



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JANUARY 16, 2024**

On Tuesday, January 16, 2024, at 5:36 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	Greg Kerr
	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, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joe Pedraza, Asst. Director Planning and Code Enforcement, Mary Carmen Garcia, Asst. 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, January 12, 2024.

B. Invocation.

Pastor David McCann, First Presbyterian Church led the invocation.

C. Pledge of Allegiance.

Mayor 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 present.

E. Mayoral Recognition.

- 1) Proclamation - DHR Health Oncology Institute
- 2) Proclamation - Robert Gonzalez, Mid-Valley Youth Soccer Association
- 3) Proclamation - Law Enforcement Day

Mayor Gonzalez proclaimed the month of January 2024 as “Cervical Health Awareness Month”; proclaimed January 16, 2024 as “Robert Gonzalez Day” and proclaimed “Weslaco Law Enforcement Appreciation Day” observed nationwide on January 9.

II. PUBLIC COMMENTS

Gail Weigel Ortiz voiced her disappointment on the recycling center operations closed prior to its posted hours of 12noon on Saturday; thanked Alex Garza an employee who was on site that day and assisted her by letting her empty her recyclables; upset that the recyclable trailers are unorganized and not user friendly or accessible; disappointed on recycling changes that did not have any input from the Recycling Committee.

Randy Hall commented on the debt the city has; voiced not against a new library but not at the expense to have the city indebted for another 11 or 12million; commented voters do not want more borrowing and spending and want fiscal responsibility with taxpayer money; voiced the voters want street, drainage and infrastructure improvements and hoped this administration voted in would be transparent with city finances and not issue additional debt.

Sylvia Sanchez Garza thanked the library for their hard work; thanked the Library Board members for their service to the community; noted library operations are Monday-Sunday and always busy with patrons; on behalf of her father, Mayor Joe V. Sanchez who was an advocate for education for the community; she thanked the commission for wanting the best for their citizens and students by providing better services and continue in moving forward.

III. REPORTS

A. Inframark.

George Quilantan, Inframark, presented the water flow and capacity levels for the month of December 2023; Water Treatment Plant flow was 5.5mgd, capacity is 13 mgd and producing at 45%; North Wastewater Treatment Plant flow was 2.1mgd, capacity is 4.9 mgd and producing at 45%; and South Wastewater Treatment Plant flow was 1.6mgd, capacity is 2.5 mgd and producing at 68%; preventative maintenance work orders for all facilities to include lift stations was 384 opened and closed 249; went over repairs at the water treatment plant chemical line and no issues to report; repair; continue with lift station pump de-ragging; presented the lift station call out log for December that are done staff respond to after 5pm and recognized lift station operators that respond to the after hour calls; reported on capital repairs that are budgeted items that included purchase of pumps for lift stations and ongoing repair of a rotor at the South Waste Water Treatment Plant.

B. Engineering Department - status on the North Wastewater Treatment Plant.

Albert Aldana, City Engineer, reported the blower installation at the NWWTP has been installed pending quotes for the electrical enclosure, connections and signal cable terminations and once

these items are completed, the soft start for the blower to be done by Howden will be scheduled; reported the blower rental will be kept another month to ensure startup of the new blower and the existing blower is serviced; reported request for bids for the aeration basin rehab (diffusers) installation and maintenance will be issued in early April 2024; headworks repairs equipment ordered with estimated delivery of October 10, 2024 and request for bids will be issued 30 days before the equipment arrives for installation.

C. Animal Care Services.

Milva Orellana, Animal Control Officer, went over the monthly live release rates for December 2023 was at 80% for dogs and cats was 100%; reported on the support from the community a total of 47 dogs were either fostered, adopted and transported before the inclement weather approached; 37 cats withing the last month rescued or adopted and thanked the community for donations received; new partnership formed with South Texas High School with their veterinary tech program where staff will explain to Seniors and Juniors the different characteristics of a shelter such as vaccinating and drawing blood; adoption event had 12 dogs adopted; gave a status on an animal cruelty case; received a \$30,000 grant from PetSmart Charities and thanked Maggie Perez, former Grant Writer, that assisted in this endeavor; upcoming events had adoption events January 17 and 18 and a rabies clinic on February 3.

IV. PUBLIC HEARING

Commissioner Kerr seconded by Commissioner Lopez moved to open the public hearing at 6:25 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

A. To solicit input on behalf of Parma Ventures LLC. to rezone 3640 N Texas Blvd., also being 35.932-acre tract out of Farm Tract 109 and 110, West & Adams Tract Subdivision, Weslaco, 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 Parma Ventures LLC. to rezone 3702 N Texas Blvd., also being 2.817-acre tract out of Farm Tract 109, Block 144, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District.

