



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, APRIL 10, 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 April 10, 2023 Regular Meeting Agenda, to be discussed at such meeting.
2. Discussion of the Creation of Graffiti Art Park.
3. Discussion on Tennis/Aquatics Complex.
4. Raised Median Pavers and Landscaping FM 2220 from SH 107 to Monte Cristo Road.
5. Hike and Bike Trail Update.
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 Appeal of Attorney General Ruling. (Section 551.071, TGC)
- B) Consultation with City Attorney regarding possible condemnation of a 313 sq. ft. tract out of Lot 47, Blossom Ridge Subdivision. (Section 551.071, TGC)
- C) Consultation with City Attorney regarding possible condemnation of a 313 sq. ft. tract out of Lot 238, Pride O' Texas Subdivision. (Section 551.071, TGC)
- D) Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- E) Consultation with City Attorney regarding legal issues with contract. (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 April 7, 2023 at 10:45 AM 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

4/10/2023

1. Agenda Item: Present questions to staff relating to the April 10, 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.
04/04/2023
4/10/2023

1. Agenda Item: Discussion of the Creation of Graffiti Art Park.
2. Party Making Request: Denny Meline
3. Nature of Request:
4. Routing:
Cindy Zuniga Created/Initiated - 4/4/2023
Denny Meline Approved - 4/4/2023
Isaac Tawil Final Approval - 4/4/2023
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



McALLEN
Parks & Recreation

Graffiti Art Programs

OVERVIEW

- **Current City McAllen Art**
 - Standpipes
 - Graffiti
 - Murals
- **Graffiti Art – Other City Parks**
- **Graffiti Art – Benefits**
- **Graffiti Art – Disadvantages**
- **Graffiti Art – Partnerships**
- **Graffiti Art – Programs**

Code of Ordinances – McAllen, TX

Sec. 70-4. - Damaging, defacing or littering public or school property.

(a) It shall be unlawful and a violation of the provisions of this section for any person at any time to damage, destroy or injure any public property or property of the city independent school district or any improvements located thereon, or to deface any of such property by painting, marking or otherwise placing thereon any signs, paintings, words or language, whether obscene or not.

