

**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 16, 2018**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, January 16, 2018 at 5:30 PM for the purpose of discussing the following items:

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Weslaco City Commission will convene in such executive or closed session whether or not such item is posted as an executive session item at any time during the meeting when authorized by the provisions of the Texas Open Meetings Act.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral recognition.
- E. Roll Call.

II. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

If you are discussing something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

III. PUBLIC HEARING

- A. To solicit input to amend Ordinance 320, Codified as Chapter 150 - Zoning Ordinance, adopting new regulations and ordaining other matters with respect to the subject matter hereof.

- B. To solicit input on behalf of Reuben Bar-Yadin, rezoning 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase I, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District.

IV. CONSENT AGENDA

The following items are of a 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 following:
 - 1) Minutes of Regular Meeting on January 2, 2018;
 - 2) Record of Workshop on January 9, 2018. (Staffed by City Secretary's Office.) Attachment
- B. Approval to purchase six (6) Self-Contained Breathing Apparatus (SCOTT 5.5) through Buy Board contract pricing in amount of \$58,344.00 as budgeted. (Staffed by Fire Department.) Attachment
- C. Acceptance of grant award number 3494001 from the Office of the Governor Criminal Justice Division in an amount of \$37,500.00 for Rifle-Resistant vests for Police Officers and two Fire Marshals and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolutions 2018-02 and 2018-03 appointing two members to expired terms on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration after public hearing on behalf of Rashad Javed Rana to approve Ordinance 2017-54 rezoning 1720 W. 18th Street also being the 3.00 acres out of Farm Tract 658, West Tract, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-3 Rural District. First reading of Ordinance 2017-54. Possible action. (This item was tabled December 19, 2017. This item requires three-fourths

vote as it was denied by Planning and Zoning Commission; Staffed by Planning and Code Enforcement Department.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration to approve the Weslaco Economic Development Corporation bid for the Center for Innovation and Commercialization University of Texas Rio Grande Valley (UTRGV) project. Possible action. (Staffed by the City Manager.)
- B. Discussion and consideration to approve Ordinance 2018-02, amending Ordinance 320, Codified as Chapter 150 - Zoning Ordinance, adopting new regulations and ordaining other matters with respect to the subject matter hereof. First reading of Ordinance 2018-02. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Reuben Bar-Yadin to approve Ordinance 2018-01 rezoning 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase I, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-01. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to approve the Final Plat for Lowe's of Weslaco, being a 21.96 acre out of a port of Farm Tract 34:40, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at North East Corner of Bridge Avenue and U.S. Business 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration to approve a six-month extension of the Final Plat for The Villages at Westgate Subdivision, being a 39.87 acre tract of land out of Farm Tract 131, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located along the west right-of-way of Westgate Drive and approximately 1445 feet North of Interstate 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration regarding the Conditional Use Permit to operate a daycare at 610 W. 13th Street, Weslaco. (Requested by Commissioner Munoz and the Mayor.)

- G. Discussion and consideration to adopt ordinance 2018-04 amending Ordinance 1990-31 Animal Control Ordinance providing regulations on animal impoundment identified as nuisance situations and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-04. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- H. Discussion and consideration to approve Ordinance 2018-03 authorizing a budget amendment as appropriate to purchase property on Westgate Drive for drainage improvements in an amount of \$150,000 and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-03. Possible action. (Staffed by Finance Department.) Attachment
- I. Discussion and consideration to unseal, award and/or reject the sole proposal received for RFP No.: 2017-18-04 Firework Display on July 4, 2018 to be located at Mayor Pablo G. Pena City Park, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

VIII. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection

(a)(2) that:

(1) the defendant had good reason to believe the disclosure was lawful; or

(2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

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

- B. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project "D" as authorized by §551.087 of the Texas Government Code.
- C. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Saddle as authorized by §551.087 of the Texas Government Code.
- D. Pending Litigation - Consultation with City Attorney regarding *City of Weslaco v. Briones Consulting and Engineering* as authorized by §551.071 of the Texas Government Code.
- E. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 12th day of January, 2018 at 4:30 p.m. and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Elizabeth M. Walker, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary's Office at (956) 968-3181, Ext. 3100 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/Agendas.html>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials:



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2017-1441	
From:			
Subject: Certification of Public Notice.			
Background: Call to Order, includes the following: A. Certification of Public Notice. B. Invocation. C. Pledge of Allegiance. D. Mayoral recognition. E. Roll Call			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Elizabeth Walker Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: A. Mayor will Call to Order and certify Public Notice. B. Pastor Joey Aguilar, First Baptist Church, will lead the invocation. C. Mayor will lead Pledge of Allegiance; Mayor Pro-Tem may lead Texas Flag. D. Mayoral recognition. E. City Secretary will call roll. Four or more Commissioners present constitute a Quorum; otherwise, no action may be taken.			
Attachments, if any: Pledge and Mission			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

The Pledge of Allegiance to the Flag

"I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL."

The Pledge of Allegiance to the State Flag

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

**The pledge was amended by House Bill 1034 during the 80th Legislature with the addition of "one state under God." The revised wording became effective on June 15, 2007.*

Preamble to the Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

STATEMENT OF VISION: AN INTERNATIONAL CENTER OF GROWTH

Friendly people with vision, courage and integrity

STATEMENT OF MISSION: COMMITMENT TO EXCELLENCE IN PUBLIC SERVICE

- *Positive Attitude of Courtesy & Concern
- *Doing it Right the First Time
- *Sensitive to the citizens' needs
- *Friendly Respect for All
- *Service without Hassle



Standardized Agenda Request Form

Date of Meeting: January 16, 2018	Agenda Item No. (to be assigned by CSO): 2018-1461
From: Mardoqueo Hinojosa	
Subject: To solicit input to amend Ordinance 320, Codified as Chapter 150 - Zoning Ordinance, adopting new regulations and ordaining other matters with respect to the subject matter hereof.	
Background: Staff and Planning and Zoning Commission have reviewed and recommended several changes to Zoning Ordinance. Changes include: - Massage and Nail salon was added to the definition for Personal Services Establishment. - Townhouse means a single-family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot. - Townhouse condominium a single dwelling unit, meeting townhouse construction requirements, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, parking spaces, common areas, and the land upon which the building is constructed. - R-3 Rural District: The area must be located outside the boundaries of Mile 10 to the North, 18th Street to the South, Midway to the West and FM 1015 to the East. Bed and Breakfast Regulations: - The conditional use permit shall be renewable upon one-year terms: Yearly facility inspection must be conducted by Planning, Fire Marshal, Health and Building Departments prior to one year renewal. A police report for the location must be provided to the Commission as part of the renewal application Daycare center regulations Added: All outdoor decorations along walls, fences or lawns shall be prohibited Exterior walls of building and fencing must be painted in conformance with the surrounding color schemes of the existing neighborhood	
Funding Source (budget code, if applicable):	

Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Public Hearing Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission appeared in The Monitor on December 18, 2017.		
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning and Zoning recommended approval on 1/3/18.		
Mardoqueo Hinojosa Mardoqueo Hinojosa Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Approve solicitation of public comments.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any:		
Responsibilities upon Approval: Staff will enforce ordinance.		



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1462	
From: Mardoqueo Hinojosa			
Subject: To solicit input on behalf of Reuben Bar-Yadin, rezoning 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase I, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District.			
Background: The applicant is requesting to rezone property from R-1 One Family Dwelling to B-2 Secondary Highway Business District. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on December 22, 2017.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Public Hearing Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission appeared in The Monitor on December 18, 2017.			
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning and Zoning recommended approval on January 3, 2018			
Mardoqueo Hinojosa		Created/Initiated	
Mardoqueo Hinojosa		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve solicitation of public comments.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any:			
Responsibilities upon Approval: Staff will inform applicant.			



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2017-1446
From:		
Subject: Approval of the following: 1) Minutes of Regular Meeting on January 2, 2018; 2) Record of Workshop on January 9, 2018. (Staffed by City Secretary's Office.) Attachment		
Background: Record of commission action for the Regular Meeting on January 2 and Record of Workshop meeting on January 9, 2018.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Elizabeth Walker Elizabeth Walker Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Approved.		
Staff Recommendation: Approve.		
Attachments, if any: 18-01-02 minutes, 18-01-09 record workshop		
Responsibilities upon Approval:		



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 2, 2018**

On Tuesday, January 2, 2018, at 5:34 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 members present:

Mayor	David Suarez
Mayor Pro-Tem	Gerardo “Jerry” Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Jose “J.P.” Rodriguez
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
Deputy Secretary	Aida Vega
City Attorney	Juan E. Gonzalez

Also present: Veronica Ramirez, Human Resources Director; Rogelio Martinez, Information Technology Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Robert de la Cerda, Interim Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; Andrew Muñoz, Aviation Director and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, December 29, 2017.

B. Invocation.

Pastor Rene Vega, Laborers of Love and Hope Church, led the invocation.

C. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

None presented.

E. Roll Call.

Aida Vega Deputy Secretary, called the roll, noting perfect attendance and a quorum present.

II. PUBLIC COMMENTS

Miles Bullion, 2010 Forest Lane, voiced his concern with an incident involving loose dogs coming into his property and wanted the ordinance enforced to hold pet owners accountable.

III. CONSENT AGENDA

The following items are of a 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.

- B. Approval on second and final reading of the following:
 - 1) Ordinance 2017-55 authorizing a budget amendment for Airport in amount of \$41,815.00 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)
- C. Approval of the renewal of the lease agreement with the Weslaco Mid Valley Civic Theatre now known as the ITheatre effective January 1 - December 31, 2018 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)
- D. Approval of the renewal of a lease agreement with South Texas College for the use of Mayor Pablo G. Pena Park Tennis Courts and/or Fields for Kinesiology classes at the Mid Valley Campus from January 1 - December 31, 2018, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)
- E. Authorization to request an irrigation easement located on Heritage Square Subdivision from the Hidalgo and Cameron Counties Irrigation District No. 9 (HCCID9) and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement).
- F. Approval of application to the Family Place Libraries Grant and approval of execution of any associated documents throughout the term. (Staffed by the Library Department.)

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to approve consent agenda items A, B, C, D and F withholding item E. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the ordinance is as follows:

ORDINANCE 2017-55

AN ORDINANCE AMENDING ORDINANCE NUMBER 2017-37, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018, FINDING NEED TO AMEND THE 2017-2018 MUNICIPAL BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2017-2018 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT:

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2017-2018 Official Budget, adopted by Ordinance 2017-37, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of December 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 2nd day of January 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

E. Authorization to request an irrigation easement located on Heritage Square Subdivision from the Hidalgo and Cameron Counties Irrigation District No. 9 (HCCID9) and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement).

Commissioner Kerr abstained from vote and discussion.

Mardoqueo Hinojosa, City Engineer/Planning and Code Enforcement Director, stated with completed plans for Adams Street, the request for an easement would allow the use of an existing irrigation line for drainage purposes and provide relief to storm lines along Bridge Avenue. Staff recommends approval and there is no cost to the City.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve a request for an irrigation easement located on Heritage Square Subdivision from the Hidalgo and Cameron Counties Irrigation District No. 9 (HCCID9). The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2018-01 confirming one appointment by the Chief Executive to an expired term on the Weslaco Civil Service Commission as per Local Government Code §143.006 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve Resolution 2018-01 confirming the reappointment by the Chief Executive of Kevin Bloomquist to an expired term on the Weslaco Civil Service Commission as presented. The motion carried unanimously; Mayor Suarez was present and voting.

As this is the fourth consecutive term for Mr. Bloomquist, it is noted for the record the motion passed by supermajority as prescribed by the Local Government Code. For the record, the resolution is as follows:

RESOLUTION NO. 2018-01

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE WESLACO CIVIL SERVICE COMMISSION.

WHEREAS, the City of Weslaco has established the Weslaco Civil Service Commission pursuant to Chapter 143 of The Texas Local Government Code; and

WHEREAS, the terms of the members of this board are for 3 years; and

WHEREAS, the Civil Service Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT it consents to the appointment of Kevin Bloomquist on the Civil Service Board and the term will begin on February 7, 2018 and expires on February 7, 2021.

PASSED AND APPROVED on this 2nd day of January 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

V. NEW BUSINESS

A. Discussion and consideration to extend the service agreement with SmartCom Telephone, as the vendor for internet access within the Library's ERate Year 2018-2019 funding cycle, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Arnold Becho, Library Director, requested approval to extend the service agreement with SmartCom under the same terms and conditions. Staff is satisfied with the scope of services received and has not had any issues with vendor.

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to approve and extend the service agreement with SmartCom Telephone, as the vendor for internet access within the Library's ERate Year 2018-2019 funding cycle as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to reject bids received and authorize the request for bids for RFB 2017-18-03 Roadway Striping Project - 18th Street to US Business 83 and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa recommended to reject bids received and authorize solicitation of bids. The two bids received were higher than projected cost. Staff will downsize project scope and re-bid with alternate bids to get closer to budgeted cost. In response to Mayor Pro Tem Tafolla and Commissioner Muñoz, the lowest bid received was \$63,710 and projected budget was \$47,000.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to reject bids received and authorize the request for bids for RFB 2017-18-03 Roadway Striping Project - 18th Street to US Business 83 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to ratify the Letter of Agreement for Ambulance (EMS) Services with the City of Mercedes. Possible action. (Staffed by Fire Department.)

Mike Perez, City Manager, stated the City of Mercedes requested assistance for ambulance services because their provider for EMS services may no longer be available. The assistance would be until January 10, 2018. Upon conferring with Chief Lopez and assuring there would be no disruption to services provided to Weslaco residents, the fee to be charged would be \$5,000 per week and all billing would belong to Weslaco.

In response to Mayor Suarez, Chief Lopez stated an ambulance and two staffers would be utilized and housed in Mercedes. In response to Mayor Pro Tem Tafolla the \$5,000 fee would cover the cost of personnel and equipment, responding only to calls within city limits. The City Manager stated the agreement was effective December 22 would end January 10, 2018 with no extension. Any calls for service would be done under mutual aid agreement.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to ratify the Letter of Agreement for Ambulance (EMS) Services with the City of Mercedes as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to select Commission members to a committee to review applications and conduct initial interviews for Police Chief. Possible action. (Staffed by City Manager's Office.)

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla moved to discuss. The motion carried unanimously; Mayor Suarez was present and voting.

The City Manager recommended the Mayor and two (2) Commissioners as a committee to evaluate applications and determine a short list of candidates for interviews by the Commission.

Commissioner Muñoz, seconded by Commissioner Lopez moved to appoint Commissioners Kerr and Rodriguez.

Mayor Pro Tem Tafolla stated he wished to be on the committee and requested consideration. The City Manager indicated four members constituted a quorum that would require posting of meetings.

Commissioner Muñoz, seconded by Commissioner Kerr, amended the motion to include Mayor Pro Tem to the committee to review applications for interviews as presented. The motion carried unanimously; Mayor Suarez was present and voting.

The original motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez announced a change of order of the day to convene the regular meeting into executive session.

VII. EXECUTIVE SESSION

At 6:10 p.m. Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved the regular meeting to convene in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

At 6:36 p.m., Commissioner Kerr excused himself from Executive Session and departed the meeting. He did not participate in discussion of item VIII. D. or any that followed.

At 7:08 p.m. Mayor Suarez announced 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 City Manager for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

There was no action.

- B. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.

There was no action.

- C. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project "D" as authorized by §551.087 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve the sale of property as discussed in executive session. The motion carried; Mayor Suarez was present and voting.

- D. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Saddle as authorized by §551.087 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve the purchase of property as discussed in executive session. The motion carried; Mayor Suarez was present and voting.

VI. REPORTS

- A. Report by Weslaco Area Chamber of Commerce.

Doug Croft, Chamber CEO, reported for the months of November and December advertising efforts totaling \$19,231. The Chamber continues with digital advertising and will be participating in the Birding Festival in January.

- B. Report by Economic Development Corporation of Weslaco.

Marie McDermott, Executive Director, reported bids on the UTRGV CIC project were opened December 21 with six respondents and being reviewed by architect and staff; groundbreaking signing scheduled for January 10 for the UTRGV CIC project; Alfresco event for December had 80 vendors; summary leads 67 translating to 1,108 jobs and \$51 million worth of investments.

- C. Report by Inframark.

George Quilantan, Inframark, announced Severn Trent sold its North American company to Inframark as of December stating Inframark is a stand-alone US owned company setting new goals and expectations for its clients.

- D. Report by Parks and Recreation Department.

David Arce, Parks Director, reported as of December 6 work order requests now available online for citizens with forty-three work orders received for Parks and Maintenance division. Sixty head sprinkler improvements were completed at Mayor Pablo G Pena Park; playground equipment at La Placitas, Cavazos and Isaac Rodriguez parks as well as City Hall were soft washed. The City is adding bike racks at the EDC.

D. Report by Planning and Code Enforcement.

Mardoqueo Hinojosa, Planning Director and City Engineer, reported a survey of speed for north and south bound traffic between Pike – Second Street showed minimal vehicles operating over the speed limit of 30mph. The North Fire Station plat is being recorded; Adams Street plans are completed; S. Indiana inlet upgrades are finalizing design; Lift Station 37 and pump station on N. Border are in the designs stage; 10th Street drainage improvements are being finalized; bike lane project will be re-bid; Utah Ave railroad crossing improvements being scheduled and synchronization of traffic lights on Texas Blvd. completed by Texas Dept. of Transportation with Westgate Blvd synchronization report received on December 21.

E. Report by Public Works.

Pete Garcia, Public Works Director, reported on activity for street utility cuts, alley and storm drains maintenance. Additionally, 8,000 sandbags prepared in December; water breaks repaired, storm drains completed, and fire hydrants replacements continue.

IX. ADJOURNMENT

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to adjourn at 7:40 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth Walker

MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza



**RECORD OF JOINT WORKSHOP
OF THE WESLACO CITY COMMISSION AND THE
WESLACO INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES
TUESDAY, JANUARY 9, 2018**

On Tuesday, January 9, 2018, at 5:52 p.m. the City Commission of the City of Weslaco, Texas convened in a Joint Workshop with the Weslaco Independent School District Board of Trustees in their Board Room, located at 319 West Fourth Street, with the following members present:

Mayor	David Suarez
Mayor Pro-Tem	Gerardo “Jerry” Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Jose “J.P.” Rodriguez
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez
Board President	Erasmo Lopez
Trustee	Oscar Caballero
Trustee	Andrew Gonzalez
Trustee	Patrick Kennedy
Trustee	Isidoro Nieto
Trustee	Jaime Rodriguez
Superintendent	Priscilla Canales
District Counsel	Ivan Perez

Also present: Rogelio Martinez, Information Technology Director; Pete Garcia, Public Works Director; Olga Garza, Assistant Public Works Director; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; and other District staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, December 22, 2017

3. Roll Call.

The City Secretary noted perfect attendance and a quorum present.

II. NEW BUSINESS

A. Discuss possible collaborative initiatives, goals, and projects beneficial to Weslaco Independent School District students and community.

The Commissioners, School District Trustees, and their respective staffs reviewed the following topics:

1. Current Joint Projects, including Fire Hydrants, Electronic Billboard, and “Weslaco Reads, Weslaco Succeeds;”

Both the Superintendent and City Manager expressed mutual appreciation for ongoing collaboration with these projects at school sites.

2. B. Garza Detention Pond

Mr. Oscar Riojas, Athletic Director for the District, stated that the existing dimensions and ponding mean the open space at B. Garza cannot meet UIL regulations for the football and two soccer fields there prior to the creation of the detention pond. It is estimated \$225,000.00 to widen 23-feet each side to meet needs on campus; the City Manager stated that when the Texas Department of Transportation widens the ditches as part of the Westgate expansion project, the need for that detention pond may be alleviated and subsequently filled in. As it may be two years to let out that project, and should not be filled in until drainage is addressed elsewhere, the City may pay the \$20,000-30,000 improvement at B. Garza so the District may make it playable in the meantime. The City Manager stated this item could be placed on the February 6 City Commission agenda for action.

3. Parking lot projects, including Weslaco High School, Weslaco East High School west side, Louise Black (Early College High School), Airport, Memorial, 6th and Illinois property, and Lackey Stadium East Side Parking Lot

The District admitted there is need for parking lot improvements across campuses, which will improve safety and convenience for mutual constituents, and also the representation to visitors of the community. The Mayor indicated that if the District had a prioritized list of paving projects, engineered and compaction tested, the City is willing to put a couple of projects into its existing work list. The City will bill for actual cost of materials; Mr. David Arce recommended the District using the City’s pothole patcher in the meantime. The School Board President requested an interlocal be prepared by the attorneys and presented for City Commission consideration February 6.

4. Barbie Field Track Renovation

Mr. Riojas reported the track is heavily used by the community and is estimated \$400,000 to renovate. The Mayor suggested appealing to a Knapp Foundation grant; the City Manager stated the City could budget \$25,000/year for two years, the District could budget the same, and apply to a grant for the difference. Trustee Caballero suggested the track could be located elsewhere.

5. MOU for use of city’s baseball/softball fields

The District admitted no long-term plans to construct its own softball and baseball fields for their middle schools, instead continuing to rely on City fields. The School Board President suggested the staffs communicate with each other and report back by May a plan for continued shared use of the fields.

6. School Resource Officers

Mr. Michael De La Rosa requested six resource officers to work 180 days of the school year; the City Manager indicated the City is waiting for an interlocal agreement because it would be responsible to pay the difference of the other work days, approximately \$300,000 annual cost per entity. He suggested starting with officers in the high schools; the Mayor stated the new chief may examine this initiative. Trustee Gonzalez requested the District's Finance Director run the numbers and confer with the constable for similar services.

7. Traffic congestion at Elementary and Middle Schools

The City Manager suggested the District Facility Director and the City Engineer confer to develop a traffic plan for existing off-street parking areas and on-street access. The Board President further suggested that the District start internally with a re-examination of the whole drop-off and pick-up procedure on campuses. Mr. De La Rosa reported that TxDOT is conducting its own traffic study at Memorial, Central, and Weslaco East campuses.

8. Use or purchase of 12 strands of School District fiber

Mr. Carlos Martinez reported the District has three fiber rings across the community, with plans for a fourth ring on the northside. Of the three rings, the District presently is using 24 of 48 strands, 14 of 36 strands, and 18 of 48 strands, respectively, with no foreseen additional demand. Except Fire Station 2, Library, and Cavazos and Placita Parks, all City facilities are immediately accessible to an existing ring. The City Manager requested twelve strands throughout the system for the City's own use, as well as to establish wi-fi hot spots at the sports complexes and extend as economic development incentives; the City is amenable to negotiating the number of strands and the revenue share from any economic development projects that tie into the strands. The District received the proposal favorably and the Board President directed the District Finance Director and Legal Counsel to evaluate. It was noted that as a partner of the City, the District may be able to access right-of-way during the Westgate expansion to install the fourth fiber ring.

9. Joint City/School Parks

Mr. David Arce requested community access to playground and open space at Clecker Heald and Memorial campuses because of special needs equipment there; the City would cover the cost of liability insurance, any new gate or fencing, and the labor to close and lock the gate daily. The Board President requested the agreement for the same in McAllen to follow as a model; Trustee Gonzalez requested the City resurface the pavilions at those schools to reduce liability. The Mayor requested the District also consider a crosswalk from Airport Elementary to create additional off-site parking to support City Park.

10. Class C relating to students

The City Manager stated this was previously covered and will elaborate with the new Police Chief.

11. CTE Lit for Literacy Café

This project will locate a café within the City Library as a practicum for the District's culinary students. The City has already approved the memorandum of understanding; the District will consider it with a budget soon.

12. Weslaco High Pool

Mr. Riojas reported it is \$2.5 million to renovate as a community pool; the Board President indicated that the District must first spend money on an engineer to determine the structural integrity of the pool. Though the City Manager indicated the return on investment is not there, the Mayor indicated the City would make it a priority.

Commissioner Munoz requested these joint workshops be held quarterly to refine priorities and focus.

III. ADJOURNMENT

At 9:06 p.m., the workshop stood adjourned.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth Walker



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2017-1453	
From:			
Subject: Approval to purchase six (6) Self-Contained Breathing Apparatus (SCOTT 5.5) through Buy Board contract pricing in amount of \$58,344.00 as budgeted. (Staffed by Fire Department.)			
Background: Discussion and possible approval to allow Fire Department to purchase 6 Self Contained breathing apparatus (SCOTT 5.5) under approved 2017-2018 budget equipment line item. SCBA's will replace end of life air packs currently in use on first due Engine Company. Item is under Buy Board contract pricing. Total \$ 58,344.00.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Antonio Lopez		Created/Initiated	
Antonio Lopez		Approved	
Mary Barrera		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approved.			
Staff Recommendation:			
Attachments, if any: SCBA Buy Board Quote , SCBA info, SCBA info, SCBA info			
Responsibilities upon Approval:			



QUOTE

Number	119411-0
Quote Date	01/04/2018
Page	1

Corporate
 17350 State Hwy 249
 Suite 250
 Houston TX 77064-1142
 (713) 692-0911 Phone
 (713) 692-1591 Fax

Mansfield
 625 S Wisteria St Ste 121
 Mansfield TX 76063-2528
 (817) 467-0911 Phone
 (817) 375-1775 Fax

South Houston
 514 Michigan St
 South Houston TX 77587-3221
 (713) 475-2411 Phone
 (713) 475-2428 Fax

Bill to: WESLACO FIRE DEPARTMENT
 119 EAST 5TH STREET
 WESLACO, TX 78596

Ship to: WESLACO FIRE DEPARTMENT
 901 NORTH AIRPORT DRIVE
 WESLACO, TX 78596

Cust Code	Ordered By	Salesman	Job/Rel#	Customer PO
WES011	JAMIE HERNANDEZ	JESSE BREEDLOVE		
Entered By		FOB	Ship Via	Terms
JESSE BREEDLOVE		DESTINATION	BEST WAY	NET 20 DAYS
Customer/Order Instructions				

PRICING PER TEXAS BUY BOARD CONTRACT 524-17, FREIGHT

TERMS: DESTINATION

Quantity			U/M	Item #	Description	Price	Extension
Order	Ship	Back					
6	6	0	EA	5.5 X3 AIR PAK CGA	STANDARD HARNESS REGULATOR W/ HOSE DUAL EBSS. NO CASE X3315022200302 *	5530.00	33180.00
16	16	0	EA	SCT-200969-01	45 MINUTE, CARBON CYLINDER 5500 PSI	1092.00	17472.00
12	12	0	EA	SCT-201215-05	AV3000 HT, KEVLAR HEAD HARNESS MEDIUM FACESEAL, RIGHT COMM BRACKET	269.00	3228.00
12	12	0	EA	SCT-201275-01	EPIC3 VOICE AMPLIFIER	372.00	4464.00
1	1	0	EA	BUY BOARD CONTRACT		0.00	0.00

SubTotal 58,344.00

Total 58,344.00

QUOTE GOOD FOR 45 DAYS

FEATURES AND BENEFITS

AIR-PAK X3 SCBA

COMFORT			
FEATURE		BENEFIT	
Weight Management	Pressure reducer placed at waist	- Less stress on shoulders - Optimized center of gravity	
Ergonomic Design	Design focused on backplate contours	Reduced pressure points along back	
New Shoulder Strap Configuration	- Articulating shoulder strap assembly. - Sewn Drag Rescue Loop (DRL)	- Mirrors movement of wearer during reaching and other overhead exercises. - Resistant to shoulder pad rolling	
SAFETY			
FEATURE		BENEFIT	
Redundancy of Safety Features	- Pressure Reducer - Drag Rescue Loop (DRL) - Dual Piezos - Dual EBSS - Dual Voicemitters - Vibralert	Redundancy of safety features gives firefighters the confidence their equipment will not fail	
Streamlined Design	- Hose/Wire Management - Cylinder Latch - Cylinder Tri-slide - UAC/RIC Fitting	Minimizes chances of wires or other objects getting caught on the Air-Pak SCBA	
Console Design	Large Sweep Gauge	Easy reading of cylinder pressure remaining	
FIREFIGHTER STATUS INDICATORS			
FEATURE		BENEFIT	
Status Lights	"Buddy Lights"	Optimized positioning for improved visibility and recognition	
Non-Verbal Communication	"External" HUD	Unspoken team communication about other's air status	

Monroe Corporate Center • P. O. Box 569 • Monroe, NC 28110
 Telephone: 800.247.7257 • Facsimile: 704.291.8330
 www.ScottSafety.com • sh-sale@tycoint.com

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5.5 CYLINDER

LIGHTER. SMALLER. SAFER.



BREATHE EASY AND WORK SAFER IN THE TOUGHEST CONDITIONS.

Continuing our commitment to the fire service, our 5.5 cylinder keeps the form, durability and capacity customers are accustomed to, while offering a significant reduction in weight and reduced profile.

As another "industry first," Scott increased the pressure to 5500psi and reduced the size and weight of the cylinder. To put it simply, we built a lighter, smaller and safer cylinder that reduces fatigue, improves productivity and decreases injuries.

With the changes in the NFPA 1981, 2013 edition standard and the requirement for a 33% EOSTI, the 5.5 cylinder provides additional air capacity in a traditional form factor.

PRODUCT HIGHLIGHTS

- Up to 11% reduction in cylinder weight and 8% reduction in cylinder diameter
- 30-minute, 45-minute, 60-minute and 75-minute durations
- Reduces fatigue, increases productivity and decreases injuries
- Compatible with existing truck seats and brackets
- 45-minute duration maintains similar profile as 30-minute, 4500 psi cylinder

5.5 CYLINDER

LIGHTER. SMALLER. SAFER.

**REDUCE WEIGHT BY AS MUCH AS 1.41 POUNDS
DEPENDING ON THE TIME DURATION OF THE
CYLINDER.**

	4.5 Cylinder*	5.5 Cylinder*	Weight Reduction*	% Decrease
30-Minute	7.72	6.69	0.83	11%
45-Minute	9.68	8.73	0.95	9%
60-Minute	12.32	10.91	1.41	11%
75-Minute	----	13.28	----	----

*weight in pounds for empty AP75 cylinders

CARBON CYLINDER SPECIFICATIONS

- Composite cylinder consisting of an aluminum alloy inner shell, with a total overwrap of carbon fiber, fiberglass and epoxy resin
- Design to DOT and TC specifications
- Rated for 30', 45', 60' and 75' durations based on NIOSH breathing rates
- Hydrostatic testing performed every five years
- 15-year life expectancy

COMPATIBILITY

The 5.5 cylinder is approved with Air-Pak X3 and Air-Pak 75 SCBA.

SEAMLESS INTEGRATION

Scott Safety has worked with leading manufacturers to ensure the 5.5 cylinder works with existing truck seats and brackets currently deployed in market. This eliminates the need for increased infrastructure and training costs.

PERFECT FIT

The new profile shifts the center of gravity, which increases the comfort of the Air-Pak SCBA system. In some cases, the overall length of the cylinder was reduced to help avoid interference with helmets.

CHARGING

The RevolveAir charge station has been tested and approved for higher-pressure cylinders. Standard 6000psi compressors may also be used.



30' CYLINDER

The 30' cylinder is a small package and offers an 11% reduction in weight when compared to an equivalent 4.5 unit.



45' CYLINDER

The 45' cylinder provides an additional 600 liters of air in approximately the same size package as a 30' cylinder.



60' CYLINDER

The 60' cylinder is ideal for departments with high-rise buildings.



75' CYLINDER

The 75' cylinder is an industry first. Almost identical in size to the 60' 4.5 unit, this is ideal for RIT and HAZMAT teams.

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NFPA 2013 EDITION SCOTT PRODUCTS

SCOTT AIR-PAK AND ACCESSORIES



NFPA 1981 AND 1982, 2013 EDITION

When the call comes in, there is one SCBA trusted more than any other by firefighters and emergency responders throughout the world. The Scott Safety Air-Pak is the most trusted, durable and easy-to-use SCBA in the fire service because only Scott Safety uses redundant safety features, has a low cost of ownership and is firefighter-designed and -tested. Plus, the Scott Safety Air-Pak SCBA is the only SCBA to meet the stringent requirements to be labeled “Made in the USA.” It is no surprise that for over 80 years, hundreds of thousands of firefighters have relied on the Scott Air-Pak every day.

Building on this tradition, Scott proudly offers a new platform of products which meet the requirements established in the 2013 Edition of NFPA 1981 and 1982 Standards.

2013 EDITION NFPA 1981/1982 STANDARDS HIGHLIGHTS

- Increased facepiece lens durability requirements through two additional tests to measure facepiece performance against high temperature, flame and radiant heat
- New voice intelligibility requirements to eliminate the subjectivity of the testing and enhance overall intelligibility using new test protocols:
 - Speech Transmissibility Index (STI) for improved repeatability and reproducibility in the test results
 - Mechanical communication performance test protocol
 - Amplified communication performance test protocol
- End-of-Service Time Indicator (EOSTI), or low air alarm, has moved from 25% to 33% of the cylinder's operating pressure
- All PASS devices have a universal sound regardless of the manufacturer
- NFPA committee worked with NIOSH to establish minimum performance and approval requirements for Emergency Breathing Support Systems, which were previously not approved for use



AV-3000 HT FACEPIECE

Driven to meet the rigorous requirements of the 2013 Edition NFPA 1981/1982 Standards, Scott Safety designed the AV-3000 HT facepiece, a platform enhancement to the Scott Safety Air-Pak, the highly durable, comfortable and most trusted SCBA in the industry. The facepiece is based on the industry-leading AV-3000 facepiece with SureSeal platform, and incorporates next-generation material technology to enhance user experience and meet the stringent NFPA 2013 Edition Standards.

● BUILDING ON TRUST

The Scott Safety fire service-proven SureSeal technology is a reverse reflex sealing surface designed for enhanced fit and comfort. The U-shape of the reverse reflex seal maintains a continuous circumferential seal around the user's face, allowing the AV-3000 HT to flex with every move.

● THERMAL DURABILITY

The AV-3000 HT meets the facepiece requirements set forth in the 2013 Edition of the NFPA 1981 Standard for high heat and flame and radiant heat by utilizing new lens and bezel materials. These new materials provide enhanced thermal durability and enhanced wearer safety by ensuring the facepiece stays under positive pressure when exposed to the heat and flame loads measured under NFPA 2013.

● MAXIMUM VOICE INTELLIGIBILITY

In response to the voice intelligibility tests—one for mechanical communication and one for electronic, or amplified, communications—included in the 2013 Edition Standards, the AV-3000 HT:

- Exceeds the mechanical measurement requirement with the redesigned location of the ducts, nosecup and voicemitter
- Uses two voicemitters to provide a sphere of intelligibility to those around the respirator wearer, not just the individuals directly in front of the wearer
- Enables right- or left-side mounting for Scott Safety EPIC 3 voice amplifiers, with a robust communications bracket attachment

● COMPATIBILITY

Providing an upgrade path for current Air-Pak SCBA users, AV-3000 HT facepiece is approved on all 2002 and 2007 Edition Scott Safety Air-Pak Fifty, AP75, NxG2 and NxG7 respirators. Current 2002 and 2007 users can utilize the AV-3000 HT with either the EPIC or EPIC 3 voice amplification products, or with mechanical communications only.

● ADDITIONAL BENEFITS

- High-visibility inhalation valves for easy inspection and added safety
- Designed for Top-Down Convertibility, the AV-3000 HT will allow for a single facepiece to be used for all NFPA/CBRN/NIOSH respiratory applications, reducing fit testing, training and inventory for lower total cost of ownership (approvals pending).



ONE SOLUTION FOR ANY ENVIRONMENT

Top-Down Convertibility allows you to utilize a single facepiece, with a single fit test, for all respiratory applications. The AV-3000 HT facepiece is designed to be fully interchangeable with Scott's line of SCBA, Supplied Air Respirators and Air-Purifying Respirators, as well as Scott communications products from the highest level of protection to the lowest level of protection. The key is the advanced design of AV-series facepieces, which allow for effortless conversion without the use of tools. This total solution approach reduces fit testing, training and inventory for lower total cost of ownership.

Redesigned Ducts

*Open Bracket with
robust attachment*



*High-temperature
Polycarbonate Lens
and High-temperature
Nylon Bezel*

*High-visibility
Inhalation Valves*

*Right- or Left-side
Communications Mount*

AIR-PAK 75, 2013 EDITION

The Air-Pak 75 has been the leading SCBA used by first responders and municipal and industrial firefighters since its introduction in 2007. The Scott Air-Pak has been trusted by more firefighters than all brands of SCBA combined. The key reasons for its success are:

- **Redundancy of Safety Features** – giving firefighters confidence in their life-saving equipment and allowing them to focus on the critical job at hand.
- **Ease of Use** – provides firefighters a simple-to-use and easy-to-understand SCBA that requires minimal training, increases operational efficiencies and reduces training costs.
- **Low Cost of Ownership** – lower costs after initial sale through its rugged design, assembly and warranty policy enables the department to direct valuable funding to training and other PPE rather than on maintenance costs.

In order to meet the 2013 Edition of the NFPA 1981 and 1982 Standards, the following changes were implemented:

1. Unit must be used with new AV-3000 HT facepiece
2. A new PASS device equipped with the universal PASS sound (required by NFPA 1982, 2013 Edition)
3. The new 33% End-of-Service Time Indicator (EoSTI) along with a gauge and Heads-Up Display (HUD) that reflects the EoSTI changes



AIR-PAK X3

The new Air-Pak X3 SCBA platform carries forward many of the features and designs of previous Air-Pak models, including the redundant safety features, ease of use and durability Scott Air-Pak users have grown to trust. The Air-Pak X3 was designed with additional emphasis on enhancements to comfort, hose and wire management, weight distribution, fire ground communications and serviceability.



Every Scott Air-Pak is made in the U.S.A.

What does it mean to be Made in the U.S.A.? According to the Federal Trade Commission (FTC), Made in the U.S.A. means that “all or virtually all” of the product has been made in the United States. That is, all significant parts, processing and labor that go into the product must be of U.S. origin. Products should not contain any—or only negligible—foreign content. In compliance with this official definition, Scott Safety is proud to declare that the Scott Air-Pak 75 and Air-Pak X3 are Made in the U.S.A.



New Console with Large Sweep Gauge and “External” HUD



SCOTT
SAFETY



EPIC 3 RI VOICE COMMUNICATION SYSTEM

Voice Clarity and Field Radio Interoperability with Bluetooth® Technology

Communicate clearly and effectively on the fireground and easily switch from non-tactical to tactical communications with the EPIC 3 Radio Interface (RI) Voice Communication System. We developed the EPIC 3 RI system to address the changing communication needs of firefighters and emergency personnel. The lack of clear fire scene voice communications is a leading concern for fireground situational awareness and safety. Working closely with first responders around the world, Scott Safety developed the EPIC 3 RI Voice Communication System — voice amplifiers, lapel speaker microphones, specialized accessories, and programming utilities — to meet the demanding needs and conditions while complimenting the performance and safety benefits of Scott Safety SCBA and personal protective equipment (PPE).

BEST-IN-CLASS FEATURES AND BENEFITS

- Enhances SCBA facepiece voice communication intelligibility and loudness
- Advances safety through easy-to-use wireless communication interoperability with mobile field radios
- Provides easy transition from non-tactical to tactical communication modes
- Ensures operational compatibility with both legacy and new Scott SCBA and PPE
- Consolidates device functionality to reduce technology costs
- Improves user communications from the incident scene to remote locations

Future-Proof Your Equipment

Upgrade capabilities and system compatibility with new and existing equipment make the EPIC 3 RI Voice Communication System virtually future-proof so you can maximize your investment. The EPIC 3 RI System delivers multi-purpose communications utility and system compatibility with new and existing equipment.

Specialized communication accessories can also be used with the Lapel Speaker Mic, allowing you to further customize the EPIC 3 RI system to meet your specific requirements.

Supports connectivity and use with EPIC 3 communication accessories such as remote PTT Paddle, remote ring PTT switch, command headset, throat microphone and earpiece, and other future accessories.

AV-3000 HT Facepiece with EPIC 3 RI Voice Amplifier



EPIC 3 RI Bluetooth Lapel Speaker Microphone



PATENTED CYLINDER TECHNOLOGY



Responding to the need for smaller, lighter SCBA, Scott Safety created the 5.5 Air-Pak SCBA. By increasing the pressure in the cylinder to 5500 psig, Scott Safety was able to maintain the traditional form, durability and capacity of the standard cylinder while offering a significant reduction in weight and profile. The 5.5 cylinders are available in 30-minute, 45-minute, 60-minute and 75-minute durations and compatible with the Air-Pak 75 and Air-Pak X3 SCBA. To facilitate integration into the fire service, Scott Safety worked with leading manufacturers to ensure the cylinders work with existing seats and brackets already in the market.

ACCOUNTABILITY



PAK-ALERT PASS DEVICE

Compliant to NFPA 1982, 2013 edition, the Scott Safety Pak-Alert integrated PASS device monitors and alerts for man-down situations, utilizing the new universal sound required by NFPA 1982, 2013 edition.. All Pak-Alert PASS devices that are compliant with 2007 or 2013 Editions of NFPA 1982 may be upgraded to enable Pak-Tracker locator functionality.



PAK-TRACKER FIREFIGHTER LOCATOR SYSTEMS

To complement the Pak-Alert, Scott Safety offers the Pak-Tracker firefighter locator system. The Pak-Tracker enabled SCBA will notify remote users of a man-down situation via the HHR (hand-held receiver). The HHR is also a directional receiver that assists with directing rescue teams to the down personnel.



SEMS II & BLUETOOTH® ENHANCED TELEMETRY

SEMS II includes all of the Pak-Alert PASS and Pak-Tracker locator features but also provides a robust and reliable radio-frequency network to provide PASS and air level status to incident command, and sends evacuation requests to interior teams, reducing radio traffic during emergency conditions. SEMS II utilizes a patented self-healing mesh network, whereby each operating SEMS II enabled Air-Pak SCBA acts as a repeater to help extend the range of the network.

Scott Safety Bluetooth® Enhanced Telemetry is a feature available on the Scott Safety Air-Pak X3 SCBA that can be used in conjunction with specific Motorola® APX radios to communicate PASS and air status information to incident command in scenarios where SEMS II radio connectivity may be limited due to building construction or other environmental conditions.

SEMS II and Bluetooth Enhanced Telemetry are designed to integrate seamlessly with the Scott Safety Imperium ICS for Windows solution to provide critical telemetry information to incident command.

SELF-RESCUE



EZ-SCAPE PRO™

Based on feedback from firefighters, Scott Safety developed the EZ-Scape Pro™ Integrated Self-Rescue Belt to improve performance and provide greater versatility on the fireground. The belt is lighter, quicker to deploy, and is equipped with an NFPA 1983 attachment point. Offered in a one-size-fits-most configuration, the belt integrates seamlessly with the Scott Air-Pak X3 SCBA and provides a double-pull adjustment in a stronger, more versatile, and more comfortable configuration than the existing OEM waist belt.

New features include a quick release buckle, one of the strongest load-bearing buckles available, the Lightning GT hook for reduced weight, and a belt-only option for maximum flexibility. A multi-use strap may be used for a variety of different applications, including as a ladder belt, positioning point, escape anchor, one-leg harness, and for RIT operation.



NFPA 2013 UPGRADE KITS

Upgrade legacy model Air-Pak SCBA to the most current edition of the NFPA 1981 and 1982 standards with the new Air-Pak SCBA NFPA 2013 Compliant Upgrade Kit. The kit provides a lower cost alternative to purchasing new SCBA, allowing fire departments to maximize the service life of existing equipment (i.e. cylinders) without the burden of a full fleet replacement. A **new 10-year warranty** provides peace of mind, knowing that out-of-pocket maintenance costs are kept to a minimum.



Customers can also choose to take advantage of innovative technology enhancements, including the Pak-Tracker™ Firefighter Locator System or SEMS II Air Management System with Imperium Incident Command Suite. Upgrading the operating pressure of the Air-Pak SCBA to 5500 psig is also an option, allowing customers to realize the maximum benefits from this Scott Safety “industry first.”

Upgrade kits are offered for both the NFPA 1981, 2002 edition and NFPA 1981, 2007 edition Air-Pak SCBA.

ORDERING INFORMATION

SCBA CONFIGURATOR

SCBA Model	Harness	Pressure (psig)	SCBA Belt Type (select one number from both columns between the double lines)		Escape Rope / Anchorage Connector / Descender	Regulator	EBSS	Wireframe & Air-Pak 75 SCBA	Applicable options for all Air-Pak SCBA models		
			Belt Type ²						Airline Options ³	Console	Case ⁴
1 Wireframe ¹	1 Standard	2 2216	0 Standard		2 None (No FFSR)	1 Standard Hose	0 None	0 None	1 Gauge & HUD Only	0 None	1 1 SCBA per box
2 Air-Pak 75	2 Spring clips	4 4500	A EZ-Scape I Rescue Belt		A 50' webbing / Crosby hook / Fire AL2 descender	2 Quick Connect Hose	2 Dual	1 Hansen	2 PASS	1 Hard Plastic	2 2 SCBA per box
3 Air-Pak X3 with CGA		5 5500	B 75' webbing / Crosby hook / Fire AL2 descender		B 75' webbing / Crosby hook / Fire AL2 descender			2 Schrader	3 Pak-Tracker Locator	2 Soft Canvas	
4 Air-Pak X3 with Snap-Change			B EZ-Scape II, small		E 50' T-Safe rope / Crosby hook / F4 descender			3 Hansen HK	4 SEMS II System		
5 Wireframe less pads ⁵			C EZ-Scape II, medium		L 50' T-Safe rope/Lightning GT hook/F4 descender			4 Foster	7 SEMS II/Bluetooth		
			D EZ-Scape II, large								
			P EZ-Scape Pro, Jettison								
			N EZ-Scape Pro, Fixed								
			S EZ-Scape Pro, Fixed (AP75)								

X3	X	X	X	X	X	X	X	X	0	X	X	X
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- ¹ Wireframe requires the use of the spring clip harness
- ² EZ-Scape I/II available on AP75 and Wireframe SCBA only; EZ-Scape Pro available on AP75 or X3 SCBA as either a belt-only configuration or full escape system
- ³ Lightning GT hook option only available on EZ-Scape Pro
- ⁴ Airline option not available on Air-Pak X3 SCBA or when dual EBSS is installed on Air-Pak 75 and Wireframe SCBA
- ⁵ SEMS II / Bluetooth available only with Air-Pak X3 SCBA
- ⁶ When ordering a case (soft or hard plastic) with any Air-Pak SCBA, you must choose one per box

NFPA 2013 UPGRADE KITS CONFIGURATOR

From the columns below, please choose the configuration of your current Air-Pak SCBA when configuring your upgrade kit			From the columns below, please choose the configuration to which you wish to upgrade your Air-Pak SCBA when configuring your upgrade kit						
Current Certification Price includes a new regulator	List Price	*SCBA Style	Pressure Rating	Regulator Hose	Regulator	Console / Gauge Price includes the HUD for all configurations	Console		
1 NFPA 1981 - 2002		1 Wireframe SCBA	2 2216	1 Standard Hose	1 Standard Hose	1 Gauge & HUD Only	0 None		
2 NFPA 1981 - 2002 (CBRN)		2 Air-Pak 50 SCBA	3 4500	2 Quick Disconnect Hose	2 Quick Connect Hose	2 PASS	1 Wireframe SCBA		
3 NFPA 1981 - 2007 (CBRN)		3 Air-Pak 75 SCBA - w/o Adjustable Seats	4 5500			3 PASS w/Pak-Tracker	2 Air-Pak 50 / Air-Pak 75 SCBA		
		4 Air-Pak 75 SCBA - w/ Adjustable Seats				4 PASS w/SEMS II	3 Air-Pak NxG2 / Air-Pak NxG7 SCBA		
		5 Air-Pak NxG2 SCBA					4 Air-Pak NxG2 SCBA - Reducer P/N 200060 or 200061		
		6 Air-Pak NxG7 SCBA - w/o Adjustable Seats							
		7 Air-Pak NxG7 SCBA - w/ Adjustable Seats							

13UG	X	X	X	X	X	X
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- ¹ For those customers currently using Air-Pak 75 SCBA with the adjustable seat pressure reducer (part number 200925-01, 200925-02, or 200925-03), please select option 4.
- ² For those customers currently using Air-Pak NxG7 SCBA with the adjustable seat pressure reducer (part number 200926-01, 200926-02, or 200926-03), please select option 7.

AV-3000 HT ORDERING INFORMATION	
PART NUMBER	DESCRIPTION
201215-01	AV-3000 HT, small, Kevlar
201215-02	AV-3000 HT, medium, Kevlar
201215-03	AV-3000 HT, large, Kevlar
201215-04	AV-3000 HT, small, Kevlar with right bracket
201215-05	AV-3000 HT, medium, Kevlar with right bracket
201215-06	AV-3000 HT, large, Kevlar with right bracket
201215-07	AV-3000 HT, small, Kevlar with left bracket
201215-08	AV-3000 HT, medium, Kevlar with left bracket
201215-09	AV-3000 HT, large, Kevlar with left bracket

Open bracket designed to connect the EPIC 3 Communication System to the AV-3000 HT facepiece to meet NFPA 1981: 2013 Edition requirements

Part Number	Description
EPIC 3 Voice Amplifier	
201275-01	EPIC 3 Voice Amplifier, Open Bracket Configuration
201275-02	EPIC 3 Voice Amplifier, Closed Bracket Configuration
EPIC 3 Radio Interface Voice Amplifier	
201276-01	EPIC 3 Radio Interface Voice Amplifier, Open Bracket Configuration
201276-02	EPIC 3 Radio Interface Voice Amplifier, Closed Bracket Configuration
EPIC 3 Lapel Speaker Microphone	
201224-02	EPIC 3 Lapel Speaker Microphone, for use with Motorola HT1000, XTS series radios
201224-04	EPIC 3 Lapel Speaker Microphone, for use with Motorola HT750/1250/1550 series radios
201224-06	EPIC 3 Lapel Speaker Microphone, for use with Motorola Mototrbo XPR Series, APX series radios
201224-07	EPIC 3 Lapel Speaker Microphone, for use with Kenwood TK280/290/380/390 series radios
201224-22	EPIC 3 Lapel Speaker Microphone, for use with Harris P5400/7300, Unity Series, XG series radios
EPIC 3 Bluetooth® Lapel Speaker Microphone	
201277-02	EPIC 3 Bluetooth® Lapel Speaker Microphone, for use with Motorola HT1000, XTS series radios
201277-04	EPIC 3 Bluetooth® Lapel Speaker Microphone, for use with Motorola HT750/1250/1550 series radios
201277-06	EPIC 3 Bluetooth® Lapel Speaker Microphone, for use with Motorola Mototrbo XPR Series, APX series radios
201277-07	EPIC 3 Bluetooth® Lapel Speaker Microphone, for use with Kenwood TK280/290/380/390 series radios
201277-11	EPIC 3 Bluetooth® Lapel Speaker Microphone, for use with Motorola Radius GP300 series radios
201277-22	EPIC 3 Bluetooth® Lapel Speaker Microphone, for use with Harris P5400/7300, Unity Series, XG series radios
EPIC 3 Voice Communication System Accessories	
201226-01	EPIC 3 Ring PTT
201227-01	EPIC 3 Paddle PTT
201228-01	EPIC 3 Throat Mic
201229-01	EPIC 3 Command Communication Headset
201243-01	EPIC 3 Bluetooth® Programmer Interface Module with USB cable



The Scott Story. Since 1932, Scott Safety has been committed to providing outstanding, reliable safety equipment to those whose lives depend on it. Thousands of safety workers, firefighters, police, civil defense and military personnel have counted on Scott for innovative product design, best exemplified by our industry-leading Air-Pak SCBA. We've built a solid reputation on our attention to detail, rigorous quality assurance and exceptional service.

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Standardized Agenda Request Form

Date of Meeting: January 16, 2018	Agenda Item No. (to be assigned by CSO): 2018-1467	
From: Robert Lopez		
Subject: Acceptance of grant award number 3494001 from the Office of the Governor Criminal Justice Division in an amount of \$37,500.00 for Rifle-Resistant vests for Police Officers and two Fire Marshals and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)		
Background: Resolution 2017-58 passed and approved on August 15, 2017 authorized the Weslaco Police Department to apply and receive funding, if awarded, for rifle-resistant vests. Award notification was received January 9, 2018 with acceptance deadline of January 23.		
Funding Source (budget code, if applicable): Texas Office of the Governor - Criminal Justice Division (CJD)		
Amount: \$37,500.00	Term of Impact: 12 months	Identified in Current Budget: No
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission: Resolution 2017-58 passed and approved on August 15, 2017 authorized the Weslaco Police Department to apply and receive funding, if awarded, for rifle-resistant vests. Award notification was received January 9, 2018 with acceptance deadline of January 23.		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Elizabeth Walker Ted Walensky Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approved.		
Staff Recommendation: Approve.		
Attachments, if any: Statement of Award, Award Letter, RFA Announcement		
Responsibilities upon Approval:		

Weslaco PD Research and Standards Captain Robert Lopez will over see and comply with grant terms, conditions, provisions and obligations set forth by grant.

Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter I of the Texas Administrative Code, and the Uniform Grant Management Standards (UGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	3494001	Award Amount:	\$37,500.00
Date Awarded:	PREVIEW - AWARD NOT ACTIVE	Grantee Cash Match:	\$0.00
Grant Period:	01/01/2018 - 12/31/2018	Grantee In Kind Match:	\$0.00
Liquidation Date:	03/31/2019	Total Project Cost:	\$37,500.00
Program Fund:	BG-Rifle-Resistant Body Armor Grant Program (BAGP)		
Grantee Name:	Weslaco, City of		
Project Title:	Rifle-Resistant Body Armor Grant Program Weslaco PD		
Grant Manager:	Jeana Bores		
DUNS Number:	036562767		

CFDA:	N/A
Federal Awarding Agency:	N/A - State Funds
Federal Award Date:	N/A - State Funds
Federal/State Award ID Number:	2018-BG-ST-0025
Total Federal Award/State Funds Appropriated:	\$25,000,000.00
Pass Thru Entity Name:	Texas Office of the Governor – Criminal Justice Division (CJD)
Is the Award R&D:	No
Federal/State Award Description:	N/A - State Funds

List of Application Errors and Incomplete Information

Item(s) that Need to be Resolved

Tab Name

List of Post-Award Conditions of Funding and Other Fund-Specific Requirements

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Project Funds	Hold Line Item Funds
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GOVERNOR GREG ABBOTT

Dear Grantee:

Congratulations on your award! To activate your agency's grant, the Authorized Official must log on to eGrants at <https://eGrants.gov.texas.gov> and go to the 'My Home' tab. In the 'Pending Applications' section, locate the application with a 'Current Status' of "Pending AO Acceptance of Award". Click on the grant number and proceed to the 'Accept Award' tab. From this tab, click on the 'Accept' button. Grants must be accepted within 45 calendar days of the date the award was issued.

Be sure to review the Grantee Responsibilities Memo for a quick overview of general items every grantee should be aware of. You can also find more detailed information on the eGrants website including helpful resources, links, and tools needed to properly administer CJD grants. The Guide to Grants, also on the website, contains answers to questions frequently asked by grantees. The Public Policy Research Institute (PPRI) at Texas A&M University will send a detailed information packet to the Project Director containing progress reporting forms and instructions on completing and submitting those forms.

If you have any questions regarding this award, feel free to contact your grant manager, whose name is referenced in the Statement of Grant Award or you may always contact our office via the eGrants Help Desk at eGrants@gov.texas.gov.

We look forward to working with you to ensure the success of your program.

A handwritten signature in black ink, appearing to read "Reilly Webb".

Reilly Webb
Acting Executive Director
Criminal Justice Division



Office of the Governor

Criminal Justice Division

Funding Announcement (Amended):

***Rifle-Resistant Body Armor Grant
Program***

July 12, 2017

Opportunity Snapshot

Below is a high-level overview of many of the elements of this opportunity. Full information is provided in the funding announcement that follows.

Amendment

The original funding announcement was amended to remove restrictions on eligibility for state colleges and universities and with more explicit instructions regarding the submission of budgets.

Purpose

The purpose of this announcement is to solicit applications for projects that equip law enforcement officers at risk of shootings with rifle-resistant body armor.

Eligible Funding Areas

Funds may be used by law enforcement agencies to equip law enforcement officers with bullet-resistant personal body armor compliant with the National Institute of Justice (NIJ) standard for rifle protection.

Funds Available

It is anticipated that up to \$25 million may be funded under this announcement.

Process

Applicants will respond to this funding announcement by completing an application in eGrants <https://eGrants.gov.texas.gov>.

Budget

There is no minimum or maximum request under this program, however, applicants should consider the overall availability of funds and CJD's goal to provide resources to as many departments as possible. Funds may only be used to obtain body armor, including bulletproof vests, ballistic plates, and plate carriers.

Match

There is no match requirement under this program.

Project Periods

All projects must begin between Jan. 1 and Mar. 1, 2018. A project period may not exceed 12 months.

Organizational Eligibility

Applications may be submitted by the Texas Department of Public Safety, and units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure, including municipalities, counties, independent school districts, universities, public and private colleges and universities, federally recognized Native American tribes, community colleges and hospital districts. *With the exception of the Texas Department of Public Safety, applications must be submitted by the entity operating the law enforcement agency, not the agency itself, e.g. the county government, not the sheriff's office.*

Contact Information

If additional information is needed, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

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Rifle-Resistant Body Armor Grant Program

The goal of the Governor's Criminal Justice Division (CJD) is to provide needed funding to improve public safety and support victims of crime by filling system gaps and promoting innovative solutions to common problems. In 2017, in response to the July 7th, 2016, shooting of numerous police officers in Dallas, Texas, the Legislature passed and the Governor signed Senate Bill 12, which created a grant program within the governor's office to increase the safety of Texas' law enforcement officers by assisting agencies in the purchase of rifle-resistant body armor. CJD is now accepting applications for projects under this program.

If you are interested in applying for a grant under this program, follow the four-step process outlined below.

- **Step One - Review the Process:** Get familiar with the funding announcement and the process used for this particular program.
- **Step Two - Consider the Requirements:** Consider the eligibility requirements as well as what will be required of successful applicants.
- **Step Three - Apply in eGrants.** Compile and submit your grant application. To understand how to apply online or to register for the system go to <https://eGrants@gov.texas.gov>.
- **Step Four – Funding Decisions and Grant Acceptance.** Await the funding decision, which is provided through a grant award or other notice from CJD. If you receive an award, complete the acceptance process to access funds.

Step 1: Review the Process

Timeline

Action	Date
Funding Announcement Release	July 7, 2017
Online System Opening Date	July 7, 2017
Final Date to Submit an Application	September 6, 2017 5PM CST
Earliest Start Date	January 1, 2018
Latest Start Date	March 1, 2018

Submission Method

Applicants must submit applications through via eGrants ([eGrants.gov.texas.gov](https://eGrants@gov.texas.gov)) by the deadline above.

Step 2: Consider the Requirements

Organizational Eligibility

Applications may be submitted by the Texas Department of Public Safety, and units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure, including municipalities, counties, independent school districts, universities, public and private colleges and universities, federally recognized Native American tribes, community colleges and hospital districts. (This announcement has been revised to remove restrictions on state public universities.)

State agencies other than the Texas Department of Public Safety are not authorized under law to apply for funds under this grant program.

With the exception of the Texas Department of Public Safety, applications must be submitted by the entity operating the law enforcement agency, not the agency itself, e.g. the county government, not the sheriff's office.

Funding and Project Period Limits

It is anticipated that up to \$25 million may be funded under this announcement. This amount represents the full level of funding available. (Funds are authorized under Senate Bill 12 and appropriated by the 85th Legislature.) The number and amount of awards will depend upon the reasonableness of costs of individual, eligible applications, and the total volume of applications received.

A project funded may not exceed a one-year grant period.

Match Requirement

There is no match requirement under this program.

Eligible Expenses

Eligible equipment. Grant funds are restricted to obtaining body armor compliant with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers.

Eligible purchase models. Funds may be used for the outright purchase of eligible equipment, or other supply-service or subscription models. However, grant funds are restricted to the one-year project period, and costs for any subscription models or additional extended warranties that extend beyond the project period must be prorated to correspond to the project period.

Eligible officers to equip. Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant. Funds may not be used to equip officers employed by other agencies that are not eligible to apply. CJD may prioritize the equipping of certain types of officers or applicants if the total requested

funds exceed the funds appropriated by the Legislature. (See “Selection and Fund Allocation Criteria” below under Step 4.) Only one set of body armor (partial or complete) per officer may be purchased.

Equipment purchasing. The Texas Comptroller of Public Accounts’ Statewide Procurement Division (SPD) has developed a list of Bullet Proof Vest and Body Armor that local government members may order on [Texas SmartBuy](http://www.txsmartbuy.com/) (<http://www.txsmartbuy.com/>). Grantees may find more information about available products and get assistance with purchasing equipment on the [SB12 Body Armor web page](http://comptroller.texas.gov/purchasing/contracts/body-armor.php) (<http://comptroller.texas.gov/purchasing/contracts/body-armor.php>), or contact SPD for help in evaluating vendor offers against the pricing on statewide contracts.

Because CJD is attempting to equip the maximum number of law enforcement officers in Texas, if the total funding requested by applicants exceeds available funding, applicants with more reasonable and competitive project budgets may receive priority. Not all body armor listed at the Comptroller’s website complies with the requirements of this grant program.

Ineligible Costs and Activities

Costs under this grant program are strictly limited to the procurement of eligible body armor. Grant funds may not be used to support services, activities, and costs including but not limited to:

- 1) Salaries or personnel costs, including any portion of the salary of, or any other compensation for an elected or appointed government official;
- 2) Supplanting or use of grant funds to replace any other existing federal, state or local funds;
- 3) Indirect costs;
- 4) Training and/or maintenance costs;
- 5) Travel;
- 6) Any costs ancillary to the purchase of eligible body armor, such as policy development, training costs, staff, or any other item determined ineligible or unreasonable by CJD;
- 7) Any other prohibition imposed by federal, state, or local law.

Reporting Requirements

Financial Report. At the end of each state fiscal quarter during the one-year grant period, grantees will be required to submit a financial status report via eGrants in the format required by CJD.

Progress Report. Grantees will be required to submit a single close-out report via the Public Policy Research Institute at Texas A&M University (<https://ppri.tamu.edu/>) 12 months after their project start date. Close-out reports will be very brief and will principally ask for:

- 1) Number of officers employed by the law enforcement agency;
- 2) Number of officers equipped with NIJ-compliant level III & IV body armor; and
- 3) A brief description of any shooting events in which an officer equipped with body armor purchased with grant funds was struck by gunfire.

Program-Specific Requirements

Required Agency Policies. As required by Chapter 772.0073, Texas Government Code (as passed in Senate Bill 12), an eligible organization may apply for grant funds only after its law enforcement agency adopts a policy addressing the:

- 1) Deployment and allocation of vests or plates to its officers; and
- 2) Usage of vests or plates by its officers.

CJD requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. CJD also requires that the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See [*“A Practitioner’s Guide To the 2011 National Body Armor Survey of Law Enforcement Officers”*](#) for more information.

NIJ Body Armor Standards. Body armor purchased with grant funds must comply with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) for type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers. Grantees are responsible for ensuring that any purchases meet this requirement and must certify compliance at the time of application.

Personally Fitted Vest Requirement. All body armor vests purchased with grant funds must be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. “Personally fitted” does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([*Active Standard ASTM E3003*](#)) available at no cost. The [*Personal Armor Fit Assessment checklist*](#), is excerpted from ASTM E3003.

Grantees are responsible for ensuring that all purchases meet this requirement and must certify compliance at the time of application.

Standard CJD Requirements

CJD Regulations. Grantees must comply with the standards applicable to this funding source cited in the Texas Administrative Code (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.

Uniform Crime Reports. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

Criminal History Reporting. The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2012 through 2016 as of August 31, 2017

Immigration and Customs Enforcement Requests: An application requirement pertaining to full compliance with Department of Homeland Security detainer requests applies to all municipal or county governments that operate a subdivision or department that detains individuals after arrest for a criminal violation. Full text of this certification can be found on the Narrative tab of each application or at http://gov.texas.gov/cjd/dhs_detainerrequest. All applicants must select one of four options in their eGrants application to be considered for funding under this announcement.

Step 3: Apply via eGrants

Basics

To apply to CJD for these grants, you must complete or make sure you have already completed some standard requirements. All of the following are needed to apply within eGrants:

- Applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
- Applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/> and maintain an active registration throughout the grant period.
- Applicants must have or register for an account in eGrants eGrants@gov.texas.gov.

Profile Tab – Grant.Vendor Sub-Tab Direct Deposit Procedures

New Direct Deposit procedures: Applicants must upload the required [Direct Deposit forms](#), [New Payee Identification Form](#), and [W9 Form](#) for each application prior to submission. The eGrants system will not allow an application submission until these forms are attached to the application. These forms are available at <https://egrants.gov.texas.gov/updates.aspx> under the Financial Management Tools section or by clicking on the hyperlinks above.

Narrative Tab – Program-Specific Questions

Applicants must enter the number of officers currently employed by the agency, the number of officers currently equipped with Type III and Type IV body armor, and the number proposed to be equipped under the grant for the following four categories:

- 1) Officers within a tactical response (SWAT-style) unit or specifically assigned tactical response duties;

- 2) Officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles, are primary responders to calls for assistance from the public, or execute arrest or search warrants for criminal offenses;
- 3) All other officers employed by the agency;
- 4) All other reserve officers.

Narrative Tab – Required Certifications

There are a variety of certifications on the eGrants application that applicants are required to make when submitting their application. Applicants should carefully review these certifications, which are also found in this funding announcement’s “Appendix A: Required Certifications”.

Narrative Tab – Project Narrative

The eGrants system contains nine narrative boxes, but only one is required for this grant program. Using the headings indicated below in bold type, applicants should use the “Project Abstract” box, to describe:

- 1) **Duties.** The duties of the four categories of officers proposed to be equipped under the project, including how those duties would expose the officers to gunfire that necessitates Type III and Type IV body armor.
- 2) **History.** Any recent history of shootings that demonstrates the need for Type III and Type IV body armor.
- 3) **Non-Tactical Duties.** If the project proposes equipment for reserve officers and/or officers not engaged in tactical response duties, regular patrol, response to calls for assistance, or the execution of warrants related to criminal offenses, why such officers have a need for this level of body armor.
- 4) **Multi-Agency Breakdown.** If the project will equip more than one agency operated by an applicant, how many of each category of officer (tactical response officers; patrol/response/warrant-serving officers; other employed officers; other reserve officers) work in each agency. (For example, if a county’s application contains equipment for officers in a constable’s office and a sheriff’s office, those total should be broken-out here.)

Applicants should enter “n/a” in all other project narrative boxes.

Activities Tab – CJD Purpose Areas

Applicants must estimate the percentage of time officers proposed to be equipped under their project will be specifically assigned to:

- 1) Educational campuses;
- 2) Jails or prisons;
- 3) Juvenile facilities (not regular K-12 or college campuses);
- 4) Victim services facilities;
- 5) General (all other areas)

Activities Tab – Fund Source Information and Requirements

If the officers to be equipped with grant funds are explicitly assigned to specific educational campuses (K-12 or higher education), the applicant must enter the TOTAL students at ALL campuses that will be served by the project.

Activities Tab – OOG-Defined Project Activity Area

Applicants should assign 100% of their project activity to “Equipment and Technology”. For the Description of Activity, “Equipping officers with Type III and Type IV body armor” is sufficient.

Measures Tab

There are no additional measures required for this grant program.

Budget Tab

Applicants must submit a budget line item for each type of item being purchased, including the expected make and model of the item and the quantity of item to be purchased. For example, a budget line item listing a quantity of one and a description reading “12 bullet resistant vests” is incorrect. That budget line item should list a quantity of 12 and a description reading “Bullet resistant vests by [manufacturer] of model [model of vest]”.

Applicants receiving awards are not locked-in to the make and model of equipment in their application, but must consult with their grant manager and request a budget adjustment changing the make and model *before* making any purchases. CJD reserves the right to deny a requested change, and any purchases of equipment not listed in the approved budget are not guaranteed to be reimbursed.

Submit.Application and Certify.Application Tabs

After completing the application, submit the application by selecting the “Submit Initial Application” button on the bottom of the Submit.Application tab. (If your application is missing information, a list of errors will appear on the Submit.Application tab.)

After the initial submission, the project officials will receive an email notification. The Authorized Official must then log-in to the application and certify the application by selecting the “Certify Official Application” button at the bottom of the Certify.Application tab (only visible once the application has been initially submitted).

Applications are not complete until the Authorized Official has CERTIFIED the application, and they must do so BEFORE the application deadline.

For support documents and “how-to” videos and other resources, including the Guide to Creating an Application, see the eGrants support page at <https://egrants.gov.texas.gov/updates.aspx>.

Step 4: Review your Funding Decision

Selection and Fund Allocation Criteria

CJD will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, CJD will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

In the event that the total requested funds exceed available funding, CJD may also prioritize applications for municipal police departments, sheriff's offices, or – within projects – officers engaged in tactical response and regular patrol/response or warrant-execution duties.

Final Decisions – All Projects: The executive director will consider the analysis described above along with other factors and make all final funding decisions. Other factors may include need, cost effectiveness, overall funds availability, CJD or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

CJD may not fund all applications or may only award part of the amount requested. Per Title 1, Section 3.9 of the Texas Administrative Code, all funding decisions made by the executive director are final and are not subject to appeal. The receipt of an application by CJD does not obligate CJD to fund the grant or to fund it at the amount requested.

Announcements

After CJD makes final funding decisions, each applicant will receive either an unfunded notice, a preliminary decision notification, or a final grant award. The award will provide all of the conditions and requirements of the grant. Release of final grant awards are always contingent on CJD's receipt of the federal grant award under which the program is funded and CJD cannot release or guarantee funding to any applicant until that award is received and acceptance is processed and a determination is made that adequate funding is available. All grantees receiving federal and state funds must comply with the applicable statutes, rules, regulations, and guidelines related to the funding source under which the grant is funded. In instances where both federal and state requirements apply to a grantee, the more restrictive requirements apply.

Appendix: Required Certifications

Applicants must certify that they will comply with the following requirements to the extent that they are applicable. CJD, at its sole discretion, will determine the applicability of requirements:

A. Constitutional Compliance: Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

B. Required Agency Policies: Applicant assures that it has adopted policies addressing the deployment and allocation of vests or plates to its officers; and the usage of vests or plates by its officers. CJD requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. CJD also requires the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty in order to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See [“A Practitioner’s Guide To the 2011 National Body Armor Survey of Law Enforcement Officers”](#) For more information.

C. NIJ Body Armor Standards. Applicant assures that body armor purchased with grant funds will comply with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) for type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers.

D. Personally Fitted Vest Requirement. Applicant assures that all body armor vests purchased with grant funds will be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. “Personally fitted” does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([Active Standard ASTM E3003](#)) available at no cost. The [Personal Armor Fit Assessment checklist](#), is excerpted from ASTM E3003.

E. Uniform Crime Reports: Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the twelve previous months.

F. Criminal History Reporting: The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2012 through 2016, as of August 31, 2017.

G. Immigration and Customs Enforcement Requests: The full text of this certification is found at http://gov.texas.gov/cjd/dhs_detainerrequest. To be in compliance with this requirement, any county or municipal government that includes a department that detains individuals after arrest for a criminal violation must provide a letter signed by the head of each such department certifying to the requirements. This letter may be used for any application submitted to OOG for a period of up to two years from the date it is signed. If the applicant has submitted a letter to CJD in the prior year, that letter meets the requirement of this section. If that period expires during the project period of any grant, the grantee must submit an updated letter for each such grant to remain in compliance with this requirement. All applicants must select one of the following options:

- Applicant is not a county or municipal government.
- Applicant is a county or municipal government and does not include any department that detains individuals after arrest for a criminal violation at any time.
- Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. Letters certifying compliance and signed by the heads of all such departments have been uploaded to this application.
- Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. The Authorized Official has read the certification found at http://gov.texas.gov/cjd/dhs_detainerrequest. Further, the Authorized Official will not be submitting signed letters certifying compliance from the heads of all such departments and understands that failure to comply with this certification may result in OOG, at its sole discretion, rejecting this application and any other application from the relevant county or municipal government.

H. Civil Rights Liaison: A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

Overall Certification: Each applicant agency must certify to the specific requirements detailed above as well as all requirements within the CJD funding announcement and *Criminal Justice Division & Homeland Security Grants Division Grantee Conditions and Responsibilities* document to be eligible for this program.

About CJD

Our mission at the Criminal Justice Division is to direct much needed resources to those who are committed to making Texas a safer place and those who help victims of crime to recover and feel safe again. In carrying out this mission, we are committed to helping our grantees by actively finding ways for them to accomplish their goals and by making sure that we always have our eye to identifying the approaches that work best. We envision positive and beneficial working relationships with our grantees where we provide as much assistance as is needed and where we are always ready with answers, not burdensome restrictions or requirements.

CJD is providing over \$250 million in funding to hundreds of organizations during state fiscal year 2016 for juvenile justice, delinquency prevention, victims services, law enforcement, prosecution, courts, specialty courts, prevention of child sex trafficking, and other types of projects to benefit Texans.

Version 4: June 30, 2017



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2017-1440	
From:			
Subject: Discussion and consideration to approve Resolutions 2018-02 and 2018-03 appointing two members to expired terms on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.)			
Background: The terms of Sergio Lozano and Ted Walensky are set to expire February 7 and 16. Both members have expressed interest in continuing to serve. As of the time of posting no new interest has been received.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Antonio Lopez Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation:			
Attachments, if any: 16 Board Appt., Roster Ambulance Advisory Board, Notice of interest-Ted Walensky, Notice of interest- Dr. Sergio Lozano, Resolution 2018-02, Resolution 2018-03			
Responsibilities upon Approval: Execute, retain, notify appointee and department.			

City of Weslaco Boards and Committees
Prepared by Office of the City Secretary, Updated August 2016

	Member Qualifications										Defined Duties							
	character	citizenship	residency	age	public officer	taxpayer/property owner	qualified voter	management experience	subject interest	no litigation	# members	# quorum	term length (st = staggered)	term limits	meeting schedule	designated final authority	governing statutes	appointing authority
Adjustments & Appeals to Zoning Ordinance						X					5	4	2yr		reg interval	X	Sec 150-19	CC
Adjustments & Appeals to Building Codes											7	4	4yr		min. 3 mths		Art IX Sec 280-283	CC
Ambulance Advisory Board											7	4	2yr		3/year		Art I, Sec 14-1	CC
Animal Shelter Advisory Committee		X									5*						Ord 2012-02	CC
Civil Service Commission	X	X	>3yr	>25	>3yr					X	3	2	st3yr	3*	72hr notice		Ch 143	appt by CM, confirm by CC
Economic Development Corporation	X	X	X					X			7	4		2*	monthly		Bylaws, Art of Inc	7 at large; confirm by CC
Hotel Occupancy Tax Advisory Committee											7	3	3yr		2/year		Ord 2015-09	CC
Housing Authority Board					no						5	5	2yr	2			LGC Sec 392.033	appt by Mayor
Library Board											5	5	2yr				Art II Sec 78.21-28	CC
Parks & Recreation Advisory Board											7	7	3yr				Art IV Sec 98	CC
Planning & Zoning Commission		X	X			X	X				7	3	3yr				Art III Sec 2.98-103	CC
Public Facilities & Transportation Improvements Naming Committee		X	X								7		st3yr				Ord 2011-16	CC
																	Art 1526j, Vernons	
Weslaco Health Facilities Development Corporation											3+		6 yrs				TX Civil Statue	CC
Weslaco Mid-Valley Airport Committee											7		st3yr				Art II Sec 6-33	CC
Weslaco 100		X	X								16		3yrs				R2013-52	CC



Application for Service

City of Weslaco Boards and Committees

Name of Applicant:		Telephone Number:	
E-Mail Address:		Alternate Phone Number (work/cell):	
Home Address:		☐ Inside City Limits ☐ Outside City Limits	
City:	State:	Zip Code:	
How many years have you lived at this residence?		Do you own this house? ☐ Yes or ☐ No	
Preference for consideration, naming committees on which you desire to serve: 1.) 2.) 3.)			
List of Civic Involvement and Business Experience:			
Have you been bonded or eligible to obtain one? ☐ Yes or ☐ No		Are you currently suing or being sued by the City of Weslaco or any of its entities? ☐ Yes or ☐ No	
Are you related to any member of the Commission? ☐ Yes or ☐ No		If so, who and how?	
Have you previously served on a City board? ☐ Yes or ☐ No		If so, which and when?	
Have you ever been elected to public office? ☐ Yes or ☐ No		If so, which and when?	
Do you consent to release this info to the public? ☐ Yes or ☐ No		Are you age 25 or older? ☐ Yes or ☐ No	
The statements I have made on this Application for Service are truthful and I am not disqualified to serve due to nepotism, City of Weslaco Charter or Ordinances or State of Texas laws.		Timestamp of Receipt:	
Applicant's Signature:			
Optional Demographic Information: Self Identification			
Gender:			
Age:			
Race:			
Religion:			
Citizenship:			

RESOLUTION NO. 2014-62

STATE OF TEXAS § RESOLUTION ESTABLISHING A SCREENING,
COUNTY OF § APPOINTMENT, CONFIRMATION AND
HIDALGO § ATTENDANCE POLICY FOR SERVICE ON
CITY OF WESLACO § CITY OF WESLACO BOARDS, COMMISSIONS,
 § AUTHORITIES AND COMMITTEES

WHEREAS, The City of Weslaco has Standing Committees, Boards, Authorities and Commissions (hereafter called “Boards”) that assist and recommend to the Weslaco City Commission programs and projects that benefit the citizens of Weslaco; and

WHEREAS, The Weslaco City Commission (hereafter called “Commission”) also periodically creates *Ad Hoc* Boards to assist the City of Weslaco in addressing unexpected issues, projects or concerns; and

WHEREAS, The Commission desires the best qualified individuals on these Boards to represent a diverse cross section of the citizens of Weslaco.

NOW THEREFORE BE IT RESOLVED THAT The Weslaco City Commission hereby adopts the following Policy for the screening, appointment and confirmation of individuals to serve on the various Boards.

A. Screening

Interested individuals shall submit to the City Secretary a Board application which will contain: 1) contact and demographic data; and 2) educational, professional, civic and other relevant credentials. This application will be kept on file until the end of the fiscal year in which it was submitted, ending on September 30.

Individuals shall confirm receipt the City’s diversity, affirmative action, nepotism, ethics policies; the Board’s mission, duties and responsibilities as established by Ordinance or other order; and other relevant documents. Individuals must agree to abide by Weslaco City Charter and applicable Ordinances, and state and federal laws.

B. Appointment

The City Manager may recommend the best qualified individuals to the City Commission. The Commission will attempt to appoint the best qualified individuals that will fairly represent the demographic characteristics of Weslaco.

To ensure greater public participation, individuals shall not serve concurrently on more than one Board, unless the Commission makes an exemption.

The Commission shall make fair and deliberative appointments that comply with the Weslaco City Charter and applicable Ordinances, and state and federal laws.

C. Confirmation

Prior to appointment by the Commission, individuals should confirm that they remain interested in serving on a particular Board by either: 1) attending the Commission meeting which has the item on the Commission's Agenda; or 2) submitting a written statement of interest to the Mayor.

D. Attendance

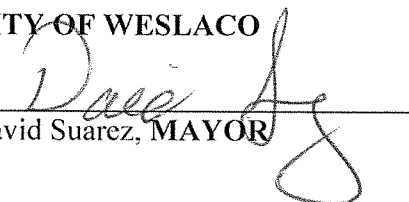
Three absences, not limited to consecutive, from any board or committee as appointed is established as just cause for removal and replacement by the Commission.

E. Qualification

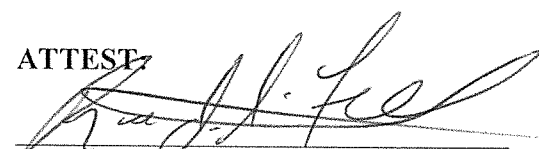
Individuals that have pending litigation against the City of Weslaco or any of its entities shall not be eligible for an appointment to City of Weslaco Committees, Boards, Authorities and Commissions.

PASSED AND APPROVED on this 2nd day of December, 2014.

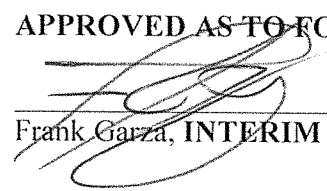
CITY OF WESLACO


David Suarez, MAYOR

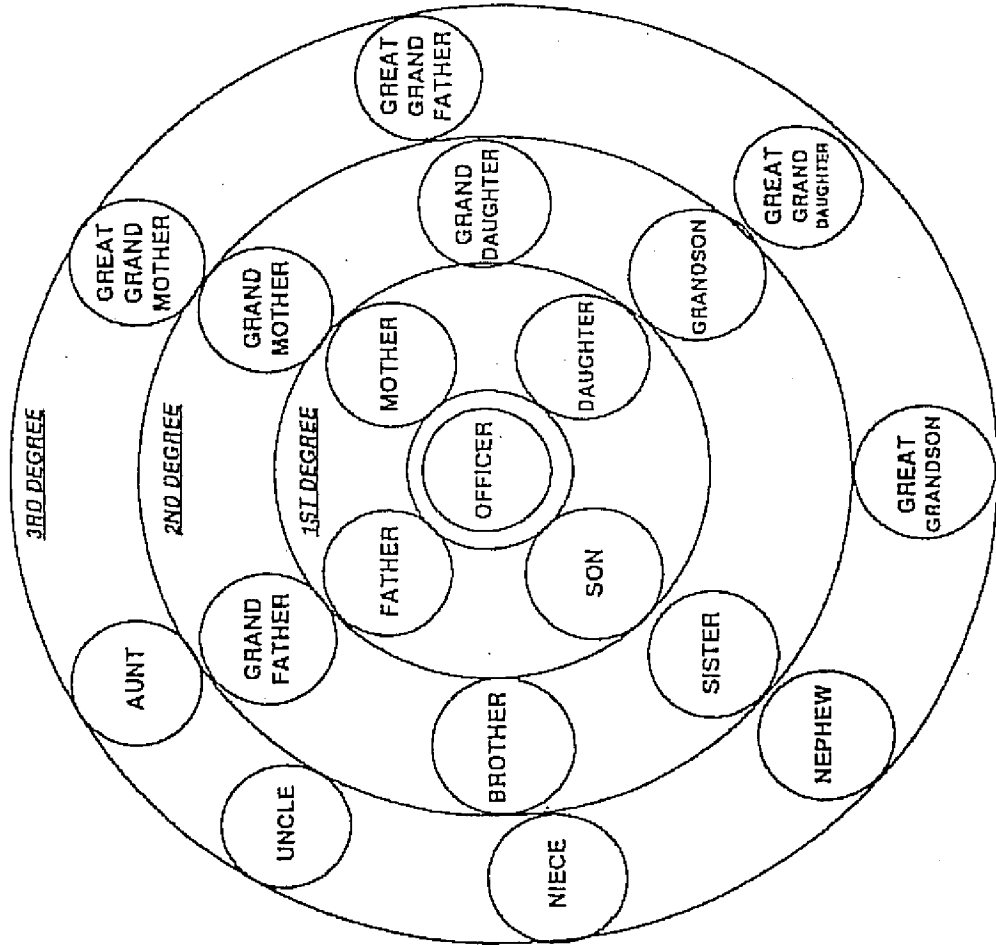
ATTEST

 wcc 12/2/14
Rebekah de la Fuente, INTERIM CITY SECRETARY

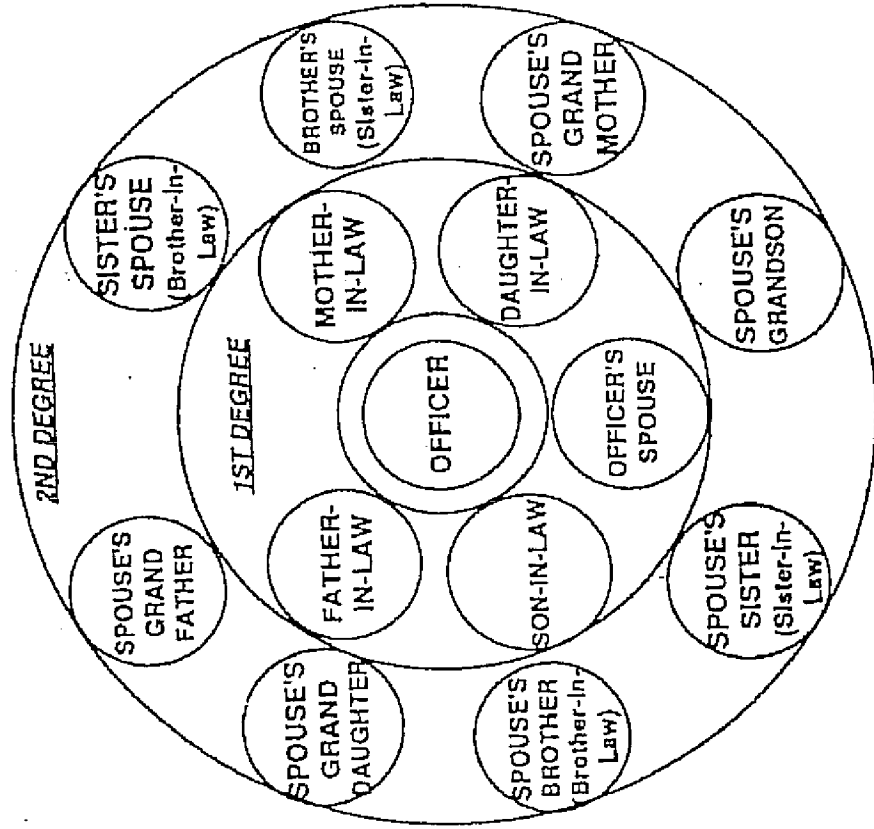
APPROVED AS TO FORM:


Frank Garza, INTERIM CITY ATTORNEY

TEXAS NEPOTISM 1992



Consanguinity Kinship Chart
(Blood)



Affinity Kinship Chart
(Marriage)

AMBULANCE ADVISORY BOARD

TERM EXPIRES	FIRST NAME	LAST NAME
3/15/2018	Maria A.	Villa
2/16/2018	Sergio	Lozano, DDS
2/7/2018	Lt. Ted	Walensky
4/17/2019	Patrick B.	Kennedy
5/6/2019	Sandra	Esquivel
3/20/2019	George	Guerra
12/20/2018	Annette	Valadez

As of 40517 mv

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

MEMORANDUM

Date: 1-2-2018

To: Adelaida Vega

From: Ted Walensky

Good Morning,

If Captain Florentino Vela has no objection I would accept another term to the Ambulance Advisory Board. Thank you!

A handwritten signature in black ink, appearing to read "Ted Walensky".

Asst. Chief Walensky

Adelaida Vega

From: Sergio Lozano <slozano2005@yahoo.com>
Sent: Friday, December 29, 2017 9:23 AM
To: Adelaida Vega
Subject: Re: FW: Ambulance Board

Sergio Lozano D.D.S, M.P.A.S, P.A.C. Board Certified Clinica Familiar San JoSe 8030 N. FM 1015 Mercedes, TX 78570 Office-(956) 825-9757 Fax -(956) 825-9125

Good morning.if considered by the Mayor and city commissioners, I would like to continue on the ambulance board.
On Friday, December 29, 2017, 8:40:57 AM CST, Florentino Vela <fvela@weslacotx.gov> wrote:

Dr. Lozano,

RESOLUTION NO. 2018-02

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING
ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.**

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT _____
is appointed to serve on the Ambulance Advisory Board and the term will begin on _____, 20____, and will expire on _____, 20____.

PASSED AND APPROVED on this 16th day of January 2018.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**

RESOLUTION NO. 2018-03

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING
ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.**

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT _____
is appointed to serve on the Ambulance Advisory Board and the term will begin on _____, 20____, and will expire on _____, 20____.

PASSED AND APPROVED on this 16th day of January 2018.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2017-1423
From: Mardoqueo Hinojosa		
Subject: Discussion and consideration after public hearing on behalf of Rashad Javed Rana to approve Ordinance 2017-54 rezoning 1720 W. 18th Street also being the 3.00 acres out of Farm Tract 658, West Tract, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-3 Rural District. First reading of Ordinance 2017-54. Possible action. (This item was tabled December 19, 2017. This item requires three-fourths vote as it was denied by Planning and Zoning Commission; Staffed by Planning and Code Enforcement Department.)		
Background: The applicant is requesting to rezone property from R-1 One Family Dwelling to R-3 Rural District. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on November 22, 2017. Ordinance for animal control states "It shall be unlawful for any person to keep or cause to be kept any poultry or livestock within the city as authorized in an R-3 zoning district except as authorized in chapter 150." R-3 District allows: (1) Use regulations. A building or premises shall be used only for the following purposes: a. Any use permitted in the R-1 one-family dwelling district. b. Livestock may be kept as long as they are single-hoofed or split-hoofed. (2) Size regulations. The minimum size of subdivision lots in an R-3 rural district shall be two acres.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Public Hearing Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission appeared in The Monitor on November 20, 2017.		
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning & Zoning recommended denial on December 6, 2017		

Elizabeth Walker Mardoqueo Hinojosa Mike Perez	Created/Initiated Approved Final Approval
City Manager Comments: Deny.	
Staff Recommendation: Staff recommends denial for compliance with the 2040 Future Land Use Map.	
Attachments, if any: Aerial, 2040 Zone Map, Rezone Application, Ordinance 2017-54	
Responsibilities upon Approval: Staff will inform applicant.	

Rezone Request

R-1 One Family Dwelling District
R-3 Rural District

Legend

Westgate Drive

W. 18th Street

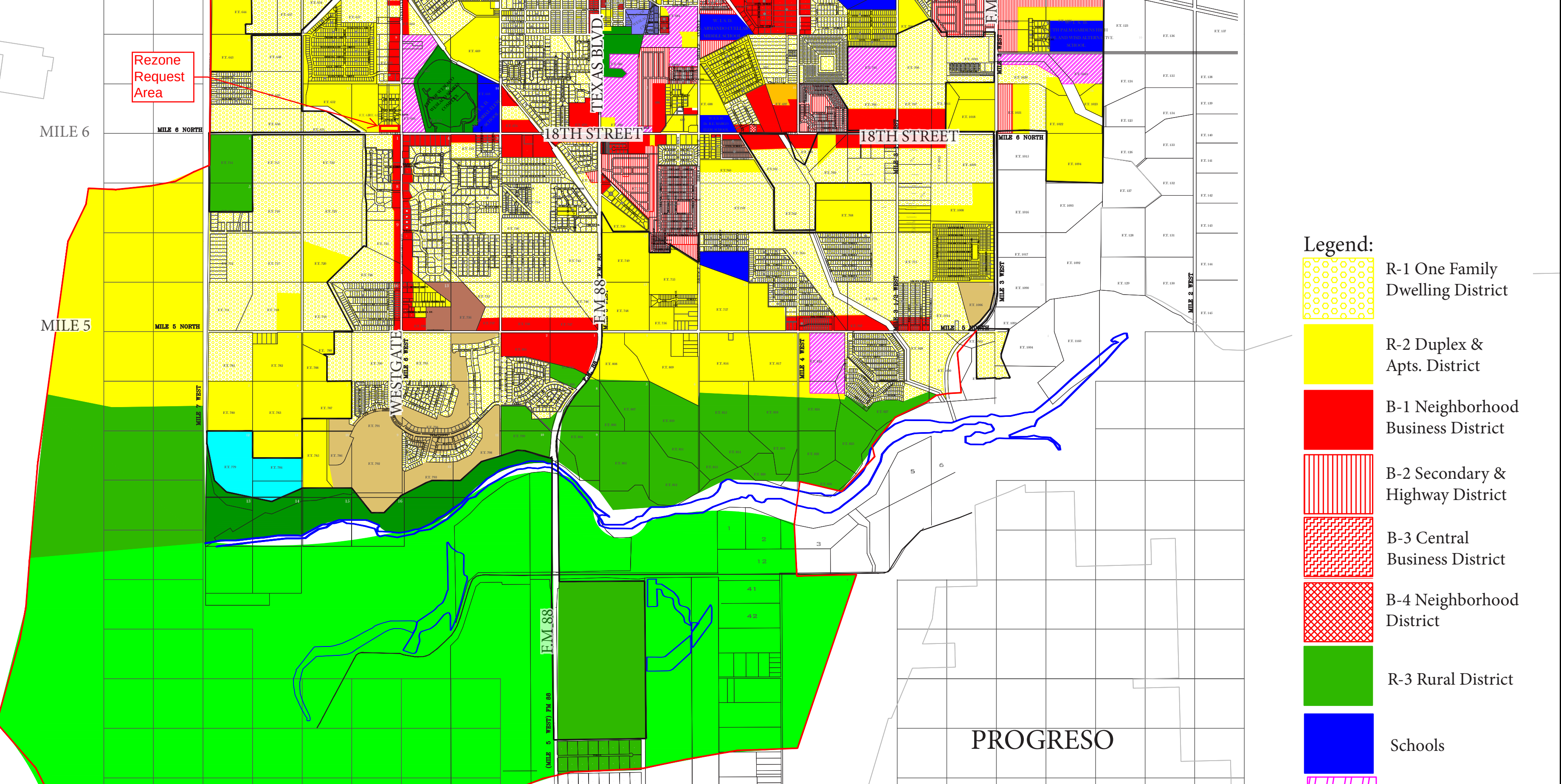


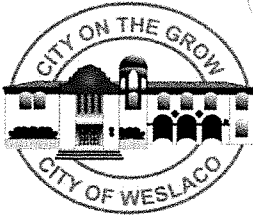
Google Earth

© 2017 Google
© 2017 INEGI



400 ft





APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

RECEIVED

OCT 30 2017

Planning &
Code Enforcement Dept.

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot 3.00 acres out of Farm Tract 658, Block 177

Subdivision Name WEST TRACT (WEST TRACT-S217.1'-E601.92' FT 658 3.0 AC GR 2.54AC NET)

Street Address 1720 West 18th Street Weslaco, Texas 78596

Existing Zoning _____ Existing Land Use R-1

Proposed Zoning _____ Proposed Land Use R-3

\$305 \$300.00 non-refundable filing fee.

Y Detailed dimensioned site plan/map must be submitted with this request.

Y Survey and metes and bounds if the legal description is a portion of a lot.

Y City and school tax receipts attached.

Y I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name RASHAD JAVED RANA Phone 956-463-6900

Address 1624 WOODLAND DR. Fax: _____

City WESLACO State TX Zip Code 78596 E-Mail: rashad_78596@yahoo.com

OWNER

Name RASHAD JAVED RANA Phone 956-463-6900

Address 1624 WOODLAND DR. Fax: _____

City WESLACO State TX Zip Code 78596 E-Mail: rashad_78596@yahoo.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Rashad Rana Date 10-28-2017
Owner

Signature Rashad Rana Date 10-28-2017
Applicant

Signature _____ Date _____
Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Ordinance No. _____

THE INTENT OF ZONING

Zoning is defined as the division of a municipality into districts for the purpose of regulating the use of private land. A city's police powers enable the municipality to regulate various land welfare of the entire public. They have been designed to lessen the congestion in the streets; to secure safety from, fire, panic, or other dangers; to provide adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other public requirements. Zoning must be done in accordance with a comprehensive master plan. Such a plan will be a pattern for future development and prohibits the arbitrary and capricious control of land.

HOW AM I AFFECTED

A city's unique character, just like Weslaco is preserved through the various arrangements of land uses permitted in an area. If incomplete land uses are placed together then the safety and character of Weslaco will be placed in danger. Zoning is used as a tool to establish and maintain the character of a neighborhood, if improper land uses are permitted; in the future they became non-conforming uses and spoil the character of an area. Zoning intent is to prevent this and cannot deny the continued use of a site if the site is non-conforming to the rest of the area. The intent of zoning is to provide guidelines for creating compatible land uses and provide the character Weslaco wishes to preserve.

A STATEMENT ON WESLACO'S ZONING ORDINANCE

Weslaco's Zoning Ordinance consists of the description of uses permitted in each district. It defines the different types of uses permitted in each zone. The Zoning Ordinance specifies height regulations, accessory building regulations parking and loading regulations and area, and density regulations.

WHAT IF A BUILDING OR SITE DOES NOT COMPLY WITH ITS ZONING

If a building infringes upon the required building setbacks requirements; the Weslaco Board of Adjustments and Appeals of Zoning must consider the granting of an exception and may permit modifications to various building and lot requirements when necessitated. This may be due to the unusual size or shape of a parcel of land. Board of Adjustments and Appeals of Zoning Petition Packages are available at the Planning Department.

REZONING APPLICATIONS INSTRUCTIONS

1. Application form must be completed in full with applicant's signature.
2. Statement must be attached to the application stating why the rezoning is requested and the type of operation to be conducted on the property.
3. A three-hundred dollar (\$300.00) application fee must also be submitted along with the application.
4. Once the application is submitted in completed form, the Planning Department is required by State Law to notify by mail all property owners within the 200 foot radius of the affected proposed zone change and advertise in a newspaper fifteen (15) days prior to the public hearing to be held by both the Planning and Zoning and City Commissions on the zone change request.
5. After the Planning and Zoning Commission meeting, the request will be placed on the next available City Commission agenda for final consideration.
6. Should the Planning and Zoning Commission or the owners of 20% of the property within the 200 foot radius of the proposed zone change request, oppose the request, a $\frac{3}{4}$ th vote will be required by the City Commission to receive approval.
7. Only after the second and final reading by the City Commission of the rezoning ordinance, may the activity proposed on the property begin operation after all appropriate permits have been issued.

STATEMENT OF REZONING REQUEST

The property located at Tract 658, Block 177 WEST TRACT (WEST TRACT-S217.1'-E601.92' FT 658 3.0 AC GR 2.54AC NET) 3.00 acres out of Farm will be used solely for livestock (Goats) only. The land is well maintained that enhance the beauty of neighborhood. Livestock is kept tidy and presence of goats provide a country beauty to the area. When livestock grazed in the land give a very pleasing look to the passerby. Overall this will magnify the beauty of the neighborhood.

Respectfully,

Rashad Rana
Rashad Javed Rana

1624 Woodland DR. Weslaco, TX 78596

Hidalgo CAD

Property Search Results > 326543 RANA RASHAD JAVED for Year 2018

Property

Account

Property ID: 326543 Legal Description: WEST TRACT-S217.1'-E601.92' FT 658 3.0AC GR 2.54AC NET
 Geographic ID: W3800-00-658-0000-20 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 1720 W 18TH ST Mapsco:
 Neighborhood: Map ID: CWL
 Neighborhood CD:

Owner

Name: RANA RASHAD JAVED Owner ID: 1084795
 Mailing Address: 1624 WOODLAND DR % Ownership: 100.0000000000%
 WESLACO, TX 78596

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$31,906	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$6,480	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$24,000	\$590
(+) Timber Market Valuation:	+	\$0	\$0
(=) Market Value:	=	\$62,386	
(-) Ag or Timber Use Value Reduction:	-	\$23,410	
(=) Appraised Value:	=	\$38,976	
(-) HS Cap:	-	\$0	
(=) Assessed Value:	=	\$38,976	

Taxing Jurisdiction

Owner: RANA RASHAD JAVED
 % Ownership: 100.0000000000%
 Total Value: \$62,386

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	APPRAISAL DISTRICT	0.000000	\$38,976	\$38,976	\$0.00
CWL	CITY OF WESLACO	0.666700	\$38,976	\$38,976	\$259.85
DR1	DRAINAGE DISTRICT #1	0.095100	\$38,976	\$38,976	\$37.07
GHD	HIDALGO COUNTY	0.590000	\$38,976	\$38,976	\$229.96
JCC	SOUTH TEXAS COLLEGE	0.185000	\$38,976	\$38,976	\$72.11
R02	ROAD DIST 02	0.000000	\$38,976	\$38,976	\$0.00
SST	SOUTH TEXAS SCHOOL	0.049200	\$38,976	\$38,976	\$19.18
SWL	WESLACO ISD	1.139700	\$38,976	\$38,976	\$444.21

W09	HIDALGO & CAMERON IRRG DISTRICT #9	0.000000	\$38,976	\$38,976	\$0.00
Total Tax Rate:		2.725700			
Taxes w/Current Exemptions:				\$1,062.38	
Taxes w/o Exemptions:				\$1,062.37	

Improvement / Building

Improvement #1: RESIDENTIAL **State Code:** E1 **Living Area:** 1370.0 sqft **Value:** \$31,906

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	WDLW - 3M	DWD	1961	1370.0
POR	PORCH (COVERED)	*		1961	84.0
PAT	PATIO	*		1961	84.0
RSHD	RES SHED	*		1980	1344.0
GAR	GARAGE	*		1961	960.0
CPT	CARPORT	* - *		1961	352.0
CAN	CANOPY	*		1980	360.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	AC	ACREAGE	0.5400	23522.40	0.00	0.00	\$6,480	\$0
2	P	GRAZING 1PASTWET	2.0000	87120.00	0.00	0.00	\$24,000	\$590

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2018	\$31,906	\$30,480	590	38,976	\$0	\$38,976
2017	\$31,906	\$30,480	590	38,976	\$0	\$38,976
2016	\$15,097	\$30,480	0	45,577	\$0	\$45,577
2015	\$15,403	\$30,480	0	45,883	\$0	\$45,883

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	9/8/2016	SWD	SPEC. W/D	BOECKER BERNARD F	RANA RASHAD JAVED			2747207
2	8/26/1993	CONV	CONVERSION	ERROR ACCOUNT	BOECKER BERNARD F			340764
3		CONV	CONVERSION	BOECKER GUS	ERROR ACCOUNT			

Tax Due

Property Tax Information as of 10/25/2017

Amount Due if Paid on: 

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
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NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call (956) 381-8466

RIO-DELTA SURVEYING

24593 FM 88

Monte Alto, Texas 78538

956-380-5154 956-380-5156 fax

T.B.P.L.S. FIRM # 10013900

Metes and Bounds Description

BEING 3.00 ACRES OUT OF FARM TRACT SIX HUNDRED FIFTY EIGHT (658) BLOCK ONE HUNDRED SEVENTY SEVEN (177), WEST TRACT SUBDIVISION, HIDALGO COUNTY, TEXAS AS PER MAP RECORDED IN VOLUME 2, PAGE 34, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND SAID 3.00 ACRE TRACT IS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING ON THE SOUTHEAST CORNER OF SAID FARM TRACT 658 WITHIN THE INTERSECTION OF RIGHT OF WAY OF WESTGATE AVENUE AND 18TH STREET, FOR THE SOUTHEAST CORNER OF THIS TRACT OF LAND AND THE POINT OF BEGINNING;

THENCE S 88°36'16" W (WEST), WITH THE SOUTH LINE OF SAID FARM TRACT 658 AND WITHIN THE RIGHT OF WAY OF SAID 18TH STREET, A DISTANCE OF 603.42' (601.92') TO THE SOUTHEAST CORNER OF A TRACT OF LAND DEEDED TO JOE C. FISHER, JR, AS RECORDED IN DOCUMENT NO. 1057967, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, FOR THE SOUTHWEST CORNER OF THIS TRACT OF LAND;

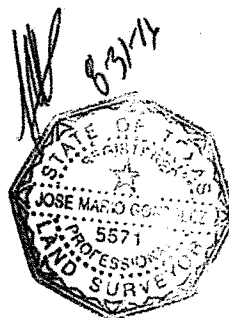
THENCE N 01°00'02" W (NORTH), AT A DISTANCE OF 25.00' PASS THE NORTH RIGHT OF WAY LINE OF SAID 18TH STREET, CONTINUING A TOTAL DISTANCE OF 217.11' (217.10') TO A 1/2" IRON ROD FOUND ON THE SOUTHWEST CORNER OF THE KEYS ON WESTGATE, AS RECORDED IN VOLUME 48, PAGE 57, MAP RECORDS, HIDALGO COUTNY, TEXAS, FOR THE NORTHWETS CORNER OF THIS TRACT OF LAND;

THENCE N 88°36'16" E (EAST), WITH THE SOUTH LINE OF SAID THE KEYS ON WESTGATE, AT A DISTANCE OF 571.92' PASS A 1/2" IRON ROD FOUND ON THE WEST RIGHT OF WAY OF SAID WESTGATE AVENUE, CONTINUING A TOTAL DISTANCE OF 601.92' TO THE EAST LINE OF SAID FARM TRACT 658 WITHIN THE RIGHT OF WAY OF SAID WESTGATE AVENUE, FOR THE NORTHEAST CORNER OF THIS TRACT OF LAND;

THENCE S 01°23'44" E (SOUTH), WITH THE EAST LINE OF SAID FARM TRACT 658 AND WITHIN THE RIGHT OF WAY OF SAID WESTGATE AVENUE, A DISTANCE OF 217.10' TO THE POINT OF BEGINNING CONTAINING 3.00 ACRES MORE OR LESS.

A plat of even survey date herewith accompanies this metes and bounds description.

Basis of Bearing: T.S.P.C. South Zone NAD 1983



CITY OF WESLACO
956-968-3181

REC#: 02313795 10/30/2017 11:46 AM
OPER: Karev TERM: 036
REF#: 1117
PAID BY:

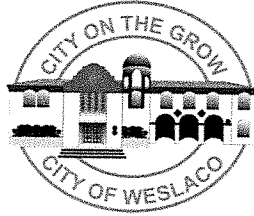
TRAN: 235.1000 PROCESSING FEE
4901
01 -400-3200
PROCESSING FEE-ONLI 5.00CR

TRAN: 204.0000 REZONING APPL FEE
4901
01 -400-1027
REZONING APPLICATIO 300.00CR

TENDERED: 305.00 CHECK
APPLIED: 305.00-
CHANGE: 0.00

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

November 22, 2017

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, December 6, 2017 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, December 19, 2017 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

Rashad Javed Rana is requesting to rezone 1720 W. 18th Street, also being Lots 3.00 acres out of Farm Tract 658, Block 177, West Tract, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-3 Rural District.

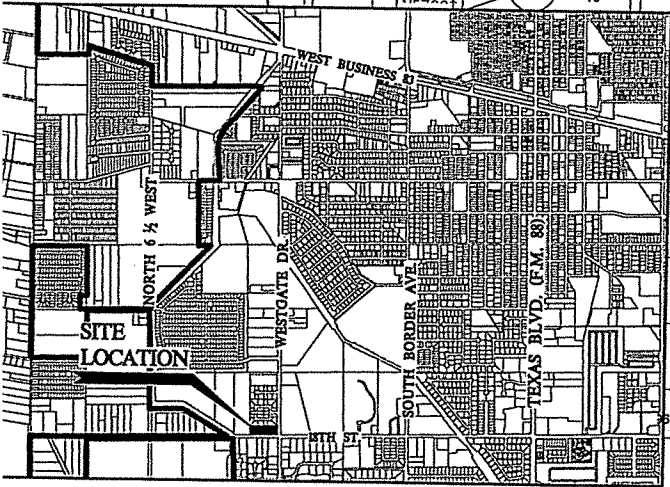
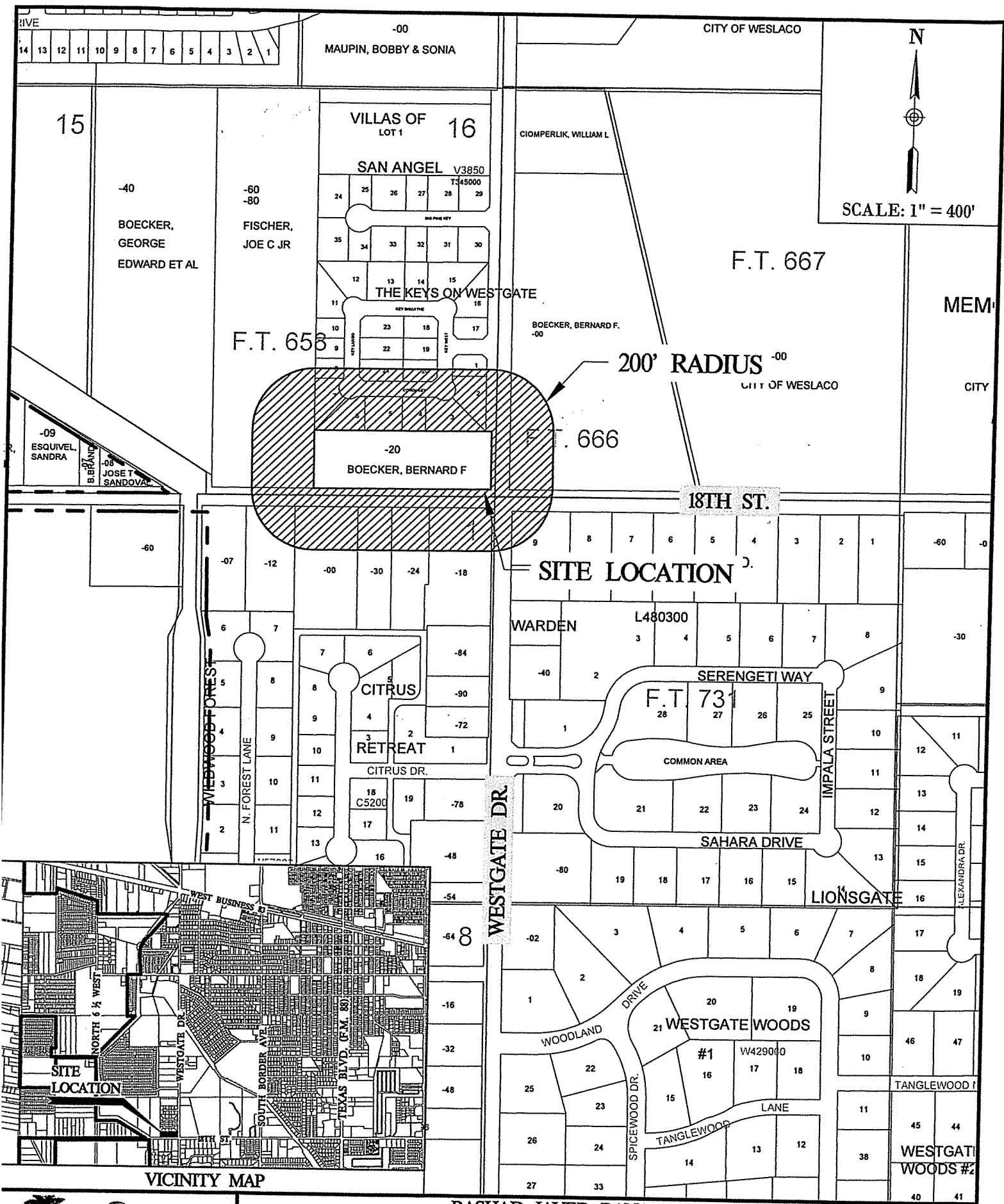
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

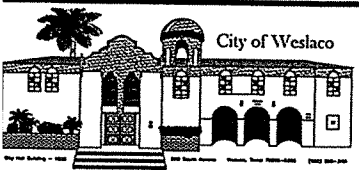
Sincerely,

Mardoqueo Hinojosa, P.E., CFM
Planning Director/City Engineer

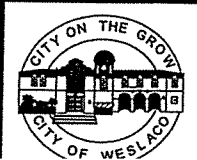
MH/mh



VICINITY MAP



RASHAD JAVED RANA
 1720 W. 18TH ST.
 BLOCK 177
 WEST TRACT (WEST TRACT S217.1-E601.92 FT 658 3.0 AC GR 2.54
 EXIST R-1 PROP ZONING: D-2



NOV 21, 2017

HALDER DONALD D & MARCIA L 1803 S WESTGATE DR WESLACO TX 78596-9407	K3260-00-000-0009-00 KEY WEST LOT 9 1803 S WESTGATE DR	L: 43225 B: 36391
FERRER MARIO M JR & JESSICA D 1613 KEY WEST DR WESLACO TX 78596	T3450-00-000-0001-00 THE KEYS ON WESTGATE LOT 1 1613	L: 24668 B: 107828
CONFIDENTIAL 1701 KEY WEST DR WESLACO TX 78596	T3450-00-000-0002-00 THE KEYS ON WESTGATE LOT 2 1701	L: 42326 B: 144322
GARZA ISRAEL B & ROXANNE H 1705 CONCH KY WESLACO TX 78596	T3450-00-000-0003-00 THE KEYS ON WESTGATE LOT 3 1705 CONCH KEY	L: 48096 B: 131182
CONFIDENTIAL 1709 CONCH KEY WESLACO TX 78596	T3450-00-000-0004-00 THE KEYS ON WESTGATE LOT 4 1709 CONCH KEY	L: 27225 B: 107429
STUBBS MELINDA 1801 CONCH KY WESLACO TX 78596	T3450-00-000-0005-00 THE KEYS ON WESTGATE LOT 5 1801 CONCH KEY	L: 42240 B: 117639
MULLIS ROBERT S & CHRISTINE 6915 ROBBIE RD ODESSA TX 79765	T3450-00-000-0006-00 THE KEYS ON WESTGATE LOT 6 1807 CONCH KEY	L: 38099 B: 103445
SALAZAR ARTURO & ERICA 1702 KEY LARGO WESLACO TX 78596	T3450-00-000-0007-00 THE KEYS ON WESTGATE LOT 7 1702 KEY LARGO	L: 33523 B: 122451
FULLER MARVIN 1420 LION LAKE DR N WESLACO TX 78596	T3450-00-000-0008-00 THE KEYS ON WESTGATE LOT 8 1612 KEY LARGO	L: 19878 B: 116355
LAS 3 MARIAS LLC 4002 LA HACIENDA DR WESLACO TX 78596	T3450-00-000-0020-00 THE KEYS ON WESTGATE LOT 20 1614	L: 25262 B: 110195
SALINAS DAVID & MARIA C 1613 KEY LARGO WESLACO TX 78596	T3450-00-000-0021-00 THE KEYS ON WESTGATE LOT 21 1613 KEY LARGO	L: 32251 B: 132732
RANA RASHAD JAVED 1624 WOODLAND DR WESLACO TX 78596	W3800-00-658-0000-20 WEST TRACT-S217.1'-E601.92' FT 6 58 3.0AC GR 2.54AC NET 1720 W 18TH ST	L: 6480 B: 31906

NOV 21, 2017

FISCHER JOE C JR 911 S AIRPORT DR WESLACO TX 78596	W3800-00-658-0000-60 WEST TRACT E10.0AC-E10.0AC-W20.0 AC OF FT 658 8.54AC NET 1922 18TH ST	L: 12000 B: 16010
FISCHER, JOE C, Jr. 911 S AIRPORT DR WESLACO TX 78596-665	W3800-00-658-0000-80 WEST TRACT 1.0AC-E10-W20AC FT 8	L: 27160 B: 35998
BOECKER BERNARD F 9419 CAMINO VENADO HELOTES TX 78023	W3800-00-666-0000-00 WEST TRACT 12.79AC OF FT 666 10. 91AC NET 0 18TH ST	L: 0 B: 0
RODRIGUEZ DOMINGA C 407 S ILLINOIS AVE WESLACO TX 78596	W3800-00-723-0000-00 WEST TRACT W203.07'-E660'-N429'- FT 723 2.00ACNET 1821 W 18TH ST	L: 67680 B: 59906
OCHOA ALFONSO & YOLANDA Q 1901 N 18TH ST WESLACO TX 78596	W3800-00-723-0000-12 WEST TRACT N373'-E158'-W300' FT 723 1.35AC GR 1.28AC NET 1901 W 18TH ST	L: 50126 B: 142136
TAORMINA FRANK & LINDA 1701 W 18TH ST WESLACO TX 78596	W3800-00-723-0000-18 WEST TRACT N429'-E238.92' EXC W1 2'-N280' & EXC S15'-E228.92' FT 1701 W 18TH ST	L: 68532 B: 112000
FORD CLEVE & MIRIAM E 1721 W 18TH ST WESLACO TX 78596	W3800-00-723-0000-24 WEST TRACT W109'-E347.9'-N429' & W12'-E238.93'-N280' FT 723 1.15 1721 W 18TH ST	L: 41902 B: 117799
MCALPIN ROYCE 1801 W 18TH ST WESLACO TX 78596	W3800-00-723-0000-30 WEST TRACT FT 723 W109'-E456.92'- N429' FT 723 1.07AC 1801 W 18TH ST	L: 69914 B: 99529

CITY OF WESLACO LEGAL NOTICE

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, December 6, 2017 at 5:30 p.m. and the City Commission will also hold a Public Hearing on Tuesday, December 19, 2017 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following requests:

Si desea informacion en español, llame al departamento de Planeación de la Ciudad de Weslaco, (956) 447-3403.

Rashad Javed Rana is requesting to rezone 1720 West 18th Street also being Lots 3.00 acres out of Farm Tract 658, Block 177, West Tract, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-3 Rural District.

The public is invited to attend and express support for or opposition to these applications. You may also file written support or opposition on or before December 6, 2017, for the Planning and Zoning Commission and on or before December 19, 2017, for the City Commission. For additional information, contact the Planning Department at (956) 447-3403

/S/ MARDOQUEO HINOJOSA, P.E., CFM
Planning Director/City Engineer

ORDINANCE NO. 2017-54

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 1720 W. 18TH STREET ALSO BEING THE 3.00 ACRES OUT OF FARM TRACT 658, WEST TRACT (WEST TRACT –S217.1’ – E601.92’ FT 658 3.0 AC FR 2.54 AC NET) WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE FAMILY DWELLING TO R-3 RURAL DISTRICT.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: R-1 One Family Dwelling District to R-3 Rural District being the 3.00 acres out of Farm Tract 658, West Tract (West Tract –S217.1’ – E601.92’ FT 658 3.0 AC FR 2.54 AC NET), also being 1720 W. 18th Street, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 16th day of January 2018.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2017.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: January 16, 2018	Agenda Item No. (to be assigned by CSO): 2017-1420
From: Mardoqueo Hinojosa	
Subject: Discussion and consideration to approve Ordinance 2018-02, amending Ordinance 320, Codified as Chapter 150 - Zoning Ordinance, adopting new regulations and ordaining other matters with respect to the subject matter hereof. First reading of Ordinance 2018-02. Possible action. (Staffed By Planning and Code Enforcement Department.)	
Background: Staff and Planning and Zoning Commission have reviewed and recommended several changes to Zoning Ordinance. Changes include: - Massage and Nail salon was added to the definition for Personal Services Establishment. - Townhouse means a single-family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot. - Townhouse condominium a single dwelling unit, meeting townhouse construction requirements, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, parking spaces, common areas, and the land upon which the building is constructed. - R-3 Rural District: The area must be located outside the boundaries of Mile 10 to the North, 18th Street to the South, Midway to the West and FM 1015 to the East. Bed and Breakfast Regulations: - The conditional use permit shall be renewable upon one-year terms: Yearly facility inspection must be conducted by Planning, Fire Marshal, Health and Building Departments prior to one year renewal. A police report for the location must be provided to the Commission as part of the renewal application Daycare center regulations Added: All outdoor decorations along walls, fences or lawns shall be prohibited Exterior walls of building and fencing must be painted in conformance with the surrounding color schemes of the existing neighborhood	

Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Public Hearing Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission: 		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission appeared in The Monitor on December 18, 2017.		
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning and Zoning recommended approval on 1/3/18.		
Rebekah De La Fuente Mardoqueo Hinojosa Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approved.		
Staff Recommendation: Staff recommends approval		
Attachments, if any: Ordinance, Option		
Responsibilities upon Approval: Planning staff will enforce ordinance.		

ORDINANCE 2018-XX

AN ORDINANCE REPEALING ORDINANCE NUMBER 320, THE CITY OF WESLACO ZONING ORDINANCE; CODIFIED AS CHAPTER 150 OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO TEXAS THAT:

SECTION I.

Ordinance 320 passed and approved on December 1, 1959 as "Zoning Ordinance" and Codified as Chapter 150 of the Weslaco Code of Ordinances is hereby repealed in its entirety.

SECTION II.

After second and final reading of this Ordinance the new zoning ordinance will be adopted and codified as Chapter 150 of the Weslaco Code of Ordinances and said Chapter shall read as follows:

CHAPTER 150 ZONING ORDINANCE

Sec. 150-1. - Purpose.

The zoning regulations and districts established by this chapter have been made in accordance with a comprehensive plan for the purpose of promoting health, safety, morals, and the general welfare of the city. They have been designed to lessen the congestion in the streets, to secure safety from fire, panic, or other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city.

Sec. 150-2. - Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abutting means lying adjacent or contiguous along a common border.

Accessory building and use means a subordinate building or a portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises.

Alley means a public or private thoroughfare which affords only a secondary means of access to property abutting thereon.

Apartment means a room or suite of rooms in a multiple dwelling, or in a building in which

more than one living unit is established above or on the same floor as nonresidential uses, which room or suite is intended or designed for use as a residence by one family and which includes culinary accommodations.

Apartment house means a building or portion thereof used or designed as a residence for three or more families living independently of each other, and doing their own cooking in said building, including apartments and apartment hotels.

Assisted living facility means a facility that provides room and board and provides 24-hour care for elderly and handicapped individuals and has the appropriate license from the state.

Bar/Lounge means an establishment where alcoholic beverages are sold for on-premise consumption. (Note: an establishment that can prove it produces more than 50% of its gross income in sales of food items may be classified as a restaurant rather than a bar/lounge.)

Bed and breakfast(homestay) means a private owners occupied residence with one to four guestrooms. The bed and breakfast is subordinate and incidental to the main residential use of the building.

Bed and Breakfast (inn) means a privately owned residence operated primarily as a business with five to twenty guestrooms, where the owner may live on the premises.

Bed and Breakfast (short term rental) means a privately owned rental of a residential dwelling unit for periods of less than 31 consecutive days.

Boardinghouse means a building, other than a hotel, where, for compensation or by prearrangement for definite periods, meals or lodging and meals are provided for three or more persons, but not exceeding 20 persons.

Building means any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels, or property.

Clinic means an office or group of offices for one or more physicians, surgeons, or dentists engaged in treating the sick or injured, but not including rooms for the abiding of patients.

Day care center means a child care facility, as defined by the Texas Administrative Code, Title 40, Part 19, which provides care for more than 12 children for less than 24 hours per day.

District means a section of the city for which regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

Dwelling means any building or portion thereof which is designed and used exclusively for residential purposes.

Dwelling, multiple, means a building having accommodations for and occupied exclusively by more than two families.

Dwelling, single-family, means a building having accommodations for and occupied exclusively by one family.

Dwelling, two-family or duplex, means a building having accommodations for and occupied exclusively by two families.

Family means one or more persons occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boardinghouse, lodging house, or hotel.

Filling or service station means any building or premises used for the dispensing, sale, or offering for sale at retail of any automobile fuels or oils. When the dispensing, sale, or offering for sale is incidental to the conduct of a public garage or retail store, the premises are classified as a public garage or retail store.

Frontage means all the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or, if the street is dead-ended, then all the property abutting on one side between an intersecting street and the dead-end of the street.

Garage, private, means an accessory building or portion of the main use building, designed for or used for the housing of motor-driven vehicles which are the property of and for the private use of the occupants of the lot on which the private garage is located. Not more than one of the vehicles may be a commercial vehicle and of more than 1 ½ ton capacity.

Garage, public, means a building or portion thereof, other than a private garage, designed or used for equipping, repairing, hiring, servicing, selling, or storing motor-driven vehicles.

Grade means the following:

- (1) For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- (2) For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the center of all walls adjoining the streets.
- (3) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall approximately parallel to and not more than five feet from the street line shall be considered as adjoining the street. Where no sidewalk exists, the grade shall be established by the city building inspector.

Guesthouse means an accessory building designed for the temporary occupancy of guest of the primary dwelling for which there is no remuneration. "Maids' quarters" means a portion of a dwelling unit, within the same enclosure and not a separate accessory building attached to the primary building that may contain separate sanitary facilities and must have shared utility meters,

which is designed for or used for residential occupancy by an employee/relative of the primary residence.

Height of building means the vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or the mean height level between the eaves and ridge for a gable, hip and gambrel roofs.

Home occupation means any occupation or profession engaged in by the occupants of a dwelling not involving the conduct of a retail business, and not including any occupation conducted in any building on the premises except the building which is used by the occupant as his private dwelling. Home occupations shall include, in general, personal services in an office environment such as furnished by an architect, lawyer, physician, dentist, musician, artist, and seamstress, when performed by the person occupying the building as his private dwelling, and not including a partnership or the employment of more than one assistant in the performance of such services.

Hospice facility means a facility that provides room and board and 24-hour care for terminally ill individuals and has the appropriate license from the state.

Hotel means a building in which lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boardinghouse or an apartment.

Improved Lots means a parcel of land that has been properly platted in accordance with City's Subdivision Ordinance and the Texas Local Government Code, the parcel of land also has access to certain basic required services (i.e. electricity, water, sanitary sewer or street access) necessary to utilize it for other purposes.

Lodging house means a building or place where lodging is provided (or which is equipped to provide lodging regularly) by prearrangement for definite periods, for compensation, for three or more persons in contradistinction to hotels open to transients.

Lot means a parcel of land occupied or intended for occupancy by a use permitted in this chapter, including one main building together with its accessory buildings, the open spaces and parking spaces required by this chapter, and having its principal frontage upon a street or upon an officially approved place.

Lot corner means a lot abutting upon two or more streets at their intersection.

Lot, depth of, means the mean horizontal distance between the front and rear lot lines.

Main building means the building or buildings on a lot which are occupied by the primary user.

Mobile home means a movable or portable dwelling constructed to be towed by a motor vehicle on its own chassis over state roads and highways under a special permit, or modular type units

connected to utilities, and designed without a permanent foundation for year-round living. It may consist of one or more units that can be telescoped when towed and expanded later for additional capacity, or of two or more units separately towable but designed to be joined into one integral unit.

Mobile home subdivision means a unified development of single-family mobile home lots with or without units located on the lot for sale, lease or rental.

Nonconforming use means any building or land lawfully occupied by a use at the time of passage of the ordinance from which this article is derived or amendment thereto, which does not conform after the passage of the ordinance from which this article is derived or amendment thereto with the use regulations of the district in which it is situated. Any building or land will lose its nonconforming use if it has not been occupied for a period of one year as determined by the planning department based on utility consumption.

Parking space means an area enclosed or unenclosed containing not less than 160 square feet, exclusive of the driveways connecting said space with a street or alley. Said parking space and connecting driveway shall be durably surfaced and so arranged to permit satisfactory ingress and egress of an automobile.

Personal services establishment means any establishment which performs services on the premises such as: Repair shops (watches, radios, TV, shoes, etc.), tailor shops, professional offices, dry cleaners, beauty parlors or barber shops, photographic studio, massage salon, nail salon and self-service laundries; and similar uses but not including automotive repair services and armature repair services.

Recreational vehicle means any of the following, while in use as a residence:

- 1) *Travel trailer*. A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified as a travel trailer by the manufacturer of the trailer and, when factory equipped for the road, it shall have a body width not exceeding state maximum.
- 2) *Pick-up coach*. A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation purposes.
- 3) *Motor home*. A portable, temporary dwelling to be used for travel, recreation and vacation purposes, constructed as an integral part of a self-propelled vehicle.
- 4) *Dependent trailer*. A trailer which is dependent upon a service building for toilet and lavatory facilities.
- 5) *Self-contained trailer*. A trailer which can operate independently of connections to sewer, water and electrical systems and containing a water flush toilet, lavatory, shower, and kitchen sink, all of which are connected to water storage and/or sewage holding tanks located within the trailer.

Recreational vehicle and/or mobile home park means a unified development of recreational vehicle and/or mobile home spaces arranged on a tract of land for the purpose of renting or leasing lots with or without units located on the space.

Setback means the distance between the property lot line and the outermost building wall or post/

column.

Story means that portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

Street means a public thoroughfare which affords the principal means of access to abutting property.

Structural alteration means any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or the exterior walls.

Structure means anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, including, but not limited to, advertising signs, billboards, poster boards, and pergolas.

Temporary child housing means a shelter, emergency or transitional housing which provides temporary living accommodations for children. Temporary housing for children shall apply to children under the age of 13, unless they are disabled. Disabled children must be under the age of 18. The facility must be licensed, certified, or registered with the state. The facility must provide assessment, care, training, education, custody, treatment, or supervision of the children, for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

Tourist court, auto court motel, or motor lodge means a group of attached, semidetached, or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit and offering to the public daily as well as other longer term rental rates, and maintaining a register of guests and/or their vehicles.

Townhouse means a single-family dwelling unit constructed in a series, or a group of units having common walls, each on a separate lot.

Townhouse condominium means a single dwelling unit, meeting townhouse construction requirements, within which designated dwelling units are conveyed fee simple title, with an undivided interest in the building's common elements, to include, but not be limited to, parking spaces, common areas, and the land upon which the building is constructed.

Unimproved lot means a parcel of land that has not been properly platted in accordance with City's Subdivision Ordinance and the Texas Local Government Code, the parcel of land does not have certain basic required services (i.e. electricity, water, sanitary sewer or street access) necessary to utilize it for other purposes.

Yard means an open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the horizontal distance between the property lot line and the main building shall be used.

Yard, front, means a yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the property lot line and the main building or any projections thereof other than the projection of the usual steps, unenclosed balconies, or open porch.

Yard, rear, means a yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear property lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of a lot from the front yard.

Yard, side, means a yard between the main building and the side property lot line of the lot, and extending from the front lot line to the rear yard line.

Sec. 150-3. - Districts.

- a) For the purpose of regulating and restricting the height and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, and other vacant spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residents, or other purposes, the city is hereby divided into districts, of which there shall be nine classes in number, and one overlay district and which shall be known as:
- 1) R-1 One-family dwelling district.
 - 2) R-2 Duplex and apartment district.
 - 3) R-3 Rural district.
 - 4) M-1 Mobile home subdivision district.
 - 5) B-1 Neighborhood business district.
 - 6) B-2 Secondary highway business district.
 - 7) B-3 Central business district.
 - 8) B-4 Neighborhood office district.
 - 9) I Industrial district.
 - 10) Overlay Design District

The boundaries of the districts described in subsection (a) of this section are shown on the map attached to the ordinance from which this chapter is derived and which is hereby made a part of this chapter, which is designated as the "Zoning District Map." Said district map and all notations, references, and other information shown thereon are made a part of this chapter and shall have the same force and effect as if said map and said data thereon were fully set forth or described herein. Said map shall, on its face, be identified and verified in the manner following:

- 11) It shall bear the title "Zoning District Map- Weslaco, Texas";
- 12) It shall bear the date with the passing of the ordinance from which this chapter is derived;

and

13) It shall bear the name of the Director of Planning.

The original of said map shall be kept in a proper place in the municipal building.

- b) Whenever any street, alley, or other public way is lawfully vacated by the city commission, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacated area, and thereafter, all land included in said vacated area shall be subject to all applicable regulations of the extended districts.
- c) All territory hereafter annexed to the city shall be classified as R-1, one-family dwelling district, until permanently zoned by the city commission. The city planning and zoning commission shall, as soon as practicable, after annexation of any territory to the city, institute proceedings on its own motion to give the newly annexed territory permanent zoning, and the procedure to be followed shall be the same as is provided by law for the adoption of original zoning regulations.
- d) Except as hereinafter provided, the following shall apply to all zoning districts:
 - 1) No building shall be erected, converted, enlarged, reconstructed, or structurally altered, and no building or land shall be used for any purpose that is not permitted in the district in which the building or land is situated.
 - 2) No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit herein established for the district in which the building is situated.
 - 3) No building shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the area and parking regulations of the district in which the building is situated.
 - 4) The minimum yards and other open spaces, including lot area per family, required by this chapter for each and every building existing at the time of the passage of the ordinance from which this chapter is derived, or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building, nor shall any lot area be reduced to an area less than the district requirements of this chapter.
 - 5) Every building hereafter erected or structurally altered shall be on a lot, and in no case shall there be more than one main building on one lot except as otherwise provided in this chapter.
 - 6) Where setbacks have been established by the city commission on a plat of record, those setbacks shall be enforced even though not in compliance with the restrictions set forth in this chapter.
- e) Classification of New and Unlisted Uses

It is recognized that new types of land uses will develop and forms of land use not anticipated may seek to locate in the City of Weslaco. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows:

- 1) The Planning Director or duly appointed representative shall refer the question concerning any new or unlisted use to the City Planning and Zoning Commission requesting an interpretation as to the zoning classification into which the use should be placed. The referral of the use interpretation questions shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of products, storage, and amount or nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.

- 2) The City Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use should be permitted.
- 3) The City Planning and Zoning Commission shall transmit its finding and recommendations to the City Commission as to the classification proposed for a new or unlisted use. The City Commission shall by ordinance approve the recommendation of the City Planning and Zoning Commission or make such determination concerning the classification of such use as is determined appropriate.

Sec. 150-4. - R-1 One-family dwelling district.

The following regulations shall apply to the R-1 one-family dwelling district:

- 1) *Use regulations.* A building or premises shall be used only for the following purposes:
 - a. Single-family dwellings.
 - b. Church (except temporary revival).
 - c. School, public or private, having a curriculum equal to a public elementary, high school, or institution of higher learning, subject to the prior issuance of a conditional use permit by the city commission in accordance with the procedures established in section 150-12.
 - d. Public parks, playgrounds, golf courses (except miniature golf), public recreation, and community buildings.
 - e. Municipal buildings, nonprofit libraries or museums, police and fire stations.
 - f. Farms, nurseries, truck gardens and greenhouses, provided no sales office is maintained.
 - g. Customary home occupations.
 - h. Accessory buildings and accessory uses, customarily incident to the uses listed in this section (not involving the conduct of a business), when located on the same lot, including a private garage for one or more cars not for rent or used for commercial purposes.
 - i. Signs: Signage shall be provided consistent with the requirements of Chapter 114.
 - j. A day care center shall be a conditionally permitted use in an R-1 district, subject to the prior issuance of a conditional use permit by the city commission in accordance with the procedures established in section 150-12.
- 2) *Height regulations.* No building shall exceed 2 ½ stories or 35 feet in height except as provided in section 150-12.
- 3) *Area regulations.*
 - a. *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 25 feet. The minimum depth of such front yard located along a cul-de-sac shall be 20 feet.
 - b. *Side yards.* There shall be a side yard on each side of a building of not less than ten percent of the width of the lot, but such side yard shall not be less than five feet.
 - c. *Rear yard.* The depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 25 feet.
- 4) *Intensity of use.* Every lot or tract of land shall have an area of not less than 6,000 square feet and an average width of not less than 50 feet (cul-da-sac shall be measured at the length of the curve), except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of the ordinance from which this chapter is derived and shall not have been changed since said date, such parcel of land may be used for a single-family dwelling.
- 5) *Lot Coverage.* In no case, shall more than sixty percent (60%) of the total lot area be covered by

the combined area of the principal building and all accessory building/use or any other impervious surface such as asphalt or concrete. An exemption may be granted if constructed from brick pavers with a sand base.

- 6) *Additional use, height, and area regulations.* Additional height and area regulations and exceptions shall be as specified in section 150-12.
- 7) *Recreational Vehicles.* No recreational vehicles shall be occupied either temporarily or permanently within the city limits except in designated trailer camps or trailer parks. Recreational vehicles may be stored on a residential lot provided that:
 - a. It is not connected to any utility services,
 - b. Is less than 30 feet in length and in accordance with Section 134-143,
 - c. Is stored on a concrete, cement or asphalt pad
 - d. Is located behind the required front setback line

Sec. 150-5. - R-2 Duplex and apartment district.

The following regulations shall apply to the R-2 duplex and apartment district:

- 1) *Use regulations.* A building or premises shall be used only for the following purposes:
 - a. Any use permitted in the R-1 one-family dwelling district.
 - b. Townhomes, Townhouse condominiums, Two-family or duplex dwellings.
 - c. Apartment houses or multiple-family dwellings.
 - d. Boarding, lodging, and rooming houses.
 - e. Hospitals, except tubercular, liquor, narcotic, insane, feeble-minded, or animal hospitals.
 - f. Private clubs, fraternities, sororities, and lodges, excepting those the chief activity of which is a service customarily carried on as a business.
 - g. Institution of a religious, educational or philanthropic nature.
 - h. An apartment house with a minimum of four family units may contain a self-service coin operated laundry so long as the use of said laundry is restricted by the apartment house owner or owners to use by the occupants of said apartment house, and is operated as a part of the apartment house and under the supervision of the owner or manager of the apartment house.
- 2) *Height regulations.* No building shall exceed 3 stories or 45 feet in height.
- 3) *Yard regulations.*
 - a. *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 20 feet. For two-family, three-family and four-family dwellings on lots located on a cul-de-sac, the minimum depth of the front yard shall be 15 feet from the front lot line, for that part of the front lot line located on the cul-de-sac; except that the minimum front setback for garages located on lots located on a cul-de-sac shall be 20 feet. The minimum depth of such front yard for a townhome shall be 10 feet.
 - b. *Side yards.* There shall be a side yard on each side of a building of not less than ten percent of the width of the lot, but such side yard shall not be less than 5 feet, except for townhomes where the side yard shall be zero.
 - c. *Rear yard.* The depth of the rear yard shall be less than 15 feet. Entrances to a garage or enclosed carport shall be a minimum of 20 feet from streets or alleys, except for townhomes where the rear yard shall be zero.
- 4) *Intensity of use.*
 - a. Except as hereinafter provided, all dwellings erected, enlarged, relocated, or reconstructed within the R-2 district shall be located on lots containing the following areas:
 1. A lot on which there is erected a single-family/ two family dwelling shall

- contain an area of not less than 6,000 square feet.
- 2. A lot on which there is erected a townhouse dwelling shall not contain an area of not less than 2,000 square feet.
- 3. A lot on which there is erected an apartment house or multiple-family dwelling shall contain an area of not less than 1,800 square feet per dwelling unit.
- b. The minimum width of a lot in the R-2 district shall be 50 feet, except in a townhouse subdivision where the minimum width of lot shall be 20 feet and that the minimum width of a lot located on a cul-de-sac shall be measured at the minimum front yard line.
- 5) *Lot Coverage.* In no case shall more than sixty-five (65%) of the total lot area be covered by the combined area of the principal building and all accessory buildings/use or any other impervious surface such as asphalt or concrete. Townhouses are exempt from this requirement, however lots must meet drainage and landscaping regulations.
- 6) *Parking.* Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.
- 7) *Additional use, height and area regulations.* Additional use, height, and area regulations shall be as provided in section 150-12.

Sec. 150-6. - M-1 Mobile home subdivision district.

The following regulations shall apply to the M-1 mobile home subdivision district:

- 1) *Use regulations.* A premise shall be used only for the following purposes:
 - a. The establishment of a mobile home subdivision and the placement of mobile homes therein containing at least 900 square feet of floor space. Every mobile home must contain at least on flush water closet, lavatory basin, bathtub or shower, kitchen sink, and water heater, all in good working order and connected to a city-approved water and sewer system and limited to single-family occupancy.
 - b. Non-dwelling facilities, as approved by the city, designed for use of the inhabitants of the subdivision, such as administrative space, laundry, storage, meeting and hobby rooms, recreational spaces, swimming pools, and other recreational and accessory uses.
 - c. Trailer camps, RV parks or mobile home parks shall be consistent with the requirements of Article II- Mobile Home and/or Recreational Vehicle Parks.
 - d. Signs: Signage shall be provided consistent with the requirements of Chapter 114.
- 2) *Height regulations.* No building shall exceed 2 ½ stories or 35 feet in height, except as provided in section 150-12.
- 3) *Yard regulations.*
 - a. *Frontyard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be ten feet for inside lots and 15 feet for corner lots. All garages, carports, or areas for parking automobiles shall be set back at least 20 feet.
 - b. *Sideways.* The minimum side yard setback shall be 8 feet for inside lots and 15 feet for corner lots on street side. All garages, carports or areas for parking automobiles shall be set back a minimum of 20 feet from the street.
 - c. *Rear yards.* The minimum rear yard setback shall be five feet from the alley.
- 4) *Lot Coverage.* In no case shall more than sixty percent (60%) of the total lot area be covered by the combined area of the principal building and all accessory building/use or any other impervious surface such as asphalt or concrete.

5) *Intensity of use.*

Minimum lot size	6,000 square feet (inside lots)
Minimum width	60 feet (inside lots)
Minimum length	100 feet (inside and corner lots)

- 6) *Parking regulations.* Off-Street parking, shall be provided consistent with the requirements of Chapter 134, Article VI. and Article II. - Mobile Home And/Or Recreational Vehicle Parks.

Sec. 150-7. - R-3 rural district.

The following regulations shall apply to the R-3 rural district:

- 1) *Use regulations.* A building or premises shall be used only for the following purposes:
 - a. Any use permitted in the R-1 one-family dwelling district.
 - b. Livestock may be kept as long as they are single-hoofed or split-hoofed and are limited to one (1) livestock per acre of pasture land.
 - c. The area must be located outside the boundaries of Mile 10 to the North, 18th Street to the South, Midway to the West and FM1015 to the East.
- 2) *Size regulations.* The minimum size of subdivision lots in an R-3 rural district shall be two acres.
- 3) *Height regulations.* No buildings shall exceed 2 ½ stories or 35 feet in height.
- 4) *Area regulations.*
 - a. *Front setback.* Any building constructed on any lot shall not be located nearer than 40 feet from the front lot line. Lots located on a cul-de-sac, the minimum depth of the front yard shall be 25 feet from the front lot line, for that part of the front lot line located on the cul-de-sac.
 - b. *Side setback.* Any building constructed on any lot shall not be located nearer than 20 feet from the side lot line. Any building constructed on any corner lot shall not be located nearer than 30 feet from the street side lot line.
 - c. *Rear setback.* Any building constructed on any lot shall not be located nearer than 40 feet from the rear lot line.
 - d. *Garage and carport setback.* Any garage or carport shall meet the same building setback lines as set out in subsections (4) a through (4) b of this section.
 - e. *Signs.* Signage shall be provided consistent with the requirements of Chapter 114.
- 5) *Parking regulations.* No permanent parking shall be allowed upon the streets of a subdivision in an R-3 rural district. All lots must provide for two off-street parking spaces.
- 6) *Building regulations.*
 - a. The minimum finished floor elevation of any residence shall be at a minimum of 18 inches above the centerline of the street or 18 inches above the base flood elevation, whichever is greater. The developer shall establish the base flood elevation and shall provide each buyer with the elevation on every property deed.
 - b. Only one dwelling structure and two accessory structures shall be allowed per lot.
 - c. Fences must be of cedar, masonry, wrought iron, hurricane fencing, or "ranch" fencing, and must be between four feet and eight feet in height. No fence shall protrude beyond one's property boundaries.

- d. All driveways must be of asphalt or concrete and meet City requirements and inspections.
 - e. No temporary structure shall be placed on any lot except for a portable construction structure. Overnight camping shall not be permitted on any lot.
- 7) *Recreational Vehicles.* No recreational vehicles shall be occupied either temporarily or permanently within the city limits except in designated trailer camps or trailer parks. Recreational vehicles may be stored on a lot provided that:
- a. It is not connected to any utility services.
 - b. Is less than 30 feet in length and in accordance with Section 134-143,
 - c. Is stored on a concrete, cement or asphalt pad
 - d. Is located behind the required front setback line

Sec. 150-8.- B-1 neighborhood business district.

The following regulations shall apply to the B-1 neighborhood business district:

- 1) *Use regulations.* A building or premises shall be used only for the following purposes:
 - a. Any uses permitted in the R-2 duplex and apartment district.
 - b. Signs. Signage shall be provided consistent with the requirements of Chapter 114.
 - c. Automobile parking lots/ garages
 - d. Bakeries
 - e. Banks.
 - f. Personal services establishment
 - g. Billiard or pool halls.
 - h. Clinics.
 - i. Daycare facilities
 - j. Filling or service stations provided all storage tanks for gasoline are below the surface of the ground.
 - k. Laundries, self-service.
 - l. Nonmanufacturing ice retail distributing stations provided the capacity does not exceed five tons storage.
 - m. Print Shops
 - n. Lodge halls.
 - o. Mortuaries.
 - p. Restaurants, cafes, cafeterias, and taverns.
 - q. Stores and shops for the sale of products at retail only.
 - r. Studios (art, photo, music).
 - s. Hookah Bars/ Vape Bars
- 2) *Height regulations.* No building shall exceed 3 stories or 45 feet in height.
- 3) *Yard regulations.*
 - a. *Frontyard.* There shall be a front yard along the front line of the lot.
 - i. Corridors identified on the Hidalgo County Thoroughfare Map: The minimum depth of a front yard one foot back from property line for each two feet in building height, not to exceed one-half of the width of the abutting dedicated right-of-way or in line with the majority setback of existing structures along the same block, whichever is greater.
 - ii. All other corridors: the minimum lot depth shall be 20 feet.
 - b. *Side yards.* There shall be a side yard of not less than 6 feet, except that on a corner lot, the side yard on a street side shall be 10 feet.
 - c. *Rear yard.* Rear yard setbacks shall be 10 feet.
- 4) *Intensity of use.* There are no minimum lot area or lot width requirements.

- 5) *Parking regulations.* Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.
- 6) *Additional use, height and area regulations.* Additional use, height, and area regulations and exceptions shall be provided in section 150-12.

Sec. 150-9. - B-2 secondary and highway business district.

The following regulations shall apply to the B-2 secondary and highway business district:

- 1) *Use regulations.* A building or premises shall be used only for the following purposes:
 - a. Any use permitted in the B-1 neighborhood business district.
 - b. Automobile salesrooms and accompanying service facilities.
 - c. Automobile repair garages.
 - d. Billboards and poster boards.
 - e. Dance halls and skating rinks.
 - f. Frozen food locker plants.
 - g. Hotels.
 - h. Movie theaters/ performance art theaters.
 - i. Laundry and cleaning facilities.
 - j. Tourist courts or motels.
 - k. Any retail businesses not included in the neighborhood business district, provided that such uses are not noxious or offensive by reason of vibrations, smoke, odor, dust, gas, or noise.
 - l. Post offices.
 - m. Wholesale trade.
- 2) *Height regulations.* No building shall exceed 3 stories or 45 feet in height.
- 3) *Yard regulations.*
 - a. *Front yard.* There shall be a front yard along the front line of the lot.
 - i. Corridors identified on the Hidalgo County Thoroughfare Map: The minimum depth of a front yard one foot back from property line for each two feet in building height, not to exceed one-half of the width of the abutting dedicated right-of-way or in line with the majority setback of existing structures along the same block, whichever is greater.
 - ii. All other corridors: the minimum lot depth shall be 20 feet.
 - b. *Sideways.* The side yard setback from all lot lines shall not be less than 6 feet.
 - c. *Rear yard.* The rear yard setback shall be 10 feet.
- 4) *Intensity of use.* There are no minimum lot area or lot width requirements.
- 5) *Parking regulations.* Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.
- 6) *Additional use, height, and area regulations.* Additional use, height, and area regulations and exceptions shall be as provided in section 150-12.

Sec. 150-10. - B-3 central business district.

The following regulations shall apply to the B-3 central business district: *Central business district* is the area located between Pike Boulevard and Sixth Street and between the alley east of Kansas Avenue and the alley west of Missouri Avenue.

