



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 03, 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. PROCLAMATION

- A. Presentation of Proclamation Recognizing:
 - 1. October 26, 2017 as Lights on Afterschool Day in Edinburg, Texas.

V. PRESENTATION

- A. Presentation Recognizing City of Edinburg Parks and Recreation Department Texas Amateur Athletic Federation Region 2 Athletes of the Year Erik R. Cano and Danya Sebler. [Joe Filoteo, Director of Parks and Recreation]

VI. PUBLIC HEARINGS

- A. Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Office Business Park Uses to General Commercial Uses and the Rezoning Request from Agriculture (AG) District to Commercial General (CG) District, Being, a 33.99 Acre Tract of Land Out of Part or Portion of Lots 28, 37, and 38, All of Lots 29 and 36, M.L. Woods Tract No. 4, Located at 4220 S. I69-C, as Requested by City of Edinburg. **(A 4/5 Vote is Required by 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 Suburban Uses to Auto-Urban Uses and the Rezoning Request from Suburban (S) District to Auto-Urban Residential (AU) District, Being a 0.34 Acre Tract of Land out of Lot 12, Section 239, Texas Mexican Railway Company Survey, Located at the 2700 Block of N. Jackson Road, as Requested by Joe De Leon. **(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 Ordinances Providing for the Comprehensive Plan Amendment from Auto Urban Uses to Neighborhood Commercial Uses and the Rezoning Request from Neighborhood Conservation (NC 7.1) District to Commercial Neighborhood (CN) District, Being Lot 10, Canton Heights Subdivision, Located at 1219 E. Canton Road, as Requested by Robert Fernandez. [Jesus R. Saenz, Director of Planning & Zoning]
- D. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Suburban (S) District to Auto-Urban (AU) District, Being a 0.73 Acre Tract of Land out of Lot 12, Block 2, Santa Cruz Gardens Unit No. 3, Located at the Northeast corner of Gwin Road and Monte Cristo Road, as Requested by Erica Canales**(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 Ordinance Providing for the Rezoning Request from Agriculture (AG) District to Industrial (I) District, Being a 209.24 Acre Tract of Land Being All of Lots 1-10, Block 43 of the Citrus Fruit Development Company's Land and 371.89 Acre Tract of Land Being All of Share 5 of the Mutual Partition of Tract 158, San Salvador Del Tule Grant Located Near FM 2812 and Jasman Road, as Requested by City of Edinburg.**(A 4/5 Vote is Required by the City Council to Overturn the Planning & Zoning Commission Action.)** [Jesus R. Saenz, Director of Planning & Zoning]
- F. Hold Public Hearing and Consider Ordinance Providing for the Special Use Permit for the On Premise Consumption of Alcoholic Beverages, Being Lot 63, Inland Grove Estates, Located at 2202 W. Schunior Street, as Requested by Guadalupe Reyna. [Jesus R. Saenz, Director of Planning and Zoning]

VII. ORDINANCES

- A. Consider Ordinance Providing for a Temporary Special Use Permit for a Special Event and a Waiver of Fees, "Salute the Troops 5K Run / Walk" to be held on Saturday, November 11, 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 Iris Garza.[Jesus R. Saenz, Director of Planning and Zoning]
- B. Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Fees for University Draft House "Beer Fest", to be Held Saturday, October 21, 2017, at the Edinburg City Hall Courtyard, Located at 415 West University Dr., as Requested by Edinburg Arts Foundation, Edinburg Chamber of Commerce and University Draft House. [Jesus R. Saenz, Director of Planning and Zoning]

VIII. VARIANCES

- A. Consider Variance Request to the City's Unified Development Code as follows:1.) Article 7 - Plat and Site Plan Design - Section 7.405 Protection of Rural Character; 2.) Article 7 - Plat and Site Plan Design- Section 7.502 Streets and Right of Way for Carmen Avila Subdivision Phase I, A 29.43 Acre Tract of Land Out of Tract 156, San Salvador Del Tule Grant, Hidalgo County, Texas Located on 2812 North Carmen Avila Road, as Requested by Quintanilla, Headley and Associates, Inc. [Jesus R. Saenz, Director of Planning & Zoning].
- B. Consider Variance Request to the City's Unified Development Code: Article 7 - Plat and Site Plan Design - Section 7.505 Water Rights for Dr. Carl Love Subdivision, Being a 4.0 Acre Tract of Land out of Lot 7, Block 3, A.J. McColl Subdivision, Hidalgo County, Texas. Located on the North Side of Wisconsin Road West of Stephen Drive., as Requested by Quintanilla, Headley & Associates, Inc. [Jesus R. Saenz, Director of Planning & Zoning]

