



MINUTES
REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 17, 2019

On Tuesday, September 17, 2019, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

PRESENT:	Mayor	David Suarez
	Mayor Pro Tem	Greg Kerr
	Commissioner	Leo Muñoz
	Commissioner	J.P. Rodriguez
	Commissioner	Adrian Farias
	Commissioner	Letty Lopez
	Commissioner	Josh Pedraza
ABSENT:	None	
STAFF:	City Manager	Mike Perez
	City Secretary	Myra Ayala Garza
	City Attorney	Juan E. Gonzalez

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Aida Vega, Deputy City Secretary; Andrew Munoz, Assistant City Manager/Airport Director/Asst. City Manager, Vidal Roman, Finance Director, Omar Rodriguez, Parks and Recreation Director, Eduardo Gill, Interim Information Technology Director; Ben Worsham, City Engineer/Planning Director; Joel Rivera, Police Chief, Antonio Lopez, Fire Chief, Veronica Ramirez, HR Director; Pete Garcia, Public Works Director; Arnold Becho. Library Director; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, September 13, 2019.

B. Invocation.

Pastor Tom Murry, First Episcopal Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None.

E. Roll Call.

Myra Ayala Garza, City Secretary, called the roll, noting at the time of roll call the absence of Commissioner and a quorum present.

II. PUBLIC COMMENTS

None.

III. PUBLIC HEARING

Commissioner Lopez, seconded by Commissioner Muñoz moved to open the public hearing at 5:35 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of MAG Investments RGV LLC requesting a Conditional Use Permit to obtain a Wine and Beer Retailer's Permit at 400 S. Kansas Ave., also being Lot 1-6, Blk 33, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas, approximately 560 ft. South of Bus 83 on Kansas Ave.

None.

B. To solicit input on behalf of Martin Hinojosa requesting a Conditional Use Permit to operate a boarding facility at 1110 S. Airport Dr., also being Lot 6, Ro-Ellen Addition UT. No. 2, Weslaco, Hidalgo County, Texas.

None.

C. To solicit input on behalf of Herman Mendez requesting to rezone 2949 & 2941 N. Texas. Also being Lot C1 & C2, Apostolic Assembly Church Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district.

None.

Commissioner Lopez, seconded by Commissioner Muñoz moved to close the public hearing at 5:36 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez changed the order of the day introducing New Business Item A. There was no objection.

VI. NEW BUSINESS

A. Discussion and consideration to approve Resolution 2019-68 supporting Proposition 8 a constitutional amendment in the upcoming November 2019 statewide elections for the creation of the Flood Infrastructure Fund (Requested by County Commissioner Precinct 1 David Fuentes and Citizens Drainage Advisory Board.)

David Fuentes, Hidalgo County Commissioner Precinct 1, summarized Proposition 8 is a constitutional amendment that would be going to the voters on the November ballot for the creation of the Flood Infrastructure Fund that proposes \$793 million in flood control projects throughout the State of Texas; funds would be for long term projects that would mitigate flood events;

currently no guidelines in place on how funds would be appropriated and used such if grants and/or loans and requested favorable consideration of the resolution.

In response to Commissioner Muñoz, County Commissioner Fuentes stated, the funds would be administered by the Texas Water Development Board; available to the State of Texas; will allow for continued funding that comes from the State Reserves fund there is no tax consequences; will require an application process and eligibility criteria will be determined and stated for the now is unclear how the award of funds would be done.

The City Manager and the David Manchaca, Chairman of the Citizens Drainage Advisory Committee, recommended approval.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to approve Resolution 2019-68 supporting Proposition 8 a constitutional amendment in the upcoming November 2019 statewide elections for the creation of the Flood Infrastructure Fund as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, following is the resolution.

RESOLUTION 2019-68

A RESOLUTION OF THE CITY OF WESLACO SUPPORTING PROPOSITION 8 (HOUSE JOINT RESOLUTION 4)

WHEREAS, chronic flooding has affected the economy and health and safety of the citizens of the State of Texas and City of Weslaco; and

WHEREAS, recognizing the tremendous challenge posed by flooding, our local state legislators led by Senator Juan “Chuy” Hinojosa, Representative Oscar Longoria, and Representative Armando “Mando” Martinez, during the 86th Legislative Session, played a critical role in the passage of House Joint Resolution 4; and

