



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
DECEMBER 15, 2020**

On Tuesday, December 15, 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
	Commissioner	Letty Lopez
	Commissioner	Greg Kerr
	Commissioner	Adrian Farias
	Commissioner	J.P. Rodriguez
ABSENT:	Mayor Pro Tem	Leo Muñoz
	Commissioner	Josh Pedraza
STAFF PRESENT:	Asst. City Manager/Aviation Director	Andrew Munoz
	City Secretary	Norma A. Cantu
	City Attorney	Juan E. Gonzalez

Also present: Eddie Gil, Information Technology Dept; Rebekah De La Fuente, Planning Director; Albert Aldana, City Engineer, Pete Garcia, Public Works Director, Olga Garza, Asst. Public Works Director, George Quilantan, Inframark, Vidal Roman, Finance Director, Joe Pedraza, Asst. Planning & Code Enforcement Director, Martin Vela, IT Director, Omar Rodriguez, Parks & Recreation Director, Rolando Gonzales, Chief Building Official, Rolando Maldonado, Code Enforcement Officer 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, December 11, 2020.

B. Invocation.

Pastor Ray Sanchez, First Baptist Church led in the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting at the time of roll call the absence of Mayor Pro Tem Muñoz and Commissioner Pedraza and a quorum present.

Mayor Suarez changed the order of day and introduced Public Comments. There was no objection.

IV. PUBLIC COMMENTS

Edward Mejia voiced concerns on the traffic lights on Bridge and 18th Street by Margo Elementary School and at the intersection of Pike & Border that have not been operational for several months.

Alicia Vargas, 105 N. Liberty, commented on her recent experience and displeasure with the water department Supervisor during her attempt in requesting an extension on the water bill voicing treated with rude behavior and lack of consideration to her situation not given any thought.

II. PRESENTATION

A. Presentation by Inframark on the Annual Maintenance and Repair Cap underspent funds in the amount of \$7,888.58.

George Quilantan stated in accordance with the agreement with the City any overage in funds from the Annual Maintenance and Repair Capital is reimbursed back to the City and presented a check of \$7,888.58.

III. REPORTS

A. Presentation from Emergency Operations Center (EOC) and discussion on related matters with COVID-19 and vaccinations. (Staffed by EOC.)

Richard Stubbs, Lieutenant Fire Dept., presented an update on COVID-19 numbers and on the vaccinations stating first responders, medical industry and elderly are primary recipients; CVS and Walgreens would be having the vaccinations available and stated the State will be implementing authorized providers to assist in vaccinations and the City has applied to be able to assist in this endeavor.

V. PUBLIC HEARING

Commissioner Rodriguez, seconded by Commissioner Kerr moved to open the public hearing at 5:50 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Israel Lee Rivas to rezone 1402 W Sugarcane Dr. Also being 6.06 acres out of the East 13.49 acres of Farm Tract 141, Block 161, West Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

No comment received.

B. To solicit input on behalf of Petra Garza to rezone 1819 N. Border Ave. Also being 1 acre out East 170'-N256.23' of Farm Tract 131, Block 162, West and Adams Tract, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

No comment received.

C. To solicit input on the proposed demolition order for unoccupied building located at 101 S. Kansas,, Lots 24-25, Block C, Weslaco Original Townsite, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

Ana Maria Garcia, owner, stated she had begun clean-up and code compliance efforts; stalled with issues related to plumbing inspection not passed and exhausted more monies to correct; wishes to comply and requested consideration for an extension of time; noted two structures on the property and would not object to the demolition of the back structures if unable to bring up to code.

D. To solicit input on the proposed demolition order for unoccupied building located at 123 N. Missouri St., Lot 15, Block 15, Stallworth, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

No comments received.

E. To solicit input on the proposed demolition order for unoccupied building located at 117 Zamora, Lots 25-26, Block 4, Guadalupe Subdivision, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

No comments received.

F. To solicit input on the proposed demolition order for unoccupied building located at 716 E. Shane, lots 7-8, Block 1 Ramon, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

No comments received.

G. To solicit input on the proposed demolition order for unoccupied building located at 312 N. Cedro Lot 5, Block 6, Northside, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

No comments received.

H. To solicit input on the proposed demolition order for unoccupied building located at 2219 N. Texas Blvd. All of Lots 1&2, San Francisco Subdivision an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, unfit for human habitation and

hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225.