No comments.

C. To solicit input on behalf of Tres Pinos Investment Group, LLC. to rezone 311 S Indiana, also being Lot 7, Block 23, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.

No comments.

D. To solicit input on behalf of Javier Hinojosa P.E. to rezone 2827 Mile 6 ½ North Rd., also being 14.19 acres out of Farm Tract 648 and 649, West Tract Subdivision, Weslaco,

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 Cynthia Mae Gonzalez and Dominique Contreras to approve a Conditional Use Permit to operate an Event Center, at 205 E Business 83 Suite A, also being Lot 1 & 2, Block 27, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

No comments.

F. To solicit input on behalf of Mariscos El Muelle LLC. to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, at 2219 N Texas Blvd., also being Lots 1 & 2 Colonia San Francisco De Weslaco Subdivision, Weslaco, Hidalgo County, and Texas.

No comments.

G. To solicit input on behalf of City of Weslaco to approve the purpose of the temporary moratorium pertaining to recent applications for duplexes, triplexes, fourplexes and multifamily residential development.

No comments.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to close the public hearing at 6:26 p.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 Regular Meeting on January 2, 2024 (Staffed by City Secretary Department.)

B. Approval of the six-month extension for the Final Plat for Dominion Subdivision being a 20-acres out of Farm Tracts 164, Block 178, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 700 ft. east of Midway Rd on Pike Blvd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

C. Approval of the Assistant City Manager as an authorized signatory on FEMA and FMA grant related documents and authorize the Mayor to execute any related documents. (Staffed by Assistant City Manager.)

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

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2024-02 appointing one Civil Service Commission Member to fill a vacancy for an unexpired term ending July 19, 2025, as a result of a resignation and re-appointing one member for a term set to expire February 17, 2024, and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Norma A. Cantu, City Secretary, stated Commissioner Rodriguez nominee to fill a vacancy for an unexpired term was to appoint Alfonso R. Ochoa.

Commissioner Kerr seconded by Commissioner Lopez moved to appoint Alfonso R. Ochoa for an unexpired term on the Civil Service Commission. The motion carried unanimously; Mayor Gonzalez was present and voting.

Norma A. Cantu stated Mayor Pro Tem Farias nominated Kevin Bloomquist for reappointment to the Civil Service Commission.

Commissioner Kerr seconded by Commissioner Pedraza moved to reappoint Kevin Bloomquist to the Civil Service Commission as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

For the record Resolution 2024-02 appointing Alfonso R. Ochoa and reappointing Kevin Bloomquist to the Civil Service Commission was approved as presented.

VII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Parma Ventures LLC. on Ordinance 2024-02 to rezone 3640 N Texas Blvd., also being 35.932-acre tract out of Farm Tract 109 and 110, West & Adams 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 of Ordinance 2024-02. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning & Code Enforcement Director, stated ten property owners were notified and no objection received, and developer proposes commercial use to the front and fourplex use to the back. The Planning and Zoning Commission and staff recommended approval.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Ordinance 2024-02 to rezone 3640 N Texas Blvd as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration after public hearing on behalf of Parma Ventures LLC. on Ordinance 2024-03 to rezone 3702 N Texas Blvd., also being 2.817-acre tract out of Farm Tract 109, Block 144, West & 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 of Ordinance 2024-03. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated five property owners were notified and no objection received; developer proposes commercial use to preserve the N. Texas Blvd commercial corridor and noted

overall the subdivision will have commercial and fourplex use. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Ordinance 2024-03 to rezone 3702 N Texas Blvd as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Discussion and consideration after public hearing on behalf of Tres Pinos Investment Group, LLC. on Ordinance 2024-04 to rezone 311 S Indiana, also being Lot 7, Block 23, Weslaco Original Townsite, 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 of Ordinance 2024-04. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-two property owners were notified and no objection received, the property was reassessed by staff and found the area with sporadic apartment use. The Planning and Zoning Commission and staff recommended approval.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Ordinance 2024-04 to rezone 311 S Indiana as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration after public hearing on behalf of Javier Hinojosa, P.E. on Ordinance 2024-05 to rezone 2827 Mile 6 ½ North Rd., also being 14.19 acres out of Farm Tract 648 and 649, 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 of Ordinance 2024-05. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirty-six property owners were notified and no objection received, stated the corner of Milanos and on Mile 6 ½ North is Phase I of Rio Stone Subdivision that is apartments and the developer is proposing Phase II an extension of Rio Stone Subdivision for apartment use as well. The Planning and Zoning Commission and staff recommended approval.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Ordinance 2024-05 to rezone 2827 2827 Mile 6 ½ North Rd as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration after public hearing on behalf of Cynthia Mae Gonzalez and Dominique Contreras to approve a Conditional Use Permit to operate an Event Center, at 205 E Business 83 Suite A, also being Lot 1 & 2, Block 27, 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 twelve property owners were notified and no objection received; applicant proposes to build a new event center to host small events such as parties for children. The Planning and Zoning Commission and staff recommended approval.

Commissioner Gonzalez Jr. seconded by Commissioner Pedraza moved to approve a Conditional Use Permit to operate an Event Center, at 205 E Business 83 Suite A, as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration after public hearing on behalf of Mariscos El Muelle LLC. to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, at 2219 N Texas Blvd., also being Lots 1 & 2, Colonia San Francisco De Weslaco Subdivision, 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 ten property owners were notified and no objection received; applicant proposes new construction for restaurant use with alcoholic beverages. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, at 2219 N Texas as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration after public hearing on behalf of City of Weslaco to approve the purpose of the temporary moratorium pertaining to recent applications for duplexes, triplexes, fourplexes and multifamily residential development and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Andrew Munoz, Asst. City Manager, stated the justification for a moratorium was previously presented in December; briefly went over the Texas Local Government Code again that addressed moratoriums on when it can be done; staff looked at the need to prevent a shortage of essential public facilities (water, sewer, storage drainage facilities, street improvements); looked at impact fees; reviewed the conditions, capacity and impact on the treatment plants, lift stations, manholes, streets and public safety resources finding were minimal, drainage/stormwater and water rights allocations; contributing documents looked was the Land Use Map 2045, Comprehensive Plan 2022, Subdivision and Zoning Ordinance that were last revised in 2013 and 2018, looked at the infrastructure in city limits and ETJ as well at the CCN (Certificate of Convenience and Necessity) were looked at; evaluated the infrastructure of the water/sewer plants that needs significant improvements within the next five years; public safety (fire and police) no significant impact; went over the lift stations considered critical and went over those in need of immediate repair noted Lift Station 13 was critical; focused water rights allocation currently no protection under ordinance to transfer irrigation water rights to the city and advised city has exceeded the allocated water needing to purchase additional water rights and stated staff will request to amend ordinances to address this as well as to update zoning and subdivision ordinance to allow for impact fees.

Commissioner Rodriguez seconded by Mayor Pro Tem Farias moved to approve the purpose of the temporary moratorium pertaining to recent applications for duplexes, triplexes, fourplexes and multifamily residential development as presented. The motion carried (5-2); Commissioners Kerr and Lopez against; Mayor Gonzalez was present and voting.

H. Discussion and consideration to approve the Final Plat for El Farito Estates Subdivision being 17.15 acre out of Farm Tract 299, Block 158, West Tract Subdivision, Weslaco Hidalgo County, Texas located on the south side of Mile 13 North Road, ½ mile east of Mile 6 West 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 eleven lot subdivision for residential use; located outside the city limits and serviced by water by North Alamo Water Supply Corporation and sewer through On-site sewer facility (OSSF); applicant requested a variance for OSSF and off-site drainage and has provided letters of support from the irrigation and drainage districts. The Planning and Zoning Commission recommended approval with variance, staff recommended approval and compliance with the ordinance on the variance.

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

I. Discussion and consideration to approve the Final Plat for Milanos Estates Phase IV Subdivision being 20.00 acre out of Farm Tracts 716, 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 eighty-six lot subdivision for mobile home use; located outside the city limits; serviced with sewer and water by the city; applicant requested a variance for off-site drainage and has provided letters of support from the irrigation and drainage districts and requested a variance to reduce front setback to 20-feet and rear setback to 10-feet. The Planning and Zoning Commission recommended approval with variance, staff recommended approval and compliance with the ordinance on the variance.

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

J. Discussion and consideration to approve the Final Plat for Sierra Verde Estates Subdivision being 25.0 acre out of Lots 15, and 16, Block 147, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the northwest corner of Mile 4 West Road and Mile 12 North 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 twenty-two lot subdivision for residential use; located outside the city limits and serviced by water by North Alamo Water Supply Corporation and sewer through On-site sewer facility (OSSF); applicant requested a variance for OSSF as the nearest sanitary sewer line is two miles south of the development and off-site drainage and has provided letters of support from the irrigation and drainage districts. The Planning and Zoning

Commission recommended approval with variance, staff recommended approval and compliance with the ordinance on the variance.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve the Final Plat for Sierra Verde Estates Subdivision with variances as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

K. Discussion and consideration to approve the variance request to Section 26-34(a) for Monte Cielo Subdivision Phase I being 33.97-acres out of Farm Tract 214, West Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas. Located approximately 2,500 ft. south of Mile 10 North on the east side of Mile 6 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated applicant proposed a one-hundred fifty-seven lot subdivision for residential use that was approved by commission action July 18, 2023; developer requested a variance to the 75-foot right-of-way dedication from center line; staff stated an exclusive Magic Valley Electric Co-op (MVEC) easement located along the westside of the ditch prevents further expansion and the developer has provided on site detention keeping to the city required fifty (50) year storm. The Planning and Zoning Commission recommended approval with variance, staff recommended approval and compliance with the ordinance on the variance.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the variance request to Section 26-34(a) for Monte Cielo Subdivision Phase I as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

L. Discussion and consideration on Ordinance 2024-06 to amend Ordinance 2013-22, to create water rights, the City of Weslaco Subdivision Ordinance; codified as Appendix B of the Weslaco Code of Ordinances, adopting new regulations; and ordaining other matters with respect to the subject hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-06. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated there is no provision in the subdivision ordinance to allow the city to charge incoming developers the cost to convert irrigation water into municipal water rights; the current rate for converting water rights is set by the Rio Grande Regional Water Authority and is currently \$2,896.81 per acre foot; the City is responsible for paying the cost for the conversion of water rights to HCCID#9 at the end of the year. The Planning and Zoning Commission and staff recommended to amend the subdivision ordinance that will allow the city to assess the fee for new subdivisions onto the developer.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve Ordinance 2024-06 to amend Ordinance 2013-22, to create water rights, the City of Weslaco Subdivision Ordinance as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

M. Discussion and consideration on the repair of Unit 564 Engine 3 with vendor French Ellison Truck Center, in the amount of \$33,218.63 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, stated repairs were needed to Engine 3 that is a 2017 fire truck located on the south side; the Engine is a Cummins Engine, and the vendor French Ellison is an authorized dealer for repairs that will have warranty. Staff recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the repair of Unit 564 Engine 3 with vendor French Ellison Truck Center, in the amount of \$33,218.63 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

N. Discussion and consideration on the request from the Texas International Produce Association for a letter of support for water delivery from Mexico under the 1944 Water Treaty and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, stated the US and Mexico share a treaty for the delivery of water; Mexico has not fulfilled its commitment under the treaty and the lack of water has impacted the agricultural industry in South Texas. Staff recommended approval on the request from Texas International Produce Association for a letter of support be sent to the Secretary of State to ensure compliance from Mexico.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve request from Texas International Produce Association for a letter of support for water delivery from Mexico under the 1944 Water Treaty as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

O. Discussion and consideration to amend the City of Weslaco's Water Conversation Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)

Andrew Munoz recommended two changes be considered to conform with TCEQ's recommendations regarding water rights, water conservation for wholesalers and water conservation stages; the first change would be to enter Stage 2 when using their formula, where both reservoirs combined reach below 25% and the second would require Wholesalers to abide by the City's Water Conservation Plan. Staff recommended approval.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve and amend the City of Weslaco's Water Conversation Plan as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

P. Discussion and consideration of purchasing a new model 2025 Freightliner XT Pro 56 Forestry Truck per sales quote QU17225 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed \$172,839 as budgeted and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated the vehicle is a budgeted item; truck is equipped with a Terex Hi-Ranger XT Pro 56 Lift with a working height of 61', an 11' Chip Box with 14 Cubic Yard capacity; will support parks crews in annual pruning efforts around our parks

and city facilities and able to pull chipper and feed chippings directly to chip box increasing efficiency and minimizing trips to the brush pit. Staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve a new model 2025 Freightliner XT Pro 56 Forestry Truck per sales quote QU17225 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed \$172,839 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

Q. Discussion and consideration to purchase one new model 2024 GMC Sierra 2500HD 2-wheel drive double cab Truck with service body and Tommy gate lift from vendor Gunn Auto Group under TX Buy Board Contract 724-23 for an amount not to exceed \$64,114 as budgeted by the Building Maintenance Department and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated this was a replacement for unit #818 a 2003 truck that had been surpassed the previous year. Staff recommended approval and noted the purchase was a budgeted expenditure for this fiscal year.

