



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78541
NOVEMBER 01, 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. PROCLAMATIONS

- A. Presentation of Proclamations Recognizing:
 - 1. November 7-11, 2016 as the Municipal Courts Week.
 - 2. November 09, 2016 as UTRGV Arbor Day.
 - 3. November 19, 2016, as International Survivor of Suicide Loss Day.
 - 4. November 21-28, 2016, as National Family Week.

V. 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 Neighborhood Commercial Uses to Auto Urban Uses and the Rezoning Request from Commercial General (CG) District to Auto Urban Residential (AU) District, Being an 8.00 Acre tract of Land out of Kelly Pharr Subdivision, Located 330 Feet Northwest of the Intersection of Trenton Road and Sugar Road, as Requested by Sugar Road Properties LLC. **(Requires a 4/5 vote**

by City Council to overturn the Planning & Zoning Commission Action) [Jesus Saenz, Director of Planning & Zoning]

- C. 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]
- D. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Suburban Uses to General Commercial Uses and the Rezoning Request from Neighborhood Conservation 7.1 (NC 7.1) District to Commercial General (CG) District, Being Lot 3 Monte Cristo Manor Subdivision, Located at 3507 Aceves St., as Requested by Manuel Murillo. **(Requires a 4/5 vote by City Council to Overturn the Planning & Zoning Commission Action.)** [Jesus Saenz, Director of Planning & Zoning]
- E. 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]
- F. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Neighborhood Commercial Uses to General Commercial Uses and the Rezoning Request from Commercial Neighborhood (CN) District to Commercial General (CG) District, Being a 1.496 Acre tract of Land, Out of Lot 7, Block 1, A.J. McColl Subdivision, Located at the Intersection of Jackson Rd. and Canton Rd., as Requested by Jennifer Yoder. [Jesus Saenz, Director of Planning & Zoning]
- G. Hold Public Hearing and Consider Ordinance Providing for: **(1)** Rezoning Request from Suburban Residential (S) District to Commercial General (CG) District, for the West 1.44 Acres of the North 20 Acres of Lot 15, Section 240, Texas-Mexican Railway Company Survey (“Tract 1”); **and (2)** Rezoning Request from Suburban Residential (S) District to Neighborhood Conservation 5 (NC 5) District, for the East 8.56 Acres of the North 20 Acres of Lot 15, Section 240, Texas-Mexican Railway Company Survey (“Tract 2”), both of which are Located 800 Feet North of Mile 17 1/2 Road, on the East Side of McColl Road, as Requested by Edgar Delgadillo. **(Requires a 4/5 vote by City Council to overturn Planning & Zoning Commission Action.)** [Jesus Saenz, Director of Planning & Zoning]
- H. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Suburban Residential (S) District to Auto Urban (AU) District, Being a 2.06 Acre Tract of Land Out of Lot 9, Section 244, Texas-Mexican Railway Company Survey, Located along Rogers Road, 1300 ft. West of Interstate 69C, as Requested by Ruben Alfaro, Sr. [Jesus Saenz Director of Planning & 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, Being Lots 1-3, Robert Ruiz Inc. Subdivision, Located at 2260 Hwy. 281 South, as Requested by Jessica Castillo & Cristina Fuentes. [Jesus R. Saenz, Director of Planning and Zoning]

- J. 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]

VI. ORDINANCES

- A. Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Application Fee for a “Veteran’s Parade” to be Held Saturday, November 5, 2016 from the Hidalgo County Courthouse to Edinburg Cats Stadium Located on Palm Drive, as Requested by Augustin Garcia, Sr., Commander of American Legion Post 408. [Jesus R. Saenz, Director of Planning and Zoning]
- B. Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Fees for a “2nd Annual Fall Festival” to be Held Saturday, November 5, 2016 at Robert Vela High School Band Boosters Club, Being Lot 2, Kelly Pharr Subdivision, Located at 801 East Canton Road, as Requested by Cindy R. Gonzalez, RVHS Band Boosters Vice President. [Jesus R. Saenz, Director of Planning and Zoning]
- C. Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Application Fee for “Turkeyfest Fall Festival 2016” to be held Saturday, November 12, 2016 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]
- D. Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Fees for the “5th Annual RGV Out of the Darkness Community Walk” to be held Saturday, November 12, 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 Melissa Hinojosa Zamora. [Jesus Saenz, Director of Planning and Zoning]
- E. Consider Ordinance Authorizing the Issuance, Sale and Delivery of \$5,405,000 in Principal Amount of City of Edinburg, Texas Utility System Junior Lien Revenue Bonds, Series 2016; Approving a Paying Agent/Registrar Agreement and An Escrow Agreement; Approving and Authorizing All Other Instruments and Procedures Related Thereto; And Providing a Waiver of (3) Separate Readings; and Providing for an Immediate Effective Date. [Ascencion Alonzo, Director of Finance]

