



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JUNE 15, 2021**

On Tuesday, June 15, 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	Josh Pedraza
	Commissioner	Letty Lopez
ABSENT:	Commissioner	J.P. Rodriguez
STAFF PRESENT:	Mike R. Perez	City Manager
	Andrew Muñoz	Asst. City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Vidal Roman, Finance Director, Antonio "Tony" Lopez, Fire Chief, Eddie Gil, IT Department, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joel Rivera, Police Chief, Albert Aldana, City Engineer, Pete Garcia, Public Works Director, Martin Mata, Asst. Library Director, Olga Garza, Asst. Public Works Director, Rosa Huerta, Municipal Court, George Quilantan, Inframark, Cristina Garcia, PIO 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, June 11, 2021.

B. Invocation.

Pastor Raja Masilamony, Seventh Day Adventists Church led in the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the "Pledge of Allegiance and Texas Flag."

D. Mayoral Recognition.

Mayor Suarez proclaimed, Eric Thomas Pemelton as “Weslaco Crime Stoppers 2020 Officer of the Year”.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting the absence of Commissioner J.P. Rodriguez and a quorum present.

II. PUBLIC COMMENTS

Alicia Rodriguez, 701 E. Witmer, requested consideration for a speed hump and voiced concern with potential flooding to her property because of the construction of the new fire and police buildings and asked the drainage to be looked at closely.

Nelida Ramirez, 1003 Pina Drive, commented the alley at the end of her property has high grass and overgrown trees that are going into her property. It has not been cleaned in a while and asked attention be given to her area.

Swapon L. Halder, 1814 Rose Avenue, stated the last 3 to 4 heavy rains has caused flooding to his home and wanted a solution to this issue; has met with engineering but does not feel enough is being done.

Sandra Reyna, 217 S. Pat Cannon Street, voiced her concerns on the lack of maintenance of the city parks, deteriorating water fountains and the lack of a follow-up to concerns raised from individuals.

III. PUBLIC HEARING

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to open the public hearing at 6:00 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Eric Fonseca to approve Conditional Use Permit to obtain a Retail Dealer’s On-Premise Late Hours License at 606 S. Missouri also being Lot 4, Block 51, Original Townsite, Weslaco, Hidalgo County, Texas.

Gilbert Longoria, owner, asked for favorable consideration; has been in operation for two (2) years; no incidents of impact at establishment aside from two or three noise concerns.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to close the public hearing at 6:01 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

IV. CONSENT AGENDA

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

A. Approval of the Minutes of the Regular Meeting on June 01, 2021 (Staffed by City Secretary Department.)

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

1) Approval on Ordinance 2021-18 authorizing the issuance of "City of Weslaco, Texas Tax and Revenue Certificates of Obligation, Series 2021A"; approving the terms of a Resolution of the Texas Water Development Board; approving an application for financial assistance, a paying agent/registrar agreement and an escrow agreement; and making other provisions regarding the certificates and other matters related thereto and authorize the Mayor to execute any related documents. (First reading held June 1, 2021; staffed by City Manager.)

2) Approval on Ordinance 2021-19 abandoning an existing 10-foot utility easement along the south property line of Lot 22 Northcross Subdivision and authorize the Mayor to execute any related documents. (First reading held June 1, 2021; staffed by Planning & Code Enforcement Department.)

3) Approval on Ordinance 2021-20 amending Ordinance No. 71-4 Codified in the Code of Ordinances as Chapter 62 Garbage, Trash and Rubbish adopting new regulation regarding placement of garbage bins near mailboxes and authorize the Mayor to execute any related documents. (First reading held June 1, 2021; staffed by Public Works Department.)

C. Approval to renew for an additional one year of Interlocal Cooperation Agreement between the County of Hidalgo and the City of Weslaco for use of equipment and materials and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

D. Approval to submit an application to the Rio Grande Valley Metropolitan Planning Organization for a Transportation Alternative Set-Aside (TASA) Program project and authorize the Mayor to sign and execute any required documents. (Staffed by Parks and Recreation.)

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

For the record following are the ordinance(s).

ORDINANCE 2021-18

ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF WESLACO, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021A"; APPROVING THE TERMS OF A RESOLUTION OF THE TEXAS WATER DEVELOPMENT BOARD APPROVING AN APPLICATION FOR FINANCIAL ASSISTANCE, A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; AND MAKING OTHER PROVISIONS REGARDING THE CERTIFICATES AND OTHER MATTERS RELATED THERETO

WHEREAS, the City Commission of the City of Weslaco (the “Issuer” or the “City”) deems it advisable to issue Certificates of Obligation hereinafter described (the “Certificates”) for the purposes specified in Section 1 hereof;

WHEREAS, the Certificates hereinafter authorized and designated are to be issued and delivered for cash pursuant to the Certificate of Obligation Act of 1971, Section 271.041 et seq, Texas Local Government Code, as amended and Chapter 1502, Texas Government Code, as amended (together, the “Act”);

WHEREAS, pursuant to the said provisions of the Act, the city commission (the “City Commission”) of the City authorized, and the City published notice of its intention to issue the Certificates authorized herein once a week for two consecutive weeks in a newspaper, as defined by the Texas Gov’t. Code § 2051.041 et seq., as amended, that is of general circulation in the City, with the first publication of such notice occurring before the 45th day before the date hereof;

WHEREAS, as of the date hereof, neither the City Secretary nor any other official of the City has received a petition signed by at least five percent of the qualified voters of the City protesting the issuance of the Certificates authorized herein;

