



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.

**NOTICE OF WORKSHOP TO BE HELD BY THE
MCALLEN BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 13, 2023 – 4:00 PM
MCALLEN CITY HALL
CITY COMMISSION CHAMBERS; 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN TEXAS, 78501**

AGENDA

<https://us02web.zoom.us/j/88263271103?pwd=UEgvVjNVTktKbGRqOXRYWmJWQkN0Zz09>

Members of the public that wish to listen to the meeting can log in to the virtual Zoom meeting or dial 1 (346) 248-7799 US (Houston) Meeting ID: 882 6327 1103 Passcode: 811117. Individuals that wish to participate in the meeting or comment on an agenda item should call (956) 681-1020 by 3:30 pm. Any individual dialing in acknowledges his or her phone number may be visible to the public.

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

CALL TO ORDER

1. Present questions to staff relating to the February 13, 2023 Regular Meeting Agenda, to be discussed at such meeting.
2. Discussion on Homelessness.
3. Discussion on mylar review fees.
4. Discussion on Fireworks Ordinance.
5. Discussion on raised median cost update from Ware Road from SH107 to Monte Cristo.
6. **EXECUTIVE SESSION, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY), SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY), SECTION 551.074 (PERSONNEL MATTERS) AND SECTION 551.087 (ECONOMIC DEVELOPMENT)**
 - A) Consultation with City Attorney regarding legal issues with grant agreements. (Section 551.071, T.G.C.)

- B)** Discussion and possible lease, sale or purchase of Real Property, Tract 1. (Section 551.072, T.G.C.)
- C)** Consultation with City Attorney regarding Catalina Mobile Home Park. (Section 551.071, T.G.C.)

ADJOURNMENT

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

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

I, the Undersigned Authority, do hereby certify that the attached agenda of the meeting of the McAllen Board of Commissioners is a true and correct copy and that I posted a true and correct copy of said notice on the bulletin board in the Municipal Building, a place convenient and readily accessible to the general public at all times, and said Notice was posted on February 10, 2023 at 3:30 PM and will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with Chapter 551 of the Texas Government Code.

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



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

1.

DATE SUBMITTED

MEETING DATE

2/13/2023

1. Agenda Item: Present questions to staff relating to the February 13, 2023 Regular Meeting Agenda, to be discussed at such meeting.
2. Party Making Request:
3. Nature of Request:
4. Routing:
Jose Trujillo
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

Created -



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

2.
02/03/2023
2/13/2023

1. Agenda Item: Discussion on Homelessness.

2. Party Making Request: Steven Kotsatos

3. Nature of Request:

4. Routing:

Cynthia Reyna
Steven Kotsatos
Yvette Balderas
Michelle Rivera
Isaac Tawil

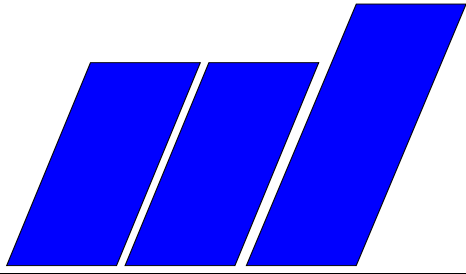
Created/Initiated - 2/3/2023
Approved - 2/3/2023
Approved - 2/3/2023
Approved - 2/8/2023
New -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:



**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: December 28, 2022

Subject: Homelessness report

GOAL: To inform the City Commission on Homelessness data for the past 3 years.

BRIEF EXPLANATION: The Environmental Health and Code Enforcement department along with Grants and McAllen Police respond to, and document homelessness activity in the city. This presentation will identify 3 years of inspection data from the Environmental Health and Code Enforcement Department and will distinguish the volume of cases, types of cases, and location of cases we have responded to for the public.

City of McAllen Homeless Data

Environmental Health & Code

DID YOU KNOW?

There are **3**
types of
homelessness

Chronic

Shelters function similarly to long-term housing, typically utilized by older individuals often with disabilities or substance abuse problems.

Episodic

Shelters are frequently used, typically by younger, chronically unemployed individuals with mental health and substance abuse problems.

Transitional

Shelters are used for a short time, typically by younger individuals who have become homeless due to a catastrophic event.

