



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JANUARY 17, 2023**

On Tuesday, January 17, 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
	Mayor Pro Tem	JP Rodriguez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias

ABSENT:	Commissioner	Greg Kerr
----------------	--------------	-----------

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, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Arnold Becho, Library Director, Luz Galindo, HR Director, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, Deputy Public Works Director, Albert Aldana, City Engineer, Omar Rodriguez, Parks & Recreation Director, Martin Vela, IT Director, Rosa Badillo, Court Coordinator, 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, January 13, 2023.

B. Invocation.

Pastor Luis Rodriguez, First Baptist Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Mayor and the City Commission recognized Weslaco East Student Estrella Carlos for her response to a fellow student in performing the Heimlich maneuver.

E. Roll Call.

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

II. PUBLIC COMMENTS

Randy Hall voiced his dislike on the lack of notice and information on the issuance of bonds in the amount of \$12.5million; encouraged citizens to oppose the issuance of debt because of the lack of information and wanted more transparency.

III. REPORTS

A. Weslaco High School Family, Career, and Community Leaders of America report on Gibson Park Musical Garden Project.

Yaneli Segovia, Clarissa Diaz and Natalie Medrano, Weslaco High School Seniors, presented a video on the adoption of Gibson Park 6-years ago and their efforts of improvements totaling over \$200,000; announced a grant award in the amount of \$38,477 from the Knapp Community Care Foundation with the proceeds to be used towards a musical garden on the north side of the park for the community to enjoy music and nature.

B. Inframark.

George Quilantan, Inframark, presented the water flows for December 2022 for the Water Treatment Plant, North Wastewater Treatment Plant, and South Wastewater Treatment Plant stating no significant changes from last year; stated will begin reporting monthly on work orders for preventive and corrective maintenance done on equipment and motors noting for December 386 work orders were generated and completed; Water Treatment Plant repairs were done for the West Basin Flight Chain and there was no disruption to operations; South Wastewater Plant a fuse in a transformer went out and was on generator operations for 11hrs with no issues and back to utility power on Friday; Lift Station 29 replaced an electrical starter, Lift Station 37 had preventive maintenance done and Lift Station 34 new pump installed.

IV. PUBLIC HEARING

Commissioner Pedraza seconded by Commissioner Gonzalez moved to open the public hearing at 5:56 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Willie Arratia to rezone 4020 E Pike, also being 1.16 acres out of Farm Tract 1036, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 neighborhood business district.

No comments.

B. To solicit input on behalf of Gloria Garza to rezone 809 N. Pino, also being Lot 8-9, Block 18, Esplanada Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

Gloria Garza, owner, requested favorable consideration of the rezone and cited the property has been used as two separate dwellings since the early 60's; the homes are on two separate lots that shares an electrical meter, a bathroom and are joined by one roof, her intent is she will reside in one home and her sister in the other and will always be used by family. Ms. Garza requested separate electrical meters for the dwellings as financially it would be difficult for her to pay electrical usage for both dwellings.

C. To solicit input on behalf of Ramon Gonzalez III to rezone 1602 & 1604 Judi St., also being Lot 14-15, Block 5, Sun Country Estates Unit #2 Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

Carmen Gonzales stated her son Ramon Gonzalez was unable to be in attendance and was representing him; stated he wished to build brand new duplexes; no existing structures on the property and requested favorable consideration.

D. To solicit input on behalf of David M Chacon to rezone 3611 Camino De Verdad, also being 17.83 acres more or less, tract of land out of 16.76-acre tract land out of FT1021 and a 1.07-acre tract of land out of FT 1022, Blk 113, Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

No comments.

E. To solicit input on behalf of Jesus Fabian Davila to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit, Beverage Cartage Permit at 303 S. Texas, also being the N ½ Lot 23 & all of Lot 24, Block 26, Weslaco Original Townsite, Weslaco, Hidalgo County, and Texas.

No comments.

Commissioner Pedraza seconded by Commissioner Lopez moved to close the public hearing at 6:10 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

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 Regular Meeting on January 3, 2023 (Staffed by City Secretary Department.)

B. Approval of a request by Valley Nature Center to utilize Gibson Park parking lot on April 15, 2023 from 8 a.m. – 10 p.m. for the annual Spring Feast event, and authorize the

Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.)

