



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
OCTOBER 18, 2022**

On Tuesday, October 18, 2022, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following member's present:

PRESENT:	Mayor	David Suarez
	Mayor Pro Tem	Josh Pedraza
	Commissioner	Leo Muñoz
	Commissioner	Greg Kerr
	Commissioner	Letty Lopez
	Commissioner	JP Rodriguez
	Commissioner	Adrian Farias

ABSENT: None

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

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Aida Vega, Deputy City Secretary, Rosie Cavazos, Interim Finance Director, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Robert Lopez, Assistant Police Chief, Antonio Lopez, Fire Chief, Albert Aldana, City Engineer, David Arce, Deputy Public Works Director, Pete Garcia, Public Works Director, Martin Vela, IT Director, Cristina Garcia, PIO, Luz Galindo, HR Director and other staff members.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor David Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, October 14, 2022.

B. Invocation.

Pastor Elias Garza Jr., Calvary Christian Center Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Mayor Suarez recognized Red Ribbon Week, proclaimed Texas Chamber of Commerce Week, and proclaimed Domestic Violence Awareness Month.

E. Roll Call.

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

II. PUBLIC COMMENTS

Jesus Mendoza commented on bullying as being a violent terroristic threat to children and requested the police department investigate and prosecute those individuals that incite children to be bullies.

III. REPORTS

A. Report by Inframark.

George Quilantan, Inframark, went over 2021 and 2022 September water flows for Water Treatment Plant, Wastewater Treatment Plant, South Wastewater Treatment Plant stating all were slightly down from last year; reported on upgrades done through ARPA funds at the Water Treatment Plant new chemical pumps and new computers for the SCADA system; North Wastewater Plant repairs to hoist for the chlorine cylinder, repairs to rotor blades, purchased a new return sludge pump, and rehab of the effluent well was done adding longevity; South Wastewater Plant new waste activated pump purchased, pulleys and bearings for motors and gear boxes at oxidation ditch done; reported on the Lift Stations 40 Mid-Point Estates replaced suction lines and flanges, Lift Station 2 Texas & Agostadero installed new pump, Lift Stations 43,44, and 45 at Harlon Block 2 new pumps for each and Lift Station 36 Mile 5 North and Border Ave. fence repaired as a result of burglary attempt.

IV. PUBLIC HEARING

Mayor Suarez opened the public hearing at 6:01p.m. for solicitation of comments for item A.

A. To solicit input in compliance with the Consolidated Plan for Community Planning and Development (CDBG) Urban County Program Fiscal Year 36 (2023) Needs Assessment Plan.

Rosie Cavazos, Interim Finance Director, stated this was the annual process from the public and organizations to request CDBG funds.

Anabel Zuniga, Center Manager Amigos Del Valle, stated they provide meals and activities for the elderly (60 and over); requested funds in the amount of \$10,000 to provide home delivered meals to eleven homebound senior citizens of Weslaco and courtesy visits for 165 days. And thanked the commission for their consideration and support.

Kin I. Mendoza, Nuestra Clinica Del Valle Inc. requested funds in the amount of \$15,000 to help provide services to 125 adults and children from Weslaco who are under insured or uninsured individuals and regardless of payment no one is turned away.

Rosie Cavazos stated CDBG funds have been allotted towards sewer line improvements in the past as well as allocating funds to requestors; estimated allotment for this year (2023) was \$285,000

and preliminary plans of funds are due to Hidalgo County November 11. Mayor Suarez requested staff evaluate the requested funding requests for eligibility and allot funds as available.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to open the public hearing for B and C at 6:06 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

B. To solicit input on behalf of Javier Duran to rezone 835 N Martinez, also being Lot 1&2, Block 5, Villa Vista Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 neighborhood business district.

No comments.

C. To solicit input on behalf of Tiki Land Company, LLC. to approve a Conditional Use Permit to operate an event center at 310 W IH 2 STE. 1&2, also being Lot 2, 400 West Expressway 83 Subdivision, Hidalgo County, Texas.

No comments.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to close the public hearing for B and C at 6:07 p.m. The motion carried unanimously.

V. CONSENT AGENDA

All items listed under the Consent Agenda are considered to be routine and the Governing Body has been furnished with background and support material on each item and will be acted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and voting on the Consent Agenda.