VII. VARIANCES

- A. Consider Variance Request to the City’s Unified Development Code Article 3, District and Bulk Standards, Section 3.304 Non-Residential Bulk Requirements, for Amigo Motel Subdivision, a 1.789 Acre Tract of Land Being the East 275 feet of the North 303.25 feet of Lot 12, Kelly-Pharr Subdivision, Located on the Southwest Corner of the Intersection of Canton Road and Closner Blvd, as Requested by Rio Delta Engineering. [Jesus R. Saenz, Director of Planning and Zoning]
- B. Consider Variance Request to the City’s Unified Development Code as follows: **1.)** Article 7, Section 7.502 Streets and Right-of-Way, Subsection C. Perimeter Street: Pavement or Fee in Lieu, **2.)** Article 8, Section 8.213 Sidewalks, Requested for Bonita Ranches Subdivision, a 35.67 Acres Tract of Land out of Lot 1, all of Lots 2, 3, & 4, Block 23, Santa Cruz Gardens No. 2, Hidalgo County, Texas., Located on the South Side of Ingle Road, Approximately 70.00 Feet East of Kenyon Road, as Requested by Quintanilla, Headley and Associates, Inc. [Jesus R. Saenz, Director of Planning and Zoning]
- C. Consider Variance Request to the City’s Unified Development Code Article 7 – Plat and Site Plan Design, Division 7.400 Subdivision Development and Design, Section 7.504 Parks and Recreation; for Pueblo De Palmas 19 Subdivision, Being a 19.75 Acre Tract of Land out of Lots 10, 11, & 12, Block 40, Amended Santa Cruz Gardens Unit #2, Located on the North Side of Davis

Road on the West Side of Kenyon Road, as Requested by Melden and Hunt, Inc. [Jesus R. Saenz, Director of Planning & Zoning]

VIII. AWARDING OF BIDS

- A.** Consider Awarding Bid No. 2017-01, Construction Materials, to Frontera Materials, Inc., for their Unit Price of \$78.00 Per Ton of Cold Mix, Upper Valley Materials, LLC, for their Unit Price of \$3.65 per Ton of Crushed Caliche, and to Valley Caliche Products, Inc., for their Unit Price of \$45.75 Per Ton of Type “D” Hot Mix and Authorize the City Manager to Enter into Agreements Relating Thereto. [Tomas D. Reyna, Director of Public Works]
- B.** Consider Awarding Bid No. 2017-02, Bird Control, to Pest Management, Inc. in the Amount of \$34,450 and Authorize the City Manager to Enter Into a Contract Relating Thereto. [Ramiro L. Gomez, Director Solid Waste Management]
- C.** Consider Awarding Bid No. 2017-06, Purchase of Two (2) New All-Terrain Vehicles, to Amigo Power Equipment in the Amount of \$29,864. [Ramiro L. Gomez, Director Solid Waste Management]
- D.** Consider Awarding Bid No. 2017-20, Cold Water Meters, to Zenner USA and HD Supply Waterworks Based on Unit Prices as Listed. [Arturo Martinez, Director of Utilities]
- E.** Consider Awarding Bid No. 2017-21, Purchase of Two (2) 8” Self-Priming Centrifugal Pumps, to Precision Pump Systems, in the Amount of \$18,190. [Arturo Martinez, Director of Utilities]
- F.** Consider Awarding Bid No. 2017-22, Waterworks Fittings & Materials, to Ferguson Waterworks, HD Supply Waterworks, LTD, Aguaworks Pipe & Supply, LLC, and ACT Pipe & Supply Based on Unit Prices as Listed. [Arturo Martinez, Director of Utilities]
- G.** Consider Rejecting Bid No. 2017-19, Purchase of One (1) Blower Package. [Arturo Martinez, Director of Utilities]

