



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

**Location:** City of Edinburg  
City Hall-Council Chambers  
415 West University Dr.  
Edinburg, Texas 78541  
**FEBRUARY 02, 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. PRESENTATION**

- A. Presentation Regarding the Financial Commitment/Development of The Heights Apartments by Highridge Costa Development Company, LLC, Casa Linda Development Corporation and CITI Community Financial. [Marissa Garza, Director of Community Development/Grants Management]

## V. PROCLAMATIONS

- A. Presentation of Proclamations Recognizing:
  - 1. Children's Advocacy Center, Estrella's House.
  - 2. February 21, 2016 as Junior Catholic Daughters of the Americas Day.
  - 3. South Texas Preparatory Academy for Being Named a 2015 National Blue Ribbon School by the U.S. Department of Education.
  - 4. Robert Vela High School SaberCat Varsity Football Team.

## VI. PUBLIC HEARINGS

- A. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Suburban Uses to Urban Uses and the Rezoning Request from Neighborhood Conservation 7.1 (NC 7.1) District to Urban Residential (UR) District, Being Lot 19, 281 Estates Subdivision, Located at 1006 West Orange Avenue, as Requested by Guadalupe Quintanilla. **(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 Ordinance Providing for the Rezoning Request from Agriculture (AG) District to Commercial General (CG) District, Being a 2.08 Acre Tract of Land out of Lot 6, Section 276, Texas-Mexican Railway Company Survey, Located on the Northeast Corner of S.H. 107 (West University Dr.) and Matthew Avenue, as Requested By Domain Development. **(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 the Consider Ordinance Providing for the Rezoning Request from Agriculture (AG) District to Auto-Urban Residential (AU) District, Being Lot 1, Villa Del Sol Subdivision, Located at 1223 Sundance Drive, as Requested by Noelia Avila. **(Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Interim Director of Planning & Zoning]
- D. Hold Public Hearing and Consider Ordinance Providing for the Special Use Permit for the On-Premise Consumption of Alcoholic Beverages for Late Hours for the Sun Palace Event Center, Being a Portion of Lot 37, Kelly-Pharr Tract Subdivision, Located at 3901 South Closner Boulevard, as Requested by Gabriella Aguillion. [Jesus R. Saenz, Interim Director of Planning and Zoning]
- E. Hold Public Hearing and Consider Ordinance Providing for the Special Use Permit for the On-Premise Consumption of Alcoholic Beverages for Late Hours for the Galaxy Event Center, Being a Portion of Lot 37, Kelly-Pharr Tract Subdivision, Located at 3915 South Closner Boulevard, as Requested by Gabriella Aguillion. [Jesus R. Saenz, Interim Director of Planning and Zoning]

## **VII. ORDINANCES**

- A.** Consider Ordinance Providing for a Temporary Special Use Permit and a Request for Waiver of Application Fees for a Special Event, "Fiesta Edinburg 2016" to be Held from February 25 -28, 2016 at Edinburg Municipal Park, Being the South Half of Lot 11, Section 268, Texas-Mexican Railway Company Survey, Located at the Intersection of Raul Longoria Road and East Sprague Street, as Requested by Edinburg Chamber of Commerce. [Jesus R. Saenz, Interim Director of Planning and Zoning]
- B.** Consider Ordinance Amending the Code of Ordinances of the City of Edinburg, Texas, at Title IX, General Regulations, Chapter 97 Parks and Recreation, Section 97.84 Youth Connection Program Fees and Day Passes and Section 97.87 Recreation Sport Programs and Recreation Family Leisure Programs Fees. [Joe Filoteo, Director of Parks and Recreation]
- C.** Consider Reviewing and Approving Ordinance Amending the Budget for the 2015-2016 Fiscal Year by Providing Additional Appropriations and Carry-Overs Re-Appropriations to the General Fund, Utility Fund, Water Plant - Phase 2 Construction Fund, South Texas International Airport at Edinburg Fund, Solid Waste Management Fund, T.C.S.A. Fund, C.D.B.G. Fund, Capital Projects Fund, and the Boys & Girls Club Fund. [Ascencion Alonzo, Director of Finance]

## **VIII. VARIANCE**

- A.** Consider Variance Request to the City's Unified Development Code as Follows: Article 8, Streets, Utilities, and Drainage, for Russell Village Subdivision, Being a 15.00 Acre Tract of Land out of Lot 16, Section 239, Texas-Mexican Railway Company Survey, Located on the North Side of Russell Road and East of Sugar Road, as Requested by J & R Engineering, LLC. [Jesus R. Saenz, Interim Director of Planning & Zoning].

## **IX. RESOLUTION**

- A.** Consider Resolution Approving the City of Edinburg's Investment Policy. [Ascencion Alonzo, Director of Finance]

## **X. AWARDING OF BIDS**

- A.** Consider Awarding Bid No. 2016-36, Personal Protective Equipment (Specifications #A) to NAFECO, Inc., in the Amount Not-To-Exceed \$23,990. [Shawn Snider, Fire Chief]
- B.** Consider Awarding Bid No. 2016-56, 2016 City of Edinburg Little League Uniforms to MGM Printing for Items 1, 2, 3 and 4 in the Amount of \$27,390. [Joe Filoteo, Director of Parks & Recreation]

- C. Consider Awarding Bid No. 2016-58, Installation of Security Fence for Wastewater Plant and Systems to Central Fence & Supply, LTD for the Base Bid Amount of \$25,152.60 and Alternate Bid Amount of \$7,306.82 for a Total Bid Amount of \$32,459.42 and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Arturo Martinez, Director of Utilities]
- D. Consider Awarding RFP No. 2016-007, Purchase of Computer Hardware to PCMG in the Amount of \$24,134.61, to Saitech, Inc. in the Amount of \$42,721.87 and to CDW in the Amount of \$4,625.92 for a Grand Total of \$71,482.40. [Leo Gonzales, Jr., Information Technology Director]
- E. Consider Authorizing the Purchase of One Hundred Forty Six (146) Encryption Licenses for Police Radios From Dailey-Wells Communications Inc., in the Amount of \$54,202.50. [David White, Chief of Police]
- F. Consider Rejecting Bid No. 2016-46, Purchase of Two (2) Truck Mounted Thermal Foggers. [Ramiro L. Gomez Jr., Director of Solid Waste Management]
- G. Consider Rejecting Bid No. 2016-60 Cell Construction, Unit 6, Cell 5B, Edinburg Sanitary Landfill. [Ramiro L. Gomez Jr., Director of Solid Waste Management]
- H. Consider Rescinding Award of Group “F” Meter Boxes Line Item #2 Plastic Oval Meter Box with Plastic Meter Lid to HD Supply Waterworks Regarding Bid No. 2016-07 and Award Group “F” Meter Boxes Line Item #2 Plastic Oval Meter Box with Plastic Meter Lid to Aguaworks Pipe & Supply, LLC, in the Amount of \$24,485. [Arturo Martinez, Director of Utilities]

## **XI. CONTRACTUALS**

- A. Consider Approving an Option Clause to Extend the Photography Service Agreement with Trevino's Digital Photography as the Athletic League Photographer for an Additional One-Year Term and Authorizing the City Manager to Execute and Approve Option Clause Relating Thereto. [Joe Filoteo, Director of Parks & Recreation]
- B. Consider Legal Services Contract Between the City of Edinburg and Palacios Garza & Thompson, P.C. and Authorizing City Manager to Execute an Agreement Relating Thereto. [Richard M. Hinojosa, City Manager]
- C. Consider Authorizing the City Manager to Enter Into an Agreement with the Edinburg Chamber of Commerce for Fiesta Edinburg 2016 for \$10,000 in funding from the General Fund. [Richard M. Hinojosa, City Manager]

## **XII. APPOINTMENTS**

- A. Consider Appointment of a Designated Board Member and Designated Alternate Board Member for the Hidalgo County Metropolitan Planning Organization (HCMPO) Transportation Policy Committee (TPC). [Richard M. Hinojosa, City Manager]

### **XIII. WAIVER**

- A.** Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg Activity Center for the 6<sup>th</sup> Annual Racks N Tusks Awards Banquet on Thursday, March 24, 2016 as Requested by Racks N Tusks of Texas. [Richard M. Hinojosa, City Manager]

### **XIV. BUDGET**

- A.** Consider Transfers of Funds in the Fiscal Year 2015-2016 Budget Within the Following Accounts:
  - 1. General Fund: FROM Salaries TO Dues and Subscriptions, in the Amount of \$500. [Richard M. Hinojosa, City Manager]
  - 2. General Fund: FROM Communications TO Motor Vehicles, in the Amount of \$1,700. [Jesus R. Saenz, Interim Director of Planning & Zoning]
  - 3. Los Lagos Golf Club Fund: FROM Capital Outlay Machines & Equipment; and Rents and Contracts TO Maintenance Machines & Equipment, in the Amount of \$20,282. [Tony Garcia, Director of Golf]
- B.** Consider Submission of the Annual Investment Reports for October 01, 2014 through September 30, 2015. [Ascencion Alonzo, Director of Finance]

### **XV. 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.

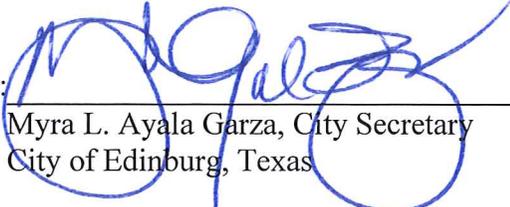
- A.** Discussion and Possible Action Regarding Economic Incentives for Project Radar. (§551.071. Consultation with Attorney; Closed Meeting; §551.072. Deliberation Regarding Real Property; Closed Meeting; and §551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting.)
- B.** 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.)
- C.** Discussion and Possible Action Regarding Legal Issues Concerning Applications to Texas Department of Housing and Community Affairs (TDHCA) for Housing Tax Credits. (§551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting; §551.071. Consultation with Attorney; Closed Meeting; and §551.072. Deliberation Regarding Real Property; 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.

**XVI. 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 January 29, 2016 at 3:07 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.