



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
MARCH 7, 2023**

On Tuesday, March 7, 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	Israel Gonzalez Jr.
	Commissioner	Greg Kerr
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias

ABSENT:	Mayor Pro Tem	JP Rodriguez
	Commissioner	Josh Pedraza

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, Molly Vallejo, Executive 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, March 3, 2023.

B. Invocation.

Pastor Lori de los Santos, City Church RGV led the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting the absence of Mayor Pro Tem Rodriguez and Commissioner Pedraza and a quorum was present.

E. Mayoral Recognition.

1) Award from the Government Finance Officers Association to the City of Weslaco Finance Department for Excellence in Financial Reporting fiscal year ending September 30, 2021.

Rosie Cavazos, Finance Director, stated the Finance Department was awarded the highest recognition of governmental accounting for the sixth consecutive year and thanked her staff for achieving this recognition and for their commitment.

Mayor Suarez recognized the Finance Department on their award from the Government Finance Officers Association (GFOA).

2) Proclamation in support of Hidalgo County's Prosperity Task Force.

Mayor Suarez recognized the challenges of poverty locally and proclaimed support to the Hidalgo County's Prosperity Task Force for their efforts.

II. PUBLIC COMMENTS

Elizabeth Gomez, 2309 Bald Cypress, stated she was a resident, employed with Best Friend Animal Society as well community spokesperson for campaign "stop the killing"; voiced concerns about the budget of expenditures and revenues for animal care services; stating the city needs to make the Weslaco shelter a lifesaving place by partnering with organizations to accomplish this.

Lisa Lamoreaux, 736 N. Bermuda Street, voiced her concern of the numbers of animals euthanized and asked that they make Weslaco a safe place for animals and to accept the help of organizations by working together to stop the killing.

Arnold Becho, Weslaco Library Director invited the Commission and public to the Mayor Joe V. Sanchez Memorial Book Festival scheduled for Saturday, March 11, 2023, from 2:00 to 6:00 pm. There will be free books, arts and crafts, refreshments, games, and story times among other activities.

Joel Rivera, Weslaco Police Chief reported on the Weslaco High school incident on March 02, 2023 and thanked the fire department, WISD, his staff, finance department and all those agencies that responded and assisted in ensuring no threat existed.

III. PUBLIC HEARING

Commissioner Kerr seconded by Commissioner Lopez, moved to open the public hearing at 5:53 pm. The motion carried unanimously; Mayor Suarez was present and voting.

- A. To solicit input on behalf of RGV Superior Development, LLC. to rezone 320 S Pleasantview Drive. Also being 27.498 acre out of the following tracts: North 100 feet of the South 280 feet of the South 15 acres of Farm Tract 20, West and Adams Tract

Subdivision, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.

No comments.

- B. To solicit input on behalf of Maria Elva Alaniz to rezone 409 N Kansas. Also being Lot 16, Block 4, Gonzalez Addition Subdivision, Hidalgo County, Texas from R-2 Duplex and Apartment District to B-1 Neighborhood Business District.

No comments.

Commissioner Kerr seconded by Commissioner Lopez moved to close the public hearing at 5:54 pm. The motion carried unanimously; Mayor Suarez was present and voting.

IV. REPORTS

A. Weslaco Area Chamber of Commerce & Visitor Center

Barbara Jean Garza, President/CEO, reported advertising for the month of February 2023 was \$4,234.48; visitors for the month totaled 314 that included event guests and in and out of State visitors, 16 facility reservations; reported on upcoming Documentary Premiere: A story about the Sweet Texas 1015 Onion on March 16th at STC Mid Valley Campus, and the Texas Onion Festival on March 25th; monthly lunch mob scheduled for April 5, 2023; hosted the annual Chamber awards and meeting with recognition of nine honorees from the business community; recognized the 2023 Weslaco Pageant Court; reported eight new chamber members and presented a short video on the 1015 Onion documentary.