WHEREAS, House Joint Resolution 4 proposes a constitutional amendment, also known as Prop. 8, allowing for the creation of the Flood Infrastructure Fund (FIF) that would authorize \$793 million in flood-control projects in the State of Texas; and

WHEREAS, Hidalgo county is the seventh largest county by population, with a population of approximately one million citizens, and Hidalgo County represents a critical component of the economy of the State of Texas; and

WHEREAS, Hidalgo County, Hidalgo County Drainage District No.1, and City of Weslaco advocate the equitable distribution of the Flood Infrastructure Fund throughout the state, recognizing that project selection should include the projects within Hidalgo County, Hidalgo County Drainage District No. 1 and City of Weslaco; and

WHEREAS, drainage infrastructure projects are critical in providing community resiliency and economic growth as well as in safeguarding the health and safety of citizens; and

WHEREAS, City of Weslaco encourages the citizens of Weslaco to fully support Prop. 8 in the upcoming November of 2019 statewide elections; and

NOW, THEREFORE, BE IT RESOLVED that the City of Weslaco supports Prop. 8 and the equitable distribution of the Flood Infrastructure Fund to include drainage projects in South Texas and particularly Hidalgo County.

PASSED AND APPROVED on this 17th day of September 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Myra L. Ayala Garza, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

Mayor Suarez changed the order of the day introducing New Business Item B. There was no objection

B. Presentation from Hidalgo County Precinct 1 on drainage projects from 2018 Drainage Bond. (Requested by County Commissioner Precinct 1 David Fuentes).

David Fuentes, County Commissioner Precinct 1 and Raul Segin, District General Manager Hidalgo County Drainage District No. 1 summarized the proposed drainage improvement projects for Weslaco from proceeds of the 2018 Referendum Bond Election. Commissioner Fuentes stated channel and culvert improvements to the drainage ditch Project 19-Mid Valley Airport; Project 21- Mile 10 North and Mile 1 West, Project 22-Mile 11 North & FM1015; Project 23-Mile 11 North & Texas Boulevard; Project 24- Mile 9 North & FM1015 and Project 35-Southwest Texas. The public may access the website for Hidalgo Drainage District No. 1 for a complete listing of projects. Mr. Segin stated they are considering permanent pump structures for better movement of water for project 24 to be operational as quickly as possible in joint efforts for manpower with the City and Hidalgo County; projects are within bond proceeds and will look for any cost savings and approach is solicitation for bids for construction of projects to begin as soon as possible.

Mayor Suarez entertained consent agenda with no objection.

IV. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval of the Minutes:

1) Regular Meeting on August 20, 2019;

2) Special Meeting on August 27, 2019; and (Staffed by City Secretary Department.)

B. Approval on second and final reading of the following:

1) Approval on Ordinance 2019-36 amending Ordinance 2018-21, Section 26-34 Drainage relating to the 50-year storm drainage requirements. (First reading held September 3, 2019; staffed by Engineering Department.)

C. Approval of Mid Valley Airport Hangar Lease Agreement with Coastal Bend Regional Advisory Council and authorize the Mayor to execute any related documents. (Staffed by Airport.)

D. Approval of Mid Valley Airport Hangar Lease Agreement with Clifford Robert Gardner Jr for Hangar W-16 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

E. Approval for application to BJA-2019-16313 Department of Justice Bureau of Justice Assistance Gulf States Regional Law Enforcement Technology Assistance Initiative Grant for technology that enhances information and intelligence sharing between law enforcement agencies to reduce crime in our communities with an amount not to exceed \$80,000 with NO MATCH REQUIREMENT and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

F. Approval for a renewal of an agreement with the Drug Enforcement Administration of State and Local HIDTA Task Force cooperation for Fiscal Year 2019-2020 and authorize Police Chief Joel Rivera to execute any related documents. (Staffed by Police Department.)

G. Approve an Interlocal Agreement with the City of Alamo for Animal Care Services and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.)

H. Approval on renewal of Interlocal Agreement(s) with the following entities for Animal Care Services:
1) City of Elsa
2) City of Edcouch
3) City of Penitas
4) City of La Villa; and
5) Willacy County
and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.)

I. Approval of a request by Valley Nature Center to utilize Gibson Park on November 9, 2019 from 7 a.m. - 11 p.m. for Brew in the Woods, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.)