WHEREAS, the Texas Water Development Board (the “TWDB”) has approved a loan (the “Loan”) to the City in the amount of \$3,331,000 upon the terms and conditions as outlined in the Texas Water Development Board’s Resolution adopted on May 20, 2021;

WHEREAS, it is hereby officially found and determined that public notice of the time, place and purpose of the meeting at which this Ordinance was approved was given, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code as amended; and

WHEREAS, it is considered to be in the best interest of the City that the Certificates be issued and the terms hereafter provided are the most reasonable available and are hereby determined by the City Commission to be in the best interest of the City.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT:

Section 1. Authorization of the Certificates. There is hereby authorized to be issued and delivered, a series of certificates of the City to be known as “CITY OF WESLACO, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021A” (the “Certificates”) in the original aggregate principal amount of \$3,331,000, payable from and secured by a subordinated lien on the Net Revenues as specified in Section 12 and further payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitation prescribed by law, for the purpose of 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 certain City-owned public property, specifically being: (1) drainage improvements including channel widening and a drainage pond; and (2) payment of contractual obligations for professional services in connection therewith (to wit: architectural, engineering, financial advisory, and legal).

Section 2. Designation, Date, Denominations, Numbers, and Maturities of the Certificates. The Certificates shall be dated as of June 1, 2021 shall be in denominations of \$1,000 each or any integral multiple thereof, shall be numbered I-1 for the Initial Certificate and consecutively from R-1 upward for the Definitive Certificates and shall mature on August 15 in each of the years as provided below unless theretofore called for redemption prior to maturity in accordance with the provisions of the Form of the Certificates contained in Section 6 hereof, and the Certificates shall bear interest at the rates per annum shown below from the date of initial delivery and payable on August 15, 2021 and on each February 15 and August 15 thereafter through the respective maturity date or earlier redemption, to wit:

Years of Stated Maturity	Principal	Interest	Years of Stated Maturity	Principal	Interest
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(August 15)	Installment	Rate	(August 15)	Installment	Rate
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Section 3. Paying Agent/Registrar. The principal of and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and such payment of principal of and interest on the Certificates shall be without exchange or collection charges to the Owner (as hereinafter defined) of the Certificates.

The selection and appointment of [U.S. Bank, National Association, Houston, Texas,] to serve as the initial Paying Agent/Registrar for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained at the corporate trust office of the Paying Agent/Registrar books and records (the "Register") for the registration, payment and transfer of the Certificates, all as provided herein, in accordance with the terms and provisions of a Paying Agent/Registrar Agreement, attached, in substantially final form, as Exhibit A hereto, and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe. The Paying Agent/Registrar has agreed to keep a copy of the Register at its offices, or its agent's offices, located in Houston, Texas. The City covenants to maintain and provide a Paying Agent/Registrar at all times while the Certificates are Outstanding, and any successor Paying Agent/Registrar shall be (i) a national or state banking institution or (ii) an association or a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers. Such Paying Agent/Registrar shall be subject to supervision or examination by federal or state authority and authorized by law to serve as a Paying Agent/Registrar.

The City reserves the right to appoint a successor Paying Agent/Registrar upon providing the previous Paying Agent/Registrar with a certified copy of a resolution or ordinance terminating such agency. Additionally, the City agrees to promptly cause a written notice of this substitution to be sent to each Owner of the Certificates by United States mail, first-class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Both principal of and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable only to the registered owner of the Certificates appearing on the Register (the "Owner" or "Owners") maintained on behalf of the City by the Paying Agent/Registrar as hereinafter provided (i) on the Record Date (hereinafter defined) for purposes of payment of interest thereon, and (ii) on the date of surrender of the Certificates for purposes of receiving payment of principal thereof upon redemption of the Certificates or at the Certificates' Stated Maturity. The City and the Paying Agent/Registrar, and any agent of either, shall treat the Owner as the owner of a Certificate for purposes of receiving payment and all other purposes whatsoever, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

Principal of the Certificates shall be payable only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its corporate trust office. Interest on the Certificates shall be paid to the Owner whose name appears in the Register at the close of business on the last business day of the month next preceding an Interest Payment Date for the Certificates (the "Record Date") and shall be paid (i) by check sent by United States mail, first-class postage prepaid, by the Paying Agent/Registrar, to the address of the Owner appearing in the Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested in writing by the Owner at the Owner's risk and expense.

While TWDB is the Owner of the Certificates, the principal or redemption price of the Certificates shall be payable by wire transfer without exchange or collection charges. Otherwise, principal or redemption price of the Certificates shall be payable in any coin or currency of the United States of America which, on the date of payment, is legal tender for the payment of debts due the United States of America, upon their presentation and surrender, as they respectively become due and payable, at the principal trust office of the Paying Agent/Registrar. As long as TWDB is the owner of the Certificates, the interest on each Certificate shall be payable by wire transfer without exchange or collection charges dated as of the interest payment date. Otherwise, interest on each Certificate shall be

payable in any coin or currency of the United States of America mailed by the Paying Agent/Registrar on or before each interest payment date to the Owner of record as of the Record Date.

If the date for the payment of the principal or interest on the Certificates shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a day. The payment on such date shall have the same force and effect as if made on the original date any such payment on the Certificates was due.

In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the Special Payment Date - which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Owner appearing on the Register at the close of business on the last business day next preceding the date of mailing of such notice.

