



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78541
AUGUST 03, 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. 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 Agriculture (AG) District to Urban Residential (UR) District, Being a 6.61 Acre Tract of Land Out of Lot 71, Kelly-Pharr Tract, Located Approximately 990' North of Owassa Rd. and 350' East of Sugar Rd., as Requested by JTMR LLC. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus Saenz, Director of Planning & Zoning]

- B.** Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Urban University Uses to Neighborhood Commercial Uses and the Rezoning Request from Urban Residential (UR) District to Commercial Neighborhood (CN) District, Being Lots 5 & 6 Block 98, Edinburg Original Townsite, Located at 202 W. Schunior Street, as Requested by Arnoldo Perez Jr. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action)** [Jesus R. Saenz, Director of Planning and Zoning]
- C.** Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Auto-Urban Uses to Urban Uses and the Rezoning Request from Agriculture (AG) District to Urban Residential (UR) District, Being 5.97 Acres out of the South Half (1/2) of Lot 65, Kelly-Pharr Subdivision, Located Approximately 300 ft. Northwest of the Intersection of S. Veterans Blvd. and Owassa Rd., as Requested by MDS Housing Owassa Ltd. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus Saenz, Director of Planning & Zoning]
- D.** Hold Public Hearing and Consider Ordinances Providing for the Rezoning Request from Suburban Residential (S) District to Commercial General (CG) District, Being a 0.64 Acre Tract of Land, Out of Lot 6, Section 243, Texas Mexican Railway Company Survey, Located at 1303 E. Rogers Rd., as Requested by Daniel And Yesenia Garza. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus Saenz Director of Planning & Zoning]
- E.** Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Neighborhood Conservation 7.1 (NC7.1) District to Urban Residential (UR) District, Being the South 94.5 Feet of Lots 5 and 6, Block 361, Edinburg Original Townsite, Located at 609 South 9th Ave., as Requested by Sara McFarland. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus R. Saenz, Director of Planning and Zoning]
- F.** Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Agriculture (AG) District to Commercial General (CG) District, Being 6.0 Acres Out of Lots 32 & 33, South Texas Development Co. Subdivision, Located Approximately 0.8 Miles East of Interstate 69C along El Cibolo Road, as Requested by PERMAPAC. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus R. Saenz, Director of Planning and Zoning]
- G.** Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Auto-Urban Residential (AU) District to Commercial General (CG) District, Being a 0.41 Acre Tract of Land Out of Lot 2, Section 275, Texas-Mexican Railway Company Survey, Located at 1200 S. McColl Road, as Requested by Leo Villarreal. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus R. Saenz, Director of Planning and Zoning]

- H. Hold Public Hearing and Consider Ordinance Providing for the Special Use Permit for the On Premise Consumption of Alcoholic Beverages for Late Hours, Being Lot 1, QUBE Hotel Group Subd., Located at 502 W. Trenton, as Requested by QUBE RGV Properties L.P. [Jesus R. Saenz, Director of Planning and Zoning]
- I. 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 Sip Lounge, Being a 1.44 Acre Tract of Lot 1, Marval Plaza Subdivision, Located at 4315 South McColl Road, as Requested by Javier Carreon. [Jesus R. Saenz, Director of Planning and Zoning]

V. VARIANCES

- A. Consider Variance Request to the City's Unified Development Code as follows: Article 3, Districts and Bulk Standards, Section 3.303 Multi-Family, for The Garden at Russell Estates, Being a 4.00-Acre Tract of Land out of Lot 2, Section 242 Texas-Mexican Railway Company Survey, Located on the South Side of Mile 17 ½ North Road (Russell Road); Approximately 1,056.00-Feet East of Sugar Road, as Requested by Quintanilla, Headley and Associates, Inc. [Jesus R. Saenz, Director of Planning & Zoning]
- B. Consider Variance Request to the City's Unified Development Code as Follows: Article 7 – Plat and Site Plan Design, (1) Division 7.400 Subdivision Development and Design, (2) Division 7.500 Dedication of Land and Improvements, for La Cueva Del Tigre Subdivision, a 1.92 Acre Tract of Land out of Lot "A", Santa Cruz Gardens Subdivision Unit No. 1, Located on the Northeast Corner of I69C and Davis Road, as Requested by REGG Engineering & Surveying. [Jesus R. Saenz, Director of Planning & Zoning]
- C. Consider Variance Request to the City's Unified Development Code as Follows: Article 7 - Plat and Site Plan Design, Division 7.400 Subdivision Development and Design, for D-Day Properties LLC Subdivision AKA Carpet House Subdivision, a 2.15 Acre Tract of Land out of Lots 5 & 6 Section 236 Texas-Mexican Railway Company's Survey, Located on the Northeast Corner of I69C and Rogers Road, as Requested by REGG Engineering & Surveying. [Jesus R. Saenz, Director of Planning & Zoning]

VI. AWARDING OF BIDS

- A. Consider Awarding RFQ 2016-002, City of Edinburg, Bicycle / Pedestrian Master Plan, CSJ: 0921-02-34 to HALFF Associates, Inc., and Authorize the City Manager or His Designated Appointee to Negotiate 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]

- B.** Consider Awarding RFP No. 2016-020 Cisco SmartNet Renewals, to Presidio Networked Solutions Group, LLC in the Amount of \$20,731.73. [Leo Gonzales, Jr., Director of Information Technology]
- C.** Consider Awarding Bid No. 2016-91, Ammunition, to GT Distributors, Inc. for Item #1 in the Amount of \$13,429.44 and to Precision Delta Corporation for Item #3 in the Amount of \$10,425. [David White, Chief of Police]
- D.** Consider Authorizing the Purchase of Body Cameras and Data Storage Server from Coban Technologies, Inc., through the Houston Galveston Area Council (HGAC), in the Amount of \$104,507. [David White, Chief of Police]

VII. CONTRACTUAL

- A.** Consider Authorizing the City Manager to Renew and Execute a Cooperative Agreement Between the City of Edinburg and the United States Department of Justice, Drug Enforcement Administration, for participation in the McAllen HIDTA Task Force. [David White, Chief of Police]

VIII. WAIVER

- A.** Consider Authorizing the City Manager to Waive Rental Fees for the use of the Softball Fields at the Edinburg Municipal Park for the Annual Emergency Services Softball Classic "Guns N' Hoses" to be Held on Saturday, August 20, 2016. [Richard M. Hinojosa, City Manager]

IX. BUDGET

- A.** Consider Certification of 2016 Anticipated Debt Collection Rate and 2015 Excess Debt Collection. [Ascencion Alonzo, Director of Finance]
- B.** Consider Transfers of Funds in the Fiscal Year 2015-2016 Budget Within the Following Accounts:
 - 1.** General Fund: FROM Drainage Facilities TO Travel, Trainings, Meetings, in the Amount of \$300. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]
 - 2.** General Fund: FROM Salaries TO Salaries; Taxes; Food; Other Supplies; Office Equipment & Furniture; Travel, Training; Meetings; Rents & Contractuals; Communications; and Humane Society, in the Amount of \$100,320. [Ascencion Alonzo, Director of Finance]
 - 3.** Utility Fund: FROM Waterlines & Fire Hydrants TO Air Conditioning Units; and Water Distribution System, in the Amount of \$29,312. [Arturo Martinez, Director of Utilities]
 - 4.** General Fund: FROM Machines & Equipment TO Air Conditioning Units, in the Amount of \$16,000. [Joe Filoteo, Director of Parks & Recreation]

5. Solid Waste Management Fund: FROM Other TO Signs & Signal Equipment; and Air Conditioning Units, in the Amount of 2,000. [Ramiro Gomez, Director of Solid Waste Management]
 6. Solid Waste Management Fund: FROM Structures; Motor Vehicles; Machines & Equipment; and Other TO Machines & Equipment; and Motor Vehicles, in the Amount of \$375,000. [Ramiro Gomez, Director of Solid Waste Management]
 7. T.C.S.A. Fund: FROM Membership Dues & Subsc; and Other TO Other, in the Amount of \$20,175. [David White, Chief of Police]
- C. Discuss and Consider Proposed Tax Rate for the City of Edinburg for Fiscal Year Beginning October 1, 2016 through September 30, 2017 and Setting Public Hearings. [Ascencion Alonzo, Director of Finance]

X. 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 Cause No. C-3145-15-I; The Shoppes at Rio Grande Valley, LP, et al vs. Simon Property Group (Texas) LP, et al; in the 398th Judicial District Court of Hidalgo County, Texas. (§551.071 Consultation With Attorney; Closed Meeting.)
- B. 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)
- C. Discussion and Possible Action Regarding Legal Issues Concerning the Proposed Amendment to the Building Spaces Lease Agreement between City of Edinburg and Vipers Bball SF, LLC for the Parks and Recreation Facility and Authorize City Manager to Enter into and/or Amend Agreement Relating thereto.(§551.071. Consultation with Attorney; Closed Meeting.)
- D. Discussion and Possible Action Regarding Legal Issues Concerning A 115.05 Acre Tract of Land out of Lots 10, 15 and 16, Section 277, Texas-Mexican Railway Company's Survey, Hidalgo County, Texas. (§551.071. Consultation with Attorney; Closed Meeting; and §551.072. Deliberation Regarding Real Property; Closed Meeting)
- E. Discussion and Possible Action Regarding Legal Issues Concerning Amendment to Sales Contract Pertaining to Exchange of Property Between the City of Edinburg and Edinburg Consolidated Independent School District and Authorize City Manager to

Enter Into and/or Amend Agreement Relating Thereto. (§551.071. Consultation with Attorney; Closed Meeting; §551.072. Deliberation Regarding Real Property; Closed Meeting

- F. Discussion and Possible Action Regarding Legal Issues Concerning Lot 8, Block 1, Santa Cruz Gardens, Unit No. 3, Hidalgo County, Texas, According to Map Thereof Recorded in Volume 9, Page 13, Map Records of Hidalgo County, Texas. (§551.071. Consultation with Attorney; §551.072. Deliberation Regarding Real Property; Closed Meeting).

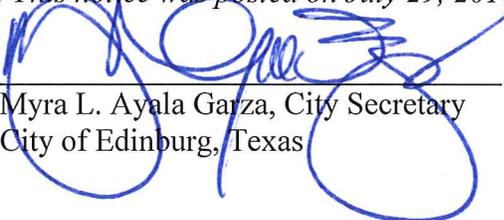
OPEN SESSION

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.

XI. 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 July 29, 2016 at 4:05 PM

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.