



**CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION  
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS**

**Location:** City of Edinburg  
City Hall-Council Chambers  
415 West University Dr.  
Edinburg, Texas 78541  
**SEPTEMBER 19, 2018**

**SPECIAL MEETING AGENDA  
5:30 PM**

**1. CALL TO ORDER, ESTABLISH QUORUM**

**2. CERTIFICATION OF PUBLIC NOTICE**

**3. CONSENT AGENDA**

*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 of Edinburg, Texas Local Government Finance Corporation May Take Various Actions; Including But Not Limited To Rescheduling An Item In Its Entirety For A Future Date Or Time. The The City of Edinburg, Texas Local Government Finance Corporation 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. Consider approval of the City of Edinburg, Local Government Finance Corporation minutes from May 14, 2018 and July 17, 2018 meetings. [Ludivina Leal, Corporate Secretary]

**4. RESOLUTIONS**

A. A Resolution authorizing the Executive Director or designee to approve the allotment of Community Event Days at the Bert Ogden Arena pursuant to the Lease and Development Agreement between the City of Edinburg, Texas, Local Government Finance Corporation and Vipers Arena, LLC., and further authorizing the Executive Director or designee to negotiate Terms and Conditions and Execute Agreements relating to allocation of Community Event Days without prior Board Approval.

**5. EXECUTIVE SESSION**

The City of Edinburg, Texas Local Government Finance Corporation 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 of Edinburg, Texas Local Government Finance Corporation 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 re-negotiation of terms of Lease and Development Agreement between the City of Edinburg, Texas, Local Government Finance Corporation, and Vipers Arena, LLC.

**OPEN SESSION**

The City of Edinburg, Texas Local Government Finance Corporation 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.

**6. ADJOURNMENT**

*I hereby certify this Notice of a Texas Local Government Finance Corporation Special 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 14, 2018 at 6:00 pm.*

By:



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Ludivina Leal, Corportate Secretary

City of Edinburg, Texas Local Government Finance Corporation

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.

# CONSENT AGENDA

**AGENDA ITEM AND RECOMMENDATION SUMMARY**  
**CITY COUNCIL SPECIAL MEETING**  
**SEPTEMBER 19, 2018**

Consider approval of the City of Edinburg, Local Government Finance Corporation minutes from May 14, 2018 and July 17, 2018 meetings. [Ludivina Leal, Corporate Secretary]

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**STAFF COMMENTS:**

The Secretary of the Corporation prepares and maintains the legislative history of The City of Edinburg, Texas Local Government Finance Corporation in accordance with the Articles of Incorporation and the Bylaws of The City of Edinburg, Texas Local Government Finance Corporation; and the Texas Government Code, Title 5. Open Government, Ethics. Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter A. General Provisions and Subchapter B. Record of Open Meeting, Sec. 551.021. Minutes or Recording of Open Meeting Required and Sec. 551.022. Minutes and Recordings of Open Meeting; and the 2018 Texas Open Meetings Act, Chapter X. Records of Meetings, Section A. Minutes or Recordings of Open Meeting.

The Texas Government Code states, “*Section 551.021 Minutes or Recording of Open Meeting Required. (a) A governmental body shall prepare and keep minutes or make a recording of each open meeting of the body. (b) The minutes must: (1) state the subject of each deliberation; and (2) indicate each vote, order, decision, or other action taken.*” and “*Section 551.022 Minutes and Recordings of Open Meeting. The minutes and recordings of an open meeting are public records and shall be available for public inspection and copying on request to the governmental body’s chief administrative officer or the officer’s designee.*”

The 2018 Texas Open Meetings Act (TOMA), Chapter X. Records of Meetings, A. Minutes or Recordings of Open Meeting sites Sections 551.021 and 551.022 of the Texas Government Code as stated above. TOMA also states, “*If minutes are kept instead of a recording, the minutes should record every action taken by the governmental body. If open sessions of a Commissioners court meeting are recorded, the recordings are available to the public under the Public Information Act.*”

