



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
OCTOBER 20, 2020**

On Tuesday, October 20, 2020, 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 member's present:

PRESENT:	Mayor	David Suarez
	Mayor Pro Tem	Letty Lopez
	Commissioner	Greg Kerr
	Commissioner	Josh Pedraza
	Commissioner	Adrian Farias
	Commissioner	Leo Muñoz
ABSENT:	Commissioner	J.P. Rodriguez
STAFF PRESENT:	City Manager	Mike R. Perez
	Asst. City Manager/Aviation Director	Andrew Munoz
	City Secretary	Norma A. Cantu
	City Attorney	Juan E. Gonzalez

Also present: Vidal Roman, Finance Director, Martin Vela, Information Technology Director; Rebekah De La Fuente, Planning Director; Joel Rivera, Police Chief, Antonio Lopez, Fire Chief, Omar Rodriguez, Parks & Recreation Director, and Aida Vega, Deputy City Secretary.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor David Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, October 16, 2020.

B. Invocation.

Commissioner Pedraza led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

Mayor Suarez proclaimed Texas Chamber of the Week – October 19 – 23, 2020.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting at the time of roll call the absence of Commissioner Rodriguez and a quorum present.

II. PUBLIC COMMENTS

None.

III. PUBLIC HEARING

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez moved to open the public hearing at 5:46 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of VIGA Restaurants, Inc., to approve Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 1311 West IH 2 Ste G, also being Lot 2, Weslaco Plaza Subdivision, Hidalgo County, Texas.

B. To solicit input on behalf of Alan Hurtado to approve Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 611 S Texas Blvd, also being Lot 19 & South (20') of lot 20, Block 49, Original Townsite of Weslaco, Hidalgo County, Texas.

C. To solicit input on behalf of Dominic Reyna to approve Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit, Mixed Beverage Late Hours, Food & Beverage Certificate, Beverage Cartage Permit at 1901 Club de Amistad, also being West Tract 15.67 acres being Two Irrigation Tracts of Farm Tract 791 Golf Course, Weslaco, Hidalgo County, Texas.

D. To solicit input on behalf of Ricardo Guerra rezone 2606 N. Westgate also being Block 1, Lot 4, Sun Country Estates Subdivision, Hidalgo County, Texas. from R-1 One-family dwelling district to B-2 Secondary and Highway business district.

E. To solicit input on behalf of Ricardo Guerra rezone 2720 N. Westgate. Also being Block 5, Lot 1 & 2, Sun Country Estates Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway business district.

F. To solicit input on the City's intent to submit an application for grant funds through the Texas General Land Office (GLO) CDBG-MIT for the Kansas and Los Torritos Drainage Project Improvements – Phases 2 and 3.

G. To solicit input on the City's intent to submit an application for a Federal Awards Matching Funds – Category 3 of the Flood Infrastructure Fund through the Texas Water Development Board for Kansas and Los Torritos Drainage Project Improvements to Mayor Pablo Pena Park – Phase 1 Project. Attachment

No comments received on any items set for public hearing.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez moved to close the public hearing at 5:47 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

IV. CONSENT AGENDA

The following items are 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 of the Special Meeting on September 29, 2020 and Minutes of the Regular Meeting on October 6, 2020 (Staffed by City Secretary Department.)

B. Approval of a Mid Valley Airport Hangar Lease Agreement with Mike Carey, Hangar E-2, and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

C. Authorization of an expenditure in an amount not to exceed \$2,000.00 from the Preservation Fund for the purchase of death record binders, birth record binders, secure life ledger paper, and other supplies for the permanent retention of vital records as prescribed by the Texas Health & Safety Code §191.0045 (h) and authorize the Mayor to execute any related documents. (Staffed by City Secretary's Department.)

Commissioner Muñoz, seconded by Commissioner Pedraza moved to approve consent agenda A, B, and C withholding item D as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Approval to solicit competitive sealed bids for the construction of the North Side Sports Complex located at 320 East Mile 11 Road (RFB No.: 2020-21-03) and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

Andrew Muñoz, ACM/Aviation Director stated as directed, staff met with GIGNAC Architects and revisions were made to the construction plans to bring project cost within budget; previous bid from respondents had the project cost about 2.1million over grant budget; revised construction plans has a cost estimate of \$1,793,000. Staff recommends approval to authorize the re-bid and solicit competitive sealed bids.

In response to Commissioner Muñoz; all respondents that had submitted a bid would be notified.

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to approve staff solicit competitive sealed bids for the construction of the North Side Sports Complex as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. NEW BUSINESS

A. Discussion and consideration on presentation of the financials for the General Fund, Water/Wastewater and Solid Waste funds for period ending September 30, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, presented the financials ending September 30, 2020 for the General Fund, Water/Waste and Solid Waste Fund stating the General Fund had a positive net change with 130 days of working capital; Water/Wastewater improved with a positive net change and Solid Waste Fund had a small gain with a 15 day working capital. Staff recommended approval to accept and file.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to accept and file the Financials for the General Fund, Water/Wastewater and Solid Waste funds for period ending September 30, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to accept and file the Quarterly Investment Report for period ending September 30, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman reported the Quarterly Investment Report ending September 30, 2020 had a cash on deposit decrease; minor increase with Tex Pool and CD's and interest income and interest rates are also down. Staff recommended approval as submitted.