Source: National Coalition for the Homeless



Homeless cases

2020-2022

2020
13

Building Cases: 1
Housing Cases: 5
Enforcement Cases: 7

2021
38

- Building Cases: 0
- Housing Cases: 1
- Enforcement Cases: 37

2022
36

- Building Cases: 0
- Housing Cases: 0
- Enforcement Cases: 36

Most Common Reported Cases

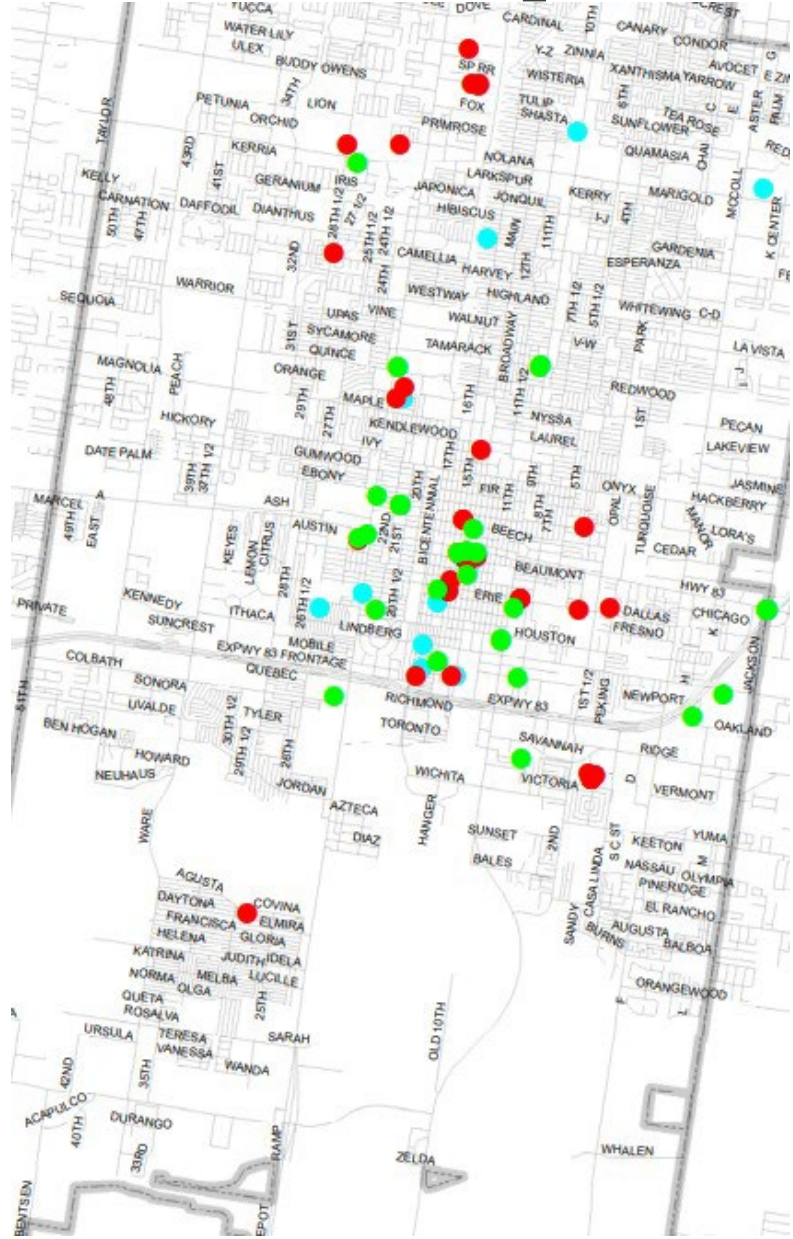
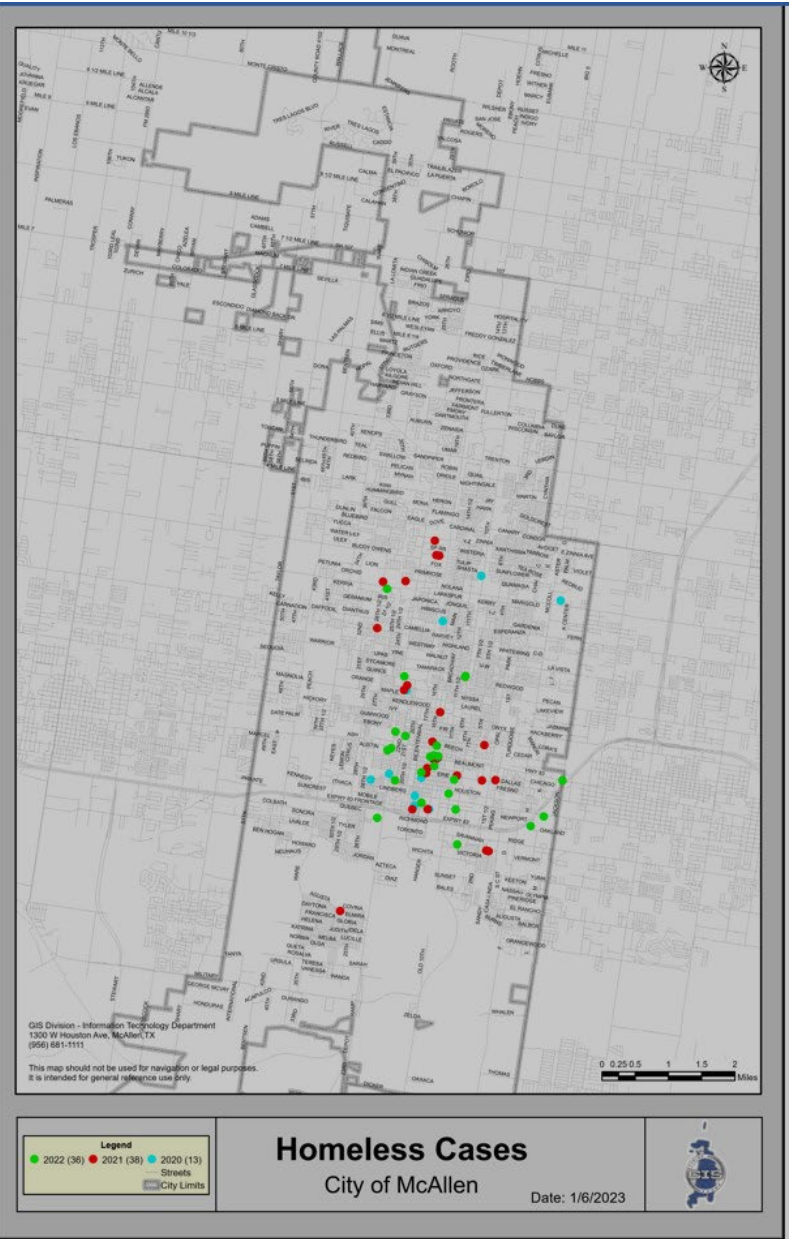
Trespassing on Private Property

- Between **2020–2022** there has been **40** reported cases involving homeless people entering private properties.
- This includes **Residential & Commercial** properties.