A. Approval of the Minutes of the Special Meeting on October 3, 2022. (Staffed by City Secretary Department.)

B. Approval to authorize the use of the Court Technology Fund to pay the yearly maintenance fee for Incode Court Annual Fees for Court Case Management, Police (non-Incode interface to Court), and the third-party system software AcuCorp Run Time not to exceed in the amount of \$12,937.40 and authorize the Mayor to sign and execute any related documents. (Staffed by Municipal Court.)

C. Approval to accept a Bullet-Proof Partnership Program Grant in the amount of \$4,174.50 with NO MATCH Required and NO RECURRING cost to purchase concealed body armour and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Approval to accept BJA FY22 Edward Byrne Memorial Justice Assistance Grant Program #15PBJA-22-GG-02926-JAGX for the amount of \$11,811 with NO MATCH and NO RECURRING costs to purchase hardware and software that focuses on officer mental health and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval on the renewal and payment to Rio Grande Valley Communications Group for the subscription term October 1, 2022 to September 30, 2023, total of \$58,540 and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.)

F. Approval to apply for the FY23 Federal Aviation Administration's Building Better Airport Terminals grant in the amount of \$5,000,000 with a \$1,000,000 MATCH required for the planning and construction of a new General Aviation Terminal Building, with NO RECURRING FEES, and authorize the Mayor to execute any related documents. (Staffed by Grant Writer/Aviation Department.)

G. Approval on the renewal of a Public Purposes Services Contract with the Boys and Girl Club of Weslaco in the amount not to exceed \$75,000 for the public purpose services and activities in this contract, effective October 1, 2022 through September 30, 2023 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

H. Approval of Special Services Agreement on Hotel/Motel Room Occupancy tax proceeds between City of Weslaco and the following:

1) Weslaco Chamber of Commerce for \$284,160;
2) Frontera Audubon Society for \$48,000; and
3) Lower Rio Grande Valley Nature Center for \$40,000
and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)
Attachment.

I. Approval on the renewal of a Public Purposes Services Contract with Weslaco Bicultural Museum, d.b.a. Weslaco Museum of Local History and Cultural Art in an amount not to exceed \$69,100 effective October 1, 2022 through September 30, 2023 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

J. Approval to accept LCRA Community Development Grant Program in the amount of \$4,825 with NO MATCH and NO RECURRING costs to purchase Forcible Entry Equipment to furnish the new firetruck and authorize the Mayor to execute any related documents. (Staffed by Fire Department/Grant Writer.)

K. Approval to solicit bids for construction of sidewalk and concrete work improvements for various locations throughout the city and authorize the Mayor to execute any related documents. (Staffed by the Engineering Department.)

L. Approval on Resolution 2022-53 for closure of streets affecting state right-of-way on Texas Blvd from Pike to Sixth Street on December 10, 2022 for the annual Weslaco Lighted Christmas Parade, along with Santa Dash fun run hosted by RGV Theme Runs from 2:30 p.m. to 9 p.m.; approval of the use of City Hall parking lot to stage fun run participants for start and end of run, and provision of support from Weslaco PD, Public Works, Planning and Code Enforcement, Parks and Recreation Department and other related city departments; waive of appropriate fees from ordinances associated with event and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for a proposed street closure affecting state right of-way. (Staffed by Engineering Department.)

M. Approval of the request from Weslaco Museum to hold their annual PAN DE CAMPO Fundraiser on November 5, 2022 from 6:00 pm to 10:00 pm; approval to close 5th Street between Texas Blvd and Missouri Ave., and authorizing public consumption of alcoholic beverages; waive of appropriate fees from ordinances associated with the event; also approval of use of tower lights, and provision of support from Weslaco PD, Public Works, Planning and Code Enforcement and other related city departments, and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.)

N. Approval for software maintenance and support renewal agreement for Tyler Technologies Incode system with Financial, Billing, Utility and Payroll software applications in the amount of \$57,615.15 and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.)

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

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

VI. NEW BUSINESS

H. Discussion and consideration to approve the Final Plat for Gilberto Estates being a 4.56-acre out of farm tract 101, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Northeast corner of Mile 4 ½ W & Mile 10 N and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

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

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated this was a six-lot subdivision inside city limits; serviced with water by North Alamo Water Supply Company and sewer by Off-Site Sewer Facility (OSSF) and developer requested a variance for sanitary sewer (OSSF). The Planning and Zoning Commission recommended approval of the final plat with variance. Staff recommended approval of the final plat with compliance with the ordinance on the variance.

