



Mayor James "Jim" Darling
Mayor Pro Tem/Commissioner Veronica Whitacre
Commissioner Javier Villalobos
Commissioner Joaquin J. Zamora



Commissioner J. Omar Quintanilla
Commissioner Tania Ramirez
Commissioner Victor "Seby" Haddad
City Manager Roel "Roy" Rodriguez, P.E.

**NOTICE OF WORKSHOP TO BE HELD BY THE
MCALLEN BOARD OF COMMISSIONERS
MONDAY, JANUARY 13, 2020 – 4:00 PM
MCALLEN CITY HALL
COMMISSION CHAMBERS - 3RD FLOOR
1300 HOUSTON AVENUE
MCALLEN, TEXAS 78501**

AGENDA

"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 January 13, 2020 Regular Meeting Agenda, to be discussed at such meeting.
2. Discussion on Negotiation Process with Engineering Design Consultants.
3. Discussion of the Decommissioning of Downtown Signals.
4. Discussion of proposed regulations for parking lot operators.
5. Discussion of Vehicles for Hire Ordinance.
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 pending litigation - Cause No. CL-19-6290-A; Francisco J. Gonzalez v. City of McAllen. (Section 551-071, T.G.C.)

- B)** Consultation with City Attorney regarding pending litigation - Cause No. CL-19-6503-E; Saul Gonzalez v. City of McAllen. (Section 551.071, T.G.C.)
- C)** Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
- D)** Discussion and possible lease, sale or purchase of real estate property: Tract 1. (Section 551.072, 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 January 10, 2020 at 2:00 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	1/7/2020
MEETING DATE	1/13/2020

1. Agenda Item: Present questions to staff relating to the January 13, 2020 Regular Meeting Agenda, to be discussed at such meeting.
2. Party Making Request: Perla Lara
3. Applicant:
4. Nature of Request: Present questions to staff relating to the January 13 Regular Meeting Agenda, to be discussed at such meeting.
5. Fiscal Impact Summary:
6. Budgeted:

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

Cindy Gonzalez	Created/Initiated - 1/7/2020
Perla Lara	Approved - 1/7/2020
Kevin Pagan	New - 10/22/2019
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney:
11. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

2.

DATE SUBMITTED

1/7/2020

MEETING DATE

1/13/2020

1. Agenda Item: Discussion on Negotiation Process with Engineering Design Consultants.

2. Party Making Request: Yvette Barrera

3. Nature of Request: Discussion of negotiations for Design Services

4. Routing:

Yvette Barrera
Michelle Rivera
Kevin Pagan

Created/Initiated - 1/7/2020
Approved - 1/7/2020
New -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:



**CITY OF MCALLEN
ENGINEERING DEPARTMENT
MEMORANDUM**

To: Roel "Roy" Rodriguez, City Manager
From: Yvette Barrera, PE, CFM, City Engineer
Date: January 7, 2020
Subject: Discussion on Design Services Negotiation Process

Goal

Discussion on Design Services process for negotiating fee.

Explanation

At a previous meeting, the Commission requested an update on the process for negotiating services for Engineering and/or Architectural contracts. The negotiation process begins after the Commission has selected a Consultant as being the best qualified candidate to perform the work.

The design fee is then established based on industry best practices for the services being performed. There are generally three methods that are considered: time basis, percentage of construction cost, or fixed fee/lump sum. For the services we procure, we generally base the fee on a percentage of construction cost for Architectural Services and a lump sum for Engineering services. However, the lump sum is based on the percentage of construction for comparison purposes.

At the time of negotiations, City staff submits an estimate of the construction cost to the design firm for review and concurrence of the cost. The design firm often does a preliminary estimate for comparison with the estimate prepared by staff. There are some circumstances where the design firm uses the City's estimate without review. The design firm then prepares their scope of services and associated fees for review by the City.

City staff then reviews the fee and scope to ensure that all elements are included in the scope of services. Then a comparison to the construction cost is evaluated. Typically, the fee ranges between 7-9 percent of the construction cost. This variance is due to complexity and size of project. The fee can be outside the range if it includes specialty services, such as surveying, geotechnical engineering services, or extensive construction management. Those fees are evaluated separately either on a time basis or percentage of construction cost but set as a lump sum.

For example, the design services were estimated for the Bond projects at 12% of the construction cost. The basic services average at 8%, surveying at 1%, and construction materials testing at 3%. However, the percentages vary for each project based on the work being performed.

Recommendation

Review and Discuss the process for negotiating design services.



Negotiations for Design Services

Basis of Compensation

Time Basis

- Advisory
- Project Management
- Construction Management
- Resident Engineer

Percent of Construction Cost

- Basic Services for Design
- Construction Administration

Fixed Fee / Lump Sum

- Basic Services for Design
- Construction Administration

Design fees can be based on one or more of the methods described. The selected method depends on the requested services and complexity of the project.

Sample Fee Schedule

TASK	PRINCIPAL \$185/HR	PROJECT MANAGER \$165/HR	PROJECT ENGINEER \$135/HR	EIT \$75/HR	CADD TECH \$60/HR	ADMIN. \$60/HR	CLERICAL \$35/HR	TOTAL
1. Study and Preliminary Design								
1 Consult with City of McAllen to define and clarify requirements for the project. (Design objectives and constraints, budgetary limitations, available data information, reports and preliminary site evaluations)	2	2	8					\$1,780.00
2 Identify, study and evaluate potential solutions & submit for approval	4	8	45	10	14			\$9,725.00
3 Coordination of preliminary field and topographic survey			2	8	6			\$1,230.00
4 Preliminary design meetings with City of McAllen	1	5	10					\$2,360.00
5 Site visits for assessment of existing stormwater system and drainage patterns		8	16	12				\$4,380.00
6 Prepare preliminary engineering report								\$0.00
Direct Sub Consultant Fees								
Field topographic survey								\$35,000.00
Total Preliminary Design Phase								\$54,475.00
2. Design Phase								
1 Conduct Design Progress Meetings		2	2					\$600.00
2 Construction Plans and Specifications								\$0.00
A. Preparation of Construction Plans	10	110	260	90	400			\$85,850.00
B. Standard and Special Project Details	12	20	40	20	40			\$14,820.00
C. Special/Supplemental Conditions & Technical Specifications	12	40	60	40		4	40	\$21,560.00
3 Preparation of State, Local, or Private permit application(s)								\$0.00
4 Quality Control/Quality Assurance	10	20	20	10				\$8,600.00
5 Prepare Opinion of Probable Construction Cost	4	4	20	10			8	\$5,130.00
6 Revise Plans/Specifications as Required by Owner		2	20	20	40			\$6,930.00
7 Prepare Final Contract Bid Quantities and Proposal		10	24		8	2	20	\$6,190.00
Total Final Design Phase								\$149,680.00

This is sample from a bond project that shows the proposed tasks and hours per task. This is standard method used for Engineering Design Services.

Sample Fee Schedule

TASK AND DESCRIPTION	PRINCIPLE	PROJECT MANAGER	R.P.L.S.	ENGINEER	SURVEY TECHNICIAN	CADD TECHNICIAN	3-MAN SURVEY CREW	CLERICAL SUPPORT	TOTAL MANHOURS
I. STUDY & REPORT PHASE									
1. Meet w/Owner to Clarify Scope	4	8	0	8	0	0	0	2	22
2. Provide Analysis of Owner's Needs	4	40		60		40		8	172
3. Provide General Economic Analysis of Various Alternatives	4	40							
4. Complete Study and Prepare Report	4	24							
TOTAL - STUDY & REPORT PHASE	16	112	0						
II. DESIGN PHASE									
1. Perform Boundary & Topographic Survey	16	40	40						
2. Prepare Permit Applications	2	8							
3. Prepare Construction Plans	40	80							
4. Prepare Bid Documents	4	24							
5. Update Engineer's Estimate	4	20							
6. Review Plans & Bid Documents w/Owner	4	4							
TOTAL - DESIGN PHASE	70	176	40						
III. BIDDING PHASE									
1. Prepare for and Conduct Pre-Bid Conference	2	4	0						
2. Issue Addenda as Necessary	1	8							
3. Tabulate Bids and Prepare Recommendation for Award	1	4							
4. Evaluate Sub-Contractors	1	4							
5. Evaluate Request for Substitution of Materials	2	8							
TOTAL - BIDDING PHASE	7	28	0						
IV. CONSTRUCTION PHASE									
1. Prepare Construction Contract for Execution by Contractor	4	4							
2. Conduct Pre-Construction Conference & Issue Notice To Proceed	2	4							
3. Set Control Stakes at Each End of Project and 1-BM along Project Limits	2	4	4						
4. Perform Project Construction Observations	8	16							
5. Review Shop Drawings, Submittals, Test Results, Etc.	4	8							
6. Prepare Change Orders, Issue Instructions, Etc.	4	8							
7. Process Contractor Payment Requests	4	16							
8. Conduct Final Inspection & Prepare Punch-List Items	4	8							
TOTAL - CONSTRUCTION PHASE	32	68	4						
V. AS-BUILT DRAWINGS									
1. Prepare Record Drawings	2	4	2						
TOTAL - AS-BUILT DRAWINGS	2	4	2						
PROJECT TOTAL	127	388	46						

PERSONNEL LABOR:	Estimated Hours		Hourly Rate	Estimated Cost	Totals
Principal	127		\$256.61	\$32,589.47	
Project Manager	388		\$183.30	\$71,120.40	
R.P.L.S.	46		\$154.30	\$7,097.80	
Engineer	584		\$102.65	\$59,947.60	
Survey Technician	128		\$76.25	\$9,760.00	
CADD-Design Technician	528		\$61.00	\$32,208.00	
3-Man Survey Crew	184		\$130.00	\$23,920.00	
Clerical	167		\$55.73	\$9,306.91	
Personnel Labor Total:	2152				\$245,950.18
PROFESIONAL ENGINEERING & SURVEYING BASIC SERVICES TOTAL					\$245,950.18
PROFESIONAL ENGINEERING BASIC SERVICES:	Quantity	Unit	x Rate =	Estimated Cost	% Total Fee
STUDY & REPORT PHASE	1	LS	\$49,190.04	\$49,190.04	20.00%
DESIGN PHASE	1	LS	\$135,272.60	\$135,272.60	55.00%
BIDDING PHASE	1	LS	\$12,297.51	\$12,297.51	5.00%
CONSTRUCTION PHASE	1	LS	\$36,892.53	\$36,892.53	15.00%
AS-BUILT DRAWINGS	1	LS	\$12,297.51	\$12,297.51	5.00%
TOTAL - Professional Engineering Basic Services:				\$245,950.18	100.00%

Another example showing scope and hours to perform tasks. After the fee is determined, it is then compared to the estimated construction cost.