Commissioner Rodriguez seconded by Commissioner Kerr moved to approve purchase one new model 2024 GMC Sierra 2500HD 2-wheel drive double cab Truck with service body and Tommy gate lift from vendor Gunn Auto Group under TX Buy Board Contract 724-23 for an amount not to exceed \$64,114 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

R. Discussion and consideration on presentation of the proposal from Boultinghouse Simpson Gates, and consideration of approval to move to the construction phase within the New Library/Library Renovation Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Andrew Munoz clarified that the item was for presentation on the proposed construction documents and not construction phase.

Bob Gates, Boultinghouse Simpson Gates, stated at the workshop held he presented the exterior, interior design and the floor renderings plan; proposed construction cost estimated was \$11,029,343, project budget was \$10,700; potential alternates to reduce cost included Alternate 1 colonnade and canopy covered area reduced; Alternate 2 north outdoor area done separately and Alternate 3 covered walkway done separately for a value of alternates bids of \$293,000 that could have the project over budget about \$40,000.

In response to Mayor Pro Tem Farias the alternate bids are at the discretion of the commission to accept and/or reject.

Staff stated this was a presentation and back to the commission for approval of construction documents and design development.

No action.

S. Discussion and consideration to award the Employee Assistance Program (EAP) to the best qualified and most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Luz Galindo, Human Resources Director, stated the current contract is set to expire February 2024; three responsive received and evaluated and went over the services provided. Staff recommended Deer Oaks for a 3-year period at an annual premium of \$5,640.

Mayor Pro Tem Farias recommended to have this included during the enrollment of benefits for the employees' (medical plans). Andrew Munoz stated this was done during the enrollment of health insurance, but previous commission action had it become separate and could go back to that if so wished by commission and noted there is no agent of record for this.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to award the Employee Assistance Program (EAP) to Deer Oak as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

T. Discussion and consideration to approve a cost of living (COLA) increase for all non-civil service City employees and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Juan E. Gonzalez, City Attorney, requested consultation in executive session.

Upon consultation from executive session, the City Attorney recommended to approve and authorize staff to proceed as discussed in executive session.

Commission Pedraza seconded by Mayor Pro Tem Farias moved to approve as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

U. Discussion and consideration adopting the proclamation "It's Time Texas Community Challenge" by proclaiming "Weslaco Community Challenge Day" and community leaders pledging support for a healthy community and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Relations Officer.)

Jasmine Rico-Jones, Public Relations Officer, stated Weslaco was competing as a community throughout the State on health initiatives styled "Its Time Texas"; introduced the proclamation and pledges from the community leaders to motivate and prioritize individual health by recruiting individuals, businesses and organizations to registrar and participate in this community challenge. Staff recommended approval.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve adopting the proclamation "It's Time Texas Community Challenge" by proclaiming "Weslaco Community Challenge Day" and community leaders pledging support for a healthy community as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VIII. EXECUTIVE SESSION

At 7:20 p.m. Commissioner Rodriguez 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 8:55 p.m. Mayor Gonzalez 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. Personnel - Discussion regarding the administrative investigation of a complaint filed by a firefighter as authorized by Section §551.074 of the Texas Government Code.

No action.

C. Legal Consultation - Consultation with City Attorney relating to suit styled C-0027-24-M, Weslaco Firefighters Association vs. The City of Weslaco, Texas and Martin Garza in his official capacity as Weslaco City Manager as authorized by Section §551.071 of the Texas Government Code.

Commissioner Kerr seconded by Commissioner Lopez moved to authorize the City Attorney proceed with litigation relating to suit styled C-0027-24-M, Weslaco Firefighters Association vs. The City of Weslaco, Texas and Martin Garza in his official capacity as Weslaco City Manager as discussed in executive session. The motion carried unanimously; Mayor Gonzalez 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 Code.

E. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property being 25 acres out of 53.97 acres of land out of Farm Tracts 807 and 808, Block 139, West Tract Subdivision, Weslaco Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize staff begin negotiations on the acquisition of real property being 25 acres out of 53.97 acres of land out of Farm Tracts 807 and 808, Block 139, West Tract Subdivision for a regional detention facility as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Real Property - Consultation with City Attorney on the sale of real property located at Mid Valley Airport, 1909 Joe Stephens relating to Hanger B from Sky King Aviation Inc. as authorized by Section §551.072 of the Texas Government Code.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to authorize staff obtain an appraisal for Hanger B as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Free Fall as authorized by Section §551.087 of the Texas Local Government Code.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve the incentives for Project Free Fall as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

X. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Rodriguez moved to adjourn the regular meeting of January 16, 2024 at 8:56 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**