IX. AWARDING OF BIDS

- A. Consider Awarding Bid No. 2017-97, Fuel, Motor Oil, and Lubricants to Gold Star Petroleum, Inc. for their Delivery Margin (Unit Price) for Unleaded Fuel, Clear & Dyed Diesel; and to Hollon Oil and Pico Propane & Fuel DBA Bettis Oil & Butane for their Unit Prices for Motor Oil and Lubricants and Authorize the City Manager to Enter Into Agreements Relating Thereto. [Tomas D. Reyna, Director of Public Works]
- B. Consider Authorizing the Purchase of Dome-Top Litter Containers from Toter, through the Houston Galveston Area Council (HGAC), Per Unit Prices as Listed.[Ramiro L. Gomez, Director Solid Waste Management]
- C. Consider Authorizing the Purchase of Residential and Recycling Plastic (Roll Out) Containers from Toter, through the Houston Galveston Area Council (HGAC), Per Unit Prices as Listed. [Ramiro L. Gomez, Director Solid Waste Management]
- D. Consider Authorizing the Purchase of Two (2) 2018 F-450 Service Body Trucks from Grande Truck Center, through the Local Government Purchasing Cooperative (Buy Board) in the Amount of \$204,730. [Ramiro L. Gomez, Director Solid Waste Management]
- E. Consider Authorizing the Purchase of a New Peterbilt 337 Fuel & Lube Truck from Rush Truck Center, through the Local Government Purchasing Cooperative (Buy Board), in the Amount of \$187,116.31. [Ramiro L. Gomez, Director Solid Waste Management]

X. CONTRACTUALS

- A. Consider Authorizing the City Manager to Approve the Third Amendment to the Meet and Confer Agreement Between the City of Edinburg and Edinburg United Police Officer's Association. [Belinda Torres, Director of Human Resources/Civil Service]
- B. Consider Authorizing the City Manager to Approve the Fourth Amendment to the Meet and Confer Agreement Between the City of Edinburg and Edinburg Professional Firefighter's Association IAFF Local #4873. [Belinda Torres, Director of Human Resources/Civil Service]

- C. Consider Authorizing the City Manager to Renew and Revise an Interlocal Agreement Between the City of Brownsville, Texas; the City of McAllen, Texas; the City of Pharr, Texas; and the City of Edinburg, Texas, Regarding a Mutual Aid (Burglary and Theft of Motor Vehicle) Law Enforcement Task Force to Cooperate in Certain Criminal Investigations. [David White, Chief of Police]
- D. Consider Authorizing the City Manager to Execute the Second Renewal for the Service Agreement Between the City of Edinburg and Upper Valley Mail Services for Mail Services From October 01, 2017 Through September 30, 2018. [Myra L. Ayala Garza, City Secretary]

XI. WAIVERS

- A. 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 5, 2017 as Requested by The Rainbow Room. [Sonia Marroquin, Assistant City Manager]
- B. Consider Authorizing the City Manager to Waive Fees for the Use of the Edinburg Municipal Auditorium as Requested by the Rio Grande Valley Children's Chorus for a Rehearsal on Sunday, December 3, 2017. [Sonia Marroquin, Assistant City Manager]

XII. BUDGET

- A. Consider Transfers of Funds in the Fiscal Year 2016-2017 Budget Within the Following Accounts:
 - 1. General Fund: FROM Recreation & Education; Promotional Supplies; Motor Vehicles; Swimming Pools; Communications; Utilities; and Travel, Training, Meetings TO Part-Time Wages, in the Amount of \$13,800. [Joe Filoteo, Director of Parks & Recreation]
 - 2. General Fund: FROM Membership Dues, Subscriptions; Printing; and Professional Services TO Part-Time Wages, in the Amount of \$8,500. [Joe Filoteo, Director of Parks & Recreation]
 - 3. General Fund: FROM Retirement/Sick Leave TO Professional Services; Group Insurance; Overtime; Promotional Supplies; E-Rate Funding; Utilities; Communications; and Retirement, in the Amount of \$44,900. [Ascencion Alonzo, Director of Finance]
 - 4. Los Lagos Golf Course Fund: FROM Machines & Equipment TO Water & Sanitary Sewer, in the Amount of \$2,606. [Tony Garcia, Director of Golf]

XIII. CONSENT AGENDA

- A. Consider Action Regarding the Regularly Scheduled Tuesday, November 07, 2017 City Council Meeting. [Myra L. Ayala Garza, City Secretary]
- B. Consider Authorizing the Disposition of Approximately 109 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.

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.

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 September 29, 2017 at 4:45 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.