



EDINBURG CITY COUNCIL
CITY OF EDINBURG, HIDALGO COUNTY, TEXAS

Location: City of Edinburg
City Hall-Council Chambers
415 West University Dr.
Edinburg, Texas 78539

REGULAR MEETING AGENDA
APRIL 2, 2024
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 the Edinburg North Golden Spurs Dance Team as National Grand Champions as Requested by Joanne Perez Pena. [Clarice Y. Balderas, City Secretary]
- B. Presentation of Proclamation Recognizing the Month of April 2024 as Child Abuse Awareness Month as Requested by the Lower Rio Grande Valley Development Council. [Clarice Y. Balderas, City Secretary]
- C. Present the Recipient for the Employee of the Month Award for the Month of February 2024. [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. PRESENTATION AND REPORT

- A. Presentation and Discussion Regarding the Possible Creation of a Public Utilities Board. [Tomas D. Reyna, Assistant City Manager]

7. PUBLIC HEARINGS

- A. Hold Public Hearing and Consider the Ordinance Providing for the Rezoning Request from Agriculture and Open Space (AO) District to Commercial, General (CG) District, Being a 0.453 Acre Tract of Land, More or Less, Being Out of a 20.0 Acre Tract Out of Lot 8, Block 4, Lot 1, Block 5 and Lot 1, Block 17, John Closner Subdivision, Located at 5522 South Veterans Blvd., as Requested by NAVAK LLC. **(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 the Ordinance Providing for the Rezoning Request from Residential, Primary (RP) District to Residential, Multifamily (RM) District, Being Lot 6, Block 241, Edinburg Original Townsite, Located at 121 North 21st Avenue, as Requested by Benito Estimbo III. **(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 the Ordinance Providing for the Rezoning Request from Residential, Primary (RP) District to Residential, Urban and Townhome (RU) District, Being a 0.80 Gross Acre Tract of Land, More or Less, Out of the North 10.00 Acres 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 of Yolanda and Jaime Molina Ramirez. **(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 Suburban (RS) District to Commercial, General (CG) District, Being 10.505 Acres Out of Lot 12, Section 276, Texas-Mexican Railway Company Survey, Located at 3406 West University Drive, as Requested by Melden & Hunt, Inc. **(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 Variance Request Request to the City's Unified Development Code, Article 5, Section 5.207, Easements for a Sign, Being Dutch Bros Addition Subdivision, Lot 1, Block A, Located at 4108 South Business Hwy 281, as Requested by A1-Skylite Signs. [Jaime Acevedo, Director of Planning & Zoning]
- F. Hold Public Hearing and Consider the Petition Providing for the Voluntary Annexation of 199.997 Acres, Being All of Lots 38 and 39, Baker's Subdivision of the Cucharria Tract, According to the Plat Thereof Recorded in Volume 2, Page 46, Maps of Records in the Office of the County Clerk of Hidalgo County, Texas, Being Located at 8601 North Jasman Road, as Requested by the City of Edinburg. [Jaime Acevedo, Director of Planning & Zoning]
- G. Hold Public Hearing and Consider the Petition Providing for the Voluntary Annexation of All of Share 4 Containing 125.17 Acres, Tract of Land Out of Mutual Partition of Tract 158 San Salvador Del Tule Grant, as Per Map or Plat Thereof Recorded in Volume 16, Page 11, Maps of Records in the Office of the County Clerk of Hidalgo County, Texas, Being Located at 8601 North Jasman Road, as Requested by the City of Edinburg. [Jaime Acevedo, Director of Planning & Zoning]

8. VARIANCE

- A. Consider Variance Request to the City's Unified Development Code, Article 5, Section 5.203-1,

Right-of-Way & Paving Width, Benitez Ranch Subdivision, Being 4.98 Acres Out of Lot 14, Section 233, Tex-Mex Railway Company Subdivision, Located at 1013 North Depot Road, as Requested by Melden & Hunt, Inc. [Jaime Acevedo, Director of Planning & Zoning]

9. ORDINANCES

- A.** Consider Ordinance Providing for the Voluntary Annexation of 12.79 Acres Being a Part or Portion Out of Lot 12 and All of Lot 13, Block 7, Santa Cruz Gardens Unit No. 3, According to the Plat Thereof Recorded in Volume 9, Page 3, Maps Records in the Office of the County Clerk of Hidalgo, Texas, Being Located at 4918 North Doolittle Road, as Requested by Rio Delta Engineering on Behalf of Copper Cove Subdivision, LLC. [Jaime Acevedo, Director of Planning & Zoning]
- B.** Consider Reviewing and Approving the Ordinance Amending the Budget for the 2023-2024 Fiscal Year Carry-Overs Re-Appropriations to the General Fund, Governmental Grant Fund, C.D.B.G. Fund, T.C.S.A. Fund, Municipal Court Special Revenue Fund, Public Education & Gov't (PEG) Fund, Parkland Dedication Fund, Utility Fund, Solid Waste Management Fund, South Texas International Airport at Edinburg Fund, Ebony Hills Golf Course Fund, Los Lagos Golf Club Fund, and State of Emergency Fund. [Ascencion Alonzo, Director of Finance]

