



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 18, 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. ORDINANCES

- A. Consider Ordinance Providing for the Ratification of a the Issuance of a Temporary Special Use Permit and Waiver of Fees for University Draft House “Beer Fest”, Held on 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 “1st 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]

V. 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]

VI. 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 Bid No. 2017-03, Commercial Metal Containers to Roll-Offs USA and Wastequip Mfg. Co. LLC., Per Unit Prices as Listed. [Ramiro L. Gomez, Director Solid Waste Management]
- C. Consider Awarding Bid No. 2017-05, Purchase of Two ½ Ton Trucks to Caldwell Country Chevrolet in the Amount of \$73,610. [Ramiro L. Gomez, Director Solid Waste Management]
- D. Consider Awarding Bid No. 2017-07, Purchase of Two (2) New Commercial Right Hand Drive Side Load Retrievers to Rush Truck Centers of Texas in the Amount of \$523,241.48. [Ramiro L. Gomez Jr., Director of Solid Waste Management]
- E. Consider Awarding Bid No. 2017-08, Purchase of Two (2) Residential Automated Right Hand Drive Side Load Retrievers to Rush Truck Centers of Texas, in the Amount of \$635,307.28. [Ramiro L. Gomez, Director of Solid Waste Management]

- F.** Consider Awarding Bid No. 2017-09, Purchase of a New Automated Waste Tarping System to Tarpomatic, Inc., in the Amount of \$105,642. [Ramiro L. Gomez, Director Solid Waste Management]
- G.** Consider Awarding Bid No. 2017-10, Purchase of Three (3) New Brush Trucks with a 30 Cu. Yd. Hydraulic Dump Body to Doggett Freightliner of South Texas, in the Amount of \$305,529. [Ramiro L. Gomez, Director of Solid Waste Management]
- H.** Consider Awarding Bid No. 2017-11, Purchase of a New Left Hand Drive Commercial Front Load Retriever to Rush Truck Centers of Texas, in the Amount of \$288,239.52. [Ramiro L. Gomez Jr., Director of Solid Waste Management]
- I.** Consider Awarding Bid No. 2017-12, Purchase of One (1) $\frac{3}{4}$ Ton Crew Cab Truck and Bid No. 2017-13, Purchase of One (1) $\frac{3}{4}$ Ton Super Cab Truck to Tipton Motors, Inc., in the Amount of \$86,815. [Ramiro L. Gomez, Director Solid Waste Management]
- J.** Consider Awarding Bid No. 2017-15, Rental of D4 Dozer to Holt Cat, Per Monthly Unit Price as Listed. [Ramiro L. Gomez, Director Solid Waste Management]
- K.** Consider Awarding Bid No. 2017-16, Universal Nestable and Litter Containers to Toter Incorporated and Rotational Molding, Inc., Per Unit Prices as Listed. [Ramiro L. Gomez, Director Solid Waste Management]
- L.** 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]
- M.** Consider Authorizing the Purchase of a 2017 Sewer Vacuum Truck from Freightliner of Austin, through the Local Government Purchasing Contract (Buyboard), in the Amount of \$349,294.50. [Arturo Martinez, Director of Utilities]
- N.** Consider Authorizing the Purchase of Two (2) Automated License Plate Reader Camera Systems and a LEARN Server Account from Comprehensive Communication Services through the Texas Department of Information Resources (DIR), in the Amount of \$45,182.64. [David White, Chief of Police]
- O.** Consider Awarding the City of Edinburg's Fiscal Year 2015-2016 Audit to Long Chilton, LLP, Certified Public Accountants, in the Amount of \$75,000 and Authorize the City Manager to Execute Engagement Letter Relating Thereto. [Ascencion Alonzo, Director of Finance]

VII. CONTRACTUALS

- A.** Consider Approving the Agreement for Professional Services Contract for Planning and Engineering Services for the CSJ: 0921-02-345 Edinburg Bicycle and Pedestrian Master Plan to Halff Associates, Inc. based on RFQ 2016-002, and Authorize the City Manager to Enter into an Agreement Relating Thereto Pursuant to the City's

Ordinances and Procurement Policies. [Ponciano N. Longoria P.E., C.F.M., Director of Engineering]

- B.** Consider Authorizing the City Manager to Enter Into a Second Amendment to Contract Between the City of Edinburg and Valley Metro Security, LLC., for the Professional Security Guard Services to Exercise Second Option to Extend Contract for an Additional One-Year Term. [Ramiro L. Gomez, Director Solid Waste Management]
- C.** Consider Authorizing the City Manager to Execute a Dedication Agreement for a Twenty Foot Easement and Allow for the Funding of the Relocation of a 2 3/8 Inch Gas Distribution Line at the Edinburg Regional Sanitary Landfill by Vernon E. Faulconer, Inc. Owner and Operator of Youngblood #1 Well (U 2368) San Salvador Field. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]
- D.** Consider Approval of an Amendment to the Waste Disposal Agreement Between City of Edinburg and Waste Management of Texas, Inc., to Amend their Current Waste Acceptance Operational Schedule to Allow for Extended Delivery Times and Wavier of the Fees Associated with Extended Delivery Times. [Ramiro L. Gomez, Director Solid Waste Management]
- E.** Consider Authorizing the City Manager to Enter into an Engineering Agreement with Golder Associates, Inc., for Ground Water Sampling, Analysis and Reporting; Construction Quality Control and Assurance; Construction Surveying; Technical/Construction Oversight, Site Evaluation, Reporting Assistance to the Edinburg Regional Sanitary Landfill Facility in Accordance with the Current Operational Permit Obligations in the Amount Not-to-Exceed \$400,765. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]
- F.** Consider Authorizing the City Manager to Enter Into an Agreement with the Edinburg Chamber of Commerce for the Period of October 01, 2016 through September 30, 2017 for Funding from the General Fund. [Sonia Marroquin, Assistant City Manager]
- G.** Consider Authorizing the City Manager to Enter into an Agreement with the Museum of South Texas History for the Period of October 01, 2016 through September 30, 2017, for funding from the Hotel Occupancy Tax Fund and General Fund. [Sonia Marroquin, Assistant City Manager]
- H.** Consider Authorizing the City Manager to Enter Into an Agreement with the Edinburg Convention & Visitors Bureau, a Division of the Edinburg Chamber of Commerce, for the Period of October 01, 2016 through September 30, 2017, for Funding from the Hotel Occupancy Tax Fund. [Sonia Marroquin, Assistant City Manager]
- I.** Consider Renewal of the Professional Services Contract with Holland & Knight, LLP for Legislative Consulting Services and Authorize the City Manager to Execute Same. (*Motion Required to Remove from Table. This Item was Tabled at the March 22, 2016 City Council Regular Meeting.*) [Richard M. Hinojosa, City Manager]

