



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
NOVEMBER 16, 2021**

On Tuesday, November 16, 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	J.P. Rodriguez
	Commissioner	Letty Lopez
	Commissioner	Josh Pedraza
ABSENT:	Commissioner	Greg Kerr
	Commissioner	Adrian Farias
STAFF PRESENT:	Andrew Muñoz	Interim City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Vidal Roman, Finance Director, Gus Ramirez, Interim Asst. Fire Chief, Eddie Gil, IT Department, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Robert Lopez, Asst. Police Chief, Luz Galindo, HR Director, Arnold Becho, Library Director, Martin Vela, IT Director, Pete Garcia, Public Works Director, David Arce, Deputy Public Works Director, Rosa Badillo, Municipal Court, Albert Aldana, City Engineer, Cristina Garcia, PIO, 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, November 12, 2021.

B. Invocation.

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

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting the absence of Commissioner Farias and Kerr and a quorum present.

II. PUBLIC COMMENTS

Sam Reigner, Abigail Gonzalez, Javier Dominguez Jr. and Marisela Montemayor all voiced concerns on the proposed development of apartments on Airport Drive that had only one entry and exit citing safety of the children and residents, increased traffic, delay of exiting, proximity of a school that already causes congestion; not oppose to development but strongly oppose that there is only one entry and exit onto Airport Drive; thanked the commission for meeting with residents and all requested the city require a separate entry and exit away for the development.

Sandra Reyna opposed any consideration for garbage collection to be once a week and presented a petition for services to remain twice a week.

Rojelio Melendrez thanked the commission and Public Works for cleaning a drain outlet he voiced concern on; submitted a petition for garbage pickup to remain twice a week and requested for drainage improvements at M.P. Lackland Subdivision be a priority.

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 Maria Alanis to rezone 409 N Kansas Ave, also being Lot 16, block 4, Gonzalez Addition Subdivision, Weslaco, Hidalgo County, Texas from an R-1 Family Dwelling District to R-2 Duplex and Apartment District.

B. To solicit input on behalf of Juan Gonzalez to rezone 110 W Adelita Street, also being Lot 26, San Francisco Subdivision, Weslaco, Hidalgo County, Texas from an R-1 Family Dwelling District to R-2 Duplex and Apartment District.

C. To solicit input on behalf of Fuad Taja to rezone 202 N. Palmas. Also being Lot 10-13, Block 12, Northside Subdivision, Weslaco, Hidalgo County, Texas from R-1 Family Dwelling District to R-2 Duplex and Apartment District.

D. To solicit input on behalf of Weslaco New Hope LLC to approve a Conditional Use Permit to obtain a Conditional Use Permit for a Wine and Malt Beverage Retail Dealer's On-Premise permit at 2307 W Expressway 83 Ste. B. Also being Lot 4, Town Center Subdivision, Weslaco, Hidalgo County, Texas.

E. To solicit input on behalf of Rene's Restaurant LLC to approve a Conditional Use Permit for an On-Premises Wine and Beer Retailer's Permit at 306 S Illinois Avenue also being Lot 1-6, Block 27, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas.

F. To solicit input on behalf of The City of Weslaco to revoke Conditional Use Permit for a Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

There being no comments, Mayor Pro Tem Muñoz, seconded by Commissioner Lopez moved to close the public hearing at 6:00 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 November 2, 2021. (Staffed by City Secretary Department.)

B. Approval to ratify the advertisement for the solicitation of sealed bids for the proposed 12" Interconnect Water Line Improvements RFB No.: 2021-22-01 and authorize the Mayor to execute any related items. (Staffed by Interim City Manager.)

C. Approval on amendments and extension from December 7, 2021 to January 7, 2022 for Disaster Declaration (COVID-19) and any reports to such executive orders and authorize the Mayor to execute any related documents. (Staffed Interim City Manager.)