- 1) *Use regulations.* A building or premises shall be used only for the following purposes:
 - a. Any uses permitted in the B-2 district.
 - b. Storage in bulk, or warehouses for such material as household goods, clothing, drugs, glass, dry goods, furniture, hardware, groceries, and shop supplies.
 - c. Wholesale sales room.
- 2) *Height regulations.* No building hereafter erected or structurally altered within the B-3 district shall exceed six stories or 75 feet.
- 3) *Yard regulations.*
 - a. *Front yard.* For uses permitted in the B-3 district, no front yard is required.
 - b. *Sideways.* For uses permitted in the B-3 district, there are no side yard requirements.
 - c. *Rear yard.* For uses permitted in the B-3 district, there are no rear yard regulations.
- 4) *Intensity of use.* There are no minimum lot area or lot width requirements.
- 5) *Parking regulations.* Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.
- 6) *Additional use, height, and area regulations.* Additional use, height, and area regulations and exceptions shall be as provided in section 150-12.

Sec. 150-10.1. - B-4 neighborhood office district.

- a) *Permitted uses.* Permitted uses in the B-4 neighborhood office district shall include:
 - 1) Offices for professional services including executive, administrative, financial, legal, accounting, writing, clerical, stenographic, drafting, engineering, real estate, insurance and other similar or related uses;
 - 2) Single-family dwellings, duplexes and townhouses;
 - 1) Parking associated with such office or residential uses;
 - 2) Signage shall be provided consistent with the requirements of Chapter 114.
- b) *Lot size.* Lot sizes in the B-4 neighborhood office district shall be as follows:
 - 1) *Intensity of Use:* The minimum lot size shall be 6,000 square feet.
 - 2) *Yard Regulations:*
 - i. *Front yard.* There shall be a front yard along the front line of the lot. The minimum depth of such front yard shall be 25 feet. The minimum depth of such front yard located along a cul-da-sac shall be 20 feet.
 - ii. *Sideways.* There shall be a side yard on each side of a building of not less than ten percent of the width of the lot, but such side yard shall not be less than five feet.
 - iii. *Rear yard.* The depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 25 feet.
 - 3) Any new commercial structure erected in the B-4 neighborhood office district shall

conform as much as possible to the current character of the existing neighborhood. New buildings should be of similar size and scale as existing structures on the same block and the height of new commercial structures shall not exceed one story.

- 4) To facilitate the city's evaluation of the consistency between the proposed new structure or new use of an existing structure with the existing neighborhood and in order to verify compliance with sidewalk, landscaping, parking and other requirements, a detailed site plan, including the use and location of all structures on all adjoining lots, must be submitted and approved prior to issuance of a building permit, or if no building permit is required for the project, prior to issuance of a certificate of occupancy.
- c) *Parking.* Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.
- d) *Sidewalks.* For both new commercial structures and conversion of existing residential structures to commercial uses, a sidewalk of no less than four feet shall be installed, three feet from the back of curb. Compliance with this sidewalk standard may require the dedication of additional right-of-way to the city.
- e) *Landscaping.* The landscaping provisions of Chapter 26, Article XI, shall apply in the B-4 neighborhood office district.

Sec. 150-11. - I Industrial district.

The following regulations shall apply to the I Industrial district:

- a. *Use regulations.* Any building or premises may be used within the I district for any purpose not in conflict with any ordinance of the city, provided that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been approved by the city commission following a recommendation by the planning commission:
- b. Cement or lime manufacture.
- c. Distillation of bones.
- d. Explosives manufacture or storage.
- e. Fat rendering.
- f. Garbage, offal or dead animal incineration, reduction or dumping.
- g. Junkyards or automobile wrecking yards.
- h. Petroleum refinery.
- i. Slaughter and dressing of animals (not including poultry and rabbits).
- j. Stockyards.
- k. Wholesale storage of gasoline or other petroleum products in carload lots or more above ground.
- l. Any manufacturing or processing use, including those whose operations are not conducted within a totally enclosed building.
- m. The outside storage of materials or equipment that is not screened.

- n. Laboratories—Experimental, film or testing.
 - o. All public utilities, including buildings, necessary structures, storage yards, and other related uses.
 - p. Warehousing and storage.
 - q. The residence of a night watchman or caretaker employed on the premises, including mobile homes.
 - r. Any wholesale trades including row [raw] cotton, grain, hides, skins, and raw furs, tobacco, wool or mohair, commercial or industrial machinery or synthetics, metals and minerals, and petroleum bulk stations and terminals.
 - s. Accessory uses and structures customarily related to the above principal uses authorized in this district, including a mobile home used as an office.
 - t. Solar and wind farms
- 3) *Height regulations.* No building shall exceed a height of six stories or 75 feet and must be in compliance with airport regulations.
- 4) *Yard regulations.*
- a. *Front yard.* There shall be a front yard along the front line of the lot.
 - i. Corridors identified on the Hidalgo County Thoroughfare Map: The minimum depth of a front yard one foot back from property line for each two feet in building height, not to exceed one-half of the width of the abutting dedicated right-of-way or in line with the majority setback of existing structures along the same block, whichever is greater.
 - ii. All other corridors: the minimum lot depth shall be 20 feet.
 - b. *Side yards.* The side yard setback from all lot lines shall 10 % of lot depth not less than 6 feet. On a corner lot, the side yard on a street side shall be 10 feet.
 - c. *Rear yard.* Rear yard setback shall be 10 feet.
- 5) *Intensity of uses.* There are no minimum lot area or lot width requirements.
- 6) *Parking regulations.* Off-street parking shall be provided consistent with the requirements of Chapter 134, Article VI.
- 7) *Additional use, height, and area regulations.* Additional use, height, and area regulations and exceptions shall be as provided in section 150-12.

Sec. 150-11.1. Overlay Design District (Reserved)

Sec. 150-12. -Additional use, height, and area regulations and exceptions.

a) *Use regulations.*

- 1) *Accessory buildings and accessory use.* No accessory building or accessory use shall be constructed upon a lot until the construction of the main use building has commenced. No accessory building shall be used unless the main use building on the lot is also being used. R-3 Rural District areas shall be excluded from this requirement.
 - a. In a residence or an apartment district any accessory building and use shall be smaller in both size and scale than the main use building, detached from the main building,

without separate bath or kitchen facilities, not used for commercial purposes and not rented or leased. Separate bath facilities shall be allowed in cabanas and other private poolside structures; however, that such structure shall never be used as a residence.

b. In commercial districts, an accessory building and use shall be smaller in both size and scale than the main building, the use of which is incidental to and used only in conjunction with the main building.

c. Guest house and Maids Quarters requirements shall be as follows:

1. Must be on the same utilities as primary residence.
2. May have separate kitchen facilities
3. Restricted to R-1 and R-3 districts only.
4. Maids Quarters must have access through interior corridors or attached to main use building.

d. Portable building/ portable classrooms shall be permitted in any public, semipublic or private schools. Portable building/ portable classrooms shall be permitted at any daycare or childcare center that within a commercially zoned area. Portable building/ classrooms must comply within standard setbacks for the zoned area.

2) *Railroad rights-of-way.* On all existing rights-of-way of railroad companies, regardless of the zoning district in which such rights-of-way are located, railroad trackage and accessories to railroad movement may be constructed or maintained.

3) *Conditional use regulations.*

a. *Purpose; defined.* To provide for the compatible and orderly development of the city, certain uses are hereby declared to be conditional. The term "conditional use," when used in this section, means a use that may be suitable only in certain locations in the zoning district at any particular time or, likewise, may be inappropriate in a zoning district due to conditions then existing. In general, uses declared to be conditional under the terms of this chapter are recreational uses operated as a commercial enterprise and requiring the payment of money or a thing of value by the customer to the owner or operator as a condition for partaking in the recreational activity therein offered.

b. *Uses declared to be conditional.* In extension and not in limitation of the definition of a conditional use in subsection (a)(3) a. of this section, the following uses are hereby declared to be conditional:

1. Billiard or pool halls.
2. Dance halls/Event Centers
3. Skating rinks.
4. Bowling alleys.
5. Amusement parks
6. Permanent circus (longer than two weeks)
7. A day care center in a residential district, subject to the satisfaction of the following mandatory minimum conditions designed to protect the

single-family residential character of the neighborhood:

- i. 6' high screened opaque buffer fence is required along outdoor play area
 - ii. The maximum number of children permitted will be 12
 - iii. No outside storage areas permitted
 - iv. Business must take place in primary structure for home
 - v. No exterior alterations indicating that a different use other than residential are permitted, the location must maintain the look of a residential area.
 - vi. Must meet state requirements
 - vii. Must have a drop-off area adjacent to the street
 - viii. Only 1 daycare is permitted on dead-end streets and cul-de-sacs
 - ix. The spacing between daycares must be 600ft
 - x. If applicant is not the property owner, an authorization letter must be provided by owner
 - xi. The conditional use permit shall be renewable upon one-year terms;
 - xii. No garages, carports or accessory buildings can be used for occupation
 - xiii. If Conditional Use Permit is revoked, applicant cannot request a permit within 1 year
 - xiv. State Comptroller Registration must be provided and a copy submitted to the City
 - xv. Property must be at least 50 ft wide
 - xvi. Property must be in compliance with latest adopted building permit at the time of application
 - xvii. A sign may be posted with a maximum size of 1.5ft X 1.5Ft and must be non-illuminated
 - xviii. All outdoor decorations along walls, fences or lawns shall be prohibited.
 - xix. Exterior walls of the building and fencing must be painted in conformance with the surrounding color schemes of the existing neighborhood.
8. Mental, drug or alcohol group therapy centers.
 9. All businesses holding mixed beverage alcohol permits.
 10. Assisted living facility (personal care homes and other similar type facilities) businesses in R-2,B-1,B-2, B-3, or I zoning districts.
 11. Hospice facilities in R-2,B-1,B-2, B-3, or I zoning districts.
 12. Bed and breakfast businesses shall be a permitted use in all zoning districts except in the I industrial district where they are prohibited, subject to the satisfaction of the following mandatory minimum

conditions designed to protect the single-family residential character of the neighborhood:

- i. The owner of the real property on which the bed and breakfast inn is located must reside in the dwelling that is classified as a bed and breakfast homestay and bed and breakfast inn;
- ii. One off-street parking space must be provided for each guest room and the off-street parking must not be visible, as a result of sufficient landscaping, a stone or masonry wall, solid wooden fence, or some combination thereof, at street level, from the public right-of-way or any adjacent residential property;
- iii. Compliance with all applicable fire, building and health codes;
- iv. Signage shall be provided consistent with the requirement of Chapter 114.
- v. No cooking facilities of any kind shall be permitted in any guest room;
- vi. The only meal to be provided to guest shall be breakfast, and it shall only be served to guest taking lodging in the facility.
- vii. Guests may stay no longer than two weeks continuously in bed and breakfast classified as homestay or inn;
- viii. The conditional use permit shall be renewable upon one-year terms:
 - i. Yearly facility inspection must be conducted by Planning, Fire Marshal, Health and Building Departments prior to one year renewal.
 - ii. A police report of the location must be provided to the Commission as part of the renewal application.
- ix. Such other conditions as the planning and zoning commission may recommend or the city commission may impose if it is determined to be necessary or desirable for the protection of nearby properties and in the public interest;
- x. The property owner must provide proof of registration with the Texas Comptroller for the collection of hotel/motel taxes;
- xi. All property owners must obtain approval for a conditional use permit prior to the listing of the property on any host site;
- xii. All property owners must provide proof of liability insurance which specifically covers bed and breakfast;
- xiii. All bed and breakfast host must have at least one guest officially sign in, providing a real name, address, contact information, car registration, or a copy of a driver's license, which must be provided to the City upon request;
- xiv. The official guest sign in record, hosting dates and financial

documents must be maintained for a minimum of four years and must be made available to the City upon request for auditing to ensure tax compliance.

- xv. The occupancy maximum shall be conspicuously posted within the bed and breakfast; and
 - xvi. The name and telephone number of the local responsible party shall be conspicuously posted within the bed and breakfast and provided to Planning Department staff. The responsible party shall answer calls twenty-four (24) hours a day seven (7) days a week for the duration of rental period to address problems associated with the bed and breakfast.
13. The operation of a private or public school in an "R-1" district.
14. Any other use of a recreational nature as described in section 150-12(a) (3) a.
15. Businesses that require any of the following on-premise licenses/permits from the Texas Alcoholic Beverage Commission:
- i. Wine and beer retailers permit.
 - ii. Beer retail dealers on premise license.
 - iii. Retail dealers on-premise late hours license.
 - iv. Brewpub license.
 - v. Wine and beer retailers permit for excursion boats.
 - vi. Wine and beer retailers permit for railway dining car.
 - vii. Mixed beverage permit.
 - viii. Mixed beverage late hours permit.
 - ix. Mini bar permit.
 - x. Caterer's bar permit.
 - xi. Food and beverage certificate.
 - xii. Beverage cartage permits.
 - xiii. Mixed beverage restaurant permit with food beverage certificate.
16. Businesses that require any of the following off-premise licenses/permits from the Texas Alcoholic Beverage Commission: [The change of ownership shall be exempt from the Conditional Use Requirement, case shall be handled administratively by the Office of the City Secretary. Unless license was revoked in accordance with Section 150-12(h) (3)]
- i. Wine and beer retailer's off-premise permit.
 - ii. Beer retail dealer's off-premises.
 - iii. Package store permit.
 - iv. Wine only package store permit.
 - v. Local distributors permit.
 - vi. Local cartage permit.
 - vii. Local cartage transfer permit.
 - viii. Package store tasting permit.

c. *Permit required.* Notwithstanding any other provision of this chapter, no conditional use may be established or operated in any zoning district where such use is otherwise permitted or authorized under the terms hereof unless a use permit is first granted by the city in accordance with the requirements of this section. A use permit may only be issued by the city commission after receipt of recommendation from the planning and zoning commission of said city. The use permit may have a specified time limitation attached and may impose conditions other than those which are specifically set forth in this chapter.

d. *Approval procedure; responsibility.* The planning director or duly appointed representative will have the responsibility for processing all applications for use permits required for conditional uses and for forwarding such applications to the planning and zoning commission.

1. After receiving an application for a use permit, the planning director or duly appointed representative shall place the request on the agenda of the next planning and zoning commission meeting at least 14 days from the date of the advertisement is published.
2. The planning director or duly appointed representative shall conduct a technical review of the application and shall forward a recommendation to the planning and zoning commission. The planning and zoning commission shall make a formal recommendation to the city commission. The city commission shall approve or disapprove the application, after public hearing and after receiving the report of the planning and zoning commission according to the procedure set out in section 150-20(c) and (d).
3. A conditional use permit shall be granted only when the proposed use is otherwise permitted in the zoning district in which it is proposed to be located.
4. In granting a use permit, the city commission may impose such requirements and conditions with respect to location, construction, maintenance, and operation for the particular use that they deem necessary for the protection of adjacent property and in the public interest, in addition to those expressly stipulated in this chapter.

e. *Application filing procedure and fees.* Application shall be made by the property owner, lessee, or certified agent thereof, to the planning commission on a form prescribed for this purpose by the city. Such application may be accompanied by drawings as set forth in subsection (a) (3) f of this section. The granting of a use permit does not exempt the applicant from complying with requirements of article III of chapter 26 or other ordinances. The fee for a use permit shall be \$300.00, payable at the time application is made. No part of this fee shall be refundable. The application shall contain the following information:

1. The name of the proposed use.
2. The location of the proposed use.

3. The purpose of the proposed use.
4. The owners and operators of the proposed use.
5. Whether or not alcoholic beverages will be consumed on the premises.
6. The hours of operation of the proposed use.
7. An application for a conditional use permit for the same location can only be submitted once during a 12-month period. The city commission may waive this requirement if circumstances warrant it.

f. Preliminary Site plans preferred.

1. *Purpose.* The purpose of the site plan is to ensure a feasible compliance with this chapter and to assist in the orderly and harmonious development of the city, to protect the general welfare, and to help prevent the impairment by the erection of structures, additions or alterations without proper attention to site planning.
2. *Contents.* The site plan shall contain:
 - i. The location of all structures on the subject property.
 - ii. Landscaping and/or fencing of yards and setback areas and the use of landscaping and/or walls or fences for screening purposes.
 - iii. Design of ingress and egress to minimize interference with traffic flow on abutting streets.
 - iv. Off-street parking and loading facilities.
 - v. Height of all structures.
 - vi. Proposed uses.

g. Prerequisites for approval.

1. No structure or property in any district shall be used for a use listed as a conditional use without first having a use permit for such use from the city commission.
2. The city commission, after receipt of report and recommendations from the planning and zoning commission may permit a conditional use subject to appropriate conditions and safeguards when, after public notice and hearing, it finds and determines that:
 - i. The proposed use meets all the minimum standards established in this chapter and in applicable health and safety ordinances of the city for this type of use;
 - ii. The proposed use is in harmony with the purpose and intent of this chapter and of the plan for the physical development of the district, as embodied in the comprehensive plan of the city; and
 - iii. The proposed use will not be detrimental to the health, welfare and safety of the surrounding neighborhood or its occupants, nor be substantially and permanently injurious to neighboring property. The city commission, in making this determination, may take into account the place or manner in which the applicant is likely to

conduct the business and the number of similar establishments in the area, if any. Any undue concentration of conditional uses in any area of the city shall be avoided.

3. The city commission may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this chapter and to mitigate adverse effects of the proposed use. The requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as curbing and sidewalks.

h. Development and/or automatic cancellation.

1. Following the issuance of the conditional use, the building official shall ensure that, if the development is undertaken, it is completed in compliance with said permit. However, if a use permit has not been used within twelve months after the date granted, the permit is automatically cancelled. An applicant may be granted a six-month extension from the Planning & Code Enforcement Director as long as request is submitted in writing two weeks prior to expiration.
2. The conditional use is granted solely to the agent authorized by the property owner to use establishment/property. Should ownership or the authorized agent change the conditional use is considered void.
3. An alcoholic beverage establishment meeting or exceeding one or more of the criteria set forth below will not be eligible for a city liquor permit renewal and will be subject to a permit revocation at any time during the permit period if violations established below are met or exceeded. (All violations refer to those that take place within the property of the establishment.
 - i. Five unreported fights or disturbances;
 - ii. Two separate incidents which result in a homicide or homicides;;
 - iii. Any one offense of prostitution, lewd conduct, gambling, drug or narcotics possession or sales, or assault permitted or committed on the premise, by act or omission, by the owner, agent or employee of the premise.
 - iv. Fifteen arrest of intoxicated persons on premises;
 - v. Any two sales of alcoholic beverages to a minor by the owner, agent or employee of the premises; or
 - vi. Two violations in the hours of operation.

Any establishment denied the renewal of a City Liquor permit due to meeting or exceeding the above criteria will require a new Conditional Use Permit to open or re-open any bar at the same location regardless of duration of closure of previous establishment (no non-conforming use).

- i. *Preexisting conditional uses to be considered nonconforming.* Any existing conditional use in operation prior to the effective date of the ordinance from which this subsection is derived is hereby declared to be a nonconforming use and subject to the provisions of section 150-12. However, any nonconforming conditional use

which holds a license or permit from the state alcoholic beverage commission authorizing the on-premises consumption of alcoholic beverages shall become subject to the provisions hereof upon the transfer of such license or permit to any person, and the new licensee or permittee shall not be entitled to use the premises for any use for which a use permit is required until he has applied for a use permit and a use permit has been granted by the city commission.

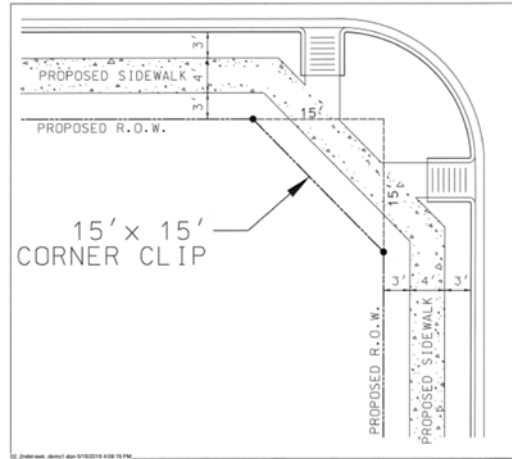
b) *Height regulations.*

- 1) Public, semipublic or private service buildings, hospitals, institutions or schools, where permitted in a district, may be erected to a height not exceeding 60 feet, and churches and temples may be erected to a height not exceeding 75 feet if the building is set back from each yard line at least one foot for each two feet additional height above the height limit otherwise provided in the district in which the building is located.
- 2) Chimneys, cooling towers, elevator bulk heads, fire towers, grain elevators, flour mills, monuments, stacks, or scenery lofts, tanks, water towers, ornamental towers and spired church steeples, or necessary mechanical appurtenances may be erected to a height in accordance with existing or hereafter adopted ordinances of the city, provided that in the absence of any such ordinance, there shall be no height limitation on these structures.

c) *Area and density regulations.*

- 1) In a district in which commercial or industrial buildings are built with one or more stories for residential purposes above the commercial or industrial uses, no side yards will be required for the residential portions of the building, provided that the part of the building intended for residential use is not more than two rooms deep from front to rear.
- 2) No yard or other open space provided about any building, for the purposes of complying with the provisions of these regulations, shall again be used as a yard or an open space for another building. Every part of a required yard shall be open to the sky and unobstructed by buildings except for accessory buildings in the rear yard and except the ordinary projections of skylights, sills, belt courses, cornices, and other ornamental features which may project into such yards a distance of not more than two feet.
- 3) Any building or accessory use constructed on any lot shall be located ten feet from any other building or accessory use on such lot or attached in R-1, R-3 and M-1 Districts.
- 4) Front yard requirements shall be as follows:
 - a. Where 40 percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have not observed a front yard as described in subsection (c)(5)a of this section, then:
 1. Where a building is to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of the adjacent buildings on the two sides; or
 2. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building. In determining such front yard depth, buildings located entirely on the rear one-half of a lot shall not be counted.
 - b. On any corner lot on which a front or side yard is required, no wall, fence, sign, or

other structure, or any plant growth shall be permitted or maintained higher than three feet above the curb level within 15 feet of the intersection of the property lines. All opaque fencing extended to the front yard shall upon any corner lot construct a 15 foot by 15 foot corner clip fence.



- c. Front yard solid face fences extending past the forward most portion of the main use building to the front and side lot of property lines shall be restricted to a height of not more than thirty (36) inches above the grade of the yard within 15 feet of the front property line.
 - d. Attached accessory buildings or accessory uses in an R-1, R-2, R-3 or M-1 zone shall be from the front property line the same distance required for the main building, for front yard purposes. Detached accessory buildings or accessory uses shall be located in the area defined as the rear yard.
- 5) Side yard requirements shall be as follows:
- a. The minimum width of a side yard of a corner lot in the R-1 and R-2 districts shall be not less than ten feet, provided that if the corridor is identified on the Hidalgo County Thoroughfare Map and the street side line of a corner lot is in the same block frontage with a lot whose street line is a front of such lot, the side yard shall extend to the average alignment of the buildings along the same side of the street, unless such buildings are more than 25 feet back from the street line, in which case the side yard need not be more than 25 feet.
 - b. A side yard of not less than 25 feet on the side of the lot adjoining on an R-1 or R-2 district shall be provided for all schools, libraries, churches, community houses, clubs, and other public or semipublic buildings hereafter erected or structurally altered.
 - c. Where 40 percent or more of the side yard on one side of a street between two intersecting streets is developed with buildings that have not observed a side yard, then:
 - 1. Where a building is to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum side yard shall be taken at an average of the adjacent buildings on the two sides; or
 - 2. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one side only, such building may be

erected as close to the side yard as the existing adjacent building.

- d. Where a lot in a B-1, B-2, B-3, or I district is not used for residential purposes and abuts upon an R-1 or R-2 district, a side yard shall be provided of not less than ten feet. Furthermore, in such abutting zones, it shall be required that the commercial zone developer must provide and permanently and adequately maintain a permanent screening fence of masonry and/or solid wood of redwood and/or cedar, no less than eight feet in height, and that the building must set back no less than ten feet from such abutting property line, such screen shall set back within the property line. Furthermore, if the residential building converts to a commercial or industrial building, a permanent screening fence of masonry and/or solid wood of redwood and/or cedar, no less than eight feet in height, shall be required.
- e. Garages detached or attached to the main use building entering on the side street of a corner lot, shall maintain a side yard of 20 feet in front of the garage.

6) Rearyard requirements shall be as follows:

- a. In R-1 and R-2 districts, no main use, accessory use or accessory building shall be constructed, placed or located within five feet of the rear property line on any lot.
- b. Any accessory building or accessory use constructed on any lot in an R-1 or R-2 district shall be located ten feet from the main use building on such lot or attached and may not be more than one story in height.
- c. Any building constructed on any lot in a B-1, B-2, B-3, or I district shall be located at least ten feet away from all other buildings on such lot.
- d. If an alley abuts the rear property line on any lot in an R-1 or R-2 district, no part of such alley may be used in determining the rear yard setback described in subsection (c)(7)a of this section.
- e. Where 40 percent or more of the rear yard on one side of a street between two intersecting streets is developed with buildings that have not observed a rear yard, then:
 - 1. Where a building is to be erected on a parcel of land that is within 100 feet of existing buildings on both sides, the minimum rear yard shall be taken at an average of the adjacent buildings on the two sides; or
 - 2. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building on one rear only, such building may be erected as close to the rear yard as the existing adjacent building.
- f. Where a lot in a B-1, B-2, B-3 or I district is not used for residential purposes and abuts upon an R-1 or R-2 district, a rear yard shall be provided of not less than ten feet. Furthermore, in such abutting zones, it shall be required that the commercial zone developer must provide and permanently and adequately maintain a permanent screening fence of masonry and/or solid wood of redwood and/or cedar, no less than eight feet in height, and the building must set back no less than ten feet from such abutting property line, such screen shall set back within the property line. Where a lot in a B-1, B-2, B-3 or I district is used for residential purposes and abuts upon an R-1 or R-2 district, the rear yard requirements from the R-1 or R-2 district shall apply. Furthermore, if the residential building

coverts to a commercial or industrial building, a permanent screening fence of masonry and/ or solid wood of redwood and/or cedar no less than eight feet in height shall be required.

Sec. 150-12. - Nonconforming uses.

- a. *Nonconforming use of land.* The nonconforming use of land where no building is involved existing on the effective date of the ordinance from which this section is derived may be continued for a period of not more than two years therefrom, provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property, and that if such nonconforming use of land or any portion thereof is discontinued or changed, any future use of such land shall be in conformity with regulations of the district in which it lies.
- b. *Nonconforming use of buildings.* Except as otherwise provided in this chapter, the nonconforming use of a building existing on the effective date of the ordinance from which this section is derived may be continued, and the use of a nonconforming building may be changed to another use of the same or more restricted classification, but where such use is changed to a more restricted classification it shall not thereafter be changed back to a use of a less restricted classification. A nonconforming building which is or may hereafter become vacant and which shall remain unoccupied or its nonconforming use discarded for a continuous period of one year shall not thereafter be occupied except by a use which conforms to regulations of the district in which it is located.
 - 1) A nonconforming building may be maintained or kept in good repair except as otherwise provided in this section.
 - 2) No existing nonconforming building may be enlarged, extended, reconstructed or altered unless its use is changed to a use permitted in the district in which such building is located except in the event such enlargement, extension, reconstruction or alteration is required by court decision, law, or ordinance.
 - 3) No nonconforming building shall be moved in whole or in part to any other location on the lot unless every portion of such building is made to conform to all the regulations of the district in which it is located.
 - 4) A nonconforming building which is damaged by fire, explosion, flood, wind, earthquake or other calamity or act of God or the public enemy to the extent of 50 percent or more of its reasonable value may not be restored except in conformity with the regulations of the district in which it is located.
- c. *Prohibited; alteration, removal, or replacement required.* The following uses now in existence and not in strict conformity with the provisions of the district in which it is located are hereby prohibited, and such uses now in existence in the city shall be altered, replaced or removed to conform to the provisions of this chapter on or before the date shown in the following schedule:
 - 1) Billboards and poster boards: January 1, 1961.
 - 2) Junkyards and automobile wrecking yards: January 1, 1961.

Sec. 150-14. - Permits.

No permit for land improvements or the erection, alteration, or enlargement of any

building shall be issued by the building inspector unless there first be filed in his office by the applicant therefor, a plat, drawn to scale, and in such form as may be prescribed by the building inspector, correctly showing the location and actual dimensions of the lot to be occupied, the dimensions and location on the lot of the building to be erected, altered or enlarged, together with a true statement in writing, signed by the applicant, showing the use for which such building is arranged, intended or designed, and furnishing such other information as the building inspector may require in the enforcement of the provisions of this chapter, and any failure to comply with the provisions of this chapter shall be good cause for the revocation of any such building permit by the building inspector. Prior to the pre-pour of any cement, concrete or asphalt for an unimproved residential lot a form survey noting setbacks and elevations must be filed with and accepted by the building inspector. Unclaimed permits shall expire six (6) months after the date of approval.

Sec. 150-15. - Cluster housing development.

- a) *Purpose of CHD.* The purpose of a CHD is to allow creative residential development otherwise precluded by this chapter which has as its purpose a more efficient and functional use of land.
- b) *CHD permit required.* When the planning and zoning commission is petitioned by the owner of a tract of land zoned R-2 and comprising an area of not less than two acres, for the purpose of creative residential development of a density not to exceed the maximum allowed in the R-2 residential district, the planning and zoning commission may recommend to the city commission the granting of a permit in accordance with the provisions of this section.
- c) *CHD permit fees.* A CHD application shall be accompanied by a permit fee of \$75.00. No action by the city commission shall be valid until the permit fee has been paid. This fee shall not be refunded should the CHD plan be disapproved by the city commission.
- d) *Permit procedure for CHD.* The regulations prescribed herein shall regulate the procedure for making application for a permit for a cluster housing development. The submittal of the preliminary CHD plan, the staff review and comments, the recommendations by the planning and zoning commission on the preliminary plan, the public hearing, the action by the city commission on the preliminary development plan, the submittal of the final development plan, the staff investigation and technical report, the recommendation by the planning and zoning commission on the final development plan, the public hearing, and the action by the city commission on the development plan. Approval of the preliminary development plan may be considered as approval of the final development plan if no changes are required by the planning commission and the city commission and all requirements are included on the development plan.
- e) *Preliminary and final CHD plan.* The following requirements and procedures shall be observed in the preparation and filing of the preliminary and final CHD plan:
 - 1) *Proof of ownership or control.* Before a preliminary CHD plan shall be approved for any improvement in an R-2 district, the owner of all the land included in said area, of all structures existing thereon, and all encumbrances of both said land area and structures, hereinafter known as the applicant, shall present sufficient evidence to establish that the applicants are in fact all the owners or have control of all outstanding interests of the land and structures thereon.
 - 2) *Time for filing and copies required.* The applicant shall file 25 blue or black line copies of the CHD plan and the permit fee set forth subsection (c) of this section with the department of planning at least 15 days prior to the date, at which formal application for the preliminary plat approval is made to the planning commission.
 - 3) *Contents.* The preliminary and the final CHD plans shall be certified by the applicants and shall conform to the specifications and requirements set forth in the section 26-2.020 and 26-2.03 of the subdivision regulations ordinance (appendix B to this Code), and contain

any other information deemed necessary.

4) *General requirements.*

a. *Yard requirements.*

1. Front yard: None specified. Front yard setback may be required by the planning and zoning commission and city commission to insure conformity with surrounding areas.
2. Side yard: None required, except for on corner lots, each of which shall have a side yard of at least ten feet.
3. Rear yard: None specified. Rear yard setback may be required by the planning and zoning commission and city commission to insure conformity with surrounding areas.

b. *Minimum area requirements.*

1. No site for CHD shall contain less than two acres.
2. No cluster housing development shall exceed a density allowed in the R-2 residential district.

c. *Maximum building height.* Maximum height shall be 2 ½ stores or 35 feet.

d. *Maximum units per building.* The total dwelling units in any groups of attached dwelling shall not exceed six units.

e. *Minimum distance between buildings.* The minimum distance between buildings shall be ten feet.

f. *Minimum parking spaces.* Off-street parking shall be provided on the basis of two spaces per dwelling unit, both of which may be provided in a common parking area.

- f) *Preliminary and final CHD plan review.* Each CHD plan shall be submitted to the department of planning and shall be reviewed in accordance with the procedure set forth in section 26-2.03 E of the subdivision regulation ordinance (appendix B to this Code).
- g) *CHD plan recording.* Upon approval of the final CHD plan by the city commission, the applicant shall record one of the approved final plans with the department of planning.
- h) *Effects of recording CHD plan.* All final CHD plans registered and recorded hereunder shall be binding upon the applicant and his heirs, successors and assigns, shall limit and control the issuance and validity of all permits, and shall restrict and limit the construction, location, use, and operation of all land and structures included within such plans to all conditions and limitations set forth in such plans.
- i) *Amendments and appeals.* All applicants for a CHD and site plan which are disapproved may file with the reviewing agents who disapproved the plan an amendment to such plan or an amended plan, which amendment or amended plan shall be limited exclusively to changes made necessary to accomplish compliance, with the grounds for disapproval stated by the reviewing agent. Such amendment or amended plan shall be reviewed in accordance with the same time limits and procedures as provided herein for original submission.
- j) *Coordination with subdivision regulations.* It is the intent of this section that the subdivision ordinance (appendix B to this Code) is carried out simultaneously with the review of a cluster housing development under other pertinent sections of the subdivision ordinance (appendix B to this Code).
 - 1) The plans required under this section must be submitted in a form which will satisfy the requirements of the subdivision ordinance (appendix B to this Code) for the preliminary and final plans required under those regulations.
 - 2) Both this section and other sections of the subdivision ordinance (appendix B to this Code) contain regulations which apply to such matters in the design of a cluster housing development as streets and open spaces. In any cluster housing development for which the provisions of two ordinances are in conflict, the most stringent shall prevail.

Sec. 150-16. - Neighborhood shopping center.

- a) The owner of any tract of land comprising an area of not less than 2 ½ acres and not lying within a business district may submit a development plan for a neighborhood shopping center. Such application shall be processed in accordance with the provisions of section 150-20.
- b) The city planning commission may recommend to the city commission that such application be approved if the application conforms to the following:
 - 1) The uses permitted in the center shall be limited to those of the B-1 neighborhood business district as listed in section 150-8.
 - 2) The entire development is designed as a single architectural unit with appropriate landscape and architectural treatment of the entire area.
 - 3) At least four times the gross floor area of the stores included in the development is provided in off-street parking areas, which are integral parts of the design of the unit plan.
 - 4) The appropriate use of property adjacent to the area included in the plan will be fully safeguarded, and to this end, the city commission may make such requirements as it deems necessary.
 - 5) Satisfactory evidence shall be submitted that the automobile parking areas and the landscaped areas will be properly constructed and maintained.
 - 6) The plan is consistent with the intent and purposes of this chapter to promote the public health, safety, and general welfare.

Sec. 150-17. - Certificate of occupancy.

- a) No vacant land shall be occupied or used except for agricultural uses, until a certificate of occupancy shall have been issued by the building inspector.
- b) No premises shall be used and no buildings hereafter erected or structurally altered shall be used, occupied or changed in use, until a certificate of occupancy and compliance shall have been issued by the building inspector, stating that the building or proposed use of a building or premises complies with the building laws and the provisions of these regulations.
- c) Certificates of occupancy and compliance shall be applied for coincident with the application for a building permit and shall be issued within ten days after the erection or structural alterations of such buildings or land improvements shall have been completed in conformity with the provisions of these regulations.
- d) No permit for excavation for any building shall be issued before application has been made for a certificate of occupancy and compliance.
- e) A certificate of occupancy shall be required of all nonconforming uses. Application for a certificate of occupancy for nonconforming uses shall be filed with the building inspector within 12 months from the effective date of the ordinance from which this chapter is derived.

Sec. 150-18. - Boundaries of districts; rules where uncertainty may arise.

Where uncertainty exists with respect to the boundaries of the various districts as shown on the map accompanying and made a part of this chapter, the following rules apply:

- 1) The district boundaries are either streets or alleys unless otherwise shown, and where the districts designated on the zoning map are bounded approximately by street or alley lines, the street or alley shall be construed to be the boundary of the district.
- 2) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the zoning map are bounded approximately by lot lines, the lot lines shall be construed to be the boundary

- of the districts unless the boundaries are otherwise indicated on the map.
- 3) In un-subdivided property, the district boundary lines on the zoning map shall be determined by use of the scale appearing on the map.

Sec. 150-19. - Board of adjustment.

- a) A board of adjustment is hereby established.
- b) The board of adjustment shall consist of five members who are property owners in the city, each to be appointed for a term of two years and removable for cause by the city commission upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.
- c) The board shall adopt rules in accordance with the provisions of this chapter. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.
- d) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decision of the building inspector. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds therefor, and by paying a filing fee of \$ 250.00 plus \$20.00 for each additional variance at the time the notice is filed, which shall be credited to the general fund of the city. In all cases where publication of notice of public hearing in the official publication of the city is required by this chapter and the laws of the state, the applicant, in such instances, shall deposit with the city secretary such sum as may be required to pay the cost of such publication before such publication is made. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed was taken. An appeal stays all proceedings in furtherance of the action appealed, unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him, that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board of adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on the cause shown. The board of adjustment shall fix a reasonable time for the hearing of the appeal, giving public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.
- e) The board of adjustment shall have the following powers:
 - 1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this chapter.
 - 2) When a property owner can show that a strict application of the terms of this chapter relating to the use, construction or alteration of buildings or structures or the use of land will impose upon him practical difficulties or particular hardship, the board may consider and allow variations of the strict application of the terms of this chapter if the variations are in harmony with the general purpose and intent of this

chapter, and the board is satisfied, under the evidence heard by it, that a granting of the variation will not merely serve as a convenience to the applicant but will alleviate some demonstrable hardship or difficulty so great as to warrant a variation from the comprehensive plan created by this chapter.

- 3) The board may authorize a variance where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property of record at the time of the adoption of the ordinance from which this section is derived or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of a provisions of this chapter would result in peculiar and exceptional practical difficulties and particular hardship upon the owner of the property and amount to a practical confiscation of the property as distinguished from a mere inconvenience to the owner, provided the variation can be granted without substantial detriment to the public good and without substantially impairing the general purpose and intent of the comprehensive plan as established by the regulations and provisions contained in this chapter.
- 4) When, in its judgment, the public convenience and welfare will not be substantially or permanently injured, the board of adjustment may, in a specific case, after public notice and hearing and subject to appropriate conditions and safeguards, authorize special exceptions to the regulations herein established as follows:
 - a. To permit a transitional use between a business or industrial district and a dwelling district where the side of a lot in a one-family district or a two-family district abuts upon a lot zoned for business or industrial purposes as follows: on a lot in a single-family dwelling district which sides upon a lot zoned for business or industrial purposes, the board may permit a two-family dwelling.
 - b. To permit the extension of a building or use into a more restricted district, immediately adjacent thereto, but not more than 50 feet beyond the boundary line of the district in which such building or use is authorized.
 - c. To grant, in undeveloped sections of the city, temporary and conditional permits for not more than two years. The granting or existence of such temporary or conditional permit shall not be reason or cause for the extension of such permit.
 - d. To permit such modification of yard, open space, lot area or lot width regulations as may be necessary to secure an appropriate improvement of a parcel of land if such parcel is separately owned at the time of the passage of the ordinance from which this section is derived or subsequent annexation of the city and is of such restricted area that it cannot be appropriately improved without such modification.
 - e. To determine in cases of uncertainty the classification of any use not specifically named in this chapter.
 - f. To grant a permit for the extension of a use, height or area regulation into an adjoining district, where the boundary line of the district divided a lot in a single ownership at the time of the adoption of the ordinance from which this section is derived.
 - g. To permit as an accessory use a parking area for passenger automobiles on a lot or lots in a single-family, duplex, or apartment house district adjoining or across a street of not more than 50 feet in width from an R-1 or R-2 district, subject, however, to the following provisions:
 1. The area shall be properly enclosed with a hedge screen, fence, wall or other suitable enclosure having a height of not less than three feet or

more than six feet. Such fence or enclosure shall conform to the front yard regulations of the district in which it is located.

2. The area shall be paved.
3. No parking of vehicles shall be permitted within six feet of any adjoining lot on which is located a single- family residence, duplex or multiple dwelling.
4. One sign, not exceeding 2 ½ square feet in area, may be erected identifying the lot.
5. No charges may be made for parking, and no other business use may be made of the lot.
6. Any light used to illuminate said parking area shall be so arranged as to direct the light away from any adjoining premises used for residential purposes.

h. To permit the reconstruction of a building occupied by a nonconforming use, or to permit the extension of a nonconforming use of a building upon the lot occupied by such use or building at the time of the passage of the ordinance from which this section is derived.

- 5) Any appeal or permit granted by the board of adjustment shall have perpetual approval for the property.
- f) In exercising the powers established by this section, the board may, in conformity with the provisions of this section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.
 - 1) In considering all appeals and all proposed variations to this chapter, the board shall, before making any finding, in a specific case, first determine that the proposed variation will not constitute any change in the district map and will not impair an adequate supply of light and air to adjacent property, materially increase the congestion in public streets, increase the public danger of fire and safety, materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals and welfare of the city.
 - 2) Every variation granted or denied by the board shall be accompanied by a written finding of fact, based on sworn testimony and evidence, specifying the reason for granting or denying the variation.

Sec. 150-20. - Changes and amendments.

- a) The city commission may from time to time amend, supplement, or change by ordinance the boundaries of the districts or the regulations herein established.
- b) Before taking any action on any proposed amendment, supplement or change, the city commission shall submit the same to the city planning commission for its recommendation and report.
- c) A public hearing shall be held by the city commission before adopting any proposed supplement, amendment or change. Notice of such hearing shall be given by publication twice in the official publication of the city stating the time and place of such hearing, which time shall not be earlier than 15 days from the first day of such publication.
- d) Written notice of all public hearings before the Planning & Zoning Commission on a proposed amendment of change shall be sent to all owners or real property lying within two hundred (200) feet of the property on which the change is requested. Such notice shall be given not less than ten (10) days before the date set for hearing by posting use notice properly addressed and postage paid to each taxpayer as ownership appears on the Appraisal District.

- e) Unless such proposed amendment, supplement or change has been approved by the city planning and zoning commission or if a protest against such amendment, supplement or change has been filed with the building inspector, duly signed and acknowledged by the owners of 20 percent or more, either of the area of the lots included in such proposed change, or those immediately adjacent in the rear thereof extending 200 feet therefrom, or of those directly opposite thereto extending 200 feet from the street frontage of such opposite lots, such amendment, supplement or change shall not become effective except by a three-fourths vote of the city commission.
- f) Any appeals to either the city commission or the city planning and zoning commission pursuant to this section shall not be considered unless a filing fee in the amount of \$300.00 shall accompany each appeal so made. In all cases where publication of notice of public hearing in the official publication of the city is required by this chapter and the laws of the state, the applicant shall deposit with the city secretary such sum as may be required to pay the cost of such publication before such publication is made.
- g) Any appeal contemplated by any section of this chapter, including, but not limited to, appeals under section 150-19 and this section, shall only be made by the record owner of the property. If an amendment, supplement or change by ordinance is granted to a property owner as the result of an appeal under this section, whereby a change is made from a more restricted to a less restricted area, such amendment, supplement or change, and the ordinance so granting same, shall become null and void, and the property shall revert to its former designation if any terms of the ordinance are violated by the property owner within one year from the effective date of said amendment, supplement or change.

Sec. 150-21. - Enforcement and penalty for violation.

- a) It shall be the duty of the building inspector to enforce the provisions of this chapter and to refuse to issue any permit for any building or for the use of any premises which would violate any of the provisions of this chapter.
- b) In the event any building is erected, constructed, reconstructed, altered, repaired, or converted or any building or land is used in violation of this chapter, the building inspector is authorized and directed to institute any appropriate action to put an end to any such violation.
- c) Any person who shall violate any of the provisions of this chapter or fail to comply therewith or with any of the requirements thereof or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$200.00, and each day such violation shall be permitted to exist shall constitute a separate offense. The owner of any building or premises, or part thereof, where anything in violation of this chapter shall be placed or shall exist, and any architect, engineer, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction thereof shall be fined as provided in this section.

Sec. 150-22. - Interpretation, purpose and conflict.

In interpreting and applying the provisions of this chapter, this chapter shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. It is not intended by this chapter to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this chapter, or which shall be adopted or issued pursuant to law relating to the use of building or premises, and likewise not in conflict with this chapter; nor is it intended by this chapter to interfere with or abrogate or annul any easements, covenants or other agreements between parties, except that, if this chapter imposes a greater restriction, this chapter

shall control.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this ____ day of _____, 2018.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2018.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**

ANIMAL UNIT EQUIVALENCY CHART

STOCKING RATE CHART AVERAGES

Improved Pasture (Irrigated) = 1 Animal Unit to 3-4 Acres.

Native Pasture (Non Irrigated) = 1 Animal Unit to 10 Acres

DOMESTIC-NATIVE SPECIES

ANIMAL UNIT

Cow & Calf

1.00 Animal Unit

Mature Bull

1.50 Animal Unit

Llama

1.00 Animal Unit

Horse

1.00 Animal Unit

→ 2 Miniature Horses

1.00 Animal Unit

Donkey or Mule

1.25 Animal Unit

→ 6 Lambs or Sheep

1.00 Animal Unit

→ 6 Billy or Buck Goats

1.00 Animal Unit

Note: 1.00 Animal unit equals to 1000 pounds.



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1462	
From: Mardoqueo Hinojosa			
Subject: Discussion and consideration after public hearing on behalf of Reuben Bar-Yadin to approve Ordinance 2018-01 rezoning 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase I, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-01. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-1 One Family Dwelling to B-2 Secondary Highway Business District. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on December 22, 2017.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Public Hearing Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission appeared in The Monitor on December 18, 2017.			
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning and Zoning recommended approval on January 3, 2018			
Mardoqueo Hinojosa		Created/Initiated	
Mardoqueo Hinojosa		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Aerial, Reuben Bar-Yadin			

Responsibilities upon Approval:

Staff will inform applicant.

Rezone Request

R-1 One Family Dwelling to B-2
Secondary and Highway District

Legend

 2929 W. Expressway 83

Midway
Road

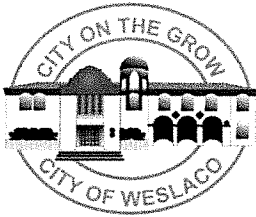
Interstate 2/
US Expressway 83

Google Earth

© 2017 Google
© 2017 INEGI

1000 ft





APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. Re218-06002

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot 1 and Common Area Block

Subdivision Name Grover Commercial Plaza, Phase 1

Street Address 2929 W Expressway 83, Weslaco, Texas 78596

Existing Zoning R-1 Existing Land Use Commercial

Proposed Zoning Commercial B-2 Proposed Land Use Commercial

- ☒ \$300.00 non-refundable filing fee.
- ☒ Detailed dimensioned site plan/map must be submitted with this request.
- ☒ Survey and metes and bounds if the legal description is a portion of a lot.
- ☒ City and school tax receipts attached.
- ☒ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Reuben Bar-Yadin Phone 210-424-8013

Address 4629 Macro Drive Fax:

City San Antonio State TX Zip Code 78218 E-Mail: Flint@CBGCRE.com

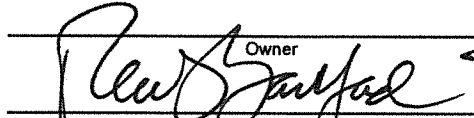
OWNER

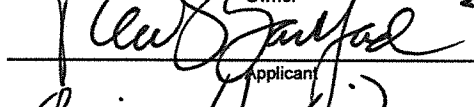
Name Grover Properties, LTD Phone 956-453-7098

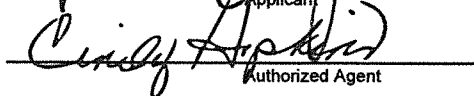
Address 712 W Harrison Avenue Fax:

City Harlingen State TX Zip Code 78550 E-Mail: chopkins@ccim.net

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date

Signature  Date 12-8-17

Signature  Date December 8, 2017

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published Date _____

Presented to P & Z Commission
Approved _____ Disapproved _____ Tabled _____ Date _____

Presented to City Commission
Approved _____ Disapproved _____ Tabled _____ Date _____

Ordinance No. _____

CITY OF WESLACO
956-968-3181

REC#: 02329235 12/13/2017 3:50 PM
OPER: KArev TERM: 036
REF#: 1094
PAID BY:

TRAN: 235.1000 PROCESSING FEE
5560
01 -400-3200
PROCESSING FEE-ONLI 5.00CR

TRAN: 204.0000 REZONING APPL FEE
5560
01 -400-1027
REZONING APPLICATIO 300.00CR

TENDERED: 5.00 CHECK
300.00 CHECK
APPLIED: 305.00-

CHANGE: 0.00

EXHIBIT A

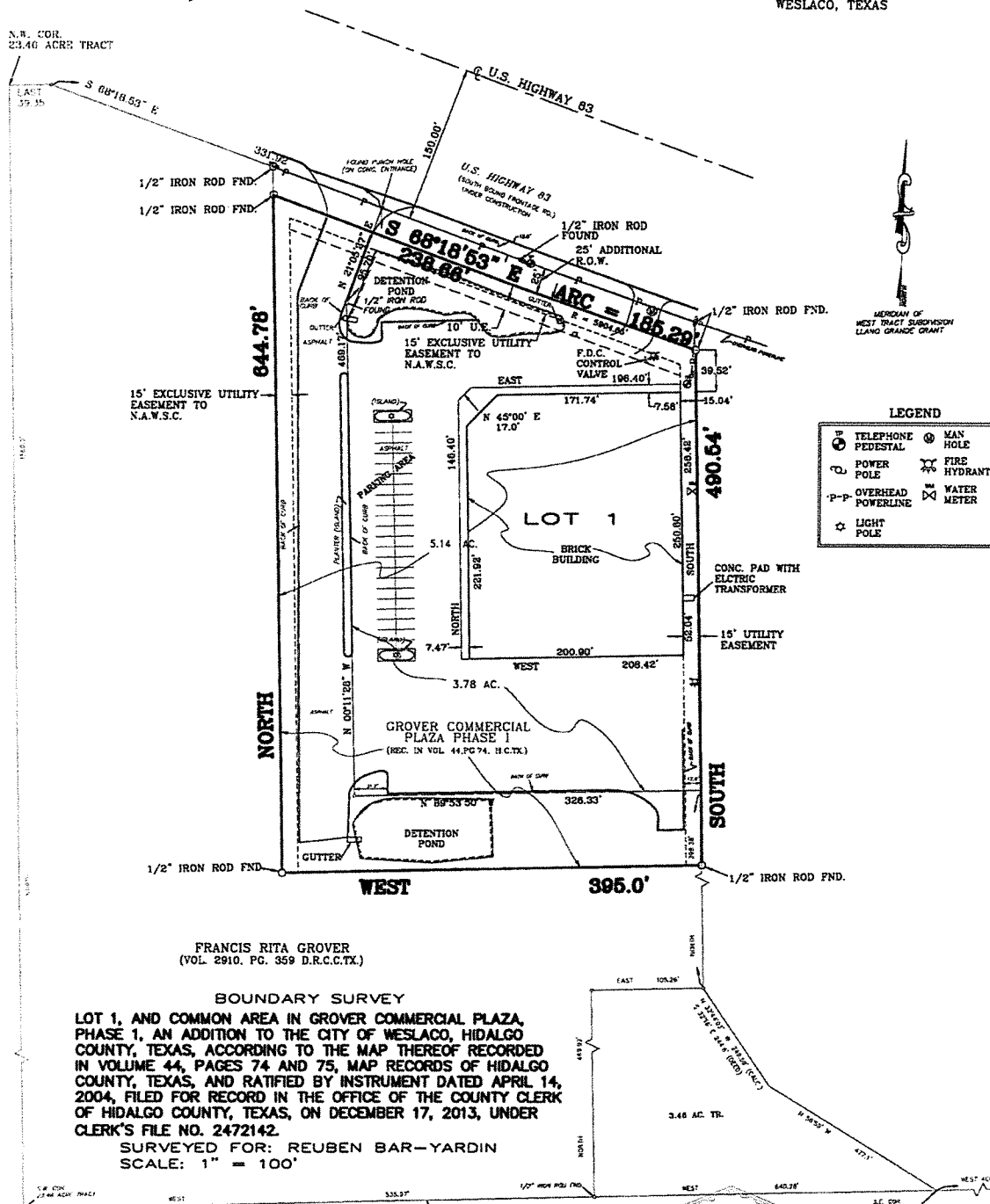
PLAT OF SURVEY

**BEING 14.65 ACRES (14.61 ACRE DEED
DOC. #2369882) OF LAND OUT OF THE
SOUTHEAST 23.46 ACRES OF FARM TRACT
165, BLOCK 179 WEST TRACT SUBDIVISION,
LLANO GRANDE GRANT, HIDALGO COUNTY,
TEXAS, ACCORDING TO THE MAP OR PLAT
THEREOF RECORDED IN VOLUME 2, PAGES
34-37, OF THE MAP RECORDS OF HIDALGO
COUNTY, TEXAS.**

SUBJECT TO RESTRICTIONS:
 1) RECORDED IN VOLUME 44, PAGES 74, AND 75, M.R.H.C.T.X.
 2) R.O.W. EASEMENT FILED FOR RECORD UNDER CLERK'S
 FILE NO. 1430564.
 3) EASEMENTS, RIGHTS, RULES, AND REGULATIONS IN
 FAVOR OF HIDALGO AND CAMERON COUNTIES WATER
 CONTROL AND IMPROVEMENT NO. 9.

FLOOD INSURANCE RATE MAP OF
 COMMUNITY PANEL NO.: 480334 0450 B
 REVISED DATE: JANUARY 2, 1981
 ZONE: "C" AREAS OF MINIMAL FLOODING.
 ADDRESS: 2929 E. EXPRESSWAY 83
 WESLACO, TEXAS

N.B. COR.
 23.46 ACRES TRACT



FRANCIS RITA GROVER
 (VOL. 2910, PG. 359 D.R.C.T.X.)

BOUNDARY SURVEY
 LOT 1, AND COMMON AREA IN GROVER COMMERCIAL PLAZA,
 PHASE 1, AN ADDITION TO THE CITY OF WESLACO, HIDALGO
 COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED
 IN VOLUME 44, PAGES 74 AND 75, MAP RECORDS OF HIDALGO
 COUNTY, TEXAS, AND RATIFIED BY INSTRUMENT DATED APRIL 14,
 2004, FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK
 OF HIDALGO COUNTY, TEXAS, ON DECEMBER 17, 2013, UNDER
 CLERK'S FILE NO. 2472142.

SURVEYED FOR: REUBEN BAR-YARDIN
 SCALE: 1" = 100'

THIS SURVEY IS DONE FOR THE EXCLUSIVE
 USE OF THE OWNER AND IS NOT VALID AFTER
 6 MONTHS WITHOUT AN ORIGINAL SEAL AND
 SIGNATURE.

JUAN GARCIA JR. R.P.L.S. #4203

"I, JUAN GARCIA JR., REGISTERED
 PROFESSIONAL LAND SURVEYOR
 #4203, DO CERTIFY THAT THIS PLAT
 WAS MADE FROM AN ACTUAL SURVEY
 MADE ON THE GROUND ON 12/04/17
 BY ME OR UNDER MY DIRECTION;
 THIS SURVEY SUBSTANTIALLY
 CONFORMS TO THE CURRENT TEXAS
 SOCIETY OF PROFESSIONAL
 SURVEYORS STANDARDS AND
 SPECIFICATIONS FOR A CATEGORY 1A,
 CONDITION 2 SURVEY"

"THE UNDERSIGNED HEREBY CERTIFIES
 THAT THIS SURVEY, AS DESCRIBED HEREON,
 WAS MADE ON THE GROUND ON 12/04/17
 THAT THE ONLY IMPROVEMENTS ON THE
 GROUND ARE AS SHOWN; THAT THERE ARE
 NO VISIBLE ENCROACHMENTS, VISIBLE
 OVERLAPINGS, APPARENT CONFLICTS, OR
 VISIBLE EASEMENTS, EXCEPT AS SHOWN
 HEREON. SURVEYOR ASSUMES NO LIABILITY
 ABOVE COST OF SURVEY."

J N H



SURVEYING CO., LLC.
 (956) 423-1702

2017 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:

GROVER PROPERTIES LTD
712 W HARRISON AVE
HARLINGEN, TX 78550-6002

Legal Description:

GROVER COMMERCIAL PLAZA PH 1 LOT 1 &
COMMON AREA

Account No: G8850-01-000-0001-00

Appr. Dist. No.: 678200

Legal Acres: 5.1361

Parcel Address: 2929 EXPWY 83

As of Date: 12/08/2017

Cause No: T-1819-16-A, T-1404-17-D

Print Date: 12/08/2017

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$1,189,427	\$1,793,803	\$2,983,230	\$2,983,230	\$0	\$0	\$0	\$2,983,230
Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax	
		Code	Amount				
HIDALGO COUNTY	\$2,983,230		\$0.00	\$2,983,230	0.5800000	\$17,302.73	
DRAINAGE DIST #1	\$2,983,230		\$0.00	\$2,983,230	0.0951000	\$2,837.05	
CITY OF WESLACO	\$2,983,230		\$0.00	\$2,983,230	0.6667000	\$19,889.19	
Amount saved by additional sales tax revenue	\$5,259.43						
WESLACO ISD	\$2,983,230		\$0.00	\$2,983,230	1.1597000	\$34,596.52	
SOUTH TEXAS ISD	\$2,983,230		\$0.00	\$2,983,230	0.0492000	\$1,467.75	
SOUTH TEXAS COLLEGE	\$2,983,230		\$0.00	\$2,983,230	0.1850000	\$5,518.98	

Total Tax: \$81,612.22

Total Tax Paid to date: \$81,612.22

Total Tax Remaining: \$0.00

Exemptions:

AMOUNT DUE IF PAID BY:

01/01/2018 0%	01/31/2018 0%	02/28/2018 7%	04/02/2018 9%	04/30/2018 11%	05/31/2018 13%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
07/02/2018 15%	07/31/2018 18 + up to 15%	08/31/2018 19 + up to 15%	10/01/2018 20 + up to 15%	10/31/2018 21 + up to 15%	11/30/2018 22 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000 2016 M&O 1.1397000 I&S .00000000 Total 1.1397000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.67

Print Date: 12/08/2017

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



G8850-01-000-0001-00

GROVER PROPERTIES LTD
712 W HARRISON AVE
HARLINGEN, TX 78550-6002

AMOUNT PAID:

\$ _____

00006782000000000000

Friday, December 8, 2017

Property Tax Balance[Begin a New Search](#) [Go to Your Portfolio](#)

Shopping Cart: For your convenience you may pay several accounts at once if you pay by eCheck. Click the 'Pay by eCheck' button to add this account to the shopping cart. Additional accounts can be clicking 'Begin a New Search' or 'Find Another Account', then doing a search again and, for each account, clicking the 'Pay by eCheck Now' button. Up to 50 accounts may be paid at one time. Accounts are not saved in the shopping cart after you begin entering payment information.

Scheduling Payments: If you are paying by eCheck, you may choose to pay now or in the future. You may schedule one payment in the future or recurring payments. To do this, select 'Schedule E-Check Payment' after adding account(s) to the shopping cart.

Unless otherwise noted, all data refers to tax information for 2017. All amounts due include penalty, interest, and attorney fees when applicable.

Account Number: G885001000000100**Pending Credit Card or eCheck Payments:**
No Payment Pending**Appraisal District Number:** 678200[Print Current Statement](#)**Address:**
GROVER PROPERTIES LTD
712 W HARRISON AVE
HARLINGEN, TX 78550-6002[Print Delinquent Statement](#)**Property Site Address:**
2929 EXPWY 83[Register for Certified
Statements by Email](#)**Gross Value:** \$2,983,230**Legal Description:**
GROVER COMMERCIAL PLAZA PH 1 LOT 1 &
COMMON AREA**Land Value:** \$1,189,427**Current Tax Levy:** \$81,612.22**Improvement Value:** \$1,793,803**Current Amount Due:** \$0.00**Capped Value:** \$0**Prior Year Amount Due:** \$0.00**Agricultural Value:** \$0**Total Amount Due:** \$0.00**Exemptions:**
None**Last Payment Amount for Current Year Taxes:**
\$79,739.74[Exemption and Tax Rate Information](#)**Last Payer for Current Year Taxes:**
FIRST COMMUNITY BANK[Taxes Due Detail by Year and Jurisdiction](#)**Last Payment Date for Current Year Taxes:**
11/22/2017[Payment Information](#)**Active Lawsuits:** T-1819-16-A
T-1404-17-D[Print a Current Tax Statement](#)

[Click Here](#) to see your estimated amount due for a different date. You can see this information by year and by both year and jurisdiction.

[Terms of Use](#)

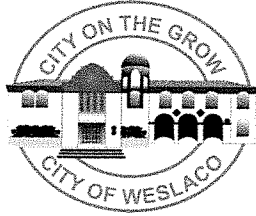
The Tax Office makes no representations as to the accuracy or reliability of any information accessed from its computer data base. The Tax Office, its officers, agents, employees and representatives shall not be liable for the information posted on the Tax Office Website in connection with any actions losses, damages, claims or liability in any way related to use of, distribution of or reliance upon such information.

HIDALGO COUNTY TAX OFFICE
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157
You may also e-mail the office.

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City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

December 22, 2017

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, January 3, 2018 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, January 16, 2018 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

Reuben Bar-Yadin is requesting to rezone 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase 1 Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-2 Secondary Highway Business District.

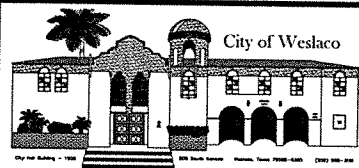
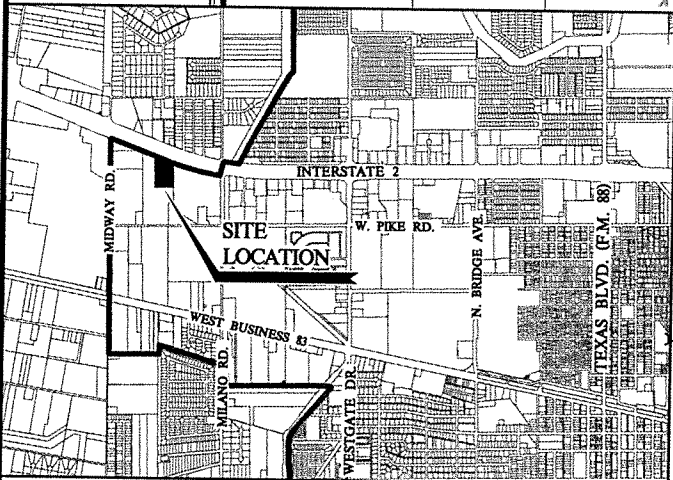
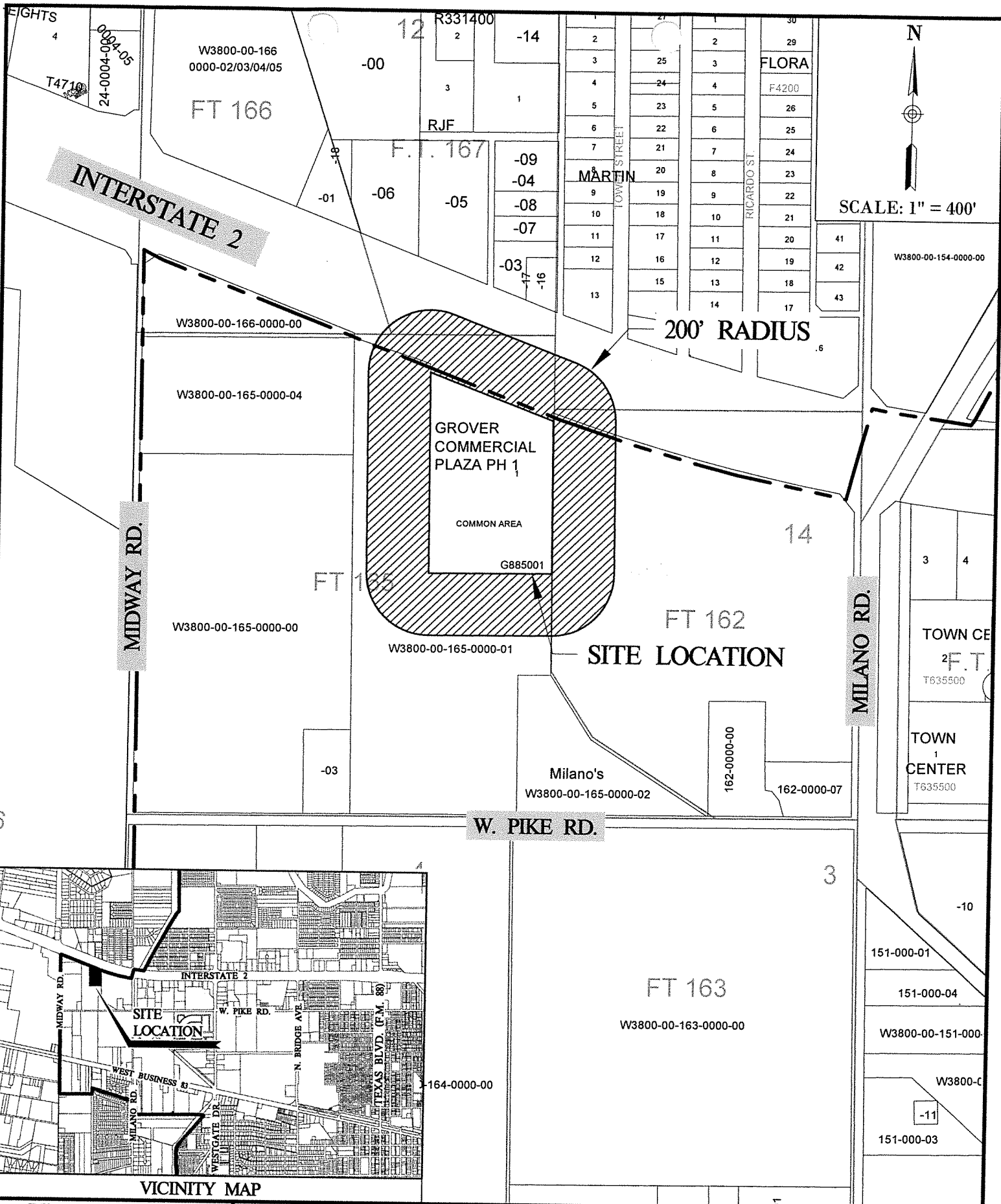
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

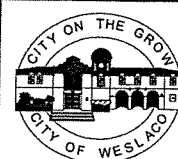
Sincerely,

Mardoqueo Hinojosa, P.E., CFM
Planning Director/City Engineer

MH/mh



GROVER PROPERTIES, LTD
 2929 W. EXPRESSWAY 83
 GROVER COMMERCIAL PLAZA, PHASE I
 EXIST. R-1 PROP. ZONING: B-2



City of Weslaco Code Enforcement Dept.

DEC 15, 2017

GROVER, FRANCES RITA 5818 ACACIA HARLINGEN TX 78552-2247	G8850-01-000-0000-00 GROVER COMMERCIAL PLAZA PH 1 COM MON AREA 2929 EXPWY 83	L: 934676 B: 100586
MILANO GIOVANNA D MILANO HOLDINGS LLC 2900 W PIKE BLVD WESLACO TX 78596	W3800-00-162-0000-10 WEST TRACT- FT 162 EXC 2.88 AC-S E COR 20.15 AC NET	L: 0 B: 0
SCOGGINS RITA MARIE & ROBERT 3017 TREASURE HILLS BLVD HARLINGEN TX 78550-8656	W3800-00-165-0000-01 WEST TRACT SW14.62AC - E23.43AC FT 165 14.62AC NET 1	L: 0 B: 0

CITY OF WESLACO LEGAL NOTICE

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, January 3, 2018 at 5:30 p.m. and the City Commission will also hold a Public Hearing on Tuesday, January 16, 2018 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following requests:

Si desea informacion en español, llame al departamento de Planeación de la Ciudad de Weslaco, (956) 447-3403.

Reuben Bar-Yadin is requesting to rezone 2929 W. Expressway 83, also being Lot 1, Grover Commercial Plaza, Phase 1, Weslaco, Hidalgo County, Texas from R-1 One Family District to B-2 Secondary Highway Business District.

The City of Weslaco is proposing an ordinance repealing Ordinance Number 320, the City of Weslaco Zoning Ordinance; Codified as Chapter 150 of the Weslaco Code of Ordinances, adopting new regulations; and ordaining other matters with respect to the subject matter hereof.

The public is invited to attend and express support for or opposition to these applications. You may also file written support or opposition on or before January 3, 2018, for the Planning and Zoning Commission and on or before January 16, 2018, for the City Commission. For additional information, contact the Planning Department at (956) 447-3403

/S/ MARDOQUEO HINOJOSA, P.E., CFM
Planning Director/City Engineer



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1463	
From: Mardoqueo Hinojosa			
Subject: Discussion and consideration to approve the Final Plat for Lowe's of Weslaco, being a 21.96 acre out of a port of Farm Tract 34:40, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at North East Corner of Bridge Avenue and U.S. Business 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed By Planning and Code Enforcement Department.)			
Background: The proposed five (5) lot subdivision is inside the City of Weslaco city limits. This subdivision is being serviced with water by City of Weslaco through an 10" waterline and sewer services through an 8" sewer line. The property is within a Flood Zone "B".			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission: City Commission has previously approved the final plat on December 4, 2007. Plat had not been recorded.			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning & Zoning recommended approval on the Final Plat on January 3, 2018.			
Mardoqueo Hinojosa		Created/Initiated	
Mardoqueo Hinojosa		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Aerial, Lowe's of Weslaco Plat, Lowe's of Weslaco Attachments			
Responsibilities upon Approval: Planning staff will advise applicant.			

Lowe's Weslaco Plat

Final Plat

Legend

-  Border Patrol Weslaco Station
-  Feature 1
-  Olive Garden
-  Walmart Pharmacy (inside Walmart)

Ballard Street

N Bridge Ave

Dolores
Huerta
Avenue

W Frontage Rd

E Frontage Rd

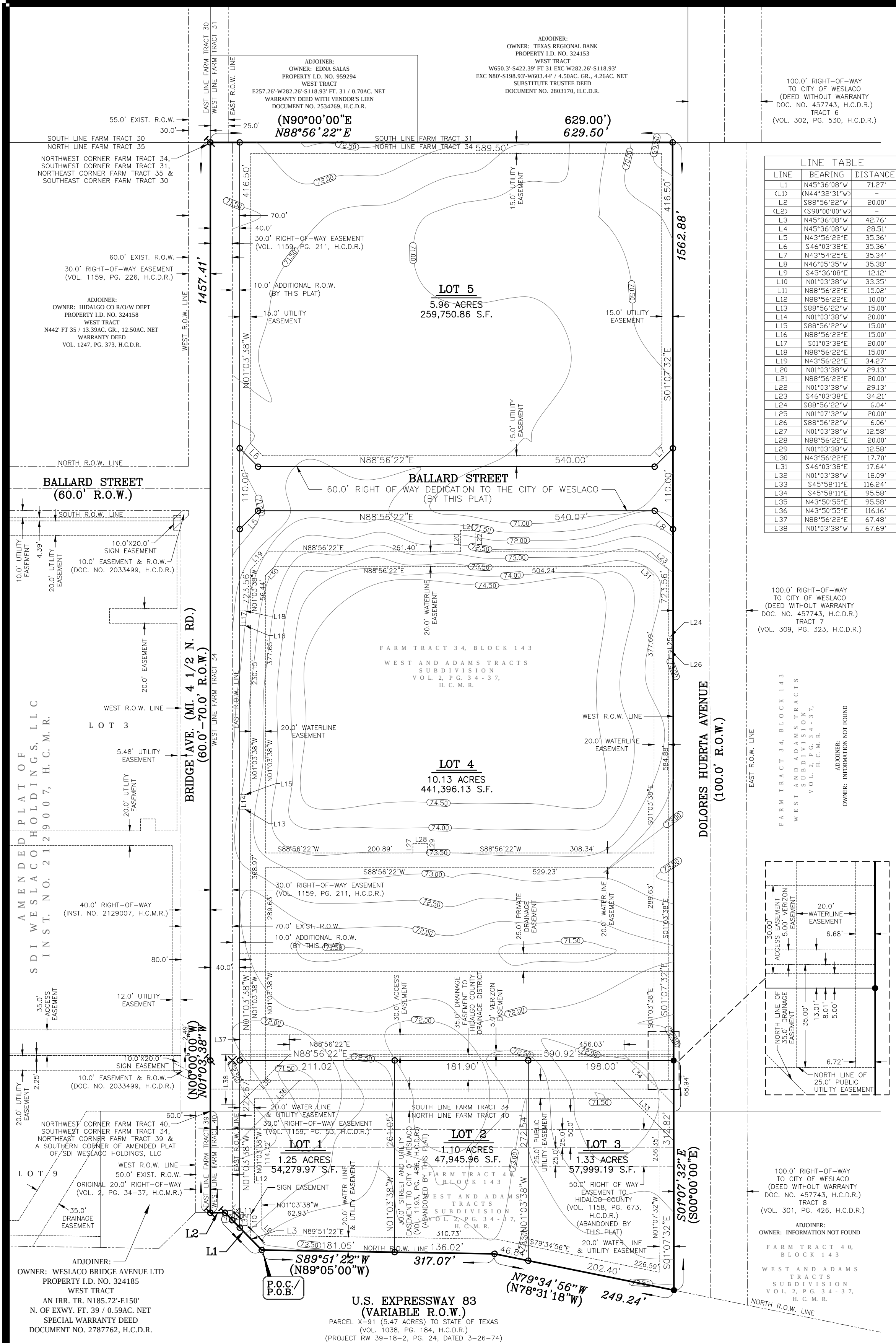
Google Earth

© 2017 Google
© 2017 INEGI

2

N

1000 ft



LEGEND

SET 60-D MAG NAIL

SET "X" MARK SET IN CONCRETE

FOUND 1/2" IRON ROD

SET 1/2" IRON ROD WITH YELLOW CAP MARKED SEA "5782"

RIGHT OF WAY

P.O.C. POINT OF COMMENCEMENT

P.O.B. POINT OF BEGINNING

H.C.D.R. HIDALGO COUNTY DEED RECORDS

H.C.M.R. HIDALGO COUNTY MAP RECORDS

() DENOTES BEARING OR DISTANCE ON RECORD

SCALE: 1" = 100'

- GENERAL PLAT NOTES:
- MINIMUM SETBACK LINES = FRONT: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. SIDE: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS. REAR: IN ACCORDANCE WITH THE ZONING ORDINANCE, OR GREATER FOR APPROVED SITE PLAN OR EASEMENTS.
 - LANDS CONTAINED WITHIN THIS SUBDIVISION LIE IN ZONE "B" ACCORDING TO THE FIRM (FLOOD INSURANCE RATE MAP) DATED MARCH 4, 1980, COMMUNITY PANEL NO. 480349 0005 B. ZONE "B" DEFINED AS AREAS BETWEEN LIMITS OF THE 100-YEAR FLOOD AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD. (MEDIUM SHADING)
 - MINIMUM FINISHED FLOOR ELEVATION ON ALL NEW CONSTRUCTION SHALL BE A MINIMUM OF 18.0 INCHES ABOVE THE TOP OF THE ROAD AS MEASURED FROM THE CENTER OF THE LOTS ALONG U.S. EXPRESSWAY 83 OR BRIDGE AVE. (MILE 4 1/2 NORTH ROAD).
 - A 5 FT. WIDE MINIMUM SIDEWALK SHALL BE REQUIRED AT BUILDING PERMIT STAGE ALONG ALL ROADWAYS FOR LOTS 1, 2, 3 AND 5. SIDEWALKS SHALL BE IN COMPLIANCE WITH TEXAS DEPARTMENT OF TRANSPORTATION DESIGN GUIDELINES FOR SIDEWALKS ALONG ALL STATE ROADWAYS, AND CITY OF WESLACO DESIGN GUIDELINES FOR ALL SIDEWALKS ADJACENT TO CITY STREETS.
 - THIS SUBDIVISION PLAT SHALL BE REQUIRED TO DETAIN A TOTAL OF 182,247.08 CUBIC FEET, OR, 4.18 ACRE-FEET OF DRAINAGE RUNOFF VOLUME.
 - THE CONSTRUCTION OF ANY STRUCTURES ON OR WITHIN ANY EASEMENTS SHALL BE PROHIBITED.
 - AT BUILDING PERMIT STAGE, AN 8' HIGH OPAQUE FENCE SHALL BE CONSTRUCTED ALONG ALL PROPERTY LINES OF THIS SUBDIVISION THAT ARE ADJACENT TO AND ABUT RESIDENTIAL OR MULTI-FAMILY ZONES OR USES.
 - AN ENGINEERED DRAINAGE DETENTION PLAN, APPROVED BY THE ENGINEERING DEPARTMENT, IS REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMITS.
 - TEMPORARY BENCHMARK (TBM): AN "X" CUT ON A CURB INLET ON THE SOUTH SIDE OF THE UNDER CONSTRUCTION ROAD AND BEING 742 FEET WEST OF THE CENTERLINE OF BRIDGE AVENUE (MILE 4 1/2 NORTH) ELEVATION= 71.89 (NGVD 29) AND BEING REFERENCED TO A SQUARE CUT ON TOP OF CURB AT THE INTERSECTION OF BORDER AVENUE WITH SAN BENITO STREET ELEVATION= 74.43 (NGVD 29), REFERENCE MARK NO. 10, AS PER THE FLOOD INSURANCE RATE MAP, CITY OF WESLACO, TEXAS, HIDALGO COUNTY, COMMUNITY PANEL NUMBER 480349 0005 B, AND WERE DETERMINED AS A RESULT OF A SURVEY COMPLETED ON JULY 12, 2007.
 - BEARING BASIS IS TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, ALL COORDINATES LISTED ARE GRID, DISTANCES ARE SHOWN IN SURFACE USING A SCALE FACTOR OF 1.000040.
 - THIS SUBDIVISION IS SUBJECT TO THE FOLLOWING EASEMENTS:
A.) RIGHT OF WAY EASEMENT GRANTED TO CENTRAL POWER AND LIGHT COMPANY, BY FOREMOST PAVING, INC., DATED MARCH 14, 1994, FILED FOR RECORD ON APRIL 28, 1994 IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, UNDER CLERK'S DOCUMENT NO. 383301 AND FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, ON OCTOBER 12, 2005, UNDER CLERK'S FILE NO. 1530859.
(THIS IS A 10.0 FOOT ELECTRICAL EASEMENT, HOWEVER, THE LOCATION OF SAID EASEMENT IS NOT STATED IN THESE DOCUMENTS AND THEREFORE IT IS NOT SHOWN HEREIN.)
B.) RIGHT OF WAY EASEMENT GRANTED TO AEP TEXAS CENTRAL COMPANY, A TEXAS CORPORATION, BY LOWE'S HOME CENTERS, INC., DATED MARCH 20, 2009, FILED FOR RECORD ON MARCH 30, 2009 IN THE OFFICE OF THE COUNTY CLERK OF HIDALGO COUNTY, TEXAS, UNDER CLERK'S DOCUMENT NO. 1983926.
(THIS IS A 10.0 FOOT ELECTRICAL EASEMENT, HOWEVER, SAID EASEMENT IS NOT TIED DOWN TO ANY CORNER OR MONUMENT AND THEREFORE IT CANNOT BE SHOWN HEREIN.)
 - AT BUILDING PERMIT STAGE, STREETLIGHTS SHALL BE REQUIRED EVERY 300' ALONG ALL ROADWAYS APPLICABLE TO LOTS 1, 2, 3 AND 5 IN ACCORDANCE WITH CITY OF WESLACO STREET LIGHT STANDARDS.
 - LANDSCAPING SHALL BE IN ACCORDANCE WITH CITY OF WESLACO SUBDIVISION ORDINANCES.
 - ONLY LOT 2 SHALL PROVIDE THE SOLE ACCESS POINT ALONG THE WEST BOUND FRONTAGE ROAD OF U.S. EXPRESSWAY 83 AND SHALL HAVE A COMMON ACCESS EASEMENT TO ALLOW FOR ACCESS TO, FROM AND BETWEEN LOTS 1, 2 AND 3. THE EASEMENT DETAILS SHALL BE DETERMINED BY THE CITY OF WESLACO AT SITE PLAN REVIEW OR AT BUILDING PERMIT STAGE.
 - NO VEHICULAR ACCESS SHALL BE PERMITTED ALONG BRIDGE AVE. FOR LOT 1.

STATE OF TEXAS
COUNTY OF HIDALGO

THIS PLAT IS APPROVED BY HIDALGO AND CAMERON COUNTIES IRRIGATION DISTRICT NO. 9, DATED THIS ____ DAY OF _____, 20 ____

- NO IMPROVEMENTS OF ANY KIND SHALL BE PLACED UPON HIDALGO AND CAMERON COUNTIES IRRIGATION DISTRICT NO. 9, RIGHT-OF-WAYS AND/OR EASEMENTS WITHOUT THE EXPRESSED WRITTEN PERMISSION OF HCCID #9.
- IT IS UNDERSTOOD THAT THE RATE OF FLOW OF STORM WATER FOR THE DEVELOPMENT WILL BE NO GREATER THAN THE RATE OF FLOW OF STORM WATER WHEN THE LAND WAS IN AGRICULTURAL USE.
- HCCID #9 WILL NOT BE RESPONSIBLE FOR THE STORM/DRAINAGE WATER SYSTEM TO ANY LOT WITHIN THIS SUBDIVISION. AS WELL, HCCID #9 WILL NOT BE RESPONSIBLE FOR THE DELIVERY OF WATER TO ANY LOT WITHIN THIS SUBDIVISION. IF DESIRED, THIS WILL NOT BE AT THE DISTRICTS EXPENSE.
- HCCID #9 HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE STORM SEWER OR UTILITIES SYSTEMS DESCRIBED ARE APPROPRIATE FOR THE PARTICULAR SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. THE DEVELOPER AND HIS ENGINEER ARE RESPONSIBLE FOR THEIR DETERMINATIONS.

STATE OF TEXAS
COUNTY OF HIDALGO

I, (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN IN THIS PLAT AND DESIGNATED HEREIN AS **LOWE'S OF WESLACO**, TO THE CITY OF WESLACO, COUNTY OF HIDALGO, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DOES (DO) HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

OWNER: LOWE'S HOME CENTERS, LLC
TIM COOKSEY, VP OF REAL ESTATE, ENGINEERING & CONSTRUCTION
1000 LOWE'S BLVD.
MOORESVILLE, NORTH CAROLINA 28117

STATE OF TEXAS
COUNTY OF HIDALGO

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED **TIM COOKSEY**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE ____ DAY
OF _____, 2017.

NOTARY PUBLIC IN AND FOR THE
STATE OF TEXAS
MY COMMISSION EXPIRES. ____

STATE OF TEXAS
COUNTY OF HIDALGO

PLAT APPROVAL - CITY CLERK

I, THE UNDERSIGNED, MAYOR OF THE CITY OF WESLACO, DO HEREBY CERTIFY THAT **LOWE'S OF WESLACO** PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THIS CITY WHEREIN MY APPROVAL IS REQUIRED.

MAYOR, CITY OF WESLACO

DATE

ATTEST:

SECRETARY, CITY OF WESLACO

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, THE UNDERSIGNED, CHAIRMAN OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WESLACO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY WHEREIN MY APPROVAL IS REQUIRED.

CHAIRMAN, PLANNING AND ZONING COMMISSION

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, DAVID OMAR SALINAS, P.E., A REGISTERED PROFESSIONAL ENGINEER LICENSED TO PRACTICE IN THE STATE OF TEXAS, REGISTRATION NUMBER TX. 71973, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN GIVEN PROPER AND ADEQUATE ENGINEERING CONSIDERATION.

DAVID OMAR SALINAS, P.E.
REG. PROFESSIONAL ENGINEER #71973

DATE

STATE OF TEXAS
COUNTY OF HIDALGO

I, DAVID O. SALINAS, THE UNDERSIGNED A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

DAVID O. SALINAS, R.P.L.S.
REG. PROFESSIONAL LAND SURVEYOR #5782

DATE

APPROVED BY DRAINAGE DISTRICT:

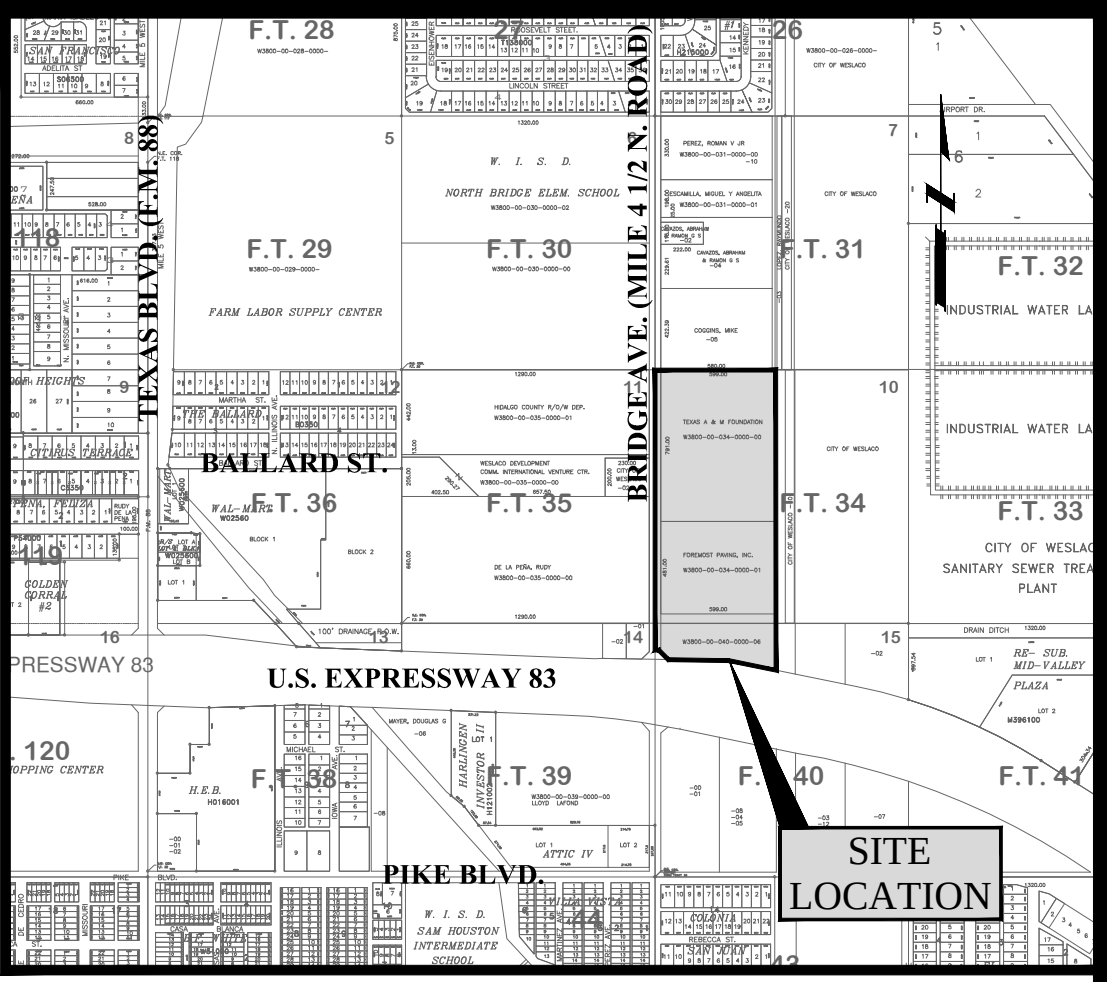
HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 HEREBY CERTIFIES THAT THE DRAINAGE PLANS FOR THIS SUBDIVISION COMPLY WITH THE MINIMUM STANDARDS OF THE DISTRICT ADOPTED UNDER TEXAS WATER CODE 49.211(C). THE DISTRICT HAS NOT REVIEWED AND DOES NOT CERTIFY THAT THE DRAINAGE STRUCTURES DESCRIBED ARE APPROPRIATE FOR THE SPECIFIC SUBDIVISION, BASED ON GENERALLY ACCEPTED ENGINEERING CRITERIA. IT IS THE RESPONSIBILITY OF THE DEVELOPER OF THE SUBDIVISION AND HIS ENGINEER TO MAKE THEIR DETERMINATIONS.

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1

RAUL E. SESIN, P.E., C.F.M.
GENERAL MANAGER

DATE

DISCLAIMER: THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW BY CITY OF WESLACO ONLY & BY NO OTHERS UNDER THE AUTHORITY OF DAVID OMAR SALINAS, P.E., TX. REG. NO. 71973 ON DECEMBER 22, 2017. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.



LOCATION MAP SCALE : 1" = 1000'

METES AND BOUNDS DESCRIPTION

BEING A 21.959 ACRES (956,524 SQ. FT.) TRACT OF LAND SITUATED IN THE STATE OF TEXAS, COUNTY OF HIDALGO, CITY OF WESLACO, AND, BEING PART OF THE DE BALL JUAN JOSE SURVEY, ABSTRACT NO. 54, BLOCK 143, FARM TRACTS 34 AND 40, BEING A PORTION OF THE WEST AND ADAMS TRACTS SUBDIVISION AS ESTABLISHED BY PLAT RECORDED IN VOLUME 02, PAGES 34 THROUGH 37, OF THE HIDALGO COUNTY, BEING ALL OF CALLED 11.42 ACRE TRACT DESCRIBED IN DEED TO FOREMOST PAVING, INC. RECORDED IN DOCUMENT NO. 1063344 OF THE HIDALGO COUNTY, CLERK'S FILE NO. (H.C.C.F. NO.), AND CALLED 6.30 ACRE TRACT DESCRIBED IN DEED TO FOREMOST PAVING, INC. RECORDED IN VOLUME 1822, PAGE 871 OF THE HIDALGO COUNTY, DEED RECORDS (H.C.D.R.), AND ALSO BEING ALL OF A CALLED 2.88 ACRE TRACT DESCRIBED IN DEED TO LUIS G. CASTELLANA, LTD., AS RECORDED IN DOCUMENT NO. 148905 OF THE (H.C.C.F. NO.), AND THE REMAINDER OF A TRACT DESCRIBED IN DEED TO TEXAS A&M FOUNDATION AS RECORDED IN DOCUMENT NO. 966835 OF THE (H.C.C.F. NO.), SAID 21.959 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET AT THE NORTHEAST CUTBACK LINE OF U.S. HIGHWAY 83 ESTABLISHED IN TxDOT CSJ 39-18-2 AND VOLUME 1038, PAGE 184 OF THE (H.C.D.R.), AND, MILE 4 1/2 WEST ROAD ALSO BEING IN THE SOUTH LINE OF SAID 2.88 ACRE TRACT FOR THE SOUTHWEST CORNER AND **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED TRACT;

- THENCE N 45°36'08" W (N 44°32'31" W), COINCIDENT WITH THE NORTHEASTLY CUTBACK LINE OF SAID U.S. HIGHWAY 83 AND SAID MILE 4 1/2 WEST ROAD, A DISTANCE OF 57.0 FEET PASSING A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET AT THE SOUTHEAST CORNER OF A 30.0 FOOT RIGHT-OF-WAY EASEMENT AS DESCRIBED IN VOLUME 1159, PAGE 53 OF THE (H.C.D.R.), AND, CONTINUING FOR A DISTANCE OF 71.27 FEET IN ALL TO A 60-D NAIL SET ON INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 83 AND THE EAST RIGHT-OF-WAY LINE OF SAID MILE 4 1/2 WEST ROAD FOR AN INSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE S 88°56'22" W (S 90°00'00" W), COINCIDENT WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 83, A DISTANCE OF 20.00 FEET TO A 60-D NAIL SET ON INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 83 AND THE CENTERLINE OF SAID MILE 4 1/2 WEST ROAD FOR AN OUTSIDE SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE N 01°03'38" W (N 00°00'00" W), COINCIDENT WITH THE CENTERLINE OF SAID MILE 4 1/2 WEST ROAD SAME BEING THE WEST LINE OF THE SAID 2.88 ACRE, 6.30 ACRE AND 11.42 ACRE TRACTS, A DISTANCE OF 138.41 FEET PASSING THE SOUTHWEST CORNER OF THE SAID TEXAS A & M FOUNDATION TRACT, AT A DISTANCE OF 185.41 FEET PASSING THE NORTHWEST CORNER OF THE SAID TEXAS A & M FOUNDATION TRACT, AT A DISTANCE OF 1,457.41 FEET IN ALL TO A 60-D NAIL SET ON THE CENTERLINE OF SAID MILE 4 1/2 WEST ROAD SAME BEING THE NORTHWEST CORNER OF SAID 11.42 ACRE TRACT FOR THE NORTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE N 88°56'22" E (N 90°00'00" E), COINCIDENT WITH THE NORTH LINE OF SAID 11.42 ACRE TRACT SAME BEING THE SOUTH LINE OF A CALLED 6.30 ACRE TRACT DESCRIBED IN DEED TO MIKE COGGINS AS RECORDED IN DOCUMENT NO. 404472 OF THE (H.C.C.F. NO.), A DISTANCE OF 629.50 FEET (629.00 FEET) TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET ON THE NORTHEAST CORNER OF SAID 11.42 ACRE TRACT SAME BEING IN THE WEST LINE OF SAID TRACT THAT CERTAIN 100.0 FOOT ABANDONED RAILROAD RIGHT-OF-WAY DESCRIBED IN DEED AS TRACT 7 FROM MISSOURI PACIFIC RAILROAD TO THE CITY OF WESLACO AS RECORDED IN VOLUME 309, PAGE 323 OF THE (H.C.D.R.) FOR THE NORTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE S 01°07'32" E (S 00°00'00" E), COINCIDENT WITH EAST LINE OF THE SAID 11.42 ACRE, 6.30 ACRE AND 2.88 ACRE TRACTS SAME BEING THE WEST LINE OF A 100.0 FOOT ABANDONED RAILROAD RIGHT-OF-WAY DESCRIBED AS TRACT 7 AND ALSO AS TRACT 8 FROM MISSOURI PACIFIC RAILROAD TO THE CITY OF WESLACO RECORDED IN VOLUME 301, PAGE 426 OF THE (H.C.D.R.), A DISTANCE OF 1,272.00 FEET PASS THE NORTHEAST CORNER OF THE SAID TEXAS A&M FOUNDATION TRACT, AT A DISTANCE OF 1,319.00 FEET TO A 1/2 INCH DIAMETER IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE SAID TEXAS A&M FOUNDATION TRACT, AT A DISTANCE OF 1,562.88 FEET IN ALL TO A 1/2 INCH DIAMETER IRON ROD FOUND ON INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 83 FOR THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, N 79°34'56" W (N 78°31'18" W), COINCIDENT WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 83, A DISTANCE OF 249.24 FEET TO A 1/2 INCH DIAMETER IRON ROD WITH YELLOW CAP MARKED "SEA 5782" SET FOR A SOUTHERN CORNER OF THIS HEREIN DESCRIBED TRACT;
- THENCE, N 89°51'22" W (N 89°05'00" W), CONTINUING COINCIDENT WITH THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 83, A DISTANCE OF 317.07 FEET TO THE **POINT OF BEGINNING**, CONTAINING 21.959 (OR 926,524 SQ. FT.) ACRES OF LAND, MORE OR LESS.

BASES OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, ALL COORDINATES LISTED ARE GRID WITH A SCALE FACTOR OF 1.000040.

FINAL PLAT OF
LOWE'S OF WESLACO

PREPARED BY: SALINAS ENGINEERING & ASSOC.
DATE OF PREPARATION: DECEMBER 22, 2017
JOB NUMBER: SP-17-23758

OWNER: LOWE'S HOME CENTERS, LLC
TIM COOKSEY, VP OF REAL ESTATE,
ENGINEERING & CONSTRUCTION
1000 LOWE'S BLVD.
MOORESVILLE, NORTH CAROLINA 28117

SEA
SALINAS ENGINEERING & ASSOC.
(P-6675) (TBPLS-10065700)
CONSULTING ENGINEERS & SURVEYORS
2221 DAFFODIL AVE. MCALLEN, TEXAS 78501
(956) 682-9081 (956) 686-1489 (FAX)
TBPLS 12100 PARK 35 CIRCLE BLDG. A, SUITE 156, MC-230, AUSTIN, TEXAS 78573 (512) 239-5263

FINAL PLAT OF
LOWE'S OF WESLACO

AN ADDITION TO THE CITY OF WESLACO,
HIDALGO COUNTY, TEXAS

BEING A 21.959 ACRES (956,524 SQ. FT.) TRACT OF LAND SITUATE IN THE STATE OF TEXAS, COUNTY OF HIDALGO, CITY OF WESLACO, BEING PART OF THE DE BALL JUAN JOSE SURVEY, ABSTRACT NO. 54, BLOCK 143, FARM TRACTS 34 AND 40, BEING A PORTION OF THE WEST AND ADAMS TRACTS SUBDIVISION AS ESTABLISHED IN PLAT RECORDED IN VOLUME 2, PAGES 34 THROUGH 37, OF THE HIDALGO COUNTY, MAP RECORDS (H.C.M.R.).

PRINCIPAL CONTACTS

NAME	ADDRESS	CITY & ZIP	PHONE	FAX
OWNER: LOWE'S HOME CENTERS, LLC	1000 LOWE'S BLVD.	MOORESVILLE, NORTH CAROLINA 28117	(336) 658-4000	(336) 658-4214
TIM COOKSEY				
ENGINEER: DAVID O. SALINAS	2221 DAFFODIL AVE.	MCALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489
SURVEYOR: DAVID O. SALINAS	2221 DAFFODIL AVE.	MCALLEN, TEXAS 78501	(956) 682-9081	(956) 686-1489

FILED FOR RECORD IN
HIDALGO COUNTY
ARTURO GUARDIA JR.
HIDALGO COUNTY CLERK

ON: _____ AT _____ AM/PM
INSTRUMENT NUMBER _____
OF MAP RECORDS OF HIDALGO COUNTY, TEXAS

BY: _____ DEPUTY



SUB 18-00001

SUBDIVISION PLATTING APPLICATION

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

RECEIVED

DEC 22 2017

This form shall be completed by the Property Owner or Applicant and submitted to the Planning Department along with the required number of copies of the respective plat, reviewed by the Planning Department. The submittal of an application does not constitute acceptance for processing until the staff reviews and determines the application is complete.