- J.** Consider Authorizing the City Manager to Enter Into Community Development Block Grant Subrecipient Agreements Between the City of Edinburg and the Following: Amigos Del Valle, Inc., Children’s Advocacy Center of Hidalgo County, Court Appointed Special Advocate of Hidalgo County, Inc. (CASA), and Salvation Army. [Marissa Garza, Director of Community Development/Grants Management]
- K.** Consider Authorizing the City Manager to Enter Into an Interlocal Cooperation Agreement Between the County of Hidalgo – Urban County Program, City of Edinburg, and the Affiliate Agencies for the Submittal of a Regional Assessment of Fair Housing Plan. [Marissa Garza, Director of Community Development/Grants Management]
- L.** Consider Authorizing the City Manager to Enter Into and Execute a Memorandum of Understanding (MOU) Between the Lower Rio Grande Development Council (LRGVDC) and the City of Edinburg. [David White, Chief of Police]
- M.** Consider Authorizing the City Manager to Execute an Inter-local Agreement between the City of Edinburg and Edinburg Consolidated Independent School District for the Robert Vela High School Paving and Drainage Improvements. [Ponciano N. Longoria, P.E., C.F.M., Director of Engineering]
- N.** 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]
- O.** 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]

VIII. RESOLUTION

- A.** Consider Resolution Authorizing City Manager to Proceed with the Implementation of a Program Under the Edinburg Housing Finance Corporation in Accordance with the Provisions of Chapter 394 of the Texas Local Government Code. [Richard M. Hinojosa, City Manager]

IX. WAIVERS

- A.** Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg Auditorium for a Department of Labor (DOL) Law Seminar, to be Held on Wednesday, October 26, 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 a Winter Coat Drive Chalupa Bingo Fundraiser to be held on Sunday, November 6, 2016, as Requested by The Rainbow Room. [Richard M. Hinojosa, City Manager]
- C.** 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]

- D. Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg City Auditorium for the 'Miss Edinburg 2017 Scholarship' Pageant to be held on Saturday, November 26, 2016, as Requested by Minerva Olivarez & Elite Productions. [Richard M. Hinojosa, City Manager]
- E. 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]

X. APPOINTMENTS

- A. Discuss and Consider Appointments to the City Advisory Boards and Committees for the Following:
 - 1. All- American City10K Advisory Board, One Member
 - 2. Edinburg Housing Authority Board, Two Members (Mayor Appointed)
 - 3. Planning and Zoning Commission, One Member

XI. 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 Professional Services TO Communications; and Rents & Contracts, in the Amount of \$7,100. [Myra L. Ayala Garza, City Secretary]
 - 4. General Fund: FROM Rents & Contractuals TO Other, in the Amount of \$11,000. [David White, Chief of Police]
 - 5. 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]
 - 6. 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]
 - 7. 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]

8. 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]
9. 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]
10. 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]
11. Utility Fund: FROM Professional Services TO Machines & Equipment, in the Amount of \$10,000. [Arturo Martinez, Director of Utilities]
12. Solid Waste Management Fund: FROM Professional Services TO Motor Vehicles, in the Amount of \$25,000. [Ramiro Gomez, Director of Solid Waste Management]

XII. 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]

XIII. 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.

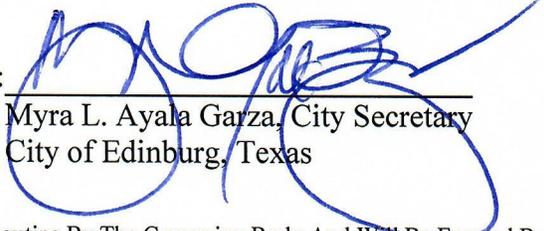
- A. Discussion and Possible Action Regarding Legal Issues Concerning Waiver of Mowing Lien(s) for Lot 6, Block 5, Lull Townsite, Edinburg, Hidalgo County, Texas. (§551.071. Consultation with Attorney; Closed Meeting.)
- B. Discussion and Possible Action Regarding Legal Issues Concerning Cause No. C-6817-14-A; City of Edinburg (Police Headquarters) vs. Enriquez Enterprises, Inc. and Velasco Construction & Development, LP., et al; In the 93rd Judicial District Court of Hidalgo County, Texas. (Sec. 551.071. Consultation with Attorney; Closed Meeting)
- C. 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)
- D. Discussion and Possible Action Regarding Legal Issues Concerning Proposed Lease Agreement for Use of Soccer Fields. (§551.071. Consultation with Attorney, Closed Meeting; and §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.

XIV. 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 October 14, 2016 at 4:35 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.