D. Approval to purchase 2 marked police packaged SUVs with police equipment for an amount not to exceed \$64,000 each and one admin police package SUV with police equipment for an amount not to exceed \$36,000 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval to submit an application to the South Texas Literacy Coalition free book distribution programs; acceptance of books upon award and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

F. Approval to authorize the Mayor Joe V Sánchez Public Library to waive printing fees for school-age children for print outs related to their schoolwork at the discretion of library staff. (Staffed by Library Department.)

G. Approval to authorize Mayor Joe V. Sanchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during Holiday Season, implement a Toy Drive to support local toy drives, and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

H. Approval to authorize the solicitation of bids for miscellaneous park equipment and supplies for various park projects as approved in the Capital Improvement Project budget for FY 2021-2022. (Staffed by Parks & Recreation.)

I. Approval to submit an application for a Texas Recreational Trail Grant program for a non-motorized trail to be located at Mayor Pablo Pena City Park with a total project cost not to exceed \$250,000, which includes a 20% match and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation.)

J. Approval on request to close Mayor Pablo Pena City Park for the Weslaco Police Department's Annual Christmas Toy Drive on December 20, 2021 from 3:00 p.m. - 6:00 p.m. and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.)

K. Approval to solicit a quote from Buyboard Vendor Musco Lighting for athletic field lighting and control equipment of the baseball/softball fields, tennis courts, and basketball courts at Mayor Pablo Pena City Park and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation.)

L. Approval of the annual request to host the 2021 Weslaco Lighted Christmas Parade on Saturday, December 11, 2021 along with Santa Dash fun run hosted by RGV Theme Runs from 4 p.m. to 9 p.m. on Texas Boulevard from Pike Boulevard to Sixth Street, approval of the use of City Hall parking lot to stage 5k participants for start and end of run, request to waive any required fees 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. (Staffed by Parks & Recreation.)

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve consent agenda A, B, C, D, E, F, G, I, J, K, and L withholding item H as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Approval to authorize the solicitation of bids for miscellaneous park equipment and supplies for various park projects as approved in the Capital Improvement Project budget for FY 2021-2022. (Staffed by Parks & Recreation.)

Omar Rodriguez, Parks and Recreation Director, stated monies had been budgeted to begin improvements for parks throughout the city that included items such as benches, tables, canopies, fountains, solar lighting, soccer goals, back-stops, and playground mulch. Staff was ready to proceed with a bid package and solicit proposals for park improvements estimated at \$200,000. Staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve the solicitation of bids for miscellaneous park equipment and supplies for various park projects. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez changed the order of the day and went to item P New Business.

P. Discussion and consideration to approve Ordinance 2021-49 authorizing and allowing under the act governing the TMRS system "Updated Service Credit" and establishing an effective date for such actions and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2021-49. Possible action. (Staffed by Human Resources Department.)

Commissioner Pedraza seconded by Commissioner Lopez moved to discuss.

Luz Galindo, Human Resources Director, introduced Anthony Mills, Director of City Services TMRS.

Mr. Mills stated the City since 2011 has adopted the provisions of 50% updated service credit and the 30% CPI increase on an ad hoc basis (one-time); city could consider adopting the ordinance on a repeating basis with the same provisions as the ad hoc basis; adopting a repeating ordinance allows a better picture of the financial liability of the employer's contribution for actuarial purposes until the plan benefit is fully funded based on a twenty-year amortization schedule ; noted rate may be higher now, liability recognized right away, and overtime the cost ratio of the plan will be less. The City can always opt out of the repeating ordinance and for informational purposes presented projected valuation results through 2029 showing funded ratio cost with ad hoc versus a repeating ordinance.

Mayor Suarez would like to see the actuary report that would show the cross point on the ratio cost. Mr. Mills stated the commission can adopt ad hoc ordinance for now but recommended a repeating ordinance ultimately be considered if the intent is to adopt the same plan annually.

Staff recommended to adopt as presented (ad hoc basis) and evaluate if the city wants to go to a repeating one. Andrew Munoz stated the ordinance needs to be adopted by January. The consensus was to table and bring back at the next meeting.

Mayor Pro Tem Munoz seconded by Commissioner Lopez moved to table Ordinance 2021-49. The motion carried unanimously; Mayor Suarez was present and voting.

V. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Maria Alanis on Ordinance 2021-45 to rezone 409 N Kansas Ave also being Lot 16, Block 4, Gonzalez Addition Subdivision, Weslaco, Hidalgo County, Texas from R-1 Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-45. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated twenty-four property owners notified with no objection received; proposed use conforms to the surrounding area currently zoned commercial, and owner will need to comply with all City adopted building, parking, and zoning regulations to construct apartments on the property. The Planning & Zoning Commission and staff recommended approval based on existing surrounding land use.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve Ordinance 2021-45 to rezone 409 N. Kansas Avenue being Lot 16, Block 4, Gonzalez Addition Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez changed the order of the day and went to item L New Business.

L. Discussion and consideration on request from Park Meadows Subdivision for separate entrance and exit for Airport Heights Subdivision. Possible action. (Staffed by Planning & Code Enforcement.)

Commissioner Rodriguez seconded by Commissioner Lopez moved to discuss.

Rebekah de la Fuente stated a meeting was held with residents on November 9 for a resolution to the traffic impact for the area; two alternatives discussed that included the purchase of a lot and/or propose a minor subdivision and create a separate access. Staff recommended a traffic light at the entrance of Airport Dr. and Clifton and synchronize with traffic light at Business 83 and Airport as well as synchronize the traffic light at Airport and 6th Street to allow continuous flow of traffic. Staff stated the alternatives discussed were not feasible.

In response to Commissioner Pedraza, on the alternatives, staff approached property owner to the south and did not want to sell and RGV Switching (railroad) is no longer allowing intersection points; staff was approached by developer, Jeffery Ericson and offered to do a minor subdivision and change two lots to the south but relocation of sanitary sewer line would be difficult and could cause legal proceedings to the owner.

Juan E. Gonzalez, City Attorney stated the city could impose condemnation proceedings. Staff stated condemnation could be a lengthy process and at their discretion. City Attorney recommended to discuss in executive session for consultation on legal proceedings of condemnation of property.

Mayor Suarez stated no action until after executive session.

Commissioner Rodriguez seconded by Commissioner Lopez moved to authorize Interim City Manager and staff to negotiate the purchase of Lot 69 at Airport Heights Subdivision and if negotiations are unsuccessful authorize City Attorney to begin condemnation proceedings for Lot 69 as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Domingo Gonzalez on Ordinance 2021-46 to rezone 110 W Adelita St. also being Lot 26, San Francisco Subdivision, Weslaco, Hidalgo County, Texas from R-1 Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-46. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-five property owners notified with no objection received; proposed use is apartments, conforms to the surrounding area and identified in the 2040 Land Use Map as apartment use. The Planning & Zoning Commission and staff recommended approval based on the 2040 Land Use Map and existing surrounding land use.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve Ordinance 2021-46 to rezone 110 W. Adelita Street being Lot 26 San Francisco Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Fuad Taja on Ordinance 2021-47 to rezone 202 N. Palmas also being Lot 10-13, Block 12, Northside Subdivision, Weslaco, Hidalgo County, Texas from R-1 Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-47. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Rodriguez seconded by Mayor Pro Tem Muñoz moved to approve.

Rebekah de la Fuente stated sixty-three (63) property owners were notified; one objection received against the rezoning. The Planning and Zoning Commission and staff recommended denial based on the 2040 Land Use Map identifies as residential use and the proposed use is not compatible to the surrounding land use.

With a motion on the floor, Mayor Suarez called for a vote. The motion failed unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration after public hearing on behalf of Weslaco New Hope LLC to approve a Conditional Use Permit for a Wine and Malt Beverage Retail Dealer's On-Premises permit at 2307 W Expressway 83 Ste. B also being Lot 4, Town Center Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated six property owners notified with no objection received; the on-premise permit is for the existing Kahn's Grill. The Planning & Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve the Conditional Use Permit for Wine and Malt Beverage Retail Dealer's On-Premise permit at 2307 W. Expressway 83 Ste B as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration after public hearing on behalf of Rene's Restaurant LLC to approve a Conditional Use Permit for a On-Premise Wine and Beer Retailer's Permit at 306 S Illinois Avenue also being Lot 1-6, Block 27, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-one property owners notified with no objection received; this is a new restaurant under construction. The Planning & Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve Conditional Use Permit for On-Premise Wine and Beer Retailer's permit at 306 S. Illinois Avenue as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez changed the order of the day and introduced item G.

F. Discussion and consideration after a public hearing on behalf of The City of Weslaco to revoke Conditional Use Permit for a Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2 Suite A also being lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

No action.

G. Discussion and consideration to approve the Final Plat for Pastor Estates No. 2 Subdivision- being a 2.734-acre tract of land being all of lot 4 Pastor Estates No. 2, Weslaco, Hidalgo County, Texas Located approximately on Mile 4 ½ West Road 3,690 ft North of Mile 10 North Road 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 proposed two (2) lot subdivision for residential use and outside city limits; serviced with water by the North Alamo Water Supply Company and On-Site Sewage Facility (OSSF). The Planning and Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve Final Plat for Pastor Estates No. 2 Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve the Final Plat for Pleasant View Village Subdivision- being 8.55 out of Farm Tract 709, Block 136, The West and Adams Tracts, Weslaco, Hidalgo County, Texas located approximately 1,300 feet South of Business 83 & Pleasantview Dr. to the East 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 proposed thirty (30) lot subdivision inside city limits; serviced with water and sewer by the city; developer requested a variance for off-site drainage. The Planning and Zoning Commission recommended approval staff recommended approval with compliance of the ordinance on the variance.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Final Plat for Pleasant View Village Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve the Final Plat for North Park Place Ph II– being 10.589 acres out of Farm Tract 183 and Farm Tract 184, Block 161, The West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 800 ft E from the intersection of Mile 10 N and N mile 5 ½ 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 proposed thirty-six (36) lot subdivision for residential development; inside city limits; serviced with water and sewer by the City; applicant requested a variance for off-site drainage and provided letters of support from the Irrigation and Drainage District. The Planning and Zoning Commission recommended approval with variance; staff recommended approval with compliance with the ordinance for the variance.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Final Plat for North Park Place Ph II Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to approve Ordinance 2021-48 for the Voluntary Annexation of Texas Heights Subdivision– being 18.067 a part or portion out of Farm Tracts 108 & 109, The West and Adams Tracts, Weslaco, Hidalgo County, Texas located on Texas Blvd & Northcross Avenue and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-48. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed one hundred eighty-one (181) lot subdivision located along North Texas Blvd; half of the tract located inside City and half located in the County and will be provided with water and sanitary sewer by the City. The developer requested all the development be inside city limits and staff recommended approval as the voluntary annexation is contiguous to the current city limits.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve Ordinance 2021-48 for Voluntary Annexation of Texas Heights Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve the utility easement between Aztec Commercial, L.P. and the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning Code Enforcement Department.)

Rebekah de la Fuente stated this was Aztec Commercial Subdivision recorded subdivision recorded on April 23, 2021; proposed improvements of water, sewer, and storm connections to be addressed during building permit process; a proposed restaurant ready to begin construction and a utility easement is needed to extend a bleeder line to a manhole located on the adjacent property to the north. Staff stated the property owner Aztec Commercial agreed to dedicate the necessary utility easement and recommended approval.

Commissioner Pedraza seconded by Mayor Pro Tem Muñoz moved to approve the utility easement between Aztec Commercial, L.P. and the City of Weslaco as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to review meeting dates for the Regular City Commission Meeting(s) for the month of December 2021. Possible action. (Staffed by Interim City Manager.)

Interim City Manager, Andrew Munoz, stated the first and second regular meetings of December may not have a quorum due to conference travel and the Christmas holiday. Staff recommended one meeting for December and proposed December 14, 2021.

Commissioner Rodriguez stated he had a conflict and unable to attend.

Mayor Pro Tem Muñoz seconded by Lopez moved to approve December 14, 2021 for the City Commission meeting of December 2021 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration on Resolution 2021-61 amending Resolution 2017-85 updating the rotation list of the Mayor Pro Tempore and, in accordance with the rotational list, appoint a Mayor Pro Tempore for 2021-2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Andrew Munoz stated the resolution updates the rotation list to the current members of the commission and in accordance with the Resolution Commissioner Pedraza was next to serve as Mayor Pro Tempore. Staff recommended approval of the resolution and official action on the appointment of Commissioner Pedraza as Mayor Pro Tempore.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve Resolution 2021-61 and appointment of Commissioner Pedraza as Mayor Pro Tem as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2021-61

A RESOLUTION OF THE CITY OF WESLACO ESTABLISHING AN APPOINTMENT POLICY AND ROTATION SCHEDULE FOR THE MAYOR PRO TEMPORE OF ITS COMMISSION

WHEREAS, The Weslaco City Charter prescribes that in the absence of the Mayor a Mayor Pro Tempore shall be chosen; and

WHEREAS, if the Mayor is absent or otherwise unable to act, the Mayor Pro Tempore shall serve until the Mayor returns or is able to act and has all the powers and duties of the Mayor.

NOW, THEREFORE, BE IT RESOLVED that we, the duly elected Commissioners of the City of Weslaco, resolve the City is better served by engaging its members in leadership roles.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT THE CITY COMMISSION ADOPTS THIS POLICY TO ROTATE THE DUTIES OF MAYOR PRO TEMPORE AMONG ALL SIX INDIVIDUALS SERVING AS COMMISSION MEMBERS IN ACCORDANCE WITH THE FOLLOWING GUIDELINES:

1. THE CITY COMMISSION SHALL APPOINT THE MAYOR PRO TEMPORE ON A ONE-YEAR ROTATIONAL BASIS BY SENIORITY.
2. THE ORDER OF THE ROTATION SHALL BEGIN WITH THE COMMISSION MEMBER WHO HAS THE LONGEST TENURE OF TOTAL YEARS ON THE COMMISSION, FOLLOWED BY THE COMMISSION MEMBER WITH THE SECOND LONGEST TENURE, AND SO ON.
3. WHEN TWO OR MORE MEMBERS HAVE THE SAME TENURE ON THE COMMISSION, THE ORDER OF ROTATION AMONG THOSE TIED FOR TENURE IS DETERMINED BY LOT FROM RANDOM DRAWING.
4. IF THE OFFICE OF MAYOR PRO TEMPORE BECOMES VACANT PRIOR TO THE EXPIRATION OF THE ANNUAL TERM, THE NEXT COMMISSION MEMBER IN ROTATION SHALL ASSUME THE OFFICE FOR THE BALANCE OF THE TERM THEN THE FULL TERM AS SCHEDULED BY ROTATION.
5. THE APPOINTMENT OF THE MAYOR PRO TEMPORE TAKES PLACE AT THE FIRST REGULAR MEETING FOLLOWING THE CANVASS EACH YEAR.
6. THIS POLICY IS EXPECTED TO PROVIDE AN ORDERLY AND FAIR PROCEDURE FOR ALTERNATING THE POSITION OF MAYOR PRO TEMPORE BUT THE CITY COMMISSION RESERVES THE RIGHT TO DEVIATE FROM THIS POLICY BY MAJORITY VOTE AS THEY SEE FIT FOR DIFFERING CIRCUMSTANCES.

7. FOR THE INAUGURATION OF THIS POLICY, THE FOLLOWING SCHEDULE IS DETERMINED BASED ON DATE SWORN INTO OFFICE:

Name	Sworn into Office	Mayor Pro Tem Term
Commissioner Josh Pedraza	11/16/2016	2021-2022
Commissioner Jose “JP” Rodriguez	11/14/2017	2022-2023
Commissioner Adrian Farias	09/03/2019	2023-2024
COMMISSIONER GREG KERR	11/12/2014	2018-2019
Commissioner Leticia Lopez	11/11/2015	2019-2020
Commissioner Leo Muñoz	11/11/2015	2020-2021

8. SHOULD ANY COMMISSIONER CEASE TO HOLD OFFICE, THE NAME SHALL BE REMOVED FROM THE ROTATION LIST AND THOSE LISTED BELOW SHALL ADVANCE A YEAR IN EXPECTED TERM. NEWLY ELECTED COMMISSIONERS SHALL BE ENTERED AT THE BOTTOM OF THE ROTATION LIST IN ACCORDANCE WITH THE DATE SWORN AND PROVISION 3 IN THESE GUIDELINES; IDEALLY, COMMISSIONERS SERVED TWO CONTINUOUS YEARS ON THE COMMISSION TO BE ELIGIBLE TO SERVE AS MAYOR PRO TEMPORE.
9. ONCE ALL SEATED COMMISSIONERS HAVE HAD THE OPPORTUNITY TO SERVE AS MAYOR PRO TEMPORE, THE ROTATION SHALL REPEAT STARTING ANEW WITH THE COMMISSIONER WITH MOST SENIORITY.

PASSED, APPROVED AND ADOPTED THIS THE 16TH DAY OF NOVEMBER 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

O. Discussion and consideration on request from Inframark for the annual Consumer Price Index adjustment not to exceed 3.036% for FY 2021-2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

George Quintanilla, Inframark, stated this was the annual Consumer Price Index CPI) adjustment for FY2021-2022; is an increase from last year’s CPI due to higher cost for chemicals and sludge hauling and requested favorable consideration to accept the CPI not to exceed 3.036%. Andrew Munoz recommended approval and advised the difference of cost would need to be budgeted estimated at \$79,144.

In response to Mayor Pro Tem Pedraza, staff stated internally to bring operations in-house has been discussed and could begin looking into it noting contract expires in two years.

Commissioner Rodriguez seconded by Lopez moved to approve request from Inframark for annual CPI adjustment not to exceed 3.036% for FY 2021-2022 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to approve and accept the Architects ranking for the New Library/Library Renovation Project, selection of a date for a special meeting to interview the top 3 firms, and designation of an interview format and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.)

Commissioner Muñoz abstained from discussion and vote on the ranking of Architects.

Arnold Becho, Library Director, stated the solicitation for architectural firms was very positive; seven firms responded for the New Library/Library Renovation Project; selection committee evaluated and ranked with a recommendation to interview the top three as follows: GOERO, Boultinghouse Simpson Gates, and Komatsu Architecture. Staff recommended consideration to

select date and time for interviews.

Mayor Pro Tem Pedraza seconded by Commissioner Rodriguez moved to approve and interview the top three architect firms as follows: GOERO, Boultinghouse Simpson Gates, and Komatsu Architecture as presented. The motion carried, Commissioner Muñoz abstained; Mayor Suarez was present and voting.

Commissioner Munoz recommended a meeting date in January since there is only one meeting for December it may be a lengthy agenda. Mayor Suarez conferred either a special and/or regular meeting in January and discuss with staff the format for the interview.

Commissioner Muñoz seconded by Commissioner Lopez moved to schedule interviews the first regular meeting of January as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration to solicit bid proposals for the Fourth of July Public Fireworks display for 2022 with options for annual renewal and select single or multiple display locations. Possible action. (Staffed by Parks and Recreation Department.).

Andrew Munoz stated staff ready to solicit bid proposal for the 2022 fireworks display; requested direction if event will be for a single location or multiple locations; past discussions have been to consider firework display at Mayor Pablo Pena City Park and Harlon Block Park. During the budget workshops staff had suggested both locations. Staff recommended increase the budget, if needed, and have one larger display of fireworks at Mayor Pablo Pena Park.

In response to Commissioner Muñoz, Omar Rodriguez, Parks and Recreation Director, stated \$30,000 is budgeted and stated the size of the shell in the past has been 5-inch and to have a larger display would need to purchase 8-inch shell and if this is the direction the park would need to be closed to the public for safety measures. Mayor Suarez opinioned one location with a larger display. Omar Rodriguez stated the closure of the park allows to adjust the fire location to be in the center of park.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to solicit bid proposals for Fourth of July Public Fireworks display for one location as presented. The motion carried unanimously; Mayor Suarez was present and voting.

S. Discussion and consideration to authorize use of available allowances and contingency fund balance in the North Side Park Project to Celso Gonzalez Construction to rough grade open fields at Judge Gilbert Garza Park not to exceed \$12,200 and add 40 calendar days to the contract and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department)

Omar Rodriguez stated the scope of work to grade open field was not included; the lighting project is ready to begin, and where the playing fields are proposed need to be cleared. Staff recommended approval stating a rough grade would be done for now and use of monies available from the contingency fund not to exceed \$12,200 and recommended approval to add 40 calendar days to the contract.

In response to Commissioner Muñoz, Omar Rodriguez stated the additional days would be for the grading of the area (10 days) and a delay in the installation of an irrigation line (30 days) for a total of 40 additional days to the contract.

Commissioner Lopez seconded by Mayor Pro Tem Pedraza moved to authorize use of available allowances and contingency fund balance and additional calendar days for the North Side Park Project to Celso Gonzalez Construction as presented. The motion carried unanimously; Mayor Suarez was present and voting.

T. Discussion and consideration to award Manhole Rehabilitation Phase V to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed \$207,330 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Pete Garcia, Public Works Director, recommended approval to award Southern Trenchless Solutions, buy board vendor contract no. 635-21 in the amount not to exceed \$207,330 to rehab forty manholes.

In response to Commissioner Muñoz, Marcelo Cosme, Water/Wastewater Supervisor, stated locally for the region Southern Trenchless Solutions is the only one and staff has reached out to other coop and buyboard vendors within a five-hundred radius and who have indicated not feasible for them as it would be costly for mobilization and personnel.

Commissioner Lopez seconded by Commissioner Rodriguez moved to award Southern Trenchless Solutions buyboard vendor contract no. 635-21 in the amount not to exceed \$207,330 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

U. Discussion and consideration to purchase three Gorman Rupp Pumps from Precision Pump Systems, Buyboard Contract No. 589-19, for an amount not to exceed \$159,767.17 and authorize the Mayor to execute all related documents. Possible action. (Staffed by Public Works Department.)

Pete Garcia recommended approval for the purchase of three 6-inch Gorman Rupp Pumps from Precision Pump System; will be used in key locations for drainage; monies will come from the American Rescue Act Plan. Marcelo Cosme stated the pumps are trailer mounted with John Deer engine that offers more horsepower and the purchase of the pumps will supplement the city's inventory.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve the purchase of three Gorman Rupp Pumps from Precision Pump Systems as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. Discussion and consideration on request from The Eatery to authorize the street closure of Kansas Street between 4th Street and 5th Street for any special events at 400 S. Kansas Ave. from November 2021 to October 2022 from 5:00pm to 12:00am and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Pete Garcia recommended approval of the request for closure of Kansas Street between 4th Street and 5th Street for special events at 400 S. Kansas Ave. from November 2021 to October 2022 as requested by The Eatery.

Mayor Suarez questioned why the whole year concerned with the effect it may have to surrounding businesses, the Alfresco event and emergency vehicles needing entry in the area and recommended approving monthly. Pete Garcia stated The Eatery understood a permit would be required for every event and would come in but wished to have approval in place for scheduling purposes of events and avoid a delay.

Miguel Gallegos, The Eatery, stated they would like to do every month and after 5pm when businesses are closed. In response to Mayor Pro Tem Pedraza, Mr. Gallegos stated he had no specific date, but events would be on a Friday; the events for November and December was the only time that would be on off Friday.

Commissioner Rodriguez suggested approving quarterly.

Interim City Manager questioned Chief Lopez if fire operations would be hindered. Chief Lopez stated response for the downtown fire station, when street is closed, would have the fire department traveling through the neighborhoods and could cause delay in response time.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve request from The Eatery for street closure of Kansas Street between 4th and 5th Street for special event on November 24, 2021 only. The motion carried unanimously; Mayor Suarez was present and voting.

W. Discussion and consideration to approve proposed Change Order #13 in the amount of \$17,000 for the Pleasantview & 11th Street Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated construction is ongoing for drainage improvements at FM 1015 Crossing; contractor has encountered issues with a waterline located on the south side and presented an illustration of the site and stated the proposed work to extend existing casing and waterline further south is necessary to have clearance for the proposed 60" RCP at the FM 1015 Crossing. Staff recommended approval of the change order in the amount of \$17,000.

Jose Reyes, Project Engineer SWG, stated the elevation of the existing waterline had posed a problem to the contractor stating site location was unstable and needed the existing waterline raised to have better conditions for the waterline; records showed an existing 8-inch line but once excavated was a 12-inch; contractor would install 20 feet of 24" casing and 12" PVC Waterline & Fittings and noted the subsequent agenda item would be the change order for the 12" gate valve. Mr. Reyes noted contractor was advised any damages to street would need to be repaired at his cost.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Change Order #13 in the amount of \$17,000 for Pleasantview & 11th Street Drainage Improvements Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

X. Discussion and consideration to approve proposed Change Order #14 in the amount of \$12,300 for the Pleasantview & 11th St. Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana recommended approval of Change Order #14 in the amount of \$12,300 for the 12-inch valve for the waterline relocation at FM 1015 Crossing.

Commissioner Rodriguez seconded by Mayor Pro Tem moved to approve Change Order #14 in the amount of \$12,300 for Pleasantview & 11th Street Drainage Improvements Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. REPORTS

A. Report on Public Safety Complex Construction (Staffed by Parks & Recreation Department.)

No reports.

VII. EXECUTIVE SESSION

At 7:24 p.m. Mayor Pro Tem Pedraza seconded by Mayor Pro Tem Muñoz moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 9:12 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

V. NEW BUSINESS

L. Discussion and consideration on request from Park Meadows Subdivision for separate entrance and exit for Airport Heights Subdivision. Possible action. (Staffed by Planning & Code Enforcement.)

Commissioner Rodriguez seconded by Commissioner Lopez moved to authorize Interim City Manager and staff to negotiate the purchase of Lot 69 at Airport Heights Subdivision and if negotiations are unsuccessful authorize City Attorney to begin commendation proceedings for Lot 69 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.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve a base salary of \$140,000 annually to Interim City Manager as discussed in executive session. The motion carried unanimously; Mayor was present and voting.

B. 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.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to authorize the Interim City Manager to continue negotiations for the sale of the lots as discussed in executive session. The motion carried unanimously; Mayor was present and voting.

C. 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.

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

No action.

E. Legal Consultation - Consultation with City Attorney 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.

F. 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.

G. Legal Consultation - Consultation with City Attorney regarding Letter of Representation and Notice Pursuant to TEX.CIV.P. & REM. Code § 101, from the Law Office of Rogelio Solis, PLLC to on behalf of Laura de Socorro Zamora , Nathan Alexis Guerra and Jayden Isaiah Guerra as authorized by section §551.071 of the Texas Government Code.

No action.

H. Legal Consultation - Consultation with the City Attorney regarding claim in accordance with The Texas Tort Claims Act, Section 101.101 from the Law Office of Raul "Rudy" Rodriguez, P.C. on behalf of the estate, wife and minor children of Juan Pedro Guerra as authorized by section §551.071 of the Texas Government Code.

No action.

I. Legal Consultation - Consultation with City Attorney regarding the Conditional Use Permit for Sr. Mostacho located at 2307 W Interstate 2 Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County as authorized by section §551.071 of the Texas Government Code.

No action.

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

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve the incentives as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve the incentives as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Rodriguez moved to adjourn the meeting of November 16, 2021 at 9:14 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY