



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

**Location:** City of Edinburg  
City Hall-Council Chambers  
415 West University Dr.  
Edinburg, Texas 78541  
**OCTOBER 02, 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. MAYOR'S REPORT**

**4. 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.*

**5. PRESENTATIONS AND REPORTS**

- A. Presentation and update on September 10 - 12, 2018 Rain and Flooding Event. [Shawn M. Snider, Fire Chief]

## 6. PUBLIC HEARINGS

- A. Hold public hearing and consider the ordinance providing for the Special Use Permit for late hours, being Lots 1 and 12, Block 100, Edinburg Original Townsite, located at 720 N. Closner Blvd., as requested by Carmen Nelda Luna [Jesus R. Saenz, Director of Planning and Zoning]
- B. Hold public hearing and consider the ordinance providing for the rezoning request from Agriculture (AG) District to Suburban Residential (S) District, being 2.00 acres out of Lot 120, Seminary Heights Subdivision, as requested by Juan Araguz & Damaris Chapa [Jesus Saenz, Director of Planning & Zoning]
- C. Hold public hearing and consider the ordinance providing for the Comprehensive Plan Amendment from Neighborhood Commercial Uses to General Commercial Uses and the rezoning request from Agriculture (AG) District to General Commercial (CG) District, being a tract of land containing 2.290 acres situated in the City of Edinburg, Hidalgo County, Texas, located at the northeast corner of Canton and McColl Road, as requested by Melden and Hunt, Inc. ( **4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.**) [Jesus R. Saenz, Director of Planning & Zoning]
- D. Hold public hearing and consider the rezoning request from Agriculture (AG) District to Neighborhood Conservation 5 (NC 5) District, being a 9.59 acre tract of land out of Lot 13, Section 243, Texas Mexican Railway Company's Survey, as requested by Quintanilla Headley & Associates, Inc. ( **A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.**) [Jesus R. Saenz, Director of Planning & Zoning]
- E. Hold public hearing and consider the ordinance providing for the Comprehensive Plan Amendment from Neighborhood Commercial Uses to Auto-Urban Residential Uses and the rezoning request from Agriculture (AG) District to Auto-Urban Residential (AU) District, being a tract of land containing 22.702 acres, situated in the City of Edinburg, Hidalgo County, Texas, located at the northeast corner of Canton and McColl Road, as requested by Melden and Hunt, Inc. ( **A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.** ) [Jesus R. 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 21, 2018 City Council Special Meeting-Joint Workshop and September 04, 2018 City Council meeting. [Ludivina Leal, City Secretary]
- B. Consider ordinance providing for a temporary special use permit for a special event and a waiver of fees, "7<sup>th</sup> Annual RGV Out of Darkness Community Walk" to be held on Saturday, October 27, 2018, at the 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, located at 714 South Raul Longoria Road, as requested by Melissa Zamora. [Jesus R. Saenz, Director of Planning and Zoning]

- C. Consider ordinance providing for a temporary special use permit and a request for waiver of fees for a special event, “26<sup>th</sup> Annual Fire Safety Festival and The Heart of America Carnival” to be held from Wednesday, October 31, 2018 thru Sunday, November 4, 2018, at HEB Park, being Lot 1, Family Recreation & Aquatic Center Subdivision, as requested by The City of Edinburg Fire Department / Edinburg Volunteer Fire Department. [Jesus R. Saenz, Director of Planning and Zoning]
- D. Consider ordinance providing for a temporary special use permit and a waiver of fees for the Turkeyfest Fall Festival 2018 to be held Saturday, November 10, 2018 at St. Joseph Catholic School, being, Block 319, Edinburg Original Townsite, located at 119 West Fay Street, as requested by St. Joseph Catholic School. [Jesus R. Saenz, Director of Planning and Zoning]
- E. Consider authorizing the City Manager to enter into a Memorandum of Understanding between the City of Edinburg and Region One Education Service Center for the purpose of establishing an Adult Education and Literacy Program for eligible participants under the provision of the Title II for a period beginning July 2018 and ending June 2019. [Leticia S. Leija, Director of Library & Cultural Arts.
- F. Consider ordinance providing for a temporary special use permit and a waiver of fees for the “6<sup>th</sup> Annual Walk for Life”, to be held on Saturday, October 20<sup>th</sup>, 2018, located at the Hidalgo County Commissioner’s Court, being all of Block 276, Lots 13-22, Edinburg Original Townsite located at 101 Closner Blvd, as requested by Knights of Columbus. [Jesus R. Saenz, Director of Planning and Zoning]
- G. Consider authorizing the City Manager to amend Memorandum of Understanding between the City of Edinburg and Affordable Homes of South Texas, Inc. for the Emergency Repair Program. [Marissa Garza, Director of Community Development/Grants Management]
- H. Consider approval of Substantial Amendment to the Community Development Block Grant Program FY 2013-2017 Five-Year Consolidated Plan & Strategy. [Marissa Garza, Director of Community Development/Grants Management]
- I. Consider authorizing the City Manager to execute Amendment Number Three to the Interlocal Agreement between the Lower Rio Grande Valley Development Council, City of Edinburg and Edinburg Economic Development Corporation to extend the agreement one additional year for the Joint Development of the Edinburg Transit Terminal. [Tomas D. Reyna, Director of Public Works]
- J. Consider authorizing the City Manager to waive fees for the use of the Edinburg Activity Center for the Edinburg Beef Club Event to be held on Friday, January 25, 2019 and Friday, April 26, 2019. [Pilar Rodriguez, City Manager]

## **8. BIDS/CONTRACTUALS**

- A. Consider awarding the City of Edinburg's Fiscal Year 2017-2018 audit to Carr, Riggs & Ingram, LLC in the amount of \$87,000 and authorize the City Manager to execute engagement letter relating thereto. [Ascencion Alonzo, Director of Finance]

## **9. ORDINANCES**

- A.** Consider ordinance amending the Code of Ordinances of the City of Edinburg, Texas at Title III: Administration, Chapter 30, Administrative Code, Section 30.071 to provide for change to the City's current Classification and Compensation Plan for Non-Civil Service employees.

## **10. RESOLUTIONS**

- A.** Consider resolution authorizing the City Manager or City Management Designee, for the City of Edinburg, Texas, to enter into a Routine Airport Maintenance Program (RAMP) Grant Agreement with the Texas Department of Transportation Aviation Division, and authorize the commitment to fund and complete various improvements at the South Texas International Airport at Edinburg. [Debora Pinto, Airport Manager]

## **11. BUDGET**

- A.** Consider approval of the Edinburg Economic Development Corporation Fiscal Year 2018-2019 Budget.
- B.** Consider transfers of funds in the Fiscal Year 2017-2018 Budget within the following accounts:

1. General Fund: FROM Office Equipment & Furniture TO Communications; and Office Supplies, in the Amount of \$3,400. [Daniel Vera, Director of Information Technology]
2. Utility Fund: FROM Structures TO Sanitary Sewer Systems, in the Amount of \$24,800. [Arturo Martinez, Director of Utilities]
3. Solid Waste Management Fund: FROM Motor Vehicles TO Office Equipment & Furniture, in the Amount of \$2,400. [Ramiro Gomes, Director of Solid Waste Management]
4. South Texas Int'l Airport Fund: FROM Salaries; Other; and Bank Service Charges TO C.M. Insurance Claims Settlement, in the Amount of \$50,000. [Ascencion Alonzo, Director of Finance]
5. Solid Waste Management Fund: FROM Motor Vehicles TO Motor Vehicles, in the Amount of \$25,000. [Ramiro Gomez, Director of Solid Waste Management]
6. Solid Waste Management Fund: FROM Motor Vehicles TO Air Conditioning Units, in the Amount of \$1,160. [Ramiro Gomez, Director of Solid Waste Management]
7. Solid Waste Management Fund: FROM Motor Vehicles TO Signs and Equipment, in the Amount of \$3,050. [Ramiro Gomez, Director of Solid Waste Management]
8. Various Funds: FROM Professional Services; Travel, Training, Meetings; and Office Equipment & Furniture TO Hurricane/Severe Weather Expenses, in the amount of \$125,000. [Ascencion Alonzo, Director of Finance]
9. Various Funds: FROM Professional Services; Salaries; Group Insurance; Retirement; Travel, Training, Meetings; Taxes; Worker's Compensation Insurance; Utilities; Bank Service Charges; Election Expenses; County Appraisal Service; and Special Projects TO Salaries; Overtime; Group Insurance; Disability Insurance; Retirement; Motor Vehicles; Office Equipment & Furniture; Taxes; Longevity; Rents & Contractuals; Motor Vehicle

Fuel, Oil, Etc.; Utilities; Motor Vehicles; and Communications, in the Amount of \$398,570. [Ascencion Alonzo, Director of Finance]

**12. APPOINTMENTS**

- A. Ebony Hills Ad-Hoc Committee: Mayor's Appointment

**13. 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. Litigation - Discussion and consideration of settlement offer and/or negotiation relating to Insurors Indemnity re: CITY OF EDINBURG VS. CANDELA ORGANIZATION, LLC, ROGELIO VELA, JR., INSURORS INDEMNITY GENERAL AGENCY; Cause No. C-3049-18-H; In the 389th Judicial District Court, Hidalgo County, Texas (§551.071. Consultation with Attorney; Closed Meeting.)
- B. Discussion regarding potential litigation concerning mowing liens on 904 Hickory Street, Edinburg, Texas. ( §551.071. Consultation with Attorney; Closed Meeting)
- C. Discussion of duties, responsibilities, remuneration, request vitaes and possible action on the employment of an Interim City Manager or City Manager (§552.074 Personnel Matter and §551.071 Consultation with Attorney; Closed Meeting)
- D. Discussion and possible action relating to legal issues concerning Civil Action No. 7:18-CV-00267; Irma Garza v. City of Edinburg, Texas, Et. Al. in the U.S. District Court for the Southern District of Texas, McAllen Division. (Tex. Gov. Code, §551.071. Consultation with Attorney; 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.

**14. 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 September 28, 2018 at 6:45 pm.*

By:



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Ludivina Leal, City Secretary  
City of Edinburg, Texas

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.