IX. CONTRACTUALS

- A.** Consider Authorizing the City Manager to Enter Into an Agreement with South Texas Symphony Association, Inc. d/b/a Valley Symphony Orchestra for the 2016-2017 Season in the Amount of \$32,000 in Funding from the General Fund. [Sonia Marroquin, Assistant City Manager]
- B.** Consider Authorizing the City Manager to Exercise the Option to Extend and Amend the Existing City of Edinburg’s Depository Contract with Lone Star National Bank of Edinburg for an Additional Two Year Term. [Ascencion Alonzo, Director of Finance]
- C.** Consider Authorizing the City Manager to Terminate Agreement for Financial Advisory Services Between the City of Edinburg and Estrada Hinojosa & Company, Inc. and Authorize the City Manager to Execute all Documents Relating Thereto. [Richard M. Hinojosa, City Manager]

X. WAIVER

- A.** Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg Activity Center as Requested by the Holy Family Catholic Church for the 50th Anniversary Celebration on May 6, 2017 and September 16, 2017. [Sonia Marroquin, Assistant City Manager]

XI. APPOINTMENTS

- A.** Discuss and Consider Appointment to the City Advisory Board and Committee for the Following:

1. Edinburg Library Board, One Member

B. Discuss and Consider Appointment of a Member of the Edinburg City Council as Mayor Pro Tem. [Richard M. Hinojosa, City Manager]

XII. BUDGET

A. Consider Transfers of Funds in the Fiscal Year 2016-2017 Budget Within the Following Accounts:

1. General Fund: FROM Communications; Motor Vehicle Fuel, Oil, Etc.; Motor Vehicles, Equipment, Parts, Etc.; and Wearing Apparel TO Communication; Motor Vehicle Fuel, Oil, Etc.; Motor Vehicles, Equipment, Parts, Etc.; and Wearing Apparel, in the Amount of \$9,086. [Ponciano Longoria, P.E., C.F.M., Director of Engineering]
2. General Fund: FROM Motor Vehicle Fuel, Oil, Etc.; Communications; Travel, Training, Meetings; Dues & Subscriptions; Printing; Professional Services; and Rents and Contracts TO Motor Vehicle Fuel, Oil, Etc.; Communications; Travel, Training, Meetings; Dues & Subscriptions; Printing; Professional Services; and Rents and Contracts, in the Amount of \$31,880. [Ponciano Longoria, P.E., C.F.M., Director of Engineering]
3. General Fund: FROM Travel, Training, Meetings TO Travel, Training, Meetings, in the Amount of \$600. [Tomas D. Reyna, Director of Public Works]
4. General Fund: FROM Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance TO Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance, in the Amount of \$31,195. [Ponciano Longoria, P.E., C.F.M., Director of Engineering]
5. General Fund: FROM Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance TO Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance, in the Amount of \$52,234. [Ponciano Longoria, P.E., C.F.M., Director of Engineering]
6. General Fund: FROM Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance TO Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance, in the Amount of \$183,954. [Ponciano Longoria, P.E., C.F.M., Director of Engineering]
7. General Fund: FROM Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance TO Salaries; Longevity; Group Insurance; Disability Insurance; Taxes; Retirement; and Worker's Compensation Insurance, in the Amount of \$40,870. [Tomas D. Reyna, Director of Public Works]

XIII. CONSENT AGENDA

- A.** Consider Approval of Amendments to the Community Development Block Grant Program Citizen Participation Plan to Comply with the Affirmatively Furthering Fair Housing New Rule. [Marissa Garza, Director of Community Development/Grants Management]
- B.** Consider Authorizing the Disposition of Approximately 193 Cubic Feet (Boxes of Letter Size Records) of Non-Vital City Records in Accordance with the Texas State Library and Archives Commission Local Records Retention Schedules. [Myra L. Ayala Garza, City Secretary]

XIV. 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 Economic Incentives Concerning Project Spread. (Sec. 551.071. Consultation with Attorney; Closed Meeting; Sec. 551.072. Deliberation Regarding Real Property; Closed Meeting; and Sec. 551.087 Deliberations Regarding Economic Development Negotiations; Closed Meeting)
- B. 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)
- C. Discussion and Possible Action Regarding Legal Issues Concerning Proposed Lease Agreement for Use of Soccer Fields at Edinburg Municipal Park. (§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.

XV. 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 28, 2016 at 4:25 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.