Accumulation of Trash

- Between **2020–2022** there has been **47** reported cases involving homeless people contributing to the accumulation of trash and debris.
- This includes **Residential, Commercial and Public Right-of-Ways.**

Homeless Cases Map



Homeless Locations Throughout The City

Residential



Commercial



Downtown



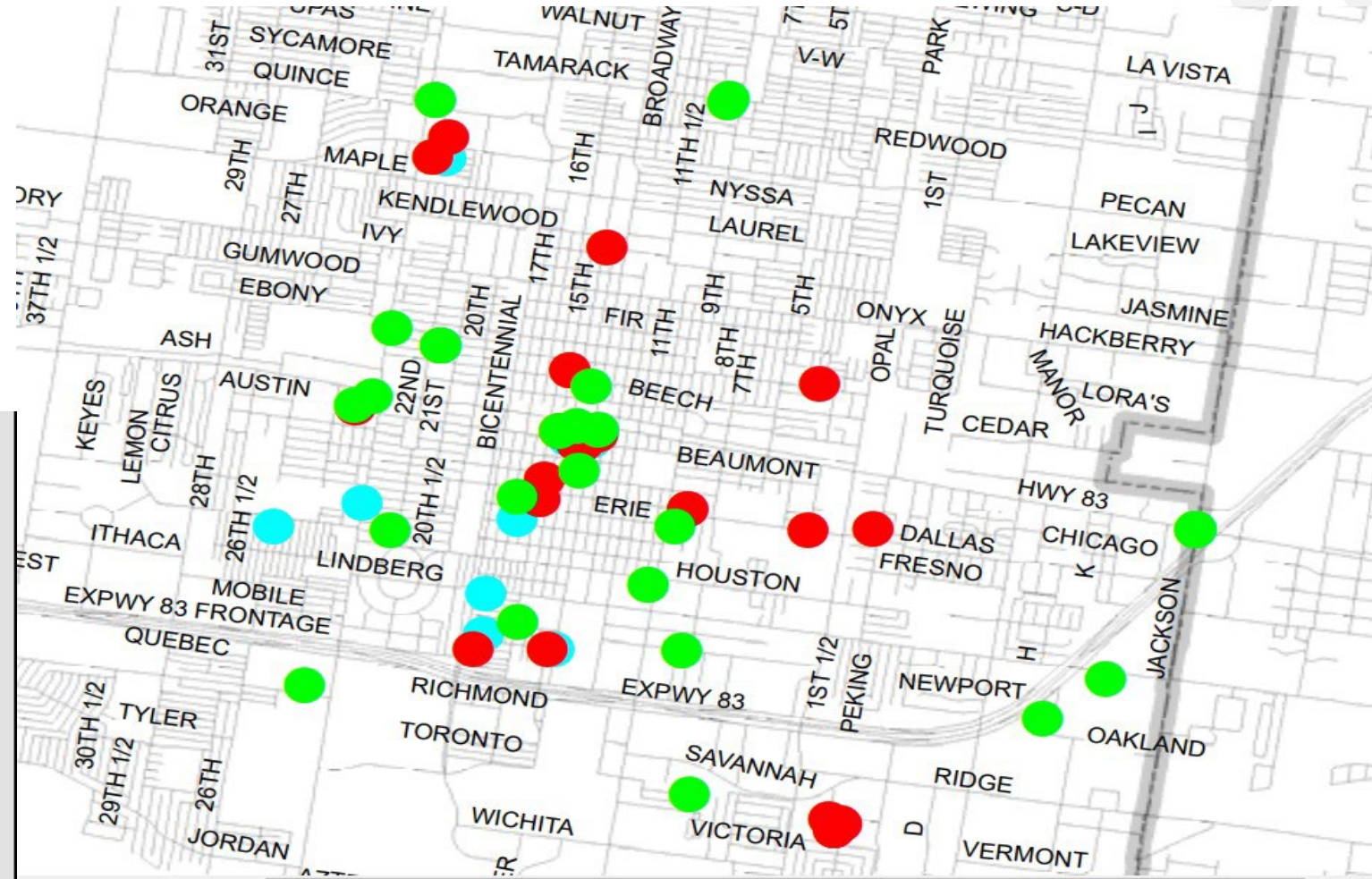
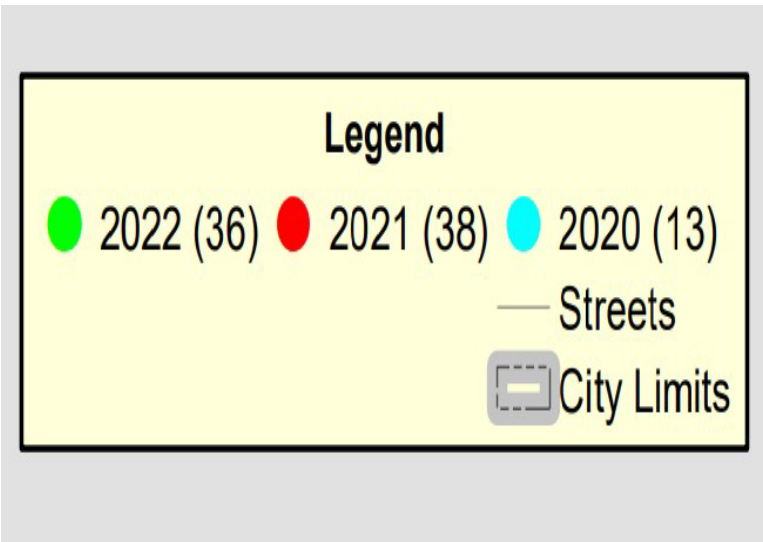
Homeless Activity Along Public R-O-W



Homeless Activity on Vacant Property



Most Prevalent Area of Homeless Activity



Solutions

- Work Orders are created for Public Works Department to assist with cleanups.
- Salvation Army or Catholic charities are notified to assist people in need. (Individuals are referred)
- Trespassing cases are referred to the McAllen Police Department.
- Accumulation of trash/rubbish cases are created for the property owners involved.

