MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
FEBRUARY 20, 2024

On Tuesday, February 20, 2024, 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
	Commissioner	Josh Pedraza
	Commissioner	Greg Kerr
	Commissioner	Israel Gonzalez Jr.
	Commissioner	JP Rodriguez
ABSENT:	Commissioner	Letty Lopez
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, Arnold Becho, Library Director, Mary Carmen Garcia, Asst. Library Director, Luz Galindo, HR Director, Albert Aldana, City Engineer, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, Public Works Director, Rick Mendoza, IT Director, Rosa Badillo, Court Coordinator, 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, February 16, 2024.

B. Invocation.

Pastor Manuel Portillo, The Way of the Redeemed Church led the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

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

E. Mayoral Recognition.

1) Recognition/presentation from VFW Post 12178 Lupita Perez, Commander.

Mayor Gonzalez recognized Lupita Perez, Commander VFW Post 12178 for her outstanding nationally recognized achievements in and around the City of Weslaco.

2) Proclamation - 2024 Farmworker Appreciation Day

Mayor Gonzalez proclaimed March 15, 2024, as “Farmworker Appreciation Day”.

II. PUBLIC COMMENTS

Randy Hall thanked staff and Mayor and Commission for any consideration and work on helping the VFW post get property for a permanent home; praised Commander Lupita Perez for her dedication and dreams in bringing awareness to the Veterans Foreign War Post not only in Weslaco but surrounding communities and hoped for favorable consideration for the donation of land to the VFW Post of Weslaco.

Jose Torres, Texas Rural Legal Aid, thanked the commission for the proclamation that recognized the importance of farmworkers.

Mayor Gonzalez changed the order of the day and introduced New Business item S. There was no objection.

VIII. NEW BUSINESS

S. Discussion and consideration on Resolution 2024-33 supporting the Workin Texas as a primary platform for increasing job matching activity in Hidalgo County and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, stated a task force was formed to bring improvements and economic prosperity to residents living below the poverty line in Hidalgo County and the Resolution promotes the efforts to use WorkIn Texas.com platform and introduced Mario Reyna, Prosperity Task Force, Frank Almarez and Jaime Longoria, Work Force Solution.

Mario Reyna, Frank Almarez and Mario Reyna addressed the commission and stated WorkIn Texas platform is a job matching platform to assist the employer and job seeker, is simple to use, have staff ready to assist either party to guide them in providing the information and the use of this platform will increase the hiring of individuals. Jaime Longoria thanked the commission for the opportunity to present the need of improvement to help lift individuals out of poverty by making it a collaborative effort between municipalities and economic development corporations to use this platform and asked favorable consideration of the Resolution.

Commissioner Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve Resolution 2024-33 supporting the Workin Texas platform as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

III. PUBLIC HEARING

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to open the public hearing at 5:50 p.m. The motion carried unanimously; Mayor Pro Farias was present and voting.

Commissioner Pedraza requested clarification for the demolition order for 219 S. Texas Blvd stating it was the same for a request for a conditional use permit.

Rebekah de la Fuente, Planning and Code Enforcement Director, stated the owner went before the Board of Adjustment and Appeals to Building Codes and was granted an extension of 12-months to rehabilitate the structure as she presented an architectural analysis the building is structurally sound. Staff will present and elaborate further under a subsequent agenda item.

Commissioner Kerr seconded by Commissioner Gonzalez Jr. moved to open the public hearing at 5:50 p.m. The motion carried unanimously; Mayor Pro Farias was present and voting.

A. To solicit input on the proposed demolition order for unoccupied buildings as dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 located at:

1. 615 N. Republic St. being Hudges Addition Blk 3 Lots 3 & 4. Owner: Altagarcia Viramontes & ET AL

2. 219 S. Texas Blvd being Original Townsite of Weslaco Blk 13 E31' - Lot 26. Owner: Norma Lopez & Tomasita Hernandez

Paula Cadenoza , daughter, stated her mother, Tomasita Hernandez, received a 12-month extension to complete a rehabilitation of the structure, wished to build an event center on the property, has received a report for asbestos, engineer and architect has seen and they are ready with plans to move forward and requested favorable consideration to allow them to continue.

