



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JULY 19, 2022**

On Tuesday, July 19, 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	Leo Muñoz
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias
ABSENT:	Commissioner	Greg Kerr
	Commissioner	J.P. Rodriguez
STAFF PRESENT:	Martin Garza	Interim City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Aida Vega, Deputy City Secretary, Rosie Cavazos, Interim Finance Director, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joe Pedraza, Asst. Planning and Code Enforcement Director, Joel Rivera, Police Chief, 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, July 15, 2022.

B. Invocation.

Pastor Raja Masilamony, Seventh Day Adventist Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Recognition of Christine Warren

Mayor Suarez recognized Christine Warren in honor of her contributions as a volunteer on the Library Board and educator to our community.

E. Roll Call.

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

II. PUBLIC COMMENTS

Rolando Joel Hernandez, BSA Scouts Troop 4031, presented as a donation to the City a Flag Drop-Off-Box to the community to help with the official retiring of United States Flag stating a representative of the Boy Scout Troop will be removing any flag placed in the drop-off box to properly retire the flag and encouraged everybody to utilize.

Fernando Bustamante, 820 E. Pike, voiced objection to the rezone of 812 E. Pike to apartment use citing parking concern; existing apartments in area lack adequate parking and stated other surrounding property owners were not in agreement but unable to attend.

Sergio Trevino stated an item further in the agenda was to award a lighting project that included lighting improvements for the Skate Park and appreciative of this but felt more could be done for this area stating the skate park is frequently used.

III. REPORTS

A. Report by Police Chief Rivera on Hidalgo County Sheriff's Office/City of Weslaco back to School Event - August 3, 2022.

Joel Rivera, Chief of Police, reported on the upcoming event that is partnered with the Hidalgo County Sheriff's Office for the distribution of over 500 clear back packs at the Judge Gilbert Garza Park; over 100 vendors to participate with event; would not be a drive thru and went over the operational layout and plan of the event.

B. Report by Inframark.

George Quilantan, Inframark, reported for the month of June Water Treatment Plant No.5 treated 6.83 million gallons of water and plant No.2 treated 2.8mgd; North wastewater plant treated 2.29 million-gallons of water and belt press pulls repaired; South Wastewater Plant treated 1.87 million gallons of water with a daily average 1.84 mg and utilized dry beds to remove sludge that was hauled to the land fill; reported on repairs to the lift station 3, 27, 29 and 35.

IV. PUBLIC HEARING

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to open the public hearings as presented at 5:59 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of the City of Weslaco's application to the Texas Parks & Wildlife Department Local Park Grant Program for a new swimming pool project.

No comments.

B. To solicit input on behalf of Julio Garcia to rezone 3402 S Westgate Drive. Also being a 5.00-acre tract of land out of Farm Tract 790, West Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

No comments.

C. To solicit input on behalf of Willie Arratia to rezone 3570 Moreland Drive. Also being Lot 4, Davis Business Park, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

No comments.

D. To solicit input on behalf of Affordable Homes of South Texas, Inc. to rezone 2737 E Mile 6 N. Also being Lots 1-44, Mid Valley Estates Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

No comments.

E. To solicit input on behalf of Esteban Hernandez to rezone 812 E Pike Blvd. Also being Blk 14, Lot 4 & 5, Colonia San Juan, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

No comments.

F. To solicit input on behalf of Christine Alaniz to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit and to Host Live Music at 1015 S International Blvd., also being Lot 1 & 2, Ranch House Subdivision Weslaco, Hidalgo County, Texas.

No comments.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to close the public hearings at 6:00 p.m. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. CONSENT AGENDA

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

A. Approval of the Minutes of the Regular Meeting on June 21st and July 5, 2022. (Staffed by City Secretary's Department.)

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

1) Approval of Ordinance 2022-21 amending Ordinance 2015-12, the City of Weslaco Sign Ordinance Chapter 114, creating new regulations for temporary signage and free standing signage and removing content-based regulations and authorize the Mayor to execute any related

documents. (First reading held July 5, 2022; staffed by Planning and Code Enforcement Department.)

C. Approval of the renewal of the agreements with Muniservices for local hotel occupancy tax program and sales tax audit and administration services for a one-year term in the amount of \$7,115 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

D. Approval of Resolution 2022-37 to update signatories on legal financial documents identified with all accounts with PNC and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

E. Approval to authorize solicitation of proposals/bids for city vehicles for 2021-2022 budget and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

F. Approval of Memorandum of Understanding between the City of Weslaco Fire Department and the EMTS Academy and St. David's Round Rock Medical Center regarding participating in clinical experience rotations and authorize the Mayor to execute any related documents. (Staff by Fire Department.)

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

For the record following is the caption of Ordinance 2022-21.

ORDINANCE 2022-21

AN ORDINANCE AMENDING ORDINANCE NUMBER 2015-12, THE CITY OF WESLACO SIGN ORDINANCE; CODIFIED AS CHAPTER 114 OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:
/s/Juan E. Gonzalez, CITY ATTORNEY

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2022-38 appointing a Civil Service Commission member and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Norma A. Cantu, City Secretary, stated Griselda Martinez submitted application for consideration and there were no other applicants. The nomination from Commissioner Rodriguez was to appoint Griselda Martinez.

Commissioner Lopez seconded by Commissioner Muñoz moved to approve Resolution 2022-38 appointing Griselda Martinez as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on Resolution 2022-39 appointing members to the Mid Valley Airport Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Norma A. Cantu stated Randy Summers and Terry Barbee submitted application for consideration. The nomination from Mayor Pro Tem Pedraza was to appoint Randy Summers and the nomination from Commissioner Lopez was to appoint Terry Barbee.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve the Resolution appointing Randy Summers to the Mid Valley Airport Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve the Resolution on appointing Terry Barbee to the Mid Valley Airport Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. OLD BUSINESS

A. Discussion and consideration of a proposed Amendment to a contract agreement in the amount of \$27,000 for professional engineering services by SWG Engineering, LLC for the Pleasantview & 11th St Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (There was no action on June 21, 2022; staffed by the Engineering Department.)

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to discuss.

Martin Garza, Interim City Manager, requested no action for Items A and B to allow staff to further review with legal.

No action.

B. Discussion and consideration of approval of final payment to SWG Engineers in the amount of \$27,120 for engineering services on the Pleasantview & 11th Drainage Improvements project and authorize the Mayor to execute any related documents. Possible action. (There was no action on June 21, 2022; staffed by Engineering Department.)

No action as requested in previous item.

C. Discussion and consideration on final reading of Ordinance 2022-22 amending Ordinance 2015-03 the City of Weslaco Electioneering Ordinance and authorize the Mayor to execute any related documents. Possible action. (First reading held July 5, 2022; staffed by City Secretary Department.)

Norma A. Cantu stated this was the final reading incorporating the changes discussed. Staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve Ordinance 2022-22 amending Ordinance 2015-03 the City of Weslaco Electioneering Ordinance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the ordinance caption.

Ordinance 2022-22

AN ORDINANCE AMENDING ORDINANCE NUMBER 2015-03 AS CODIFIED IN THE CODE OF ORDINANCES AS CHAPTER 114 SECTION 114.06 “SPECIAL SIGN CATEGORIES, PERMITTED, AND PROHIBITED SIGNS,” ADDING SUCH SECTIONS TO PROVIDE FOR THE PLACEMENT OF POLITICAL SIGNS ON PRIVATE PROPERTY, TO PROVIDE FOR THE REGULATION OF ELECTIONEERING ON PUBLIC PROPERTY AND ELECTION POLLING PLACES; TO PROVIDE A REPEALING CLAUSE; TO PROVIDE A SEVERABILITY CLAUSE; TO PROVIDE A PENALTY FOR EACH OFFENSE; AND TO PROVIDE AN EFFECTIVE DATE.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:
/s/Juan E. Gonzalez, CITY ATTORNEY

Mayor Suarez changed the order of the day and introduced item New Business H. There was no objection.

VIII. NEW BUSINESS

H. Discussion and re-consideration to approve the Final Plat for Mid Valley Industrial Park – being a 146.09-acre tract of land out of farm tract 1056, 1057 and 1058, Block 116, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Northeast corner of intersection Mile 9 & FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to discuss.

Rebekah de la Fuente, Planning and Code Enforcement Director, stated this was a twenty-lot subdivision previously approved in 2021; developer requested to change the South portion of Development Drive from Economic Ave. to Mile 9 to a private street to allow for installation of a gate at the intersection of Development Drive and Mile 9 North to control traffic flows on Mile 9. The Planning and Zoning Commission and staff recommended approval of the final plat.

The Mayor and Commission voiced concern with the continuous traffic on FM1015 either entering or existing by using this subdivision as a pass through. Staff stated the intent by having a portion of the street private is to restrict traffic going onto FM 1015 by installing a gate with keypad on Development Drive and Mile 9 North that would be available only to the tenants of the subdivision.

Steve Valdez, Executive Director Weslaco Economic Development, stated the recommendation for a portion of the private road was to accommodate requests from proposed tenants wanting to

locate in the industrial park for private access and have less traffic coming into the park that will have semi-trucks on these roadways of the industrial park.

In response to Mayor Pro Tem Pedraza, Aldo Lopez, representing Record of Engineer Nadia Lopez, stated the width of the street is 53-feet back-to-back; staff stated any commercial traffic would be diverted to exit on FM 1015 and not on Mile 9 noting any access points are not done onto a Major Corridor Thoroughfare for any proposed development. Discussion on alternatives such as a one-way exit was proposed to Mile 9. Steve Valdez requested to take this alternative to the EDC Board and in response to the maintenance of the streets and operations of the gate would be the obligation of the EDC and/or tenants once 50-percent of the lots were sold and could be noted on the final plat.

Mayor Suarez stated no action.

Mayor Suarez introduced item A New Business with no objection.

A. Presentation and discussion of the proposal from Boultinghouse Simpson Gates and review of acceptance of the program alternative for the New Library/Library Renovation Project. Possible action. (Staffed by the Library Department.)

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to discuss.

Arnold Becho, Library Director, stated staff continues the design process and in discussions held with Boultinghouse Simpson Gates (BSG) were ready to present alternative designs for consideration and acceptance to move forward.

Bob Simpson introduced John Gates, Assoc. Architect and Matthew in zoom attendance. Matthew stated meetings held with stakeholders to understand the needs of the community; went over the existing building analysis of square footage that was a total of 25,295; stated library statistics showed library is heavily used that is an indicator that an expansion in the future for a 35,000-40,000 square footage library would be needed; went over space needs; presented footprint layout of a proposed new construction (25,000 sq.ft.) that would be located on northern side of the existing theater and demolition of Porter Doss would be done; Kansas Ave would be closed a pedestrian way; parking would be 120 stalls on site; overviewed the high and low end cost for renovation, new construction and demolition presented the Ideal project is 25k sq.ft. \$10.2-11.3million; hybrid project is 22k sq.ft. \$8.3 - 9.4million; reduced project would be 21k sq.ft. \$8.3 - 9.4million and renovation 23k sq.ft.\$4.5 – 8.8million.

Discussion ensued on the alternatives presented taking into consideration the budget, size, functionality of the library and if site would accommodate a 40k expansion; the consensus was to move forward with the hybrid program project.

Presentation only.

B. Discussion and consideration after public hearing on behalf of Julio Garcia on Ordinance 2022-23 to rezone 3402 S Westgate Drive. Also being a 5.00 acre tract of land out of Farm Tract 790, West 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 2022-23. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated eighteen property owners were notified; two objections received citing drainage concerns. The Planning and Zoning Commission and staff recommended approval based on existing surrounding land use and proposed use complies with the 2040 Land Use Map.

Mayor Pro Tem Pedraza voiced concern on the amount of rezone requests for multi-family use and revisit the direction of development occurring. In response to Commissioner Farias the development will need to meet the 50-year storm retention.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve Ordinance 2022-23 to rezone 3402 S Westgate Drive as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Willie Arratia on Ordinance 2022-24 to rezone 3570 Moreland Drive. Also being Lot 4, Davis Business Park, 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 2022-24. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-nine property owners were notified with no objection received. The Planning and Zoning Commission and staff recommended approval based on existing surrounding land use and proposed use complies with the 2040 Land Use Map.

Commissioner Lopez seconded by Mayor Pro Tem Pedraza moved to approve Ordinance 2022-24 to rezone 3570 Moreland Drive as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration after public hearing on behalf of Affordable Homes of South Texas, Inc. on Ordinance 2022-25 to rezone 2737 E Mile 6 N. Also being Lots 1-44, Mid Valley Estates 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 2022-25. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated three property owners notified with no objection received; site located was recently annexed into city limits; development is being done by Affordable Homes of South Texas that will be a combination of residential and apartment use. The Planning and Zoning Commission and staff recommended approval based on existing surrounding land use and proposed use complies with the 2040 Land Use Map.

Commissioner Farias seconded by Mayor Pro Tem Pedraza moved to approve Ordinance 2022-25 to rezone 2737 E Mile 6 N as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration after public hearing on behalf of Esteban Hernandez on Ordinance 2022-26 to rezone 812 E Pike Blvd. Also being Blk 14, Lot 4 & 5, Colonia San Juan, 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 2022-26. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-eight property owners were notified; one objection received today in public comments citing drainage, parking, and higher property as concerns; the proposed layout meets City standards for parking, intensity, and setback requirements. The Planning and Zoning Commission and staff recommended approval based on existing surrounding land use and proposed use complies with the 2040 Land Use Map.

In response to Mayor Suarez, parking required is one space per unit and half space per bedroom; applicant proposed development are two-bedroom apartments with twelve parking stalls that is sufficient.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to approve Ordinance 2022-26 to rezone 812 E Pike Blvd as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration after public hearing on behalf of Christine Alaniz to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit and to Host Live Music at 1015 S International Blvd., also being Lot 1 & 2, Ranch House Subdivision Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Three-fourths vote required. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated six property owners were notified with one objection received from the church located immediately south of this location citing the sale of alcohol is not permitted within 100ft of a church. Staff stated this would apply if an ordinance were in place prohibiting this as indicated by TABC and city ordinance in place. The Planning and Zoning Commission and staff recommended approval and will require super majority vote for approval.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit and to Host Live Music at 1015 S International Blvd as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and re-consideration to approve the Final Plat for South Point Subdivision – being 12.34 acres being all of lot 2 VBMH Subdivision, Hidalgo County, Texas. Approximately 2,957 ft. West of the Intersection of F.M. 88 and US Expy 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this is a proposed seven lot subdivision previously approved; developer requested to convert the subdivision into a private development to maintain ownership over the new right-of-way and allow meandering the construction of the street to better suit the

needs of the incoming development and will be maintained by the Homeowners Association. The Planning and Zoning Commission and staff recommended approval.

In response to Commissioner Farias the roadway would remain ungated.

In response to Commissioner Muñoz, Mario Reyna, Project Engineer, stated the request allows flexibility with roadway; currently has commercial development occurring on the northeast corner only by having a private roadway adjustment to proposed roadways can be done as the subdivision develops versus if the roadway is public would need to request to vacate it.

Martin Garza voiced concerns if that Homeowners and/or Business Associations are not active it becomes a difficult task in having those private roadways maintained and concerned this roadway was connecting to two major throughfares that are already highly used.

Commissioner Muñoz recommended to allow the development to move forward allow as a private roadway with the condition the roadway will revert to the city for public use. Mario Reyna stated if denied he would need to come back and plat as a one lot subdivision; is ready to move forward but building permit on hold because the plat must be recorded further stating in the past a permit is granted but no certificate of occupancy issued until all improvements are completed. Martin Garza recommended time to meet with developer and City Attorney for alternatives to see how to move forward.

Mayor Suarez stated no action.

I. Discussion and re-consideration to approve the Final Plat for San Gabriel Ph I Subdivision– being a 9.98-acre tract of Farm Tract 795, The West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas Located approximately on ¼ mile South of Mile 5 North on the east side of Westgate Dr and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this is a proposed thirty-one lot residential subdivision previously approved; developer requested to convert development into a private development. The Planning and Zoning Commission and staff recommended approval.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve Final Plat for San Gabriel Ph I Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to approve the Final Plat for San Gabriel Subdivision Ph II– being a 10.01-acre tract of Farm Tract 795, The West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas Located approximately on 600ft east of Mile 6 West on the south side of Mile 5 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 sixty-nine lot subdivision inside city limits; serviced by water and sewer by the City; developer requested a variance to allow for off-site drainage and has received letters of support from the Irrigation and Drainage District; will be a private gated community and lots 66 and 67 will accommodate the 40-foot throat for vehicular

stacking. The Planning and Zoning Commission recommended approval with variance; staff recommended approval with compliance with the ordinance on variance request.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Final Plat for San Gabriel Subdivision Ph II with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve Ordinance 2022-27 for the Voluntary Annexation of Sunset Valley Estates– being a 15.32-acre tract of land out of Farm Tract 745, West and Adams Tract Subdivision, Hidalgo County, Texas located approximately 0.36 miles North of E Mile 5 North, on the West side of Texas Road and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-27. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed development is currently outside city limits; serviced with water and sewer by the city and will be single family residential lots. The Planning and Zoning Commission and staff recommended approval as the development is contiguous to the existing city limits line.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve Ordinance 2022-27 for the Voluntary Annexation of Sunset Valley Estates as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to approve the Buyout of Service Agreement between the City of Weslaco and North Alamo Water Supply Company (NAWSC) for Mid Valley Estates Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this development is being done by Affordable Homes of South Texas; proposed development currently within dual CCN (Certificate of Convenience and Necessity) of North Alamo Water Supply (NAWSC) and Military Highway Supply Corporation (MHWSC); developer pursuing a buyout from both entities and ready to move forward with buyout of NAWSC first that will transfer the rights to the City to serve customers in the area. Staff recommended approval, legal has reviewed and approved noting developer will pay for costs to file with Public Utilities Commission for official transfer.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve the Buyout of Service Agreement between the City of Weslaco and North Alamo Water Supply Company (NAWSC) for Mid Valley Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration on Resolution 2022-40 authorizing the City's application to the Texas Parks & Wildlife Department's Local Park Grant Program for a new swimming pool to be located at 320 S Bridge Street and authorize the Mayor to execute any related documents as may be required for said project application. Possible action. (Staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated the Texas Parks & Wildlife Department Local Park Grant Program requires a resolution authorizing the submission of an application for consideration of grant proceeds and stated the application for funding would be for the proposed swimming pool. Staff recommended approval of the Resolution.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Resolution 2022-40 authorizing the City's application to the Texas Parks & Wildlife Department's Local Park Grant Program for a new swimming pool to be located at 320 S Bridge Street as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration awarding RFB No. 2021-22-31 Mayor Pablo Pena City Parks Sports Field Lighting Project and Isaac Rodriguez Skate Park Lighting project bid to the most advantageous bidder, Zitro Electric, for an amount not to exceed \$1,178,500, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated in preparation of the detention facility at Mayor Pablo Pena City Park, rerouting of electrical service is needed for the softball field, restroom and two pavilions; staff was directed solicit competitive bids and to add lighting as well for the skate park at Isaac Rodriguez Park to the bidding documents; two bids received and evaluated. Staff recommended to award bid to the most advantageous bidder, Zitro Electric, for an amount not to exceed \$1,178,500.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve bid to the most advantageous bidder, Zitro Electric, for an amount not to exceed \$1,178,500 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration on first and final reading of Ordinance 2022-28 approving a negotiated resolution between the City of Weslaco and Texas Gas Service regarding the company's Cost of Service Adjustment tariff filing declaring an effective date and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Interim Finance Director, stated Texas Gas Service filed for a rate increase pursuant to the Cost of Service Adjustment (COSA) that allows for annual adjustments of rates; consultants for cities negotiated an amount and recommended the cities to accept. Staff recommended approval of first and final reading of Ordinance 2022-28 approving a negotiated resolution that would have monthly increase of \$0.64 to residential customers and \$19.51 for commercial.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve first and final reading of Ordinance 2022-28 approving a negotiated resolution between the City of Weslaco and Texas Gas Service regarding the company's Cost of Service Adjustment tariff filing as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration on the Memorandum of Understanding (MOU) between the City of Weslaco and LRGVDC for the use of the east side parking lot located at 301

W Railroad for the use of the recycling trailers drop off and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Pete Garcia, Public Works Director, stated the agreement outlines a partnership with the Lower Rio Grande Valley Development Council (LRGVDC) for the use of their east side parking lot located at 301 W. Railroad to allow for the City's recycling trailers drop-off to be parked, in exchange the City will overlay (labor and equipment) the parking lot and the LRGVDC would pay the cost of material. Staff recommended approval.

Commissioner Farias seconded by Commissioner Muñoz move to approve Memorandum of Understanding (MOU) between the City of Weslaco and LRGVDC for the use of the east side parking lot located at 301 W Railroad for the use of the recycling trailers drop off as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to purchase various items for the Wildland Interface All Terrain Capability Project (2 UTV with firefighting packages from FY22 Border Zone Fire Departments (BZFD) not to exceed \$78,735.25 grant award and authorize the Mayor to execute any related documents. Possible action. (Staff by Fire Department.)

Commissioner Farias abstained from discussion and vote.

Antonio Lopez, Fire Chief, stated a grant award in the amount of \$78,735 was received for the purchase of various items under the Wildland Interface All Terrain Capability Project; quotes solicited from several vendors. Staff recommended Polaris Sales, Burner Fire Control, Tri-County Communications and Ron Hoover Companies of Donna for the purchase of the firefighting equipment in the total amount of \$78,606.98 noting the remaining balance of grant proceeds in the amount of \$128.30 would be used for miscellaneous items.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve to purchase various items for the Wildland Interface All Terrain Capability Project (2 UTV with firefighting packages from FY22 Border Zone Fire Departments (BZFD) not to exceed \$78,735.25 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

R. Discussion and consideration to award the most advantageous proposal for Disaster Recovery Services; Debris Clearance, Removal, and Other Miscellaneous related services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Office of Emergency Management.)

Joe Pedraza, Asst. Planning and Code Enforcement Director/Operations Section Chief stated staff solicited proposals and seven responses received; staff reviewed and evaluated and recommended a 3-year contract be awarded to Ashbritt.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Ashbritt a 3-year contract as presented. The motion carried unanimously; Mayor Suarez was present and voting.

S. Discussion and consideration of the proposed Interlocal Agreement with Drainage District No. 1 to maintain and operate the drainage line and structure located at the west levee of the North Floodway of the Lower Rio Grande Flood control as identified in IBWC License No.

LSF/G-288 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana, City Engineer, stated the City holds a license issued by the International Boundary and Water Commission (IBWC) to maintain and operate an 18" drainage line and a structure located at the West levee of the North Floodway; the proposed Interlocal allows the Hidalgo County Drainage District (HCDD#1) to take over maintenance and operation obligations so long as approval is received from IBWC. Staff recommended approval of the Interlocal Agreement with Hidalgo County Drainage District #1 to take over maintenance and operations.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to approve Interlocal Agreement with Drainage District No. 1 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

IX. EXECUTIVE SESSION

At 7:37 p.m. Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:15 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

X. 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 Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.

No action.

C. Legal Consultation - Consultation with City Attorney on litigation regarding SB 1152 and SB 1004 as authorized by section §551.071 of the Texas Government Code.

No action.

XI. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to adjourn the meeting of July 19, 2022, at 8:15 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**