



**MINUTES OF A REGULAR MEETING  
WESLACO CITY COMMISSION  
June 6, 2023**

On Tuesday, June 6, 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:

|                 |               |                     |
|-----------------|---------------|---------------------|
| <b>PRESENT:</b> | Mayor         | David Suarez        |
|                 | Mayor Pro Tem | JP Rodriguez        |
|                 | Commissioner  | Greg Kerr           |
|                 | Commissioner  | Israel Gonzalez Jr. |
|                 | Commissioner  | Josh Pedraza        |
|                 | Commissioner  | Letty Lopez         |
|                 | Commissioner  | Adrian Farias       |

**ABSENT:** None

|                       |                      |                |
|-----------------------|----------------------|----------------|
| <b>STAFF PRESENT:</b> | Martin Garza         | City Manager   |
|                       | Norma A. Cantu       | City Secretary |
|                       | Juan E. Gonzalez Jr. | 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, Luz Galindo, HR Director, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, Public Works Director, Albert Aldana, City Engineer, Omar Rodriguez, Parks & Recreation Director, Martin Vela, IT Director, Rosa Badillo, Court Coordinator, Aida Vega, Deputy City 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, June 2, 2023.

**B. Invocation.**

Pastor Raja Masilamony, Seventh Day Adventists Church 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 perfect attendance and a quorum was present.

E. Mayoral Recognition.

- 1) Proclamation proclaiming National Emergency Medical Services (EMS) Week.

Mayor Suarez proclaimed June 5-9, 2023 as Weslaco EMS Week and recognized in attendance the Weslaco Emergency Medical Services providers who are also Weslaco Firefighters.

**II. PUBLIC COMMENTS**

Antonio Lopez, Fire Chief, thanked the Animal Care Services on his recent adoption of cats (3); staff was very professional, efficient and mindful to his needs on what he was looking for; praised their dedication in providing the care of animals and would happily encourage adoption from the shelter with family and friends.

**III. REPORTS**

A. Weslaco Economic Development Corporation.

Steve Valdez, Executive Director, reported the Mid Valley International Industrial Park 70% and on scheduled for completion August 2023; Mile 9 widening project is 10% complete; the off-site sanitary sewer project is 15% and an additional easement was necessary from the Hidalgo and Cameron County Irrigation District; corner lot on Mile 9 and FM1015 has been sold; received two letters of intent from businesses for five commercial lots facing FM1015 ; attended a successful recruiting effort from the ICSC Conference having three leads; hosting a bus tour with realtors both local and an alliance group from McAllen in the next week touring Weslaco on its growth; noted an article out Hobby Lobby open; Freddy's Steakhburgers and James Avery signage up and ribbon cuttings forthcoming; received an award from the Texas Economic Council for the collaboration efforts with STC for workforce development and skilled training programs; Alfresco planning will begin and will be looking at re-branding EDC and will be reaching out to the City and Chamber for views.

B. Weslaco Chamber of Commerce & Visitor Center.

Barbara Jean Garza, President/CEO, reported for the marketing expenditures of May 2023 totaled \$6,309 that included advertising, equipment rentals, promotional items and business center operations; mural project will begin and first site for this project is the Weslaco Museum hoping to create multiple mural around the city; working with a local artist for the mural projects and extended an invite to any commission member to a committee that will review renditions of art work; 363 visitors in the facility that included In and Out of State (327) and voters (36); facility reservations were 14; reported on the upcoming events that included net working mob lunch; ribbon cuttings, grand opening of Splash Pad, milestone celebrations; invited the commission in the celebration of the Class XVII Leadership Graduation on June 7 and stated staff would be attending the Travel & Tourism College Conference.

#### **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 May 16, 2023. (Staffed by City Secretary Department.)

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

1) Ordinance 2023-24 to rezone 1813 W Bus 83. Also being 0.34 acre tract being E100'-W450.81'- N150' out of Farm Tract 633, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 neighborhood business district and authorize the Mayor to execute any related documents. (First reading held May 16, 2023; staffed by Planning & Code Enforcement Department.)

2) Ordinance 2023-25 to rezone 502 N International Blvd. Also being 6.78 acres tract being S441'-W710' out of farm tract 1030, Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to I Industrial district and authorize the Mayor to execute any related documents. (First reading held May 16, 2023; staffed by Planning & Code Enforcement Department.)