3. 804 N. Palmas, being Esplanada Subdivision Blk 19 Lots 12-14. Owner: Jose Sosa

4. 516 N. Sinclair, being Villa Vista No. 2 Subdivision Blk 9 Lots 9 & 10. Owner: Tomar Amador

5. 413 E. Agostadero St., being Gonzales Subdivision Blk 13 Lot 14. Owner: Felipa Nila

6. 617 E. Plaza being Ramona Addition Subdivision Blk 7 Lot 25, Weslaco, Hidalgo County, Texas. Owner: Jose & Victoria Garza
(Staffed by Planning & Code Enforcement Department.)

B. To solicit input on behalf of Tomasita Hernandez to approve a Conditional Use Permit to operate an event center at 219 S Texas Blvd., also being Lot 26, Block 13, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

Comments made under the above item 2 applicable to the item.

C. To solicit input on behalf of Alan Dewaikat to approve a Conditional Use Permit for Stefano's Pizza Express to obtain a Wine and Malt Beverage Retailer's On-Premise Permit at

636 E Interstate Highway 2, Suite 105, also being Lot 3, Shops at North Bridge Subdivision, Weslaco, Hidalgo County, Texas.

No comments.

Commissioner Pedraza requested clarification for the demolition order for 219 S. Texas Blvd stating it was the same for a request for a conditional use permit.

Rebekah de la Fuente, Planning and Code Enforcement Director, stated the owner went before the Board of Adjustment and Appeals to Building Codes and was granted an extension of 12-months to rehabilitate the structure as she presented an architectural analysis the building is structurally sound. Staff will present and elaborate further under a subsequent agenda item.

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to open the public hearing at 5:55 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

IV. REPORTS

A. Inframark.

George Quilantan, Inframark, presented the water flow and capacity levels for the month of January 2024 as follows; Water Treatment Plant flow was 5.7mgd, operating at 44% capacity; North Wastewater Treatment Plant flow was 2.1mgd, operating capacity was also at 44%; and South Wastewater Treatment Plant flow was 1.6mgd, operating capacity was at 67%; preventative maintenance work orders for all facilities to include lift stations was 438 opened and closed 407; went over electrical repairs for the lift stations 37 and 12 (breakers and relay) these lift stations are vital to operations; continue with de-ragging of lift stations as well as monitoring cleaning of pumps signal floats; presented the call out log for January; reported on capital repairs that are budgeted items that included purchase of new pumps for lift stations 17 and 42; repair of a rotor at the South Waste Water Treatment Plant; North Wastewater Treatment Plant belt press ordered; presented an update on the generator transfer switches one quote obtained and waiting for two more. Commented on a concern of possible shortage of water was due to work being done by the irrigation district at an irrigation embankment that had the reservoir water levels lower and an inlet to the reservoir was clogged. Stated protocols are being prepared for monitoring of reservoir and the inlets as well as equipment, transducer, that well alert them when levels are low.

B. Animal Care Services.

Milva Orellana, Animal Control Officer, went over the monthly live release rates for January 2024 202 was at 80% for dogs and cats was 100%; reported new partners It's Grooming Time for grooming services; transported 14 dogs to Corpus Christi to find their forever homes; two adoption events held at PetSmart that had 10 and 11 puppies/dogs adopted; rabies clinic held at Morenos that a good turnout; thanked and recognized Maro Elementary, Ms. Mariscal and The Kindness Club, for donations of over 100 items for the furry friends, reported on a special case, Runner, a dog that had an embedded collar to his neck that had monies raised in the amount of $600 within hours for veterinary care and thanked staff, Chris, in getting the dog detained after a 45-minute chase; updated on Lucky, the cruelty case from 2022, has been adopted and now lives in

Clearwater, Florida and noted staff makes every effort to keep in touch with adopters to ensure the furry friends are doing well.

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 and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item(s) will be removed from the consent agenda by the Mayor, a Commission member or the City Manager and will be considered separately.

Mayor Gonzalez entertained a motion for consent agenda unless a member of the commission desired removal of any item for discussion.

A. Approval on request from Texas Rio Grande Legal Aid for closure of 3rd Street from the corner of Texas Blvd to the corner of Missouri Street on March 15, 2024 for the 2024 Farmworker Appreciation Day and authorize the Mayor to execute any related documents. (Staffed by Public Relations Officer.)

