



**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 05, 2017**

**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. PRESENTATION**

- A. Presentation by the Edinburg Economic Development Corporation Regarding Santana Textiles. [Agustin Garcia, Executive Director, Edinburg Economic Development Corporation]

**V. PROCLAMATIONS**

- A. Presentation of Proclamations Recognizing:
  - 1. September 16, 2017 as Boys & Girls Clubs Day for Kids in Edinburg, Texas.
  - 2. September 23, 2017 as World Wide Day of Play in Edinburg, Texas.

**VI. PUBLIC HEARINGS**

- A. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Auto Urban Uses to Urban Uses and the Rezoning Request from Urban University (UU) District to Urban Residential (UR) District, Being a 6.0 Acre Tract of Land Out of Lot 1, Section 276, Texas-Mexican Railway Company's Survey Subdivision, Located 660' South of the Intersection of Schunior Street and Jackson Road, as Requested by Texas Grey Oaks LLC. **(A 4/5 Vote is Required by the City Council to Overturn the Planning & Zoning Commission Action.)** [Jesus R. Saenz, Director of Planning & Zoning]
  
- B. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from General Commercial Uses to Urban Uses and the Rezoning Request from Commercial General (CG) District to Urban Residential (UR) District, Being All of Lot 2, Replat of Lot 1, Wendy's University Subdivision No. 2, Located at the 2100 Block of W. University Drive, as Requested by Malahit LLC **(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 Ordinance Providing for the Special Use Permit for a Licensed Child Care Home, Being Lot 3, Block 4, Lull Townsite Subdivision, Located at 4327 Tagle Street, as Requested by Gladys Cavazos. [Jesus R. Saenz, Director of Planning and Zoning]
  
- D. Hold Public Hearing and Consider Variance to the Unified Development Code Article 18, Form Based Code, Division 18.800 Sign Standards, Being Lots 5, 7, & 6, Block 274, Edinburg Original Townsite, Located at 214 W. Cano, as Requested by Rio Tex Neon Signs. [Jesus R. Saenz, Director of Planning & Zoning]

## VII. BUDGET

- A. Hold Public Hearing on the Proposed Budget for the City of Edinburg for Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018.  
  
Consider Ordinance Adopting the Budget for the City of Edinburg for Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018. [Ascencion Alonzo, Director of Finance]
  
- B. Consider Ordinance Adopting the Tax Rate and Levy for the City of Edinburg for the Tax Year 2017 and Fiscal Year beginning October 1, 2017 through September 30, 2018. [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, 30.072, 30.073 and 30.075 to Provide a Three Percent (3%) Pay Plan Adjustment to the City's Current Classification and Compensation Plan For Non-Civil Service Employees and Civil Service Employees. [Belinda Torres, Director of Human Resources/Civil Service]

## VIII. ORDINANCES

- A. Consider Ordinance Abandoning a 0.27 (11,676.24 sq. ft.) Tract of Land Forming a Part or Portion of Lot Twenty-Five (25), East Retama Subdivision, as Recorded in Volume 2, page 57, Map Records of Hidalgo County, Texas, and Providing for the Sale of Said Alley to Abutting Property Owner at Fair Market Value, as Requested by SAMES Engineering and Surveying. [Jesus R. Saenz, Director of Planning and Zoning]
- B. Consider Ordinance Providing for a Temporary Special Use Permit for a Special Event and a Waiver of Fees, “Color Me Pink 5K Run / Walk” to be held on Saturday, October 7, 2017, 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 RGV Careers Foundation Inc.[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, “6<sup>TH</sup> Annual Congenital Heart Walk 5K Walk/ Run” to be Held on Saturday, September 9, 2017, 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 S. Raul Longoria Road, as Requested by Ms. Nicole Armijo. [Jesus R. Saenz, Director of Planning and Zoning]

## **IX. AWARDING OF BIDS**

- A. Consider Approval of Change Order No. 6 to Agreement with R.P. Constructors, Inc, Pursuant to Bid No. 2014-106, 8.0 MGD West WTP Expansion Project in the Amount of \$32,545 and Authorize the City Manager to Execute Change Order Relating Thereto. [Arturo Martinez, Director of Utilities]
- B. Consider Approval of Change Order No. 1 to Agreement with American Water Services, LLC, Pursuant to Bid No. 2017-67, Wastewater Plant Clarifier Rehabilitation in the Amount of \$17,950 and Authorize the City Manager to Execute Change Order Relating Thereto. [Arturo Martinez, Director of Utilities]
- C. Consider Authorizing the City Manager to Enter Into Amendment No. 1, to Job Task Order Number One, to the Agreement Between the City of Edinburg and Dannenbaum Engineering Company – McAllen, LLC for Engineering and Project Management Services for the Rehabilitation of the West Elevated Storage Tank, Consisting of Construction Management and Quality Assurance for the Construction Phase, in the Amount Not-to-Exceed \$54,676.29. [Arturo Martinez, Director of Utilities]
- D. Consider Authorizing the Purchase of Thirty-One (31) NT7000 Biometric Finger Terminals for the Employee Time and Attendance System from Andrews Technology HMS, Inc in the Amount of \$52,235. [Leo Gonzalez, Director of Information Technology]
- E. Consider Awarding Bid No. 2017-96, Traffic Signal Loop Repairs to D&G Energy Corporation in the Amount Not-to-Exceed \$36,920 and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Tomas D. Reyna, Director of Public Works]