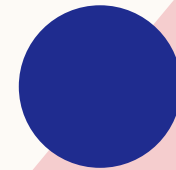
POINT-IN-TIME STUDY

Yvette Balderas,
Grant Administration &
Community Development

POINT-IN-TIME STUDY

The Point-in-Time (PIT) Study is a count of sheltered and unsheltered people experiencing homelessness on a single night in January.

Sheltered persons include those individuals and families in emergency shelters, transitional housing units, and Safe Havens



USES

At the Federal Level

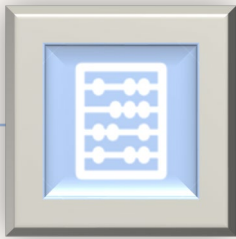
HUD uses information from local PIT counts to formulate the Annual Homeless Assessment Report (AHAR). This report is meant to inform Congress about the number of people experiencing homelessness in the U.S. and the effectiveness of HUD's programs and policies in decreasing the number of persons experiencing homelessness.

At the Local Level

PIT counts help plan services and programs to:

- Appropriately address local needs,
- Measure progress in decreasing homelessness,
- Identify strengths and gaps in a community's current homelessness assistance system
- Consider subpopulations: Veterans, Chronic Homeless, Families
- Identify triggers, frequency and length of homeless episodes

COUNTYWIDE & CITYWIDE DATA



2020

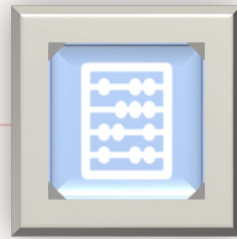
Hidalgo County

- 242 Sheltered & Unsheltered

McAllen

- 156 Unsheltered
- 37 Sheltered

City data represents 80% of total cases



2021

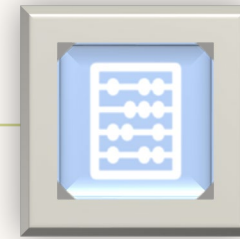
Hidalgo County

- 36 Sheltered

McAllen

- 36 Sheltered

*In light of COVID, precautions were taken; only sheltered individuals were counted



2022

Hidalgo County

- 448 Sheltered & Unsheltered

McAllen

- 202 Unsheltered
- 53 Sheltered

City data represents 60% of total cases

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

3.
02/07/2023
2/13/2023

1. Agenda Item: Discussion on mylar review fees.
2. Party Making Request: Edgar Garcia
3. Nature of Request: Discussion on mylar review fees
4. Routing:

Jessica Cavazos	Created/Initiated - 2/7/2023
Edgar Garcia	Approved - 2/7/2023
Michelle Rivera	Approved - 2/8/2023
Isaac Tawil	New -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

Memo

TO: Roel “Roy” Rodriguez, P.E., City Manager
FROM: Edgar I. Garcia, AICP, CNU-A, CPM, Director
DATE: February 6, 2023
SUBJECT: MYLAR REVIEW FEES

BACKGROUND: A mylar review is conducted for subdivisions that have received Planning & Zoning Commission final approval and have installed or escrowed all required infrastructure. A review of a subdivision’s mylar is conducted to ensure it is ready for recording with the Hidalgo County Clerk’s Office. Review of a mylar is necessary so that the recorded subdivision reflects what was approved by the Planning & Zoning Commission and/or the City Commission.

Mylar reviews consist of three separate department staff (Planning, Engineering, McAllen Public Utilities) making comments on required revisions or approving. When multiple iterations of reviews are conducted on the same subdivision, staff hours add up and are diverted from reviewing other subdivisions.

DISCUSSION: Currently, the City charges flat fees of \$225 for preliminary subdivision review and \$75 for final subdivision review (totaling \$300); mylar reviews are included within these fees. Most other cities charge subdivision review fees on a sliding scale depending on acreage. This makes McAllen’s fees an overall value for developers. We want required reviews to be beneficial for both developers and staff as each subsequent review is also adding time when subdivision cannot be recorded. Without a financial cost for reviews, there is little incentive for engineers to provide a complete and accurate mylar on the first submittal; staff is used as quality assurance catching items that could have been caught by the project engineer. With an estimated review time of one hour per staff member, multiple mylar reviews add up in staff time and decrease productivity.

PROPOSAL: We are proposing one courtesy mylar review included within the current fee structure. However, for additional reviews past the first one we are proposing a \$250 fee. Review fees from other cities are attached for comparison.

