MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JANUARY 3, 2023

On Tuesday, January 3, 2023, 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
	Commissioner	Greg Kerr
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Josh Pedraza
	Commissioner	Adrian Farias
	Commissioner	Letty Lopez
ABSENT:	Mayor Pro Tem	JP Rodriguez
STAFF PRESENT:	Martin Garza	City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Rosie Cavazos, Interim Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joe Pedraza, Asst. Director Planning and Code Enforcement, Ted Walensky, Captain, Chris Sanchez, Fire Marshal, David Arce, Deputy Public Works Director, Albert Aldana, City Engineer, Omar Rodriguez, Parks & Recreation Director, Eder Castaneda, IT Dept, Rosa Badillo, Court Coordinator, Molly Vallejo, Administrative Secretary 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, December 30, 2022.

B. Invocation.

Pastor Timothy Aguiar from Open Door Baptist Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

None.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting the absence of Mayor Pro Tem Rodriguez and the arrival of Commissioner Kerr at 5:41 p.m. A quorum was present.

II. PUBLIC COMMENTS

Sandra Reyna, 217 S. Pat Cannon Street voiced comments on the issuance of debt of $12.5million the commission will be doing and against the proposed expenditures of the public safety building (new) and parks; citing drainage should be their priority of monies being spent.

Randy Hall, 1400 El Paseo Drive, also voiced concerns about the issuance of debt and what those monies are for; was told for parks and against this; monies should be a priority for drainage and streets.

III. REPORTS

A. Weslaco Chamber of Commerce

Barbara Jean Garza, President/CEO, reported advertising for the month of December 2022 was $8,809; visitors for the month totaled 1,330 that included event guests and in and out of State visitors, 11 facility reservations; reported on upcoming events, ribbon cuttings and the Networking Lunch Mob. highlighted the Holiday Market and Christmas parade well attended and a success, reported on save the dates for February 8 the Weslaco Annual Awards Program, Weslaco Royal Pageant February 11 and Texas Onion Festival, March 25, will attend the Texas Association of Convention and Visitors Bureau Winter Conference in Plano January 17-20, hosting several coffee bar sponsors and working on featuring the Texas Onion Fest in the Texas Highways Magazine.

B. Weslaco Economic Development Corporation

Maria Cisneros, EDC Manager Retail Recruitment & Commercial Real Estate, reported in discussions with the Darden & Ryan Group about locating one of their restaurants to Weslaco, retail activity at the South Point Plaza 2 has Fazoli's Restaurant, EZ Cuts, Fork to Fit Kitchen, Tropical Smoothie Café, La Casa De Mi Abuela, and Capital Financial locating there, retail activity for The Shops at N Bridge included Dunkin Donuts, Juice us, Jersey Mikes, Stefano's Pizza, Mori Japanese Grill, Benjamin Moore Sierra Paint, Valvoline Instant Oil Change, FIT Lab Fitness, Paris Bakery, Freddy's to locate there, assisting New York Deli on finalizing a contract for the property on 601 South Texas and will change business name to Liberty Deli, opening this month, reported on travel for upcoming Red River Conference in January 18-20th and registration for RECON Conference is scheduled for May and working on setting meetings and itinerary.

IV. 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 Regular Meeting on December 20, 2022. (Staffed by City Secretary Department.)

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

1) Approval on Ordinance 2022-45 to rezone 3920 E Pike. Also being 28.34 acres out of Farm Tract 1036, West and Adams Tract, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading held December 20, 2022; staffed by Planning & Code Enforcement Department.)

2) Approval on Ordinance 2022-46 to rezone 808 & 812 W 10th St. Also being Lot 6 & 7, Laura Raquel Trejo Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading held December 20, 2022; staffed by Planning & Code Enforcement Department.)

3) Approval on Ordinance 2022-48 amending ordinance 2021-41 to increase a 10-foot utility easement along the westside of lot C-1 Re-Plat of Apostolic Church Subdivision to a 15-foot utility easement along the westside of lot C-1 Re-Plat of Apostolic Church Subdivision and authorize the Mayor to execute any related documents. (First reading held December 20, 2022; staffed by Planning & Code Enforcement Department.)

C. Approval to submit an application to the US DOT RAISE Grant program for the creation of an Airport Masterplan in the amount of $250,000 with NO MATCH REQUIRED and NO RECURRING FEES and authorize the Mayor to execute any related documents. (Staffed by Airport/Grant Writer.)

D. Approval on renewal of the lease agreement with I Theatre, Inc. for the use of the Tower Theatre and Tower House effective January 1, 2023 - December 31, 2023 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

E. Approval to accept and ratify the FY23 Bullet-resistant Shield Grant #4611001 for the amount of $228,423.60 with NO MATCH and NO RECURRING fees to purchase bullet-resistant shields and authorize the Mayor to execute any related documents (staffed by Police Department.)

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

Following for the record are captions of the ordinances.

ORDINANCE NO. 2022-45

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3920 E PIKE. ALSO BEING 28.34 ACRES OUT OF FARM TRACT 1036, WEST AND ADAMS TRACT, HIDALGO COUNTY, TEXAS FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2022-46

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 808 & 812 W 10TH ST. ALSO BEING LOT 6 & 7, LAURA RAQUEL TREJO SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2022-48

AN ORDINANCE INCREASING THE SIZE OF 10-FOOT UTILITY EASEMENT ALONG THE WESTSIDE OF LOT C-1 RE-PLAT OF APOSTOLIC ASSEMBLY CHURCH SUBDIVISION, HIDALGO COUNTY, TEXAS, TO A 15 FOOT UTILITY EASEMENT ALONG THE WESTSIDE AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

V. NEW BUSINESS

A. Discussion and consideration to certify city advisory boards, and their members as selected and appointed by each elected official and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, recommended approval stating the advisory board list presented is in accordance with the Ordinance on board appointments and certifies those appointments for each elected official.

Commissioner Kerr seconded by Commissioner Pedraza, moved to approve, and certify city advisory boards and their members as selected and appointed by each elected official as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on agreement with Ares Services Incorporated to assist in grant preparation and legislative assistance in the area of flooding, aviation and other matters determined by the commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)

Andrew Muñoz, Assistant City Manager, stated the consultant assists with the city's legislative agenda and grants with State and Federal representatives; grants obtained in 2021 included FEMA, EDA GLO, TCEQ, TWDB, TXDOT, CARES ACT AND ARPA. Staff recommended approval for a two-year agreement at $2,500 monthly.

Commissioner Pedraza seconded by Commissioner Kerr moved to approve agreement with Ares Services Incorporation as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve a lease agreement with the Economic Development Corporation of Weslaco for building lease space located at 275 South Kansas Avenue and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Asst. City Manager.)

Andrew Munoz requested no action along with the subsequent item as more time was needed by EDC and the Chamber to review.

No action.

D. Discussion and consideration to approve a lease agreement with the Weslaco Area Chamber of Commerce & Visitor Center for building lease space located at 255 South Kansas Avenue and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Asst. City Manager.)

No action.

E. Discussion and consideration to approve emergency repairs of the riser pipe for the downtown water tower located at 120 S. Kansas Ave, to Texas Tank Services in the amount of $66,500 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)

David Arce, Deputy Public Works Director recommended approval of the emergency repairs of the riser pipe for the downtown water tower located at 120 S. Kansas Ave; three bids received with one withdrawing. Staff recommended to approve Texas Tank Services for the emergency repairs as they were the lowest respondent in the amount of $66,500 and noted a change order may be needed once an inspection is done that will determine the repairs to be done and will take about 3-weeks.

Commissioner Pedraza seconded by Commissioner Gonzalez moved to approve Texas Tank Services in the amount of $66,500 for the emergency repairs of the riser pipe located at 120 S. Kansas Ave., as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to ratify a purchase order for a bypass of a manhole located at 18th Street and Airport near the ditch to Southern Trenchless Solutions, in the amount of $44,188 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

David Arce requested to ratify repairs done for an emergency bypass repair of a collapsed manhole near Airport and 18th Street. Staff recommended approval of the purchase order issued to Southern Trenchless LLC, in the amount of $44,188 for the emergency repair.

Commissioner Pedraza questioned the order of action for item F and G noting they seemed to coincide with each other. Martin Garza stated an emergency arose when sewage began flooding a cul-de-sac. This needed immediate attention and the result was to due a bypass repair as it posed a health threat and a follow up to the emergency repair was to repair the collapsed manhole that created the emergency.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve and ratify purchase order to Southern Trenchless Solutions, in the amount of $44,188 for a bypass repair of manhole located at 18th Street and Airport as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

G. Discussion and consideration to repair a collapsed manhole located at 18th Street and Airport near the ditch to Southern Trenchless Solutions, in the amount of $81,235 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

David Arce recommended approval to award Southern Trenchless Solutions, in the amount of $81,235 to repair the collapsed manhole.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Southern Trenchless Solutions, in the amount of $81,235 to repair a collapsed manhole located at 18th Street and Airport as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

H. Discussion and consideration to award Manhole Rehabilitation- to Southern Trenchless Solutions, LLC., Buyboard vendor contract #635-21, in the amount not to exceed $148,960 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

David Arce stated annually a manhole rehab project is done; staff along with Southern Trenchless identified over 100 manholes that need rehab; were evaluated and ranked based on the condition and life span of the manhole; monies budgeted for this year is $150,000. Staff recommended approval of repairs for 21manholes in the amount not exceed $148,960.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve and award Southern Trenchless for manhole rehabilitation project in the amount of $148,960 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

VI. EXECUTIVE SESSION

At 6:03 pm. Commissioner Farias seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 6:52 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VII. 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 section §551.074 of the Texas Government Code.

No action.

B. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at Pike and Vo-Tech as authorized by §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Farias moved to authorize the sale of Lot 2, to Payne Auto Group as an adjacent landowner and pursuant to the appraised value as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Legal Consultation - Consultation with City Attorney regarding claims by the City against Castle Construction regarding the Police and Fire Station Project as authorized by Section §551.071 of the Texas Government Code.

No action.

D. Legal Consultation - Consultation with City Attorney regarding investigation of the Assistant Fire Chief as authorized by §Section 551.071 of the Texas Government Code.

No action.

VIII. ADJOURNMENT

Commissioner Farias seconded by Commissioner Pedraza moved to adjourn the meeting of January 3, 2023, at 6:53 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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David Suarez, **MAYOR**

ATTEST:

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Norma A. Cantu, **CITY SECRETARY**