C. Approval to submit an application for a Texas Recreational Trail Grant program for a non-motorized trail to be located at Mayor Pablo Pena City Park with a total project cost not to exceed \$250,000, which includes a 20% match and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation.)

D. Approval of a six-month extension for the Final Plat for Texas Heights Subdivision being a 18.067 being a part or portion out of Farm Tracts 108 &109, The West and Adams Tracts, Weslaco, Hidalgo County, Texas located on Texas Blvd approximately 2000ft south of Mile 10 North Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

E. Approval on renewal of the Professional Services Agreement with Dr. Andrew Levine for Emergency Medical Services, Medical Director for an amount not to exceed \$40,000 per year and appointment as Health Authority for the City of Weslaco with the annual salary of \$10,000 per year to run concurrently for a two-year term from February 2023 - February 2025 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

F. Approval of Resolution 2023-01 for FY2024 Juvenile Justice and Truancy Prevention Grant Program #4003404 for an amount not to exceed \$100,000 with No Match Required and No recurring Costs for the First Offender Coordinator's salary and to purchase equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval of Resolution 2023-02 for FY2024 General Victim Assistance Grant Program #3814605 for an amount not to exceed \$100,000 with NO MATCH and NO Recurring fees for the Crime Victim Coordinator's Salary and to purchase equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval of Resolution 2023-03 for FY2024 Project Safe Neighborhoods Program (South) Grant #4271603 for an amount not to exceed \$100,000 with No Match and No Recurring fees to pay for overtime for sworn officers and to purchase equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

I. Approval of Resolution 2023-04 for FY24 Violence Against Women Justice and Training Program Grant #4507602 in the amount not to exceed \$50,000 with a 30% Match Required and No Recurring fees for pay for travel and training on violence against women and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

J. Approval of Resolution 2023-05 for 2023 State Homeland Security Program - Regular Projects Grant #4508002 in the amount not to exceed \$100,000 with No Match and No Recurring fees required for the purchase of cybersecurity software and hardware and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

K. Approval of Resolution 2023-06 for FY24 Internet Crimes Against Children Grant Program #4740701 for an amount not to exceed \$200,000 with No Match and No recurring Fees required to pay for overtime for investigators, training and travel, supplies and equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

L. Approval of Resolution 2023-07 for FY2024 Body-Worn Camera Grant Program #4367802 for an amount not to exceed \$100,000 with a 25% match required and no recurring fee to purchase additional storage space for the body-camera data and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

M. Approval of Resolution 2023-08 for FY24 Rifle-Resistant Body Armor Grant Program #4740801 in an amount not to exceed \$50,000 with No Match Required and No Recurring fees to purchase rifle resistant body armor and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

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

C. Approval to submit an application for a Texas Recreational Trail Grant program for a non-motorized trail to be located at Mayor Pablo Pena City Park with a total project cost not to exceed \$250,000, which includes a 20% match and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation.)

Commissioner Lopez requested more information.

Omar Rodriguez, Parks and Recreation Director, stated staff had submitted for a grant last year and not awarded. Staff is resubmitting and if awarded grant funds would develop the trail on the North side of the ditch at Mayor Pablo Pena Park to have connectivity to residential area as well as develop the trail along Dolores Huerta Street south to Second Street; grant cycle has opened and deadline to apply is February 1st; requires a 20% local match that would be \$50,000 and recommended approval.

Commissioner Gonzalez seconded by Commissioner Lopez moved to approve and apply to Texas Recreational Trail Grant program for a non-motorized trail to be located at Mayor Pablo Pena City Park with a total project cost not to exceed \$250,000, which includes a 20% match as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2023-09 appointing a member to the Board of Adjustments and Appeals to the Building Codes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Norma A. Cantu, City Secretary, stated Commission Farias nominated Erik Ramirez to the Board of Adjustments and Appeals to the Building Codes.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to appoint Erik Ramirez to the Board of Adjustments and Appeals to the Building Codes as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on Resolution 2023-10 appointing members to the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.)

Norma A. Cantu stated no action.

In response to Commissioner Gonzalez and Farias, Martin Garza, City Manager, stated the recommendation for no action was to allow attendance of Commissioner Kerr as one of the nominations is his and this would allow both vacancies to be considered.