B. Approval to submit a grant to the Texas Water Development Board Flood Infrastructure Fund (FIF) for the Harlon Block Park Sports Complex and Surrounding Areas Project and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager.)

C. Approval of Resolution 2024-20 to ratify the authorizing signatory for FMA grant to the Texas Water Development Board and FEMA for the Harlon Block Park Sports Complex RDF project and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager.)

D. Approval on the renewal of the Interlocal Agreement 2024 - 2026, an agreement that governs the provision of 9-1-1 services between the Rio Grande Valley Emergency Communication District (referred to as "RGV9-1-1") and the City of Weslaco Police Department and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval of Resolution 2024-21 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No.3814605 FY2024 General Victim Assistance Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

F. Approval of Resolution 2024-22 authorizing the designated grantee's official as Adrian Gonzalez, Mayor Mayor for Grant No.3407207 for FY2023 Local Border Security Program (LBSP) as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval of Resolution 2024-23 authorizing the designated grantee's official, Adrian Gonzalez, Mayor, for Grant No.4003404 the FY2024 Juvenile Justice and Truancy Prevention Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval of Resolution 2024-24 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 4507601 FY2023 Violence Against Women Justice and Training Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

I. Approval of Resolution 2024-25 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 4271603 FY2024 Project Safe Neighborhoods Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

J. Approval of Resolution 2024-26 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 4507602 Violence Against Woman's Justice and Training as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

K. Approval of Resolution 2024-27 authorizing the designated grantee's official, Adrian Gonzalez, Mayor for Grant No. 4367802 FY24 Body-Worn Camera Grant as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

L. Approval of Resolution 2024-28 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 3173408 FY22 Operation Stonegarden Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. 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 2024-29 appointing members to the Recycling Task Force Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Norma A. Cantu, City Secretary, stated there were two vacancies; the nominee from Commissioner Lopez was to appoint Delma Cadena and the nominee of Emiliano Montenegro was from Commissioner Pedraza.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve Resolution 2024-29 appointing Delma Cadena and Emiliano Montenegro to the Recycling Task Force Committee as presented. The motion carried unanimously; Mayor Pro Tem Farias was present and voting.

B. Discussion and consideration to approve Resolution 2024-30 appointing member(s) to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Norma A. Cantu stated there are two vacancies and ready to proceed with a nomination for one; Commissioner Kerr nominee was to appoint Delma Cadena. Mayor Gonzalez stated his nomination will come at a future agenda.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve Resolution 2024-30 appointing member(s) Delma Cadena to the Ambulance Advisory Board as presented. The motion carried unanimously; Mayor Farias was present and voting.

VII. OLD BUSINESS

A. Discussion and consideration to approve Ordinance 2024-07 for the Voluntary Annexation of West and Adams Tract Subdivision – being a 11.327-acre tract of land out of Farm Tract 758, West and Adams Tract Subdivision, Hidalgo County, Texas and located along South Bridge Avenue approximately 1800 feet north of Mile 5 North and authorize the Mayor Mayor to execute any related documents. First reading of Ordinance 2024-07. Possible action. (There was no action on February 6, 2024; staffed by Planning & Code Enforcement Department.)

Staff stated the developer requested no action.

No action was taken.

VIII. NEW BUSINESS

A. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building as dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

1. 219 S. Texas Blvd being Original Townsite of Weslaco Blk 13 E31' - Lot 26. Owner: Norma Lopez & Tomasita Hernandez.

Rebekah de la Fuente stated applicant submitted a structural analysis from an engineer that is structurally sound. The BOAA recommended a 12-month extension as applicants are ready to move forward with remodeling. Staff recommended demolition.

In response to Commissioner Kerr, the recommendation from staff is because of the amount of time the structure has been substandard (years) and considered blight. The commission can accept the recommendation from the BOAA for the extension; noted applicant has drawn plans to begin the renovation and it was recently purchased, should the structure not comply within the period of the 12-month extension, it will be back to the commission for a demolition order.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve a 12-month extension. The motion carried unanimously; Mayor Gonzalez was present and voting.

2. 615 N. Republic St. being Hudges Addition Blk 3 Lots 3 & 4. Owner: Altagarcia Viramontes & ET AL.

Rebekah de la Fuente presented pictures on the unoccupied building that is dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens; owner has not responded to staff and no attendance at the BOAA meeting. Recommendation from the BOAA and staff is demolition.

Commissioner Kerr seconded by Commissioner Rodriguez moved to issue a demolition order. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>3. 804 N. Palmas, being Esplanada Subdivision Blk 19 Lots 12-14. Owner: Jose Sosa.</u>

Rebekah de la Fuente presented pictures on the unoccupied building that is dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens; a daughter communicated with staff and stated was in agreement for demolition. Recommendation from the BOAA and staff is demolition.

Commissioner Kerr seconded by Commissioner Rodriguez moved to issue a demolition order. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>4. 516 N. Sinclair, being Villa Vista No. 2 Subdivision Blk 9 Lots 9 & 10. Owner: Tomar Amador.</u>

Rebekah de la Fuente presented pictures on the unoccupied building that is dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens; a daughter communicated with staff and stated was in agreement for demolition. Recommendation from the BOAA and staff is demolition.

In response to Mayor Pro Tem Farias, the property owner(s) are made aware they have 60-days from the date the demolition order is issued and advised if demolition is done by the city, they will need to pay any monies due to the city if not a lien is filed on subject property if not paid in 30-days.

Commissioner Kerr seconded by Commissioner Pedraza moved to issue a demolition order. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>5. 617 E. Plaza being Ramona Addition Subdivision Blk 7 Lot 25. Owner: Jose & Victoria Garza.</u>

Rebekah de la Fuente presented pictures on the unoccupied building that is dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens; there are several family members having ownership, but none have communicated with staff. Recommendation from the BOAA and staff is demolition.

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to issue a demolition order. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>6. 2307 E. Plaza St. being West Tract, 0.339AC, S14.4711, AC-N20CA Farm Tract 17; .0339 acres net. Owner: Pedro C. Gonzales.</u>

Rebekah de la Fuente presented pictures on the unoccupied building that is dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens; this property was before the commission last year and received an extension; owner has not made any progress and recognizes structure needs to be demolished. The owner will attempt to do the demolition and aware has 60-days. Recommendation from the BOAA and staff is demolition order be issued if demolition has not been completed by the owner as it is not structurally sound.

Commissioner Kerr seconded by Commissioner Pedraza moved to issue a demolition order if demolition has not been completed. The motion carried unanimously; Mayor Gonzalez was present and voting.

7. 413 E. Agostadero St., being Gonzales Subdivision Blk 13 Lot 14. Owner: Felipa Nila.

Rebekah de la Fuente presented pictures on the unoccupied building; owner has begun renovations of the exterior and will begin interior. The BOAA granted her a 6-month extension. Staff recommended demolition.

Commissioner Kerr seconded by Commissioner Rodriguez moved to grant a 6-month extension. The motion carried unanimously; Mayor Gonzalez was present and voting.

8. 3716 Canan St, being Tierra Prometida Lot 19, Weslaco, Hidalgo County, Texas. Owner: Abiel Ramon.

Rebekah de la Fuente presented pictures on the unoccupied building that is dilapidated, this property has been before the commission and was granted an extension; a new owner has applied for a permit for remodeling and working towards completion. Recommendation from the BOAA is to grant an extension until the life of the permit expires on October 23, 2024, and if not completed will come back to the commission. Staff recommended demolition.

Commissioner Rodriguez seconded by Commissioner Gonzalez Jr. moved to grant extension until life of the permit expires on October 23, 2024. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration after public hearing on behalf of Tomasita Hernandez to approve a Conditional Use Permit to operate an event center at 219 S Texas Blvd., also being Lot 26, Block 13, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas and authorize the Mayor Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-three property owners were notified and no objection received; applicant proposes to operate an event center for small events and working on construction plans. The Planning and Zoning Commission and staff recommended approval.