In response to Mayor Suarez and Commissioner Muñoz; Rebekah stated there is no ordinance to prohibit septic tanks inside city limits; nearest sanitary sewer line is located 660 feet east of the intersection; went over the surrounding properties that are on septic tanks; stated a proposed development on Texas and Mile 10 the developer may extend a sewer line and once that sanitary sewer line is in place by ordinance those properties fronting Texas will have to connect to the sanitary sewer line and further stated this property the owner recently requested voluntary annexation.

In response to Mayor Suarez, Juan E. Gonzalez, City Attorney, stated although the property was a voluntary annexation, and no service plan was presented the City does not have to extend a sewer line and can allow OSSF. Rebekah stated a property whether inside or outside of city limits would have to connect to a sanitary sewer line once available by ordinance. Mayor Suarez voiced concern

on allowing septic tanks inside city limits. Martin Garza, Interim City Manager, agreed with the concern and the commission may need to address this in the future. Staff noted a developer who extends utilities can request a utility reimbursement for new development only, but existing properties must connect to the sewer line and the commission can consider approving the final plat and deny the variance or approve final plat with variance.

Mayor Pro Tem Pedraza withdrew his original motion.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve Final Plat for Gilberto Estates being a 4.56-acre out of farm tract 101, West & Adams Tract Subdivision and deny the variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Item I was introduced and there was no objection.

I. Discussion and re-consideration for the Final Plat for Mid Valley International Industrial Park – being a 146.09c.00-acre tract of land out of acre tract of land out of farm tract 1056, 1057 and 1058, Block 116, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Northeast corner of intersection Mile 9 & FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the final plat was previously approved; the developer combined several lots to accommodate the needs of potential buyers as well as re-designed the drainage areas. The City Engineer reviewed and approved the proposed new drainage areas. The Planning and Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve re-consideration for the Final Plat for Mid Valley International Industrial Park as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Item J was introduced with no objection.

J. Discussion and consideration to approve the variance request to section 26-34 for Chelsea Park Villas Subdivision – being 6.83 acres also being the West 6.83 Acres of Chelsea Park Subdivision, Weslaco, Hidalgo County, Texas located on the Southwest Corner of W 9th & S. Border Avenue and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Commissioner Muñoz abstained from discussion and vote.

Rebekah de la Fuente stated the developer requested dedication of 50-feet of right-of-way from centerline of the adjacent ditch; ordinance requires 75-feet dedication from the centerline of any adjacent ditch. The Planning and Zoning Commission recommended approval; staff recommended compliance of the ordinance to the variance request.

In response to Commission Farias, staff stated the design allows adequate area for maintenance upkeep for the ditches and noted it complies with the 50-year storm. In response to Mayor Suarez the outfall will end up discharging to pump station 3 at the levees.

Commissioner Farias seconded by Commissioner Lopez moved to approve variance request to section 26-34 for Chelsea Park Villas Subdivision as presented. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

Item K was introduced with no objection.

K. Discussion and consideration to approve a variance from Subdivision Ordinance 26-37, on behalf of Rancho Brito, LLC., to defer the park fees from The Coves Subdivision to be assessed at building stage at builder's expense. Possible action. (Staffed by Planning and Code Enforcement Department.)

Commissioner Kerr seconded by Commissioner Lopez moved to approve.

Rebekah de le Fuente stated when land dedication is not given from residential and apartment development park fees are assessed prior to recordation in accordance with the city's Subdivision Ordinance; ordinance does allow for deferral of payment until the issuance of a building permit if approved by the Commission; tracking of each lot will be difficult for staff, a manual tracking system would need to be done to monitor who has and has not paid the park fees and staff will have to manually add the park fees to each permit. Staff further stated two similar requests were considered and action approved was the developer had to pay half up front and remainder of fees during the issuance of building permits and there were some oversights; the other request was denied with full payment required.

Carlos Garza, AEC Engineering, stated the owner has agreed to include in the HOA (Homeowners Association) that each purchaser will pay the park fee as well as the title company agreed during settlement in the closing statement the title company will include and collect the cost of park fee and send payment to the city eliminating staff tasked with tracking.

Mayor Suarez asked if the developer would consider paying half and remaining fees when lots sold. Commissioner Muñoz questioned and hesitant how this could be done through the closing cost as well as it being tied into the HOA of the subdivision that cannot be enforceable or controlled by the city.

Discussion ensued on options that included a note on the plat regarding park fees, stipulation on the HOA of the subdivision and for the developer to pay half now. Martin Garza voiced the concern for management would be a method of controlling and tracking for developments requesting this; stated ordinances are in place to ensure fairness and conformity for all involved and ensure appropriate funds are collected as necessary. The recommendation from staff is denial of variance.

Mr. Brito, owner, was advised staff recommendation was not to defer the park fees but if agreeable to pay half of the cost now as done in the past. Mr. Brito was agreeable in paying half now. Commissioner Muñoz also suggested half now and the remainder in a year.

The City Attorney recommended consistency of commission action and compliance with ordinances should be adhered to and agreed with staff recommendation.

With a motion on the floor, Mayor Suarez called for a vote. The motion failed with all opposed (0-7); Mayor Suarez was present and voting.

Mayor Suarez introduced item L. There was no objection.

L. Discussion and consideration to approve Resolution No. 2022-55 in support of the Mid-Valley Marathon in their efforts to bring awareness to the Mid Valley of the importance of exercise and diabetes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, recommended approval stating the resolution supports the organizers of the Mid-Valley Marathon for their efforts in bringing a marathon to the area and introduced Mr. Mendoza.

Mr. Basilio Mendoza stated as a retired teacher and Coach he strives to promote excellence and awareness; enjoys coordinating events and participating in marathons; participated in the Boston Marathon that is considered a point-to-point marathon and wished to see that here with a beginning point in the City of Donna ending in City Harlingen a perfect race as it would be a straight path with participants utilizing Business 83. Mr. Mendoza also stated he wants to bring awareness to exercise and diabetes.

Commissioner Farias seconded by Commissioner Muñoz moved to approve Resolution No. 2022-55 in support of the Mid-Valley Marathon as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez introduced New Business item A with no objection received. Commissioner Muñoz departed the meeting at this time.

A. Discussion and consideration to approve Resolution No. 2022-54 for the Buyout of Service Agreement between the City of Weslaco and Military Highway Water Supply for Mid Valley Estates Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this development is part of the Affordable Housing Project that has been approved; development location is within a dual Certificate of Convenience and Necessity (CNN) of North Alamo Supply Corporation (NAWSC) and Military Highway Water Supply Corporation Service (MHWSC) for water; developer has already pursued the buyout with NAWSC and moving forward with the buyout of MHWSC. Staff recommended approval noting legal has reviewed and approved.

Mayor Pro Tem Pedraza seconded by Commissioner Farias moved to approve Resolution No. 2022-54 for the Buyout of Service Agreement between the City of Weslaco and Military Highway Water Supply for Mid Valley Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Javier Duran on Ordinance 2022-40 to rezone 835 N Martinez. Also being Lot 1&2, Block 5, Villa Vista Subdivision, 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 2022-40. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-five property owners were notified with no objection received; proposed use is commercial and in compliance with the 2040 Land Use Map and surrounding areas. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Ordinance 2022-40 to rezone 835 N Martinez as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Tiki Land Company, LLC. to approve a Conditional Use Permit to operate an event center at 310 W IH 2 STE. 1&2, also being Lot 2, 400 West Expressway 83 Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twelve property owners were notified with no objection received; applicant proposes an event center and the Planning and Zoning Commission, and staff recommended approval.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve a Conditional Use Permit to operate an event center at 310 W IH 2 STE. 1&2 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve the Final Plat for Rock Ridge – being 15.092 acres out of Farm Tract 631 & 633, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 500 ft west of Bus. 83 and Westgate on the south side of Bus. 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a three-lot subdivision inside city limits; proposed use for lot 1 is commercial and lots 2 and 3 townhomes; serviced by water and sewer by the city. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Final Plat for Rock Ridge – being 15.092 acres out of Farm Tract 631 & 633, West and Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve the Final Plat for Pike Terrace - being a 36.092-acre out of Farm Tract 163, Block 178, The West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the southwest corner of W. Pike Blvd. and Milanos Rd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed hundred five-lot subdivision inside city limits; serviced with water and sewer from NAWSC; developer oversized a sanitary sewer line to a 12-

inch and city approved a utility reimbursement agreement; development use will be four-plex's. The Planning and Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve Final Plat for Pike Terrace - being a 36.092-acre out of Farm Tract 163, Block 178, The West and Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve the Final Plat for Sayyed Commercial Development being a 2.960-acre out of Farm Tracts 1065, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Southeast corner of Mile 11 North & FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a one-lot subdivision outside city limits; serviced with water from NAWSC and sewer from the city and would be a one commercial use lot. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Final Plat for Sayyed Commercial Development being a 2.960-acre out of Farm Tracts 1065, West and Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve the Final Plat for Mi Fortuna Estates being a 4.52-acre out of Farm Tract 790, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Southwest corner of Mile 5 North Road & S. Westgate Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was an eight-lot subdivision inside city limits; serviced with water and sewer from the city; lots 1-6 will be residential and lots 7-8 apartments. The Planning and Zoning Commission and staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Final Plat for Mi Fortuna Estates being a 4.52-acre out of Farm Tract 790, West Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration of an Affiliation Agreement with Southern Careers Institute for Externship Program at no cost to the City and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Luz Galindo, Human Resources Director, stated this was an on-line six-week externship program that allows students to gain clinical/externship experience within our organization; no cost to the city and students would be from Weslaco; is a two-year agreement with option to cancel at any time. Staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve Affiliation Agreement with Southern Careers Institute for Externship Program at no cost to the City as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to approve Ordinance 2022-41 authorizing and allowing under the act governing the TMRS system "Updated Service Credit" and establishing an effective date for such actions and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2022-41 Possible action. (Staffed by Human Resources Department.)

Luz Galindo stated this is an annual request to allow updated service credits; calculations for retirement purposes would be at the employee's highest wages that is retroactive to their date of employment stating there are eight employees under this provision.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve first and final reading of Ordinance 2022-41 authorizing "Updated Service Credit as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to approve award of bid with sole bidder, FR Green Thumb Landscaping of Edinburg, Texas for RFB 2021-22-36 Judge Gilbert Garza Soccer Field Project in amount not to exceed \$271,065; and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated staff negotiated a base bid reduction cost of \$53,555. Staff recommended to accept the negotiated bid from FR Green Thumb Landscaping.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve and award bid with sole bidder, FR Green Thumb Landscaping of Edinburg, Texas for RFB 2021-22-36 Judge Gilbert Garza Soccer Field Project in amount not to exceed \$271,065 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration on first and final reading of Ordinance 2022-42 authorizing the installation of a four-way stop sign at Dallas Street and Anaqua and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2022-42. Possible action. (Staffed by Police Department.)

Robert Lopez, Assistant Chief of Police, stated the installation of a four-way stop sign would address complaints received and alleviate the speed in this area; city has general authority to do so; TXDOT contacted, and no traffic analysis required for this. Staff recommended approval.

Commissioner Farias seconded by Commissioner Rodriguez moved to approve first and final reading of Ordinance 2022-42 authorizing the installation of a four-way stop sign at Dallas Street and Anaqua as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration of the purchase of a new Peterbilt 548-Dump Truck from Buyboard vendor 601-19 Rush Truck Center for \$182,663 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from vote and discussion.

David Arce, Deputy Public Works Department, requested approval for the purchase of a new Peterbilt 548 Dump Truck from BuyBoard vendor 601-19 Rush Truck Center of Pharr; will be used daily for street material and any other projects; funding approved last year but there will be a

shortfall because of inflation. Staff recommended approval and will reallocate funds within the budget. Delivery will be September 2023.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve the purchase of a new Peterbilt 548-Dump Truck from Buyboard vendor 601-19 Rush Truck Center for \$182,663 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

R. Discussion and consideration to purchase 2 new John Deere Z970R ZTrak mowers from Buyboard vendor Deere & Company 611-20 (Tellus Equipment Solutions) for an amount not to exceed \$17,000 each and authorize the Mayor to execute any related documents. Possible action. (Staffed by Works Department.)

Commissioner Farias abstained from vote and discussion.

David Arce currently stated one mower in place and recommended the same mowers be purchased; will be used for the alleys and right of ways task force team; funding approved out of drain ditch operations. Staff recommended approval with a delivery date of April 2023.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve purchase 2 new John Deere Z970R ZTrak mowers from Buyboard vendor Deere & Company 611-20 (Tellus Equipment Solutions) for an amount not to exceed \$17,000 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 7:14 p.m. Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:18 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

B. Contract Negotiations – Discussion with the Interim City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by section §551.071 of the Texas Government Code.

Commissioner Rodriguez seconded by Commissioner Lopez moved to authorize the negotiating team to continue negotiations with the Fire Union as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Legal Consultation - Consultation with the City Attorney regarding the Water and Wastewater System Operation and Maintenance Agreement between Inframark, LLC and the City of Weslaco, Texas as authorized by §551.071 of the Texas Government Code.

No action.

D. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.

No action.

IX. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to adjourn the meeting of October 18, 2022, at 8:19 p.m. The motion carried unanimously; Mayor Suarez was present and voting

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**