C. Discussion and consideration on Resolution 2023-11 appointing members to the Animal Shelter Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Norma A. Cantu stated two members were being considered for re-appointments. Mayor Pro Tem Rodriguez nominated Sandra Reyna and Leroy Moreno was nominated by Commissioner Farias.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to appoint Sandra Reyna and Leroy Moreno to the Animal Shelter Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. OLD BUSINESS

A. Discussion and consideration on Ordinance 2022-47 for dis-annexation request from the property owner of Angelita Estates Subdivision being 8.35 acres, being part or portion of Farm Tracts 799, 800 and 804 West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 805ft. South of Tierra Santa St along FM 88. and authorize the Mayor to execute any related documents. First reading on Ordinance 2022-47. Possible action. (There was no action December 20, 2022; staffed by Planning and Code Enforcement Department.)

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

Rebekah de la Fuente, Planning and Code Enforcement Director, stated no action was taken at the last regular meeting to allow for a legal opinion. The City Attorney prepared and directed any questions to him.

Juan E. Gonzalez, City Attorney, stated the statute allows for dis-annexation upon a request and the statute also states a decision is entirely at the discretion of the Commission to grant; if denied the petitioner can file a suit in District Court and petitioner would need to prove that the city did not comply with the service plan.

Commissioner Farias questioned why a service plan would apply to uninhabited area. Rebekah stated under development standards the developer is responsible 100% of utilities extension as part of the subdivision process and a manhole is available that could serve the development and

access to the property is from Texas Blvd. Mayor Suarez questioned ownership of the ditch located on the property and concerned it could be privately owned as the ditch serves as drainage runoff for the property north of it. Staff stated they could confirm ownership of the ditch and history of annexation of the property.

Martin Garza requested no action until staff can confirm ownership of the ditch.

B. 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. (There was no action on January 3, 2023; staffed by Asst. City Manager.)

Andrew Munoz, Asst. City Manager/Airport Director, stated this was a 5-year lease between EDC and City; includes existing space being used as well as the space in the sub-lease with UTRGV; does exclude 2,034 square feet as this is dedicated to the Chamber and Business Event Center. Staff recommended approval and stated the agreement had been reviewed by all involved to include legal.

Commissioner Farias seconded by Commissioner Lopez moved to approve lease agreement with the Economic Development Corporation of Weslaco for building lease space located at 275 South Kansas Avenue as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. 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. (There was no action on January 3, 2023; staffed by Asst. City Manager.)

Commissioner Farias stated the Chamber was not ready to proceed and recommended no action.

Andrew Munoz requested no action as the Weslaco Area Chamber of Commerce and their legal needed time for review.

No action.

D. Discussion and re-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 Munoz stated previous commission approved the agreement; the agreement presented was the one approved in 2020 and did not reflect the retainage approved in 2021 of \$7,500. Staff recommended approval as this was a renewal and would be for two years.

Mayor Pro Tem Rodriguez seconded by Commissioner Pedraza moved to approve re-consideration of the agreement with Ares Services Incorporated as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Willie Arratia on Ordinance 2023-01 to rezone 4020 E Pike, also being 1.16 acres out of Farm Tract 1036, West and Adams Tract 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 2023-01. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated nine (9) property owners were notified and no objection received; applicant is proposing lots for commercial use and apartments (four-plex). The Planning and Zoning Commission and staff recommended approval as proposed use in compliance with the 2040 Land Use Map and surrounding area.

Mayor Pro Tem Rodriguez seconded by Commissioner Pedraza moved to approve Ordinance 2023-01 to rezone 4020 E Pike as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Gloria Garza on Ordinance 2023-02 to rezone 809 N. Pino. Also being Lot 8-9, Block 18, Esplanada Subdivision, Hidalgo County, Texas, from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-02. Possible action. (Staffed by Planning & Code Enforcement Department.)

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

Rebekah de la Fuente stated twenty-one (21) property owners were notified; one objection was received then withdrawn; surrounding area residential with no apartment use and if approved would be considered spot zoning. The Planning and Zoning Commission and staff recommended denial based on the 2040 Land Use Map and would be considered spot zoning.

In response to Mayor Suarez and Mayor Pro Tem Rodriguez, Rebekah stated across the street existing use is residential (two separate homes on separate lots), the change of zone request for R-2 was prompted as a result of the owner requesting and denied for a separate meter for a single family home that is attached by one roof and shares the bathroom; surrounding area zoned B-1 and B-2 (commercial use) that would allow duplex use.

Martin Garza questioned legal, if it is considered spot zoning if the use is similar to what is allowable under a B-1 and B-2 (apartments) found in the surrounding area. Juan E. Gonzalez, City Attorney, stated spot zoning is determined by a fact-finding analysis that considers all applicable laws based on those facts presented and comfortable in stating if denied applicant could argue it is not spot zoning; was his legal opinion but any fact findings could reverse a decision.

With a motion on the floor, Mayor Suarez called for a vote. The motion failed unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Ramon Gonzalez III on Ordinance 2023-03 to rezone 1602 & 1604 Judi St. Also being Lot 14-15, Block 5, Sun Country Estates Unit #2 Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-03. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirty-seven (37) property owners were notified with no objection received; applicant wants to develop four-plex apartments stating the area is primarily single-family residential with some commercial zones along Westgate Drive and some apartments along Sugarcane Drive that are grandfathered in. The Planning & Zoning Commission and staff recommended denial based on the 2040 land use map.

Commissioner Farias seconded by Commissioner Pedraza moved to approve. The motion failed (1-5) Commissioner Gonzalez in favor. Mayor Suarez, Mayor Pro Tem Rodriguez, Commissioner Lopez, Pedraza, and Farias against.

D. Discussion and consideration after public hearing on behalf of David M Chacon on Ordinance 2023-04 to rezone 3611 Camino De Verdad also being 17.83 acres, more or less of land out of 16.76-acre tract of land out of FT1021 and a 1.07-acre tract of land out of FT 1022, Blk 113, Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-04. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated forty-one (41) property owners were notified with no objection received; applicant proposes duplex use and surrounding area is apartment use. The Planning and Zoning Commission and staff recommended approval based on the surrounding land use.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve Ordinance 2023-04 to rezone 3611 Camino De Verdad as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration after public hearing on behalf of Jesus Fabian Davila for a Mixed Beverage Permit, Mixed Beverage Late Hours Permit, Beverage Cartage Permit at 303 S. Texas, also being the N ½ Lot of 23 & all of Lot 24, Block 26, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-one (21) property owners were notified with no objection received; previous commission approved the conditional use permit and requestor was unable to open within one year of receiving approval and the conditional use permit lapsed. The Planning and Zoning Commission recommended approval with condition that two licensed security guards are on duty between the hours of 10:00 p.m. – 2:00 a.m. Staff recommended approval.

Commissioner Farias seconded by Commissioner Pedraza moved to approve the Mixed Beverage Permit, Mixed Beverage Late Hours Permit, Beverage Cartage Permit at 303 S. Texas

with condition that two licensed security guards are on duty between the hours of 10:00 p.m. – 2:00 a.m. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve the Final Plat for Lucy Laffite Subdivision being a 10.415 acres out of Farm Tracts 56, West Tract Subdivision and Lots 8 through 20, Davenport Subdivision No.3, Weslaco, Hidalgo County, Texas Located on the Northwest corner of Airport Drive & Business 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 two (2) lot subdivision located inside city limits; serviced with water and sewer by the city; developer requested to abandon the portion of S. Nebraska Ave. that was never fully developed and currently within the properties fence line of the property owner (MacManus). The Planning and Zoning Commission and staff recommended approval of the final plat as presented.

Commissioner Farias seconded by Commissioner Lopez moved to approve the Final Plat for Lucy Laffite Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve the Final Plat for The Groves Subdivision being a 13.90 acres out of Acre Tract out of lot 236, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1300 North of the intersection of Mile 11 N Road and 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 a sixteen (16) lot subdivision located outside city limits; serviced with water from North Alamo Water Supply and sewer by on-site sewage facility (OSSF); nearest sewer line is 1.25 miles south of the development; developer requested a variance to allow OSSF and a variance to allow off site drainage and obtained letters of support from drainage districts. The Planning and Zoning Commission recommended approval with variances and staff recommended approval of the final plat as presented.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Final Plat for The Groves Subdivision with variances as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve the Final Plat for White Rose Subdivision– being a 4.644-acre tract of land out of Farm Tract 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located North of the intersection of Dolores Huerta & Bridge 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 two (2) lot subdivision inside city limits; serviced with water and sewer by the city; plat was approved in 2021 and developers time period to record lapsed. The Planning and Zoning Commission and staff recommended approval of the final plat as presented.

Commissioner Pedraza seconded by Commissioner Gonzalez moved to approve Final Plat for White Rose Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration on Ordinance 2023-05 for dis-annexation request from the property owner of Gilberto Estates Subdivision– being a 4.56-acre tract of land out of Farm Tract 101, West and Adams Tract Subdivision, Hidalgo County, Texas located northwest corner of mile 10 N Rd & Mile 4 ½ West Rd and authorize the Mayor to execute any related documents. First reading on Ordinance 2023-05. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated commission action in 2022 approved the annexation into city limits and approved the subdivision later in 2022; developer no longer wants to be inside city limits and requested dis-annexation.

In response to Mayor Suarez, Rebekah stated the developer requested a variance to allow on-site sewage facilities and denied making the development unfeasible for him.

The City Attorney recommended consultation in executive session as the developer has submitted information that previous commission action has approved this type of variance and wished to consult the commission on the information as well as on any legal implications, if any.

Mayor Pro Tem Rodriguez seconded by Commission Lopez moved to discuss in executive session. The motion carried unanimously.

J. Discussion and consideration to approve the purchase of 920 water meters from the sole source vendor, Core & Main in an amount not to exceed \$372,782 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, recommended approval. The delivery time for water meters is about eight months from the date ordered and replenish 750 (5/8”) meters, 150 (1”) meters and 20 (2”) meters. Staff recommended approval.

Mayor Pro Tem Rodriguez seconded by Commissioner Farias moved to approve the purchase of 920 water meters from the sole source vendor, Core & Main in an amount not to exceed \$372,782 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration of the proposal from Insight for Basic Maintenance of Internal Connections in response to the library's request for proposals within the confines of the E-Rate Program Round 26 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Arnold Becho, Library Director, stated this item and the subsequent two items are related to the E-Rate funding; these funds assist to pay for basic maintenance of computers at the library pays 80% of work and project cost would not exceed \$32,000. Staff recommended approval to award Insight noting this was the only respondent and staff has worked with them in the past with no issues.

Commissioner Gonzalez seconded by Commissioner Lopez moved to approve the proposal from Insight for Basic Maintenance of Internal Connections as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to accept the lowest bidder Insight as vendor for network equipment and internal connections within the New Library Facility through the confines of the E-Rate Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.)

Arnold Becho stated this E-Rate grant covers expenditures for equipment and internal connections for the new library; total project cost is \$207,000 and local match is 10-20%. Staff recommended approval of the lowest respondent Insight recommending the Cisco option submitted that allows flexibility in usage of the funds.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve Insight as vendor for network equipment and internal connections within the New Library Facility through the confines of the E-Rate Program option Cisco as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to approve Contingency Allowance Expenditure Authorization No. 8 New Police Department and Judicial Court Change Proposal No. 016R Pedestrian gates at an amount not to exceed \$16,379 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated pedestrian gates were not included in the original scope of the project and were added to provide personnel access from Whitmer Avenue and Railroad Avenue. Staff recommended approval and noted on staff's recommendation form under background the content listed as 2) exhaust fans restroom was mistakenly left and should have been removed and is the subsequent item.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Contingency Allowance Expenditure Authorization No. 8 New Police Department and Judicial Court Change Proposal No. 016R Pedestrian gates at an amount not to exceed \$16,379 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to approve Contingency Allowance Expenditure Authorization No. 8 New Police Department and Judicial Court Change Proposal No. 017 Restroom Exhaust Fans not in plans at an amount not to exceed \$2,332 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Martin Garza requested no action for this item and the following agenda item O. Staff's recommendation will be to deny the use of Contingency Allowance Expenditure and wished time to discuss further with ERO.

In response to Mayor Suarez, City Attorney stated the items would be brought back for action once they meet with ERO as there is a possibility these requests maybe withdrawn.

No action.

O. Discussion and consideration to approve Contingency Allowance Expenditure Authorization No. 4 New Downtown Fire Station No. 2 request for Change Order No. 17 AIRVAC911 Control Panel Setup in an amount not to exceed \$7,850 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

No action.

P. Discussion and consideration on the renewal of the lease agreement with Weslaco Little League for use of Isaac Rodriguez Park Multi-Purpose Field and Minor Field and Concession Stands and Harlon Block/Sports Complex Field #1, Field #2, Field #3, Field #4 and the Concession Stands effective February 1, 2023 through July 31, 2023 and authorize the Mayor to execute any related documents. Possible action. (Requested by Weslaco Little League.)

Omar Rodriguez stated this was the annual renewal for use of parks by Weslaco Little League; this year Weslaco Little League will move operations completely to Harlon Block as a result of better lighting and a larger number of participants. Staff recommended approval.

In response to Commissioner Farias, staff has met with them concerning maintenance of fields and they are ready to assist as needed.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve renewal of the lease agreement with Weslaco Little League for use of Isaac Rodriguez Park Multi-Purpose Field and Minor Field and Concession Stands and Harlon Block/Sports Complex Field #1, Field #2, Field #3, Field #4 and the Concession Stands effective February 1, 2023, through July 31, 2023, as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to purchase headworks equipment for the South Wastewater Treatment Plant from sole source vendor, Huber Technology in the amount not to exceed \$153,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Inframark.)

George Quilantan, Inframark, stated the equipment would replace the headworks at the South Wastewater Treatment Plant those have been inoperable for years and ready to have it operational; is a sole source vendor as the second respondent would be utilizing Hubner Technology. Staff recommended approval of Hubner Technology and monies are budgeted through the Capital Outlay Fund.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the purchase of headworks equipment for the South Wastewater Treatment Plant from sole source vendor, Huber Technology in the amount not to exceed \$153,000 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration to purchase a Return Activated Sludge (RAS) pump station for the North Wastewater Treatment Plant under Buy Board contract #672-22 from Austin Armature Works in the amount not to exceed \$97,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Inframark.)

Commissioner Farias abstained from discussion and vote.

George Quilantan stated the RAS station pump at this plant is working on two bypass pumps; the purchase of RAS pump would bring back the original design of three dry pit RAS pumps for the plant and budgeted under the Capital Outlay Fund.

Mayor Pro Tem Rodriguez seconded by Commissioner Pedraza moved to approve the purchase of a Return Activated Sludge (RAS) under Buy Board contract #672-22 from Austin Armature Works in the amount not to exceed \$97,000 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

S. Discussion and consideration to purchase and replace a portable diesel pump utilized for emergencies at all facilities and all lift stations under Buy Board contract #672-22 from Precision Pump System in the amount not to exceed \$64,926 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Inframark.)

Commissioner Farias abstained from discussion and vote.

George Quilantan recommended approval stating this was a replacement for the portable diesel pump that has exceeded its life expectancy; monies budgeted under the Capital Outlay Fund.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the purchase of a portable diesel pump under Buy Board contract #672-22 from Precision Pump System in the amount not to exceed \$64,926 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

IX. EXECUTIVE SESSION

At 7:12 p.m. Mayor Pro Tem Rodriguez seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:26 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VIII. NEW BUSINESS

I. Discussion and consideration on Ordinance 2023-05 for dis-annexation request from the property owner of Gilberto Estates Subdivision– being a 4.56-acre tract of land out of Farm Tract 101, West and Adams Tract Subdivision, Hidalgo County, Texas located northwest corner of mile 10 N Rd & Mile 4 ½ West Rd and authorize the Mayor to execute any related documents. First reading on Ordinance 2023-05. Possible action. (Staffed by Planning and Code Enforcement Department.)

The City Attorney recommended no action be taken and item brought back at the next meeting for caption clarity for commission action.

Commissioner Pedraza seconded by Commissioner Lopez moved to accept the recommendation for no action. The motion carried unanimously; Mayor Suarez was present and voting.

No action.

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. Legal Consultation - Consultation with City Attorney regarding lawsuit styled C-1678-22-A Christopher De Leon DBA De Leon Aircraft Maintenance Professional vs City of Weslaco and Andrew Munoz, Individually as authorized by section §551.071 of the Texas Government Code.

No action.

C. Legal Consultation - Consultation with City Attorney regarding claims by the City against Castle Enterprises 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.

E. 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.

XI. ADJOURNMENT

Commissioner Farias seconded by Commissioner Pedraza moved to adjourn the meeting of January 17, 2023, at 8:27 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**