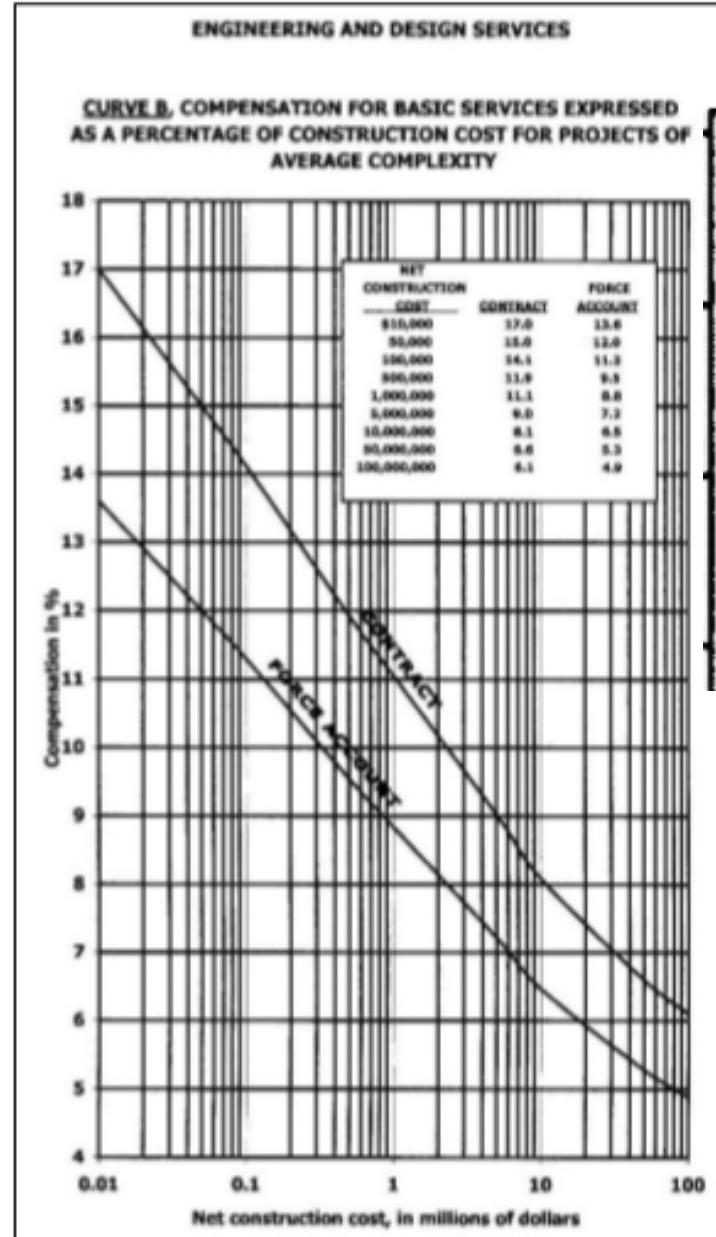
Construction Estimate

		Prepared by Ponciano				
ITEM	DESC.CODE	DESCRIPTION	QUANTITY	UNIT PRICE	UNIT	TOTAL COST
		PREP ROW	21.45	\$ 200.00	STA	\$ 4,290.00
		REMOVING STAB BASE AND ASPH (16")	2,300.00	\$ 5.00	SY	\$ 11,500.00
		EXCAVATION (RDWY)	766.00	\$ 3.30	CY	\$ 2,527.80
		CELL FBR SEED (RURAL)(PERM)(CLAY)	0.75	\$ 1,194.00	AC	\$ 895.50
		VEGETATIVE WATERING	500.00	\$ 10.00	MG	\$ 5,000.00
		FL BS (CMP IN PLC)(TY A GR 1-2)	500.00	\$ 11.00	CY	\$ 5,500.00
		RWRK BS MTL (TY B) (DEN CNT) (ORG POS)	766.00	\$ 4.75	CY	\$ 3,638.50
		LIME TREAT SUBGR (DC)(12")	2,700.00	\$ 10.00	SY	\$ 27,000.00
		LIME (TY A)(SLRY),TY B OR TY C(SLRY)	20.00	\$ 145.00	TON	\$ 2,900.00
		PRIME COAT (MC-30)	400.00	\$ 3.40	GAL	\$ 1,360.00
		HOT MIX (TY D)	250.00	\$ 75.00	TON	\$ 18,750.00
		CURB AND GUTTER	1,880.00	\$ 12.00	LF	\$ 22,560.00
		INLET	6.00	\$ 3,500.00	EA	\$ 21,000.00
		MANHOLE	4.00	\$ 5,300.00	EA	\$ 21,200.00
		CUT AND RESTORE	2,000.00	\$ 45.00	SY	\$ 90,000.00
		TRENCH EXCAVATION PROTECTION	2,145.00	\$ 5.00	LF	\$ 10,725.00
		RC PIPE (CL III) (18 IN) (SPL)	510.00	\$ 38.00	LF	\$ 19,380.00
		RC PIPE (CL III) (24 IN) (SPL)	685.00	\$ 42.00	LF	\$ 28,770.00
		RC PIPE (CL III) (30 IN) (SPL)	470.00	\$ 64.00	LF	\$ 30,080.00
		RC PIPE (CL III) (36 IN) (SPL)	470.00	\$ 81.00	LF	\$ 38,070.00
		BARRICADES, SIGNS AND TRAF HANDLING	3.00	\$ 5,000.00	MO	\$ 15,000.00
		SW3P	1.00	\$ 15,000.00	LS	\$ 15,000.00
			SUB-TOTAL(Bid Items)		\$	395,146.80
		MOBILIZATION (10% of bid items)	1.00	\$ 39,514.68	LS	\$ 39,514.68
		CONTINGENCY (10% of bid items)	1.00	\$ 39,514.68	LS	\$ 39,514.68
			CONSTRUCTION TOTAL		\$	474,176.16

The Design Consultant also reviews the Estimated Construction Cost, to confirm that the proposed estimate is reasonable for the work being proposed. The design fee for basic services is generally between 7% and 9% of the construction cost.

Figure 2:
Engineering and Design Services of Average Complexity

FEMA Fee Curve



NET CONSTRUCTION COST	CONTRACT	FORCE ACCOUNT
\$10,000	17.0	13.6
50,000	15.0	12.0
100,000	14.1	11.3
500,000	11.9	9.5
1,000,000	11.1	8.8
5,000,000	9.0	7.2
10,000,000	8.1	6.5
50,000,000	6.6	5.3
100,000,000	6.1	4.9

FEMA Public Assistance Cost
Estimating Tool for Engineering and
Design Services (12/18/15)

Curve shown is for average complexity
projects.

NOTE: "Contract" and "Force Account" above mean engineering and design services performed by contract or by an applicant's own employees, respectively.

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

3.

DATE SUBMITTED

12/20/2019

MEETING DATE

1/13/2020

1. Agenda Item: Discussion of the Decommissioning of Downtown Signals.
2. Party Making Request: Patrizia Longoria
3. Nature of Request: Discussion of the Decommissioning of Downtown Signals
4. Routing:

Bilkis Olazaran Martinez
Patrizia Longoria
Yvette Barrera
Michelle Rivera
Kevin Pagan

Created/Initiated - 12/20/2019
Approved - 1/7/2020
Approved - 1/7/2020
Approved - 1/7/2020
New -

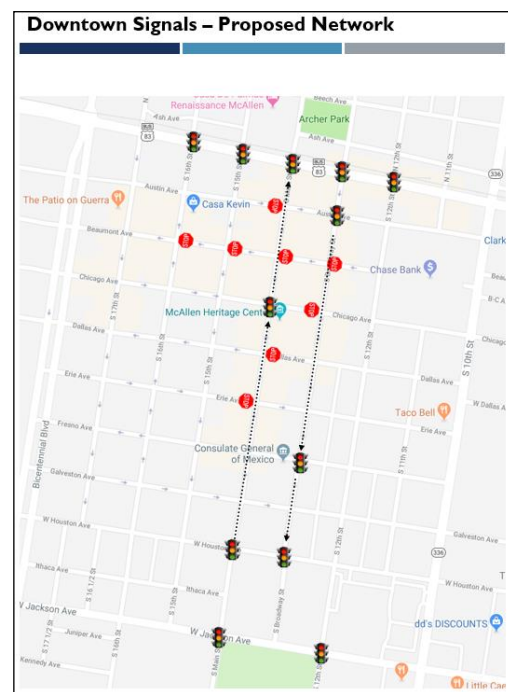
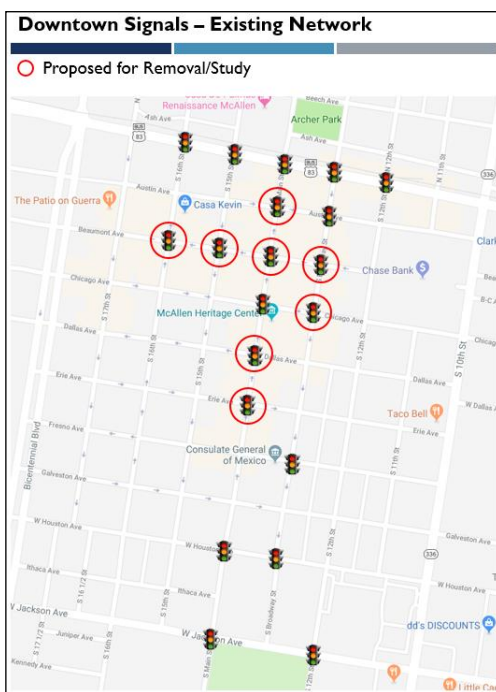
5. Staff Recommendation: Staff recommends the decommissioning of the proposed signals in the attached memorandum and exhibits.
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:

To: Roel Rodriguez, PE, City Manager

From: Patrizia I. Longoria, P.E., Assistant Director of Engineering – Traffic Operations

