



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
DECEMBER 19, 2023**

On Tuesday, December 19, 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	Adrian Gonzalez
	Mayor Pro Tem	Adrian Farias
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	JP Rodriguez

ABSENT: None

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

Also present: Aida Vega, Deputy City Secretary, Sonia Flores, Assistant 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, Public Works Director, Rosa Badillo, Court Coordinator, and George Quilantan, Inframark and other staff members.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Gonzalez called the meeting to order and certified the public notice of the meeting as properly posted Friday, December 15, 2023.

B. Invocation.

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

C. Pledge of Allegiance.

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

Mayor Gonzalez asked for a moment of silence for Ms. Patsy Pemelton who served as a Weslaco Police Officer for twenty-five years.

D. Roll Call.

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

E. Mayoral Recognition.

1) Recognition of Basilio Mendoza

Mayor Gonzalez along with the City Commission recognized Basilio Mendoza in his efforts and accomplishments in organizing the first South Texas International Marathon that had over 700 participants.

II. PUBLIC COMMENTS

None.

III. REPORTS

A. Inframark.

George Quilantan, Inframark, presented the water flow comparison for the month of November 2023 Water Treatment Plant was 5.76mgd; North Wastewater Treatment Plant was 2.2mgd and South Wastewater Treatment Plant was 1.5mgd; blower installed at the North WWTP without any issues; preventative maintenance work orders for all facilities to include lift stations was 408 opened and closed 409; lift station pump de-ragging continues and float cleaning continues for various lift stations; presented the lift station call out log for July that are done staff respond to after 5pm. Presented a rebate check for the Maintenance, Chemical and Sludge Cap in the amount of \$6,482.38.

B. Animal Care Services.

Milva Orellana, Animal Control Officer, went over the monthly live release rates for October and November that increased to 81% noting for cats live release was 100%; transported to Austin Pets Alive (APA) 10 kittens and 1 adult cat and in appreciation APA donated 19 carriers; participated in the Weslaco Christmas Parade , Career Day at North Bridge and Ybarra Elementary; thanked the Animal Control staff Officer Silva and Officer Aguilera for assisting in the South Texas International Marathon by keeping runners safe; thanked the Weslaco Police Department on the donation of a cargo van that will help transporting out to rescue events to Austin, San Antonio and Corpus Christi; reported on upcoming events for adoption and rabies clinic happening in December Peter Piper Fundraiser, January events included Alfresco and PetSmart adoption events.

IV. PUBLIC HEARING

Commissioner Pedraza seconded by Commissioner Lopez, moved to open the public hearing at 5:40 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

A. To solicit input on behalf of Tim Llaoa to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On-Premise Permit and Food and Beverage Certificate at 2455 N International Blvd. also being Lot 1, J. Valderas Subdivision, Weslaco, Hidalgo County, Texas, Weslaco, Hidalgo County, Texas.

No comments.

Commissioner Kerr seconded by Commissioner Pedraza moved to close the public hearing at 5:41p.m. The motion carried unanimously; Mayor Gonzalez 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 Special Meeting on November 28, 2023. (Staffed by City Secretary Department.)

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

1) Ordinance 2023-50 to rezone 105 N Kansas also being Lot 18 and 19, Block 1, Gonzales Addition 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 December 5, 2023; staffed by Planning & Code Enforcement Department.)

2) Ordinance 2023-51 to rezone 3825 E IH 2 also being 1.89 acre- 4.89-acre N of Expwy-W25.07 acre FT 1100 Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District and authorize the Mayor to execute any related documents. (First reading held December 5, 2023; staffed by Planning & Code Enforcement Department.)

3) Ordinance 2023-52 to rezone 2806 S Texas Blvd. Also being 15.32 acres N20.0ac,13.84ac Net, out of Farm Tract 745, West Tract Subdivision, Hidalgo County, and Texas from R-1 One-family dwelling district to R-4 Residential one family / narrow lot zoning and authorize the Mayor to execute any related documents. (First reading held December 5, 2023; staffed by Planning & Code Enforcement Department.)