**STAFF RECOMMENDATION:**

Approve the City of Edinburg, Local Government Finance Corporation minutes from May 14, 2018 and July 17, 2018 meetings. [Ludivina Leal, Corporate Secretary]

**REVIEWED BY:**

**PREPARED BY:**

/s/Pilar Rodriguez

/s/Ludivina Leal

\_\_\_\_\_  
Pilar Rodriguez, P.E.  
Executive Director

\_\_\_\_\_  
Ludivina Leal  
Secretary of the Corporation

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\*\*\*\*\* **RECORD OF VOTE:**

**APPROVED** \_\_\_\_\_  
**DISAPPROVED** \_\_\_\_\_  
**TABLED** \_\_\_\_\_  
**NO ACTION** \_\_\_\_\_

\_\_\_\_\_  
Jorge Luis  
Salinas  
Board  
Member

\_\_\_\_\_  
Gilbert  
Enriquez  
Board Member

\_\_\_\_\_  
Richard R. Molina  
President

\_\_\_\_\_  
Homer Jasso, Jr.  
Board Member

\_\_\_\_\_  
David Torres  
Vice President

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION**

The City of Edinburg, Texas Local Government Finance Corporation convened for a **Special Meeting** on **Tuesday, July 17, 2018 at 6:00 pm**, at Edinburg City Hall Council Chambers, 415 W. University Drive, Edinburg, Texas, with the following present:

**Board of Directors:**

- Richard R. Molina, President
- David Torres, Vice-President
- Jorge Luis Salinas, Board Member
- Gilbert Enriquez, Board Member
- Homer Jasso, Jr., Board Member
- Pilar Rodriguez, P.E., Executive Director
- Ricardo Gonzalez, Corporate Attorney
- Ascencion Alonzo, Treasurer of the Corporation
- Ludivina Leal, Secretary of the Corporation

**I. CALL TO ORDER, ESTABLISH QUORUM**

President Molina called the meeting to order at 6:00 pm.

**II. CERTIFICATION OF PUBLIC NOTICE**

President Molina verified Corporate Secretary's posting notice as required by the Open Meetings Act. Notice was posted on July 13, 2018 at 6:00 pm.

**III. Consider Approval of a Second Amendment to the Lease and Development Agreement between City of Edinburg, Texas Local Governmental Finance Corporation and Vipers Arena, LLC., Primarily Negotiation of Contractual Provisions Relating to the Bert Ogden Arena Project.**

No action taken.

**IV. EXECUTIVE SESSION**

**THE CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION 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 OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION 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.**

Board Member Gilbert Enriquez moved to convene into Executive Session. Board Member Jorge Luis Salinas seconded the motion. The motion carried unanimously.

President Molina recessed the meeting at 6:01 pm to go into Executive Session.

Vice President David Torres moved to reconvene into Open Session. Board Member Gilbert Enriquez seconded the motion. The motion carried unanimously.

President Molina reconvened the meeting at 6:07 pm and addressed the action on Executive Session items.

No action was taken in Executive Session.

**A. DISCUSS THE TERMS, AND CONTRACTUAL OBLIGATIONS, AND POSSIBLE DEFAULT OF THE LEASE AND DEVELOPMENT AGREEMENT BETWEEN CITY OF EDINBURG LOCAL GOVERNMENTAL FINANCE CORPORATION AND VIPERS ARENA, LLC AND OTHER RELATED ISSUES.**

Board Member Gilbert Enriquez moved to authorize the Executive Director, Pilar Rodriguez to meet with Vipers LLC regarding the Bert Ogden Arena project. Board Member Jorge Luis Salinas seconded the motion. The motion carried unanimously.

**V. ADJOURNMENT**

Board Member Gilbert Enriquez moved to adjourn the meeting. Vice-President David Torres seconded the motion. The motion carried unanimously.

There being no other business to come before the City of Edinburg, Texas Local Government Finance Corporation, the meeting was adjourned at 6:07 pm.

CITY OF EDINBURG,  
TEXAS LOCAL GOVERNMENT  
FINANCE CORPORATION

\_\_\_\_\_  
Richard R. Molina, President

ATTEST:

\_\_\_\_\_  
Ludivina Leal, Secretary of the Corporation

City of Edinburg, Texas Local Government Finance Corporation Approval: \_\_\_\_\_

**STATE OF TEXAS  
COUNTY OF HIDALGO  
CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION**

The City of Edinburg, Texas Local Government Finance Corporation convened for a **Special Meeting** on **Monday, May 14, 2018 at 12:00 Noon**, at Edinburg City Hall Council Chambers, 415 W. University Drive, Edinburg, Texas, with the following present:

**Board of Directors:** Richard R. Molina, President  
Jorge Luis Salinas, Board Member  
Gilbert Enriquez, Board Member  
Homer Jasso, Jr., Board Member  
Pilar Rodriguez, P.E., Executive Director  
Ricardo Gonzalez, Corporate Attorney  
Ascencion Alonzo, Treasurer of the Corporation  
Ludivina Leal, Secretary of the Corporation

**Absent:** David Torres, Vice-President

**I. CALL TO ORDER, ESTABLISH QUORUM**

President Molina called the meeting to order at 12:03 pm.

**II. CERTIFICATION OF PUBLIC NOTICE**

President Molina verified Corporate Secretary's posting notice as required by the Open Meetings Act with Tim Sena, Administrative Assistant briefly sitting in for Secretary of the Corporation, Ludivina Leal. Notice was posted on May 11, 2018 at 11:45 am.

**III. EXECUTIVE SESSION**

**THE CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION 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 OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION 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.**

Board Member Gilbert Enriquez moved to convene into Executive Session. Board Member Jorge Luis Salinas seconded the motion. The motion carried unanimously.

President Molina recessed the meeting at 12:04 pm to go into Executive Session.



Board Member Gilbert Enriquez moved to reconvene into Open Session. Board Member Jorge Salinas seconded the motion. The motion carried unanimously.

President Molina reconvened the meeting at 12:41 pm and addressed the action on Executive Session items.

No action was taken in Executive Session.

**A. Discuss the Terms, Conditions, and Provisions of the Lease and Development Agreement between City of Edinburg Local Governmental Finance Corporation and Vipers Arena, LLC and Other Related Issues.**

Board Member Gilbert Enriquez moved to proceed as discussed in executive session. Board Member Jorge Luis Salinas seconded the motion. The motion carried unanimously.

**IV. ADJOURNMENT**

Board Member Gilbert Enriquez moved to adjourn the meeting. Board Member Jorge Luis Salinas seconded the motion. The motion carried unanimously.

There being no other business to come before the City of Edinburg, Texas Local Government Finance Corporation, the meeting was adjourned at 12:42 pm.

CITY OF EDINBURG,  
TEXAS LOCAL GOVERNMENT  
FINANCE CORPORATION

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Richard R. Molina, President

ATTEST:

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Ludivina Leal, Secretary of the Corporation

City of Edinburg, Texas Local Government Finance Corporation Approval: \_\_\_\_\_

# RESOLUTIONS

**AGENDA ITEM AND RECOMMENDATION SUMMARY**  
**CITY COUNCIL SPECIAL MEETING**  
**SEPTEMBER 19, 2018**

A Resolution authorizing the Executive Director or designee to approve the allotment of Community Event Days at the Bert Ogden Arena pursuant to the Lease and Development Agreement between the City of Edinburg, Texas, Local Government Finance Corporation and Vipers Arena, LLC., and further authorizing the Executive Director or designee to negotiate Terms and Conditions and Execute Agreements relating to allocation of Community Event Days without prior Board Approval.

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**STAFF COMMENTS:**

The Lease and Development Agreement between the City of Edinburg Local Government Finance Corporation (LGFC) and the Vipers Arena LLC provides for Community Events Days to be held at the Bert Ogden Arena. These Community Event Days may be allocated by the LGFC to any local government units or local non-profit organizations.

Rather than calling special meetings to approve a request by local governmental units or nonprofit organizations requesting to host a community event at the Bert Ogden Arena, LGFC should consider authorizing the Executive Director of the LGFC to allocate these community event days on terms and conditions as maybe negotiated by the parties.

