



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JANUARY 4, 2022**

On Tuesday, January 4, 2022, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following member's present:

PRESENT:	Mayor	David Suarez
	Commissioner	Greg Kerr
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias
ABSENT:	Mayor Pro Tem	Josh Pedraza
STAFF PRESENT:	Andrew Muñoz	Interim City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Vidal Roman, Finance Director, Antonio “Tony” Lopez, Fire Chief, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Robert Lopez, Asst. Police Chief, Martin Vela, IT Director, Arnold Becho, Library Director, Luz Galindo, HR Director, Rosa Badillo, Municipal Court, George Quilantan, Inframark, 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 Thursday, December 30, 2021.

B. Invocation.

Commissioner Lopez led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the “Pledge of Allegiance and Texas Flag.”

D. Mayoral Recognition.

Mayor Suarez proclaimed January 15, 2022 in Memory of Mayor Joe V. Sanchez day as a celebration of a friend and local hero to the community and proclaimed November 28, 2021 day as Gregorio Hinojosa in honor of his life-time accomplishments as centenarian.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting a quorum present and Mayor Pro Tem Pedraza absent.

II. PUBLIC COMMENTS

Sandra Reyna, 217 S. Pat Cannon, voiced concerns on the decline of the downtown area and that more needs to be done suggesting recruiting different stores and have a “mini-mall” atmosphere/development to attract people to the downtown area.

Fire Chief Antonio Lopez updated the commission on EOC operations stating over 150 vaccination clinics held; offering the first, second and booster vaccines; clinics held every Tuesday from 7:30am-12noon and asked the community follow covid protocols to include wearing of face mask, practice social distancing and washing of hands.

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 December 14, 2021 (Staffed by City Secretary Department.)

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

1) Ordinance 2021-50 to rezone 3701 S. Westgate also being 9.98 ac out of Farm Tract 795, West and Adams Tract, Weslaco, Hidalgo County, Texas from M-1 Mobile Home Subdivision to R-1 One Family Dwelling District and authorize the Mayor to execute any related documents. (First reading held December 14, 2021; staffed by Planning & Code Enforcement Department.)

2) Ordinance 2021-51 to rezone 3210 N Texas also being 18.067ac being a part or portion out of Farm Tracts 108 & 109, The West and Adams Tracts, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to a Planned Unit Development (PUD) and authorize the Mayor to execute any related documents. (First reading held December 14, 2021; staffed by Planning & Code Enforcement Department.)

3) Ordinance 2021-52 amending Ordinance 2018-02 being the Zoning Ordinance to create a R-4 Residential one family / narrow lot zoning and authorize the Mayor to execute any related documents. (First reading held December 14, 2021; staffed by Planning and Code Enforcement.)

C. Approval on annual renewal of the Affiliation Agreement for Clinical Experience with the City of Weslaco Fire/EMS and Texas State Technical College - Harlingen and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

D. Approval of a Memorandum of Understanding between the City of Weslaco Fire Department and the McAllen Fire Department regarding participation in clinical rotations on ambulance and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

E. Approval on amendments and extension from January 7, 2022 to February 7, 2022 for Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.)

F. Approval to authorize staff to solicit Request for Proposals for Fines and Fees Collection Services of delinquent municipal court accounts and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

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

Following for the record are the caption for the ordinances.

ORDINANCE NO. 2021-50

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 9.98 AC OUT OF FARM TRACT 795, WEST AND ADAMS TRACT, WESLACO HIDALGO COUNTY, M-1 MOBILE HOME SUBDIVISION TO R-1 ONE FAMILY DWELLING DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2021-51

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3210 N TEXAS ALSO BEING 18.067AC BEING A PART OR PORTION OUT OF FARM TRACTS 108 &109, THE WEST AND ADAMS TRACTS, WESLACO HIDALGO COUNTY, FROM A R-1 ONE FAMILY DWELLING DISTRICT TO A PLANNED UNIT DEVELOPMENT (PUD) AND BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE 2021-52

AN ORDINANCE AMENDING ORDINANCE NUMBER 2018-02, THE CITY OF WESLACO ZONING ORDINANCE; CODIFIED AS CHAPTER 150 OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

PASSED AND APPROVED on first reading at a special meeting of the City Commission this 14th day of December 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 4th day of January 2022.

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 2022-01 appointing two members to the Tower of Honor Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks & Recreation Director stated the terms for Dora Hernandez and Elda Arriaga expired and both expressed interest in continuing to serve as a member to the Tower of Honor Advisory Board.

Commissioner Farias seconded by Commissioner Lopez moved to approve Resolution 2022-01 appointing Dora Hernandez and Elda Arriaga to the Tower of Honor Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. NEW BUSINESS

A. Discussion and consideration of date, time and place for a City Commission Retreat to discuss the following: 1) City of Weslaco Master Plan; 2) Business Plan for Water/Wastewater Collection; 3) Hike and Bike Trails; 4) Sanitation Fees and Master Fee Schedule; 5) Updates Service Credits; 6) Electioneering Ordinance; 7) Financing for Municipal Pool; 8) Street Improvements; and 9) Other Improvements and authorize the Mayor to execute any related

documents. Possible action. (Staffed by Interim City Manager.)

Andrew Munoz, Interim City Manager, recommended January 15, 2022 for the annual commission retreat be to discuss Weslaco Master Plan; Business Plan for Water/Wastewater Collection; Hike and Bike Trails; Sanitation Fees and Master Fee Schedule; Updates Service Credits; Electioneering Ordinance; Financing for Municipal Pool; Street Improvements; and Other Improvements noting the workshop would be held at City Hall, Legislative Chamber Room.

Commissioner Munoz seconded by Commissioner Lopez moved to approve January 15, 2022 for the City Commission Retreat. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on the date of January 13, 2022 for a joint workshop with Weslaco Independent School District to discuss joint efforts for Hike and Bike Trails, Regional Detention Facility at Cleckler-Heald School and school lot paving improvements. Possible action. (Staffed by Interim City Manager.)

Andrew Munoz stated the school district availability for a joint workshop was January 13, 2022 at 5:30pm at City Hall. Staff recommended approval.

Commissioner Munoz seconded by Commissioner Lopez moved to approve January 13, 2022 for joint workshop with WISD as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve the Wholesale Wastewater Treatment Interlocal Agreement between the City of Weslaco and North Alamo Water Supply Corporation (NAWSC) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Munoz seconded by Commissioner Rodriguez moved to discuss.

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated the proposed agreement will allow for NAWSC to supply sanitary sewer to a 274-lot subdivision, Vaquero Estates Phase V, located on the Southeast corner of Mile 11 and FM 1015. Staff requested a legal opinion on the request to transfer rights from City's Sewer Certificate of Convenience and Necessity (CNN) as this is a first for the City.

Juan E. Gonzalez, City Attorney, recommended consultation in executive session on the implications to the City by transferring of rights from the City's CNN to NAWSC.

In response to Commissioner Munoz, staff stated the nearest sewer line is about two miles away and to extend the sewer line would be very costly.

D. Discussion and consideration for the City of Weslaco to assume responsibility for the monthly streetlight bill for North Park Place Phase I and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Farias abstained from discussion and vote.

Rebekah de la Fuente stated the subdivision was recorded by the County in 2004; city annexed the property in 2005 and ownership of streetlight was not transferred to the City; owner is now developing Phase II and requested City assume the monthly bill for the streetlights noting four accounts pertain to the City.

Commissioner Kerr seconded by Commissioner Munoz moved to approve responsibility of

monthly streetlight bill for North Park Place Phase I as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

E. Discussion and consideration of proposed change order #16 in the amount of \$40,000 for the Pleasantview & 11th Street Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Interim City Manager stated the City Engineer requested no action and consider the item at the next regular meeting of January 18 that would allow him to be present.

No action.

F. Discussion and consideration to award a bid for the fencing project at Mayor Pablo Pena Park to Hurricane Fence Company for the amount of \$77,292 to be paid from the TWDB Drainage proceeds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated one bid received was from Hurricane Fence Company; base bid for a temporary fence in the amount of \$37,656; staff also requested an alternate bid for a permanent fence and bid amount received was \$77,292. Staff evaluated and stated the temporary fence bid amount factored out to about 48% for the cost of permanent fence. Staff recommended to award bid for the construction of a permanent fence in the amount of \$77,292 stating the long-term benefit was more beneficial.

In response to Commissioner Kerr, funds would be from the TWDB drainage fund with allocation of funds of \$100,000-\$150,000 requested to the TWDB.

Commissioner Lopez seconded by Commissioner Kerr moved to approve and award bid for permanent fencing project at Mayor Pablo Peña Park to Hurricane Fence Company for \$77,292 as presented. Motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to award RFB 2021-22-06 Annual Grounds Maintenance Contract to South Texas Landscaping & Irrigation of Penitas, Texas in the amount of \$37,165 for one year with an option to renew annually up to an additional 4 years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated four bids were received and evaluated; nine city facilities would be maintained; services included mowing, trimming, pruning, landscape bed cultivation, litter/debris removal, herbicide application and control. Staff recommended approval to award South Texas Landscaping & Irrigation and monies budgeted.

In response to the Commission, staff stated during the growing season facilities would be maintained weekly, off-season twice a month; TLC was the current vendor and scope of work was outlined in the contract bid and the recommended vendor was the lowest bid.

Commissioner Kerr seconded by Commissioner Munoz moved to approve award RFB 2021-22-06 Annual Grounds Maintenance Contract to South Texas Landscaping & Irrigation in amount of \$37,165 as presented. Motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration on interviews of the top three Architectural firms and possible selection for the New Library/Library Renovation Project and authorize the Mayor to

execute any related documents. Possible action. (Staffed by the Library Department.)

Commissioner Munoz abstained from discussion and vote.

Commissioner Lopez seconded by Commissioner Farias moved to discuss.

Arnold Becho, Library Director, stated Eric P. Lashley, Library Consultant, was in attendance to answer any questions regarding renovations and/or new library projects; presented a matrix for evaluation of the firms in three categories being presentation 0-10 points, questions & answers 0-10 points and overall (presentation and Q&A) 0-10 points followed with their ranking of first, second and third choice. Mr. Becho stated tabulations would be done by him and present them during closed session or open however, the commission preferred; presentations will be eight minutes with a five-minute questions and answer session; library staff randomly selected the order of presenters and until such time of their presentation firms would exit the room.

Mayor Suarez recommended presentations only and tabulation, ranking and selection at the next regular meeting to allow a full attendance of the commission.

The City Attorney noted as this was an open meeting; a firm could not be asked to leave; they could exit voluntarily. There was no objection from any of the presenting firms and voluntarily exited until their turn for presentation.

Presentations, followed by a questions & answers, proceeded in the order of ERO Architects, Komatsu Architecture and Boultinghouse Simpson with each firm overviewing their experienced team, project experience and quality of their services.

No action.

VI. EXECUTIVE SESSION

At 7:10 p.m. Commissioner Munoz seconded by Commissioner Rodriguez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:55 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

C. Discussion and consideration to approve the Wholesale Wastewater Treatment Interlocal Agreement between the City of Weslaco and North Alamo Water Supply Corporation (NAWSC) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

No action.

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

No action.

B. Contract Negotiations - Discussion with the Interim City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Police Union (Weslaco Municipal Police Association) as authorized by section §551.071 of the Texas Government Code.

No action.

C. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of city-owned real property legally described as Lot 8, Block 33, Weslaco Original Townsite as authorized by section §551.072 of the Texas Government Code.

No action.

D. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of various city-owned real property to Affordable Homes of South Texas, Inc., TuCasa Investments, Inc as authorized by section §551.072 of the Texas Government Code.

No action.

E. 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.

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

No action.

G. Legal Consultation - Consultation with City Attorney relating to 380 Agreement between City of Weslaco and SDI Weslaco Holdings, LLC. as authorized by section §551.071 of the Texas Government Code.

No action.

H. Legal Consultation - Consultation with City Attorney regarding the Performance Contracting Agreement between the City of Weslaco and Siemens Industry Inc. as authorized by section §551.071 of the Texas Government Code

No action.

I. Legal Consultation - Consultation with City Attorney regarding Cause No. C-4353-21-H Esmeralda Hernandez, Individually and A/N/F of K.G. and R.G. Minors Plaintiffs vs. City of Weslaco Defendant as authorized by section §551.071 of the Texas Government Code.

No action.

J. Legal Consultation - Consultation with City Attorney regarding Cause No. C-5114-21-F Yarizel G. Morales vs. City of Weslaco as authorized by section §551.071 of the Texas Government Code.

No action.

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

Commissioner Kerr abstained from discussion and vote.

Commissioner Farias seconded by Commissioner Munoz moved to approve the financial offer or other incentives for Project Bridge as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

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VIII. ADJOURNMENT

Commissioner Kerr seconded by Commissioner Rodriguez to adjourn the meeting of January 4, 2022 at 8:56 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**