



A REGULAR MEETING OF THE WESLACO CITY COMMISSION TUESDAY, MARCH 2, 2021

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, Located at 255 South Kansas Avenue on Tuesday, March 2, 2021 at 5:30 pm pursuant to Section 551.045 of the Texas Open Meetings Act.

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. In conjunction with the guidance and provisions provided by the Governor and in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), there will be a **limit of twenty-five (25) in person attendance to include staff and the governing body.** These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring a large group setting and in accordance with Section 418.016 of the Texas Government Code. The meeting will be recorded and uploaded to the City website following the conclusion of the meeting.

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: 1-877-853-5247; Meeting ID: 946 1533 4573

Members of the public who wish to participate in Public Comment on an agenda item must send their name, address and phone number via email to nacantu@weslacotx.gov by 12:00 pm on March 2, 2021. A staff member will contact you with instructions via phone call to address your public comments.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
- E. Roll Call.

II. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

The Public may comment on anything on the agenda, however if you comment on something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

III. PUBLIC HEARING

- A. To solicit input on behalf of Ezequiel Reyna Jr. to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990' Farm Tract 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas from R-2 Duplex, and apartment district to M-1 Mobile home subdivision district.
- B. To solicit input on behalf of Ezequiel Reyna Jr. to rezone 3702 S. Westgate. Also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district.to M-1 Mobile home subdivision district.
- C. To solicit input on behalf of Rush Transportation LLC to rezone 703 & 705 W. 6th St. Also being lot 24 & 25, Block 4, Glendale Addition, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling to R-2 Duplex and apartment district.
- D. To solicit input on behalf of Ricardo Guerra to approve a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Weslaco, Hidalgo County, Texas.

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 Regular Meeting on February 2, 2021
(Staffed by City Secretary Department.) Attachment.
- B. Approval on amendments and extension from March 7, 2021 to April 7, 2021 for Disaster Declaration (COVID--19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. (Staffed by City Manager.)
- C. Approval on Resolution 2021-19 to apply to the FY22 Local Border Security Program (LBSP) Grant #3407205 in the amount of \$150,000 with **NO MATCH Required** to fund Overtime for enhanced patrol, jailers, dispatchers, clerical/assistance and accountant/finance to complete goals and objectives outlined in this grant and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- D. Approval on Resolution 2021-20 to apply to the FY22 National Incident-Based Reporting System (NIBRS) Program Grant #4272301 in an amount not to exceed \$200,000 with NO MATCH Required for the purchase of hardware and software to

complete Weslaco NIBRS Project and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2021-21 appointing five members to the Weslaco Recycling Committee Task Force for terms set to expire March 21, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration to approve Tax Abatement Application and Evaluation Report and authorize the Mayor to execute any related documents. Possible action. (There was no action February 2, 2021; staffed by Airport Department.) Attachment

VII. PRESENTATION

- A. Presentation and discussion on the Public Safety Building (Fire/Police) project. (Staffed by City Manager.)
- B. Presentation and discussion on the Pleasantview 11th Street drainage project. (Staffed by Engineering Department.) Attachment

VIII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. on Ordinance 2021-05 to rezone 3701 S. Westgate also being West Tract S330' & E440'-S495'-N990' Farm Tract 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-05. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. on Ordinance 2021-06 to rezone 3702 S. Westgate also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-06. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Rush Transportation L.L.C on Ordinance 2021-07 to rezone 703 & 705 W. 6th St. also being lot 24 & 25,

Block 4, Glendale Addition, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-07. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment

- D. Discussion and consideration after public hearing on behalf of Ricardo Guerra to approve a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration to convert a section of South Border Avenue from a public roadway to a private roadway, heading south from the intersection of Border Avenue and Tierra Santa Blvd to the floodway, Weslaco, Hidalgo County, Texas authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management in an amount of \$36,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- G. Discussion and consideration on renewal of a one-year Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- H. Discussion and consideration to approve Resolution 2021-22 authorizing publication of Notice of Intent to Issue Certificates of Obligation Series 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- I. Discussion and consideration to ratify amendment to Commercial Contract for the sale of 400 S. Illinois Street to approve time extension and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- J. Discussion and consideration of date and time for a City Commission Retreat to discuss the goals and objectives of Capital Outlay Projects and the 5-year plan. Possible action. (Staffed by City Manager.)
- K. Discussion and consideration on amendment and extension of 14 days to the Local State of Disaster Declaration for the severe Winter Storm 2021 and any reports related to such executive orders and authorize the Mayor to execute any related documents.

Possible action. (Staffed by City Manager.)

- L. Discussion and consideration of award of bid RFB No.:2020-21-05 Industrial Employee Uniform Service Contract to AlSCO Linens and Uniform Rental Services for 3 years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- M. Discussion and consideration to award the Request for Bid No. 2020-21-07 to the best qualified, most advantageous bidder for the lease and maintenance of copiers on a three-year contract, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.) Attachment
- N. Discussion and consideration on Hold Harmless Agreement between City of Weslaco and BFI Waste Services of Texas regarding residential garbage services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- O. Discussion and consideration to authorize the purchase of a 2022 Freightliner M2-106 Conventional Dump Truck from Doggett Freightliner of South Texas, LLC., Buyboard Vendor Contract No. 601-19, in the amount not to exceed \$101,127.99 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- P. Discussion and consideration to approve Ordinance 2021-08 amending Ordinance 2011-28 adopting rates for brush and bulky items to multifamily structures effective April 1, 2021 and authorize Mayor to execute any related documents. First reading on Ordinance 2021-08. Possible action. (Staffed by Public Works Department.) Attachment
- Q. Discussion and consideration on Approval of Ordinance 2021-09 for a Budget Amendment in the amount of \$450,000 in the General Fund for purchase of an Ambulance (COVID 19) and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-09. Possible action. (Staffed by Finance Department.) Attachment
- R. Discussion and consideration to authorize the solicitation of bids for construction of the Regional Detention Facility for the Pleasantview Drainage project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- S. Discussion and consideration to approve Ordinance 2021-10, a Budget Amendment in an amount not to exceed \$25,000 for proposed professional engineering services and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-10. Possible action. (Staffed by Engineering Department.) Attachment

- T. Discussion and consideration to approve a Change Order for time extension for the Pleasantview and 11th Street Drainage Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

IX. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection

(a)(2) that:

(1) the defendant had good reason to believe the disclosure was lawful; or

(2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

- 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.
- B. Personnel - Discussion regarding the goals, objectives, and evaluation of the Interim Human Resources Director for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- C. 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.
- D. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney on potential litigation from Beto Perez as authorized by §551.071 of the Texas Government Code.

- F. Legal Consultation - Consultation with City Attorney regarding 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 as authorized by section §551.071 of the Texas Government Code.
- G. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Z & L as authorized by section §551.087 of the Texas Government Code.
- H. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease, or value of real property located at Mid Valley Airport, 1909 Joe Stephens relating to Hanger B as authorized by section §551.072 of the Texas Government Code.
- I. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease, or value of real property located on Dragon Fly Street as authorized by section §551.072 of the Texas Government Code.
- J. Real Property– Consultation with City Attorney on the acquisition of real property legally described as 36.56 acres net and 1 acre net out of Farm Tract 1056 and the acquisition of the adjacent east 46.57 net acres as authorized by §551.072 of the Texas Local Government Code.
- K. Real Property – Consultation with City Attorney on the purchase, exchange, lease, or value of real property located on the Northeast corner of Interstate 2 and North Airport Drive intersection as authorized by §551.072 of the Texas Local Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 26th day of February 2021 on or before 4:00 p.m. and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Norma A. Cantu, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary Department at (956) 968-3181, Ext. 1001 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials:

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

The Pledge of Allegiance to the Flag

"I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL."

The Pledge of Allegiance to the State Flag

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

**The pledge was amended by House Bill 1034 during the 80th Legislature with the addition of "one state under God." The revised wording became effective on June 15, 2007.*

Preamble to the Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

STATEMENT OF VISION: AN INTERNATIONAL CENTER OF GROWTH

Friendly people with vision, courage and integrity

STATEMENT OF MISSION: COMMITMENT TO EXCELLENCE IN PUBLIC SERVICE

- *Positive Attitude of Courtesy & Concern
- *Doing it Right the First Time
- *Sensitive to the citizens' needs
- *Friendly Respect for All
- *Service without Hassle



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3991	
From: Rebekah De La Fuente			
Subject: To solicit input on behalf of Ezequiel Reyna Jr. to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990' Farm Tract 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district.			
Background: The applicant is requesting to rezone property from R-2 Duplex and apartment district to M-1 Mobile home subdivision district. Forty-one (41) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and the City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended denial of the rezone request based on surrounding land use at their regular meeting of February 3, 2021.			
Rebekah De La Fuente Rebekah De La Fuente Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends denial based on surrounding land use and 2040 land use map.			
Attachments, if any:			
Responsibilities upon Approval: Staff will advise applicant			



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3992	
From: Rebekah De La Fuente			
Subject: To solicit input on behalf of Ezequiel Reyna Jr. to rezone 3702 S. Westgate. Also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district.to M-1 Mobile home subdivision district.			
Background: The applicant is requesting to rezone property from R-2 Duplex and apartment district.to M-1 Mobile home subdivision district. Forty (40) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and the City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended denial of the rezone request based on surrounding land use at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends denial based on surrounding land use and 2040 land use map.			
Attachments, if any:			
Responsibilities upon Approval: Staff will advise applicant			



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3993	
From: Rebekah De La Fuente			
Subject: To solicit input on behalf of Rush Transportation LLC to rezone 703 & 705 W. 6th St. Also being lot 24 & 25, Block 4, Glendale Addition, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling to R-2 Duplex and apartment district.			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling to R-2 Duplex and apartment district. Thirty (30) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the rezone request based on surrounding land use at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends approval based on surrounding land use.			
Attachments, if any:			
Responsibilities upon Approval: Staff will advise applicant			



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3994	
From: Rebekah De La Fuente			
Subject: To solicit input on behalf of Ricardo Guerra to approve a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Weslaco, Hidalgo County, Texas.			
Background: The applicant is requesting to obtain a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Hidalgo County, and Texas. Twenty-two (22) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the public hearing for the Planning and Zoning Commission and the City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the conditional use permit at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any:			
Responsibilities upon Approval: Staff will advise applicant			



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2020-3816	
From:			
Subject: Approval of the Minutes of the Regular Meeting on February 2, 2021 (Staffed by City Secretary Department.) Attachment.			
Background: Record of commission action of the regular meeting on February 2, 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Norma Cantu		Created/Initiated	
Aida Vega		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: 21-02-02 minutes final			
Responsibilities upon Approval: Retain.			



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
FEBRUARY 02, 2021**

On Tuesday, February 02, 2021, 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	Leo Muñoz
	Commissioner	Greg Kerr
	Commissioner	Adrian Farias
	Commissioner	J.P. Rodriguez
	Commissioner	Josh Pedraza
ABSENT:	Commissioner	Letty Lopez
STAFF PRESENT:	Mike R. Perez	City Manager
	Andrew Muñoz	Asst. City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Juan Salas, Information Technology Dept; Vidal Roman, Finance Director, Joel Rivera, Police Chief, Antonio "Tony" Lopez, Fire Chief, Robert Lopez, Asst. Police Chief, Martin Vela, IT Director, Omar Rodriguez, Parks & Recreation Director, Cristina Garcia, PIO, Pete Garcia, Public Works Director, Albert Aldana, City Engineer, Arnold Becho, Library 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, January 29, 2021.

B. Invocation.

Pastor Bacilio Castillo, Pave the Way Church led in the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

Proclamation – Proclaiming February as Teen Violence Awareness Month
Proclamation - Proclaiming Lazaro "Larry" Cardenas Sr. Day

Mayor Suarez proclaimed the month of February as Teen Violence Awareness Month and proclaimed February 2, 2021 as Lazaro “Larry” Cardenas Sr. Day.

E. Roll Call.

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

II. PUBLIC COMMENTS

Pete Garcia, Public Works Director, addressed the commission and presented a status on drainage improvements activity of mowing, cleaning and efforts in keeping them debris free for drain ditches located at Paisano and N. Bridge & Lincoln.

III. 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 January 19, 2021. (Staffed by City Secretary Department.)

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

1) Approve Ordinance 2021-02 reducing the size of an existing 15-foot utility easement along the south property line of Lot 14 Block A Pecan Grove Subdivision Phase I to a 10-foot utility easement and authorize the Mayor to execute any related documents. (First reading held January 19, 2021; staffed by Planning & Code Enforcement Department.)

2) Approval Ordinance 2021-03 to rezone 1630 Canyon Drive also being, Lot 171, Westgate Village Ph II, Weslaco, Hidalgo County, Texas from M-1 Mobile home subdivision district to a B-1 Neighborhood Business Districts and authorize the Mayor to execute any related documents. (First reading held January 19, 2021; staffed by Planning & Code Enforcement Department.)

3) Approve Ordinance 2021-04 to rezone 515 S. Airport Drive also being 18.680 acres out of Farm Tract 21 & 22, West Tract Subdivision and out of an abandoned canal R.O.W., Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to I Industrial district and authorize the Mayor to execute any related documents. (First reading held January 19, 2021; staffed by Planning & Code Enforcement Department.)

C. Approval on amendments and extension from February 7, 2021 to March 7, 2021 for Disaster Declaration (COVID--19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

D. Approval of Assignment and Assumption Agreement of Space Lease for property located at 1901 Joe Stephens between Image First Holdings LLC (Assignee), Maverick Industrial Services (Assignor) and City of Weslaco (Landlord) and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

E. Approval for the Mayor Joe V. Sanchez Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for basic maintenance of internal connections within the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate) and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

F. Approval of an Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

G. Approval on Resolution 2021-09 to apply to the Criminal Justice Division General Victim Assistance Grant Program and authorize the Mayor to execute any related documents (Staffed by Police Department.)

H. Approval on Resolution 2021-10 to apply to the Criminal Justice Division Juvenile Justice and Truancy Prevention Grant Program and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

I. Approval on Resolution 2021-11 to apply to the Criminal Justice Division Violence Against Women Justice and Training Program and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

J. Approval on Resolution R2021-12 to apply to the Criminal Justice Division Edward Byrne Memorial Justice Assistance Program and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

K. Approval on Resolution 2021-13 to apply to the Criminal Justice Division Project Safe Neighborhoods Grant Program and authorize the Mayor to execute any related documents. (Staff by Police Department.)

L. Approval on Resolution 2021-14 to apply to the 2021 State Homeland Security Program - LETPA Projects (SHSP-L) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

M. Approval on Resolution 2021-15 to apply to the 2021 State Homeland Security Program - Regular Projects and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

N. Approval on Resolution 2021-16 to apply to the Criminal Justice Division Rifle-Resistant Body Armor Grant Program and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

O. Approval on Resolution 2021-17 to apply to the HSGP Operation Stonegarden Grant #3173406 in the amount of \$230,000.00 with no match required for overtime pay of police officers, dispatchers, jailers and clerks and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

P. Authorization to purchase a server and storage from Insight Public Sector Contract #DIR-TSO-3763 for the amount of \$66,028.85 which will be fully reimbursed by NIBRS Grant #3658001 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

Q. Authorization for staff to solicit bid proposals for the purchase and installation of a splash pad and misc. park equipment for Mile 11 North Park and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.)

Mayor Pro Tem Muñoz seconded by Commissioner Rodriguez moved to approve consent agenda A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P and Q as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record are the ordinance(s).

ORDINANCE NO. 2021-02

AN ORDINANCE REDUCING THE SIZE OF 15-FOOT UTILITY EASEMENT ALONG THE SOUTHSIDE LOT 14 BLOCK A PECAN GROVE PHASE I SUBDIVISION, HIDALGO COUNTY, TEXAS, TO A 10 FOOT UTILITY EASEMENT 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. Reducing the size of 15-foot utility easement along the Southside of Lot 14 Block A Pecan Grove Phase I Subdivision, Hidalgo County, Texas, to a 10-foot utility easement

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of January 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 2nd day of February 2021.

ORDINANCE NO. 2021-03

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 1630 CANYON DRIVE. ALSO BEING, LOT 171, WESTGATE VILLAGE PH II, WESLACO HIDALGO COUNTY, FROM M-1 MOBILE HOME SUBDIVISION DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from an M-1 Mobile home subdivision district to a B-1 Neighborhood Business district located at 1630 Canyon Drive. Also being, Lot 171, Westgate Village Ph II, Weslaco, Hidalgo County, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of January 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 2nd day of February 2021.

ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 515 S. AIRPORT DRIVE. ALSO BEING 18.680 ACRES OUT OF FARM TRACT 21 & 22, WEST TRACT SUBDIVISION AND OUT OF AN ABANDONED CANAL R.O.W., WESLACO HIDALGO COUNTY, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO I INDUSTRIAL DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from an R-1 One-family dwelling district to I Industrial district located at 515 S. Airport Drive. Also being 18.680 acres out of Farm Tract 21 & 22, West Tract Subdivision and out of an abandoned canal R.O.W. Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of January 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 2nd day of February 2021.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

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

Following for the record are the resolution(s).

RESOLUTION NO.2021-09

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the Crime Victim Coordinator be operated for the fiscal year 2021 through 2022; and

WHEREAS, The City of Weslaco agrees to provide applicable matching funds for the said project as required by the General Victim Assistance Grant Program grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates the Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Crime Victim Coordinator to the Office of the Governor.

Grant Number: 3814603

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO. 2021-10

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Office of the Governor Juvenile Justice & Truancy Prevention Grant Program be operated for the fiscal year 2021 to 2022; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Juvenile Justice & Truancy Prevention Grant Program; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Office of the Governor Juvenile Justice & Truancy Prevention Grant Program to the Office of the Governor.

Grant Number: 4003402

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO. 2021-11

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Criminal Justice Division – Violence Against Women Training be operated for the fiscal year 2021 to 2022; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Criminal Justice Division Violence Against Women Justice and Training Program; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Criminal Justice Division – Violence Against Women Training Grant to the Office of the Governor.

Grant Number: 4271701

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO.2021-12

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Office of the Governor – Criminal Justice Program grant be operated for the fiscal year 2021 through 2022; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Criminal Justice Program; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Criminal Justice Program grant to the Office of the Governor.

Grant Number: 4271801

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO.2021-13

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Weslaco - Project Safe Neighborhoods Program be operated for the fiscal year 2021 to 2022; and

WHEREAS, The City of Weslaco agrees to provide required applicable matching funds for the said project as required by the Office of the Governor Criminal Justice Division Project Safe Neighborhoods Program grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Weslaco - Project Safe Neighborhoods Program to the Office of the Governor.

Grant Number: 4271601

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO.2021-14

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Texas, that the Weslaco 2021 State Homeland Security Program be operated for 2021 to 2022; and

WHEREAS, The City of Weslaco agrees to provide applicable matching funds for the said project as required by the Homeland Security Grants Division application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates City of Weslaco Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Weslaco 2021 State Homeland Security Program Grant to the Office of the Governor.

Grant Number: 4272101

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO. 2021-15

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the State Homeland Security Program Regular Projects Grant be operated for the 2021 to 2022 fiscal year; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Homeland Security Grant Program (HSGP) Regular Projects grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the State Homeland Security Program Regular Projects Grant to the Office of the Governor.

Grant Number: **4003502**

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO.2021-16

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Office of Governor - Texas that the Rifle-Resistant Body Armor Grant Program be operated for the fiscal year 2021 to 2022; and.

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Office of Governor - Texas that the Rifle-Resistant Body Armor Grant Program application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Office of Governor - Texas that the Rifle-Resistant Body Armor Grant Program to the Office of the Governor.

Grant Number: **3494003**

Passed and Approved this 2nd day of February 2021.

RESOLUTION NO.2021-17

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the OPERATION STONEGARDEN be operated for the fiscal year 2021 through 2022; and

WHEREAS, The City of Weslaco agrees to provide applicable matching funds for the said project as required by the Homeland Security Grant Program grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates the Mayor as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the OPERATION STONEGARDEN to the Office of the Governor.

Grant Number: **3173406**

Passed and Approved this 2nd day of February 2021.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

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

IV. APPOINTMENTS

A. Discussion and consideration on Resolution 2021-06 appointing three members to the Library Board for terms set to expire March 5, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Arnold Becho, Library Director, stated there were three vacancies; two of the current members, Christine Warren and Idolina Vallejo Garcia, expressed interest in continuing to serve and noted three other board applicants were received with applicant Saida Sanchez requesting for favorable consideration. Staff recommended re-appointment of Ms. Christine Warren, Idolina Vallejo Garcia and Saida Sanchez who is a 21-year resident of Weslaco and an educator of 27 years serving as a School Librarian.

Commissioner Pedraza seconded by Commissioner Kerr moved to approve Resolution 2021-06 appointing Christine Warren, Idolina Garcia and Saida Sanchez as members to the Library Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2021-06

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE LIBRARY BOARD.

WHEREAS, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

WHEREAS, the Library Board members shall serve without compensation and unlimited terms; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT the following individuals are hereby appointed to serve a two-year term on the Library Board and the term will expire on March 5, 2023

PASSED AND APPROVED on this 2nd day of February 2, 2021.

<u>NAME</u>	<u>TERM ENDING</u>
1. Christine Warren	March 5, 2023

2. Idolina Vallejo Garcia
3. Saida Sanchez

March 5, 2023
March 5, 2023

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

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

B. Discussion and consideration on Resolution 2021-07 appointing a member to the Ambulance Advisory Board for term set to expire March 20, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio “Tony” Lopez, Fire Chief, stated George Guerra term is set to expire and expressed interest in reappointment. Staff recommended approval.

Mayor Pro Tem Muñoz seconded by Commissioner Kerr moved to approve Resolution 2021-07 appointing George Guerra as member to the Ambulance Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2021-07

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE
AMBULANCE ADVISORY BOARD.

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

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

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT the following individual is appointed to serve on the Ambulance Advisory Board with a term to begin on March 20, 2021 and expire on March 20, 2023.

<u>NAME</u>	<u>TERM ENDING</u>
George Guerra	03/20/2023

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

V. NEW BUSINESS

A. Discussion and consideration to approve the purchase of Ambulance Equipment in the amount of \$90,000.00 with a local match contribution of \$45,000.00 from the Emergency Services District No. 1 to the City of Weslaco Fire-EMS Department and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire-EMS Department.)

Antonio “Tony” Lopez stated a request was made to Emergency Services District (ESD) No. 1 for assistance with the purchase of equipment for ambulances; city responds to the rural community of ESD No. 1 as needed; equipment would consist of hydraulic gurneys and life span compressor in the amount of \$90,000 and ESD No. 1 approved a \$45,000 contribution. Staff recommended approval to purchase ambulance equipment with the contribution of \$45,000 from ESD No.1 stating monies are budgeted under the 5-year capital outlay plan.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve the purchase of Ambulance Equipment in the amount of \$90,000 with local match contribution of \$45,000 from Emergency Services District No. 1 to Weslaco Fire-EMS Department as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on the purchase of two network servers with virtualization software to protect server's infrastructure for an amount of \$63,769.86 through vendor Insight Public Sector with Texas DIR contract # DIR-TSO-3763 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.)

Martin Vela, IT Director, stated two network servers have reached their life expectancy; the network servers are critical devices in the operations of the city and a recent event had disk drive failures causing interruption to the city’s network. Staff recommended approval on the purchase of two network servers with virtualization software to protect server's infrastructure for an amount of \$63,769.86 through vendor Insight Public Sector with Texas DIR contract # DIR-TSO-3763.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve two network servers with virtualization software in an amount of \$63,769.86 through vendor Insight Public Sector with Texas DIR contract #DIR-TSO-3763 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve the submission of the final proposed work plan for Year 34 (2021) under the Hidalgo County Urban County Program and approve Resolution 2021-09 and accept the allocation of approximately \$301,060 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, stated a public hearing was held January 19 for Fiscal Year 34 workplan; available funds is \$301,060.00; \$3,000 would be for general administration, water/sewer improvements \$293,060 noting these improvements may have an overrun and the City would need to appropriate monies (\$116,000) and \$5,000 for senior services; advised Amigos Del Valle requested \$8,000 funding and Nuestra Clinica Del Valle \$15,000. Staff recommend approval with direction on allocation amount for the two agencies request.

The City Manager advised funds would be used from the capital outlay fund as needed for any shortage in the water/sewer improvements.

In response to Mayor Suarez, Amigos Del Valle has been funded in the past for \$5,000 and did not receive explanation from the agency on the increased amount; no funding in the past for Nuestra Clinica Del Valle.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve submission of the final proposed work plan for Year 34 (2021) Hidalgo County Urban County Program and approve Resolution 2021-18 and accept allocation of approximately \$301,060 as presented allocating \$5,000 to Amigos Del Valle. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to accept and file the Financials for the General, Water/Sewer and Sanitation Funds for the period ending December 31, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman presented the financials for the period ending December 31, 2020 stating the general fund had a net surplus of \$2.8million and doing well with strong working capital days; Water/Wastewater also positive numbers with 160 working capital days and Solid Waste net change in equity is a deficit resulting from capital purchases noting operations will reflect an excess of revenues once entry of transfer of funds are done. Staff recommended approval to accept and file the financials for the period ending December 31, 2020.

Commissioner Pedraza seconded by Mayor Pro Tem Muñoz, moved to accept, and file the financials for the General, Water/Sewer and Sanitation Funds for period ending December 31, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to accept and file the Quarterly Investment Report for period ending December 31, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman stated the investments for the city is healthy; cash on deposit has a high balance as funds moved to BBVA Bank that offered a better interest rate; interest year to date is \$26,820.85; recommended approval to accept and file as the report is in compliance with the investment policy of the city.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to accept and file the Quarterly Investment Report for period ending December 31, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration on Resolution 2021-08 to participate with cities to hire legal counsel and consultant for review of AEP Texas Central Company's Final Reconciliation of Advanced Metering Costs, PUC Docket No. 51671 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Commissioner Kerr abstained from vote and discussion.

The City Manager stated notice had been received that AEP had filed a Final Reconciliation of Advanced Metering Costs, PUC Docket No. 51671 for under-recovery of metering costs; cities were asked to join in the intervention to allow time and hire legal and consultant to review; any reasonable rate case expenses will be reimbursed to cities. Staff recommended approval of Resolution 2021-08.

Mayor Pro Tem Muñoz, seconded by Commissioner Pedraza moved to approve Resolution 2021-08 to participate with cities to hire legal counsel and consultant for review of AEP Texas Central Company's Final Reconciliation of Advanced Metering Costs, PUC Docket No. 51671 as presented. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

G. Discussion and consideration on proposed Tax Abatement Application and Evaluation Report. Possible action. (Staffed by Airport Department.)

Andrew Muñoz, Assistant City Manager/Aviation Director, stated staff prepared an application and evaluation report for their comments; these are necessary forms for the Tax Abatement process. Staff recommended no action and bring back once the commission has reviewed.

There was no action on this item.

H. Discussion and consideration on dates for a joint workshop between the Weslaco Independent School Board of Trustees and City Commission. Possible action. (Staffed by City Manager.)

The City Manager stated he had met with School Superintendent and Board President to determine a date for a joint workshop with the Weslaco ISD Board of Trustees to discuss an agreement for the proposed regional detention facility project located on school property (Cleckler-Heald Elementary) stating the State is wanting the application for funding prioritized. Staff recommended February 11, 2021 at 5:30 pm to be held at City Hall in the Legislative Room.

Mayor Pro Tem Muñoz seconded by Commissioner Rodriguez moved to approve date of February 11, 2021 at 5:30 pm for a joint workshop between Weslaco Independent School Board of Trustees and City Commission as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. EXECUTIVE SESSION

At 6:19 p.m. Commissioner Pedraza seconded by Mayor Pro Tem Muñoz moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:11 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 Interim Human Resources Director for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

No action.

C. 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.

No action.

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

No action.

E. 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.

Commissioner Kerr seconded by Commissioner Rodriguez moved to name the North Side Park on Mile 11th North as the Judge Gilberto Garza Park as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

F. 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.

No action.

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

Commissioner Kerr abstained from vote and discussion.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve the financial offer package option 4; a 3-4-year incentives offer as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

H. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Z & L as authorized by section §551.087 of the Texas Government Code.

No action.

VIII. ADJOURNMENT

Commissioner Farias seconded by Commissioner Rodriguez moved to adjourn the meeting of February 02, 2021 at 7:12 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, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Adrian Farias
ABSENT

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4009	
From: Joel Rivera			
Subject: Approval on Resolution 2021-19 to apply to the FY22 Local Border Security Program (LBSP) Grant #3407205 in the amount of \$150,000 with NO MATCH Required to fund Overtime for enhanced patrol, jailers, dispatchers, clerical/assistance and accountant/finance to complete goals and objectives outlined in this grant and authorize the Mayor to execute any related documents. (Staffed by Police Department.)			
Background: Operation Border Star centers on the use of intelligence to increase the effectiveness of federal, state, and local law enforcement assets. The purpose of the program is to sustain interagency law enforcement operations and enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity.			
Funding Source (budget code, if applicable): BL-Local Border Security Program (LBSP)			
Amount: \$150,000.00		Term of Impact: 12 months	Identified in Current Budget: No
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Robert Lopez		Created/Initiated	
Robert Lopez		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: R2021-19 FY2022 LBSP Grant #3407205			
Responsibilities upon Approval:			

RESOLUTION NO. 2021-19

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the FY2022 Local Border Security Program be operated for the fiscal year 2021 through 2022; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Office of the Governor - Homeland Security Grants Division Local Border Security Program grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the FY2022 Local Border Security Program to the Office of the Governor.

Grant Number: **3407205**

Passed and Approved this 2nd day of March 2021.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4010	
From: Joel Rivera			
Subject: Approval on Resolution 2021-20 to apply to the FY22 National Incident-Based Reporting System (NIBRS) Program Grant #4272301 in an amount not to exceed \$200,000 with NO MATCH Required for the purchase of hardware and software to complete Weslaco NIBRS Project and authorize the Mayor to execute any related documents. (Staffed by Police Department.)			
Background: Funds may be used for upgrading technology infrastructure to implement incident-based reporting. Technology infrastructure purchased using grant funds shall be compatible with the National Incident-Based Reporting System and the Texas Incident-Based Reporting System (TIBRS).			
Funding Source (budget code, if applicable): RI-Radio Infrastructure (Incident Based Reporting and Interoperable Communication Systems)			
Amount: \$200,000.00	Term of Impact: 12 months	Identified in Current Budget: No	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Robert Lopez		Created/Initiated	
Robert Lopez		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: R2021-20 FY2022 Weslaco PD NIBRS Grant #4272301			
Responsibilities upon Approval:			

RESOLUTION NO. 2021-20

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the Office of the Governor Texas Conversion to the National Incident-Based Reporting System Grant be operated for the fiscal year 2021 through 2022; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Office of the Governor Texas Conversion to the National Incident-Based Reporting System Grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Office of the Governor Texas Conversion to the National Incident-Based Reporting System Grant to the Office of the Governor.

Grant Number: **4272301**

Passed and Approved this 2nd day of March 2021.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4022	
From:			
Subject: Discussion and consideration on Resolution 2021-21 appointing five members to the Weslaco Recycling Committee Task Force for terms set to expire March 21, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Olga Garza Pete Garcia Mike Perez		Created/Initiated New	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Current Board members Weslaco Recycling Committee Task Force, Board applicant roster Weslaco Recycling Task Committee as of 022521mv, Board App - Colton Reed Gammill 1.20.21, Board App - Jerry Don Wilson, Board App - Gail W Ortiz_Redacted, Board App - Ignacio Cavazos_Redacted, Board App - Jim Chapman, R2021-21 appt. 5 members Recycling Task Force			
Responsibilities upon Approval:			

WESLACO RCYCLING COMMITTEE TASK FORCE

Date appointed	Term Expires	First	Last
3/17/2020	3/21/2021	*Lainey	Garcia
3/21/2017	3/21/2021	Gail	Weigel Ortiz
3/21/2017	3/21/2021	Ignacio H.	Cavazos
3/21/2017	3/21/2021	Maria L.	Gonzalez
3/21/2017	3/21/2021	Jim	Chapman

032020 mv

Note to file:

All members were reappointed at the regular city commission meeting of 03-17-2020; also ****Ms. Lainey Garcia was appointed to replace Manuel Ramos.***

APPLICANTS for WESLACO RECYCLING COMMITTEE TASK FORCE

Last Name	First Name	Application Date
Gammill	Colton Reed	01/20/2021
Wilson	Jerry Don	02/02/2021
Weigel Ortiz	Gail	02/24/2021
Cavazos	Ignacio H.	02/25/2021
Chapman	Jim	02/25/2021

As of 02.25.21



Application for Service

City of Weslaco Boards and Committees

Name of Applicant: Colton Reed Gammill Email Address: cgammill89@gmail.com

Phone Number: 956-792-5866 Alternate Phone Number: _____

Home Address: 906 E Roosevelt St City: Weslaco Inside City limits: ☒ Yes ☐ No

How many years have you lived at this residence? 1

Mailing Address, if different from home address: _____

What committee/board do you wish to serve on:

I would like to serve on any board available

Why do you want to be appointed to this board(s)? To contribute positively to Welsaco.

What value do you believe you will be bringing to the board(s)? A positive outlook, and experiences that can help make our community better

What civic involvement and Business Experience applicable to the position(s) to which you are applying: I have managed multiple multi-million dollar business units successsfully. I am on committees for training, developing and mentoring other managers as well.

Have you been bonded or eligible to obtain one? ☐ Yes ☒ No.

Are you currently suing or being sued by the City of Weslaco or any of its entities? ☐ Yes ☒ No

Are you related to any member of the Commission? ☐ Yes ☒ No.

If so, to who and how _____

Have you previously served on a City Board? ☐ Yes ☒ No

If so, which board and when _____

Have you ever been elected to public Office? ☐ Yes ☒ No.

If so, which office and when? _____

Do you consent to release the info on this application to the public ☒ Yes ☐ No.

Are you 25 years of age or older? ☒ Yes ☐ No

Timestamp of Receipt:

RECEIVED

JAN 20 2021

BY: AW

The statements I have made on this Application for Service are truthful and I am not disqualified to serve due to nepotism, City of Weslaco Charter or Ordinances of State of Texas laws I understand that if I am appointed to a board I will be expected to participate actively and attend all meetings as necessary. If I am unable to service, I will notify my staff liaison.

Applicant's Signature: Colton Reed Gammill Date: 01/20/2021

RETURN TO: Office of the City Secretary: tel 956.968.3181. fax 956.968.6717 email: nacantu@weslacotx.gov.
Application will be kept on file until the end of the fiscal year. (Sept.30).



Application for Service

City of Weslaco Boards and Committees

Name of Applicant: Jerry Don Wilson Email Address: jdwilson159@yahoo.com

Phone Number: 956-373-2065 Alternate Phone Number: 956-968-7088

Home Address: 1007 Bella Vista City: Weslaco Inside City limits: ☒ Yes ☐ No

How many years have you lived at this residence? 12

Mailing Address, if different from home address: Same as above

What committee/board do you wish to serve on:

Economic Development or other boards

Why do you want to be appointed to this board(s)? I want the City of Weslaco to grow & be the

Premiere City of the Rio Grande Valley.

What value do you believe you will be bringing to the board(s)? While working for AEP I worked
with many City offices and boards.

What civic involvement and Business Experience applicable to the position(s) to which you are applying: Rio Grande Valley Economic Development Corp board

Have you been bonded or eligible to obtain one? ☐ Yes ☒ No.

Are you currently suing or being sued by the City of Weslaco or any of its entities? ☐ Yes ☒ No

Are you related to any member of the Commission? ☐ Yes ☒ No.

If so, to who and how None (they are all good people)

Have you previously served on a City Board? ☐ Yes ☒ No

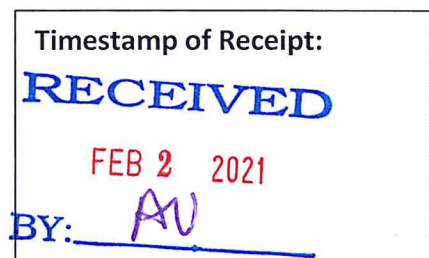
If so, which board and when _____

Have you ever been elected to public Office? ☐ Yes ☒ No.

If so, which office and when? _____

Do you consent to release the info on this application to the public ☒ Yes ☐ No.

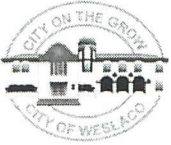
Are you 25 years of age or older? ☒ Yes ☐ No



The statements I have made on this Application for Service are truthful and I am not disqualified to serve due to nepotism, City of Weslaco Charter or Ordinances of State of Texas laws I understand that if I am appointed to a board I will be expected to participate actively and attend all meetings as necessary. If I am unable to service, I will notify my staff liaison.

Applicant's Signature: Jerry Don Wilson Date: Feb 2, 2021

RETURN TO: Office of the City Secretary: tel 956.968.3181. fax 956.968.6717 email: nacantu@weslacotx.gov.
Application will be kept on file until the end of the fiscal year. (Sept.30).



Application for Service

City of Weslaco Boards and Committees

Name of Applicant: Gail Weigel Ortiz Email Address: _____

Phone Number _____ Alternate Phone Number: _____

Home Address: _____ City Weslaco Inside City limits: ☒ Yes ☐ No

How many years have you lived at this residence? 22 years

Mailing Address, if different from home address: _____

What committee/board do you wish to serve on:

Weslaco Recycling Task Force

Why do you want to be appointed to this board(s)? I have been a member of the Weslaco Recycling Task Force since its inception and I would like to continue and expand on the progress of the task force.

What value do you believe you will be bringing to the board(s)? I am a lifelong recycler who brings experience from my years living in Austin and Dallas as well as recycling in the Valley since my decision to return to my hometown to raise our family.

What civic involvement and Business Experience applicable to the position(s) to which you are applying: I am a mother, a pediatric RN as well as an organized + involved community member of Weslaco concerned about the quality of life in our city and our planet that we will leave for future generations.

Have you been bonded or eligible to obtain one? ☒ Yes ☐ No.

Are you currently suing or being sued by the City of Weslaco or any of its entities? ☐ Yes ☒ No

Are you related to any member of the Commission? ☐ Yes ☒ No.

If so, to who and how _____

Have you previously served on a City Board? ☒ Yes ☐ No

If so, which board and when Weslaco Recycling Task Force

Have you ever been elected to public Office? ☐ Yes ☒ No.

If so, which office and when? _____

Do you consent to release the info on this application to the public ☐ Yes ☒ No.

Are you 25 years of age or older? ☒ Yes ☐ No

Timestamp of Receipt:

received CSD 2/25/21 by av
at request of applicant
personal information
redacted.

The statements I have made on this Application for Service are truthful and I am not disqualified to serve due to nepotism, City of Weslaco Charter or Ordinances of State of Texas laws I understand that if I am appointed to a board I will be expected to participate actively and attend all meetings as necessary. If I am unable to service, I will notify my staff liaison.

Applicant's Signature: Gail Weigel Ortiz Date: 2/24/2021

RETURN TO: Office of the City Secretary: tel 956.968.3181. fax 956.968.6717 email: nacantu@weslacotx.gov.

Application will be kept on file until the end of the fiscal year. (Sept.30).



Application for Service
City of Weslaco Boards and Committees

Name of Applicant: Ignacio Cavazos Email Address: _____
Phone Number: _____ Alternate Phone Number: _____
Home Address: _____ City: Weslaco Inside City limits: ☒ Yes ☐ No
How many years have you lived at this residence? 22
Mailing Address, if different from home address: _____

What committee/board do you wish to serve on:

Recycling Committee

Why do you want to be appointed to this board(s)? To continue to promote and educate the citizens of Weslaco about the importance of recycling.

What value do you believe you will be bringing to the board(s)? I feel that since I am in contact with the youth of our community that this allows for me to get more individuals to recycle.

What civic involvement and Business Experience applicable to the position(s) to which you are applying: Participating in community events and the ability to communicate with very different people that have different opinions/ beliefs.

Have you been bonded or eligible to obtain one? ☐ Yes ☒ No.

Are you currently suing or being sued by the City of Weslaco or any of its entities? ☐ Yes ☒ No

Are you related to any member of the Commission? ☐ Yes ☒ No.

If so, to who and how _____

Have you previously served on a City Board? ☒ Yes ☐ No

If so, which board and when Recycling Committee

Have you ever been elected to public Office? ☐ Yes ☒ No.

If so, which office and when? _____

Do you consent to release the info on this application to the public ☐ Yes ☒ No.

Are you 25 years of age or older? ☒ Yes ☐ No

Timestamp of Receipt:

CITY OF WESLACO
FEB 25 2021
CITY SECRETARY'S OFFICE

personal information redacted
at request of board applicant

The statements I have made on this Application for Service are truthful and I am not disqualified to serve due to nepotism, City of Weslaco Charter or Ordinances of State of Texas laws I understand that if I am appointed to a board I will be expected to participate actively and attend all meetings as necessary. If I am unable to service, I will notify my staff liaison.

Applicant's Signature: _____ Date: 2-22-21

RETURN TO: Office of the City Secretary: tel 956.968.3181. fax 956.968.6717 email: nacantu@weslacotx.gov.
Application will be kept on file until the end of the fiscal year. (Sept.30).



Application for Service

City of Weslaco Boards and Committees

Name of Applicant: Jim Chapman Email Address: jchapmanrgv@gmail.com

Phone Number: 956 571-0545 Alternate Phone Number: _____

Home Address: 800 E 11TH ST City: Weslaco Inside City limits: ☒ Yes ☐ No

How many years have you lived at this residence? 41 years

Mailing Address, if different from home address: _____

What committee/board do you wish to serve on:

Recycling Committee

Why do you want to be appointed to this board(s)? To promote recycling

What value do you believe you will be bringing to the board(s)? Experience
& willingness to serve

What civic involvement and Business Experience applicable to the position(s) to which you are applying: _____

Have you been bonded or eligible to obtain one? ☐ Yes ☐ No. NA

Are you currently suing or being sued by the City of Weslaco or any of its entities? ☐ Yes ☒ No

Are you related to any member of the Commission? ☐ Yes ☒ No.

If so, to who and how _____

Have you previously served on a City Board? ☒ Yes ☐ No

If so, which board and when Recycling Committee

Have you ever been elected to public Office? ☐ Yes ☒ No.

If so, which office and when? _____

Timestamp of Receipt:
RECEIVED

FEB 25 2021

BY: AV

Do you consent to release the info on this application to the public ☒ Yes ☐ No.

Are you 25 years of age or older? ☒ Yes ☐ No

The statements I have made on this Application for Service are truthful and I am not disqualified to serve due to nepotism, City of Weslaco Charter or Ordinances of State of Texas laws I understand that if I am appointed to a board I will be expected to participate actively and attend all meetings as necessary. If I am unable to service, I will notify my staff liaison.

Applicant's Signature: [Signature] Date: 2-25-21

RETURN TO: Office of the City Secretary: tel 956.968.3181. fax 956.968.6717 email: nacantu@weslacotx.gov.
Application will be kept on file until the end of the fiscal year. (Sept.30).

RESOLUTION NO. 2021-21

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO
THE WESLACO RECYCLING TASK FORCE COMMITTEE**

WHEREAS, this Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions and recommendations and encourage participation toward the planning and facilitating of programs and activities; and

WHEREAS, after public meetings, all recommendations are required to be submitted to the Weslaco City Commission for approval; and

WHEREAS, the Committee shall concurrently consider challenges and opportunities to promote awareness to reduce, reuse, recycle and encourage participation toward the common goal of a positive public image for the Weslaco Recycling Center; and

WHEREAS, as it is intended to serve ad hoc, the work of this Committee shall be limited to one year from establishment; and

WHEREAS, there shall be ten (10) members in the Weslaco Recycling Committee Task Force who shall be appointed by the Weslaco City Commission and shall be comprised of three Commissioners, one representative of the Public Works Department, one representative of Republic Services, and five citizens; and

WHEREAS, members shall serve without compensation and may be eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT the following are appointed to serve on the Weslaco Recycling Task Force.

<u>NAME</u>	<u>TERM ENDING</u>
_____	03/21/2021
_____	03/21/2021
_____	03/21/2021
_____	03/21/2021
_____	03/21/2021

PASSED AND APPROVED on this 2nd day of March 2020.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3979
From:		
Subject: Discussion and consideration to approve Tax Abatement Application and Evaluation Report and authorize the Mayor to execute any related documents. Possible action. (There was no action February 2, 2021; staffed by Airport Department.)		
Background: The application and application review document are the final steps in creating the Tax Abatement policy and process. Staff is asking for a review of said documents before adoption.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Joanna Fernandez Andrew Muñoz Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: Instructions, Annual Tax Abatement Evaluation Report, Application for Tax Abatement		
Responsibilities upon Approval:		

INSTRUCTIONS FOR COMPLETING THE CITY OF WESLACO TAX ABATEMENT APPLICATION & EVALUATION REPORT



To complete the form(s), left-click on each “response” field and type-in the requested information. Please do not attempt to tab through the form to respond to each question, as this will only cause your cursor to jump between sections.

For questions with a check box, please right-click on the box, scroll down to “properties,” select the “checked” option under the “default value,” and then click “ok” to accept the checked value.

Once you have completed the form(s):

- save your file;
- print two copies;
- sign and date them;
- attach any necessary supporting documentation;
- keep one copy for your records;
- and send the other copy to the Economic Development Corporation of Weslaco by the indicated deadline:

Economic Development Corporation of Weslaco
275 S. Kansas Ave, Suite A
Weslaco, Texas 78596

You may also forward an electronic copy of the completed report to:

weslacoedc@gmail.com

Please note, however, that if you do submit this form electronically, you must also submit an original hard copy of the report to the above stated physical address for proper filing and review by the indicated deadline.

For assistance call: (956) 969-0838



City of Weslaco Annual Tax Abatement Evaluation Report

Reporting Period: January 1, _____ to December 31, _____

I. PROJECT INFORMATION

Property Owner/ Applicant: _____

Company/Project Name: _____

Project Contact: _____ Title: _____

Telephone: _____ Fax: _____ E-mail: _____

Property Owner Address: _____

Company Address (if different): _____

Address of Property Subject to Abatement: _____

Has Construction/Installation of Planned Improvements Commenced? Yes ☐ No ☐

If Yes, on What Date? ____/____/____

If No, Please Explain.

Has Construction/Installation of Planned Improvements Been Completed? Yes ☐ No ☐

If Yes, on What Date? ____/____/____

If No, Please Estimate Completion Date *and* Attach a Current Time Schedule for the Project:

____/____/____ & _____

Date on Which *Certificate of Occupancy* was Received: ____/____/____

II. INVESTMENT / VALUATION

REAL PROPERTY

Current Year Appraised Value – Land: \$ _____

Current Year Appraised Value – Improvements: \$ _____

Construction Costs Incurred This Reporting Period: \$ _____

Appraised Value of Improvements Added This Period: \$ _____

III. PERSONAL PROPERTY

Current Year Appraised Value – Machinery, Equipment, and Other Business/Personal Property:

\$ _____

New Machinery and Equipment Costs Incurred During Period: \$ _____

Current Year Appraised Value Inventory and Supplies: \$ _____

Appraised Value of Machinery, Equipment, and Other Business/Personal Property Added This Period:

\$ _____

Percentage/Amount of Inventory Subject to Other Exemptions (i.e., Freeport/Foreign Trade Zone): _____%

IV. JOB CREATION / RETENTION

Total Current Employees at End of Reporting Period: Full-time: _____ Part-time: _____

Number of Current Employees Residing in the City of Weslaco: _____

Number of New Employees Added During Reporting Period: Full-time: _____ Part-time: _____

Number of New Employees Added Since Abatement Agreement: Full-time: _____ Part-time: _____

Annual Payroll During Reporting Period: \$ _____

Average Salary During Reporting Period: \$ _____

V. CONSTRUCTION / SUPPLIER / SERVICES CONTRACTS

CONSTRUCTION:

Construction Dollars Spent This Reporting Period: \$ _____

Percent Construction Dollars Spent With Hidalgo County Contractors: _____%

Number of Construction Related Jobs This Period: _____

Total Construction Payroll This Period: \$ _____

SUPPLIER / SERVICES:

Total Number Supplier/Services Contracts This Period: _____

Total Dollars Supplier/Services Contracts This Period: \$ _____

Percent Awarded to City of Weslaco Businesses: _____%

Percent Contract Dollars Awarded to City of Weslaco Businesses: _____%

VI. EMPLOYEE AND ENVIRONMENTAL FACTORS

Company Sponsored Health Care Benefits Are Available To (check all that apply):

Full-time ☐

Part-time ☐

No Employees ☐

Number of Employees Enrolled in Health Care Plan at End of Period: _____

Name of Health Care/Insurance Provider: _____

Average Percentage of Monthly Health Insurance Premiums Paid by Company: _____%

Average Monthly Employee Cost for Health Care Benefits: Individual: \$_____ Family: \$_____

List Other Company Benefits Provided (i.e., life insurance, pension plan, childcare, etc.):

VII. ADDITIONAL INFORMATION (TO BE ATTACHED)

- ☐ Copy of Personal Property List Rendered to the Hidalgo County Appraisal District
- ☐ Brief Narrative Highlighting The Progress And Status of the Project
- ☐ If Applicable, a Statement Addressing Any Failure to Meet Requirements of the Tax Abatement Agreement and a Plan for Rectification

VII. CERTIFICATION

I certify that, to the best of my knowledge and belief, the information and attachments provided herein are true and accurate and in compliance with the terms of the tax abatement agreement with Tarrant County.

Name of Certifying Officer

Title

Phone

Fax

Signature of Certifying Officer

Date

In order to remain eligible for the abatement of the City of Weslaco, you must submit a completed report to:

Economic Development Corporation of Weslaco
City of Weslaco Administrator's Office
275 Kansas Ave. Suite A
Weslaco, Texas 78596

You may also forward an electronic copy of the completed report to:

Weslacoedc@gmail.com

Please note that if you do submit this form electronically, you must also submit an original hard copy of the report to the above stated physical address for proper filing and review.

For assistance call: (956)969-0838



City of Weslaco Application for Tax Abatement/Reinvestment Zone

I. APPLICANT INFORMATION

Applicant/Property Owner: _____

Company/Project Name: _____

Mailing Address: _____

Telephone: _____ **Fax:** _____

Applicant's Representative for contact regarding abatement request:

Name and Title: _____

Mailing Address: _____

Telephone: _____ **Fax:** _____ **E-mail:** _____

II. PROJECT DESCRIPTION

Address and legal description of property to be considered for Tax Abatement/Reinvestment Zone:

Please attach a statement, fully explaining existing site and all proposed improvements and provide a complete detailed (line item). "Investment budget" will be needed for which the abatement is requested. Description of activities, products, or services produced and/or provided at project location

Current Assessed Value: Real Property: \$ _____ Personal Property: \$ _____

Estimated Start Date of Construction Site Improvements: ____/____/____

Estimated End Date of Construction Site Improvements: ____/____/____

Projected Date of Occupancy/Commencement of Operations at Project Site: ____/____/____

Please Indicate Dates for Phases if Applicable: _____

Location of Existing Company Facilities: _____

Requested level of Tax Abatement: _____ % of Eligible Property for _____ years.

Explain why Tax Abatement is Necessary for the Success of this Project. Include Business Pro-Formas or other Information to Substantiate your Request.

III. Projected Value of Improvements

Estimated Value of Real Property Improvements \$ _____

Estimated Value of Personal Property Improvements \$ _____

Will any Infrastructure Improvements (roads, drainage, etc.) be Requested of the City of Weslaco for this project? Yes ☐ No ☐

If Yes, Describe Requested Infrastructure Improvements: _____

Detail any Direct Benefits to City of Weslaco as a result of this Project (i.e., Inventory Tax, etc.):

IV. EMPLOYMENT IMPACT AT PROJECT LOCATION

A. NEW EMPLOYMENT

Projected Number of New Jobs Created as a Result of the Proposed Improvements:

Full-time: _____ Part-Time: _____

Provide Types of Jobs Created and Average Salary Levels:

Start Date and Annual Payroll of New Permanent Positions (if positions to be phased in, provide figures for each phase year):

Percentage of new jobs to be filled by City of Weslaco residents: _____ %

Number of employees transferring from other company locations: _____

B. CONSTRUCTION RELATED EMPLOYMENTS

Projected Number of Construction Related Jobs: _____ %

Estimated Total Construction Payroll: \$ _____

Commitment as to Percentage of Construction Dollars to be spent with Hidalgo County Contractors or Subcontractors: _____ %

C. CURRENT COMPANY/PROJECT LOCATION EMPLOYMENT

Current Number of Employees: _____ Full-time: _____ Part-time: _____

Average Annual Payroll: \$ _____

D. COMPANY SPONSORED HEALTH CARE BENEFITS ARE AVAILABLE

Full-time Employees ☐ **Part-time Employees** ☐ **Employee Dependents** ☐ **Not Available** ☐

Average Monthly Employee Cost for Health Care Benefits: Individual: \$ _____ Family: \$ _____

Other Employee Benefits Provided or Offered:

V. ENVIRONMENTAL IMPACT OF PROJECT

Indicate if development, construction, equipment, distribution methods, and/or operational processes may impact the environment in the following areas, attach detail if necessary:

Air Quality ☐ Water Quality ☐ Solid Waste Disposal ☐ Storm/Water Runoff ☐
Floodplain/Wetlands ☐ Noise levels ☐ Other (specify) ☐ _____

REQUIRED DOCUMENTATION (TO BE ATTACHED)

- ☐ Letter addressing Economic Qualifications and additional criteria for abatement, of the City of Weslaco Tax Abatement Policy
- ☐ Descriptive list and value of real and personal property improvements
- ☐ Plat/Map of Project Location
- ☐ Project Time Schedule
- ☐ Tax Certificate showing property taxes paid for most recent year

VI. CERTIFICATION

Upon receipt of a completed application, The City of Weslaco may require such financial and other information as may be deemed appropriate for evaluating the financial capacity and other factors of the applicant.

I, _____ certify the information contained in this application (including all attachments) to be true and correct to the best of my knowledge. I further certify that I have read the "City of Weslaco's Tax Abatement Policy" and agree to comply with the guidelines and criteria stated therein.

Signature

Title

Printed Name

Date

Return completed application and attachments to:
Economic Development Corporation of Weslaco
275 S. Kansas Ave. Suite A
Weslaco, Texas 78596

You may also forward an electronic copy of the completed report to:

weslacoedc@gmail.com

Please note that if you do submit this form electronically, you must also submit an original hard copy of the report to the above stated physical address for proper filing and review.

For assistance call: [\(956\)-969-0839](tel:956-969-0839)



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2020-3578	
From:			
Subject: Presentation and discussion on the Public Safety Building (Fire/Police) project. (Staffed by City Manager.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega		Created/Initiated	
Mike Perez		Final Approval	
City Manager Comments: Presentation only.			
Staff Recommendation:			
Attachments, if any:			
Responsibilities upon Approval:			



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4012
From:		
Subject: Presentation and discussion on the Pleasantview 11th Street drainage project. (Staffed by Engineering Department.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted:		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Alberto Aldana	Created/Initiated	
Alberto Aldana	Approved	
Mike Perez	Final Approval	
City Manager Comments: Presentation only.		
Staff Recommendation: Report only		
Attachments, if any: Weslaco Drainage Committe Presentation_FEB_16_2021		
Responsibilities upon Approval:		

February 16, 2021

**PLEASANTVIEW & 11TH STREET DRAINAGE
PROJECT NO. 6**



CITY OF WESLACO



**By:
SWG Engineering, LLC**

Construction Schedule

- **Construction**

- NTP given on Monday, October 12, 2020
- Commence Construction on October 19, 2020
- Original - Contract Construction Calendars Days: 150 days (March 11,2021)
- Revised - Contract Construction Calendars Days: 180 days (April 10,2021) (C.O. #4)
- Contract Charged Days: 62 days

- **Completed Sections as of November 2, 2020**

- Channel Excavation and Channel Berm Fill from Sta 10+00 to Sta 85+00

- **Sequence of Construction**

- 2- 8'x 4' Boxes (Projected February 22, 2021)
- Private Drive Crossing at Estero Llano Grande
- FM 1015 Crossing
- Mile 6 North Crossing
- Pleasantview Drive
- Private Ditch Crossing (Luis Reyes)

Channel Excavation



Channel Excavation



Channel Excavation



Channel Berm Fill



Channel Berm Fill



Channel Berm Fill



Channel Berm Fill



Channel Excavation North of 18th Street (Mile 6 North)



Channel Berm Fill North of 18th Street (Mile 6 North)



Channel Excavation South of 18th Street (Mile 6 North)



Channel Excavation South of 18th Street (Mile 6 North)



Channel Excavation



Channel Excavation



Channel Excavation West of Pleasantview Drive.



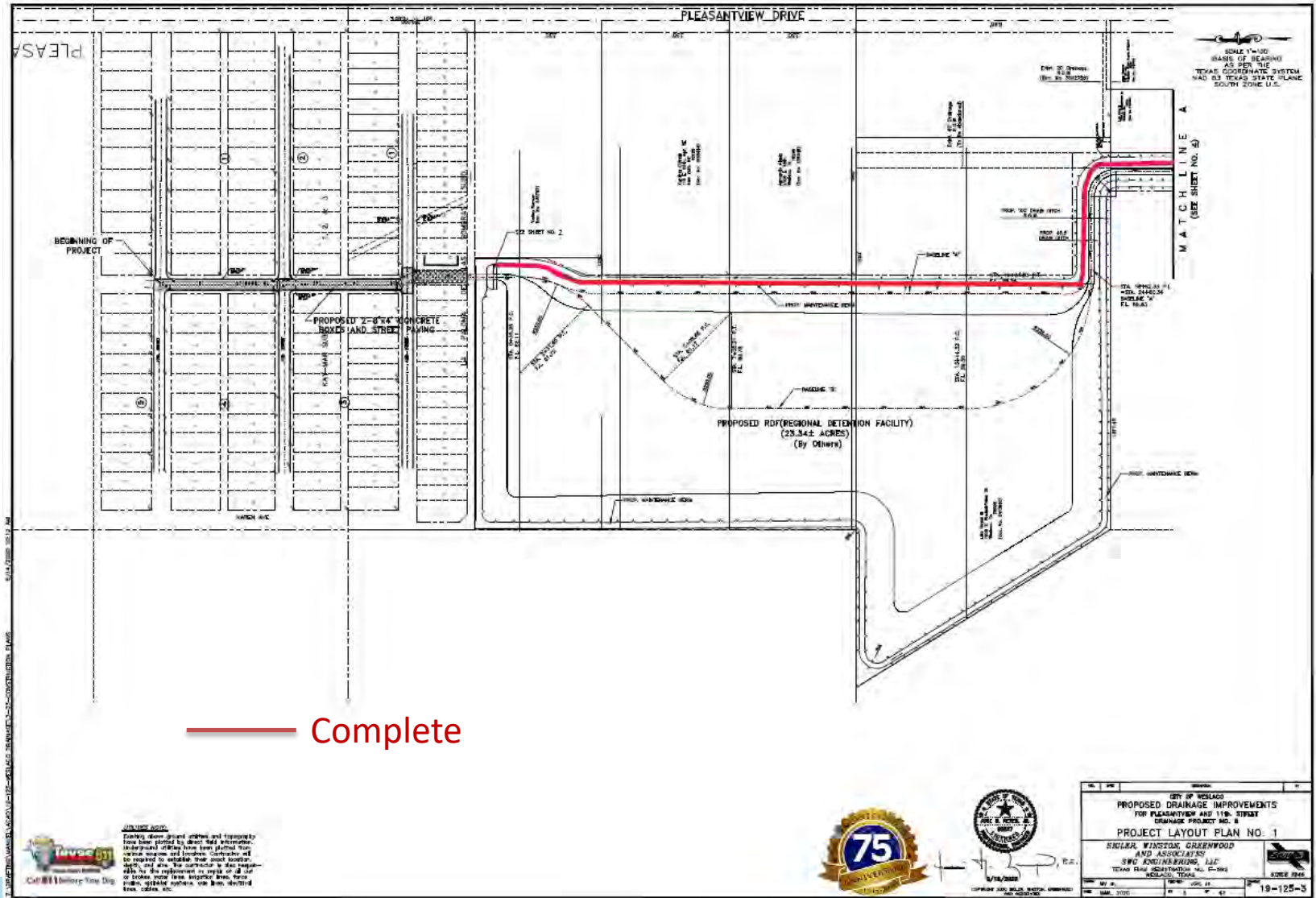
Channel Clearing East of Pleasantview Drive



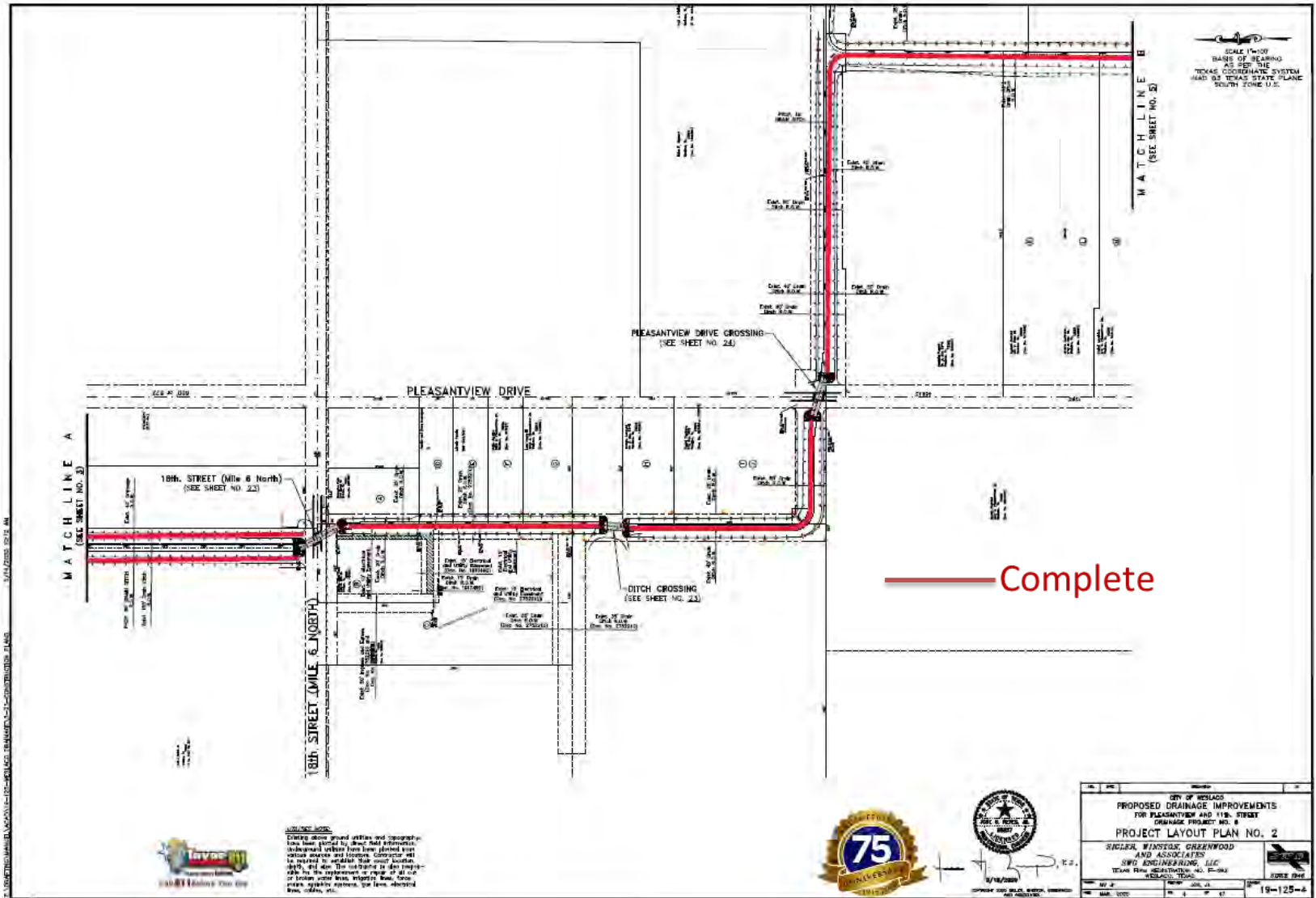
Channel Clearing East of Pleasantview Drive



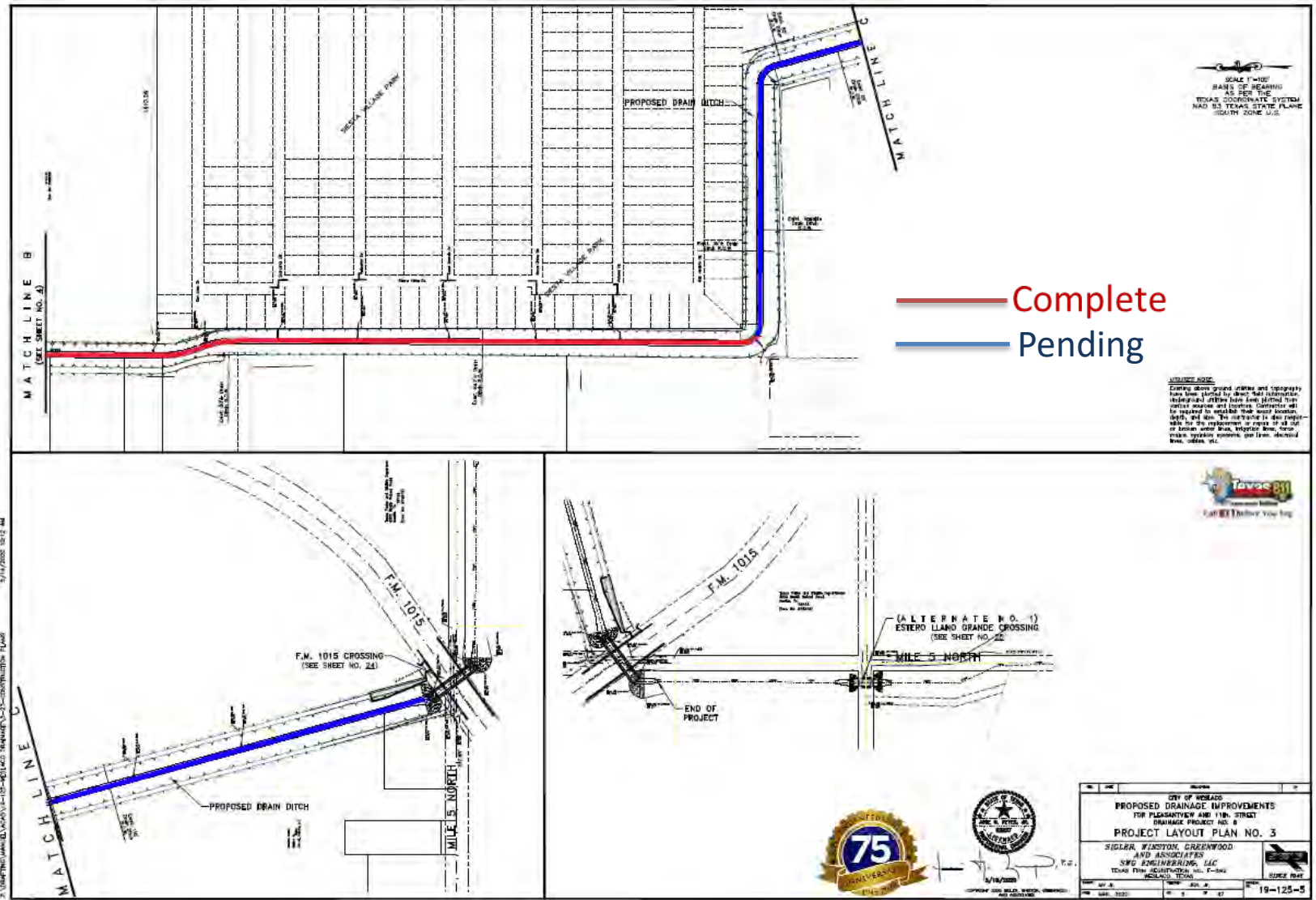
Project Layout



Project Layout



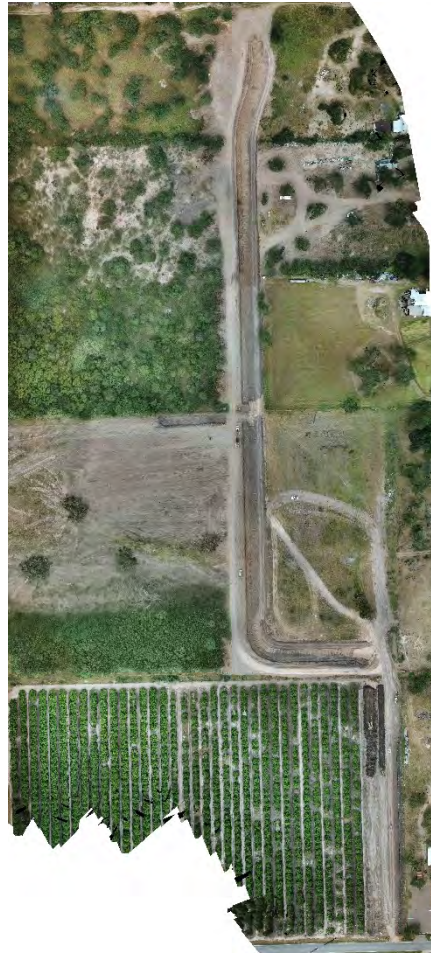
Project Layout



Project Aerial Layout



Project Aerial Layout





Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3995	
From: Rebekah De La Fuente			
Subject: Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. on Ordinance 2021-05 to rezone 3701 S. Westgate also being West Tract S330' & E440'-S495'-N990' Farm Tract 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-05. Possible action. (Staffed by Planning & Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-2 Duplex and apartment district to M-1 Mobile home subdivision district. Forty-one (41) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended denial of the rezone request based on surrounding land use at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Deny.			
Staff Recommendation: Staff recommends denial based on surrounding land use and 2040 land use map.			
Attachments, if any: Rezone- 3701 S Westgate- Memo, Zoning Notice Opinion, Petition Letter- planning department letter--mobile, Petition Letter against rezone-3000 Blk S Westgate, 3701 S			

WESTGATE-M-1 -ATTACHMENTS, 3701 S Westgate- aerial, O2021-05 rezone 3701 S Westgate

Responsibilities upon Approval:

Staff will advise applicant

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

MEMO

TO: Mayor and City Commission

FROM: Rebekah de la Fuente, Planning & Code Enforcement Director

RE: Rezone- 3701 S Westgate

DATE: February 9, 2021

The property owner is proposing to develop a RV Park at proposed location. The 2040 Future Land Use Map has identified for this area to remain a R-1 One Family Dwelling District. During the public hearing the following property owners spoke out against the item citing issues with traffic and the depreciation in the values of their homes should the rezone be approved given the proposed use.

- Hannah McCann 3809 Tierra Escondido
- Mark Russell 3802 Tierra Escondido

The Planning & Zoning Commission recommended denial based on the existing use of the surrounding properties stating the proposed use would not conform the surrounding neighborhood.

Thank you,

Rebekah de la Fuente, CFM



LAW OFFICE OF
JUAN E. GONZALEZ

3110 E. Bus. 83, Weslaco, Texas 78596
TEL: (956) 447-5585
Fax: (956) 447-8637
email: juanegonzalez@jeglaw.net

February 17, 2021

David Suarez
Mayor
City of Weslaco
Weslaco, Texas 78596

Re: Notice Requirements for City
Commission-Rezoning

Dear Mr. Suarez:

This opinion is being prepared pursuant to a request from your office concerning the notice requirements for a City Commission meeting for a rezoning hearing. In preparing this opinion I have reviewed our City Ordinance, City Charter, the Texas Local Government Code, case law, attorney general opinions and several academic articles.

Chapter 150 of the City of Weslaco Code of Ordinances controls changes and amendments to the boundaries of the districts. In addition, Section 211.006 of the Texas Local Government Code also controls such changes and amendments. The City ordinance must comply with the state statute and may actually be more stringent (but not less stringent) than the state statute.

Section 211.006 (a) of the Texas Local Government Code states that “before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.” Our City ordinance is a little more stringent and states in Chapter 150-20 (c) that “notice of such hearing shall be given by publication twice in the official publication of the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the first day of such publication.”

The regular City Commission meeting of February 16, 2021 was cancelled due to a weather related emergency. This agenda contained an item for a rezoning request. This meeting has now been reset for the week of February 22. The issue is whether the 15 day notice must be reposted and whether the Commission can conduct the public hearing and consider this item at the rescheduled meeting without restarting the clock on the 15 day notice required by state statute and our ordinance.

I was unable to find any case law or attorney general opinion directly on point and which dealt specifically with this issue. In this situation we must consider the plain meaning of the statute and the legislative body's intent as expressed by the language of the statute.

Ordinances are construed under the same rules of construction applicable to interpreting statutes. Bd. Of Adjustment of San Antonio v. Wende, 92 S.W. 3d 424, 430 (Tex. 2002). We must construe the statute's or ordinance's words according to their plain and common meaning unless a contrary intention is apparent from the context or unless such construction leads to absurd results. See Tex. Dept. of Transp. v. City of Sunset Valley, 146 S.W. 3d 637, 642 (Tex. 2004). The "party attacking the ordinance bears an 'extraordinary burden' to show 'that no conclusive or even controversial or issuable fact or condition existed' which would authorize the municipality's passage of the ordinance." City of Brookside Vill. 633 S.W. 2d at 792-93.

The language of our ordinance is very clear, notice must be given not earlier than 15 days before the hearing. In reviewing the remaining ordinance there is no other language or mention of this deadline. The statute is the same and lists no other provision. Based on the "plain and common meaning" of the ordinance and statute it is my opinion we do not have to wait another 15 days to hold the hearing. This position is also supported by the fact that both the City ordinance and state statute provide an opportunity to appeal the Commission's decision and the fact that any party attacking the ordinance bears an "extraordinary burden" to overturn a decision.

In an abundance of caution I agree with your position that the notice of the hearing should be reposted in the newspaper. However, based on my opinion above, this reposting does not require the City to wait fifteen days from said notice to conduct the hearing. Keep in mind that if twenty (20) percent of adjoining property owners protest the rezoning, the Commission must approve the amendment by a three fourths vote of the City Commission, not a three fourths vote of the Commissioners' present but three fourths of the total Commission.

If you have any questions or need additional information feel free to contact me at the address listed above.

Sincerely,

/s/ Juan E. Gonzalez

Juan E. Gonzalez

July 14, 2020

Rebekah De Le Fuente
Planning Director
City of Weslaco
255 S Kansas Ave
Weslaco, TX 78596

Dear Rebekah:

Thank you for speaking with me on the phone. I appreciate the time you took to explain to me the City Code on the project being proposed to sit adjacent to the Tierra Santa neighborhood. I would like to take this opportunity to express my views on the project.

I am a resident of the Tierra Santa community and have lived here since 2012. For the most part, I have enjoyed my time living in the community, meeting my neighbors, playing golf, and, for a while, serving on the Tierra Santa POA Board to make an attempt to make Tierra Santa the gem that it should be for the City of Weslaco.

Now, sadly, less than a year from my last letter of opposition to a project proposed by Mr. Reyna, I must approach you and the Zoning Committee again to ask you to take action to help preserve the Tierra Santa neighborhood and the Tierra Santa Golf Course as the destination features they should be for Weslaco!

My husband and I vehemently oppose this project. This is for the following reasons:

- 1) Allowing a Mobile Home community adjacent to the Tierra Santa Residential Community will cause residences within the community to incur a serious loss in home value and resale value. This will be particularly true for those living in the Tierra De Oro section of Tierra Santa which will share a boundary with the Mobile Home Community. We all purchased homes in Tierra Santa to partake of the increased security and common desire for a well-kept and pleasant neighborhood. We will now lose the secure, beautiful, and neighborly community we believed we were buying into and

it will be compounded when Mr. Reyna begins construction on his Event Center at the Golf Course. Tierra de Oro home values will plummet as we will be completely cut out of Tierra Santa and also completely bordered by a Mobile home park.

- 2) The traffic created by the Mobile Home Park will cause delays and unsafe situations for those living in the Mobile Home Park, the Tierra Santa community, and for customers of the Golf Course. People living in the Mobile Home Park, who will have to cross through the existing median, will create a "long line issue" for those seeking entrance to the Tierra Santa community when the gate is closed. In addition, other traffic issues will be created by increased presence of school buses and/or other large vehicles that would need access to service both the Mobile Home Park and/or Tierra Santa.
- 3) Finally, Mr. Reyna wants to increase the viability of his Golf Course by adding an Event Center. I do not see how placing a mobile home park at the entrance to what is supposed to be a destination for events such as weddings, Quince's, golf tournaments, a nice dinner out, etc. will encourage people to frequent Tierra Santa, never mind make a commitment to making their home there! It would be far more advantageous for him to rezone it to make more homes within the Tierra Santa community.

I am hoping the Weslaco Planning and Zoning Commission can see that these requests are very appropriate and will serve to protect Tierra Santa as a beautiful and desirable neighborhood and destination location for the City of Weslaco!

Thank you

Hannah B. McCann
David R. McCann
3809 Tierra Escondida
Weslaco, Texas 78596
956-998-8931

Rebekah M. De La Fuente

From: Mike Perez
Sent: Thursday, February 11, 2021 7:34 AM
To: Nelda Garcia
Cc: Rebekah M. De La Fuente
Subject: RE: Appealing of zoning

Ms. Garcia, we will share your email with the Mayor and City Commission relating to your concerns. I believe you know that staff is recommending against the rezoning. mike

From: Nelda Garcia <Nelda.Garcia@ideapublicschools.org>
Sent: Wednesday, February 10, 2021 2:13 PM
To: Mike Perez <mrperez@weslacotx.gov>
Cc: neldagg@yahoo.com
Subject: Appealing of zoning

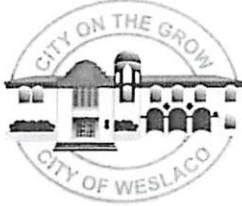
Good afternoon Mr. Perez. I am writing to you about my appeal fo the rezoning of our residential area. I attended and spoke in the meeting opposing the change for a multi-family living because Zeke Reyna wanted to make apartment complexes. I live on 3000 block of S. Westgate, in the entrance od Tierra Santa along with 5 other residents of which 4 of them have elderly retired adults who are related and able to visit one another by walking (assisted) to each others house. With the addition and annexation of Tierra Santa, the traffic and speed of the daily use is quite frightening. It doesn't seem to matter the opposition, the rezoning was passed. Well now, we received another notice of Zeke Reyna wanting to add a mobile home area, directly in front of Tierra Santa and there will also be a hearing. I know the "Notification of Impact" letter is necessary to seem that formal communication was made to surrounding area, but it seems they do not take the appeals into consideration. I even made an appeal to Hidalgo County for my taxes, since this will devaluate my property, with no avail. Now the addition of a mobile home park, again is frightening of the demographics of the owners and devaluation of my property. Is the purpose of the hearings just for repercussions of not conducting them? I know Zeke Reyna is a major influence in the growth of our city, but at what expense?

Thank you for your time with this matter.

Nelda Garcia
Operations Assistant | Headquarters RGV
956-373-1236 | Nelda.Garcia@ideapublicschools.org
Join IDEA's Team and Family: [Apply Today](#) | [Refer-A-Friend](#)
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[IDEA Public Schools](#) believes that each and every child can go to college. Since 2000, IDEA Public Schools has grown from a small school with 150 students to the fastest-growing network of tuition-free, Pre-K-12 public charter schools in the United States. Currently, the network serves 63,000 college-bound students in 120 schools across Texas and Louisiana. IDEA has been recognized as a "Great Place to Work" and received national rankings on The Washington Post and U.S. News & World Report's Top High Schools lists. IDEA remains on-track to uphold its legacy of sending 100% of its graduates to college.



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot West Tracts 330 & 440 - 5495 N 990 FT 795 15 AC Block GR 1477 AC Net

Subdivision Name _____

Street Address S. Westgate Dr. 3701 S Westgate Dr.

Existing Zoning R2-multi Existing Land Use _____

Proposed Zoning M1 Proposed Land Use _____

_____ \$305.00 non-refundable filing fee.

_____ Detailed dimensioned site plan/map must be submitted with this request.

_____ Survey and metes and bounds if the legal description is a portion of a lot.

_____ City and school tax receipts attached.

_____ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Ezequiel Reyna Jr. Phone (936) 968-2829

Address 702 W. Expressway 83 Fax: (936) 969-9634

City Weslaco State TX Zip Code 78599 E-Mail: Sonia.reynaprop@gmail.com

OWNER

Name Ezequiel Reyna Jr. Phone (936) 968-2829

Address 702 W. Expressway 83 Fax: (936) 969-9634

City Weslaco State TX Zip Code 78599 E-Mail: Sonia.reynaprop@gmail.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date 11/8/21
Owner

Signature _____ Date _____
Applicant

Signature _____ Date _____
Authorized Agent

Property Tax Balance

[Begin a New Search](#) [Go to Your Portfolio](#)

Shopping Cart: For your convenience you may pay several accounts at once if you pay by eCheck. Click the 'Pay by eCheck' button to add this account to the shopping cart. Additional accounts can be clicking 'Begin a New Search' or 'Find Another Account', then doing a search again and, for each account, clicking the 'Pay by eCheck Now' button. Up to 50 accounts may be paid at one time. Accounts are not saved in the shopping cart after you begin entering payment information.

Scheduling Payments: If you are paying by eCheck, you may choose to pay now or in the future. You may schedule one payment in the future or recurring payments. To do this, select 'Schedule E-Check Payment' after adding account(s) to the shopping cart.

Unless otherwise noted, all data refers to tax information for 2020. All amounts due include penalty, interest, and attorney fees when applicable.

Account Number: W380000795000080

Pending Credit Card or eCheck Payments:
No Payment Pending

Appraisal District Number: 327142

Pay by Credit Card

Address:
COTTONFIELDS LTD
702 W EXPRESSWAY 83 STE 100
WESLACO, TX 78599-4379

Credit/debit card payments will take 4-5 business days to post. A convenience fee will be added if you pay by credit card.

Property Site Address:
S WESTGATE DR

Pay by eCheck

Legal Description:
WEST TRACT S330' & E440'-S495'-N990' FT
795 15 AC GR 14.77 AC NET

(Pay single or multiple accounts by eCheck. Pay now or schedule future payments without a convenience fee.)

Current Tax Levy: \$2,645.39

Print Current Statement

Current Amount Due: \$0.00

Print Delinquent Statement

Prior Year Amount Due: \$0.00

[Register for Certified Statements by E-mail](#)

Total Amount Due: \$0.00

Gross Value: \$101,193

Last Payment Amount for Current Year Taxes:
\$2,645.39

Land Value: \$56,126

Last Payer for Current Year Taxes:
REYNA FAMILY DEVELOPMENT LTD

Improvement Value: \$45,067

Capped Value: \$0

Last Payment Date for Current Year Taxes:
12/14/2020

Agricultural Value: \$0

Active Lawsuits: None

Exemptions:
None

[Exemption and Tax Rate Information](#)

[Taxes Due Detail by Year and Jurisdiction](#)

[Payment Information](#)

[Print a Current Tax Statement](#)

[Click Here](#) to see your estimated amount due for a different date. You can see this information by year and by both year and jurisdiction.



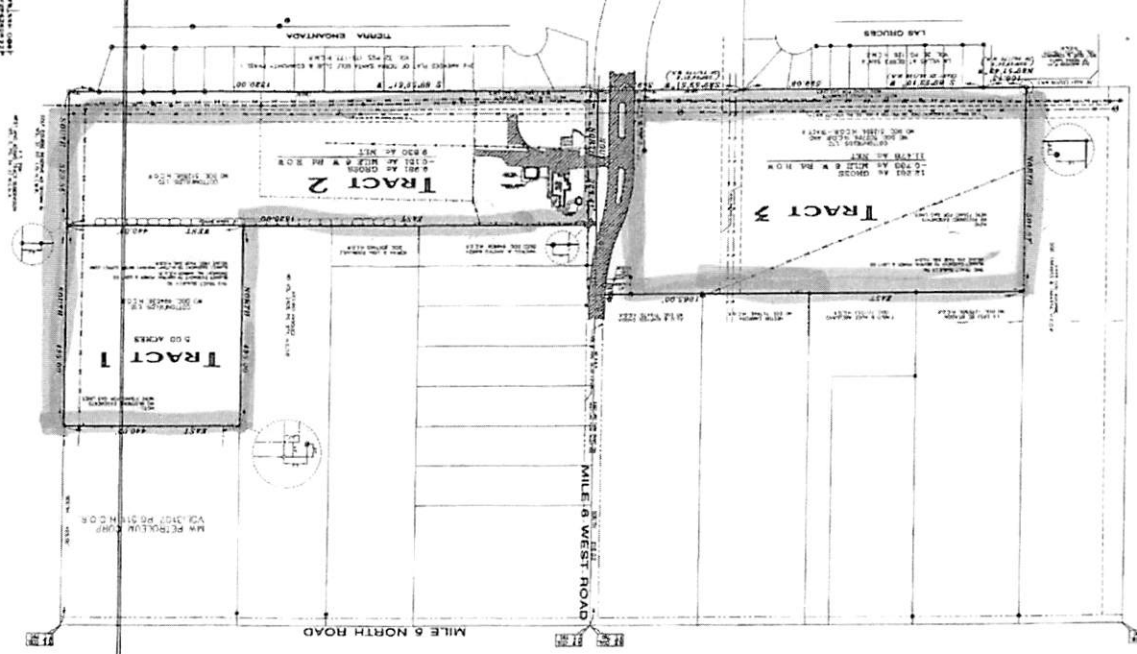
STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF WESTLACO
WEST & ADAMS TRACTS SUBDIVISION
VOLUME 2, PAGES 34-37 H.C.M.B.
CITY OF WESTLACO
OUT OF FARM TRACT 796
TRACT 3: BEING 12.261 ACRES
OUT OF FARM TRACT 796
TRACT 2: BEING 9.961 ACRES
OUT OF FARM TRACT 790
TRACT 1: BEING 5.00 ACRES
PLAT SHOWING

TRACT 1
TRACT 2
TRACT 3

07002.65

TRACT 1
TRACT 2
TRACT 3

TRACT 1
TRACT 2
TRACT 3



City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

January 22, 2021

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, February 3, 2021, and the City Commission will hold a public hearing on February 16, 2021 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue and via zoom to consider the following request:

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: +1 346 248 7799; Meeting ID: 832 0582 2197

Members of the public who wish to participate in Public Hearing on an agenda item must send their name, address and phone number via email to karevalo@weslacotx.gov by 12:00 pm on February 3, 2021. A staff member will contact you with instructions via phone call to address your public comment.

REZONE REQUEST:

Ezequiel Reyna Jr. is requesting to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, Hidalgo County, and Texas from R-2 Duplex and apartment district.to M-1 Mobile home subdivision district.

The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

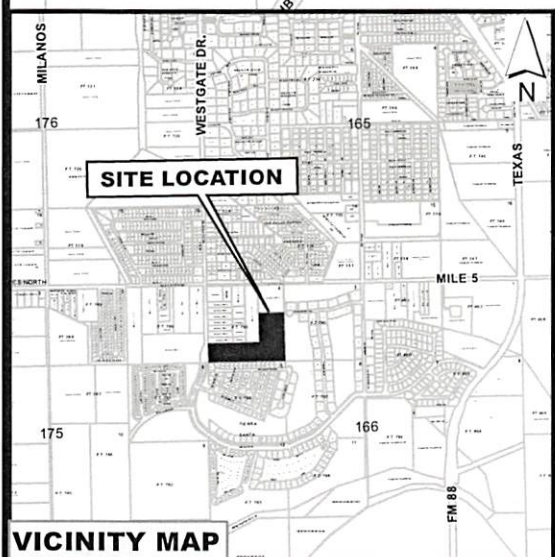
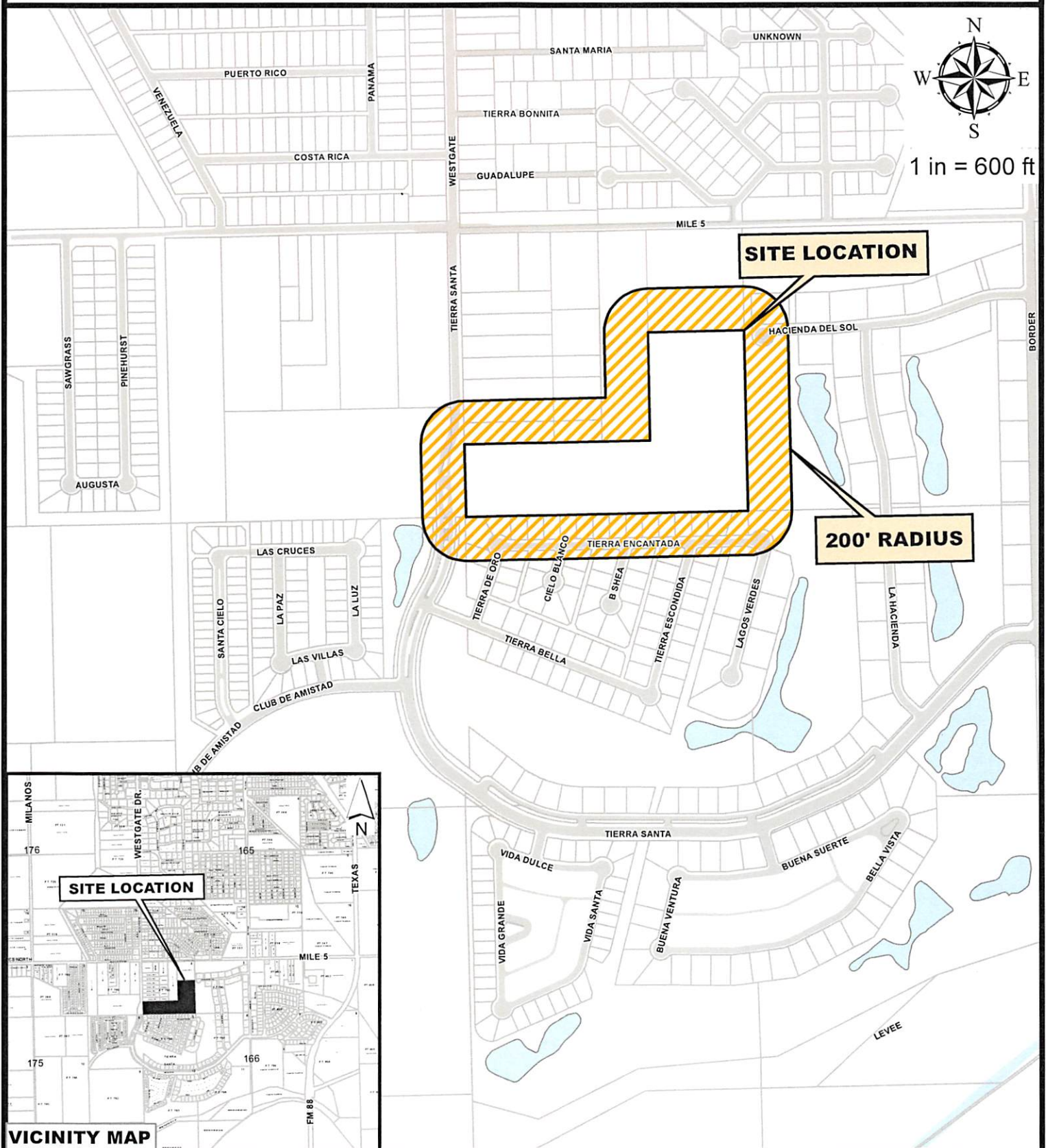
Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

Rebekah de la Fuente, CFM
Planning Director

CITY OF WESLACO

Engineering Department



Ezequiel Reyan Jr.

**3701 South Westgate Dr.
WEST TRACT S330' & E440'-S495'-N990'
FT 795 15 AC GR 14.77 AC NET
Block 66, F.T. 795**

Purpose for the Rezoning request

Existing zoning:	R-2
Existing land use:	Multifamily
Proposed zoning:	M-1
Proposed land use:	Mobile Home Subdivision



JAN 21, 2021

PIATER ERIC W 1310 TIERRA ENCANTADA WESLACO TX 78596-5869	T5438-01-003-0023-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 23 BLK 3 1310 TIERRA ENCANTADA	L: 30856 B: 203796
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0024-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 24 BLK 3 1314 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0025-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 25 BLK 3 1318 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0026-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 26 BLK 3 1402 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0027-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 27 BLK 3 1406 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0028-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 28 BLK 3 1410 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0029-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 29 BLK 3 1414 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0030-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 30 BLK 3 1502 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0031-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 31 BLK 3 1506 TIERRA ENCANTADA	L: 16748 B: 0
REYNA, EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	T5438-01-003-0032-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 32 BLK 3 1510 TIERRA ENCANTADA	L: 16748 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0033-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 33 BLK 3 1514 TIERRA ENCANTADA	L: 16748 B: 0
GONZALEZ SANTIAGO JR & LOIS 1307 S CLOSNER EDINBURG TX 78539-5665	T5438-01-003-0034-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 34 BLK 3 1518 TIERRA ENCANTADA	L: 16748 B: 0

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DK III CONSTRUCTION INC 704 W EXPRESSWAY 83 STE 100 WESLACO TX 78599	T5438-01-003-0035-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 35 BLK 3 1522 TIERRA ENCANTADA	L: 16748 B: 163085
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0036-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 36 BLK 3 1602 TIERRA ENCANTADA	L: 19411 B: 0
HANDY MODESTO & PRISCILLA K 3802 TIERRA DE ORO WESLACO TX 78596-8551	T5438-01-003-0037-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 37 BLK 3 3802 TIERRA DE ORO	L: 37206 B: 231924
REYNA EZEQUIEL JR 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0038-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 38 BLK 3 3806 TIERRA DE ORO	L: 17665 B: 0
SOLIS PEDRO OSCAR JR & MARTHA A 3810 TIERRA DE ORO WESLACO TX 78596-8551	T5438-01-003-0039-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 39 BLK 3 3810 TIERRA DE ORO	L: 31552 B: 213376
CASTILLO, ISMAEL PO BOX 861 PROGRESO TX 78579-0861	T5438-01-003-0065-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 65 BLK 3 3836 CIELO BLANCO	L: 27718 B: 0
PERALES JULIO 808 E 27TH ST WESLACO TX 78596-8105	T5438-01-003-0071-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 71 BLK 3 3802 CIELO BLANCO	L: 28246 B: 0
MILAN WHERTER CRUZ & MARIA N 501 N BRIDGE ST PMB 402 HIDALGO TX 78557-2530	T5438-01-003-0072-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 72 BLK 3 3805 TIERRA DE ORO	L: 25978 B: 0
PHARR LEASING GROUP LLC 1543 DUSTY CANYON HENDERSON NV 89052-3161	T5438-01-005-0001-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 1 BLK 5 3802 LAGOS VERDES	L: 59366 B: 0
DAY LAWRENCE 1543 DUSTY CANYON ST HENDERSON NV 89052-3161	T5438-01-005-0009-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 9 BLK 5 3834 LAGOS VERDES	L: 70079 B: 0
NEW YORK LIFE INSURANCE & 1661 WORTHINGTON RD SUITE 100 WEST PALM BEACH FL 33409-6493	T5438-01-005-0010-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 10 BLK 5 1210 HACIENDA DEL SOL	L: 71230 B: 502518
MCCANN DAVID R & HANNAH B 3809 TIERRA ESCONDIDA WESLACO TX 78596-3789	T5438-02-003-0022-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 2 LOT 22 BLK 3 3809 TIERRA ESCONDIDO	L: 25471 B: 190219

City of Weslaco Code Enforcement Dept.

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WESLACO ISD PO BOX 2916 MCALLEN TX 78502-2916	T5438-02-003-0055-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 2 LOT 55 BLK 3 3810 TIERRA ESCONDIDO	L: 23742 B: 0
NEGRETE MIGUEL A 1601 W BUSINESS 83 STE B WESLACO TX 78596-5503	T5438-02-003-0056-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 2 LOT 56 BLK 3 3830 B SHEA	L: 31923 B: 0
JONES JEFFERY A & DIANA 3800 B SHEA WESLACO TX 78596-9519	T5438-02-003-0064-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 2 LOT 64 BLK 3 3800 B SHEA	L: 32381 B: 198848
GARCIA JULIO & MARYSOL 3402 S WESTGATE DR WESLACO TX 78596-4480	W3800-00-790-0000-03 WEST TRACT E266'-N818.03' FT 790 5.01AC GR 4.52AC NET 3402 S WESTGATE DR	L: 60907 B: 99754
COTTONFIELDS, LTD 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-790-0000-05 WEST TRACT E1065'-S501.97' FT 79 0 12.27 AC GR 11.92 AC NET 3700 S WESTGATE DR	L: 0 B: 0
REYNA, EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-791-0000-00 WEST TRACT 15.67AC BNG 2 IRR TRS FT 791 GOLF COURSE	L: 124106 B: 569416
REYNA, EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-794-0000-00 WEST TRACT 11.89AC-FT 794 GOLF C OURSE 0 TIERRA SANTA BLVD	L: 56501 B: 33000
MENA OSCAR JR & MELISSA 3611 S WESTGATE DR WESLACO, TX 78596	W3800-00-795-0000-08 WEST TRACT W440'-S99'-N891' FT 7 95 1AC GR 0.93AC NET 3611 S WESTGATE DR	L: 27555 B: 0
LOPEZ MELECIO 1005 MARITZA ST WESLACO TX 78596-2078	W3800-00-795-0000-24 WEST TRACT W440'-S99'-N792' FT 7 95 1AC GR 0.93AC NET 3609 S WESTGATE DR	L: 27555 B: 0
GARZA AMERICO & ARISTEO 3621 S WESTGATE DR WESLACO TX 78596-9479	W3800-00-795-0000-56 WEST TRACT W440'-S99'-N990' FT 7 95 1AC GR 0.93AC NET 3621 S WESTGATE	L: 27555 B: 8388
VASQUEZ ARTURO & FRANCES RR 2 BOX 523A WESLACO TX 78596	W3800-00-795-0000-72 WEST TRACT W220'-E660'-N990' FT 795 5.0AC GR 4.85AC NET 0 MILE 5 NORTH	L: 0 B: 108
SANCHEZ OLGA RR 7 BOX 152F WESLACO TX 78596	W3800-00-795-0000-75 WEST TRACT E220'-W660'-S210.50'- N594' FT 795 1.06AC 0 MILE 5 NORTH	L: 10070 B: 19793

JAN 21, 2021

COTTONFIELDS, LTD	W3800-00-795-0000-80	L: 23750
702 W EXPRESSWAY 83 STE 100	WEST TRACT S330' & E440'-S495'-N	B: 72106
WESLACO TX 78596-4379	990' FT 795 15 AC GR 14.77 AC NE	
	0 S WESTGATE DR	
MW PETROLEUM CORP	W3800-00-795-0000-96	L: 104420
2000 POST OAK BLVD STE 100	WEST TRACT E440'-N495' FT 795 5.	B: 3300
HOUSTON TX 77056-4497	0AC GR 4.70AC NET	
	1301 W MI 5 N RD	
RODRIGUEZ ADRIAN & LIDIA	W3800-00-795-0000-97	L: 20145
1421 W MILE 5 N	WEST TRACT E200'-W660'-S96'-N990	B: 12711
WESLACO TX 78596-4697	' FT 795 0.44AC NET	
	1421 W 34TH ST	
REYNA, EZEQUIEL JR & LIVIA	W3800-00-796-0000-00	L: 151487
702 W EXPRESSWAY 83 STE 100	WEST TRACT 22.87AC GOLF COURSE F	B: 33000
WESLACO TX 78596-4379	T 796 22.87AC GR 22.78AC NET	
	0 MILE 5 NORTH RD	
REYNA, EZEQUIEL JR & LIVIA	W3800-00-797-0000-05	L: 78624
702 W EXPRESSWAY 83 STE 100	WEST TRACT 18.20AC-FT 797 GOLF C	B: 35000
WESLACO TX 78596-4379	OURSE	
	0 BORDER AVE	

Rezone Request

R-2 to M-1

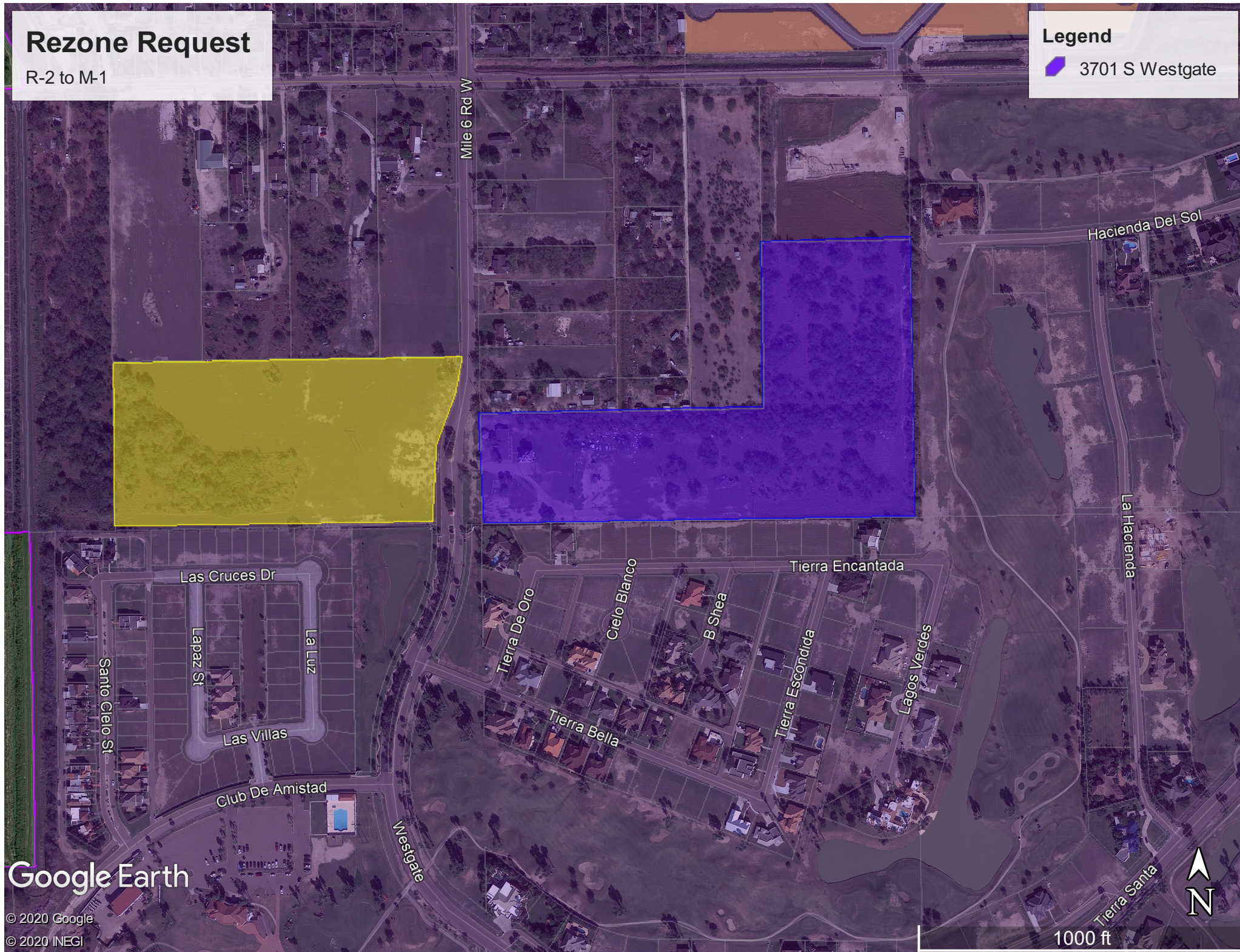
Legend

 3701 S Westgate

Google Earth

© 2020 Google
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1000 ft



ORDINANCE NO. 2021-05

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3701 S. WESTGATE. ALSO BEING WEST TRACT S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, WESLACO HIDALGO COUNTY, FROM R-2 DUPLEX AND APARTMENT DISTRICT. TO M-1 MOBILE HOME SUBDIVISION DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from an R-2 Duplex and apartment district.to M-1 Mobile home subdivision district located at 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 2nd day of March 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2021.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3996	
From: Rebekah De La Fuente			
Subject: Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. on Ordinance 2021-06 to rezone 3702 S. Westgate also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Weslaco, Hidalgo County, Texas from R-2 Duplex and apartment district to M-1 Mobile home subdivision district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-06. Possible action. (Staffed by Planning & Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-2 Duplex and apartment district to M-1 Mobile home subdivision district. Forty (40) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the rezone request based on surrounding land use at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Deny.			
Staff Recommendation: Staff recommends denial based on surrounding land use and 2040 land use map.			
Attachments, if any: Rezone- 3702 S Westgate- Memo, Zoning Notice Opinion, 3702 S WESTGATE M-1- ATTACHMENTS, 3702 S Westgate- aerial, O2021-06 rezone 3702 S Westgate-			

Responsibilities upon Approval:

Staff will advise applicant

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

MEMO

TO: Mayor and City Commission

FROM: Rebekah de la Fuente, Planning & Code Enforcement Director

RE: Rezone- 3701 S Westgate

DATE: February 9, 2021

The property owner is proposing to develop a RV Park at proposed location. The 2040 Future Land Use Map has identified for this area to remain a R-1 One Family Dwelling District.

The Planning & Zoning Commission recommended denial based on the existing use of the surrounding properties stating the proposed use would not conform the surrounding neighborhood.

Thank you,

Rebekah de la Fuente, CFM



LAW OFFICE OF
JUAN E. GONZALEZ

3110 E. Bus. 83, Weslaco, Texas 78596
TEL: (956) 447-5585
Fax: (956) 447-8637
email: juanegonzalez@jeglaw.net

February 17, 2021

David Suarez
Mayor
City of Weslaco
Weslaco, Texas 78596

Re: Notice Requirements for City
Commission-Rezoning

Dear Mr. Suarez:

This opinion is being prepared pursuant to a request from your office concerning the notice requirements for a City Commission meeting for a rezoning hearing. In preparing this opinion I have reviewed our City Ordinance, City Charter, the Texas Local Government Code, case law, attorney general opinions and several academic articles.

Chapter 150 of the City of Weslaco Code of Ordinances controls changes and amendments to the boundaries of the districts. In addition, Section 211.006 of the Texas Local Government Code also controls such changes and amendments. The City ordinance must comply with the state statute and may actually be more stringent (but not less stringent) than the state statute.

Section 211.006 (a) of the Texas Local Government Code states that “before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.” Our City ordinance is a little more stringent and states in Chapter 150-20 (c) that “notice of such hearing shall be given by publication twice in the official publication of the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the first day of such publication.”

The regular City Commission meeting of February 16, 2021 was cancelled due to a weather related emergency. This agenda contained an item for a rezoning request. This meeting has now been reset for the week of February 22. The issue is whether the 15 day notice must be reposted and whether the Commission can conduct the public hearing and consider this item at the rescheduled meeting without restarting the clock on the 15 day notice required by state statute and our ordinance.

I was unable to find any case law or attorney general opinion directly on point and which dealt specifically with this issue. In this situation we must consider the plain meaning of the statute and the legislative body's intent as expressed by the language of the statute.

Ordinances are construed under the same rules of construction applicable to interpreting statutes. Bd. Of Adjustment of San Antonio v. Wende, 92 S.W. 3d 424, 430 (Tex. 2002). We must construe the statute's or ordinance's words according to their plain and common meaning unless a contrary intention is apparent from the context or unless such construction leads to absurd results. See Tex. Dept. of Transp. v. City of Sunset Valley, 146 S.W. 3d 637, 642 (Tex. 2004). The "party attacking the ordinance bears an 'extraordinary burden' to show 'that no conclusive or even controversial or issuable fact or condition existed' which would authorize the municipality's passage of the ordinance." City of Brookside Vill. 633 S.W. 2d at 792-93.

The language of our ordinance is very clear, notice must be given not earlier than 15 days before the hearing. In reviewing the remaining ordinance there is no other language or mention of this deadline. The statute is the same and lists no other provision. Based on the "plain and common meaning" of the ordinance and statute it is my opinion we do not have to wait another 15 days to hold the hearing. This position is also supported by the fact that both the City ordinance and state statute provide an opportunity to appeal the Commission's decision and the fact that any party attacking the ordinance bears an "extraordinary burden" to overturn a decision.

In an abundance of caution I agree with your position that the notice of the hearing should be reposted in the newspaper. However, based on my opinion above, this reposting does not require the City to wait fifteen days from said notice to conduct the hearing. Keep in mind that if twenty (20) percent of adjoining property owners protest the rezoning, the Commission must approve the amendment by a three fourths vote of the City Commission, not a three fourths vote of the Commissioners' present but three fourths of the total Commission.

If you have any questions or need additional information feel free to contact me at the address listed above.

Sincerely,

/s/ Juan E. Gonzalez

Juan E. Gonzalez



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot West Tract E1065-S501.97FTT9012.27AC GR Block 11.92AC Net

Subdivision Name _____

Street Address Westgate Dr. 3702 S Westgate.

Existing Zoning R-2 multi Existing Land Use _____

Proposed Zoning M-1 Proposed Land Use _____

_____ \$305.00 non-refundable filing fee.

_____ Detailed dimensioned site plan/map must be submitted with this request.

_____ Survey and metes and bounds if the legal description is a portion of a lot.

_____ City and school tax receipts attached.

_____ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Ezequiel Reyna Jr. Phone (956) 968-2829

Address 702 W. Expressway 83 Fax: (956) 964-9634

City Weslaco State TX Zip Code 78599 E-Mail: Sonia.reynaprop@gmail.com

OWNER

Name Ezequiel Reyna Jr. Phone (956) 968-2829

Address 702 W. Expressway 83 Fax: (956) 964-9634

City Weslaco State TX Zip Code 78599 E-Mail: Sonia.reynaprop@gmail.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date 1/8/21

Owner

Signature _____ Date _____

Applicant

Signature _____ Date _____

Authorized Agent

Property Tax Balance

[Begin a New Search](#) [Go to Your Portfolio](#)

Shopping Cart: For your convenience you may pay several accounts at once if you pay by eCheck. Click the 'Pay by eCheck' button to add this account to the shopping cart. Additional accounts can be clicking 'Begin a New Search' or 'Find Another Account', then doing a search again and, for each account, clicking the 'Pay by eCheck Now' button. Up to 50 accounts may be paid at one time. Accounts are not saved in the shopping cart after you begin entering payment information.

Scheduling Payments: If you are paying by eCheck, you may choose to pay now or in the future. You may schedule one payment in the future or recurring payments. To do this, select 'Schedule E-Check Payment' after adding account(s) to the shopping cart.

Unless otherwise noted, all data refers to tax information for 2020. All amounts due include penalty, interest, and attorney fees when applicable.

Account Number: W380000790000005

Pending Credit Card or eCheck Payments:
No Payment Pending

Appraisal District Number: 503955

Pay by Credit Card

Address:
COTTONFIELDS LTD
702 W EXPRESSWAY 83 STE 100
WESLACO, TX 78599-4379

Credit/debit card payments will take 4-5 business days to post. A convenience fee will be added if you pay by credit card.

Property Site Address:
WESTGATE DR

Pay by eCheck

Legal Description:
WEST TRACT E1065'-S501.97' FT 790 12.27
AC GR 11.92 AC NET

(Pay single or multiple accounts by eCheck. Pay now or schedule future payments without a convenience fee.)

Current Tax Levy: \$125.58

Print Current Statement

Current Amount Due: \$125.58

Print Delinquent Statement

Prior Year Amount Due: \$0.00

[Register for Certified Statements by E-mail](#)

Total Amount Due: \$125.58

Gross Value: \$113,240

Last Payment Amount for Current Year Taxes:
Not Received

Land Value: \$113,240

Last Payer for Current Year Taxes:
Not Received

Improvement Value: \$0

Last Payment Date for Current Year Taxes:
Not Received

Capped Value: \$0

Agricultural Value: \$4,804

Active Lawsuits: None

Exemptions:
None

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[Payment Information](#)

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Taxes Due Detail by Year[Begin a New Search](#) [Go to Your Portfolio](#)[Return to the Previous Page](#) [Taxes Due by Jurisdiction](#)**Taxes Due as of** Fri Jan 08 12:56:28 CST 2021**Account No.:** W380000790000005**Appr. Dist. No.:** 503955**Active Lawsuits** None

* Additional Collection Costs

Year	Base Tax Due	IF PAID BY February 1, 2021		IF PAID BY March 1, 2021		IF PAID BY March 31, 2021	
		Penalty, Interest, and ACC*	Total Due	Penalty, Interest, and ACC*	Total Due	Penalty, Interest, and ACC*	Total Due
2020	\$125.58	\$0.00	\$125.58	\$8.80	\$134.38	\$11.30	\$136.88
Total Amount Due:	\$125.58	\$0.00	\$125.58	\$8.80	\$134.38	\$11.30	\$136.88

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HIDALGO COUNTY TAX OFFICE
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157
You may also [e-mail](#) the office.

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City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

January 22, 2021

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, February 3, 2021, and the City Commission will hold a public hearing on February 16, 2021 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue and via zoom to consider the following request:

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: +1 346 248 7799; Meeting ID: 832 0582 2197

Members of the public who wish to participate in Public Hearing on an agenda item must send their name, address and phone number via email to karevalo@weslacotx.gov by 12:00 pm on February 3, 2021. A staff member will contact you with instructions via phone call to address your public comment.

REZONE REQUEST:

Ezequiel Reyna Jr. is requesting to rezone 3702 S. Westgate. Also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Hidalgo County, and Texas from R-2 Duplex and apartment district. to M-1 Mobile home subdivision district.

The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

Rebekah de la Fuente, CFM
Planning Director



JAN 21, 2021

LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0016-00 LAS VILLAS AT TIERRA SANTA LOT 1 6 BLK 2 0 LA PAZ	L: 10759 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0017-00 LAS VILLAS AT TIERRA SANTA LOT 1 7 BLK 2 0 LAS CRUCES	L: 11297 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0018-00 LAS VILLAS AT TIERRA SANTA LOT 1 8 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0019-00 LAS VILLAS AT TIERRA SANTA LOT 1 9 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0020-00 LAS VILLAS AT TIERRA SANTA LOT 2 0 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0021-00 LAS VILLAS AT TIERRA SANTA LOT 2 1 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0022-00 LAS VILLAS AT TIERRA SANTA LOT 2 2 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0023-00 LAS VILLAS AT TIERRA SANTA LOT 2 3 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0024-00 LAS VILLAS AT TIERRA SANTA LOT 2 4 BLK 2 0 LAS CRUCES	L: 10018 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0025-00 LAS VILLAS AT TIERRA SANTA LOT 2 5 BLK 2 0 LAS CRUCES	L: 10209 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0026-00 LAS VILLAS AT TIERRA SANTA LOT 2 6 BLK 2 0 LAS CRUCES	L: 9683 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0027-00 LAS VILLAS AT TIERRA SANTA LOT 2 7 BLK 2 0 LAS CRUCES	L: 12080 B: 0

JAN 21, 2021

LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0028-00 LAS VILLAS AT TIERRA SANTA LOT 2 8 BLK 2 0 LA LUZ	L: 12497 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0029-00 LAS VILLAS AT TIERRA SANTA LOT 2 9 BLK 2 0 LA LUZ	L: 7716 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0030-00 LAS VILLAS AT TIERRA SANTA LOT 3 0 BLK 2 0 LA LUZ	L: 9703 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0050-00 LAS VILLAS AT TIERRA SANTA LOT 5 0 BLK 2 0 LA LUZ	L: 12180 B: 0
LAS VILLAS AT TIERRA SANTA 5221 N MCCOLL RD MCALLEN TX 78504-2202	L3394-00-002-0051-00 LAS VILLAS AT TIERRA SANTA LOT 5 1 BLK 2 0 LA PAZ	L: 12180 B: 0
HANDY MODESTO & PRISCILLA K 3802 TIERRA DE ORO WESLACO TX 78596-8551	T5438-01-003-0037-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 37 BLK 3 3802 TIERRA DE ORO	L: 37206 B: 231924
REYNA EZEQUIEL JR 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599-4379	T5438-01-003-0038-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 38 BLK 3 3806 TIERRA DE ORO	L: 17665 B: 0
RAMIREZ ANA LIZA 20003 MASON CREEK DR KATY TX 77449-2203	T5438-01-02A-0018-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 18 BLK 2A 3806 SANTO CIELO	L: 11078 B: 127955
ORTEGON JAY R 2018 LAS CRUCES AVE WESLACO TX 78596-8513	T5438-01-02A-0019-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 19 BLK 2A 2018 LAS CRUCES AVE	L: 16626 B: 118328
GONZALEZ MARISELA 2014 LAS CRUCES ST WESLACO TX 78596	T5438-01-02A-0020-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 20 BLK 2A 2014 LAS CRUCES AVE	L: 18627 B: 101001
GONZALEZ MARIA N 306 LAKEWAY DR WESLACO TX 78596-1865	T5438-01-02A-0021-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 21 & 22 BLK 2A 2010 LAS CRUCES AVE	L: 14616 B: 0
REYNA EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78599	T5438-01-02A-0022-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 22 BLK 2A 2006 LAS CRUCES AVE	L: 7308 B: 0

JAN 21, 2021

BREMONT ALICIA LIZETH J 1901 CLUB DE AMISTAD WESLACO TX 78596-8576	T5438-01-02A-0023-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 23 BLK 2A 2002 LAS CRUCES AVE	L: 10513 B: 0
ARAUJO JUAN M GANTE 1601 TRAILER LN LOT 121 IRONDALE AL 35210	T5438-01-02A-0024-00 TIERRA SANTA GOLF CLB & COMMUNIT Y PH 1 LOT 24 BLK 2A 3805 SANTO CIELO	L: 12725 B: 0
MORENO HECTOR MANUEL SOBRON 313 E COMA AVE STE 579 HIDALGO TX 78557-2506	W3800-00-790-0000-00 WEST TRACT W 255' FT 790 7.73 GR 7.61AC NET 2029 W MI 5 N RD	L: 72295 B: 0
CABRERA FRANCISCO 1725 MILE 5 NORTH WESLACO TX 78596	W3800-00-790-0000-01 WEST TRACT W266'-E532'-N818.03'- FT 790 5.00AC GR 4.88AC NET 0 MILE 5 NORTH	L: 65758 B: 49340
LA CASA DE ORACION 1917 W MILE 5 N WESLACO TX 78596-5057	W3800-00-790-0000-02 WEST TRACT W267'-E1065'-N818.03' FT 790 5.01AC GR 4.89AC NET 1919 W MI 5 N RD	L: 108641 B: 0
GARCIA JULIO & MARYSOL 3402 S WESTGATE DR WESLACO TX 78596-4480	W3800-00-790-0000-03 WEST TRACT E266'-N818.03' FT 790 5.01AC GR 4.52AC NET 3402 S WESTGATE DR	L: 60907 B: 99754
COTTONFIELDS, LTD 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-790-0000-05 WEST TRACT E1065'-S501.97' FT 79 0 12.27 AC GR 11.92 AC NET 3700 S WESTGATE DR	L: 0 B: 0
ABELDANO PABLO & ALICE 1801 W MILE 5 N WESLACO TX 78596-9518	W3800-00-790-0000-09 WEST TRACT W266'-E798'-S204.5'-N 818.03' & W60'-E592'-N613.5' FT 1801 W MILE 5 RD	L: 44381 B: 32989
CARRIZALES RAYMUNDO 1805 W MILE 5 N WESLACO TX 78596-9518	W3800-00-790-0000-10 WEST TRACT W206'-E798'-S204.5'-N 613.5' & W60'-E652'-N613.5' FT 7 1805 W MILE 5 RD	L: 40379 B: 81332
REYNA, EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-791-0000-00 WEST TRACT 15.67AC BNG 2 IRR TRS FT 791 GOLF COURSE	L: 124106 B: 569416
REYNA, EZEQUIEL JR & LIVIA 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-794-0000-00 WEST TRACT 11.89AC-FT 794 GOLF C OURSE 0 TIERRA SANTA BLVD	L: 56501 B: 33000
MENA OSCAR JR & MELISSA 3611 S WESTGATE DR WESLACO, TX 78596	W3800-00-795-0000-08 WEST TRACT W440'-S99'-N891' FT 7 95 1AC GR 0.93AC NET 3611 S WESTGATE DR	L: 27555 B: 0

JAN 21, 2021

GARCIA ISMAEL & NELDA G 3605 S WESTGATE DR WESLACO TX 78596-9479	W3800-00-795-0000-16 WEST TRACT W440'-S99'-N693' FT 7 95 1AC GR 0.93AC NET 0 S WESTGATE DR	L: 27555 B: 83144
LOPEZ MELECIO 1005 MARITZA ST WESLACO TX 78596-2078	W3800-00-795-0000-24 WEST TRACT W440'-S99'-N792' FT 7 95 1AC GR 0.93AC NET 3609 S WESTGATE DR	L: 27555 B: 0
GARZA AMERICO & ARISTEO 3621 S WESTGATE DR WESLACO TX 78596-9479	W3800-00-795-0000-56 WEST TRACT W440'-S99'-N990' FT 7 95 1AC GR 0.93AC NET 3621 S WESTGATE	L: 27555 B: 8388
COTTONFIELDS, LTD 702 W EXPRESSWAY 83 STE 100 WESLACO TX 78596-4379	W3800-00-795-0000-80 WEST TRACT S330' & E440'-S495'-N 990' FT 795 15 AC GR 14.77 AC NE 0 S WESTGATE DR	L: 23750 B: 72106

Rezone Request

R-2 to M-1

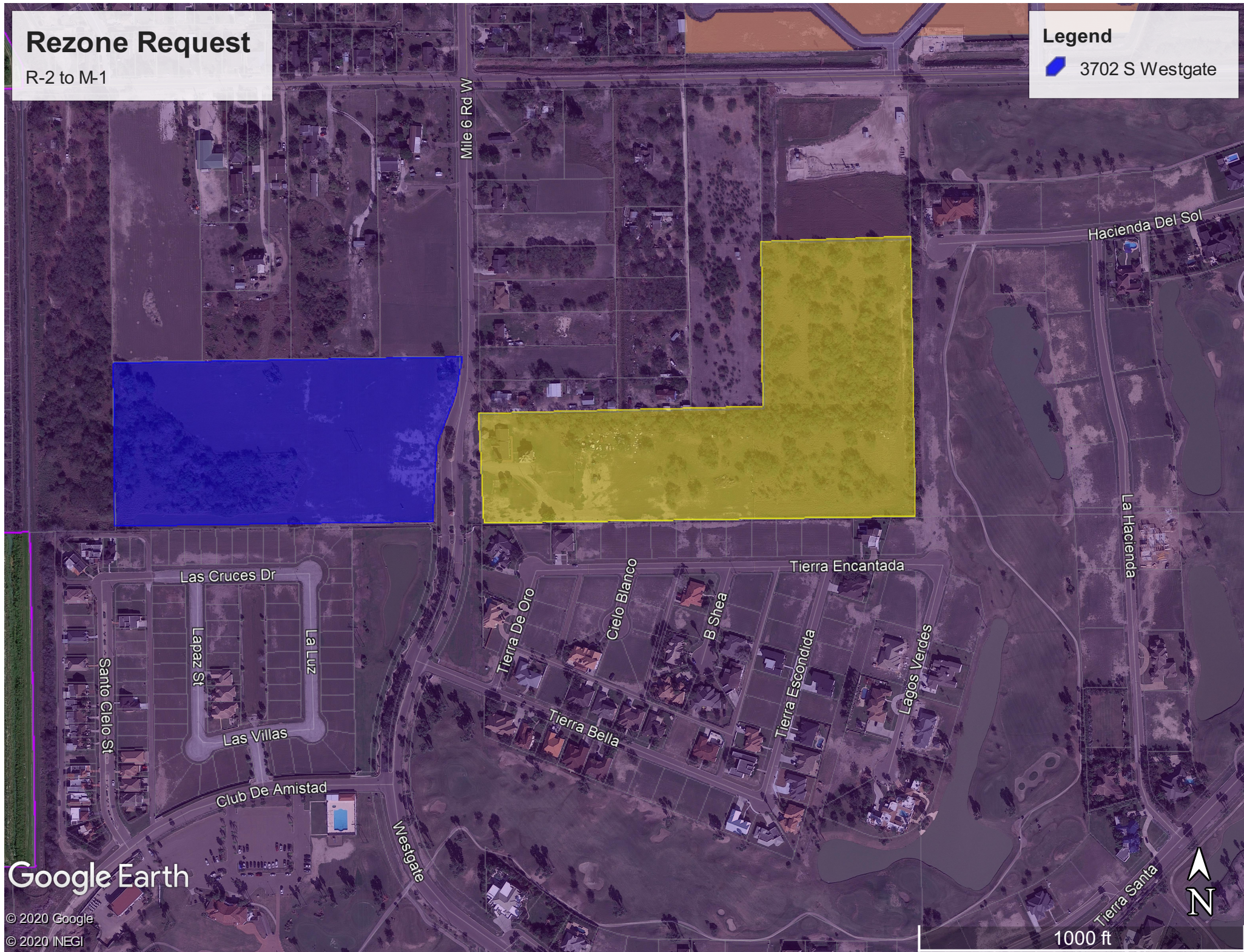
Legend

 3702 S Westgate

Google Earth

© 2020 Google
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1000 ft



ORDINANCE NO. 2021-06

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3702 S. WESTGATE. ALSO BEING WEST TRACT E1065'-S501.97' FARM TRACT 790 BEING 12.27 AC GR 11.92 AC NET, WESLACO HIDALGO COUNTY, FROM R-2 DUPLEX AND APARTMENT DISTRICT TO M-1 MOBILE HOME SUBDIVISION DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from an R-2 Duplex and apartment district to M-1 Mobile home subdivision district located at 3702 S. Westgate. Also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET, Weslaco, Hidalgo County, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 2nd day of March 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2021.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3998	
From: Rebekah De La Fuente			
Subject: Discussion and consideration after public hearing on behalf of Rush Transportation L.L.C on Ordinance 2021-07 to rezone 703 & 705 W. 6th St. also being lot 24 & 25, Block 4, Glendale Addition, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-07. Possible action. (Staffed by Planning & Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling to R-2 Duplex and apartment district. Thirty (30) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the public hearing for the Planning and Zoning Commission and the City Commission appeared in The Monitor on January 18, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the rezone request based on existing apartments and commercial properties within the area at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval based on surrounding land use.			
Attachments, if any: Rezone- 703&705 W 6th- Memo, Zoning Notice Opinion, 703 & 705 W 6th st- attachment, 703 & 705 W 6th- aerial, O2021-07 rezone 703 &705 W 6th St			

Responsibilities upon Approval:

Staff will advise applicant

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

MEMO

TO: Mayor and City Commission

FROM: Rebekah de la Fuente, Planning & Code Enforcement Director

RE: Rezone- 703 & 705 W 6th Street

DATE: February 9, 2021

The property owner is proposing to develop apartments at the proposed location. Based on the total square footage of the lot size the property owner would be allowed a maximum of seven (7) units and must be able to accommodate on-premise parking. The 2040 Future Land Use Map has identified for this area to remain a R-1 One Family Dwelling District. However, there are several existing businesses and apartments along 6th Street and within the area.

The Planning & Zoning Commission recommended approval based on the existing use of the surrounding properties.

Thank you,

Rebekah de la Fuente, CFM



LAW OFFICE OF
JUAN E. GONZALEZ

3110 E. Bus. 83, Weslaco, Texas 78596
TEL: (956) 447-5585
Fax: (956) 447-8637
email: juanegonzalez@jeglaw.net

February 17, 2021

David Suarez
Mayor
City of Weslaco
Weslaco, Texas 78596

Re: Notice Requirements for City
Commission-Rezoning

Dear Mr. Suarez:

This opinion is being prepared pursuant to a request from your office concerning the notice requirements for a City Commission meeting for a rezoning hearing. In preparing this opinion I have reviewed our City Ordinance, City Charter, the Texas Local Government Code, case law, attorney general opinions and several academic articles.

Chapter 150 of the City of Weslaco Code of Ordinances controls changes and amendments to the boundaries of the districts. In addition, Section 211.006 of the Texas Local Government Code also controls such changes and amendments. The City ordinance must comply with the state statute and may actually be more stringent (but not less stringent) than the state statute.

Section 211.006 (a) of the Texas Local Government Code states that “before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.” Our City ordinance is a little more stringent and states in Chapter 150-20 (c) that “notice of such hearing shall be given by publication twice in the official publication of the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the first day of such publication.”

The regular City Commission meeting of February 16, 2021 was cancelled due to a weather related emergency. This agenda contained an item for a rezoning request. This meeting has now been reset for the week of February 22. The issue is whether the 15 day notice must be reposted and whether the Commission can conduct the public hearing and consider this item at the rescheduled meeting without restarting the clock on the 15 day notice required by state statute and our ordinance.

I was unable to find any case law or attorney general opinion directly on point and which dealt specifically with this issue. In this situation we must consider the plain meaning of the statute and the legislative body's intent as expressed by the language of the statute.

Ordinances are construed under the same rules of construction applicable to interpreting statutes. Bd. Of Adjustment of San Antonio v. Wende, 92 S.W. 3d 424, 430 (Tex. 2002). We must construe the statute's or ordinance's words according to their plain and common meaning unless a contrary intention is apparent from the context or unless such construction leads to absurd results. See Tex. Dept. of Transp. v. City of Sunset Valley, 146 S.W. 3d 637, 642 (Tex. 2004). The "party attacking the ordinance bears an 'extraordinary burden' to show 'that no conclusive or even controversial or issuable fact or condition existed' which would authorize the municipality's passage of the ordinance." City of Brookside Vill. 633 S.W. 2d at 792-93.

The language of our ordinance is very clear, notice must be given not earlier than 15 days before the hearing. In reviewing the remaining ordinance there is no other language or mention of this deadline. The statute is the same and lists no other provision. Based on the "plain and common meaning" of the ordinance and statute it is my opinion we do not have to wait another 15 days to hold the hearing. This position is also supported by the fact that both the City ordinance and state statute provide an opportunity to appeal the Commission's decision and the fact that any party attacking the ordinance bears an "extraordinary burden" to overturn a decision.

In an abundance of caution I agree with your position that the notice of the hearing should be reposted in the newspaper. However, based on my opinion above, this reposting does not require the City to wait fifteen days from said notice to conduct the hearing. Keep in mind that if twenty (20) percent of adjoining property owners protest the rezoning, the Commission must approve the amendment by a three fourths vote of the City Commission, not a three fourths vote of the Commissioners' present but three fourths of the total Commission.

If you have any questions or need additional information feel free to contact me at the address listed above.

Sincerely,

/s/ Juan E. Gonzalez

Juan E. Gonzalez



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot 24 & 25 Block 4

Subdivision Name Glendale Addition

Street Address 703 & 705 W 6th St.

Existing Zoning R 1 Single Family Existing Land Use R 1

Proposed Zoning R 2 Multi Family Proposed Land Use R 2

- ☒ \$305.00 non-refundable filing fee.
- ☒ Detailed dimensioned site plan/map must be submitted with this request.
- ☒ Survey and metes and bounds if the legal description is a portion of a lot.
- ☒ City and school tax receipts attached.
- ☒ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Rush Transportation L.L.C.
Ricardo Robles Phone Please Email

Address 1008 E. Pecan Blvd. Fax: N.A.

City McAllen State Tx Zip Code 78501 E-Mail: roblesrick44@yahoo.com

OWNER

Name Rush Transportation L.L.C. Phone Please Email

Address 1008 E. Pecan Blvd. Fax: N.A.

City McAllen State Tx Zip Code 78501 E-Mail: roblesrick44@yahoo.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature] Date 1/10/21
Owner

Signature _____ Date _____
Applicant

Signature _____ Date _____
Authorized Agent

2020 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:

RUSH TRANSPORTATION LLC
315 N SHARY RD STE 1040
MISSION, TX 78572-8223

Legal Description:

GLENDALDE ADDITION LOTS 24 & 25 BLK 4

Account No: G4100-00-004-0024-00

Appr. Dist. No.: 179523

Legal Acres: .2984

Parcel Address: 705 & 703 W 6TH ST

As of Date: 01/13/2021

Print Date: 01/13/2021

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$40,313	\$12,000	\$52,313	\$52,313	\$0	\$0	\$0	\$52,313

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
HIDALGO COUNTY	\$52,313		\$0.00	\$52,313	0.5750000	\$300.80
DRAINAGE DIST #1	\$52,313		\$0.00	\$52,313	0.1026000	\$53.67
CITY OF WESLACO	\$52,313		\$0.00	\$52,313	0.6967000	\$364.46
WESLACO ISD	\$52,313		\$0.00	\$52,313	1.0189000	\$533.02
SOUTH TEXAS ISD	\$52,313		\$0.00	\$52,313	0.0492000	\$25.74
SOUTH TEXAS COLLEGE	\$52,313		\$0.00	\$52,313	0.1718000	\$89.87

Total Tax: \$1,367.56

Total Tax Paid to date: \$1,367.56

Total Tax Remaining: \$0.00

Exemptions:

AMOUNT DUE IF PAID BY:

02/01/2021 0%	03/01/2021 7%	03/31/2021 9%	04/30/2021 11%	05/31/2021 13%	06/30/2021 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
08/02/2021 18 + up to 15%	08/31/2021 19 + up to 15%	09/30/2021 20 + up to 15%	11/01/2021 21 + up to 15%	11/30/2021 22 + up to 15%	12/31/2021 23 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2020 M&O .99890000 I&S .02000000 Total 1.0189000 2019 M&O 1.0487000 I&S .02000000 Total 1.0687000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.69



Print Date: 01/13/2021

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



G4100-00-004-0024-00

RUSH TRANSPORTATION LLC
315 N SHARY RD STE 1040
MISSION, TX 78572-8223

AMOUNT PAID:

\$ _____

00001795230000000000

Payment Result

[Begin a New Search](#) [Go to Your Portfolio](#)

Your payment was submitted to the tax office and will be submitted for approval to your financial institution. Please print this page for your records.

If you would like to search for other accounts please click the "New Search" button.

New Search

PROPERTY PAYMENT INFORMATION

[G410000004002400](#)
RUSH TRANSPORTATION LLC
315 N SHARY RD STE 1040
MISSION, TX 78572-8223

Apply payment to year: 2020
Payment Amount: \$1,367.56

PAYMENT SUMMARY

Reference ID: 3314253
Payment Method: E-Check
Total Payment Amount: \$1,367.56

BANK ACCOUNT INFORMATION

Routing Number: 114917623
Checking Account Number: ...2133

CONTACT INFORMATION

Name: Rush Transportation L.L.C.
Address: 1008 E Pecan Blvd Suite 526
City: McAllen
State: TX
Zip Code: 78501

E-Mail Address: robesrick44@yahoo.com
Phone Number: (956) 968-7622

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HIDALGO COUNTY TAX OFFICE
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157
You may also [e-mail](#) the office.

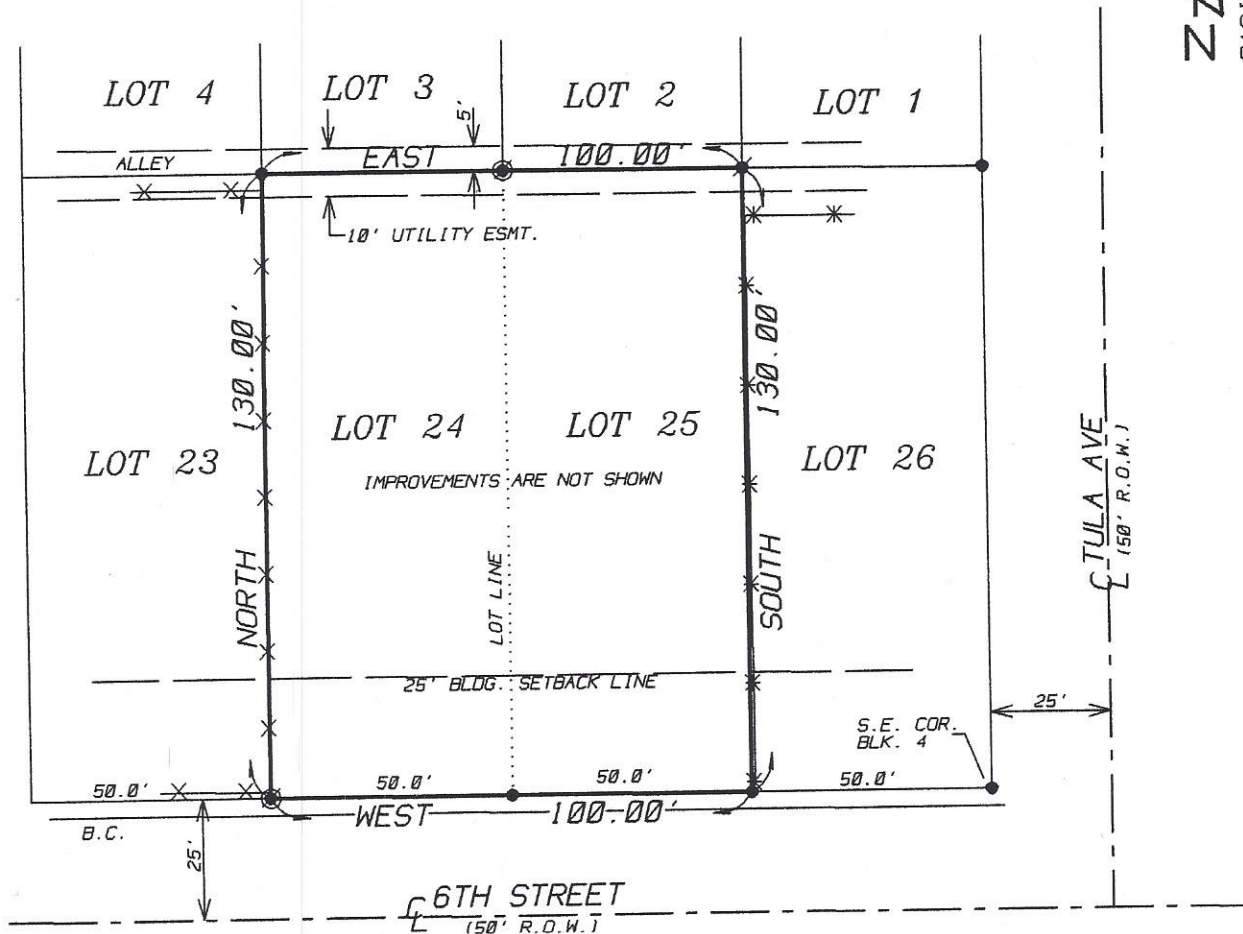
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LEGEND

- Found 1/2" iron rod
- ✱ Found 1/2" iron rod with a plastic cap stamped "PENA"
- ✱ Chainlink fence
- ✱ Hogwire fence
- ⊙ Found 1/2" iron pipe

27

BASIS OF BEARINGS:
1/2" I.R. FND. AT
S.E. COR. LOT 26 &
1/2" I.P. FND. AT
S.W. COR. LOT 24



SURVEY PLAT OF
LOTS 24 AND 25, BLOCK 4
GLENDALE ADDITION
AN ADDITION TO THE CITY OF WESLACO
HIDALGO COUNTY, TEXAS
PER MAP RECORDED IN VOLUME 5, PAGE 3, H.C.M.R.

I, REYNALDO ROBLES, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A SURVEY AS MADE ON THE GROUND UNDER MY SUPERVISION, THAT IT REPRESENTS THE FACTS FOUND ON THE GROUND AT THE TIME OF SURVEY AND THAT THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN AND BY GRAPHIC PLOTTING ONLY THIS PROPERTY LIES IN FLOOD ZONE "B" (AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS ONE FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASEFLOOD) OF FIRM COMMUNITY PANEL No. 480349 0005 B, DATED MARCH 4, 1988.

PROPERTY ADDRESS: 703 AND 705 6TH ST.
WESLACO, TX 78596

PREPARED FOR: RICK ROBLES

RA ROBLES AND ASSOCIATES, PLLC

PROFESSIONAL LAND SURVEYORS

P.O. BOX 476
107 W. HUISACHE ST.
WESLACO, TEXAS 78596

PHONE (956) 968-2422
FAX (956) 968-2011
FIRM No. 10096700

SURVEYED: 08-05-2020

DRAWN BY: PG/08-06-2020

SCALE: 1"=40'

JOB No. 20486

TITLE COMMITMENT No.

REVISED:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL EMBOSSED SEAL OF SURVEYOR OF RECORD.

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REYNALDO ROBLES, R.P.L.S. #4032

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

January 22, 2021

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, February 3, 2021, and the City Commission will hold a public hearing on February 16, 2021 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue and via zoom to consider the following request:

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: +1 346 248 7799; Meeting ID: 832 0582 2197

Members of the public who wish to participate in Public Hearing on an agenda item must send their name, address and phone number via email to karevalo@weslacotx.gov by 12:00 pm on February 3, 2021. A staff member will contact you with instructions via phone call to address your public comment.

REZONE REQUEST:

Rush Transportation L.L.C. is requesting to rezone 703 & 705 W. 6th St. Also being lot 24 & 25, Block 4, Glendale Addition, Hidalgo County, and Texas from R-1 One-family dwelling to R-2 Duplex and apartment district.

The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

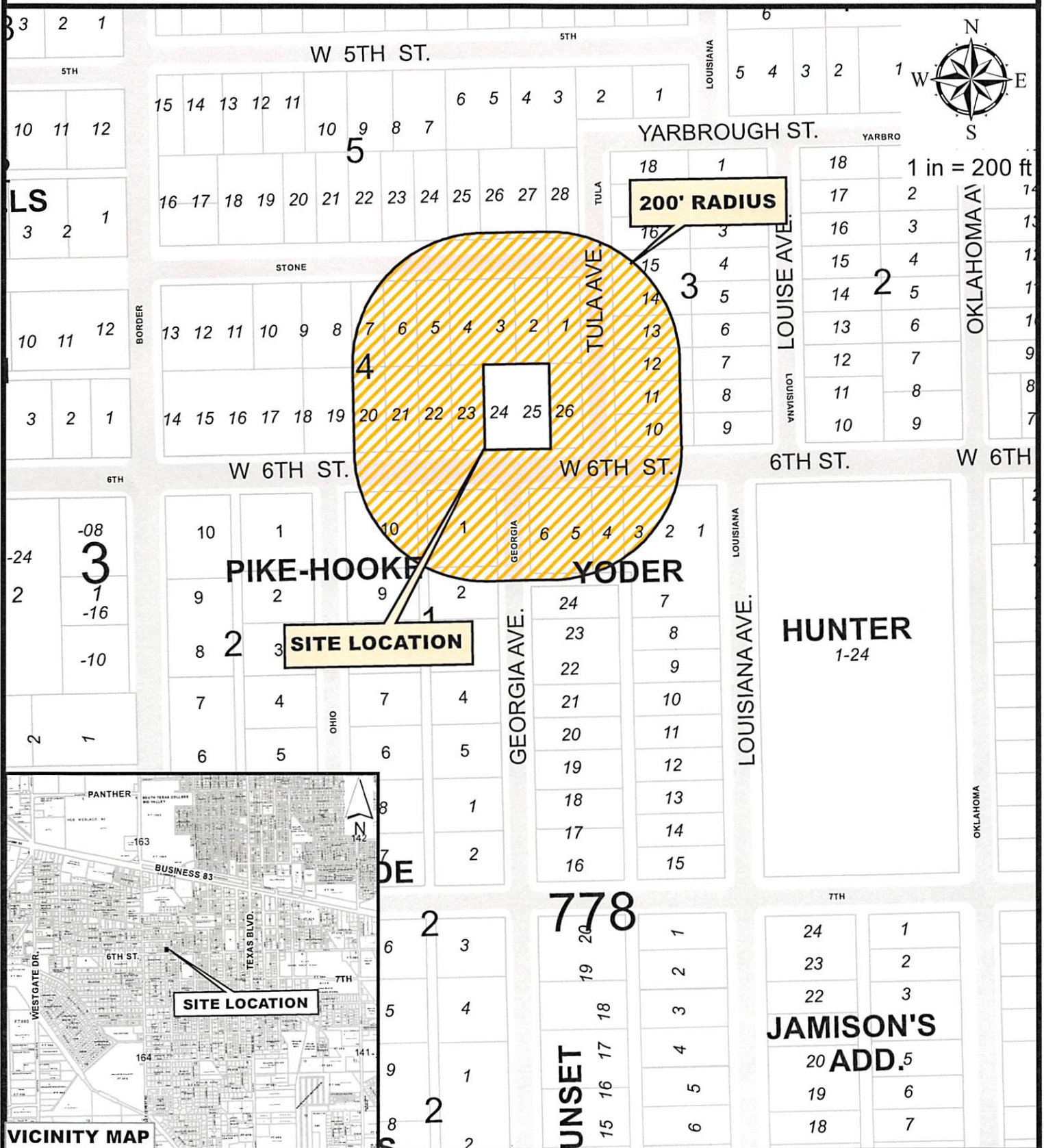
Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

Rebekah de la Fuente, CFM
Planning Director

CITY OF WESLACO

Engineering Department



JAN 21, 2021

SUMMY, KENNETH R & LAURA A 501 W 15TH ST WESLACO TX 78596-7433	G4100-00-003-0010-00 GLENDALE LOT 10 BLK 3 608 6TH ST	L: 18600 B: 19568
SALINAS, FORTINA V 515 TULA AVE WESLACO TX 78596-5833	G4100-00-003-0011-00 GLENDALE LOT 11 BLK 3 515 TULA AVE	L: 18600 B: 12938
GRIMALDO SOSTENES & DORA V 513 TULA AVE WESLACO TX 78596-5833	G4100-00-003-0012-00 GLENDALE LOT 12 BLK 3 513 TULA AVE	L: 18600 B: 9076
JIMENEZ, ALEX 511 TULA AVE WESLACO TX 78596-5833	G4100-00-003-0013-00 GLENDALE LOT 13 BLK 3 511 TULA AVE	L: 18600 B: 20900
ORTIZ, RENE, JR 509 TULA AVE WESLACO TX 78596-5833	G4100-00-003-0014-00 GLENDALE LTS 14-15 BLK 3 509 TULA AVE	L: 35400 B: 76971
LOPEZ RUBY 2236 W MILE 13 1/2 N WESLACO TX 78599-9290	G4100-00-003-0016-00 GLENDALE LOT 16 BLK 3 505 TULA AVE	L: 18600 B: 34079
CRUZ ELENA 608 N HUTTO RD DONNA TX 78537-9020	G4100-00-004-0001-00 GLENDALE LTS 1-2 BLK 4 701 STONE ST	L: 38350 B: 19066
RIOS, ENRIQUE & ELENA 707 STONE ST WESLACO TX 78596-5831	G4100-00-004-0003-05 GLENDALE LOT 3 BLK 4	L: 20800 B: 10766
RIOS, ENRIQUE & ELENA 707 STONE ST WESLACO TX 78596-5831	G4100-00-004-0004-00 GLENDALE LOT 4 BLK 4 & LOT 3 707 STONE ST	L: 38350 B: 40729
HINOJOSA EDEN & BERTA A 709 STONE ST WESLACO TX 78596-5831	G4100-00-004-0005-00 GLENDALE LT 5 BLK 4 709 STONE ST	L: 17329 B: 15417
RAMOS SYLVIA & CAMILO JR 711 STONE ST WESLACO TX 78596-5831	G4100-00-004-0006-00 GLENDALE LT 6 BLK 4 711 STONE ST	L: 20150 B: 15381
VELA ADAN 713 STONE ST WESLACO TX 78596-5831	G4100-00-004-0007-00 GLENDALE LOT 7 BLK 4 713 STONE ST	L: 20150 B: 30925

JAN 21, 2021

YBARRA MANAEN & ARTURO DE 715 STONE ST WESLACO TX 78596-5831	G4100-00-004-0008-00 GLENDALE LTS 8 & E 1/2 LOT 9 BLK 4 715 STONE ST	L: 30225 B: 35741
MARTINEZ, ARMANDO L & ANNA PO BOX 1769 WESLACO TX 78599-1769	G4100-00-004-0019-00 GLENDALE LTS E 12 1/2-19 ALL 20 BLK 4 805 W 6TH	L: 26000 B: 17428
TREVINO RUPERTO LOPEZ PO BOX 669 LA BLANCA TX 78558-0669	G4100-00-004-0021-00 GLENDALE LT 21 BLK 4 803 W 6TH ST	L: 20150 B: 17725
GALLEGOS DAGOBERTO & HILDA E 801 W 6TH ST WESLACO TX 78596-5807	G4100-00-004-0022-00 GLENDALE LOT 22 BLK 4 801 W 6TH ST	L: 20150 B: 13487
RODRIGUEZ, BEATRICE 707 W 6TH WESLACO TX 78596-5805	G4100-00-004-0023-00 GLENDALE LT 23 BLK 4 707 W 6TH ST	L: 20150 B: 21034
RUSH TRANSPORTATION LLC 315 N SHARY RD STE 1040 MISSION TX 78572-8223	G4100-00-004-0024-00 GLENDALE LTS 24,25 BLK 4 705 W 6TH ST	L: 38350 B: 12439
ROBLES REYNALDO & ALMA D PO BOX 476 WESLACO TX 78599-0476	G4100-00-004-0026-00 GLENDALE LOT 26 BLK 4 700 W 6TH ST	L: 20150 B: 9822
MARTINEZ, ALFREDO & GRACIE 708 STONE ST WESLACO TX 78596-5832	G4100-00-005-0024-00 GLENDALE LOT 24 BLK 5	L: 21313 B: 77142
RODRIGUEZ MARIA ELIZABETH 706 STONE ST WESLACO TX 78596-5832	G4100-00-005-0025-00 GLENDALE LT 25 BLK 5 706 STONE ST	L: 21313 B: 28999
CITY OF WESLACO 255 S KANSAS AVE WESLACO TX 78596-6158	G4100-00-005-0026-00 GLENDALE LOTS 26 & 27 BLK 5 0 STONE ST	L: 46750 B: 0
PUGA DALIA SOLIS 504 TULA AVE WESLACO TX 78596-5834	G4100-00-005-0028-00 GLENDALE LT 28 BLK 5 504 TULA AVE	L: 21313 B: 14282
JOHNSON CHARLES C & LINA F 600 S GEORGIA AVE WESLACO TX 78596-6842	P6600-00-001-0001-00 PIKE HOOK BLK 1 LT 1 600 S GEORGIA ST	L: 37136 B: 55084

JAN 21, 2021

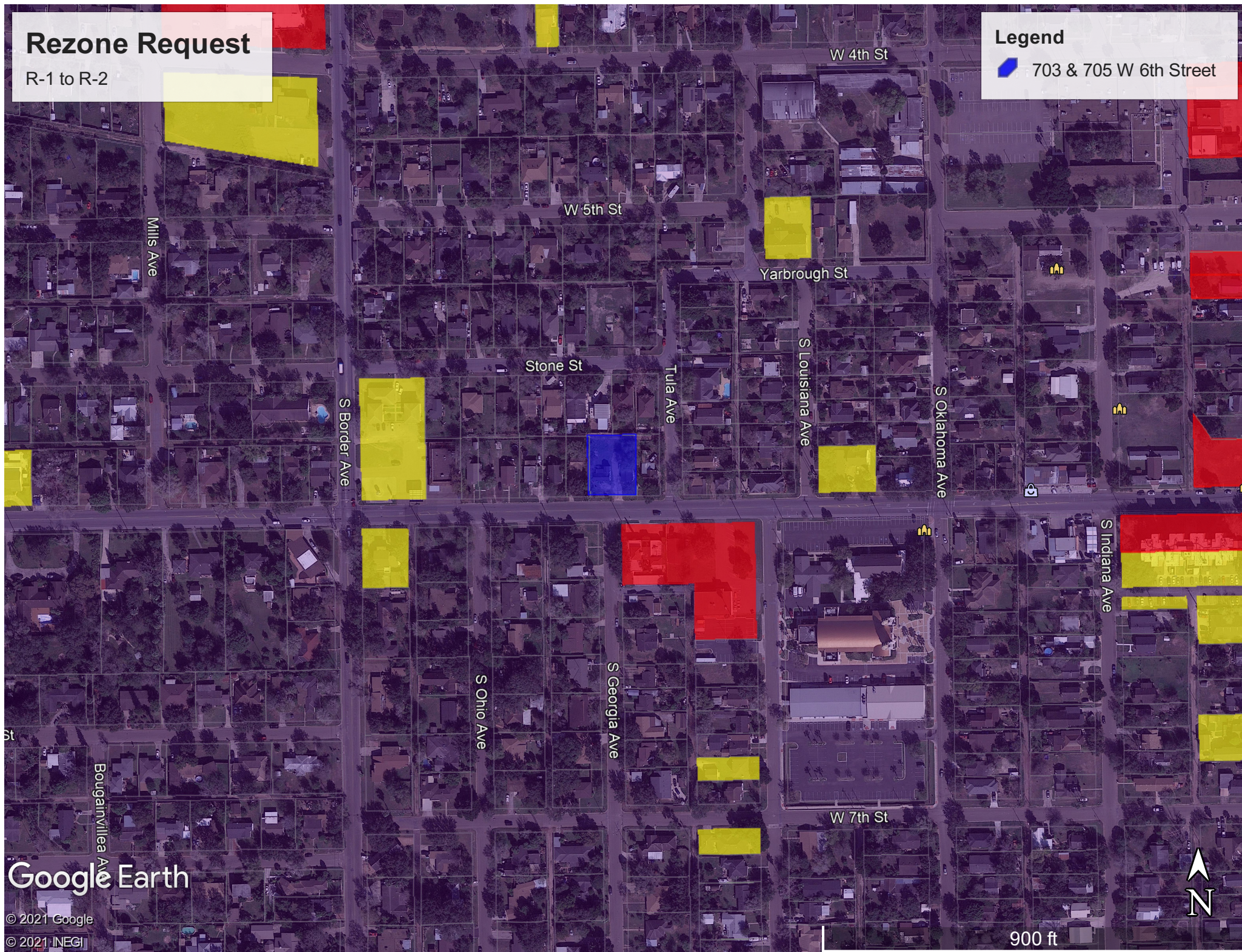
MONTES LEONARDO III & DELILA 2013 DE LEON AVE DONNA TX 78537-3746	P6600-00-001-0002-00 PIKE HOOK BLK 1 LT 2 604 S GEORGIA ST	L: 25392 B: 59890
BARRERA LISA V 601 S OHIO AVE WESLACO TX 78596-6837	P6600-00-001-0010-00 PIKE HOOK BLK 1 LT 10 601 S OHIO	L: 38610 B: 88818
TROPICAL TX CNTR FOR MENTAL 1425 S 9TH AVE EDINBURG TX 78539	Y2000-00-001-0001-00 YODER LOTS 1-3 & LOT 7 BLK 1 601 W 6TH ST	L: 95234 B: 113467
FUENTES, JOSE A & NORMA L 607 W 6TH ST WESLACO TX 78596-5803	Y2000-00-001-0004-00 YODER LOT 4 BLK 1 607 W 6TH ST	L: 20708 B: 29247
PAYNE E M 2401 E EXPRESSWAY 83 WESLACO TX 78599-5512	Y2000-00-001-0005-00 YODER LOT 5 & 6 BLK 1 609 W 6TH ST	L: 46176 B: 111824
GIVILANCZ, MIKE JR & GLORI 609 W 6TH ST WESLACO TX 78596-5803	Y2000-00-001-0006-00 YODER W 10'-LOT 5, ALL LOT 6 BLK 1 0 6TH ST	L: 26390 B: 0

Rezone Request

R-1 to R-2

Legend

 703 & 705 W 6th Street



Google Earth

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ORDINANCE NO. 2021-07

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 703 & 705 W. 6TH ST. ALSO BEING LOT 24 & 25, BLOCK 4, GLENDALE ADDITION, WESLACO HIDALGO COUNTY, FROM R-1 ONE-FAMILY DWELLING TO R-2 DUPLEX AND APARTMENT DISTRICT. SUBDIVISION DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from an R-1 One-family dwelling to R-2 Duplex and apartment district. located at 703 & 705 W. 6th St. Also being lot 24 & 25, Block 4, Glendale Addition, Weslaco, Hidalgo County, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 2nd day of March 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this _____ day of _____, 2021.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3997
From: Rebekah De La Fuente		
Subject: Discussion and consideration after public hearing on behalf of Ricardo Guerra to approve a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)		
Background: The applicant is requesting to obtain a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Hidalgo County, and Texas. Twenty-two (22) property owners within 200 feet of the applicant's property were notified by letter on January 22, 2021.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Public Hearing		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and the City Commission appeared in The Monitor on January 18, 2021.		
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the conditional use permit at their regular meeting of February 3, 2021.		
Rebekah De La Fuente Rebekah De La Fuente Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval of the Conditional Use Permit		
Attachments, if any: CUP- 2720 N Westgate- Memo, Zoning Notice Opinion, 2720 N Westgate -		

attachments, 2720 N Westgate- aerial
Responsibilities upon Approval: Staff will advise applicant

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

MEMO

TO: Mayor and City Commission

FROM: Rebekah de la Fuente, Planning & Code Enforcement Director

RE: CUP- 260 S Texas Blvd St 105

DATE: February 9, 2021

The applicant is proposing to obtain an Off-Premise Wine and Beer Retailer's Permit. This is a transfer of location from, the meat market previously located on the Northeast corner of Westgate Drive and Joyce Street has relocated to the Southeast corner N Westgate Drive and Edna Street. The operation of the property will remain the same at the previous location. Staff has not received any petitions for against this item from the surrounding property owners.

Thank you,

Rebekah de la Fuente, CFM



LAW OFFICE OF
JUAN E. GONZALEZ

3110 E. Bus. 83, Weslaco, Texas 78596
TEL: (956) 447-5585
Fax: (956) 447-8637
email: juanegonzalez@jeglaw.net

February 17, 2021

David Suarez
Mayor
City of Weslaco
Weslaco, Texas 78596

Re: Notice Requirements for City
Commission-Rezoning

Dear Mr. Suarez:

This opinion is being prepared pursuant to a request from your office concerning the notice requirements for a City Commission meeting for a rezoning hearing. In preparing this opinion I have reviewed our City Ordinance, City Charter, the Texas Local Government Code, case law, attorney general opinions and several academic articles.

Chapter 150 of the City of Weslaco Code of Ordinances controls changes and amendments to the boundaries of the districts. In addition, Section 211.006 of the Texas Local Government Code also controls such changes and amendments. The City ordinance must comply with the state statute and may actually be more stringent (but not less stringent) than the state statute.

Section 211.006 (a) of the Texas Local Government Code states that “before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.” Our City ordinance is a little more stringent and states in Chapter 150-20 (c) that “notice of such hearing shall be given by publication twice in the official publication of the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the first day of such publication.”

The regular City Commission meeting of February 16, 2021 was cancelled due to a weather related emergency. This agenda contained an item for a rezoning request. This meeting has now been reset for the week of February 22. The issue is whether the 15 day notice must be reposted and whether the Commission can conduct the public hearing and consider this item at the rescheduled meeting without restarting the clock on the 15 day notice required by state statute and our ordinance.

I was unable to find any case law or attorney general opinion directly on point and which dealt specifically with this issue. In this situation we must consider the plain meaning of the statute and the legislative body's intent as expressed by the language of the statute.

Ordinances are construed under the same rules of construction applicable to interpreting statutes. Bd. Of Adjustment of San Antonio v. Wende, 92 S.W. 3d 424, 430 (Tex. 2002). We must construe the statute's or ordinance's words according to their plain and common meaning unless a contrary intention is apparent from the context or unless such construction leads to absurd results. See Tex. Dept. of Transp. v. City of Sunset Valley, 146 S.W. 3d 637, 642 (Tex. 2004). The "party attacking the ordinance bears an 'extraordinary burden' to show 'that no conclusive or even controversial or issuable fact or condition existed' which would authorize the municipality's passage of the ordinance." City of Brookside Vill. 633 S.W. 2d at 792-93.

The language of our ordinance is very clear, notice must be given not earlier than 15 days before the hearing. In reviewing the remaining ordinance there is no other language or mention of this deadline. The statute is the same and lists no other provision. Based on the "plain and common meaning" of the ordinance and statute it is my opinion we do not have to wait another 15 days to hold the hearing. This position is also supported by the fact that both the City ordinance and state statute provide an opportunity to appeal the Commission's decision and the fact that any party attacking the ordinance bears an "extraordinary burden" to overturn a decision.

In an abundance of caution I agree with your position that the notice of the hearing should be reposted in the newspaper. However, based on my opinion above, this reposting does not require the City to wait fifteen days from said notice to conduct the hearing. Keep in mind that if twenty (20) percent of adjoining property owners protest the rezoning, the Commission must approve the amendment by a three fourths vote of the City Commission, not a three fourths vote of the Commissioners' present but three fourths of the total Commission.

If you have any questions or need additional information feel free to contact me at the address listed above.

Sincerely,

/s/ Juan E. Gonzalez

Juan E. Gonzalez



APPLICATION FOR CONDITIONAL USE PERMIT

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

RECEIVED

JAN 08 2021

Planning &
Code Enforcement Dept.

PROPOSED PROJECT

Legal Description of Property for which Conditional Use Permit is requested:

Lots 1 and 2 Block 5
Subdivision Name Sun Country Estates
Street Address 2720 N. Westgate Dr. Weslaco, TX 78599
Existing Zoning _____ Existing Land Use _____
Purpose for the Conditional Use Permit Request new Mead Market/convenience Store

What, if anything, is planned to minimize the impact on the surrounding land uses: _____

- _____ \$300.00 non-refundable filing fee.
- _____ Detailed dimensioned site plan/map must be submitted with this request.
- _____ Survey and metes and bounds if the legal description is a portion of a lot.
- _____ City and school tax receipts attached.
- _____ I have received a copy of "CUP Application Instructions"

APPLICANT

Name Ricardo R. Guerra Phone (956) 968-6773
Address 6700 N. Mile 3 1/2 W Fax: (956) 969-9674
City Weslaco State TX Zip Code 78599 E-Mail: n-quintanilla@yahoo.com

OWNER

Name Ricardo R. Guerra Phone (956) 968-6773
Address 6700 N. Mile 3 1/2 W Fax: (956) 969-9674
City Weslaco State TX Zip Code 78599 E-Mail: n-quintanilla@yahoo.com

2708369

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc., which would prevent the utilization of the property in the manner indicated?

Yes _____ No ✓

I certify that I am the actual owner of the property described above and this application is being submitted with my consent or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature

[Signature]
Owner

Date

1-7-2021

Signature

[Signature]
Applicant

Date

1-7-2021

Signature

Authorized Agent

Date

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners Within
200' of Proposed Site

Date _____

P & Z Notice of Public Hearing Published in Newspaper

Date _____

City Commission Notice of Public Hearing Published
in Newspaper

Date _____

Presented to P & Z Commission

Approved _____ Disapproved _____ Tabled _____

Date _____

Presented to City Commission

Approved _____ Disapproved _____ Tabled _____

Date _____

COPY

RECEIVED

JAN 08 2021



TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

Planning &
Code Enforcement Dept.

OFF-PREMISE PREQUALIFICATION PACKET

L-OFF (10/2020)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☐ Original			
☐ Reinstatement		☐ Reinstatement and Change of Trade Name	
☒ Change of Location		☐ Change of Location and Trade Name	
License/Permit Number BQ632106		License/Permit Number BQ632106	
2. Type of Off-Premise License/Permit			
☒ BQ Wine and Beer Retailer's Off-Premise Permit		☐ LP Local Distributor's Permit	
☐ BF Beer Retail Dealer's Off-Premise License		☐ E Local Cartage Permit	
☐ P Package Store Permit		☐ ET Local Cartage Transfer Permit	
☐ Q Wine Only Package Store Permit		☐ PS Package Store Tasting Permit	
3. Indicate Primary Business at this Location			
☒ Grocery/Market		☐ Convenience Store without Gas	
☐ Liquor Store		☐ Miscellaneous _____	
☐ Convenience Store with Gas			
4. Trade Name of Location (Name of store, business, etc.) WESTGATE MEAT MARKET			
5. Location Address 2720 N WESTGATE DR			
City WESLACO		County HIDALGO	State TX
Zip Code 78599			
6. Mailing Address 6700 N MILE 3 1/2 W		City WESLACO	State TX
Zip Code 78599			
7. Business Phone No. 956-969-4507	Alternate Phone No. 956-607-7487	E-mail Address N_QUINTANILLA@YAHOO.COM	

OWNER INFORMATION

8. Type of Owner		
☒ Individual	☐ Corporation	☐ City/County/University
☐ Partnership	☐ Limited Liability Company	☐ Other _____
☐ Limited Partnership	☐ Joint Venture	
☐ Limited Liability Partnership	☐ Trust	
9. Owner of Business /Applicant (Name of Corporation, LLC, etc.) RICARDO R GUERRA (WESTGATE MEAT MARKET)		

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact phone and email are mandatory and must be active and updated regularly. If additional information is needed, it will be requested from this contact person. Delays in responding to requests may delay the processing and approval of your permit/license.

10. Contact Person: RICARDO GUERRA	Relation to Business: OWNER
Phone (mandatory): 956-607-7487	Email (mandatory): N_QUINTANILLA@YAHOO.COM

TABC DATESTAMP

11. Is the applicant, a veteran-owned business? ☐ Yes ☒ No			
12. Is the applicant, a Historically Underutilized Business (HUB)? ☐ Yes ☒ No			
13. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)			
Individual/Individual Owner		Limited Liability Company/All Officers or Managers	
Partnership/All Partners		Joint Venture/Venturers	
Limited Partnership/All General Partners		Trust/Trustee(s)	
Corporation/All Officers		City, County, University/Official	
Last Name GUERRA	First Name RICARDO	MI R	Title OWNER
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et. seq.

14. Will your business be located within 300 feet of a church or public hospital? ☐ Yes ☒ No	
NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.	
15. Will your business be located within 300 feet of any private/public school? ☐ Yes ☒ No	
NOTE: For private/public schools measure in a direct line from the nearest property line of the school to the nearest property line of the place of business, and in a direct line across intersections.	
NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.	
16. Will your business be located within 1,000 feet of a private school? ☐ Yes ☒ No	
17. Will your business be located within 1,000 feet of a public school? ☐ Yes ☒ No	

PACKAGE STORE ACQUISITIONS ONLY

18. Has the business being acquired been in operation in the same county for more than one year before the acquisition? ☐ Yes ☒ No	
If Yes, provide permit number for existing package store: _____	
If No, this does not qualify as an acquisition, and will be considered a new location.	

ALL APPLICANTS

19. CHECK HERE IF NOT IN CITY LIMITS ☐	
I, the applicant, have confirmed the location is not located within city limits, therefore city certifications are not required.	

COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION

Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.

All required forms have been completed. I have reviewed all forms to ensure they are complete. I have obtained all required local and state certifications (pages 3-4). All application packets have been notarized. Phone numbers and email address for Contact Person are up to date. All additional documentation as required by the application packets is attached. If required, out of state criminal history checks are attached (PHS #7). Certification of publication in local newspaper has been completed (page 5). A copy of the newspaper publication is attached (page 5).	☒ Yes ☐ No ☒ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A ☐ Yes ☐ No ☐ N/A
--	---

WARNING AND SIGNATURE

If Applicant Is/Must Sign

Individual/Individual Owner

Partnership/Partner

Limited Partnership/General Partner

Corporation/Officer

Limited Liability Company/ Officer or Manager

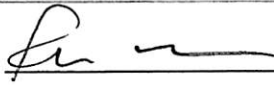
WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who knowingly makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

BY SIGNING YOU ARE SWEARING TO ALL INFORMATION AND ATTACHMENTS TO THIS PACKET.

PRINT
NAME

RICARDO R GUERRA

SIGN
HERE

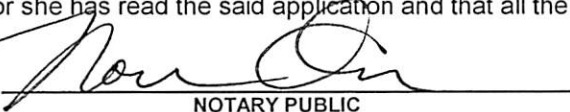


TITLE

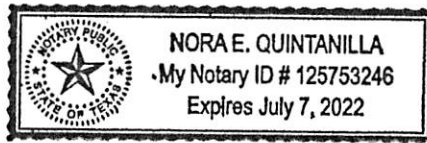
OWNER

Before me, the undersigned authority, on this 7th day of January, 2021, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN
HERE


NOTARY PUBLIC

SEAL



CERTIFICATE OF CITY SECRETARY FOR P, Q, BF & BQ

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the city secretary or clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by ordinance.

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN
HERE

City Secretary/Clerk

_____, TEXAS
City

SEAL

CERTIFICATE OF COUNTY CLERK FOR P, Q & BF

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the county clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by order.

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN
HERE

County Clerk

_____ COUNTY

SEAL

CERTIFICATE OF COUNTY CLERK FOR BQ

Section 11.37 & 61.37

Not later than the 30th day after the date a prospective applicant for a license or permit requests certification, the county clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the license or permit is sought is prohibited by order.

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court for a Wine and Beer Retailer's Off-Premise Permit.

Most current election for given location was held for:

- ☐ legal sale of all alcoholic beverages for off-premise consumption
- ☐ legal sale of all alcoholic beverages
- ☐ legal sale of all alcoholic beverages except mixed beverages
- ☐ legal sale of all alcoholic beverages including mixed beverages
- ☐ legal sale of mixed beverages
- ☐ legal sale of mixed beverages in restaurants by food and beverage certificate holders
- ☐ legal sale of wine on the premises of a holder of a winery permit
- ☐ legal sale of beer/wine (17%) on-premise or beer/wine off-premise **AFTER** Sept. 1, 1999
- ☐ legal sale of beer/wine (14%) on-premise or beer/wine off-premise **BEFORE** Sept. 1, 1999

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____

County Clerk

_____ COUNTY

S E A L

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

Sections 11.46(b) & 61.42(b)

This is to certify on this _____ day of _____, 20____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN

HERE _____

FIELD OFFICE _____

S E A L

PUBLISHER'S AFFIDAVIT (FOR BQ, BF, P & Q)

Sections 11.39 & 61.38

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>		
Signature of publisher or designee		
Sworn to and subscribed before me on this date		
Signature of Notary Public		<u>Hover over to see example</u>
SEAL		



**TEXAS ALCOHOLIC
BEVERAGE COMMISSION**
Texans Helping Businesses & Protecting Communities

OWNERSHIP INFORMATION
Continued for Prequalification Packet

L-OIC
(10/2020)

LOCATION INFORMATION

1. Trade Name of Location
WESTGATE MEAT MARKET

2. Location Address
2720 N WESTGATE DR

City
WESLACO

County
HIDALGO

State
TX

Zip Code
78599

OWNER INFORMATION

3. Type of Owner

- | | | |
|--|--|---|
| ☒ Individual | ☐ Corporation | ☐ City/County/University |
| ☐ Partnership | ☐ Limited Liability Company | ☐ Other _____ |
| ☐ Limited Partnership | ☐ Joint Venture | |
| ☐ Limited Liability Partnership | ☐ Trust | |

Last Name
GUERRA

First Name
RICARDO

MI
R

Title
OWNER

Last Name

First Name

MI

Title

Last Name

First Name

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City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

January 22, 2021

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, February 3, 2021, and the City Commission will hold a public hearing on February 16, 2021 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue and via zoom to consider the following request:

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: +1 346 248 7799; Meeting ID: 832 0582 2197

Members of the public who wish to participate in Public Hearing on an agenda item must send their name, address and phone number via email to karevalo@weslacotx.gov by 12:00 pm on February 3, 2021. A staff member will contact you with instructions via phone call to address your public comment.

CONDITIONAL USE PERMIT REQUEST:

Ricardo Guerra is requesting a Conditional Use Permit to obtain an Off-Premise Wine and Beer Retailer's Permit at 2720 N Westgate, also being Lot 1 & 2, Block 5, Sun Country Estates Subdivision, Hidalgo County, and Texas.

The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

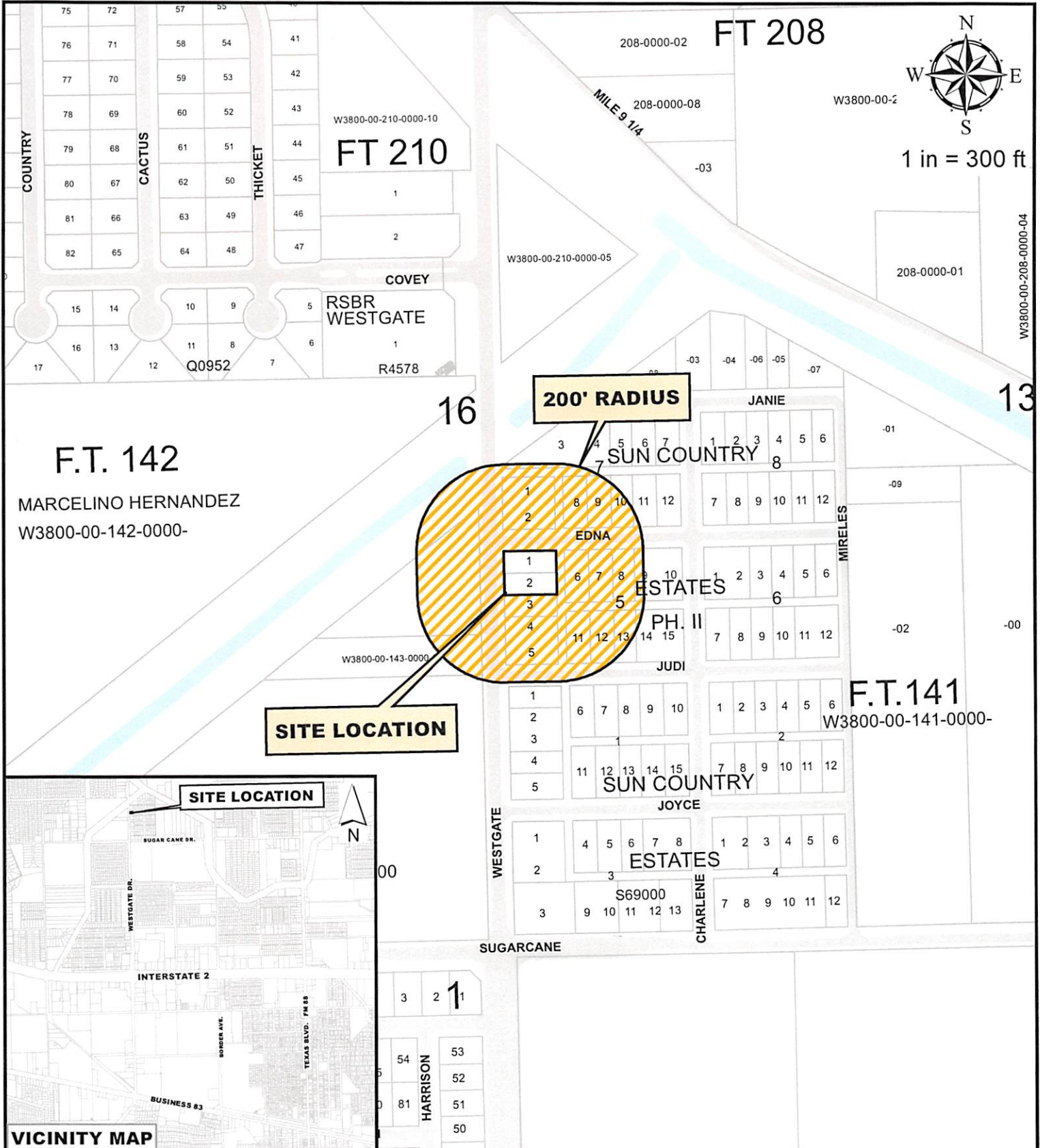
Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

Rebekah de la Fuente, CFM
Planning Director

CITY OF WESLACO

Engineering Department



Ricardo R. Guerra

2720 North Westgate Drive
Sun Country Estates Unit No2,
Lots 1 & 2, BLK 5
LOT 13, BLOCK 161, F.T. 141

Purpose for the Conditional Use Permit request

Existing zoning: R-1

Existing land use: One Family Dwelling

CUP request: Meat Market \ Convenience Store



JAN 21, 2021

GUERRA HERMELINDA 6700 N MILE 3 1/2 W WESLACO TX 78596-1479	S6900-00-005-0001-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 1 BLK 5 0	L: 13320 B: 0
GUERRA HERMELINDA 2720 N WESTGATE DR WESLACO TX 78599-3875	S6900-00-005-0002-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 2 BLK 5	L: 21000 B: 12814
CARDOSA SILVIO HECTOR & 2710 N WESTGATE DR WESLACO TX 78599-3875	S6900-00-005-0003-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 3 BLK 5 0	L: 14400 B: 38459
AGUILAR ELIZABETH 1610 JUDI ST WESLACO TX 78599-4070	S6900-00-005-0004-00 SUN COUNTRY ESTATES UNIT NO. 2 L OTS 4 & 5 BLK 5 0	L: 30600 B: 39615
SIFUENTES EMMA 1609 EDNA ST WESLACO TX 78599-4095	S6900-00-005-0006-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 6 BLK 5 0	L: 15840 B: 38290
SALINAS JESUS E & SAN JUANITA 1607 EDNA ST WESLACO TX 78599-4095	S6900-00-005-0007-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 7 BLK 5 0	L: 15840 B: 21048
GONZALEZ JAVIER & DALIA 1509 EDNA ST WESLACO TX 78599-4138	S6900-00-005-0008-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 8 BLK 5 0	L: 14400 B: 0
TYRAQ FAMILY LP 2228 MARTHA'S LN PALMHURST TX 78573-0176	S6900-00-005-0009-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 9 BLK 5 1201 EDNA ST	L: 15840 B: 0
TYRAQ FAMILY LP 2228 MARTHA'S LN PALMHURST TX 78573-0176	S6900-00-005-0010-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 10 BLK 5 1201 EDNA ST	L: 15840 B: 97160
AGUILAR ADAM A ETAL 1610 JUDI ST WESLACO TX 78599-4070	S6900-00-005-0011-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 11 BLK 5 0	L: 15840 B: 6752
CUELLAR GUADALUPE & ANTONIA 1608 JUDI ST WESLACO TX 78599-4070	S6900-00-005-0012-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 12 BLK 5 0	L: 15840 B: 13044
ROBLEDO JUAN 2629 GRANADA WESLACO TX 78599-4540	S6900-00-005-0013-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 13 BLK 5 0	L: 14400 B: 0

JAN 21, 2021

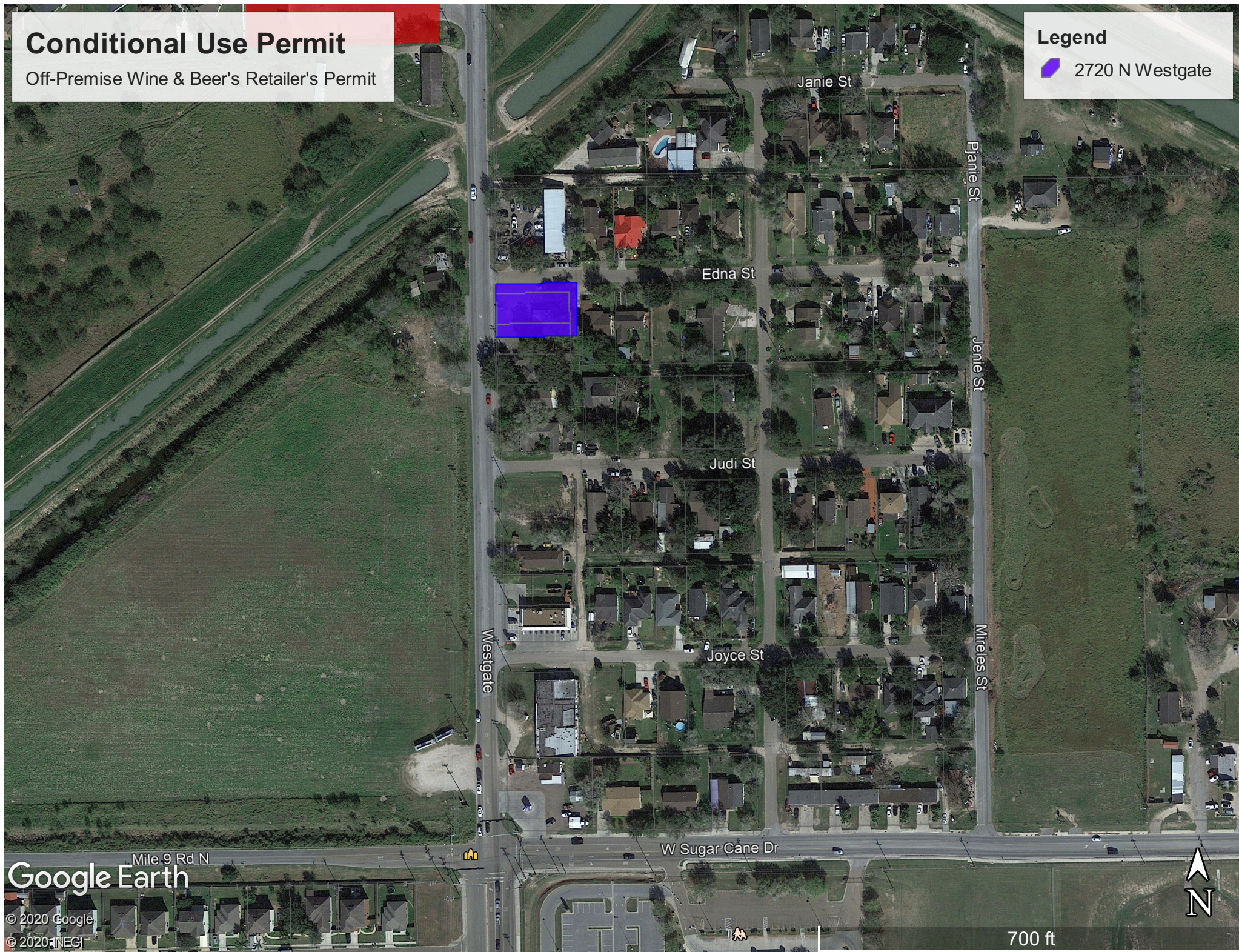
GARCIA ADELINA 900 W 7TH ST WESLACO TX 78596-6702	S6900-00-005-0014-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 14 BLK 5 1602 JUDI ST	L: 15840 B: 22370
GARCIA ADELINA 900 W 7TH ST WESLACO TX 78596-6702	S6900-00-005-0015-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 15 BLK 5 1602 JUDI ST	L: 15840 B: 5217
AGUILAR JUAN R ETAL 1610 JUDI ST WESLACO TX 78599-4070	S6900-00-007-0001-00 SUN COUNTRY ESTATES UNIT NO. 2 L OTS 1 & 2 BLK 7 0	L: 50400 B: 40389
GUERRA SERGIO & DENYS 1609 JANIE ST WESLACO TX 78599-4182	S6900-00-007-0003-00 SUN COUNTRY ESTATES UNIT NO. 2 L OTS 3 & 4 BLK 7 0	L: 47040 B: 14045
REYNA ROSBEL & REYNA NELIA S 1610 EDNA ST WESLACO TX 78599-4155	S6900-00-007-0008-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 8 BLK 7 0	L: 15840 B: 19158
MARTINEZ LEONARDO & IRMA 1608 EDNA ST WESLACO TX 78599-4155	S6900-00-007-0009-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 9 BLK 7 0	L: 15840 B: 25909
HINOJOSA LORENZO 1604 EDNA ST WESLACO TX 78599-4155	S6900-00-007-0010-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 10 BLK 7 0	L: 14400 B: 14840
HINOJOSA LORENZO 1604 EDNA ST WESLACO TX 78599-4155	S6900-00-007-0011-00 SUN COUNTRY ESTATES UNIT NO. 2 L OT 11 BLK 7 0	L: 15840 B: 0
DE LEON JESUS PO BOX 8308 WESLACO TX 78599-8308	W3800-00-143-0000-00 WEST TRACT FT 143 13.79AC-15AC E XC 1.0-IMPS 12.37AC NET	L: 253585 B: 0
DE LEON JESUS PO BOX 8308 WESLACO TX 78599-8308	W3800-00-143-0000-01 WEST TRACT 1.0AC-15.79AC AN IRR TR-E534.40'-N91.86'-S721.07' FT	L: 20500 B: 27944

Conditional Use Permit

Off-Premise Wine & Beer's Retailer's Permit

Legend

 2720 N Westgate



Google Earth

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Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-3999	
From: Rebekah De La Fuente			
Subject: Discussion and consideration to convert a section of South Border Avenue from a public roadway to a private roadway, heading south from the intersection of Border Avenue and Tierra Santa Blvd to the floodway, Weslaco, Hidalgo County, Texas authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)			
Background: The proposed conversion of South Border Avenue is being requested by the surrounding property owner. The owner has agreed to accept all required maintenance of the street. There is currently an existing gate at the intersection of Mile 5 North Road and Border Avenue as part of Tierra Santa Golf Club and Community.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the conversion of South Border Avenue to a private roadway at their regular meeting of February 3, 2021.			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval of the conversion			
Attachments, if any: Rezone- Border Ave- Memo, Border Ave Request Letter, S Border Avenue- aerial			
Responsibilities upon Approval: Staff will advise applicant			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

MEMO

TO: Mayor and City Commission

FROM: Rebekah de la Fuente, Planning & Code Enforcement Director

RE: Rezone- Border Avenue

DATE: February 9, 2021

The property owner is has requested that a portion of Border Avenue from the intersection of Tierra Santa Blvd to Floodway be converted into a private roadway. The owner has agreed to take over all maintenance of the section of Border Avenue. Currently the City is not able to provide maintenance as there is a gate located on both Border Avenue and Tierra Santa Blvd belonging to Tierra Santa Golf Course and Community. The City does not have any public utilities in this area. The Planning & Zoning Commission recommended approval based on the conversion.

Thank you,

Rebekah de la Fuente, CFM

Ezequiel Reyna Jr.
5000 S. Border
Weslaco, TX 78596

January 11, 2021

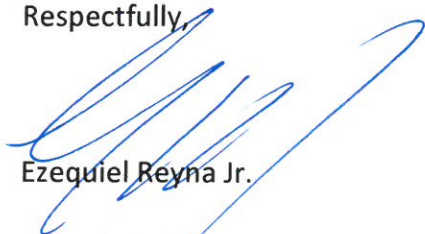
Mike Perez
City Manager
City of Weslaco
255 S. Kansas
Weslaco, TX 78596

Dear Mike Perez:

This letter is to request that the street that accesses my homestead be de-annexed by the City of Weslaco. The boundaries of this road are generally from the intersection of Border Avenue and Tierra Santa Boulevard; going south toward the IBWC floodway. I am the owner of the property located at 5000 S. Border, Weslaco, TX 78596 and all adjacent properties of the aforementioned portion of Border Avenue (referenced above). Seven years ago, my property was annexed by the City of Weslaco. As required by state law, within 2 ½ years of annexation, the City of Weslaco was required to provide "full municipal services" to my property. "Full municipal services" includes water, wastewater, roads and drainage as provided to all residences within city boundaries. I had previously notified the city that it had failed to provide any necessary services within the required timeframe. And while I am a proud tax paying member of my community, it is my belief that this annexation was done inappropriately and without the required and necessary planning. While I have remained patient, I have suffered damages to my vehicles and during the latest rain events, accessibility to my house has become increasingly difficult due to the unattended road improvements.

For these reasons, I am respectfully requesting for the city to de-annex the entire road referenced above (from "curb to curb") so that I may make the street improvements to the property myself. At your request, I will provide any necessary information for the de-annexation. I can be reached at 956-968-9556, as well.

Respectfully,



Ezequiel Reyna Jr.

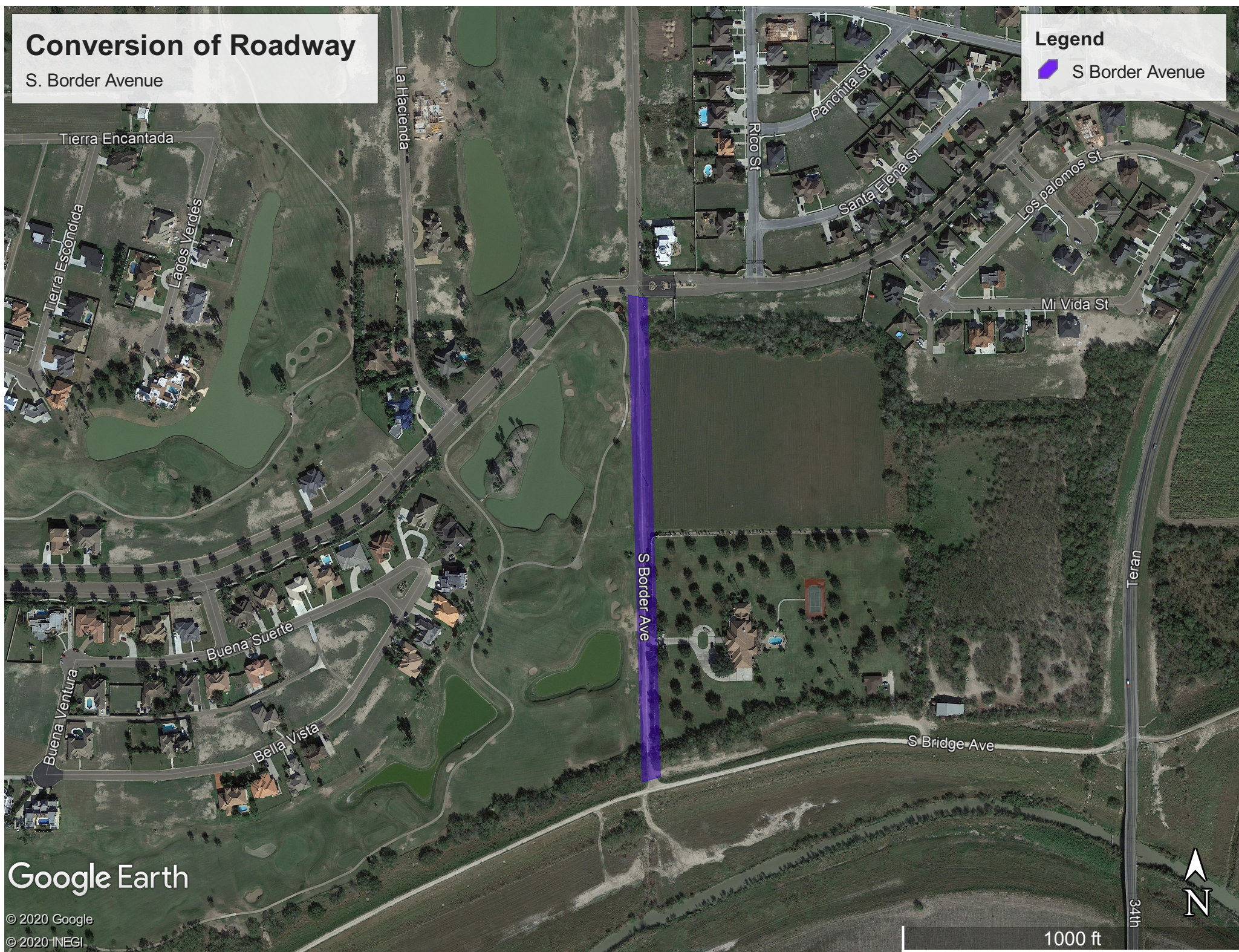
Cc: Rebekah de la Fuente, City of Weslaco Planning Department

Conversion of Roadway

S. Border Avenue

Legend

 S Border Avenue



Google Earth

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© 2020 INEGI



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2020-3070
From:		
Subject: Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management in an amount of \$36,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)		
Background: A Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management Services was approved by the Commission in February 2020. The renewal agreement is proposed at \$36,000 with an alternate proposal of \$7,500 for additional hours for site inspections and COVID-19 training is being submitted for consideration. The total proposed fee is \$43,500.00. The alternate proposal includes services provided in the existing agreement in addition to fifty (50) additional hours for site inspections and COVID-19 training. Project Scope includes the following: • Initial Hazard Risk Assessment Evaluation; • Review of Past On-Site Safety Inspections (to follow up on corrective action); • Administrative Report; • On-Site Field Safety Training (Bilingual when necessary); • Monthly/Quarterly Hazard Surveys/On-Site Assessments; • Administrative Report on Findings of Hazard Surveys/On-Site Assessments; • Program Development (based on Past Loss History); • Development Training on Safety Programs; • Train City Department's Supervisors on Noted Hazards; • COVID-19 Training; • On-Site Spot Checks.		
Recommendation: Staff recommends approval of a Professional Services Agreement in the amount of \$36,000.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		

Advisory Review, if any (name of board/committee, date of action, recommendation):	
Andrew Muñoz	Created/Initiated
Andrew Muñoz	Approved
Mike Perez	Final Approval
City Manager Comments: Approve.	
Staff Recommendation: Staff Recommends Approval	
Attachments, if any: Memo Loss Control and Risk Management 2021, Loss Control Contract 2021, WESLACO PLAN OF ACTION loss control services for 2021	
Responsibilities upon Approval:	

Human Resources Department

Memo

To: Mayor and City Commissioners

From: Andrew Munoz, Asst. City Manager / Interim HR Director

cc: Mike R. Perez, City Manager

Date: February 4, 2021

Re: Professional Services Agreement – Loss Control Proposal

A Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management Services was approved by the Commission in February 2020. The renewal agreement is proposed at \$36,000 with an alternate proposal of \$7,500 for additional hours for site inspections and COVID-19 training is being submitted for consideration. The total proposed fee is \$43,500.00.

The alternate proposal includes services provided in the existing agreement in addition to fifty (50) additional hours for site inspections and COVID-19 training. Project Scope includes the following:

- Initial Hazard Risk Assessment Evaluation;
- Review of Past On-Site Safety Inspections (to follow up on corrective action);
- Administrative Report;
- On-Site Field Safety Training (Bilingual when necessary);
- Monthly/Quarterly Hazard Surveys/On-Site Assessments;
- Administrative Report on Findings of Hazard Surveys/On-Site Assessments;
- Program Development (based on Past Loss History);
- Development Training on Safety Programs;

- Train City Department's Supervisors on Noted Hazards;
- COVID-19 Training;
- On-Site Spot Checks.

Recommendation:

Staff recommends approval of a Professional Services Agreement for an amount not to exceed \$36,000.

Loss Control & Risk Management Contract

Project Name: City of Weslaco Loss Control & Risk Management Services for the Workers Compensation Program

Project Start Date: February 20, 2021

Project End Date: February 20, 2022

Project Description: Workers Compensation Hazard Inspections & Risk Management Services

City of Weslaco will provide the following data to Montalvo Insurance Agency & *J.C.V.C.C.S.
(Subcontractor)

- Workers Compensation Loss Runs for the last 3 years.
- Contact information for various department heads/administrators to conduct noted monthly/quarterly hazard surveys/inspections.
- Safety manuals used by the City of Weslaco for its employees to review for compliance.

Project Scope includes:

- Initial Hazard Risk Assessment Evaluation
- Review Past On-Site Safety Inspections (to follow up on corrective action)
- Administrative Report
- On-Site Field Safety Training (Bilingual when necessary)
- Monthly/Quarterly Hazard Surveys/On-Site Assessments
- Administrative Report on findings of Hazard Surveys/On-Site Assessments
- Program Development (Based on Past Loss History)
- Development Training on Safety Programs
- Train city department's supervisors on noted hazards. (Train the trainer program)
- Covid-19 Training
- On Site Spot Checks

Project Costs:

- \$43,500 per year (Billing: 50% deposit due after execution of signed contract then balance is due in 6 months) Cost includes 275 projected annual hours of loss control and risk management services. Contract will continue after one year at said cost until a 30 day written notice is acquired by either party advising of cancellation.
- NOTE: Expenses, training materials and travel time/mileage costs are included in our proposed cost assessment.

Offer: Montalvo Insurance Agency

Offer Date: 02/20/2021 – 02/20/2022

Project Approval: _____

Approval Date: _____

* J.C. Villafranca Consulting Claims Service, LLC (Loss Control Subcontractor)

J.C. Villafranca Consulting/Claims Service, LLC.

3217 Banyan Drive
Harlingen, TX 78550

Phone: (956) 536-7642
Fax: (956) 440-1478

General/Auto Liability Claims
Workers' Compensation Claims
Special Investigations
Carrier Representation for Benefit Review Conferences

Loss Control Services
Bilingual Safety Training Services

E-Mail: jcvillafranca@hotmail.com

January 06, 2021

Montalvo Insurance Agency
208 South Texas Blvd.
P.O. Box 2
Weslaco, Texas 78559
Attn.: Ramon Montalvo, Insurance Agent

RE: Additional City of Weslaco Loss Control/Safety Recommendations

Dear Mr. Montalvo:

Please note the following outlined observations/recommendations made by Mr. Daniel Charles (safety consultant) in order to enhance the safety culture in the City of Weslaco.

- **On-Site Spot Checks**
- Increase Spot-Checks in order to continue and increase safety presence out in the field

One of the "root causes" of workplace injuries, illnesses, and incidents is the failure to identify or recognize hazards that are present, or that could have been anticipated. A critical element of any effective safety and health program is a proactive, ongoing process to identify and assess such hazards.

The spot checks that have been performed show an increment in employee safety. Building a safety culture and creating a presence with employees is imperative. Employees will listen when they are trained/educated properly. Spot checks have been an important bridge in communicating to the employee their goals and policy. Spot checks are crucial because it reveals if employees and especially supervisors are following safety guidelines. This also keeps employees on their toes because in time this creates a safety habit and safety becomes part of their everyday routine. This also gives us a chance to provide on-site training which is always more exciting and engages the employees.

- **COVID-19**

All of the material will have constant changes as the CDC changes guidelines daily. This will be done in conjunction with local health officials.

J.C. Villafranca Consulting/Claims Service, LLC.

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Harlingen, TX 78550

Phone: (956) 536-7642
Fax: (956) 440-1478

General/Auto Liability Claims
Workers' Compensation Claims
Special Investigations
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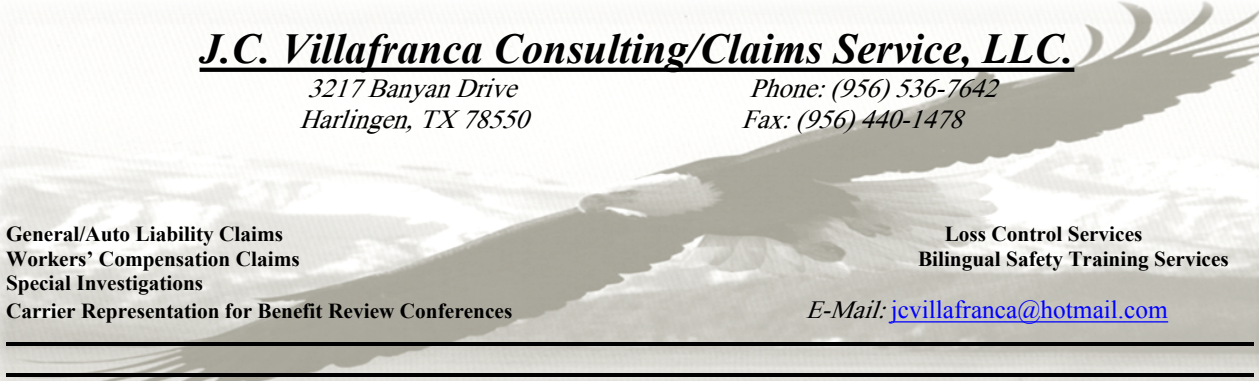
Loss Control Services
Bilingual Safety Training Services

E-Mail: jcvillafranca@hotmail.com

- Guidance on cleaning and disinfecting work areas (COVID-19)
- Safety education on COVID-19 (Cleaning, Hygiene, Social Distancing, Educating Staff)
- Practicing Social Distancing
- Developing, Implementing, Maintaining and Revising Plan for Proper Cleaning
- Safety Training
- PPE Training
- Reducing the Risk Training
- Using Appropriate Cleaning and Disinfecting Products
- Custodial Training
- Implementing Short Term-Dismissal
- Help Implement Emergency Operation Plans
- Providing and Creating Power Points
- Identifying Risk
- Identifying SYMPTOMS
- **Site Inspections**

This creates a safe culture and also increases employee awareness of hazards. An inspection helps to identify and correct regulatory deficiencies, which in turn, can improve workplace safety and help reduce liability. On-site hazard inspections serve to increase employee awareness and understanding of environmental and safety regulations and the process also demonstrates commitment to compliance. Workplace inspections help prevent incidents, injuries and illnesses. Through a critical examination of the workplace, inspections help to identify and record hazards for corrective action. Administration can help plan, conduct, report and monitor inspections. It is recommended that site inspections be performed every 6 months in order to closely gauge the changes that each department has made. This also helps provide an assessment of change per department and implement plan of action for departments not following protocol.

- Identifying hazards in the workplace
- Recommending appropriate safety and loss prevention controls
- Establish best practices for maintaining a safe work environment



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Harlingen, TX 78550

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General/Auto Liability Claims
Workers' Compensation Claims
Special Investigations
Carrier Representation for Benefit Review Conferences

Loss Control Services
Bilingual Safety Training Services

E-Mail: jcvillafranca@hotmail.com

- **Incidents/Accidents**

Look at incidents/accidents from the past 3 years to identify problematic areas. We will identify and target these areas by creating a plan of action in order to eliminate/decrease the numbers. Our main goal is to ensure the safety of the City of Weslaco employees and the general public.

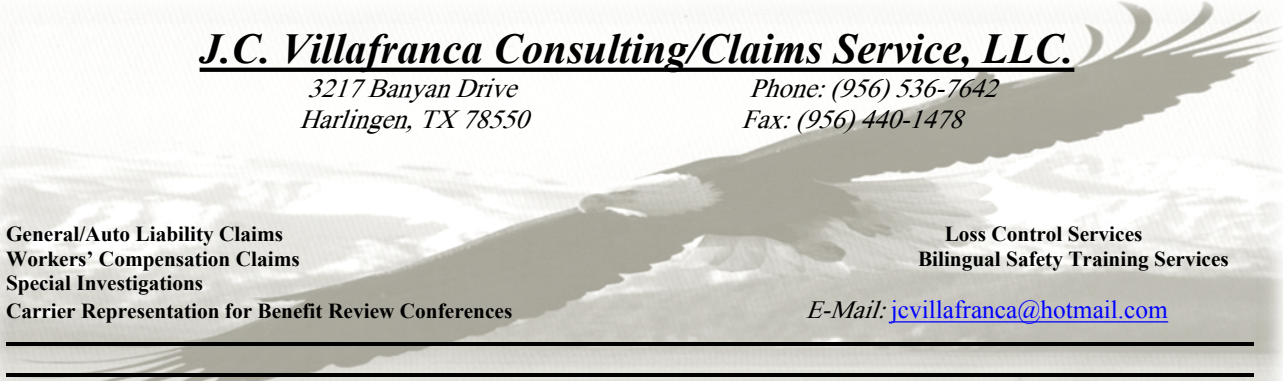
- **Training**

This is crucial because training is your best tool to have. A trained employee is a safe employee. Training shows weaknesses of employees and gauges areas that need to be worked on. Training increases employee morale, increases productivity and most importantly it decreases accidents. Workplace safety training is as vital as workplace safety itself. It enables the management to ensure a safe and healthy work environment. It also helps the employees to recognize safety hazards and correct them. It enables them to understand best safety practices and expectations. Training should be provided once a year to all employees. This is done in order to meet OSHA's annual refresher guidelines. Some of the many benefits for training are

- Less productivity loss due to illness or injury
- Higher employee satisfaction
- Reduced worker compensation for medical leave due work-related injuries and illnesses
- Protection from liability lawsuits
- Future incident prevention.
- Increase safety training for personnel (new employees and refresher courses)
- Provide specific training to management and supervisors
- Revise Safety Manual (Look at policies to determine that they are accurate, up-to-date, in compliance, complete and understandable) Create specific power points that target problematic areas
- Evaluate operations with an understanding of coverage exposures
- Analyze losses, loss trends and the potential for future losses
- Evaluate management controls and loss control programs
- Provide recommendations for risk improvement
- Assist in the development of safety programs

- **Bilingual Safety/Loss Control Training**

- Accident Investigation
- Slip/Trip/Fall Prevention



J.C. Villafranca Consulting/Claims Service, LLC.

3217 Banyan Drive
Harlingen, TX 78550

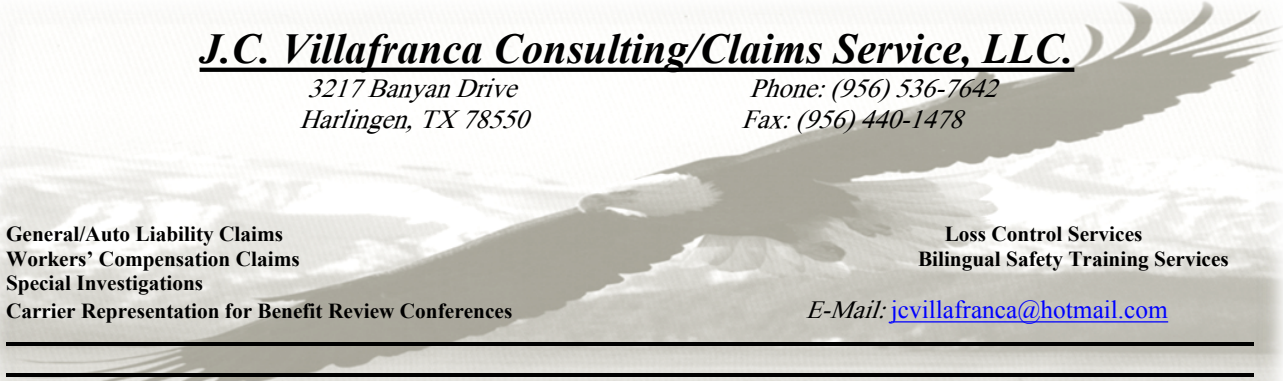
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General/Auto Liability Claims
Workers' Compensation Claims
Special Investigations
Carrier Representation for Benefit Review Conferences

Loss Control Services
Bilingual Safety Training Services

E-Mail: jcvillafranca@hotmail.com

- Walking and Working Surfaces
- Exit Routes
- Fire Protection
- Fire Prevention Plans
- Emergency Action Plans
- Electrical
- Personal Protective Equipment (PPE)
- Hazard Communication
- Hazardous Materials
- Material Handling
- Machine Guarding
- Ergonomics
- Introduction to Industrial Hygiene
- Blood borne Pathogens
- Safety and Health Program
- Fall Protection
- Lock Out/Tag Out
- Driving Safety
- Emergency Evacuation
- Electrical Safety
- Employee Evacuation
- Fire Extinguisher
- Forklift Training
- Food Handling Safety Training
- Hand Injuries
- Accident Prevention Signs and Tags
- Accident Reporting
- Ladder Safety Training
- Substance Abuse Prevention
- Team Lifting Safety
- Work Place Hazard Surveys
- Lifting Safety
- Maintenance Safety Training
- SDS Compliance/Procedure
- Near Misses
- Back Safety



J.C. Villafranca Consulting/Claims Service, LLC.

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General/Auto Liability Claims
Workers' Compensation Claims
Special Investigations
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Loss Control Services
Bilingual Safety Training Services

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- Burns
- New Employee Orientation
- Noise on the Job
- Office Hazards
- Outside Climate
- Heat Stress
- Bee Stings
- OSHA Log-300
- Power Tool Safety
- Safety Label Procedures
- Safety Manual Evaluation
- OSHA-10 CARD
- OSHA 30 CARD

Our consultant will work with management to minimize the potential for accidents, injuries, and property loss. They are capable of providing consultative services to assist in the control of work related injuries, ergonomics, industrial hygiene, property conservation, safety training and program development.

Sincerely,

Martin G. Villafranca
President

ADVANCED EDUCATION CONSULTANT AGREEMENT

THIS CONSULTANT AGREEMENT (this "Agreement") is made this ____ day of 2021, between **M-5 Texas Enterprises, LLC (Armando A. Martinez)** (the "Consultant") and The City of Weslaco (the "City").

WHEREAS, the City wishes to engage the services of the Consultant to perform for the City consulting services regarding EMS Training and Continuing Education. Any additional tasks not outlined in this Agreement shall be approved as an amendment to this contract and compensated as agreed to by both parties; and

WHEREAS, the Consultant wishes to assist the City in the development of such matters;

NOW, THEREFORE, in consideration of the mutual promises herein continued, the parties agree as follows:

1. **Term.** The respective duties and obligations of the parties hereto shall commence on _____, 2021 and shall continue thereafter until _____, 2022 whichever comes first, unless terminated for cause by either party giving ninety (90) days written notice to the other party.
2. **Consultation.** During the term of this Agreement, Consultant shall zealously pursue the development and continuous emergency medical education for the City. At all times, Consultant shall conduct himself for the benefit of the City, and never knowingly take any action inconsistent with the interest of the City. Consultant will not take any action that is inconsistent with Corporation's policy or any applicable State or Federal law.
3. **Limited Liability.** The Consultant is an independent contractor of the City and is not engaged hereunder as an employee of the City. The Consultant shall not be liable to the City, or to anyone who may claim any right due to his relationship with the City or any if its employees, agents or other persons affiliated in any way with the City, for any acts or omissions in the performance of the services provided hereunder, except when said acts or omissions of the Consultant are due to his willful misconduct. The City shall indemnify and hold Consultant harmless from any obligations, costs, claims, judgments, legal fees, and other attachments arising from the performance of the services rendered to the City hereunder, except when the same shall arise due to willful misconduct of Consultant.
4. **Compensation and Expenses.** For services rendered and to be rendered hereunder, Corporation agrees to pay Consultant a total of \$4,000.00 per month for work performed in the course of completing of each of the following tasks listed below. City is responsible for all materials and certification and course costs for personnel. City shall provide instructors for the teaching of courses.

(a) **Continue the Advanced Education Pre-Hospital Education Program for the City's Fire Department.**

(b) **Plan, develop, and coordinate in-service training for EMS**

personnel and dispatch.

- (c) Coordinate all EMS Courses consistent with Texas Department of State Health Services and National Registry.**
- (d) Provide in house certification courses for personnel.**
- (e) Review monthly training and protocols.**
- (f) Coordinate ACLS, PALS, PEPP, PHTLS and AMLS courses with fire department personnel.**

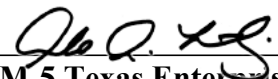
5. **Confidentiality.** Consultant recognizes and acknowledges that he may have access to certain confidential information of City or of certain corporations or individuals affiliated with City, and that all such information constitutes valuable, special and unique property of City and its affiliates. Consultant agrees that , during the term of this Agreement and for a period of six (6) months after the termination of the same, he will not, without the prior written consent of City, disclose or authorize or permit anyone under his direction to disclose to anyone not properly entitled thereto any of such confidential information.
6. **Assignment.** This Agreement is personal to Consultant and Consultant shall not subcontract or assign the performance of any portion of this Agreement without the prior written consent of the City. Any purported subcontract or agreement not approved shall be governed by the provisions of the Texas General Arbitration Act.
7. **Governing Law and Venue.** This Agreement and any dispute hereunder shall be construed under and in accordance with the law of the State of Texas, and all obligations of the parties hereunder are to be performed in Hidalgo County, Texas.

EXECUTED this _____ day of _____, 2021

Weslaco City,

BY: _____
NAME: David Suarez
TITLE: Mayor

M-5 Texas Enterprises, LLC (Armando A. Martinez)
Consultant

BY: 
NAME: **M-5 Texas Enterprises, LLC (Armando A. Martinez)**
TITLE: **Consultant**



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4007	
From:			
Subject: Discussion and consideration to approve Resolution 2021-22 authorizing publication of Notice of Intent to Issue Certificates of Obligation Series 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)			
Background: The City will be constructing a new Police/Fire facilities to replace the existing aging facilities. To proceed with this project, the city will be needing to fund this project and will Issue a Certificate of Obligation Series 2021.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: The city will advertise "Notice of Intend to Issue Certificate of Obligations" in the legal section of the The Monitor. The dates of publication will be Monday, March 08 and March 15, 2021.			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: City Manager memo re Resolution 2021-22, Weslaco, City CO, S21 - Draft of Timetable of Events, Weslaco Proposed Certificates of Obligation 3.2.21 Final, Resolution No. 2021-22 Notice of Intent to Issue Certificates of Obligation Series 2021			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

TO: Mayor and City Commission

FROM: Mike R. Perez, City Manager *MRP*

SUBJECT: Resolution 2021-22

DATE: February 25, 2021

Resolution 2021-22 is to authorize the publication of Notice of Intention to Issue Certificates of Obligation Series 2021. This bond will be used to build the Police and Fire station and, also has the wording to allow money to start the Library Project.

March							April							May						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6					1	2	3							1
7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
28	29	30	31				25	26	27	28	29	30		23	24	25	26	27	28	29
														30	31					

 = Key Dates = Holidays

CITY OF WESLACO, TEXAS

\$ _____ * CERTIFICATES OF OBLIGATION, SERIES 2021

PROPOSED TIMETABLE OF EVENTS Dated February 2, 2021

DATE	EVENT
Tuesday, March 02, 2021	Regular meeting of the City Commission. Consider a Resolution authorizing the Notice of Intent to Issue Certificates of Obligation.
Thursday, March 04, 2021	Publication due to newspaper prior to 3:00 P.M. to include request for two publications, Monday March 8th and Monday March 15th.
Monday, March 08, 2021	First publication of Notice of Intent to Issue Certificates of Obligation.
Wednesday, March 10, 2021	Distribute first draft of the Preliminary Official Statement ("POS") to working group for comments.
Monday, March 15, 2021	Second publication of Notice of Intent to Issue Certificates of Obligation.
Tuesday, March 23, 2021	Comments on first draft of POS due from working group.
Thursday, March 25, 2021	Distribute second draft of POS to working group for comments.
Wednesday, March 31, 2021	Send POS and related documents to Standard & Poor's Ratings Services ("S&P").
Friday, April 02, 2021	Holiday - Good Friday
Friday, April 09, 2021	Comments on second draft of POS due from working group.
Wednesday, April 14, 2021	Distribute final draft of POS to working group for comments.
Week of April 19th	Due Diligence Call (Time TBD)
Wednesday, April 21, 2021	Receive rating.
Thursday, April 22, 2021	Comments due on final draft of POS due from working group.
Monday, April 26, 2021	POS goes to i-Deal web site for posting.
Tuesday, May 04, 2021	Pricing.
	Regular meeting to conduct sale of Certificates of Obligation. Consider the adoption of the Ordinance Authorizing Issuance of Certificates of Obligation and approving and authorizing the execution of the Bond Purchaser Agreement.
Thursday, May 27, 2021	Closing Date; City delivers the Certificates of Obligation to Underwriter and receives funds.

*Preliminary, subject to change.



Contact

Anne Burger Entrekin

Regional Managing Director

anne.burgerentrekin@hilltopsecurities.com

70 Northeast Loop 410, Suite 710

San Antonio, Texas 78216

Direct: 210.308.2200

Mario Hernandez

Analyst

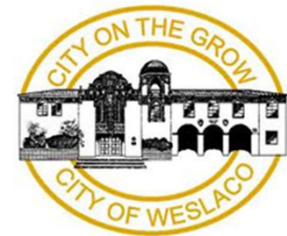
mario.hernandez@hilltopsecurities.com

1201 Elm Street, Suite 3500

Dallas, Texas 75270

Direct: 214.953.4182

Proposed Certificates of Obligation



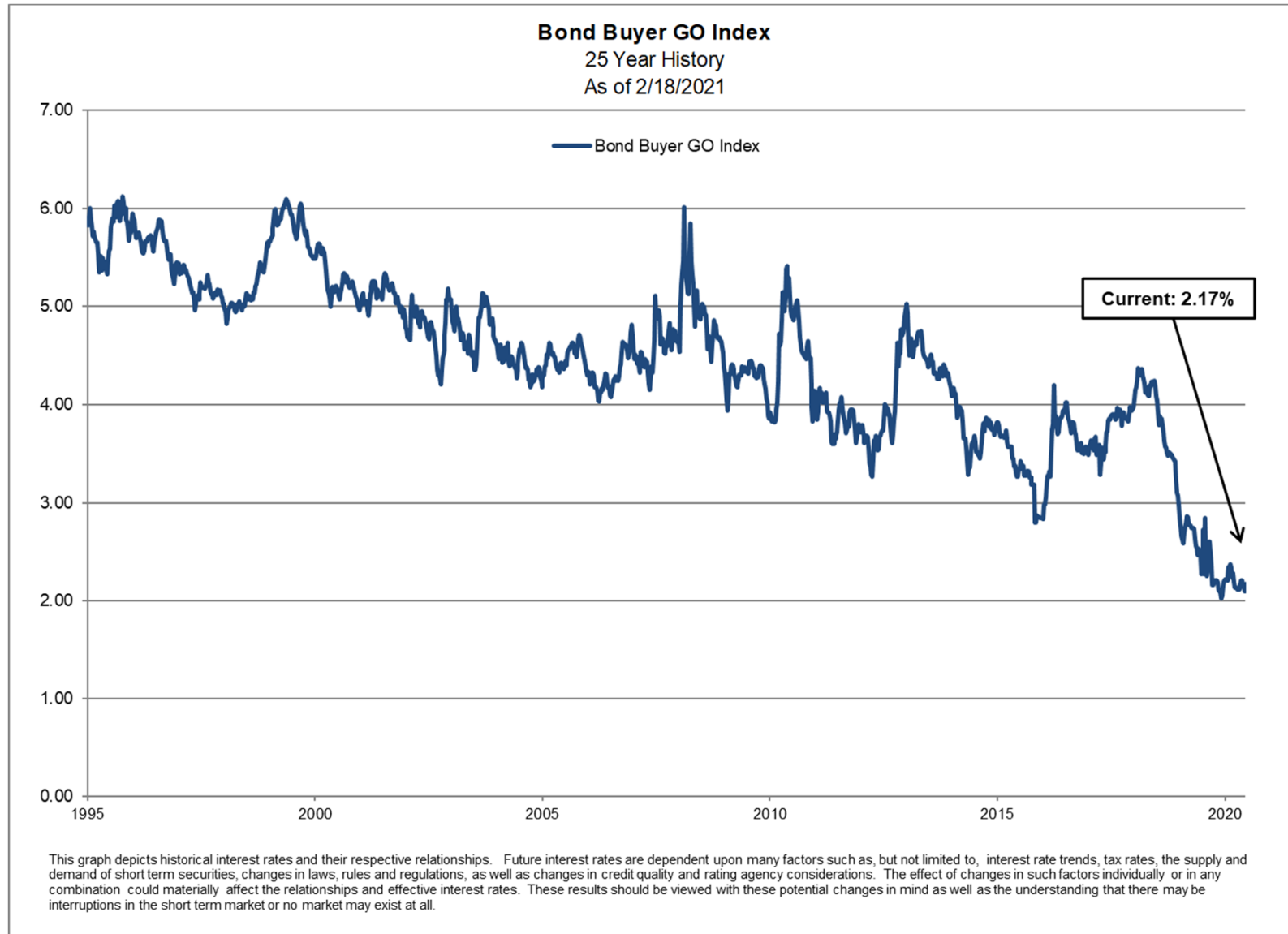
March 2, 2021

Weslaco, Texas

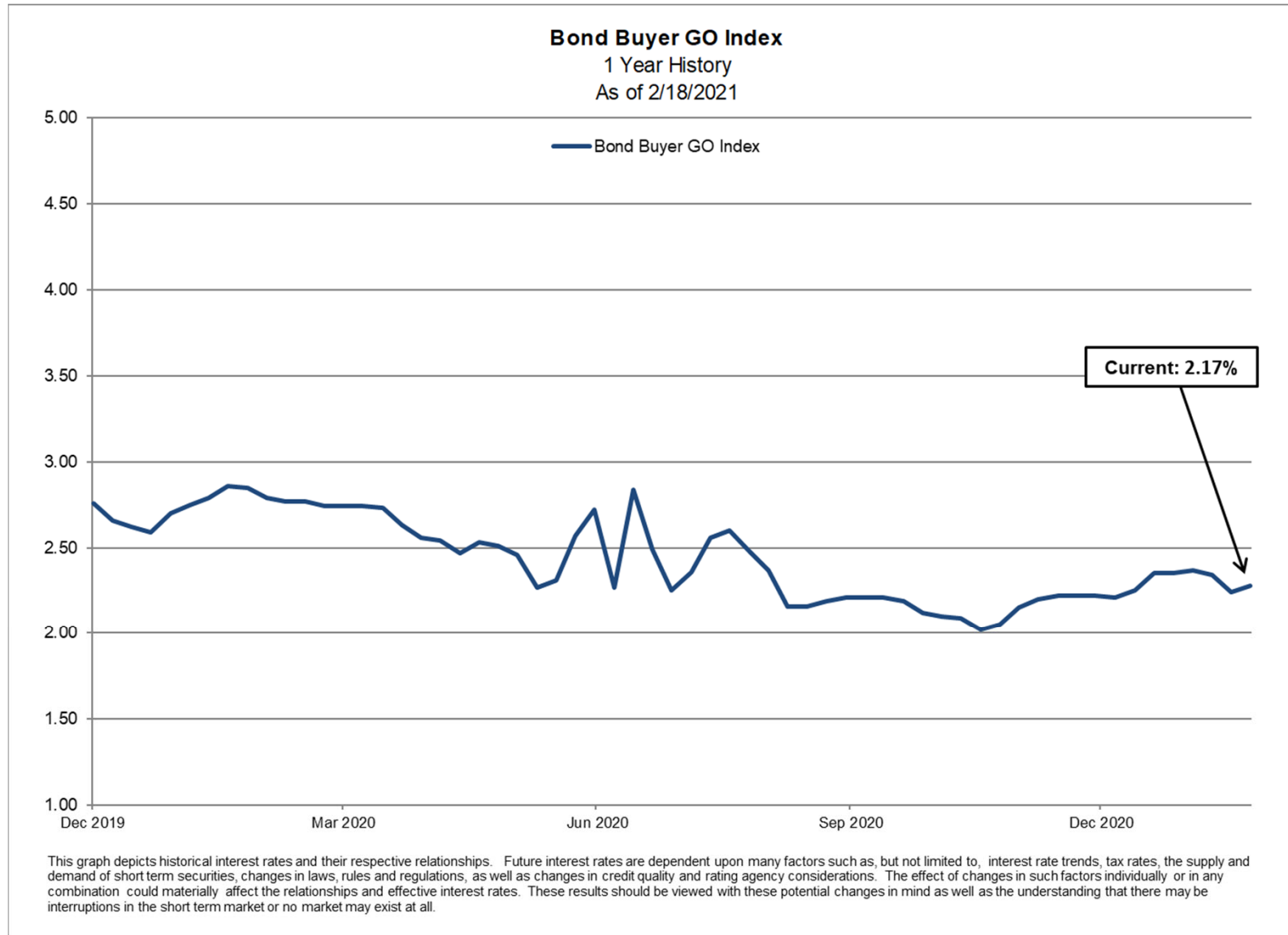
Market Update



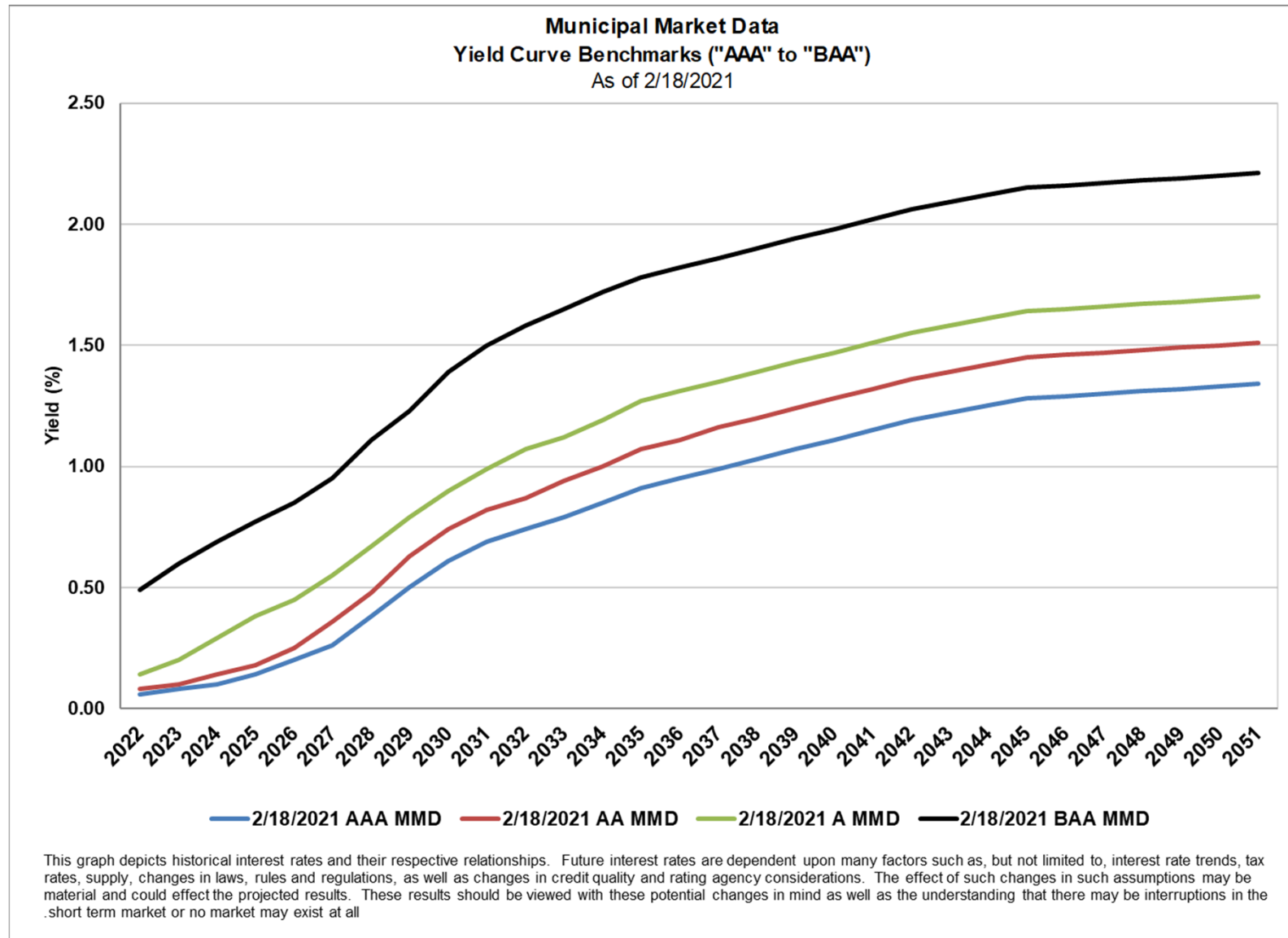
Bond Buyer's Index of 20 Municipal Bonds



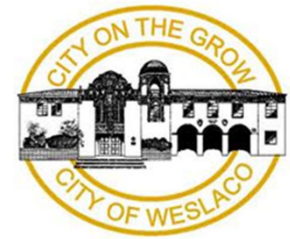
Bond Buyer's Index of 20 Municipal Bonds



MMD Yield Curve



Projected No Impact to the Tax Rate



Projected No Impact to Tax Rate

FYE	Assessed Valuation ⁽¹⁾	Estimated AV Growth	Existing Net Tax Supported Debt Service ⁽²⁾	Calculated I&S Tax Rate on Existing Debt	\$12,250,000 - 2021A Certificates Projected Debt Service Payments Assumed Delivered 5/26/2021 ⁽³⁾			LESS: Pay Off Economic Incentives	Aggregate Net Tax Supported Debt Service	Calculated I&S Tax Rate ⁽⁴⁾	Projected Change In I&S Tax Rate
					Principal	Interest	Debt Service				
2020	\$ 1,886,039,393	0.00%	\$ 3,376,410	\$ 0.1858				\$ -	\$ 3,376,410	\$ 0.1858	
2021	1,987,592,120	5.38%	3,373,656	0.1858	\$ -	\$ -	\$ -		3,373,656	0.1858	\$ -
2022	1,987,592,120	0.00%	3,381,019	0.1736	10,000	425,739	435,739	(313,494)	3,503,263	0.1799	(0.0059)
2023	1,987,592,120	0.00%	3,383,806	0.1737	80,000	348,840	428,840	(313,494)	3,499,152	0.1796	(0.0002)
2024	1,987,592,120	0.00%	2,099,481	0.1078	525,000	346,560	871,560	(313,494)	2,657,547	0.1364	(0.0432)
2025	1,987,592,120	0.00%	2,104,906	0.1081	540,000	331,598	871,598	(313,494)	2,663,010	0.1367	0.0003
2026	1,987,592,120	0.00%	2,111,906	0.1084	555,000	316,208	871,208	(313,494)	2,669,620	0.1371	0.0003
2027	1,987,592,120	0.00%	2,108,206	0.1082	575,000	300,390	875,390	(313,494)	2,670,102	0.1371	0.0000
2028	1,987,592,120	0.00%	1,565,856	0.0804	590,000	284,003	874,003	(313,494)	2,126,365	0.1092	(0.0279)
2029	1,987,592,120	0.00%	1,563,056	0.0802	605,000	267,188	872,188	(313,494)	2,121,750	0.1089	(0.0002)
2030	1,987,592,120	0.00%	1,565,606	0.0804	625,000	249,945	874,945	(313,494)	2,127,057	0.1092	0.0003
2031	1,987,592,120	0.00%	1,565,556	0.0804	640,000	232,133	872,133	(313,494)	2,124,195	0.1091	(0.0001)
2032	1,987,592,120	0.00%	1,562,769	0.0802	660,000	213,893	873,893	(313,494)	2,123,167	0.1090	(0.0001)
2033	1,987,592,120	0.00%	1,562,769	0.0802	680,000	195,083	875,083	(313,494)	2,124,357	0.1091	0.0001
2034	1,987,592,120	0.00%	965,006	0.0495	695,000	175,703	870,703	(313,494)	1,522,215	0.0781	(0.0309)
2035	1,987,592,120	0.00%	964,675	0.0495	715,000	155,895	870,895	(313,494)	1,522,076	0.0781	(0.0000)
2036	1,987,592,120	0.00%	967,800	0.0497	740,000	135,518	875,518	(313,494)	1,529,823	0.0785	0.0004
2037	1,987,592,120	0.00%	969,575	0.0498	760,000	114,428	874,428	(313,494)	1,530,508	0.0786	0.0000
2038	1,987,592,120	0.00%	969,669	0.0498	780,000	92,768	872,768	(313,494)	1,528,942	0.0785	(0.0001)
2039	1,987,592,120	0.00%	683,400	0.0351	800,000	70,538	870,538	(313,494)	1,240,443	0.0637	(0.0148)
2040	1,987,592,120	0.00%	-	-	825,000	47,738	872,738	(313,494)	559,243	0.0287	(0.0350)
2041	1,987,592,120	0.00%	-	-	850,000	24,225	874,225	(313,494)	560,731	0.0288	0.0001
2042	1,987,592,120	0.00%	-	-				-	-	-	(0.0288)
2043	1,987,592,120	0.00%	-	-				-	-	-	-
2044	1,987,592,120	0.00%	-	-				-	-	-	-
				\$ 36,845,129	\$ 12,250,000	\$ 4,328,386	\$ 16,578,386	\$ (6,269,883)	\$ 47,153,632		

Notes:

(1) Actual FY 2020 Assessed Valuation, preliminary FY 2021 Assessed Valuation. Assumes 0% growth thereafter.

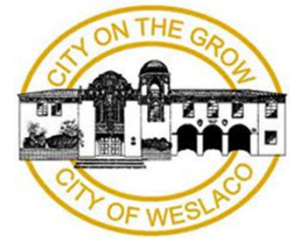
(2) Debt Outstanding after issuance of Series 2020 GOs. Excludes Self supporting debt.

(3) Assumes current 2.85% interest rate and delivery date of 5/26/21. \$12,000,000 project fund for Police & Fire purposes.

The Series 2021A Certificates will be partially self supporting through an annual economic incentive throughout the life of the Certificates.

(4) Estimated tax collections rate of 98.00%. Actual I&S rate for FY 2020, proposed I&S tax rate for FY 2021.

Proposed Timetable



Proposed Timetable of Events for Consideration

March						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
30						

April						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
30	31					

May						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

= Key Dates
 = Holidays

DATE	EVENT
Tuesday, March 02, 2021	Regular meeting of the City Commission. Consider a Resolution authorizing the Notice of Intent to Issue Certificates of Obligation.
Thursday, March 04, 2021	Publication due to newspaper prior to 3:00 P.M. to include request for two publications, Monday March 8th and Monday March 15th.
Monday, March 08, 2021	First publication of Notice of Intent to Issue Certificates of Obligation.
Wednesday, March 10, 2021	Distribute first draft of the Preliminary Official Statement ("POS") to working group for comments.
Monday, March 15, 2021	Second publication of Notice of Intent to Issue Certificates of Obligation.
Tuesday, March 23, 2021	Comments on first draft of POS due from working group.
Thursday, March 25, 2021	Distribute second draft of POS to working group for comments.
Wednesday, March 31, 2021	Send POS and related documents to Standard & Poor's Ratings Services ("S&P").
Friday, April 02, 2021	Holiday - Good Friday
Friday, April 09, 2021	Comments on second draft of POS due from working group.
Wednesday, April 14, 2021	Distribute final draft of POS to working group for comments.
Week of April 19th	Due Diligence Call (Time TBD)
Wednesday, April 21, 2021	Receive rating.
Thursday, April 22, 2021	Comments due on final draft of POS due from working group.
Monday, April 26, 2021	POS goes to i-Deal web site for posting.
Tuesday, May 04, 2021	Pricing.
	Regular meeting to conduct sale of Certificates of Obligation. Consider the adoption of the Ordinance Authorizing Issuance of Certificates of Obligation and approving and authorizing the execution of the Bond Purchaser Agreement.
Thursday, May 27, 2021	Closing Date; City delivers the Certificates of Obligation to Underwriter and receives funds.

Next Steps and Summary

- Municipal interest rates are at historical lows
- Proposed Certificates of Obligation are projected without an increase to the Debt Service Tax Rate
- Next Steps:
 - Adopt the Resolution of the Notice of Intent
 - Coordinate publications
 - Proceed with Proposed Timetable of Events

**RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION
TO ISSUE CERTIFICATES OF OBLIGATION**

RESOLUTION NO. 2021-22

WHEREAS, the City Commission (the "City Commission") of the City of Weslaco, Texas (the "City"), finds that financing the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of the public property, as well as the payment of fees for professional services related thereto, described in Exhibit A hereto would be beneficial to the inhabitants of the City, and such property is needed to perform essential governmental functions; and the City Commission has determined that one or more series of certificates of obligation (the "Certificates of Obligation") should be issued pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 *et seq.*, Texas Local Government Code, for such purposes;

WHEREAS, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation in a newspaper of general circulation in the City, the notice stating (i) the time and place the City Commission tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation, (ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purposes for which the Certificates of Obligation are to be issued, and (iv) the manner in which the City Commission proposes to pay the Certificates of Obligation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS, THAT:

Section 1. Attached hereto and marked Exhibit A is the "Notice of Intention to Issue Certificates of Obligation" (the "Notice"), the form and substance of which are hereby adopted and approved.

Section 2. Attached hereto and marked Exhibit B is a list of outstanding debt obligations of the City which the City designates as self-supporting debt for purposes of Subchapter C of Chapter 271, Texas Local Government Code, as amended.

Section 3. The Mayor or the City Secretary shall cause the Notice to be published in a newspaper, as defined in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks, the date of first publication to be at least 45 days prior to the date tentatively set for adoption of one or more ordinances authorizing the issuance of the Certificates of Obligation.

Section 4. The Mayor and the City Secretary are hereby authorized and directed to execute the Certificate to which this Resolution is attached on behalf of the City Commission and to do any or all things proper and necessary to carry out the intent thereof.

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE is hereby given that it is the intention of the City Commission (the "City Commission") of the City of Weslaco, Texas (the "City") to adopt one or more ordinances providing for the issuance of one or more interest-bearing obligations of the City presently contemplated to be designated and known as the "CITY OF WESLACO, TEXAS CERTIFICATES OF OBLIGATION" (the "Certificates of Obligation") for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, purchasing, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, including (i) providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of City-owned property, to-wit, a fire station, a police station, and a library; and (ii) payment of contractual obligations for professional services in connection therewith (to wit: consulting, engineering, financial advisory, and legal).

The City Commission tentatively proposes to authorize the issuance of the Certificates of Obligation (one or more series) at its regular meeting place at City Hall, Weslaco, Texas, at a meeting of the City Commission to be commenced at 5:30 p.m. on May 4, 2021, in a maximum total amount expected not to exceed \$12,250,000. In the event the City Commission will be unable to meet at this location on May 4, 2021, the City will post information on its website for attending the meeting by telephone, teleconference, or other electronic means. The City Commission proposes to provide for payment of the Certificates of Obligation from a pledge of an annual ad valorem tax, as well as an additional subordinate lien pledge of surplus revenues not to exceed \$1,000 of the City's waterworks and sewer system.

In accordance with the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended ("Chapter 271"), the following information has been provided by the City (excludes \$42,230,000 principal amount of outstanding debt obligations the City has designated as self-supporting and which the City reasonably expects to pay from revenue sources other than ad valorem taxes; provided, however, that in the event such self-supporting revenues sources are insufficient to pay debt service, the City is obligated to levy ad valorem taxes to pay such debt obligations): The current principal of all outstanding debt obligations of the City is \$24,125,000, the combined principal and interest required to pay all currently outstanding debt obligations of the City on time and in full is \$30,839,398, the estimated combined principal and interest required to pay the Certificates of Obligation on time and in full is \$16,578,386, the estimated interest rate for the Certificates of Obligation is 2.85%, and the maximum maturity date of the Certificates of Obligation will not exceed the maximum allowed by law. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with one or more series of the Certificates of Obligation. The resolution designating certain outstanding debt obligations of the City as self-supporting for purposes of Chapter 271 is available upon request sent to the City at the address noted above.

/s/ David Suarez
Mayor, City of Weslaco, Texas

EXHIBIT B

SELF-SUPPORTING DEBT OBLIGATIONS OF THE CITY

Certificates of Obligation, Series 2012	\$ 1,200,000
Certificates of Obligation, Series 2014	150,000
General Obligation Refunding, Series 2016	12,150,000*
General Obligation Refunding, Series 2017	19,045,000
General Obligation Refunding, Series 2020	<u>9,685,000*</u>
TOTAL	<u>\$42,230,000</u>

*Denotes par amount that is self-supporting



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4024	
From:			
Subject: Discussion and consideration to ratify amendment to Commercial Contract for the sale of 400 S. Illinois Street to approve time extension and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega		Created/Initiated	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Executed - Texas Realtors - Commercial Contract Amendment - 400 S. Illinois St., Weslaco, Texas 78596			
Responsibilities upon Approval:			



COMMERCIAL CONTRACT AMENDMENT

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.
©Texas Association of REALTORS®, Inc., 2018

AMENDMENT TO COMMERCIAL CONTRACT BETWEEN THE UNDERSIGNED BUYER AND SELLER CONCERNING THE PROPERTY AT

400 S Illinois St, Weslaco, TX 78596

Effective _____, Seller and Buyer amend the contract as follows: *(Check all applicable boxes.)*

☒ A. Sales Price: The sales price in Paragraph 3 of the contract is changed to:

Cash portion payable by Buyer at closing. \$ _____

Sum of all financing described in the contract. \$ _____

Sales price (sum of cash portion and sum of all financing) \$ 2,366,000.00

☐ B. Property Description: The Property's legal description in Paragraph 2A of the contract is changed to the legal description described on the attached Exhibit _____ or as follows:

☐ C. Repairs: Buyer accepts the Property in its present condition except that Seller, at Seller's expense, will complete the following before closing:

(TXR-1932) 4-1-18

Initialed for Identification by Seller _____, _____ and Buyer [Hej], _____

Page 1 of 2

Amendment to Commercial Contract concerning 400 S Illinois St, Weslaco, TX 78596

- ☐ D. Extension of Feasibility Period: For nominal consideration, the receipt of which Seller acknowledges, and the consideration described under (1) or (2) below, if any, Buyer's right to terminate under Paragraph 7B of the contract is extended until 11:59 p.m. on _____.
- ☐ (1) The independent consideration for Buyer's right to terminate that will be deducted from the earnest money if Buyer terminates the contract under Paragraph 7B(1) is increased to a total amount of \$ _____. (Insert an amount greater than the amount in Paragraph 7B(1) of the contract.)
- ☐ (2) Buyer has paid Seller additional consideration of \$ _____ for the extension. This additional consideration ☐ will ☐ will not be credited to the sales price upon the closing of the sale.
- ☒ E. Closing: The closing date in Paragraph 10A of the contract is changed to March 26, 2021.
- ☐ F. Expenses: At closing Seller will pay the first \$ _____ of Buyer's expenses under Paragraph 13 of the contract.
- ☐ G. Waiver of Right to Terminate: Upon final acceptance of this Amendment, Buyer waives the right to terminate under Paragraph 7B of the contract.
- ☐ H. Counterparts: If this amendment is executed in a number of identical counterparts, each counterpart is an original and all counterparts, collectively, constitute one agreement.
- ☒ I. Other Modifications:
Seller to pay off Spectrum Contract not to exceed \$66,000.00

Seller: WESLACO ECONOMIC DEVELOPMENT CORPORATIVO

By: Weslaco Economic Development Corp
 By (signature): [Signature]
 Printed Name: Benita R. Valdez
 Title: Board President

Buyer: HOMERO CABELLO JR. OR ASSIGNED LIMITED LIABILITY CORPORATION

By: _____
 By (signature): [Signature] 02/16/2021
 Printed Name: Homero Cabello Jr.
 Title: 2/16/2021 8:25:19 PM GMT

By: CITY OF WESLACO
 By (signature): [Signature]
 Printed Name: David Suarez
 Title: MAYOR

By: _____
 By (signature): _____
 Printed Name: _____
 Title: _____



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4030
From:		
Subject: Discussion and consideration of date and time for a City Commission Retreat to discuss the goals and objectives of Capital Outlay Projects and the 5-year plan. Possible action. (Staffed by City Manager.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted:		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Norma Cantu Mike Perez		Created/Initiated Final Approval
City Manager Comments: Recommend Saturday March 13th or March 20th from 8am-12 at the Legislative Chamber Room at City Hall.		
Staff Recommendation:		
Attachments, if any:		
Responsibilities upon Approval:		



Standardized Agenda Request Form

Date of Meeting: March 2, 2021	Agenda Item No. (to be assigned by CSO): 2021-4003	
From:		
Subject: Discussion and consideration of award of bid RFB No.:2020-21-05 Industrial Employee Uniform Service Contract to AlSCO Linens and Uniform Rental Services for 3 years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)		
Background: On January 22, 2021, the City opened bids for the Industrial Employee Uniform Rental Service – RFB N.: 2020-21-05. These uniforms are provided for employees in Public Works, Parks, and Utility Departments for approximately 70 employees. We received bids submittals from Cintas, Unifirst and AlSCO. Only Cintas and AlSCO provided bonafide bids, as the Unifirst bid was blank when opened. A committee reviewed and evaluated the bids as submitted. The apparent low bidder for the base bid for rental and laundering service is AlSCO Linen and Uniform Rental Services . The estimated pricing extended based on current staffing levels and the selected uniforms is as follows: <u>BIDDER WEEKLY ANNUAL 3 YEAR CONTRACT</u> ALSCO \$374.40 \$19,468.80 \$58,406.40 CINTAS \$390.72 \$20,317.44 \$60.952.32 Bids were also received for a Uniform Insurance Program to cover costs of repairs and to replace garments that are damaged in the normal course of wear beyond repair; This service would cover costs not included in the base bid specifications. The apparent low bidder would be AlSCO Linen and Uniform Rental Services . The estimated pricing (including base bid) extended based on current staffing levels and the selected uniforms is as follows: <u>BIDDER WEEKLY ANNUAL 3 YEAR CONTRACT</u> ALSCO \$515.64 \$26,813.28 \$80,439.84 CINTAS \$525.14 \$27,307.28 \$81,921.84 Also, bids were received for the purchase of Embroidered Oxford Shirts for supervisors. The apparent low bidder was CINTAS. <u>BIDDER EMBROIDERED OXFORD SIZE UP</u> CINTAS \$16.00 \$16.00 ALSCO \$20.26 \$22.06		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted:		

Mayor's Signature	
If item previously considered, provide date and action by Commission:	
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:	
Advisory Review, if any (name of board/committee, date of action, recommendation):	
Norma Cantu Omar Rodriguez Pete Garcia Mike Perez	Created/Initiated Approved Approved Final Approval
City Manager Comments: Approve.	
Staff Recommendation: Staff recommends award of contract to AlSCO Linens and Uniform Services for the base bid of providing Industrial Employee Uniform Rental Services without the Uniform Insurance Program for a three year contract; and, to award the Embroidered Oxford Shirt to Cintas as bid.	
Attachments, if any: MEMO INDUSTRIAL UNIFORM RENTAL SERVICES CONTRACT, EMPLOYEE UNIFORMS BID ANALYSIS, EMPLOYEE UNIFORMS BID TABULATION, INDUSTRIAL UNIFORM RENTAL SERVICES CONTRACT - DRAFT	
Responsibilities upon Approval:	

City of Weslaco

“
e City on the Grow”



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose “J.P.” Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTER-OFFICE MEMORANDUM

DATE: February 3, 2021

TO: MIKE R. PEREZ, CITY MANAGER

FROM: OMAR RODRIGUEZ, PARKS & RECREATION – DIRECTOR
PETE GARCIA, JR., PUBLIC WORKS – DIRECTOR
OLGA N. GARZA, PUBLIC WORKS – ASSISTANT DIRECTOR

SUBJECT: INDUSTRIAL EMPLOYEE UNIFORM RENTAL SERVICES – RFB NO.: 2020-21-05

On January 22, 2021, the City opened bids for the Industrial Employee Uniform Rental Service – RFB N.: 2020-21-05. These uniforms are provided for employees in Public Works, Parks, and Utility Departments for approximately 76 employees. The terms of the bids were to provide selected uniforms to be laundered, maintained and steam finished or pressed on a weekly basis for a three-year contract. To include repairing, replacing, and sewing of buttons, patches, alterations, etc. We received bid submittals from Cintas, Unifirst and AlSCO Linens and Uniforms Rental Services. Only Cintas and AlSCO provided qualified bids, as the Unifirst bid was blank when opened.

A committee reviewed and evaluated the bids submitted (bid tab attached). The apparent low bidder for the base bid for rental and laundering service is **AlSCO Linen and Uniform Rental Services**. The estimated pricing extended based on current staffing levels and the selected uniforms is as follows:

BIDDER	WEEKLY	ANNUAL	3 YEAR CONTRACT
ALSCO	\$374.40	\$19,468.80	\$58,406.40
CINTAS	\$390.72	\$20,317.44	\$60,952.32

Bids were also received for a **Uniform Insurance Program** to cover costs of repairs and to replace garments that are damaged in the normal course of wear beyond repair; This service would cover costs not included in the base bid specifications. The apparent low bidder is **AlSCO Linen and Uniform Rental Services**. However, based on the City's history of replacing damaged uniforms staff is recommending against award of this service. The City would have to replace approximately 157 sets of uniforms to break-even on this service. Instead, the bid includes fixed pricing for the term of the contract to replace damaged or lost garments. The estimated pricing (including base bid) extended based on current staffing levels and the selected uniforms is as follows:

BIDDER	WEEKLY	ANNUAL	3 YEAR CONTRACT
ALSCO	\$515.64	\$26,813.28	\$80,439.84
CINTAS	\$525.14	\$27,307.28	\$81,921.84

Also, bids were received for the purchase of **Embroidered Oxford Shirts** for supervisors. The apparent low bidder was CINTAS.

BIDDER	EMBROIDERED OXFORD	SIZE UP
CINTAS	\$16.00	\$16.00
ALSCO	\$20.26	\$22.06

CITY OF WESLACO

INDUSTRIAL EMPLOYEE UNIFORM RENTAL SERVICES – RFB NO.: 2020-21-05RFB No.: 2020-21-05

INDUSTRIAL UNIFORM RENTAL SERVICE

BID ANALYSIS - BASED ON CURRENT STAFFING AND SELECTED UNIFORM STYLES

Uniformed Employees: 76

CINTAS				ALSCO LINENS AND UNIFORM RENTAL SERVICES			
AVG. COST SET OF 11		\$	578.00	AVG. COST SET OF 11		\$	513.80
		RENTAL COST	\$ 390.72			RENTAL COST	\$ 365.40
		SERVICE CHARGE	\$ -			SERVICE CHARGE	\$ 9.00
EA	<u>SHIRTS</u> 69	<u>PANTS</u> 76	WEEKLY TOTAL \$ 390.72	EA	<u>SHIRTS</u> 69	<u>PANTS</u> 76	WEEKLY TOTAL \$ 374.40
SET	759	836		SET	759	836	
		ANNUAL TOTAL	\$ 20,317.44			ANNUAL TOTAL	\$ 19,468.80
		CONTRACT TOTAL	\$ 60,952.32			ESTIMATED CONTRACT TOTAL	\$ 58,406.40

UNIFORM INSURANCE PLAN

BID ANALYSIS - BASED ON CURRENT STAFFING AND SELECTED UNIFORM STYLES

CINTAS						ALSCO LINENS AND UNIFORM RENTAL SERVICES					
			TOTAL GARMENTS						TOTAL GARMENTS		
			WEEKLY						WEEKLY		
ADVANTAGE PLAN	\$ 0.04	1,595	\$ 63.80	\$ 3,317.60	ANNUAL	UNIFORM SHIELD	\$ 0.06	1,595	\$ 95.70	\$ 4,976.40	ANNUAL
				\$ 9,952.80	CONTRACT					\$ 14,929.20	CONTRACT
PREP CHARGE	\$ 0.03	1,595	\$ 47.85	\$ 2,488.20	ANNUAL	N/A	\$ -	1,595	\$ -	\$ -	ANNUAL
				\$ 7,464.60	CONTRACT					\$ -	CONTRACT
EMBLEM (shirts only)	\$ 0.03	759	\$ 22.77	\$ 1,184.04	ANNUAL	PREP/EMBLEM	\$ 0.06	759	\$ 45.54	\$ 2,368.08	ANNUAL
				\$ 3,552.12	CONTRACT					\$ 7,104.24	CONTRACT
		PER WEEK	\$ 134.42					PER WEEK	\$ 141.24		
		PER YEAR	\$ 6,989.84					PER YEAR	\$ 7,344.48		
SHIRTS	PANTS			Break-even						Break-even	
69	76			12 sets						14 sets	
759	836			133 uniforms						157 uniforms	
SERVICE CHARGE		\$ -	\$ -			SERVICE CHARGE		\$ 9.00	1	\$ 9.00	
		WEEKLY TOTAL	\$ 525.14					WEEKLY TOTAL	\$ 515.64		
		ANNUAL TOTAL	\$ 27,307.28					ANNUAL TOTAL	\$ 26,813.28		
		CONTRACT TOTAL	\$ 81,921.84					ESTIMATED CONTRACT TOTAL:	\$ 80,439.84		

DIRECT PURCHASE - EMBROIDERED OXFORD SHIRT FOR SUPERVISORS

BID ANALYSIS - BASED ON CURRENT STAFFING AND SELECTED UNIFORM STYLES

CINTAS						ALSCO LINENS AND UNIFORM RENTAL SERVICES									
SETS of 11															
STANDARD SIZE:	5	\$	16.00	\$	55.00	\$	880.00	STANDARD SIZE:	4	20.06	\$	882.64			
SIZE-UP:	2	\$	16.00			\$	352.00	SIZE-UP:	2	22.06		\$	485.32		
ESTIMATED TOTAL:						\$	1,232.00							\$	1,367.96

CITY OF WESLACO

BID TAB

RFB No.: 2020-21-05

LOW BIDDER		CINTAS		CINTAS		ALSCO	
Item	Garments	Weekly Rental Price	Replacement Cost per garment	Weekly Rental Price	Replacement Cost per garment	Weekly Rental Price	Replacement Cost per garment
INDUSTRIAL UNIFORM RENTAL SERVICE							
1	Men's Industrial Work Shirt - Solid, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Standard Size 11	1.43	12.50	1.75	12.14		
2	Men's Industrial Work Shirt - Solid, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Size-up / Non-Standard 11	3.08	12.50	1.75	14.36		
3	Men's Industrial Work Shirt Enhanced Visibility - Solid with reflective striping (non ANSI standard, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Standard Size 11	2.86	34.00	2.50	31.73		
4	Men's Industrial Work Shirt Enhanced Visibility - Solid with reflective striping (non ANSI standard, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Size-up / Non-Standard 11	4.51	34.00	2.50	31.73		
5	Men's FR Work Shirt - Solid, ARC2, 9.5 ATPV, ASTM 1506, NFPA 2112 Certified 70E; Two pockets, Min. Weight 6.5 oz 88% FR Cotton 12% Nylon Standard Size 11	4.18	48.00	4.50	48.87		
6	Men's FR Work Shirt - Solid, ARC2, 9.5 ATPV, ASTM 1506, NFPA 2112 Certified 70E; Two pockets, Min. Weight 6.5 oz 88% FR Cotton 12% Nylon Size-up / Non-Standard 11	5.83	48.00	4.50	48.77		
7	Woman's Industrial Work Shirt - Solid, Flex Fabric; Min. Weight 3.5 oz 65% Polyester 35% Cotton Poplin Standard Size 11	1.43	17.00	1.75	12.14		
8	Men's Industrial Cotton Workshirt - Solid, two pockets; Min. weight 6 oz. 100% Cotton; Emblem Name and Emblem City Logo. Standard Size 1	2.20	17.00	2.50	13.32		
9	Men's Industrial Cotton Workshirt - Solid, two pockets; Min. weight 6 oz. 100% Cotton; Emblem Name and Emblem City Logo. Size-up / Non-Standard 1	3.85	17.00	2.50	13.32		
10	Men's Crew Shirt - Stretch panels and underarm mesh gussets, Concealed button front placket, two pockets; Stain resistant and moisture-wicking; Min. Weight 4.25 oz. 65% polyester 35% cotton ripstop, stretch panels 100% polyester; Emblem Name and Emblem City Logo. Standard Size 1	2.31	15.85	2.50	26.77		
11	Men's Crew Shirt - Stretch panels and underarm mesh gussets, Concealed button front placket, two pockets; Stain resistant and moisture-wicking; Min. Weight 4.25 oz. 65% polyester 35% cotton ripstop, stretch panels 100% polyester; Emblem Name and Emblem City Logo. Size-up / Non-Standard 1	3.96	15.85	2.50	26.77		
15	Men's Industrial Work Pant- Solid Color, Flex Fabric, front pockets, hip pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Standard Size 11	1.43	15.00	1.75	12.98		

CITY OF WESLACO

BID TAB

RFB No.: 2020-21-05

LOW BIDDER

LOW BIDDER		CINTAS	CINTAS	ALSCO	ALSCO
Item	Garments	Weekly Rental Price	Replacement Cost per garment	Weekly Rental Price	Replacement Cost per garment
INDUSTRIAL UNIFORM RENTAL SERVICE					
16	Men's Industrial Work Pant - Solid Color, Flex Fabric, front pockets, hip pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Size-up / Non-Standard 11	3.08	15.00	1.75	12.98
17	Men's Industrial Cargo Pant - Solid Color, Flex Fabric, mitered cargo pockets, front pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Standard Size 11	1.76	18.00	1.75	21.06
18	Men's Industrial Cargo Pant - Solid Color, Flex Fabric, mitered cargo pockets, front pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Size-up / Non-Standard 11	3.41	18.00	1.75	21.06
19	Men's FR Work Pant - ARC2, ATPV 12.0, ASTM 1506, NFPA 2112 Certified 70E; Min. Weight 9 oz 88% FR Cotton 12% Nylon Standard Size 11	4.18	44.00	4.80	42.96
20	Men's FR Work Pant - ARC2, ATPV 12.0, ASTM 1506, NFPA 2112 Certified 70E; Min. Weight 9 oz 88% FR Cotton 12% Nylon Size-up / Non-Standard 11	5.83	44.00	4.80	42.96
21	Woman's Industrial Work Pant - min. weight 7.7 oz. 65% Polyester 35% Cotton Standard Size 11	1.43	18.00	1.75	12.98
UNIT RENTAL/REPLACEMENT COST:		56.76	443.70	47.60	446.90

STAFF RECOMMENDS AWARD TO ALSCO LINEN AND UNIFORM RENTAL SERVICES.

CITY OF WESLACO

BID TAB

RFB No.: 2020-21-05

LOW BIDDER

			CINTAS	CINTAS	ALSCO	ALSCO
			Weekly	Replacement	Weekly	Replacement
			Rental	Cost per	Rental	Cost per
			Price	garment	Price	garment
Item	Garments					
UNIFORM INSURANCE PROGRAM						
22	Uniform Advantage Plan per garment	1	0.04		0.06	
23	Prep Advantage per garment	1	0.03			
24	Emblem Advantage per garment	1	0.03		0.06	
		UNIT COST:	0.10		0.12	
25	Minimum Charge per invoice City will not be charged		0.00		0.00	
26	Service Charge per invoice	1	0.00		9.00	
		UNIT RENTAL COST WITH UNIFORM INSURANCE:	56.86		56.72	

NOT RECOMMENDED FOR AWARD

CITY OF WESLACO

BID TAB

RFB No.: 2020-21-05

LOW BIDDER

LOW BIDDER		CINTAS	CINTAS	ALSCO	ALSCO
		Weekly Rental Price	Replacement Cost per garment	Weekly Rental Price	Replacement Cost per garment
Item	Garments				
DIRECT PURCHASE					
12	Men's Executive Oxford Shirt - Solid, Button Down Collar, Center Back Pleat; Min. wieght 4.95 oz. 57% Cotton 43% Polyester; Embroidered Name and City Logo.	0	16.00	0.00	20.06
	Standard Size - Direct Purchase 1	2.04	10.05	2.50	14.56
13	Men's Executive Oxford Shirt - Solid, Button Down Collar, Center Back Pleat; Min. wieght 4.95 oz. 57% Cotton 43% Polyester; Embroidered Name and City Logo.	0	16.00	0.00	22.06
	Size-up / Non-Standard - Direct Purchase 1	2.4	10.05	2.50	16.56
14	Direct Embroidery Fee for name & emblem on Supervisory Shirt - Direct Purchase 1		5.95		5.50

STAFF RECOMMENDS AWARD TO CINTAS.



CITY OF WESLACO

Industrial Employee Uniform Rental Service Agreement

This agreement made this XX day of February 2021, by and between the City of Weslaco, a home-ruled municipal corporation; 255 S. Kansas Ave. Weslaco, Texas 78596, (hereinafter referred to as “CITY”), and ALSCO LINEN AND UNIFORM RENTAL SERVICES, 2121 N. 77 Sunshine Strip, Harlingen, TX 78550 hereinafter referred to as “SUPPLIER”.

In consideration of the mutual promises and undertakings set forth herein, receipt of said consideration being acknowledged, the parties hereby agree as follows:

1. The SUPPLIER agrees to furnish to CITY all the requirements of an INDUSTRIAL EMPLOYEE UNIFORM RENTAL SERVICE as described by this agreement during the term of this agreement all in accordance with the pricing, terms and conditions contained herein. Pricing is based on 52 weeks billing per rental item per year.
2. The fees will remain firm for the approved period of this bid (including extensions) as described per EXHIBIT A – FEE SCHEDULE.
3. All uniforms remain the property of the SUPPLIER.
4. All uniforms must be laundered, maintained and steam finished by SUPPLIER on a weekly basis. Any garments that require replacement due to normal wear will be replaced by SUPPLIER at no charge to CITY.
5. SUPPLIER will make all repairs (buttons, small tears, patches, zippers, etc.) on uniforms as needed and will replace all uniforms damaged beyond repair in the normal course of city operations at no cost to the CITY. Worn or damaged uniforms will be replaced with “Semi-new or New” garments that will match those worn by other employees as specified in this contract. If the replacement uniforms are not satisfactory to city specifications, new uniforms will be provided at no cost to the CITY.
6. Emblems will be heat sealed on or sewn onto each garment. There will be one (1) emblem on the Right side above the pocket to read the employee’s name and one (1) CITY department emblem above the left pocket.
7. Exchange Schedule will be done weekly and will consist of five (5) uniforms. The SUPPLIER pick-up and delivery location(s) will be specified by the CITY (each

department will designate an area). The SUPPLIER will provide a printed receipt to CITY's point of contact at each designated location at time of pick-up indicating inventory received for service. The day of the week and the time will be agreed upon by both parties.

8. At the inception of service contract, each employee will be supplied with "NEW GARMENTS" following the specifications for the respective department. Each employee will receive eleven (11) new uniforms. This process must be completed within three 3 weeks to four weeks from date employees have been sized.
9. New employees starting the service at any time during the contract period will receive new uniforms. Uniforms furnished will match those worn by the other employees as specified in this contract.
10. The weekly rental charge for any individual leaving the employ of CITY will be terminated upon written notification to SUPPLIER. The CITY will return all uniforms or pay the replacement values for those lost or damaged as specified in EXHIBIT A – SPECIFICATION & FEE SCHEDULE.
11. The CITY will be billed on a weekly basis for the uniforms used. All invoices are paid "net 30 days" from date of service, or receipt of invoice whichever is later. A copy of invoice shall be given to the respective departments upon delivery of uniforms.
12. The SUPPLIER agrees to indemnify and save harmless the CITY from all suits and actions of every nature and description brought against them or any of them, for or on account of the use of patented appliances, products or processes, and he/she shall pay all royalties and charges which are legal and equitable.
13. The term of the contract is for three (3) years beginning on or about March 1, 2021 and ending February 29, 2024.
14. If the SUPPLIER cannot continue the services described herein, a written notification must be submitted to the CITY at least ninety (90) days in advance. Furthermore, CITY will continue to use the SUPPLIER's uniforms for that time period. CITY may terminate contract if unsatisfactory services are rendered by SUPPLIER, given (90) days' notice.
15. This Agreement shall be governed by and construed under the laws of the State of Texas, which shall be the forum for any lawsuit arising from or incident to this Agreement. Venue shall be the state and federal courts located in Hidalgo County, Texas.
16. This agreement contains the entire agreement of the parties with respect to the subject matter of this agreement and supersedes all prior agreements and understandings with respect thereto. This agreement may only be amended by a written document executed by all parties.

IN WITNESS WHEREOF, the undersigned hereby execute this license agreement as of the day and year first above written

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

NORMA CANTU, CITY SECRETARY

APPROVED AS TO FORM:

JUAN E. GONZALEZ, CITY ATTORNEY

AUTHORIZED SIGNATURE

INDUSTRIAL EMPLOYEE UNIFORM RENTAL SERVICE AGREEMENT
EXHIBIT A – SPECIFICATIONS & FEE SCHEUDULE

Item		Garments
1	Men's Industrial Work Shirt - Solid, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Standard Size	11
2	Men's Industrial Work Shirt - Solid, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Size-up / Non-Standard	11
3	Men's Industrial Work Shirt Enhanced Visibility - Solid with reflective striping (Non-ANSI standard, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Standard Size	11
4	Men's Industrial Work Shirt Enhanced Visibility - Solid with reflective striping (Non-ANSI standard, Flex Fabric, with Two Chest Pockets; Min. Weight 4.25 oz, 65% Polyester 35% Cotton Size-up / Non-Standard	11
5	Men's FR Work Shirt - Solid, ARC2, 9.5 ATPV, ASTM 1506, NFPA 2112 Certified 70E; Two pockets, Min. Weight 6.5 oz 88% FR Cotton 12% Nylon Standard Size	11
6	Men's FR Work Shirt - Solid, ARC2, 9.5 ATPV, ASTM 1506, NFPA 2112 Certified 70E; Two pockets, Min. Weight 6.5 oz 88% FR Cotton 12% Nylon Size-up / Non-Standard	11
7	Woman's Industrial Work Shirt - Solid, Flex Fabric; Min. Weight 3.5 oz 65% Polyester 35% Cotton Poplin Standard Size	11
8	Men's Industrial Cotton Work shirt - Solid, two pockets; Min. weight 6 oz. 100% Cotton; Emblem Name and Emblem City Logo. Standard Size	1
9	Men's Industrial Cotton Work shirt - Solid, two pockets; Min. weight 6 oz. 100% Cotton; Emblem Name and Emblem City Logo. Size-up / Non-Standard	1

10	Men's Crew Shirt - Stretch panels and underarm mesh gussets, Concealed button front placket, two pockets; Stain resistant and moisture-wicking; Min. Weight 4.25 oz. 65% polyester 35% cotton ripstop, stretch panels 100% polyester; Emblem Name and Emblem City Logo. Standard Size	1
11	Men's Crew Shirt - Stretch panels and underarm mesh gussets, Concealed button front placket, two pockets; Stain resistant and moisture-wicking; Min. Weight 4.25 oz. 65% polyester 35% cotton ripstop, stretch panels 100% polyester; Emblem Name and Emblem City Logo. Size-up / Non-Standard	1
12	Men's Executive Oxford Shirt - Solid, Button Down Collar, Center Back Pleat; Min. weight 4.95 oz. 57% Cotton 43% Polyester; Embroidered Name and City Logo. Standard Size - Direct Purchase	1
13	Men's Executive Oxford Shirt - Solid, Button Down Collar, Center Back Pleat; Min. weight 4.95 oz. 57% Cotton 43% Polyester; Embroidered Name and City Logo. Size-up / Non-Standard - Direct Purchase	1
14	Direct Embroidery Fee for name & emblem on Supervisory Shirt - Direct Purchase	1
15	Men's Industrial Work Pant - Solid Color, Flex Fabric, front pockets, hip pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Standard Size	11
16	Men's Industrial Work Pant - Solid Color, Flex Fabric, front pockets, hip pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Size-up / Non-Standard	11
17	Men's Industrial Cargo Pant - Solid Color, Flex Fabric, mitered cargo pockets, front pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Standard Size	11
18	Men's Industrial Cargo Pant - Solid Color, Flex Fabric, mitered cargo pockets, front pockets; min. weight 7.75 oz. 65% Polyester 35% Cotton Size-up / Non-Standard	11
19	Men's FR Work Pant - ARC2, ATPV 12.0, ASTM 1506, NFPA 2112 Certified 70E; Min. Weight 9 oz 88% FR Cotton 12% Nylon Standard Size	11
20	Men's FR Work Pant - ARC2, ATPV 12.0, ASTM 1506, NFPA 2112 Certified 70E; Min. Weight 9 oz 88% FR Cotton 12% Nylon Size-up / Non-Standard	11

DRAFT



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4026	
From:			
Subject: Discussion and consideration to award the Request for Bid No. 2020-21-07 to the best qualified, most advantageous bidder for the lease and maintenance of copiers on a three-year contract, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department)			
Background: The city opened a total of eight bids for the lease and maintenance of copiers on January 29th 2021. The three years contract will cover service for twenty one copiers used by different departments.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Norma Cantu J. Martin Vela Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Lease and Maintenance of Copiers - memo, bid opening tab			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
 Leo Muñoz, Mayor Pro-Tem, District 1
 Greg Kerr, Commissioner, District 2
 Jose "J.P." Rodriguez, Commissioner, District 3
 Adrian Farias, Commissioner, District 4
 Letty Lopez, Commissioner, District 5
 Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

To: David Suarez, Mayor; Leo Munoz, Mayor Pro-Tem; Letty Lopez, Commissioner; Greg Kerr, Commissioner; Jose Rodriguez, Commissioner; Adrian Farias, Commissioner; Josh Pedraza, Commissioner; Mike Perez, City Manager

From: J. Martin Vela, Information Technology Department

Re: Discussion and consideration to approve a three years contract for lease and maintenance of copiers.

Date: February 22nd. 2021

We are requesting that you consider approval to award the request for bid No. #2020-21-03 to the most advantageous bidder. Vendor with lowest bid is Digital Office. This three year contract will cover twenty one copiers used by different city departments.

The city opened a total of eight bids for the lease and maintenance of copiers on January 29th 2021.

\$ 2,405.07	\$ 2,959.21	\$ 2,611.17	\$ 3,546.48	\$ 3,753.92	\$ 2,422.72	\$ 1,977.22	\$ 1,953.61
total monthly	total monthly	total monthly	total monthly	total monthly	total monthly	total monthly	total monthly
\$ 28,860.84	\$ 35,510.52	\$ 31,334.04	\$ 42,557.76	\$ 45,047.04	\$ 29,072.64	\$ 23,726.64	\$ 23,443.32
annual total	annual total	annual total	annual total	annual total	annual total	annual total	annual total
LASER LUX	RICOH	TOTAL IMAGING	TOSIBA	XEROX	FORGED TECH SOLOUTIONS	XEROX	DIGITAL OFFICE

Please contact me with questions or concerns

Thank you,

J. Martin Vela
 Information Technology Director, City of Weslaco
 Phone: 956.968.6253
 Email: jvela@weslacotx.gov

CITY OF WESLACO
COST FACTOR SHEET FOR COPIERS / Preliminary Bid Opening Tab
RFB No.: 2020-21-04 opening on 1/29/2021 via ZOOM meeting

COPIER		CRUZ	AISSA	ERIC	SABRINA	TONY	RAJ	SHELBY	EDDIE
		LASER LUX	RICOH	TOTAL IMAGING	TOSIBA	XEROX	FORGED TECH SOLOUTIONS	XEROX	DIGITAL OFFICE
COPIER		Monthly Lease Fee	Monthly Lease Fee	Monthly Lease Fee	Monthly Lease Fee	Monthly Lease Fee	Monthly Lease Fee	Monthly Lease Fee	Monthly Lease Fee
1	Kyocera ECOSYS M3540idn or Approved Equal POLICE DEPARTMENT	\$ 39.15	\$ 20.62	\$ 54.79	\$ 88.60	\$ 83.16	\$ 43.16	\$ 24.11	\$ 34.85
2	Kyocera ECOSYS M3540idn or Approved Equal POLICE DEPARTMENT	\$ 39.15	\$ 20.62	\$ 54.79	\$ 81.22	\$ 83.16	\$ 43.16	\$ 24.11	\$ 34.85
3	CopyStar CS 4501i or Approved Equal POLICE DEPARTMENT	\$ 105.22	\$ 174.65	\$ 144.74	\$ 116.57	\$ 188.12	\$ 143.35	\$ 127.78	\$ 96.74
4	CopyStar CS 5551ci or Approved Equal POLICE DEPARTMENT	\$ 227.67	\$ 282.16	\$ 217.21	\$ 365.83	\$ 255.05	\$ 208.74	\$ 150.98	\$ 183.54
5	CopyStar CS 3010i or Approved Equal MUNICIPAL COURT	\$ 80.07	\$ 145.86	\$ 113.20	\$ 137.12	\$ 188.12	\$ 90.73	\$ 93.45	\$ 89.06
6	CopyStar CS 4501i or Approved Equal CITY SECRETARY DEPARTMENT	\$ 148.45	\$ 222.20	\$ 178.99	\$ 162.42	\$ 212.77	\$ 189.01	\$ 152.55	\$ 137.32
7	CopyStar CS 4501i or Approved Equal CITY SECRETARY DEPARTMENT	\$ 133.78	\$ 222.20	\$ 153.96	\$ 170.73	\$ 199.71	\$ 185.29	\$ 152.55	\$ 124.97
8	CopyStar CS 5551ci or Approved Equal HUMAN RESOURCES DEPARTMENT	\$ 219.16	\$ 271.86	\$ 208.36	\$ 368.68	\$ 299.75	\$ 198.69	\$ 144.42	\$ 176.38
9	CopyStar CS 3551ci or Approved Equal CITY MANAGER'S OFFICE	\$ 158.69	\$ 232.52	\$ 190.33	\$ 233.71	\$ 222.84	\$ 163.97	\$ 134.40	\$ 134.59
10	CopyStar CS 3252ci or Approved Equal AIRPORT	\$ 111.73	\$ 195.25	\$ 157.33	\$ 218.84	\$ 201.25	\$ 93.93	\$ 116.18	\$ 101.18
11	CopyStar CS 3252ci or Approved Equal PUBLIC WORKS	\$ 111.73	\$ 195.25	\$ 157.33	\$ 204.14	\$ 181.41	\$ 93.93	\$ 116.18	\$ 101.18
12	Kyocera ECOSYS M3540idn or Approved Equal FIRE DEPARTMENT - STATION 1	\$ 39.15	\$ 20.62	\$ 54.79	\$ 93.51	\$ 83.16	\$ 43.16	\$ 24.11	\$ 34.85
13	Kyocera ECOSYS M3540idn or Approved Equal FIRE DEPARTMENT - FIRE PREVENTION	\$ 42.72	\$ 20.62	\$ 59.10	\$ 71.88	\$ 83.16	\$ 47.07	\$ 28.77	\$ 38.19
14	CopyStar CS 4501i or Approved Equal FIRE DEPARTMENT - ADMINISTRATION	\$ 148.58	\$ 222.20	\$ 178.99	\$ 157.56	\$ 212.77	\$ 189.01	\$ 152.55	\$ 137.32
15	Kyocera ECOSYS M3540idn or Approved Equal FIRE DEPARTMENT - STATION 2	\$ 42.55	\$ 20.62	\$ 59.10	\$ 76.79	\$ 83.16	\$ 47.07	\$ 28.77	\$ 38.19
16	Kyocera ECOSYS M3540idn or Approved Equal FIRE DEPARTMENT - STATION 3	\$ 42.55	\$ 20.62	\$ 59.10	\$ 82.94	\$ 83.16	\$ 43.16	\$ 24.11	\$ 38.19
17	CopyStar CS 3010i or Approved Equal FINANCE DEPARTMENT - EMS BILLING	\$ 103.89	\$ 193.41	\$ 149.13	\$ 161.91	\$ 212.77	\$ 136.39	\$ 118.23	\$ 129.06
18	CopyStar CS 4551ci or Approved Equal LIBRARY - CIRCULATION	\$ 257.09	\$ 195.25	\$ 144.74	\$ 461.59	\$ 325.24	\$ 226.39	\$ 131.94	\$ 125.51
19	CopyStar CS 3010i or Approved Equal LIBRARY - PORTER DOSS BLDG.	\$ 151.17	\$ 131.03	\$ 98.70	\$ 84.17	\$ 230.05	\$ 92.67	\$ 96.16	\$ 76.71
20	CopyStar CS 3501i or Approved Equal LIBRARY - PUBLIC AREA	\$ 160.02	\$ 131.03	\$ 112.37	\$ 108.13	\$ 241.95	\$ 100.68	\$ 111.76	\$ 82.74
21	Kyocera ECOSYS M3540idn or Approved Equal LIBRARY - REFERENCE	\$ 42.55	\$ 20.62	\$ 64.12	\$ 100.14	\$ 83.16	\$ 43.16	\$ 24.11	\$ 38.19
		\$ 2,405.07 total monthly	\$ 2,959.21 total monthly	\$ 2,611.17 total monthly	\$ 3,546.48 total monthly	\$ 3,753.92 total monthly	\$ 2,422.72 total monthly	\$ 1,977.22 total monthly	\$ 1,953.61 total monthly
		\$ 28,860.84 annual total	\$ 35,510.52 annual total	\$ 31,334.04 annual total	\$ 42,557.76 annual total	\$ 45,047.04 annual total	\$ 29,072.64 annual total	\$ 23,726.64 annual total	\$ 23,443.32 annual total
		LASER LUX	RICOH	TOTAL IMAGING	TOSIBA	XEROX	FORGED TECH SOLOUTIONS	XEROX	DIGITAL OFFICE

CITY OF WESLACO

COST FACTOR SHEET FOR SERVICE AGREEMENT

RFB No.: 2020-21-04

Item		COST PER COPY								
		B&W								
1	BLACK & WHITE COPIES	\$ 0.008	\$ 0.005	\$ 0.0069	\$ 0.00743	\$ 0.00456	\$ 0.0055	\$ 0.0052	\$ 0.005	
2	COLOR COPIES	\$ 0.0435	\$ 0.04	\$ 0.045	\$ 0.03896	\$ 0.046	\$ 0.044	\$ 0.03	\$ 0.04	
		LASER LUX	RICOH	TOTAL IMAGING	TOSIBA	XEROX	FORGED TECH SOLOUTIONS	XEROX	DIGITAL OFFICE	

Proposed by:

Company Name	Address	City
Phone No.	E-mail	Signature



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4001	
From:			
Subject: Discussion and consideration on Hold Harmless Agreement between City of Weslaco and BFI Waste Services of Texas regarding residential garbage services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)			
Background: City staff is requesting approval of a hold harmless agreement with BFI Waste Services of Texas, LP. In the past few months and as a result of the pandemic the process for receiving new and/or replacements of residential garbage bins from BFI Waste Services has been delayed and not being delivered in a timely manner. Considering that the city is soon taking over sanitation services, we decided to purchase 100 96-gallon garbage bins to fulfill these requests in the event that BFI Waste Services does not have bins in stock when requested. However, BFI Waste Services will continue providing residential garbage services on city-owned garbage containers as needed until the City of Weslaco begins providing full garbage services in January 2021 if the city agrees to hold them harmless from any claims and/or damages to our containers.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Lucy Espinoza		Created/Initiated	
Olga Garza		Approved	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Memo Hold Harmless Agreement, BFI Hold Harmless Agreement for Residential Bins			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Letty Lopez, Commissioner, District 5
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTERNAL MEMO PUBLIC WORKS DEPARTMENT

Date: February 16, 2021
To: City Commission
From: Olga Garza, Assistant Public Works Director
Subject: Hold Harmless Agreement Residential Garbage Services
Cc: Mike Perez, City Manager

City staff is requesting approval of a hold harmless agreement with BFI Waste Services of Texas, LP. In the past few months and as a result of the pandemic the process for receiving new and/or replacements of residential garbage bins from BFI Waste Services has been delayed and not being delivered in a timely manner. Considering that the city is soon taking over sanitation services, we decided to purchase 100 96-gallon garbage bins to fulfill these requests in the event that BFI Waste Services does not have bins in stock when requested. However, BFI Waste Services will continue providing residential garbage services on city-owned garbage containers as needed until the City of Weslaco begins providing full garbage services in January 2021 if the city agrees to hold them harmless from any claims and/or damages to our containers.

Hold Harmless Agreement

This **HOLD HARMLESS AGREEMENT** (this “Agreement”) is made effective on March 1, 2021 by and between The City of Weslaco, Texas (“City”), and BFI Waste Services of Texas, LP, a Delaware limited partnership, qualified to do and actually doing business in the State of Texas as Republic Services of Rio Grande Valley (“Company”).

WHEREAS, BFI Waste Services of Texas, LP will be performing the following services for the City of Weslaco: continue existing residential garbage pickup services on city-owned 96 gallon residential garbage containers as needed until the City of Weslaco begins providing full garbage pickup services to residents within Weslaco, Texas city limits; and

WHEREAS, in exchange for valuable consideration, the City of Weslaco desires to hold harmless BFI Waste Services of Texas, LP from any claims and/or litigation arising out of BFI Waste Services of Texas, LP’s damage to city owned 96 gallon residential garbage containers;

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City of Weslaco and BFI Waste Services of Texas, LP hereby agree as follows:

TERMS

1. **Hold Harmless.** The City of Weslaco shall fully defend, indemnify, and hold harmless BFI Waste Services of Texas, LP, its officers, owners, personnel, employees, agents, contractors, invitees, or volunteers, from any and all claims, lawsuits, demands, causes of action, liability, loss, damage and/or injury, for any damage caused to city owned 96 gallon residential garbage containers (including without limitation all claims for monetary loss and property damage) whether brought by an individual or their entity, or imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency.
2. **Authority to Enter Agreement.** Each Party warrants that the individuals who have signed this Agreement have the actual legal power, right, and authority to make this Agreement and bind each respective Party.
3. **Amendment; Modification.** No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.
4. **Waiver.** No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.
5. **Entire Agreement.** This Agreement contains the entire agreement between the Parties related to the matters specified herein, and supersedes any prior oral or written statements or agreements between the Parties related to such matters.
6. **Enforceability, Severability, and Reformation.** If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed

to be written, construed, and enforced as so limited. The intent of the Parties is to provide as broad an indemnification as possible under Texas law. In the event that any aspect of this Agreement is deemed unenforceable, the court is empowered to modify this Agreement to give the broadest possible interpretation permitted under Texas law.

7. **Applicable Law.** This Agreement shall be governed exclusively by the laws of Texas, without regard to conflict of law provisions.
8. **Venue** Any litigation arising from this agreement shall lie exclusively in State court in Hidalgo County, Texas.
9. **Signatures.** This Agreement shall be signed on behalf of City of Weslaco by David Suarez, Mayor, and on behalf of BFI Waste Services of Texas, LP by Jon M. Deicla, General Manager, and effective as of the date first written above.

City of Weslaco

By: _____
David Suarez, Mayor

ATTEST:

By: _____
Norma A. Cantu, City Secretary

BFI Waste Services of Texas, LP

By: _____
Jon M. Deicla, General Manager

APPROVED AS TO FORM

By: _____
Juan E. Gonzalez, City Attorney



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4023	
From: Pete Garcia			
Subject: Discussion and consideration to authorize the purchase of a 2022 Freightliner M2-106 Conventional Dump Truck from Doggett Freightliner of South Texas, LLC., Buyboard Vendor Contract No. 601-19, in the amount not to exceed \$101,127.99 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)			
Background: Public Works Department is requesting approval to purchase a 2022 Freightliner M2-106 Conventional Dump Truck from Doggett Freightliner of South Texas, LLC. Through Buyboard Vendor Contract No. 601-19, in the amount not to exceed \$101,127.99. This item was budgeted for this current fiscal year 2020-2021 which will be used for water breaks, backfill material, and transportation of other material as needed.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Lucy Espinoza		Created/Initiated	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval for the above mentioned.			
Attachments, if any: Memo Ordinance Water Waste Water Dump Truck, Doggett Freightliner 14yd Dump Truck			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Letty Lopez, Commissioner, District 5
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTERNAL MEMO PUBLIC WORKS DEPARTMENT

Date: March 2, 2021

To: City Commission

From: Pete Garcia, Public Works Director

Subject: Purchase of Conventional Dump Truck for Water & Waste Water Division

Cc: Mike Perez, City Manager
Vidal Roman, Finance Director

Public Works Department is requesting approval to purchase a 2022 Freightliner M2-106 Conventional Dump Truck from Doggett Freightliner of South Texas, LLC. Through Buyboard Vendor Contract No. 601-19, in the amount not to exceed \$101,127.99. This item was budgeted for this current fiscal year 2020-2021 which will be used for water breaks, backfill material, and transportation of other material as needed.

**DOGETT FREIGHTLINER OF SOUTH TEXAS, LLC**PHYSICAL ADDRESS: 3103 N. CAGE BLVD. - PHARR, TX 78577MAILING ADDRESS: P.O. BOX 670688 - HOUSTON, TX 77267

PHONE - 9567828202

PURCHASE AGREEMENT: VM103003388

BILL TO

CITY OF WESLACO - 78640

255 S KANSAS AVE

WESLACO TX 78596

P: (956) 968-3181

F:

DELIVER TO

CITY OF WESLACO - 78640

255 S KANSAS AVE

WESLACO TX 78596

P: (956) 968-3181

F:

DATE	SALE TYPE	ORDER STATUS	DELIVERY DATE	INVOICE DATE	SALESPERSON	TERMS	CUSTOMER REFERENCE
1/11/2021	RTL	QUOTE	12/18/2020	12/18/2020	MARK BRUNNEMANN	VCASH	14 Yrd Dump Truck

UNIT(S) FOR SALE

UNTID	YR - MAKE - MODEL	SERIAL NUMBER	PRICE
OO10011	OB - OB - OB	OO10011	79,813.00

Truckers 14' GOD400T-14-48 Dump Package

20,914.99

Buy Board Fee

400.00

Buy Board Contract # 601-19

Truck is a 2022 Freightliner M2-106 Dump Truck

Manual 10 Speed Transmission

Sales Price	79,813.00
Additional Equipment	+ 21,314.99
Federal Excise Tax	+ 0.00
Dealer's Inventory Tax	+ 0.00
State and Local Taxes	+ 0.00
License and Bridge Fees	+ 0.00
Emissions Fee	+ 0.00
Title Fees	+ 0.00
Inspection Fees	+ 0.00
Extended Service Plans	+ 0.00
Documentary Fees	+ 0.00
Subtotal	= 101,127.99
Less Trade Allowance	- 0.00
Trade Payoff	+ 0.00
Less Deposit or Down Payment	- 0.00
Unpaid Balance/Amount to Finance	= 101,127.99

x

Buyer Signature

Date

x

Seller Signature

Date

PURCHASE AGREEMENT

1. As used in this Order the terms (a) "Dealer" shall mean the authorized Dealer to whom this Order is addressed and who shall become a party hereto by its acceptance hereof, (b) "Purchaser" shall mean the party executing this Order as such on the face hereof, and (c) Manufacturer shall mean the Corporation that manufactured the vehicle or chassis, it being understood by Purchaser and Dealer that Dealer is in no respect the agent of Manufacturer, that Dealer and Purchaser are the sole parties to this Order and that reference to Manufacturer herein is for the purpose of explaining generally that Dealer does not manufacture motor vehicles and that certain contractual relationships exist between Dealer and Manufacturer with respect to new motor vehicles.
2. These Terms and Conditions shall govern the sale of motor vehicles ("Purchased Unit(s)") by Dealer to Purchaser. Dealer's performance and prices are expressly conditioned on these terms and conditions. This document shall be the final, complete, and exclusive agreement between the parties and may not be modified, amended, supplemented, explained, or waived by parol evidence, Purchaser's purchase order, a course of dealings, custom or trade usage, prior representations, Dealer's performance or delivery, Dealer's catalogs, circulars or other promotional material, or in any other way except in writing signed by Dealer's Authorized Representative. Dealer's Authorized Representative shall mean Dealer's Vice-President, General Counsel, Chief Financial Officer, or President.
3. Purchaser agrees to complete one of the following, and agrees that despite delivery of the Purchased Unit(s) to Purchaser, title to the Purchased Unit(s) shall remain with Dealer until Purchaser completes one of the following: (1) pay the balance due, as shown on this Order, in cash or (2) execute a Time Sales Agreement (Retail Installment Contract), or (3) execute a Loan Agreement for the purchase price of the Purchased Unit(s) plus additional charges shown herein, or (4) execute a lease agreement, on or before delivery of the Purchased Unit(s). Purchaser and Dealer agree that this Order is not a security agreement and that delivery of the Purchased Unit(s) to the Purchaser pursuant to this Order will not constitute possession of the Purchased Unit(s) by the Purchaser, as a debtor, for the purposes of the purchase money security provisions in any statutes relating to personal property security or its equivalent. Purchaser understands that its rights in connection with this purchase are limited as set forth in this Order.
4. Manufacturer has reserved the right to change the price to Dealer of new motor vehicles without notice. In the event the price to Dealer of new motor vehicles of the series and body type ordered hereunder is changed by Manufacturer prior to delivery of the Purchased Unit(s) ordered hereunder to Purchaser, Dealer reserves the right to change the cash delivered price (or any other pricing) of such motor vehicle to Purchaser accordingly. If such cash delivered price (or any other pricing) is increased by Dealer by five percent (5%) or more, Purchaser's sole remedy is to cancel this Order, in which event if a used motor vehicle has been traded in as a part of the consideration for such new Purchased Unit(s), such used motor vehicle shall be returned to Purchaser upon payment by Purchaser to Dealer of all storage and repair cost incurred or, if such used motor vehicle has been previously sold by Dealer, the amount received for such sale by Dealer, less a selling commission of 15% and any cost or expense incurred in storing, repairing, insuring, conditioning or advertising said used motor vehicle for sale, shall be returned to Purchaser. Purchaser waives all other claims for any damages resulting from a manufacturer's change in pricing and/or a related cancellation.
5. If a used motor vehicle(s) which has been traded in as a part of the consideration for the motor vehicle ordered hereunder (such traded vehicle being a "Trade In(s)"), is not to be delivered to Dealer until delivery to Purchaser of such Purchased Unit(s), the Trade In(s) shall be reappraised at that time and such reappraised value shall determine the allowance to be made for such Trade In(s). If such reappraised value is lower than the original allowance shown on the front of this Order, Purchaser may, if dissatisfied therewith, cancel only the trade; however, Purchaser shall nevertheless remain fully liable for the purchase of the Purchased Unit(s). Additionally, Dealer shall not be obligated to accept any Trade In(s) from Purchaser which are not reflected on this Order. In the event that Purchaser offers Trade Ins not reflected on this Order, Dealer shall have no obligation whatsoever to accept any such Trade Ins and Purchaser shall remain fully responsible for all obligations of Purchaser as set forth in this Order.
6. Purchaser agrees to deliver evidence satisfactory to Dealer of title to any Trade In(s) as a part of the consideration for the Purchased Unit(s) ordered hereunder in advance but in no case later than at the time of delivery of such Trade In(s) to Dealer. Purchaser warrants any such Trade In(s) to be owned wholly by Purchaser free and clear of all liens and encumbrances except as otherwise noted herein, and deemed acceptable by Dealer. Purchaser further warrants that for any Trade In, the Exhaust Emission System or any of its components have not been deleted, removed, or altered in any way from its factory-built state and that each Trade In will meet the emission standard in place as of the manufacture date. Purchaser understands that Dealer is relying on Purchaser's statement as a material representation, and thus Purchaser hereby agrees to indemnify, defend and hold harmless Dealer from all damages, expenses, fees and costs (including attorney's fees) that Dealer incurs in the event that this representation is inaccurate or untrue.
7. Unless this Order has been cancelled by Purchaser in accordance with the terms of this Agreement, Dealer shall have the right upon failure or refusal of Purchaser to accept delivery of the Purchased Unit(s) ordered in accordance with the terms herein, to seek all remedies provided to Dealer by law (including specific performance), in addition to Dealer's attorneys' fees and costs and expert fees. In addition, Dealer may assess Purchaser a restocking fee of twenty percent (20%) of the Purchased Unit(s) sales price which shall be due immediately. Additionally, in the event a Trade In(s) has been delivered to Dealer, such Trade In(s) may be sold by Dealer, and the proceeds of any such sale may then be used to reimburse Dealer for any payments due to Dealer (or any damages incurred by Dealer, if applicable).
8. Manufacturer has reserved the right to change the design of any new motor vehicle, chassis, accessories or parts thereof at any time without notice and without obligation to make the same or any similar change upon any motor vehicle, chassis, accessories or parts thereof previously purchased by or shipped to Dealer or being manufactured or sold in accordance with Dealer's orders. Correspondingly, in the event of any such change by Manufacturer, Dealer shall have the option, but no obligation to Purchaser, to make the same or any similar change in any motor vehicle, chassis, accessories or parts thereof covered by this Order either before or subsequent to delivery thereof to Purchaser.
9. Dealer shall not be liable for failure to deliver or for any delay in delivering the Purchased Unit(s) covered by this Order where such failure or delay is due, in whole or in part, to any cause beyond the reasonable control of Dealer and which is not due solely to the willful misconduct of Dealer. Any such delays not caused solely by Dealer's willful misconduct shall affect a corresponding extension of Dealer's performance dates which are, in any event, understood to be approximate. If acts or omissions of Purchaser delay Dealer's performance, Purchaser shall reimburse Dealer for any increased cost or expenses resulting therefrom and extend the time of performance.
10. PURCHASER AGREES THAT IN NO EVENT SHALL DEALER BE LIABLE FOR ANY DAMAGES RELATED TO: LOSS OF USE OF THE PURCHASED VEHICLE(S), LOSS OF TIME, REPLACEMENT OR RENTAL VEHICLES, LODGING, OR ANY OTHER INCIDENTAL, RESERVOIR, SPECIAL, INDIRECT, CONSEQUENTIAL OR EXEMPLARY DAMAGES FOR LATE PERFORMANCE OR FAILURE TO PERFORM WHETHER IN CONTRACT, TORT, STRICT LIABILITY, OR ANY OTHER LEGAL THEORY, AND REGARDLESS OF WHETHER DEALER HAS BEEN ADVISED OF SUCH DAMAGES. ADDITIONALLY, notwithstanding any other provision to the contrary, IN NO EVENT SHALL DEALER'S LIABILITY TO PURCHASER EXCEED THE PURCHASE PRICE OF THE PURCHASED VEHICLE(S) REGARDLESS OF LEGAL THEORY UPON WHICH DEALER'S ALLEGED LIABILITY IS BASED (WHETHER SOUNDING IN TORT, CONTRACT, OR OTHERWISE).
11. Purchaser acknowledges and agrees that Dealer did not manufacture and therefore makes no implied or express warranty with regard to the Purchased Unit(s) and any service work or make-ready work shall not create any warranty of any nature whatsoever with respect to the Purchased Unit(s). Additionally, Purchaser agrees to use the Purchased Unit(s) and/or chassis at Purchaser's own risk and hereby releases Dealer, its principals, officers, directors, shareholders, members, agents, employees, successors and assigns, from any and all claims for any damages or injuries of any nature whatsoever to the full extent permitted by law.
12. The price for the Purchased Unit(s) specified on the face of this agreement does not include federal excise taxes, sales taxes, use taxes, or occupational taxes based on sales volume (Federal, State, or Local) unless expressly so stated. Purchaser assumes and agrees to pay, unless prohibited by law, any such excise, sales, use, or occupational taxes imposed on or applicable to the transaction covered by this Order, regardless of which party may have primary tax liability thereof. Dealer will accept a valid sales or use tax exemption certificate from Purchaser; however, if a previously accepted sales or use tax exemption certificate is ultimately disallowed by the applicable taxing agency for any reason, Purchaser agrees to immediately reimburse Dealer for any resulting taxes, penalties, and interest incurred by Dealer. Purchaser shall obtain and pay all permits, licenses and official inspections required other than those required to be obtained in the name of Dealer.
13. Purchaser grants Dealer a purchase money security interest in the Purchased Unit(s) as security for Purchaser's obligation to pay the purchase price, and Purchaser agrees to execute a financing statement or other instrument required to perfect such security interest. In the event that Purchaser fails or refuses to execute a required document, Purchaser hereby appoints Dealer as its attorney-in-fact, coupled with an interest to execute the name on Purchaser's behalf and in Purchaser's stead.
14. In the event Purchaser seeks to obtain financing to acquire a vehicle named on this Order, Purchaser represents that all statements made in the Purchaser's credit application, finance contracts and a information provided to Dealer and/or to the finance company are true and correct. Any misrepresentation by Purchaser in any of the aforementioned documents entitles Dealer to cancel this Agreement and Dealer shall be entitled to any damages incurred as a result. Should Purchaser or any finance company fail to tender the full contract price to Dealer, Dealer may cancel this Agreement. In the event of a misrepresentation by Purchaser or the full purchase price has not been tendered to Dealer in a prompt manner, Purchaser agrees to immediately return the vehicle and to reimburse Dealer for all cost and expenses incurred by Dealer as a result, including any mileage and/or restocking charge. Purchaser agrees to fully indemnify Dealer for any damages incurred by Dealer as a result of any misrepresentations or omissions made by Purchaser.
15. There are no warranties, expressed or implied, made by the Dealer herein, or the Manufacturer, on the vehicle or chassis described on the face hereof except in the case of a new vehicle or chassis and as provided exclusively by the Manufacturer. The printed new vehicle warranty issued by Manufacturer (and not Dealer) delivered to Purchaser with such vehicle or chassis is the only warranty applicable to such new vehicle or chassis and is expressly in lieu of all other warranties, expressed or implied including any implied warranty of merchantability or fitness for a particular purpose. In the case of a used vehicle or chassis, the applicability of an existing manufacturer's warranty thereon, if any, shall be determined solely by the terms of such warranty and not by Dealer.
16. Any used motor vehicle sold to Purchaser by Dealer must be inspected and investigated by Purchaser as all such sales are deemed "AS IS" and "WITH ALL FAULTS" at the time of delivery by Dealer without any guarantee or warranty of any nature, expressed or implied (including no warranty that the odometer reading on the Purchased Unit(s) represents the actual mileage traveled) or any implied warranty of merchantability or fitness for a particular purpose, as to its condition or the condition of any part thereof except as may be otherwise specifically provided in writing on the face of this order or in a separate writing furnished to Purchaser by Dealer. Purchaser agrees that Dealer has made no representation and that Purchaser has not relied on any representations made by Dealer, but rather is relying on its own investigation and inspection of the Purchased Unit(s).
17. The Purchaser, before or at the time of delivery of the motor vehicle covered by this Order will execute such other forms of agreement or documents as may be required by the terms and conditions of payment indicated on the front of this Order.
18. Waiver; Severability. No waiver of any term of this Order shall be valid unless it is in writing and signed by Dealer's authorized representative, notwithstanding any delays. If any provision or part of any provision of this Order shall be deemed to violate any applicable law or regulation, such invalid provision or part of a provision shall be inapplicable. BUT the Parties agree that the remaining part of that provision and the remainder of the Order shall continue to be binding and enforceable.
19. No Broker; Manufacturer Incentives. If at any time Dealer determines that Purchaser intends to engage in the resale of vehicles for profit, where such resale is not in conjunction with further manufacturing, Dealer reserves the right to cancel this Order. Certain manufacturer's incentives are intended to be used for retail customers at the location as identified by the Purchaser in this Order. Purchaser represents that it will register the Purchased Unit(s) with its state motor vehicle department and is not purchasing the Purchased Units with the intent to resale same, except where such resale is in conjunction with further manufacturing. If at any time Dealer determines that the foregoing representations are not true, Dealer has the right to seek repayment of any manufacturer incentives that are paid.
20. This contract shall be governed by the laws of the State of Texas. Both Parties agree to present the other Party with notice of any claim relating to this Order at least five (5) business days before filing a petition or complaint relating thereto (in addition to any other applicable notice periods required by statute), during which time the Parties agree to negotiate in good faith to resolve their disputes. If the negotiations fail, the Parties hereby waive the right to trial by jury and agree to a trial by judge. The Parties agree that the mandatory venue for dispute resolution is the state courts of Harris County, Texas unless otherwise required by law. Purchaser agrees it will bring any cause of action within one (1) year of the date of that causes' accrual, and that any causes of action or claims outside of that period are waived. The prevailing party in any disputes shall be entitled to recover reasonable attorney fees and expenses.

PURCHASER ACKNOWLEDGES THAT THE ADDITIONAL TERMS AND CONDITIONS HAVE BEEN READ AND AGREED TO.

PURCHASER'S SIGNATURE: _____

DATE _____

Last Updated 9/15/15

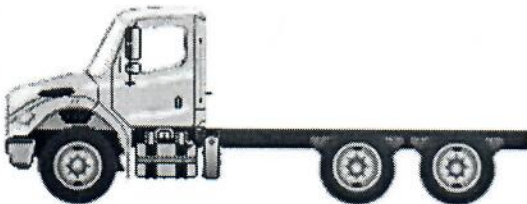
Prepared by:
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PHARR, TX 78577
Phone:

A proposal for

Prepared by
DOGGETT FREIGHTLINER OF SOUTH TEXAS, LLC
Mark Brunnemann

Dec 16, 2020

Freightliner M2 106



Components shown may not reflect all spec'd options and are not to scale

Prepared by:
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S P E C I F I C A T I O N P R O P O S A L

Description	Weight Front	Weight Rear
Price Level		
M2 PRL-23M (EFF:01/21/20)		
Data Version		
SPECPRO21 DATA RELEASE VER 045		
Vehicle Configuration		
M2 106 CONVENTIONAL CHASSIS	5,709	3,503
2022 MODEL YEAR SPECIFIED		
SET BACK AXLE - TRUCK		
TRAILER TOWING PROVISION AT END OF FRAME FOR TRUCK	10	10
LH PRIMARY STEERING LOCATION		
General Service		
TRUCK/TRAILER CONFIGURATION		
DOMICILED, USA (EXCLUDING CALIFORNIA AND CARB OPT-IN STATES)		
UTILITY/REPAIR/MAINTENANCE SERVICE		
LEASE/FINANCE BUSINESS SEGMENT		
DIRT/SAND/ROCK COMMODITY		
TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS		
MAXIMUM 8% EXPECTED GRADE		
SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES)		
ROAD SURFACE		
MEDIUM TRUCK WARRANTY		
EXPECTED FRONT AXLE(S) LOAD : 14000.0 lbs		
EXPECTED REAR DRIVE AXLE(S) LOAD : 40000.0 lbs		
EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 54000.0 lbs		
EXPECTED GROSS COMBINATION WEIGHT : 80000.0 lbs		



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	Description	Weight Front	Weight Rear
Truck Service			
	END DUMP BODY		
	EXPECTED TRUCK BODY LENGTH : 15.0 ft		
	OX BODIES (TBEI)		
	EXPECTED BODY/PAYLOAD CG HEIGHT ABOVE FRAME "XX" INCHES : 32.0 in		
Tractor Service			
	VAN TRAILER		
	SINGLE (1) TRAILER		
Engine			
	CUM L9 330 HP @ 2200 RPM; 2200 GOV RPM, 1000 LB-FT @ 1200 RPM	640	30
Electronic Parameters			
	75 MPH ROAD SPEED LIMIT		
	CRUISE CONTROL SPEED LIMIT SAME AS ROAD SPEED LIMIT		
	PTO MODE ENGINE RPM LIMIT - 1100 RPM		
	PTO MODE BRAKE OVERRIDE - SERVICE BRAKE APPLIED		
	PTO MODE CLUTCH OVERRIDE - CLUTCH ENABLED		
	PTO RPM WITH CRUISE SET SWITCH - 700 RPM		
	PTO RPM WITH CRUISE RESUME SWITCH - 800 RPM		
	PTO MODE CANCEL VEHICLE SPEED - 5 MPH		
	PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND		
N	PTO MINIMUM RPM - 700		
	REGEN INHIBIT SPEED THRESHOLD - 5 MPH		
Engine Equipment			
	2016 ONBOARD DIAGNOSTICS/2010 EPA/CARB/GHG21 CONFIGURATION		
	NO 2008 CARB EMISSION CERTIFICATION		
	STANDARD OIL PAN		
	ENGINE MOUNTED OIL CHECK AND FILL		
	SIDE OF HOOD AIR INTAKE WITH DONALDSON HIGH CAPACITY AIR CLEANER WITH SAFETY ELEMENT, FIREWALL MOUNTED		

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Description	Weight Front	Weight Rear
DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE		
(2) DTNA GENUINE, FLOODED STARTING, MIN 2000CCA, 370RC, THREADED STUD BATTERIES	10	
BATTERY BOX FRAME MOUNTED		
STANDARD BATTERY JUMPERS		
SINGLE BATTERY BOX FRAME MOUNTED LH SIDE UNDER CAB		
WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN		
NON-POLISHED BATTERY BOX COVER		
CAB AUXILIARY POWER CABLE	5	
POSITIVE AND NEGATIVE POSTS FOR JUMPSTART LOCATED ON FRAME NEXT TO STARTER	2	
EATON FULLER 14 INCH CERAMIC 2 PLATE, 8 SPRING, MAINTENANCE FREE, SOLO (ADJUSTMENT FREE) CLUTCH	45	
TORQUE LIMITING CLUTCH BRAKE		
ZERK FITTING WITH EXTENSION HOSE AT CLUTCH RELEASE BEARING		
HYDRAULIC CLUTCH CONTROL		
CUMMINS TURBOCHARGED 18.7 CFM AIR COMPRESSOR WITH INTERNAL SAFETY VALVE		
STANDARD MECHANICAL AIR COMPRESSOR GOVERNOR		
AIR COMPRESSOR DISCHARGE LINE		
ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM		
NO RETARDER/ENGINE BRAKE		
RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH HORIZONTAL TAILPIPE		
ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD ACTIVE REGENERATION AND DASH MOUNTED SINGLE REGENERATION REQUEST/INHIBIT SWITCH		
STANDARD EXHAUST SYSTEM LENGTH		
RH STANDARD HORIZONTAL TAILPIPE		
6 GALLON DIESEL EXHAUST FLUID TANK		
100 PERCENT DIESEL EXHAUST FLUID FILL		
LH MEDIUM DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION		

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Description	Weight Front	Weight Rear
STANDARD DIESEL EXHAUST FLUID PUMP MOUNTING		
STANDARD DIESEL EXHAUST FLUID TANK CAP		
HORTON DRIVEMASTER ADVANTAGE ON/OFF FAN DRIVE		
AUTOMATIC FAN CONTROL WITHOUT DASH SWITCH, NON ENGINE MOUNTED		
CUMMINS SPIN ON FUEL FILTER		
COMBINATION FULL FLOW/BYPASS OIL FILTER		
FLEETGUARD PLAIN COOLANT FILTER		
900 SQUARE INCH ALUMINUM RADIATOR	15	
ANTIFREEZE TO -34F, ETHYLENE GLYCOL PRE- CHARGED SCA HEAVY DUTY COOLANT		
GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT		
CONSTANT TENSION HOSE CLAMPS FOR COOLANT HOSES		
RADIATOR DRAIN VALVE		
NO RADIATOR/OIL PAN GUARD	-5	
ALUMINUM FLYWHEEL HOUSING		
ELECTRIC GRID AIR INTAKE WARMER		
DELCO 12V 38MT HD STARTER WITH INTEGRATED MAGNETIC SWITCH		
Transmission		
EATON FULLER FRO-14210C TRANSMISSION	230	70
Transmission Equipment		
VEHICLE INTERFACE WIRING CONNECTOR WITHOUT BLUNT CUTS, AT BACK OF CAB		
CAST IRON CLUTCH HOUSING	40	10
CUSTOMER INSTALLED CHELSEA 442 SERIES PTO		
PTO MOUNTING, BOTTOM OF MAIN TRANSMISSION		
MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION FILL AND DRAIN, AXLE(S) FILL AND DRAIN		
PAINTED SHIFT LEVER, SOLID LINKAGE		
NO TRANSMISSION OIL COOLER	-15	
SYNTHETIC TRANSMISSION LUBE		
Front Axle and Equipment		

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Description	Weight Front	Weight Rear
MFS-14-143A 14,700# FF1 71.5 INCH KPI/3.74 INCH DROP SINGLE FRONT AXLE	60	
MERITOR 16.5X5 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES		
NON-ASBESTOS FRONT BRAKE LINING		
CONMET CAST IRON FRONT BRAKE DRUMS		
FRONT OIL SEALS		
VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL		
STANDARD SPINDLE NUTS FOR ALL AXLES		
MERITOR AUTOMATIC FRONT SLACK ADJUSTERS		
TRW TAS-85 POWER STEERING	40	
POWER STEERING PUMP		
2 QUART SEE THROUGH POWER STEERING RESERVOIR		
SYNTHETIC 40/50W FRONT AXLE LUBE		
Front Suspension		
14,600# TAPERLEAF FRONT SUSPENSION	170	
MAINTENANCE FREE RUBBER BUSHINGS - FRONT SUSPENSION		
FRONT SHOCK ABSORBERS		
Rear Axle and Equipment		
MT-40-14X 40,000# R-SERIES TANDEM REAR AXLE		2,500
5.29 REAR AXLE RATIO		
IRON REAR AXLE CARRIER WITH OPTIONAL HEAVY DUTY AXLE HOUSING		30
MXL 176T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES	5	5
MXL 17T MERITOR EXTENDED LUBE INTERAXLE DRIVELINE WITH HALF ROUND YOKES		
(1) INTERAXLE LOCK VALVE FOR TANDEM OR TRIDEM DRIVE AXLES		
BUZZER AND BLINKING LAMP WITH EACH INTERAXLE LOCK SWITCH, INTERAXLE UNLOCK DEFAULT WITH IGNITION OFF		
MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES		
NON-ASBESTOS REAR BRAKE LINING		

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Description	Weight Front	Weight Rear
ASPHALT SPREADER CLEARANCE REAR BRAKE GEOMETRY		
CAST IRON OUTBOARD REAR BRAKE DRUMS		-20
REAR OIL SEALS		
WABCO TRISTOP D LONGSTROKE 2-DRIVE AXLE SPRING PARKING CHAMBERS		20
HALDEX AUTOMATIC REAR SLACK ADJUSTERS		
GUARANTEED NAME BRAND "ROADRANGER SYNTHETIC" FE 75W-90 REAR AXLE LUBE		

Rear Suspension

HENDRICKSON RTE403 @40,000# REAR SUSPENSION		790
HENDRICKSON RT/RTE - 7.19" SADDLE		
STANDARD AXLE SEATS IN AXLE CLAMP GROUP		
54 INCH AXLE SPACING		10
STEEL BEAMS AND RUBBER CENTER BUSHINGS WITH BAR PIN ADJUSTABLE END CONNECTIONS		
FORE/AFT CONTROL RODS		

Brake System

AIR BRAKE PACKAGE
 WABCO 4S/4M ABS
 REINFORCED NYLON, FABRIC BRAID AND WIRE
 BRAID CHASSIS AIR LINES
 FIBER BRAID PARKING BRAKE HOSE
 STANDARD BRAKE SYSTEM VALVES
 STANDARD AIR SYSTEM PRESSURE
 PROTECTION SYSTEM
 STD U.S. FRONT BRAKE VALVE
 RELAY VALVE WITH 5-8 PSI CRACK PRESSURE,
 NO REAR PROPORTIONING VALVE
 WABCO SYSTEM SAVER HP WITH INTEGRAL
 AIR GOVERNOR AND HEATER
 AIR DRYER FRAME MOUNTED
 STEEL AIR BRAKE RESERVOIRS
 CLEAR FRAME RAIL FROM TRANSMISSION PTO
 OPENING TO 36 INCHES BACK OF CAB
 OUTBOARD/INSIDE/BELOW LH RAIL
 PULL CABLE ON WET TANK, PETCOCK DRAIN
 VALVES ON ALL OTHER AIR TANKS

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Description	Weight Front	Weight Rear
Trailer Connections		
AIR CONNECTIONS TO END OF FRAME WITH GLAD HANDS FOR TRUCK AND NO DUST COVERS		
PRIMARY CONNECTOR/RECEPTACLE WIRED FOR SEPARATE STOP/TURN, ABS CENTER PIN POWERED THROUGH IGNITION		
SAE J560 7-WAY PRIMARY TRAILER CABLE RECEPTACLE MOUNTED END OF FRAME		
UPGRADED CHASSIS MULTIPLEXING UNIT		
UPGRADED BULKHEAD MULTIPLEXING UNIT		
Wheelbase & Frame		
4475MM (176 INCH) WHEELBASE		
11/32X3-1/2X10-15/16 INCH STEEL FRAME (8.73MMX277.8MM/0.344X10.94 INCH) 120KSI	10	120
1/4 INCH (6.35MM) C-CHANNEL INNER FRAME REINFORCEMENT	120	340
1650MM (65 INCH) REAR FRAME OVERHANG		
FRAME OVERHANG RANGE: 61 INCH TO 70 INCH		
CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 110.63 in		
CALCULATED EFFECTIVE BACK OF CAB TO REAR SUSPENSION C/L (CA) : 107.63 in		
CALC'D FRAME LENGTH - OVERALL : 280.16		
CALCULATED FRAME SPACE LH SIDE : 53.42 in		
CALCULATED FRAME SPACE RH SIDE : 11.38 in		
CALC'D SPACE AVAILABLE FOR DECKPLATE : 110.45 in		
SQUARE END OF FRAME		
FRONT CLOSING CROSSMEMBER		
STANDARD WEIGHT ENGINE CROSSMEMBER		
STANDARD CROSSMEMBER BACK OF TRANSMISSION		
STANDARD MIDSHIP #1 CROSSMEMBER(S)		
STANDARD REARMOST CROSSMEMBER		
HEAVY DUTY SUSPENSION CROSSMEMBER		30
Chassis Equipment		
THREE-PIECE 14 INCH STEEL CENTER BUMPER WITH FLEXIBLE PLASTIC ENDS		
FRONT TOW HOOKS - FRAME MOUNTED	15	

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Description	Weight Front	Weight Rear
BUMPER MOUNTING FOR SINGLE LICENSE PLATE		
FENDER AND FRONT OF HOOD MOUNTED FRONT MUDFLAPS		
GRADE 8 THREADED HEX HEADED FRAME FASTENERS		
Fuel Tanks		
50 GALLON/189 LITER RECTANGULAR ALUMINUM FUEL TANK - RH	80	20
50 GALLON/189 LITER SHORT RECTANGULAR ALUMINUM FUEL TANK - LH	20	
RECTANGULAR FUEL TANK(S)		
PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS		
LH FUEL TANK MOUNTED FORWARD, RH FUEL TANK MOUNTED AFT	-35	35
PLAIN STEP FINISH		
FUEL TANK CAP(S)		
DETROIT FUEL/WATER SEPARATOR WITH WATER IN FUEL SENSOR	-5	
EQUIFLO INBOARD FUEL SYSTEM		
HIGH TEMPERATURE REINFORCED NYLON FUEL LINE		
Tires		
CONTINENTAL HSC1 12R22.5 16 PLY RADIAL FRONT TIRES	50	
CONTINENTAL HDC3 11R22.5 16 PLY RADIAL REAR TIRES		192
Hubs		
CONMET PRESET PLUS PREMIUM IRON FRONT HUBS		
CONMET PRESET PLUS PREMIUM IRON REAR HUBS		
Wheels		
ACCURIDE 28828 22.5X8.25 10-HUB PILOT 6.18 INSET 2-HAND HD STEEL DISC FRONT WHEELS	26	
ACCURIDE 28828 22.5X8.25 10-HUB PILOT 2- HAND HD STEEL DISC REAR WHEELS		104
FRONT WHEEL MOUNTING NUTS		
REAR WHEEL MOUNTING NUTS		

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Description	Weight Front	Weight Rear
Cab Exterior		
106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB		
AIR CAB MOUNTING		
NONREMOVABLE BUGSCREEN MOUNTED BEHIND GRILLE		
LH AND RH GRAB HANDLES		
MOLD-IN COLOR GRILLE		
MOLD-IN COLOR HOOD MOUNTED AIR INTAKE GRILLE		
FIBERGLASS HOOD		
SINGLE 14 INCH ROUND HADLEY AIR HORN UNDER LH DECK	4	
SINGLE ELECTRIC HORN		
SINGLE HORN SHIELD		
DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME		
KEY QUANTITY OF 2		
REAR LICENSE PLATE MOUNT END OF FRAME		
INTEGRAL HEADLIGHT/MARKER ASSEMBLY		
LED AERODYNAMIC MARKER LIGHTS		
INTEGRAL STOP/TAIL/BACKUP LIGHTS WITH 7 EXTRA FEET OF WIRE MOUNTED AT END OF FRAME		
STANDARD FRONT TURN SIGNAL LAMPS		
DUAL WEST COAST MOLDED-IN COLOR MIRRORS		
DOOR MOUNTED MIRRORS		
102 INCH EQUIPMENT WIDTH		
STANDARD SIDE/REAR REFLECTORS		
63X14 INCH TINTED REAR WINDOW		
TINTED DOOR GLASS LH AND RH WITH TINTED NON-OPERATING WING WINDOWS		
MANUAL DOOR WINDOW REGULATORS		
1-PIECE SOLAR GREEN GLASS WINDSHIELD		
2 GALLON WINDSHIELD WASHER RESERVOIR WITHOUT FLUID LEVEL INDICATOR, FRAME MOUNTED		
Cab Interior		
OPAL GRAY VINYL INTERIOR		
MOLDED PLASTIC DOOR PANEL		

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Description	Weight Front	Weight Rear
MOLDED PLASTIC DOOR PANEL		
BLACK MATS WITH SINGLE INSULATION		
DASH MOUNTED ASH TRAYS AND LIGHTER		
IN DASH STORAGE BIN		
(2) CUP HOLDERS LH AND RH DASH		
GRAY/CHARCOAL FLAT DASH		
2-1/2 LB. FIRE EXTINGUISHER	5	
HEATER, DEFROSTER AND AIR CONDITIONER		
STANDARD HVAC DUCTING		
MAIN HVAC CONTROLS WITH RECIRCULATION SWITCH		
STANDARD HEATER PLUMBING		
VALEO HEAVY DUTY A/C REFRIGERANT COMPRESSOR		
BINARY CONTROL, R-134A		
STANDARD INSULATION		
SOLID-STATE CIRCUIT PROTECTION AND FUSES		
12V NEGATIVE GROUND ELECTRICAL SYSTEM		
DOME LIGHT WITH 3-WAY SWITCH ACTIVATED BY LH AND RH DOORS		
CAB DOOR LATCHES WITH MANUAL DOOR LOCKS		
(1) 12 VOLT POWER SUPPLY IN DASH		
TRIANGULAR REFLECTORS WITHOUT FLARES	10	
BASIC HIGH BACK AIR SUSPENSION DRIVER SEAT WITH MECHANICAL LUMBAR AND INTEGRATED CUSHION EXTENSION	30	
2 MAN TOOL BOX MID BACK NON SUSPENSION PASSENGER SEAT	20	
LH AND RH INTEGRAL DOOR PANEL ARMRESTS		
VINYL WITH VINYL INSERT DRIVER SEAT		
VINYL WITH VINYL INSERT PASSENGER SEAT		
BLACK SEAT BELTS		
FIXED STEERING COLUMN		
4-SPOKE 18 INCH (450MM) STEERING WHEEL		
DRIVER AND PASSENGER INTERIOR SUN VISORS		

Instruments & Controls

GRAY DRIVER INSTRUMENT PANEL



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Description	Weight Front	Weight Rear
GRAY CENTER INSTRUMENT PANEL		
(3) SWITCH CUTOUPS AND BLANKS IN CENTER PANEL		
BLACK GAUGE BEZELS		
LOW AIR PRESSURE INDICATOR LIGHT AND AUDIBLE ALARM		
2 INCH PRIMARY AND SECONDARY AIR PRESSURE GAUGES		
INTAKE MOUNTED AIR RESTRICTION INDICATOR WITHOUT GRADUATIONS		
97 DB BACKUP ALARM		3
ELECTRONIC CRUISE CONTROL WITH SWITCHES IN LH SWITCH PANEL		
KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY		
ICU3S, 132X48 DISPLAY WITH DIAGNOSTICS, 28 LED WARNING LAMPS AND DATA LINKED		
HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR LOCATED BELOW LH DASH		
2 INCH ELECTRIC FUEL GAUGE		
PROGRAMMABLE RPM CONTROL - ELECTRONIC ENGINE		
ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE		
2 INCH TRANSMISSION OIL TEMPERATURE GAUGE		
ENGINE AND TRIP HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY		
(1) DASH MOUNTED PTO SWITCH WITH INDICATOR LAMP	10	
ELECTRIC ENGINE OIL PRESSURE GAUGE		
AM/FM/WB WORLD TUNER RADIO WITH BLUETOOTH AND USB AND AUXILIARY INPUTS, J1939	10	
DASH MOUNTED RADIO		
(2) RADIO SPEAKERS IN CAB		
AM/FM ANTENNA MOUNTED ON FORWARD LH ROOF		
ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER		
STANDARD VEHICLE SPEED SENSOR		

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Description	Weight Front	Weight Rear
ELECTRONIC 3000 RPM TACHOMETER		
IDLE LIMITER, ELECTRONIC ENGINE		
BW TRACTOR PROTECTION VALVE		
TRAILER HAND CONTROL BRAKE VALVE		
DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY		
SINGLE ELECTRIC WINDSHIELD WIPER MOTOR WITH DELAY		
MARKER LIGHT SWITCH INTEGRAL WITH HEADLIGHT SWITCH		
TWO VALVE PARKING BRAKE SYSTEM WITH WARNING INDICATOR		
SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, WASHER/WIPER AND HAZARD IN HANDLE		
INTEGRAL ELECTRONIC TURN SIGNAL FLASHER WITH HAZARD LAMPS OVERRIDING STOP LAMPS		

Design

PAINT: ONE SOLID COLOR

Color

CAB COLOR A: L0006EY WHITE ELITE EY
 BLACK, HIGH SOLIDS POLYURETHANE CHASSIS
 PAINT
 POWDER WHITE (N0006EA) FRONT
 WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)
 POWDER WHITE (N0006EA) REAR
 WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)
 BUMPER PAINT: FP24812 ARGENT SILVER
 DUPONT FLEX
 STANDARD E COAT/UNDERCOATING

Certification / Compliance

U.S. FMVSS CERTIFICATION, EXCEPT SALES
 CABS AND GLIDER KITS

Raw Performance Data

CALCULATED EFFECTIVE BACK OF CAB TO
 REAR SUSPENSION C/L (CA) : 107.63 in
 CALC'D SPACE AVAILABLE FOR DECKPLATE :
 110.45 in

Sales Programs

BUSINESS QUOTE SALES PROGRAM

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TOTAL VEHICLE SUMMARY

Weight Summary

	Weight Front	Weight Rear	Total Weight
Factory Weight ⁺	7331 lbs	7802 lbs	15133 lbs
Total Weight ⁺	7331 lbs	7802 lbs	15133 lbs

(+) Weights shown are estimates only.

If weight is critical, contact Customer Application Engineering.

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4006
From:		
Subject: Discussion and consideration to approve Ordinance 2021-08 amending Ordinance 2011-28 adopting rates for brush and bulky items to multifamily structures effective April 1, 2021 and authorize Mayor to execute any related documents. First reading on Ordinance 2021-08. Possible action. (Staffed by Public Works Department.)		
Background: City staff is requesting Ordinance 2021-08 amending Ordinance 2011-28 to include apartment structures as part of the brush and bulky item pickup services, effective April 1, 2021, as a pilot program for about 2 – 3 months. The recommended fee is \$3.00 per month per unit. As per the current ordinance brush services are not available to commercial properties and apartments therefore no fees are in place for such. At the minimum, the cost for residential brush services with a lot frontage ranging from 0 to 30 ft is \$10.51 per month and increases depending on lot size up to \$15.95. City staff receives numerous complaints and has been having to pick up piles of brush and bulky items located outside of apartment properties and recommends approval.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Ordinance - First Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Lucy Espinoza Olga Garza Pete Garcia Mike Perez	Created/Initiated Approved Approved Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: Memo Ordinance Brush Rates, O2021-08 Brush Rates for apartments		
Responsibilities upon Approval:		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Letty Lopez, Commissioner, District 5
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTERNAL MEMO PUBLIC WORKS DEPARTMENT

Date: February 16, 2021

To: City Commission

From: Olga Garza, Assistant Public Works Director

Subject: Amendment to Ordinance for Apartment Brush Rates

Cc: Mike Perez, City Manager
Vidal Roman, Finance Director

City staff is requesting Ordinance 2021-08 amending Ordinance 2011-28 to include apartment structures as part of the brush and bulky item pickup services, effective April 1, 2021, as a pilot program for about 2 – 3 months. The recommended fee is \$3.00 per month per unit. As per the current ordinance brush services are not available to commercial properties and apartments therefore no fees are in place for such. At the minimum, the cost for residential brush services with a lot frontage ranging from 0 to 30 ft is \$10.51 per month and increases depending on lot size up to \$15.95. City staff receives numerous complaints and has been having to pick up piles of brush and bulky items located outside of apartment properties and recommends approval.

ORDINANCE 2021-08

AN ORDINANCE AMENDING ORDINANCE NUMBER 2011-28 CODIFIED IN THE CITY OF WESLACO CODE OF ORDINANCES AS CHAPTER 62, GARBAGE, TRASH AND RUBBISH BY AMENDING ARTICLE II, CHARGES FOR COLLECTION SECTION 62-54 “BRUSH RATES”; ADOPTING NEW BRUSH RATES FOR MULTIFAMILY STRUCTURES; PROVIDING AN EFFECTIVE DATE 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: to amend Chapter 62 Article II Sec. 62-54 – Brush Rates of the Weslaco Code of Ordinances to include subsection (c) as follows below:

Sec. 62-54. Brush Rates.

- (a) The brush rates hereby established for funding the brush pick-up services shall be applicable for all customers within the city limits, except for those customers included in subsection (b) of this section, shall be based on the lot frontage of the property served by the customer's water meter, payable monthly and included in the customer's city utility bill. Such monthly rates shall be set as follows:

Lot Frontage (in feet)	Charge
0 to 30	\$10.51
30 to 60	10.51
60 to 90	13.50
90 and above	15.95

- (b) Business, commercial, industrial and mobile home/recreational vehicle park customers, serviced by a master water meter, shall haul and dump their brush at an appropriate dump site. If they do not have the equipment to haul their brush, they should contract with a responsible third party for these services.
- (c) The monthly rate for the collection and removal of brush and bulky items by the city from multifamily (apartments, duplexes, fourplexes, condominiums, and townhouses) shall be \$5.25 per month per unit.

SECTION II: In the event any part of this ordinance is declared invalid, such invalidity shall not apply to the other parts as they are hereby severally established.

SECTION III: This ordinance shall be in full force after the second and final reading of this

ordinance and publication.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 2nd day of March 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2021.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4029
From:		
Subject: Discussion and consideration on Approval of Ordinance 2021-09 for a Budget Amendment in the amount of \$450,000 in the General Fund for purchase of an Ambulance (COVID 19) and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-09. Possible action. (Staffed by Finance Department.)		
Background: The city considered in purchasing an Ambulance that would serve the purpose of transporting any patient that showed Covid 19 symptoms and protecting the health and welfare of the attendants.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Budget Amendment Ordinance - First Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Norma Cantu	Created/Initiated	
Vidal Roman	Approved	
Mike Perez	Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: Budget Amendment Memo, BUDGET AMENDMENT-GF, O2021-09 GF. Ambulance budget amendment		
Responsibilities upon Approval:		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

Date: March 2, 2021

To: Mayor and City Commission

CC: Mike R. Perez, City Manager

FR: Vidal Roman, Finance Director

Re: Budget Amendment for General Fund

The City recently purchase an Ambulance for transfer of patients suspected and/or having COVID 19 symptoms. This acquisition is necessary to protect the health and welfare of the individuals in risk of this pandemic.

Staff recommends approval of Ordinance and Budget Amendment.

**CITY OF WESLACO
BUDGET AMENDMENT
FY 2020-2021**

ORDINANCE 2021-09

AN ORDINANCE AMENDING ORDINANCE NUMBER 2020-27, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, FINDING NEED TO AMEND THE 2020-2021 MUNICIPAL BUDGET; TO WIT; GENERAL FUND, IN THE AMOUNT OF \$450,000 PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2020-2021 budget: and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2020-2021 Official Budget, adopted by Ordinance 2020-27, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 2nd day of March 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____ 2021.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4004	
From:			
Subject: Discussion and consideration to authorize the solicitation of bids for construction of the Regional Detention Facility for the Pleasantview Drainage project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)			
Background: See attached Memo			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Alberto Aldana		Created/Initiated	
Alberto Aldana		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: 02-11-21CCMemo_RDF			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

DATE: February 11, 2021

TO: Weslaco City Commission &
Mr. Mike Perez, City Manager

FROM: Albert J. Aldana, P.E. 
City Engineer

SUBJECT: Pleasantview & 11th St Drainage Improvements
Proposed Solicitation of Bids for Construction of RDF

Dear Commissioners,

Authorization for solicitation of bids for the construction of the RDF for the Pleasantview & 11th St Drainage Improvements Project is sought because of a time limitation on this project. This project is scheduled for completion by April 30th and we would like for the construction of the RDF to be constructed prior to the beginning of the next storm season which begins in June. Given the large volume of excavation (≈300k cy) and our current workforce and equipment it is estimated that the construction of the RDF with Public Works forces would require in excess of 12 months to complete.

In addition, the Kansas-Los Torritos Drainage Project requires that the proposed RDF be constructed by City forces. The RDF for phase I of this project is much smaller in volume (≈100k cy) and the project allots more time for its completion (October 2022). This RDF is better suited for our Public Works personnel to complete.

We have also received preliminary estimates of probable costs to excavate the Pleasantview RDF and these look very favorable. It is estimated that the RDF could be excavated for approximately \$300k to \$350k and be completed within a reasonable time window.

For these reasons, staff recommends that this proposed solicitation for bids be approved.



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4025
From:		
Subject: Discussion and consideration to approve Ordinance 2021-10 a Budget Amendment in an amount not to exceed \$25,000 for proposed professional engineering services and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-10. Possible action. (Staffed by Engineering Department.)		
Background: See Attached Memo.		
Funding Source (budget code, if applicable): Drainage Fund (417)		
Amount: \$25,000.00	Term of Impact: Decrease in Fund Balance	Identified in Current Budget: No
Additional Action Prompted: Budget Amendment Ordinance - First Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Norma Cantu	Created/Initiated	
Alberto Aldana	Approved	
Vidal Roman	Approved	
Mike Perez	Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval of this proposed budget amendment.		
Attachments, if any: 02-23-21CCMemo_Budget Amendment, BUDGET AMENDMENT-Drainage, O2021-10 Drainage amendment (1)		
Responsibilities upon Approval:		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Leo Muñoz, Mayor Pro-Tem, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

DATE: February 23, 2021

TO: Weslaco City Commission &
Mr. Mike Perez, City Manager

FROM: Albert J. Aldana, P.E.
City Engineer

A handwritten signature in blue ink, appearing to be "AJA", is written over the printed name of the City Engineer.

SUBJECT: Budget Amendment
Pleasantview & 11th St Drainage Improvements

Dear Commissioners,

This budget amendment is sought in order to cover engineering services costs associated with the preparation of plans for the proposed RDF on the above referenced project. Plans for the RDF were originally going to be prepared by staff, but due to the high volume of projects and engineering personnel we are not able to fulfill this project. It is proposed that these engineering services be procured through RFQ process.

Engineering staff is presently occupied working on the following projects:

- Preparation of construction documents for the 2020 City of Weslaco Water & Sewer Improvements Project for Urban County Program.
- Preparation of construction documents for proposed infrastructure improvements (paving, water, sewer, storm drain) for the Weslaco Public Services Facility. (Due May 2021)
- Preparation of plans for the Mayor Pablo Peña Park RDF and utility relocations. (Due June 19, 2021)
- Preparation of plans for grading, paving, utility, and drainage improvements at the Recycling Center on Border & Mile 5N Rd.

The estimated engineering fees for engineering services is estimated at less than \$25,000. Staff recommends approval of this proposed budget amendment.

**CITY OF WESLACO
BUDGET AMENDMENT
FY 2020-2021**

ORDINANCE 2021-10

AN ORDINANCE AMENDING ORDINANCE NUMBER 2020-27, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, FINDING NEED TO AMEND THE 2020-2021 MUNICIPAL BUDGET; TO WIT; DRAINAGE FUND, IN THE AMOUNT OF \$25,000 PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2020-2021 budget: and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2020-2021 Official Budget, adopted by Ordinance 2020-27, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 2nd day of March 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____ 2021.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 2, 2021		Agenda Item No. (to be assigned by CSO): 2021-4034
From:		
Subject: Discussion and consideration to approve a Change Order for time extension for the Pleasantview and 11th Street Drainage Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)		
Background: The contractor for the Pleasantview & 11th St Drainage Improvements Project, Rigney Construction, LLC, requested additional contract days due to the delays in the delivery of materials (concrete boxes/pipes). Delivery of the material was expected on February 22nd and has been revised to March 1st. See attached letter from Rigney Construction and CAPA, the supplier.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Aida Vega	Created/Initiated	
Alberto Aldana	Approved	
Mike Perez	Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval		
Attachments, if any: Material Update Letter_02-25-21		
Responsibilities upon Approval:		



RIGNEY

CONSTRUCTION, LLC.

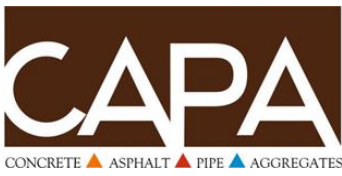
Building for the honor and glory of our Lord Jesus Christ.....Col. 3:23

February 25, 2021

Please be advised that we have been informed by our subcontractor that the supplier is anticipating delivery of the materials on March 1st, 2021 due to the inclement weather from the past week which impacted the whole State plus the on-going pandemic of COVID-19, we are requesting additional calendar days for job completion. We've attached a copy of the letter received from the supplier for your reference.

Be advised that the supplier wants a guarantee that the materials will not encounter any liquidated damages as it was originally agreed and discussed.

We've sent an OAC Meeting invitation scheduled for tomorrow at 11:00 am at the Back Side of the Church to all parties concerned.



TRANSMITTAL MEMO

DATE: Wednesday, February 24, 2021

TO: **Total Commitment LLC**

FROM: CAPA Sales Office

ATTN: Mando Gutierrez

JOB/PROJECT: **City of Weslaco Pleasantview & 11th Street Project - Delivery Update**

To Whom It May Concern:

Previous target delivery start date for the material on this project was scheduled for the week of February 22, 2021, however due to the previous week's frozen weather/power outage event throughout the State of Texas, the final preparation on the Box Culverts was hampered/delayed a week. We are currently scheduled to begin delivery Monday, March 1, 2021.

Sincerely,

Larry Hinojosa

Larry Hinojosa, Sales Administrator/Representative

CC: Dorian Madrigal, General Sales Manager
Mike Morris, Sales Director

Rio Valley Pipe, LLC; Magic Valley Concrete, LLC; Upper Valley Materials, LLC d/b/a CAPA

Corporate & Sales Office

3609 W Palma Vista Drive | Palmview, TX 78572

Main PH: (956) 432-0600 | Sales Fax: (956) 583-2086 | Email: sales@capatexas.com | www.capatexas.com