



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS
Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78539
OCTOBER 03, 2023

REGULAR MEETING AGENDA
6:00 PM

1. CALL TO ORDER, ESTABLISH QUORUM

- A. Prayer.
- B. Pledge of Allegiance.

2. CERTIFICATION OF PUBLIC NOTICE

3. DISCLOSURE OF CONFLICT OF INTEREST

4. PROCLAMATIONS/RECOGNITIONS

- A. Presentation of Proclamation Recognizing Danielle H. Luna, Teen United World 2024. [Clarice Y. Balderas, City Secretary]
- B. Presentation of Proclamation Recognizing October 2023, as Chiropractic Health Month. [Clarice Y. Balderas, City Secretary]
- C. Presentation of Proclamation Recognizing October 2023, as Down Syndrome Awareness Month. [Clarice Y. Balderas, City Secretary]
- D. Present the Recipients for the Employee of the Month Award for the Month of August and September 2023. [Belinda Torres, Director of Human Resources/Civil Service]

5. 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. Please note that this public comment period is not interactive. The City Council may not respond to public comments.

If a resident desires to make a public comment in person, 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.

6. PUBLIC HEARINGS - SPECIAL ITEMS

Special Planning and Zoning Commission Items are those items requiring a 4/5 vote by the City Council to overturn the Planning and Zoning Commission decision. A single hearing will be held for all such items and all will be enacted by One Motion. If any member of the Public opposes any item(s) or if any member of the Governing Body requests discussion on any item(s), such item(s) will be considered separately.

- A. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Commercial, Neighborhood (CN) District to Residential, Multifamily (RM) District, a 1.00 Acre Tract of Land Being a Portion of Lot 5, Section 274, Texas-Mexican Railway Company's Survey Subdivision, Located at 1210 South Jackson Road, as Requested by Sheriff Muse-Ariyoh, on Behalf Maria Guadalupe Longoria. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- B. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Residential, Primary (RP) District to Commercial, Neighborhood (CN) District, Lots 10 and 11, Southside Subdivision, Located at 822 and 902 South 10th Avenue, as Requested by Gregorio R. Lopez. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- C. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Residential, Primary (RP) District, Lot 3-B-W1/2, Cotter Tract S151.30'-N935.74'-E71.88'-W585.24', Located at 1417 Santa Maria Street, as Requested by James W. Turner Construction, Ltd. on Behalf of Eleno Puente. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- D. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Commercial, General (CG) District to Residential, Multifamily (RM) District, 7.13 Acres Out of Lot 7, Swearngen Tract and Out of Lot 2, Block 1, John Closner Subdivision, Located at 2406 South Raul Longoria Road, as Requested by Rio Delta Engineering on Behalf of Los Lagos Real Estate, LLC. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- E. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Residential, Suburban (RS) District to Residential, Primary (RP) District, 9.91 Acres, All of Lot 16, Block 8, Santa Cruz Gardens Unit No. 3 Subdivision, Proposed RG Subdivision, Located at 4708 North Gwin Road, as Requested by Rio Delta Engineering on Behalf of RG Enterprises LLC. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- F. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Commercial, General (CG) District, a 0.48 of an Acre Tract of Land Being a Portion of Lot 16, Section 245, Texas-Mexican Railway Company's Survey Subdivision, Located at 3605 East Richardson Road, as Requested by Rolando Ramos. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- G. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Residential, Primary (RP) District to Commercial, Neighborhood (CN) District, Lot 3, Block 7, Country Club Place Subdivision, Located at 1209 South 10th Avenue, as Requested by Quintanilla, Headley & Associates on Behalf of Andre Maldonado. **(A 4/5 vote is required by**

the City Council to overturn the Planning & Zoning Commission action.) [Jaime Acevedo, Director of Planning & Zoning]

- H. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Residential, Primary (RP) District, Lot 50, Villa Del Sol Subdivision, Located at 1212 Starshine Drive, as Requested by Tony Resendez on Behalf of Rubicon Construction Group. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- I. Hold Public Hearing and Consider Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Industrial, General (IG) District, 27.590 Acres Out of Lot 5, Section 246, Texas-Mexican Railway Company's Survey Subdivision, Located at 901 East Chapin Road, as Requested by Mario A. Reyna, P.E. on Behalf of ROTU Investments, LLC. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]

7. PETITION

- A. Consider the Petition Providing for the Voluntary Annexation of 8.350 Acres, More or Less, Out of Lot 5, Section 250, Texas-Mexican Railway Company's Survey Subdivision, Volume 1, Page 16, Hidalgo County Map Records, City of Edinburg, Texas and is Located at 1534 North Kenyon Road, as Requested by Melden & Hunt, Inc., on Behalf of Sandra E. Acevedo. [Jaime Acevedo, Director of Planning & Zoning]

8. VARIANCES

- A. Consider Variance to the City's Unified Development Code, Article 3, Section 3.102-1, Single-Family Detached Lot and Building Standards, Residential Primary, Rear Yard Setbacks for the Proposed the Embers II Subdivision, Being a 20.95 Acres Tract of Land Out of Lot 4, Block 1, A.J. McColl Subdivision, Located at 3207 South Jackson Road, as Requested by Quintanilla, Headley & Associates, Inc., on Behalf of MDG Investments Group, LLC. [Jaime Acevedo, Director of Planning & Zoning]
- B. Consider Variance Request to the City's Unified Development Code Table 3.102-4 Duplex and Multiplex Lot and Building Standards, Lot Width for the Proposed the Villas on Canton Subdivision a 10.00-Acre Tract of Land out of Lot 2, Block 55, Alamo Land and Sugar Company Subdivision, Located at 3500 East Canton Road, as Requested by Melden & Hunt, Inc., on Behalf of A.I.M.Z Development, LLC. [Jaime Acevedo, Director of Planning & Zoning]

9. ORDINANCES

- A. Consider Ordinance Providing for the Voluntary Annexation of a 600.885 Acres of Land Located in the Juan Jose Balli Survey, Abstract Number 29, Hidalgo County, Texas and Being a Portion of the San Salvador Del Tule Grant, a Subdivision of Record to the Map or Plat Thereof Recorded in Volume 10, Pages 58-60, Maps Records of Hidalgo County, Texas, and a Portion of Baker's Subdivision of the Cucharria Tract, a Subdivision of Record According to the Map or Plat Thereof Recoded in Volume 2, Page 46, Map Records of Hidalgo County, Texas; and Further Being All of that Certain Called 69.4 Acres of Land Conveyed to the City of Edinburg as Described in Document Number 2021-3295105, Official Records of Hidalgo County, Texas; All of that Certain Called 86.70 Acres of Land (Tract 1) and that Certain Called 257.51 Acres of Land (Tract 2) Conveyed to the City of Edinburg, as Described in Document

2009-2043501, Official Records of Hidalgo County, Texas; All of that Certain Called 126.455 Acres of Land Conveyed to the City of Edinburg, as Described in Document Number 2013-2406486, Official Records of Hidalgo County, Texas; All of that Certain Called 59.93 Acres of Land Conveyed to the City of Edinburg, as Described in Document Number 2013-2406487, Official Records of Hidalgo County, Texas, Located at 15600 North I-69C., as Requested by the City of Edinburg. [Jaime Acevedo, Director of Planning & Zoning]

- B. Consider Ordinance Providing for the Voluntary Annexation of a 50.493 Acres of Land in the Juan Jose Balli Survey, Abstract Number 29, Hidalgo County, Texas and Being a Portion of the San Salvador Del Tule Grant, a Subdivision Record According to the Map or Plat Thereof Recoded in Volume 10, Pages 58-60, Map Records of Hidalgo County, Texas and Further Being All of that Certain Called 9.65 Acres of Land Conveyed to the City of Edinburg, as Described in Document Number 1997-575056, Official Records of Hidalgo County, Texas and the Remainder of that Certain Called 34.46 Acres of Land Conveyed to the City of Edinburg, as Described in Document Number 1997-575057, Official Records of Hidalgo County, Texas, and a Portion of F.M. Highway 490 Right of Way, Located at 17000 North I-69C., as Requested by the City of Edinburg. [Jaime Acevedo, Director of Planning & Zoning]
- C. Consider Ordinance Providing for a Temporary Special Use Permit for the “University Drafthouse Beerfest 2023” to be Held on Saturday, October 14, 2023, at the Edinburg Economic Development Corporation Promenade Area Located at 501 W. McIntyre Street. as Requested by the Edinburg Chamber of Commerce and University Draft House. [Jaime Acevedo, Director of Planning and Zoning]
- D. Consider Ordinance Providing for a Temporary Special Use Permit for “Sacred Heart Catholic Church Annual Kermese” to be Held Saturday, October 14, 2023, Being Edinburg Original Townsite, Block 319, Lots 1-5, Located at 216 N. 16th Street at Sacred Heart Catholic Church, As Requested by Sacred Heart Catholic Church. [Jaime Acevedo, Director of Planning and Zoning]
- E. Consider Ordinance Providing for a Temporary Special Use Permit for the 15th Annual “Love Your Cha-Chas” 5K Run/Walk to be Held on Saturday, October 28, 2023, Being a portion of Lot 10, Block 271, Texas-Mexican Railway Company's Survey, Located 1800 Mark S. Pena Drive, at Richard Flores Stadium as Requested by JoAnne Perez Pena. [Jaime Acevedo, Director of Planning and Zoning]

10. CONTRACTUALS

- A. Consider Authorizing the City Manager to Enter Into a Memorandum of Agreement (MOA) Between the City of Edinburg Public Works Department, and the Lower Rio Grande Valley Regional Texas Pollutant Discharge Elimination System TPDES Stormwater Task Force Partnership, Inc. for Preparation of a (TPDES) Stormwater Permit Application and Stormwater Program Plan for the Lower Rio Grande Valley TPDES Stormwater Task Force. [Vincent A. Romero, CPM, Public Works Director]
- B. Consider Authorizing the City Manager to Enter Into a Memorandum of Agreement (MOA) Between the City of Edinburg Police Department, and the University of North Texas at Dallas to House the Regional Director for the Peer Support Network at the Edinburg Police Department. [Jaime Ayala, Police Chief]
- C. Consider Authorizing the City Manager to Enter Into an Interlocal Agreement Between the City of Edinburg and the Edinburg Economic Development Corporation for the Construction of the

New US Business 281 One Million Gallon Composite Elevated Water Storage Tank. [Tomas D. Reyna, Assistant City Manager]

- D. Consider Authorizing the City Manager to Enter Into an Interlocal Agreement Between the City of Edinburg and the Edinburg Economic Development Corporation for the Construction of the New Astro-turf Baseball Fields at Municipal Park. [Tomas D. Reyna, Assistant City Manager]
- E. Consider Authorizing the City Manager to Enter Into an Interlocal Agreement Between the City of Edinburg and the Edinburg Economic Development Corporation for the Construction of the Sewer Line Expansion for East Owassa Road to Provide First Time Sewer Service. [Tomas D. Reyna, Assistant City Manager]
- F. Consider Authorizing the City Manager to Enter Into Job Task Order No. 1 with Melden & Hunt, Inc. Based on RFQ 2022-005, Professional Engineering Services for the Design of Municipal Park Turf Fields for an Amount Not to Exceed \$52,000.00 and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Mardoqueo Hinojosa, P.E. CFM, City Engineer]
- G. Consider Authorizing the City Manager to Pay the Smart Water Meter Software Annual Subscription to Kamstrup Water Metering, LLC in the Amount of \$31,334.88. [Gerardo Carmona Jr, P.E., Director of Utilities]

11. AWARDING OF BIDS

- A. Consider Awarding RFP No. 2023-014, Aviation Fuel Supplier and Support to Titan Aviation Fuels for their Fuel and Equipment Unit Prices as Listed for a Term of Three (3) Years, with an Option to Renew Three (3) Additional Years and Authorize the City Manager to Execute Any Documents Related Thereto. [Eddie Velarde, Director of Aviation]
- B. Consider Awarding RFP No. 2023-016, City of Edinburg Comprehensive Plan to Kendig Keast Collaborative for their Proposal of \$250,000.00 and Authorize the City Manager to enter into a professional services contract Pursuant to the City's Ordinances and Procurement Policies. [Jaime Acevedo, Director of Planning & Zoning]
- C. Consider Authorizing the Purchase of Two (2) New Smart View 360°Cameras with Hardware Included through the Texas Local Government Purchasing Cooperative (BuyBoard) to AM Signal. LLC of Littleton, Colorado, in the Amount of \$37,991.06. [Vincent A. Romero, CPM, Public Works Director]
- D. Consider Awarding Bid No. 2023-28, HMAC Type D Hotmix, a One (1) Year Supply Agreement to Frontera Materials, Inc. for their Unit Price of \$71.00 Per Ton of River Rock Type "D" Hot Mix and \$77.50 Per Ton of Limestone Type "D" Hot Mix and Award a One (1) Year Supply Agreement to the Alternate Vendor, Terra Firma Materials, LLC. for their Unit Price of \$75.45 Per Ton of River Rock Type "D" Hot Mix and \$75.45 Per Ton of Limestone Type "D" Hot Mix. [Vincent A. Romero, CPM, Public Works Director]
- E. Consider Awarding Bid No. 2023-29, City Wide Pavement Markings to Valley Striping Corp., Per Unit Prices and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Vincent Romero, Public Works Director]
- F. Consider Awarding Bid No. 2023-31, Bi-Annual Maintenance Service Agreement for City Wide Generators, to Waukesha – Pearce Industries, L.L.C. for their Unit Prices as Listed for the Total Amount of \$80,639.29 and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Vincent Romero, Public Works Director]

- G. Consider Awarding Bid No. 2023-32, Annual Plant Chemicals to the Lowest Bidder Per Line Item on a Per Unit Price and Execute Any Related Documents Thereto. [Gerardo Carmona Jr., P.E., Director of Utilities]
- H. Consider Awarding RFP No. 2023-008, Business 281 One (1) Million Gallon Composite Elevated Water Storage Tank, to Landmark Structures I, L.P. in the Amount Not to Exceed \$5,037,000.00 and Authorize the City Manager to Execute Any Documents Related Thereto. [Gerardo Carmona Jr., P.E., Director of Utilities]

12. ECONOMIC DEVELOPMENT

- A. Discuss and Consider Approval of the Edinburg Economic Development Corporation's Renewal of the UTRGV Technical Assistance Contract for Fiscal Year 2023-2024. (The Edinburg EDC Approved this Item by a Vote of 6-1 on September 26, 2023). [Raudel Garza, Edinburg EDC Executive Director]
- B. Discuss and Consider the Fiscal Year 2023-2024 Staffing Services Agreement Between the City of Edinburg and Edinburg Economic Development Corporation. (The Edinburg EDC Board Approved this Item by a Vote of 7-0 on September 26, 2023) [Raudel Garza, Edinburg EDC Executive Director]

13. RESOLUTIONS

- A. Consider Resolution Authorizing the City Manager to Submit an Application for Bipartisan Infrastructure Investment and Jobs Act FY24 Federal Aviation Administration Airport Terminal Program Grant, and Execute Documents Related Thereto. [Eddie Velarde, Director of Aviation]
- B. Consider Resolution in Support of the RGV Recompete Coalition and the University of Texas Rio Grande Valley in the Submission of the Region's Recompete Plan and Strategy Development Grant. [Clarice Y. Balderas, City Secretary]
- C. Discuss and Consider Resolution Nominating a Candidate or Candidates for the Board of Directors of the Hidalgo County Appraisal District for 2024-2025. [Clarice Y. Balderas, City Secretary]

14. ELECTION

- A. Consider Authorizing the City Manager to Enter into a Contract for Election Services Between the City of Edinburg and the Hidalgo County Elections Administrator for the City of Edinburg Municipal General Election to be Held on November 07, 2023. [Clarice Y. Balderas, City Secretary]

15. APPOINTMENTS

- A. Consider Appointments to the following City Advisory Boards, Councils, Commissions and Committees: Charter Review Committee, Five Members; Cultural Activities Board, Two Members. [Clarice Y. Balderas, City Secretary]

16. 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 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.

- A. Consider Canceling or Rescheduling the Tuesday, November 07, 2023 Regular City Council Meeting. [Clarice Y. Balderas, City Secretary]

17. OTHER BUSINESS

- A. Future Items Requested by City Council. [Myra L. Ayala, City Manager]

18. 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. Consultation with City Attorney and Possible Action Regarding Economic Development Agreements. (§551.071. Consultation with Attorney; Closed Meeting; §551.087 Deliberation Regarding Economic Development Negotiations; Closed Meeting.)
- B. Consultation with City Attorney Regarding Agreement with Palm Valley Animal Society. (§551.071. Consultation with Attorney; Closed Meeting.)
- C. Discussion regarding employment matter. (§551.071. Consultation with Attorney; Closed Meeting; §551.074. Personnel Matters; 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.

19. 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, 2023 at 9:40 p.m.

By: /s/ Clarice Y. Balderas _____
Clarice Y. Balderas, City Secretary
City of Edinburg, Texas

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.