No comments received.

Commissioner Kerr, seconded by Commissioner Rodriguez moved to close the public hearing at 5:55 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

VI. 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 Regular Meeting on December 1, 2020. (Staffed by City Secretary Department.)

B. Approval of the Memorandum of Understanding (MOU) between Weslaco Police Department and BCFS Health and Human Services (BCFS HHS) and other the Mayor to execute any related documents. (Staffed by Police Department.)

C. Approval on ratification of second amendment to the Cares Act Interlocal Cooperation Agreement between County of Hidalgo and Cities in Hidalgo County and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

D. Approval of volunteer work proposed by Brad Swinnea to clean and paint the Harlon Block Iwo Jima Memorial located at the Texas National Guard Armory on Vo-tech Drive and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.)

E. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant John M. Pate for Hanger W2 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant Arthur E. Beckwith for Hangar W2 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve consent agenda A, B, C, D, & E as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. APPOINTMENTS

A. Discussion and consideration on Resolution 2020-37 appointing five members to the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (This item was tabled November 17 and December 1, 2020; staffed by Planning and Code Enforcement Department.)

Commissioner Kerr seconded by Commissioner Rodriguez moved to remove the item off the table. The motion carried unanimously; Mayor Suarez was present and voting.

Rebekah de la Fuente, Planning and Code Enforcement Director, stated resumes were submitted; current members expressed interest in re-appointment and advised interest had been received from Margiee Perez. Staff recommended to appoint Juan Jose Trevino and Adrian Torres with term ending December 17, 2021; Lonnie Berry and Jim Forward with term ending December 17, 2022 and Miles Bullion with term ending December 17, 2023. The appointments as recommended would establish staggered terms.

In response to Commissioner Farias and Commissioner Rodriguez, attendance from these members is good and staggered terms were established among the members.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve Resolution 2020-37 reappointing Juan Jose Trevino, Adrian Torres, Lonnie Berry and Jim Forward as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, following is the resolution.

RESOLUTION NO. 2020-37

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE
PLANNING AND ZONING COMMISSION BOARD AND SETTING EXPIRATION OF
TERMS TO BE STAGGERED FOR COMPLAINT WITH ORDINANCE NO. 291

WHEREAS, the City of Weslaco created and established the Planning and Zoning Commission Board pursuant to Subsection 2-36 of Ordinance No. 291, as codified in the City of Weslaco Code of Ordinances.

WHEREAS, Section 1 of Ordinance No. 291 outlines original appointment as three members will serve a three-year term; two members for a two-year term; two for one-year term with subsequent appointments to be three years creating staggered terms;

WHEREAS, Ordinance 96-07 as duly passed and approved on July 23, 1957 increased from six to seven members;

WHEREAS, the terms of the members of this board are for three years;

WHEREAS, the Planning and Zoning Commission Board members shall serve without compensation and unlimited terms; and

WHEREAS, to establish the staggered terms, members shall be appointed with a term ending as followed below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT the following individuals are appointed to serve on the Planning and Zoning Commission Board as follows:

<u>NAME</u>	<u>TERM ENDING</u>
Juan Jose Trevino	12/17/2021
Adrian Torres	12/17/2021
Lonnie Berry	12/17/2022
Jim Forward	12/17/2022
Miles Bullion	12/17/2023

PASSED AND APPROVED on this 15th day of December 2020.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

VIII. OLD BUSINESS

A. Discussion and consideration to revoke the Conditional Use Permit for Sr Mostacho located at 2307 W Interstate 2, Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas for violating approved conditions and authorize the Mayor to execute any related documents. Possible action. (There was no action December 1, 2020; staffed by Planning & Code Enforcement Department.)

Juan E. Gonzalez, City Attorney, recommended legal consultation in executive session. Previous Commission action was to negotiate with the owner and wished to address legal issues that may arise from these discussions.

Commissioner Rodriguez seconded by Commissioner Kerr moved to discuss in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to accept, open, award or reject the sole proposal received for Grease Trap Waste Collection for the city from Liquid Environmental Solutions and authorize the Mayor to execute any related documents. Possible action. (Action on November 17, 2020 open, evaluate and back for recommendation; staffed by Planning and Code Enforcement Department.)