In response to Commissioner Kerr, the conditional use permit is good for one year if not completed applicant will need to reapply or ask for an extension and can set conditions on the permit the structure be habitable.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve a Conditional Use Permit to operate an event center at 219 S Texas Blvd as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>C. Discussion and consideration after public hearing on behalf of Alan Dewaikat to obtain a Wine and Malt Beverage Retailer's On-Premise Permit for Stefano's Pizza Express located at 636 E Interstate Highway 2, Suite 105, also being Lot 3, Shops at North Bridge Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)</u>

Rebekah de la Fuente stated eleven property owners were notified and no objection received; the site is the proposed Stefanos Pizza Express and owner has applied for their building permit. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Rodriguez moved to approve a Wine and Malt Beverage Retailer's On-Premise Permit for Stefano's Pizza Express located at 636 E Interstate Highway 2, Suite 105 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>D. Discussion and consideration on Ordinance 2024-01 for dis-annexation request from the property owner of 1802 S International Blvd. being a 1.166 AC out of North 210.10 FT of the East 242.00 FT. of Farm Tract 1009, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southwest corner of intersection FM 1015 and Mile 6 North and authorize the Mayor Mayor to execute any related documents. First reading on Ordinance 2024-01. Possible action. (Staffed by Planning & Code Enforcement Department.)</u>

Rebekah de la Fuente stated this was the existing site of Nana's Taqueria that was voluntarily annexed into city limits in 2021 with the intent of sewer being made available by the city. The owner no longer wished to remain inside city limits as the extension of sewer has not been done. The Planning and Zoning Commission recommended denial; staff recommended approval.

In response to Commissioner Rodriguez, the owner will not be able to voluntarily request annexation until the period has passed.

Martin Garza stated the city has not been able to extend the sewer line; staff met with owner to advise the sewer line would be extended as the city was preparing to solicit qualifications for engineering services for design and then out for bids. The owner stated it was in their best interest to move forward with dis-annexation. Staff advised him once the sewer line is available, he would need to mandatorily connect by city ordinance.

In response to Commissioner Kerr, the location is contiguous to city limits because of the roadway (18^{th} Street) and depending on a service plan of improvements to be provided will be either 2 or 5 years from annexation.

Commissioner Rodriguez seconded by Mayor Pro Tem Farias moved to approve Ordinance 2024-01 for dis-annexation request from the property owner of 1802 S International Blvd as presented. The motion carried 4-2; Commissioners Pedraza and Kerr against; Mayor Gonzalez was present and voting.

Mayor Gonzalez deviated from the agenda and introduced item P. There was no objection.

P. Discussion and consideration to authorize staff to solicit Statements of Qualifications for the collection of delinquent taxes and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza stated staff was evaluating two professional services contract/agreements in place to bring before the commission for discussion and questions regarding the agreements; the services for collection of delinquent taxes have been in place for a while and representatives were in attendance.

Mayor Gonzalez stated as newly elected to the board, he would like to familiarize himself with the services, questioned when a report before the commission was last done and would like to see what is available from other firms that would in the best interest for the city.

Hiram Gutierrez, Partner with Perdue, Brandon, Fielder, Collins and Mott the delinquent tax firm for the City, stated they have been with the City since 2017; reports have been submitted and with past administration would ask to make a presentation and report on activity and advised when they would be before the commission; went over their performance measures and stated Weslaco has the best collections rate collected by them in Hidalgo County; work with the citizens of Weslaco in not having resale of properties; the collections in delinquency every year is reduced which means delinquent taxes for the new year are reported to them worked on and they collect a percentage; work throughout the year with those accounts not collected as a result of deferrals (over 65 and do not do resale of properties when asked to work with the citizen); hoped to continue working in serving Weslaco and be afforded the opportunity to present on the activity their firm is doing for them.

Mayor Pro Tem Farias seconded by Commissioner Rodriguez moved to authorize staff to solicit Statements of Qualifications for the collection of delinquent taxes as presented. The motion carried 5-1; Commissioner Kerr against; Mayor Gonzalez was present and voting.

Mayor Gonzalez introduced item New Business Q. There was no objection.

Q. Discussion and possible action on the Professional Services contract for City Prosecutor's services for the Weslaco Municipal Court and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza stated this was another professional services contract in place; JR Garza is the City Prosecutor since 2015; one renewal in 2016 and automatic renewal since then; advised he had met with the Municipal Court Coordinator, Rosa Badillo, on the services provided by the City Prosecutor; stated pretrials occur the third Thursday of the month and the fourth Thursday back for actual trials; provides legal guidance, as needed, for Class C misdemeanors as well any questions regarding Municipal Court matters. The City Manager voiced some concerns regarding responses and preparation of motions and staff travels to McAllen in personal vehicle to retrieve documents. The agreement for City Prosecutor is a $5,000 monthly retainer and stated the item was to discuss the contract and address any questions from them with staff and Mr. JR Garza was also in attendance.

In response to Commissioner Kerr, Martin Garza stated these issues were not addressed with JR Garza; the concerns were discussed with him, and his duty was to report to the commission; the contract is approved by the commission and the City Prosecutor is not an employee of the city.

Commissioner Kerr voiced he did not agree that any concerns brought forth were not addressed with Mr. JR Garza before placing it on the agenda for possible termination.

Mayor Gonzalez commented he would like to see what other opportunities were available to the City for this type of services; thanked JR Garza and appreciated his service to the City; his recommendation was to terminate, appoint an interim and solicit Statement of Qualifications.

Mr. JR Garza, City Prosecutor, addressed the commission and voiced objection to the comments made on his performance as City Prosecutor that have not been brought to his attention and discussed.

Juan E. Gonzalez stated professional services is a subjective matter; TML guidelines indicate that majority of cities do not go out for request of qualifications for professional services.

In response to Commissioner Rodriguez, Joel Rivera, Police Chief, stated he had no concerns and JR Garza has been responsive to his requests; Rosa Badillo stated she has addressed the processing of documentation to him for timely responses was a concern, is readily available and well-informed in the law but issues again are more in the documentation and submitting of motions which he addressed when brought to his attention.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve and solicit Statements of Qualifications for Professional Services for City Prosecutor for the Weslaco Municipal Court as presented. The motion failed 3-3; Commissioners Rodriguez, Pedraza, and Kerr against; Mayor Pro Tem Farias, Commissioner Gonzalez Jr. and Mayor Gonzalez voting in favor.

<u>E. Discussion and consideration on Ordinance 2024-08 amending Ordinance 2012-02 to increase members for the Animal Shelter Advisory Board and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-08. Possible action. (Staffed by Planning and Code Enforcement Department.)</u>

Rebekah de la Fuente stated currently this board had five members. Staff recommended increasing the membership by two that would be citizens creating a total roster of seven members.

Commissioner Rodriguez seconded by Mayor Pro Tem Farias moved to approve Ordinance 2024-08 amending Ordinance 2012-02 to increase members for the Animal Shelter Advisory Board as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>F. Discussion and consideration to award RFB No. 2023-24-12 for a New Belly Dump Trailer to the lowest bidder, Brazos Trailers LLC, for an amount not to exceed $37,010 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)</u>

David Arce, Public Works Director, recommended to award to the most advantageous bidder Brazos Trailer Manufacturing LLC, in an amount not to exceed $37,010; five responses were received and evaluated with Brazos being under by around $12,000; staff verified the bid was in order with vendor; delivery if in stock will be quickly, if not in stock delivery is within four weeks. Staff recommended Brazos Trailer Manufacturing not to exceed $37,010.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to award RFB No. 2023-24-12 to Brazos Trailers LLC, for an amount not to exceed $37,010 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration on an Interlocal Agreement between Hidalgo and Cameron Counties Irrigation District No. 9 and City of Weslaco for hike and bike trails and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

Commissioner Kerr abstained from discussion and vote.

Omar Rodriguez, Parks and Recreation Director, stated the agreement outlines the relationship with Precinct 1 in continuing with a hike and bike trails at Harlon Block by allowing the city to continue with trails on the north side of the ditches at Harlon Block Park; if approved, Precinct 1 will then present the agreement to the irrigation district for their approval. Staff recommended approval.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve Interlocal Agreement between Hidalgo and Cameron Counties Irrigation District No. 9 and City of Weslaco for hike and bike trails as presented. The motion carried; Commissioner Kerr abstained; Mayor Gonzalez was present and voting.

H. Discussion and consideration on the Lease Agreement for the use of Harlon Block Park Sports Complex for the Weslaco Little League youth baseball and softball league program from March 4, 2024- July 31, 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated this is the annual agreement for Weslaco Little League for the use of the park for their recreational programs; a change to the agreement would tournaments for advancement purposes such as district and regional there is no fee but any invitational tournaments (funding raising events) park fees will not be waived; agreement also removes the limitations on city events prior agreement allowed only one city event now the change will allow more flexibility to the city to host more events. Staff recommended approval.

In response to Mayor Gonzalez and Commissioner Kerr, if the park is available other users will be able to use the park so long as it does not conflict with little league scheduled events. Mayor Pro Tem Farias recommended a clause be looked at to be added in the future to address scheduled events from all leagues be submitted beginning of the year as he felt this would allow staff to accommodate requests from other users especially groups that are Weslaco residents. Staff stated a workshop held with all organizations were advised a policy would be presented to the commission on how scheduling of youth programs will be done and may include who are priority of users.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve the Lease Agreement for the use of Harlon Block Park Sports Complex for the Weslaco Little League youth baseball and softball league program from March 4, 2024- July 31, 2024, as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>I. Discussion and consideration to authorize staff to solicit proposals for a customized lighted drone show for downtown fourth of July celebration and authorize the Mayor to execute any related document. Possible action. (Staffed by Parks & Recreation Department.)</u>

Omar Rodriguez stated the annual 4th of July celebration has been traditionally held at Mayor Pablo Pena Park and has become less inclusive due to limitations of presenting a public fireworks display; past events had the need for closure of the park to accommodate the use of larger shells. Staff recommended to solicit proposals for a lighted drone show to be displayed in the downtown area; a drone show can last 12 minutes due to battery life of the drones; budgeted amount is $30,000 and solicitation would request the number of drones, specifications, and experience in doing this type of display.

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to authorize staff to solicit proposals for a customized lighted drone show for downtown 4th of July celebration as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>J. Discussion and consideration to rescind the purchase of a new model 2025 Freightliner XT Pro 56 Forestry Truck as approved January 16th per sales quote QU17225 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed $172,839 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)</u>

Omar Rodriguez stated item J and K are related items; previous commission action approved the purchase of a new 2025 Freightliner; order was placed and advised would not be available to the end of the year but available was a 2024 model. Staff recommended approval to rescind the purchase of a new model 2025 Freightliner XT Pro 56 Forestry Truck.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to rescind the purchase of a new model 2025 Freightliner XT Pro 56 Forestry Truck sales quote QU17225 from vendor Custom Truck One Source under Southwell Contract 110421-TER as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>K. Discussion and consideration to purchase a new model 2024 Freightliner XT Pro 56 Forestry Truck per sales quote QU17235 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed $166,667 as budgeted and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)</u>

Omar Rodriguez recommended approval of the 2024 Freightliner XT Pro 56 Forestry Truck from vendor Custom Truck that is available for immediate delivery and would save the city $6,169.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to purchase a new model 2024 Freightliner XT Pro 56 Forestry Truck per sales quote QU17235 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed $166,667 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

L. Discussion and consideration to purchase a Bosch CDR 900 tool kit, Software, and Cable Bundle, vehicle collision data retrieval system in the amount of $29,250 from Sole Source Crash Data Group and authorize the Mayor to execute any related items. Possible action. (Staffed by Police Department).

Joel Rivera, Police Chief, stated the Software, and Cable Bundle was a necessary to the department as it retrieves vehicle collision crash data from vehicles to be used in processing crime scene and accident scenes; partnering with STC to provide courses to police personnel for advance mathematic and geometry courses on that would assist in the reconstruction of scenes. Staff recommended approval and is a budgeted item.

Commissioner Kerr seconded by Commissioner Pedraza moved to purchase a Bosch CDR 900 tool kit, Software, and Cable Bundle, vehicle collision data retrieval system in the amount of $29,250 from Sole Source Crash Data Group as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

M. Discussion and consideration to purchase Taser Equipment (13 Handheld Tasers, replacement, and re-certification equipment) from Axon Enterprise Incorporated through Contract BuyBoard Proposal No. 698.23, in the amount of $25,946 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Mayor Pro Tem Farias abstained from discussion and vote.

Joel Rivera stated the taser equipment in place has reached end of life use; the purchase would replace that existing equipment that is an important tool to the department as it helps minimize injury to an officer. Staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to purchase Taser Equipment (13 Handheld Tasers, replacement, and re-certification equipment) from Axon Enterprise Incorporated as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

N. Discussion and consideration on Resolution 2024-31 to establish the Weslaco Blue Ribbon Committee for the purpose of redesigning and/or rebranding a new city logo and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza recommended approval of the resolution to establish the Blue Ribbon Committee to established on a temporary basis; will be composed of seven members to assist in the redesign/rebranding of a new city logo; each member of the commission will make an appointment and staff will bring back for official appointment once they submit their nominee.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve Resolution 2024-31 to establish the Weslaco Blue Ribbon Committee for the purpose of redesigning and/or rebranding a new city logo as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>O. Discussion and consideration on Resolution 2024-32 to establish the Weslaco Blue Ribbon Committee for the Iwo Jima memorial monument recognizing Corporal Harlon Block and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)</u>

Martin Garza stated comments received at a previous meeting, a resident noted in February 2025 the 80th anniversary of the flag raising event for Iwo Jima was being celebrated; staff recommended a seven-member Blue Ribbon Committee to assist in discussions for recognition Harlon Block and recognition the anniversary of the flag raising event. Staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve Resolution 2024-32 to establish the Weslaco Blue Ribbon Committee for the Iwo Jima memorial monument recognizing Corporal Harlon Block as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>P. Discussion and consideration to authorize staff to solicit Statements of Qualifications for the collection of delinquent taxes and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)</u>

See page 11.

<u>Q. Discussion and possible action on the Professional Services contract for City Prosecutor's services for the Weslaco Municipal Court and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)</u>

See page 11.

<u>R. Discussion and consideration prescribing meeting days will be held on the first and third Monday or Wednesday during the months of March, April and May 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)</u>

Mayor Gonzalez requested the item and stated if suitable to the commission, to consider for the months of March through May to meet on Monday or Wednesday to be able to attend his sons' games. Commissioner Kerr noted his son plays basketball on Mondays and Wednesdays.

The City Attorney stated the Charter says they shall have one meeting a month as prescribed by ordinance, ordinances passed have set meeting to be First and Third Tuesday. He opinioned the commission can hold regular meetings on days other than Tuesday by amending the ordinance.

Mayor Gonzalez withdrew the item from action.

No action.

S. Discussion and consideration on Resolution 2024-33 supporting the Workin Texas as a primary platform for increasing job matching activity in Hidalgo County and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

See page 2.

T. Discussion and consideration to approve renewal of the Loss Control/Risk Management contract set to expire March 02, 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Mayor Pro Tem Farias abstained from discussion and vote.

Luz Galindo, Human Resources Director, stated the contract is set to expire March 2, 2024; services are provided by Villafranca Consulting/Claims Service, LLC a sub-contractor through Montalvo Insurance; current contract is $36,000 per year that included 225 annual hours of loss control and risk management services; renewal contract included a proposal of $8,500 for additional training/certification hours; went over the loss summary report and stated for the last three years losses have decreased; a dividend check may be earned at the end of the year of $55,000 if losses remain at a minimum compared to last year's dividend check of $46,000. Staff recommended approval.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve renewal of the Loss Control/Risk Management as presented. The motion carried; Mayor Pro Tem Farias abstained; Mayor Gonzalez was present and voting.

IX. EXECUTIVE SESSION

At 7:53 p.m. Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 9:08 p.m. Mayor Gonzalez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property being 35.28 acres except the southeast 1.90 acre for 33.38 net acres of land out of Farm Tract 59, West Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to authorize the City Manager and Mayor to have real property placed under contract conditioned to reimbursement from TxDot and overvaluation of property as a donation to the city as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. 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.

No action.

E. Real Property – Consultation with City Attorney on the purchase, exchange, lease or value of real property located on the Northeast corner of Interstate 2 and North Airport Drive intersection as authorized by Section §551.072 of the Texas Local Government Code.

No action.

F. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at E Mile 5 North described as the net 7.09 acres out of the West Tract 9.688 acres being an irregular tract out of the E407.92'-W663.22'-N1210.73' EXC N209.42'-E208', out of Farm Tract 828, Weslaco Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve a contract be done to donate the land to VFW conditioned on receipt of a grant 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 Empire as authorized by Section §551.087 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve option 5 regarding financial offer or other incentives for Project Empire as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

XI. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to adjourn the regular meeting of February 20, 2024, at 9:15 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

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Adrian Gonzalez, **MAYOR**

ATTEST:

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Norma A. Cantu, **CITY SECRETARY**