Date: December 17th, 2019

Subject: Decommissioning of Downtown Signals



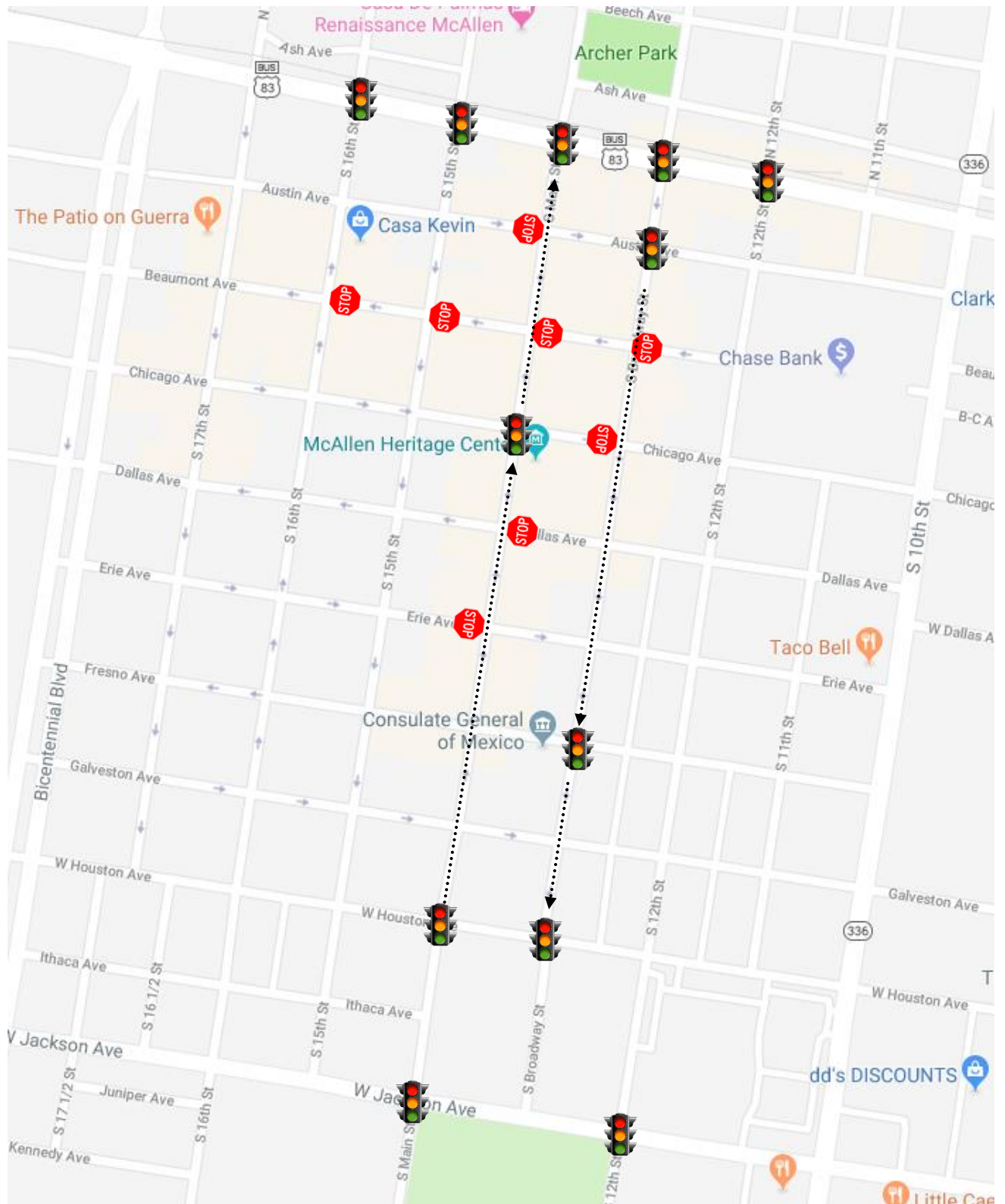
In the evaluation of the Downtown signals, Traffic Operations staff found that the following signals were no longer warranted, as prescribed in the *Texas Manual of Uniform Traffic Control Devices*:

- Main St & Erie Ave (Proposed “Stop” for Eastbound Traffic)
- Main St & Dallas Ave (Proposed “Stop” for Westbound Traffic)
- Main St & Beaumont Ave (Proposed “Stop” for Westbound Traffic)
- Main St & Austin Ave (Proposed “Stop” for Eastbound Traffic)
- 16th St & Beaumont Ave (Proposed “Stop” for Westbound Traffic)
- 15th St & Beaumont Ave (Proposed “Stop” for Westbound Traffic)
- Broadway St & Beaumont Ave (Proposed “Stop” for Westbound Traffic)
- Broadway St & Chicago Ave (Proposed “Stop” for Eastbound Traffic)

The removal of these signals will assist in encouraging mobility throughout the Downtown area. After signal removal, intersection will be controlled by a stop control, as specified above. Staff will begin the decommissioning process on Monday, January 20th, 2020. Process will consist of 90-days of flashing the signal, amber for north and south bounds and red for either west or east bound. Staff will then proceed with removal of signal infrastructure.

CC: Michelle Rivera, Assistant City Manager
Yvette Barrera, P.E., CFM, City Engineer

Downtown Signals – Proposed Network



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

4.

DATE SUBMITTED

1/7/2020

MEETING DATE

1/13/2020

1. Agenda Item: Discussion of proposed regulations for parking lot operators.

2. Party Making Request:

3. Nature of Request:

4. Routing:

Austin Stevenson
Michelle Rivera
Kevin PaganCreated/Initiated - 1/7/2020
Approved - 1/8/2020
New -

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:



CITY OF MCALLEN
City Attorney's Office
MEMORANDUM

To: Roel "Roy" Rodriguez, P.E., City Manager
Kevin D. Pagan, City Attorney

From: Austin W. Stevenson, Assistant City Attorney

CC: Michelle Rivera, Assistant City Manager
Edgar Garcia, Planning Director
Steven Kotsatos, Health and Code Compliance Director

Date: January 7, 2020

Subject: Parking Lot Operator Regulations

Background: Several citizens have expressed concerns regarding parking attendants, including paying to park only to return to find their vehicle has been towed. In response to these complaints, the City Manager's Office, City Attorney's Office, Planning Department, and Health and Code Compliance have drafted the proposed regulations for parking lot operators and attendants in the City of McAllen

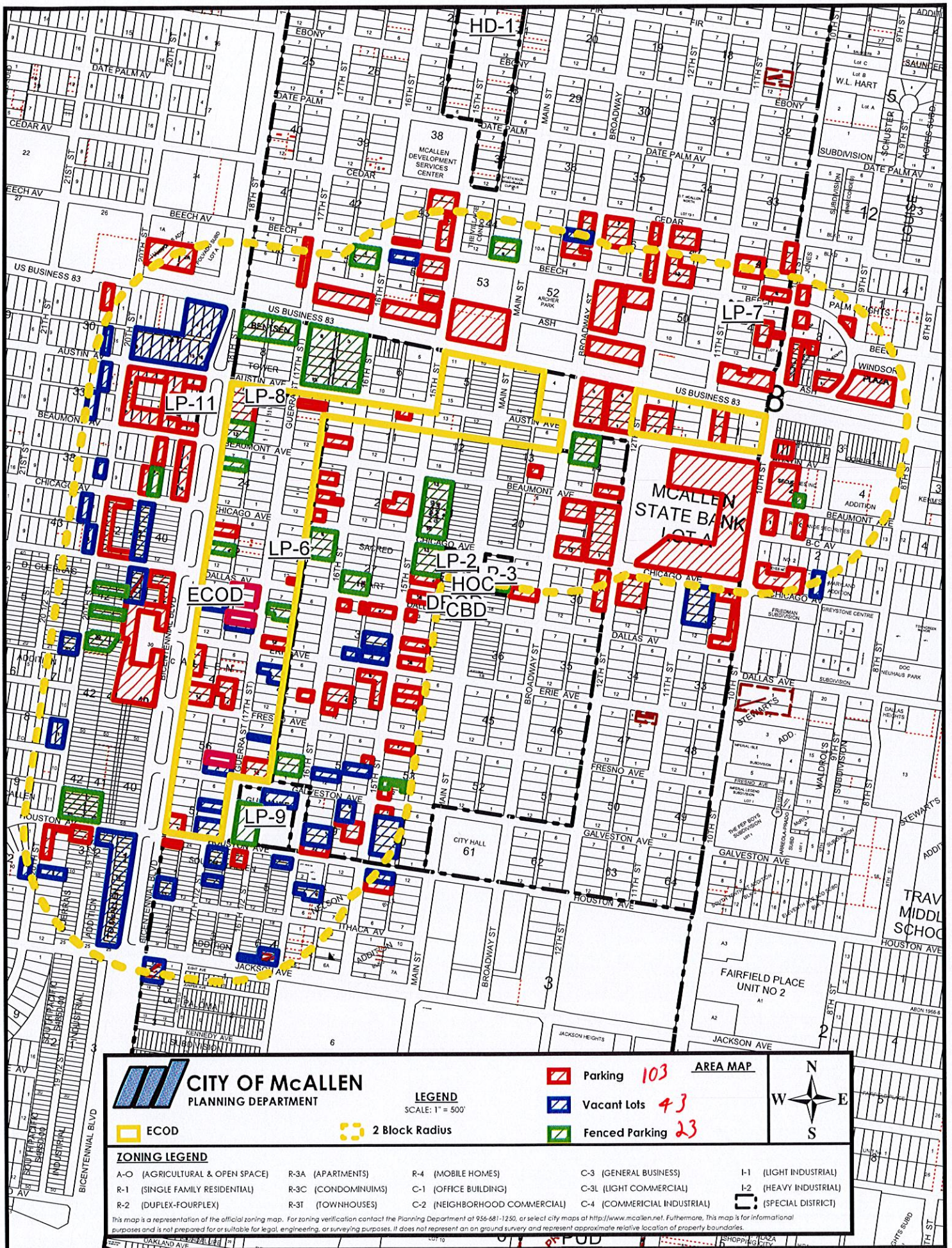
Recommendation: Review and adopt some or all of the proposed regulations.

**RULES AND REGULATIONS GOVERNING PARKING OPERATORS
ESTABLISHED BY THE CITY OF MCALLEN BOARD OF COMMISSIONERS**

The following rules, in addition to State and City laws, shall govern Parking Operators and Parking Attendants. A violation for any of the forgoing rules is grounds for suspension or revocation of the permit.