J. Approval on request from the American Cancer Society to host the Mid Valley Relay for Life at Mayor Pablo G. Pena City Park on April 3, 2020 and to waive appropriate ordinances associated with the event and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

K. Approval on renewal of a Facilities Usage Agreement with South Texas College for use of Harlon Block Park (Fields), 1020 W. 18th Street, Weslaco, Texas and Mayor Pablo G. Pena City Park (Fields and/or Tennis Courts), 300 North Airport Drive, from August 26,2019 –

August 7, 2020 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

L. Approval of a Facility Use Agreement for the Boys & Girls Club Building located at 300 South Airport Drive Suite B between the City of Weslaco and The American Red Cross and authorize the Mayor to execute any documents as required. (Staffed by Parks and Recreation Department.)

M. Approval on renewal of the Interlocal agreement between County of Hidalgo and the City of Weslaco to provide and receive pickup and disposal service of commercial waste for the Sheriff's East Substation and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

Commissioner Lopez seconded by Commissioner Muñoz moved to approve consent agenda items A through L withholding item M as presented. The motion carried; Mayor Suarez was present and voting.

M. Approval on renewal of the Interlocal agreement between County of Hidalgo and the City of Weslaco to provide and receive pickup and disposal service of commercial waste for the Sheriff's East Substation and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

Mayor Pro Tem Kerr abstained from vote and discussion.

Commissioner Lopez seconded by Commissioner Muñoz moved to approve consent agenda item M as presented. The motion carried; Mayor Pro Tem Kerr abstained; Mayor Suarez was present and voting

For the record, following is the ordinance.

ORDINANCE 2019-36

AN ORDINANCE AMENDING ORDINANCE NUMBER 2018-21, THE CITY OF WESLACO SUBDIVISIONS ORDINANCE; CODIFIED AS APPENDIX B, ARTICLE I OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO TEXAS THAT:

SECTION I.

Ordinance 2018-21 passed and approved on August 21, 2018 as "Subdivisions" and Codified as Article I, Section 26-34 of the Weslaco Code of Ordinances is hereby amended.

SECTION II.

After second and final reading of this Ordinance the amended Subdivisions ordinance sections will be adopted and codified as Appendix B, Article I, Section 26-34 of the Weslaco Code of Ordinances and said Chapter shall read as follows:

APPENDIX B Article I

Sec.26-34 . DRAINAGE.

- (a) *Easement.* Where a subdivision is traversed by a watercourse, drainageway, natural channel, stream or where there is a necessity for such as determined by the planning and zoning commission, there shall be provided an easement or right-of-way conforming substantially to the limit of such watercourse. A 75-foot drainage ditch easement shall be required from the centerline of the drainage ditch, unless the City of Weslaco Master Storm Water Drainage Plan indicates otherwise. A minimum of a ten-foot access roadway for maintenance shall be required on the perimeter of the drainage ditch.
- (b) *Drainage facilities.* Drainage facilities shall be provided and constructed at the expense of the subdivider pursuant to the city drainage policy and as specified and/or recommended by the city engineer and approved by City Commission.
- (c) *Drainage policy.* No subdivision will be approved unless calculations submitted by the project engineer show that the projected runoff for the proposed subdivision, based on a fifty-year flood event, will not be greater than the natural runoff. Any water in excess of natural runoff must be detained on-site and released at existing ten-year flood rate. These flows may be exceeded only if off-site improvements and/or facilities are provided which, in the opinion of the city engineer and the planning and zoning commission and city commission, serve as adequate drainage facilities. Any property must provide an amount of floodwater storage capacity after development, which is not less than the preexisting floodwater storage capacity of such property during the 100-year flood, regardless of whether such preexisting flood storage capacity is due to natural or artificial causes. The project engineer shall provide such information as required by the city to demonstrate compliance with the city drainage policy.

Fifty-year flood detention is required for all new subdivisions except for two cases:

- i. *Small projects.* The table below identifies small projects.

SMALL PROJECT EXCEPTION DESCRIPTION

1.	Construction of a building or parking lot if the proposed construction does not require a variance from a water quality regulation, does not exceed 5,000 square feet of impervious cover and the construction site does not exceed 10,000 square feet (includes construction, clearing, grading, construction equipment access, driveway reconstruction, temporary installations, landscaping and other areas planning director or city engineer determine part of construction site).
2.	Construction of a storm sewer not more than 30 inches in diameter that is entirely on public right-of-way or easement.
3.	Construction of a utility line not more than 8 inches in diameter that is entirely in public right-of-way.
4.	Construction of a left turn lane on a divided arterial street.
5.	Construction of street intersection improvements.
6.	Widening of public street to provide a deceleration lane if additional right-of-way is not required.
7.	Depositing less than two feet of earth fill, if site is not in the 100-year floodplain and the fill is not to be deposited within the dripline of a protected tree.