Joe Pedraza, Health Official, stated the proposal was evaluated by staff; current contract fees are \$.32 per gallon with a franchise fee of 10%; new contract will be \$.31 per gallon with a minimum fee of \$185.00 and franchise fee of 15%. Staff recommended approval and award a four-year agreement with Liquid Environmental Solutions.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve and award a four-year agreement with Liquid Environmental Solutions as presented. The motion carried unanimously; Mayor Suarez was present and voting.

IX. NEW BUSINESS

A. Discussion and consideration to approve the official 2020 Tax Roll totals as prepared by Hidalgo County Tax Assessor and Collector per section 26.09(e) of the Texas Property Tax Code and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, stated the Hidalgo County Tax Assessor-Collector submitted the 2020 Tax Roll levy of \$13,534,312.13 excluding those accounts under protest. Staff recommended approval as the variance is 1% within the budget prepared and collections to be at 96%.

Commissioner Rodriguez seconded by Commissioner Farias moved to approve the official 2020

Tax Roll totals as prepared by Hidalgo County Tax Assessor-Collector. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve change order #3 for the Pleasantview & 11th St Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated the change order is for costs associated with hauling of contaminated dirt that was unexpected; dirt was planned to be used for ditch berm but unusable. The change order also provides for hauling loads of dirt from Heller Orchard to replace contaminated dirt. Staff recommended approval for an amount of \$57,356.00; contract amount with this change order is \$2,957,396 and still under budget.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve Change Order #3 for the Pleasantview & 11th Street Drainage Improvements Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve proposed Change Order #4 for the Pleasantview & 11th St Drainage Improvements project and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated the contractor was having difficulty with the pipe supplier; production of box culverts and RCP Pipe is not expected until second week in January. The contractor is requesting a 45-day extension for completion of the project. Staff recommended a 30-day extension that would allow construction time from 150 days to 180 days.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve proposed Change Order #4 for contract extension of 30 calendar days from 150 to 180 for the Pleasantview & 11th Street Drainage project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to purchase extended warranty for six residential and five commercial garbage trucks in the amount of \$49,742.00 and approve Ordinance 2020-37 for a budget amendment for the purchase of residential and commercial garbage units (approved on 12/1/20) in the total amount of \$3,260,276.17 and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-37. Possible action. (Staffed by Public Works Department.)

Olga Garza, Asst. Public Works Department, stated the commission approved the purchase of equipment in the amount of \$3,210,534.17 and requested consideration to purchase extended warranty for the equipment except for the container handler truck. The average cost per unit is \$4,522 for a total cost for eleven units to be \$49,742.00. Staff recommended approval and approval of a budget amendment in the total amount of \$3,260,276 for equipment and warranty.

In response to Commissioner Kerr, the bid included only a standard warranty of 3 years.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve purchase of extended warranty for six residential and five commercial garbage trucks in the amount of \$49,742.00 and

approve Ordinance 2020-37 a budget amendment of \$3,260,276.17 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve the best value for the most advantageous bid to purchase a front-end Wheel Loader for air burner operations and consider Ordinance 2020-38 a budget amendment in the amount not to exceed \$140,878.32 and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-38. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from vote and discussion.

Olga Garza stated the front-end wheel loader was needed for air burning operations; five respondents from the cooperative purchasing vendors were reviewed and tabulated. Staff recommended to award Buyboard vendor #597-19 Dogget Heavy Machinery the second lowest responsive bid in the amount of \$123,652.00 as the lowest responsive bid did not meet bid specifications and approve a budget amendment.

Commissioner Rodriguez seconded by Commissioner Kerr moved to approve and award Buyboard vendor #597-19 Dogget Heavy Machinery the second lowest responsive bid in the amount of \$123,652.00 and approve Ordinance 2020-38 a budget amendment not to exceed \$140,878.32 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

F. Discussion and consideration on request from City of Mercedes for a thirty-day extension from January 4, 2021 to February 3, 2021 on the terminated Interlocal Agreement regarding housing of prisoners at City of Weslaco's Municipal Jail and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Mike R. Perez, City Manager, recommended approval. The City of Mercedes needs additional time on their arrangements of housing prisoners and Chief Rivera confirmed can accommodate the 30-day extension.

In response to Mayor Suarez, the City of Mercedes is up to date with payments and should additional time be needed commission action will be required to include a new agreement if necessary.

Commissioner Rodriguez, seconded by Commissioner Lopez moved to approve a 30-day extension from January 4, 2021 to February 3, 2021 on housing prisoners at City of Weslaco's Municipal Jail as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration of Project "Tower of Honor: Weslaco's Legacy of Military Heroes" not to exceed \$24,500 and direct staff to prepare and present a resolution to appoint a committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment

Omar Rodriguez, Parks and Recreation Director, stated he has been approached by a group of local Gold Star surviving family members led by Mario Ybarra, Jr for the City's consideration to honor Weslaco's heroes by projecting their images on the "Tinaco". Discussions on the proposed project that is supported by The American Gold Star Mothers, Congressmen Gonzalez, Congressman Vela and the RGV Coalition of Veterans, would require a projector, mount, all-weather enclosure, computer, communication and installation. Staff recommended financial assistance not to exceed \$24,500 and recommended a resolution be approved on the creation of a committee.

Mario Ybarra Jr. addressed the commission and stated Weslaco has honored military fallen heroes throughout the years by evidence of landmarks such as Harlon Block Sports Complex and PFC Mario Ybarra Elementary to name of few. He requested favorable consideration on a project to be known as "Tower of Honor: Weslaco's Legacy of Military Heroes" a visual concept of showcasing all its fallen heroes using the Tinaco that would project individual portraits of Weslaco's fallen heroes.

The City Manager stated this was a worthy endeavor recommended to fund for the initial set-up necessary; staff resources not be utilized for operations of the project; a committee be created; the Commission approve guidelines, criteria and objectives of the committee and suggested volunteers be used to assist with the project.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve a budget of \$24,500, create a committee with Parks Director to serve as Liaison as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to accept the proposal from UTSA- Center for Urban and Regional Planning Research for preparation of amendments to the Weslaco 2040 Comprehensive Plan 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 staff was directed to prepare amendments to the City of Weslaco 2040 Comprehensive Plan; monies were budgeted and staff met with representatives of UTSA resulting in a proposal of a team of six individuals with background in planning to assist in amending several chapters of the 2040 Comprehensive Plan to include public hearings. Staff recommended approval to accept the proposal in an amount not to exceed \$30,000 with professional services to begin January 15, 2021 until January 15, 2022.

Commissioner Kerr seconded by Commissioner Rodriguez moved to accept the proposal from UTSA – Center for Urban and Regional Planning Research for preparation of amendments to Weslaco 2040 Comprehensive Plan not to exceed \$30,000 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration after public hearing on behalf of Israel Lee Rivas to approve Ordinance 2020-39 a rezone request for 1402 W Sugarcane Dr. also being 6.06 acres out of the East 13.49 acres of Farm Tract 141, Block 161, West Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district, and authorize

the Mayor to execute any related documents. First reading on Ordinance 2020-39. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirty-six property owners were notified with no objection. The Planning and Zoning Commission recommended approval as development to the east and west are existing non-conforming mixed-use and apartments. Staff recommended denial based on the 2040 Land Use Map.

Commissioner Kerr, seconded by Commissioner Rodriguez moved to approve Ordinance 2020-39 rezoning 1402 W. Sugarcane Dr. also being 6.06 acres out of East 13.49 acres of Farm Tract 141, Block 161, West Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration after public hearing on behalf of Petra Garza to approve Ordinance 2020-40 a rezone request for 1819 N. Border Ave. also being 1 acre out East 170'-N256.23' of Farm Tract 131, Block 162, West and Adams Tract, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-40. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-two property owners were notified with no objection. The Planning and Zoning Commission and staff recommended approval based on surrounding land use.

Commissioner Kerr, seconded by Commissioner Rodriguez moved to approve Ordinance 2020-40 rezoning 1819 N. Border Avenue. also being 1 acre out of East 170'-N256.23' of Farm Tract 131, Block 162, West and Adams Tract as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration for the Final Plat for Viridian Estates– being a 19.599 acre land out of the North 20 acres of Farm Tract 193, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1,980' North of mile 10 North east of Mile 6 West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this is a proposed thirty (30) lot private subdivision for residential use; outside city limits; serviced with water by the North Alamo Water Supply Company and sewer by on-site sewage facilities (OSSF); developer requested a variance to allow for OSSF and for off-site drainage receiving letters of support from the Hidalgo County Drainage District and Hidalgo and Cameron County Irrigation district for the off-site discharge of drainage. The Planning and Zoning Commission recommended approval of the final plat with variance; staff recommended approval of the final plat with compliance of ordinance for drainage.

Commissioner Kerr, seconded by Commissioner Rodriguez moved to approve Final Plat for Viridian Estates being 19.599-acre land out of North 20 acres of Farm Tract 193, West Tract

Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration for the Final Plat for MMN # 1 – being the south 5.00 acre of the east 20 acres of Farm Tract 98, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately the southwest corner of Mile 1/2W Rd. and Olivarez St. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this is a proposed seven lot subdivision for residential use; outside city limits; serviced with water by the North Alamo Water Supply Company; developer requested a variance to allow for on-site sewage facility. The Planning and Zoning Commission recommended approval of the final plat with variance; staff recommended approval of the final plat with compliance of ordinance.

Commissioner Kerr, seconded by Commissioner Farias moved to approve Final Plat for MMN #1 being south 5.00 acre of east 20 acres of Farm Tract 98, West Tract Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration for the Final Plat for The Woods Subdivision– being a 0.75 gross acre out of Farm Tract 1076, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 600 ft west of FM 1015 along the North side of Hernandez St, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this is a proposed one lot subdivision for residential use; outside city limits; serviced with water by the North Alamo Water Supply Company; developer requested a to allow for on-site sewage facility. The Planning and Zoning Commission recommended approval of the final plat with variance; staff recommended approval of the final plat with compliance of ordinance.

Commissioner Kerr, seconded by Commissioner Farias moved to approve Final Plat for The Woods Subdivision being 0.75 gross acre out of Farm Tract 1076, West and Adams Tract Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration on the variance request on the rear setback for Verona Subdivision– being a 20 acres out of Farm Tract 1038, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1800 ft. North of Mile 8 on FM 1015, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated Verona Subdivision was approved by City Commission on August 18, 2020 with a 15' rear setback; developer requested a variance to allow for a 10' rear setback for ample space for parking along the front of the lots. Staff recommended compliance with the ordinance but noted similar variance request have been granted.

Commissioner Kerr, seconded by Commissioner Farias moved to approve variance request on rear setback for Verona Subdivision being a 20-acres out of Farm Tract 1038, West and Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 101 S. Kansas,, Lots 24-25, Block C, Weslaco Original Townsite, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rolando Gonzalez, Chief Building Official, introduced Rolando Maldonado, Code Enforcement Officer, stating he will be managing the demolition program; presented photographic evidence of the property that is uninhabitable; notification to the owner by regular and certified mail with publication in the Monitor were done. The Board of Adjustment and Appeals to the Building Codes recommended all structures be brought up to code in sixty days and all taxes be current. Staff recommended to be demolished by owner within sixty days.

In response to Commissioner Farias, the Chief Building Official stated the structures to the back of property would be difficult to bring up to code compliance. The applicant stated a six-month extension would give her the time to bring up to code; have started clean-up efforts and would not object to demolish if unable to comply.

The City Manager recommended to allow a six-month period to the applicant to bring all structures up to code, if not back to the commission for progress status and reconsider action to order demolition.

Commissioner Kerr, seconded by Commissioner Rodriguez moved to give the property owner a period of six months for compliance with building codes, if not bring back to the Commission for demolition consideration to the unoccupied building located at 101 S. Kansas as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 123 N. Missouri St. Lot 15, Block 15, Stallworth, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rolando Gonzalez presented photographic evidence of the property that is uninhabitable; notification to the owner by regular and certified mail with publication in the Monitor were done with no response. The Board of Adjustment and Appeals to the Building Codes and staff recommended the structure be declared a public nuisance and the commission order it be demolished within sixty days by the owner.

In response to Mayor Suarez and Commissioner Kerr; owner will receive a notice the property ordered for demolition and has thirty days to appeal; demolition done in-house, and lien assessed to property for cost related to the demolition.

Commissioner Kerr seconded by Commissioner Rodriguez moved to authorize a demolition order for an unoccupied building located at 123 N. Missouri Street as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 117 Zamora, Lots 25-26, Block 4, Guadalupe Subdivision, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Roland Gonzalez stated this is like item P; notices sent with no response. The Board of Adjustment and Appeals to the Building Codes and staff recommended the structure be declared a public nuisance and the commission order it be demolished within sixty days by the owner.

Commissioner Kerr, seconded by Commissioner Lopez moved to authorize a demolition order for an unoccupied building located at 117 Zamora Street as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 716 E. Shane, lots 7-8, Block 1 Ramon, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rolando Gonzalez stated no action required as the owner voluntarily demolished.

No action on this item.

S. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 312 N. Cedro Lot 5, Block 6, Northside, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Roland Gonzalez presented evidence of the dilapidated structure; notices sent with no response. The Board of Adjustment and Appeals to the Building Codes and staff recommended the structure

be declared a public nuisance and the commission order it be demolished within sixty days by the owner.

Commissioner Kerr seconded by Commissioner Lopez moved to authorize a demolition order for an unoccupied building located at 312 N. Cedro Street as presented. The motion carried unanimously; Mayor Suarez was present and voting.

T. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building located at 2219 N. Texas Blvd. All of Lots 1&2, San Francisco Subdivision, an addition to the City of Weslaco, Hidalgo County, Texas as dilapidated, substandard, and unfit for human habitation and hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rolando Gonzalez stated the property is uninhabitable as a result of severe fire damage; notification to the owner by regular and certified mail with publication in the Monitor were done with no response. The Board of Adjustment and Appeals to the Building Codes and staff recommended the structure be declared a public nuisance and the commission order it be demolished within sixty days by the owner. This property has a concrete block wall free standing that poses a hazard and safety concern.

In response to Commissioner Farias, the owner obtained a permit to demolish to include the concrete wall and has not complied. The City Manager stated demolition would include everything with exception of the foundation.

Commissioner Kerr seconded by Commissioner Rodriguez moved to authorize a demolition order for an unoccupied building located at 2219 N. Texas Blvd as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. EXECUTIVE SESSION

At 7:28 p.m. Commissioner Kerr seconded by Commissioner Rodriguez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 9:10 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. 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 Kerr seconded by Commissioner Rodriguez moved to authorize the City Manager and City Attorney review tentative agreements from the Union and authorize Mayor to execute if in order. The motion carried unanimously; Mayor Suarez was present and voting.

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

Commissioner Kerr seconded by Commission Farias moved to authorize City Attorney proceed with interlocutory appeal as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. 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.

E. Legal Consultation - Consultation with City Attorney regarding potential litigation relating to Walmart incident as authorized by section §551.071 of the Texas Government Code.

No action.

F. Legal Consultation - Consultation with City Attorney regarding possible hiring of an Attorney as legal counsel relating to Texas Parks & Wildlife easement issue for Pleasantview & 11th Street Drainage Improvements project as authorized by section §551.071 of the Texas Government Code.

No action.

G. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Myra as authorized by section §551.087 of the Texas Local Government Code.

Commissioner Kerr abstained from discussion and vote.

Commissioner Farias seconded by Commissioner Rodriguez moved to proceed with incentive package option 3 as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

H. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property located at Mid Valley Airport, 1901 Joe Stephens relating to Hanger B as authorized by section §551.072 of the Texas Government Code.

Commissioner Farias seconded by Commissioner Rodriguez moved to authorize City Manager and City Attorney proceed with negotiations for the sale of Hanger B as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

I. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.

No action.

VIII. OLD BUSINESS

A. Discussion and consideration to revoke the Conditional Use Permit for Sr Mostacho located at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas for violating approved conditions and authorize the Mayor to execute any related documents. Possible action. (There was no action December 1, 2020; staffed by Planning & Code Enforcement Department.)

Commissioner Farias seconded by Commissioner Rodriguez moved to authorize the City Attorney proceed and enter into an agreement on a counteroffer as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. ADJOURNMENT

Commissioner Kerr, seconded by Commissioner Farias moved to adjourn the meeting of December 15, 2020 at 9:14 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, CITY SECRETARY

ABSENT
MAYOR PRO-TEM, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Jose "J.P." Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Letty Lopez

ABSENT

COMMISSIONER, Josh Pedraza