1. Parking Operator permits shall be posted and conspicuously exhibited at the parking location at which a patron surrenders his or her vehicle for parking so that they are viewable by anyone wishing to see the information.
2. Proof of insurance must be submitted to and maintained with the McAllen Health and Code Compliance Department (hereinafter "Department").
3. Parking Operators shall operate only at the location approved and during hours stated on the Parking Operator permit.
4. Parking Operators shall not use public right-of-way or City-owned parking facilities for vehicle storage/pick-up/ or drop-off.
5. A permit will not be granted for a Parking Operator utilizing automobile parking lot facilities that are not current with any City tax or permit fees due to the City or that do not possess the necessary valid permits.
6. If the automobile parking lot facility used for the Parking Operator is part of a building or premises devoted to other uses which require off-street parking, the number of parking spaces required by law to be provided in the parking facility to serve such other uses shall not be diminished.
7. Vehicles should be parked only in the automobile parking lot facility approved for that Parking Operator. Parking lot facilities shall meet parking lot requirements, including but not limited to paving requirements.
8. A fee or rate schedule shall be filed with the Department and shown on the permit. In the event of a change of rates, the Parking Operator shall give a 10-day written notice to the Department which shall contain the new schedule or rates. A duplicate copy of such notice shall be posted for a period of 10-days in a conspicuous place at the parking location at which a patron surrenders his or her vehicle for parking and/or a place designated by the Department. Upon expiration of the 10-day period, the rates may be changed in accordance with such notice.
9. Parking Operators shall promptly file for an amended permit upon intention to change any permit conditions, including, but not limited to date and hours of operation, rates, or parking location.

10. Parking Operators and their employees and agents are subject by law to the regulatory powers of the Board and all relevant records, equipment and facilities are subject to periodic inspections by the Board of its designees to determine if the operation is in compliance with the rules and regulations of the Board.
11. Kiosks, umbrellas, desks, key lockers, signs, cones, delineators or other similar items, if placed in the public right-of-way, shall not be placed on the roadway or on parking meters unless expressly approved by the Department. When possible, such items shall be placed only on private property. All items shall have sufficient bases, ballasts, and stops to ensure stability and safety.
12. No part of any umbrella or other canopy, except for the central column or support, shall be less than (7) feet above the sidewalk. Other laws or zoning regulations may supersede these requirements.
13. Parking Operators shall provide sufficient staff and facilities to ensure that vehicles are moved from the parking location at which a patron surrenders his or her vehicle for parking promptly. No vehicle queuing or parking is allowed in travel lanes at any time. If the Parking Operator is unable to meet the parking demand and queuing or double parking occurs, the operation shall be temporarily closed, until the demand can be properly handled. Each time such closure occurs, the Parking Operator shall display a sign with the word "FULL" that is clearly visible to approaching traffic.
14. Vehicles may not occupy a loading zone beyond the time limit established by the Department.
15. Parking Operators shall post signage with the name and telephone number of a responsible manager available to handle questions and complaints, hours of operation, and the fee and rate schedule that is on file with the Department.
16. It shall be a violation for any Parking Operator or his agents to charge or collect any fees at a rate in excess of the posted rate on file with the Department. The prohibition does not preclude the payment of a gratuity for service.
17. Parking Operators, agents, or employees shall cause the appropriate law enforcement agency to be notified without delay whenever they become aware of a possible crime or other activity requiring action by law enforcement personnel.
18. Parking Operators, agents, and employees shall display upon his or her person, on the right side, a valid identification card issued by the Department for such purpose and shall make such card available for inspection to anyone when requested. The Department Director may establish an administrative fee for the issuance of the identification cards.
19. Parking Operators, agents, and employees, shall wear retroreflective warning garments such as vests, jackets, or shirts.



CITY OF McALLEN PLANNING DEPARTMENT

LEGEND

SCALE: 1" = 500'



2 Block Radius

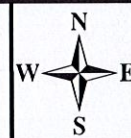
ZONING LEGEND

A-O (AGRICULTURAL & OPEN SPACE)	R-3A (APARTMENTS)	R-4 (MOBILE HOMES)	C-3 (GENERAL BUSINESS)	I-1 (LIGHT INDUSTRIAL)
R-1 (SINGLE FAMILY RESIDENTIAL)	R-3C (CONDOMINIUMS)	C-1 (OFFICE BUILDING)	C-3L (LIGHT COMMERCIAL)	I-2 (HEAVY INDUSTRIAL)
R-2 (DUPLEX-FOURPLEX)	R-3T (TOWNHOUSES)	C-2 (NEIGHBORHOOD COMMERCIAL)	C-4 (COMMERCIAL INDUSTRIAL)	I-3 (SPECIAL DISTRICT)

This map is a representation of the official zoning map. For zoning verification contact the Planning Department at 956-681-1250, or select city maps at <http://www.mcalien.net>. Furthermore, this map is for informational purposes and is not prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on ground survey and represent approximate relative location of property boundaries.

	Parking	103
	Vacant Lots	43
	Fenced Parking	23

AREA MAP





ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM
DATE SUBMITTED
MEETING DATE

5.
1/9/2020
1/13/2020

1. Agenda Item: Discussion of Vehicles for Hire Ordinance.

2. Party Making Request:

3. Nature of Request:

4. Routing:

Angela Cano
Jeff Johnston
Mario Delgado

Created/Initiated - 1/9/2020

5. Staff Recommendation:

6. Advisory Board:

7. City Attorney:

8. Manager's Recommendation:

Chapter 114 - VEHICLES FOR HIRE[11](#)

Footnotes:

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Editor's note— Ord. No. 1995-67, §§ I, II, adopted Nov. 27, 1995, set out provisions amending Ch. 114 in its entirety to read as herein set out. Previously, Ch. 114 dealt with similar subject matter, consisted of Arts. I—V, and derived from Code 1966, §§ 28-2—28-20, §§ 28-26—28-41, §§ 28-50—28-56, §§ 28-67—28-75, §§ 28-86—28-92, §§ 28-100—28-118, §§ 28-120—28-133, §§ 31-1—31-15; Ord. No. 1993-53, § I, adopted July 26, 1993; and Ord. No. 1995-27, §§ I—X, adopted May 8, 1995.

Cross reference— Ambulances, § 42-76 et seq.; smoking on buses and taxicabs, § 54-122(a)(6).

ARTICLE I. - IN GENERAL

Sec. 114-1. - Short title.

This chapter may be cited and referred to as "The McAllen Vehicle for Hire Ordinance."

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-2. - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings herein ascribed to them:

Airport means the McAllen- International Airport.

Bus terminal means the McAllen Central Station.

Certificate of approval means that document issued by the transit department certifying that a commercial passenger vehicle has passed the requisite inspections for mechanical, safety and fitness for public occupancy conditions.

Commercial passenger vehicle means all vehicles which carry passengers for hire within the city and which is regulated by any portion of this chapter, including but not limited to taxicabs, limousines, pedicabs and transit vehicles. A vehicle is not considered to be a commercial passenger vehicle for the purposes of this chapter if the vehicle is owned and operated by a business and used to transport employees or customers of the business when such transportation is a part of the services provided and not provided separately and apart from such other services.

Cruise or cruising means the movement of any commercial passenger vehicle over the public streets of the city in search of prospective paying passengers for compensation, or, in the case of a commercial passenger vehicle for which an approved route or routes have been designated pursuant to this chapter, the movements of such vehicle over the public streets of the city in search of prospective passengers for compensation outside of such designated routes or between designated stops.

Domelight means a device to be placed on the front and exterior portion of the roof of every taxicab, which shall be electrically connected with the taximeter in such manner as to illuminate and give an indication as to when the taxicab is being operated for hire and when the taxicab is vacant or available for hire by a passenger.

Immediate family means the parents, spouse, children, brother or sister of a licensee.

License means a written certificate or document issued by the transit director, or his designee, granting a person authority to operate a commercial passenger vehicles for hire within the city.

Licensee means the holder of any license issued pursuant to the provisions of this chapter.

Limousine means a chauffeured motor vehicle, offered for transportation of passengers for compensation on an hourly or set-fee basis over the public streets of the city, whether or not the service extends beyond the limits of the city.

Operator means the driver of a commercial passenger vehicle. *Operator permit* means that document issued by the office of the transit director authorizing an individual to drive a commercial passenger vehicle for hire within the city.

Owner means that person holding title to a commercial passenger vehicle.

Pedicab means a bicycle or tricycle, whether human propelled or powered by electricity or gas, that transports, is capable of transporting, or is held out to the public as available to transport passengers for hire, including such a vehicle that pushes or pulls, or to which is attached, a trailer, sidecar, or similar device where passengers may be seated.

Permittee means the holder of any vehicle permit issued pursuant to the provisions of this chapter.

Rated passenger capacity means the designated number of passengers set by the vehicle manufacturer.

Taxicab means a chauffeured motor vehicle, offered for transportation of passengers for compensation on the basis of distance traveled, whether or not the service extends beyond the limits of the city. *Taximeter* means a machine that automatically calculates fares, at a predetermined rate or rates, and digitally registers the charge for hire of a taxicab.

Transit vehicle means a chauffeured motor transport vehicle, with a rated passenger capacity of a minimum of eight passengers and a maximum of fourteen, excluding the driver, each at a fixed and predetermined fare, traversing the public streets of the city following an established

schedule over a fixed and predetermined route, loading and unloading passengers en route to a final destination within or outside of the city, excluding those vehicles that are operated under authority of the surface transportation board or the state railroad commission unless such carrier operates between the city and a foreign municipality or state municipality located within ten miles from the corporate limits of the city. Passenger vans with a rated seating capacity of fourteen, excluding the driver shall not be permitted as transit vehicles.

Vehicle permit means the document issued by the transit director which authorizes a vehicle to be operated as a commercial passenger vehicle for hire within the city.

Waiting time means such time which, at the special instance and request of a passenger, elapses between a taxicab's arrival at the originating point of a trip and before reaching the passenger's final destination; no lost time shall be made against a passenger for any time lost on account of any delay not caused by the special instance and request of such passenger.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2002-02, § 1, 1-14-02; Ord. No. 2010-34, § I, 5-24-10)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 114-3. Transit Department established; enforcement; exclusions.-.