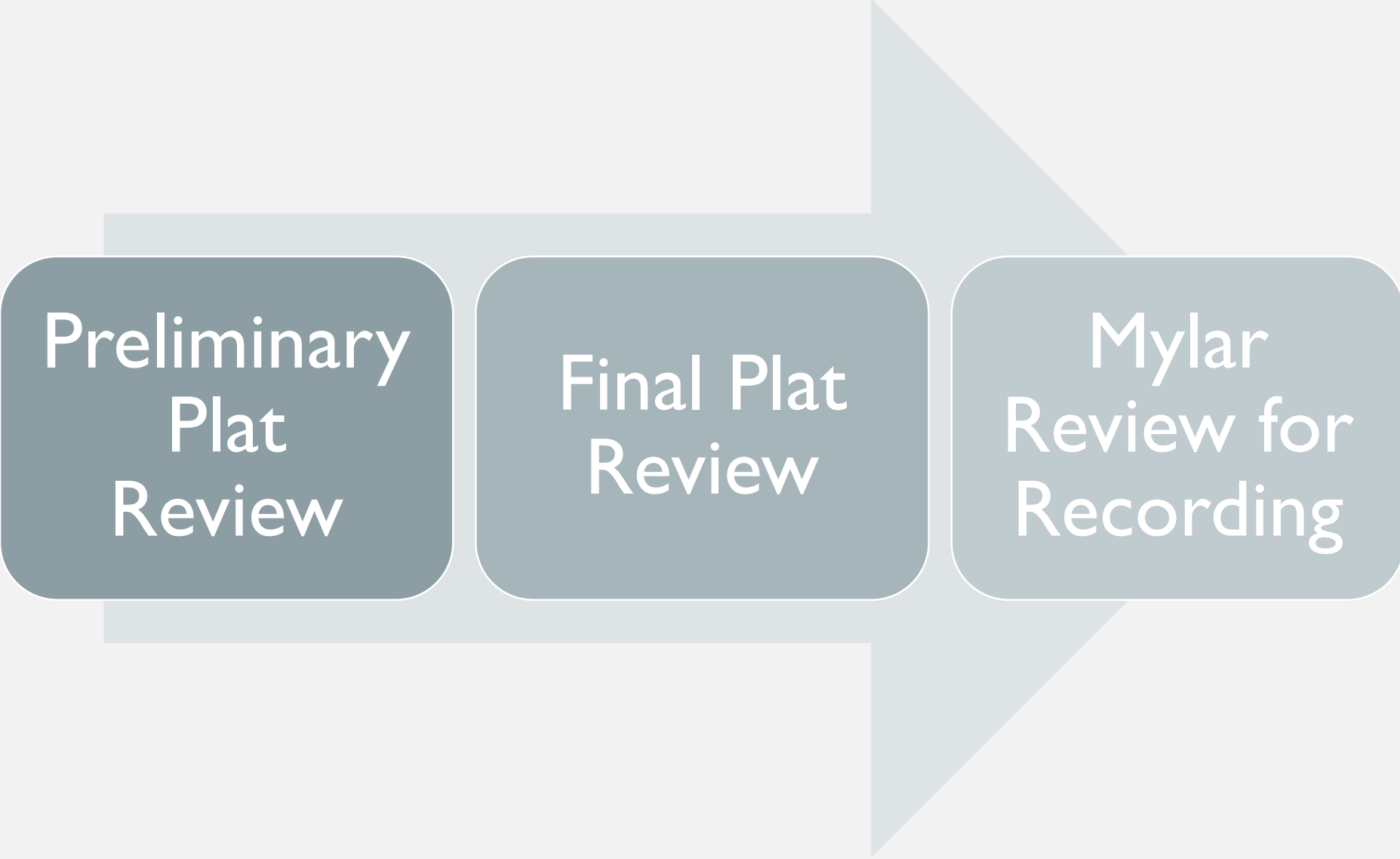
Subdivision Review Fees Comparison

Municipality	Preliminary Review	Final Review	Mylar Review
Plano	\$280/acre	\$250 + \$5/lot	\$280/acre
San Antonio	\$625 and up	included	\$700 + \$50/review
Dallas	\$1,548 and up	included	\$300
Denton	\$7,568 and up	\$7,708 and up	\$1,428
Corpus Christi	\$1,540 and up	\$990 and up	15% of app after 2nd
Brownsville	\$500 and up	\$500 and up	\$200
Edinburg	\$250	\$200	\$250
San Marcos	\$1,057 + \$50/acre	\$1,321 + \$50/acre	\$296 after 2nd
McAllen	\$225	\$75	\$250 after 1st