STAFF USE ONLY

☐ Single Lot Variance ☐ Minor Plat ☐ Planned Unit Development ☐ Standard Subdivision

GENERAL INFORMATION

Name of Subdivision: FINAL PLAT OF LOWE'S OF WESLACOLocation: NEC BRIDGE AVE. w/ U.S. EXPRESSWAY 83Legal Description: 21.96 AC. O/O A PART OF F.T. 34 & 40,WEST AND ADAMS TRACTS SUBD. (VOL. 2, PGS. 34-37)Is subdivision inside city limits? ☒ YES ☐ NOIf subdivision is in the ETJ, indicate? ☐ 3.5 Mile ☐ 5 Mile

If no submit letter of Annexation (Contiguous or Consensual)

Existing Zoning: INDUSTRIALExisting Land Use: RETAIL/OPEN Proposed Land Use: RETAIL / RESTAURANTNumber of Lots Proposed: 5 Gross Acreage: 21.96Title Report Submitted: ☒ YES ☐ NO

OWNER INFORMATION

Owner's Name: LOWE'S HOME CENTERS, INC. Telephone: _____Address: 1000 LOWE'S BLVD. Fax: _____City: MOORESVILLE State: NC Zip: 28117 E-mail: MATTHEW.MINTON@LOWE'S.COM

ENGINEER INFORMATION

Name: DAVID OMAR SALINAS, P.E. Telephone: 956-682-9081Address: 2221 DAPHNIA AVE. Fax: 956-686-1489City: MENARD State: TX Zip: 78501 E-mail: dsalinas@salinasengineering.com255 S. KANSAS AVE ■ WESLACO, TEXAS 78596-6285 ■ 956-447-3401 ■ (Fax) 956-973-3128 ■ WWW.WESLACOTX.GOV

UTILITY PROVISIONS

Will proposed subdivision connect to:

☒ YES ☐ NO Water Provision: CITY OF WESLACO

☒ YES ☐ NO Wastewater Provision: CITY OF WESLACO

☒ YES ☐ NO Electric Company: AEP

☒ YES ☐ NO Phone Utility <u>ATT</u>	☒ YES ☐ NO Gas Utility	☒ YES ☐ NO Cable Utility
--	---	---

Proposed subdivision is in the following districts:

☒ YES ☐ NO Drainage District <u>HCCD #1</u>	☒ YES ☐ NO Irrigation District <u>ICID #9</u>
--	--

Has the property been assessed as flat rate irrigable property: ☒ YES ☐ NO

Have Water Rights been conveyed to City/Water Supplier? ☐ YES ☒ NO

(Attach written proof of such assessment or that it has never been assessed as such a property) If **YES**, attach an estimate from the irrigation district of the proportional water rights for the subdivision as calculated under Texas Water Code § 49.505.

SUBMITTALS REQUIRED FOR MINOR PLAT REVIEW

Two (2) sets of plats folded and stapled (24 x 36) and forward a copy in PDF format to mhinojosa@weslacotx.gov & rdelafuente@weslacotx.gov

\$350.00 Planning Review fee

One 11" X 17" reduced copy of plat

Plat Layout

Existing & Proposed Easements

Existing & Proposed ROW

Existing & Proposed Drainage Easements

Contours

Flood Zones

Adjoiners

Existing street names

Drainage plans and calculations with engineer's seal

Elevations

Flood directional arrows

Detention areas

Street names

Proof of ownership of the property

If septic tank system required, submit soil evaluation report

Water Rights associated with the property

Tax Receipt for all taxing entities showing that taxes are paid in full

SUBMITTALS REQUIRED FOR PRELIMINARY (P & Z)

Twelve (12) sets of preliminary plat folded and stapled (24 x 36) and forward a copy in PDF format to mhinojosa@weslacotx.gov & rdelafuente@weslacotx.gov

\$350.00 (one time fee for preliminary and final plat)

One 11" X 17" reduced copy of plat

Plat Layout

Existing & Proposed Easements

Existing & Proposed ROW

Existing & Proposed Drainage Easements

** Any revisions requested would require resubmission of plats and reduced copy reflecting changes.

AUTHORIZATION AND ACKNOWLEDGEMENTS

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); and the following person listed below is my authorized agent to act on my behalf.

I certify that the above information is correct and complete to the best of my knowledge. I understand that I must comply with all applicable local, state, and federal regulations.

Owner Printed Name: _____

Owner Signature: _____ Date: _____

David Omar Solis is the authorized agent

Authorized Agent Signature: _____ Date: 11/10/17

Authorized Agent Printed Name: David Omar Solis

THIS PAGE FOR STAFF USE ONLY

Date Received: _____ Received By: _____ Date Paid: _____

P & Z Commission Approval on Preliminary Plat: _____

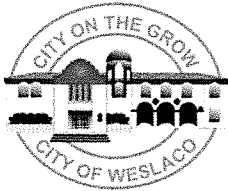
P & Z Commission Approval on Final Plat: _____

City Commission Approval on Final Plat: _____

Preconstruction Meeting Date: _____

Date Recorded: _____ Instrument No. _____

General Comments: _____



SUBDIVISION REVIEW APPLICATION

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. **RECEIVED**

DEC 13 2017

This form shall be completed by the Property Owner or Applicant and submitted to the Planning Department along with the required number of copies of the respective plat, review fee and all other required information listed below and in the Subdivision Ordinance. The submittal of an application does not constitute acceptance for processing until the staff reviews and determines the application is complete.

GENERAL INFORMATION

Name of Subdivision: FINAL PLAT OF LOWE'S OF WESLACO

Location: N EC BRIDGE AVE. & U.S. EXPRESSWAY 83

Legal Description: 21.96 AC. O/O A PORT OF F.T. 34:40, WEST AND ADAMS TRACTS SUBD. (VOL. 2, PGS. 34-37)

Is subdivision inside city limits? ☒ YES ☐ NO

If subdivision is in the ETJ, indicate? ☐ 3.5 Mile ☐ 5 Mile

If no submit letter of Annexation (Contiguous or Consensual)

Existing Zoning: INDUSTRIAL

Existing Land Use: RETAIL/OPEN Proposed Land Use: RETAIL/RESTAURANT

Number of Lots Proposed: 5 Gross Acreage: 21.96

Title Report Submitted: ☒ YES ☐ NO

OWNER INFORMATION

Owner's Name: LOWE'S HOME CENTERS, INC. Telephone: _____

Address: 1000 LOWE'S BLVD. Fax: _____

City: MOORESVILLE State: NC Zip: 28117 E-mail: MATTHEW.MINTON@

Lowes.com

ENGINEER INFORMATION

Name: DAVID D. OMBRESALINAS, P.E. Telephone: 956-682-9081

Address: 2221 DAFFODIL AVE. Fax: 956-686-1489

City: MEALIER State: TX Zip: 78501 E-mail: dsalinas@salinasengineering.com

255 S. KANSAS AVE ■ WESLACO, TEXAS 78596-6285 ■ 956-447-3401 ■ (Fax) 956-973-3128 ■ WWW.WESLACOTX.GOV

UTILITY PROVISIONS

Will proposed subdivision connect to:

☒ YES ☐ NO Water Provision: CITY OF WESLACO
☒ YES ☐ NO Wastewater Provision: CITY OF WESLACO
☒ YES ☐ NO Electric Company: AEP

☒ YES ☐ NO Phone Utility <u>AT&T</u>	☒ YES ☐ NO Gas Utility	☒ YES ☐ NO Cable Utility
---	---	---

Proposed subdivision is in the following districts:

☒ YES ☐ NO Drainage District <u>14CDD #1</u>	☒ YES ☐ NO Irrigation District <u>14CID #9</u>
---	---

Has the property been assessed as flat rate irrigable property: ☒ YES ☐ NO

Have Water Rights been conveyed to City/Water Supplier? ☐ YES ☒ NO

(Attach written proof of such assessment or that it has never been assessed as such a property) If YES, attach an estimate from the irrigation district of the proportional water rights for the subdivision as calculated under Texas Water Code § 49.505.

SUBMITTALS REQUIRED FOR SUBDIVISION REVIEW

- Seven (7) sets of preliminary plat folded and stapled (24 x 36) and forward a copy in PDF format to mhinojosa@weslacotx.gov & rdelafuente@weslacotx.gov
- \$50.00 Subdivision Review fee
- One 11" X 17" reduced copy of plat
- Plat Layout
 - Existing & Proposed Easements
 - Existing & Proposed ROW
 - Existing & Proposed Drainage Easements
 - Contours
 - Flood Zones
 - Adjoiners
 - Existing & Proposed street names
- Utility Layout
 - Existing & Proposed Utilities
 - Proposed Fire Hydrants
 - Adjoiners
 - Street names
- Drainage plans and calculations with engineer's seal
 - Elevations
 - Flood directional arrows
 - Detention areas
 - Street names
- Proof of ownership of the property
- If septic tank system required, submit soil evaluation report
- Water Rights associated with the property
- Tax Receipt for all taxing entities showing that taxes are paid in full
- Number of fire hydrants proposed for subdivision
- Trip Generation Worksheet

AUTHORIZATION AND ACKNOWLEDGEMENTS

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); and the following person listed below is my authorized agent to act on my behalf.

I certify that the above information is correct and complete to the best of my knowledge. I understand that I must comply with all applicable local, state, and federal regulations.

Owner Printed Name: _____

Owner Signature: _____ Date: _____

David Omar Salinas, P.E. is the authorized agent

Authorized Agent Signature: [Signature] Date: 11/10/17

Authorized Agent Printed Name: DAVID OMAR SALINAS

THIS PAGE FOR STAFF USE ONLY

Date Received: _____ Received By: _____ Date Paid: _____

Preliminary Subdivision Review Date: _____

General Comments: _____

DRAINAGE REPORT

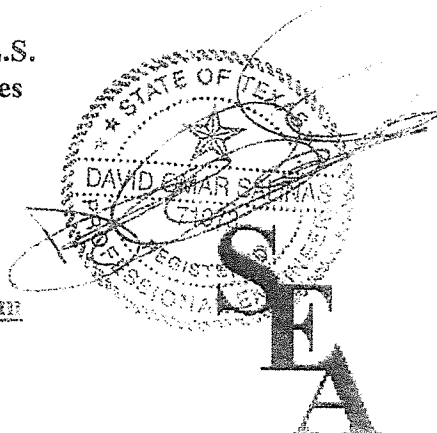
FINAL PLAT OF LOWE'S OF WESLACO

**CITY OF WESLACO
HIDALGO COUNTY, TEXAS**

PREPARED BY:

**David Omar Salinas, P.E., R.P.L.S.
Salinas Engineering & Associates
2221 Daffodil Ave.
McAllen, Texas 78501
(956) 682-9081
(956) 686-1489 Facsimile
(956) 648-8899 Cell
dsalinas@salinasengineering.com**

November 16, 2017



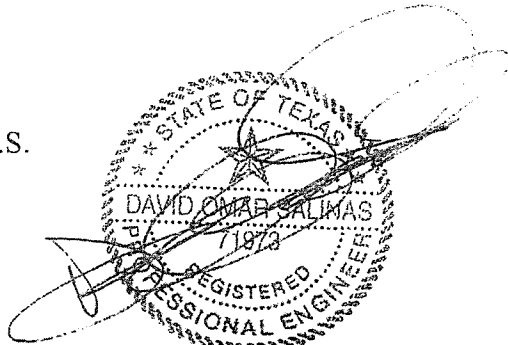
review and field verification of on-site conditions I support and accept this report as my own. The further development of the undeveloped portions of the lands of the Final Plat of Lowe's of Weslaco (i.e. proposed Lots 1, 2, 3 and 5) shall comply with the conditions and requirements of this report. Any further development/improvement of any remaining undeveloped lots (Lots 1., 2. 3 and 5.) shall be subject to submittal of drainage plans to the City of Weslaco.

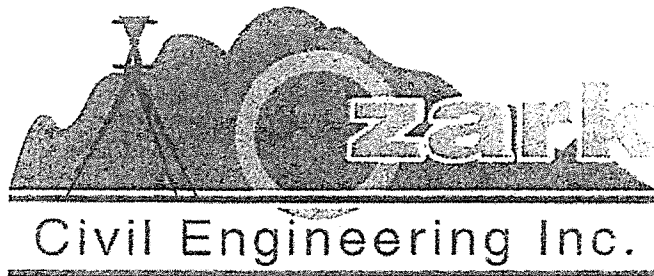
Date: November 16, 2017

David Omar Salinas, P.E., R.P.L.S.
Plat Engineer

Attachments

Xc: n:\subdivisionplats\lowes.weslaco\drainagereport.111617



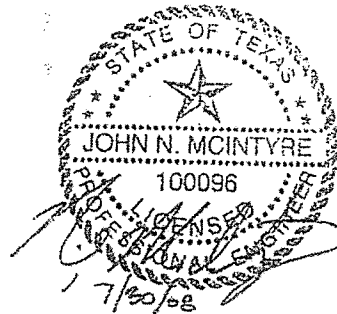


**STORMWATER MANAGEMENT
AND ENGINEER'S REPORT**

FOR THE PROPOSED

**LOWE'S HOME CENTER AND OUTLOTS
IN
WESLACO, TEXAS**

JUNE 2008

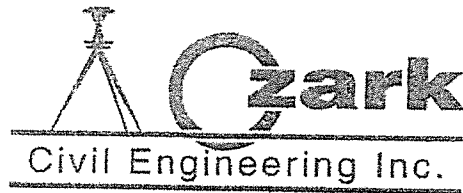


OZARK CIVIL ENGINEERING PROJECT #07.0752

CORPORATE OFFICE:
1008 Northwest "J" Street, Suite "C"
Bentonville, AR 72712
479-464-8850 ♦ 479-464-9040 fax

KANSAS REGIONAL OFFICE:
11285 Strang Line Road
Lenexa, KS 66215
913-310-0470 ♦ 913-310-0261 fax

TEXAS REGIONAL OFFICE:
1515 S. Capital of TX Hwy, Suite 212
Austin, Texas 78746
512-288-4052 ♦ 512-288-5210 fax



Stormwater Management Report

For the Proposed Lowe's
In Weslaco, TX
Project # 07.0752

PROJECT DESCRIPTION

The following is the Stormwater Management (SWM) report for the 10.85 acre development of the proposed Lowe's Home Center and three outlots (3.67 acres) between Bridge Ave (4 ½ mile road) and Paso Del Norte north of Highway 83 in Weslaco, Hidalgo County, Texas. The site encompasses an existing mini warehouse storage business and the Foremost Paving Construction Company. The cover sheet of the construction drawings presents a vicinity map of the site and the surrounding area.

The design peak flows were calculated using the Rational Method. The Rational Method is based on the direct relationship between rainfall and runoff, and is expressed by the following equation:

$$Q_p = CiA$$

Q_p is defined as the peak runoff in cubic feet per second. "C" is the coefficient of runoff representing the ratio of peak runoff rate " Q_p " to average rainfall intensity rate "i" for a specified area "A". The term "i" in the equation is the average intensity of rainfall in inches per hour for a period of time equal to the time of concentration (t_c) for the drainage area to the point under consideration. The term "A" represents the area in acres contributing runoff to the point of design. The rainfall values were obtained from approved Drainage Policy for the City of Weslaco, Texas.

The stormwater for the Lowe's site (10.85 acres) will be routed through an onsite stormwater collection system and outfall into a proposed 72-inch storm water collection pipe which will outfall into the City Regional Detention Facility located on the East side of Paso Del Norte. The three out parcels (3.67 acres) will drain to the Hidalgo County Drainage Districts proposed relocated pipe system, as they currently drain to the open ditch under existing conditions at little to no increase in flow is expected from the area based on the existing development.

CORPORATE OFFICE:
1008 Northwest "J" Street, Suite "C"
Bentonville, AR 72712
479-464-8850 ♦ 479-464-9040 fax

KANSAS REGIONAL OFFICE:
11285 Strang Line Road
Lenexa, KS 66215
913-310-0470 ♦ 913-310-0261 fax

TEXAS REGIONAL OFFICE:
1515 S. Capital of TX Hwy, Suite 212
Austin, Texas 78746
512-288-4052 ♦ 512-288-5210 fax

PRE-DEVELOPED CONDITIONS

The pre-developed site to be impacted consists of an overall drainage area of approximately 10.85 acres and 3.67 acres for the associated outlots. See attached plan sheets for the description of the pre-developed areas. A majority of the stormwater generated from the existing Foremost Paving Company site drains to the east and is collected by area inlets in the ROW of Paso Del Norte. The stormwater is piped over the existing Regional Detention Pond. Stormwater from the existing Mini Warehouse site flows overland across the site eventually collecting in the Hidalgo County Drainage District No. 1's ditch, which borders the northern end of the property. The drainage ditch currently conveys flow to the east and eventually ends up in the Cities Region Detention Facility.

FEMA Flood Plains

The Federal Emergency Management Agency (FEMA) provides flood maps that depict 100-yr and 500-yr flood plains. Based on a review of the FEMA flood plain map 480349 0005B dated March 4, 1980 for City of Weslaco, Texas, Hidalgo County the site is within zone B. Zone B is defined by FEMA as areas between limits of the 100-yr flood and 500-yr flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. See attached FEMA maps.

Runoff Calculation Requirements for Existing Conditions

The pre-developed area consists of 10.85 acres, which currently consist of the developed Foremost site and the entire developed 3.67 acres Mini Warehouse site (future outlots). Peak runoff rates were computed for the total 10.85 and 3.67 acre parcels. The subject property is situated in a very minimal sloping area with gradients ranging from approximately 0.10% to 1.0% on average and has an elevation range of approximately 71 to 73 (NGVD) undulating across the entire tract.

The runoff for the existing conditions was calculated using the Rational Method. This method considers land use, time of travel of runoff, rainfall intensities in the subject area, and the size of subject area to determine the stormwater runoff rates and volumes. The rainfall amounts will vary based on the design storm and on the region of interest. The pre-developed flow was calculated with a runoff coefficient of 0.75 for the Foremost site and 0.81 for the Mini Warehouse site based on the existing buildings, paving, and concrete areas. All calculations were made referencing the Drainage Policy for the City of Weslaco.

Runoff Calculations (Pre-developed)

The Rational Method was used to calculate the pre-developed runoff for the subject property. The calculations were done for the 2-yr, 10-yr, 25-yr, 50-yr, and 100-yr storm events. The intensity equation and coefficients are based off the rainfall data and information provided in the Drainage Policy which reference the NWS Tech Paper No. 40 for Hidalgo County, Texas. The results are as follows in Table 1 and 2:

Table 1: Predeveloped Flow Rates - 10.85 Acres (Existing Foremost Site)						
Intensity Equation =		$B / (T_c + D)^E$				
Coefficients Table, based off City of Weslaco Rainfall data						
Time of Concentration =		40 minutes				
Return Period (yr)	B	D	E	"C"	Area (ac)	Qp (cfs)
2	53.364	7.500	0.752	0.75	10.85	23.82
5	113.610	11.900	0.870	0.75	10.85	29.77
10	94.753	10.000	0.797	0.75	10.85	34.12
25	158.997	12.900	0.883	0.75	10.85	38.91
50	118.047	10.800	0.786	0.75	10.85	43.83
100	107.481	10.300	0.749	0.75	10.85	46.49

Table 2: Predeveloped Flow Rates - 3.67 Acres (Existing Mini Warehouse Site)						
Intensity Equation =		$B / (T_c + D)^E$				
Coefficients Table, based off City of Weslaco Rainfall data						
Time of Concentration =		8 minutes				
Return Period (yr)	B	D	E	"C"	Area (ac)	Qp (cfs)
2	53.364	7.500	0.752	0.81	3.67	20.70
5	113.610	11.900	0.870	0.81	3.67	25.60
10	94.753	10.000	0.797	0.81	3.67	28.78
25	158.997	12.900	0.883	0.81	3.67	32.97
50	118.047	10.800	0.786	0.81	3.67	35.72
100	107.481	10.300	0.749	0.81	3.67	36.98

POST-DEVELOPED CONDITIONS

In the post-developed conditions stormwater runoff from the Lowe's site (10.85 acres) will be routed through a proposed private onsite stormwater collection system and tie into a proposed 72-inch "main drain" pipe. The "main drain" which will also convey storm water from the development on the west side of Bridge Ave, will run west to east through the proposed Lowe's site and eventually outfall into the Cities Regional Detention Facility on the east side of Paso Del Norte. The 72-inch pipe is to be constructed by the neighboring developer (SDI) per 380 and 381 agreements created between the developer, the City of Weslaco, and the County. Developed stormwater flow from the entire Lowe's tract has been taken into account by the SDI design engineer for the 72-inch stormwater pipe. Further as part of the agreements, additional volume in the Cities Regional Detention Facility will be created by dredging out silt so these projects may contribute directly to the Regional Facility as part of the fee-in-lieu of on site detention when fully developed.

The proposed outlots, 1, 2, and 3 (1.16 acres, 1.17 acres, 1.35 acres respectively) as shown on the attached site plan will convey stormwater to the Hidalgo County Drainage District's to be relocated conveyance system. The Drainage Districts existing open ditch is proposed to be relocated approximately 75-feet to the North and piped in a 120-inch system. Through the formal platting process Lowe's created a 35-ft drainage easement across their property to be conveyed to Hidalgo County Drainage District No. 1. The easement runs east - west between Bridge Ave. and Paso Del Norte and makes use of the existing box culvert crossing under Paso Del Norte.

The outlots will be mass graded to drain to three area inlets and continue to contribute to the Drainage Districts facilities as currently operating under existing conditions. Future development of each outlot will be able to tie their respective stormwater system to the allocated stub-out and contribute to the Drainage Districts facility with out further construction impact to the system.

Post-developed Runoff

Post-developed runoff calculations were done for the proposed Lowe's site and future development of the three outlots utilizing the Rational Method. The calculations were done for the 2-yr, 10-yr, 25-yr, 50-yr, and 100-yr storm events. The rainfall amounts will vary based on the design storm and on the region of interest. The flow rates for the outlots were calculated with a developed runoff coefficient of 0.90 for a worst case scenario for the fully developed conditions, and referencing the Drainage Policy for the City of Weslaco. The proposed improvements were totaled and used in determining the weighted "C" coefficient for the 10.85 acre Lowe's site. The intensity equation are

CORPORATE OFFICE:
1008 Northwest "J" Street, Suite "C"
Bentonville, AR 72712
479-464-8850 • 479-464-9040 fax

KANSAS REGIONAL OFFICE:
11285 Strang Line Road
Lenexa, KS 66215
913-310-0470 • 913-310-0261 fax

TEXAS REGIONAL OFFICE:
1515 S. Capital of TX Hwy, Suite 212
Austin, Texas 78746
512-288-4052 • 512-288-5210 fax

based off the rainfall data and information provided in the Drainage Policy which reference the NWS Tech Paper No. 40 for Hidalgo County, Texas. The developed "C" coefficient calculation and assumed post developed flow results are as follows in Tables:

Table 3: Proposed Developed Lowe's Site Weighted "C" Value				
Total subject Area (AC) = 10.85				
Typ of Area	Size of Area (AC)	% of Total	Assco. "C"	Weighted "C"
conc/roof	5.57	51.34%	0.97	0.50
asphalt	4.34	40.00%	0.95	0.38
landscaped/grass	0.94	8.66%	0.36	0.03
Total Weighted "C" for site =				0.91

Table 4: Post-developed Flow Rates - 10.85 Acres (Proposed Lowe's Site)						
Intensity Equation = $B / (T_c + D)^E$						
Coefficients Table, based off City of Weslaco Rainfall data						
Time of Concentration = 15 minutes						
Return Period (yr)	B	D	E	"C"	Area (ac)	Qp (cfs)
2	53.364	7.500	0.752	0.91	10.85	50.68
5	113.610	11.900	0.870	0.91	10.85	93.97
10	94.753	10.000	0.797	0.91	10.85	71.93
25	158.997	12.900	0.883	0.91	10.85	93.06
50	118.047	10.800	0.786	0.91	10.85	90.57
100	107.481	10.300	0.749	0.91	10.85	94.38

Table 5: Estimate of Developed Outlot Weighted "C" Value				
Total subject Area (AC) = 1.16				
Typ of Area	Size of Area (AC)	% of Total	Assco. "C"	Weighted "C"
conc/roof	0.23	20.0%	0.97	0.19
asphalt	0.81	70.0%	0.95	0.67
landscaped/grass	0.12	10.0%	0.36	0.04
Total Weighted "C" for site =				0.90

Table 6: Post-developed Flow Rates - 1.16 (Proposed Outlot 1 - Drain Line E)

Intensity Equation = $B / (T_c + D)^E$						
Coefficients Table, based off City of Weslaco Rainfall data						
Time of Concentration = 6 minutes						
Return Period (yr)	B	D	E	"C"	Area (ac)	Qp (cfs)
2	53.364	7.500	0.752	0.90	1.16	7.70
5	113.610	11.900	0.870	0.90	1.16	9.46
10	94.753	10.000	0.797	0.90	1.16	10.64
25	158.997	12.900	0.883	0.90	1.16	12.16
50	118.047	10.800	0.786	0.90	1.16	13.17
100	107.481	10.300	0.749	0.90	1.16	13.62

Table 7: Post-developed Flow Rates - 1.17 (Proposed Outlot 2 - Drain Line F)

Intensity Equation = $B / (T_c + D)^E$						
Coefficients Table, based off City of Weslaco Rainfall data						
Time of Concentration = 6 minutes						
Return Period (yr)	B	D	E	"C"	Area (ac)	Qp (cfs)
2	53.364	7.500	0.752	0.90	1.17	7.73
5	113.610	11.900	0.870	0.90	1.17	9.50
10	94.753	10.000	0.797	0.90	1.17	10.69
25	158.997	12.900	0.883	0.90	1.17	12.21
50	118.047	10.800	0.786	0.90	1.17	13.23
100	107.481	10.300	0.749	0.90	1.17	13.68

Table 8: Post-developed Flow Rates - 1.35 (Proposed Outlot 3 - Drain Line G)

Intensity Equation = $B / (T_c + D)^E$						
Coefficients Table, based off City of Weslaco Rainfall data						
Time of Concentration = 6 minutes						
Return Period (yr)	B	D	E	"C"	Area (ac)	Qp (cfs)
2	53.364	7.500	0.752	0.90	1.35	8.96
5	113.610	11.900	0.870	0.90	1.35	11.01
10	94.753	10.000	0.797	0.90	1.35	12.39
25	158.997	12.900	0.883	0.90	1.35	14.15
50	118.047	10.800	0.786	0.90	1.35	15.33
100	107.481	10.300	0.749	0.90	1.35	15.85

Stormwater generated from the outlots in their developed state will generate little to no additional runoff than is currently being produced from the existing mini-warehouse development depending on final site design. The following Table 9 shows the difference in possible developed flows versus existing conditions. A "C" value coefficient based on 20% concrete and roof top, which equates to approximately 10,500 sf per outlot for building and sidewalks, 70% asphalt paving, and 10% landscaping was utilized in the peak flow calculations.

Table 9: Possible Post VS. Pre Developed Peak Flows

Return Period (yr)	Post- Construction peak (cfs)	Pre-developed peak (cfs) (cfs)	Post VS. Pre (cfs)
2	23.81	20.70	3.11
5	29.26	25.60	3.66
10	32.92	28.78	4.15
25	37.62	32.97	4.65
50	40.75	35.72	5.02
100	42.14	36.98	5.16

Conclusions:

The design, analysis, and their applicability as presented herein is based on and limited by the weather data and the preliminary site design for the project. This development, with recommended improvements if constructed per the site development plans prepared by Ozark Civil Engineering, Inc., is deemed not to increase existing endangerment to life or property in the surrounding area when the proposed volume expansion and other associated improvements to the Cities existing Regional Detention Facilities are completed.

OZARK CIVIL ENGINEERING, INC

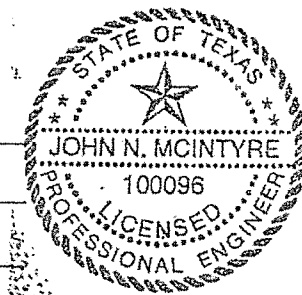
Signed:

Title:

Nick McIntyre P.E., Branch Manager

Date:

7/30/2008



CORPORATE OFFICE:
1008 Northwest "J" Street, Suite "C"
Bentonville, AR 72712
479-464-8850 ♦ 479-464-9040 fax

KANSAS REGIONAL OFFICE:
11285 Strang Line Road
Lenexa, KS 66215
913-310-0470 ♦ 913-310-0261 fax

TEXAS REGIONAL OFFICE:
1515 S. Capital of TX Hwy, Suite 212
Austin, Texas 78746
512-288-4052 ♦ 512-288-5210 fax

APPENDICES

EXISTING DRAINAGE EXHIBIT
PROPOSED DRAINAGE EXHIBIT
FEMA FIRM MAP - 4803490005B
LOWE'S OF WESLACO PLAT 1 OF 2
LOWE'S OF WESLACO PLAT 2 OF 2

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, TX 78540



70 2008 01868604

Instrument Number: 2008-1868604

Recorded On: March 14, 2008

As
Recording

Parties:

To

Billable Pages: 5

Number of Pages: 6

Comment: GEN. WD GF#3130742

**** Examined and Charged as Follows: ****

Recording	32.00
Total Recording:	32.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2008-1868604
Receipt Number: 940110
Recorded Date/Time: March 14, 2008 11:06A

Record and Return To:

FIDELITY NATIONAL TITLE
260 THREE LINCOLN CENTRE
5430 LBJ FREEWAY
DALLAS TX 75240

User / Station: N Perez - Cash Superstation 08



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this instrument was FILED in the File Number sequence on the date/time
printed herein, and was duly RECORDED in the Official Records of Hidalgo County, Texas

Arturo Guajardo Jr.
County Clerk
Hidalgo County, TX

General Warranty Deed (WESLACO, TEXAS)

CHARGE SIERRA TITLE

STC/mc/GF#3130742

1868604

NOTICE OF CONFIDENTIALITY RIGHTS:

**IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS:
YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
§
COUNTY OF HIDALGO §

KNOW ALL MEN BY THESE PRESENTS:

That Luis G. Castilleja, Ltd., a Texas limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto Lowe's Home Centers, Inc., A North Carolina Corporation having an address of P.O. Box 1111, No. Wilkesboro, North Carolina, 28656-0001 ("Grantee") approximately 2.88 acres of real property located in Hidalgo County, Texas, being more particularly described by metes and bounds on Exhibit A attached hereto and made a part hereof by reference for all purposes (the "Property"),

Together with any improvements and personal property currently located thereon and all and singular the rights, privileges, advantages, and appurtenances belonging or in any way appertaining to the Property, as well as all easements in or upon the Property and all roads, alleys, waters, streets, or rights-of-way bounding the Property (to the centerline thereof), and rights of ingress and egress thereto, as well as any and all utility capacity, if any (to the extent transferable), including, without limitation, water, drainage, and sanitary sewer, and other utility capacities and rights relating thereto, affecting or applicable to the Property currently owned by Grantor, as well as Grantor's right, title and interest in and to all zoning and utility capacity applications, if any (and to the extent transferable), made to any governmental authority and all other inchoate rights affecting or applicable to the Property (including, without limitation, any fees relating thereto and the benefits resulting therefrom) and one hundred percent (100%) of the use and control of the surface of the Property free and clear of the rights of the owners of any mineral interests or the lessees of any surface lease relating to the Property; subject, however, to all exceptions to title set forth on Exhibit B attached hereto and fully made a part hereof for all purposes (the "Permitted Exceptions").

TO HAVE AND TO HOLD the above described Property, subject to the Permitted Exceptions, together with any and all the rights and appurtenances thereto in anywise belonging to Grantor, unto the said Grantee, its legal representatives, successors and assigns FOREVER, and Grantor does hereby bind itself and its legal representatives, successors and assigns to WARRANT and FOREVER DEFEND all and singular the Property unto the said Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

General Warranty Deed (WESLACO, TEXAS)

Ad valorem taxes applicable to the Property for the year 2008 have been prorated between Grantor and Grantee to reflect the date of closing.

EXECUTED to be EFFECTIVE as of the 7th day of March, 2008.

GRANTOR:

Luis G. Castilleja, Ltd.,
a Texas limited partnership

By: Castilleja Management Enterprises, Inc.,
a Texas corporation

By: [Signature]
Name: Luis G. Castilleja
Title: President

THE STATE OF TEXAS §

§

COUNTY OF HIDALGO §

The foregoing instrument was acknowledged before me on this 7th day of March, 2008, by Luis G. Castilleja, President of Castilleja Management Enterprises, Inc., a Texas corporation general partner of Luis G. Castilleja, Ltd., a Texas limited partnership, on behalf of said limited partnership.



[Signature]
Notary Public in and for
the State of Texas

General Warranty Deed (WESLACO, TEXAS)

EXHIBIT A

Legal Description

A tract of land out of Farm Tract Forty (40), the West and Adams Tracts, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 2, Pages 34-37, Map Records, Hidalgo County, Texas, reference to which is here made for all purposes, and being more particularly described by metes and bounds as follows, to wit:

Beginning at the Northwest corner of said Farm Tract 40, for the Northwest corner hereof;

Thence with the North line of said Farm Tract 40, East 631.00 feet to the Northeast corner hereof;

Thence with the West line of a railroad right of way recorded in Volume 1211, Page 327, Deed Records of said County, South 00 degrees 03 minutes 54 seconds East, at 10.00 feet pass the centerline of a drain ditch, at 75.00 feet set a one-half inch diameter iron rod at the South right of way of a 50 foot road easement, at 243.88 feet in all to a one-half (1/2) inch diameter iron rod set for the Southeast corner hereof;

Thence with the North right of way of U.S. Expressway 83, North 78 degrees 31 minutes 18 seconds West 249.24 feet to a one-half (1/2) inch diameter rod set for an inside corner hereof;

Thence continuing with said North right of way, North 89 degrees 05 minutes West 317.07 feet to a one-half (1/2) inch diameter rod set for a corner hereof;

Thence North 44 degrees 32 minutes 31 seconds West, at 57.01 feet set a one half (1/2) inch diameter iron rod at the East right of way of Mile 4-1/2 West Road, at 71.27 feet in all to an inside corner hereof;

Thence West 20.00 feet to a Southwest corner hereof and the centerline of Mile 4-1/2 West Road;

Thence with said centerline, North 138.41 feet to the Place of Beginning, containing 2.88 acres of land, more or less, of which 1.13 acre lies in drain ditch and roads, leaving 1.75 acres net.

General Warranty Deed (WESLACO, TEXAS)

EXHIBIT B

Permitted Exceptions

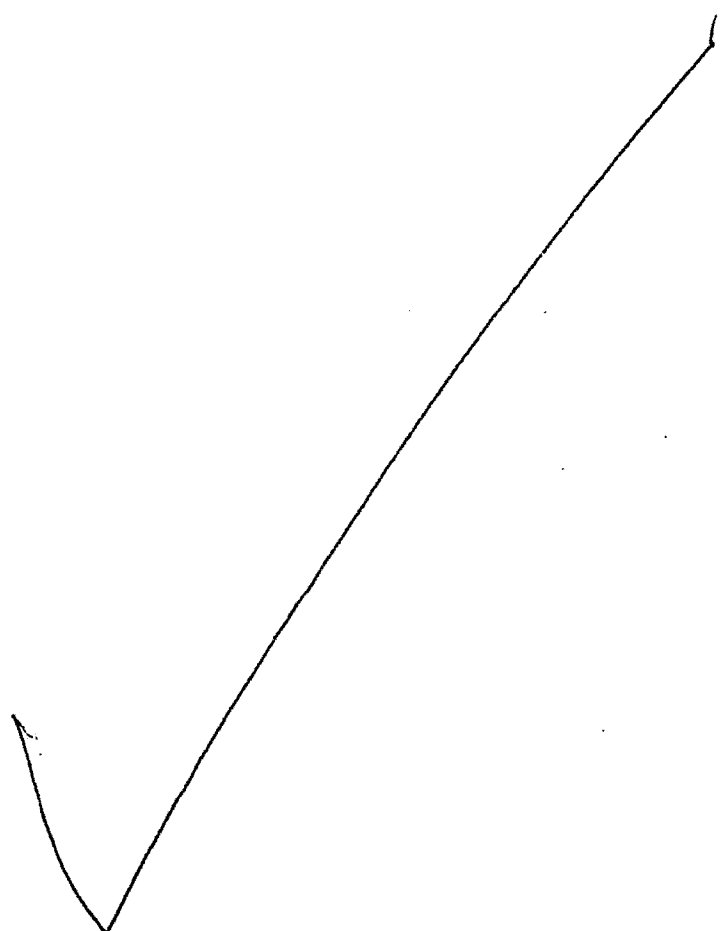
Easement granted to Hidalgo County, as set forth in instrument recorded in Volume 1158, Page 673, Deed Records, Hidalgo County, Texas.

Easement granted to Hidalgo County, as set forth in instrument recorded in Volume 1159, Page 53, Deed Records, Hidalgo County, Texas.

Road along the South, West and North sides of the subject property, as shown in the plat recorded in Volume 2, Page 34-37, Map Records, Hidalgo County, Texas.

Easements, Rules, Regulations and Rights in favor of Hidalgo & Cameron Counties Irrigation District No. 8.

Subdivision regulations of the County of Hidalgo and/or ordinances or regulations of the city in which the subdivision resides or in any city holding extra-territorial jurisdiction of said property.



AFTER RECORDING RETURN TO:
Fidelity National Title
260 Three Lincoln Centre
5430 LBJ Freeway
Dallas, TX 75240

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, TX 78540



70 2008 01868605

Instrument Number: 2008-1868605

Recorded On: March 14, 2008

As
Recording

Parties:

To

Billable Pages: 7

Number of Pages: 8

Comment: SPEC. WD GF#3130742

** Examined and Charged as Follows: **

Recording	40.00
Total Recording:	40.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2008-1868605
Receipt Number: 940110
Recorded Date/Time: March 14, 2008 11:06A

Record and Return To:

FIDELITY NATIONAL TITLE
260 THREE LINCOLN CENTRE
5430 LBJ FREEWAY
DALLAS TX 75240

User / Station: N Perez - Cash Superstation 08



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas

Arturo Guajardo Jr.
County Clerk
Hidalgo County, TX

CHARGE SIERRA TITLE
STC/mw GF# 3130742

1868605

er\Real Estate\Special Warranty Deed.Foremost Paving, Inc.Lowe's Home Centers, Inc.

Special Warranty Deed

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: March 6, 2008

Grantor: FOREMOST PAVING, INC., a Texas corporation

Grantor's Mailing Address: P.O. Box 29, Weslaco, Hidalgo County, Texas 78599-0029

Grantee: LOWE'S HOME CENTERS, INC., a North Carolina Corporation

Grantee's Mailing Address: P.O. Box 1111, No. Wilkesboro, Wilkes County, North Carolina 28656-0001

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from Conveyance:

See Exhibit "B" attached hereto and made a part hereof for all purposes.

Exceptions to Conveyance and Warranty:

See Exhibit "C" attached hereto and made a part hereof for all purposes.

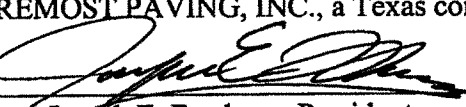
Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold unto Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and

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Warranty.

When the context requires, singular nouns and pronouns include the plural.

FOREMOST PAVING, INC., a Texas corporation

By: 

Joseph E. Forshage, President

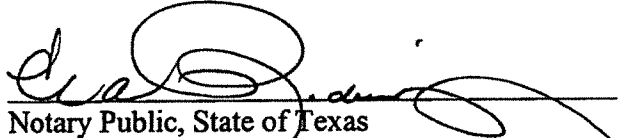
THE STATE OF TEXAS

§

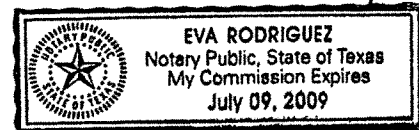
COUNTY OF HIDALGO

§

This instrument was acknowledged before me on the 6th day of March, 2008, by JOSEPH E. FORSHAGE, President, of FOREMOST PAVING, INC., a Texas corporation, on behalf of said corporation.


Notary Public, State of Texas

PREPARED IN THE LAW OFFICES OF:
Cardenas, Whitis & Stephen, L.L.P.
Attorneys-at-Law
100 South Bicentennial
McAllen, Texas 78501
RWW/er



er\Real Estate\Special Warranty Deed.Foremost Paving, Inc.Lowe's Home Centers, Inc.

Exhibit "A"

Tract One:

An 11.42 acre tract of land, more or less, out of Farm Tract 34, West Tract Subdivision, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 2, Page 34-37, Map Records, Hidalgo County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at a point being the Northwest corner of Farm Tract 34 and the Northwest corner of the tract of land herein described, thence, East at 30.00 feet a 1/2 inch rebar found for the East right-of-way line of Bridge Avenue (Mile 4-1/2 West), and continuing along the North line of Farm Tract 34 at 629.00 feet in all a 1/2 inch rebar found for the Northeast corner;

THENCE, South 791.00 feet to a 1/2 inch rebar set for the Southeast corner;

THENCE, West along an existing chain link fence at 599.00 feet a 1/2 inch rebar found for the East right-of-way line of Bridge Avenue, and at 629.00 feet in all a point lying along the West line of Farm Tract 34 for the Southwest corner of the tract of land herein described;

THENCE, North along the West line of said Farm Tract, 791.00 feet to a point being the Northwest corner of this tract of land, the POINT OF BEGINNING of this description, and containing 11.42 acres of land, more or less.

Tract Two:

A tract of land containing 6.94 acres, more or less, of Farm Tract No. Thirty-Four (34), out of the West Tract Subdivision of the Llano Grande Grant of Land in Hidalgo County, Texas, as per map or plat thereof recorded in Volume 2, Pages 34-37, Map Records of Hidalgo County, Texas, said 6.94 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a point being South, along the West boundary line of Farm Tract 34, a distance of 791.00 feet from the Northwest corner of said Farm Tract, and said point being the Northwest corner of this tract of land;

THENCE, East along a line parallel to the North boundary line of said Farm Tract, a distance of 30.00 feet to a set 1/2 inch iron pin lying on the East right-of-way line of Mile 4-1/2 West, and at a distance of 35.00 feet to a fence corner, and along a fence at a total distance of 629.00 feet to a set 1/2 inch iron pin marking the Northeast corner of this tract of land;

THENCE, South along a line parallel to the West boundary line of said Farm Tract, and along a fence, a distance of 481.00 feet to a set 1/2 inch iron pin marking the Southeast corner of this tract

er\Real Estate\Special Warranty Deed.Foremost Paving, Inc.Lowe's Home Centers, Inc.

of land;

THENCE, West along a line parallel to the North boundary line of said Farm Tract, and along a fence, a distance of 561.00 feet to a fence corner, and at a distance of 599.00 feet to a set 1/2 inch iron pin lying on the East right-of-way line of Mile 4-1/2 West, and at a total distance of 629.00 feet to a point lying on the West boundary line of said Farm Tract, said point being the Southwest corner of this tract of land;

THENCE, North along the West boundary line of said Farm Tract, said line also being the centerline of Mile 4-1/2 West, a distance of 481.00 feet to the POINT OF BEGINNING, containing within these metes and bounds 6.94 acres, more or less, of which 0.33 acre is within a public road right-of-way, more or less;

together (to the extent transferable) with all utility entitlements, availabilities and capacities, easements, rights of way, licenses, interests, rights, and appurtenances appertaining to Tract One and Tract Two.

er\Real Estate\Special Warranty Deed.Foremost Paving, Inc.Lowe's Home Centers, Inc.

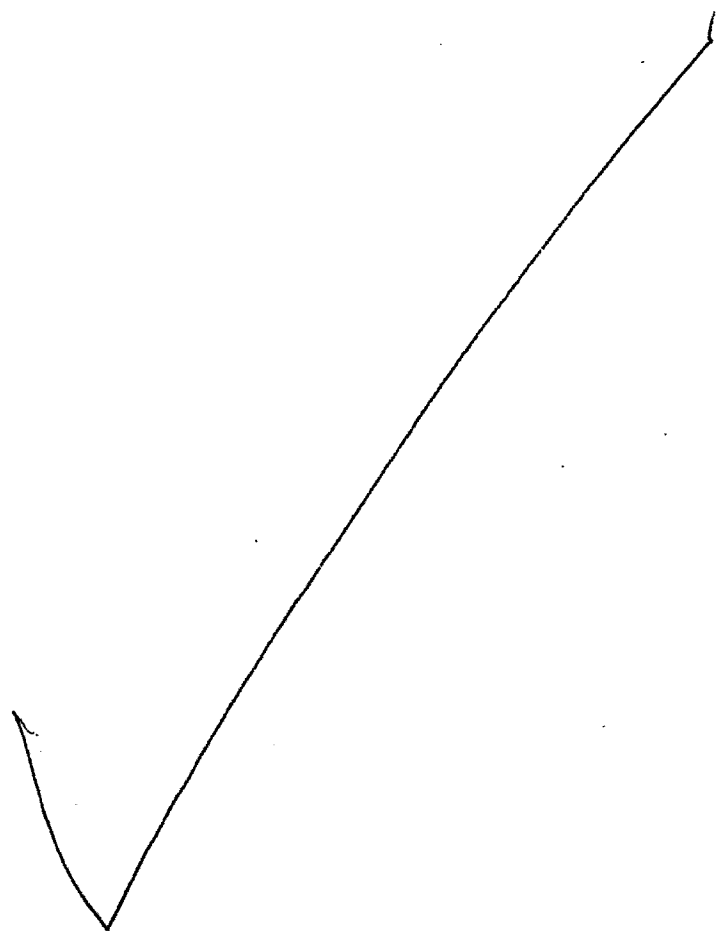
Exhibit "B"

SAVE AND EXCEPT AS TO BOTH TRACTS all buildings, structures, warehouses, storage facilities and other similar improvements on the Property, same to be removed by Grantor within the time and in the manner required by a POST-CLOSING POSSESSION AND ESCROW AGREEMENT DATED MARCH 5, 2008 BETWEEN GRANTOR AND GRANTEE (the "Agreement").

er\Real Estate\Special Warranty Deed.Foremost Paving, Inc.Lowe's Home Centers, Inc.

Exhibit "C"

- (1) Right-of-Way Easement granted to Hidalgo County, by instrument recorded in Volume 1159, Page 211, Deed Records, Hidalgo County, Texas;
- (2) Right-of-Way Easement granted to City of Weslaco, by instrument recorded in Volume 1193, Page 486, Deed Records, Hidalgo County, Texas;
- (3) Right-of-Way Easement granted by Foremost Paving, Inc. to Central Power and Light Company, by instruments filed for record in the Office of the County Clerk of Hidalgo County, Texas, under Clerk's File Nos. 383301 and 1530859;
- (4) Subject to any portion of the Property within the boundaries of any public roadway and/or highway and the rights of the public thereto and the rights of any controlled access;
- (5) Easements and conditions as shown on the Map recorded in Volume 2, Pages 34-37, Map Records, Hidalgo County, Texas;
- (6) Easements, rights, rules and regulations in favor of Hidalgo and Cameron Counties Water Control and Improvement District No. 9;
- (7) Easements, or claims of easements, which are not recorded in the public records;
- (8) Oil, Gas, and Mineral Leases dated March 31, 1944, recorded in Volume 57, Page 69, and dated July 13, 1953, recorded in Volume 148, Page 394, dated July 8, 1958, recorded in Volume 216, Page 266, Volume 216, Page 263, Volume 216, Page 260, dated January 19, 1972, recorded in Volume 337, Page 606, and in Volume 337, Page 710, Oil and Gas Records, Hidalgo County, Texas;
- (9) Non-Drilling Agreement recorded in Volume 1399, Page 400, Deed Records, Hidalgo County, Texas;
- (10) All the oil, gas and other minerals, in, under or that may be produced from the Property are excepted herefrom in instrument dated February 28, 1974, recorded in Volume 1399, Page 400, Deed Records, Hidalgo County, Texas; and
- (11) All the oil, gas and other minerals, in, under or that may be produced from the Property are excepted herefrom in instrument dated September 27, 1976, recorded in Volume 1502, Page 4, Deed Records, Hidalgo County, Texas.



AFTER RECORDING RETURN TO:
Fidelity National Title
260 Three Lincoln Centre
5430 LBJ Freeway
Dallas, TX 75240

CITY OF WESLACO

PLANNING AND CODE ENFORCEMENT DEPARTMENT

SUBDIVISION REVIEW MEETING Date: 12/20/2017

NAME OF SUBDIVISION: Lowe's Subdivision

SIGN IN FORM

1	Name	Company	Phone #
2	Rebekah delFuente	COW	447-3401
3	Zenaida Guerrero	C.O.W.	447-3403
4	Charles Warren	PD	465-1180
5	Mardoqueo Hinojosa	City of Weslaco	447-3403
6	Jesse Valdez	Fire Marshal's Office	447-3415
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			

WESLACO FIRE MARSHAL'S OFFICE

255 S. Kansas

Weslaco, Texas 78596

(956) 447-3415 Fax (956) 969-4921

DATE: 12/14/17

OCCUPANCY CLASS: Subdivision

FACILITY NAME:

Lowes Home Center Subdivision

PHYSICAL & MAILING ADDRESS:

1015 E. Expressway 83

PLAN REVIEW – CHECK OFF LIST

PHONE #:

OWNER/MANAGER:

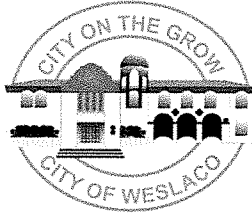
X	Approved as submitted	X	with notes
A	Illuminated exit signs and emergency lighting shall be combination with 90 minute battery pack back-up.		
B	All restrooms shall have emergency lighting with 90 minute battery pack back-up.		
C	Shall provide minimum 5 lb. ABC dry chemical extinguisher at 50' intervals for non-sprinklered building, 75' intervals for sprinklered building, annually inspected & tagged by a licensed agency and mounted no higher than 48" from top to ground. NFPA 10, Latest Edition & IFC 2015 Edition, Section 906.		
D	Shall have fire alarm company submit plans for proposed fire alarm.		
E	Shall have fire alarm system installed in accordance with the latest editions of NFPA 70 & 72, by a licensed agency and monitored 24/7 by an outside agency. Shall call our office 24 hours in advance for trip test. NFPA 101, Life Safety Code, 2015 Edition		
F	Shall have fire alarm system tied into the sprinkler system to monitor flow and tamper switches. Shall also be tied into the suppression system for the kitchen hood. NFPA 101, Life Safety Code, 2015 Edition.		
G	Shall have automatic sprinkler system installed by a licensed agency and in accordance with the latest edition of NFPA 13. Sprinkler company shall submit plans to our office and ISO for review. Shall contact our office 24 hours in advance for underground & aboveground hydrostatic tests. IFC, 2015 Edition, Section 903 & 912 and latest edition of NFPA 13. No ceiling shall be in place until aboveground hydrostatic test has been approved.		
H	If cooking that releases grease latent vapors, shall provide hood suppression system installed by a licensed agency; hood shall vent to exterior of building. NFPA 96, Latest edition. An approved method shall be provided that will ensure that the appliance(s) is returned to an approved design location, NFPA 96, Section 12.1.2.3.1 Shall call our office 24 hours in advance for trip test. IFC, 2015 Edition, Section 904.		
I	Shall have 1 – K extinguisher for kitchen annually inspected by a licensed agency. IFC, 2015 Edition, Section 904.11.5		
J	Shall have fire hydrant within 400'. Shall have 4 ½" outlet facing the street with 18" to 24" clearance from bottom of outlet to grade level for hydrant wrench. Hydrants shall be marked on the streets with reflective blue marker to show location of hydrants. Hydrants shall have 3' clearance from any fences, poles, brush, etc.		
K	Fire department connection shall be free-standing, away from the building, minimum 1 ½ times the building height, out of the collapse zone, and within 100' of a fire hydrant. FDC shall be protected from impact with 4" diameter concrete filled bollards, cemented 4' into the ground with 3' above ground. Shall be spaced 3' apart. Shall have a reflective sign indicating "FDC" with 6" high letters, ½" wide. IFC, 2015 Edition, Section 903.3.7 and all of section 912, IFC, 2015 Edition, and latest edition of NFPA 13. The FDC connection shall be the 5 inch storz with a 30 to 40 degree downward deflection angle adapter. Tamper protection for backflow preventer shall be of an approved type and approved by Authority Having Jurisdiction.		
L	Access roads shall be 26' minimum with hydrant unobstructed, 20' without hydrant unobstructed. All weather surface road that supports the imposed loads of fire apparatus shall be in place (concrete or asphalt).		
M	Fire apparatus access road shall comply with IFC 2015 Edition, Appendix D. (Cul-de-sac, wye, hammerhead)		
N	Shall have evacuation routes, with primary & secondary exits marked, in place. IFC, 2015 Edition, Section 404.		
O	Shall maintain a clear path for means of egress in the following areas:		
P	Shall have all exit doors open in the direction of egress travel. If equipped with a locking device, it shall be of an approved type.		
Q	Every room or space that is an Assembly occupancy shall have the occupant load posted in a conspicuous place.		
R	Shall maintain 44" clearance between aisles.		
S	Gated community shall submit specs on gate and shall maintain a 20' clearance on each side of island prior to installation of gate. Shall provide combination for access to subdivision. Shall provide Knox Box Gate Entry System.		
T	Shall post address in front of building plainly visible from the street with 6" x ½" stroke letters or numbers.		
U	Shall have Knox Box, 3200 Series, with hinged door, installed for fire department access. www.KnoxBox.com		
V	Shall have Knox FDC 5 inch Storz Caps in place. www.KnoxBox.com		
W	Shall have an exterior door to Riser Room. Shall label Riser Room with a white reflective sign to read "Riser Room" with 6" x ¾" stroke red letters.		
X	Shall provide fire lane painted with 6" red striping, with white lettering 4" x ¾" stroke to read "No Parking Fire Lane" spaced every 10 to 12 feet.		
X	Shall submit a complete set of plans for construction to my office for further requirements. Site improvements, utilities, building construction		
X	Shall pay appropriate fees for the following:	X	Plan review (\$75.00)
	Sprinkler system plan review		Aboveground hydro test
			Fire alarm plan review
			Fire alarm trip test
			Underground hydro test
			Suppression system trip test

Asst. Fire Marshal Mike Swinnea

FIRE MARSHAL/FIRE INSPECTOR

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

December 20, 2017

Salinas Engineering and Associates
2221 Daffodil Ave.
McAllen, Texas 78501
Engineering Firm No. F-6675

Re: Final Plat of Lowe's of Weslaco

Mr. David O. Salinas

Please find below comments to the above-mentioned project:

Plat

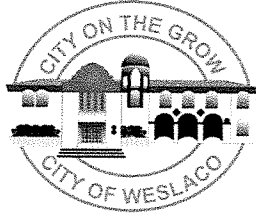
1. Need adjacent property owners to the East side.
2. Need to adjust easements not cross each other.
3. Need 15' utility easement all around lot 5.
4. Need second sheet to show existing sewer and water and proposed sewer and water services.
5. Need to include 5' sidewalk around lot 5 and West side of lot 1 on plat notes.
6. Paseo Del Norte Road is now Dolores Huerta Avenue.

Sincerely,

Mardoqueo Hinojosa, P.E., CFM
Planning Director/City Engineer

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

December 18, 2017

Lowe's Home Center, Inc
1000 Lowe's Blvd
 Mooresville, NC 28117

Re: Lowe's of Weslaco Subdivision Review.

Dear Applicant:

As per the plan set received, please find below general comments that need to be addressed for the above mentioned subdivision:

1. Add Plat Note: Streetlight must be located every 300 feet
2. Amend Plat Note 4: to include 5ft sidewalk along Bridge Ave
3. Amend Plat Note 7: to state 8' opaque fence
4. Add plat Note: Landscaping is required per city ordinance.
5. Provide location map at 1"-100' scale
6. Submit Preliminary Drainage Report for review

Should you need additional information or have any questions, please call the Planning Department at (956) 447-3401.

Sincerely,

Rebekah de la Fuente, CFM
Senior Planner

CC: David Omar Salinas, P.E.
2221 Daffodil Ave
McAllen, Texas 78501

Memo

To: Rebekah M. De La Fuente, Weslaco (Via Hand Delivery on 12/13/17, A.M.)
From: David Omar Salinas, P.E., R.P.L.S.
CC: n:\subdivisionplats\lowes.sub\rebekahmdelafuente.memo.001
Date: 12/12/2017
Re: Lowe's Plat

RECEIVED

DEC 13 2017

Planning &
Code Enforcement Dept.

Please find attached the Subdivision Review Application, seven plan copies of the plat, one 11 by 17 inch plat reduction and deeds for the subdivision for the Lowe's.

We will be submitting the plat to the irrigation district as well to get their review going. We have not heard anything back from HCDD NO. 1.

Please call me if you have any questions. Thank-you.

Attachments

2221 Daffodil Ave., McAllen, Texas 78501

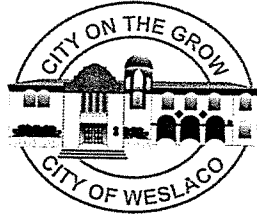
(956) 682-9081/(956) 686-1489 Facsimile

(956) 648-8899 Cell

dsalinas@salinasengineering.com

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Olga M. Noriega, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTERNAL MEMO

DATE: December 14, 2017

TO: Rebekah de la Fuente, Senior Planner
Efrain Tafolla/Construction Insp./CADD Supervisor
Gilbert Garcia, Construction Inspector
Pete Garcia, Public Works Director/ Olga Garza
Chris Sanchez, Fire Marshal/Mike Swinnea
Rolando Gonzalez, Building Official
Chief Stephen S. Mayer, Police Department

FROM: Mardoqueo Hinojosa, P.E., Planning Director/ City Engineer *MH*

SUBJECT: Subdivision Review Meeting

A **subdivision review meeting** will be held on **Wednesday, December 20, 2017** in the Planning Department Conference Room B. It is imperative that you attend. Listed below is the subdivision that will be discussed:

➤ **Lowes Subdivision – 9:00 a.m.**

Please make every effort to attend or send a representative, if you or a representative is unable to attend, submit your comments in writing. **Be advised that all comments must be received before the scheduled meeting in order to avoid delays of construction.**

Should you have any questions, please call 447-3401.



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1464	
From: Mardoqueo Hinojosa			
Subject: Discussion and consideration to approve a six month extension of the Final Plat for The Villages at Westgate Subdivision, being a 39.87 acre tract of land out of Farm Tract 131, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located along the west right-of-way of Westgate Drive and approximately 1445 feet North of Interstate 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed By Planning and Code Enforcement Department.)			
Background: The proposed eighty-six (86) lot subdivision is within the City of Weslaco city limits. This subdivision is being serviced with water by City of Weslaco through a 12" waterline and sewer through a 12" sanitary sewer line. Owner is requesting 6-month extension to complete public improvements and record plat.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission: A Subdivision Plat was approved by City Commission on January 17, 2017. An amendment was done at City Commission on March 21, 2017.			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning & Zoning Commission approved the six month extension for the final plat on January 3, 2018			
Mardoqueo Hinojosa		Created/Initiated	
Mardoqueo Hinojosa		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Subdivision Aerial, Subdivision Attachments			

Responsibilities upon Approval:

Planning staff will advise applicant.

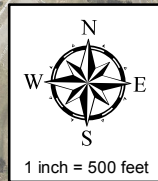
W3800-00-156-0000-00/01/02/05

N MILE 6 1/2 W

W LINCOLN ST
WEST GATE CROSSING
PH I
W ADELITA ST

FT 140

INTERMEDIATE SCHOOL



FT 130

VILLAS DEL NORTE

CYPRESS DR

PROPOSED
SITE

WESGATE VILLAGE

WESTGATE VILLAGE

MOBILE HOME

PH 11

W382002

LIN'S GRAND
BUFFET

HOME DEPOT

F.T. 138

H422500

CENTRAL
INDUS. PH.III

CENTRAL INDUS.
PH.II

CENTRAL
INDUSTRIAL
PH. II

T.S.C.

FM 132

W FRONTAGE RD

W FRONTAGE RD

FT 145

AZTEC COMMERCIAL
W3800-00-145-0000-00/01

W BEAUMONT DR

EXPRESSWAY

W ABILENE DR

HEIGHTS

W CORPUS CHRISTI

W DALLAS DR

W FRONTAGE RD

W EXPRESSWAY 83

N WESTGATE DR

W DALLAS

RE-SUB

JONES-DAVIS
HARRIS

LOT 4

C224802

CASH NIX ADDTN

CASH NIX
ADDTN PH 2

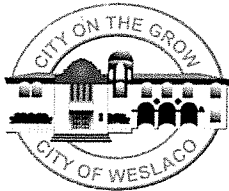
C224802

WESTGATE
DR. PLAZA

WESTGATE
DR. PLAZA
CONDOS

LIMON

THE VILLAGES AT WESTGATE SUBDIVISION PRELIMINARY PLAT



SUBDIVISION PLATTING APPLICATION

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm. Deadline to submit request is 30 days prior to the meeting.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. 2016-11

This form shall be completed by the Property Owner or Applicant and submitted to the Planning Department along with the required number of copies of the respective plat, review fee and all other required information listed below and in the Subdivision Ordinance. The submittal of an application does not constitute acceptance for processing until the staff reviews and determines the application is complete.

GENERAL INFORMATION

Name of Subdivision: The Villages at Westgate

Location: West side of North Westgate

Legal Description: A resubdivision 39.87 acres being all of Farm Tract 145, West Tract S/D

Is subdivision inside city limits? ☒ YES ☐ NO

If subdivision is in the ETJ, indicate? ☐ 2 Mile ☐ 5 Mile

If no submit letter of Annexation (Contiguous or Consensual)

Existing Zoning: R-2 Duplex & Apartments District/B-2 Secondary & Highway District

Existing Land Use: Open Proposed Land Use: Fourplex & Commercial

Number of Lots Proposed: 86 Res./3 Comm. Gross Acreage: 39.87

Title Report Submitted: ☐ Yes ☒ No

OWNER INFORMATION

Owner's Name: Aztec Commercial, L.P. Telephone: c/o 956-381-0981

Address: P.O. Box 3376 Fax: c/o 956-381-1839

City: McAllen State: TX Zip: 78502 E-mail: c/o fkurth@meldenandhunt.com

ENGINEER INFORMATION

Name: MELDEN & HUNT, INC. C/O FRED L. KURTH Telephone: 956-381-0981

Address: 115 W. McINTYRE STREET Fax: 956-381-1839

City: EDINBURG State: TX Zip: 78541 E-mail: fkurth@meldenandhunt.com

VARIANCE

Will proposed subdivision require a variance to the Code?

☐ YES ☒ NO

Describe in detail the variance requested and reason why:

N/A

UTILITY PROVISIONS

Will proposed subdivision connect to:

☒ YES ☐ NO Water Provision: CITY OF WESLACO

☒ YES ☐ NO Wastewater Provision: CITY OF WESLACO

☒ YES ☐ NO Electric Company: MVEC

☒ YES ☐ NO Phone Utility <u>VERIZON</u>	☒ YES ☐ NO Gas Utility	☒ YES ☐ NO Cable Utility
--	---	---

Proposed subdivision is in the following districts:

☒ YES ☐ NO Drainage District <u>HCDD#1</u>	☒ YES ☐ NO Irrigation District <u>HCCID#9</u>
---	--

Has the property been assessed as flat rate irrigable property: ☒ YES ☐ NO

Have Water Rights been conveyed to City/Water Supplier? ☒ YES ☐ NO

(Attach written proof of such assessment or that it has never been assessed as such a property) If YES, attach an estimate from the irrigation district of the proportional water rights for the subdivision as calculated under Texas Water Code § 49.505.

SUBMITTALS REQUIRED FOR SUBDIVISION REVIEW

☒ Seven (7) sets of preliminary plat **folded and stapled** (24 x 36) and forward a copy in PDF format to mhinojosa@weslacotx.gov & rdelafuente@weslacotx.gov

☒ \$50.00 Subdivision Review fee

☒ One 11" X 17" reduced copy of plat

☒ Plat Layout

☒ Existing & Proposed Easements

☒ Existing & Proposed ROW

☒ Existing & Proposed Drainage Easements

☒ Contours

☒ Flood Zones

☒ Adjoiners

☒ Existing & Proposed street names

☒ Utility Layout

☒ Existing & Proposed Utilities

☒ Proposed Fire Hydrants

☒ Adjoiners

☒ Street names

☒ Drainage plans and calculations with engineer's seal

☒ Elevations

☒ Flood directional arrows

☒ Detention areas

☒ Street names

☒ Proof of ownership of the property

☐ N/A If septic tank system required, submit soil evaluation report

☐ N/A Water Rights associated with the property

☐ N/A Tax Receipt for all taxing entities showing that taxes are paid in full

☐ N/A Number of fire hydrants proposed for subdivision

☐ Trip Generation Worksheet

SUBMITTALS REQUIRED FOR PRELIMINARY (P & Z)

☒ **Twelve (12)** sets of plans **FOLDED & STAPLED** (24 x 36) with all corrections done
☒ **\$350.00** (one time fee for preliminary and final plat)

SUBMITTALS REQUIRED FOR FINAL (P & Z)

☐ **Twelve (12)** sets of plans **FOLDED & STAPLED** (24 x 36) & PDF copy **with all corrections**
☐ Plats to be sealed by Professional Engineer
☐ Approved Drainage Report
☐ Traffic Impact Analysis (If required)

SUBMITTALS REQUIRED FOR FINAL (City Commission)

☐ One set of 8 1/2 x 11 of plat and utilities with all corrections done

SUBMITTALS REQUIRED FOR PRE-CONSTRUCTION MEETING

☐ Seven (7) full sets of construction plans 24 x 36 and one (1) 11 x 17 with plan & profile.
☐ Engineering cost estimates for 3% geotechnical testing fees

SUBMITTALS REQUIRED FOR RECORDING OR HIDALGO COUNTY PLANNING

☐ Electronic file of final plat and as-builds
☐ Reproducible plat to be recorded with all required signatures
☐ 2% inspection fee
☐ Memo from engineering inspector releasing subdivision
☐ Water Rights associated with the property dedicated and assigned to City of Weslaco or payment of fees sufficient to meet the needs necessitated and attributable to development
☐ 30 Year Water and 30 Year Sewer Service Agreements
☐ Park dedication/Fees in lieu of

SUBMITTALS REQUIRED FOR RECORDING BY SECURITY

☐ Sealed engineering cost estimates
☐ Letter of Credit/Performance Bond/Escrow

**** Any revisions requested would require resubmission of plats and reduced copy reflecting changes.**

AUTHORIZATION AND ACKNOWLEDGEMENTS

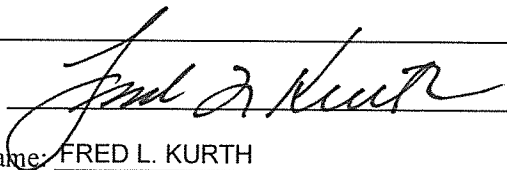
I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); and the following person listed below is my authorized agent to act on my behalf.

I certify that the above information is correct and complete to the best of my knowledge. I understand that I must comply with all applicable local, state, and federal regulations.

Owner Printed Name: (SEE ATTACHED OWNER'S AUTHORIZATION)

Owner Signature: _____ Date: _____

_____ is the authorized agent

Authorized Agent Signature:  Date: 11/11/2016

Authorized Agent Printed Name: FRED L. KURTH

MELDEN & HUNT INC.

115 W. McIntyre
EDINBURG, TX 78541

OFF: (956) 381-0981
FAX: (956) 381-1839

028364

Check Date: 11/11/2016

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
16154 S/D Review	11/10/2016	0030404	50.00			50.00
City of Weslaco		TOTAL	50.00			50.00
INB Accounts Payable #7797 8		WESLACO CITY OF				

CITY OF WESLACO
956-968-3181

REC#: 02194692 11/15/2016 9:03 AM
OPER: KArev TERM: 036
REF#: 028364

TRAN: 208.0000 SUBDIVISION REVIEW
01 -400-1025
SUBDIVISION FEES 50.00CR

TENDERED: 50.00 CHECK
APPLIED: 50.00-

0.00

MELDEN & HUNT INC.115 W. McINTYRE
EDINBURG, TX 78541OFF: (956) 381-0981
FAX: (956) 381-1839

Check Date: 12/1/2016

028424

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Villages @ Westgate	11/30/2016	0030470	350.00			350.00
City of Weslaco		TOTAL	350.00			350.00
INB Accounts Payable #7797 11		WESLACO CITY OF				

CITY OF WESLACO
956-968-3181REC#: 02202983 12/08/2016 3:30 PM
OPER: KArev TERM: 036
REF#: 028424TRAN: 207.0000 SUBDIVISION APPLICAT
melden & Hunt
the villages at Westgate
01 -400-1025
SUBDIVISION FEES 350.00CRTENDERED: 350.00 CHECK
APPLIED: 350.00-

0.00

OWNER'S AUTHORIZATION

I/We, AZTEC COMMERCIAL, L.P., a Texas Limited Partnership hereby authorize Mario A. Reyna, P.E., Project Engineer and Fred Kurth, P.E., President of Melden and Hunt, Inc. to sign all subdivision application(s) and related paperwork to the City of Weslaco for the proposed multi-family development All of Farm Tract One Hundred Forty-Five (145), Block One Hundred Seventy-Nine (179), West Tract Subdivision out of Llano Grande Grant of lands in Hidalgo County, Texas, as per map or plat thereof recorded in Volume 2, Pages 34-37, Map Records, Hidalgo County, Texas.

AZTEC COMMERCIAL, L.P.

BY: **AZTEC PARTNERS, L.L.C.**, A Texas limited liability company, General Partner

BY: _____

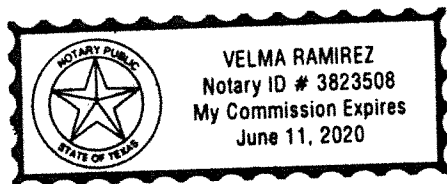
Blake J. Box, Vice President

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF HIDALGO §

This instrument was acknowledged before me on the 31st day of October, 2016, by BLAKE J. BOX, VICE PRESIDENT of **AZTEC PARTNERS, L.L.C.**, a Texas limited liability company, in its capacity of General Partner of **AZTEC COMMERCIAL, L.P.** on behalf of such limited partnership.



Notary Public, State of Texas

WARRANTY DEED

Conforms to State Bar of Texas Form

Date: **January 1, 2005**

Grantor: **JERRY J. BOX, TRUSTEE**

Grantor's Mailing Address (including county): **500 East Pecan
McAllen, Texas 78501
Hidalgo County, Texas**

Grantee: **AZTEC COMMERCIAL, L.P., a Texas Limited Partnership**

Grantee's Mailing Address (including county): **500 East Pecan
McAllen, Texas 78501
Hidalgo County, Texas**

Consideration: Ten Dollars and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged.

Property (including any improvements):

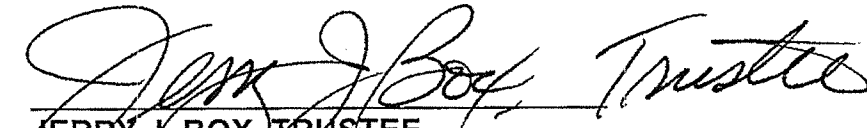
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

Reservations from and Exceptions to Conveyance and Warranty:

ALL OF RECORD.

Grantor, for the consideration and subject to the reservations from, and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

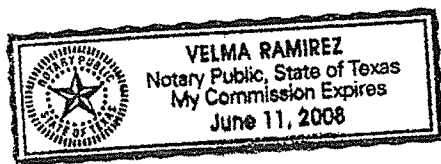
When the context requires, singular nouns and pronouns include the plural.


JERRY J. BOX, TRUSTEE

(Acknowledgment)

State of Texas
County of Hidalgo

This instrument was acknowledged before me on the 9TH day of May,
2005, by JERRY J. BOX, TRUSTEE.




Notary Public, State of Texas

AFTER RECORDING RETURN TO:

MR. MATTHEW L. JONES
Jones, Galligan, Key & Lozano, L.L.P.
P. O. Drawer 1247
Weslaco, Texas 78599-1247

PREPARED BY:

MR. MATTHEW L. JONES
Jones, Galligan, Key & Lozano, L.L.P.
P. O. Drawer 1247
Weslaco, Texas 78599-1247
File/GF Number: 13693

EXHIBIT "A"

TRACT 1:

The South one-half of the North one-half of Lot 156, KELLY-PHARR SUBDIVISION, Hidalgo County, Texas, according to map thereof recorded in Volume 3, pages 133 and 134, Deed Records of Hidalgo County, Texas; SAVE AND EXCEPT a 1.41 acre tract previously conveyed by Deed dated August 27, 1980 from Ted A. Bentsen to the State of Texas, recorded in Volume 1685, page 913, Deed Records, Hidalgo County, Texas, more particularly described by metes and bounds as follows:

BEGINNING at one-half ($\frac{1}{2}$) inch diameter iron pipe found at the Northeast corner hereof; said corner Bears South $8^{\circ}35'34''$ West 330.00 feet, thence North $81^{\circ}30'57''$ West 248.41 feet from the Northeast corner of said Lot;

Thence South $4^{\circ}51'44''$ West 231.02 feet with the west R.O.W. of U.S. 281 Expressway to a point of curvature;

Thence continuing with said U.S. 281 Expressway R.O.W. with a curve concave to the left with a radius of 2353.83 feet and a chord bearing of South $3^{\circ}39'02''$ West 99.80 feet to a one-half ($\frac{1}{2}$) inch diameter iron rod found at the Southeast corner hereof;

Thence North $81^{\circ}30'57''$ West 1095.22 feet to a two (2) inch diameter pipe post found at the West line of said lot for the Southwest corner hereof;

Thence North $8^{\circ}35'34''$ East 330.00 feet to a one-half ($\frac{1}{2}$) inch diameter iron rod set at the Northwest corner hereof;

Thence South $81^{\circ}30'57''$ East 1071.59 feet to the place of beginning containing 8.20 acres, more or less.

TRACT 2:

FIELD NOTES FOR SURVEY OF THE NORTH 3.7 ACRES OF THE SOUTH 7.4 ACRES OF THAT PART OF LOT 140, LYING WEST OF U.S. EXPRESSWAY 281 RIGHT-OF-WAY, KELLY-PHARR SUBDIVISION, OF PORCIONES 69 AND 70, HIDALGO COUNTY, TEXAS.

BEGINNING at an iron pin set on the West line of Lot 140, North 8 Deg. 25 Min. East, 165.0 feet from its Southwest corner, for the Southwest corner of the following described tract of land;

THENCE, with the West line of Lot 140, North 8 Deg. 25 Min. East, 165.0 feet to an iron pin at the Northwest corner of the South 7.4 acres of that part of Lot 140, lying West of U.S. Expressway 281 right-of-way, for the Northwest corner hereof;

THENCE, with the North line of the 7.4 acre tract, South 81 Deg. 35 Min. East, 977.45 feet to an iron pin on the West right-of-way line of U.S. Expressway No. 281, for the Northeast corner hereof;

THENCE, with the West right-of-way line of U.S. Expressway No. 281, South 8 Deg. 23 Min. 34 Sec. West, at 165.0 feet to an iron pin, for the Southeast corner hereof;

THENCE, parallel to the South line of Lot 140, North 81 Deg. 35 Min. West, 977.52 feet to the PLACE OF BEGINNING. Containing 3.70 acres of land, more or less.

TRACT 3:

All of Lots 4 and 5, Aztec Commercial Park Subdivision, an Addition to the City of Pharr, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 23, Page 140-A, Map Records of Hidalgo County, Texas.

TRACT 4:

All of Lots 11 and 12, Aztec Commercial Park Subdivision, an Addition to the City of Pharr, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 23, Page 140-A, Map Records of Hidalgo County, Texas.

TRACT 5:

All of Lots 13 and 14, Aztec Commercial Park Subdivision, an Addition to the City of Pharr, Hidalgo County, Texas, according to the map or plat thereof recorded in Volume 23, Page 140-A, Map Records of Hidalgo County, Texas.

TRACT 6:

All of Farm Tract One Hundred Forty-Five (145), Block One Hundred Seventy-Nine (179), West Tract Subdivision out of the Llano Grande Grant of lands in Hidalgo County, Texas, as per map or plat thereof recorded in Volume 2, Pages 34-37, Map Records, Hidalgo County, Texas.

Filed for Record in:
Hidalgo County III
by J. D. Salinas,
County Clerk
On: May 16, 2005 at 04:11P
As a Recording
Document Number: 1471975
Total Fees: 20.00
Receipt Number - 675710
By
Imelda Leal, Deputy

115 West McIntyre
Edinburg, TX 78541
(956) 381-0981
(956) 381-1839 fax
www.meldenandhunt.com

227 N. FM 3167
Rio Grande City, TX 78582
(956) 487-8256
(956) 488-8591 fax

Date: November 14, 2016

Transmittal

To:	City of Weslaco Planning Dept. - 255 S. Kansas Ave., Weslaco, TX 78596
Attention:	Mardoqueo Hinojosa, Planner/Rebekah De La Fuente – (956) 447-3401
From:	Fred L. Kurth, P.E.
Job Title:	The Villages at Westgate – Preliminary Submittal
Job No.:	16154.00

The following is being transmitted:

☒ Plans
 ☐ Construction Drawings
 ☒ Documents
 ☐ CD/Diskette
 ☐ Legal Descriptions
☐ Letter
☐ Original Plat
☒ Copies
☒ Fee
☐ Other: _____

Transmitted as Follows:

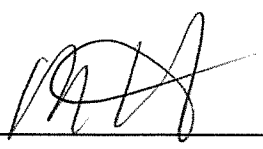
☐ For your use
 ☒ As Requested
 ☒ Review/Comment
 ☒ Approval
 ☒ Signature
 ☒ FYI

No. of Copies	Description
1	Signed Subdivision Application/\$50 Filing Fee (Check#028364)
1	Signed Owner's Authorization
1	Copy of Warranty Deed
7	Sets of Preliminary Plat & Utility
1	Ledger Size Subdivision plat with Utility layout
1	Preliminary drainage report (unapproved)

Remarks: Attached is our subdivision application submittal for the above referenced. Please review and place on your next P&Z Agenda for consideration and feel free to call us should you need any additional information to complete your review. If you have any questions, please contact our office.

Thanks!

Transmitted By: Lydia Flores, S/D Adm. Ass't

Received By:  Date: _____ Time: _____

THIS PAGE FOR STAFF USE ONLY

Date Received: _____ Received By: _____ Date Paid _____

Preliminary Subdivision Review Date: _____

Preliminary Revisions and Final Plat Submitted: _____

P & Z Commission Approval on Preliminary Plat: _____

P & Z Commission Approval on Final Plat: _____

City Commission Approval on Final Plat: _____

Preconstruction Meeting Date: _____

Date Recorded: _____ Instrument No. _____

Rezoning Required _____ YES _____ NO

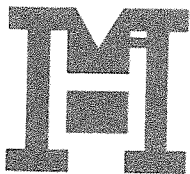
P & Z Meeting _____ City Commission Mtg _____ 2nd Reading _____

Variance Requested _____ YES _____ NO

P & Z Meeting _____ City Commission Mtg _____ 2nd Reading _____

Variance Granted: _____

General Comments: _____



TBPE Firm # F-1435
TBPLS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

FRED L. KURTH • ALLAN F. BOOE • KELLEY A. HELLER-VELA • ROBERTO N. TAMEZ • MARIO REYNA

December 28, 2017

Mr. Mardoqueo Hinojosa, P.E.
City of Weslaco
255 S. Kansas Ave.
Weslaco, TX 78596-6158

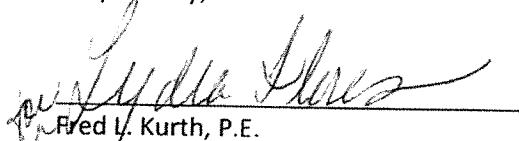
RE: The Villages at Westgate Subdivision – Request for extension

Dear Mr. Hinojosa:

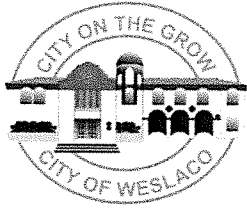
On behalf of the owner, Domain Development Corporation, we are respectfully request a six-month extension on the above referenced plat. We anticipate construction being complete in about another month then we can proceed with recording thereafter.

Your consideration to this request is appreciated. If you have any questions and/or require additional information, please feel free to call us.

Respectfully,


Fred L. Kurth, P.E.
President

Cc: Domain Development Corporation, Owner



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 21, 2017**

On Tuesday, March 21, 2017, at 5:33 PM 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 members present:

Mayor	David Suarez
Commissioner	Greg Kerr
Commissioner	Leo Muñoz
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Jose Pena, IT Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; and other staff members and citizens.

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, March 17, 2017.

B. Invocation.

Pastor Rene Vega, Laborers of Love and Hope Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Mayor Suarez recognized Fire Chief Antonio Lopez for his initiative in coordinating the first training exercise state-wide on February 24th in health hazardous incidents for Point of Dispensing.

F. Roll Call.

David Arce recommended approval of the annual event that will be held at the Mayor Palo G. Pena City Park, using the school parking lot for safe launch of the fireworks display.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve the July 4th celebration with Weslaco Economic Development Corporation on Tuesday, July 4, 2017 at the Mayor Pablo G. Peña City Park at 300 N. Airport Drive, to sell beer during the event from 12 noon to 11 p.m., to waive appropriate ordinances associated with the event, and to place a banner promoting it at the intersection of Texas and Pike Boulevard as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to select the best qualified, most advantageous bidder to the Request for Bid (RFB) No.: 2016-17-18 City of Weslaco Generator Electrical Upgrades and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce stated two bids were received and both over budget. Staff recommends rejecting bids and allow staff time to evaluate if any work can be done in-house to reduce cost.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to reject bids to the Request for Bid (RFB) No.: 2016-17-18 City of Weslaco Generator Electrical Upgrades as recommended. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve the Softball/Baseball Rental policy. Possible action. (Staffed by Parks Department.)

David Arce presented the rental policy for the use of the softball/baseball fields, noting preference to Weslaco residents. Staff recommended approval.

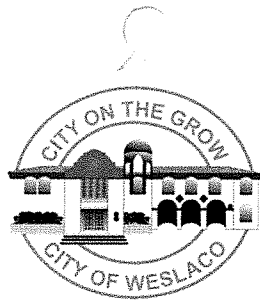
Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the Softball/Baseball Rental policy as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to amend final plat for Villages at Westgate Subdivision. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mardoqueo Hinojosa stated the developer is proposing to remove two commercial lots. Staff recommends approval

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the amendment to the final plat for Villages at Westgate Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve Ordinance 2017-19 to eliminate and convert the alley located on Heritage Square No. 2 Subdivision between Sugarcane Road and Washington Street into a street with a variance to have a paved section of 20 feet. First reading of Ordinance 2017-19. Possible action. (Requested by the Mayor and Commissioner Lopez; Staffed by Planning and Code Enforcement Department.)



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 17, 2017**

On Tuesday, January 17, 2017, at 5:35 PM 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 members present:

Mayor	David Suarez
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Olga M. Noriega
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Jose Pena, IT Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Stephen Mayer, Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; and other staff members and citizens.

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, January 13, 2017.

B. Invocation.

Pastor JJ Wicke, First United Methodist Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

There were none.

F. Roll Call.

Molly Vallejo, Secretary, called the roll, noting the absence of Mayor Pro-Tem Tafolla.

Mardoqueo Hinojosa, City Engineer and Planning Director, stated 15 property owners were notified and no objection received. Staff recommends approval as this is an existing daycare with a change of ownership. In response to Commissioner Noriega, the daycare is considered grandfathered; a conditional use permit is non-transferable.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve a Conditional Use Permit to operate a daycare at 915 E. Sugarcane Dr., as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration after public hearing on behalf of T-Mobile with Eco-Site represented by SSC to approve Ordinance 2017-02 rezoning 131 S. Pleasantview Dr., also being Lot 1, Rev. M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-02. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa, City Engineer and Planning Director, stated 12 property owners were notified and no objection received. Staff recommends approval based on the future land use map; the site is for a proposed T-Mobile cell phone tower which still needs FAA approval and a building permit.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-02 rezoning 131 S. Pleasantview Drive as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration after public hearing on behalf of Ivan Garcia P.E., R.P.L.S. to approve Ordinance 2017-03 rezoning 1411 N. Westgate Dr., also being 0.9426 acre tract of land out of Farm Tract 146, Blk 179, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-03. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa, City Engineer and Planning Director, stated sixteen property owners were notified and no objection received. This property was previously owned by the Texas Department of Transportation as Right-of-Way and comes in as R-1 zone; staff and Planning and Zoning Commission recommend approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-03 rezoning 1411 N. Westgate Dr. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- D. Discussion and consideration to approve the Final Plat for The Villages at Westgate Subdivision, being a 39.87-acre tract of land out of Farm Tract 131, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas located along the west right-of-way

of Westgate Drive and approximately 1445 feet North of Interstate 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated this a private development proposed of 86 lots for apartments and three lots commercial. Staff recommends approval as the property is already zoned commercial use.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve the Final Plat for The Villages at Westgate Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to adopt Ordinance 2017-04 to reduce a detention pond easement line by 66 feet on Lot 2, Bonita Homes Subdivision. First reading of Ordinance 2017-04. Possible action. (Staffed by Planning and Code Enforcement Department.)

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve.

Mardoqueo Hinojosa stated the owner is requesting to reduce the easement from 126 to 66 feet and is proposing to install and maintain a pump to discharge into the City's existing system. Staff recommends denial, citing concerns about the risk of mechanical or electrical failure of the pump, particularly after any change of ownership; staff noted all property south of Twentieth Street discharges into this drain. Vince Ewasko, owner, assured he proposes to extend a 12" gravity line, install electric lift pump and maintain any repairs necessary.

Commissioner Kerr withdrew his motion.

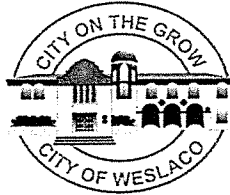
Commissioner Kerr, seconded by Commissioner Muñoz, moved to table the item. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve Ordinance 2017-05, amending Ordinance 2016-26, codified as Article V Section 134-259 Designation of Truck Routes to include Bridge Avenue from Business Highway 83 to Witmer Street. First Reading of Ordinance 2017-05. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa recommended approval to allow a truck route accessing the former City Shop area along Bridge Avenue and Pleasantville Drive and add a heavy weight corridor to the same. The City Manager clarified this action is two-fold: 1) amend the ordinance; and 2) request the Texas Department of Transportation to identify as a heavy weight corridor the approximate one-mile distance on Business 83 and additional fifty feet on Bridge Avenue; their administrative process should take about three months.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Olga M. Noriega, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTERNAL MEMO

TO: Elizabeth M. Walker, City Secretary
FROM: Rebekah de la Fuente, Senior Planner *RS*
RE: Villages at Westgate Subdivision
DATE: July 10, 2017

Molly Vallejo
7/10/17

Please sign the attached Discharging Permit Application. Villages at Westgate Subdivision was approved by the City Commission on March 21, 2017.

Should you have any questions please contact me.

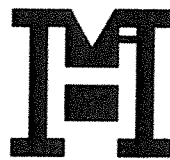
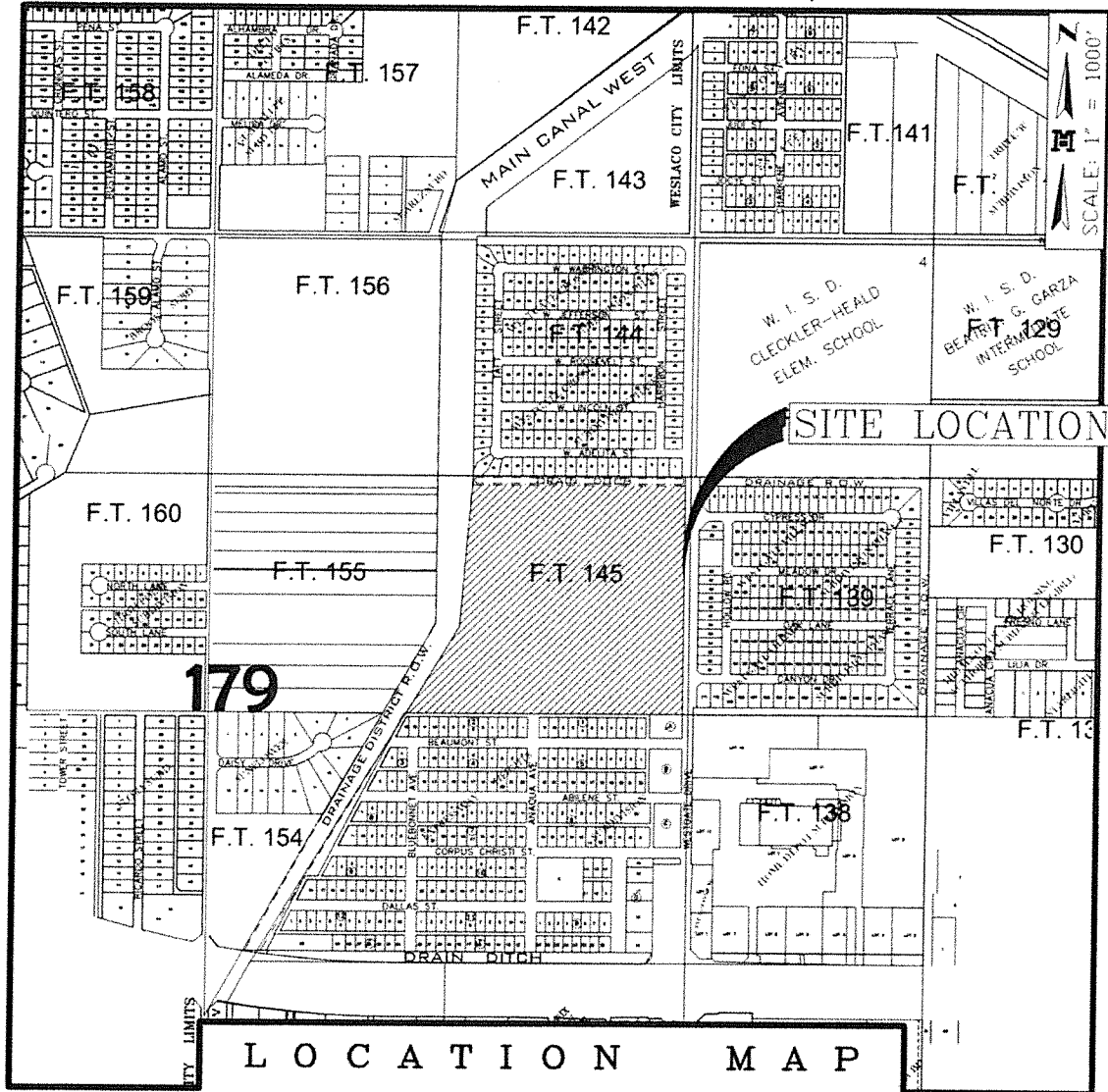
Attachments

**FLOWRATE DETERMINATION
THE VILLAGES AT WESTGATE SUBDIVISION**

[illegible]

FORMULA FOR INTENSITY $I = \frac{b}{e}$
 USING THE RATIONAL METHOD, AS PER
 "TXDOT BRIDGE HYDRAULIC MAN (Tc + d)

**THE VILLAGES AT
WESTGATE SUBDIVISION**
A RESUBDIVISION
OF 39.87 AC. BEING ALL
OF FARM TRACT 145, WEST TRACT S/D
VOLUME 2, PAGES 34-37, H.C.M.R.
CITY OF WESLACO, HIDALGO COUNTY, TEXAS

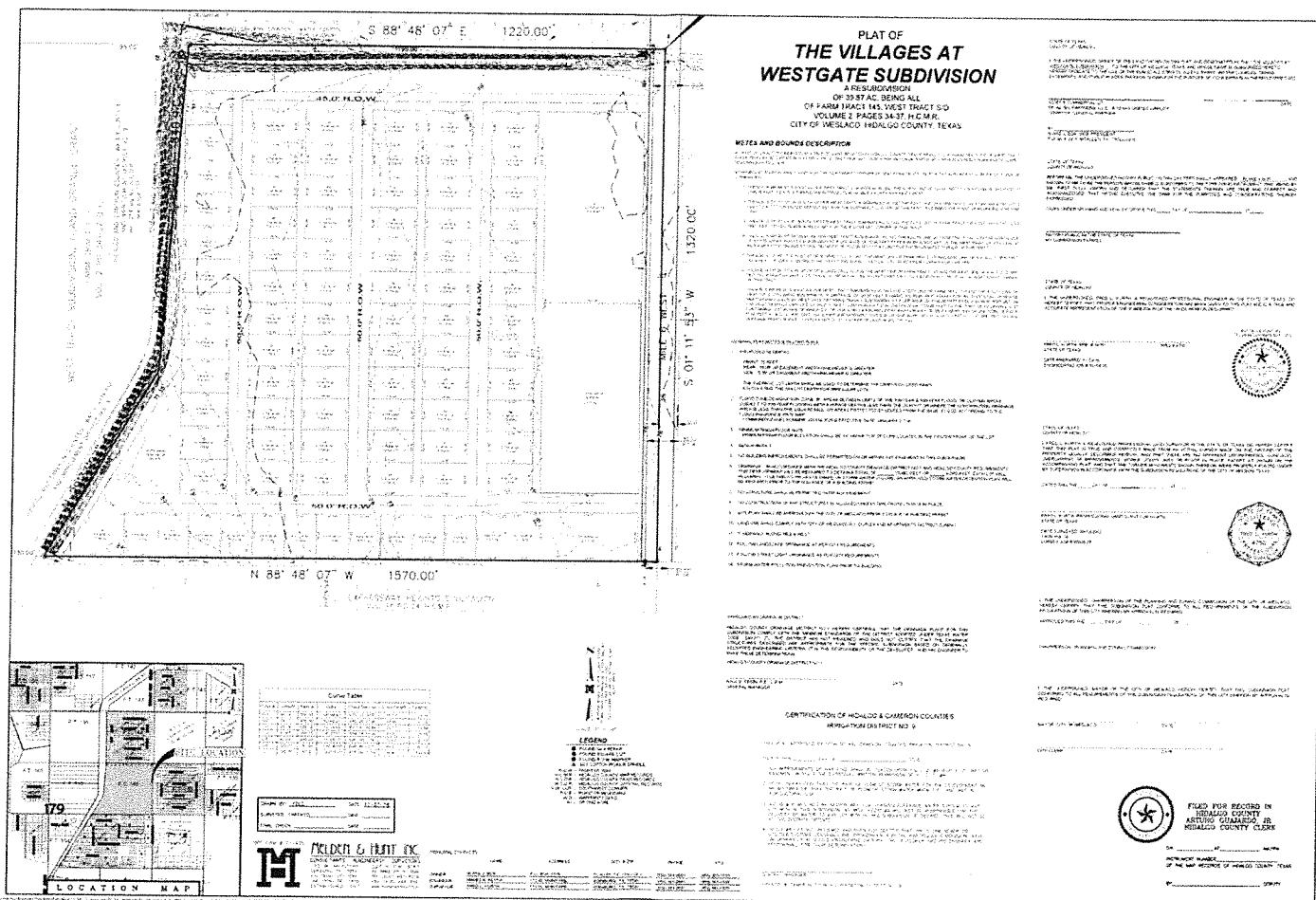


MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

227 N. F.M. 3167
RIO GRANDE CITY, TX 78182
PH: (956) 487-8256
FAX: (956) 488-8591

BOOK 1- PG.
DATE:
JOB No.
FILE NAME:
DRAWN BY:

115 W. McINTYRE
EDINBURG, TX 78541
PH: (956) 381-0981
FAX: (956) 381-1839
www.meldenandhunt.com



P.O.C.
N.W. COR.
F.T. 156

LAHO 14162 144

PLAT SHOWING
ALL OF FARM TRACT 145
WEST TRACT SUBDIVISION OUT OF LLANO GRANDE
VOLUME 2, PAGE 34-37 H.C.M.R.
HIDALGO COUNTY TEXAS

P.O.B.
NE COR.
F.T. 145

ADJ. QUAD. SECTION 30, PHASE 2
W. 1/4 SEC. 30 - 1/4 SEC. 31
W. 1/4 SEC. 30 - 1/4 SEC. 31

S 88° 48' 07" E 1220.00'

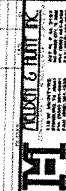
48.00' P.O.B.

S 01° 11' 53" W 1320.00'

N 88° 48' 07" W 1570.00'

DEVELOPER: J. L. ...

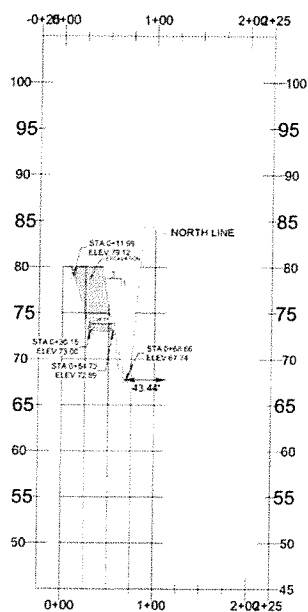
1. ALL LOTS ARE TO BE CONVEYED TO THE ...
2. THE ...
3. THE ...



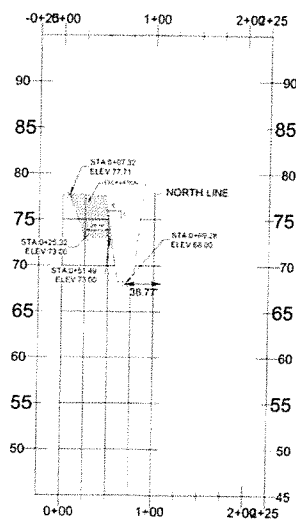
RESUBDIVISION OF FARM TRACT 145
HIDALGO COUNTY

STORM DRAINAGE &
STREET IMPROVEMENTS

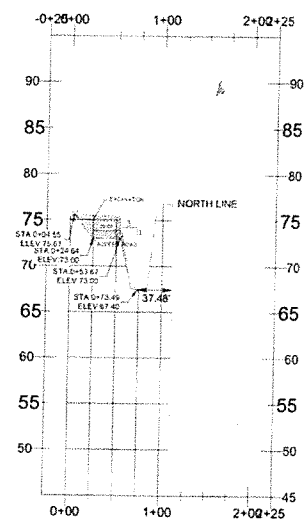
DITCH PROFILE A PROFILE

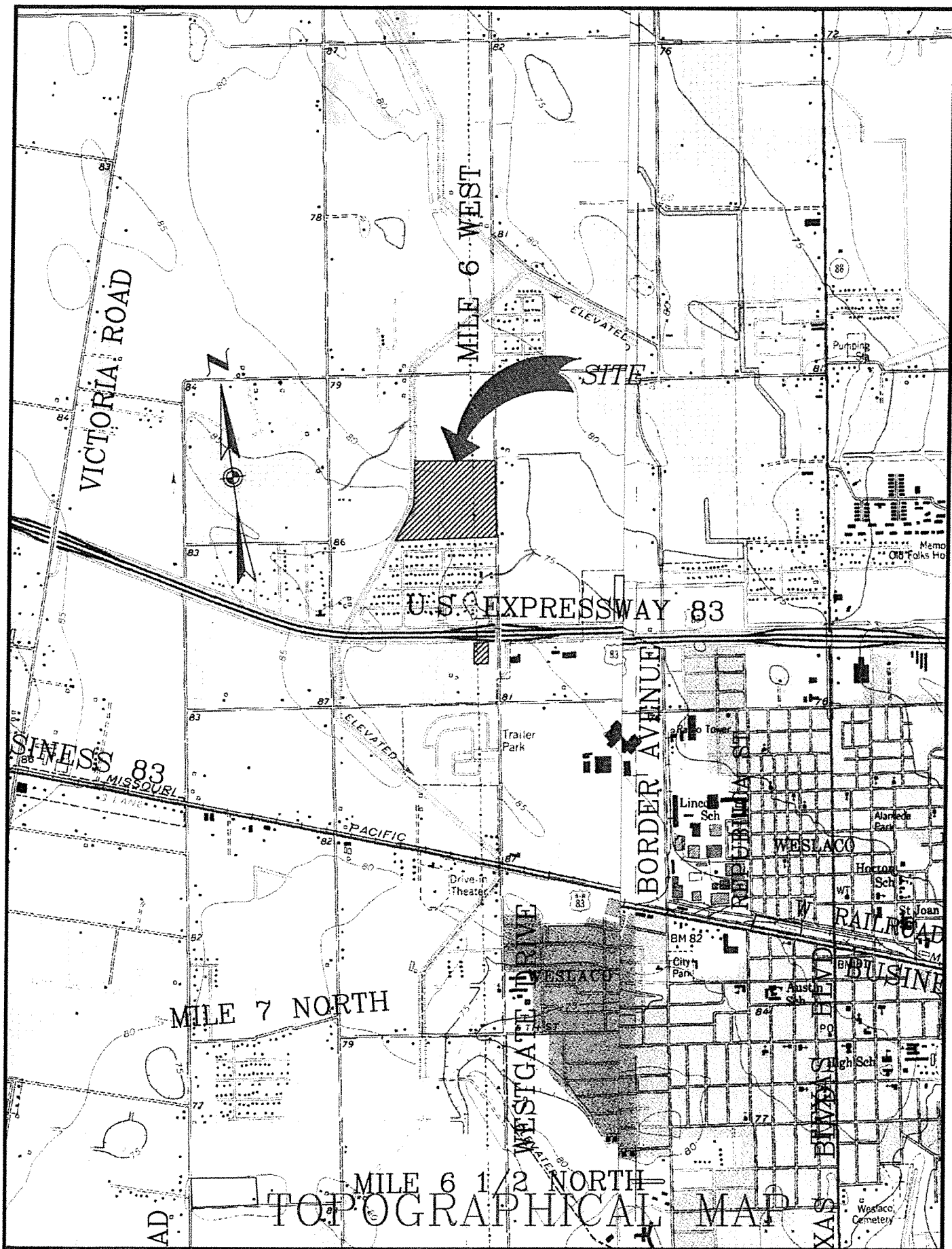


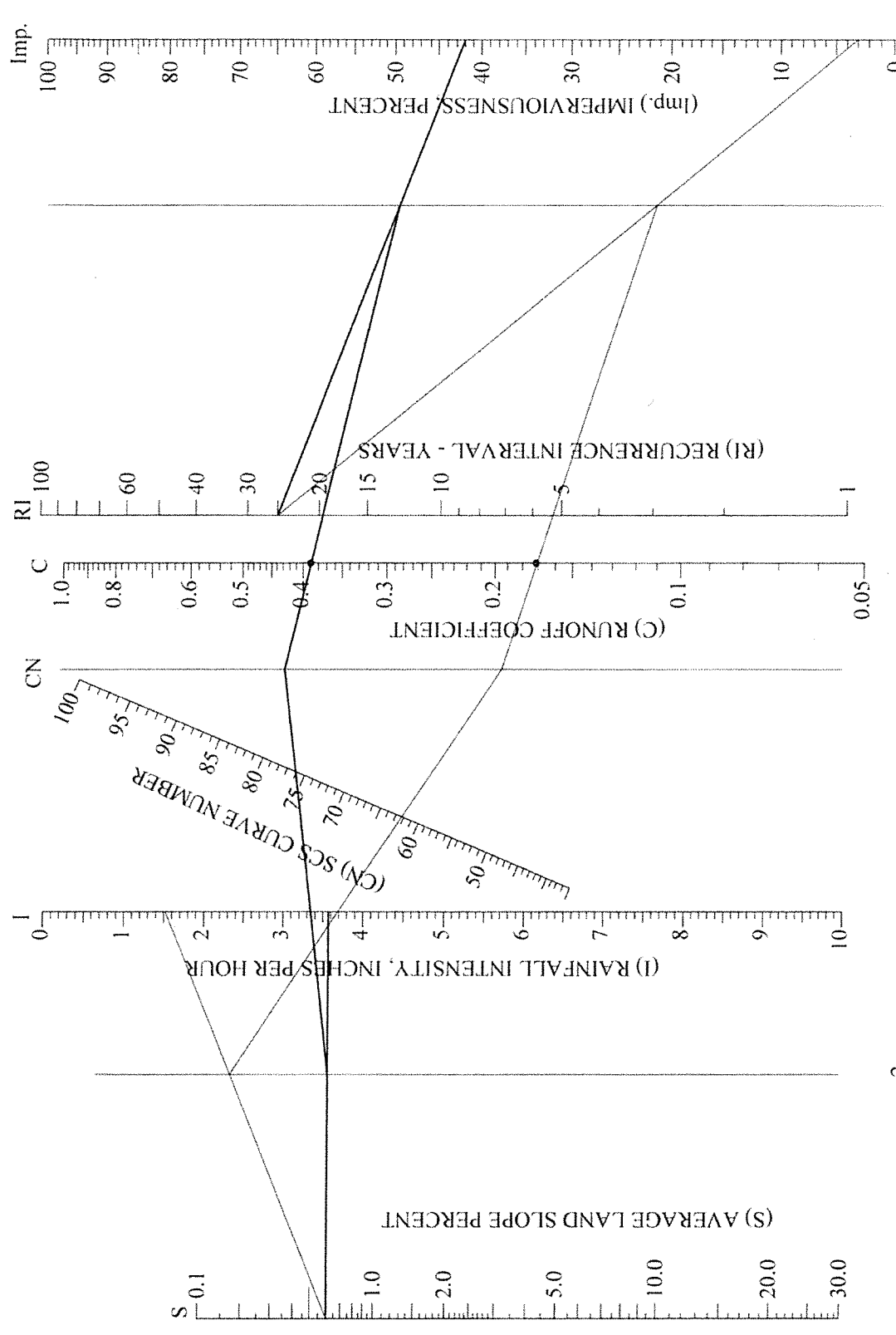
DITCH PROFILE B PROFILE



DITCH PROFILE C PROFILE







Appendix 1.0

HIDALGO COUNTY RAINFALL INTENSITY TABLES

based on Weather Bureau (NWS) Technical Paper No. 40 "Rainfall Frequency Atlas of the United States"

$$\text{formula } I = b/(t_c + d)^e$$

TIME	2 yr.	5 yr.	10 yr.	25 yr.	50 yr.	100 yr.
1	10.404	12.626	14.283	16.353	17.386	17.952
2	9.653	11.721	13.281	15.215	16.210	16.793
3	9.012	10.950	12.426	14.244	15.204	15.797
4	8.458	10.286	11.687	13.405	14.333	14.929
5	7.974	9.706	11.042	12.671	13.570	14.165
6	7.546	9.194	10.472	12.023	12.895	13.487
7	7.167	8.740	9.966	11.447	12.294	12.881
8	6.827	8.334	9.512	10.930	11.755	12.336
9	6.520	7.968	9.103	10.464	11.268	11.841
10	6.243	7.636	8.732	10.042	10.825	11.391
11	5.990	7.334	8.394	9.656	10.421	10.979
12	5.758	7.058	8.084	9.303	10.051	10.601
13	5.546	6.804	7.799	8.978	9.710	10.252
14	5.350	6.569	7.536	8.678	9.395	9.928
15	5.169	6.353	7.293	8.400	9.102	9.628
16	5.000	6.151	7.067	8.142	8.831	9.348
17	4.843	5.964	6.856	7.902	8.577	9.087
18	4.697	5.789	6.659	7.677	8.340	8.842
19	4.560	5.625	6.475	7.466	8.117	8.612
20	4.432	5.472	6.302	7.268	7.908	8.396
21	4.311	5.327	6.139	7.082	7.711	8.192
22	4.198	5.191	5.985	6.906	7.525	8.000
23	4.090	5.062	5.840	6.740	7.349	7.817
24	3.989	4.941	5.703	6.583	7.183	7.644
25	3.893	4.825	5.572	6.434	7.025	7.480
26	3.802	4.716	5.449	6.293	6.875	7.324
27	3.715	4.612	5.331	6.158	6.732	7.176
28	3.633	4.513	5.220	6.030	6.596	7.034
29	3.554	4.419	5.113	5.908	6.467	6.899
30	3.480	4.329	5.011	5.792	6.343	6.769
31	3.408	4.244	4.914	5.680	6.224	6.646
32	3.340	4.161	4.821	5.574	6.111	6.527
33	3.275	4.083	4.732	5.472	6.002	6.413
34	3.212	4.008	4.646	5.374	5.897	6.304
35	3.152	3.935	4.564	5.280	5.797	6.199

TIME	2 yr.	5 yr.	10 yr.	25 yr.	50 yr.	100 yr.
36	3.095	3.866	4.486	5.189	5.701	6.098
37	3.040	3.799	4.410	5.103	5.608	6.001
38	2.986	3.735	4.337	5.019	5.519	5.908
39	2.935	3.673	4.267	4.939	5.433	5.817
40	2.886	3.614	4.199	4.861	5.350	5.730
41	2.838	3.557	4.134	4.786	5.270	5.646
42	2.793	3.501	4.071	4.714	5.193	5.565
43	2.748	3.448	4.010	4.644	5.118	5.487
44	2.706	3.396	3.951	4.577	5.046	5.411
45	2.665	3.346	3.895	4.511	4.976	5.337
46	2.625	3.298	3.840	4.448	4.908	5.266
47	2.586	3.251	3.786	4.387	4.843	5.197
48	2.549	3.206	3.735	4.328	4.779	5.130
49	2.513	3.162	3.685	4.270	4.717	5.065
50	2.477	3.120	3.636	4.215	4.658	5.002
51	2.443	3.078	3.589	4.161	4.600	4.941
52	2.410	3.038	3.543	4.108	4.543	4.881
53	2.378	2.999	3.499	4.057	4.488	4.824
54	2.347	2.962	3.456	4.007	4.435	4.767
55	2.317	2.925	3.414	3.959	4.383	4.713
56	2.288	2.889	3.373	3.912	4.333	4.659
57	2.259	2.854	3.333	3.867	4.284	4.608
58	2.231	2.821	3.295	3.822	4.236	4.557
59	2.204	2.788	3.257	3.779	4.189	4.508
60	2.178	2.756	3.220	3.737	4.144	4.460
65	2.056	2.607	3.050	3.541	3.933	4.237
70	1.948	2.475	2.899	3.368	3.745	4.038
75	1.852	2.358	2.765	3.212	3.577	3.860
80	1.765	2.252	2.643	3.073	3.426	3.699
85	1.688	2.156	2.533	2.946	3.289	3.554
90	1.617	2.069	2.434	2.831	3.164	3.421
95	1.552	1.990	2.342	2.726	3.050	3.299
100	1.493	1.917	2.258	2.629	2.944	3.187
105	1.439	1.850	2.181	2.540	2.847	3.083
110	1.389	1.788	2.109	2.457	2.757	2.988

where:	2yr	5yr	10yr	25yr	50yr	100yr
e=	0.831	0.795	0.778	0.771	0.749	0.740
b=	74	80	87	98	99	103
d=	9.6	9.2	9.2	9.2	9.2	9.6

Prepared By Melden & Hunt, Inc.

Appendix 1.0 (cont.)

HIDALGO COUNTY RAINFALL INTENSITY TABLES (cont.)

based on Weather Bureau (NWS) Technical Paper No. 40 "Rainfall Frequency Atlas of the United States"

$$\text{formula } I = b/(t_c + d)^e$$

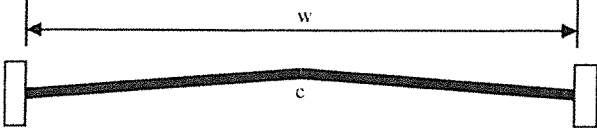
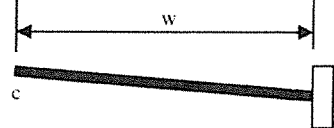
TIME	2 yr.	5 yr.	10 yr.	25 yr.	50 yr.	100 yr.
115	1.342	1.731	2.043	2.380	2.674	2.898
120	1.299	1.677	1.981	2.309	2.596	2.815
125	1.259	1.628	1.924	2.242	2.523	2.737
130	1.221	1.581	1.870	2.180	2.455	2.665
135	1.186	1.537	1.819	2.122	2.391	2.596
140	1.153	1.496	1.771	2.067	2.331	2.532
145	1.122	1.457	1.727	2.015	2.274	2.471
150	1.093	1.421	1.684	1.966	2.220	2.413
155	1.065	1.386	1.644	1.919	2.169	2.359
160	1.039	1.354	1.606	1.876	2.121	2.307
165	1.014	1.323	1.570	1.834	2.075	2.258
170	0.991	1.293	1.536	1.794	2.032	2.211
175	0.968	1.265	1.504	1.757	1.990	2.167
180	0.947	1.239	1.473	1.721	1.951	2.124
185	0.927	1.213	1.443	1.686	1.913	2.084
190	0.907	1.189	1.415	1.654	1.877	2.045
195	0.889	1.166	1.388	1.622	1.842	2.008
200	0.871	1.144	1.362	1.592	1.809	1.972
205	0.854	1.122	1.337	1.564	1.778	1.938
210	0.838	1.102	1.313	1.536	1.747	1.906
215	0.823	1.082	1.290	1.510	1.718	1.874
220	0.808	1.063	1.268	1.484	1.690	1.844
225	0.793	1.045	1.247	1.460	1.663	1.815
230	0.780	1.028	1.227	1.436	1.637	1.787
235	0.766	1.011	1.207	1.413	1.611	1.759
240	0.754	0.995	1.189	1.392	1.587	1.733
245	0.741	0.979	1.170	1.370	1.564	1.708
250	0.729	0.964	1.153	1.350	1.541	1.684
255	0.718	0.950	1.136	1.330	1.519	1.660
260	0.707	0.936	1.119	1.311	1.498	1.637
265	0.696	0.922	1.103	1.293	1.477	1.615
270	0.686	0.909	1.088	1.275	1.458	1.594
275	0.676	0.896	1.073	1.257	1.438	1.573
280	0.666	0.884	1.059	1.241	1.420	1.553
285	0.657	0.872	1.045	1.224	1.402	1.533

TIME	2 yr.	5 yr.	10 yr.	25 yr.	50 yr.	100 yr.
290	0.647	0.860	1.031	1.209	1.384	1.514
295	0.639	0.849	1.018	1.193	1.367	1.496
300	0.630	0.838	1.005	1.178	1.350	1.478
305	0.622	0.828	0.992	1.164	1.334	1.460
310	0.614	0.817	0.980	1.150	1.319	1.444
315	0.606	0.807	0.969	1.136	1.303	1.427
320	0.598	0.797	0.957	1.123	1.288	1.411
325	0.591	0.788	0.946	1.110	1.274	1.395
330	0.583	0.779	0.935	1.097	1.260	1.380
335	0.576	0.770	0.924	1.085	1.246	1.365
340	0.570	0.761	0.914	1.073	1.233	1.351
345	0.563	0.752	0.904	1.061	1.220	1.337
350	0.556	0.744	0.894	1.050	1.207	1.323
355	0.550	0.736	0.885	1.039	1.195	1.309
360	0.544	0.728	0.875	1.028	1.182	1.296
365	0.538	0.720	0.866	1.017	1.171	1.284
370	0.532	0.713	0.857	1.007	1.159	1.271
375	0.526	0.705	0.849	0.997	1.148	1.259
380	0.521	0.698	0.840	0.987	1.137	1.247
385	0.515	0.691	0.832	0.977	1.126	1.235
390	0.510	0.684	0.824	0.968	1.115	1.224
395	0.504	0.677	0.816	0.958	1.105	1.212
400	0.499	0.671	0.808	0.949	1.095	1.201
405	0.494	0.664	0.800	0.940	1.085	1.191
410	0.489	0.658	0.793	0.932	1.075	1.180
415	0.485	0.652	0.786	0.923	1.066	1.170
420	0.480	0.646	0.779	0.915	1.056	1.160
425	0.475	0.640	0.772	0.907	1.047	1.150
430	0.471	0.634	0.765	0.899	1.038	1.140
435	0.466	0.628	0.758	0.891	1.029	1.131
440	0.462	0.623	0.751	0.883	1.021	1.121
445	0.458	0.617	0.745	0.876	1.012	1.112
450	0.454	0.612	0.739	0.869	1.004	1.103
455	0.450	0.607	0.733	0.861	0.996	1.094
460	0.446	0.602	0.726	0.854	0.988	1.086

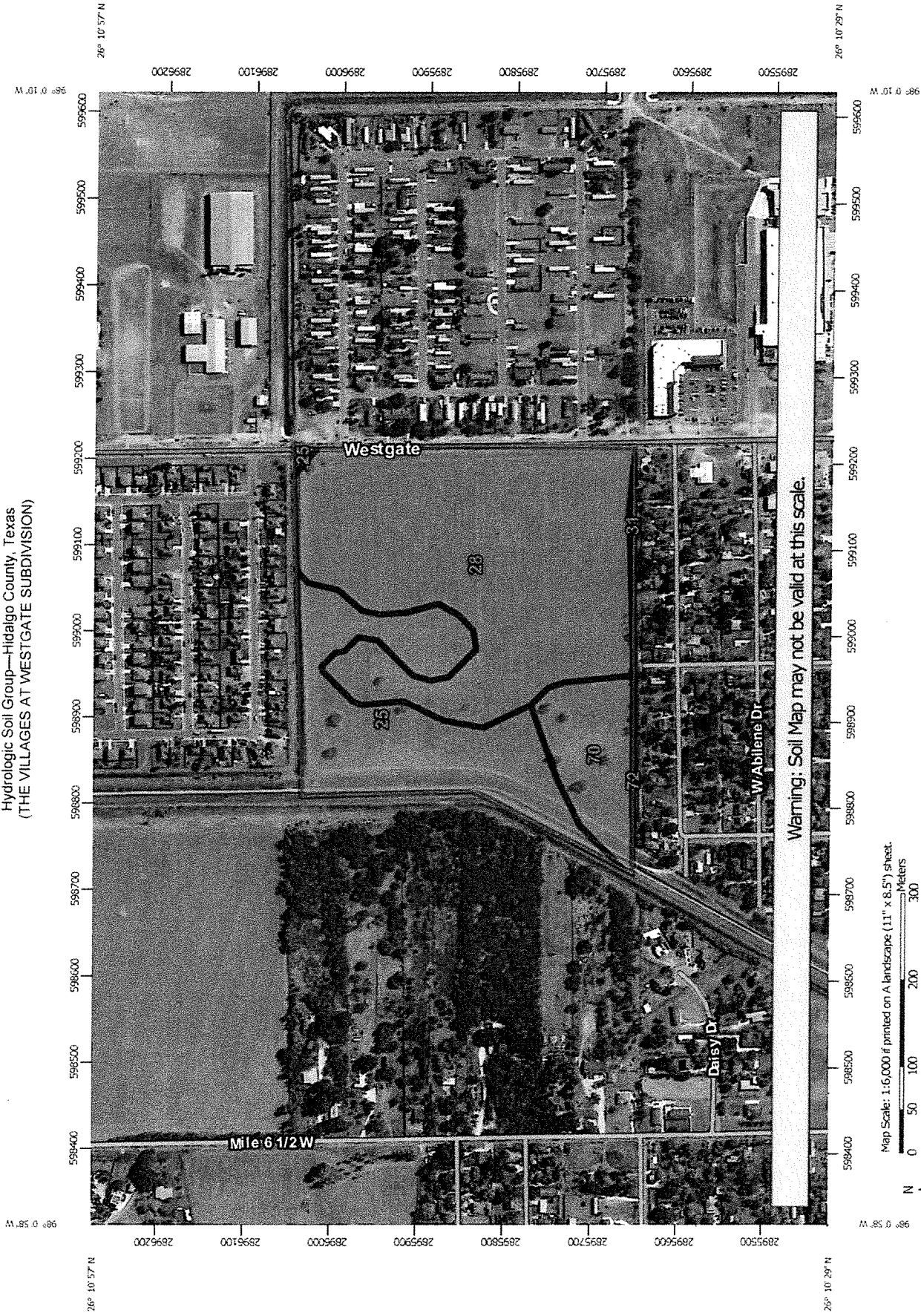
where:	2yr	5yr	10yr	25yr	50yr	100yr
e=	0.831	0.795	0.778	0.771	0.749	0.740
b=	74	80	87	98	99	103
d=	9.6	9.2	9.2	9.2	9.2	9.6

Prepared By Melden & Hunt, Inc.

Street Velocities and Capacities Flowing Curb Full Manning's n = 0.018

										
	Local Street		Local Street		Collector Street		Secondary Street (half-section)		Primary Street (half-section)	
	w = 30'		w = 40'		w = 44'		w = 24'			
Slope %	c = 4" wp = 31.16 A = 12.45 r = 0.40		c = 4" wp = 41.17 A = 16.67 r = 0.405		c = 5" wp = 45.17 A = 16.50 r = 0.365		c = 6" wp = 24.66 A = 7.92 r = 0.32		c = 9" wp = 28.52 A = 8.12 r = 0.28	
	V ft/sec	Q cfs	V ft/sec	Q cfs	V ft/sec	Q cfs	V ft/sec	Q cfs	V ft/sec	Q cfs
0.10	1.42	17.68	1.43	23.81	1.33	22.01	1.22	9.66	1.12	9.09
0.15	1.74	21.66	1.74	29.17	1.63	26.96	1.50	11.88	1.37	11.12
0.20	2.00	24.90	2.02	33.68	1.89	31.13	1.73	13.70	1.58	12.83
0.25	2.24	27.89	2.26	37.66	2.11	34.80	1.93	15.29	1.77	14.37
0.30	2.46	30.63	2.47	41.25	2.31	38.13	2.12	16.79	1.94	15.75
0.35	2.65	32.99	2.67	44.56	2.50	41.18	2.29	18.14	2.09	16.97
0.40	2.84	35.36	2.86	47.64	2.67	44.02	2.44	19.32	2.24	18.19
0.45	3.01	37.47	3.03	50.53	2.83	46.69	2.59	20.51	2.37	19.24
0.50	3.17	39.47	3.19	53.26	2.98	49.22	2.73	21.62	2.50	20.30
0.55	3.32	41.33	3.35	55.86	3.13	51.62	2.87	22.73	2.62	21.27
0.60	3.47	43.20	3.50	58.34	3.27	53.92	2.99	23.68	2.74	22.25
0.65	3.61	44.94	3.64	60.72	3.40	56.12	3.12	24.71	2.86	23.14
0.70	3.75	46.62	3.78	63.02	3.53	58.24	3.23	25.58	2.96	24.04
0.75	3.88	48.31	3.91	66.23	3.65	60.28	3.35	26.53	3.06	24.85
0.80	4.01	49.92	4.04	67.37	3.77	62.26	3.46	27.40	3.16	25.66
0.85	4.13	51.42	4.17	69.44	3.89	64.17	3.56	28.20	3.26	26.47
0.90	4.25	52.91	4.29	71.45	4.00	66.03	3.67	29.07	3.35	27.20
0.95	4.37	54.41	4.40	73.41	4.11	67.84	3.77	29.86	3.44	27.93
1.00	4.48	55.78	4.52	75.31	4.22	69.61	3.86	30.57	3.53	28.66
1.50	5.49	68.35	5.53	92.25	5.17	85.25	4.73	37.46	4.33	35.16
2.00	6.34	78.93	6.39	106.52	5.97	98.44	5.46	43.24	5.00	40.60
2.50	7.09	88.27	7.14	119.09	6.67	110.06	6.11	48.39	5.59	45.39
3.00	7.76	96.61	7.83	130.46	7.31	120.56	6.69	52.98	6.12	49.59
3.50	8.39	104.46	8.45	140.91	7.89	130.22	7.23	57.26	6.61	53.67
4.00	8.97	111.68	9.04	150.64	8.44	139.21	7.73	61.22	7.07	57.41
4.50	9.51	118.40	9.58	159.78	8.95	147.66	8.20	64.94	7.50	60.90
5.00	10.02	124.75	10.10	168.42	9.43	155.65	8.64	68.43	7.90	64.15
5.50	10.51	130.85	10.60	176.64	9.89	163.24	9.06	71.76	8.29	67.31
6.00	10.98	136.70	11.07	184.49	10.33	170.50	9.46	74.92	8.65	70.24
6.50	11.43	143.30	11.52	192.03	10.76	177.46	9.85	78.01	9.01	73.16
7.00	11.86	147.66	11.95	199.28	11.16	184.16	10.22	80.94	9.35	75.92
7.50	12.28	152.89	12.37	206.27	11.55	190.63	10.58	83.79	9.68	78.60
8.00	12.68	157.85	12.78	213.04	11.93	196.88	10.93	86.57	9.99	81.12
8.50	13.07	162.72	13.17	219.59	12.30	202.94	11.26	89.18	10.30	83.64
9.00	13.45	167.45	13.55	225.96	12.66	208.82	11.59	91.79	10.60	86.07
9.50	13.82	172.06	13.93	232.15	13.00	214.54	11.91	94.33	10.89	88.43
10.00	14.18	176.54	14.29	238.18	13.34	220.12	12.22	96.78	11.17	90.70

Hydrologic Soil Group—Hidalgo County, Texas
(THE VILLAGES AT WESTGATE SUBDIVISION)



Map Scale: 1:6,000 if printed on A landscape (11" x 8.5") sheet.

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84

MAP LEGEND

	Area of Interest (AOI)		C
	Area of Interest (AOI)		C/D
	Soils		D
	Soil Rating Polygons		Not rated or not available
	A		
	A/D		
	B		
	B/D		
	C		
	C/D		
	D		
	Not rated or not available		
	Soil Rating Lines		
	A		
	A/D		
	B		
	B/D		
	C		
	C/D		
	D		
	Not rated or not available		
	Soil Rating Points		
	A		
	A/D		
	B		
	B/D		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hidalgo County, Texas
Survey Area Data: Version 12, Sep 22, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 10, 2010—Jan 25, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Hidalgo County, Texas (TX215)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
25	Hidalgo fine sandy loam, 0 to 1 percent slopes	B	11.7	28.7%
28	Hidalgo sandy clay loam, 0 to 1 percent slopes	B	24.5	60.1%
31	Hidalgo-Urban land complex, 0 to 1 percent slopes	B	0.2	0.5%
70	Willacy fine sandy loam, 0 to 1 percent slopes	B	4.4	10.7%
72	Willacy-Urban land complex, 0 to 3 percent slopes	B	0.0	0.0%
Totals for Area of Interest			40.8	100.0%

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

MAP LEGEND

	Area of Interest (AOI)		C
	Area of Interest (AOI)		C/D
	Soils		D
	Soil Rating Polygons		Not rated or not available
	A		
	A/D		
	B		
	B/D		
	C		
	C/D		
	D		
	Not rated or not available		
	Soil Rating Lines		
	A		
	A/D		
	B		
	B/D		
	C		
	C/D		
	D		
	Not rated or not available		
	Soil Rating Points		
	A		
	A/D		
	B		
	B/D		
	C		
	C/D		
	D		
	Not rated or not available		
	Water Features		
	Streams and Canals		
	Transportation		
	Rails		
	Interstate Highways		
	US Routes		
	Major Roads		
	Local Roads		
	Background		
	Aerial Photography		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

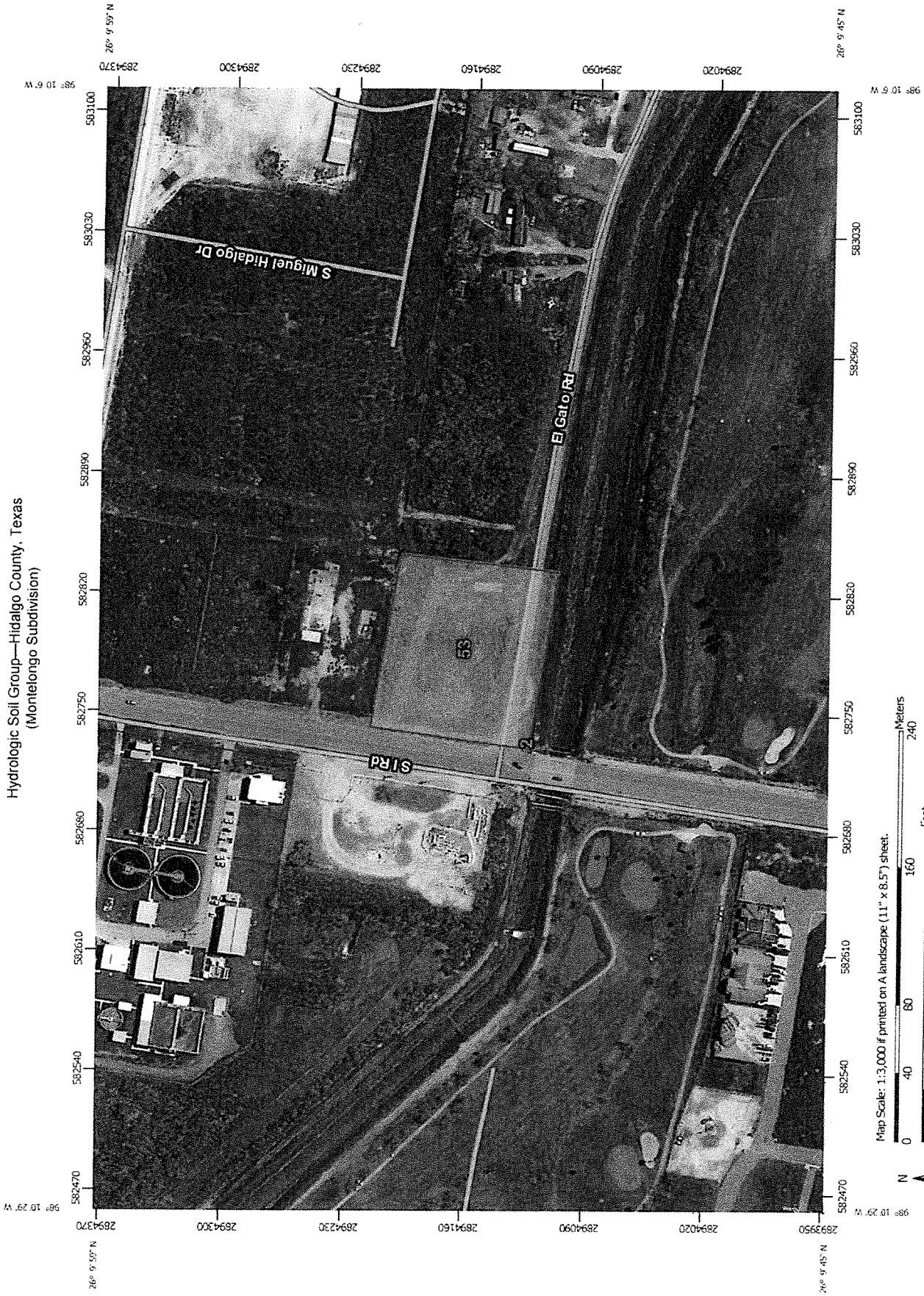
Soil Survey Area: Hidalgo County, Texas
Survey Area Data: Version 12, Sep 22, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

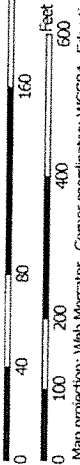
Date(s) aerial images were photographed: Feb 8, 2015—Feb 18, 2015

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydrologic Soil Group—Hidalgo County, Texas
(Montelongo Subdivision)



Map Scale: 1:3,000 if printed on A landscape (11" x 8.5") sheet.

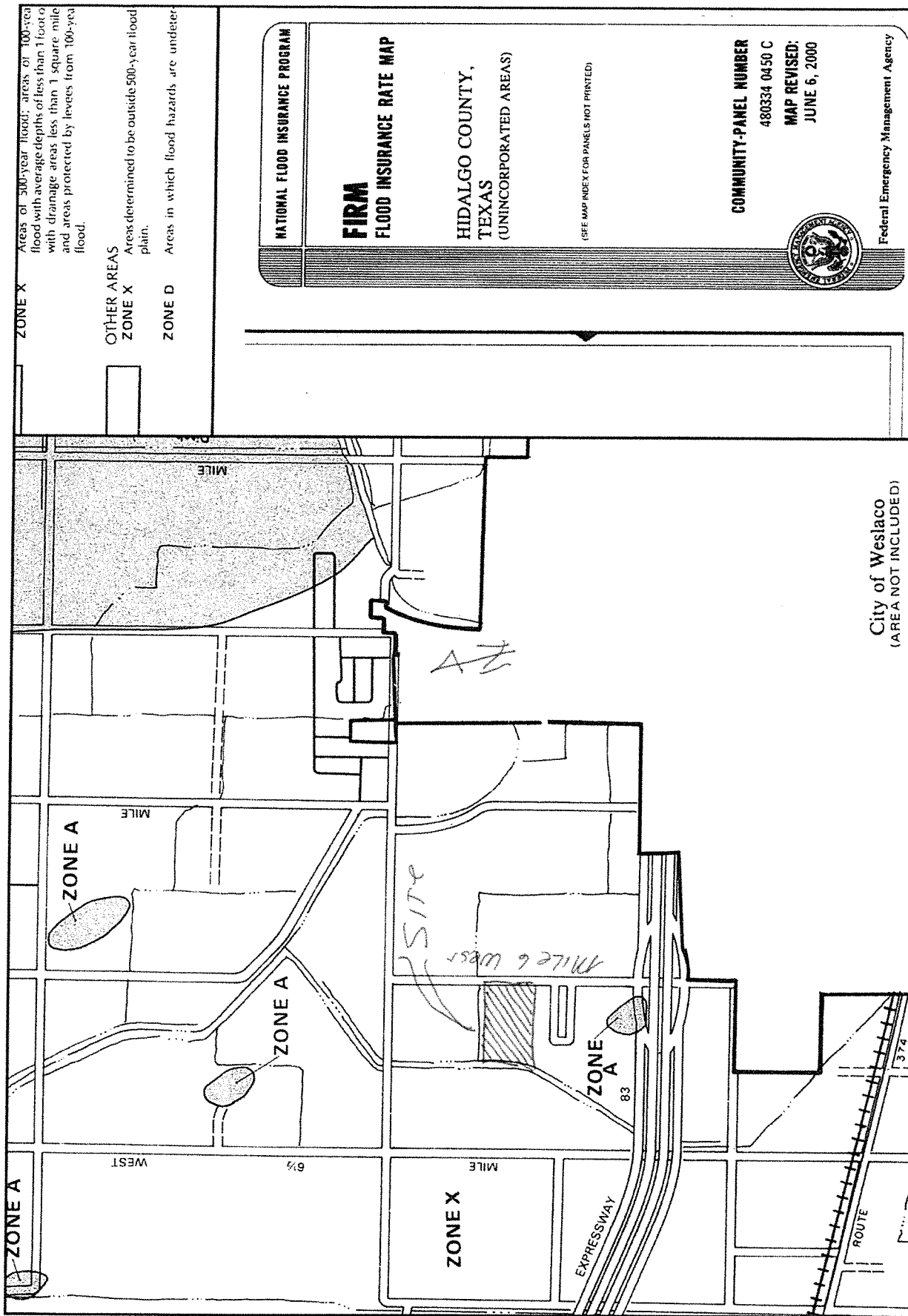


Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 14N WGS84



**Natural Resources
Conservation Service**

**Web Soil Survey
National Cooperative Soil Survey**



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

HIDALGO COUNTY,
TEXAS
(UNINCORPORATED AREAS)

(SEE MAP INDEX FOR PANELS NOT PRINTED)

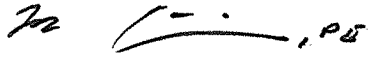
COMMUNITY-PANEL NUMBER
480334 0450 C
MAP REVISED:
JUNE 6, 2000

**Federal Emergency Management Agency**

City of Weslaco
(AREA NOT INCLUDED)

Should you have any further questions or concerns, feel free to contact me at (956) 447-3403.

Sincerely,



Mardoqueo Hinojosa, P.E., CFM
Planning Director/City Engineer



"The City on the Grow"



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1	
From: Mardoqueo Hinojosa			
Subject: Discussion and consideration to adopt ordinance 2018-04 amending Ordinance 1990-31 Animal Control Ordinance providing regulations on animal impoundment identified as nuisance situations and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-04. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: Staff is recommending a policy in under which animals are becoming a nuisance to a specific neighborhood. This policy includes a 4-step process in any given 12-month period. Steps 1 and 2 include impoundment of the animal and fines to owner. Step 3 involves any animal causing a nuisance which its owners have been notified 3 times of the same offense within 12 months will get impounded 3 days and pay set fees. Step 4 will require the relocation of the animal.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Mardoqueo Hinojosa Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Approval			
Attachments, if any: Ordinance 2018-04			

Responsibilities upon Approval:

Staff will enforce ordinance.

ORDINANCE 2018-04

AN ORDINANCE AMENDING ORDINANCE NUMBER 1990-31, THE CITY OF WESLACO ANIMAL CONTROL ORDINANCE; CODIFIED AS ARTICLE II OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO TEXAS THAT:

SECTION I.

Ordinance 1990-31 passed and approved on December 18, 1990 as “Animal Control Ordinance” and Codified as Article II of the Weslaco Code of Ordinances is hereby amended.

SECTION II.

After second and final reading of this Ordinance the amended Animal Control ordinance sections will be adopted and codified as Article II of the Weslaco Code of Ordinances and said Chapter shall read as follows:

ARTICLE II ANIMAL CONTROL

SECTION 22-131- Removal

The local health authority “Health Official” may order any owner or person having care, control, or custody of any vicious animal or Animal causing a nuisance to take such animal permanently from the city. Such animal must be removed immediately following receipt of such an order, even if an appeal is initiated. This order may be appealed in writing within ten days to the city manager. The city manager may uphold, reverse or modify the animal as a condition to allowing the animal to remain in the city. If the city manager upholds the Health Official's order, the owner or person having care, control, or custody shall not bring the animal back inside the city limits.

DIVISION 6. - IMPOUNDMENT

SECTION 22-154. - Animals that may be impounded.

(8) Any animal causing a nuisance which its owners have been notified 3 times of the same offense within 12 months will get impounded 3 days and pay set fees.

(9) When offense is repeated for a 4th time within a 12 month period, animal will be relocated outside the City.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this this 16 day of January 2018.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2017.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Elizabeth Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1466
From:		
Subject: Discussion and consideration to approve Ordinance 2018-03 authorizing a budget amendment as appropriate to purchase property on Westgate Drive for drainage improvements in an amount of \$150,000 and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-03. Possible action. (Staffed by Finance Department.)		
Background: This purchase was not anticipated during the original 2017-2018 budget preparation process. Thus, the amendment is necessary in order to proceed with the purchase. This will have to come from Fund Balance in the General Fund.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Budget Amendment Ordinance - First Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Elizabeth Walker Mary Barrera Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Approved.		
Staff Recommendation: Approval.		
Attachments, if any: Exhibit for O2018-03, Ordinance 2018-03		
Responsibilities upon Approval:		

**CITY OF WESLACO
BUDGET AMENDMENT
FY 2017-18**

ORDINANCE 2018-03

AN ORDINANCE AMENDING ORDINANCE NUMBER 2017-37, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018, FINDING NEED TO AMEND THE 2017-2018 MUNICIPAL BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2017-2018 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT:

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2017-2018 Official Budget, adopted by Ordinance 2017-37, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 16th day of January 2018.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this _____ day of _____, 2017.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: January 16, 2018		Agenda Item No. (to be assigned by CSO): 2018-1465	
From:			
Subject: Discussion and consideration to unseal, award and/or reject the sole proposal received for RFP No.: 2017-18-04 Firework Display on July 4, 2018 to be located at Mayor Pablo G. Pena City Park, and authorize the Mayor to execute any related documents.. Possible action. (Staffed by Parks and Recreation Department.)			
Background:			
Funding Source (budget code, if applicable): 01-540-2510			
Amount: \$15,000.00	Term of Impact: 1 year	Identified in Current Budget: yes	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Elizabeth Walker David Arce Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Approval if under the budgeted price of \$13,000.			
Attachments, if any: 2018 Fireworks RFP			
Responsibilities upon Approval:			

City of Weslaco Request for Proposal

Fireworks Display – RFP No.: 2017-18-04

I. GENERAL INFORMATION

A. OBJECTIVE

The purpose of the Request for Proposal (RFP) is to obtain quotes for providing a fireworks display at the Fourth of July Celebration to be held on Wednesday, July 4, 2018, to commence at 9:15 pm.

B. ISSUING OFFICE

The RFP is issued by the CITY OF WESLACO

C. CONTRACT ADMINISTRATOR

All communications concerning this RFP should be directed to:

Homer Rhodes, Purchasing

City of Weslaco

255 S. Kansas Ave.

Weslaco, TX 78596

Phone # (956) 968-3181

D. INCURRING COSTS

The CITY is not liable for any cost incurred by the prospective firms prior to the signing of the contract.

E. PROPOSALS

To be considered, each firm must submit a complete response to this RFP, addressing the specifications provided in Section III. The proposal must be signed by an official authorized to bind the submitter to its provisions. The proposal must include a statement as to the period during which the proposal remains valid. This period must be at least ninety (90) days from the due date for this proposal.

F. ACCEPTANCE OF THE PROPOSAL CONTENT

The contents of this proposal will become contractual obligations if a contract ensues. Failure of the selected contractor to accept these obligations may result in cancellation of the award.

G. SELECTION CRITERIA

Responses to this RFP will be evaluated based on a selection process consisting of:

1. Review of the firm's response to the RFP, determining if the proposal meets all criteria for consideration.
2. Relevant experiences, project understanding, project requirements, strength of the proposal, proposed fees, contributions and event display.

H. PROPOSAL RECEIPT

Proposals must arrive in hard copy format (two copies) before noon (3:00 p.m.), **January 9, 2018**. The Proposals must be submitted to:

Homer Rhodes, Purchasing

City of Weslaco

255 S. Kansas Ave

Weslaco, TX 78596

I. RIGHT TO REJECT BIDS

The City reserves the right to award the total proposal, to reject any and all proposals in whole or in part, and to waive any informality or technical defects by the City's judgment.

In determination of award, the qualifications of the proposal submitter, and the conformity with the specifications of services to be supplied, the evaluated bid, supplier's experience and references as well as the City's direct experience with the supplier will be considered

J. COST LIABILITY

The City assumes no responsibility or liability for costs incurred by the firms prior to the signing of this agreement. Total liability of the City is limited to the terms and conditions of this agreement.

K. OWNER

The City owns and operates the park and areas surrounding where the display will be viewed. The display will be staged on public property. The contractor shall confine their operation, at all times staying within the limits of the property, as determined by the City Fire Department. Any repairs or restorations required on or outside the property limits due to the Contractor's carelessness shall be repaired by the Contractor at their expense.

L. AWARD OF CONTRACT

The City will award one contract to the selected vendor submitting the quote which meets the performance and required criteria as set forth by this set of specifications.

M. TAXES

The contractor shall pay all sales, consumer, use and other taxes required to be paid by them in accordance with the law of the place where the work is to be performed.

O. BARRICADES AND FENCES

The City shall provide and maintain all necessary temporary enclosures and barricades to adequately protect the work and materials from persons not involved with the display. The Contractor will be required to adequately protect product, providing appropriate security in and around the staging area. This may include overnight security if display is canceled and rescheduled for any reason.

P. PROTECTION OF EXISTING FACILITIES

The Contractor shall provide for and be responsible for protection of existing structures, pavements, utilities, fencing, etc. In general: existing materials, surfaces, sod, buildings, etc., to remain which are affected by the display shall be repaired and restored to an original and functional condition.

Q. SHIPMENT OF MATERIALS

Before making any shipment of materials to the site, Contractor shall ascertain whether the site is in a condition to receive the shipment. Where this provision is neglected and material is delivered to the site when the latter is not in condition to receive it, such materials shall be properly stored elsewhere at the Contractor's expense and adequate insurance coverage provided for off-site storage.

R. STORAGE OF MATERIALS ON OR OFF-SITE

1. Contractor shall provide security and storage as required to protect and preserve all materials stored at the site. Storage of materials is to be confined to areas designated by the City. City will not sign for or be responsible for materials delivered to the site.
2. Contractor will be responsible for the unloading and loading of the equipment and product at the shoot site. In addition, supplier will be responsible for clean-up of all packaging materials/debris from loading/staging location.

S. PRE-EVENT STAGING

Working hours shall be from 8:00 a.m. until 11:00 p.m. beginning July 04, 2018.

T. CLEANUP

All Park areas shall be returned to a condition equal to or better than was in existence at the beginning of the display. All display debris, including packaging and empty shells, shall be removed and disposed of in a manner to meet all state and local requirements.

II. SELECTION PROCESS

If necessary, a pre-contract award interview or informational meeting may be requested by the city.

III. SPECIFICATIONS

- A. Display must be a minimum of 15 minutes in length and not exceed 20 minutes. Cost for the display shall not exceed \$13,000.00.
- B. City will provide all necessary safety zones.
- C. Display should consist of a broad spectrum of product providing a balanced assortment of shells.
- D. Display presentation must be staffed and executed by trained and licensed personnel in pyrotechnics.
- E. Shells selected should be of the best quality from a variety of foreign and domestic producers. Display should include a spectrum of styles, patterns and sound effects. Shells shall not exceed 5" in diameter with the majority being 3" and 4" diameter shells.
- F. Display should include an opening segment, a main show body with good themes and style and close with a distinct and memorable finale.

G. All shells must be fired with an electronic computer firing system. There should be no large gaps of time between shells, good display pacing, multiple firing, tailed effect and a choreographed control of the display execution.

H. Contractor must comply with the 2012 International Fire Code Chapter 4 Section 403 and Chapter 56 Explosives and Fireworks

I. City of Weslaco Fire Marshal will have sole discretion as to the decision to fire shells based on inclement weather, wind, crowd issues, security, etc.

J. Supplier must agree to be available for display on back-up date (generally the next day). Display presentation must be staffed and executed by trained and licensed personnel in pyrotechnics. The specific date will be identified in the Contract for Services.

K. In the event the display is canceled for any reason, contractor is responsible for securing product and equipment in the staging area. Contractor is also responsible for providing security needed for equipment, product and staging area until the display is executed on the back-up date.

L. The City will supply walkie-talkie communication devices the night of the event to allow communication between City and shoot site personnel.

M. City will barricade and determine staging location.

N. Staging area for firing display will be ready for set-up at 8:00 a.m. on the date of the event.

O. Contractor is required to provide security at staging area for equipment and product during pre-event set-up and up through display.

P. Contractor must be federally licensed for pyrotechnic displays.

Q. Contractor must provide at a minimum \$5,000,000.00 general commercial liability insurance policy, with the City and the Event Organizer listed as additional insured.

R. Contractor will be required to attend one pre-event organizational meeting with City staff.

S. Contractor must submit an invoice for fireworks display payment two weeks prior to receiving payment. The payment schedule is determined by the City. Payment of goods and services will follow all state and local guidelines.

T. The City will provide support at the event to include Public Safety personnel.

U. Contractor must help identify and locate any unexploded shells.

V. Contractor must participate with a sweep of the grounds for debris at the conclusion of the event.

W. City will attempt to illuminate the Drop Zone area for the post event sweep for shells and debris.

X. The goal for the contractor selected is to excite the audience with a display full of dynamic energy and enthusiasm.