8.	Minor development that the planning director and/or city engineer determine similar to items described above.
----	---

ii. *Storm water quality.* In an attempt to help reduce the amount of pollutant being discharged into the Arroyo Colorado Watershed, city will consider reducing the amount of storm water detention, if low impact development techniques are used to hold storm runoff. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. City engineer must approve these techniques and quantities before storm detention requirement is reduced.

(d) *Lot grading:* All lots shall be graded so that storm water run-off is directed to the street fronting the lot. If a lot has double frontage, the city engineer and/or planning director may allow for the drainage of the lot to be split such that a portion of the run-off is directed to the street in front of the lot with the remainder of the run-off directed to the street at the rear of the lot.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this this 3rd day of September 2019

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 17th day of September 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Myra L. Ayala Garza, CITY SECRETARY

APPROVED AS TO FORM:
/s/Juan E. Gonzalez, CITY ATTORNEY

V. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2019-67 appointing three members to expired terms on the Parks and Recreation Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated terms for three members are set to expire for Nina Lee Torkelson, Johnny Cavazos and Oscar Caballero and all wish to be considered for re-appointment.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve Resolution 2019-67 appointing Nina Lee Torkelson, Johnny Cavazos and Oscar Caballero to the Parks and Recreation Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

RESOLUTION NO. 2019-67

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PARKS & RECREATION BOARD.

WHEREAS, the City of Weslaco has established the Parks & Recreation Board pursuant to Section 98-83 of the

Weslaco Municipal Code of Ordinances; and

WHEREAS, the terms of the members of this board are for three years; however, following the restructuring of this Board to consist of seven members, certain terms shall be assigned for two years so that terms are staggered such that no quorum of members expires simultaneously; and

WHEREAS, the Parks & Recreation Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS the following individuals are appointed to serve expired terms on the Parks & Recreation Board.

<u>NAME</u>	<u>TERM ENDING</u>
Oscar Caballero	10/09/2022
Johnny Cavazos	10/16/2022
Nina Lee Torkelson	10/22/2022

PASSED AND APPROVED on this 17th day of September 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Myra L. Ayala Garza, CITY SECRETARY

APPROVED AS TO FORM:
/s/Juan E. Gonzalez, CITY ATTORNEY

VI. NEW BUSINESS

See page for items A and B.

C. Discussion and consideration after public hearing on behalf of MAG Investments RGV LLC to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Permit at 400 S. Kansas Ave., also being Lot 1-6, Blk 33, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas, approximately 560 ft. South of Bus 83 on Kansas Ave. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente, Assistant Planning Director, stated twenty-one property owners were notified with no objection received. The Planning and Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Permit at 400 S. Kansas Ave. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration after public hearing on behalf of Martin Hinojosa to approve a Conditional Use Permit to operate a boarding facility at 1110 S. Airport Dr., Also being Lot 6, Ro-Ellen Addition UT. No. 2, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated nineteen property owners were notified with no objection received. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve a Conditional Use Permit to operate a boarding facility at 1110 S. Airport Dr. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration after public hearing on behalf of Herman Mendez to approve Ordinance 2019-37 to rezone 2949 & 2941 N. Texas also being Lot C1& C2, Apostolic Assembly Church Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-37. Possible Action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated twenty-five property owners were notified with no objection received. The Planning and Zoning Commission and staff recommended approval and the rezone conforms with the land use plan.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve first reading of Ordinance 2019-37 to rezone 2949 & 2941 N. Texas as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration on the Final Plat for San Jacinto Estates No. 10 – being a 42.25-acre tract of land being all of Farm Tract 87 and 2.25 acres out of Farm Tract 94, West and Adams Tract Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve.

Rebekah de la Fuente stated this was a proposed one hundred forty-four (144) lot subdivision; outside the City limits; serviced with water by North Alamo Water Supply Company through an 8” waterline and sewer by the city through a 12” sewer line; owner is requesting an off-site drainage variance and annexation variance. The Planning and Zoning Commission approved final plat and variance for off-site drainage and denial of the annexation variance. Staff recommended approval of the final plat and compliance with the zoning ordinance for the variances.