MYLAR REVIEW FEES

Presented to McAllen City Commission

February 13, 2023

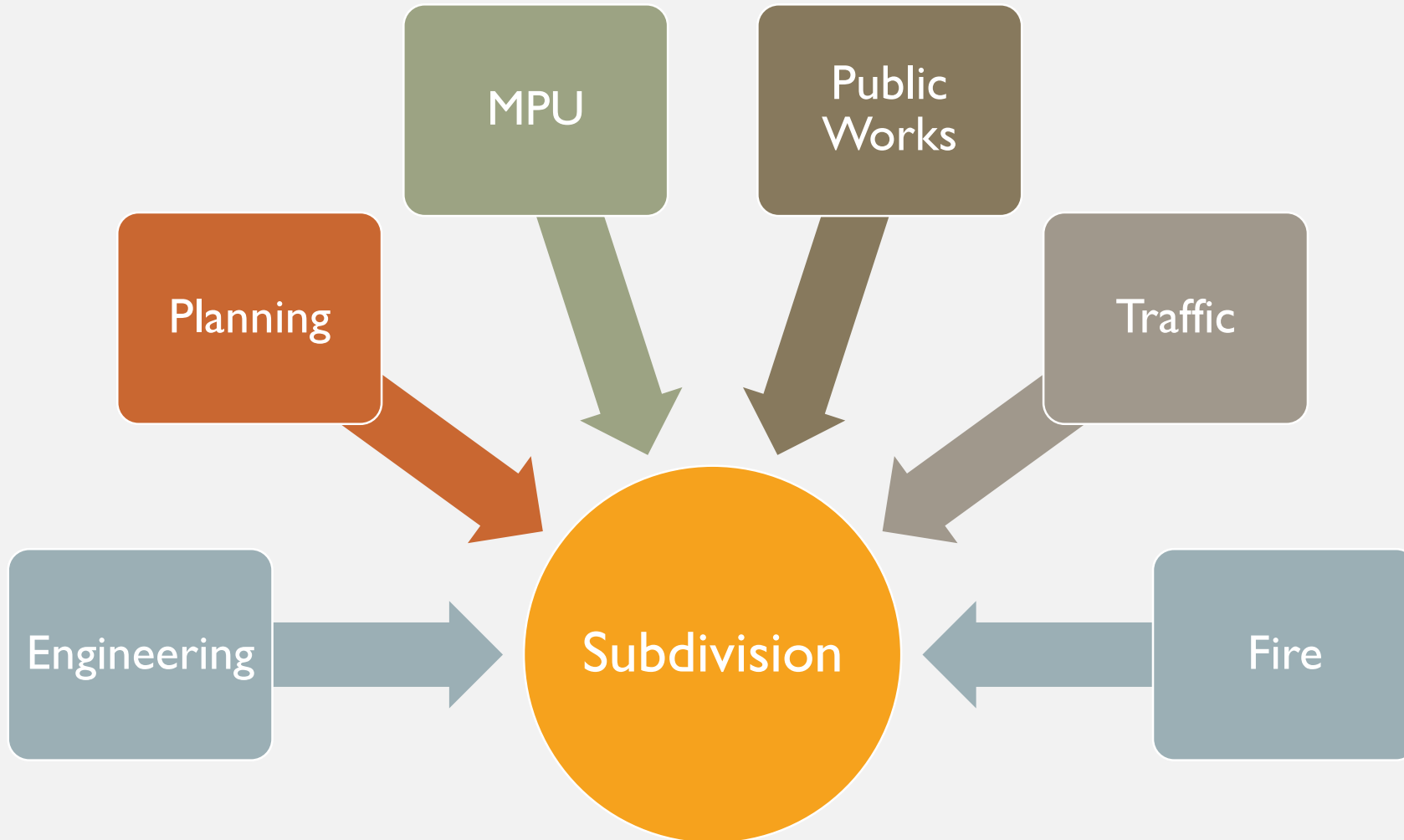


Preliminary
Plat
Review

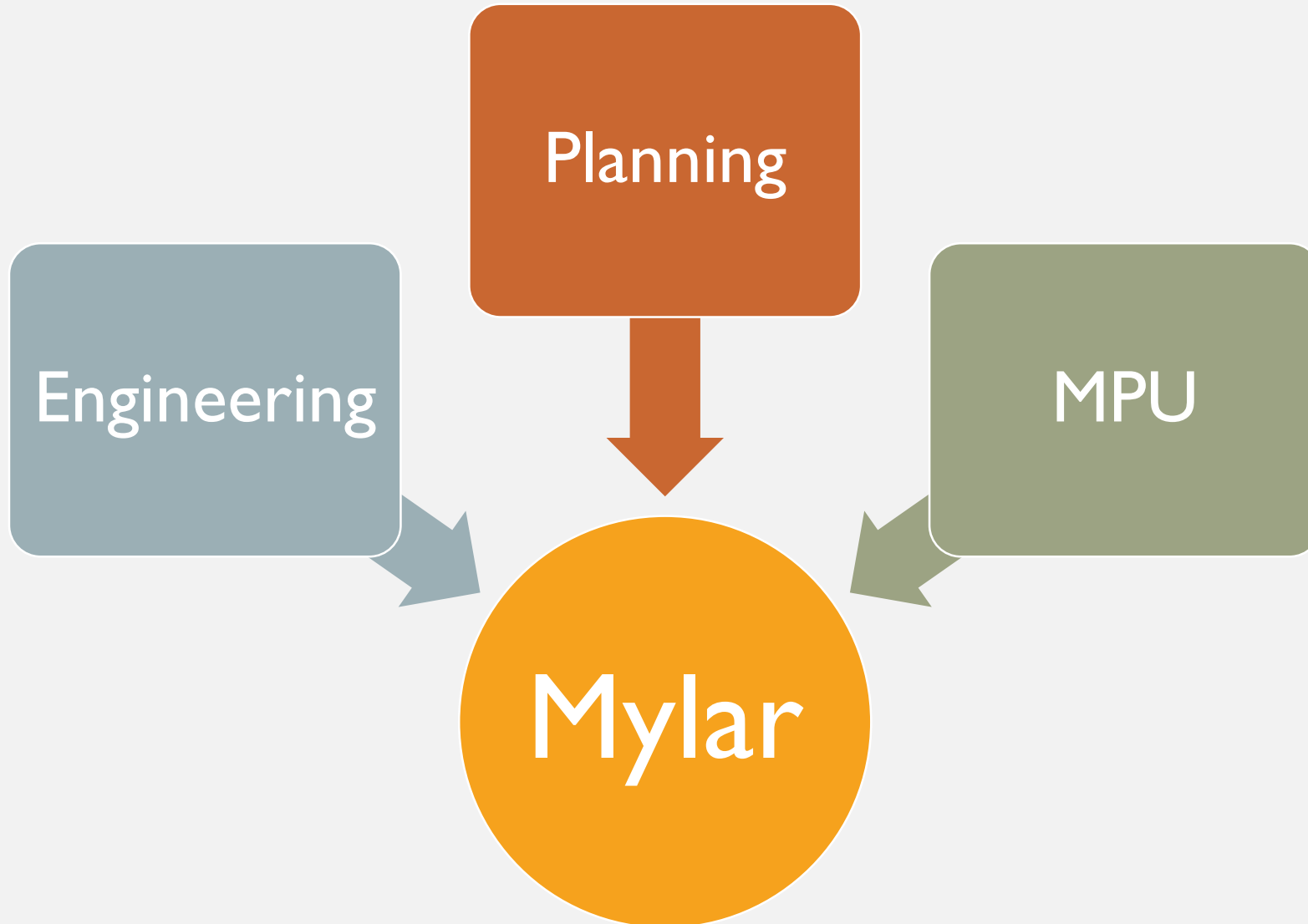
Final Plat
Review

Mylar
Review for
Recording

PLAT REVIEWING DEPARTMENTS



MYLAR REVIEWING DEPARTMENTS



SUBDIVISION REVIEW COMPARISONS

Municipality	Preliminary Review	Final Review	Mylar Review
Plano	\$280/acre	\$250 + \$5/lot	\$280/acre
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McAllen	\$225	\$75	\$250 after 1st

