



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
APRIL 5, 2022**

On Tuesday, April 5, 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
	Mayor Pro Tem	Josh Pedraza
	Commissioner	Greg Kerr
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias

ABSENT: None

STAFF PRESENT:	Martin Garza	Interim City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Aida Vega, Deputy City Secretary, Vidal Roman, Finance Director, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joel Rivera, Police Chief, Luz Galindo, HR Director, Rosa Badillo, Municipal Court, Albert Aldana, City Engineer, David Arce, Deputy Public Works Director, Pete Garcia, Public Works Director, Arnold Becho, Library Director, Martin Vela, IT Director, George Quilantan, Inframark, Cristina Garcia, PIO and other staff members.

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, April 1, 2022.

B. Invocation.

Commissioner J.P. Rodriguez led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Mayor Suarez proclaimed the recognition of “Lt. Billy Bob Pemelton” for his loyal and dedicated 29 years of service to the City of Weslaco Police Department.

E. ROLL CALL.

Norma A. Cantu, City Secretary, called the roll noting perfect attendance and a quorum present.

II. PUBLIC COMMENTS

Juan Salinas voiced his concerns with the ongoing issue of his property on Mile 5 South Midway Road being used by City; lack of response to his concerns and drain ditch that needs to be maintained.

Steve Valdez, Executive Director Weslaco EDC, introduced Weslaco EDC staff stating there is new staff on board; reported on travel to the ICSC Conference in Dallas, stated a groundbreaking event being scheduled May 11 for development on Bridge & Expressway 83 and looked forward to providing status of future events.

Barbara Jean Garza, President/CEO, Weslaco Area Chamber of Commerce & Visitor Center, reported on upcoming events, ribbon cuttings, Weslaco Job Fair on April 8, La Cebollita Farmers Market scheduled April 30 and would be last one until October, Texas Onion Fest had record number of attendees and visitors for the month was 1,201 to include Winter Texans.

Edward Mejia introduced himself to Interim City Manager Martin Garza and welcomed him to Weslaco.

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 March 15, 2022, and Special Meetings on March 16 and 28, 2022. (Staffed by City Secretary Department.)

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

1) Ordinance 2022-10 amending the Code of Ordinances of the City of Weslaco Chapter 82 Offenses and Miscellaneous Provisions by adding a new article and section to be entitled Article XI Section 82.252 Sex Offenders and authorize the Mayor to execute any related documents. (First reading held March 15, 2022; staffed by Police Department.)

C. Approval on agreement with the Weslaco Independent School District (WISD) Facility Rental Cost Sheet to allow Weslaco Police Department (WPD) to use WISD's facilities

for training purposes and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Approval to apply to Wal-Mart's Community Grant Program (Store #6159) for an award of \$2,000 with NO MATCH and NO RECURRING FEES to purchase promotional items that enhance community policing initiatives and authorize Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval on Externship/Practicum (MOU) Agreement between South Texas Vocational Technical Institute and City of Weslaco Fire Department to provide clinical and practical learning experience for students in the medical field programs and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

F. Approval of six-month extension for the Final Plat for Milanos Estates 1 Subdivision– being 26.43 acres being out of and forming a portion of Farm Tract 720 and 721, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of Mile 5 ½ West and Mile 6 ½ Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

G. Approval of a six-month extension for the Final Plat for Pike District Subdivision– being 36.052 acres out of Farm Tract 163, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at the southeast corner of West Pike Blvd. and Milanos Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

H. Approval on amendments and extension from April 7, 2022, to May 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.)

I. Approval to submit a letter of intent to TxDOT General Aviation for Airport Terminal Grant and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

J. Approval of the Mid Valley Airport Hangar Lease Agreement with Coastal Bend Regional Advisory Council and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

K. Approval to authorize staff to solicit Statement of Qualifications (SOQ) for Civil Engineering Services for the Mayor Joe V Sanchez Public Library Project Alterations and Addition to the existing building and authorize the Mayor to execute any related documents. (Staffed by Engineering Department.)

L. Approval on Resolution(s) 2022-22 through 2022-25 to update signatories on legal financial documents identified with the PNC, Navy Army Community Credit Union, Greater State Bank and Tex-Pool for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

M. Approval to hold a live auction on Saturday, April 30, 2022, utilizing auctioneer services with Valley Wide Auctioneer Services and authorize Mayor to execute any related documents. (Staffed by Finance Department.)

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

IV. NEW BUSINESS

A. Discussion and consideration to approve the Final Plat for Moonlight Subdivision– being 4.00 acres out of Farm Tract 175, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 330’ north of Mile 10N along the Westside of F.M. 88 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated this is a 2-lot subdivision for residential use outside city limits; serviced with water by North Alamo Water Supply and sewer by on-site sewage facility (OSSF); developer requested variance to allow for OSSF as the nearest sanitary sewer line is 0.5 miles west; subdivision was previously approved by the City Commission on August 18, 2020, and final plat approval expired August 18, 2021. The Planning and Zoning Commission recommended approval with variance. Staff recommended approval with compliance of the ordinance on the variance.

Commissioner Kerr seconded by Mayor Pro Tem Pedraza moved to approve the Final Plat for Moonlight Subdivision– being 4.00 acres out of Farm Tract 175, West and Adams Tract Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve the Final Plat for Sugarcane Estates Subdivision– being a 5.963-acre tract of Farm Tract 141, The West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas located on Mireles Road & W. Sugarcane Drive 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 33-lot subdivision for residential development inside city limits; first proposed R-4 district use created for narrow lots; developer requested variance for right-of-way dedication of 36’ instead of the required 50’. The Planning & Zoning Commission recommended approval with variance contingent on the developer paving the right-of-way to the full 36’, dedicate a 15-foot utility and sidewalk easement within the property line. The developer has agreed. Staff recommended approval with compliance of the ordinance on the variance.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve the Final Plat for Sugarcane Estates Subdivision– being a 5.963-acre tract of Farm Tract 141, The West and Adams Tracts Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and reconsideration to approve the Final Plat for Highland Manor PH 2– being a re-subdivision of 13.46 acres out of Farm Tract 238 and 239, West And Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on FM 1015 & Mile 11 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the subdivision is a proposed 18-narrow lot residential use outside city limits; previously approved as a 17-lot subdivision and the developer removed an abandoned gas easement, which allowed them to add the additional lot. The Planning and Zoning Commission and staff recommended approval of the final plat.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve the Final Plat for Highland Manor PH 2– being a re-subdivision of 13.46 acres out of Farm Tract 238 and 239, West And Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve Ordinance 2022-11 for the Voluntary Annexation of 211 S Milanos Road – being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas located Milanos Road and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-11. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed subdivision is located just outside city limits along Milanos Road; use will be apartments that joins development immediately west of Walgreens, be provided with water and sanitary sewer by the city and the annexation will be contiguous to the current city limits. The Planning and Zoning Commission and staff recommended approval of the voluntary annexation.

Commissioner Kerr seconded by moved to approve Ordinance 2022-11 for the Voluntary Annexation of 211 S Milanos Road – being an 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to award RFB No.: 2021-22-18 Grounds Maintenance - Re-Bid to the most advantageous bid from JC3 Lawn & Landscape of Weslaco, Texas in an amount not to exceed \$57,830 and authorize the Mayor to execute any related documents. Possible action. (Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated a contract was previously awarded to South Texas Landscapes as the low bidder; the vendor wanted to increase prices, stating they could not honor the bid; staff recommended rescind that action and re-bid and the commission agreed. Four (4) bids were received and evaluated with South Texas Landscapes being the low bidder at \$52,900 and the second low bidder was JC3 Lawn & Landscape, at \$57,828. Staff recommended to award to the second low bidder JC3 Lawn & Landscape as the most responsive, and responsible bidder because South Texas Landscapes did not honor their original bid.

Commissioner Rodriguez seconded by Commissioner Muñoz moved to approve and award RFB No.: 2021-22-18 Grounds Maintenance - Re-Bid to the most advantageous bid from JC3 Lawn & Landscape of Weslaco, Texas in an amount not to exceed \$57,830 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to award RFB No. 2021-22-17 for Street Materials to the most advantageous bidders: Frontera Materials, Terra Firma Materials, and Asphalt Oil Express based on Street Material-Bid Tabulation, price agreement effective for one year starting on date of award with an option for an additional year renewal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Deputy Public Works Director, stated 3 bids received and evaluated for various street materials. Staff recommended to award a price agreement with Frontera Materials for Hot or Cold Mix with Terra Firma as an alternate, Terra Firma Materials for caliche pick-up and delivered with Frontera Materials Inc. as an alternate, and Asphalt Oil Express for MC30 Oil with Terra Firma as an alternate noting all materials have increased in price from last year which will impact the budget for street overlays that were projected. Hot mix increased by about \$40 a ton or about \$1,000 per load. Caliche had an increase at about 20%, and oil had an increase of about 40%.

Commissioner Rodriguez seconded by Muñoz moved to approve and award for Street Materials to the most advantageous bidders: Frontera Materials, Terra Firma Materials, and Asphalt Oil Express based on Street Material-Bid Tabulation; price agreement effective for one year starting on date of award with an option for an additional year renewal as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to award RFB #2021-22-15 for the pavement markings project to the most advantageous bidder, Pavement Markings Inc. based on tabulation and price agreement and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated two bids were received; Valley Striping Corp out of Mission, Texas and Pavement Markings, Inc out of Donna, Texas. Staff recommended approval to award Pavement Markings as they submitted a complete bid with bid bond.

Commissioner Rodriguez seconded by Commissioner Muñoz moved to approve and award the pavement markings project to the most advantageous bidder, Pavement Markings Inc as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve the sole source purchase of a single-stage centrifugal blower for the North Wastewater Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana stated the existing blower at the North Wastewater Treatment Plant needs much needed maintenance to extend its life and continue operating; discussions with Inframark and our consultant, Cruz-Hogan Engineers, recommended a new blower for the aeration basin be purchased from the same manufacturer and remove the existing one for maintenance. Staff recommended approval for the sole source purchase of a new one of the same brand as the existing

one, directly from the manufacturer Howden for a total cost of \$305,700.00 and would take approximately 42 weeks from the date the order is placed.

In response to Commission, monies are not budgeted and would come from the General Fund and the existing one is working but the concern is it runs 24/7 and the lack of maintenance, in over 12 years, could go out at any time, entire apparatus would be replaced motors, blower and new control panel. Staff stated power outages have caused the system to shut down and fortunate able to get it operational.

Mayor Pro Tem Pedraza seconded by Commissioner Rodriguez moved to approve the sole source vendor Howard for the purchase of a single-stage centrifugal blower for the North Wastewater Treatment Plant as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve solicitation of bids for installation of a replacement centrifugal air blower at the North Wastewater Treatment Plant and authorize the Mayor to sign any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana recommended approval for the solicitation of bids that would include labor, electrical components, and piping system.

Mayor Pro Tem Pedraza questioned if this was presented and discussed under capital improvements 5-year plan. Andrew Munoz, Asst. City Manager/Aviation Director, stated originally ARPA funds were to be used but the deadline to expand the funds would not be met and general fund will need to be used.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve solicitation of bids for installation of a replacement centrifugal air blower at the North Wastewater Treatment Plant as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. EXECUTIVE SESSION

At 6:23 p.m. Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:52 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VI. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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. Legal Consultation - Attorney consultation regarding tuition reimbursement as related to Article 18 - Wages and Salary, Section 5 of the Collective Bargaining Labor Agreement with Weslaco Municipal Police Union Police Officers as authorized by §551.071 of the Texas Government Code.

Commissioner Rodriguez abstained from discussion and vote.

Commissioner Kerr seconded by Commissioner Muñoz moved to deny tuition reimbursement as related to Article 18 - Wages and Salary, Section 5 of the Collective Bargaining Labor Agreement with Weslaco Municipal Police Union Police Officers as discussed in executive session. The motion carried; Commissioner Rodriguez abstained; Mayor Suarez was present and voting.

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 - Annual Report by the City Attorney regarding all pending litigation as provided to the City Auditor as authorized by §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. Potential Litigation - Consultation with City Attorney regarding Tri-Gen Construction LLC and the City of Weslaco Airport and Hanger Infrastructure Improvements Project as authorized by Section §551.071 of the Texas Government Code.

No action.

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

Commissioner Kerr abstained from discussion and vote.

Commissioner Lopez seconded by Commissioner Muñoz moved for the Weslaco Economic Development Corporation to revise the financial or other incentives for Project Cool Air as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

J. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of city-owned property described as Lot 1, Block 1, Weslaco Public Services Subdivision as authorized by section §551.072 of the Texas Government Code.

No action.

X. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Rodriguez moved to adjourn the meeting of April 5, 2022, at 7:54 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**