(a) The Transit Department is hereby established, headed by the Transit Director. In addition to any other duties and responsibilities assigned in this chapter, the Transit Director shall:

- (1) Administer and supervise the issuance of parking violation citations by non-police officer personnel as authorized by this chapter and to administer the collection of fines thereof; and

- (2) Manage and oversee the operations of the bus terminal, Central Station, and its public bus system, Metro McAllen, as it relates to operational policy and procedures, and lease rates and bus fare structures to be established by the City Commission.
- (b) The Transit Director, or his designee, shall enforce compliance with this chapter concerning the operation of commercial passenger vehicles and, from time to time, shall inspect all such operations and shall perform the duties prescribed by this chapter and such further duties as may be prescribed by the City Commission and the City Manager.
- (c) The transit director or designee may by written order establish standard operating policies and procedures that are not inconsistent with this chapter. Such regulations shall be filed with the city secretary and copies shall be furnished to each licensee. (Ord. No. 1995-67, § I, 11-27-95)

Cross reference— Traffic safety coordinator, § 102-56 et seq.

Sec. 114-4. - Appeals from decisions of the Transit Director.

- (a) In any instance where an appeal is permitted in this chapter to the city manager from a decision or determination of any matter by the Transit Director, such appeal must be perfected within ten calendar days from the date of such decision by written notice of appeal.. The city manager, as soon as practicable after receiving such notice of appeal, shall grant the appellant a hearing and, after such hearing, shall modify, sustain or reverse the findings or decision of the transit director and shall forthwith certify his decision in writing to the Transit Director and the appellant. If no appeal is taken from the findings or decision made by the Transit

Director within the time provided in this subsection, the decision of the transit director shall be final.

- (b) The decision of the city manager under this section may be appealed, in writing, to the board of commissioners; provided that notice of appeal is perfected within ten calendar days of the city manager's decision. The appeal is perfected by providing written notice to the Mayor's Office, City Commission liaison or City Manager's Office. If proper notice of appeal is timely delivered as outlined herein, the City Secretary shall place the appeal on the agenda for the next regular meeting of the board of commissioners subject to the requirements of the Texas Open Meetings Act. (Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-5. - Public liability insurance.

- (a) Before a vehicle permit for any commercial passenger vehicle regulated by this chapter shall be issued or renewed, the owner shall file with the Transit Department a copy of, a policy of public liability insurance, against any loss or damage that may result from the operation of the commercial passenger vehicle. Such a policy shall thereafter be maintained in full force and effect. That said policy shall cover at least the minimum amount of recovery required under Texas law as amended for the type vehicle and usage insured. A certificate of insurance must be submitted to the transit department and approved by the City Attorney's Office.
- (b) Every policy shall include a complete list of all vehicles and approved operators that are insured under the policy. The city must be included as certificate holder.
- (c) Every policy required by this chapter shall include a thirty-day notice of cancellation to be delivered to the Transit Director.
- (d) Neither the city nor any officer or employee thereof shall be held liable for the pecuniary responsibility or solvency of any insurer issuing a policy required under the provisions of

this section nor in any manner become liable on account of any claim, act or omission relating to the insured vehicle or the procuring of any policy of insurance in satisfaction of the requirements thereof, or for any misfeasance, malfeasance or nonfeasance in the carrying out of the provisions of this chapter.

(Ord. No. 1995-67, § I, 11-27-95)

Secs. 114-6—114-19. - Reserved.

ARTICLE II. - COMMERCIAL PASSENGER VEHICLE LICENSES AND VEHICLE PERMITS

Sec. 114-20. Required licenses and permits.

- (a) The owner of any commercial passenger vehicle which loads passengers within the city must apply for and receive a license duly issued by the transit department under the provisions of this article before any vehicle may be operated for hire within the city. A separate license must be obtained for each type of commercial passenger vehicle operated for hire.
- (b) In addition to the commercial passenger vehicle license, the owner must apply for and receive a vehicle permit for each vehicle proposed to be operated. Commercial passenger vehicles must be registered in the state of Texas under the name of the license applicant and must have a valid registration throughout the duration of the license. Licensee must have a valid Texas driver's license.
- (c) Applications for a commercial passenger vehicle licenses shall be filed with the office of the transit department on application forms provided for that purpose. The transit director shall promulgate separate license application forms for each type of commercial passenger vehicle regulated by this chapter. An application form for a pedicab, and/or a transit vehicle license

shall contain, in addition to any other information required by the transit director, a description of all vehicles to be operated, and identification of all drivers, routes, fares, and stops proposed.

- (d) A commercial passenger vehicle license or vehicle permit issued under the provisions of this article must be renewed annually on a calendar year basis. A renewal application must be submitted, on or before the first day of December of each year, and all fees due must be paid no later than the last day of December of that year.
- (e) A commercial passenger vehicle license or vehicle permit issued under the provisions of this article shall not be transferable or assignable. Notwithstanding the foregoing prohibition, a commercial passenger vehicle operation permit for a taxicab shall be transferable or assignable to a member of the licensee's immediate family in the event of the incapacitation or death of licensee. Application to transfer licenses and vehicle permits must be made within forty-five (45) days of the incapacitation or death of licensee.
- (f) A commercial passenger vehicle license or vehicle permit issued pursuant to the provisions of this article may be issued only to a United States citizen, a registered resident alien or a corporation incorporated within the United States.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2002-02, § 2, 1-14-02; Ord. No. 2010-34, § I, 5-24-

10)

Sec. 114-21. - Fees.

- (a) An applicant for a commercial passenger vehicle license or vehicle permit shall pay, at the time of submission of each initial or renewal application, the following fees:

- (1) Taxicab, pedicab, limousine, and similar vehicles: \$100.00 for license plus \$50.00 for each vehicle permit.
- (2) Transit vehicles: \$500.00 for license plus \$100.00 for each vehicle permit.
- (3) Replacement vehicle permit \$10.00.
- (4) Vehicle re-inspection fee \$10.00.

(b) Fees for optional services

- (1) McAllen International Airport and Central Station Concessionaire Agreement
- (2) Transit Vehicle Lease Agreement fee

(c) In no event shall there be a refund of a fee paid pursuant to the provisions of this chapter.

(d) Permits issued under this chapter shall expire on the last day of December of the calendar year it is issued. Permits not renewed on or before December 31 shall be subject to a \$25.00 late fee.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2010-34, § I, 5-24-10)

Sec. 114-22. - Duty to update.

It shall be the duty of every licensee to notify, in writing, the office of the transit director of any change in the information provided upon the most recent application or renewal application for each license or vehicle permit affected by the change. Notice shall be provided within seven (7) calendar days from the date of the change. Notice of the provisions of this section shall be conspicuously printed on each application for a license or vehicle permit controlled by this chapter.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-23. - Posting of permit in vehicle.

The vehicle permit issued for the operation of any commercial passenger vehicle issued under this chapter shall be posted in the vehicle for which it was issued and shall be positioned on the right side of the vehicle on or above the windshield or on the dashboard of the vehicle above the glove compartment or its equivalent. Pedicab vehicle permits shall be posted as directed by the transit director. No commercial passenger vehicle permitted under this chapter shall be operated for compensation within the city unless the vehicle permit is so posted.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2010-34, § I, 5-24-10)

Sec. 114-24. - Replacement of vehicle.

- (a) In the event a commercial passenger vehicle for which a permit is issued under this chapter is sold, wrecked, destroyed, or otherwise taken out of service by its owner, the owner thereof shall have the right to replace such vehicle which meets all the requirements of this chapter. Upon written application to the transit director and surrender of the permit of the vehicle to be replaced, a permit for the replacement vehicle shall be issued for the remainder of the year
- (b) No replacement commercial passenger vehicle for hire shall be issued a vehicle permit until all marks identifying the vehicle as a commercial passenger vehicle have been removed from vehicle being taken out of service.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-25. - Replacement license or vehicle permit.

If a license or vehicle permit issued pursuant to this article shall be lost, stolen or damaged to the extent that it is unreadable, a replacement license or vehicle permit must be obtained from the office of the transit director before further operation of the vehicle. A replacement license or vehicle permit shall be issued by the office of the transit director upon written notice of such loss, theft or damage, and payment of a \$10.00 replacement fee.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-26. - Penalties, enforcement, revocation and suspension.

- (a) Any license, operator's permit or vehicle permit issued under this chapter may be revoked or suspended by the transit director, after notice and hearing except when otherwise provided in this chapter, for any of the following reasons:
- (1) Violation by any licensee or operator of, any provision of this chapter.
 - (2) Violation by any licensee or operator of, any other ordinance of this city, or any law of this state or the United States, concerning the regulation of motor vehicles of the type regulated by this chapter.
 - (3) Violation by any licensee or operator of, any applicable law governing the conduct of the owner's commercial passenger vehicle business, including zoning and land use regulations.
 - (4) Licensee fails to ensure that all operators employed by or operating under the license are listed and covered under the liability insurance policy.
 - (5) Licensee allows a driver who does not possess a valid operator's permit to operate a commercial passenger vehicle.

- (6) Licensee allows a commercial passenger vehicle to be operated without proper insurance.
- (b) The penalties provided in this chapter for violation or failure to comply with this chapter may be enforced not only against the person/entity committing the violation, but also:
 - (1) As to noncomplying commercial passenger vehicle, against the owner, licensee or operator of such noncomplying commercial passenger vehicle.
 - (2) As to a noncomplying operator, against the owner or licensee under whom such noncomplying operator operates.
- (c) Suspensions of a license or permit shall not affect the expiration date of such license or permit.
- (d) Upon revocation of a license or permit, the holder shall be ineligible for a new license and or permit for a period of two (2) years.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-27. - Limitation on number.

- (a) The number of taxicabs licensed to operate in the city shall be limited a number equal to one per 2,000 in population for the City of McAllen It is further provided that in no event shall a vehicle permit be issued where such permit will constitute greater than 40 percent of the outstanding permits to be held by any single person, spousal pair, or entity.
- (b) The number of transit vehicle permits in the city shall be limited to a number equal to one per 5000 in population for the City of McAllen

(c) The number of pedicab permits in the city shall be limited to a number equal to one per 10,000 in population for the City of McAllen

(d) For the purpose of this section, the city population calculation shall be based on the most recently available census data, including estimates.