C. Approval of six-month extension for the Conditional Use Permit to obtain On Premise Mixed Beverage Restaurant Permit, and Late Hours Permit to Host Live Music at 509 S. Texas Blvd., also being Lot 39 & 40, Weslaco Original Townsite Subdivision, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

D. Approval of six-month extension for the Final Plat for Mi Fortuna Estates being a 4.52-acre out of farm tract 790, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Southwest corner of Mile 5 North & Westgate Drive and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

E. Approval of six-month extension for the Final Plat for The District North Weslaco Ph. II Subdivision– being 39.988 acres out of Farm Tract 179, BLK 160, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately on the southeast corner of Mile 5 ½ W & Mile 11 N. Rd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

F. Approval to ratify acceptance of FY2024 Project Safe Neighborhoods Grant Program #4271603 for the amount of \$51,600 with NO MATCH or recurring costs to pay for overtime to create safer neighborhoods through a sustained reduction of violent crime and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval to solicit uniform rental bids for parks, building maintenance, and public works staff and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

H. Approval to solicit bids for the purchase of a belly dump trailer and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

I. Approval to solicit bids for the purchase of a used day cab truck and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

J. Approval of Ordinance 2023-53 amending Ordinance 2023-49 authorizing and allowing under the act governing the TMRS system for updated service credit, transfer updated service credits and annuity increase (COLA) for retirees and their beneficiaries, establishing an effective date for such action and authorize the Mayor to execute any related documents. First and final reading on Ordinance 2023-53. (Staffed by Human Resources Department.)

Commissioner Pedraza seconded by Commissioner Lopez moved to approve as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

Following for the record are the caption of Ordinance(s):

ORDINANCE NO. 2023-50

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 105 N KANSAS ALSO BEING LOT 18 AND 19, BLOCK 1, GONZALES ADDITION SUBDIVISION, WESLACO HIDALGO COUNTY, 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. 2023-51

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3825 E IH 2 ALSO BEING 1.89 ACRE-4.89 ACRE N OF EXPWY-W25.07 ACRE FT 1100 ADAMS TRACT SUBDIVISION, WESLACO HIDALGO COUNTY, R-1 ONE FAMILY DWELLING DISTRICT TO B-2 SECONDARY HIGHWAY BUSINESS DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2023-52

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 2806 S TEXAS BLVD. ALSO BEING 15.32 ACRES N20.0AC,13.84AC NET, OUT OF FARM TRACT 745, WEST TRACT SUBDIVISION, WESLACO HIDALGO COUNTY, R-1 ONE FAMILY DWELLING DISTRICT TO R-4 RESIDENTIAL ONE FAMILY / NARROW LOT ZONING DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2023-53

AN ORDINANCE REGARDING THE CITY OF WESLACO'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS ADOPTING: (1) UPDATED SERVICE CREDITS AND TRANSFER UPDATED SERVICE CREDITS; AND (2) AN ANNUITY INCREASE, ALSO REFERRED TO AS COST-OF-LIVING ADJUSTMENT (COLA) FOR RETIREES AND THEIR BENEFICIARIES.

CITY OF WESLACO
/s/Adrian Gonzalez, MAYOR

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

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

VI. NEW BUSINESS

A. Discussion and consideration to approve the Final Plat for E. M. C. Subdivision being 1.73 acre out of Farm Tracts 771, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 850' west of Pleasantview along south side of E. 18th Street and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated this was a proposed three (3) lot subdivision inside city limits; serviced with water from the city and sewer by on-site sewage facilities (OSSF); applicant requested a variance to allow OSSF as the nearest sanitary sewer line is 1,300-feet and a variance for the sidewalks as this is a rural area. The Planning and Zoning Commission recommended approval with variances; staff recommended approval with compliance with the ordinances.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve the Final Plat for E. M. C. Subdivision with variances as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration to approve the Final Plat for Milanos Estates Phase III Subdivision being 22.88 acre out of Farm Tracts 720 and 721, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 500 feet south 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 this was a proposed one-hundred two (102) lot subdivision outside city limits; serviced with water and sewer from the city and sewer; applicant requested a variance to allow for off-site drainage and provided letters of support from the irrigation and drainage district and a variance for setbacks to reduce the front setback to 20-feet and the rear to 10-feet. The Planning and Zoning Commission recommended approval with variances; staff recommended approval with compliance with the ordinances.

Commissioner Lopez seconded by Commissioner Kerr moved to approve the Final Plat for Milanos Estates Phase III Subdivision with variances as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Discussion and consideration after public hearing on behalf of Tim Llaoa to obtain a Wine and Malt Beverage Retailer's On-Premise Permit and Food and Beverage Certificate at 2455 N International Blvd. also being Lot 1, J. Valderas Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebakah de la Fuente stated six property owners were notified of the request and no objection received; applicant will have a wine based ready to drink for on premise consumption at an existing convenient store. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve a Wine and Malt Beverage Retailer's On-Premise Permit and Food and Beverage Certificate at 2455 N International Blvd. as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration to approve a request from Hidalgo County Drainage District #1 for a letter of support for the Southwest Weslaco Regional Detention Facility Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, stated a request received from Hidalgo County Drainage District #1 was for a letter of support for their application for funds from FEMA'S BRIC 2023 funding cycle to construct an RDF South of 18th Street on Border on property located within the city's ETJ. The construction of this RDF will benefit the city and surrounding area by mitigating flooding events such as those that occurred in 2018 and 2019. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Gonzalez moved to approve a letter of support for the Southwest Weslaco Regional Detention Facility Project as presented and requested from Hidalgo County Drainage District #1. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration to ratify the purchase order of an item approved April 18, 2023, a Vac Truck from Kinloch Equipment and Supply Inc, to Doggett Freightliner of South Texas, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Public Works Director, stated on April 18, 2023, a vac truck was approved for the collections department from Kinloch Equipment and Supply, Inc.; explained the purchase of the truck must be from Doggett Freightliner of South Texas, LLC as only a franchise motor vehicle dealer may title, register, and plate new motor vehicles within the state of Texas. Staff recommended approval to ratify a purchase order issued to Doggett Freightliner of South Texas, LLC for the purchase of the vac truck with an estimated delivery of February 2024.

Commissioner Lopez seconded by Commissioner Pedraza moved to ratify the purchase order to Doggett Freightliner of South Texas, LLC for the purchase of a vac truck as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration to ratify a purchase order for Southern Trenchless Solutions for emergency repairs on a collapsed manhole located near 607 Chrysolite Dr at Cornerstone Subdivision for the amount of \$56,575 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce recommended approval to ratify the emergency repair of a manhole located at Cornerstone Meadows Subdivision; the collapsed manhole was on the back side of the subdivision as it flows to LS14; three quotes were obtained, and the lowest bidder was Southern Trenchless in the amount of \$56,575.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to ratify the purchase order for Southern Trenchless Solutions for emergency repairs on a collapsed manhole located near 607 Chrysolite Dr at Cornerstone Subdivision for \$56,575 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration regarding Lonestar National Bank Depository Contract for an update to the Termination Clause and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Sonia Flores, Assistant Finance Director, stated Lone Star National Bank legal department requested an update in the agreement section regarding termination by either party be 60-days' notice. Staff recommended approval noting City Attorney reviewed and had no objection to the requested change.

Mayor Pro Tem Farias seconded by Commissioner Rodriguez moved to approve the update to the Termination Clause regarding Lonestar National Bank Depository Contract as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Discussion and consideration to accept financing acquisition proposal from First American Equipment Finance for the acquisition of a Front Wheel Loader and Asphalt Zipper in the amount of \$506,218 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Sonia Flores stated previous commission action authorized staff to solicit financing for the purchase of a Front Wheel Loader and Asphalt Zipper for the Public Works Department; four proposals were received and evaluated. Staff recommended to accept First American Equipment Finance with the lowest interest rate of 4.918% for 5-years with annual payments of \$116,658.69 and stated monies are budgeted.

Commissioner Kerr seconded by Commissioner Lopez moved to approve to accept financing acquisition proposal from First American Equipment Finance for the acquisition of a Front Wheel Loader and Asphalt Zipper in the amount of \$506,218 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VII. EXECUTIVE SESSION

At 6:15 p.m. Commissioner Rodriguez seconded by Commissioner Kerr moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 6:40 p.m. Mayor Gonzalez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

B. Personnel - Discussion regarding the administrative investigation of the complaint filed by a firefighter as authorized by Section §551.074 of the Texas Government Code.

No action.

C. 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.

IX. ADJOURNMENT

Commissioner Kerr seconded by Commissioner Rodriguez moved to adjourn the regular meeting of December 19, 2023, at 6:40 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**