



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78541
SEPTEMBER 04, 2018

REGULAR MEETING AGENDA
6:00 PM

1. CALL TO ORDER, ESTABLISH QUORUM

- A. Presentation of Colors.
- B. National Anthem.
- C. Pledge of Allegiance.
- D. Prayer.

2. CERTIFICATION OF PUBLIC NOTICE

3. 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.

4. PRESENTATIONS AND REPORTS

- A. Consider the renaming of the City of Edinburg All-America City 10K Run/Walk to the City of Edinburg All-America City David Chavana 10K Run/Walk.
- B. Project updates on the 2018 Certificate of Obligations - Drainage Improvements Projects by SDI Engineering, Melden & Hunt, Inc., Javier Hinojosa Engineering, and Rio Delta Engineering.

5. PROCLAMATIONS

- A. Presentation of Proclamation Recognizing:
David Chavana

6. PUBLIC HEARINGS

- A. Consider the Ordinances providing for the Comprehensive Plan Amendment from Urban Residential District to Neighborhood Commercial District and the rezoning request from Neighborhood Conservation 7.1 (NC 7.1) District to Commercial Neighborhood (CN) District, being Edinburg Original Townsite, Blk 206, Lot 9, located at 415 E McIntyre Street, as requested by Gerry Lozano. [Jesus R. Saenz, Director of Planning & Zoning]
- B. Consider the Ordinances providing for the Comprehensive Plan Amendment from Commercial General Uses to Neighborhood Commercial District and the rezoning request from Neighborhood Conservation 7.1 (NC 7.1) District to Commercial Neighborhood (CN) District, being Edinburg Original Townsite, Blk 362, Lot 7, located at 621 South 10th Avenue, as requested by Lydia Dominguez. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jesus R. Saenz, Director of Planning & Zoning]
- C. Hold Public Hearing and Consider the Comprehensive Plan Amendment from Auto Urban Residential Uses to Neighborhood Commercial Uses and the Rezoning Request from Suburban Residential (S) District to Commercial Neighborhood (CN) District, Being Lot 2, Replat of Lot 1 and Lot 2, MAG-BUG No. 1 Subdivision, Located Approximately 600 feet south of Mile 17 ½ Road Along Jackson Road, As Requested by Jose Salinas. **(A 4/5 Vote is Required by the City Council to Overturn the Planning & Zoning Commission Action.)** [Jesus Saenz, Director of Planning & Zoning]

7. CONSENT AGENDA

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.

- A. Consider approval of City Council minutes for August 09, 2018 City Council meeting. [Ludivina Leal, City Secretary]
- B. Consider authorizing the purchase of ten (10) tablets from Staples in the amount of \$38,207.50, through TASB Buy Board and ten (10) tablets from CDW-G in the amount of \$39,050.50, through DIR-TSO-3763 [David White, Chief of Police]
- C. Consider Amendment No. 4 to the Lease Agreement with the Texas Department of Public Safety Aircraft Sector to add the new 15,000 sq.ft. hangar facility which will include an increased lease rate and will bring the leasehold to a total 25,000 sq.ft. hangar space at South Texas International Airport at Edinburg. [Debora Pinto, Airport Manager]

- D. Consider authorizing the City Manager to execute a Golf Program Agreement between the City of Edinburg and the Donna Independent School District for the use of Los Lagos Golf Course and Ebony Golf Course. [Tony Garcia, Director of Golf]
- E. 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 (DEA), for participation in the McAllen Organized Crime Drug Enforcement Task Force (OCDETF). [David White, Chief of Police]
- F. Consider authorizing City Manager to execute an Inter-Local Agreement between the City of Edinburg, City of Mission, City of McAllen, and City of Pharr for the Hidalgo County MPO Congestion Management Plan traffic signal deployment of traffic signal equipment and authorize City Manager to enter into an agreement relating thereto. [Tomas D. Reyna, Director of Public Work]
- G. Consider awarding Bid 2018-19 McIntyre Railroad Pedestrian Crossing to RDH Site & Concrete, LLC for base bid in the amount of \$46,626 and authorize City Manager to enter into an agreement relating thereto. [Tomas D. Reyna, Director of Public Work]

8. BIDS/CONTRACTUALS

- A. Consider awarding RFQ 2018-004, Professional Engineering Services - Hazard Mitigation Grant Program FEMA projects number DR 4223-058, City of Edinburg Stadium and Dawson Drive Drainage Improvement Project to Perez Consulting Engineers the Highest Ranking Firm and authorize City Manager or his designated appointee to negotiate and enter into a Professional Engineering Services Contract. [Tomas D. Reyna, Director of Public Works]
- B. Consider awarding Bid No. 2018-87, Orbal Plant Rotors, to RGV Industrial Machine Shop & Pumps LLC in the amount of \$180,000.00, and authorize City Manager to enter into agreement thereto. [Arturo Martinez, Director of Utilities]
- C. Consider authorizing City Manager to enter into Amendment No. 2 with Hidalgo County Irrigation District No. 1 for the West Water Plant Improvements at the East Canal, not to exceed \$98,823.50. [Arturo Martinez, Director of Utilities]

9. VARIANCE

- A. Consider Variance request to the City's Unified Development Code as follows: 1.) Article 7, Plat and Site Plan Design, Section 7.502, Streets and Rights of Way 2.) Article 8, Streets & Utilities, and Drainage, Section 8.213 Sidewalks, Being a 1.09 Acre Tract of Land out of Lot 4, Kelly-Pharr Subdivision, Hidalgo County, Texas, Barnett Subdivision, located on the West side of US Bus 281 (Closner Blvd) and the South side of Maple Street, as requested by Quintanilla Headley & Associates. [Jesus R. Saenz, Director of Planning]
- B. Consider Variance request to the City's Unified Development Code Article 7- Plat and Site Plan Design, Section 7.502 Street and Rights of Way, Being a 12.970 Acre Tract of Land out of Lots 1 & 2, Lexington Estates Subdivision, Hidalgo County, Texas, Lexington Commercial Plaza, located on the East side of Alamo Road and South of Iowa Road, as requested by SDI Engineering, LLC. [Jesus R. Saenz, Director of Planning]

10. ORDINANCES

- A.** Consider approving Resolution to suspend enforcement of the Edinburg Code of Ordinances: Title VII: Traffic Code: Chapter 71: Subchapter: Parking Meters: 71.30 Unlawful to Park Overtime. [David White, Chief of Police]
- B.** Consider reviewing and approving ordinance amending the budget for the 2017-2018 Fiscal Year by providing additional revenues and additional appropriations to the General Fund, Utility Fund, T.C.S.A. Fund, and the Boys & Girls Club Fund. [Ascencion Alonzo, Director of Finance]
- C.** Consider ordinance amending the Code of Ordinances of the City of Edinburg, Texas at Title III: Administration, Chapter 30, Administrative Code, Sections 30.071 and 30.075 to provide for various changes to the City's current Classification and Compensation Plan for Non-Civil Service employees. [Belinda Torres, Director of Human Resources/Civil Service Director]
- D.** Consider an Ordinance of the City of Edinburg, Texas declaring as surplus property, a certain tract of real property and improvements located along the South Side of Freddy Gonzalez West of Business 281, known as Ebony Hills Golf Course being a 66.886 acres gross consisting of: 20.00 acres out of Lot 9, Section 274; 39.557 acres out of Lot 12, Section 271; 8.329 acres out of Lot 11, Section 271; Texas-Mexican Railroad Company Survey Volume 24, PG. 168 H.C.D.R. City of Edinburg, Hidalgo County, Texas and authorizing the sale thereof; authorizing the City Manager to enter into a Broker Agreement pursuant to §253.014 of the Texas Local Government Code; and authorizing the Mayor to sign any documents necessary to effectuate the sale of the Property.

11. RESOLUTIONS

- A.** Consider Resolution ratifying City Manager's submission of grant application in the amount of \$25,568.00 to the U.S. Department of Justice FY 2018 Local Edward Byrne Memorial Justice Assistance Grant Program and authorize City Manager to execute grant documents relating thereto. [David White, Chief of Police]
- B.** Consider Resolution authorizing the City of Edinburg to adopt and offer ICMA-Retirement Corporation 457 Deferred Compensation Plans to city employees. [Belinda Torres, Director of Human Resources/Civil Service].

12. BUDGET

- A.** Consider ordinance adopting the tax rate and levy for the City of Edinburg for the tax year 2018 and fiscal year beginning October 1, 2018 through September 30, 2019. [Ascencion Alonzo, Director of Finance]
- B.** Hold public hearing on the proposed budget for the City of Edinburg for fiscal year beginning October 1, 2018 and ending September 30, 2019.

Consider ordinance adopting the budget for the City of Edinburg for fiscal year beginning October 1, 2018 and ending September 30, 2019. [Ascencion Alonzo, Director of Finance]

- C. Consider transfers of funds in the Fiscal Year 2017-2018 Budget within the following accounts:
1. General Fund: FROM Salaries; and Rents & Contracts TO Special Projects, in the amount of \$130,000. [Ascencion Alonzo, Director of Finance]
 2. General Fund: FROM Travel, Training, Meetings TO Office Equipment & Furniture, in the amount of \$2,300. [Ricardo Gonzalez, City Attorney]
 3. General Fund: FROM Motor Vehicles; Travel, Training, Meetings; and Office Equipment & Furniture (Capital Outlay) TO Office Equipment & Furniture (Supplies), in the amount of \$13,895. [Daniel Vera, Director of Information Technology]
 4. General Fund: FROM Office Equipment & Furniture (Capital Outlay) TO Office Equipment & Furniture (Supplies), in the amount of \$4,114. [Daniel Vera, Director of Information Technology]
 5. General Fund: FROM Wearing Apparel; Chemicals-Medical & Lab; Training School; Building; Equipment; Travel, Training, Meetings; Professional Services; Rents & Contracts; and Other TO Motor Vehicles; and Machines & Equipment, in the amount of \$154,500. [Shawn Snider, Fire Chief]
 6. General Fund: FROM Motor Vehicles; and Other TO Office Equipment & Furniture, in the amount of \$9,000. [Shawn Snider, Fire Chief]
 7. General Fund: FROM Wearing Apparel; Motor Vehicles; Communications; Printing; Travel, Training, Meetings; Membership Dues; Other Supplies; and Building TO Overtime, in the amount of \$12,000. [Shawn Snider, Fire Chief]
 8. General Fund: FROM Machines & Equipment TO Air Conditioning Units, in the amount of \$11,000. [Javier Garza, Director of Parks & Recreation]
 9. General Fund: FROM Motor Vehicles TO Supplies, in the Amount of \$4,400. [Letty Leiya, Director of Library & Cultural Arts]
 10. General Fund: FROM Salaries TO Office Equipment/Furniture; and Communications, in the amount of \$10,086. [Ascencion Alonzo, Director of Finance]
 11. Utility Fund: FROM Motor Vehicles TO Professional Services, in the amount of \$19,500. [Arturo Martinez, Director of Utilities]
 12. Utility Fund: FROM Machines & Equipment (Water Plant); Professional Services; and Other TO Raw Water (For Sale); Land; and Machines & Equipment (WWTP), in the amount of \$276,176. [Arturo Martinez, Director of Utilities]
 13. Utility Fund: FROM Salaries TO Raw Water (For Sale); Land; and Structures, in the amount of \$203,824. [Arturo Martinez, Director of Utilities]
 14. Solid Waste Management Fund: FROM Structures TO Machines & Equipment, in the amount of \$100,000. [Ramiro Gomez, Director of Solid Waste Management]
 15. Solid Waste Management Fund: FROM Motor Vehicles TO Air Conditioning Units, in the amount of \$5,650. [Ramiro Gomez, Director of Solid Waste Management]
 16. Solid Waste Management Fund: FROM Structures TO Motor Vehicles, in the amount of \$90,000. [Ramiro Gomez, Director of Solid Waste Management]
 17. Los Lagos Golf Club Fund: FROM Botanical/Agricultural TO Materials; Equipment; and Machines & Equipment, in the amount of \$17,000. [Tony Garcia, Director of Golf]

13. APPOINTMENTS

A. Discuss and consider appointments to the City Advisory Boards and Committees for the following:

1. Edinburg Housing Authority Board, One Member (Mayor Appointed)

14. 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 potential litigation concerning re-issuance of Landfill Permit (§551.071. Consultation with Attorney; Closed Meeting)
- B. Discussion and possible action regarding legal issues concerning Cause No. CL-18-3168-D; Ethelyn Jane Cross vs. City of Edinburg; in the County Court at Law No. 4, Hidalgo County, Texas (§551.071. Consultation with Attorney; Closed Meeting.)
- C. Discussion and possible action regarding legal issues concerning potential litigation relating to 1006 Bunker Avenue (§551.071. Consultation with Attorney; Closed Meeting.)
- D. Discussion and possible action regarding action taken by City Council on July 3, 2018, pertaining to the proposed transfer of personal property to Sharyland Water Supply Corporation, to-wit: 8-Inch polyvinyl chloride waterline improvement located on Rogers Road between Jackson Road and Flipper Drive and continuing Eastward, adjacent to the South boundary line of Rogers Road to the point of cut-off. (§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.

15. 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 August 31, 2018 at 6pm.

By:



Ludivina Leal, City Secretary

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.