3) Ordinance 2023-26 to rezone 715 E Mile 10 North. Also being 4.56 acre out of the of Farm Tract 101, West Tract Subdivision, Weslaco, 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 May 16, 2023; staffed by Planning & Code Enforcement Department.)

C. Approval on renewal of the Memorandum of Understanding between the County of Hidalgo Community Service Agency and The Mayor Joe V. Sanchez Public Library to participate in the AmeriCorps Seniors Program and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

D. Approval of renewal agreements with Muniservices for the local hotel occupancy tax program and sales tax audit and administration services and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

E. Approval to solicit proposals for the capital financing of (2) 2024 Peterbilt garbage trucks in the amount of \$645,754.02 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

F. Approval to use the Court Technology Fund to purchase five computers with all the accessories needed for each one in the amount not to exceed \$7,552.70 and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

G. Approval to submit the annual application for participation in the Law Enforcement Support Office (LESO) Program with no required fees, no match or recurring fees to allow Weslaco Police Department to receive transfers of excess Department of Defense property as needed for law enforcement use and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval to ratify dedication of an Easement and Right-of-Way to AEP Texas Inc. for electric distribution lines for the Weslaco Mid Valley Airport Hanger Expansion Project and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

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

Following for the record are ordinance caption(s).

ORDINANCE NO. 2023-24

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 1813 W BUS 83. ALSO BEING 0.34 ACRE TRACT BEING E100'-W450.81'- N150' OUT OF FARM TRACT 633, WEST TRACT SUBDIVISION, WESLACO HIDALGO COUNTY, TEXAS. FROM R-1 ONE-FAMILY DWELLING DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2023-25

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 502 N INTERNATIONAL BLVD. ALSO BEING 6.78 ACRES TRACT BEING S441'-W710' OUT OF FARM TRACT 1030, ADAMS TRACTS SUBDIVISION, WESLACO HIDALGO COUNTY, TEXAS. FROM R-1 ONE-FAMILY DWELLING DISTRICT TO INDUSTRIAL DISTRICT. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2023-26

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 715 E MILE 10 NORTH. ALSO BEING 4.56 ACRE OUT OF THE OF FARM TRACT 101, WEST TRACT 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:

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 16<sup>th</sup> day of May 2023.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 6<sup>th</sup> day of June 2023.

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 host Weslaco's Wagging Pageant: Pet Fundraiser and accept monetary donations through Crowdfunding which will be strictly allocated to Weslaco Animal Care Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Jasmine Rico Joens, Public Relations Officer, and Maggie Perez, Grant Writer.)

Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to approve as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to extend existing contract or authorize staff to solicit proposals for Depository Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

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

Rosie Cavazos, Finance Director, stated the current contract for Depository Services is PNC formally BBVA; agreement set to expire September 30, 2023 and has the option to extend the agreement an additional two years. Staff recommended to exercise the two-year option. If the wishes of the commission were to solicit proposals, that is also an option, the city would use a consultant to assist in the preparation of the request for proposals and evaluation to determine the most advantageous respondent for banking services for the city.

Mayor Suarez seconded by Commissioner Lopez moved to solicit proposals for Depository Services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve AEA No. 11 for the New Police Department and Municipal Court to apply a stucco finish with base coat to all exterior tilt up panels including form lined panels at building entries and building monument signage for an amount not to exceed \$21,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated the City Manager had negotiated a discount; Gerlach, contractor, agreed the cost to the city would be \$16,800 (40% discount). Staff recommended approval of the negotiated amount of \$16,800 leaving the contingency fund balance at \$116,473.56.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve AEA No. 11 for the New Police Department and Municipal Court to apply a stucco finish with base coat to all exterior tilt up panels including form lined panels at building entries and building monument signage for an amount not to exceed \$16,800 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to amend the Weslaco Economic Development Corporation Lease agreement and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)

Andrew Munoz, Asst. City Manager/Airport Director, stated there was three amendments to the agreement recently approved as follows: 1) the city would be responsible for the daily cleaning of meeting rooms, 2) there shall be no sub-leasing nor renting of meeting rooms and 3) the board rooms will be shared between EDC, City and Chamber with each party responsible for the cleaning. Staff recommended approval and all parties agree.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve and amend the Weslaco Economic Development Corporation Lease agreement as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration rescinding Ordinance 2011-16 relating to the process and criteria for naming public facilities, transportation improvements and other facilities, establishing a public facilities transportation improvements naming committee and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. Possible action (Staffed by Assistant City Manager.)

Andrew Munoz stated the ordinance in place allows for the renaming of buildings, roadway and open space is not frequently used. Staff recommended to rescind the ordinance and bring back to the commission within the next 30 days a policy whereby renaming of buildings, roadway and open space can be by petition to the commission.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve and rescind Ordinance 2011-16 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration on the Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez, M-5 Texas Enterprises LLC, to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents. Possible action. (Staffed by Assistant City Manager.)

Antonio Lopez, Fire Chief, the contract with Armando Martinez is a renewal agreement; provides continuing education and training for the fire department; training would be done monthly (Tuesday) for various certifications to include advanced cardiovascular life support (ACLS), PALS (pediatric advanced) and ALMS (Army learning management training). Staff recommended approval with fee same as last year.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve Advanced Education Consultant Agreement with Armando A. Martinez, M-5 Texas Enterprises LLC as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve contract agreement with Cruz-Hogan Consultants, Inc for the design of storm drainage improvements along North Border Avenue and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department).

Albert Aldana, City Engineer, stated the professional services contract agreement was for the design of storm drainage improvements to North Border Ave near the Calvillo Technology

Building located south of Mile 10 North Rd; proposed contract amount is \$39,400.00 that included surveying and engineering for the project. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve agreement with Cruz-Hogan Consultants, Inc for the design of storm drainage improvements along North Border Avenue as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to ratify Purchase Order No. 23-3052 to contract Southern Trenchless Solutions LLC for emergency repairs on a collapsed manhole located at 2513 S Petunia in the amount of \$118,154 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, Public Works Director, stated on May 17 a sewer back up from Westgate Wood Subdivision was traced back towards Border to a manhole that was high; the vac truck used to lower the level; was being monitored but the manhole dropped as it deteriorated from the base; 3 bids received with Southern Trenchless LLC lowest bid. The Health official deemed it a health hazard and emergency repair approved by the City Manager to commence immediately, Staff recommended approval to ratify Purchase Order No. 23-3052 issued and noted the repair was completed.

Commissioner Gonzalez Jr. seconded by Mayor Pro Tem Rodriguez moved to approve and ratify Purchase Order No. 23-3052 to contract Southern Trenchless Solutions LLC for emergency repairs on a collapsed manhole located at 2513 S Petunia in the amount of \$118,154 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

I. Discussion and consideration to purchase the Conference Room Video/Audio System from Visceral Illumination Code DBA Insight security Group in the amount of \$36,050.92 under TIPS Contract #230202 (Security Systems Products and Services) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Joel Rivera, Police Chief, stated the equipment would be for the community room (classroom) that is used for in-service training for personnel as well trainings for the community and will serve as EOC for the city. Staff recommended approval.

Commissioner Gonzalez Jr. seconded by Mayor Pro Tem Rodriguez moved to approve the purchase of Conference Room Video/Audio System from Visceral Illumination Code DBA Insight security Group in the amount of \$36,050.92 under TIPS Contract #230202 (Security Systems Products and Services) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

## **VI. EXECUTIVE SESSION**

At 6:12 p.m. Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:15 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. 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.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve staff withdraw the appeal before the Texas Commission on Fire Protection and authorize the City Manager to respond to the Fire Union complaint and authorize the City Attorney investigate on the Villanueva complaint and prepare a recommendation to the City Manager as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Legal Consultation - Consultation with the City Attorney regarding real property legally described as Lot 13, Block 9, Original Townsite Weslaco, Hidalgo County, Texas as authorized by section §551.071 of the Texas Government Code.

Commissioner Gonzalez Jr. seconded by Commissioner Lopez moved to authorize the sale of property pursuant to option 1 selling to adjoining property owner for appraised value of \$19,000; if rejected option 3 revise the metes and bounds with encroachment and have owner take any necessary steps as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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

Commissioner Pedraza seconded by Mayor Pro Tem Pedraza moved to contract with Mike R. Perez as the authorized designated Corporate Representative at the rate of \$200 per hour with a request for reimbursement apart from the city’s share in the settlement should it settle. The motion carried unanimously; Mayor Suarez was present and voting.

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

No action

F. Legal Consultation - Consultation with City Attorney regarding Economic Development Corporation of Weslaco versus Sunil Wadhvani, Nolana Self-Storage LLC,



Harjinder Singh, Gerardo Tafolla, Ricardo Quintanilla and Leo Lopez Cause No. C-0295-20-L 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 June 6, 2023, at 7:17 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**