**STAFF RECOMMENDATION:**

Staff recommends the board approve the Resolution authorizing the Executive Director allocation of Community Event Days as maybe negotiated by the Executive Director and the party requested use of the Bert Ogden Arena.

**REVIEWED BY:**

**PREPARED BY:**  
Ricardo Gonzalez

/s/Pilar Rodriguez  
Pilar Rodriguez, P.E.  
Executive Director

/s/Ricardo Gonzalez  
Ricardo Gonzalez  
Corporate Attorney

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**\*\*\*\*\* RECORD OF VOTE:**

**APPROVED** \_\_\_\_\_  
**DISAPPROVED** \_\_\_\_\_  
**TABLED** \_\_\_\_\_  
**NO ACTION** \_\_\_\_\_

\_\_\_\_\_

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Jorge Luis Salinas  
Board Member

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Gilbert  
Enriquez  
Board Member

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Richard R. Molina  
President

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Homer Jasso, Jr.  
Board Member

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David Torres  
Vice President

**RESOLUTION NO. \_\_\_\_\_ LGFC**

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AUTHORIZE USE OF COMMUNITY EVENT DAYS AT THE BERT OGDEN ARENA PURSUANT TO THE LEASE AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF EDINBURG, TEXAS, LOCAL GOVERNMENT FINANCE CORPORATION AND VIPERS ARENA, LLC. AND AUTHORIZE CITY MANAGER OR DESIGNEE TO NEGOTIATE TERMS AND CONDITIONS AND EXECUTE AGREEMENTS RELATING TO USE OF COMMUNITY EVENT DAYS.**

**RECITALS**

*WHEREAS*, the City of Edinburg, Texas, Local Government Finance Corporation as Lessor (hereinafter referred to as “Corporation”) and Vipers Arena, LLC as Tenant (hereinafter referred to as “Vipers”), entered into a Lease and Development Agreement dated as of February 26, 2016 the Corporation is allowed use of Community Event Days at the Bert Ogden Arena (hereinafter referred to as “Arena”); and

*WHEREAS*, pursuant to Article XI Use and Occupancy; Permitted and Prohibited Uses; Operating Requirements; Section 11.6. Governmental Dates, of the Lease and Development Agreement between the Corporation and the Vipers, the Corporation is allowed use of Community Event Days at the Arena; and

*WHEREAS*, the Corporation deems it necessary and appropriate to authorize the Corporation’s Executive Director or designee to authorize the use of Community Event days at the Arena and to negotiate terms and conditions and execute agreements with charitable or non-profit organizations relating thereto.

***NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION:***

**SECTION 1.** The Executive Director of the Corporation or designee is hereby authorized to authorize use of Community Event Days at the Arena pursuant to Article XI Use and Occupancy; Permitted and Prohibited Uses; Operating Requirements; Section 11.6. Governmental Dates, of the Lease and Development Agreement between the Corporation and the Vipers.

**SECTION 2.** In furtherance of the authority granted in Section 1 above, the Executive Director of the Corporation or designee is hereby authorized to negotiate the terms and conditions related to use of Community Event Days at the Arena by charitable

or non-profit organizations and to enter into agreements with such entities related thereto.

**SECTION 3: OPEN MEETING.** It is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

**SECTION 4: EFFECTIVE DATE.** This Resolution shall become effective immediately upon passage by this Corporation and signature of the President of the Corporation.

*[The remainder of this page intentionally left blank]*

***PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE CITY OF EDINBURG, TEXAS LOCAL GOVERNMENT FINANCE CORPORATION AT A SPECIAL MEETING ON THE 19<sup>th</sup> DAY OF SEPTEMBER, 2018.***

CITY OF EDINBURG, TEXAS LOCAL  
GOVERNMENT CORPORATION

**By:** \_\_\_\_\_  
Richard R. Molina, President

**ATTEST:**

**By:** \_\_\_\_\_  
Ludivina Leal, Corporation Secretary

**Approved as to form:**

**By:** \_\_\_\_\_  
Ricardo Gonzalez, Board Counsel