Commissioner Muñoz, seconded by Commissioner Pedraza, moved to accept and file the Quarterly Investment Report for period ending September 30, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to purchase three vehicles from budgeted line items as follows: Building Maintenance one compact cargo van from Buyboard vendor #521-16 Gunn Buick, GMC in the amount of \$20,213.75 / Drain Ditch and Water Meter two full size trucks from Buyboard vendor #601-19 Caldwell Country in the amount of \$45,690.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Commissioner Farias abstained from vote and discussion.

Vidal Roman stated three proposals were solicited from BuyBoard Vendors to continue in the efforts of replenishing the vehicle fleet for departments. Staff recommended approval on the purchase of a cargo van for Parks and Recreation Department, two full size trucks one for Public Works (drainage division) and Finance (water meter division) to vendors submitting the most advantageous pricing being Gunn Buick GMC and Caldwell Country noting purchases will be under budget.

Commissioner Muñoz, seconded by Commissioner Pedraza moved to approve the purchase of three vehicles; one for Building Maintenance, and two for Drain Ditch and Water Meters as presented. The motion carried with Commissioner Farias abstaining; Mayor Suarez was present and voting.

D. Discussion and consideration selecting a date(s) for a joint workshop with Weslaco Economic Development Corporation to establish goals and objectives and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Mike R. Perez, City Manager, stated Weslaco Economic Development Corporation Board requested a workshop with the City Commission to discuss long range goals and objectives as well as the proposed development of an Industrial Park. The EDC Board recommended a Saturday from 8-12 and via zoom.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to approve November 21, 2020 for a joint workshop with Weslaco EDC as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration after public hearing on behalf of VIGA Restaurants, Inc. to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 1311 West IH 2 Ste G, also being Lot 2, Weslaco Plaza Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah De La Fuente, Planning and Code Enforcement Director, stated seven property owners were notified with no objection received. The Planning and Zoning Commission and staff recommended approval.

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to approve Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 1311 West IH 2 Ste. G. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration after public hearing on behalf of Alan C. Hurtado to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 611 S Texas Blvd, also being Lot 19 & South (20') of lot 20, Block 49, Original Townsite of Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah De La Fuente stated twenty-six property owners were notified with no objection received. The Planning and Zoning Commission recommended approval conditional to no outdoor events would be permitted; staff recommended approval.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to approve Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 611 S. Texas Blvd. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration after public hearing on behalf of Dominic A. Reyna to approve a Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit, Mixed Beverage Late Hours, Food & Beverage Certificate, Beverage Cartage Permit at 1901 Club de Amistad, also being West Tract 15.67 acres being Two Irrigation Tracts of Farm Tract 791 Golf Course, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah De La Fuente stated twenty-one property owners were notified with no objection received; this is a change of ownership and applicant added other on-premise license/permit uses. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Lopez seconded by Commissioner Pedraza moved to approve Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit, Mixed Beverage Late Hours, Food & Beverage Certificate, Beverage Cartage Permit at 1901 Club de Amistad as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration after public hearing on behalf of Ricardo Guerra to approve Ordinance 2020-32 a rezone request for 2606 N. Westgate. Also being Block 1, Lot 4, Sun Country Estates Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway business district and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-32. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah De La Fuente stated twenty property owners were notified with no objection received; is an existing business with a new owner expanding; annexed in 2005 as residential and applicant wishes to rezone to the appropriate use of commercial use. The Planning and Zoning Commission and staff recommended approval stating there is several existing businesses within the area.

Mayor Pro Tem Lopez, seconded by Commissioner Muñoz moved to approve Ordinance 2020-32 to rezone 2606 N. Westgate also being Block 1, Lot 4, Sun Country Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration after public hearing on behalf of Ricardo Guerra to approve Ordinance 2020-33 a rezone request for 2720 N. Westgate. Also being Block 5, Lot 1 & 2, Sun Country Estates Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway business district and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-33. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah De La Fuente stated twenty-two property owners were notified with no objection received; is an existing business; annexed in 2005 as residential; property is changing ownership who wishes to rezone to the appropriate use of commercial use. The Planning and Zoning Commission and staff recommended approval noting surrounding area has existing businesses.

Commissioner Pedraza, seconded by Commissioner Muñoz moved to approve Ordinance 2020-33 to rezone 2720 N. Westgate also being Block 5, Lot 1 & 2, Sun Country Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration for the Final Plat for Freedom Storage– being a 2.409 acre being a part or portion out of Farm Tract 710, Block 136, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 863’ east of Pleasantview Dr. south of Business 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a one lot subdivision inside city limits; proposed use is storage units; serviced with water and sewer from city and applicant requested a variance to front setbacks

from 60' to 55'. The Planning and Zoning Commission and staff recommended approval with variance.