ISSUES & CONCERNS

- Sizeable time investment from Development Team
- Staff transformed into quality control for engineers
- Multiple reviews take time away from other subdivisions
- Fewer reviews means faster development
- McAllen still a value in Texas for development



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE4.
02/07/2023
2/13/2023

1. Agenda Item: Discussion on Fireworks Ordinance.
2. Party Making Request: James Schultz
3. Nature of Request: Seeking input from the Commission on changes to the Fireworks Ordinance
4. Routing:

James Schultz	Created/Initiated - 2/7/2023
Juan Gloria	Approved - 2/7/2023
Angie Rodriguez	Approved - 2/7/2023
Sergio Villasana	Approved - 2/7/2023
Gerardo Noriega	Approved - 2/7/2023
Isaac Tawil	New -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

McAllen Texas
Code of Ordinances

ARTICLE IV. FIREWORKS

BACKGROUND

- ***Nuisance Abatement Agreements***
 - ***Last abatement expired on August 14, 2022***

BACKGROUND

- ***Division 1, Sec. 50-92.***
 - *General prohibition against manufacture, sale, discharge, transportation, etc.; city-sponsored holiday fireworks displays.*
- Last amended – July 9, 2018

BACKGROUND

- ***Division 1, Sec. 50-92.***
 - *(b) Use by pyrotechnics – allowed **in connection with** city-sponsored fireworks display in celebration of a recognized holiday, such as 4th of July and New year's.*

BACKGROUND

- *Public Displays*
 - *Weddings*
 - *Festivals*

BACKGROUND

- ***Division 2, Sec. 50-112.***
 - *Permit-Application; fee.*
- Last amended – August 12, 2013

BACKGROUND

- ***Division 2, Sec. 50-112.***
 - *\$500.00 fee.*
- *Note: Currently charging \$50.00 since the 2018 Minute Order updating the “Fire Department Permit Fee Schedule.*

DISCUSSION

- **Enforce the fireworks ordinance as is or consider allowing more flexibility for public displays.**
- **Enforce the fireworks ordinance as is and charge the \$500 fee or consider lowering the fee.**

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

5.

DATE SUBMITTED

02/07/2023

MEETING DATE

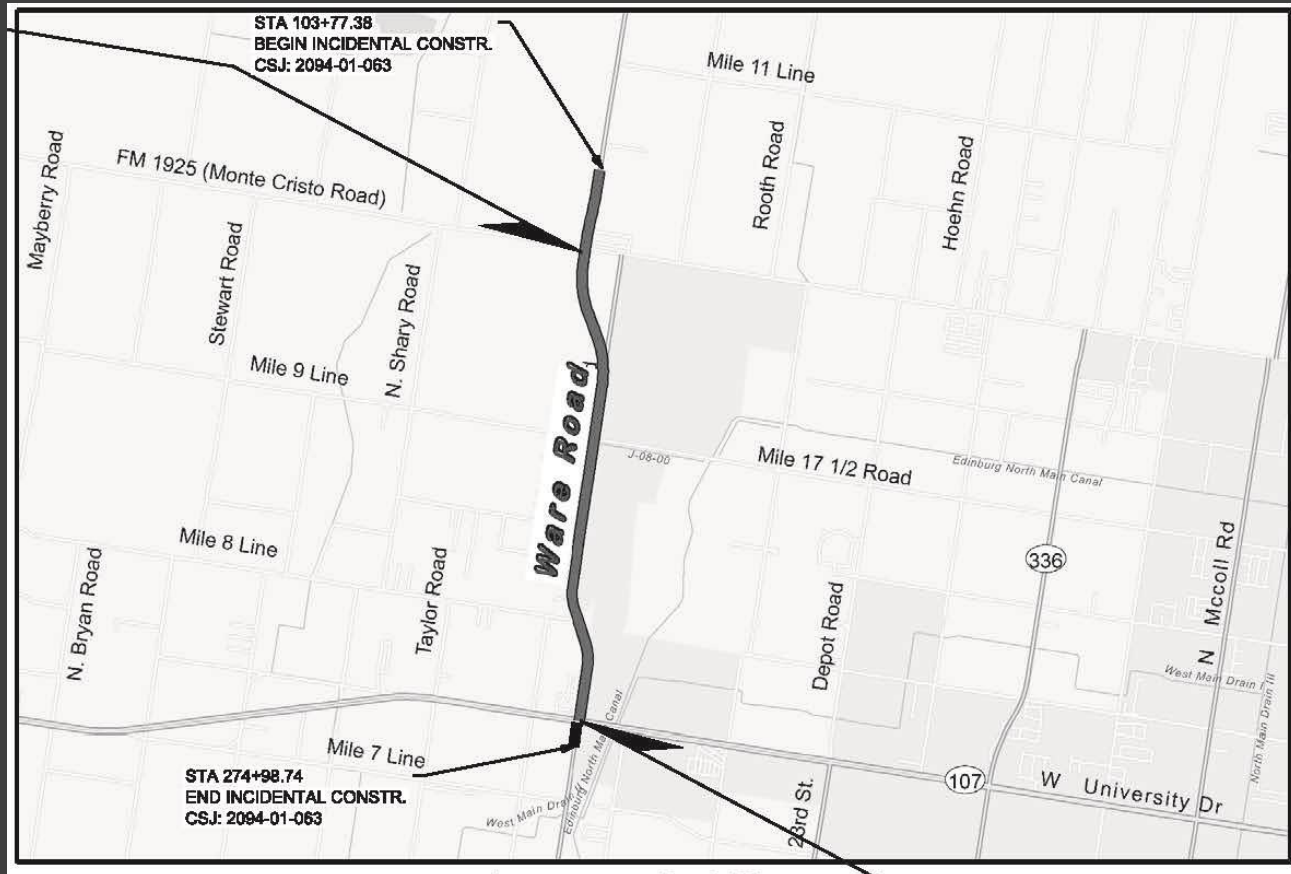
2/13/2023

1. Agenda Item: Discussion on raised median cost update from Ware Road from SH107 to Monte Cristo.
2. Party Making Request: Eduardo Mendoza
3. Nature of Request:
4. Routing:

Eduardo Mendoza	Created/Initiated - 2/7/2023
Eduardo Mendoza	Approved - 2/7/2023
Michelle Rivera	Approved - 2/8/2023
Isaac Tawil	New -
5. Staff Recommendation: Options
 1. Continue with project median paver and landscaping and seek additional funds to cover additional cost based on new estimate and overruns in Fiscal Year 23-24.
 2. Discontinue median paver and landscaping project and proceed with TXDOT original design of a concrete median.
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

Ware Road Raised Median
107 to Monte Cristo

Background



Location: Ware Road from 107 to Monte Cristo

Scope of work: Widen road from a 2-lane rural section to a 6-lane urban section with median.

Color Concrete Median w/ Landscaping



- State Cost: \$656,540
- City Cost: \$1,069,032



600 W. INTERSTATE 2, PHARR, TEXAS 78577-1231 | 956.702.6100 | WWW.TXDOT.GOV

December 16, 2022

Roel "Roy" Rodriguez, P.E.
City Manager, City of McAllen
PO BOX 220
McAllen, TX 78505

**RE: Raised Median Pavers & Landscaping Advance Funding Agreement
FM 2220 (CSJ 2094-01-063)**

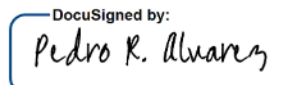
Dear Mr. Rodriguez,

We are in receipt of your letter dated November 22, 2022, in reference to the above-mentioned project. Based on the latest bid prices, the cost associated with the median pavers and landscaping is \$1,956,204.87 (includes 12% inflation based on FY27 let date) which is greater than the current budgeted amount of \$1,069,032 mentioned in your letter. However, we will have to be mindful of over runs due to inflation once the project lets and is awarded, which will be the city's responsibility to cover.

Currently, the project is anticipated to be Ready To Let (RTL) in Fall 2026 per the latest project's utility relocation schedule. Therefore, we recommend starting the Advanced Funding Agreement (AFA) process at least 6 months before the anticipated RTL date. This will allow the city time to budget for the additional funds needed to cover the estimated costs and possible over runs due to inflation. If the City is not able to budget the funds for the entire estimated cost of the median pavers and landscaping, then we will proceed with our typical concrete median barrier design without the landscaping. In the meantime, we encourage you and your staff to continue to work closely with our project team to monitor costs and schedule

As always, TxDOT strives to work with all local entities to ensure a smooth project delivery and that all State and Federal requirements are met. If you have any questions or concerns, please don't hesitate to contact me or Ms. Norma Y. Garza, P.E., at (956) 702-6100.

Sincerely,

DocuSigned by:

EABA335C2DAA48C...
Pedro R. Alvarez, P.E.
Pharr District Engineer

cc: Michelle Rivera, AICP, CPM, Assistant City Manager
Eduardo Mendoza, P.E., PTOE, City Engineer
Rex A Costley, P.E., Deputy District Engineer
Norma Y. Garza, P.E., Director of Transportation Planning & Development
Dora E. Robles, P.E., Advanced Project Development Director
Melba R. Schaus, P.E., District Planning Engineer
Romualdo Mena, P.E., Central Design Supervisor
Roberto Fina P.E., TxDOT Project Manager



ITEM SUMMARY

BOARD:	AGENDA ITEM	6.A.
	DATE SUBMITTED	
	MEETING DATE	2/13/2023

1. Agenda Item: Consultation with City Attorney regarding legal issues with grant agreements. (Section 551.071, T.G.C.)
2. Party Making Request:
3. Nature of Request:
4. Routing:
Amy Gonzalez Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD:	AGENDA ITEM	6.B.
	DATE SUBMITTED	
	MEETING DATE	2/13/2023

1. Agenda Item: Discussion and possible lease, sale or purchase of Real Property, Tract 1. (Section 551.072, T.G.C.)
2. Party Making Request:
3. Nature of Request:
4. Routing:
Amy Gonzalez Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD:	AGENDA ITEM	6.C.
	DATE SUBMITTED	
	MEETING DATE	2/13/2023

1. Agenda Item: Consultation with City Attorney regarding Catalina Mobile Home Park. (Section 551.071, T.G.C.)
2. Party Making Request:
3. Nature of Request:
4. Routing:
Amy Gonzalez Created -
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation: