MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
MAY 17, 2022

On Tuesday, May 17, 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
ABSENT:	Commissioner	Adrian Farias
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, May 13, 2022.

B. Invocation.

Pastor Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Mayor Suarez recognized Yadira Elizabeth Ramos Day, recognized Larissa Nicole Rodriguez as award recipient of the Presidential Volunteer Award and recognized the month of May as "Mental Health Awareness Month".

E. Roll Call.

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

II. PUBLIC COMMENTS

Nina Torkelson, 1601 S. Border Ave., resident and a Parks Advisory Board Member, thanked the commission for their leadership; commented on the amenities in Weslaco but the absence of a public swimming pool is a deficit highlighted in the Parks Master Plan; a swimming pool is good for the health of the community, for the local economy and quality of life will be enhanced by having a pool that will lure residential growth and requested a pool construction be a priority as outlined in the Parks Master Plan.

III. PUBLIC HEARING

Commissioner Kerr seconded by Mayor Pro Tem Pedraza moved to open the public hearing at 5:50 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of AEC Engineering to rezone 842 N. International also being a 6.17-acre tract of land out of Farm Tract 1030, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

No comments.

B. To solicit input on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit at 623 W Business 83, also being Lot 5-8, West Tract Subdivision Weslaco, Hidalgo County, Texas.

No comments.

C. To solicit input on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit at 1302 N Texas Blvd., also being Block 1, Lot 3, Wal-Mart Subdivision Weslaco, Hidalgo County, Texas.

No comments.

Commissioner Kerr seconded by Commissioner Lopez moved to close the public hearing at 5:51 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 on second and final reading of the following:

1) Ordinance 2022-15 adopting a mid-year budget amendment and authorize the Mayor to execute and related documents. (First reading held May 3, 2022; staffed by Finance Department.)

B. Approval to accept FY22 Border Zone Fire Departments (BZFD) Grant Award #4391301 in the amount of $78,735.25 with NO MATCH and no RECURRING costs to purchase two off-road wildland firefighting UTVs and authorize the Mayor to execute any related documents (Staffed by Fire Department.)

C. Approval of a six-month extension for the Final Plat for Vaquero Estates Phase V– being a re-subdivision of 86.961 acres being all of farm tract 1072 and out of Farm Tract 1065,1066 & 1071, 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. (Staffed by Planning & Code Enforcement Department.)

D. Approval of six-month extension for the Final Plat for Bridge Crossing Ph II– being a re-subdivision of 16.273 acres being part or portion out of farm tract 744, The West And Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1370 ft east of the intersection of 18th St & mile 5 ½ and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

E. Approval to renew the application for participation in the annual Texas Law Enforcement Support Office (LESO) program and authorize the Mayor to execute any related documents (Staffed by Police Department.)

F. Approval to renew the lease with Weslaco Youth Football League for the "Summer Flag & 7 on 7 Football" program at Harlon Block Sports Complex as requested from May 30, 2022 through July 2, 2022 and authorize the Mayor to execute any related documents. (Staffed by the Parks and Recreation Department.)

G. Approval of Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Air Methods Corporation for Hangar E-30 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

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

V. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of AEC Engineering on Ordinance 2022-16 to rezone 842 N. International. Also being a 6.17 acre tract of land out of Farm Tract 1030, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District, and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-16. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated six property owners were notified with no objection received; applicant proposing apartments and duplex type use and is part of a larger development located along the SE corner of FM 1015/ International Blvd and E Pike Blvd that will include 206 apartments, a series of townhomes and commercial use along FM 1015. The Planning and Zoning Commission and staff recommended approval as use conforms with the 2040 Land Use Map and existing surrounding land use.

Commissioner Kerr seconded by Commissioner Muñoz moved to approve on Ordinance 2022-16 to rezone 842 N. International from R-1 One-family dwelling district to R-2 Duplex and Apartment District. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit at 623 W Business 83, also being Lot 5-8, West Tract 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 ten property owners were notified with no objection received; location is one of two existing Pizza Hut that has recently changed ownership and the change by regulations of the the Texas Alcoholic Beverage Commission requires a new license. The Planning & Zoning Commission and staff recommended approval of the conditional use permit.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve the Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit at 623 W Business 83 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit at 1302 N Texas Blvd., also being Block 1, Lot 3, Wal-Mart 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 thirteen property owners were notified with no objection received; a change in ownership requires a new license as mentioned in the previous item. The Planning & Zoning Commission and staff recommended approval of the conditional use permit.

Commissioner Kerr seconded by Commissioner Lopez moved to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit at 1302 N Texas Blvd. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve the Final Plat for the District North Weslaco Ph. II Subdivision– being 39.988 acres out of Farm Tract 179, BLK 160, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately on the southeast corner of

Mile 5 ½ W & Mile 11 N. Rd 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 fifty-four (54) lot subdivision outside city limits that will be residential development; serviced with water by the North Alamo Water Supply and sewer through On-Site Sewage Facility (OSSF); applicant requested variance for OSSF as the nearest sanitary sewer is one mile south of the development a variance to allow off-site drainage that will be captured within the adjacent ditch located to the east. Developer has submitted letters of support from the drainage and irrigation district. The Planning and Zoning Commission recommended approval; staff recommended approval with compliance with the ordinance on the variances.

Mayor Pro Tem Pedraza seconded by Commissioner Kerr moved to approve the Final Plat for the District North Weslaco Ph. II Subdivision with variances as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and re-consideration to approve the Final Plat for Pleasant View Village Subdivision– being a 8.55 out of Farm Tract 709, Block 136, The West and Adams Tracts, Weslaco, Hidalgo County, Texas Located approximately 1,300 ft South of Business 83 & Pleasantview Dr and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated previous commission action in 2021 approved the final plat and was the first for development for an R-4 district (narrow lots); developer requested a variance to allow a 5' rear setback instead of the required 15' because the average depth of the lots being 67' parking requirements and the required rear setback would be difficult to comply with. Staff stated previous City Commission and Planning & Zoning action have approved 10' rear setbacks in multi-family zones and if approved could be setting a precedent. The Planning & Zoning Commission recommended a 10' rear setback; staff recommended approval and compliance with the ordinance for the variance request.

Commissioner Kerr seconded by Commissioner Lopez moved to approve the Final Plat for Pleasant View Village Subdivision with a variance for the rear setback of 10-feet as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and re-consideration to approve 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 final plat was previously approved by City Commission June 15, 2021, as a public subdivision; developer requested to convert the subdivision to a private gated subdivision. The Planning and Zoning Commission and staff recommended approval and stated the final plat has been changed as private development.

Commissioner Kerr seconded by Commissioner Muñoz moved to approve re-consideration of the Final Plat for Ten Fifteen Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve Ordinance 2022-17 for the Voluntary Annexation of Mid Valley Estates – being a 40.00-acre tract of land out of Farm Tract 715, West Tract Subdivision, Hidalgo County, Texas, located on the southwest corner of Mile 6 North and Mile 6 ½ West and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-17. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed development is outside city limits; serviced with water and sewer by the city; developer has initiated a buyout from NAWSC and MHWSC to allow the city to service the development; development will be a mixed development of one-family residential lots and apartments. The Planning and Zoning Commission and staff recommended approval as the annexation is contiguous to the existing city limits line.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve Ordinance 2022-17 for the Voluntary Annexation of Mid Valley Estates as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve the construction of a cementitious manufacturing factory located at 615 E. Business 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the Zoning Ordinance stipulates Industrial District requires Planning and Zoning Commission and City Commission approval; applicant proposes a cementitious manufacturing company at the old McManus property and considered industrial use; applicant will have measures in place to capture dust through a collection system and the product manufactured is eco-friendly; will be obtaining a railroad spur off of Nevada Street to reduce impact on Airport and Bus 83 as main source of transportation will be railroad and will dedicate an additional 15' of right-of-way in accordance with the Hidalgo County MPO Map. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Lopez moved to approve the construction of a cementitious manufacturing factory located at 615 E. Business 83 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve solicitation of proposals from qualified insurance carriers for Group Health Insurance to include EAP (employee assistance program) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Interim City Manager, Martin Garza stated no action for this and the subsequent item J.

J. Discussion and consideration to accept renewal of the group Dental Insurance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

No action.

K. Discussion and consideration on Resolution 2022-27 adopting the updated Parks, Recreation, and Open Space Masterplan and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Parks & Recreation Department).

Omar Rodriguez, Parks and Recreation Director, stated the parks master plan was adopted in 2007 and 2016 and should be updated every five years; city hired Consultant, Sally Gavlik to assist in updating the Parks and Recreation Open Space Masterplan.

Ms. Gavlik stated input from online survey (1,200), two community focus group and parks board meetings were held; presented the priority listing commenting the needs did not differ from the priority list of 2016 aside from the swimming pool ranking as three. The Parks Advisory Board recommended approval with a change of description from "swimming pool" (item 3) to reflect "recreational pool". Staff recommended approval of Resolution 2022-27 adopting the updated Parks, Recreation, and Open Space Masterplan.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve Resolution 2022-27 adopting the updated Parks, Recreation, and Open Space Masterplan as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to submit a letter of support to the United States Department of Transportation for the International Bridge Trade Corridor (IBTC) Project located in Hidalgo County, Texas, for funding under the INFRA/MEGA Grant Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Martin Garza recommended approval on a letter of support for the International Bridge Trade Corridor (IBTC) Project that would be a corridor of roadway improvements to include the cities of Pharr, Alamo, and Donna for better vehicular flow at international ports of entry and improve local and regional transportation needs.

Commissioner Kerr seconded by Commissioner Lopez moved to approve a letter of support to the United States Department of Transportation for the International Bridge Trade Corridor (IBTC) Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to approve Resolution 2022-28 in support of the funding application for the proposed Weslaco Pedestrian Connection 2022 Project through Section 5310 Grant Program by the Lower Rio Grande Valley Development Council and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Martin Garza stated the Resolution supports a project to enhance pedestrian connectivity with the construction of sidewalks and ADA pedestrian improvements on North Bridge Street between Pike Blvd and US Business 83; the project would provide connections to existing sidewalks, park, and schools as well as the future swimming pool. Staff recommended approval of the Resolution to apply for a grant from the 5310 Grant Program by the Lower Rio Grande Valley Development Council in the amount of $500,000 with a local match of $100,000.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve Resolution 2022-28 in support of the funding application for the proposed Weslaco Pedestrian Connection 2022 Project through Section 5310 Grant Program by the Lower Rio Grande Valley Development Council as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration on request from the Leadership Mid Valley Class XVI to place benches in the Weslaco Downtown area and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Maggie Perez, Grant Writer, represented the Leadership Mid Valley Class XVI on the request to add benches to the downtown area from funds raised by the leadership class and locations of benches are being determined. Staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Rodriguez moved to approve request from the Leadership Mid Valley Class XVI to place benches in the Weslaco Downtown area as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to reject the sole-bid received for RFB 2021-22-26 in the amount of $73,100 from FSG for the Weslaco Street Poles Banner Project and authorization to re-bid the project and authorize the Mayor to execute any related documents. Possible action (staffed by the Engineering Department.)

Albert Aldana, City Engineer, stated one bid was received, reviewed, and tabulated from FSG and overbudget stating the bid price for conduit was considerable. The City Engineer recommended the bid be rejected and approve to re-advertise.

Commissioner Rodriguez seconded by Commissioner Muñoz moved to reject the bid received from FSG for the Weslaco Street Poles Banner Project and approved to re-bid the project, as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration to approve the price increase for the purchase of an aeration blower for the North Wastewater Treatment Plant from $305,700 to $386,390, a previously approved sole-source purchase from Howden Roots, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana stated on April 5, 2022, the commission approved a sole-source purchase of an aeration blower at a cost of $305,700.00; staff contacted vendor to place the order and informed cost had increased citing global supply issues on material costs; updated cost proposal was now $350,400.00 and valid until May 31, 2022; vendor presented options to replace old valves (expansion joints) that may not be operational where the old inoperable blower is for a cost of $24,490.00 and an option to perform a class I service to the blower that is presently in operation at a cost of $11,500.00. Staff recommend approval to accept the price increase and both options presented for existing equipment to avoid future price increase for a total purchase cost of $386,390.00.

In response to Commissioner Muñoz, staff indicated the purchase of aeration blower is cost effective versus having to retrofit the existing equipment. George Quilantan, Inframark, stated the vendor is the original manufacture of the equipment and the most knowledgeable and offered a twelve-month warranty.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve to the price increase for the purchase of an aeration blower for the North Wastewater Treatment Plant from $305,700 to $386,390 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to purchase a 2'-24' Magna rotor/50hp Blades with fasteners from sole source providers at a price not to exceed $48,000 and authorize the Mayor to execute any related documents (ARPA funding). Possible action. (Staffed by Finance/Inframark.)

Vidal Roman, Finance Director, recommended approval from sole source Lakeside Equipment Corporation stating constant usage of equipment has caused the need of replacement of the rotor blades at the water and wastewater treatment plants and funds will be from the American Rescue Plan Act (ARPA).

Commissioner Kerr seconded by Commissioner Lopez moved to approve purchase a 2'-24' Magna rotor/50hp Blades with fasteners from Lakeside Equipment Corporation at a price not to exceed $48,000 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration of purchasing and installation of a new rotor on the South Wastewater Treatment Plant to the lowest quote not to exceed $27,800 and authorize the Mayor to execute any related documents (ARPA funding). Possible action. (Staffed by Finance/Inframark.)

Vidal Roman stated at the South Wastewater Treatment Plant replacement of equipment is necessary for continued operations because of age and usage and avoid violations with the regulatory agencies. Staff recommended approval for the purchase and installation of new rotor blades to Texas Machine Shop the lowest quote.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve purchasing and installation of rotor blades to Texas Machine Shop not to exceed $27,800 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. REPORTS

A. Report by Inframark

George Quilantan, Inframark, reported for the month of April water treatment plant treated 192.37 million gallons of water with a daily average of 6.4mgd; North wastewater plant treated 626.4-million-gallons of water with a daily average 2.31 mg; repairs to rotor motor, belt press gearbox and clarifier were done; South Wastewater Plant treated 51.1 million gallons of water with a daily average 1.77 mg; repairs to clarifier baffle and rotor #1 done; Lift Station #2 received a new pump and installed; reported on electrical issues for Lift Stations # 42, 26, 18 and touched on the ongoing projects at the water/wastewater treatment plants.

VII. EXECUTIVE SESSION

At 6:41p.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 7:16 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

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 - Consultation with City Attorney regarding compromise and settlement with Frank Montalvo as authorized by section §551.071 of the Texas Government Code.

Commissioner Muñoz seconded by Commissioner Kerr moved to approve the compromise and settlement agreement with Frank Montalvo and authorize the Interim City Manager to administratively approve and accept future payments less than $2,500. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to adjourn the meeting of May 17, 2022, at 7:17 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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David Suarez, **MAYOR**

ATTEST:

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Norma A. Cantu, **CITY SECRETARY**