



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78539
SEPTEMBER 05, 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. Recognizing September 15, 2023 National Prisoner of War (POW)/Missing in Action (MIA) Day.
[Clarice Y. Balderas, City Secretary]
- B. Presentation of Proclamation Recognizing September 2023 as Prostate Cancer Awareness Month.
[Clarice Y. Balderas, City Secretary]

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. PRESENTATION AND REPORT

- A. Presentation and Possible Action Regarding the Ebony Hills Golf Course Master Plan Presented by ROFA Architects. [Tomas D. Reyna, Assistant City Manager]

7. PUBLIC HEARINGS - SPECIAL ITEMS

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 the Ordinance Providing for the Rezoning Request from Commercial, General (CG) District to Residential, Multifamily (RM) District, a 9.87 Acre Tract of Land out of Lot 7, Section 244, Texas-Mexican Railway Company's Survey, Located at 3100 North Closner Boulevard, as Requested by Mario Anaya, on Behalf of Bernardo G. Elizondo. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning and Zoning]
- B. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Residential, Suburban (RS) District to Residential, Primary (RP) District, the East 100 Feet of West 303 Feet of Lot 4, Twilight Park Subdivision, Located at 113 East Chapin Street, as Requested by Eliseo Garza, Jr. on Behalf of Aleida Salinas. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning and Zoning]
- C. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Residential, Suburban (RS) District to Commercial, General (CG) District, 3.03 Acres Out of a 6.01 Acre Tract of Land out of Lot 5, Section 243, Texas-Mexican Railway Company's Survey, Located at 3101 North Interstate 69C, as Requested by Art Resendez on Behalf of Khit Property Management LLC. **(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 the Ordinance Providing for the Rezoning Request from Residential, Primary (RP) District to Downtown (DT) District, Lot 1-2, Block 237, Townsite Plat of Edinburg, Located at 600 East McIntyre Street, as Requested by Manuel L. Ruiz, Jr. **(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 the Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Residential, Multifamily (RM) District, being a Tract of Land Being 6.439 Acres out of the South ½ of the of the North ½ of Lot 71, Kelly-Pharr Subdivision According to map thereof recorded in Volume 3, Pages 133 & 134, Located at 5502 South Sugar Road, as Requested by James E. Rose and Dalia Sierra on Behalf of Lana Sue Heina. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning and Zoning]
- F. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Residential, Primary (RP) District to Residential, Multifamily (RM) District, the North 114.0 Feet of Lot 1, Wood Subdivision, Located at 513 South 4th Avenue, as Requested by Elizabeth Pedraza on Behalf of Joseph Gonzalez. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning and Zoning]
- G. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Commercial, Neighborhood (CN) District to Commercial General (CG) District, 5.125 Acres Out of Lot 1, Block 2, Steele & Pershing Subdivision, Located at 2900 South McColl Road, as Requested by Mario A. Reyna, P.E. on Behalf of Nico Holdings, LTD. **(A 4/5 vote is required by the City Council to overtrun the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning & Zoning]
- H. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Residential, Multifamily (RM) District, 8.823 Acres out of Lot 5, Block 1, John Closner, Et Al. Subdivision, Proposed Garden Walk (formerly Estevis Estates) Subdivision, Located at 2301 East Wisconsin Road, as Requested by Melden & Hunt, Inc. on Behalf of Ramon Estevis. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action.)** [Jaime Acevedo, Director of Planning and Zoning]
- I. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Commercial, General (CG) District, 3.214 acres out of

Lot 5, Block 1, John Closner, Et Al. Subdivision, Proposed Garden Walk Subdivision (formerly Estevis Estates), Located at 3403 South Raul Longoria Road, as Requested by Melden & Hunt, Inc. on Behalf of Ramon Estevis. **(A 4/5 vote is required by the City Council to overturn the Planning & Zoning Commission action)** [Jaime Acevedo, Director of Planning & Zoning]

8. ORDINANCE

- A. Consider Ordinance Providing for a Temporary Special Use Permit for 'St. Joseph's Catholic School Turkey Fest' to be held Saturday, November 11, 2023 from 11:00 a.m. thru 10:00 p.m. at St Joseph's Catholic School, Being Lots 1 through 3 BLK 342, Edinburg Townsite Subdivision, Located at 119 W Fay St., as Requested by St. Joseph's Catholic School. [Jaime Acevedo, Director of Planning and Zoning]

9. VARIANCES

- A. 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 Garden Walk Subdivision (Formerly Estevis Estates), Being a 12.863 Acre Tract of Land out of Lot 5, Block 1, John Closner Et Al Subdivision, Located at 2301 East Wisconsin Road, as Requested by Melden & Hunt, Inc on Behalf of Ramon Estevis. [Jaime Acevedo, Director of Planning and 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 Gem Estates Subdivision 27.84 Acre Tract of Land out of Lot 3, Section 276, Texas-Mexican Railway Company's Survey Subdivision, Located at 3000 West Schunior Street, as Requested by Melden & Hunt, Inc, on Behalf of Elite Development 786, LLC. [Jaime Acevedo, Director of Planning and Zoning]
- C. Consider Variance Request to the City's Unified Development Code Section 5.203-1 Right-of-Way Widths & Paving Width for Sea Subdivision, Being a 8.350 Acre Tract Out of Lot 5, Section 250, Texas-Mexican Railway Company's Survey Subdivision, Located at 1534 North Kenyon Road, as Requested by Melden & Hunt, Inc. [Jaime Acevedo, Director of Planning and Zoning]

10. AWARDING OF BIDS

- A. Consider Awarding Bid No. 2023-023, Purchase of Fire Hoses to Casco Industries Incorporated in the amount of \$44,575.00. [Omar Garza, Fire Chief]
- B. Consider Awarding Bid No. 2023-15, Personal Protective Equipment to NAFECO, Inc. in the Amount of \$30,105.00 for a Total of Seven (7) Sets of Personal Protective Equipment - Specification B. [Omar Garza, Fire Chief]
- C. Consider Awarding Bid No. 2023-025, Uniform Rental & Laundering Services, to Cintas Corporation, for their Unit Prices as listed and Authorize the City Manager to Enter into an Agreement Relating Thereto. [Vincent A. Romero, Public Works Director]
- D. Consider Awarding Bid No. 2023-026, Fuel, Motor Oil, and Lubricants to Gold Star Petroleum, Inc. for their Unit Prices as listed for Unleaded Fuel, Clear Diesel & Dyed Diesel, and to Hollon Oil Company for their Unit Prices as Listed for Motor Oil and Lubricants and Authorize City Manager to Enter into an Agreement Relating Thereto. [Vincent A. Romero, CPM, Public Works Director]
- E. Consider Awarding the Manhole Rehabilitation & Sewer Main CCTV Project to Southern Trenchless Solutions through the Texas Local Government Purchasing Cooperative Program (BuyBoard) in the Amount Not-to-Exceed \$149,847.00 and Authorize the City Manager to Enter Into an Agreement Relating Thereto. [Gerardo Carmona Jr., P.E., Director of Utilities]
- F. Consider Authorizing an Increase to Purchase Order P230104 to Rush Truck Centers of Texas in Pharr, TX in the Amount of \$52,573.91 to Complete Repairs on Rolloff Unit 472. [Ramiro L. Gomez, Director Solid Waste Management]

- G. Consider Authorizing the Expenditure for the Repair of Residential Unit 4403, by Rush Truck Centers in Pharr, Texas, in the Amount of \$42,809.48. [Ramiro L. Gomez, Director Solid Waste Management]

11. CONTRACTUAL

- A. Consider Authorizing the City Manager to Execute an Agreement with the Union Pacific Railroad (UPRR) Company and the Rio Valley Switching Company (RVSC) for a Public Highway At-Grade Crossing (Railroad Lease Property) for the Jackson Hike and Bike Trail Phase 2 Project and Execute Any Documents Related Thereto Pursuant to the City's Ordinance and Procurement Policies. [Mardoqueo Hinojosa, P.E., CFM, City Engineer]

12. ECONOMIC DEVELOPMENT

- A. Consider Approval of a Mid-Year Budget Amendment for Fiscal Year 2022-2023. [Raudel Garza, Edinburg Economic Development Corporation Executive Director]
- B. Consider Approval of the Edinburg Economic Development Corporation's Incentive Programs: Speculative Building Program & Commercial Recruitment Program. [Raudel Garza, Edinburg Economic Development Corporation Executive Director]
- C. Consider Approval of the Edinburg Economic Development Corporation Fiscal Year 2023-2024 Budget and Program of Work. [Raudel Garza, Edinburg Economic Development Corporation Executive Director]

13. BUDGET

- A. Discuss and Consider the Proposed Tax Rate for the City of Edinburg for Fiscal Year Beginning October 1, 2023 through September 30, 2024 and Setting Public Hearings. [Ascencion Alonzo, Director of Finance]
- B. Consider Certification of 2023 Anticipated Debt Collection Rate and 2022 Excess Debt Collection. [Ascencion Alonzo, Director of Finance]
- C. Consider Approving Fiscal Year 2022-2023 Budget Transfers for the Following: [Ascencion Alonzo, Director of Finance]

Building Maintenance

1. General Fund: FROM Building & Structures TO Janitorial; and Tools, in the Amount of \$7,000. [Tomas D. Reyna, Assistant City Manager]

Finance

1. General Fund: FROM Office Furniture; Other Capital Outlay; Equipment & Fixtures Proceeding From Other Debt; Building & Structures; Machines & Equipment; Equipment & Fixtures Proceeding From Other Debt; Vehicles Proceeding From Other Debt; Buildings & Structures Proceeding From Other Debt; Office Furniture TO Capital Lease Proceeds, in the Amount of \$7,681,354. [Ascencion Alonzo, Director of Finance]
2. Utility Fund: FROM Other Capital Outlay; Buildings & Structures; Equipment & Fixtures Proceeding From Other Debt; Buildings & Structures Proceeding From Other Debt; Machines & Equipment; and Waterlines & Fire Hydrants TO Capital Lease Proceeds, in the Amount of \$24,730,000. [Ascencion Alonzo, Director of Finance]
3. Solid Waste Management Fund: FROM Improvement O/T Buildings Proceeding From Other Debt; and Equipment & Fixtures Proceeding From Other Debt TO Capital Lease Proceeds, in the Amount of \$2,070,000. [Ascencion Alonzo, Director of Finance]
4. Ebony Hills Golf Club Fund: FROM Equipment & Fixtures Proceeding From Other Debt; and Vehicles Proceeding From Other Debt TO Capital Lease Proceeds, in the Amount of \$220,000. [Ascencion Alonzo, Director of Finance]

5. Los Lagos Golf Club Fund: FROM Equipment & Fixtures Proceeding From Other Debt; and Vehicles Proceeding From Other Debt TO Capital Lease Proceeds, in the Amount of \$935,000. [Ascencion Alonzo, Director of Finance]

Parks & Recreation

1. General Fund: FROM Utilities; Travel, Training, Meetings; Membership Dues, Subsc; and Motor Vehicle Fuel TO Communications; Motor Vehicles- Maintenance; Machines & Equipment- Maintenance; Tools; Buildings; Motor Vehicles- Supplies; Machines & Equipment- Supplies; Janitorial; Marketing & Advertising; and Botanical & Agricultural, in the Amount of \$40,100. [Javier Garza, Director of Parks & Recreation]

Public Works

1. General Fund: FROM Drainage Facilities TO Motor Vehicle Fuel, in the Amount of \$50,000. [Vincent Romero, Director of Public Works]

ROW

1. General Fund: FROM Other TO Motor Vehicle Fuel; Machines & Equipment; Motor Vehicles- Maintenance; Signs & Signals; and Building & Structures, in the Amount of \$48,000. [Vincent Romero, Director of Public Works]

Solid Waste Management

1. Solid Waste Management Fund: FROM Motor Vehicle Fuel TO Motor Vehicles- Maintenance, in the Amount of \$25,000. [Ramiro Gomez, Director of Solid Waste Management]
2. Solid Waste Management Fund: FROM Building; and Streets & Alley's TO Motor Vehicles- Supplies, in the Amount of \$25,000. [Ramiro Gomez, Director of Solid Waste Management]
3. Solid Waste Management Fund: FROM Motor Vehicle Fuel TO Machines & Equipment, in the Amount of \$90,800. [Ramiro Gomez, Director of Solid Waste Management]
4. Solid Waste Management Fund: FROM Motor Vehicle Fuel TO Machines & Equipment, in the Amount of \$25,000. [Ramiro Gomez, Director of Solid Waste Management]

Utilities

1. Utility Fund: FROM Raw Water- For Sale; Building & Structures; Rents & Contractuals; Other; and Travel, Training, Meetings TO Rents & Contractuals; Chemicals- Medical & Lab; and Machines & Equipment- Maintenance, in the Amount of \$395,000. [Gerardo Carmona, Director of Utilities]

14. RESOLUTION

- A. Accept the Petition from Ground Game Texas Regarding the Edinburg Living Wage Initiative and Consider Resolution in Support of a Minimum Wage for City Employees and Contractors and Establishing a Plan for Implementation by Fiscal Year 2026-2027. [Omar Ochoa, City Attorney]

15. APPOINTMENTS

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

16. OTHER BUSINESS

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

17. 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 Agreement with Palm Valley Animal Society. (§551.071. Consultation with Attorney; Closed Meeting)

- B. Discussion Regarding Litigation with Texas Cordia Construction, LLC. (§551.071. Consultation with Attorney; Closed Meeting.)
- C. Consultation with City Attorney and Possible Action Regarding Development Agreement with BS Management, LLC. (§551.071. Consultation with Attorney; Closed Meeting; §551.087 Deliberation Regarding Economic Development Negotiations; Closed Meeting.)
- D. Discussion and Possible Action Regarding the Conveyance, Exchange, or Lease of Real Property Related to Jackson Hike & Bike Trail Project. (§551.071 Consultation with Attorney; §551.072 Deliberation Regarding Real Property; Closed Meeting.; §551.087 Deliberation Regarding Economic Development Negotiations; Closed Meeting.)
- E. Consultation with City Attorney and Possible Action Regarding Economic Development Agreement with Burns Brothers, Ltd. (§551.071. Consultation with Attorney; Closed Meeting; §551.087 Deliberation Regarding Economic Development Negotiations; Closed Meeting.)
- F. Discussion and Possible Action Regarding the Conveyance, Exchange, or Lease of Real Property. (§551.071 Consultation with Attorney; §551.072 Deliberation Regarding Real Property; Closed Meeting.; §551.087 Deliberation Regarding Economic Development Negotiations; Closed Meeting.)
- G. Consultation with City Attorney Regarding Civil Service Meet and Confer Agreements for Fire Department. (§551.071. Consultation with Attorney; Closed Meeting.)
- H. Consultation with City Attorney and Possible Action Regarding Agreement with Burton McCumber & Longoria, LLP regarding Audit Services. (§551.071. Consultation with Attorney; Closed Meeting)
- I. 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.)
- J. Consultation with City Attorney and Possible Action Regarding Loud Noise Ordinance. (§551.071. Consultation with Attorney; Closed Meeting)
- K. Consultation with City Attorney and Possible Action Regarding Economic Development Agreement with Red Rock Real Estate Development Group. (§551.071. Consultation with Attorney; Closed Meeting; §551.087 Deliberation Regarding Economic Development Negotiations; 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.

18. 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, 2023 at 6:45 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.