B. Weslaco Economic Development Corporation

Steve Valdez, Executive Director, reported the new Mid Valley International Industrial Park was 47% complete, Glazer Beer and Beverages under construction and stated several lots under contract and once finalized would be able to disclose those proposed developments; existing Industrial Park Johnson Controls 60% moved in and Payne Hanger project about 60% complete; Clever Foods plan to expand; preparing for ICSC conference in May; attended RGV Day at the Capitol, traveled to Rio Bravo to begin developing relationships and reported new website receiving a lot of views..

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 February 7, 2023 and Special Meeting on February 20, 2023 (Staffed by City Secretary Department.)

B. Approval on Resolution 2023-23 to apply to the FY2024 Local Border Security Program (LBSP) for the amount of \$250,000 with NO MATCH REQUIRED and NO

RECURRING FEES required for law enforcement personnel and staff overtime and to purchase equipment, in support of Local Border Security Program goals and objectives and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

C. Approval of the renewal of payment to Core and Main for annual hosting fees on meters and hardware maintenance in the amount of \$25,115.77 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

D. Approval of the six-month extension for the Final Plat for South Point Subdivision– being a 12.889 acre being all of Lot 2, VBMH Subdivision and out of Farm tract 133, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located East Expressway 83, between North Westgate Drive and Border Avenue and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

E. Approval of a three-month extension for the Final Plat for Milanos Estates 1 Subdivision– being 26.43 acres out of and forming a portion of Farm Tract 720 and 721, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of Mile 5 ½ West and Mile 6 ½ Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

F. Approval on renewal of an Interlocal Cooperation Agreement with the County of Hidalgo and City of Weslaco for participation in the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

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

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2023-24 appointing members to the Library Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Norma A. Cantu, City Secretary, introduced for consideration nominations for reappointment of Idolina Garcia by Mayor Suarez, and reappointment of Saida Sanchez by Commissioner Kerr.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Resolution 2023-24 appointing Idolina Garcia and Saida Sanchez to the Library Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of RGV Superior Development, LLC on Ordinance 2023-14 to rezone 320 S Pleasantview Drive. Also being 27.498 acres out of the following tracts: North 100 feet of the South, 280 feet of the South 15 acres of Farm Tract 20, West and 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 2023-14. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning Director stated twenty-four (24) property owners within 200 feet of radius were notified with no objection noting owner is proposing eighty (80) lot subdivision and use is four plex-apartments. The Planning and Zoning Commission and staff recommended approval based on the surrounding land use.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Ordinance 2023-14 to rezone 320 S. Pleasantview Drive as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Maria Elva Alaniz on Ordinance 2023-15 to rezone 409 N Kansas also being Lot 16, Block 4, Gonzalez Addition Subdivision, Hidalgo County, Texas from R-2 Duplex and Apartment District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-15. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-two (22) property owners within 200 feet were notified with no objection noting property owner is proposing to construct a small office on the property. The Planning and Zoning Commission and staff recommended approval based on the surrounding land use.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Ordinance 2023-15 to rezone 409 N. Kansas as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve the Final Plat for Milanos Estates Phase II Subdivision being 27.65 acres out of Farm Tract 720 and 721, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 240 ft. North from the intersection of Mile 5 ½ West Road and Mile 6 ½ West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed one hundred and twenty-seven (127) lot subdivision is located outside city limits and serviced with water and sewer by city; developer requested a variance for offsite drainage and has submitted letters of support from the irrigation and drainage district and requested a variance to allow a 20-foot front setback and 10-foot rear setback. The Planning and Zoning Commission recommended approval with variances; staff recommended approval and compliance with the ordinances on the variances.

In response to Commissioner Farias, previous commission action approved similar variances for Phase I, the proposed setbacks are sufficient for the development.

Commissioner Lopez seconded by Commissioner Kerr moved to approve final plat for Milanos Estates Phase II Subdivision with variances as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration on the variance request to section 26-38 Perimeter Sidewalk Requirement for Mid Valley Estates Subdivision being a 40.00-acre tract of Farm Tract 715, The West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southwest corner of Mile 6 North and Mile 6 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Kerr seconded by Commissioner Lopez moved to approve.

Rebekah de la Fuente stated the development is inside city limits; serviced with water and sewer by the city; proposed use will be multi-family and residential; developer requested to waive the requirement or grant a variance for the exterior sidewalk required along Milanos and Mile 6 North Road (18th Street) which is approximately 2,640 feet. The Planning and Zoning Commission recommended approval of a variance for the sidewalk on Milanos Road only. Staff recommended compliance with the ordinance.

In response to Commissioner Farias, the Planning and Zoning Commission felt future roadway improvements for Milanos Road (widening) would be forthcoming and the sidewalk would end up being reconstructed; staff stated the sidewalk could be done referencing the development of San Jacinto 10 whereby the sidewalk was to the border fence with sufficient room available for widening of the street and asking for escrow funds was at their discretion. Mayor Suarez recommended deny the variance and advise developer on option to construct sidewalk as noted by staff.

In response to Commissioner Kerr, developer, Bobby Carrillo, Affordable Homes and Richard Garcia Consultant, stated the development is in a rural area (Milanos Road) and agreed with Mile 6 because of the location of a school and park, they wished to save the homeowners costs and there is no connectivity of sidewalks on Milanos Road at this time the development itself will have internal sidewalks.

Commissioner Kerr withdrew his original motion.

Commissioner Kerr seconded by Mayor Suarez moved to approve the variance along Milanos Road only as recommended by the Planning and Zoning Commission. The motion failed 1-4; Commissioner Kerr in favor; Mayor Suarez was present and voting.

E. Discussion and consideration to approve Ordinance 2023-16 for the Voluntary Annexation of Ranchettes on 18th St Subdivision being 12.16 acres of land out of a 14.82 acre tract of land out of Farm Tract 706, West Tract Subdivision, Hidalgo County, Texas located approximately 500 ft. West from the intersection of 18th Street and Pleasantview Dr. and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-16. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed subdivision is an eight (8) lot subdivision for single family homes; located outside city limits on 18th Street just east of Country Sunshine RV Park; serviced with water by city and proposing sanitary sewer by offsite that would be evaluated during the subdivision process. The Planning and Zoning Commission and staff recommended approval of the voluntary annexation as the development is contiguous to the existing city limits line.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Ordinance 2023-16 for Voluntary Annexation of Ranchettes on 18th St Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve retainage payment for the Weslaco Mid Valley Airport Corporate Hangar Project for an amount not to exceed \$173,716.64 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Munoz, Asst. City Manager/Airport Director, recommended approval for the retainage payment in an amount of \$173,716.64 and noted once approved, the project will be closed.

Commissioner Kerr seconded by Commissioner Lopez moved to approve retainage payment not to exceed \$173,716.64 for Weslaco Mid Valley Airport Corporate Hangar Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on the petition, acquisition and purchase of Class A Municipal Water Rights from Hidalgo and Cameron Counties Irrigation District No. 9 and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Asst. City Manager.)

Commissioner Kerr abstained from discussion and vote.

Andrew Munoz stated the city has been growing through annexation of property but the city has not converted irrigation rights to municipal water rights to the city; experiencing shortage of water rights for the last several years and paying a higher premium rate; working with the City Attorney staff petitioned for the conversion of water rights from the Irrigation District who determined 103.3 Irrigatable Acres, or 128.79 Acre Feet of municipal water rights the city could purchase at a cost of \$266,501.00 with \$2,500 in attorney fees and will address annually moving forward. Staff recommended approval and stated it is an unbudgeted item and will require a mid-year budget amendment from the City's General Fund.

In response to Mayor Suarez, staff stated moving forward they will determine how to address this in the subdivision ordinance as to how this cost will be absorbed either the developer or other partnerships and will apply to new development.

Commissioner Lopez seconded by Commissioner Farias moved to approve the purchase of Class A Municipal Water Rights from Hidalgo and Cameron Counties Irrigation District No. 9, as presented. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

H. Discussion and consideration to approve Resolution 2023-25 and submittal of an application to the SAFER Program Grant, requesting six new Firefighter positions for an amount not to exceed \$395,000 with NO MATCH REQUIRED and NO RECURRING FEES and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department/Grant Writer.)