Section 4. Right of Prior Redemption. (a) Optional Redemption. The City reserves the right to redeem the Certificates at any time, in whole or part, in inverse order of maturity, in principal amounts of \$1,000 or any integral multiple thereof, at the option of the City, at the redemption price of par thereof plus accrued interest to the date fixed for redemption. If less than all of the Certificates of a particular maturity are to be redeemed, the particular Certificates or portions thereof to be redeemed shall be selected at random and by lot by the Paying Agent/Registrar on behalf of the City.

(b) Notice of Redemption. Notice of any redemption shall be given as provided in the FORM OF CERTIFICATES included in Section 6 hereof. If such notice of redemption is given, and if due provision for such payment is made, the Certificates, or the portions thereof which are to be so redeemed, thereby automatically shall be redeemed prior to their scheduled maturities, and shall not bear interest after the date fixed for their redemption, and shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/Registrar shall record in the Register all such redemptions of principal of the Certificates or any portion thereof. By the date fixed for any such redemption due provision shall be made by the City with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates, or the portions thereof which are to be so redeemed, plus accrued interest thereon to the date fixed for redemption. If such notice of redemption is given and if due provision for such payment is made, all as provided above, the Certificates, or the portions thereof which are to be so redeemed, thereby automatically shall be redeemed prior to their scheduled maturities and shall not bear interest after the date fixed for their redemption and shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$1,000, at the written request of the Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon the surrender thereof for cancellation, at the expense of the City all as provided in this Ordinance.

Section 5. Initial Certificate; Exchange or Transfer of Certificate. Initially, one Certificate (the "Initial Certificate") numbered I-1 and being in the principal amount of the Certificate shall be registered in the name of the Purchaser and shall be executed and submitted to the Attorney General of Texas for approval, and thereupon certified by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent, by manual signature, and the Initial Certificate shall be effective and valid without the Authentication Certificate being signed by the Paying Agent/Registrar. At any time thereafter, the Owner may deliver the Initial Certificate to the Paying Agent/Registrar for exchange, accompanied by instructions from the Owner or designee designating the persons, maturities, and principal amounts to and in which the Initial Certificate is to be transferred and the addresses of such persons, and the Paying Agent/Registrar shall thereupon, within not more than three days, register and deliver such Certificates upon authorization of the City as provided in such instructions.

Each Certificate shall be transferable only upon the presentation and surrender thereof at the designated payment office of the Paying Agent/Registrar, duly endorsed for transfer, or accompanied by an assignment duly executed by the Owner or his authorized representative in form satisfactory to the Paying Agent/Registrar. Upon presentation of any Certificate for transfer, the Paying Agent/Registrar shall authenticate and deliver in exchange therefore, to the extent possible and under reasonable circumstances within three business days after such presentation, a new Certificate or Certificates, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Certificate or Certificates so presented.

All Certificates shall be exchangeable upon presentation and surrender thereof at the designated payment office of the Paying Agent/Registrar for a Certificate or Certificates of the same maturity and interest rate and in any authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of the Certificate or Certificates presented for exchange. The Paying Agent/Registrar shall be and is hereby authorized to authenticate and deliver exchange Certificates in accordance with this Ordinance and each Certificate so delivered shall be entitled to the benefits and security of this Ordinance to the same extent as the Certificate or Certificates in lieu of which such Certificate is delivered.

The City or the Paying Agent/Registrar may require the Owner of any Certificate to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Certificate. Any fee or charge of the Paying Agent/Registrar for such transfer or exchange shall be paid by the City.

Section 6. General Characteristics and Form of the Certificates. The Certificates shall be issued, shall be payable, may be redeemable prior to their scheduled maturities, shall have the characteristics, and shall be signed and executed (and the Certificates shall be sealed) all as provided and in the manner indicated in the form set forth below. The Form of the Certificates, the Form of the Registration of the Comptroller of Public Accounts of the State of Texas to be printed and manually endorsed on each of the Initial Certificate, the Form of the Authentication, and the Form of Assignment, which shall be, respectively, substantially as follows, with necessary and appropriate variations, omissions, and insertions as permitted or required by this Ordinance, and the definitions contained within each such form shall apply solely to such form:

FORM OF DEFINITIVE CERTIFICATE

R- _____
REGISTERED

\$ _____
REGISTERED

United States of America
State of Texas
CITY OF WESLACO, TEXAS
TAX AND REVENUE CERTIFICATE OF OBLIGATION, SERIES 2021A

DATED DATE:

June 1, 2021

INTEREST
RATE:

%

MATURITY
DATE:

DELIVERY
DATE:

July 22, 2021

CUSIP
NUMBER

REGISTERED OWNER:

PRINCIPAL AMOUNT:

(\$ _____)

DOLLARS

THE CITY OF WESLACO, TEXAS (the "City"), a body corporate and municipal corporation located in the County of Hidalgo, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner specified above, or the registered assigns thereof (the "Owner"), on the Stated Maturity date specified above, the Principal Amount specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid principal amount hereof from the Delivery Date specified above, or from the most recent interest payment date to which interest has been paid or duly provided for until such principal sum has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 of each year commencing August 15, 2021.

PRINCIPAL OF THIS CERTIFICATE shall be payable to the Owner, upon presentation and surrender, at the corporate trust office of U.S. Bank, National Association, Houston, Texas (the "Paying Agent/Registrar") executing the registration certificate appearing hereon or a successor thereof. Interest shall be payable to the Owner of this Certificate whose name appears on the Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the last business day of the

month next preceding each interest payment date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on the appropriate date of payment by United States mail, first-class postage prepaid, to the Owner hereof at the address appearing in the Register or by such other method, acceptable to the Paying Agent/Registrar, requested by the Owner hereof at the Owner's risk and expense.

While TWDB is the owner ("Owner") of the Certificates, the principal or redemption price of the Certificates shall be payable by wire transfer without exchange or collection charges. Otherwise, principal or redemption price of the Certificates shall be payable in any coin or currency of the United States of America which, on the date of payment, is legal tender for the payment of debts due the United States of America, upon their presentation and surrender, as they respectively become due and payable, at the principal trust office of the Paying Agent/Registrar. As long as TWDB is the owner of the Certificates, the interest on each Certificate shall be payable by wire transfer without exchange or collection charges dated as of the Interest Payment Date. Otherwise, interest on each Certificate shall be payable in any coin or currency of the United States of America mailed by the Paying Agent/Registrar on or before each Interest Payment Date to the Owner of record as of the Record Date.

THIS CERTIFICATE is one of the series specified in its title issued in the aggregate principal amount of \$3,331,000 (the "Certificates") pursuant to an Ordinance adopted by the governing body of the City (the "Ordinance"), for the purpose of 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 certain City-owned public property, specifically being: (1) drainage improvements including channel widening and a drainage pond; and (2) payment of contractual obligations for professional services in connection therewith (to wit: architectural, engineering, financial advisory, and legal).

THE CITY RESERVES THE RIGHT to redeem the Certificates at any time, in whole or part in part, in inverse order of maturity, in integral multiples of \$1,000, at the option of the City, at a redemption price of par thereof plus accrued interest to the date fixed for redemption. If less than all of the Certificates of a particular maturity are to be redeemed, the particular Certificates or portions thereof to be redeemed shall be selected at random and by lot by the Paying Agent/Registrar on behalf of the City.

NOTICE OF ANY REDEMPTION shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption, to the Owner of each Certificate, or portion thereof to be redeemed, at its address as it appeared on the Registration Books on the 45th

day prior to such redemption date; provided, however, that the failure to send, mail, or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of any Certificate. By the date fixed for any such redemption, due provision shall be made by the City with the Paying Agent/Registrar for the payment of the required redemption price for this Certificate or the portion hereof which is to be so redeemed, plus accrued interest thereon to the date fixed for redemption. If such notice of redemption is given, and if due provision for such payment is made, all as provided above, this Certificate, or the portion thereof which is to be so redeemed, thereby automatically shall be redeemed prior to its scheduled maturity, and shall not bear interest after the date fixed for its redemption, and shall not be regarded as being outstanding except for the right of the Owner to receive the redemption price plus accrued interest to the date fixed for redemption from the Paying Agent/Registrar out of the funds provided for such payment. The Paying Agent/ Registrar shall record in the Registration Books all such redemptions of principal of this Certificate or any portion hereof. If a portion of any Certificate shall be redeemed, a substitute Certificate or Certificates having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$1,000, at the written request of the Owner, and in aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Owner upon the surrender thereof for cancellation, at the expense of the City, all as provided in the Ordinance.

IF THE DATE for the payment of the principal of or interest on the Certificates shall be a Saturday, a Sunday, a legal holiday, or a day on which banking institutions in the city where the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding business day; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THE CERTIFICATES OF THIS SERIES are payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitations prescribed by law, and are further payable from and secured by a lien on and pledge of the Pledged Revenues, being the Net Revenues derived from the operation of the City's waterworks sewer system (the "System"), such lien on and pledge of the Net Revenues being subordinate and inferior to the lien on and pledge of such Net Revenues securing payment of any Prior Lien Obligations issued by the City. The City previously authorized the issuance of the currently outstanding Subordinate Lien Obligations, and Limited Pledge Obligations (which are payable, in part, from and secured by a lien on and pledge of a limited amount of the Net Revenues) in the manner provided in the ordinances authorizing the issuance of the currently outstanding Subordinate Lien Obligations, and the Limited Pledge Obligations. In the Ordinance, the City reserves and retains the right to issue Additional Prior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations, while the Certificates are Outstanding, without limitation as to principal amount but subject to any terms, conditions, or restrictions as may be applicable thereto under law or otherwise. Capitalized terms used herein have the same meanings assigned in the Ordinance.

REFERENCE IS HEREBY MADE to the Ordinance, copies of which are on file in the corporate trust office of the Paying Agent/Registrar, and to all of the provisions of which the Owner by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions under which the City may issue Additional Prior Lien Obligations, Additional Subordinate Lien Obligations, and Additional Limited Pledge Obligations; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Owner; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance.

THIS CERTIFICATE, subject to certain limitations contained in the Ordinance, may be transferred at the corporate trust office of the Paying Agent/Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by the Owner hereof, or his duly authorized agent, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized

denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued to the designated transferee or transferees.

THE CITY AND THE PAYING AGENT/REGISTRAR, and any agent of either, shall treat the Owner hereof whose name appears on the Register (i) on the Record Date as the owner hereof for purposes of receiving payment of interest hereon, (ii) on the date of surrender of this Certificate as the owner hereof for purposes of receiving payment of principal hereof at its Stated Maturity or its redemption, in whole or in part, and (iii) on any other date as the owner hereof for all other purposes, and neither the City nor the Paying Agent/Registrar, or any such agent of either, shall be affected by notice to the contrary. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by

the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date" - which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Owner appearing on the Register at the close of business on the last business day next preceding the date of mailing of such notice.

IT IS HEREBY CERTIFIED, COVENANTED, AND REPRESENTED that all acts, conditions, and things required to be performed, exist, and be done precedent to the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the City have been performed, exist, and have been done, in regular and due time, form, and manner, as required by law, and that issuance of the Certificates does not exceed any constitutional or statutory limitation. In case any provision in this Certificate or any application thereof shall be deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, this Certificate has been signed with the manual or facsimile signature of the Mayor of the City and countersigned with the manual or facsimile signature of the City Secretary of the City, and the official seal of the City has been duly impressed, or placed in facsimile, on this Certificate.

ORDINANCE NO. 2021-19

AN ORDINANCE ABANDONING AN EXISTING 10-FOOT UTILITY EASEMENT ALONG THE SOUTHSIDE LOT 22 NORTHCROSS SUBDIVISION, HIDALGO COUNTY, TEXAS, 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. Abandoning an existing 10-Foot Utility Easement along the southside Lot 22 Northcross Subdivision, 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 1st day of June 2021

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 15th day of June 2021.

ORDINANCE 2021-20

AN ORDINANCE AMENDING ORDINANCE NUMBER 71-4 CODIFIED IN THE CITY OF WESLACO CODE OF ORDINANCES AS CHAPTER 62, GARBAGE, TRASH, AND RUBBISH BY ADOPTING NEW REGULATIONS REGARDING PLACING CONTAINERS AND TRASH FOR COLLECTION, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

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

SECTION I.

Ordinance 71-4 passed and approved on March 2, 1971 as “Garbage, Trash, and Rubbish Ordinance” and Codified as Chapter 62 of the Weslaco Code of Ordinances is hereby amended.

SECTION II.

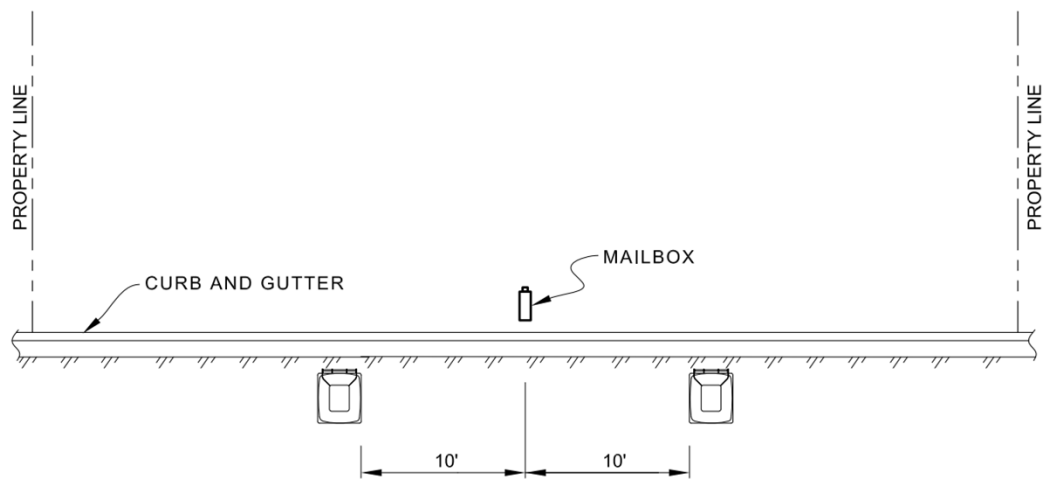
After second and final reading of this Ordinance the amended Garbage, Trash, and Rubbish ordinance sections will be adopted and codified as Chapter 62 of the Weslaco Code of Ordinances and said Chapter shall read as follows:

CHAPTER 62 GARBAGE, TRASH, AND RUBBISH

SECTION 62-10 PLACING CONTAINERS AND TRASH FOR COLLECTION

- (a) If the house, premises, building, lot or structure from which the garbage or trash is to be collected and removed is adjacent and accessible to an alley, the owner, occupant, tenant, or lessee of such premises shall be required to keep the garbage container and/or trash at the entrance to said alley where it may be easily accessible to the person collecting and removing trash or garbage. In the event it is not practicable to collect and remove the garbage and trash from an alley, or if there is no alley, the owner, occupant, tenant, or lessee of the premises shall place the container and/or trash at such point on his property as the proper agent of the city shall assign and designate as the most convenient and accessible for collecting and removing. At no time shall the container and/or trash be so placed that the alley will be blocked or obstructed.
- (b) Trash shall be placed in orderly, accessible stacks or piles to facilitate removal of same. Tree limbs, trunks, hedge and shrub cuttings shall not exceed five feet in length.
- (c) It shall be a violation to place garbage containers within 10 feet of a United States Postal box, a building/structure, low hanging wires, or any fence located in a residential use area in accordance with Figure 1.1, between the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturdays, except on federal holidays and except momentarily to load or unload passengers or merchandise.
 - (a) This ordinance shall not apply to non-conforming residential size lots or lots whose frontage width is less than 50 feet.

Figure 1.1

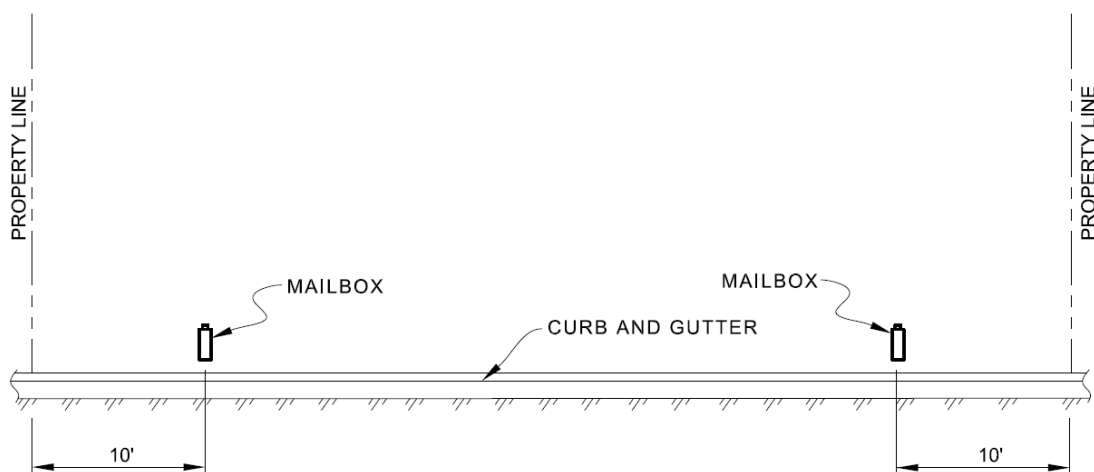


TRASH BIN LOCATION

TRASH BIN TO HAVE A 10 FOOT SEPARATION FROM MAILBOX LOCATED FROM CENTER OF PROPERTY EACH WAY

- (d) Existing mailboxes that have been deemed a nuisance due to proximity to neighboring property line by the Public Works Director or his designee must be relocated, at the property owners expense, to be at a minimum of 10 feet from the property line in accordance with Figure 1.2.
- (e) The installation of new mailboxes in areas that are not required by the United States Postal to have cluster boxes, must install said mailbox in accordance with Figure 1.2.

Figure 1.2



SECTION III. 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 1st day of June 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 15th day of June 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

V. NEW BUSINESS

A. Discussion and consideration to approve the Waterline Access Agreement between North Alamo Water Supply Corporation, City of Weslaco and Jessica Ruiz for Lot 30, Vaquero Estates Phase I Subdivision for the installation of a fire hydrant and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning and Code Enforcement Director, stated this was new construction of a veterinarian office and the installation of a fire hydrant to service the area is required. Staff recommended approval of the agreement between NAWS, City and owner for purposes of the city operating and maintaining the fire hydrant.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve the Waterline Access Agreement between North Alamo Water Supply, City of Weslaco and Jessica Ruiz for Lot 30, Vaquero Estates Phase I for installation of fire hydrant as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Eric Fonseca to approve Conditional Use Permit to obtain a Retail Dealer's On-Premise Late Hours License at 606 S. Missouri also being Lot 4, Block 51, Original Townsite of Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Three-fourths vote required. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated twenty-one property owners notified; applicant requested a permit for On-Premise Late Hours Permit before and denied at that time based on opposition and the proximity to a primarily residential area. The Planning & Zoning Commission and staff recommended denial of the conditional use permit.

In response to the Commission, no opposition received to current request; late hours of operation were until 2:00am; three complaints received for noise; City cannot revoke the license only by the

Texas Alcoholic Beverage Commission. Chief Rivera stated the noise complaints were investigated and the decimal point level was not surpassed therefore not in any violation.

Mike Perez, City Manager, recommended consultation with the City Attorney and no action at present until completion of the consultation.

C. Discussion and consideration for the Final Plat for Moreland Apartments Subdivision—being 2.03 acres out of Farm Tract 1033, the West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northwest corner of E. Moreland Dr. and Plaza Los Encinos and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mayor Pro Tem Muñoz abstained from discussion and vote.

Rebekah de la Fuente stated the proposed use would be four-plex apartments; inside city limits serviced with water and sewer from the city; developer complied with all departmental comments and no variances requested. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve Final Plat for Moreland Apartments Subdivision being 2.03 acres out of Farm Tract 1033, West and Adams Subdivision as presented. The motion carried; Mayor Pro Tem Muñoz abstained; Mayor Suarez was present and voting.

D. Discussion and consideration for the Final Plat for Ten fifteen Subdivision— being 10.33 acres being a resubdivision of lots 1A,2A,3A, 4A,5A and 6A, out of Plaza Diez Quince Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of F.M. 1015 and Mile 6 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed use would be apartments; outside city limits; serviced with water from North Alamo Water Supply and sewer by On-site Sewage Facility (OSSF); applicant requested a variance for off-site drainage and OSSF; letters of support from the Irrigation District and the Drainage District. The Planning and Zoning Commission recommended approval with variance and staff recommended approval with compliance of ordinance.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve Final Plat for Ten Fifteen Subdivision being 10.33 acres a resubdivision of Lots 1A,2A,3A,4A,5A and 6A out of Plaza Diez Quince Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Kerr requested to change the order of the day and go to Item M. There was no objection; Mayor Suarez introduced item M.

M. Discussion and consideration on request from Weslaco Museum to close Texas Boulevard on July 3, 2021 from 10am to 1pm for Flag Retirement Ceremony event and closure of the east bound section of 5th Street from the alleyway to Texas Boulevard from 11am to 3pm and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for proposed street closure affecting state right-of-way. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated the Weslaco Museum requested consideration to close Texas Boulevard on July 3, 2021 from 10am to 1pm for Flag Retirement Ceremony event and closure of the east bound section of 5th Street from the alleyway to Texas Boulevard from 11am to 3pm. Staff recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve close Texas Blvd on July 3, 2021 from 10 am to 1 pm for Flag Retirement Ceremony Event and closure of the east bound section of 5th Street from the alleyway to Texas Blvd from 11 am to 3 pm as presented. Motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration for the Final Plat for Amber Estates– being 19.719 acres acre tract of land, out of farm Tract 192, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the east side of Mile 6 North ½ a Mile North of Mile 10 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a thirty (30) lot subdivision for residential use; outside city limits; serviced with water from North Alamo Water Supply and sewer by On-site Sewage Facility (OSSF); developer requested a variance on setback to allow for OSSF and a variance to permit off-site drainage; received a letter of support from drainage district for off-site drainage. The Planning and Zoning Commission recommended approval with variances. Staff recommended approval with compliance of the ordinance(s) on the variances.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Final Plat for Amber Estates being 19.719 acres tract of land out of Farm Tract 192, West Tract Subdivision with variances as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration on Ordinance 2021-21 establishing a Series 2021 C.O. (Certificate of Construction) Construction Fund for Police, Fire and Library facilities and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-21. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, recommended approval stating the ordinance creates a construction fund from the Series 2021 Certificates of Obligations issued for the police, fire, and

library projects; establishing a separate fund offers transparency and accountability as expenditures are done.

Commissioner Lopez seconded by Commissioner Kerr moved to approve to establish a Series 2021 C.O. Construction Fund for Police, Fire and Library facilities as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on Ordinance 2021-22 approving a budget amendment for the Series 2021 C.O. Construction fund for construction of public safety facilities and library project costs in the amount of \$12,397,753 and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-22. Possible action. (Staffed by Finance Department.)

Vidal Roman recommended approval stating the budget amendment is for the project costs as identified in the issuance of the Certificate of Obligations Bond Series 2021 projects for the police, fire and library projects.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Ordinance 2021-22 approving a budget amendment for the Series C.O. Construction Fund for construction of public safety facilities and library project costs in the amount of \$12,397,753 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration on Ordinance 2021-23 establishing an Interest & Sinking Debt Fund on the Series 2021 Certificate of Obligation related to public facilities namely Police, Fire and Library and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-23. Possible action. (Staffed by Finance Department.)

Vidal Roman recommended approval stating with the issuance of certificates Series 2021 a separate Interest & Sinking Fund to account for the collections of taxes and reserving the funds to pay any debt associated with the projects is needed.

Commissioner Lopez seconded by Mayor Pro Tem Muñoz moved to approve to establish an Interest & Sinking Debt Fund on the Series 2021 Certificate of Obligation related to public facilities namely Police, Fire and Library as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to purchase a debris tank for Vactor Truck Unit 457 from Heil of Texas in the amount not to exceed \$63,618 and authorize Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Pete Garcia, Public Works Director, recommended approval to purchase a new debris tank for the Vactor Truck (Unit #457) from Heil of Texas not to exceed \$63,618 with the installation to be done inhouse with our Fleet Maintenance.

In response to the Commission, the tank would replace a damaged tank and the new tank will be installed inhouse to Unit #457; the damaged tank was a 2014; new tank same size and with some warranty (6 months).

Commissioner Farias seconded by Commissioner Lopez moved to approve purchase of a debris tank for Vactor Truck Unit 457 from Heil of Texas in the amount not to exceed \$63,618 as presented. Motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to award RFB No.: 2020-21-18 to IPL North America for the purchase of 12,000 (96 gallon) residential trash cans in the amount not to exceed \$594,398 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Olga Garza, Assistant Public Works Director, stated four (4) bids received and evaluated for the 96 Gallon Residential Trash Cans. Staff recommended approval to award the lowest bid to IPL North America in the amount of \$594,398 stating bid meets minimum specifications.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve award RFB No. 2020-21-18 to IPL North America for purchase of 12,000 (96 gallon) residential trash cans in the amount not to exceed \$594,398 as presented. Motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve Ordinance 2021-24 budget amendments for purchase of a 40 yd. Grapple Brush Truck not to exceed \$194,640 and purchase of 96-Gallon Residential Bins not to exceed \$594,398 and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-24. Possible action. (Staffed by Public Works Department.)

Olga Garza recommended approval of the budget amendments for the purchase of a 40-yard grapple truck not to exceed \$194,640 and the 96-gallon residential containers (12,000) not to exceed \$594,398 stating previous commission action approved the expenditures.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Ordinance 2021-24 budget amendments for purchase of a 40-yd Grapple Brush Truck not to exceed \$194,640 and purchase of 96-gallon Residential Bins not to exceed \$594,398 as presented. Motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration on change order #10 to extend the date of project completion from June 16, 2021 to November 30, 2021 for the Pleasantview & 11th Street Drainage improvements Project and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Commissioner Pedraza seconded by Commissioner Lopez moved to approve.

Albert Aldana stated the contractor requested a time extension; several factors has caused project delays with a significant one being getting the permit from Texas Parks and Wildlife to allow access to Estero Llano Grande State Park that required a Surface Use Agreement; additional work added to the contract is still ongoing and contract set to expire tomorrow. Contractor is concerned the risk of a hurricane and/or the high possibility of heavy rainstorms could impact the roadway construction. Contractor requested an extension until November 30, 2021 and staff recommended approval.

In response to Mayor Pro Tem Muñoz, City Engineer stated all change orders presented did not include additional days; liquidated damages are referenced in contract. The City Manager noted since a required permit the City was responsible to obtain took longer than anticipated liquidated damages may not be enforceable; contractor is timely in project completion with approved change orders apart from repairs to 18th Street. Mayor Pro Tem Muñoz requested staff reconcile those change orders that did not include additional days needed because of contract changes approved be done for commission approval.

In response to Commissioner Pedraza, to date the drainage improvements completed has alleviated flooding in certain areas.

Mayor Suarez recommended an extension of time be until the next regular meeting and reconcile the change orders to reflect actual additional days that would include any further time extension needed to the contract brought to the commission for approval. The City Manager recommended to extend until July 7, 2021.

Commissioner Kerr seconded by Commissioner Farias moved to approve change order #10 to extend the date of project completion to July 7, 2021 for Pleasantview & 11th Street Drainage Improvement Project as presented. Motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to approve amending the contract with Total Commitment, LLC in the amount of \$500,000 for the Pleasantview RDF Project and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated previous commission action approved Total Commitment LLC to construct the 28-acre regional detention facility; staff met with contractor and negotiated a contract amendment in the amount of \$500,000; adjustments to the amount of dirt to be hauled away was revisited and was determined the dirt/material located on the north side of the RDF on city property will be hauled off by the City and not the contractor. Staff recommended approval of an

amendment agreement with Total Commitment in the amount of \$500,000.

Mayor Pro Tem Muñoz asked if the negotiated fee was a true price and consider rebid based on the scope of work revised. The City Manager stated the commission can rebid but may not get the same result as this contractor has a buyer for dirt another contractor may or may not.

In response to Mayor Suarez, staff solicited bids not competitive sealed bids.

Jose Reyes, SWG, stated the negotiated amount is a reasonable amount; contractor already on site and no mobilization needed; excavating per cubic yard is \$3-4 dollars and the contractors fee is fair and reasonable; a significant factor on the negotiated price is all dirt excavated from the Reyes property (20acres) will be hauled onto other property of Mr. Reyes (close proximity) with remaining dirt hauled off by contractor and city.

Juan E. Gonzalez, City Attorney, stated when a bid has been awarded contract the City may increase and/or decrease so long as the increase or decrease is not more than 25% and if decreased more than 25% contractor must agree.

Commissioner Kerr seconded by Commissioner Lopez moved to approve amending the contract with Total Commitment, LLC in the amount of \$500,000 for Pleasantview RDF Project as presented. Motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to approve scoring matrix for Fire and Police with Municipal Court construction project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Munoz, Airport Director/Asst. City Manager, went over the proposed scoring matrix composed of seven sections for their comments and/or changes and requested two or three commissioners to participate on the review committee. Staff included City Engineer, Fire and Police Chief(s) and himself.

Commission comments were changes to the number of similar projects reduced, bonding capacity added, points to equal ten points in subcategories, clearer content on subsection 6 how the points are awarded and revisit subsection 7 if necessary, remove and points added elsewhere. Staff directed to make the changes and bring back to the commissioner for approval.

There was no action. Mayor Suarez, Commissioner Pedraza, and Commissioner Farias to be on the review committee.

VI. EXECUTIVE SESSION

At 7:01 p.m. Commissioner Kerr 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 8:07 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

V. NEW BUSINESS

B. Discussion and consideration after public hearing on behalf of Eric Fonseca to approve Conditional Use Permit to obtain a Retail Dealer's On-Premise Late Hours License at 606 S. Missouri also being Lot 4, Block 51, Original Townsite of Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Three-fourths vote required. Possible action. (Staffed by Planning and Code Enforcement Department.)

Commissioner Farias seconded by Commissioner Lopez moved to authorize the City Attorney and staff to prepare a draft conditional use permit as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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 Professional Services Agreement for Municipal Court Judge Samuel V. Sanchez 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 relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.

No action.

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

No action.

F. Legal Consultation - Consultation with City Attorney related to the city's right-of-way for cell towers in City of McAllen et al v. State of Texas et al Cause No. D-1-GN-17-004766 as authorized by §551.071 of the Texas Government Code.

No action.

G. Legal Consultation - Consultation with City Attorney regarding claim from Aguirre Law Group representing Jaime Gomez Ruiz as authorized by section §551.071 of the Texas Government Code.

No action.

H. Legal Consultation - Consultation with City Attorney regarding potential claim from The Castellanos Law Group representing Andrew Joe Mireles, Audrey Rodriguez, Avery Rodriguez and Aubree Rodriguez as authorized by section §551.071 of the Texas Government Code.

No action.

I. Legal Consultation - Consultation with City Attorney regarding Texas Cordia Construction and SAMES on the Mile 6 West Sanitary Sewer project as authorized by section §551.071 of the Texas Government Code.

No action.

J. 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.

No action.

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

Commissioner Kerr abstained from discussion and vote.

Commissioner Farias seconded by Mayor Pro Tem Muñoz moved to authorize staff begin negotiations for financial offer or other incentives for Project Good Times as discussed in executive session. The motion carried, Commissioner Kerr abstained, Mayor Suarez was present and voting.

VIII. ADJOURNMENT

Commissioner Kerr seconded by Commissioner Lopez moved to adjourn the meeting of June 15, 2021 at 8:08 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, CITY SECRETARY