(e) All new commercial passenger vehicle permits will be made available based on a lottery to be conducted by the City or a request for proposal at the discretion of the City Commission.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2002-02, § 3, 1-14-02; Ord. No. 2010-34, § I, 5-24-10)

Sec. 114-28. - Vehicle permits to be revoked if not used.

The transit director may revoke the commercial passenger vehicle permit issued pursuant to the provisions of this chapter or any taxicab not used or operated as a taxicab for at least 45 days in any 90-day period for which records of such use are required to be kept pursuant to the provisions of this article.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-29. - Stands on streets and sidewalks prohibited.

(a) The use of any street, alley, sidewalk, public thoroughfare or public property, unless specifically designated for such use by the City Commission, wherever situated within the city as a taxicab or pedicab stand or as a place of business for owners or operators of the vehicles to receive calls for service, or from which to dispatch the vehicles, or as a place to assemble or habitually park the vehicles when awaiting calls for service, is prohibited.

- (b) The city manager or designee may establish taxicab or pedicab stands under such terms and conditions as it deems necessary for the public welfare and good.
- (c) No pedicab shall stand or park on any public roadway, sidewalk, or walkway for longer than is necessary to load or unload passengers. All loading and unloading of passengers from a roadway must be from a curb lane. Queuing areas for pedicabs shall be designated by the city manager or designee.

Secs. 114-30—114-49. - Reserved.

ARTICLE III. - OPERATOR PERMIT AND CONDUCT.

Sec. 114-50. - Operator permit required.

- (a) No commercial passenger vehicle regulated under this chapter shall be operated by any person other than a person holding a valid operator permit for the type of vehicle to be operated. Said permit shall be prominently and conspicuously displayed in the vehicle within view of the passenger.
- (b) Application for a commercial passenger vehicle operator permit shall be filed with the office of the transit director and include the following information:
 - (1) The applicant's full name, present address, date and place of birth, citizenship, state driver's license or state commercial vehicle operator's license, and if not a United States citizen, valid resident alien registration number.
 - (2) The applicant's place(s) of residence for the 12 months immediately preceding the date of the application.
 - (3) The nature and place of applicant's employment for the three years immediately preceding the date of the application, and the reason for leaving such employment, if applicable.

- (4) A statement of whether the applicant has been convicted, ever, of any violation of a motor vehicle and/or traffic law within five years of the date of application, or of any non-traffic violation of any state or of the United States, without regard to time period, unless such records are sealed; and if so, as to each conviction, the applicant shall identify the nature, date, and place of the offense; the date, cause number, court, and final disposition of the conviction; and the sentence received.
- (5) Two recent photographs depicting good likenesses of the applicant, one front view and one side view.
- (6) A written authorization to receive or documentation pertaining to applicants driving, criminal, medical, judicial, and any other background information related to the applicant's fitness to operate a motor vehicle including fingerprint or database searches.
- (7) The name, local address, and local telephone number of the licensee under which the applicant is to be employed (if other than the applicant).
- (8) Provide a certificate, executed by a licensed and practicing physician in the State of Texas, showing that the applicant is not afflicted with any physical or mental disease or disability which would impair his or her ability to drive and to operate a vehicle for hire in a safe manner and such certificate shall state specifically the condition of the applicant's hearing and eyesight including, without limitation, color perception. Any false information submitted shall be the basis for denial or revocation of a permit.
- (9) Evidence of payment of any outstanding traffic or parking fine with the City of McAllen.
- (10) Provide a Motor Vehicle Report for applicant

- (c) A commercial passenger vehicle operator's permit issued under the provisions of this article may be renewed annually on a calendar year basis. A new application, updating the information previously provided, and new photographs, must be submitted on or before the first day of December of each year,

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-51. - Testing of applicant by transit director.

- (a) Each applicant must complete a written assessment of his knowledge and understanding of the ordinances of the city, including the provisions of this chapter, and of the streets and thoroughfares of the city necessary to operate a commercial passenger vehicle safely and with regard to the interests of the public welfare. Applicant must correctly answer 70% of questions to qualify for operator's permit.
- (b) Operator permit holders must complete and pass the written assessment described hereinabove every three (3) years.
- (c) Failure to submit to testing or failing the test will result in immediate suspension or denial of the operator's permit until the operator passes the test.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-52. - No operator permit or license to be issued to certain persons.

- (a) No commercial passenger vehicle operator permit or renewal thereof may be issued to:
 - (1) Any person who fails to provide all of the information required by subsection 114-20 and

- (2) or who fails to update such information as required by subsection 114- 24, or who provides false information in order to obtain a license or renewal thereof.
- (3) Any person who has been convicted of three or more moving traffic violations or three or more convictions and or findings of liability under this chapter within the 12-month period immediately preceding the date of the application or renewal application.
- (4) Any person who has been convicted, within the seven years immediately preceding the date of application or renewal application, of any felony or any a Class B misdemeanor or higher in which a motor vehicle was used,
- (5) Any person that is unable to read and speak the English language.
- (6) Any person registered in the National Sex Offender Registry database.
- (b) The occurrence of any of the above-listed conditions after a permit has been issued or renewed pursuant to the provisions of this article shall be grounds for revocation

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-53. - Fees.

- (a) An applicant for an operator's permit shall pay, at the time of submission of each initial or renewal application, a fee of \$25.00
- (b) If a current operator permit holder transfers employers, an updated permit shall be issued at a fee of \$10.00
- (c) Replacement operator permit fee shall be \$10.00.
- (d) The fee for any operator's permit applied for on or after the first day of April of each year shall be prorated for the number of months remaining in the calendar year.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-54. - Conduct of operators of commercial passenger vehicles.

- (a) Every operator of a commercial passenger vehicle to whom a license has been issued pursuant to the terms of this article shall, while operating any commercial passenger vehicle, keep himself or herself clean in person and dress.
- (b) It shall be unlawful for any commercial passenger vehicle operator to consume any alcoholic beverage or to use non-prescribed controlled substances while in the performance of his or her duties or to be under the influence of alcohol or controlled substances that affect one's ability to drive , whether during the actual transportation of passengers or while waiting to transport passengers, during the period of the commencement of duties until the final termination of duties for any working day.
- (c) An operator shall report all traffic accidents they are involved in while operating any motor vehicle and all citations issued to them while operating any motor vehicle to the transit director, in writing, no later than seven calendar days following the date of accident or issuance of citation.
- (d) No operator of any commercial passenger vehicle for hire shall operate any vehicle for hire for more than twelve (12) hours in a twenty-four hour period without an eight hour rest period.
- (e) No operator or licensee of any commercial passenger vehicle for hire shall employ abusive language in conversation with customers or other drivers

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-55. Operator list.

Each licensee shall provide to the transit director or designee, at the time of an initial or renewal application, a list of all operators. Such list shall be kept current at all times by the licensee whom shall inform the transit director in writing of any new driver or any driver who no longer is employed by the licensee.

Sec. 114-56. Heating, cooling, ventilation system.

It shall be the duty of the licensee to ensure that the commercial passenger vehicle is operated for the comfort of the passengers and that the vehicle's heating, cooling and ventilation system is in operation at all times while passenger(s) are present in the vehicle and is functioning in accordance with the passenger(s) reasonable request.

Sec. 114-57. Accepting credit card payments.

Each taxicab license holder must accept cash, debit card or credit card payments. In no event shall a surcharge or a minimum fee be required when accepting credit card payments.

Sec. 114-58. Property left in commercial passenger vehicles.

Operator shall return to the property owner any luggage, merchandise, or other property left in a commercial passenger vehicle for hire. If the owner of such property is unknown, the driver shall immediately deliver to the licensee any property left in the vehicle with a complete written report as to when it was left in the vehicle and any other relevant circumstances. The licensee shall tag the property so delivered and attach to it a copy of the driver's written report and, if property owner is not located licensee shall turn the property over to the McAllen Police Department no later than (45) days after its discovery in the vehicle.

Sec. 114-59. Commercial passenger vehicle clean up fee.

In the event that a passenger soils the interior of a commercial passenger vehicle, a clean-up fee not to exceed one-hundred fifty-dollars (\$150.00) may be added to the trip fare. Notice shall be conspicuously posted in a commercial passenger vehicle by the licensee of such applicable fees.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-60. Refusal to convey passengers.

While operating a commercial passenger vehicle, an operator shall not refuse to convey a person who requests the service unless:

- (a) The person is disorderly;
- (b) The operator has reason to believe the person is engaged in unlawful conduct;
- (c) The operator is in fear of the operator's personal safety; or
- (d) The person cannot present proof of ability to pay the fare;

Sec. 114-61. Smoking of tobacco products in vehicle, at taxicab stands, and transit stops.

It shall be unlawful for any operator or passenger of any commercial passenger vehicle to smoke, including e-cigarettes, while inside a commercial passenger vehicle or for any person to smoke while at a taxicab stand or bus stop.

Sec. 114-62. Leaving a commercial passenger vehicle unattended.

No operator shall leave their commercial passenger vehicle unattended for any purpose except in emergencies, while waiting on public property, taxicab stands, transit stops, bus stops, or on any other public right-of-way. This section does not prohibit an operator from assisting passengers in loading and unloading.

Sec. 114-63. Moving violations.

A violation of any local, state or federal traffic law, including but not limited to rules of the road, moving violations, Chapter 102 of the McAllen Code of Ordinances and the Texas Transportation Code, is considered a violation of this chapter.

Sec. 114-64—114-79. - Reserved.

ARTICLE IV. - INSPECTION OF VEHICLES

Sec. 114-80. - Mechanical and safety inspection required.

- (a) Commercial passenger vehicles shall be inspected before being placed into service and semi-annually. The transit director may designate a date or dates semi-annually for the purpose of inspecting all commercial passenger vehicles. vehicle's permit suspended or revoked. The traffic safety coordinator shall promulgate rules as it relates to the inspection times, places and procedures, including rules as it relates to rotation of the taxicabs at the airport and City of McAllen E1 Centro Bus Terminal facilities.
- (b) Certification of a successful inspection issued by a state-approved mechanic at a state-authorized inspection station shall be filed with the office of the traffic safety coordinator for each licensed vehicle in accordance with subsection (a) above.
- (c) When any required inspection shall disclose a mechanical or safety condition which prevents the inspector from approving the vehicle, or when any commercial passenger vehicle is involved in an accident, the owner of such vehicle shall remove such vehicle from service until the condition is corrected and the vehicle is successfully reinspected and a certificate of inspection issued. The transit director may suspend the vehicle permit during any period of noncompliance in this section.

(d) In addition to any requirement established by the transit director or their designee, each pedicab operated pursuant to this chapter must be equipped with the following:

- (1) A headlight;
- (2) Two taillights;
- (3) Turn signals;
- (4) Rear and side reflective devices;
- (5) A braking system;
- (6) A horn;
- (7) A rearview mirror;
- (8) A safety flag; and
- (9) A slow moving vehicle emblem.
- (10) Floorboards with non-skid contact surfaces and without holes.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2002-02, § 4, 1-14-02; Ord. No. 2010-34, § I, 5-24-10)

Sec. 114-81. - Maintenance of vehicles for occupancy by the public.

(a) In addition to the mechanical and safety inspection required for each permitted commercial passenger vehicle by a mechanic approved by the transit director or designee, the transit director or designee shall inspect each such vehicle, to ensure that the vehicle is maintained in a condition fit for occupancy by the public as determined by an inspection checklist promulgated by the transit director.

(b) No vehicle which fails this inspection may be operated as a commercial passenger vehicle in the city until all defective conditions identified in such inspection shall be corrected and the vehicle re-inspected and approved. If a vehicle fails inspection, there will be a \$10.00 fee assessed for each subsequent inspection of the vehicle. The transit director may suspend the vehicle permit during any period of noncompliance with this chapter .

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-82. - Current city inspection certificate required.

All commercial passenger vehicles shall affix a current city inspection certificate from to the windshield.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-83. – Age limit of commercial passenger vehicles

(a) No licensee or operator shall drive or cause to be driven upon the streets of the city any commercial passenger vehicle over ten (10) years of age, calculated as January 30th of the tenth year following the manufacturer's model year of the vehicle.

(b) Commercial passenger vehicles reaching ten (10) years of age shall be replaced within ninety (90) days.

Secs. 114-84—114-99. - Reserved.

ARTICLE V. - OPERATION OF TAXICABS, PEDICABS^{[\[2\]](#)}

Footnotes:

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Editor's note— Ord. No. 2010-34, § I, adopted May 24, 2010, changed the title of Art. V from operation of taxicabs to operation of taxicabs, pedicabs.

Sec. 114-100. - Identification.

- (a) Every taxicab shall have painted on or otherwise affixed to each front door and to the rear of the taxicab thereof the name of the owner or the trade name under which the owner operates, together with the taxicab number and the owner's telephone number. All lettering for the foregoing shall be not less than two and one-half inches in height, and not less than five-sixteenths inch stroke in width.
- (b) Every taxicab must at all times be equipped with a functioning domelight which shall be electrically connected to a functioning taximeter to indicate whether the taxicab is hired or is available for hire. The domelight shall be situated on the front exterior portion of the roof of each taxicab.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-101. - Taxicabs to be operated by holder of valid license only; pedicab area and hours of operation.

- (a) The commercial vehicle operator's license of the person operating the taxicab shall at all times be displayed on the dashboard of the taxicab so that the same may be seen by a passenger in the taxicab and in pedicabs as directed by the transit director. The specific location for the placement of the operator's license within the taxicab shall be approved by the transit director.

- (b) There are hereby established two zones for pedicab service: the North Zone, from Business 83 to Hackberry Avenue, and the South Zone, from Business 83 to Fresno Avenue, both from 17th Street to 11th Street.
- (c) Pedicabs may operate only within the North and South Zones, and only along such routes as the city manager or designee shall allow. A map of the most current approved pedicab routes shall be maintained by the city manager or designee. No pedicab shall be operated before 3:00 p.m. or after 3:00 a.m. When the city manager or designee deems that he conditions so warrant, the hours, areas, and routes of service may be modified, upon 30 calendar days' written notice.

(Ord. No. 2010-34, § I, 5-24-10)

Editor's note— Ord. No. 2010-34, § I, adopted May 24, 2010, changed the title of § 114-101 from taxicabs to be operated by holder of valid license only to taxicabs to be operated by holder of valid license only; pedicab area and hours of operation.

Sec. 114-102. - Use of most direct route and transferring of passengers.

Every taxicab operator hired to transport a passenger to a definite point shall take the most direct route possible that will transport the passenger safely and expeditiously to the appointed destination. Operator shall not transfer passengers to any other vehicle during the duration of the trip except in case of emergency.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-103. - Passenger's exclusive right; transporting additional passengers.

When a taxicab is engaged, the passenger shall have the exclusive right to the full and free use of the passenger area, and the owner or operator of any taxicab shall not solicit or transport additional passengers, except with the consent and approval of the first passenger.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-104. - Excessive number of passengers.

No taxicab or pedicab shall transport at any one time more than the maximum number of passengers recommended by the vehicle manufacturer.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2010-34, § I, 5-24-10)

Sec. 114-105. - Records and reports required.

(a) Each holder of a taxicab or pedicab operations permit shall maintain, at a single location, all records of its operations. The following information is required to be kept by all such permittees:

- (1) License and vehicle identification numbers of each vehicle operated.
- (2) Names, addresses and telephone numbers of all operators employed or authorized to operate vehicles.
- (3) Name, address and telephone number of licensee's liability insurance carrier(s), and copies of all policies currently in effect.
- (4) All repair records for each vehicle used in the permitted operation, and records of all vehicle inspections required by this chapter.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2010-34, § I, 5-24-10)

Section was relocated to Article II. Commercial Passenger Vehicle Licenses and Vehicle Permits in order to apply to all commercial passenger vehicles.

Sec. 114-106. - Operator's daily manifest.

- (a) The holder of each taxicab operations permit shall provide its operators with forms, approved by the transit director, for maintaining a daily manifest. The forms must include appropriate spaces for recording the following information:
 - (1) Taxicab number, operator's name, date, hours of operation, taximeter number, total miles driven, paid miles, units, trips and extras.
 - (2) Time, place and destination of each trip.
 - (3) Number of passengers and amounts of fare and other charges.
 - (4) Other information required by the transit director to aid in the discharge of his duties as required by this chapter.
- (b) Each operator shall complete a manifest on a separate form for each shift. The operator shall provide the information required by the form and shall record the information required at the end of each trip. The operator shall return completed forms to the holder of the taxicab operations permit under which his taxicab is operated at the end of each shift.
- (c) Failure to maintain manifests and/or produce same when requested shall be a violation of this chapter.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-107. – Duty to provide services within city limits.

A taxicab operator shall respond to each call received for service inside McAllen city limits that is accessible by public streets as soon as practicable. If the service cannot be provided without a reasonable time, the licensee or operator shall inform the caller of the reason for, and estimated time of, delay.

Sec. 114-108. - Taximeters required.

- (a) No taxicab regulated by this chapter shall be operated for hire unless it is equipped with a taximeter approved by the office of the transit director. Such taximeter shall properly and accurately compute and register on its face the charge for distance traveled by, and the waiting time of, the taxicab in which it is installed. The taximeter shall be maintained in the "on" position when transporting any passenger within the city.
- (b) All taximeters shall be installed at on the middle front dashboard in such a manner that the face thereof and the numeral thereon may be easily seen and read by a passenger sitting in any part of the taxicab. Between the hours of sunset and sunrise, the face of the taximeter shall be well illuminated.
- (c) All taximeters shall be subject to inspection and testing from time to time as the transit director may deem necessary.
- (d) Each taximeter must be equipped with a tamperproof switch and system of electrical distribution, so that when the taximeter flag is in the vacant or nonearning position a domelight on the top of the taxi will be well illuminated, and when the meter flag is in the "on" or earning position, the fare indicator on the taximeter will be lighted. Each taximeter must be driven directly from the taxicab transmission to the taximeter head, using a flexible shaft and flexible housing so connected and sealed as to be tamperproof.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-109. - Rates established.

The following rates, fares and charges for taxicab or pedicab service are hereby established for services within the city, except for fares governed and superseded by any contract between commercial passenger vehicle owners and the airport:

- (1) The minimum fare or flag drop shall be \$5.00 to apply to the one-fifth mile or fraction thereof.
- (2) Fifty cents for each additional one-fifth mile or fraction thereof.
- (3) No charge shall be made for children under two years of age
- (4) Two passengers with the same origin and destination may travel for a single fare. Each additional passenger with the same origin and destination shall pay a fare of \$1.00. Passengers with different origins or destinations shall pay the single passenger fare.
- (5) Twenty-five dollars per hour for waiting time, which charge must be recorded on the taximeter.
- (6) The minimum fare originating from McAllen-Miller International Airport having a destination in the city limits shall be \$7.00. Fares originating at the airport or at the City of McAllen Central Station with a destination outside the city limits will be established as per written agreement between the airport manager and the bus terminal manager and the taxicab company as otherwise provided in this chapter and shall be posted in the airport and bus terminal in a prominent area of the taxicabs.

- (7) Each passenger shall be entitled to carry one piece of luggage, or four grocery bags, at no charge. Any additional luggage may be charged at the rate of \$2.00 each, and each additional grocery bag shall be charged at the rate of twenty-five cents each.
- (8) The fare for taxicab service originating in the corporate city limits of the City of McAllen and extending outside the city limits of the City of McAllen shall be by the applicable meter rate as established under subsection (1) and subsection (2), except as otherwise provided under subsection (6). Each taxicab shall have a posted sign, in English and Spanish, located in clear view of the passenger, on the back of the front passenger seat. It shall read as follows:

ALL FARES TO DESTINATIONS WITHIN AND OUTSIDE THE CITY OF
McALLEN SHALL BE AT THE METERED FARE RATE WHICH IS AS FOLLOWS:

MINIMUM FARE IS \$5.00 APPLIED TO THE FIRST ONE-FIFTH MILE OR
FRACTION THEREOF

FIFTY CENTS FOR EACH ADDITIONAL ONE-FIFTH MILE OR FRACTION
THEREOF.

GROUPS OF OVER TWO PASSENGERS, \$1.00 FOR EACH ADDITIONAL
PASSENGER.

\$25.00 FOR WAITING TIME.

\$7.00 MINIMUM FARE FROM THE AIRPORT TO ANY DESTINATION.

A CLEAN UP FEE OF UP TO \$150.00 MAY BE CHARGED FOR SOILING

Sec. 114-110. - Refusal to convey at specified rate; excessive fares.

No operator shall refuse to convey a passenger at the rates specified by this article and displayed in the taxicab or demand or receive an amount in excess of such rates.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-111. - Receipt for payment.

No operator of a taxicab or pedicab, upon receiving full payment of a fare, shall refuse to give a receipt for the date and amount of payment upon the request of the passenger making such payment.

(Ord. No. 1995-67, § I, 11-27-95; Ord. No. 2010-34, § I, 5-24-10)

Secs. 114-112—114-129. - Reserved.

ARTICLE VI. - OPERATION OF TRANSIT VEHICLES

Sec. 114-130. - Transit vehicle specifications.

Every commercial passenger vehicle operated as a transit vehicle pursuant to the provisions of this chapter shall have a minimum rated passenger capacity of eight and maximum rated passenger capacity of fourteen, excluding the operator, with provisions for safe seating for adult passengers, and shall meet the following additional specifications:

- (1) The vehicle shall comply with all United States Department of Transportation Motor Vehicle Safety Standards and comply with all federal and state motor vehicle pollution requirements if applicable.
- (2) All seating will be facing the front of the vehicle unless the original equipment provided otherwise.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-131. - Identification.

Every transit vehicle regulated by this chapter shall have painted on or otherwise affixed to both sides and the rear of the vehicle the name of the owner, or the trade name under which the owner operates, and the transit vehicle number. All lettering in satisfaction of the requirements of this section shall be not less than six inches in height and not less than one-half-inch stroke.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-132. - Designated stops and idling.

(a) No transit vehicle shall make stops except for those previously designated and approved by the transit director.

(b) No transit vehicle may idle or remain stopped for more than fifteen (15) consecutive minutes. Air conditioning or heating must be on during any idling period.

(b) All stops authorized by the issuance of a transit vehicle operations permit or an amendment thereto shall be marked by a posted sign indicating that a transit vehicle stops at the marked location. Such signs shall be designed and installed by the office of the transit director. The cost of such signs and installation thereof shall be reimbursed to the city by the transit vehicle operations licensee for which the stop is so marked.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-133. - Amendments to transit vehicle operations permit.

Any change in the number of vehicles, routes, fares or stops by a transit vehicle operations permittee may be made only after approval of an amendment of such permit. Request for such

amendment shall thereafter be placed on the agenda for the next regular meeting of the city commission meeting in compliance with the Texas Open Meeting Act.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-134. – Rates established.

The following rates, fares and charges for transit vehicle service shall be as follows:

- (1) \$5.00 maximum fare per person to the McAllen-Hidalgo International Bridge.
- (2) \$4.00 maximum fare per person to Hidalgo, Texas
- (3) Each passenger shall be entitled to carry one piece of luggage, or four grocery bags, at no charge. Any additional luggage may be charged at the rate of \$2.00 each, and each additional grocery bag shall be charged at the rate of twenty-five cents each.

(Ord. No. 1995-67, § I, 11-27-95)

Sec. 114-135. - Records and reports required.

- (a) Each holder of a transit vehicle operations permit shall maintain all records of its operations at a single location. The following information is required to be kept by all such permittees:
 - (1) License and vehicle identification numbers of each vehicle operated.
 - (2) Names, addresses and telephone numbers of all operators employed or authorized to operate vehicles.
 - (3) Name, address and telephone number of permittee's liability insurance carrier(s) and copies of all policies currently in effect.
 - (4) All repair records for each vehicle used in the permitted operation, and records of all vehicle inspections required by this chapter.

- (5) Any other records or reports which may be required by the transit director after approval by the city manager.
- (b) Each transit vehicle operations permittee shall submit an annual report to the transit director of the receipts, expenses, and number of passengers carried during the year reported for each transit vehicle operated under the permit, as well as any other information the permittee deems necessary for a complete report of the condition of the permitted operation. Such report shall be submitted to the transit director no later than 30 days after the close of permittee's business year.
- (c) All records and reports and such other data required to be maintained under the provisions of this chapter shall be preserved by the person required to keep such records for a period of two years from the date such record or report is required to be submitted, or is not required to be submitted, from the date the record was made.

(Ord. No. 1995-67, § I, 11-27-95)

Secs. 114-136—114-225. - Reserved.

ARTICLE VII. WRECKERS

Proposed Amendments for Chapter 114. Vehicles for Hire of McAllen Code of Ordinances

December 9, 2019

Modifications throughout Chapter 114. Vehicles for Hire

- Terminology changes from Traffic Safety Coordinator to Transit Director
- Syntax changes
- Made chapter more concise by eliminating repetitive provisions such as appeal process and mechanical inspection requirements that are specified throughout several Articles
- Clarify difference between permits and licenses (licenses are issued granting right for a C.P.V. business to operate in City of McAllen and permits are granted to vehicles and operators of such vehicles)

Article 1: In General proposed amendments

- Definition modification and addition of terms such as bus terminal (not previously defined, immediate family (for taxi permit transfers in the event of unforeseen circumstances) , and rated passenger capacity (clearly define what constitutes passenger overloaded vehicle safety hazard).
- Establishes the Transit Department headed by Transit Director as the enforcement arm of this Chapter of the Ordinance.
- Reorganize appeal process for anyone aggrieved by decision of Transit Director and or City Manager.

Article II. C.P.V. Licenses and Vehicle permits proposed amendments

- Article would be limited to provisions that apply exclusively to vehicle permits
- Elimination of sale of taxi permits
- Taxi permits can only be transferred to a member of the immediate family in the event of an incapacitation or death of a licensee
- Continuation of permit/license fees, but sets forth new fees for separate contracts, vehicle re-inspection, and late renewals
- Increase the number of permits an entity can have to allow larger companies to operate in McAllen (20 to 40 percent)
- Sets forth population caps for all commercial passenger vehicles
- Establishes process to issue additional permits based on population (Lottery or RFP at discretion of City Commission)

Article III. Operator permit and conduct proposed amendments

- Operator's must have authorization from a licensed physician in order to operate C.P.V. Examination will be both physical and mental
- Accountability of operators to keep abreast of changes to area and regulations by having an exam every three years
- Increase from five (5) to seven (7) years background check for operator
- Prohibits a registered sex offender from getting an operator's permit
- Incorporates a code of conduct that would prohibit boisterous conduct and sets a maximum time span of 12 hours for on the road operation
- Ensures customers receive a pleasant experience by requiring heating/cooling system to be operated on all rides
- Requires all taxis to accept credit/debit card payments

Article IV. Inspection of vehicles proposed amendments

- Requires all commercial passenger vehicles to be inspected twice annually (previous ordinance included 4 quarterly inspections for taxis and one for all others)
- Requires any commercial passenger vehicle involved in a vehicular accident to be inspected prior to continuation of operation
- Incorporate an age limit for all commercial passenger vehicles at ten years (previous ordinance did not have age limit; grandfathering of current permit holders?)

Article V. Operation of taxi, pedicab proposed amendments

- Omit cruising section to allow more competition with transportation networking companies
- Requires taxis to provide citywide service
- Removal of outdated sections such as taxicab stand and telephone requirement
- Places more emphasis on the use of the taximeter when providing in city service
- Allows taxi drivers to charge cleanup fee for soiled or damage to taxis
- Eliminate appeal process section that is already outlined in Article I

Proposed elimination of Article VI. Operation of limousines

- Elimination of Article VI. Operation of limos due to Chapter 215 of Texas Local Government Code Section 215.004. Taxicab and Limousines (d) The provisions of that section only apply to a municipality with a population of more than 1.9 million.
- Specifically states that the maximum number of passengers for a transit vehicle is set at fourteen (14)
- Establishes rate structure for transit vehicle fares, previous Article did not have set rates

Elimination of Article VIII. Operation of C.P.V. at Airport

- Elimination of redundant sections

Questions?



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.A.

DATE SUBMITTED

12/11/2019

MEETING DATE

1/13/2020

1. Agenda Item: Consultation with City Attorney regarding pending litigation - Cause No. CL-19-6290-A; Francisco J. Gonzalez v. City of McAllen. (Section 551-071, T.G.C.)
2. Party Making Request: Kevin Pagan
3. Applicant:
4. Nature of Request: Consultation with City Attorney regarding pending litigation - Cause No. CL-19-6290-A; Francisco J. Gonzalez v. City of McAllen. (Section 551-071, T.G.C.)
5. Fiscal Impact Summary:
6. Budgeted:

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

Leilani Estrada Colima

Created/Initiated - 12/11/2019
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney:
11. Manager's Recommendation:

ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.B.

DATE SUBMITTED

1/7/2020

MEETING DATE

1/13/2020

1. Agenda Item: Consultation with City Attorney regarding pending litigation - Cause No. CL-19-6503-E; Saul Gonzalez v. City of McAllen. (Section 551.071, T.G.C.)
2. Party Making Request: Kevin Pagan
3. Nature of Request: Consultation with City Attorney regarding pending litigation - Cuase No. CL-19-6503-E; Saul Goznalez v. City of McAllen. (Section 551.071, T.G.C.)
4. Routing:

Leilani Estrada Colima

Created/Initiated - 1/7/2020
5. Staff Recommendation:
6. Advisory Board:
7. City Attorney:
8. Manager's Recommendation:



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.C.

DATE SUBMITTED

MEETING DATE

1/13/2020

1. Agenda Item: Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
2. Party Making Request: Kevin Pagan
3. Applicant:
4. Nature of Request: Consideration of Economic Development Matters. (Section 551.087, T.G.C.)
5. Fiscal Impact Summary:
6. Budgeted:

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

Leilani Estrada Colima

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



ITEM SUMMARY

BOARD: City Commission

AGENDA ITEM

6.D.

DATE SUBMITTED

1/3/2020

MEETING DATE

1/13/2020

1. Agenda Item: Discussion and possible lease, sale or purchase of real estate property: Tract 1. (Section 551.072, T.G.C.)
2. Party Making Request: Kevin Pagan
3. Applicant:
4. Nature of Request: Discussion and possible lease, sale or purchase of real estate property: Tract 1. (Section 551.072, T.G.C.)
5. Fiscal Impact Summary:
6. Budgeted:

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

Leilani Estrada Colima

Created/Initiated - 1/3/2020
8. Staff Recommendation:
9. Advisory Board:
10. City Attorney:
11. Manager's Recommendation: