



**EDINBURG CITY COUNCIL**  
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

**Location:** City of Edinburg  
City Hall-Council Chambers  
415 West University Dr.  
Edinburg, Texas 78541  
**JANUARY 05, 2016**

**REGULAR MEETING AGENDA**  
**6:00 PM**

**I. CALL TO ORDER, ESTABLISH QUORUM**

- A. Prayer.
- B. Pledge of Allegiance.

**II. CERTIFICATION OF PUBLIC NOTICE**

**III. PUBLIC COMMENTS**

*The Mayor and City Council allow for a specific portion of the City Council Meeting to be dedicated to public comments. Public Comments are limited to three (3) minutes. If a resident desires to make a public comment, please complete the Public Comments Form which will be located outside of the City Council Chambers and submit the completed form to the City Secretary prior to the commencement of the City Council Meeting. We ask for everyone's cooperation in following this procedure.*

**IV. PRESENTATIONS**

- A. Presentation Regarding the Texas Department of Transportation East State Highway 107 (University Dr.) Median Project. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]
- B. Presentation Regarding the Hidalgo County Metropolitan Planning Organization Funding Process and Progress Update from TEDSI Infrastructure Group. [Ponciano N. Longoria P.E., CFM ., Director of Public Works]

**V. PROCLAMATION**

- A. Presentation of Proclamation Recognizing: 1. Antonio Leal, Retiree, Water Plant Superintendent, Utilities Department for Thirty (30) Years of Service. [Christina Flores, Director of Human Resources/Civil Service Director]

## VI. PUBLIC HEARINGS

- A. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Auto-Urban Uses to Urban Uses and the Rezoning Request from Suburban Residential (S) District and Agriculture (AG) District to Urban Residential (UR) District, Being a 16.17 Acre Tract of Land, Out of Lot 6, Section 242, Texas-Mexican Railway Company Survey, Located 660 Feet West of the Intersection of Chapin Street and Sugar Road, as Requested by Domus Development. **(Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Interim Director of Planning & Zoning]
- B. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Auto-Urban Uses to Urban Uses and the Rezoning Request from Suburban Residential (S) District to Urban Residential (UR) District, Being a 1.34 Acre Tract of Land, Out of Lot 8, Section 242, Texas-Mexican Railway Company Survey, Located at 1119 West Chapin Road, as Requested by Novellini LTD. **(Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Interim Director of Planning & Zoning]
- C. Hold Public Hearing and Consider Ordinances to Provide for the Comprehensive Plan Amendment from Auto-Urban Uses to Neighborhood Commercial Uses and the Rezoning Request from Neighborhood Conservation 7.1 (NC7.1) District to Commercial Neighborhood (CN) District, Being Lot 9, McColl Estates Subdivision, Located at 1312 North McColl Road, as Requested by Rafael Gonzalez and Maria Pena. **(Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Interim Director of Planning and Zoning]
- D. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Suburban Uses to Auto-Urban Uses and the Rezoning Request from Suburban Residential (S) District To Auto-Urban Residential (AU) District, Being a 1.0 Acre Tract of Land out of Lot 13, Section 276, Texas-Mexican Railway Company Survey, Located at the Northeast Corner of Mon Mack Rd. and Sprague Street, as Requested By Ray Del Mar Investments. **(Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Interim Director of Planning & Zoning]
- E. Hold Public Hearing and Consider Ordinance for the Rezoning Request from Suburban Residential (S) District to Neighborhood Conservation (7.1) District, Being a 1.93 Acre Tract of Land, Out of Lots 7 and 8, Section 242, Texas-Mexican Railway Company Survey, Located at 1119 West Chapin Road, as Requested by Novellini LTD. **(Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Interim Director of Planning & Zoning]
- F. Hold Public Hearing and Consider Ordinance Amending the Unified Development Code (UDC) of the City of Edinburg, Texas Article 12 Signs, Division 12.300 On-Premise Signs, Sections 12.301(B)(10)(C)(II) and 12.380(A)(11) to Allow for Feathered Flag Signs in the City of Edinburg. [Jesus R. Saenz, Interim Director of Planning & Zoning]

## VII. ORDINANCES

- A. Consider Ordinance Amending the Code of Ordinances of the City of Edinburg, Texas, at Title III, Administration, Chapter 30, Administrative Code to Provide for Changes in Section 30.044 Discipline, Subsection (B)(15). [Christina Flores, Director of Human Resource]
- B. Consider Ordinance Amending the Code of Ordinances of the City of Edinburg, Texas, at Title III, Administration, Chapter 37, Municipal Policies to Provide for Changes in Section 37.02 Processing of Complaints. [Christina Flores, Director of Human Resources/Civil Service Director]

### **VIII. VARIANCES**

- A. Consider Variance Request to the City's Unified Development Code as follows: Article 8, Streets, Utilities, and Drainage, for Ranchitos Escondidos Subdivision Phase 2, Being a 94.47-Acres out of Tract 157, San Salvador Del Tule Grant, Located 2-Miles East of I69C and 1/2 -Mile North of FM 2812, as Requested by Quintanilla, Headley and Associates, Inc. [Jesus R. Saenz, Interim Director of Planning & Zoning].
- B. Consider Variance Request to the City's Unified Development Code as follows: (1) Article 7, Section 7.400 Subdivision and Development Design, Block Length; (2) Article 7, Section 7.502 Streets and Right-of-Way, Subsection C. Perimeter Street; and (3) Article 8 Section 8.213 Sidewalks for Vista Bonita Subdivision No. 16, Being a 20.00 Acre Tract of Land out of Lots 10, 11, & 12, Block 31, Santa Cruz Gardens Unit No. 2, Located on the Northwest Corner of Alamo Road and Ramseyer Road, as Requested by Quintanilla, Headley and Associates, Inc. [Jesus R. Saenz, Interim Director of Planning & Zoning].

### **IX. AWARDING OF BIDS**

- A. Consider Awarding Bid No. 2016-33, Replacement of Carpet, to Royal Carpet & Services in the Amount Not-To-Exceed \$65,000 and Authorize the City Manager to Enter into an Agreement Relating Thereto.[Joe Filoteo, Jr., Director of Parks & Recreation]
- B. Consider Awarding Bid No. 2016-37, Fire Department Uniforms, to GT Distributors, Inc., in the Amount of \$27,116.30. [Shawn M. Snider, Fire Chief]
- C. Consider Awarding Bid No. 2016-38, Painting of Exterior Building to Grande Valley Builders Inc., in the Amount Not-To-Exceed \$15,000 and Authorize the City Manager to Enter into an Agreement Relating Thereto. [Joe Filoteo Jr., Director of Parks & Recreation]
- D. Consider Awarding Bid No. 2016-41, Hauling Services to Southern Star Transport, LTD for their Unit Prices of \$6.15 Per Ton for Hauling Services and Authorize the City Manager to Enter into an Agreement Relating Thereto. [Ponciano N. Longoria P.E. C.F.M., Director of Public Works]
- E. Consider Awarding Bid No. 2016-42, Traffic Signal Hardware to Traffic Parts Inc., Paradigm Traffic Systems, Inc., General Traffic Equipment Corp., Texas Highway

Products LTD, and Brown Traffic Products Inc. Based on Unit Prices as Listed [Ponciano N. Longoria, P.E. C.F.M., Director of Public Works]

- F. Consider Awarding Bid No. 2016-43, Bermad Control Valves, to HD Supply Waterworks, in the Amount of \$19,444.32. [Arturo Martinez, Director of Utilities]
- G. Consider Awarding Bid No. 2016-44, Gas Chlorine Cylinders, to DPC Industries, Inc., in the Amount of \$92,170. [Arturo Martinez, Director of Utilities]
- H. Consider Awarding Bid No. 2016-47, Concrete Work to Artillery, LLC for Their Unit Prices of \$6.00 Per Square Foot of Concrete Sidewalks, \$500.00 Per Handicapped Ramp, \$15.00 Per Linear Foot for 18 Inch Curb and Gutter, and \$6.50 per Square Foot for 6" Inch Valley Gutter and Authorize the City Manager to Enter into an Agreement Relating Thereto. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]
- I. Consider Awarding Bid No. 2016-48, Purchase of City Vehicles to Caldwell Country Chevrolet (Items 1, 5, 10), Grapevine Chrysler & Dodge (Items 4, 7), Tipton Motors, Inc. (Item 3), Silsbee Ford (Items 6, 9), and Grande Truck Center (Item 8), in the Amount of \$333,645.92. [Ascencion Alonzo, Director of Finance]
- J. Consider Awarding RFP No. 2016-003, Police Apparel and Equipment to Galls LLC, and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [David White, Chief of Police]
- K. Consider Awarding RFP No. 2016-005, Purchase and Installation of Cisco Phones and Licenses, to Presidio Networked Solutions Group, LLC and Authorize the City Manager to Enter into a Service Agreement in an Amount Not-to-Exceed \$31,969.25. [Leo Gonzales, Jr., Information Technology Director]
- L. Consider Awarding RFP No. 2015-023, Physical Examinations for Volunteer Firefighters and Career Staff to Occupational & Industrial Health Center, in the Amount of \$56,133 and Authorize the City Manager to Enter Into a Medical Service Agreement for One Year as Related Thereto. [Shawn M. Snider, Fire Chief]
- M. Consider Awarding RFQ 2016-001, Engineering Services - Lull Subdivision Improvements Grant #B-15-MC-48-0503 to Melden and Hunt Inc. and Authorize the City Manager or His Designated Appointee to Negotiate and Enter Into a Professional Services Contract Pursuant to the City's Ordinances and Procurement Policies. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]
- N. Consider Rescinding Award and Terminating Contract for Oil Patch Fuel & Supply, Inc. Regarding Bid No. 2016-10, Fuel, Motor Oil, and Lubricants and Awarding Bid No. 2016-10, Fuel, Motor Oil, and Lubricants to Gold Star Petroleum Inc. for Their Delivery Margin (Unit Price) for Unleaded Fuel, Clear & Dyed Diesel and Authorize City Manager to Enter into an Agreement Relating Thereto. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]

## **X. CONTRACTUALS**

- A. Consider Authorizing the City Manager to Execute an Amendment to the Current Gas

Lease Agreement with Morrow Renewables Amending Section 6.3 to Provide for an Extension to Operation Deadline. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]

- B. Consider Authorizing the City Manager to Execute a Dedication Agreement for a Twenty Foot Easement and Allow for the Funding of the Relocation of a 2 Inch Gas Service Line at the Edinburg Regional Sanitary Landfill by Texas Gas Service, a Division of ONE Gas, Inc. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]
- C. Consider Authorizing the City Manager to Execute Facility Lease Agreement Between South Texas College District a Texas Public Junior College District and the City of Edinburg as Related Thereto. [Shawn Snider, Fire Chief]
- D. Consider Authorizing the City Manager to Enter Into an Inter-local Cooperation Agreement Between the County of Hidalgo and the City of Edinburg for Rural Emergency Services. [Shawn Snider, Fire Chief]
- E. Consider Approving Application for Non-Emergency Ambulance License for Allegiance Ambulance in Accordance with the Code of Ordinances of the City of Edinburg, Texas at Title XI, Chapter 111 Ambulances. [Shawn M. Snider, Fire Chief]

## **XI. BUDGET**

- A. Consider Authorizing the Purchase of Titan M7 Coban In-Car Video Systems From Coban Technologies Inc, in the Amount of \$20,090. [David White, Chief of Police]

## **XII. EXECUTIVE SESSION**

The City Council will convene in Executive Session, in accordance with the Texas Open Meetings Act, Vernon's Texas Statutes and Codes Annotated, Government Code, Chapter 551, Subchapter D, Exceptions to Requirement that Meetings be Open. The City Council May Elect To Go Into Executive Session On Any Item Whether Or Not Such Item Is Posted As An Executive Session Item At Any Time During The Meeting When Authorized By The Provisions Of The Open Meetings Act.

- A. Discussion and Possible Action Regarding Legal Issues Concerning Waiver of Mowing Liens for Lot 3, Block 186, Edinburg Original Townsite, Edinburg, Hidalgo County, Texas. (§551.071. Consultation with Attorney; Closed Meeting)
- B. Discussion and Possible Action Regarding Civil Action No. 7:14-CV-00920; Rolland Hugh Pursley vs. City of Edinburg; in the United States District Court for the Southern District of Texas McAllen Division.(§551.071. Consultation with Attorney; Closed Meeting.)
- C. Discussion and Possible Action Regarding Legal Issues Concerning Cause No. C-6852-14-F; City of Edinburg, Texas vs. IOC Company, L.L.C.; in the 332nd Judicial District Court of Hidalgo County, Texas. (§551.071 Consultation With Attorney; Closed Meeting.)
- D. Discussion and Possible Action Regarding Professional Services Agreement with Enoch Kever, PLLC Relating to the City's Landfill Gas Project.(§551.071.

Consultation with Attorney; Closed Meeting.)

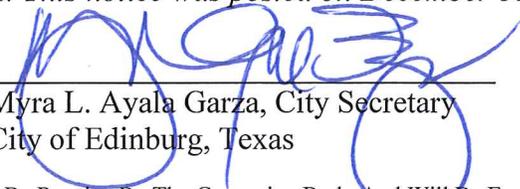
- E. Discussion and Possible Action Regarding Legal Issues Concerning Bert Ogden Arena. (§551.071. Consultation with Attorney; Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting.)
- F. Discussion and Possible Action Regarding Legal Issues Regarding Modification Agreement Relating to Economic Development Agreement with Burns Brothers, Ltd. Concerning Reinvestment Zone Number Three for La Sienna Development. (§551.071. Consultation with Attorney; Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting.)
- G. Discussion and Possible Action Regarding Proposed Interlocal Agreement Between the City of Edinburg and Edinburg Economic Development Corporation for Participation in the Construction of Soccer Fields.(§551.071. Consultation with Attorney, Closed Meeting; §551.072. Deliberation Regarding Real Property, Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations, Closed Meeting)
- H. Discussion and Possible Action Regarding Economic Incentives Pertaining to Project Square. (§551.071. Consultation with Attorney; Closed Meeting; §551.072. Deliberation Regarding Real Property; Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting)
- I. Discussion and Possible Action Regarding Legal Issues Concerning the Amendment to the Interlocal Agreement Between the City of Edinburg and the Edinburg Economic Development Corporation Regarding Parks and Recreation Facility and Authorize the City Manager to Execute Agreement Relating Thereto. (§551.071. Consultation with Attorney, Closed Meeting; §551.072. Deliberation Regarding Real Property, Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations, Closed Meeting)
- J. Discussion and Possible Action Regarding Legal Issues Concerning Agreement Between the City of Edinburg and USA Promlite Technology, Inc. for LED Lighting. (§551.071 Consultation with Attorney; Closed Meeting)
- K. Discussion and Possible Action Regarding Extending Injury Leave for Employees Under Texas Local Government Code, Chapter 143. MUNICIPAL CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS. (§551.071. Consultation with Attorney; Closed Meeting)
- L. Discussion and Possible Action Regarding Economic Incentives Pertaining to Project Wildcat. (§551.071. Consultation with Attorney; Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting)

#### **OPEN SESSION**

The City Council will convene in Open Session to take necessary action, if any, in accordance with Chapter 551, Open meetings, Subchapter E, Procedures Relating to Closed Meeting, §551.102, Requirement to Vote or Take Final Action in Open Meeting.

**XIII. ADJOURNMENT**

*I hereby certify this Notice of a City Council Meeting was posted in accordance with the Open Meetings Act, at the City Offices of the City of Edinburg, located at the 415 West University entrance outside bulletin board, visible and accessible to the general public during and after regular working hours. This notice was posted on December 31, 2015 at 1:15 p.m.*

By: 

Myra L. Ayala Garza, City Secretary  
City of Edinburg, Texas

All Matters Listed Under Consent Agenda Are Considered To Be Routine By The Governing Body And Will Be Enacted By One Motion. There Will Be No Separate Discussion Of These Items. If Discussion Is Desired, That Item Will Be Removed From The Consent Agenda And Will Be Considered Separately. With Regard To Any Item, The City Council May Take Various Actions; Including But Not Limited To Rescheduling An Item In Its Entirety For A Future Date Or Time. The City Council May Elect To Go Into Executive Session On Any Item Whether Or Not Such Item Is Posted As An Executive Session Item At Any Time During The Meeting When Authorized By The Provisions Of The Open Meetings Act.

Disability Access Statement

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact the City Secretary Department at (956) 388-8204 at least two business days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at Edinburg City Hall, 415 West University.