Juan E. Gonzalez, City Attorney, stated new legislation enacted brings into question on the city’s Ordinance mandating any development connecting to city’s utilities request voluntary annexation; is formulating an opinion on the legislation enacted to ensure the city ordinance is following any state statutes. He requested authority to revise the ordinance for compliance of state statute and case laws and leaves at their discretion to proceed or wait until opinion is completed.

Mayor Suarez commented action can be taken for final plat approval and consideration of the variance for drainage as the question was the City ordinance mandating voluntary annexation. Staff stated the city has no authority in inspecting development occurring outside of city limits.

Alfonso Quintanilla, on behalf of the developer, stated they had would have no objection in allowing the City to inspect any construction done in connecting to any city owned utilities and are prepared to pay any charges that would be incurred for this.

In response to Commissioner Muñoz and Mayor Pro Tem Kerr, the City Manager stated to address the authority of allowing the City to inspect development outside city limits connecting to city utilities an agreement be formulated that allows the partnership with the developer and the City will inspect for acceptance of construction and usage then becomes billable.

Mayor Pro Tem Kerr rescinded the original motion.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve Final Plat for San Jacinto Estates No. 10 with variance contingent to an agreement with developer authorizing City to inspect and accept work done in connecting to city owned utilities and authorize the City Attorney to review and amend Ordinance related to voluntary annexation for compliance with any state and case law as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on the Final Plat for Tejas Cuatro Phase II Subdivision – being a 21.21 acre tract of land out of Farm Tract 172, West and Adams Tract Subdivision, , Weslaco, Hidalgo County, Texas located approximately 2000 ft North of the intersection of W. Sugar Cane Dr. & Mile 5 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente, stated this was a proposed sixty-four (64) lot subdivision; outside City limits; serviced with water and sewer by the City through an 8” line; owner requested a variance for off-site drainage. The Planning and Zoning Commission recommended approval of the final plat with variance; staff recommended approval of the final plat and compliance with the zoning ordinances for the variance.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve Final Plat for Tejas Cuatro Phase II Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration on the Final Plat for Garcia Oak Estates Subdivision – being a 2.15-acre tract of land out of Farm Tract 646, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 3055 ft South of Bus 83 along Milanos Rd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed five (5) lot subdivision; outside city limits; serviced with water and sewer by the city through a 12” water and sewer line. The Planning and Zoning Commission and staff recommended approval.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve final plat for Garcia Oak Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration on the Final Plat for Westwood Gardens Subdivision - being 29 acres out of Farm Tract No. 655, West Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the Southwest corner of Mile 6 ½ West Road and

Mile 7 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed one hundred seven (107) lot subdivision; inside the city limits and being serviced with water and sewer by the city. The Planning and Zoning Commission and staff recommended approval.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve final plat for Westwood Gardens Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration on Ordinance 2019-38 for the Voluntary Annexation of Garcia Oak Estates Subdivision – being a 2.15-acre tract of land out of Farm Tract 646, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 3055 ft South of Bus 83 along Milanos Rd and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-38. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente recommended to table and allow staff time to confer with developer if he wishes to pursue voluntary annexation.

Mayor Pro Tem Kerr, seconded by Commissioner Pedraza moved to table. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration for a six-month extension of the Final Plat for Ramos Commercial Plaza – being a 2.042 acre out of Farm Tract 124, Block 162, West Tract Addition, Weslaco, Hidalgo County, Texas located, approximately 600 feet North of W Expressway 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed one (1) lot subdivision; inside the city limits and serviced with water and sewer by the city. Developer is in the final stages of development and needs more time. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve a six-month extension of the Final Plat for Ramos Commercial Plaza as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to approve the FY 2019-2020 Proposed Street Improvement Projects and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

The City Manager proposed the commission do a site tour of the proposed FY2019-20 street improvements and submit to staff any recommendations to add or delete streets before final prioritization and approval. The City Manager requested to table until the next meeting.

Pete Garcia went over the projected list for street improvements and requested the commission consider authorizing staff to do improvements to the commercial alleys in the downtown corridor

of the city from Texas Blvd, West 2nd, 4th, 5th and 6th Streets and Texas Blvd, East 2nd-6th Street in an effort to address the concerns from the business merchants of water entering their businesses.