Current McAllen Art – Standpipes



820 W Nolana Ave



2nd and Violet

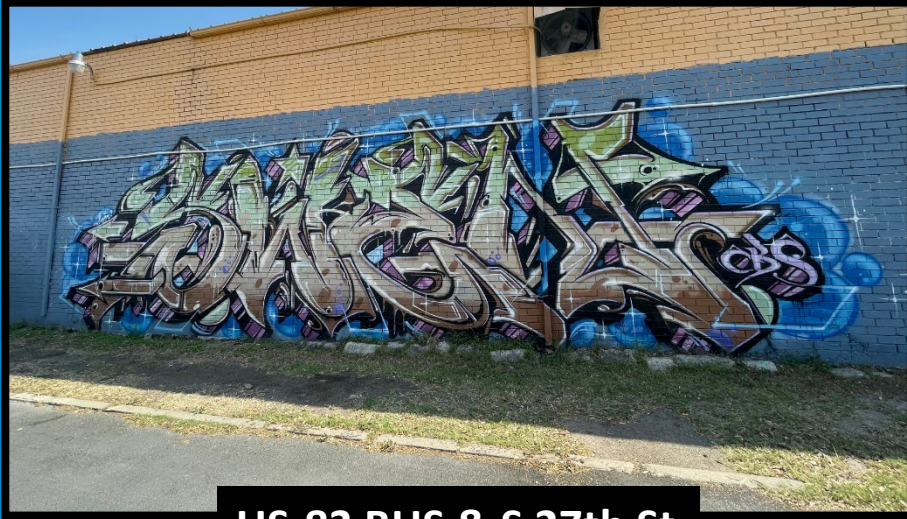


Wichita and Bicentennial

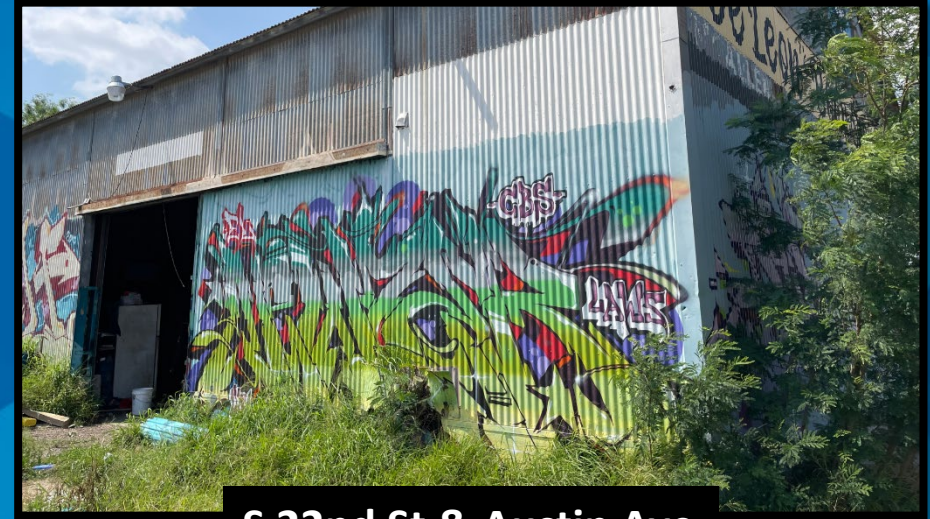


2nd and La Vista

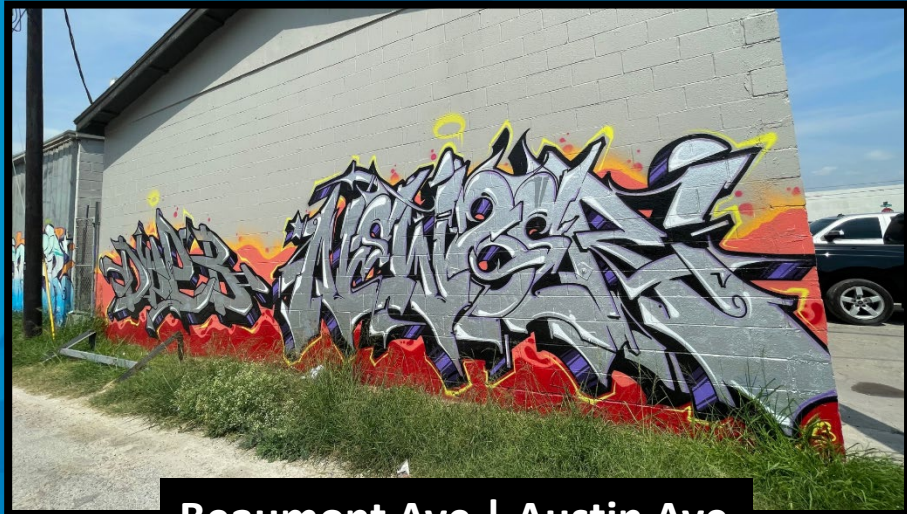
Current McAllen Art – Graffiti



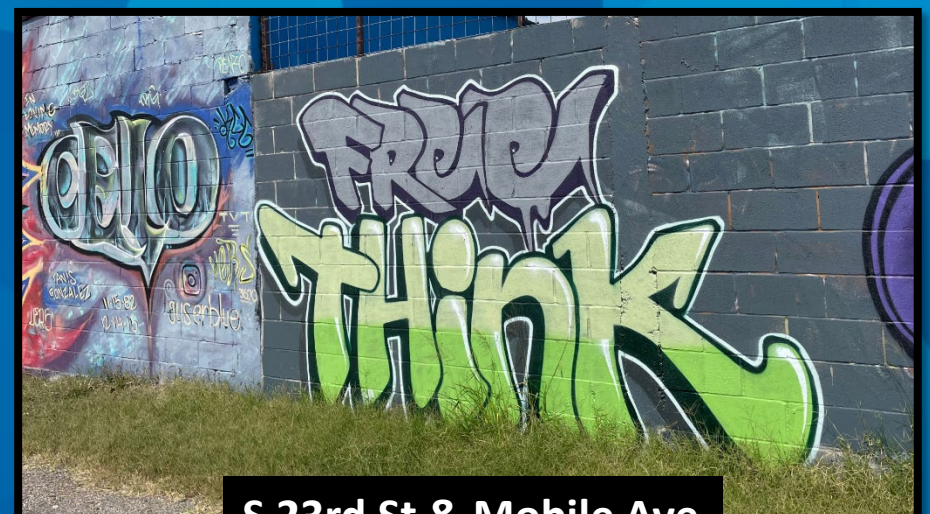
US-83 BUS & S 27th St



S 22nd St & Austin Ave

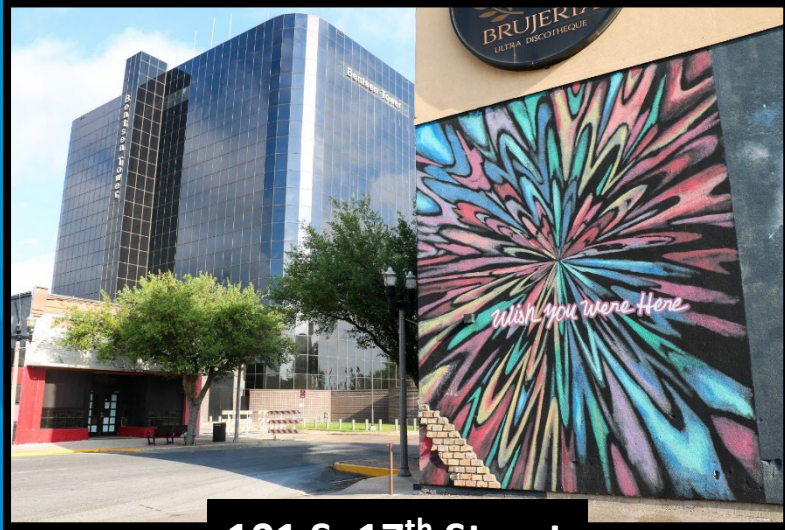


Beaumont Ave | Austin Ave

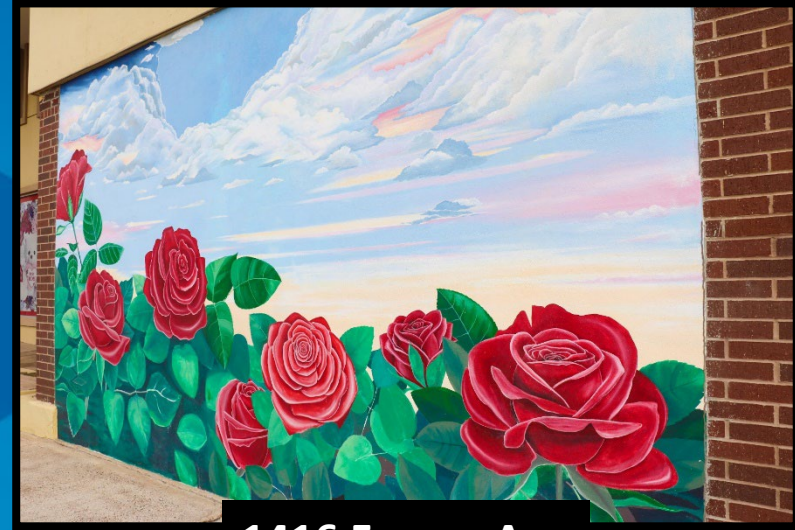


S 23rd St & Mobile Ave

Current McAllen Art – Murals



101 S. 17th Street



1416 Fresno Ave



101 S. 17th Street

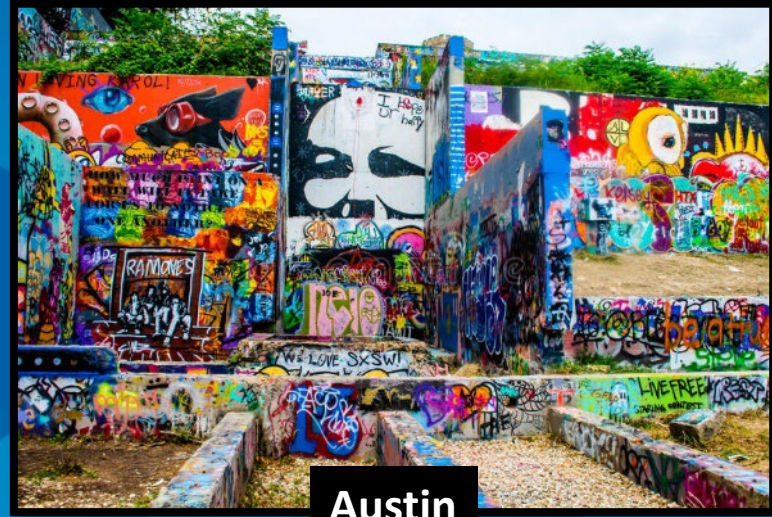


Westside Park

Graffiti Art - Other Texas City Parks



Killeen



Austin



Texarkana



Houston

Graffiti Art – Benefits

- There are four types of graffiti: tagging, satanic/hate, gang and generic
- Create an interest and connection to the city
- Helps discourage unwanted graffiti or “tagging”
- Provides for a deeper connection to the community
- Attracts art-minded individuals
- Enriches the community
- Self expression for artists
- Promotes tourism

Graffiti Art – Disadvantages

- Doorway for increase in graffiti in public and secluded areas
- Maintenance and longevity expenses
- Gang affiliations
- Property depreciation
- Human resources necessary for proper maintenance and oversight of locations
- Programming expenses
- Curriculum design and location for programming
- Suitable locations

Graffiti Art – Partnerships

- Keep McAllen Beautiful
- University of Texas Rio Grande Valley (UTRGV)
- South Texas College (STC)
- McAllen Independent School District (MISD)
- Parks & Recreation Programming
- McAllen Chamber of Commerce – Creative Incubator
- McAllen Police Department



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

3.
04/04/2023
4/10/2023

1. Agenda Item: Discussion on Tennis/Aquatics Complex.
2. Party Making Request: Denny Meline
3. Nature of Request: Update on Tennis/Aquatics Complex concept.
4. Routing:
Cristina Monroy
Denny Meline
Isaac Tawil
Created/Initiated - 4/4/2023
Approved - 4/4/2023
Final Approval - 4/4/2023
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

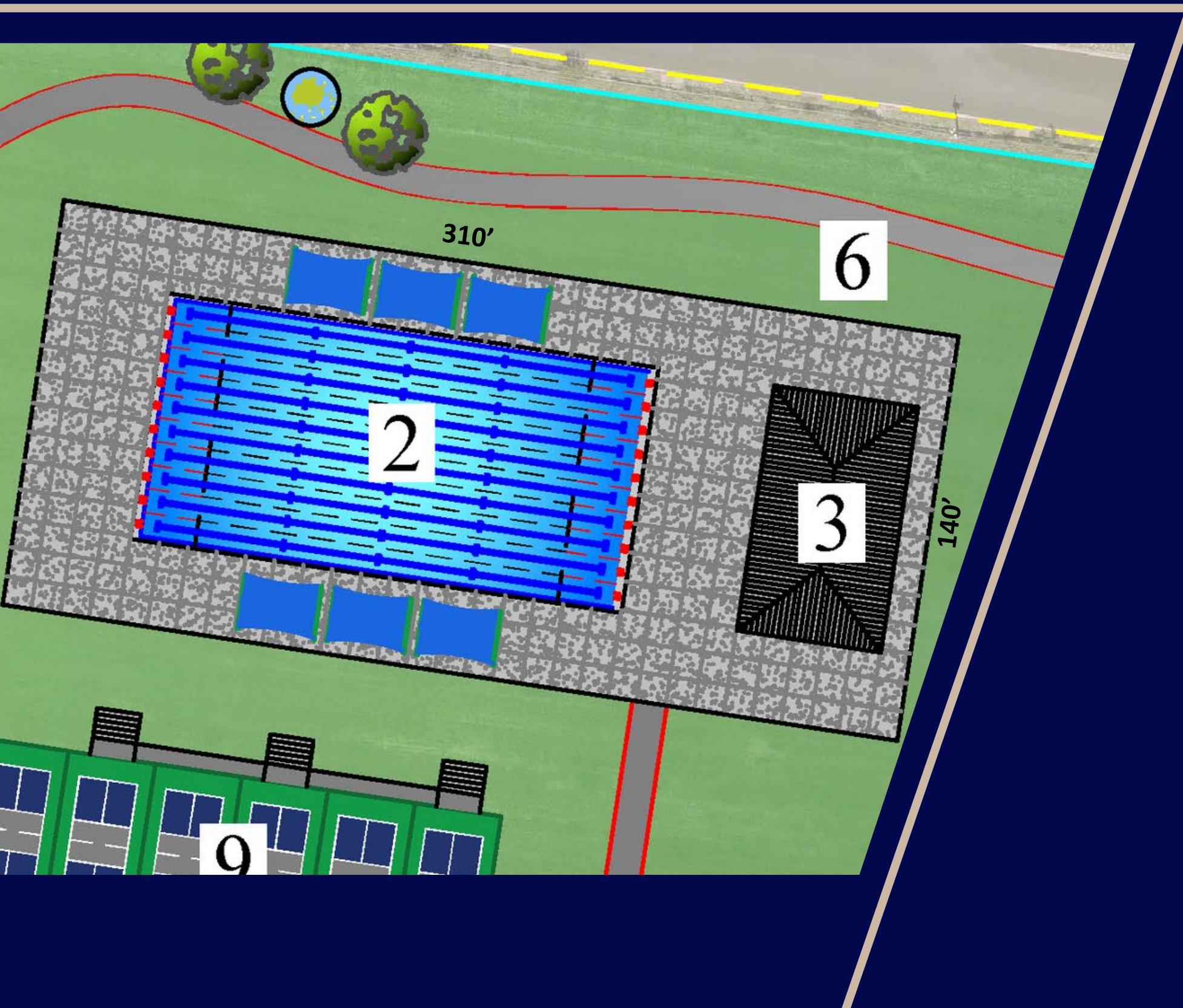


TENNIS/AQUATICS COMPLEX

TENNIS / AQUATICS COMPLEX

- Proposed Facility Layout
- Amenities
 - Swimming Pool
 - Tennis Courts
 - Pickleball Courts
 - Multipurpose Field
 - Dog Park
 - Track/Walking Trail
 - Splash Pad

SWIMMING POOL



- 50x 25 Meter Heated Pool with lap lanes, diving boards, and starting blocks
- Wading Pool
- Bath House
- Seating
- Shade Structures

ESTIMATED COST: \$4,318,250

TENNIS & PICKLEBALL

- 16 Tennis Courts (255' x 495')
- 6 Pickleball Courts (60' x 180')
- Shade Structures & Seating
- Restroom, Office, Pro Shop

ESTIMATED COST: \$2,458,000



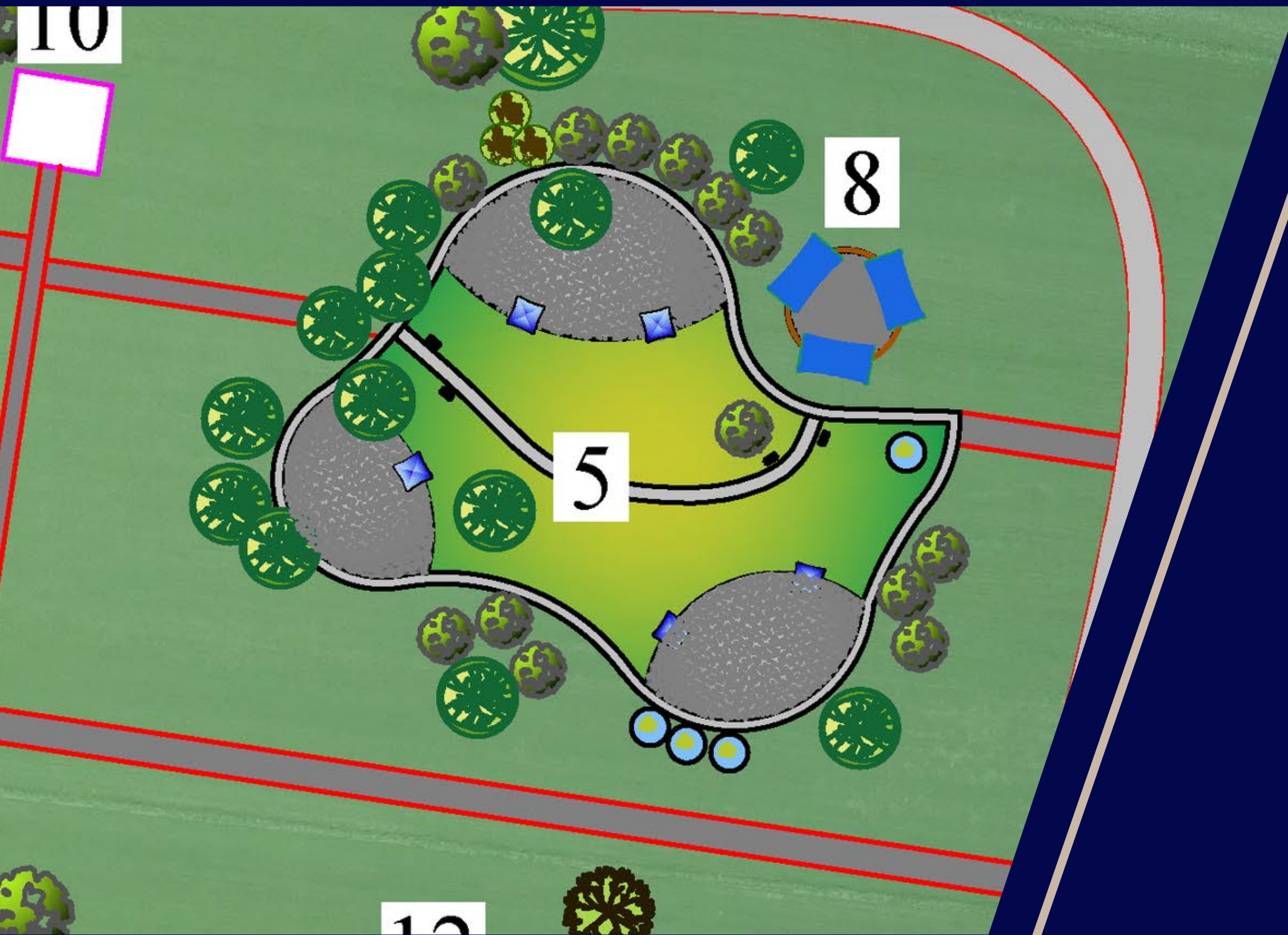
MULTIPURPOSE FIELD



- 1 Multipurpose Field (200' x 300')
- Goals
- Shade Structures & Seating

ESTIMATED COST: \$219,000

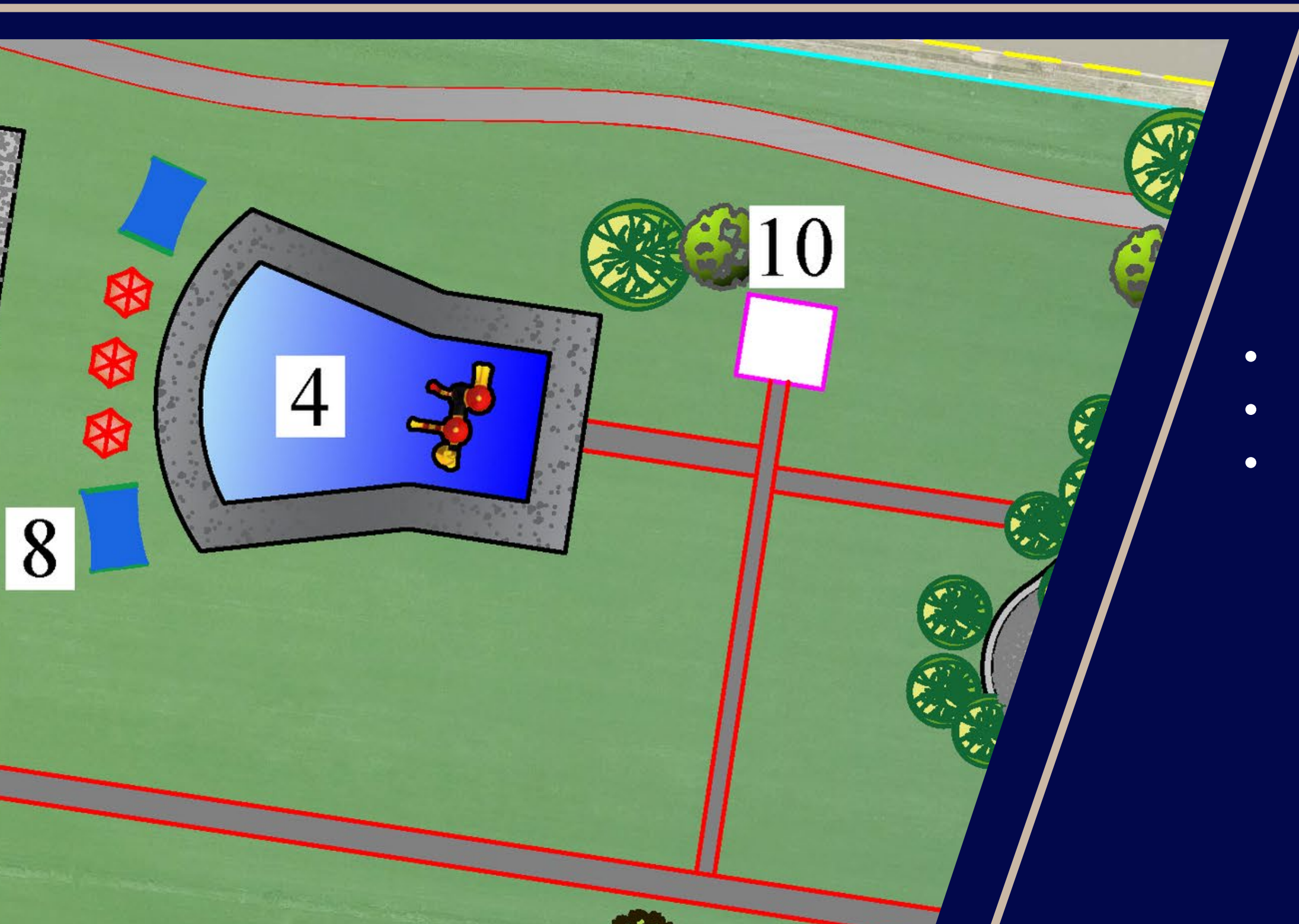
DOG PARK



- 60,200 Square Foot Park
- Obstacles
- Dog Waste Station
- Water Fountains

ESTIMATED COST: **\$167,300**

SPLASH PAD



- 6,680 Square Foot Splash Pad
- Water Feature Amenities
- Shade Structures

ESTIMATED COST: \$550,000

COMPLEX INFRASTRUCTURE

- Schematic Design, Development, Construction Documents
- General Conditions, Permits, Bonds, Insurance
- Utilities
- Lighting
- Fencing
- Parking
- Landscaping & Irrigation
- 20% Contingency
- Amenities
- Trail System (Estimated 3,050 Linear Feet)

ESTIMATED COST:

\$9,023,411

Does not include land (acquisition) or maintenance cost





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.

DATE SUBMITTED

04/04/2023

MEETING DATE

4/10/2023

1. Agenda Item: Raised Median Pavers and Landscaping FM 2220 from SH 107 to Monte Cristo Road.
2. Party Making Request: Eduardo Mendoza
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary:
6. Budgeted:

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

Eduardo Mendoza	Created/Initiated - 4/4/2023
Michelle Rivera	Approved - 4/4/2023
Isaac Tawil	Final Approval - 4/4/2023
8. Staff Recommendation: Staff has proposed several options for consideration and seeks direction from City Commission.
9. Advisory Board:
10. City Attorney:
11. Manager's Recommendation:



ENGINEERING DEPARTMENT
MEMORANDUM

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

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

Date: March 8, 2023

Subject: Award of Contract – Ware Road Median from SH 107 to Monte Cristo Rd.

Goal

Consideration of Award of Contract for the Northgate Lane Drainage Improvements project.

Explanation

The Texas Department of Transportation (TXDOT) is working on the roadway plans to expand Ware Road from SH107 to Monte Cristo Road. The project will widen the road from a 2-lane rural section to a 6-lane urban section with median. The median is proposed to be concrete only. In January of 2022 City Commission recommended to contribute difference in funds for the addition of median pavers and landscaping in lieu of a concrete median in the amount of \$1,069,032.00 and any overruns. The City is seeking to enter into an Advance Funding Agreement and the estimated associated cost for median pavers and landscaping has increase \$1,956,204.87. Staff has budgeted the original amount of \$1,069,032.00. The project has increased and additional \$887,717.87.

Due to the escalation in cost staff is seeking direction from City Commission on design of median. Staff has reached out to TXDOT and they are acceptable to modifying plans to reduce landscaping and/or pavers. Staff would need to coordinate with TXDOT

Options

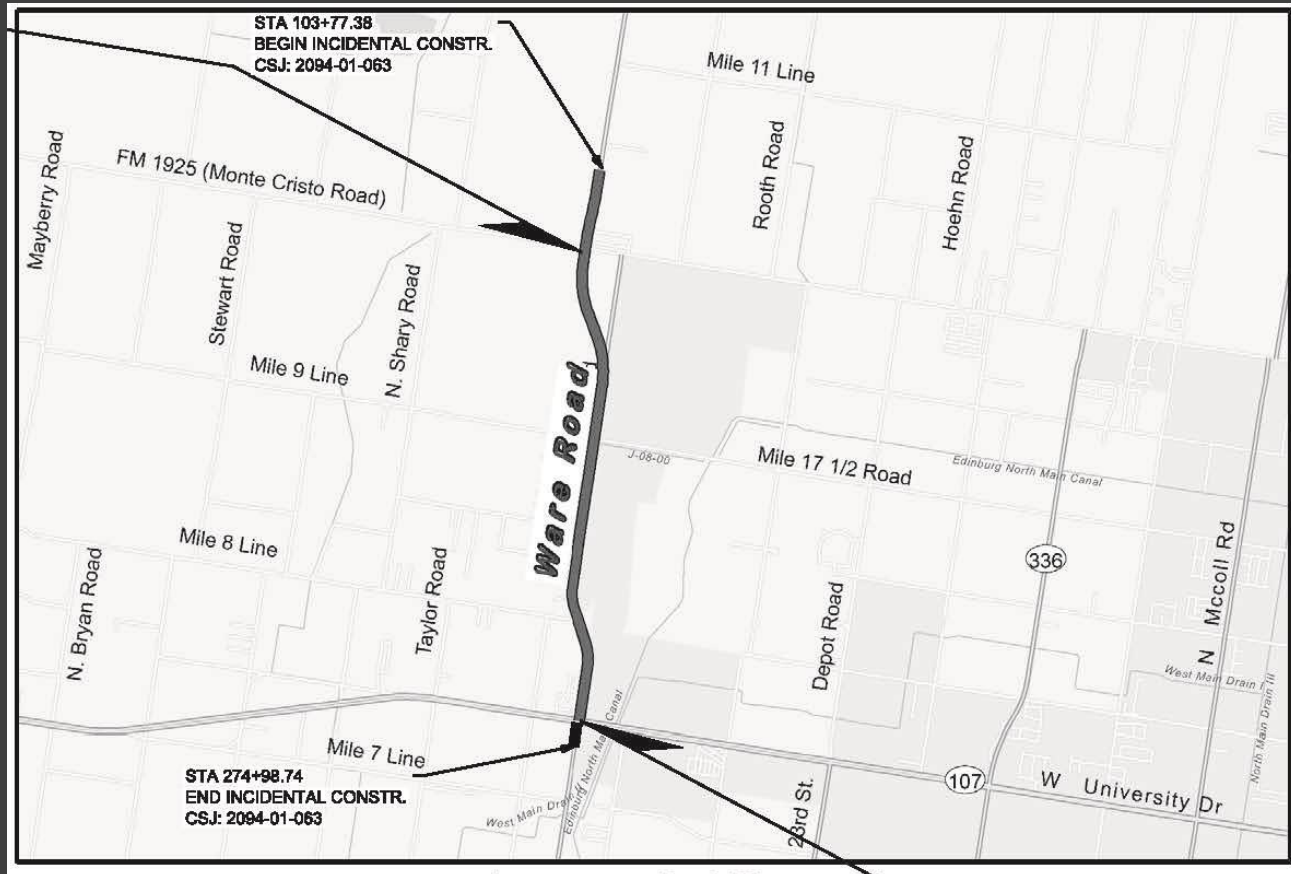
- 1) Recommend median with landscaping in the amount of \$1,956,204 with overruns if necessary.
- 2) Recommend median with pavers up to a specified cost with overruns, if necessary, at time of bid.
- 3) Recommend a median with color up to a specified cost with overruns, if necessary, at time of bid
- 4) Recommend concrete median at no cost to City.

Recommendation

Staff seeks direction from City Commission and has proposed several options for consideration.

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.

Median is proposed to be concrete only.

Concrete Median



- City Cost: No Cost

Color Concrete Median



- Previous estimate
- City Cost: \$109,960

Paver Median



- Previous Estimate
- City Cost: \$559,660

Pavers Median w/ Landscaping



- Revised cost
- City Cost: \$1,956,204.87



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

5.
04/04/2023
4/10/2023

1. Agenda Item: Hike and Bike Trail Update.

2. Party Making Request: Denny Meline

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 Zuniga
Denny Meline
Isaac Tawil

Created/Initiated - 4/4/2023
Approved - 4/4/2023
Final Approval - 4/4/2023

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:

The map displays the City of Allen, Texas, with a grid of streets and highways. Major roads include North Stary Road, North Ware Road, North 23rd Street, North 10th Street, and South Stary Road. The Gross Private Airport is located in the upper left. The Main Floodway is indicated by a blue line running through the center of the city. Various road labels are present, such as FM 494, FM 2220, FM 1924, FM 1925, FM 2061, FM 3362, FM 1016, TX 336, TX 495, and TX 140. The map also shows the 4N and 4E grid lines.



Current Hike and Bike Trails

Bentsen (1 Mile):

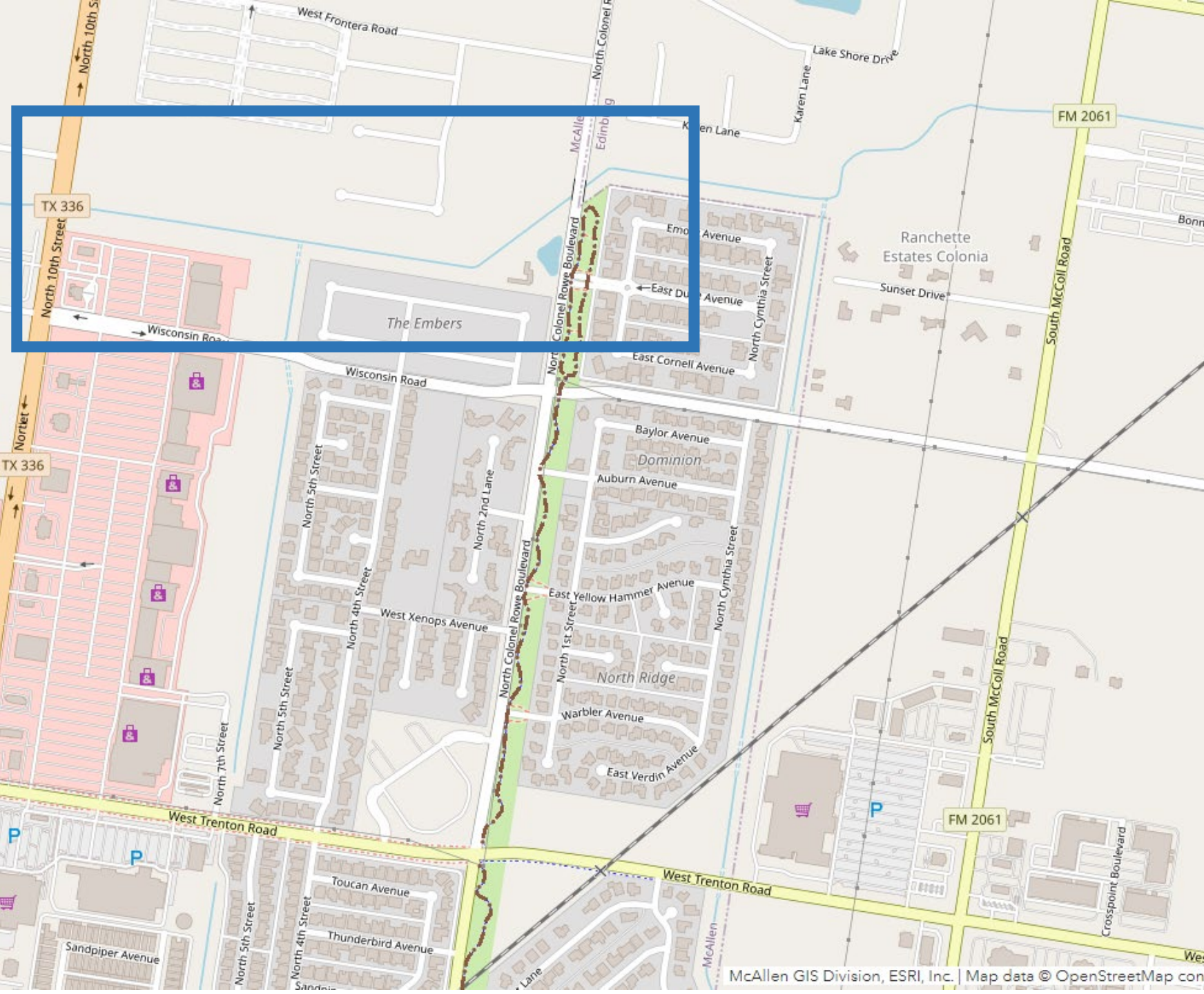
South of Vine North to Nolana

Bicentennial (6.5 Miles):

Wichita north to Auburn

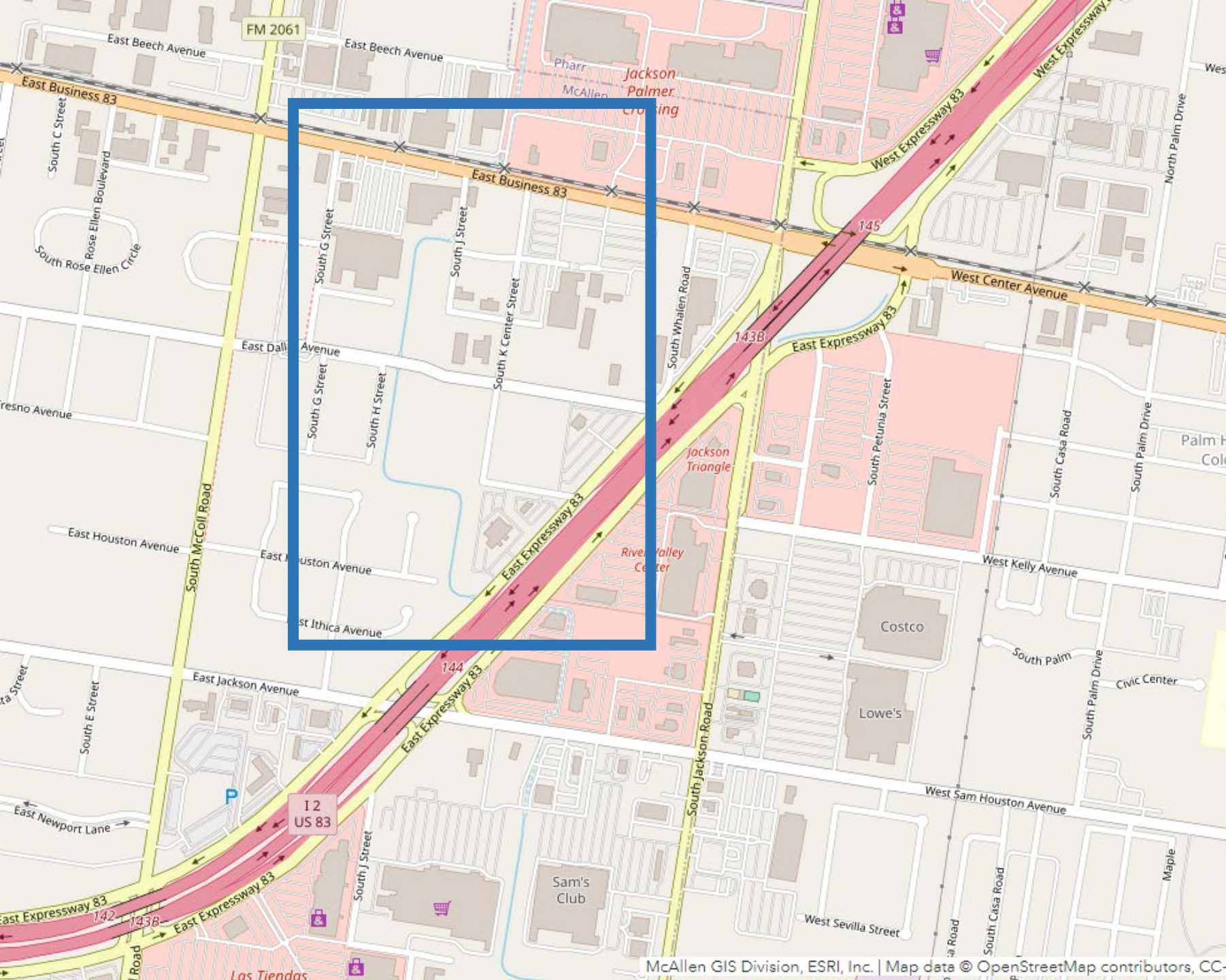
2nd Street (7.5 Miles):

10th Intersection north to Wisconsin



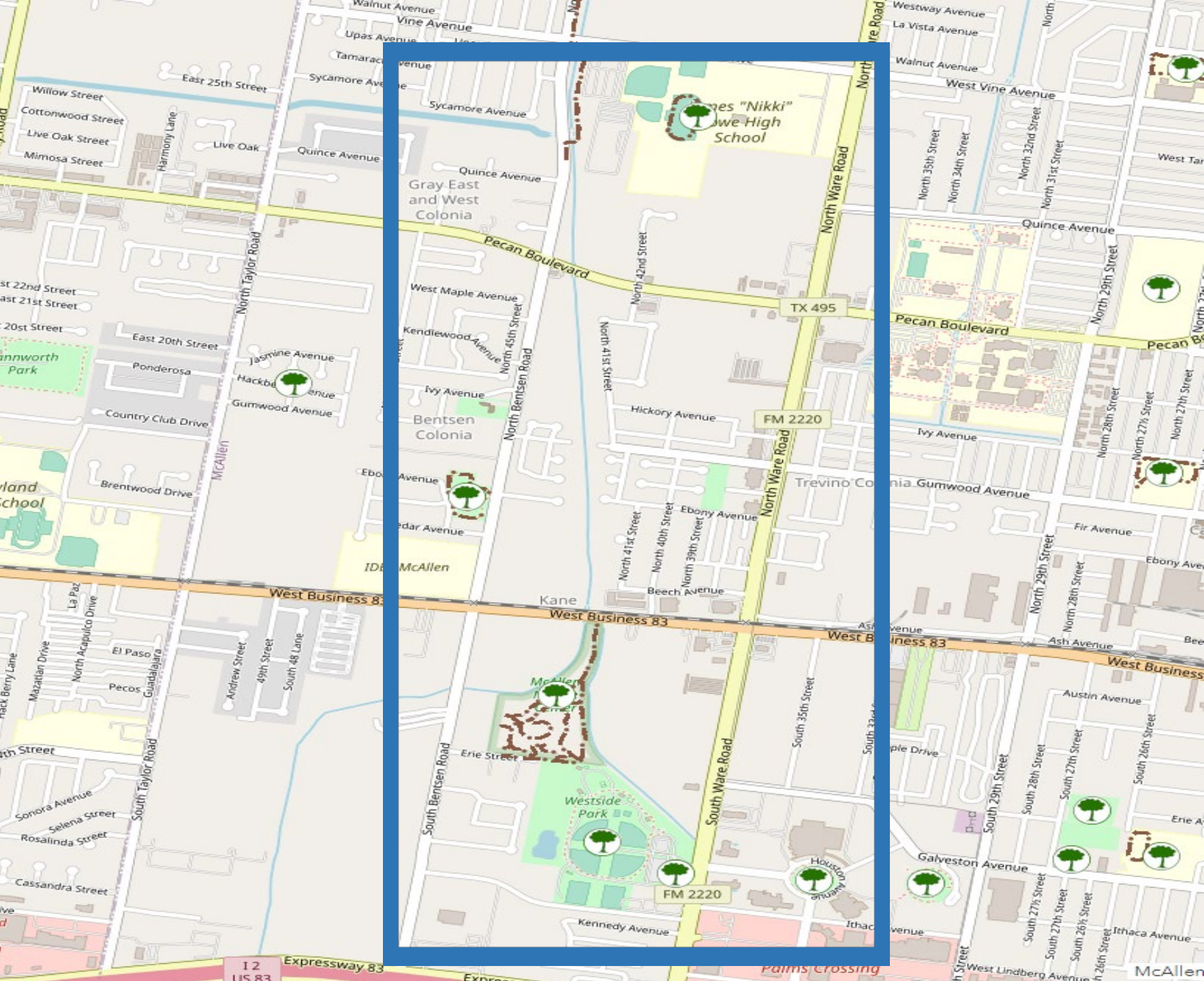
2nd Street Underground Box with Engineering

Collaborate with Engineering for underground crossing point to connect on Hidalgo County Drainage north of Wisconsin for Hike and Bike users to travel East to McColl and West to 10th Street.



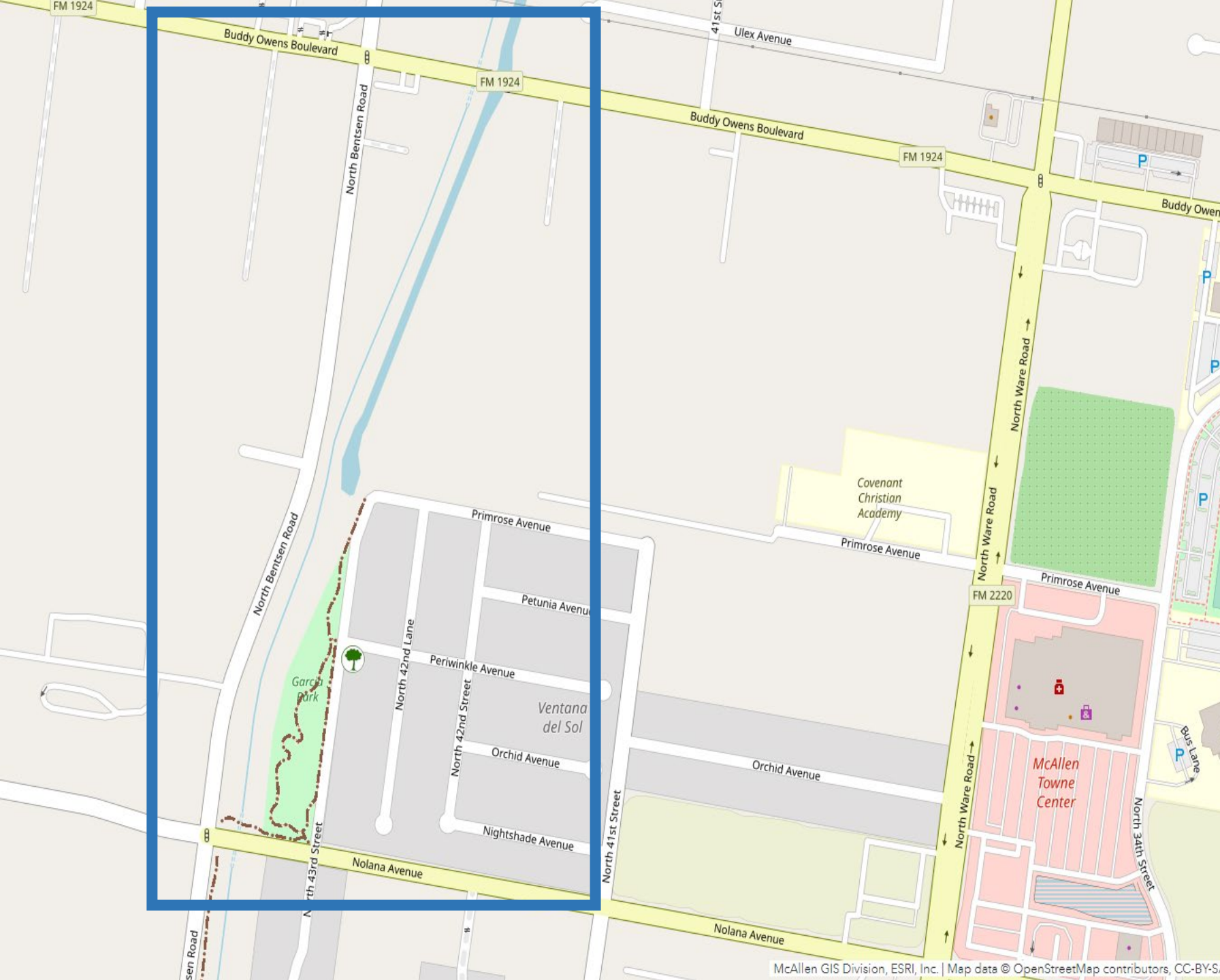
East Dallas Half Mile Connection to South J Street

Utilizing the Pharr-McAllen Southeast Lateral for a walking trail connecting to South J Street for mobility to Business 83.



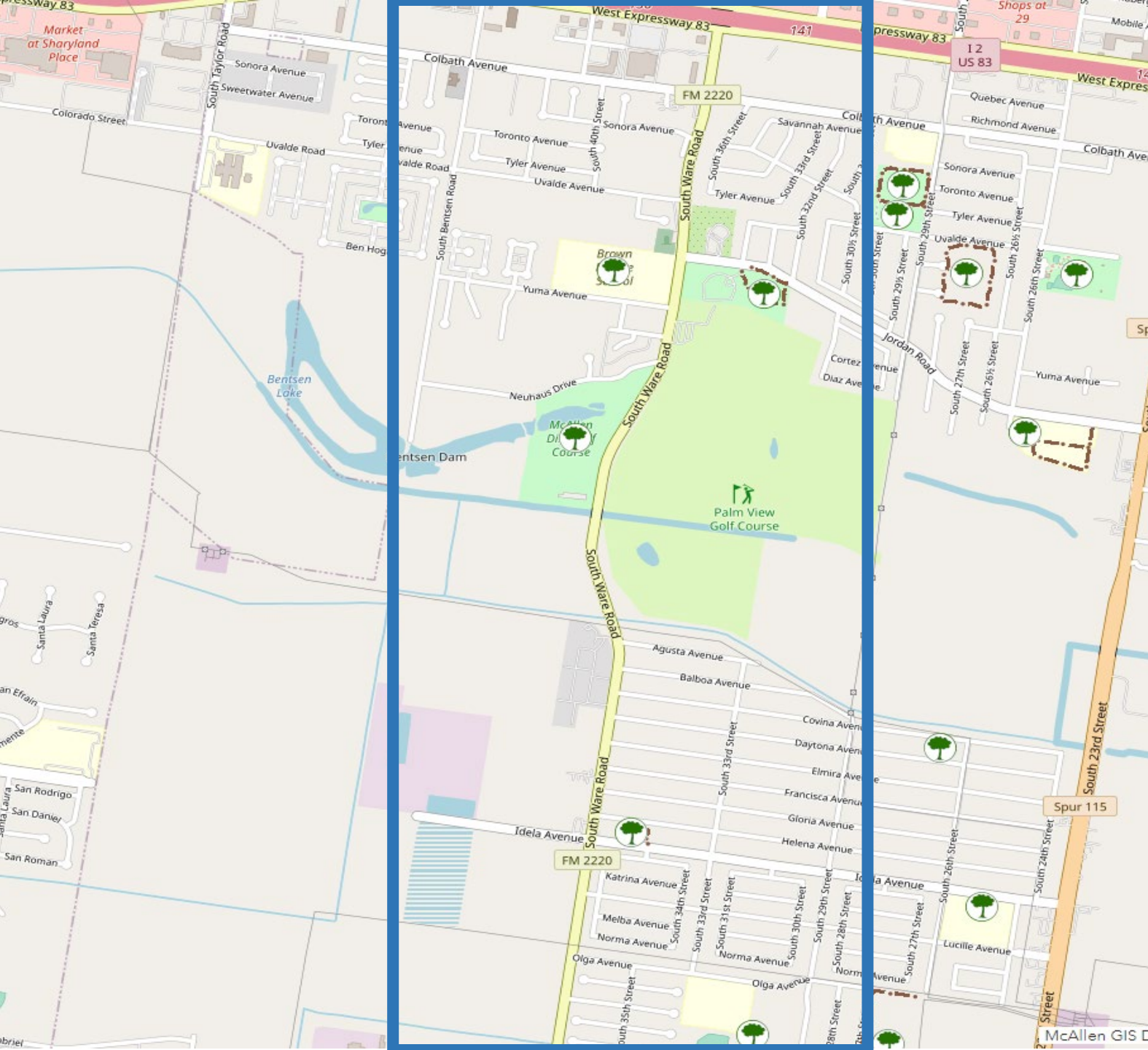
Bentsen South toward Westside Park to Ware Rd

Expand south on Bentsen Trail
following Hidalgo County
Drainage crossing Pecan and
Crossing Business 83 through
McAllen Nature Center along
Westside Park to Ware Rd



Bentsen North to Buddy Owens

Bentsen trail ends on the North side of Nolana where the sidewalk enters Garcia Park and ends at Primrose. Expansion would cross La Ventana greenbelt onto Irrigation District 1 Canal to connect to Buddy Owens

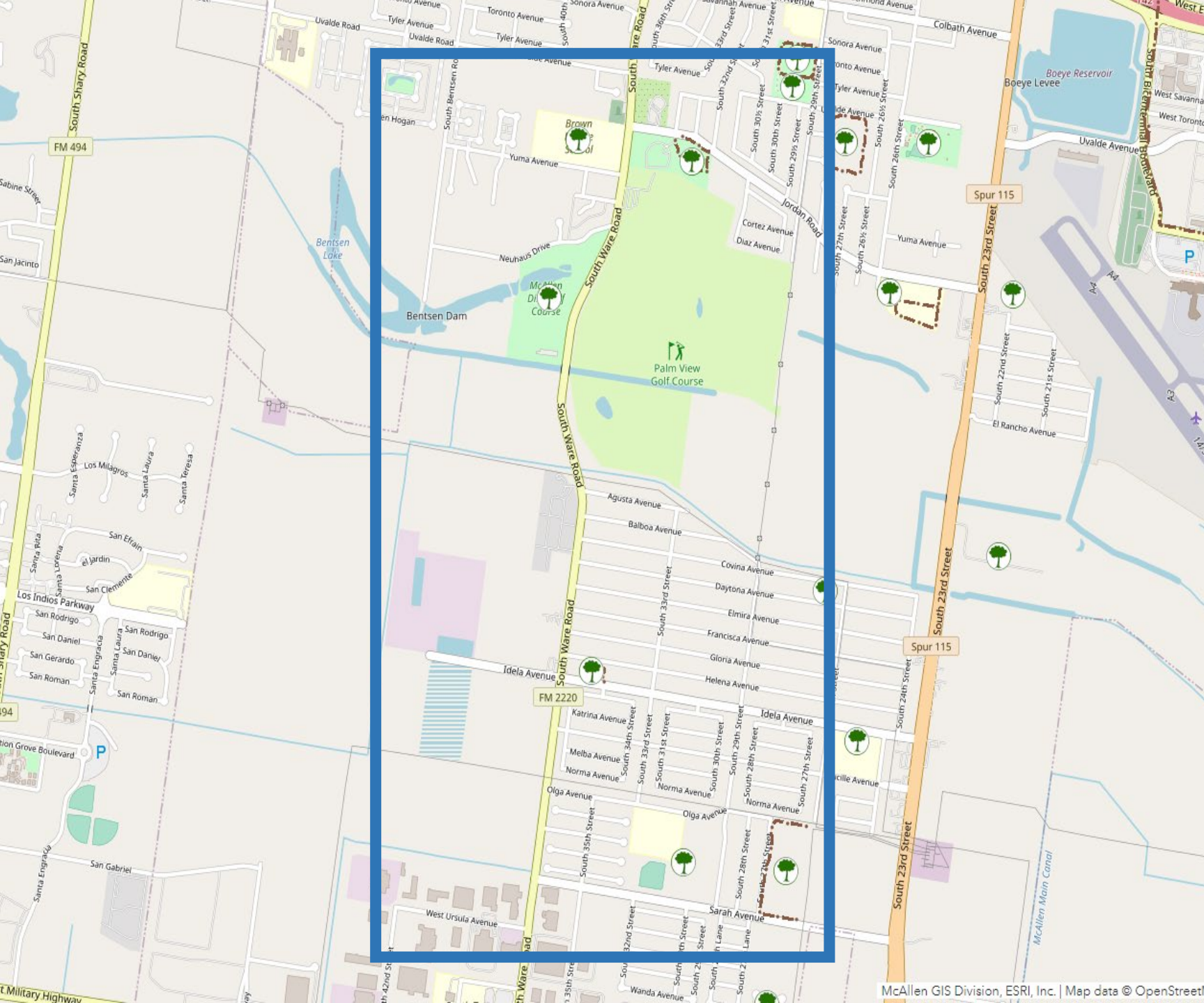


Ware Road (East) Sidewalk Improvements South to Sarah Ave

East side of Ware Road from
Frontage heading south;
improve sidewalk to 8 feet
with potential connection to
proposed Hidalgo County
Pct. 2 trail on Balboa Ditch.

Ware Road (West) Sidewalk Improvements Jordan South to Sarah Ave

West side of Ware Rd
sidewalk improvements plus
expansion from Jordan
Intersection South to Sarah
with possible connection to
Mission Inlet from proposed
Hidalgo County Pct. 2





ITEM SUMMARY

BOARD:	AGENDA ITEM	6.A.
	DATE SUBMITTED	
	MEETING DATE	4/10/2023

1. Agenda Item: Consultation with City Attorney regarding Appeal of Attorney General Ruling. (Section 551.071, TGC)
2. Party Making Request:
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary:
6. Budgeted:

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



ITEM SUMMARY

BOARD:

AGENDA ITEM

6.B.

DATE SUBMITTED

MEETING DATE

4/10/2023

1. Agenda Item: Consultation with City Attorney regarding possible condemnation of a 313 sq. ft. tract out of Lot 47, Blossom Ridge Subdivision. (Section 551.071, TGC)
2. Party Making Request:
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____
7. Routing:

Amy Gonzalez

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



ITEM SUMMARY

BOARD:

AGENDA ITEM

6.C.

DATE SUBMITTED

MEETING DATE

4/10/2023

1. Agenda Item: Consultation with City Attorney regarding possible condemnation of a 313 sq. ft. tract out of Lot 238, Pride O' Texas Subdivision. (Section 551.071, TGC)
2. Party Making Request:
3. Applicant:
4. Nature of Request:
5. Fiscal Impact Summary:
6. Budgeted:

Bid Amount: _____

Under Budget: _____

Budgeted Amount: _____

Over Budget: _____

Amount Remaining: _____
7. Routing:

Amy Gonzalez

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



ITEM SUMMARY

BOARD:	AGENDA ITEM	6.D.
	DATE SUBMITTED	
	MEETING DATE	4/10/2023

1. Agenda Item: Consideration of Economic Development Matters. (Section 551.087, T.G.C.)

2. Party Making Request:

3. Applicant:

4. Nature of Request:

5. Fiscal Impact Summary:

6. Budgeted:

Bid Amount: _____
Under Budget: _____

Budgeted Amount: _____
Over Budget: _____
Amount Remaining: _____

7. Routing:
Amy Gonzalez

Created -

8. Staff Recommendation:

9. Advisory Board:

10. City Attorney:

11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.E.

DATE SUBMITTED

MEETING DATE

4/10/2023

1. Agenda Item: Consultation with City Attorney regarding legal issues with contract. (Section 551.071, T.G.C)
2. Party Making Request: Isaac Tawil
3. Nature of Request:
4. Routing:
Cindy Zuniga
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

Created -