**F.** Consider Awarding Bid No. 2017-87, Traffic Signal Installation for Sugar Road and Wisconsin Road to Traf-Tex, Inc in the Amount of \$170,133.55 and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Ponciano N. Longoria, P.E. C.F.M., Director of Engineering]

## **X. CONTRACTUALS**

**A.** Consider Authorizing the City Manager to Renew and Execute an Intergovernmental Cooperative Agreement with the Palm Valley Animal Center for the Operation of a Regional Animal Shelter for the Period of October 1, 2017 through September 30, 2018. [David White, Chief of Police]

**B.** Consider Approval of an Economic Development Reimbursement Agreement Between the City of Edinburg and Doctors Hospital at Renaissance, LTD. for a Hospital Expansion Project and Authorize the City Manager to Execute Such Agreement.

**C.** 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]

**D.** Consider Authorizing the City Manager to Execute a Memorandum of Agreement Between the City of Edinburg and Hidalgo County Irrigation District #2 for the Warranty of a 30 Inch Irrigation Line Improvement. [Ponciano N. Longoria, P.E., C.F.M., Director of Engineering]

**E.** Consider Awarding the City of Edinburg's Fiscal Year 2016-2017 Audit to Carr, Riggs & Ingram, LLC, in the Amount of \$77,500 and Authorize the City Manager to Execute Engagement Letter Relating Thereto. [Ascencion Alonzo, Director of Finance]

**F.** Consider Authorizing the City Manager to Modify and Renew Existing Inter-Local Agreement Between the City of Edinburg and the Texas Department of Public Safety for a Temporary Commercial Driver License Testing Facility at the South Texas International Airport by Extending the Term to November 18, 2017. [Sonia Marroquin, Assistant City Manager]

## **XI. APPOINTMENTS**

**A.** Discuss and Consider Appointments to the City Advisory Boards and Committees for the Following:

1. Architectural Design Review Board-Six Members
2. Community Development Council-Three Members

## **XII. RESOLUTIONS**

**A.** Consider Resolution Ratifying the City Manager's Submission of Grant Application to the U.S. Department of Justice FY 2017 Local Edward Byrne Memorial Justice Assistance Grant Program and Authorize the City Manager to Execute Grant Documents Relating Thereto. [David White, Chief of Police]

**B.** Consider Resolution of the City of Edinburg, Texas Authorizing the Department of Finance, Pursuant to City Charter Article VII, Section 1, Paragraph 3, to Effectuate the Disposition of Surplus Fire Department Equipment to the City of Monclova Coahuila, Mexico. [Shawn Snider, Fire Chief]

**C.** Discussion and Possible Action on Resolution Expressing Opposition To Construction of Border Wall Along the US-Mexico Border Region.

### **XIII. ECONOMIC DEVELOPMENT**

**A.** Discuss and Consider Approval of the Edinburg Economic Development Corporation Fiscal Year 2017-2018 Budget. [Agustin Garcia, Executive Director, Edinburg Economic Development Corporation]

### **XIV. CONSENT AGENDA**

**A.** Consider Authorizing the Disposition of Approximately 142 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]

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

1. General Fund: FROM Office Supplies; Wearing Apparel; and Office Equipment/Furniture TO Professional Services, in the Amount \$1,513. [Ricardo Palacios, City Attorney]
2. General Fund: FROM Longevity; Taxes; Retirement; and Worker's Compensation Insurance TO Tools; Utilities; Motor Vehicles; Chemicals-Medical & Lab; Building; and Communications, in the Amount \$23,500. [Joe Filoteo, Director of Parks & Recreation]
3. Solid Waste Management Fund: FROM Equipment TO Office Equipment/Furniture and Communications, in the Amount of \$25,000. [Ramiro L. Gomez, Director of Solid Waste Management]
4. Solid Waste Management Fund: FROM Structures TO Machines & Equipment and Motor Vehicles, in the Amount of \$200,000. [Ramiro L. Gomez, Director of Solid Waste Management]
5. C.D.B.G. Fund: FROM Food; Membership Dues, Subcr; Motor Vehicle Fuel, Oil, Etc.; Communications; Professional Services; and Rents & Contractuals TO Group Insurance; Disability Insurance; Professional Services-Other; Rents & Contractuals; Travel, Training & Meetings; Retirement; and Longevity, in the Amount of \$4,026.68. [Marissa Garza, Director of CDBG/Grants Management]

### **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 Extending Injury Leave for Employees Under Texas Local Government Code, Chapter 143. MUNICIPAL CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS. (§551.071. Consultation with Attorney; Closed Meeting)
- B. Discussion and Possible Action Regarding Legal Issues Concerning Docket No. 44206 Petition of Sharyland Water Supply Corporation for Cease and Desist Order Against the City of Edinburg Before the Public Utility Commission of Texas (§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, Â§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 01, 2017 at 6:15 p.m.*

By: /s/Myra L. Ayala Garza

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.