Commissioner Muñoz, seconded by Commissioner Pedraza moved to approve Final Plat for Freedom Storage being a 2.409 acre being part or portion out of Farm Tract 7210, Block 136, West and Adams Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration for a six-month extension of the Final Plat for Pleasant View Heights Subdivision– being a 20.33 acres out of Re- Subdivision of Lots 3 & 4, Rev M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas located approximately 1500 ft. South of Interstate 2 along Pleasantview Dr. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Pedraza seconded by Mayor Pro Tem Lopez moved to discuss.

Rebekah de la Fuente stated final plat was approved in 2019 with a six-month extension granted May 19, 2020 set to expire; developer is still under construction and needs additional time to continue with the installation of a drainage pipe that was approved by Hidalgo and Cameron Counties Irrigation District #9. The Planning and Zoning Commission and staff recommended approval.

Commissioner Pedraza voiced concerns on water detaining with some recent rains and the elevation of the street seemed high. Staff stated the subdivision drains to Lot 25 that goes to the drainage ditch; currently no drainage pipes or inlets in the subdivision; developer will install a drainage pipe and will address the elevation of the lots. The City Manager recommended to table the item to allow the City Engineer to be in attendance and address the drainage concerns.

Commissioner Muñoz seconded by Commissioner Pedraza moved to table the item for the next regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration on request from Weslaco Boys & Girls Club for funding under the CARES Act and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated the Weslaco Boys & Girls Club requested consideration in funding from the CARES Act in the amount of \$13,492.70; monies were spent in purchases of hand sanitizer refills; hand sensor dispensers; air purifier filters floor markers and other items needed to help mitigate COVID-19. Staff recommended approval to submit for reimbursement to Hidalgo County under the CARES Act.

Commissioner Pedraza seconded by Mayor Pro Tem Lopez moved to approve request from Weslaco Boys & Girls Club for funding under the CARES Act as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration of adopting Resolution No. 2020-29 electing to become eligible to participate in Tax Abatement; adopting policy; establish guidelines and criteria for Tax Abatement Agreements; providing an effective date and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Muñoz, Asst. City Manager/Aviation Director, stated the commission requested staff weigh the use of tax abatements; the proposed resolution would establish participation, policy, criteria and guidelines for the City and the Weslaco Economic Development Corporation to offer tax abatements to accomplish economic growth for private development; would require an application process and development would need to be in the designated area of a reinvestment zone. Staff recommended approval.

Mayor Pro Tem Lopez seconded by Commissioner Pedraza moved to adopt Resolution No. 2020-29 electing to become eligible to participate in Tax Abatement; adopting policy, establish guidelines and criteria for Tax Abatement Agreements as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration amending Professional Services Agreement AIA G802-2017 with ERO Architects for the increase in Budget for the Cost of Work for the New Police Station and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Muñoz stated previous commission approved an increase in budget for cost of work for the new police station to \$8,300.00 and noted the cost for the fire station was \$2,500.00. Staff recommended approval on the amendment to the professional services agreement outlining the approved increase to the budget for the police station and fire station.

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to approve amending Professional Services Agreement AIA G802-2017 with ERO Architects for the increase in Budget for Cost of Work for New Police Station as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration amending Professional Services Agreement AIA G802-2017 #2 with ERO Architects for the increase in Compensation for the Architect for the New Police Station. Possible action. (Staffed by Airport Department.)

Commissioner Muñoz abstained from vote and discussion.

Andrew Muñoz stated the agreement approved had compensation set at \$485,000 for services; with commission action approving the increased in budget and size for the new police station, ERO Architects requested an increase that would compensate for the change of work in the new police station for structural engineering, architecture, MEP, civil engineering and landscape design for a total of \$781,840; an increase of \$296,920. Staff recommended approval for the increase in compensation.

Mayor Pro Tem Lopez seconded by Commissioner Pedraza moved to approve amending Professional Services Agreement AIA G802-2017 #2 with ERO Architects for the increase in Compensation for the Architect for the New Police Station as presented. The motion carried; Commissioner Muñoz abstaining; Mayor Suarez was present and voting.

VI. EXECUTIVE SESSION

At 6:21 p.m. Commissioner Pedraza seconded by Mayor Pro Tem Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:41 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VII. 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 goals, objectives, and evaluation of the Fire Chief for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

No action.

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

No action.

D. Contract Negotiations – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by section §551.071 of the Texas Government Code.

Commissioner Muñoz seconded by Commissioner Pedraza moved to extended contract negotiation an additional 30 days and proceed in person negotiations as discussed in executive session.

E. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.

No action.

F. Legal Consultation - Consultation with City Attorney regarding contract deed on Estate of Gilberto Garza and naming the North Side Park on Mile 11th North as authorized by section §551.071 of the Texas Government Code.

No action.

X. ADJOURNMENT

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez moved to adjourn the meeting of October 20, 2020 at 7:46 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, CITY SECRETARY

MAYOR PRO-TEM, Letty Lopez

COMMISSIONER, Leo Muñoz

ABSENT
COMMISSIONER, Jose "J.P." Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Greg Kerr

COMMISSIONER, Josh Pedraza