Maggie Perez, Grant Writer, stated the grant provides funding directly to the fire department and volunteer firefighters to help increase and maintain the number of trained, "front line" firefighters available in their communities. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Resolution 2023-25 submittal of an application to the SAFER Program Grant as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve the purchase of body-worn cameras and relevant equipment in the amount of \$101,825 (Sourcewell Contract #010720-WCH) with an amount of \$75,900.83 to be reimbursed by the FY22 Body-Worn Camera Program Grant #4367801 with a 25% local match (\$25,924.17) from Motorola Solutions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Joel Rivera, Police Chief, stated this type of equipment has been a priority for the commission; staff has applied for grants in the past and two were awarded and accepted the most advantageous one. Staff recommended approval to purchase equipment from Motorola Solutions that would consist of 71 body-worn cameras with twenty additional batteries, 9 battery banks and necessary software licenses and would be for all patrol officers and auxiliary staff.

Commissioner Lopez seconded by Commissioner Gonzalez, Jr., moved to approve the purchase of body-worn cameras and relevant equipment from Motorola Solutions as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to authorize staff to solicit Statements of Qualifications for Architectural/Engineering Services for various parks projects including new restroom/concession stands, sports field lighting and irrigation systems, and playgrounds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Park and Recreation Director stated the statement of qualifications would be for Architectural/Engineering for parks projects at Isaac Rodriguez Park for \$1,400,000 and Mayor Pablo Pena City Park for \$600,000. Isaac Rodriguez Park proposed improvements are a new restroom and concession stand, new sports field lighting and irrigation of the sports fields. Mayor Pablo Pena City Park proposed improvements are a new restroom and concession stand. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Gonzalez, Jr., moved to approve staff to solicit Statements of Qualifications for Architectural/Engineering Services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration on the project by the Weslaco Economic Development Corporation for the construction of offsite sanitary sewer improvement for the Mid Valley International Industrial Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.)

Commissioner Kerr and Commissioner Lopez abstained from discussion and vote.

Steve Valdez stated in moving forward with the expansion of the new industrial park, EDC will develop the area with sidewalks, expanding streets as well as water and sewer; proposing construction of a new lift station in the new industrial park and the existing lift station would need to be abandoned; the new lift station will service a radius of 600 acres of any new growth that would come in and requested for cost participation from the city in abandonment of the lift station and unaware of the cost to do this.

Albert Aldana, City Engineer stated the current lift station (26) could be abandoned; currently it does not have the capacity to handle additional flow as well as the force main behind Las Brisas is inadequate. Staff was already configuring plans to reroute flow to lift station 12; staff had no objection in cost participation in abandoning the existing lift station so long as the new lift station will reroute existing flow from Las Brisas to the new lift station and recommended approval as it will enhance the service for the area.

Commissioner Farias seconded by Mayor Suarez moved to approve a cost participation in abandoning the existing lift station for the project by the Weslaco Economic Development Corporation for the construction of offsite sanitary sewer improvement for the Mid Valley International Industrial Park as presented. The motion carried; Commissioner Kerr and Commissioner Lopez abstained; Mayor Suarez was present and voting.

VIII. EXECUTIVE SESSION

At 6:41 p.m. Commissioner Kerr seconded by Commissioner Gonzalez, Jr., moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:38 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

IX. 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. Contract Negotiations – Discussion with the 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) FY October 1, 2022 – September 30, 2025 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 2023 New Opioid Settlement Participation for Subdivisions as authorized by section §551.071 of the Texas Government Code.

Commissioner Farias seconded Commissioner Lopez moved to approve to participate in the 2023 New Opioid Settlement for Subdivision as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

X. ADJOURNMENT

Commissioner Kerr seconded by Commissioner Gonzalez, Jr., moved to adjourn the meeting of March 7, 2023, at 7:39 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**