In response to Mayor Suarez and Commission; improvements to the alley would be reconstruction; EDC will be improving the alley behind Wells; no improvements done for streets and are over 20 years old; stripping is only done to major streets; budgeted amount is \$500,000. Commissioner Lopez recommended to proceed with improvements to the commercial alleys in preparation of the Weslaco 100 Celebration festivities.

Commissioner Farias seconded by Commissioner Lopez moved to approve the commercial alley improvements begin as presented no action on FY2019-20 inventory list until the next regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration on notice received from the Texas Lottery Commission to approve continued share of bingo prize fees as set forth in House Bill 914 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the City Manager's Office.)

The City Manager stated notice was received from the Texas Lottery Commission stating the local government approve its continued intent to receive bingo prize fees collected after January 2020. The City Manager recommended approval as a new bingo hall is locating in Weslaco.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve continued share of bingo prize fees from the Texas Lottery Commission as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to renew the Commercial Package and Employer's Liability Insurance with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Veronica Ramirez, Human Resources Director, recommended approval to renew Texas Municipal League Intergovernmental Risk Pool stating there was a 4% decrease for a total savings to the city of \$14,493 stating the commission can solicit bids next year.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve Commercial Package and Employer's Liability Insurance with Texas Municipal League Intergovernmental Risk Pool (TMLIRP) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to approve Ordinance 2019-39 adopting the City of Weslaco's budget appropriation for the fiscal year October 1, 2019 to September 30, 2020 and authorize the Mayor to execute any related documents. First Reading of Ordinance 2019-39. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.)

Vidal Roman, recommended approval of the ordinance adopting and appropriating funds for next fiscal year public hearings.

In response to Mayor Suarez, funding allocation for the Hotel/Motel Funds were not appropriated at this time and would come back to the commission as budget amendment.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve on first reading Ordinance 2019-39 adopting the City of Weslaco's budget appropriation for the fiscal year October 1, 2019 to September 30, 2020 as presented. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration to approve Ordinance 2019-40 adopting and levying ad valorem tax rate for the 2019-2020 fiscal year and authorize the Mayor to execute any related documents. First Reading of Ordinance 2019-40. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.)

Vidal Roman recommended approval on first reading the ordinance adopting \$.6967/100.00 as the ad valorem tax rate, with \$0.5109/\$100 for Maintenance & Operations and \$0.1858/\$100 for the payment of principal and interest.

Commissioner Lopez seconded by Mayor Pro Tem Kerr moved to approve on first reading Ordinance 2019-40 adopting and levying ad valorem tax rate for the 2019-2020 fiscal year as presented. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2019-2020. Possible action. (Requested by Weslaco Economic Development Corporation.)

Stephen Charlton, Weslaco Economic Development Corporation Treasurer, presented the 2019-2020 work plan highlighted on sources of income totaling \$4,231,072; operating expenses of \$5,000,000 with carry over funds totaling \$5,976,851.17 that resolve the deficiency of expenditures.

In response to the City Manager, appropriations for the purchase of table and chairs for the Visitors Business Event Center will be considered at the board's next meeting and would come out of the Opportunity Fund.

Mayor Pro Tem Kerr, seconded by Lopez moved to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2019-2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 6:53 p.m. Commissioner Farias, seconded by Commissioner Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:54 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

A. Personnel - Discussion regarding the goals, objectives, and evaluation of the City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

No action.

B. Personnel - Discussion regarding the evaluation, reassignment, duties, discipline or dismissal of a police officer for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

No action.

C. Real Property – Consultation with City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue as authorized by section §551.072 of the Texas Local Government Code.

Commissioner Muñoz, seconded by Commissioner Lopez moved to authorize the purchase as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. Pending Litigation – Consultation with City Attorney regarding Cause No. CL-19-4777-B Eli Joshua Lopez v. City of Weslaco as authorized by section §551.071 of The Texas Government Code

No action.

E. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for proposed development of property legally described as the West Tract N-820.04'-Farm Tract 13, Weslaco, Hidalgo County, Texas located on Mile 3 1/2 West, as authorized by section §551.087 of the Texas Local Government Code.

No action.

IX. ADJOURNMENT

Commissioner Pedraza, seconded by Commissioner Lopez, moved to adjourn the meeting at 7:55 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Myra L. Ayala Garza, CITY SECRETARY

MAYOR PRO-TEM, Greg Kerr

COMMISSIONER, Leo Muñoz

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza