



**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 04, 2016**

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

**I. CERTIFICATION OF PUBLIC NOTICE**

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

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

**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. PROCLAMATIONS**

- A. Presentation of Proclamations Recognizing:
  - 1. The UTRGV Women's Basketball Team.
  - 2. The Brewster School Centennial Celebration.
  - 3. October 20, 2016 as Lights on Afterschool Day in Edinburg, Texas.

**V. PRESENTATION**

- A. Presentation Recognizing the City of Edinburg and Texas Amateur Athletic Federation Region 2 Athlete of the Year Eduardo Guzman. [Joe Filoteo, Director of Parks and Recreation]

**VI. PUBLIC HEARINGS**

- A. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Auto-Urban Residential Uses to Neighborhood Commercial Uses and the Rezoning Request from Auto-Urban Residential (AU) District to Commercial Neighborhood (CN) District, Being a 1.0 Acre Tract of Land out of Lot 5, Section 274, Texas-Mexican Railway Company Survey, Located at 1210 S. Jackson Road, as Requested by Jose Longoria. **(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 Uses to Neighborhood Commercial Uses and the Rezoning Request from Neighborhood Conservation 7.1 (NC 7.1) District to Commercial Neighborhood (CN) District, Being Lot 12, Block 204, Edinburg Original Townsite, Located at 601 E. McIntyre Street, as requested by Javier & Maria Garza. **(Requires a 4/5 vote by the City Council to overturn the recommendation of the Planning & Zoning Commission.)** [Jesus Saenz, Director of Planning & Zoning]
- C.** Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Suburban Residential Uses to Urban Residential Uses and the Rezoning Request from Suburban (S) District to Urban Residential (UR) District, Being a 1.5 Acre Tract of Land out of Lot 13, Section 276, Texas-Mexican Railway Company Survey, Located Along Mon Mack Road, 460 ft. North of Sprague Street, as Requested by Albert Zamora. [Jesus Saenz, Director of Planning & Zoning]
- D.** Hold Public Hearing and Consider Ordinance Providing for the Special Use Permit for a Licensed Child Care Home, Being Lot 29, Trenton Manor, Located at 1904 Wayne Street, as Requested by Maria Carmen Paras. [Jesus R. Saenz, Director of Planning and Zoning]

## **VII. ORDINANCES**

- A.** Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Fees for University Draft House “Beer Fest”, to be Held Saturday, October 15, 2016, at the Edinburg City Hall Courtyard, Located at 415 West University Dr., as Requested by The Edinburg Arts Foundation, and The Edinburg Chamber of Commerce. [Jesus R. Saenz, Director of Planning and Zoning]
- B.** Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Application Fee for the “Step up for Down Syndrome Awareness Walk” to be held Saturday, October 29, 2016, Being the South Half of Lot 11, Section 268, Texas-Mexican Railway Company Survey, Located at 714 South Raul Longoria Road, as Requested by Deborah Tomai. [Jesus Saenz, Director of Planning and Zoning]
- C.** Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Application Fee for the “1<sup>st</sup> Annual 5K Color Run” (IDEA Academy Edinburg) to be held Saturday, October 22, 2016, Being the South Half of Lot 11, Section 268, Texas-Mexican Railway Company Survey, Located at 714 South Raul Longoria Road, as Requested by Pamela Jaramillo. [Jesus Saenz, Director of Planning and Zoning]
- D.** Consider Ordinance Amending the Authorized Strength and Classifications of the City of Edinburg Police Officers. [Christina Flores, Director of Human Resources/Civil Service Director]
- E.** Consider Ordinance Amending the Authorized Strength and Classifications of the City of Edinburg Firefighters. [Christina Flores, Director of Human Resources/Civil Service Director]
- F.** Consider Ordinance Amending the Code of Ordinances of the City of Edinburg, Texas, at Title IX, General Regulations, Chapter 97, Parks and Recreation, Section

97.87, Recreation Sport Programs and Recreation Family Leisure Programs Fees.  
[Joe Filoteo, Director of Parks and Recreation]

### **VIII. VARIANCE**

- A.** 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 Lakewood Apartments Subdivision, a 1.47 Acre Tract of Land out of Lot 10, Section 244, Texas Mexican Railway Company Survey, Located on the South Side of Rogers Road between Closner Blvd (US Bus 281) and I69C, as Requested by AGES Engineering and Services. [Jesus R. Saenz, Director of Planning & Zoning]

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

- A.** Consider Awarding Bid No. 2016-93, Car Wash Services for Item #1 to Blue Wave Express, LLC for their Unit Price of \$3.00 for Exterior Services Only and Item #2 to 107 Monster Car Wash, LLC for their Unit Price of \$20.00 for Full Car Wash (Interior & Exterior) Services, and Authorize the City Manager to Enter into Agreements Relating Thereto. [David White, Chief of Police]
- B.** Consider Awarding RFP 2016-021, Emergency Medical Services with Mobile Intensive Care Ambulance Service to the Qualified Firm(s) and Authorize the City Manager to Negotiate and Enter Into a Professional Services Contract with Such Firm(s) as Pursuant to the City's Ordinances and Procurement Policies. [Shawn Snider, Fire Chief]

### **X. CONTRACTUALS**

- A.** Consider Authorizing the City Manager to Enter Into an Agreement with the UTRGV Athletics for the Period of November 18, 2016 through November 19, 2017 for \$10,000 in funding from the General Fund. [Sonia Marroquin, Assistant City Manager]
- B.** Consider Amendment and Revision to the Frequency Reconfiguration Agreement with Nextel of Texas and Authorize the City Manager to Execute Documents Relating Thereto. [Shawn Snider, Fire Chief]

### **XI. WAIVERS**

- A.** Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg Activity Center for the 'Welcome Back Winter Texan Event & Expo' to be Held on Thursday, November 17, 2016, as Requested by the Edinburg Chamber of Commerce. [Richard M. Hinojosa, City Manager]
- B.** Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg Activity Center for the Edinburg Beef Club BBQ's on Friday, January 27, 2017 and Friday, April 21, 2017. [Sonia Marroquin, Assistant City Manager]

### **XII. APPOINTMENT**

- A.** Discuss and Consider Appointment to the City Advisory Board and Committee for the Following:
  - 1. Planning and Zoning Commission, One Member

### **XIII. BUDGET**

#### **A. Consider Transfers of Funds in the Fiscal Year 2015-2016 Budget Within the Following Accounts:**

1. General Fund: FROM Supplies TO Contractuals, in the Amount of \$6,000. [Leo Gonzales, Director of Information Technology]
2. General Fund: FROM Professional Services TO Office Equipment & Furniture; and Office Supplies, in the Amount of \$800. [Myra L. Ayala Garza City Secretary]
3. General Fund: FROM Rents & Contractuals TO Other, in the Amount of \$11,000. [David White, Chief of Police]
4. General Fund: FROM Food; Motor Vehicles Fuel, Oil, Etc.; Janitorial; Office Equipment & Furniture; Training School; Equipment; Machines & Equipment; Building & Structures; Communications; Printing; Professional Services; Rents & Contractuals; and Other TO Overtime; Insurance; Seniority; Certification; and Taxes, in the Amount of \$145,000. [Shawn M. Snider, Fire Chief]
5. General Fund: FROM Motor Vehicles; Building; and Equipment TO Group Insurance; and Taxes, in the Amount of \$9,900. [Joe Filoteo, Director of Parks & Recreation]
6. General Fund: FROM Communications; Utilities; Membership Dues, Subscr; Printing; Professional Services; Rents & Contractuals; Chemicals-Medical & Lab; and Promotional Supplies TO Part-Time Wages, in the Amount of \$75,000. [Joe Filoteo, Director of Parks & Recreation]
7. General Fund: FROM Travel Training, Meetings TO Office Supplies; Wearing Apparel; and Office Equipment & Furniture, in the Amount of \$3,000. [Ascencion Alonzo, Director of Finance]
8. General Fund: FROM Streets and Alleys TO Longevity; Salaries; Group Insurance; Disability Insurance; Communications; Taxes; and Retirement, in the Amount of \$45,100. [Ascencion Alonzo, Director of Finance]
9. General Fund: FROM Land TO Transfer Out Construction Fund, in the Amount of \$36,000. [Ponciano Longoria, P.E., C.F.M., Director of Public Works]
10. Utility Fund: FROM Professional Services TO Machines & Equipment, in the Amount of \$10,000. [Arturo Martinez, Director of Utilities]
11. Solid Waste Management Fund: FROM Professional Services TO Motor Vehicles, in the Amount of \$25,000. [Ramiro Gomez, Director of Solid Waste Management]

### **XIV. CONSENT AGENDA**

- #### **A. Consider Approval of City Council Minutes for 2014 Regular and Special Meetings; and a 2007 Special Meeting. [Myra L. Ayala Garza, City Secretary]**

### **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.

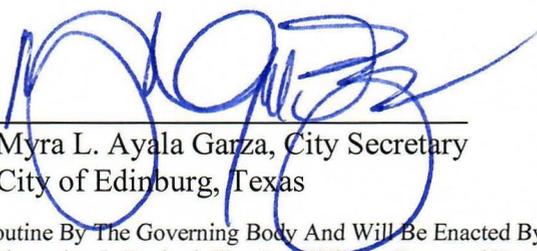
- A. Discussion and Possible Action Regarding Legal Issues Concerning Waiver of Mowing Lien(s) for Lot 6, Block 5, Lull Townsite, Edinburg, Hidalgo County, Texas. (§ 551.071. Consultation with Attorney; Closed Meeting.)
- B. Discussion and Possible Action Regarding Economic Incentives Pertaining to Project 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 to Direct City Staff Regarding Proposed Support Agreement Concerning La Sienna Apartments. (Sec. 551.071 Consultation with Attorney-Closed Meeting and Sec. 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.

**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 September 30, 2016 at 5:15 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.