as follows:

WITNESSETH:

WHEREAS, County is a local government as defined by the Act, and a county in the State of Texas; and

WHEREAS, McAllen is a municipality city in the County of Hidalgo, and created by the laws of the State of Texas; and

WHEREAS, the County and the City of McAllen, Texas desire to provide the South Texas All Hazards Conference for personnel, including public health, emergency response managers, first-line supervisors and administrators who will function as incident commanders, emergency management coordinators, public utility workers, local stakeholders at all levels of government, public health, non-profit organizations, and any other entity including the volunteers from the general public who respond and provide services in cases of emergencies involving potential public calamities primarily in mitigation, preparedness, response and recovery; and

WHEREAS, the County and City of McAllen, Texas desire to enter into the Agreement in an effort to provide the South Texas All Hazards Conference and make the most efficient use of their resources for necessary training, networking, and professional development as stated herein in the most practicable and efficient manner possible; and

WHEREAS, the County will collaborate with the City of McAllen, Texas to provide an adequate facility and services in which to provide the conference described herein; and

WHEREAS, the City of McAllen, Texas and County are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Texas Government Code 791.001 et seq., (the "Act") which authorizes local governments to contract with each other to perform governmental functions and services under the terms of the Act;

NOW THEREFORE, the City of McAllen, Texas and County, in consideration of the mutual covenants expressed hereinafter, agree as follows:

1. City of McAllen, Texas and the County shall provide participants for the South Texas All Hazards Conference at no cost to the participants.

2. City of McAllen, Texas and the County agree to provide a suitable conference facility in which the South Texas All Hazards Conference will be conducted.
3. The 2023 South Texas All Hazards Conference will be conducted on March 22-23, 2023 .
4. City of McAllen, Texas shall provide up to \$5,000 (five thousand dollars) to support the South Texas All Hazards Conference costs.
5. County shall provide a firm fixed fee of one hundred twenty thousand dollars (\$120,000.00) to the City of McAllen, Texas for the South Texas all Hazards Conference.
6. The costs described in paragraph 5 above include all costs to the County for the venue, venue support, conference and expo management services, promotional items, vendor registration, food services and hospitality.
7. **Termination.** Either party may terminate this agreement upon thirty (30) days written notice to the non-terminating party for any reason or no reason at all.
8. **Conflict with Applicable Law.** Nothing in this Agreement shall be construed to require the commission of any act contrary to law, and whenever there is any conflict between any provision of the Agreement and any present or future law, ordinance or administrative, executive or judicial regulation, order or decree, or amendment thereof contrary to which the parties have no legal right to contract, the latter shall prevail, but in such even the affected provision or provision of this Agreement shall be modified only to the extent necessary to bring them within the legal requirement and only during the time such conflicts exists.
9. **No Waiver:** No waiver by any party hereto of any breach of any provision of this Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.
10. **Entire Agreement:** The Agreement contains the entire contact among the parties hereto, and each party acknowledges that no other party has made (either directly or through any agent or representative) any representation or agreements in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by City of McAllen, Texas and the County, and not otherwise.
11. **Liabilities:** This Agreement is not intended to extend the liability of the Parties beyond that provided by law. Neither City of McAllen nor Hidalgo County waive, nor shall be deemed to have hereby waived, any immunity or defense that would otherwise be available to it against claims arising from third parties.
12. **Notice:** Except as may be otherwise specifically provided in this Agreement, all notices, demands, requests or communications required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, (ii) electronically mailed with read receipt requested, (iii) sent by commercial courier with delivery signature required, or (iv) U.S. certified mail return receipt requested, and

addresses to the parties at the addresses set forth below or at such other addresses as may be theretofore specified by written notice delivered in accordance herewith:

If to City of McAllen, Texas:

City of McAllen
Roel "Roy" Rodriguez,
City Manager
Roel_Rodriguez@mcallen.net
P.O. Box 220
McAllen, TX 78505
(956) 681-1001

With Copy To:

Isaac J Tawil
City Attorney
itawil@mcallen.net
P.O. Box 220
McAllen, TX 78505
(956) 681-10090

If to the County:

County of Hidalgo
Richard Cortez, County Judge
Countyjudge@co.hidalgo.tx.us
100 East Cano
Edinburg, TX 78539
(956)-318-2600

Each notice, demand, request, or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given or all purposes at such time as it is personally delivered to the addressee or, if sent by way of commercial courier, at such time as it is delivered to the commercial courier.

13. **Additional Documents:** The parties hereto warrant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of the Agreement.
14. **Assignment:** This Agreement shall not be assignable.
15. **Headings:** The headings and captions contained in this Agreement are solely for convenient reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.
16. **Authority to Execute:** The execution and performance of this Agreement by each of the parties have been duly authorized by all necessary laws, resolution, ordinances or government body action, and this Agreement constitutes the valid and enforceable obligations of the parties hereto in accordance with its terms.

17. **Governmental Purpose:** Each party hereto is entering into this Agreement for the purpose of providing governmental services or functions and will pay for such services out of current revenues available to the paying party as herein provided.
18. **Severability:** Should any phrase, clause, sentence or section of this Agreement be judicially declared to be invalid, unenforceable or void, such decision will not have the effect of invalidating or voiding the remainder of the Agreement, and such part of the Agreement will be deemed to have been stricken hereto from and the remainder of the Agreement will have the same force and effect as if such part or parts had never been included herein.

[SIGNATURE PAGE TO FOLLOW]

WITNESS THE HANDS OF THE PARTIES effective as of the day and year first written above.

HIDALGO COUNTY, TEXAS

Signature

Richard F. Cortez, County Judge

Date

CITY OF MCALLEN, TEXAS

Signature

Roel "Roy" Rodriguez, P.E., City Manager

Date

ATTEST:

By: _____
Arturo Guajardo, Jr., County Clerk

Perla Lara, City Secretary

APPROVED AS TO FORM:

Office of the Criminal District Attorney
Ricardo Rodriguez, Jr.

McAllen City Attorney's Office

By: _____
Victor M. Garza, Chief Administrative Attorney

Isaac Tawil, City Attorney

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.E.

DATE SUBMITTED

11/21/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration and Approval of Change Order No. 1 for the City Hall Mechanical Upgrades.
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request: Consideration and Approval of Changer Order No. 1 on City Hall Mechanical Upgrades for Quantum Mechanical Contractors.
5. Fiscal Impact Summary:

321-8708-416-66-20-000000	\$ 3,058,271
----------------------------------	---------------------

Original Contract	\$ 169,875.00
Proposed Change Order No. 1	\$ 23,379.00
Revised Contract	\$ 193,254.00
6. Budgeted: Yes

Bid Amount:	<u>\$193,254</u>	Budgeted Amount:	<u>\$193,254</u>
Under Budget:	<u>\$0.00</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Juan Martinez	Created/Initiated - 11/21/2022
Eduardo Mendoza	Approved - 11/21/2022
Angie Rodriguez	Approved - 11/22/2022
Sergio Villasana	Approved - 11/22/2022
Gerardo Noriega	Approved - 11/22/2022
Michelle Rivera	New -
Isaac Tawil	
8. Staff Recommendation: DBR Engineering and Staff recommend approval of Change Order No. 1 for City Hall Mechanical Upgrades for a contract date extension of 14 calendar days and a revised contract amount of \$193,254.00 Project #02-22-C16-265
9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Approve. RR



**CITY OF MCALLEN
ENGINEERING DEPARTMENT
MEMORANDUM**

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

From: Eduardo Mendoza, P.E., City Engineer

Date: November 17, 2022

Subject: Consideration and Approval of Change Order No. 1 for City Hall Mechanical Upgrades. (Project No. 02-22-C16-265)

Goal

Consideration and Approval of Changer Order No. 1 on City Hall Mechanical Upgrades for Quantum Mechanical Contractors.

Explanation

Quantum Mechanical Contractors encountered service valves that were in-operable or non-existent on the third floor, these items were unforeseen as they were covered with pipe insulation. In order for Quantum Mechanical to proceed and complete their scope of work on the City Hall Mechanical Upgrades they will need to replace and install new valves.

Funds are available to cover these change orders.

Original Contract Amount	\$	169,875.00
CO #1	\$	23,379.00
Revised Contract Amount	\$	193,254.00

Options

1. The City Commission may choose to approve Change Order No. 1.
2. The City Commission may choose to deny Change Order No. 1.

Recommendation

DBR Engineering and Staff recommend approval of Change Order No. 1 for City Hall Mechanical Upgrades for a contract date extension of 14 calendar days and a revised contract amount of **\$193,254.00**

November 18, 2022

Juan Martinez
Construction Manager
City of McAllen
311 N. 15th St.
McAllen, TX 78501

Re: Recommendation for City of McAllen – City Hall – HVAC Upgrades Change Order #1

Mr. Martinez,

DBR Engineering, Inc., has reviewed the value of the change request from the contractor. We have met with them and negotiated a price of \$28,379.00 for labor and materials to add of 25 service valves. There is a \$5,000 project contingency in the current contract which will be used to offset the cost for a total of \$23,379.00 being requested in Change Order #1. Attached you will find the AIA Change Order which DBR recommends the City of McAllen consider approving.

If you have any questions, please do not hesitate to call me.

Sincerely,



Hugo H. Avila, P.E.
Sr. Project Manager | Associate

AIA® Document G701™ – 2017

Change Order

PROJECT: <i>(Name and address)</i> City of McAllen-City Hall-Mechanical Upgrades	CONTRACT INFORMATION: Contract For: General Construction Date: April 14, 2022	CHANGE ORDER INFORMATION: Change Order Number: 001 Date: November 17, 2022
OWNER: <i>(Name and address)</i> City of McAllen 1300 Houston Ave McAllen, Texas 78501	ARCHITECT: <i>(Name and address)</i> DBR Engineering Consultants 200 S. 10 th St, Suite 901 McAllen, Texas 78501	CONTRACTOR: <i>(Name and address)</i> Quantum Mechanical Contractors, LLC 2705 E. David Rd. Edinburg Tx 78542

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Replace and install cooling loop "isolation" valves there were in-operable or non-existent at the FCU's for a total of:

-25 sets of (2) "service" valves

\$5,000 from the project contingency will be used to offset the full value of the \$28,379.00 so the balance on the change order request will be \$23,379.00.

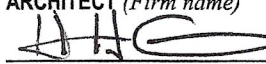
The original Contract Sum was	\$ 169,875.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 169,875.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 23,379.00
The new Contract Sum including this Change Order will be	\$ 193,254.00

The Contract Time will be increased by Fourteen (14) days.

The new date of Substantial Completion will be December 14, 2022

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

DBR Engineering Consultants	Quantum Mechanical Contractors	City of McAllen
ARCHITECT <i>(Firm name)</i>	CONTRACTOR <i>(Firm name)</i>	OWNER <i>(Firm name)</i>
		
SIGNATURE	SIGNATURE	SIGNATURE
Hugo Avila,	Larry Hinojosa Project Manager	
PRINTED NAME AND TITLE	PRINTED NAME AND TITLE	PRINTED NAME AND TITLE
November 17, 2022	September 17, 2022	
DATE	DATE	DATE



TRANSMITTAL: CHANGE REQUEST #2

2705 E. Davis Rd.
Edinburg, Texas 78542
956-513-1849

Quantum-mcon@gmail.com

Rene Olivarez P.E. C.956-292-3336
Larry Hinojosa, PM C.512-773.9617

DATE: 11/16/2022

PROJECT: McAllen City Hall Mechanical Upgrades
TO: Mr. Juan Martinez, Construction Manager, COM Engineering
TO: Mr. Hugo Avila, P.E. DBR
FROM: Quantum-Mechanical Contractors, LLC
Mr. Rene Olivarez, P.E., CSSGB, President
Mr. Larry Hinojosa, Project Manager

Enclosures:

☐ Shop Drawings ☐ Prints ☐ Change Order ☐ Specifications
☐ Copy of Letter ☐ Plans ☒ Other (see Remarks)

These Are Transmitted:

☒ For approval ☐ Approved as submitted ☐ For review and comment
☐ For your use ☐ Approved as noted ☒ Other (see Remarks)
☐ As requested ☐ Returned for corrections

Remarks:

The following (3) options are proposed to replace or install the bad isolation/service chilled water valves at City Hall:

~~OPTION NO 1:~~

~~Work to take place (4) weekends (8am-5pm) consecutively along with weekdays (6pm-10pm) for a total of 28 workdays to drain the system (1) floor at a time and replace or install (non-existent)~~

~~"isolation and service" valves for a total of:~~

~~-65 sets of (2) "service" valves serving the FCU's throughout all (3) floors of the building.~~

~~-18 sets of (2) "isolation" valves serving the CW branches throughout all (3) floors of the building.~~

~~Installation Includes:~~

~~-ball valves with insulated handle, installed handle up.~~

~~-painting a square in the ceiling and label location of branch valves and FC unit valves.~~

~~-flush the hot water loop, diagnose the hydronic item(s), and install an automatic air vent on the hot water loop.~~

~~Does not include:~~

~~-any item(s) not specifically mentioned~~

~~-any work not specifically mentioned~~

TOTAL COST (OPTION 1): \$95,085.00

OPTION NO. 2:

Work to take place (3) weekends (8am-5pm) consecutively along with weekdays (6pm-10pm) for a total of 21 days to allow us to drain the system (1) floor at a time and replace or install "isolation" valve(s) that serve the chilled water loop for a total of:

- 65 sets of (2) "isolation" serving the FCU's throughout all (3) floors of the building.

Installation includes:

- flush the hot water loop, diagnose the hydronic item(s), and install an automatic air vent on the hot water loop.

Does not include:

- any item(s) not specifically mentioned
- any work not specifically mentioned

TOTAL COST (OPTION 2): \$78,259.00

OPTION NO. 3:

Work to take place (2) weekend consecutively along with weekdays (6pm-5pm) for a total of 14 days to drain the system (1) floor at a time to replace or install cooling loop "isolation" valves there were in-operable or non-existent at the FCU's for a total of:

- 25 sets of (2) "service" valves

Does not include:

- any item(s) not specifically mentioned
- any work not specifically mentioned

TOTAL COST (OPTION 3): \$28,379.00

BAD VALVE EXAMPLE:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.F.1.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Award of Contract for Installation of Water Boiler for McAllen Performing Arts Center.
2. Party Making Request: Yajaira Flores
3. Applicant: Yajaira Flores
4. Nature of Request: Consider and Approve Award of Contract for Water Boiler at McAllen Performing Arts Center

BRIEF EXPLANATION:

The McAllen Convention Center is requesting authorization to purchase a water boiler system through BuyBoard Contract 631-20. The Convention Center solicited a Buyboard quote from Protech Mechanical Inc.

The boiler system overhaul is needed at the PAC due to the failure of the current boiler system. The current system consists of 4 separate boiler units that work in unison to provide hot water to the AC chiller system. This hot water is vital in controlling the humidity in the venue. This humidity control is vital for the wooden arches in the audience space and piano room. It also provides all the domestic hot water for back of house facilities and general heating in the venue (Project No. 11-22-P18-01).

5. Fiscal Impact Summary: Budgeted Amount: 210,000.00 account number : 547-8708-466-66-20
 Bid Amount: \$134,369
 Project Amount \$173,447.34

Entire Project under budget by \$36,552.66

6. Budgeted: Yes

Bid Amount:	<u>\$173,447.34</u>
Under Budget:	<u>\$0.00</u>

Budgeted Amount:	<u>\$210,000</u>
Over Budget:	<u>\$0.00</u>
Amount Remaining:	<u>\$0.00</u>

7. Routing:

Yajaira Flores	Created/Initiated - 11/22/2022
Yajaira Flores	Approved - 11/22/2022
Yajaira Flores	Approved - 11/22/2022
Angie Rodriguez	Approved - 11/22/2022
Sergio Villasana	Approved - 11/22/2022
Gerardo Noriega	Approved - 11/23/2022
Isaac Tawil	Approved - 11/23/2022
Joe Vera	New -

8. Staff Recommendation: Staff recommends authorization for purchase of sound system through Buyboard for \$134,369.00 if these items are not repaired soon they will cause additional damage which will be more expensive.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR

inter-office
MEMORANDUM
City of McAllen

TO: Roel "Roy" Rodriguez, P.E., City Manager and City Commission

FROM: Yajaira Flores, Director of Convention Facilities

DATE: November 22, 2022

SUBJECT: Consideration and Award of Contract for Installation of Water Boiler for McAllen Performing Arts Center

GOAL:

Consider and Approve Award of Contract for Water Boiler at McAllen Performing Arts Center

BRIEF EXPLANATION:

The McAllen Convention Center is requesting authorization for Buyboard purchase of a water boiler system. The Convention Center solicited a Buyboard quote from Protech Mechanical Inc.

The boiler system overhaul is needed at the PAC due to the failure of the current boiler system. The current system consists of 4 separate boiler units that work in unison to provide hot water to the AC chiller system. This hot water is vital in controlling the humidity in the venue. This humidity control is vital for the wooden arches in the audience space and piano room. It also provides all the domestic hot water for back of house facilities and general heating in the venue.

The amount is currently in the McAllen Performing Arts Depreciation budget.

Options:

1. Authorize Buyboard purchase in the amount of \$134,369
2. Disapprove staff's recommendation and hold off on boiler

Recommendation:

Staff recommends authorization for purchase of sound system through Buyboard for \$134,369.00 if these items are not repaired soon they will cause additional damage which will be more expensive.



1622 Saratoga Blvd., Corpus Christi, TX 78417
Phone 361-882-2101, Fax 361-882-2154
TACLA20619E / RMP-39090

Proposal

Buyboard Proposal# 631-20

11/17/2022

Proposal Number: QV1221095

Billing Account:

McAllen Performing Arts Center
801 Convention Center Blvd.
McAllen, TX 78501

Site Location:

McAllen Performing Arts Center
801 Convention Center Blvd.
McAllen, TX 78501

Re: Boiler Replacement Project

Attn: Mike Hernandez

Pro Tech Mechanical is pleased to provide this proposal for equipment, labor and materials based on the work as outlined in this proposal at the above customer location.

1. All work shall be performed in accordance with all applicable State and Local codes and standards.
2. All work to be performed by EPA certified technicians and executed in a professional workman like manner.
3. All equipment and material installed on this project shall be new and unused unless otherwise noted.
4. All work to be performed during normal business hours, Monday through Friday unless otherwise noted.
5. Other labor and material is excluded unless specifically mentioned in the scope of work.
6. If the work is delayed or stopped at the request of the CUSTOMER or by third parties, additional charges may apply.

Inclusions / Exclusions: Reference Attached Scope of Work

Proposal based on 12/16/2021 request for quote.

Acknowledgment of Addendums: n/a

Total investment for this service is: \$ **134,369.00**

One Hundred Thirty Four Thousand Three Hundred Sixty Nine Dollars and No Cents

All applicable taxes are excluded and will be billed in addition to the proposed price.

All prices are firm for 29-days.

Thank you for the confidence that you have shown in Pro Tech Mechanical by requesting this proposal. We sincerely appreciate the opportunity to provide these services for your organization. Should you have any questions about this proposal or any other request please call us at 361-882-2101 or e-mail me at bgarcia@protechmech.com

Regards,

Benny Garcia
Pro Tech Mechanical, Inc.

Acceptance of Proposal -The undersigned affirm that they have read and understand the entire PROPOSAL AGREEMENT and agree to abide by the above prices, specifications and conditions. You are authorized to do the work as specified according to the attached scope. Payment will be made as outlined above. Pro Tech Mechanical will warranty all parts per the standard manufacturer's warranty and labor will be warranted for 1 year.

Executed by Authorized
Representative: _____

Contract

This AGREEMENT entered into by and between:

McAllen Performing Arts Center

Hereinafter referred to as "CUSTOMER"

AND

Pro Tech Mechanical, Inc.

Proposal	11/17/2022	QV1221095
Proposal Type	Date	Proposal Number

○ This AGREEMENT shall be administered by Pro Tech Mechanical's office presently located at:
Pro Tech Mechanical, Inc.
1622 Saratoga Blvd.
Corpus Christi, TX 78417

○ The scope of work to be performed at the following location:
McAllen Performing Arts Center
801 Convention Center Blvd.
McAllen, TX 78501

SCOPE OF WORK to be provided by Pro Tech Mechanical in accordance with the following description:

○ Including any attachments indicated (with an 'X') below. (N/A is Not Applicable)

<u>X</u>	PROPOSAL DATED: 11/17/2022
<u>X</u>	SCOPE OF WORK Page(s)
<u>N/A</u>	Other attachments

The AGREEMENT PRICE is: \$ **134,369.00**

One Hundred Thirty Four Thousand Three Hundred Sixty Nine Dollars and No Cents

excluding all applicable taxes. This price is based on normal working hours, Monday through Friday, unless otherwise stated herein. If the work is delayed or stopped at the request of the CUSTOMER or requirements of third parties, additional charges will be applicable.

The undersigned affirm that they have read and understand the entire AGREEMENT including the Terms and Conditions appearing below.

Execution by Authorized Representatives:

SUBMITTED BY: Benny Garcia

DATE: 11/17/2022

CUSTOMER ACCEPTANCE: P.O. # _____

COMPANY

Pro Tech Mechanical, Inc.

CUSTOMER NAME

Benny Garcia

TITLE

Account Executive

Customer Acceptance (Signature)

Date

PRO TECH MECHANICAL (Signature)

Date

Scope of work included in this proposal:

DUE TO MANUFACTURING DELAYS, MATERIAL SHORTAGES AND FREQUENT INCREASES PRICING IS STRICTLY VALID FOR 29-DAYS AS INDICATED ABOVE AND LEAD-TIMES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

1. Plan a pre-project meeting with the customer to plan installation.
2. Isolate and disconnect Gas, Steam, & Water make-up.
3. Remove Four (4) existing Hamilton boilers.
4. Furnish and install (1) 3000 Riello Array pre-packaged boiler. See attached sheet for boiler specifications and warranty.
5. Furnish and install pipe, valves, and fittings for interconnecting piping of equipment.
6. Connect piping (Gas, Condensate & Water) to lines within the boiler room.
7. Insulate the water pipes that were modified in the retrofit.
8. Set pipe markers to identify waterflow & services.
9. Furnish and install Flue Vent and Fresh Air Intake.
10. Furnish and install electrical and CO Monitor.
11. Go over pre-startup check list and test safeties. Start up included.
12. Subcontractor will file T-O-P (Boiler's Temporary Operating Permit) with State of Texas.
13. One year warranty on workmanship from Willbanks (installing subcontractor).
14. Customer is to contact their controls company for disconnect and connect controls for this project. No controls work is included.
15. This proposal is based upon the electrical information provided by the Performing Arts Center Staff to Pro Tech Mechanical's subcontractor. Should current electrical not be as described to subcontractor, additional charges may apply.
16. Current lead time has the proposed boiler arriving mid January 2023. Estimated lead times are subject to change.
17. 10 Year Heat Exchanger Warranty/Lifetime Thermal Shock Warranty/ 5 Year Burner Head Warranty. No labor warranty on these items.

QV1221095

Excluded from this proposal:

1. Cost of Bid Bond, Performance and/or Payment Bonds.
2. Commissioning.
3. Demolition of structural, walls, ceilings, equipment pads.
4. Fire Protection, Fire Stopping, Painting, Trenching, Structural or Architectural.
5. Starters and disconnects.
6. Shop drawings, CAD or BIM.
7. Certified test, adjust & balance.
8. Temporary Heating, Cooling, Filtration or Ventilation equipment, setup or installation.
9. Saw cutting of concrete to include coring.
10. Fire or Fire/Smoke Dampers unless specifically indicated on drawings.
11. Cost of premium time.
12. DDC or BAS Controls System.
13. Concrete work including housekeeping pads, grouting, patching, repair, etc.
14. Roof work including cutting, patching or repair.
15. The cost or indemnification for dealing with any hazardous materials that may be present or discovered, including abatement.
16. Sales Tax.
17. Any parts, material, service, or labor not listed in the Scope of Work is not covered.

QV1221095

PRO TECH MECHANICAL, INC.

TERMS AND CONDITIONS OF SALE

1. PAYMENT AND TAXES - Payment shall be made 1.25% 10/net 30 days from date of invoice. Pro Tech Mechanical, Inc reserves the right to require cash payment or other alternative method of payment prior to completion of work if Pro Tech Mechanical, Inc determines, in its sole discretion, that Buyer or Buyer's assignee's financial condition at any time does not justify continuance of the net 30 days payment term. In addition to the Agreement price, the Customer shall pay Pro Tech Mechanical, Inc any applicable taxes or government charges which may be required in connection with the service or material furnished under this Agreement.

2. WORKING HOURS - All services performed under this Agreement including major repairs, are to be provided during Pro Tech Mechanical, Inc's normal working hours unless otherwise agreed.

3. ADDITIONAL SERVICE - Services or parts requested by Customer in addition to those specified in this Agreement will be provided upon receipt of Customer's written authorization and invoiced at Pro Tech Mechanical, Inc's prevailing labor rates and parts charges. Additional services or parts shall be supplied under the terms of this Agreement.

4. EXCLUSIONS - Pro Tech Mechanical, Inc is not responsible for items not normally subject to mechanical maintenance including but not limited to: duct work, casings, cabinets, fixtures, structural supports, grillage, water piping, steam piping, drain piping, cooling tower fill, boiler tubes, boiler refractory, disconnect switches and circuit breakers. Pro Tech Mechanical, Inc is not responsible for repairs, replacements, alterations, additions, adjustments, repairs by others, unscheduled calls or emergency calls, any of which may be necessitated by negligent operation, abuse, misuse, prior improper maintenance, vandalism, obsolescence, building system design, damage due to freezing weather, chemical/electrochemical attack, corrosion, erosion, deterioration due to unusual wear and tear, or any other cause beyond Pro Tech Mechanical, Inc's control.

Pro Tech Mechanical, Inc is not responsible for the identification, detection, abatement, encapsulating or removal of asbestos, or products or materials containing asbestos or similar hazardous substances. In the event that Pro Tech Mechanical, Inc encounters any asbestos product or any hazardous material in the course of performing its work, Pro Tech Mechanical, Inc may suspend its work and remove its employees from the project, until such product or material, and any hazards connected with it are abated. Pro Tech Mechanical, Inc shall receive an extension of time to complete its work and compensation for delays encountered as a result of such situation and its correction.

Pro Tech Mechanical, Inc shall not be required to perform tests, install any items of equipment or make modifications that may be recommended or directed by insurance companies, government, state, municipal or other authority. However, in the event any such recommendations occur, Pro Tech Mechanical, Inc, at its option, may submit a proposal for Customer's consideration in addition to this Agreement. Pro Tech Mechanical, Inc shall not be required to repair or replace equipment that has not been properly maintained.

5. WARRANTY - Pro Tech Mechanical, Inc warrants that all service provided under this Agreement shall be performed in a workmanlike manner. Pro Tech Mechanical, Inc also warrants all Pro Tech Mechanical, Inc parts or components supplied hereunder to be free from defects in material and workmanship. For parts or components determined to be defective within one year from date of installation or before the termination date of this Agreement, whichever is earlier, and in the case of service, determined to be defective within (1) year of completion of that service, Pro Tech Mechanical, Inc shall at its option repair, replace, or issue a credit, for any such parts, components or service, provided they were not damaged, abused, or affected by chemical properties. Any claim for defective workmanship must be provided to Pro Tech Mechanical, Inc in writing. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS, IMPLIED OR STATUTORY INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Pro Tech Mechanical, Inc's obligation to repair, replace, or issue credit for any defective parts, components or service shall be Customer's exclusive remedy.

6. PROPRIETARY RIGHTS - During the term of this Agreement and in combination with certain services, Pro Tech Mechanical, Inc will retain all rights to Advanced Chiller Technology software and it shall remain the personal proprietary property of Pro Tech Mechanical, Inc. Customer shall not acquire any interest, title or equity in any software, processes, and other intellectual or proprietary rights to devices which are used in connection with providing installation or service on this software.

7. DELAYS - Delays caused by conditions beyond the reasonable control of either party shall not be the liability of either party to this Agreement.

8. CUSTOMER RESPONSIBILITIES - Customer shall:

- Provide a safe work environment.
- Permit access to Customer's site, and use of building services including but not limited to: water, elevators, receiving dock facilities, electrical service and local telephone service.
- Keep areas adjacent to equipment free of extraneous material, move any stock, fixtures, walls or partitions that may be necessary to perform the specified service.
- Promptly notify Pro Tech Mechanical, Inc of any unusual operating conditions.
- Upon agreement of a timely mutual schedule, allow Pro Tech Mechanical, Inc to stop and start equipment necessary to perform service.
- Provide adequate water treatment.
- Provide the daily routine equipment operation (if not part of this Agreement) including availability of routine equipment log readings.
- Where Pro Tech Mechanical, Inc's remote monitoring service is provided, provide and maintain a telephone line with long distance direct dial and answer capability.
- Operate the equipment properly and in accordance with instructions.

9. EQUIPMENT CONDITION & RECOMMENDED SERVICE - In the event Pro Tech Mechanical, Inc recommends certain services (that are not included herein or upon initial inspection) and if Customer does not elect to have such services properly performed in a timely fashion, Pro Tech Mechanical, Inc shall not be responsible for any equipment or control failures, operability or any long-term damage that may result.

10. CUSTOMER TERMINATION - Customer shall have the right to terminate this Agreement for Pro Tech Mechanical, Inc's non-performance provided Pro Tech Mechanical, Inc fails to cure such non-performance within 30 days after having been given prior written notice of the non-performance. Upon early termination or expiration of this Agreement, Pro Tech Mechanical, Inc shall have free access to enter Customer locations to disconnect and remove any Pro Tech Mechanical, Inc personal proprietary property or devices as well as remove any and all Pro Tech Mechanical, Inc-owned parts, tools and personal property. Additionally, Customer agrees to pay Pro Tech Mechanical, Inc for all incurred but unamortized service costs performed by Pro Tech Mechanical, Inc including overheads and a reasonable profit.

11. PRO TECH MECHANICAL, INC TERMINATION - Pro Tech Mechanical, Inc reserves the right to discontinue its service any time payments have not been made as agreed or if alterations, additions or repairs are made to equipment during the term of this Agreement by others without prior agreement between Customer and Pro Tech Mechanical, Inc.

12. LIMITATION OF LIABILITY - Under no circumstances shall Pro Tech Mechanical, Inc be held liable for any incidental, special or consequential damages, including loss of revenue, loss of use of equipment or facilities, or economic damages based on strict liability or negligence. Pro Tech Mechanical, Inc shall be liable for damage to property, other than the equipment provided under this Agreement, and to persons, to the extent that Pro Tech Mechanical, Inc's negligent acts or omissions directly contributed to such injury or property damage. Pro Tech Mechanical, Inc's maximum liability for any reason (except for personal injuries) shall consist of the refunding of all moneys paid by Customer to Pro Tech Mechanical, Inc under this Agreement, subject to right of removal and return of equipment provided under this Agreement to Pro Tech Mechanical, Inc.

13. CLAIMS - Any suits arising from the performance or non-performance of this Agreement, whether based upon contract, negligence, strict liability or otherwise, shall be brought within one (1) year from the date the claim arose.

14. GOVERNMENT PROCUREMENTS - Pro Tech Mechanical, Inc offers standard commercial items, which may not comply with Government specifications. Pro Tech Mechanical, Inc does not comply with the Cost Accounting Standards (CAS) or with the Federal Acquisition Regulations (FAR). In no event shall Pro Tech Mechanical, Inc provide any Cost or Pricing Data in connection with this Agreement or subsequent modifications.

15. SUPERSEDURE, ASSIGNMENT and MODIFICATION - This Agreement contains the complete and exclusive statement of the agreement between the parties and supersedes all previous or contemporaneous, oral or written, statements. Customer may assign this Agreement only with Pro Tech Mechanical, Inc's prior written consent. No modification to this Agreement shall be binding unless in writing and signed by both parties.

16. Customer agrees not to hire or attempt to hire any of Pro Tech Mechanical's employees during this agreement term or within one year of the last date of the last invoice to the customer.

QV1221095-Boiler Specifications, Parts, and Warranty Information:

Riello Array AR3000 Modular Boiler - Prepackaged 316L/316Ti Stainless Steel, Condensing, Water-Tube Design, ASME Section IV, MAWP 80 psi (75 psi Relief Valve Setting), ASME CSD-1 Compliant, 3000 MBH Input, 96.1% Thermal Efficiency, 30:1 Turndown Ratio, 208-230/3/60 Electrical, 23.3A FLA, 10"Ø Vent / Air Inlet, Boiler Operating Control w/Modbus 485, 7" Color Touchscreen, Cascade Capability Up To 8 Boilers, LCD Service Display and Touchpad, Electrical Terminal Strip, Main Boiler Circuit Breaker, System Input / Output Terminals, Water Manifold Piping (Internal), Exhaust Manifold Piping (Internal), Gas Manifold Piping (Internal), External Gas Filter, Low Water-Pressure Switch, Low Water Cut-Off w/Manual Reset (LWCO), Drain Valve, Boiler Supply Temp Sensor, System Supply Temp Sensor and Well, Remote Control Setpoint via 0- 10VDC, Outdoor Air Temp Sensor, High & Low Gas Pressure Switches w/Manual Reset, Blocked Cabin Air Inlet Switch, 8-10"Ø Vent Adapter, Gas Filter, Burner Sequencing and Flame Safeguard Controller, Module On / Off Rocker Switch, Overload Fuse, Circulating Pump, T&P Gauge (Supply Side), Supply & Return Isolation Valves, Check Valve, Drain Valve, Supply & Return Temp Sensors, High Temp Limit Control, Automatic Air Vent, Water Flow Meter, Gas Burner w/Variable Speed Blower & CSD-1 Gas Train, Flue Gas Temp Sensor, Exhaust Backflow Check Valve, **10-Year Heat Exchanger Warranty / Lifetime Thermal Shock Warranty / 5-Year Burner Head Warranty**, Shipping Weight 2315 Lbs. Includes BKI-6000 Condensate Neutralizer Kit Includes 10" Exhaust Adapter to Heatfab Stainless Includes 4" Metraflex Flanged Water Strainer Includes BACnet Gateway (RS485) (Qty. 1 Total)

Duravent Exhaust Flue - 10"Ø, FasNSeal W2, Double-Wall, Stainless Steel (AL29-4C) Includes (1) FSA-HFA10 Heatfab To FasNSeal Adapter Includes (1) FSA-SWDW10 Single-Wall To Double-Wall Adapter Includes (4) W2-4510 45° Elbows Includes (4) W2-AVL10 Adjustable Vent Lengths

Riello BACnet Gateway - RSS485

Macurco CM-6 Carbon Monoxide Gas Monitor - Gray Housing Carbon Monoxide CO Fixed Gas Detector & Controller, 12-24VAC / 12-32VDC, Range 0-200 ppm, Low Level Adjustable Alarm (Default 35), High Level Adjustable Alarm (Default 200), 10-Year Sensor Life, Coverage Area 5000-7500 sq. ft., Operating Temperature 0-125°F, Ambient Humidity 10-90% RH Non-Condensing, On/Off LED Display, Current Loop Analog 4-20mA w/MRS-485 Adapter Digital Modbus, 4" x 4" Electrical Box Mounting, 5A Fan Relay & 0.5A Alarm Relay w/User Adjustable Settings, ETL Listed, Two-Year Limited Warranty, Dimensions 4½ x 4 x 2 1/8, Shipping Weight 1 Lb. Includes PS-24 AC/DC Plug-In Stepdown Switching Power Supply, 100-240 VAC to 24 VDC, 1 Amp Includes 009039F Relay Kit, 24VAC SPDT NO/NC

REQUEST FOR AVAILABILITY OF FUNDS CAPITAL PROJECTS

Department Name:	McAllen Performing Arts Center		
Department Head:	Yajaira J. Flores		
Title:	Director		
Signature:			
Date:	11/22/2022		
Prepared By:	Svetlana Gonzalez		
Project Name:	MPAC boiler and water softener		
Project Information:	Start Date:	11/22/2022	End Date: 11/22/2022
Location of Project:	McAllen Performing Arts Center		
Account Number:	546-9010-499-74-85		
Project Code:			
Budget Information:	Budgeted:	☒	Not Budgeted: ☐
Estimated Cost:	\$173,447.34		

Office of Management & Budget's Approval:

Funding Source:			
Budget Amount:			
Approval:	Approved: ☐	Disapproved: ☐	
	Budget Amendment Required: ☐	No Funds Available: ☐	
Name:			
Title:			
Signature:			
Date:			

City Manager's Authorization to Solicit Bids:

Approved: ☐	Disapproved: ☐
------------------------------------	---------------------------------------

Signature: _____ Date: _____



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.F.2.

DATE SUBMITTED

11/21/2022

MEETING DATE

11/28/2022

1. Agenda Item: Award of Contract for the Purchase of Irrigation Materials for La Floresta Park.
2. Party Making Request: Denny Meline
3. Applicant:
4. Nature of Request: The Parks & Recreation Department solicited a BuyBoard quote from Ewing Irrigation & Landscape Supply for the purchase of irrigation materials. Contract No. 611-20 provided a quote of \$67,003.29. Project 11-22-P11-01.
5. Fiscal Impact Summary: Account: 123-8706-466-66-30 Project Code: CP2101 \$62,892
Account: 300-8708-463-67-30 Project Code: CP1714 \$4,111.29
Bid Amount: \$67,003.29

Subject to a budget amendment. This project is a rollover.

6. Budgeted: No

Bid Amount:	<u>\$67,003.29</u>
Under Budget:	<u>\$0.00</u>

Budgeted Amount:	<u>\$62,892</u>
Over Budget:	<u>\$0.00</u>
Amount Remaining:	<u>\$0.00</u>

7. Routing:

Cristina Monroy	Created/Initiated - 11/21/2022
Denny Meline	Approved - 11/21/2022
Angie Rodriguez	Approved - 11/22/2022
Sergio Villasana	Approved - 11/22/2022
Gerardo Noriega	Approved - 11/22/2022
Isaac Tawil	Final Approval - 11/22/2022

8. Staff Recommendation: The Parks & Recreation Department recommends Award of Contract to Ewing Irrigation & Landscape Supply in the amount of \$67,003.29.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



PARKS & RECREATION DEPARTMENT

MEMORANDUM

To: Roel "Roy" Rodriguez, P.E., City Manager
From: Denny Meline, Parks & Recreation Director 
Subject: Award of Contract – Ewing Irrigation & Landscape Supply
Date: November 21, 2022

COMMENT

GOAL:

To consider and approve Award of Contract to Ewing Irrigation & Landscape Supply through BuyBoard for the purchase of irrigation materials.

DISCUSSION:

The Parks & Recreation Department solicited a BuyBoard quote from Ewing Irrigation & Landscape Supply for the purchase of irrigation materials for La Floresta Park. Based on the quote received, Contract No. 611-20 provided a quote of \$67,003.29.

Budget: \$62,892 **Account:** 123-8706-466-66-30 **Project Code:** CP2101
Budget: \$4,111.29 **Account:** 300-8708-463-67-30 **Project Code:** CP1714

RECOMMENDATION:

The Parks & Recreation Department recommends award of contract to Ewing Irrigation & Landscape Supply in the amount of \$67,003.29.



Home Office
3441 E. Harbour Drive, Phoenix, AZ 85034
602.437.9530
EwingIrrigation.com



QUOTATION

CHARGE ACCT

* 61091 *

90 Ewing McAllen
1312 E Upas Ave
McAllen, TX 78501
PHN 9566619530 FAX 9566619533

QUOTE # 14202534
PAGE 1 of 3
QUOTED 10/3/2022
QUOTE EXPIRES ON 12/2/2022

SOLD TO: CITY OF MCALLEN
115319 PO BOX 220
MCALLEN, TX 78505-220
PH 9566811068

SHIP TO: PARKS
None
None, NA 00000
PH 9566813333

DELIVERY INSTRUCTIONS: Buy Board #611-20

PO#: _____ BUYER: JOSE DE LA PAZ **MC AUTH*

P21 JOB: _____ EIP#: _____ BY: DAGO V

PH: _____
QUOTE#: _____

EWING JOB: _____ JOB REF: LA FLORESTA PARK

QTY ORDER	ITEM DESCRIPTION	NET	EXTENDED
41	45002660 11024FCR-20/MAX-DW-20 2" VLV	116.5488	4,778.50
90	06857020 2 SCH80 PVC UNION SS	31.3671	2,823.04
45	20001020 2 SPEARS UTILITY SS BV	28.6431	1,288.94
45	38008410 12IN ARMOR RECT BOX/GREEN LID	42.0413	1,891.86
45	38008310 10IN ARMOR RD VLV BOX/GRN LID	23.6803	1,065.61
45	06801420 4 X 4 X 2 SCH80 PVC TEE SSS	57.5280	2,588.76
90	06836020 2 SCH80 PVC MALE ADPT TXS	20.3160	1,828.44
8	26002410 TEFLON TAPE 1 X 520	2.1280	17.02
3,000	22003010 14/2 BILINE WIRE BLUE 1000FT	529.5606	1,588.68
6	17007310 5/8 X 8FT COPPER GROUNDING ROD	51.0000	306.00
6	17007920 5/8 HD GROUND ROD CLAMP	4.4340	26.60
45	45001001 SLDEC1 1 STA DECODER W/SURGE	98.7927	4,445.67
1	45990010 SL9648TWSLR-1YR-BUNDLE-ATT	6,468.8000	6,468.80
1	45001320 SLFSI-T20 2IN INSERT FLOW SENSOR	363.7500	363.75
100	17000286 L/P DBR/Y-6 UL SPLICE 100 BULK	1.3805	138.05
2	40000570 2 375XL WILKINS RP ASSY	827.0588	1,654.12
2	33200001 BUDGET CAGE 30H X 30L X 13W	375.0000	750.00
2	66991253 2IN PVC CHECK VALVE	16.2140	32.43
20	08010406 QT CHRISTY RED HOT BLUE GLUE	36.8114	736.23
20	08008406 QT P-68 PURPLE PRIMER	26.0893	521.79
164	06817020 2 SCH80 PVC 45 ELL SS	17.4420	2,860.49



Home Office
3441 E. Harbour Drive, Phoenix, AZ 85034
602.437.9530
EwingIrrigation.com



QUOTATION

CHARGE ACCT	90 Ewing McAllen	QUOTE #	14202534
* 61091 *	1312 E Upas Ave	PAGE	2 of 3
	McAllen, TX 78501	QUOTED	10/3/2022
	PHN 9566619530 FAX 9566619533	QUOTE EXPIRES ON	12/2/2022

DELIVERY INSTRUCTIONS: Buy Board #611-20

PO#: _____	BUYER: JOSE DE LA PAZ	**MC AUTH*	PH: _____
P21 JOB: _____	EIP#: _____	BY: DAGO V	QUOTE#: _____
EWING JOB: _____	JOB REF: LA FLORESTA PARK		

QTY ORDER	ITEM DESCRIPTION	NET	EXTENDED
50	06806020 2 SCH80 PVC 90 ELL SS	6.8178	340.89
8	06837420 4 X 2 SCH80 PVC R/BUSH SS	40.1970	321.58
4	06801040 4 SCH80 PVC TEE SSS	41.4330	165.73
8	06806040 4 SCH80 PVC 90 ELL SS	29.5620	236.50
8	06817040 4 SCH80 PVC 45 ELL SS	80.2710	642.17
420	35001140 5006 PLUS-PC-SAM R/B SAM ROTOR	23.0685	9,688.77
420	03013207 T732-212 3/4 X 12 MT X MT ASSY	19.2465	8,083.53
5,600	07000130 1 CL200 PVC BE PIPE	40.3477	2,259.47
3,700	07000240 1-1/4 CL200 PVC BE PIPE	59.8698	2,215.18
1,300	07000250 1-1/2 CL200 PVC BE PIPE	76.3047	991.96
2,100	07000260 2 CL200 PVC BE PIPE	119.7396	2,514.53
200	04407131 1 X 3/4 PVC 90 ELL ST	1.7766	355.32
150	04401020 2 PVC TEE SSS	2.9260	438.90
100	04437249 2 X 1 PVC RED BUSHING SS	2.0934	209.34
100	04437251 2 X 1-1/2 PVC RED BUSHING SS	1.9494	194.94
100	04402020 2 PVC TEE SST	6.9671	696.71
100	04402210 1-1/2 X 1-1/2 X 3/4 PVC TEE SST	4.6044	460.44
100	04437212 1-1/2 X 1-1/4 PVC RED BUSH SS	1.1754	117.54
100	04402167 1-1/4 X 1-1/4 X 3/4 PVC TEE SST	3.7080	370.80
100	04437168 1-1/4 X 1 PVC RED BUSHING SS	1.0168	101.68
50	04401010 1 PVC TEE SSS	1.0045	50.23
50	04401012 1-1/4 PVC TEE SSS	1.8072	90.36
50	04401015 1-1/2 PVC TEE SSS	2.0073	100.37
50	04406010 1 PVC 90 ELL SS	0.7140	35.70



Home Office
3441 E. Harbour Drive, Phoenix, AZ 85034
602.437.9530
EwingIrrigation.com



QUOTATION

CHARGE ACCT

* 61091 *

90 Ewing McAllen
1312 E Upas Ave
McAllen, TX 78501
PHN 9566619530 FAX 9566619533

QUOTE # 14202534
PAGE 3 of 3
QUOTED 10/3/2022
QUOTE EXPIRES ON 12/2/2022

DELIVERY INSTRUCTIONS: Buy Board #611-20

PO#: _____ BUYER: JOSE DE LA PAZ **MC AUTH*

P21 JOB: _____ EIP#: _____ BY: DAGO V

PH: _____

QUOTE#: _____

EWING JOB: _____ JOB REF: LA FLORESTA PARK

QTY ORDER	ITEM DESCRIPTION	NET	EXTENDED
50	04406012 1-1/4 PVC 90 ELL SS	1.4053	70.27
50	04406015 1-1/2 PVC 90 ELL SS	1.5120	75.60

Quotes do not include estimated tax. Once invoiced and local tax location is identified,
applicable taxes will be calculated and applied.

SUB-TOTAL: 67,003.29

TAX: 0.00

AMOUNT DUE: 67,003.29

No recommendation has been made by, or provided to, the seller concerning the use of the pesticide covered by this invoice.

PROPOSITION 65 WARNING: Some of the products on your order may expose you to chemicals that are known to the State of California to cause cancer, birth defects and reproductive harm. Learn more at <https://www.p65warnings.ca.gov/>



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.G.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Status Report on Parks & Recreation Projects.

2. Party Making Request: Denny Meline

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary: This item does not have a fiscal impact.

6. Budgeted:

Bid Amount:

Under Budget:

Budgeted Amount:

Over Budget:

Amount Remaining:

7. Routing:

Cristina Monroy

Denny Meline

Isaac Tawil

Created/Initiated - 11/22/2022

Approved - 11/22/2022

Final Approval - 11/22/2022

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: None. IJT

11. Manager's Recommendation: None. RR



City Commission Update





Springfest Park: MUSCO Lighting in progress. Poles were erected, next is electrical connections.

District: 4 Vendor: MUSCO Budget: \$500,000 Completion Date: December 2022



Springfest Park: 8 Musco Poles Erected.

District: 4 Vendor: MUSCO Budget: \$500,000

Completion Date: December 2022



Los Encinos Inclusive Playground: 100% structure install, concrete was poured 11/11/22; Poured in place surfacing on hold due to weather.

District: 4

Vendor: Exerplay

Budget \$ 500,000

December 2022



Los Encinos Inclusive Playground.

District: 4

Vendor: Exerplay

Budget \$ 500,000

December 2022



Municipal Pool Filter Replacement: Old filters removed and new filters and piping installed.

District: 5

Vendor: Leslie's Pools

Budget \$83,000

November 2022



Municipal Pool Filter Replacement: Old filters removed and new filters and piping installed.

District: 5

Vendor: Leslie's Pools

Budget \$83,000

November 2022



McAllen Youth Baseball Parking Lot: Ribbon Cutting set for November 29th.

District: 2 Vendor: Foremost Paving Budget: \$ 529,865 Completion Date: October 2022



New Parks & Recreation Facility: Site visits for IT data drops, shop layout, and paint colors.

District: 5

Vendor: Wilson

May 2023



Municipal Park- Arbor Day Foundation and International Paper Native Tree Planting Donation: Planting of 67 native trees.

District: 5 Sponsor: Arbor Day Foundation

Budget: \$18,000

November 2022



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.H.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Project Status Report through October 31, 2022.

2. Party Making Request: Eduardo Mendoza

3. Applicant: Eduardo Mendoza

4. Nature of Request: Project Status Report through October 31, 2022.

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Budgeted Amount: _____

Under Budget: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Gabriela Cantu

Created/Initiated - 11/22/2022

Eduardo Mendoza

Approved - 11/22/2022

Michelle Rivera

Approved - 11/22/2022

Isaac Tawil

Final Approval - 11/22/2022

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: None. IJT

11. Manager's Recommendation: None. RR.



ENGINEERING DEPARTMENT
MEMORANDUM

To: Roel "Roy" Rodriguez, P.E., City Manager
From: Eduardo Mendoza, P.E., P.T.O.E., City Engineer
Date: November 28, 2022
Subject: Project Status Report through October 31, 2022.

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 October 31, 2022.

The following projects are included:

1. Taylor Road Widening (I2 to Daffodil Avenue)
2. Daffodil Avenue Widening (Taylor Road to Ware Road)
3. Dove Avenue Widening (Bentsen Road to 41st Street)
4. Parks & Rec Admin and Maintenance / Metro Transit Station
5. Community Development Block Grant (CDBG) Projects
6. McAllen Youth Baseball complex
7. Trenton Road at Auburn Avenue Intersection Improvements
8. FM 1926 (23rd Street) Intersection Improvements (Hackberry, Kendlewood, Ebony) Avenue.



PROJECT STATUS REPORT

By Eduardo Mendoza, P.E., P.T.O.E., City Engineer

Taylor Road Widening (I2 to Daffodil Avenue)

The project consists of widening the existing road to a 4 lane urban curb and gutter paved roadway from I2 (US 83) to 2 Mile Line (Daffodil Avenue). The total widening of Taylor Road is 3.0 miles and includes a storm water management system and dedicated left-turn lanes at all major intersections. The project is managed through an interlocal agreement with the City of Mission in which the City of Mission is the fiduciary agent for the project development. The project is separated into 2 phases.

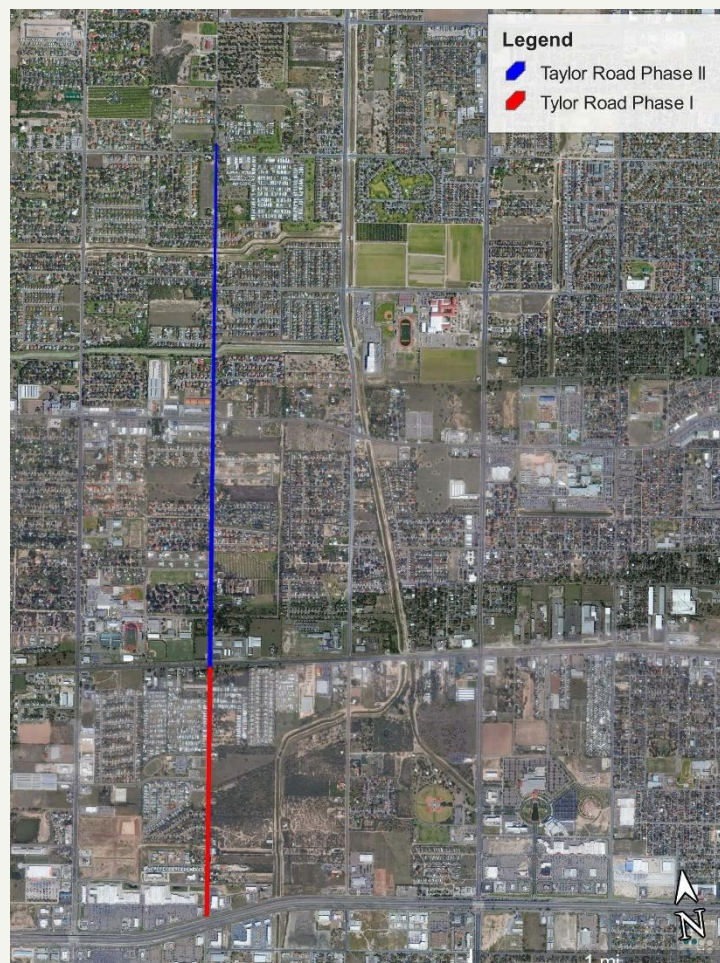
Project Development Status:

Phase 1. Widening from I2 to U.S. Southside of Business 83.

Bids opened Thursday, September 27th, apparent low bidder is Texas Cordia Construction of Edinburg Texas.

Phase 2. Widening from U.S. Business 83 to 2 Mile Line (Daffodil Avenue).

1. Right of way acquisition is approximately 70 percent complete.
2. Utilities to relocate immediately after acquisition of all roadway right of way.
3. Construction plans and specifications are 90 percent complete and under review by TxDOT.



Daffodil Avenue Widening (Taylor Road to Ware Road)

The project consists of widening the existing road to a 4 lane urban curb and gutter paved roadway from Taylor Road to Ware Road. The total widening of Daffodil Avenue is 0.65 miles and includes a stormwater management system and dedicated left-turn lanes at all major intersections. Project design is managed through Halff Associates Inc.

Construction Company:	GO Underground, LLC, Harlingen, Texas
Original Contract:	\$5,535,400.32
Change Orders Total:	1
Original Contract (Day's):	275 Calendar Days
Change Order (Day's):	5 to date
Contract End Date:	May 1 st , 2023

Construction Status: Phase I Clearing of roadway right is complete and roadway excavation of half the roadway complete between Taylor Road and Bentsen Road. Installaiton of potable water supply infrastructure is complete, santirary sewer and storm sewer underground infrastructure is currently under construction.



Figure 1. Installation of Daffodil Avenue Storm Sewer Infrastructure at Mission/McAllen Lateral

Dove Avenue Extension (Bentsen Road to 41st Street)

The project consists of widening the existing road to a 4 lane urban curb and gutter paved roadway from Bentsen Road to 41st street. The total widening of Dove Avenue is 0.25 miles and includes stormwater management system, bridge class culvert crossing at Mission/McAllen Lateral Drainage Canal, siphon at Hidalgo County Irrigation District 1 main canal, and dedicated left-turn lanes at all major intersections. Project design is managed through Cruz-Hogan Consultants, Inc.

Project Development Status:

1. Right of Way acquisition. North-east corner clip of Bentsen and Dove to be acquired.
2. Utility accommodation. A list of all potential conflicts within the right of way has been identified to coordinate relocation with utility companies.

Bidding and Construction Phase:

1. Construction of HCIDN1 main irrigation canal siphon crossing has been completed.
2. Dove Avenue Extension Roadway and Drainage Improvements Bid opening was September 22th 2022, apparent responsible responsive bidder was GO Underground LLC from Harlingen Texas.

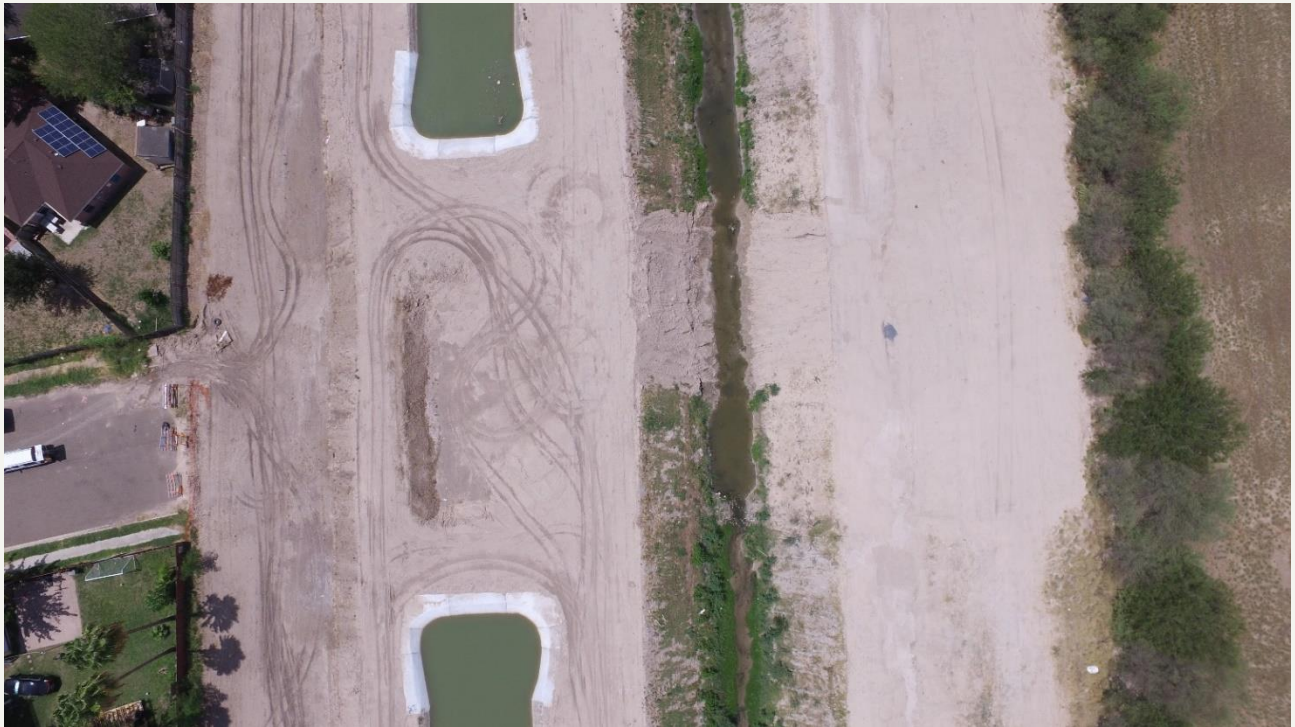


Figure 1. HCIDN1 Irrigation canal by-pass for construction of siphon crossing.

McAllen Parks & Rec. Administration and Maintenance / Metro Transit Station

The new Parks & Rec Administration and Maintenance facility/Metro Transit Station is located at the intersection of 23rd and Trophy Drive.

The Parks and Recreation administration's proposed space will incorporate an estimated 10,820 sf of office space needs, along with approximately 9,400 sf of warehouse and maintenance building space, parking areas for vehicles and trailers, equipment and material storage areas/yards, dumpster areas, a chemical storage building, and necessary site infrastructure to serve the facility.

Transfer Station will include an 8,000 sf Bus Transfer facility with a small interior lobby and bays for 6-8 transit buses, 100 parking spaces (vehicles and buses) as well as a Maintenance facility with two bays and approximately 3,500 sf of office space, electric bus charging station, and a vehicle and bus fueling station.

Notice to Proceed was issued on August 16, 2021. The project is 291 working days into construction. Original project completion date is March 31, 2023, delay days presented on recent change orders extends completion date to May 3, 2023. Installation of aluminum window frames continues on Parks and Rec, frame installation on Metro Transit is complete and glass installation continues. Tape, float, sand, and prime continues on both facilities. Pulling of wire to home runs from panels continues, pulling fire alarm wiring continues on both projects. Plumbing lines have been pressurized and inspected for leaks, rough in for restroom accessories continues. Concrete paving on Metro Transit site continues, asphalt paving has commenced. Perimeter fencing on both sites continues, decorative fencing on Metro Transit continues, routing conduits for inductive charging equipment has begun.



2018 Bond Drainage Improvement Projects

Bicentennial Blueline (Harvey Ave to Tamarack Ave) Bridge Improvements (4 Locations)

This project consists of the removal and replacement of bridge structures along Bicentennial Blueline to improve drainage.

Construction Company:
GO Underground, LLC

1.) La Vista Avenue Bridge Improvements

Original Contract: \$ 1,278,271.14
Change Order to date: \$ 0
Original Contract (Days): 240 –
09/27/2021
Original Contract End Date: June 11, 2021
Change Order (Days): 0

Construction Status: Waterline adjustment is complete. Preparation for pavement reconstruction complete.

Completion Date: March 2022



Highland Avenue Pedestrian Bridge Improvements

Original Contract: \$ 351,640.40
Change Order to date: \$ 0
Original Contract (Days): 180 – 06/15/2022
Original Contract End Date: December 9, 2021
Change Order (Days): 0

The pre-fabricated pedestrian bridge is installed.
Concrete flatwork is in progress.
Completion Date: March 2022



2018 Bond Drainage Improvement Projects Cont.

2.) Tamarack Avenue Bridge Improvements

Original Contract: \$ 1,518,796.36
Change Order to date: \$ 0
Original Contract (Days): 240 - calendar days
Original Contract End Date: August 7, 2022
Change Order (Days): 0
Construction of wingwalls is underway. Waterline adjustments and roadway reconstruction follows.



3.) Harvey Avenue Bridge Improvements

Original Contract: \$ 1,550,222.84
Change Order to date: \$ 0
Original Contract (Days): 240 - calendar days
Original Contract End Date: April 5, 2023
Change Order (Days): 0

Demolition of existing infrastructure complete.
Installation of Box culverts complete. Concrete work for headwall is upcoming.



4.) Martin Avenue Drainage Improvements

Original Contract: \$ 1,822,426.36
Change Order to date: \$ 0
Original Contract (Days): 120 - calendar days
Original Contract End Date: November, 2022.
Change Order (Days): 0

Construction: Storm sewer underground infrastructure is currently under construction, Work began at the McAllen Northwes Blue Line drain ditch to 6th Street.



Below is a list of drainage bond projects completed to date.

- Vine Avenue at N 48th St Drainage Improvements
- Gardenia Avenue at N 25 ½ Street Drainage Improvements
- N 43rd Street Stormwater Bypass
- Marigold Avenue (Alley) Drainage Improvements
- N 12th Street at Esperanza Avenue Drainage Improvements
- Harvey Avenue at N. Main Street Drainage Improvements
- N 7 ½ Street at Highland Avenue Drainage Improvements
- Iris Avenue at Cynthia Avenue Drainage Improvements
- Dove Avenue (N 10th Street to N 2nd Street) Drainage Improvements
- N 4th Street at Sunflower Avenue Drainage Improvements
- Northwest Blueline Re-grade

Community Development Block Grant (CDBG) Projects

Chicago Avenue at S 23rd Street Drainage Improvements

The project scope focuses on upgrading an existing storm sewer system along Chicago Avenue intersecting with 23rd street. Improvements include installation of new storm sewer pipe, curb inlets, manholes and associated pavement/curb & gutter reconstruction.

Construction Company:	Texas Cordia Construction, LLC., Edinburg, Texas
Original Contract Amount:	\$ 127,217.00
Contract Duration:	75-calendar days
Contract Start Date:	May 19, 2022
Contract End Date:	July 28, 2022

Construction Status: The project is completed along the west & east curb line of 23rd street on Chicago Avenue.



COMPLETED



Community Development Block Grant (CDBG) Projects

N Main Street at Cedar Avenue Drainage Improvements

The project scope focuses on upgrading an existing storm sewer system along N. Main Street between Ash and Cedar Avenues. Improvements include installation of 700-linear feet of new storm sewer, curb inlets, manholes and associated pavement/curb & gutter reconstruction.

Construction Company:	Artillery, LLC., Edinburg, Texas
Original Contract Amount:	\$ 251,813.00
Contract Duration:	150-calendar days
Contract Start Date:	June 24, 2022
Contract End Date:	November 20, 2022

Construction Status: The project is under construction with about 95 percent of the project completed along N. Main Street between Ash Avenue and Beech Avenue.



COMPLETED



Community Development Block Grant (CDBG) Projects

Gumwood Ave. Sidewalk Improvements

The project scope focuses on adding new sidewalk to the north and south sections of Gumwood Ave. between N 29th St and Ware Rd. Improvements include installation of new sidewalks, ramps, and replace existing driveways to meet ADA compliance.

Construction Company:	Tier One Services, LLC., Weslaco, Texas
Original Contract Amount:	\$362,729.75
Contract Duration:	90-Calendar days
Contract Start Date:	September 12, 2022

Construction Status: The project has completed a section on the south section, currently working on the north side of Gumwood Ave.

Helena Ave. Sidewalk Improvements

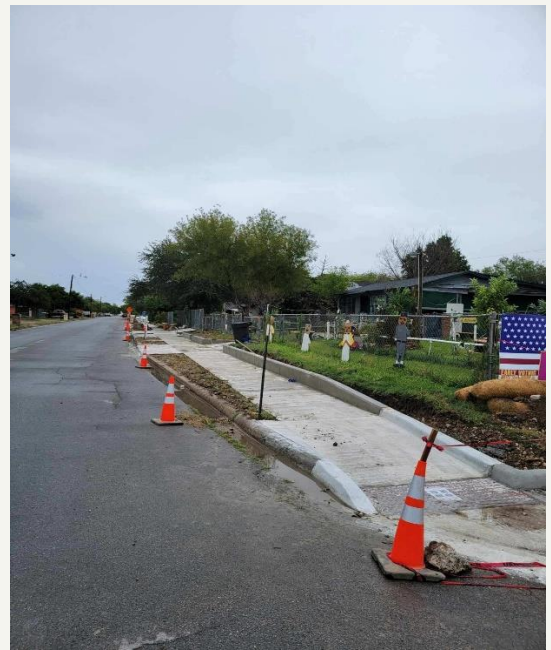
The project scope focuses on adding new sidewalk to the north and south sections of Helena Ave. between S 24th St and Ware Rd. Improvements include installation of new sidewalks, ramps, and replace existing driveways to meet ADA compliance.

Construction Company:	Mata G. Construction, Inc., Penitas, Texas
Original Contract Amount:	\$683,294.88
Contract Duration:	150-Calendar days
Contract Start Date:	September 19, 2022

Construction Status: The project is currently being worked on the south side of Helena Ave.



Gumwood Ave.



Helena Ave.

McAllen Youth Baseball Complex

Parking Lot Improvements

N 29th Street at Auburn Avenue

The project scope includes an addition of a parking lot on the northeast corner of the McAllen Youth Baseball Complex. The parking lot consists of 180 parking stalls with wheel stops, edge curb and stormwater detention facilities within the park limits.

Construction Company:	Foremost Paving, Inc.
Original Contract Amount:	\$ 529,865.00
Contract Duration:	150-calendar days
Change Order Amount:	\$19,869.00 and 12-calendar days
Contract Start Date:	March 24, 2022
Contract End Date:	September 2nd, 2027
Substantial Completion:	August 31, 2022

Construction Status: Project is substantially complete, contractor making corrections of items found deficient during substantial completion inspection along with final stabilization of site.



Trenton Rd at Auburn Avenue Intersection Improvements

The project scope focuses on connecting an existing roadway Auburn Avenue/33rd Street to Trenton Road. Improvements include a deceleration lane, installation of new storm sewer pipe, curb inlets, manholes and associated new pavement and curb & gutter construction.

Construction Company:	Texas Cordia Construction, LLC., Edinburg, Texas
Original Contract Amount:	\$ 462,323.00
Contract Duration:	108-calendar days
Contract Start Date:	May 20, 2022
Contract End Date:	September 05, 2022

Construction Status: Clearing of road right-of-way and roadway excavation is complete. Construction of storm sewer infrastructure is complete. Contractor will be starting work on subgrade once the utility poles have been relocated.



FM 1926 (23rd Street) Intersection Improvements (Hackberry, Kendlewood, Ebony) Avenue.

The project scope focuses on additional left turn lanes to the existing roadway of FM 1926 (23rd Street) at the intersections of Kendlewood, Hackberry, And Ebony Avenue's. Improvements include: installation of new storm sewer pipe, curb inlet, manholes and associated new pavement, curb & gutter and sidewalk construction.

Construction Company:	Texas Cordia Construction, LLC., Edinburg, Texas
Original Contract Amount:	\$ 829,011.85
Contract Duration:	202-calendar days
Contract Start Date:	July 05, 2022
Contract End Date:	January 11, 2023

Construction Status (Kendlewood and Hackberry Ave): Clearing of road right-of-way and roadway excavation is complete. Construction of storm sewer infrastructure is complete. Sidewalk and driveway installation complete. Contractor currently working on asphalt paving.

Construction Status (Ebony Ave)



FM 1926 (23rd St.) Facing South



Storm Sewer installation

PROJECT STATUS UPDATE FOR THE CITIES

We've been busy!

Several major project milestones have been reached allowing the project to move onto the next phase of construction.

The most recent accomplishment was the shift of all I-2 traffic to the north side of the expressway between Jackson Avenue and Cage Boulevard. This shift cleared the way for demolition activities to move through the corridor. In the last month, demolition was completed for the *southside* of the Jackson Road bridge, U.S. Business 83 bridge, Sugar Road bridge and Cage Boulevard Bridge. Demolition for this phase of construction has since been completed. Crews continue working on substructures for the 'Edinburg to Harlingen' direct connector and have simultaneously started working on the deck portion of the flyover. Structures for the 'McAllen to Edinburg' direct connector continue to advance.



At Jackson Avenue, concrete girders were recently installed for the eastbound bridge widening which will allow for panel installation and deck work to begin.

What's coming next?

Going forward crews will continue working on structures for the new 'McAllen to Edinburg' direct connector (DC2) and 'Edinburg to Harlingen' direct connector (DC3). Deck work for DC3 is currently underway to prepare for the upcoming concrete pour of four spans.

At the Jackson Road/U.S. Business 83 bridges foundation work has begun to reconstruct the southside of the bridge. Crews will be working on drilled shafts for the foundation and soon enough new structures will start going up on the area.

In the McAllen and Pharr area, crews will begin working overhead sign structures. Columns will be constructed to support large signs for travelers. Drainage and paving operations will continue throughout the project corridor.

To minimize the impact to the traveling public, necessary lane closures will continue to be implemented nightly, when possible. Additional details will be distributed when advisories are released. Please keep in mind, construction activities are subject to change due to inclement weather or other unforeseen events that may occur.

November 18, 2022



DRAGADOS-PULICE JOINT VENTURE



I-2 / I-69C INTERCHANGE PROJECT

Newsletter



CONNECT WITH US



@I2I69CIntchgPrj



@I2I69CIntchgPrj



I-2/I-69C Interchange
Project



I-2/I-69C Interchange
Project

DPJV Hiring Event

Saturday, November 19
9AM - 3PM

3700 N Cage Blvd, Pharr

We'll be interviewing and
hiring on the spot!
We're looking for Laborers,
Equipment Operators, CDL
Drivers, Carpenters, and
Formen.

Please bring 2 valid forms of
identification.

Final hiring and continued employ-
ment are contingent upon background
check, pre-employment drug test, and
your ability to prove your eligibility for
employment in the United States.

Traffic Shift Opens New Work Zones



In early October, a major traffic shift was implemented that opened new work zones for the next phase of construction.

Eastbound traffic on the I-2 main lanes was shifted to the northside of the expressway between Jackson Avenue and Cage Boulevard. The shift off the original eastbound lanes was a major project milestone and cleared the way for demolition and reconstruction activities.

Since the traffic shift, demolition crews have worked their way along I-2.

Demolition Activities Move Throughout the Project Corridor

Demolition at the interchange was recently completed for this phase of construction. Three of the four original connectors were brought down to make way for construction of the wider, two-lane, connectors.

With the area cleared, crews have been working on various structures at the interchange. Most recently concrete girders were installed and deck work has started for the new 'Edinburg to Harlingen' connector.

Demolition activities were also completed at the U.S. Business 83/Jackson Road bridge, Cage Boulevard bridge and the Sugar Road bridge for this phase of construction.



Installation of the First Precast Cap of the Project

Crews recently installed the first precast cap of the project on the I-69C median. The cap alone weighs 226,000 pounds **and is part of the support system for the new 'Edinburg to Harlingen' direct connector.**

To-date, 11 precast caps have been installed at the **interchange, and a total of 35 will be installed throughout the entire project.**

CHECK OUT DPJVTX.COM FOR MORE INFO!

3700 N Cage Blvd | Pharr, TX 78577 | E: DPJV_Inquiry@Dragados-USA.com | 956.803.3560



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.I.

DATE SUBMITTED

11/17/2022

MEETING DATE

11/28/2022

1. Agenda Item: Subdivision Monthly Report.

2. Party Making Request: Edgar Garcia

3. Applicant:

4. Nature of Request: Subdivision Monthly Report

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount:

Under Budget:

Budgeted Amount:

Over Budget:

Amount Remaining:

7. Routing:

Jessica Cavazos

Edgar Garcia

Michelle Rivera

Isaac Tawil

Created/Initiated - 11/17/2022

Approved - 11/22/2022

Approved - 11/22/2022

Final Approval - 11/22/2022

8. Staff Recommendation:

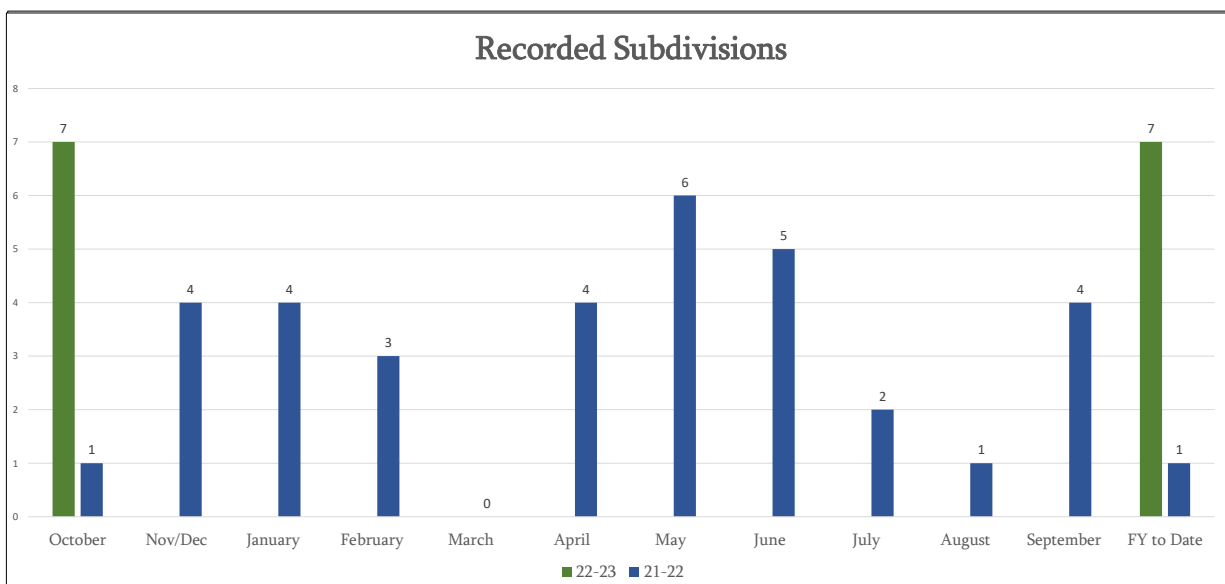
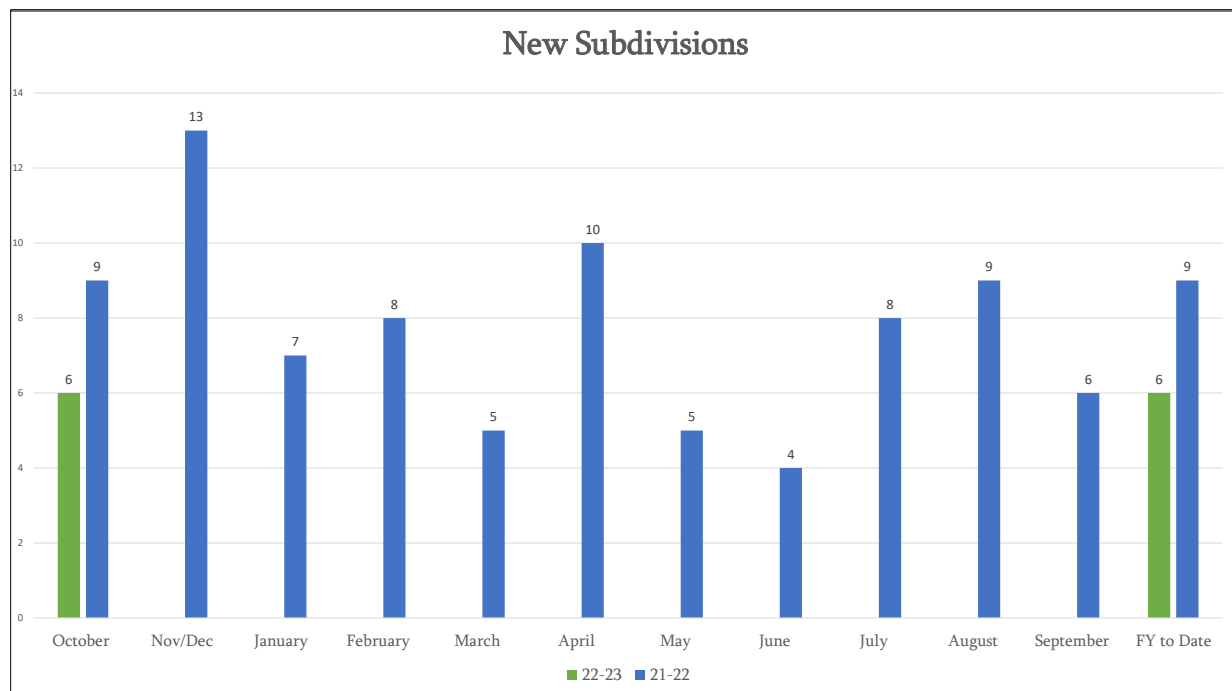
9. Advisory Board:

10. City Attorney: None. IJT

11. Manager's Recommendation: None. RR



	Zoning	Type of Development	Number of Lots	Acres
New Subdivisions				
1. 521 Suddivision	C-3	Commercial	2	13.863
2. A-A-A Apartments Subdivision	ETJ	Residential	2	2.88
3. Austin 495 Plaza	C-3	Commercial	1	0.995
4. Felix Subdivision	R-1	Residential	1	0.16
5. Harvest Creek Phase I Subdivision	R-3A	Residential	112	39.785
6. North Ridge Estates Subdivision	R-1	Residential	13	11.425
Recorded Subdivisions				
1. TNB, Lot 1A Subdivision	C-3	Commercial	1	3.58
2. Park Terrace Subdivision	R-3A	Residential	63	20.983
3. Asian Valley Lot 1A & 1B Subdivision	C-3	Commercial	2	1.56
4. Frontera Forest Subdivision	R-1	Residential	1	2.10
5. World of Four Subdivision	R-3A	Residential	1	1.724
6. A. Pena Subdivision	ETJ	Residential	2	5.27
7. Go Car Wash Subdivision	C-3	Commercial	1	1.514



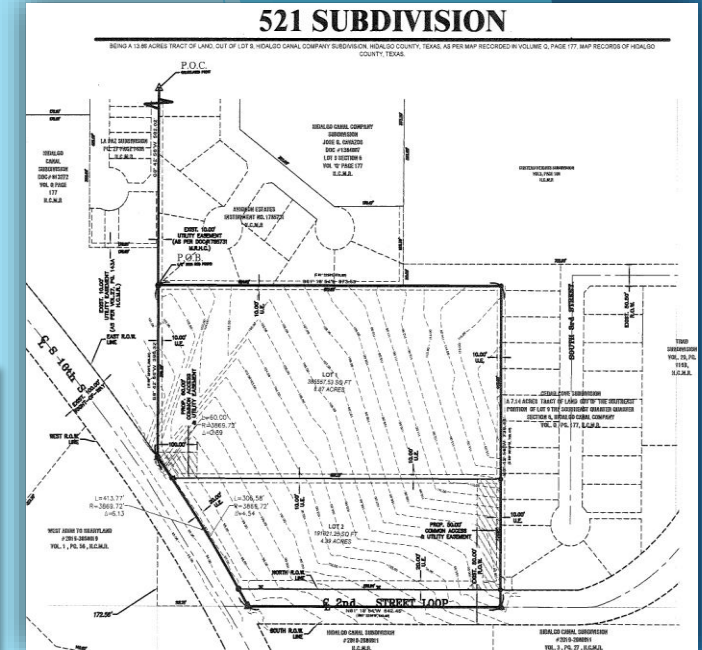
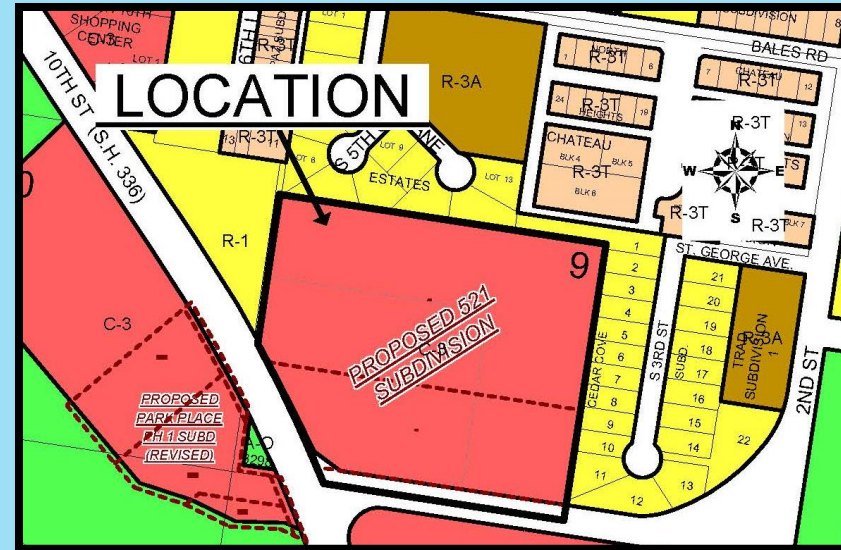
521 Subdivision

Zoning: C-3

Type of Development: Commercial

Lots: 2

Acres: 13.863



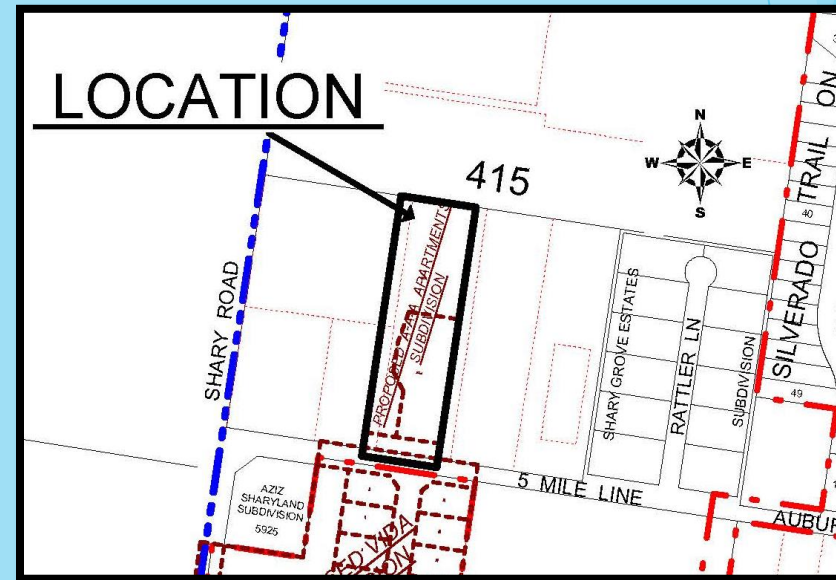
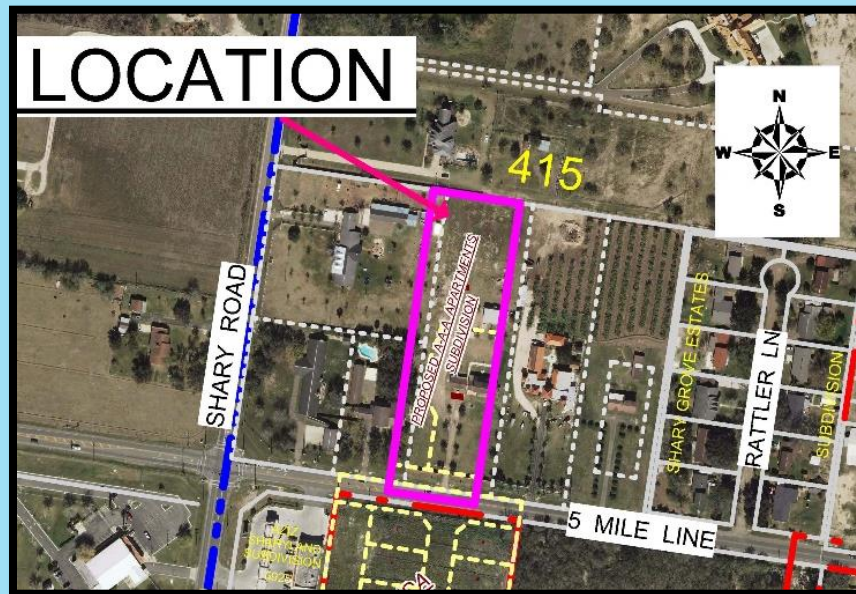
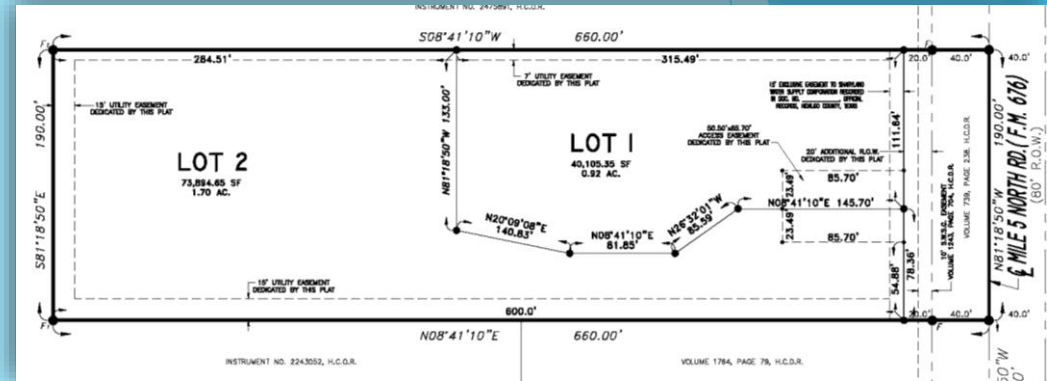
A-A-A Apartments Subdivision

Zoning: ETJ

Type of Development: Residential

Lots: 2

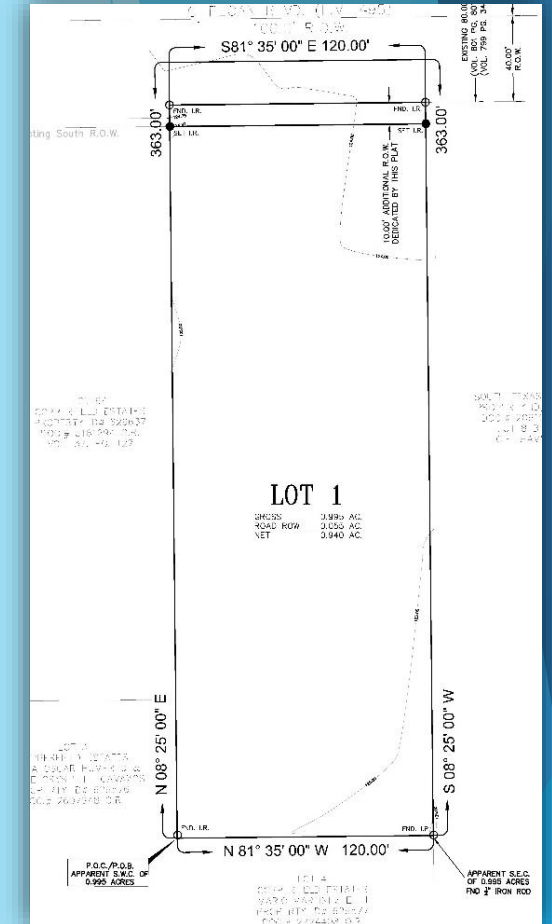
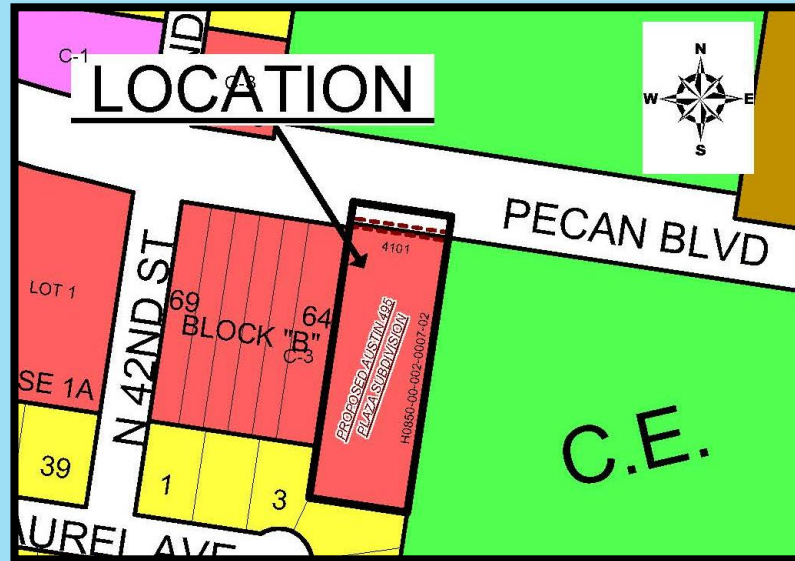
Acres: 2.88



Zoning: C-3

Lots: 1

Acres: 0.995



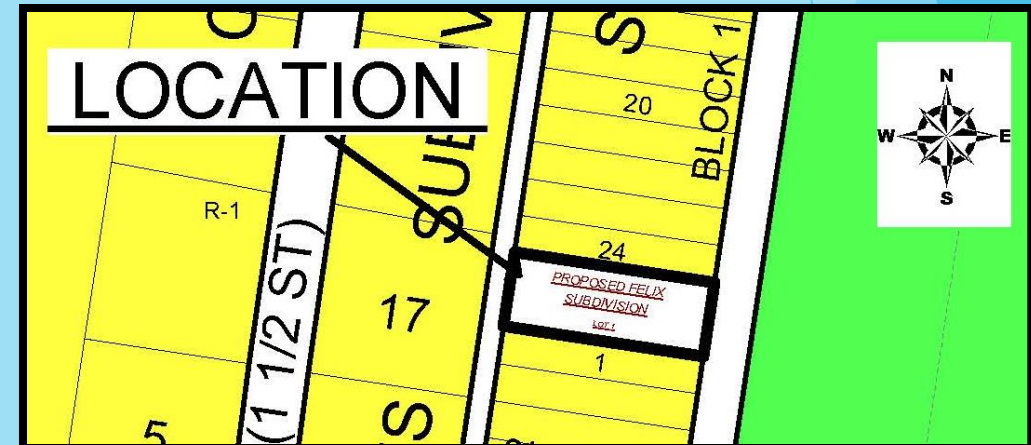
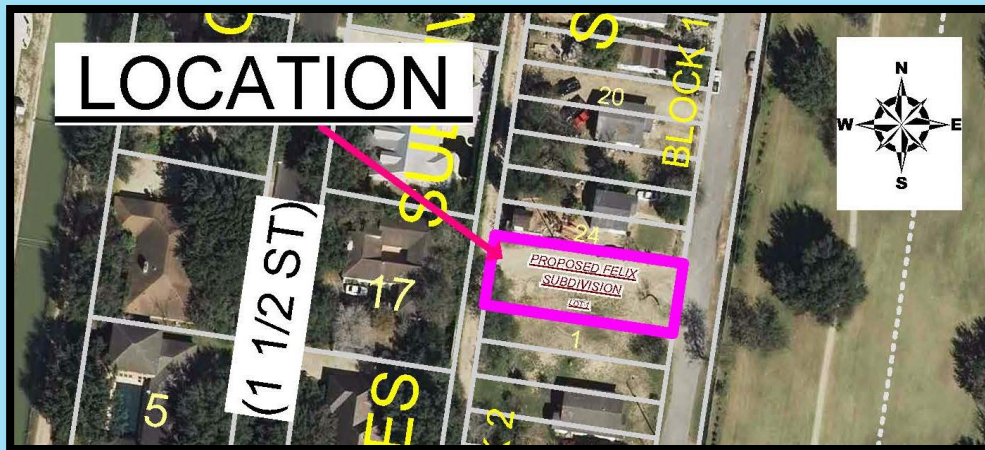
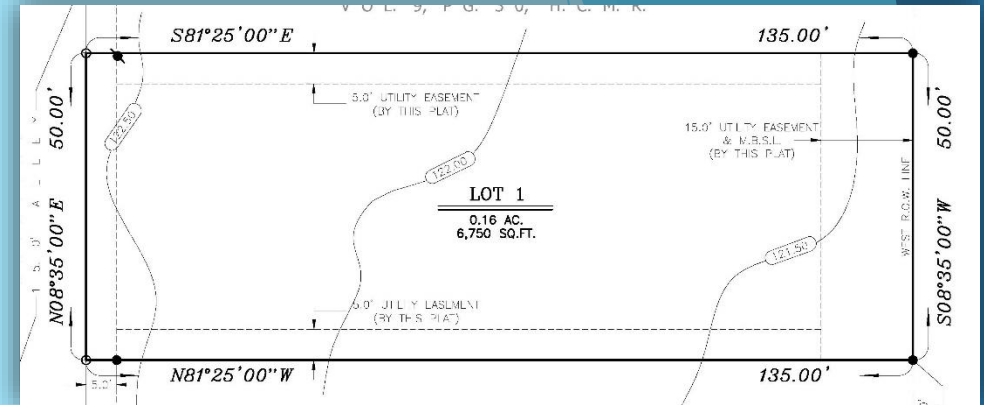
Felix Subdivision

Zoning: R-1

Type of Development: Residential

Lots: 1

Acres: 0.16



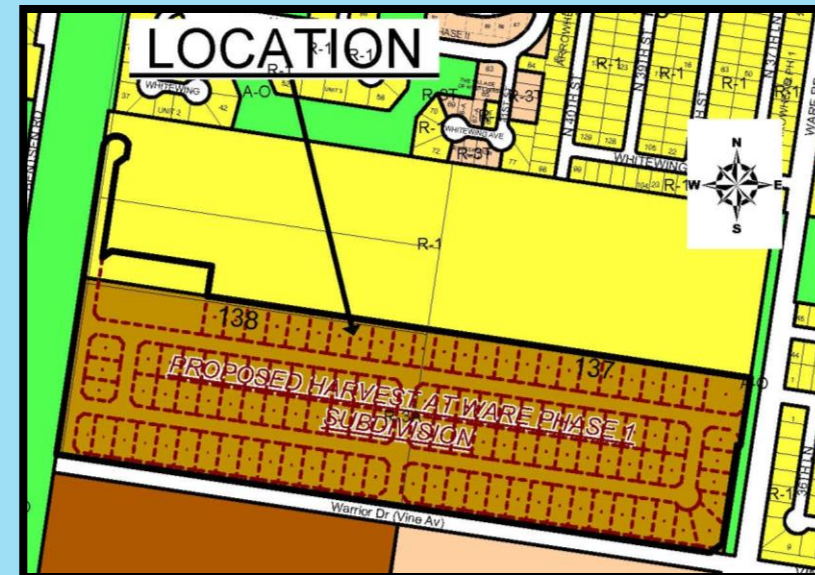
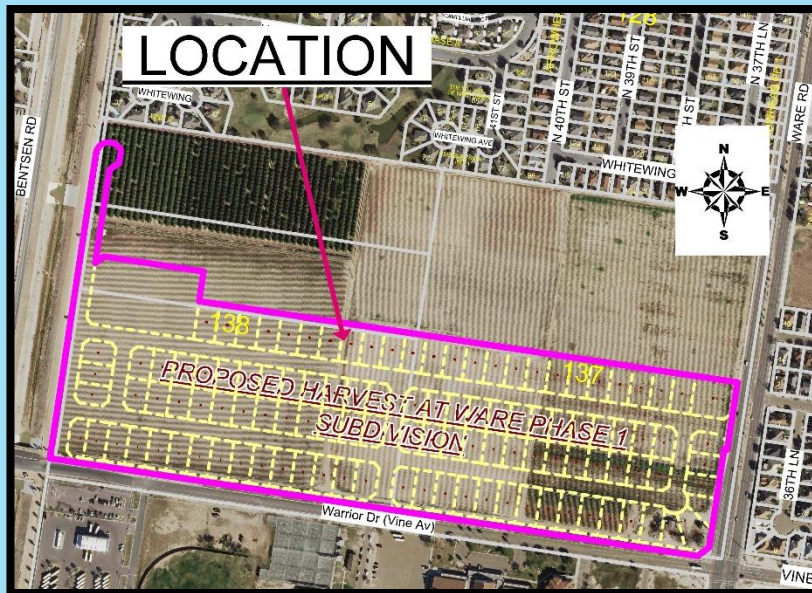
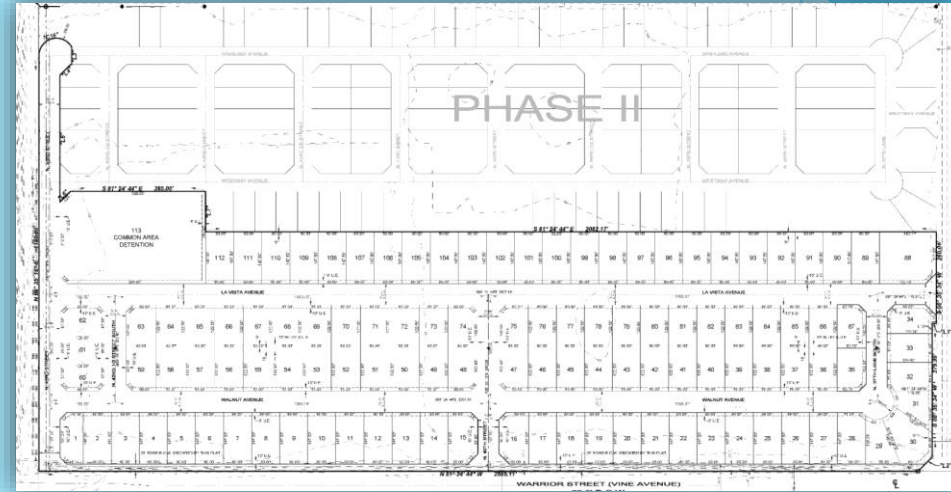
Harvest Creek Phase I Subdivision

Zoning: R-3A

Type of Development: Commercial

Lots: 112

Acres: 39.785



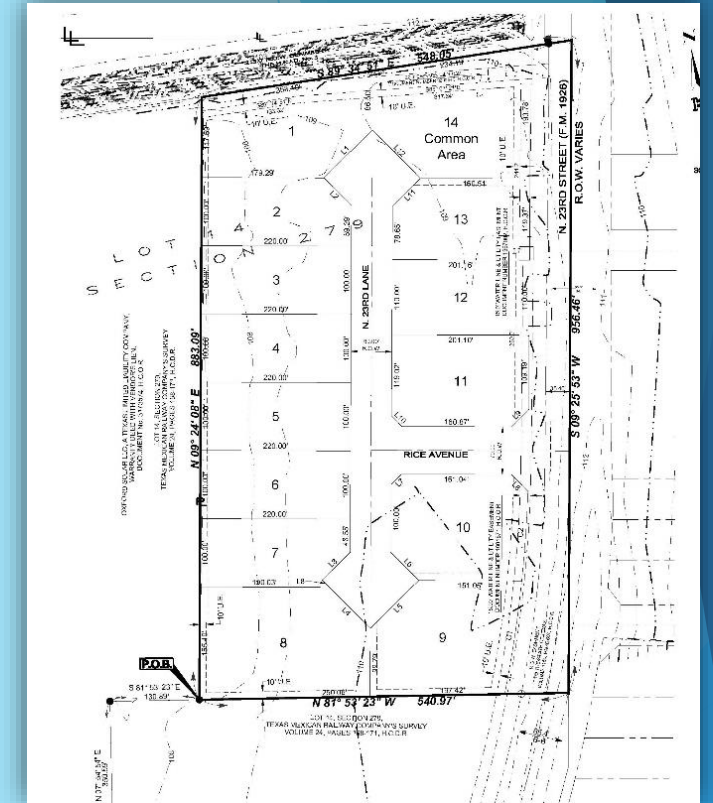
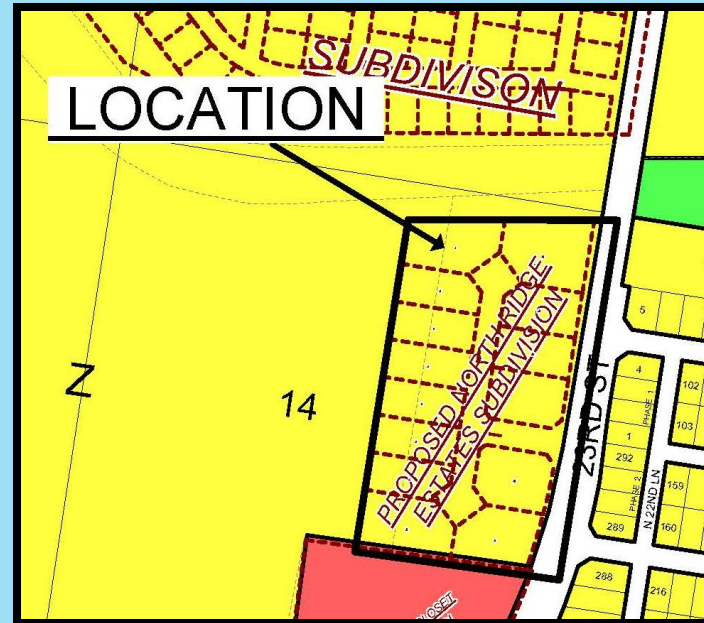
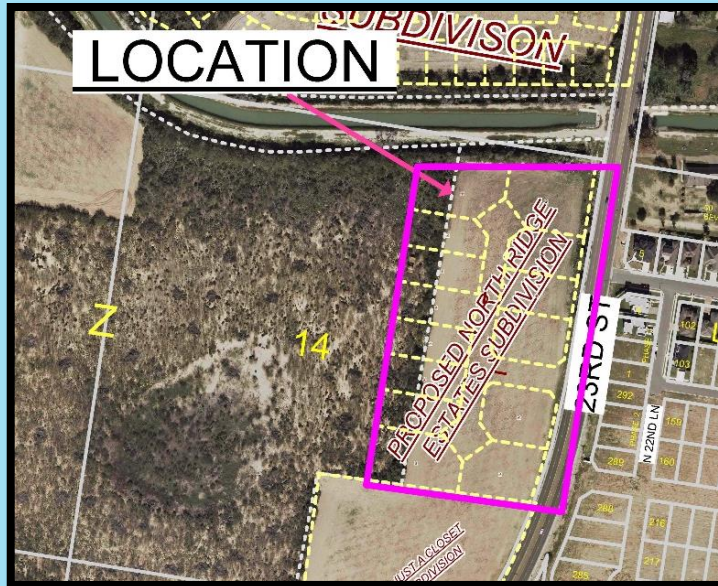
North Ridge Estates Subdivision

Zoning: R-1

Type of Development: Residential

Lots: 13

Acres: 11.425



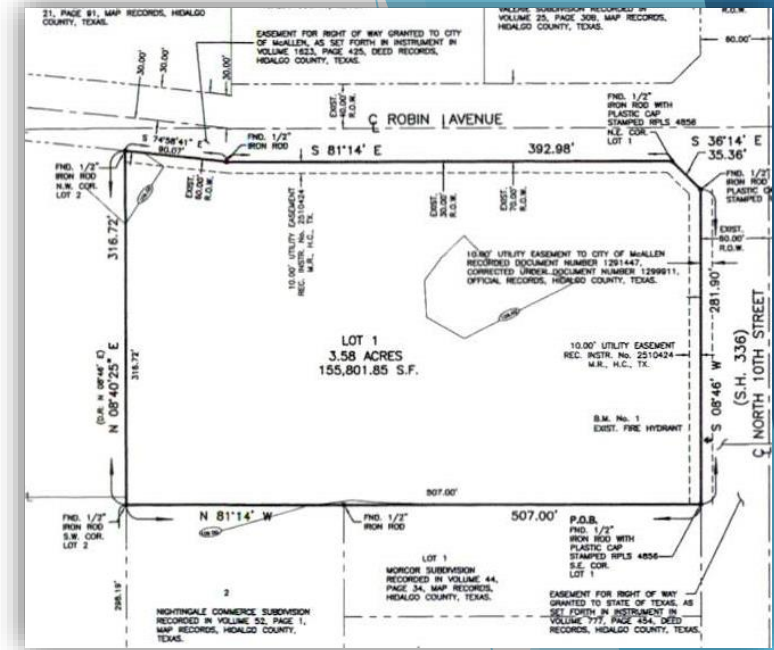
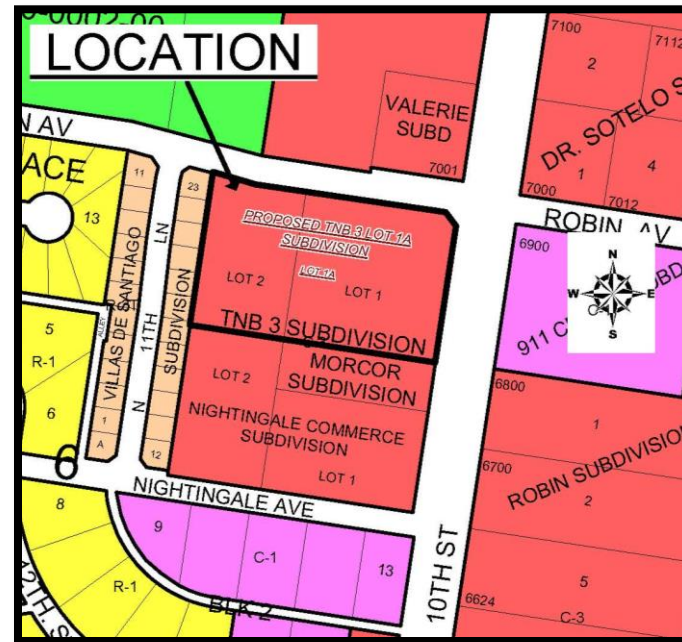
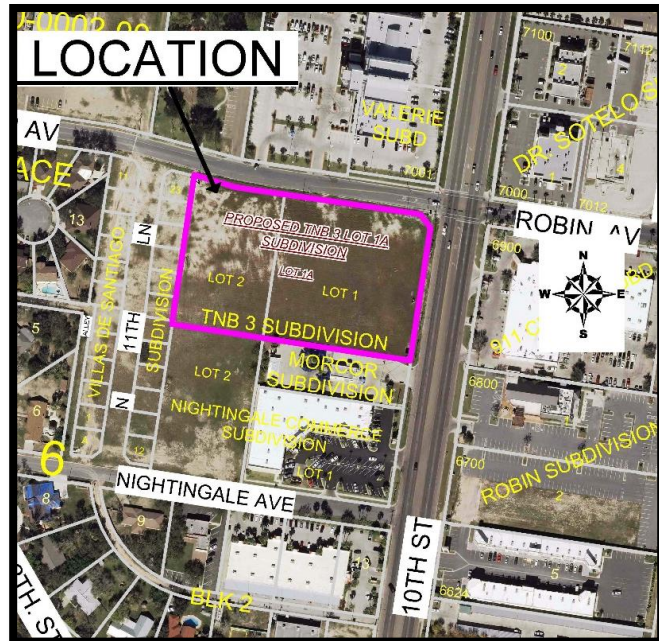
TNB Lot 1A Subdivision

Zoning: C-3

Type of Development:

Lots: 1

Acres: 3.58



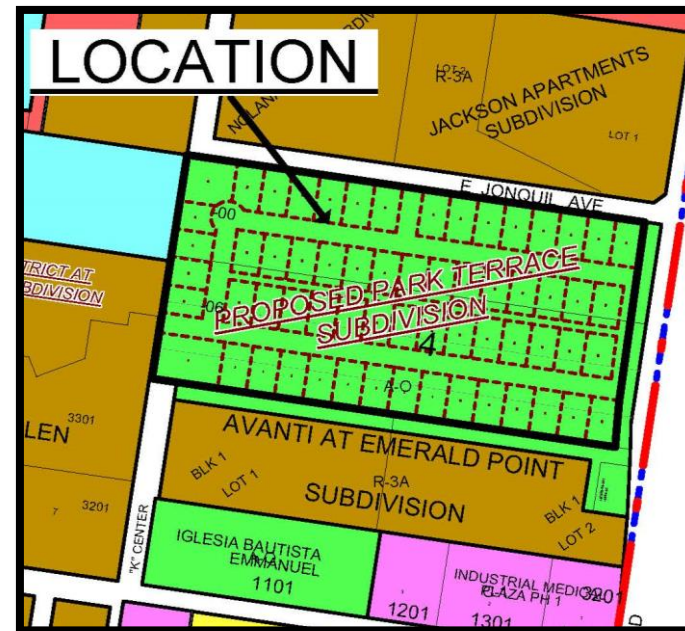
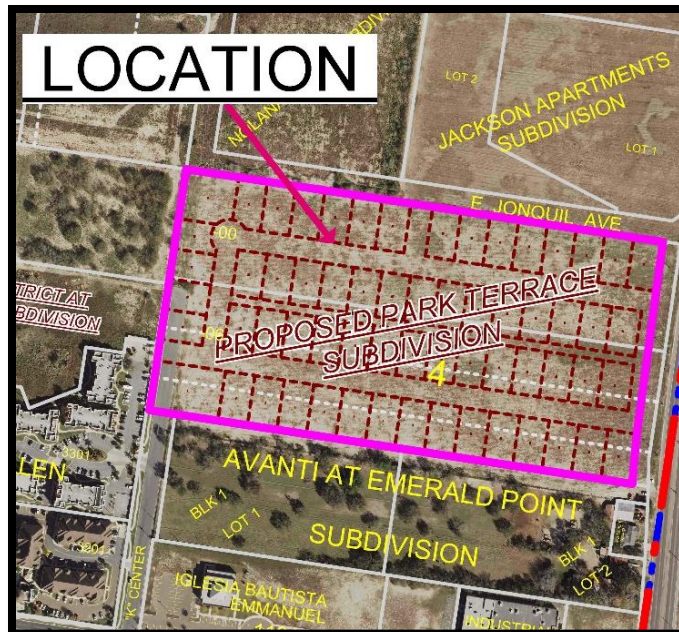
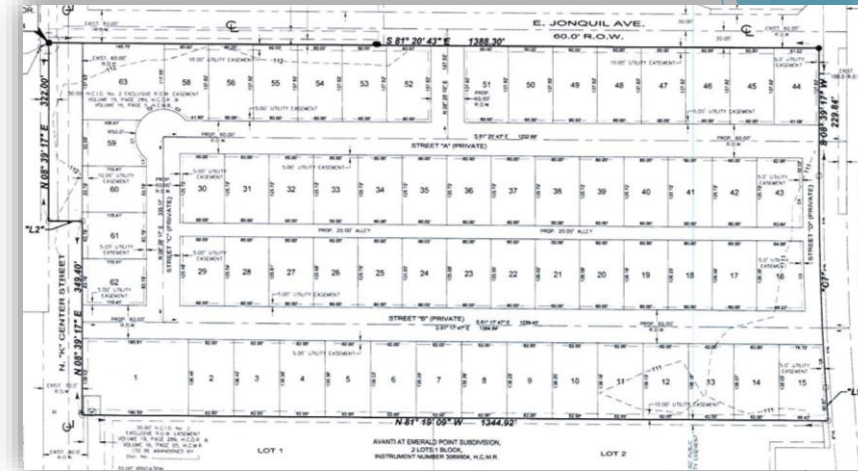
Park Terrace Subdivision

Zoning: R-3A

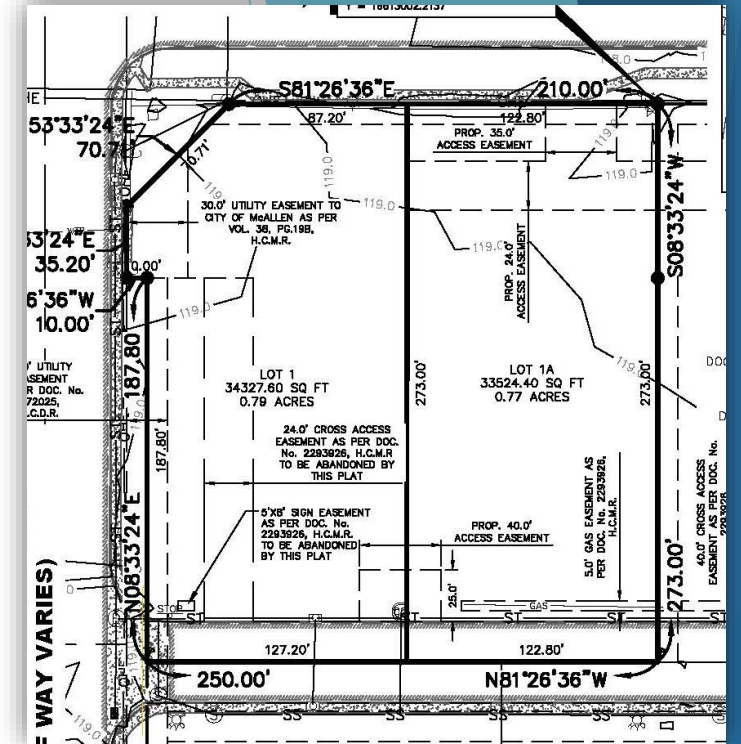
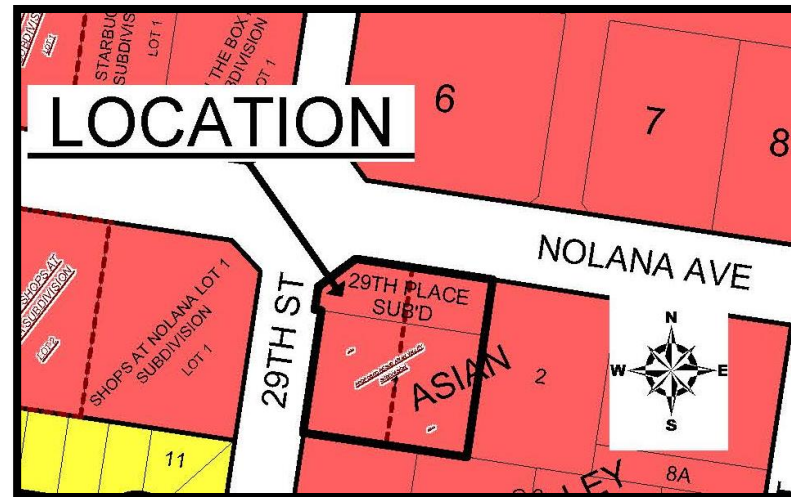
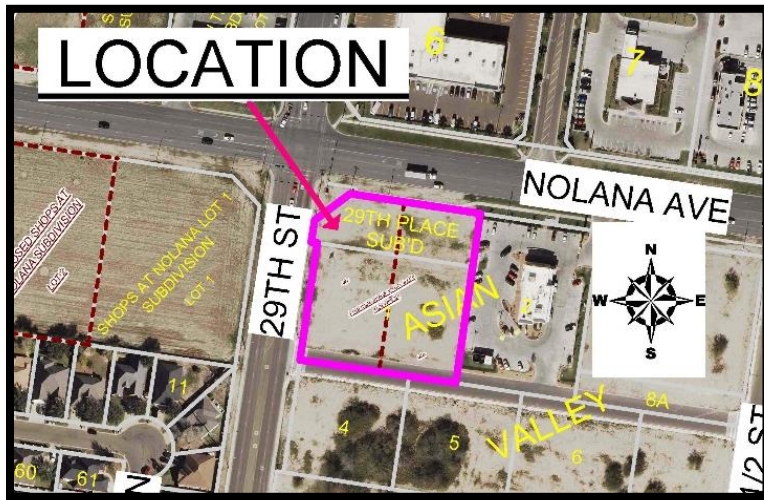
Type of Development: Residential

Lots: 63

Acres: 20.983



Acres: 1.56



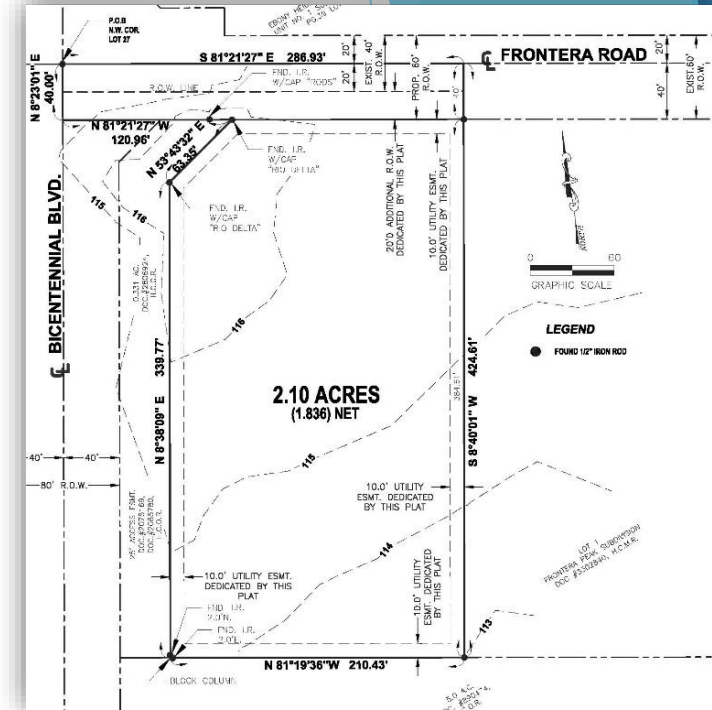
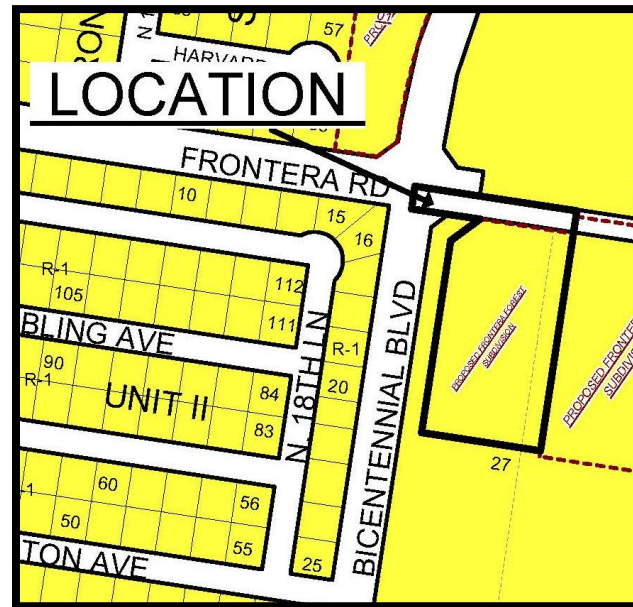
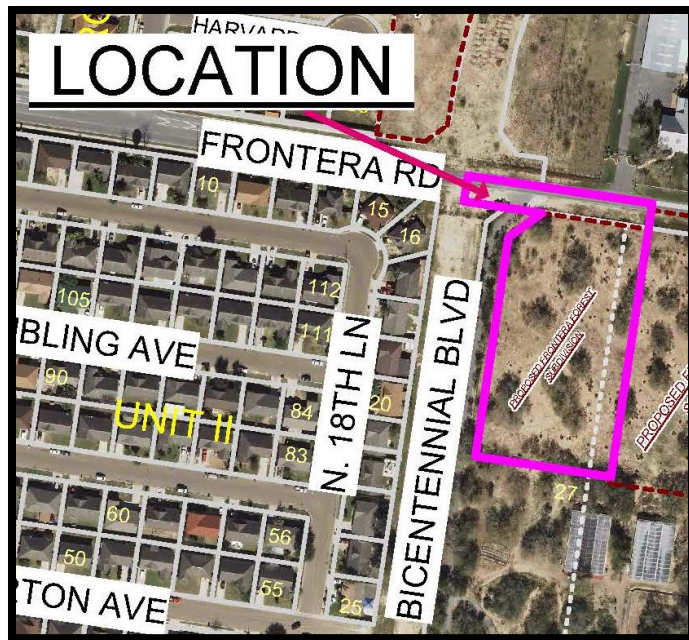
Frontera Forest Subdivision

Zoning: R-1

Type of Development: Residential

Lots: 1

Acres: 2.10



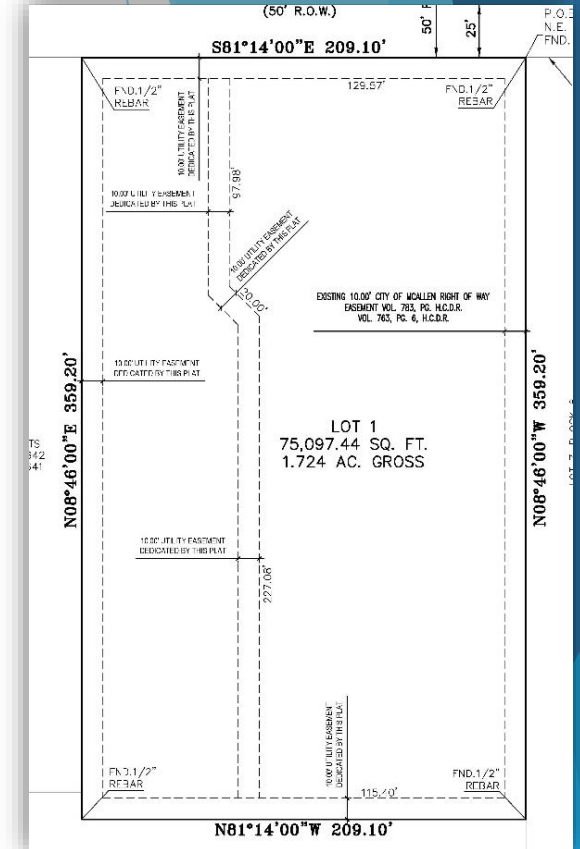
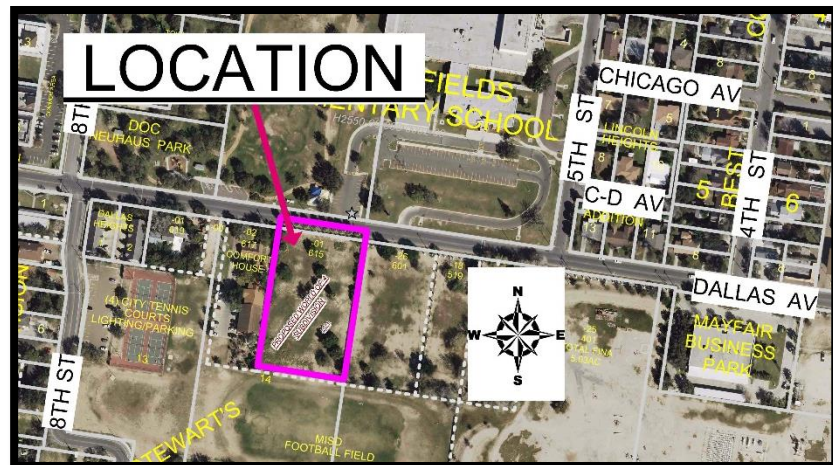
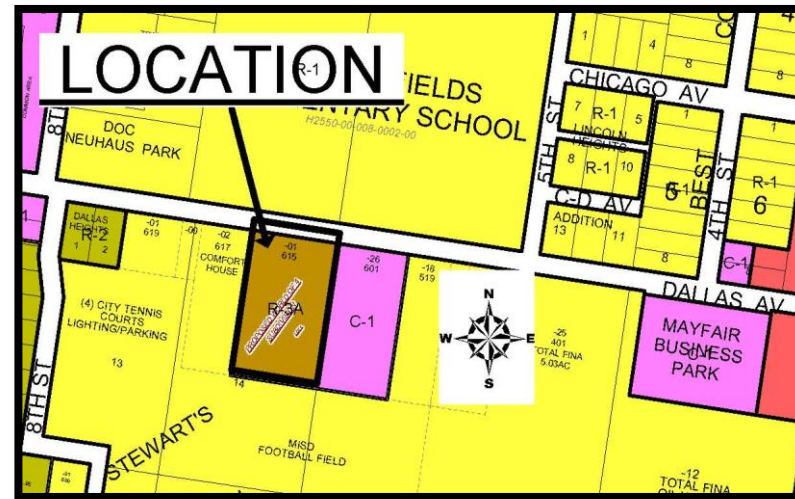
World of Four Subdivision

Zoning: R-3A

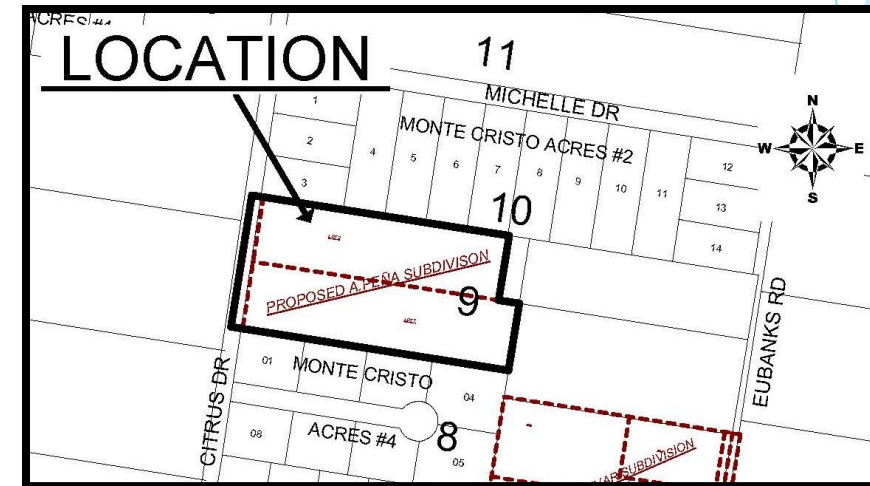
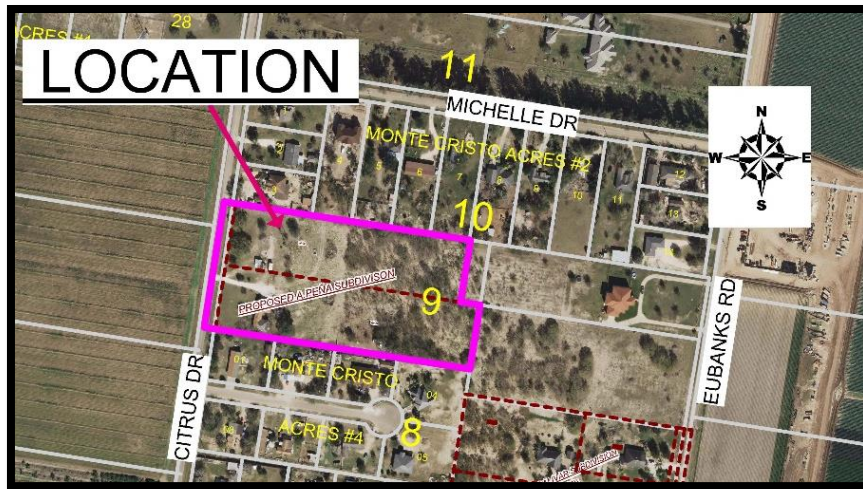
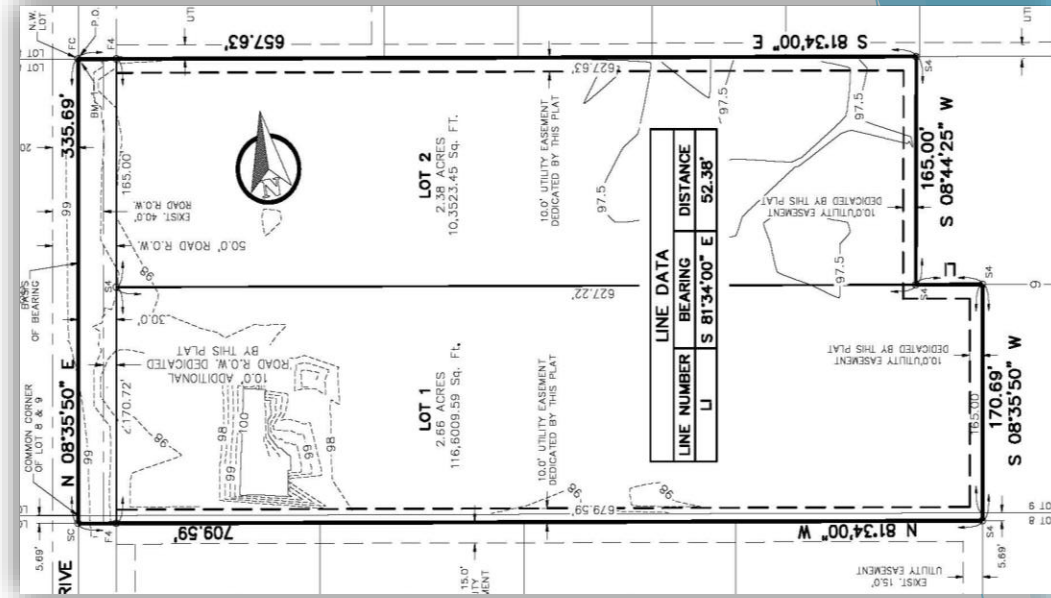
Type of Development: Residential

Lots: 1

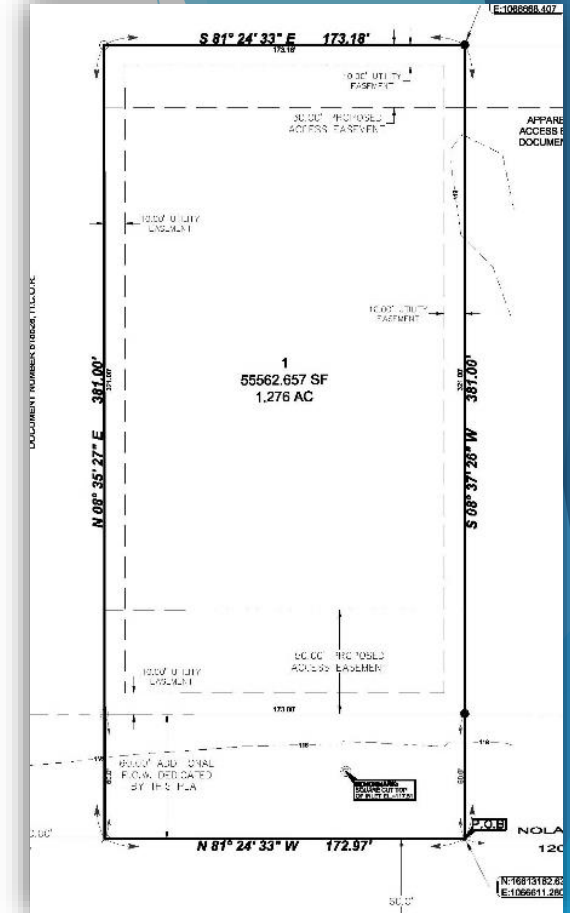
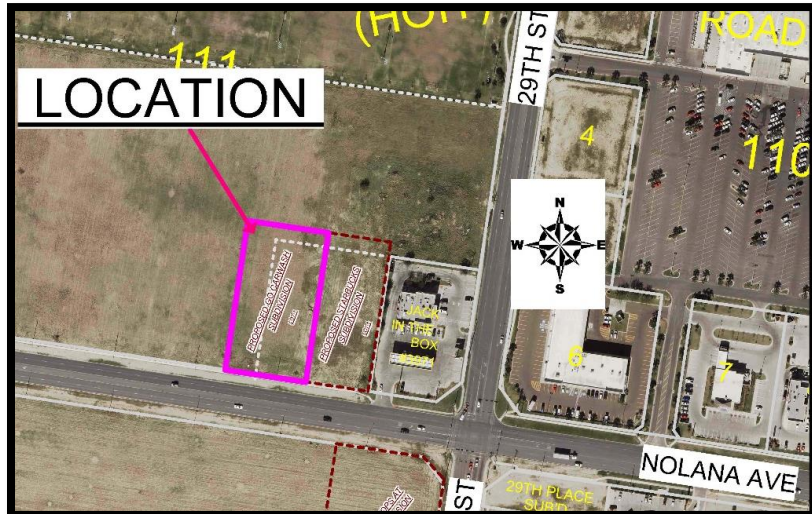
Acres: 1.724



Acres: 5.27



Acres: 1.514





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.J.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Approval of Tax Refunds over \$500.00.

1. Rocket Mortgage

2. Gene D. Jr. & Ileana V. Poter

3. H E Butt Grocery Co.

2. Party Making Request: Rebecca Grimes

3. Applicant:

4. Nature of Request: Approval is needed for tax refunds over \$500.00 due to erroneous payments and an Agreed Judgment.

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____

7. Routing:

Rebecca Grimes

Michelle Rivera

Isaac Tawil

Created/Initiated - 11/22/2022

Approved - 11/22/2022

Final Approval - 11/22/2022

8. Staff Recommendation: Approve refunds in order to comply with the Texas Property Tax Code.

9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Approve. RR

Memo

To: Roel “Roy” Rodriguez, P.E., City Manager
From: Rebecca M. Grimes, Tax Assessor-Collector
Date: November 28, 2022
Re: Tax Refunds over \$500.00

The tax office has determined the attached application(s) for tax refund over \$500.00 dollars is (are) due for erroneous and/or overpayments. I respectfully request your approval for these tax refunds as required by Property Tax Code 31.11.

<i>Taxpayer/Payee</i>	<i>Amount Paid</i>	<i>Reason for Tax Refund</i>	<i>Amount of Refund</i>
Rocket Mortgage	652.56	Erroneous Payment	652.56
Gene D Jr & Illeana V. Poter	1,611.24	Erroneous Payment	1,611.24

Attachment

Application for Tax Refund Overpayments or Erroneous Payments

City of McAllen Tax Office

(956)681-1330

Collection Office Name

Phone (area code and number)

P O Box 220/311 N 15th St

Address, City, State, ZIP Code

McAllen TX 78505-0220

Collecting Tax For (taxing units)

GENERAL INSTRUCTIONS: This application is for use in requesting a tax refund pursuant to Tax Code Section 31.11 and Comptroller Rule 9.3039. To apply for a tax refund, the taxpayer or representative must complete Steps 1 through 4 of this application. The refund check will be made payable to the taxpayer and mailed to the taxpayer address provided below.

FILING INSTRUCTIONS: This document and all supporting documentation must be filed with the tax collector of the taxing unit for which you are requesting a refund. Do not file this document with the Texas Comptroller of Public Accounts. A directory with contact information for county tax offices may be found on the Comptroller's website.

SECTION 1: Taxpayer Information**ROCKET MORTGAGE**

Name of Taxpayer

(313)782-7568

Phone (area code and number)

Email Address*

Kim Henderson-Brown@RocketMortgage.com

1050 WOODWARD AVE DETROIT MI 48226

Mailing Address, City, State, ZIP Code

SECTION 2: Authorized Representative

Provide the information below if an agent has been appointed under Tax Code Section 1.111 to represent the taxpayer for tax matters. Attach a completed and signed Form 50-162, *Appointment of Agent for Property Tax Matters*, if the form has not been filed with the county appraisal district. Individual taxpayers handling tax matters on their own behalf skip to section 3.

Name of Authorized Representative

Title of Authorized Representative

Phone (area code and number)

Email Address*

Mailing Address, City, State, ZIP Code

SECTION 3: Property Information

S001702-000-0196-00

Appraisal District Account Number

OR

LN# 3378358660

Tax Receipt Number

3309 PROVIDENCE AVE

Location Address, City, State, ZIP Code

SADDLE CREEK UT 2 LOT 1960.1157

Legal Description (or attach copy of the tax bill or tax receipt)

SECTION 4: Tax Payment Information

Complete the tax payment information requested below for each taxing unit from which refund is requested. A separate document containing the same information may be attached for additional taxing units, if necessary.

1. CITY OF MCALLEN	2021	04/01/2022	\$ 652.56	\$ 652.56
2.			\$	\$
3.			\$	\$
4.			\$	\$
5.			\$	\$

Taxpayer's Reason for Refund (attach supporting documentation)

AS PER TAXPAYER REQUEST

PATTY GONZALEZ
(956)681-1330
pcampos@mcallen.net
05/31/2022

SECTION 5: Taxpayer Signature

I hereby apply for the refund of the above described taxes and certify that the information I have given on this form is true and correct.

print
here

Print Taxpayer Name

sign
here

Taxpayer Signature

Date

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code, §37.10.

FOR COLLECTOR USE ONLY

SECTION 6: Tax Refund Determination

This tax refund is

☐

Approved

☐

Disapproved

print
here

Print Name and Title

sign
here

Authorized Officer

Date

print
here

Print Name and Title

sign
here

Collector(s) of Taxing Unit(s) for Refund Applications Over (insert amount for which governing body approval is required under Tax Code Section 31.11)

Date

If the collector does not respond to this application on or before the 90th day after the date the application form is filed with the collector, this application is presumed to have been denied. The taxpayer may file suit against the taxing unit in the district court to compel payment of the refund if it is filed not later than the 60th date after the collector denies the application.

An email address of a member of the public could be confidential under Government Code Section 552.137; however, by including the email address on this form, you are affirmatively consenting to its release under the Public Information Act.

Application for Tax Refund Overpayments or Erroneous Payments

CITY OF MCALLEN

(956) 681-1330

Collection Office Name

Phone (area code and number)

P O BOX 220 (Mailing) MCALLEN TX 78505-0220 or (Physical address) 311 N. 15TH ST MCALLEN TEXAS 78501

Address, City, State, ZIP Code

CITY OF MCALLEN

Collecting Tax For (taxing units)

GENERAL INSTRUCTIONS: This application is for use in requesting a tax refund pursuant to Tax Code Section 31.11 and Comptroller Rule 9.3039. To apply for a tax refund, the taxpayer or representative must complete Steps 1 through 4 of this application. The refund check will be made payable to the taxpayer and mailed to the taxpayer address provided below.

FILING INSTRUCTIONS: This document and all supporting documentation must be filed with the tax collector of the taxing unit for which you are requesting a refund. Do not file this document with the Texas Comptroller of Public Accounts. A directory with contact information for county tax offices may be found on the Comptroller's website.

SECTION 1: Taxpayer Information

Gene D Jr & Ileana V Potter

Name of Taxpayer

g3234potter@yahoo.com

Email Address*

Phone (area code and number)

3108 Umar Ave, McAllen, TX 78504

Mailing Address, City, State, ZIP Code

SECTION 2: Authorized Representative

Provide the information below if an agent has been appointed under Tax Code Section 1.111 to represent the taxpayer for tax matters. Attach a completed and signed Form 50-162, *Appointment of Agent for Property Tax Matters*, if the form has not been filed with the county appraisal district. Individual taxpayers handling tax matters on their own behalf skip to section 3.

Name of Authorized Representative

Title of Authorized Representative

Phone (area code and number)

Email Address*

Mailing Address, City, State, ZIP Code

SECTION 3: Property Information

R175500-000-0185-00

Appraisal District Account Number

OR

Tax Receipt Number

3108 Umar Ave

Location Address, City, State, ZIP Code

Regency Park Estates Uts 1 & 2 Ph 2 Lot 185

Legal Description (or attach copy of the tax bill or tax receipt)

SECTION 4: Tax Payment Information

Complete the tax payment information requested below for each taxing unit from which refund is requested. A separate document containing the same information may be attached for additional taxing units, if necessary.

Name of Taxing Unit From Which Refund Is Requested	Year for Which Refund Is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested
1. CITY OF MCALLEN	2022	various	\$ 1,611.24	\$ 1,611.24
2.			\$	\$
3.			\$	\$
4.			\$	\$
5.			\$	\$

Taxpayer's Reason for Refund (attach supporting documentation)

Mr. Potter has requested a refund for all the escrow payments he has made throughout the year. His mortgage company will be taking care of his tax payment.

rmg

SECTION 5: Taxpayer Signature

I hereby apply for the refund of the above described taxes and certify that the information I have given on this form is true and correct.

**print
here** ➔

Print Taxpayer Name

**sign
here** ➔

Taxpayer Signature

Date

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code, §37.10.

FOR COLLECTOR USE ONLY**SECTION 6: Tax Refund Determination**

This tax refund is ☐ Approved ☐ Disapproved

**print
here** ➔

Rebecca M. Grimes, Tax Assessor-Collector

Print Name and Title

**sign
here** ➔

Authorized Officer

Nov. 19, 2022

Date

**print
here** ➔

Print Name and Title

**sign
here** ➔

Collector(s) of Taxing Unit(s) for Refund Applications Over (insert amount for which governing body approval is required under Tax Code Section 31.11)

Date

If the collector does not respond to this application on or before the 90th day after the date the application form is filed with the collector, this application is presumed to have been denied. The taxpayer may file suit against the taxing unit in the district court to compel payment of the refund if it is filed not later than the 60th date after the collector denies the application.

An email address of a member of the public could be confidential under Government Code Section 552.137; however, by including the email address on this form, you are affirmatively consenting to its release under the Public Information Act.

Memo

To: Roel “Roy” Rodriguez, P.E., City Manager
From: Rebecca M. Grimes, Tax Assessor-Collector
Date: November 28, 2022
Re: Tax Refunds over \$500.00

The tax office needs your approval for the following refund(s) due to correction from the Hidalgo County Appraisal District. The correction resulted in tax refunds over \$500.00.

Name	Amount Paid	Corrected Levy	Refund	Change Reason
H E Butt Grocery Co.	18,073.33 15,367.21	15,038.11 13,592.11	3,035.22 1,755.10	Agreed Judgment C-3815-21-D

Attachment

APPLICATION FOR TAX REFUND

Collecting office name City of McAllen Tax Office		Collecting tax for: (taxing units) City of McAllen																															
Present mailing address (number and street) P O Box 220/311 N 15th St		Phone (area code and number) (956)681-1330																															
City, town or post office, state, ZIP code McAllen TX 78505-0220																																	
To apply for a tax refund, the taxpayer must complete the following.																																	
Step 1: Owner's name and address	Owner's name H E BUTT GROCERY CO c/o Popp Hutcheson, PLLC Present mailing address (number and street) 1301 S Mopac, Ste 430 City, town or post office, state, ZIP code Austin TX 78746																																
Step 2: Describe the property	Legal description (or attach copy of the tax bill or tax receipt): 1. Inventory Supplies Fixtures & Equipment at 3200 N 10th - HEB #212; 2. Inventory Supplies Furniture Fixtures & Equipment at 3601 Pecan Blvd. Address or location of property: _____ Account number of property: P740099-000-0001-02; W1060-99-000-0001-01 OR Tax receipt number: _____																																
Step 3: Give the tax payment information	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="width: 30%;">Name of Taxing Unit from Which Refund is Requested</th> <th style="width: 15%;">Year for Which Refund is Requested</th> <th style="width: 15%;">Date of the Tax Payment</th> <th style="width: 15%;">Amount of Taxes Paid</th> <th style="width: 25%;">Amount of Tax Refund Requested</th> </tr> </thead> <tbody> <tr> <td>1. CITY OF MCALLEN</td> <td>2021</td> <td>1/24 / 2022</td> <td>\$ 18,073.33</td> <td>\$ 3,035.22</td> </tr> <tr> <td>2. CITY OF MCALLEN</td> <td>2021</td> <td>1/24 / 2022</td> <td>\$ 15,367.21</td> <td>\$ 1,775.10</td> </tr> <tr> <td>3. _____</td> <td>_____</td> <td>_____ / _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>4. _____</td> <td>_____</td> <td>_____ / _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>5. _____</td> <td>_____</td> <td>_____ / _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </tbody> </table> Taxpayer's reason for refund (attach supporting documentation): Agreed Judgment C-3815-21-D			Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested	1. CITY OF MCALLEN	2021	1/24 / 2022	\$ 18,073.33	\$ 3,035.22	2. CITY OF MCALLEN	2021	1/24 / 2022	\$ 15,367.21	\$ 1,775.10	3. _____	_____	_____ / _____	\$ _____	\$ _____	4. _____	_____	_____ / _____	\$ _____	\$ _____	5. _____	_____	_____ / _____	\$ _____	\$ _____
Name of Taxing Unit from Which Refund is Requested	Year for Which Refund is Requested	Date of the Tax Payment	Amount of Taxes Paid	Amount of Tax Refund Requested																													
1. CITY OF MCALLEN	2021	1/24 / 2022	\$ 18,073.33	\$ 3,035.22																													
2. CITY OF MCALLEN	2021	1/24 / 2022	\$ 15,367.21	\$ 1,775.10																													
3. _____	_____	_____ / _____	\$ _____	\$ _____																													
4. _____	_____	_____ / _____	\$ _____	\$ _____																													
5. _____	_____	_____ / _____	\$ _____	\$ _____																													
Step 4: Sign the form	"I hereby apply for the refund of the above-described taxes and certify that the information I have given on this form is true and correct." sign here Signature <u>Pamela Slack</u> Date of application for tax refund <u>11-16-2022</u> If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code Section 37.10.																																
Step 5: Tax refund determination	This tax refund is ☐ Approved ☐ Disapproved sign here Authorized officer <u>Rebecca M. Dumas</u> Date <u>11/22/22</u> sign here Collector(s) or taxing unit(s) for refund applications over (insert amount for which governing body approval is required under Section 31.11, Tax Code) Date _____																																



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.A.

DATE SUBMITTED

11/23/2022

MEETING DATE

11/28/2022

1. Agenda Item: Award of Contract for the Purchase of New City Vehicles.
2. Party Making Request: Elvira Alonzo
3. Applicant: Elvira Alonzo
4. Nature of Request: In November 2022, staff solicited quotes for various New Current Model Vehicles and received four Purchasing Cooperative quotes. Attached for your review, is the bid tabulation depicting the proposed vendor(s) to be contracted with, upon City Commission approval.
5. Fiscal Impact Summary:
011-5002-456-66-14-000000 \$36,141.50
678-6382-466-66-14-EC2335 \$64,905.00
678-6382-426-66-14 EC2319 \$36,279.25
678-6382-426-66-14 EC2321 \$48,750.00
678-6382-436-66-14-EC2323 \$48,750.00
678-6382-436-66-14-EC2324 \$48,750.00
678-6382-436-66-14 EC2328 \$48,750.00
502-4280-446-66-14-EC2311 \$36,141.50
502-4280-446-66-14-EC2308 \$41,969.75
6. Budgeted: Yes
Yes
Yes
Yes
Yes
Yes
Yes
Yes
Yes

	\$36,141.50	\$40,000.00
	\$64,905.00	\$72,000.00
	\$36,279.25	\$40,000.00
	\$48,750.00	\$48,000.00
Bid Amount:	\$48,750.00	Budgeted Amount: \$48,000.00
	\$48,750.00	\$50,000.00
	\$48,750.00	\$48,000.00
	\$36,141.50	\$43,000.00
	<u>\$41,969.75</u>	<u>\$42,500.00</u>

	\$3,858.50		\$0.00
	\$7,095.00		\$0.00
	\$3,720.75		\$0.00
	\$3,858.50		\$750.00
Under Budget:	\$3,858.50	Over Budget:	\$750.00
	\$1,250.00		\$0.00
	\$3,858.50		\$750.00
	\$6,858.50		\$0.00
	<u>\$530.25</u>		<u>\$0.00</u>
			\$0.00
			\$0.00
			\$0.00
			\$0.00
		Amount Remaining:	\$0.00
			\$0.00
			\$0.00
			\$0.00
			<u>\$0.00</u>

7. Routing:

Javier Zamora	Created/Initiated - 11/23/2022
Elvira Alonzo	Approved - 11/23/2022
Angie Rodriguez	Approved - 11/23/2022
Sergio Villasana	Approved - 11/23/2022
Gerardo Noriega	Approved - 11/23/2022
Jeff Johnston	Approved - 11/23/2022
Isaac Tawil	Final Approval - 11/23/2022

8. Staff Recommendation: Staff recommends award of Purchase Contract(s) to Silsbee Ford of Silsbee, TX for Items 3-7; Randall Reeds Planet Ford 365 of Garland, TX for Item 12. No bids were received for Item 1 and staff recommends quotes for Items 2, 8-11, 13-16 be rejected and resolicited through approved purchasing cooperative vendors.

9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Approved. RR



Memorandum

To: Roel "Roy" Rodriguez, P.E., City Manager
From: Elvira I. Alonzo CPM, Director of Public Works
Date: November 21, 2022
Re: **Award of Contracts for the Purchase New Current Model City Vehicles – Cooperative Purchase**

GOAL: The Fleet Operations Department of Public Works requests your authorization to award Purchase Contracts to Silsbee Ford, from Silsbee, TX, and Randall Reeds Planet Ford 365, from Garland, TX utilizing the TIPS USA, and Tarrant County Purchasing Cooperatives respectively.

BRIEF EXPLANATION: In November 2022, staff solicited quotes for various New Current Model Vehicles and received Purchasing Cooperative quotes from four vendors. Attached for your review, is the bid tabulation depicting the proposed vendor(s) to be contracted with, upon City Commission approval.

HISTORY: Historically, the City solicits sealed bids for vehicles that have reached and/or surpassed their life expectancy and have been recommended for replacement. Please note that all vehicles due for replacement have gone through the justification and budget approval process.

OPTIONS: 1. Award Purchase Contracts as outlined below.
2. The City Commission may elect to direct staff to reject any or all bids received and to re-advertise this project.

RECOMMENDED VENDOR	ITEM NUMBER	TOTAL CONTRACT AMOUNT
Silsbee Ford from Silsbee, TX	3-7	\$215,437.00
Randall Reed's Planet Ford 365 from Garland, TX	12	\$195,000.00
GRAND TOTAL:		\$410,437.00

RECOMMENDATION DETAILS: Staff recommends award of Purchase Contract(s) to Silsbee Ford of Silsbee, TX for Items 3-7; Randall Reeds Planet Ford 365 of Garland, TX for Items 12. No bids were received for Item 1 and staff recommends quotes for Items 2, 8-11, 13-16 be rejected and resolicited through approved purchasing cooperative vendors. If awarded, the purchase contract is subject to a budget reclassification in the amount of \$2,250.00



★ Yellow Shading depicts Recommended Vendor

▲ Red Shading depicts Recommend Postponing Purchase

PURCHASE OF NEW CURRENT MODEL CITY VEHICLES

VENDORS:				GRAPEVINE DCJ, LLC			SILSBEE FORD, INC			RANDALL REED'S PLANET FORD 365			CAMERON COUNTRY CDJR		
				GRAPEVINE, TX			SILSBEE, TX			GARLAND, TX			CAMERON, TX		
				BUYBOARD CONTRACT NO. 601-19			TIPS USA CONTRACT NO. 210907 GOODBAY CONTRACT NO. 22-22 8F000			TARRANT COUNTY CONTRACT NO. 2022-187			TARRANT COUNTY CONTRACT NO. 2022-187		
ITEM NO.	DESCRIPTION	QTY	UOM	UNIT PRICE	EXT PRICE	COMMENT	UNIT PRICE	EXT PRICE	COMMENT	UNIT PRICE	EXT PRICE	COMMENT	UNIT PRICE	EXT PRICE	COMMENT
1	SPECIFICATIONS FOR THE PURCHASE OF TWO (2) NEW CURRENT MODEL 4-DOOR COMPACT SEDANS (HEALTH-2)	2	EA	NO QUOTE			NO QUOTE			NO QUOTE			NO QUOTE		
2	SPECIFICATIONS FOR THE PURCHASE OF TWO (2) NEW CURRENT MODEL MID-SIZE 4-DOOR SPORT UTILITY VEHICLE (FIRE-2)	2	EA	NO QUOTE			NO QUOTE			\$27,378.00	\$54,756.00	2023 FORD ESCAPE 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	NO QUOTE		
3	SPECIFICATIONS FOR THE PURCHASE OF FIVE (5) NEW CURRENT MODEL ½ TON, REGULAR CAB P/U TRUCKS (SHORT BED, 2WD, GAS) (WASTEWATER COLLECTIONS-3, WASTEWATER TREATMENT-1, WASTEWATER LAB-1)	5	EA	\$32,753.00	\$163,765.00	2023 DODGE RAM 1500 V-6, LONG BED ONLY	★ \$30,908.75	\$154,543.75	2023 FORD F-150 REGULAR CAB SHORT BED V-6	\$30,740.00	\$153,700.00	2023 FORD F-150 REGULAR CAB 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	NO QUOTE		
4	SPECIFICATIONS FOR THE PURCHASE OF FIVE (5) NEW CURRENT MODEL ½ TON, REGULAR CAB P/U TRUCKS (LONG BED, 2WD, GAS) (PARKS-2, WASTEWATER TREATMENT-3)	5	EA	\$32,753.00	\$163,765.00	2023 DODGE RAM 1500 V-6	★ \$32,452.50	\$162,262.50	2023 FORD F-150 REGULAR CAB LONG BED V-6	\$30,940.00	\$154,700.00	2023 FORD F-150 REGULAR CAB 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	\$44,225.00	\$221,125.00	2023 RAM 1500
5	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ½ TON, REGULAR CAB P/U TRUCK (SHORT BED, 4WD, GAS) (WATER PLANT-1)	1	EA	\$37,442.00	\$37,442.00	2023 DODGE RAM 1500 V-6, 4WD, LONG BED ONLY	★ \$35,673.00	\$35,673.00	2023 FORD F-150 REGULAR CAB SHORT BED V-6 4WD	\$35,440.00	\$35,440.00	2023 FORD F-150 REGULAR CAB 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	NO QUOTE		
6	SPECIFICATIONS FOR THE PURCHASE OF TWO (2) NEW CURRENT MODEL ½ TON, EXTENDED CAB P/U TRUCK (SHORT BED, 2WD, GAS) (HEALTH-1, RECYCLING-1)	2	EA	\$36,960.00	\$73,920.00	2022 DODGE RAM 1500 V-6	★ \$36,141.50	\$72,283.00	2023 FORD F-150 EXTENDED CAB SHORT BED V-6	\$34,980.00	\$69,960.00	2023 FORD F-150 EXTENDED CAB 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	\$41,225.00	\$82,450.00	2023 RAM 1500
6B	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ½ TON, EXTENDED CAB P/U TRUCK (SHORT BED, 2WD, GAS) (POLICE-1)	1	EA	NO QUOTE			★ \$36,279.25	\$36,279.25	2023 FORD F-150 EXTENDED CAB SHORT BED V-6 CLOTH SEATS	\$34,980.00	\$34,980.00	2023 FORD F-150 EXTENDED CAB 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	\$41,225.00	\$41,225.00	2023 RAM 1500 WHITE
7	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ½ TON, EXTENDED CAB P/U TRUCK (SHORT BED, 4WD, GAS) (BRUSH-1)	1	EA	NO QUOTE			★ \$41,969.75	\$41,969.75	2023 FORD F-150 EXTENDED CAB SHORT BED V-8 4WD	\$38,480.00	\$38,480.00	2023 FORD F-150 EXTENDED CAB 4WD 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	\$44,470.00	\$44,470.00	2023 RAM 1500 4WD
8	SPECIFICATIONS FOR THE PURCHASE OF TWO (2) NEW CURRENT MODEL ½ TON FULL-SIZE 8-PASSENGER VANS (POLICE-2)	2	EA	NO QUOTE			NO QUOTE			\$47,380.00	\$94,760.00	2023 FORD TRANSIT 8 PASSENGER VAN 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	NO QUOTE		
9	SPECIFICATIONS FOR THE PURCHASE OF THREE (3) NEW CURRENT MODEL ¾ TON EXTENDED CAB & CHASSIS W/ANIMAL CONTROL BODY (LONG WHEEL BASE, 4WD, GAS) (ANIMAL CONTROL-3)	3	EA	NO QUOTE			NO QUOTE			\$94,600.00	\$283,800.00	2023 FORD F-250 EXTENDED CAB W/ANIMAL CONTROL BODY FORD ALLOCATION NOT GUARANTEED	NO QUOTE		
10	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ¾ TON, EXTENDED CAB P/U TRUCK (SHORT BED, 4WD, DIESEL) (GRAFFITI-1)	1	EA	NO QUOTE			\$58,195.50	\$58,195.50	2023 FORD F-250 EXTENDED CAB SHORT BED DIESEL FORD ALLOCATION NOT GUARANTEED	\$56,480.00	\$56,480.00	2023 FORD F-250 EXTENDED CAB SHORT BED DIESEL FORD ALLOCATED ONLY (4) 2023 SUPER DUTY TRUCKS	\$65,775.00	\$65,775.00	2023 RAM 2500 4WD



★ Yellow Shading depicts Recommended Vendor

▲ Red Shading depicts Recommend Postponing Purchase

PURCHASE OF NEW CURRENT MODEL CITY VEHICLES

VENDORS:				GRAPEVINE DCJ, LLC GRAPEVINE, TX			SILSBEE FORD, INC SILSBEE, TX			RANDALL REED'S PLANET FORD 365 GARLAND, TX			CAMERON COUNTRY CDJR CAMERON, TX		
				BUYBOARD CONTRACT NO. 601-19			TIPS USA CONTRACT NO. 210907 GOODBAY CONTRACT NO. 22-22 8F000			TARRANT COUNTY CONTRACT NO. 2022-187			TARRANT COUNTY CONTRACT NO. 2022-187		
ITEM NO.	DESCRIPTION	QTY	UOM	UNIT PRICE	EXT PRICE	COMMENT	UNIT PRICE	EXT PRICE	COMMENT	UNIT PRICE	EXT PRICE	COMMENT	UNIT PRICE	EXT PRICE	COMMENT
11	THREE (3) NEW CURRENT MODEL ¾ TON, CREW CAB P/U TRUCKS (LONG BED, 2WD, GAS) (SIDEWALK-1, PARKS-1, RESIDENTIAL-1)	3	EA	NO QUOTE			\$45,794.25	\$137,382.75	2023 FORD F-250 CREW CAB LONG BED GAS FORD ALLOCATED ONLY (4) 2023 SUPER DUTY TRUCKS	\$46,300.00	\$138,900.00	2023 FORD F-250 CREW CAB LONG BED GAS FORD ALLOCATION NOT GUARANTEED	NO QUOTE		
12	SPECIFICATIONS FOR THE PURCHASE OF FOUR (4) NEW CURRENT MODEL ¾ TON, CREW CAB P/U TRUCKS (SHORT BED, 4WD, GAS) (FIRE-1, ENGINEERING-1, STREET MAINTENANCE-1, DRAINAGE-1)	4	EA	NO QUOTE			\$49,494.50	\$197,978.00	2023 FORD F-250 CREW CAB SHORT BED 4WD GAS FORD ALLOCATION NOT GUARANTEED	★ \$48,750.00	\$195,000.00	2023 FORD F-250 CREW CAB SHORT BED 4WD GAS FORD ALLOCATED ONLY (4) 2023 SUPER DUTY TRUCKS	\$56,550.00	\$226,200.00	2023 RAM 2500
13	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ¾ TON, CREW CAB P/U TRUCK (SHORT BED, 4WD, DIESEL) (FIRE-1)	1	EA	NO QUOTE			\$60,353.00	\$60,353.00	2023 FORD F-250 CREW CAB SHORT BED 4WD DIESEL FORD ALLOCATION NOT GUARANTEED	\$57,650.00	\$57,650.00	2023 FORD F-250 CREW CAB SHORT BED 4WD DIESEL FORD ALLOCATED ONLY (4) 2023 SUPER DUTY TRUCKS	\$65,775.00	\$65,775.00	2023 RAM 2500 4WD
14	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ¾ TON REGULAR CAB & CHASSIS (GAS, 2WD) W/UTILITY SERVICE BODY (PARKS-1)	1	EA	NO QUOTE			\$52,513.25	\$52,513.25	2023 FORD F-250 REGULAR CAB W/SVC BODY FORD ALLOCATION NOT GUARANTEED	\$52,300.00	\$52,300.00	2023 FORD F-250 REGULAR CAB W/SVC BODY FORD ALLOCATED ONLY (4) 2023 SUPER DUTY TRUCKS	NO QUOTE		
15	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL ¾ TON CREW CAB & CHASSIS (SRW, GAS, 2WD) W/UTILITY SERVICE BODY (WASTEWATER COLLECTIONS-1)	1	EA	NO QUOTE			\$55,925.25	\$55,925.25	2023 FORD F-250 CREW CAB W/SVC BODY FORD ALLOCATED ONLY (4) 2023 SUPER DUTY TRUCKS	\$55,950.00	\$55,950.00	2023 FORD F-250 CREW CAB W/SVC BODY FORD ALLOCATION NOT GUARANTEED	NO QUOTE		
16	SPECIFICATIONS FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL 1 TON, EXTENDED LENGTH, 15-PASSENGER VAN (RECREATION-1)	1	EA	NO QUOTE			NO QUOTE			\$48,450.00	\$48,450.00	2023 FORD T-350 15 PASSENGER VAN 2023 MODEL ORDER BANK HAS CLOSED; NO GUARANTEE IT WILL REOPEN	NO QUOTE		



BUDGET RECLASSIFICATION REQUEST FORM

FUND: General Fund
DEPARTMENT: Fire, Engineering, Drainage, Street Maintenance
FISCAL YEAR: FY22-23

To be assigned by Office of Management & Budget dept.	
REVIEW BY	_____
DATE OF ENTRY	_____
ENTRY MADE BY	_____
JOURNAL ENTRY	_____
INTRANET CROSS FUND CAPITAL IMPRV PROJECT LISTING UPDATE	

Fund	Dept. & Division	Activity	Element & Object	Project Code	Description	Original/Revised Budget	Debit/Credit	Revised Budget
678	6382	426	66-14	EC2321	Fire - 3/4 Ton CC SB 4WD GAS	\$ 48,000	750	48,750
678	6382	426	66-14	EC2322	Fire - 3/4 Ton CC SB 4WD DIESEL	58,000	(750)	57,250
678	6382	436	66-14	EC2323	Engineering - 3/4 Ton CC SB 4WD GAS	48,000	750	48,750
678	6382	436	66-14	EC2331	Drainage - Vactor Trucks	971,000	(750)	970,250
678	6382	436	66-14	EC2328	Drainage - 3/4 Ton CC SB 4WD GAS	48,000	750	48,750
678	6382	436	66-14	EC2324	Street Maintenance - 3/4 Ton CC SB 4WD GAS	50,000	(750)	49,250
TOTALS						\$ 1,223,000	\$ -	\$ 1,223,000

(Round up all amounts to the nearest hundred dollars)

JUSTIFICATION:

Reclassification of funds needed to cover shortage on purchase of vehicles

Department Head Approval

[Signature] File EA 11/25/22
Signature Date

Office of Management & Budget

Signature Date

City Manager

Signature Date

City Manager's approval is necessary for transfers to
Capital Improvement Projects and purchases of Capital Outlay.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.B.

DATE SUBMITTED

11/22/2022

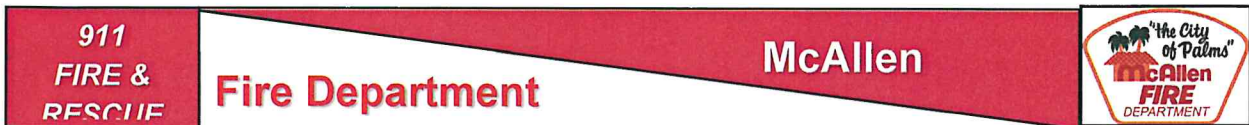
MEETING DATE

11/28/2022

1. Agenda Item: Award of Contract for the Purchase of Personal Protective Equipment for the McAllen Fire Department.
2. Party Making Request: James Schultz
3. Applicant: James Schultz
4. Nature of Request: Requesting authorization to award multiple contracts for the purchase of Personal Protective Equipment through Cooperative Contracts (Project 11-22-P17-03).
5. Fiscal Impact Summary: Account #011-2020-423-67-20-000000 in the amount of \$341,098.70
6. Budgeted: Yes

Bid Amount:	<u>\$341,098.70</u>	Budgeted Amount:	<u>\$341,880</u>
Under Budget:	<u>\$781.30</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$781.30</u>
7. Routing:

Marina Rodriguez	Created/Initiated - 11/22/2022
James Schultz	Approved - 11/22/2022
Angie Rodriguez	Approved - 11/22/2022
Sergio Villasana	Approved - 11/22/2022
Gerardo Noriega	Approved - 11/22/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Staff Recommends Approval
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



MEMORANDUM

TO: Roel "Roy" Rodriguez, P.E., M.P.A., City Manager

FROM: Jim Schultz, Fire Chief 

DATE: 11-22-2022

RE: Request for Authorization to Award Contracts for the Purchase of 60 sets of Personal Protective Equipment – Bunker Gear, and 67 sets of Dual Certified Gear

GOAL:

The Fire Department is requesting authorization to award multiple contracts for the purchase of 60 full sets of Personal Protective Equipment – Bunker Gear, to comply with NFPA 1851 – Standard on Selection, Care, and Maintenance of Protective Ensembles for Structural Fire Fighting, 2020 Edition, and 67 sets of Dual Certified gear. The total requested purchase amount is \$341,098.70.

DISCUSSION:

Personal Protective Equipment (PPE) protects firefighters when they enter structure fires while Dual Certified gear is lighter weight and can be used for grass fires, dumpster fires, care fires and rescue operations.

Company	Cooperative	Item	Quantity	Total
Delta Fire and Safety	HGAC#EP11-20	Bunker Coat & Pant	60	\$236,772.70
Municipal Emergency Services	Sole Source Letter	Fire Gloves	60	\$5,520.00
Municipal Emergency Services	BuyBoard #603-20	Fire Boots	60	\$25,725.00
Municipal Emergency Services	BuyBoard #603-20	Dual Cert Gear	67	\$55,201.00
Metro Fire Apparatus Specialists	BuyBoard #603-20	Fire Helmets	60	\$17,880.00
				\$341,098.70

The budgeted amount for this purchase is \$341,880 and the requested purchase amount is \$341,098.70 to including shipping, which is under budget by \$781.30. All quotes are on cooperative purchase contracts or Sole Source.

RECOMMENDATION:

The Fire Department recommends approval for authorization to award purchase contracts to multiple vendors, as outlined above in the amount of \$341,098.70 utilizing account #011-2020-423-67-20-000000.



CONTRACT PRICING WORKSHEET
For Catalog & Price Sheet Type Purchases

Contract No.:	HGAC - Contract # EP11-20	Date Prepared:	11/16/2022
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This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	McAllen, City of	Contractor:	Delta Fire & Safety, Inc
Contact Person:	James Farrell	Prepared By:	Dennis Metzger
Phone:	(956) 681-2500	Phone:	409-724-1055
Fax:		Fax:	409-722-8062
Email:	jfarrell@mcallen.net	Email:	dennis@deltafas.com
Catalog / Price Sheet Name:	HGAC - Contract #: EP11-20		
General Description of Product/ Product Code			

A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary

Quan	Description	Unit Pr	Total
60	Morning Pride Tails Coat per McAllen Specs - 96TG - Gold	\$2,165.20	\$129,912.00
60	Morning Pride Tails Pant per McAllen Specs w/Set & Forget Life Grip Belt and Ladder Belt Tether - 96TG - Gold	\$1,573.95	\$94,437.00
50	(H53)Set & Forget Life Grip Belt w/2 D-rings	\$94.14	\$4,707.00
50	Ladder Belt Tether	\$34.06	\$1,703.00
Total From Other Sheets, If Any:			
Subtotal A:			\$230,759.00

B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary
(Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Quan	Description	Unit Pr	Total
110	300253 CARABINER, PS XL AUTO RED, CMC	\$54.67	\$6,013.70
Total From Other Sheets, If Any:			
Subtotal B:			\$6,013.70

Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options.	For this transaction the percentage is:	0%
--	---	----

C. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Shipping Total	
Discount Total	
Subtotal C:	\$0.00
Delivery Date:	D.Total Purchase Price (A+B+C): \$236,772.70





CONTRACT PRICING WORKSHEET
For Catalog & Price Sheet Type Purchases

Contract
No.:

HGAC -
Contract
#: EP11-20

Date
Prepared:
d:

11/16/20
22

LOYALTY PROGRAM



EXCLUSIVE OFFERS



CUSTOMER LOYALTY INCENTIVE PROGRAM
OFFERED EXCLUSIVELY

by

DELTA FIRE & SAFETY

DELTA FIRE & SAFETY is proud to offer its first ever loyalty program, designed to serve the needs of first responders. The DELTA DOLLARS PROGRAM is a way for us to show gratitude and thank our valuable customers for their trust and loyalty. Every time you buy from our catalog of eligible HGACBuy products, you can earn DELTA DOLLAR credits towards future purchases of products or services!*

The more you buy, the more you earn!

1%

REBATE

for

\$50,000 to \$499,999
annual spend

1.5%

REBATE

for

\$500,000 to \$999,999
annual spend

2%

REBATE

for

\$1,000,000+
annual spend

Select from over 100 product options!

visit deltafas.com/HGACBuy

*Terms & Conditions apply
Visit deltafas.com for more information



info@deltafas.com
deltafas.com



800 249 5292



CONTRACT PRICING WORKSHEET
For Catalog & Price Sheet Type Purchases

Contract No.:	HGAC - Contract # EP11-20	Date Prepare d:	11/16/20 22
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QUO3654



2339 Westbrooke Drive
Columbus, OH 43228
Phone: 800-369-1800 (614-487-8197)
Fax: 800-969-8886
sales@firecraftsafety.com
www.firecraftsafety.com

April 5, 2022

To Whom It May Concern:

This letter is to certify that MES is the sole distributor of the FireCraft Excalibur glove to the Fire Industry in the New York area and across the United States.

If you have any questions concerning this matter, please contact me at 800-369-1800.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom McCoy', with a long, sweeping horizontal line extending to the right.

Tom McCoy
Director of Sales



MES - Texas
600 Century Plaza Dr.
Suite C-160
Houston, TX 77073

Quote

Quote # QT1624239
Date 11/16/2022
Expires 12/30/2022
Sales Rep Guzman, Patrick L
Shipping Method FedEx Ground
Customer MCALLEN CITY OF (TX)
Customer # C32362

Bill To

MCALLEN CITY OF
P.O. BOX 220
MC ALLEN TX 78505
United States

Ship To

CITY OF MCALLEN
201 N 21ST STREET
McAllen TX 78501
United States

Item	Alt. Item #	Units	Description	QTY	Unit Price	Amount
MES-Excalibur- Large-Regular			MES-Excalibur Gauntlet Glove	60	\$91.00	\$5,460.00

Subtotal \$5,460.00

Shipping Cost \$60.00

Tax Total \$0.00

Total \$5,520.00

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1624239



MES - Texas
600 Century Plaza Dr.
Suite C-160
Houston, TX 77073

Quote

Quote # QT1624238
Date 11/16/2022
Expires 12/30/2022
Sales Rep Guzman, Patrick L
Shipping Method FedEx Ground
Customer MCALLEN CITY OF (TX)
Customer # C32362

Bill To

MCALLEN CITY OF
P.O. BOX 220
MC ALLEN TX 78505
United States

Ship To

CITY OF MCALLEN
201 N 21ST STREET
McAllen TX 78501
United States

Item	Alt. Item #	Units	Description	QTY	Unit Price	Amount
FDXLM80-10-Med			MES/FDX LEATHER BOOT - SERIES 80 - 10 Med	60	\$425.00	\$25,500.00

Buy Board Contract 603-20

Subtotal \$25,500.00
Shipping Cost \$225.00
Tax Total \$0.00
Total \$25,725.00

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1624238



MES - Texas
600 Century Plaza Dr.
Suite C-160
Houston, TX 77073

Quote

Quote # QT1633931
Date 11/16/2022
Expires 12/28/2022
Sales Rep Guzman, Patrick L
Shipping Method FedEx Ground
Customer MCALLEN CITY OF (TX)
Customer # C32362

Bill To

MCALLEN CITY OF
P.O. BOX 220
MC ALLEN TX 78505
United States

Ship To

CITY OF MCALLEN
201 N 21ST STREET
McAllen TX 78501
United States

Item	Alt. Item #	Units	Description	QTY	Unit Price	Amount
TECGEN51-Rescue80-Coat	FWID: 175167		FWID: 175167 Custom Fire-Dex TECGEN51 Rescue80 Coat	67	\$440.00	\$29,480.00
TECGEN51-Rescue80-Pant	FWID: 175167		FWID: 175167 Custom Fire-Dex TECGEN51 Rescue80 Pant	67	\$383.00	\$25,661.00

Buy Board 603-20
Quoted as the MES exclusive line of TecGen51

Subtotal \$55,141.00
Shipping Cost \$60.00
Tax Total \$0.00
Total \$55,201.00

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1633931



QUOTE

Number	199284-0
Quote Date	11/17/2022
Page	1

Corporate
 17350 State Hwy 249
 Suite 250
 Houston TX 77064-1142
 (713) 692-0911 Phone
 (713) 692-1591 Fax

Mansfield
 625 S Wisteria St Ste 121
 Mansfield TX 76063-2528
 (817) 467-0911 Phone
 (817) 375-1775 Fax

South Houston
 514 Michigan St
 South Houston TX 77587-3221
 (713) 475-2411 Phone
 (713) 475-2428 Fax

Bill to: MCALLEN FIRE DEPARTMENT
 ATTN: ACCOUNTS PAYABLE
 P O BOX 220
 MCALLEN, TX 78505

Ship to: MCALLEN FIRE DEPARTMENT
 201 NORTH 21ST STREET
 MCALLEN, TX 78501

Cust Code	Ordered By	Salesman	Job/Rel#	Customer PO
MCA001	JAMES FARRELL	JESSE BREEDLOVE		
Entered By		FOB	Ship Via	Terms
CESAR PEDRAZA		DESTINATION	BEST WAY	NET 20 DAYS
Customer/Order Instructions				

PRICING PER TEXAS BUYBOARD CONTRACT 603-20

Quantity			U/M	Item #	Description	Price	Extension
Order	Ship	Back					
60	60	60	EA	BUL-USTM6-BLK	TRADITIONAL MATTE HELMET BLACK / 4" FACESHIELD	298.00	17880.00
					** NOTES ** COLORS AVAILABLE ARE BLACK YELLOW RED AND WHITE		
SubTotal							17,880.00
Total							17,880.00

QUOTE GOOD FOR 30 DAYS



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.C.

DATE SUBMITTED

11/16/2022

MEETING DATE

11/28/2022

1. Agenda Item: Award of Contract for the Emergency Purchase of One (1) 40 Ton Carrier Air Cooled Condensing Unit with Selected Options.
2. Party Making Request: Victor Rodriguez
3. Applicant: Victor Rodriguez
4. Nature of Request: Award of Purchase Contract - TEXAIR Company, Inc. McAllen, TX for one (1) 40 Ton Carrier Air Cooled Condensing Unit with Selected Options (Quote #00105161).
5. Fiscal Impact Summary: Account No. 011-2002-425-65-10
General Fund: \$58,114.82
6. Budgeted: Yes

Bid Amount:	<u>\$58,114.82</u>	Budgeted Amount:	<u>\$58,114.82</u>
Under Budget:	<u>\$0.00</u>	Over Budget:	<u>\$0.00</u>
		Amount Remaining:	<u>\$0.00</u>
7. Routing:

Maria Guerrero	Created/Initiated - 11/16/2022
Victor Rodriguez	Approved - 11/16/2022
Angie Rodriguez	Approved - 11/16/2022
Sergio Villasana	Approved - 11/16/2022
Gerardo Noriega	Approved - 11/22/2022
Isaac Tawil	Final Approval - 11/22/2022
8. Staff Recommendation: Award of Purchase Contract - TEXAIR Company, Inc. McAllen, TX for one (1) 40 Ton Carrier Air Cooled Condensing Unit with Selected Options (Quote #00105161).
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



McAllen Police Department

INTRA-DEPARTMENTAL COMMUNICATION

TO: ROY RODRIGUEZ, CITY MANAGER

FROM: VICTOR RODRIGUEZ, CHIEF OF POLICE *VR*

SUBJECT: AGENDA ITEM – PURCHASE/ONE (1) 40 TON AIR COOLED CONDENSING UNIT WITH
SELECTED OPTIONS.

DATE: 11/16/2022

GOAL:

The goal of this item is the Award of Purchase Contract by the McAllen City Commission to TEXAIR Company, Inc. – McAllen, Texas for one (1) 40 Ton Carrier Air Cooled Condensing Unit with selected options (Quote #00105161).

BACKGROUND:

The City of McAllen Public Safety Building is located on an 8.49 acre site at 1601 N. Bicentennial Blvd. and was dedicated on April 29, 2003. This facility approximates 90,000 square feet including Police, Municipal Court and Detention (Jail) facilities. The Detention Facility is a fifty-two (52) bed facility and approximates 19,987 square feet.

Environment control systems are a composite of fourteen (14) separate air cooled units. The air conditioning unit at the Detention facility has reached end-of-life and current repair assessments require replace of that unit's 40 ton air cooled condensing unit.

The Department has received the following proposal from a vendor for one (1) 40 Ton Air Cooled Condensing Unit with selected options.

BID ANALYSIS:

Bid Responses:

Item No. 1: One (1) 40 Ton Air Cooled Condensing Unit with selected options including all materials, labor, crane, and removal and disposing existing unit.

Description	Delta Air Conditioning, In. McAllen, TX	Central Air and Heat Service, Inc. Harlingen, TX	TEXAIR Company, Inc. McAllen, TX
One (1) 40 Ton Air Cooled Condensing Unit with selected options including all materials, labor, crane, and removal and disposing existing unit.	\$88,500.00	\$64,000.00	\$58,114.82
Total	\$88,500.00	\$64,000.00	\$58,114.82

LOWEST RESPONSIVE BID: TEXAIR Company, Inc. McAllen, TX.

Item No. 1: One (1) 40 Ton Air Cooled Condensing Unit with selected options including all materials, labor, crane, and removal and disposing existing unit (Quote #00105161).

Total Amount of Purchase Contract \$58,114.82.

FUNDING:

Account No. 011-2002-425-65-10.

General Fund: \$58,114.82.

OPTIONS:

1. Authorize staff to award Purchase Contract by the McAllen City Commission to TEXAIR Company, Inc. – McAllen, Texas for one (1) 40 Ton Carrier Air Cooled Condensing Unit with selected options (Quote #00105161).
2. Not award Purchase Contract by the McAllen City Commission to TEXAIR Company, Inc. – McAllen, Texas for one (1) 40 Ton Carrier Air Cooled Condensing Unit with selected options (Quote #00105161).

RECOMMENDATION:

Recommend award Purchase Contract by the McAllen City Commission to TEXAIR Company, Inc. – McAllen, Texas for one (1) 40 Ton Carrier Air Cooled Condensing Unit with selected options (Quote #00105161).



AIR CONDITIONING

Phone: 956-682-2822 2201 West Expressway 83
Fax No. 956-682-2170 McAllen, Texas 78503

PROPOSAL

Lic. #TACLA27617C
Regulated by the Texas Department
of Licensing and Registration
P. O. Box 12157 Austin, TX 78711
1-800-803-9202 512-463-6599
www.tdlr.texas.gov

BILL TO: JAVIER RODRIGUEZ
CITY OF MCALLEN
1300 W HOUSTON AVE
ACCOUNTS PAYABLE
MCALLEN TX 78505-0220 USA

WORK MCALLEN POLICE DEPT
DONE 1601 N BICENTENNIAL BLVD
AT: MCALLEN, TX 78501

CUST# 48410

Prop#

SERV.LOC. MCAPO-01 PHONE 956 972 7180

00105161

DATE

11/15/22

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
----------	-------------	------------	--------

MATERIAL AND LABOR TO REPLACE A 40 TON YORK CONDENSING UNIT WITH
A 40 TON CARRIER UNIT

PRICE INCLUDES:

- | | |
|-------------------------------------|--------------------------------------|
| • Air-Cooled Condensing Unit | * REMOVE AND DISPOSE OLD UNIT |
| • 460-3-60 | * INSTALL A 40 TON CARRIER DUAL CKT |
| • 40 Tons (040) | * RECONNECT EXISTING COPPER LINE SET |
| • Dual Refrigeration Circuit | * RECONNECT ELECTRICAL |
| • No Sound Treatment | * SUPPORT COPPER LINE SET |
| • Al Fin/Cu Tube, E-Coat | * (2) TXV |
| • Scrolling Marquee Display | * (2) LIQUID LINE DRIER |
| • Std Compressor with Std SCCR (5K) | * 410A REFRIGERANT UP TO 100LBS |
| • Std Line Length - RTPF | * CRANE |
| • Single Point Terminal Block | * LABOR |
| • Security Grilles/Hail Guards | |
| • 5yr Compressor Parts Only | |
| • Complete Unit 1yr parts & Labor | |
| • Start-Up | |

EXCLUSIONS: BAS, SMOKE DETECTOR, THERMOSTAT

NOTE: ANY OTHER ISSUES DISCOVERED WILL BE ADDRESSED TO
THE CUSTOMER AND WILL REQUIRE A SEPARATE WORK ORDER.

CURRENT LEAD TIME: 14-16 WEEKS

TOTAL TAX NOT INCLUDED

58,114.82

All recipients of this document are hereby advised that this proposal is not a professional opinion. The information contained within this proposal should not be interpreted as a professional opinion. Consult a State licensed engineer for a professional opinion as it applies to the related scope work contained within this proposal. Texair carries the ability to provide a professional opinion by a State licensed engineer. An additional fee will apply for Engineer approval of quoted scope work.

"Equipment shall remain personal property and seller shall retain title thereof until final payment and settlement is made."

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized

Signature

Juan Alaniz
Juan Alaniz | Service Supervisor

Note: This proposal may be
withdrawn by us if not accepted within **30** days

ACCEPTANCE OF PROPOSAL - The above prices, specifications
and conditions are satisfactory and are hereby accepted. You are authorized to
do the work as specified. Payment will be made as outlined above.

Date of Acceptance

Signature



Delta Air Conditioning, Inc.
11261 N. Bentsen Rd.
McAllen Texas 78504
(956) 583-3582
www.deltaairconditioning.net
TACLA014292C

PROPOSAL No: 004452

PAGE 1 of 1

TO:

MCALLEN POLICE DEPT.

CONTACT PHONE	DATE 10/31/2022
JOB NAME & LOCATION MCALLEN POLICE DEPT.	
EMAIL ADDRESS	

We hereby submit specifications and estimates for the following: (may be continued on subsequent pages, see page numbering above)

We are pleased to propose the following quotation for your consideration.
Labor to replace 40ton York condensing unit with a Carrier dual circuit 40 ton condensing unit.

Includes:
Carrier 40 ton Dual circuit condensing unit
2 TXVs
2 Driers
Freon
Welding
Evacuation
Crane
Labor

Total \$88,500.00**

1 Year warranty on Parts and Compressor

NOTE: **If any deficiencies are found during the above mentioned repairs, additional repairs will be billed separately at time and material

In the event of any legal action to collect outstanding debts due <Company Named Above>, customer agrees to assume the full amount, with interest of 1 1/2% per month on accounts over 30 days, plus the cost of all legal fees.

We Propose hereby to furnish material and labor complete in accordance with the above specifications, for the sum of:
EIGHTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS dollars (\$ **88,500.00**)

Payment to be made as follows:

2 PAYMENTS: DEPOSIT OF \$66,375.00, AND BALANCE OF \$22,125.00 UPON COMPLETION OF CONTRACT.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
Signature

Tommy Corone

Note: This proposal may be withdrawn by us if not accepted within **15** days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature:

Date of Acceptance: _____

Signature:



11/14/2022

CONTRACT #631-20

Proposal: Install one 40Ton Carrier Air Cooled Condensing Unit with all the refrigerant essentials parts.

Prepared For: City of McAllen Police Department

Project: 1601 N. Bicentennial Blvd
McAllen Tx 78501

Attention: Mr. Javier Rodriguez

Ref: Jail Section for Federal Pods.

Existing York unit: 460Volt 3PH

M#HB480C00A4AAA2

S/R#N0A9531853

Proposal: Price to furnish and install one new Carrier 40ton Air Cooled condenser 460Volt 3Phase, this unit is equipped with Dual refrigerant circuits complete with two 410-A TXV and two 410-A refrigerant liquid line driers.

Price includes flushing the existing refrigerant lines with RX-11 to remove all the R-22 contaminates and pressurize the lines with nitrogen to inspect refrigerant leaks, Price includes all labor ,crane and materials to complete installation.

NOTE: CAHSINC. Is responsible to remove the existing equipment and debris and disposing it at our expense. ETA on Carrier Equipment 14-16weeks.

WARRANTY: 1 Year Parts ,1year Labor and 5Yrs Compressor

MATERIAL INCLUDED:

1-40ton Carrier 38APD04063-30024 460Volt 3ph, Dual Circuit Air Cooled aluminum fins with copper tubing condenser.

2-410-A TXV

2-410-A Refrigerant Liquid line Driers

410-A refrigerant

Welding supplies

Evacuate system complete

Flush existing refrigerant copper lines with RX-11/Nitrogen

Electrical

Labor

Total Price \$64,000.00

Plus, Tax if applicable

Authorized Signature X

Date

Respectfully submitted,

Eddie Cruz

Proposal expires within 30 days

TACLA010347E / TACLA00026954C

3028 Wilson Road
Harlingen, TX 78552
(956) 428-4509
(956) 428-4512 fax

www.cahsinc.com



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.D.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Award of Contract for Professional Engineering Services related to the El Rancho Subdivision Drainage Improvements Project.
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request: Award of contract to Halff Associates, Inc. for professional engineering services related to the El Rancho Subdivision Drainage Improvements project (02-22-S26-520).

5. Fiscal Impact Summary:

Account No.	Amount	Fund
124-8708-436-66-36-ID2317	\$ 30,000	TIRZ #2A
124-8708-436-66-36-ID2318	\$ 220,000	TIRZ #2A
124-8708-436-66-36-ID2319	\$ 510,000	TIRZ #2A

TOTAL \$ 760,000

Proposed Professional Services Fee: \$ 305,000.00

6. Budgeted: Yes

Bid Amount:	<u>\$305,000</u>
Under Budget:	<u>\$0.00</u>

Budgeted Amount:	<u>\$760,000</u>
Over Budget:	<u>\$0.00</u>
Amount Remaining:	<u>\$0.00</u>

7. Routing:

Mario Cruz	Created/Initiated - 11/22/2022
Eduardo Mendoza	Approved - 11/22/2022
Angie Rodriguez	Approved - 11/22/2022
Sergio Villasana	Approved - 11/22/2022
Gerardo Noriega	Approved - 11/22/2022
Michelle Rivera	Approved - 11/22/2022
Isaac Tawil	Final Approval - 11/22/2022

8. Staff Recommendation: Staff recommends award of contract to **Halff Associates, Inc., of McAllen, Texas**, in the total amount of **\$305,000.00**.

9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Approve. RR



ENGINEERING DEPARTMENT **MEMORANDUM**

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

From: Eduardo Mendoza, P.E., P.T.O.E., City Engineer

Date: November 17, 2022

Subject: **Award of Contract to Halff Associates, Inc. for Professional Engineering Services – El Rancho Subdivision Drainage Improvements (Project No.: 02-22-S26-520)**

GOAL

Award of contract to Halff Associates, Inc. for professional engineering services related to the El Rancho Subdivision Drainage Improvements project.

EXPLANATION

The scope of services includes engineering analysis, design, construction document preparation, and general construction representation related to upgrades to the existing storm sewer networks serving the El Rancho Subdivision and immediate vicinity.

Improvements are focused on upsizing existing infrastructure and redirecting flows into the adjacent El Rancho Regional Stormwater Detention Facility (RDF) which is programmed for expansion. The projects address storm sewer networks serving 3 areas: Augusta Avenue, the El Rancho Subdivision, and S. McColl Road at Pineridge.

Halff Associates, Inc., submitted a proposal in the amount of \$305,000 for the aforementioned professional engineering services. The proposed fee is roughly 12.2% of the total estimated project cost of \$2,500,000. An itemized fee schedule is also attached for your review.

OPTIONS

1. Approve award of contract.
2. Disapprove award of contract and request staff renegotiate the fees.

RECOMMENDATION

Staff recommends award of contract to ***Halff Associates, Inc., of McAllen, Texas*** in the total amount of ***\$305,000.00.***



EL RANCHO SUBDIVISION STORM SEWER NETWORK IMPROVEMENTS



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.E.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration and Approval of Change Order No. 2 for FM1926 (23rd Street) Intersection Improvements at Hackberry Avenue.
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request: Consideration and approval of Change Order Number 2 (CO No. 2) to Texas Cordia Construction, LLC for the FM1926 Intersection Improvements at Hackberry Avenue, in the amount of **\$6,936.20** and **four (4) additional calendar days**. Project funds are Federal, State and City of McAllen. Project number 03-22-C20-676.
5. Fiscal Impact Summary: FY 22-23 Budget
Account Number: 322-8708-436-66-36-IR1408 (23rd & Hackberry).
Funding Source: Street Improvements.
Budgeted Amount: \$317,463

Construction Contract Summary

Original Contract	\$ 306,727.00	200 Calendar Days
CO No. 1	\$ 9,914.00	4 Calendar Days
Prop. CO No. 2	\$6,936.20	4 Calendar Days
Revised Contract	\$323,577.20	208 Calendar Days

6. Budgeted: FY 21-22
Yes

Bid Amount:	\$189,171.90
	<u>\$134,405.30</u>
Under Budget:	\$0.00
	<u>\$0.00</u>

Budgeted Amount:	\$189,171.90
	<u>\$317,463</u>
Over Budget:	\$0.00
	<u>\$0.00</u>
Amount Remaining:	<u>\$0.00</u>

7. Routing:
Jose Perez
Eduardo Mendoza

Created/Initiated - 11/22/2022
Approved - 11/22/2022

Angie Rodriguez
Sergio Villasana
Gerardo Noriega
Michelle Rivera
Isaac Tawil

Approved - 11/22/2022
Approved - 11/22/2022
Approved - 11/22/2022
Approved - 11/22/2022
Final Approval - 11/22/2022

8. Staff Recommendation: Staff recommends approval of CO No. 2 in the increased amount of **\$6,936.20** and an additional contract time of **4 calendar days**. This brings the contract amount to a total of **\$845,862.05** with a revised contract time of **208-calendar days**.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



ENGINEERING DEPARTMENT

MEMORANDUM

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

From: Eduardo Mendoza, P.E., P.T.O.E City Engineer

Date: November 28, 2022

Subject: Change Order Number 2 for FM 1926 (23rd St) Intersection Improvements
(Project No. 03-22-C20-676)

Goal:

Consideration and approval of Change Order Number 2 (CO No. 2) for the FM 1926 (23rd Street) Intersection Improvements (Project Number 03-22-C20-676) at Hackberry Avenue.

Brief Explanation:

CO No. 2 consists of additions to the contract scope at Hackberry Avenue and FM 1926 (23rd St.) Intersection. Change in contract amount totals a **net change** of **\$6,936.20** and **additional 4 calendar days**. The proposed changes are as follows:

Item 1 (Add) \$5,038.20 – 3 Calendar Days

Item 1 consists of a 4-inch thick concrete sidewalk 5 feet wide along 23rd Street from the intersection of Gumwood Avenue to approximately 110 ft north to an existing driveway. Improvements are within project limits and necessary to aid with pedestrian mobility.

Item 2 (Add) \$1,898.00 – 1 Calendar Days

Item 2 consists of the removal and construction of a new Handicap Ramp at the intersection of Gumwood Avenue and 23rd Street. Improvements are within project limits and necessary to aid with pedestrian access.

A brief contract summary is presented below.

	Amount	Calendar Days
Original Contract	\$ 838,925.85	204
Change Order NO. 2	\$ 6,936.20	4
Final Contract	\$ 845,862.05	208

Options:

1. Approve the proposed change order.
2. Disapprove the proposed change order.

Recommendation:

Staff recommends approval of Change Order Number 1 in the increase amount of **\$ 6,936.20** and an addition of 4 calendar days to the contract. This brings the revised contract amount to **\$ 845,862.05** with **208-calendar days**.



CHANGE ORDER COVER SHEET

PROJECT 03-22-C20-676

COUNTY: Hidalgo County

C.O. NO: 002

TCC NO: 1116

CSJ: 03-22-C20-676

HWY: FM 1926 (23RD ST)

Intersection Improvements

DATED: 10/14/2022

CONTRACT AMOUNT INFORMATION

Original Contract Amount: \$ 838,925.85

Current Contract Amount: \$ 838,925.85

Change Order Amount: \$ 6,936.20

New Contract Amount: \$ 845,862.05

CHANGE ORDER LIST

Item No	Description	Quantity	Unit	Price	Amount
531-6005	CURB RAMPS (TY 2)	1.00	EA	\$ 1898.00	\$ 1,898.00
531-6001	CONC SIDEWALKS (4")	62.2	SY	\$81.00	\$ 5,038.20

TOTAL CHANGE ORDER \$ 6,936.20

Description: This Change Order will include curb and gutter that was not included in plan. Concrete Sidewalks will be overrun to include a back curb and adjustments for water meters will be for one that was not included in bid quantity and another for a additional connection made to main water line.

I hereby certify that the above is a true and correct statement of the amounts payable to **Texas Cordia Construction, LLC**, which are just charges as contingency expenditures incurred on this project.

Juan Izaquiere

Project Control

10/27/2022

Date

THE PRICES QUOTED FOR THE REFERENCED PROJECT ARE VALID FOR A PERIOD OF THIRTY (30) DAYS.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.F.

DATE SUBMITTED

11/22/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration and Approval of Change Order No. 3 for the FM 1926 (23rd Street) Intersection Improvements at Kendlewood Avenue.
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request: Consideration and approval of Change Order Number 3 (CO No. 3) to Texas Cordia Construction, LLC for the FM1926 Intersection Improvements at Kendlewood Avenue, in the amount of **\$4,048.00** and no additional contract time. Project funds are Federal, State and City of McAllen. Project number 03-22-C20-676.
5. Fiscal Impact Summary: FY 22-23 Budget.
Account Number: 322-8708-436-66-36-IR1410 (23rd & Kendlewood).
Funding Source: Street Improvements.
Budgeted Amount: \$234,023.

Construction Contract Summary

Original Contract	\$	226,109.00
Prop. CO No.3	\$	4,048.00
Prop	\$	230,157.00

6. Budgeted: FY 21-22
Yes

Bid Amount:	\$123,405.50
	<u>\$106,751.50</u>
Under Budget:	\$0.00
	<u>\$0.00</u>

Budgeted Amount:	\$123,405.50
	<u>\$234,023</u>
Over Budget:	\$0.00
	<u>\$0.00</u>
Amount Remaining:	\$0.00
	<u>\$0.00</u>

- ## 7. Routing:

Jose Perez
Eduardo Mendoza
Angie Rodriguez
Sergio Villasana
Gerardo Noriega
Michelle Rivera
Isaac Tawil

[illegible]

8. Staff Recommendation: Staff recommends approval of CO No. 3 in the increased amount of \$4,048.00 and no additional contract time. This brings the contract amount to a total of \$849,910.05 with no contract time adjustment.
9. Advisory Board:
10. City Attorney: Approve. IJT
11. Manager's Recommendation: Approve. RR



ENGINEERING DEPARTMENT

MEMORANDUM

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

From: Eduardo Mendoza, P.E., P.T.O.E City Engineer

Date: November 28, 2022

Subject: Change Order No. 3 for FM 1926 (23rd St) Intersection Improvements (Project No. 03-22-C20-676)

Goal:

Consideration and approval of Change Order No. 3 (CO No. 3) for the FM 1926 (23rd Street) Intersection Improvements (Project Number 03-22-C20-676).

Brief Explanation:

CO No. 3 consists of additions to the contract scope at Kendlewood Avenue and FM 1926 (23rd St.) Intersection. Change in contract amount totals a **net change of \$4,048.00** and no **additional calendar days**.

The proposed changes are as follows:

Item 1 (Add) \$2,450.00 – 0 Calendar Days

Item 1 consists of additional decomposed granite (3" depth) for the pedestrian buffer along 23rd Street from the intersection of Kendlewood Avenue. Improvements are within project limits and necessary to complete pedestrian facilities.

Item 2 (Add) \$1,598.00 – 0 Calendar Days

Item 2 consists of adjustment of watervalue and cover on existing waterline along 23rd Street. Adjustment needed for the new section of pavement.

A brief contract summary is presented below.

	Amount	Calendar Days
Original Contract	\$ 845,862.05	208
Change Order No. 3	\$ 4,048.00	0
Final Contract	\$ 849,910.05	208

Options:

1. Approve the proposed change order.
2. Disapprove the change order.

Recommendation:

Staff recommends approval of Change Order Number1 in the increase amount of **\$4,048.00** and an addition of 4 calendar days to the contract. This brings the revised contract amount to **\$ 849,910.05** with **208-calendar days**.



CHANGE ORDER COVER SHEET

PROJECT 03-22-C20-676

COUNTY: Hidalgo County

C.O. NO: 003

TCC NO: 1116

CSJ: 03-22-C20-676

HWY: FM 1926 (23RD ST)

Intersection Improvements

DATED: 10/27/2022

CONTRACT AMOUNT INFORMATION

Original Contract Amount: \$ 845,862.05

Current Contract Amount: \$ 845,862.05

Change Order Amount: \$ 4,048.00

New Contract Amount: \$ **849,910.05**

CHANGE ORDER LIST

Item No	Description	Quantity	Unit	Price	Amount
2004-0001	DECOMPOSED GRANITE (3" DEPTH)	35.0	SY	\$ 70.00	\$ 2,450.00
7270-0005	ADJUST OF WTR VALVE COVER AND VALVE STCKS	1.0	EA	\$1,598.00	\$ 1,598.00

TOTAL CHANGE ORDER \$ 4,048.00

Description: This Change Order will include curb and gutter that was not included in plan. Concrete Sidewalks will be overrun to include a back curb and adjustments for water meters will be for one that was not included in bid quantity and another for a additional connection made to main water line.

I hereby certify that the above is a true and correct statement of the amounts payable to **Texas Cordia Construction, LLC**, which are just charges as contingency expenditures incurred on this project.

Juan Izaquiere

Project Control

10/27/2022

Date

THE PRICES QUOTED FOR THE REFERENCED PROJECT ARE VALID FOR A PERIOD OF THIRTY (30) DAYS.



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.G.

DATE SUBMITTED

11/07/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration and Approval of Change Order No. 4 for the New McAllen Metro Transfer Station and Change Order No. 3 for the New Parks and Recreation Administration.
2. Party Making Request: Eduardo Mendoza
3. Applicant: Eduardo Mendoza
4. Nature of Request: Consideration and Approval of Change Order No 4 on Metro Transfer Station and Change Order No 3 for Parks and Recreation Administration for D. Wilson Construction.

5. Fiscal Impact Summary:

# 558-4760-446-66-10-BB1801	\$4,128,478
# 320-8724-466-66-10-000000	\$2,969,291
Total Budgeted for Parks and Metro	\$7,097,769

Contract Metro -558-4760-446-66-10-BB1801

Metro Transfer Station Original Contract Amount	\$7,801,000.00
CO No. 1 - 3	\$191,695.59
Proposed CO No. 4	\$18,048.00
Revised Contract Amount	\$8,010,743.59

Contract Parks & Rec - 320-8724-466-66-10-000000

Parks and Rec Original Contract Amount	\$5,105,000.00
CO No. 1 - 2	(\$20,140.25)
Proposed CO No. 3	\$20,140.00
Revised Contract Amount	\$5,104,999.75
Metro and Parks Contract combined	\$13,115,743.34

5 Days

6. Budgeted: FY 2019-2022 (Actuals)
Yes

Bid Amount:	\$10,927,886.56	Budgeted Amount:	\$10,927,886.56
	\$2,187,857		\$7,097,769
Under Budget:	\$0.00	Over Budget:	\$0.00
	\$0.00		\$0.00
		Amount Remaining:	\$0.00
			\$0.00

7. Routing:

Juan Martinez	Created/Initiated - 11/7/2022
Eduardo Mendoza	Approved - 11/8/2022
Mario Delgado	Approved - 11/8/2022
Denny Meline	Approved - 11/8/2022
Angie Rodriguez	Approved - 11/21/2022
Sergio Villasana	Approved - 11/21/2022
Gerardo Noriega	Approved - 11/22/2022
Michelle Rivera	Approved - 11/22/2022
Isaac Tawil	Final Approval - 11/22/2022

8. Staff Recommendation: Negrete & Kolar Architects and Staff recommend approval of Change Order No. 4 for Metro Transfer Station and Change Order No. 3 for Parks and Recreation for a contract date extension of 5 calendar days and a revised contract amount of \$13,117,743.34

9. Advisory Board:

10. City Attorney: Approve. IJT

11. Manager's Recommendation: Internal Requirements. Approve. RR



**CITY OF MCALLEN
ENGINEERING DEPARTMENT
MEMORANDUM**

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

From: Eduardo Mendoza, P.E., City Engineer

Date: November 7, 2022

Subject: Consideration and Approval of Change Order No. 4 for the Metro Transfer Station and Change Order No. 3 for Parks and Recreation Administration.
(Project No. 04-21-C13-450)

Goal

Consideration and Approval of Changer Order No. 4 on Metro Transfer Station and Change Order No. 3 for Parks and Recreation for D. Wilson Construction.

Explanation

The Metro Transfer Station Change Order No. 4 Landscaping and irrigation change requested by Planning Department for site to meet Landscaping Requirements. This change request is due to Permit review items that were pending when project was advertised.

The Parks and Recreation Change Order No. 3. Landscaping and irrigation change requested by Planning Department for site to meet Landscaping Requirements. This change request is due to Permit review items that were pending when project was advertised. Below is a breakdown of both change orders

Parks & Recreation Department and Transit Department have funds to cover these change orders.

Metro Transfer Station Original Contract Amount	\$	7,801,000.00
CO #1	\$	80,132.00
CO #2	\$	63,082.35
CO #3	\$	48,481.24
<u>Proposed CO #4</u>		<u>\$18,048.00</u>
Revised Contract Amount	\$	8,010,743.59

Parks and Rec Original Contract Amount	\$	5,105,000.00
CO #1	\$	-23,584.00
CO #2	\$	3,443.75
<u>Proposed CO #3</u>	<u>\$</u>	<u>20,140.00</u>
	\$	5,104,999.75

Revised Total Project Contract Amount \$ **13,117,743.34**
Days 5

Options

1. The City Commission may choose to approve Change Order No. 4 for Metro Transfer Station and Change Order No. 3 for Parks and Recreation.
2. The City Commission may choose to deny Change Order No. 4 for Metro Transfer Station and Change Order No. 3 for Parks and Recreation.

Recommendation

Negrete & Kolar Architects and Staff recommend approval of Change Order No. 4 for Metro Transfer Station and Change Order No. 3 for Parks and Recreation for a contract date extension of 5 calendar days and a revised contract amount of **\$13,117,743.34**

CHANGE ORDER

Distribution to:

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐

PROJECT:

City of McAllen Parks & Rec Admin
4600 North 23rd Street; Suite 300
McAllen, Texas 78504

CHANGE ORDER NUMBER: PR-03**INITIATION DATE:** 3-Nov-2022**ARCHITECT'S PROJECT NUMBER:** 1802-PR**CONTRACT FOR:** New Construction**TO:**

D. Wilson Construction Construction Co.
P. O. Box 3455
McAllen, Texas 78502-3455

CONTRACT DATE: 16-Aug-2021

You are directed to make the following changes in this Contract:

- | | |
|---|-------------|
| 1). Provide Five (5) Working Day Time Extension due to excessive wind, heavy rain events, and unworkable muddy conditions as corroborated by local weather reports affecting construction progress at the project site. | \$0.00 |
| 2). Change Request 6B Rev3 - Provide upgraded (caliper & quantity) landscape modifications resulting from City Permit Review. | \$20,140.00 |

TOTAL: \$20,140.00

Not valid until signed by both the Owner and Architect

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Time

The original Contract Sum was	\$ 5,105,000.00
Net changes by previously authorized Change Orders	\$ (20,140.25)
The Contract Sum prior to this Change Order was	\$ 5,084,859.75
The Contract Sum will be increased by this amount	\$ 20,140.00
The new Contract Sum including this Change Order will be	\$ 5,104,999.75
The Contract Time will be changed by the following number of days	5
The Date of Substantial Completion as of the date of this Change Order is	10-May-2023

CHANGE ORDER

Distribution to:

OWNER
ARCHITECT
CONTRACTOR

PROJECT:

City of McAllen Parks & Rec Admin
4600 North 23rd Street; Suite 300
McAllen, Texas 78504

CHANGE ORDER NUMBER: PR-03**INITIATION DATE:** 3-Nov-2022**ARCHITECT'S PROJECT NUMBER:** 1802-PR**CONTRACT FOR:** New Construction**TO:**

D. Wilson Construction Construction Co.
P. O. Box 3455
McAllen, Texas 78502-3455

CONTRACT DATE: 16-Aug-2021

Continuation:

Recommended by:

Negrete & Kolar Architects, LLP
ARCHITECT

204 East Stubbs

Edinburg, Texas 78539

ADDRESS



BY: DAVID NEGRETE, AIA

3-Nov-2022

DATE

Proposed by:

D. Wilson Construction, Co.
CONTRACTOR

P. O. Box 3455

McAllen, Texas 78502-3455

ADDRESS



BY: JOSUE REYES, CEO

11/7/22

DATE

Authorized by:

City of McAllen

OWNER

1300 West Houston Avenue

McAllen, Texas 78501

ADDRESS

BY: ROY RODRIGUEZ

DATE

Authorized by:

City of McAllen

OWNER

1300 West Houston Avenue

McAllen, Texas 78501

ADDRESS

BY: GERARDO NORIEGA

DATE

Authorized by:

City of McAllen

OWNER

1300 West Houston Avenue

McAllen, Texas 78501

ADDRESS

BY: EDUARDO MENDOZA

DATE

CHANGE ORDER

Distribution to:

OWNER ☐
ARCHITECT ☐
CONTRACTOR ☐

PROJECT:

City of McAllen Metro Transfer Station
4600 North 23rd Street; Suite 100
McAllen, Texas 78504

CHANGE ORDER NUMBER: TR-04**INITIATION DATE:** 3-Nov-2022**ARCHITECT'S PROJECT NUMBER:** 1802-TR**CONTRACT FOR:** New Construction**TO:**

D. Wilson Construction Construction Co.
P. O. Box 3455
McAllen, Texas 78502-3455

CONTRACT DATE: 16-Aug-2021

You are directed to make the following changes in this Contract:

- | | |
|---|-------------|
| 1). Provide Five (5) Working Day Time Extension due to excessive wind, heavy rain events, and unworkable muddy conditions as corroborated by local weather reports affecting construction progress at the project site. | \$0.00 |
| 2). Change Request 6A Rev3 - Provide upgraded (caliper & quantity) landscape modifications resulting from City Permit Review. | \$18,048.00 |

TOTAL: **\$18,048.00**

Not valid until signed by both the Owner and Architect

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Time

The original Contract Sum was	\$	7,801,000.00
Net changes by previously authorized Change Orders	\$	191,695.59
The Contract Sum prior to this Change Order was	\$	7,992,695.59
The Contract Sum will be increased by this amount	\$	18,048.00
The new Contract Sum including this Change Order will be	\$	8,010,743.59
The Contract Time will be changed by the following number of days		5
The Date of Substantial Completion as of the date of this Change Order is		10-May-2023

CHANGE ORDER

Distribution to:

OWNER
ARCHITECT
CONTRACTOR

PROJECT:

City of McAllen Metro Transfer Station
4600 North 23rd Street; Suite 100
McAllen, Texas 78504

CHANGE ORDER NUMBER: TR-04**INITIATION DATE:** 3-Nov-2022**ARCHITECT'S PROJECT NUMBER:** 1802-TR**CONTRACT FOR:** New Construction**TO:**

D. Wilson Construction Construction Co.
P. O. Box 3455
McAllen, Texas 78502-3455

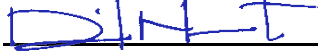
CONTRACT DATE: 16-Aug-2021

Continuation:

Recommended by:

Negrete & Kolar Architects, LLP
ARCHITECT
204 East Stubbs
Edinburg, Texas 78539

ADDRESS



BY: DAVID NEGRETE, AIA

3-Nov-2022

DATE

Proposed by:

D. Wilson Construction, Co.
CONTRACTOR
P. O. Box 3455
McAllen, Texas 78502-3455

ADDRESS



BY: JOSUE REYES, CEO

11/7/20

DATE

Authorized by:

City of McAllen

OWNER

1300 West Houston Avenue
McAllen, Texas 78501

ADDRESS

BY: ROY RODRIGUEZ

DATE

Authorized by:

City of McAllen

OWNER

1300 West Houston Avenue
McAllen, Texas 78501

ADDRESS

BY: GERARDO NORIEGA

DATE

Authorized by:

City of McAllen

OWNER

1300 West Houston Avenue
McAllen, Texas 78501

ADDRESS

BY: EDUARDO MENDOZA

DATE

NEGRETE & KOLAR ARCHITECTS,LLP

07 November 2022

Juan Martinez
Construction Manager
City of McAllen; Engineering Department
311 North 15th Street
McAllen, Texas 78501

**RE: City of McAllen - Transit Department - New Metro Transfer Station, Administration, & Maintenance Buildings - Change Order Number 'TR-04'.
City of McAllen - Parks & Recreation Department - New Administration Office & Maintenance Warehouse Facility - Change Order Number 'PR-03'.**

Juan:

Our office is in receipt of various Change Requests from the General Contractor, D. Wilson Construction Co., effecting both the Transit and Parks & Recreation portions of the Work.

After review and discussion with City Staff and Project Engineering Consultants, our office finds and supports the following Change Requests as appropriate:

TRANSIT

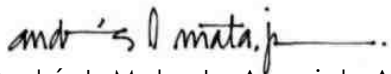
- Five (5) Working Day Time Extension due to extensive rain events and/or excessive winds effecting construction progress at the project site. Site conditions and Weather Reports have corroborated the impact on completion of 'critical path' items as a result. Nevertheless, there is no cost impact for the time extension. Note these days have accrued since Change Order #TR-03 (September 2022).
- Change Request 6A Rev3 in the amount of \$18,048.00 for landscape modifications (upgrade caliper and quantity) at the project site resulting from City Permit review.
- Our office has prepared Change Order Number 'TR-04' describing a \$18,048.00 addition with a Five (5) Working Day Time Extension to the Metro Transfer Station portion of the Contract.

PARKS & RECREATION

- Five (5) Working Day Time Extension due to extensive rain events and/or excessive winds effecting construction progress at the project site. Site conditions and Weather Reports have corroborated the impact on completion of 'critical path' items as a result. Nevertheless, there is no cost impact for the time extension. Note these days have accrued since Change Order #PR-02 (September 2022).
- Change Request 6B Rev3 in the amount of \$20,140.00 for landscape modifications (upgrade caliper and quantity) at the project site resulting from City Permit review.
- Our office has prepared Change Order Number 'PR-03' describing a \$20,140.00 addition with a Five (5) Working Day Time Extension to the Parks & Recreation Facility portion of the Contract. Note, due to a \$20,140.25 credit in the previous change order, the new Contract Sum is less than the Original Contract Sum.

Feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in dark ink, reading "andrés l mata, jr." with a horizontal line extending from the end.

Andrés L. Mata, Jr., Associate AIA
Project Manager



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.A.

DATE SUBMITTED

11/21/2022

MEETING DATE

11/28/2022

1. Agenda Item: Future Agenda Items.

2. Party Making Request: Roel Rodriguez

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount:

Budgeted Amount:

Under Budget:

Over Budget:

Amount Remaining:

7. Routing:

Cindy Gonzalez

Perla Lara

Isaac Tawil

Created/Initiated - 11/21/2022

Approved - 11/21/2022

Final Approval - 11/22/2022

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: None. IJT

11. Manager's Recommendation: None. RR



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

5.A.

DATE SUBMITTED

11/23/2022

MEETING DATE

11/28/2022

1. Agenda Item: Consideration of Economic Development Matters. (Section 551.087, T.G.C.)

2. Party Making Request: Isaac Tawil

3. Applicant: Isaac Tawil

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount:

Under Budget:

Budgeted Amount:

Over Budget:

Amount Remaining:

7. Routing:

Amy Gonzalez

Isaac Tawil

Created/Initiated - 11/23/2022

Final Approval - 11/23/2022

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney: None. IJT

11. Manager's Recommendation: None. RR