10. RESOLUTIONS

- A.** Consider Resolution Ratifying the City Manager's Submission of a Grant Application to the Federal Communication Commission's Universal Service Administrative Company Under the Fiscal Year 2024-2025 E-rate Grant program for the Extension of Internet Access and Services and to Execute All Grant Documents Relating Thereto. [Leticia Leija, Director of Library and Cultural Arts]
- B.** Consider Resolution of the City of Edinburg Suspending the April 4, 2024, Effective Date of AEP Texas Inc.'s Requested Rate Change to Permit the City Time to Study the Request and to Establish Reasonable Rates; Approving Cooperation with the Cities Served by AEP Texas and Authorizing Intervention in AEP Texas Inc.'s Requested Rate Change Proceedings Before the Commission; Hiring Lloyd Gosselink Attorneys and Consulting Services to Negotiate with the Company and Direct Any Necessary Litigation And Appeals; Requiring Reimbursement of Cities' Rate Case Expenses; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required By Law; Requiring Notice of this Resolution to the Company and Legal Counsel. [Omar Ochoa, City Attorney]
- C.** Consider Resolution Approving the American Rescue Plan Act (ARPA)-Coronavirus State and Local Fiscal Recovery Funds (SLFRR) Program Budget Amendment. [Claudia Farias, Director of Grants Administration].

11. AWARDING OF BID

- A.** Consider Awarding Bid No. 2023-19, Installation of a New 750KW Standby Generator for the Downtown Plant High Service Pumps to McDonald Municipal & Industrial, in the Amount Not to Exceed \$1,009,469.00 and Authorize the City Manager to Execute Any Documents Related Thereto. [Gerardo Carmona Jr., P.E., Director of Utilities]

12. APPOINTMENTS

- A.** Consider Appointments to the Following City Advisory Boards, Councils, Commissions and Committees: Community Development Council, Two Members; Edinburg Golf Board, Four Members; Edinburg Little League, One Member; Environment Advisory Board, Two Members; Planning and Zoning Commission, One Member; Recreation and Parks Board, Three Members; Boys

and Girls Club of Edinburg-RGV, One Member and Edinburg Housing Authority, Two Members (Mayor Appointed). [Clarice Y. Balderas, City Secretary]

13. ECONOMIC DEVELOPMENT

- A.** Consider Approving the EEDC Board's Selected Recipients of the Facade and Lot Improvement Program. [Raudel Garza, EEDC Executive Director]

14. 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 Authorizing the City Manager to Enter Into an Agreement with Hanson Professional Services, Inc. Based on RFQ No. 2021-001, in the Amount of \$436,174.00 for Environmental Compliance and Construction Engineering to the Edinburg Regional Sanitary Landfill Facility in Accordance with the Current Operational Permit Obligations and Authorize the City Manager to Execute Any Documents Relating Thereto. [Ramiro L. Gomez, Director of Solid Waste Management]
- B.** Consider Authorizing the City Manager to Enter Into a Waterline Access Agreement with North Alamo Supply Corporation to Provide Fire Protection Services to Montreal Estates Subdivision. [Gerardo Carmona, Jr, P.E., Director of Utilities]
- C.** Consider Authorizing the City Manager to Enter Into a Waterline Access Agreement with Sharyland Water Supply Corporation to Provide Fire Protection Services to GEM Estates Subdivision. [Gerardo Carmona, Jr, P.E., Director of Utilities]
- D.** Consider Rescheduling the Tuesday, May 21, 2024 Regular City Council Meeting to Thursday, May 23, 2024. [Clarice Y. Balderas, City Secretary]
- E.** Consider Authorizing the City Manager to Enter Into an Agreement with Renoworks Facility Solutions for the Asphalt Paving of the Golf Cart Path at the Ebony Hill Golf Course in the Amount of \$263,522.00 through the Texas Interlocal Purchasing Contract (TIPS) Contract No. 211001 Q3212401 and Authorize the City Manager to Enter Into a Agreement and Execute Any Documents Related Thereto Pursuant to the City's Ordinances and Procurement Policies. [Tomas D. Reyna, Assistant City Manager]
- F.** Consider Increasing the Amount of Purchase Order P240380 to La Uni LLC in the Amount Not to Exceed \$8,582 for the All-America City David Chavana 10K Run/Walk, Miracle Mile and Fun Run Race Shirts. [Javier Garza, Director of Parks and Recreation]
- G.** Consider Approving Fiscal Year 2023-2024 Budget Transfer for the Following: [Ascencion Alonzo, Director of Finance]

Building Maintenance

- 1. General Fund: FROM Air Conditioning Units TO Building & Structures, in the Amount of \$140,000.

15. OTHER BUSINESS

- A. Future Items Requested by City Council. (Myra L. Ayala, City Manager)

16. 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 the Economic Development Incentive Agreement with Doctors Hospital at Renaissance, Ltd. (§551.071 Consultation with Attorney; §551.087 Deliberation Regarding Economic Development Negotiations; Closed Meeting.)
- B. Consultation with City Attorney and Possible Action Regarding Interlocal Agreement with City of Pharr. (§551.071. Consultation with Attorney; Closed Meeting; §551.087).
- C. Discussion Regarding Employment Matters. (§552.074 Personnel Matters; §551.071 Consultation with Attorney; Closed Meeting.)
- D. Discussion and Possible Action Regarding Projects Faucet, Hospitality, and Born Again. (§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. (§551.071. Consultation with Attorney; Closed Meeting; §551.087)
- F. Discussion and Possible Action Regarding the Purchase, Exchange, Lease, or Value 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 and Possible Action Regarding Amending the Bylaws of the Edinburg Economic Development Corporation. (§551.071. Consultation with Attorney; Closed Meeting; §551.087)

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.

17. 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 March 28, 2024 at 7:40 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.