



**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 03, 2015

**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. PRESENTATIONS

- A. Presentation Recognizing the City of Edinburg Parks & Recreation Department for Receiving the Texas Amateur Athletic Federation Gold Member City Award for 2015.
[Joe Filoteo, Director of Parks and Recreation]
- B. Presentation Regarding Five Pet Oxygen Masks Donated to the Edinburg Fire Department from Michael Edward Reed. [Shawn Snider, Fire Chief].

V. PROCLAMATIONS

- A. Presentations of Proclamations Recognizing:
 - 1. November 19, 2015, as Great American Smoke-out Day as Requested by the Local Tobacco Prevention & Control Coalition. [Ramiro Garza, Jr., City Manager]
 - 2. November 23-30, 2015, as National Family Week in Edinburg, Texas, as Requested by the Boys & Girls Clubs of Edinburg RGV. [Sabrina Walker-Hernandez, Chief Professional Officer, Boys & Girls Clubs of Edinburg RGV]

VI. PUBLIC HEARINGS

- A.** Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Urban Uses to General Commercial Uses and the Rezoning Request from Neighborhood Conservation 7.1 (NC 7.1) District to Commercial General (CG) District, Being all of Lot 11, Block 243, Edinburg Original Townsite, Located at 1103 East Cano, as Requested by Horacio Canales. (Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action) [Richard M. Hinojosa, Director of Planning and Zoning]
- B.** Hold Public Hearing and Consider Ordinances Providing for the Comprehensive Plan Amendment from Suburban Uses to Urban Uses and the Rezoning Request from Suburban (S) District to Urban (UR) Residential District, Being the West 1.00 Acre of the East 3.00 Acres of the West 4.00 Acres of the North 321.0 Feet of Lot 4, Section 237, Texas Mexican Railway Company Survey Located at 3516 West Mile 17 1/2 Road, as Requested by Annalisa Morales Garcia. (Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action) [Richard M. Hinojosa, Director of Planning and Zoning]
- C.** Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Agriculture (AG) District to Auto-Urban Residential (AU) District, Being Lot 174, Trenton Manor Unit 2 Phase III Subdivision, Located at 4308 Twin Circle, as Requested by Humberto Cantu. (Requires 4/5 vote by City Council to overturn Planning & Zoning Commission Action) [Richard M. Hinojosa, Director of Planning and Zoning]

VII. ORDINANCES

- A.** Consider Ordinance Abandoning 6th Street from Kuhn Street to McIntyre Street as Requested by the Edinburg Economic Development Corporation. [Richard M. Hinojosa, Director of Planning and Zoning]
- B.** Consider Ordinance Abandoning the Alley 99.88 Feet East from 6th Street as Requested by the Edinburg Economic Development Corporation. [Richard M. Hinojosa, Director of Planning and Zoning]
- C.** Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Application Fee for a "Veteran's Parade" to be Held Saturday, November 7, 2015 from the Hidalgo County Courthouse to Cats Stadium Located on Palm Drive, as Requested by Agustin Garcia, Sr., Commander of American Legion Post 408. [Richard M. Hinojosa, Director of Planning and Zoning]
- D.** Consider Ordinance Providing for a Temporary Special Use Permit and Waiver of Application Fee for the "South Texas Juvenile Diabetes Run/Walk" to be held Saturday, November 7, 2015, Being the North Half of Lot 11, Section 268, Texas-Mexican Railway Company Survey, Located at 714 South Raul Longoria Road, as Requested by Debra Franco. [Richard M. Hinojosa, Director of Planning and Zoning]

VIII. VARIANCES

- A. Consider Variance Request to the City's Unified Development Code as follows: Article 7, Section 7.405.F. Lot Access to County Road, for Kenyon Vegas Ranches Subdivision, Being a 9.56 Acre Tract of Land out of Lot 1, Block 6, Santa Cruz Gardens Unit No. 3, Located on the West Side of Kenyon Road Approximately 1,975 feet South of Mile 19 Road, as Requested by Quintanilla, Headley and Associates, Inc. [Richard M. Hinojosa, Director of Planning and Zoning]
- B. Consider Variance Request to the City's Unified Development Code as follows: Article 7, Section 7.404 Blocks, Subsection B. Block Length, for the Hills at Chapin Subdivision Being an 18.18 Acre Tract of Land out of Lot 8, Section 241, Texas Mexican Railway Company Survey, Located on the North Side of Chapin Road Approximately 1,232 Feet East of Closner Boulevard, as Requested by Quintanilla, Headley and Associates, Inc. [Richard M. Hinojosa, Director of Planning and Zoning]
- C. Consider Variance Request to the City's Unified Development Code as follows: Article 7, Section 7.502 Streets and Right-of-Way, Subsection C. Perimeter: Pavement or Fee in Lieu Required and Article 8, Section 8.213 Sidewalks for Dos Vientos Estates Subdivision, Being a 40.00 Acre Tract of Land Out of Lots 10,12,14 and 16, Fife's Resubdivision of Lots Two (2), Three (3), Six (6) and Seven (7), Block 51, Located at the Northeast Corner of the Intersection of Sharp Road and Curve Road, as Requested by KK Engineering. [Richard M. Hinojosa, Director of Planning and Zoning]
- D. Consider Variance Request to the City's Unified Development Code as follows: Article 8, Section 8.204 Street Standards for Tierra De Santa Cruz Subdivision No. 2, Being a 13.36 Acre Tract of Land Out of Lots 14, 27 and 28, Tierra De Santa Cruz Subdivision No. 2, Located 660 Feet West of Brushline Road as Requested by Quintanilla, Headley and Associates, Inc. [Richard M. Hinojosa, Director of Planning and Zoning]

IX. AWARDING OF BIDS

- A.** Consider Awarding Bid No. 2016-02, Commercial Metal Containers to Roll-Offs USA and Wastequip Mfg. Co. LLC, Per Unit Prices as Listed, in the Amount of \$227,500. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]
- B.** Consider Awarding Bid 2016-03, Universal Nestable Containers to Toter Incorporated, Per Unit Price as Listed in the Amount Not-to-Exceed \$116,000. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]
- C.** Consider Awarding Bid No. 2016-09, Construction Materials to Upper Valley Materials (CAPA), for their Unit Price of \$79.00 Per Ton of Cold Mix, and for their Unit Price of \$3.50 per Ton of Crush Caliche; and Award to Valley Caliche Products, Inc. for their Unit Price of \$49.12 Per Ton of Type "D" Hot Mix, and Authorize City Manager to Enter into an Agreement Relating Thereto. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]
- D.** Consider Awarding Bid No. 2016-10, Fuel, Motor Oil, and Lubricants to Oil Patch Fuel & Supply for their Delivery Margin (Unit Price) for Unleaded Fuel, Clear & Dyed Diesel; and to Arguindegui Oil Co. II LTD for their Unit Prices for Motor Oil and Lubricants, and Authorize the City Manager to Execute Agreements Relating Thereto. [Ponciano N. Longoria, P.E., C.F.M., Director of Public Works]
- E.** Consider Awarding Bid No. 2016-12, Pump Control Valves, to ACT Pipe & Supply, in the Amount of \$54,794.38. [Arturo Martinez, Director of Utilities]
- F.** Consider Awarding Bid No. 2016-13, Odor and Grease Control Chemicals, to Evergreen Southwest, in the Amount of \$79,560. [Arturo Martinez, Director of Utilities]
- G.** Consider Awarding Bid No. 2016-15, Nitrogen Cylinders and Copper Sulfate, Item#2 Copper Sulfate to Amchem, Inc., Based on the Unit Price of \$1.6650 per lb. [Arturo Martinez, Director of Utilities]

X. CONTRACTUALS

- A. Consider Authorizing the City Manager to Enter into an Agreement with Valley Initiative for Development and Advancement (VIDA) for the Period of October 1, 2015 through September 30, 2016, in the Amount Not-to-Exceed \$192,500 in Funding from the General Fund. [Sonia Marroquin, Assistant City Manager]
- B. Consider Authorizing the City Manager to Exercise the Option to Extend the Contract Between the City of Edinburg and Valley Metro Security, LLC., for the Professional Security Guard Services for an Additional One-Year Period and Authorized City Manager to Execute Documents Related Thereto. [Ramiro L. Gomez, Jr., Director Solid Waste Management]
- C. Consider Authorizing the City Manager to Enter Into Community Development Block Grant Subrecipient Agreements Between the City of Edinburg and the Following Agencies: Amigos Del Valle, Inc., Children's Advocacy Center of Hidalgo County, Court Appointed Special Advocate of Hidalgo County, Inc., Food Bank of the Rio Grande Valley, Inc., Girl Scouts of Greater South Texas, and Salvation Army. [Marissa Garza, Director of Community Development/Grants Management]
- D. Consider Authorizing the City Manager to Enter Into an Agreement with South Texas Symphony Association, Inc. d/b/a Valley Symphony Orchestra & Chorale for the 2015-2016 Season in the Amount of \$32,000 in Funding from the General Fund. [Ramiro Garza, Jr., City Manager]
- E. Consider Authorizing the City Manager to Enter into a Semi-Annual Engineering Agreement with Golder Associates, Inc., for Ground Water, Gas Sampling, Analysis and Reporting; Gas Well Field Sampling and Analysis; Title V, NSPS Sampling 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 \$364,905. [Ramiro L. Gomez, Jr., Director of Solid Waste Management]
- F. Consider Authorizing the City Manager to Enter Into Amendment No. 1 to the Agreement Between the City of Edinburg and Dannenbaum Engineering Company - McAllen, LLC for the 8.0 MGD West Water Treatment Plant Expansion, Consisting of Additional Construction Management and Inspection (CMI) Services Necessary for the Completion of the Project, in the Amount Not-to-Exceed \$137,825.51. [Arturo Martinez, Director of Utilities]
- G. Consider Authorizing the City Manager to Execute a Golf Program Agreement Between the City of Edinburg and the Edinburg Consolidated Independent School District for the Use of the Ebony Golf Course and Los Lagos Golf Course. [Tony Garcia, Interim Golf Director]
- H. Consider Authorizing the City Manager to Enter Into a Waterline Access Agreement with Sharyland Water Supply Corporation and Archer Well Company, Inc., to Provide Fire Protection Services for City Business Center Subdivision. [Arturo Martinez, Director of Utilities]

XI. WAIVERS

- A. Consider Authorizing the City Manager to Waive Fees for the Use of Athletic Fields at Boys & Girls Clubs of Edinburg as Requested by Edinburg Police Department for a Law Enforcement Flag Football Tournament on Saturday, December 12, 2015. [Sonia Marroquin, Assistant City Manager]
- B. Consider Authorizing the City Manager to Waive Fees for the Use of the City Hall Courtyard as Requested by Friends of Edinburg Cemeteries for a Special Fundraiser on Thursday, November 19, 2015. [Sonia Marroquin, Assistant City Manager]

XII. APPOINTMENTS

- A. Discuss and Consider Appointments to the City Advisory Boards and Committees for the Following:
 - 1. South Texas International Airport Advisory Board, Two Members
 - 2. Planning and Zoning Commission, One Member
 - 3. Recreation and Parks Board, One Member

XIII. BUDGET

- A. Consider Authorizing the Purchase of Four (4) Handheld Wireless Devices from Paradigm Software, L.L.C., in the Amount of \$39,825. [Ramiro L. Gomez, Jr., Director Solid Waste Management]
- B. Consider Authorizing the Expenditure for the Repair of Unit 484, 725 Articulated Dump Truck to Holt Caterpillar of Edinburg, Texas, in the Amount of \$17,845.28. [Ramiro L. Gomez, Jr., Director Solid Waste Management]
- C. Consider Authorizing the Purchase of a Set of Reconditioned Wheels for Unit 487, 836 Compactor from Holt Caterpillar of Edinburg, Texas in the Amount of \$105,748.48. [Ramiro L. Gomez, Jr., Director Solid Waste Management]

XIV. CONSENT AGENDA

- A. Consider Canceling the Tuesday, December 15, 2015 City Council Regular Meeting. [Myra L. Ayala Garza, City Secretary]
- B. Consider Approval of City Council Minutes for 2005, 2010, 2011, 2013, and 2014 Regular, Special, Joint, and Work Session Meetings. [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 Economic Incentives Concerning Project Forum. (§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)
- B. Discussion and Possible Action Regarding Economic Incentives Concerning Project Enterprise (§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 Regarding Concerning Personnel Matters. (§551.074. Personnel Matters; Closed Meeting, and §551.071. Consultation with Attorney; Closed Meeting.)
- D. Discussion and Possible Action Regarding Economic Incentives Pertaining to Project Chop. (§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)
- E. 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)
- F. Discussion and Possible Action Regarding a Proposed Amendment to Tax Increment Reinvestment Zone Number Four. (§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.)
- G. Discussion and Possible Action Regarding Legal Issues Concerning All American Child Development Center (§551.071. Consultation with Attorney; Closed Meeting)
- H. Discussion and Possible Action Regarding Proposed Interlocal Agreement Between the City of Edinburg and Edinburg Economic Development Corporation for Participation in the Construction of Soccer Fields.(§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)
- I. Discussion and Possible Action Regarding Legal Issues Concerning Bond Refunding Opportunities. (§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, §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 November 4, 2015 at 6:35 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.