



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
DECEMBER 5, 2023**

On Tuesday, December 5, 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, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Arnold Becho, Library Director, Luz Galindo, HR Director, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, 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 1, 2023.

B. Invocation.

Pastor Manuel Portillo, The Way of the Redeemed 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.

None.

II. PUBLIC COMMENTS

Laura Wheeler, 3105 E. Mile 11, voiced her concerns with motorist speeding in the school zones; has a daughter that attends Mario Ybarra Elementary and has had several incidents to include a WISD bus that was reported; asked what the commission could do and suggested speed humps to address her concern of the safety for her daughter, herself, and other parents for which she has become a voice for.

III. 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 Julio Seguy 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.

No comments.

B. To solicit input on behalf of S2 Engineering PLLC. 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.

No comments.

C. To solicit input on behalf of Nancy Valdes to approve a Conditional Use Permit to operate an Event Center, at 916 W Pike, also being West Tract W88.40'-E377.6'-S452.70' FT 133 0.92AC GR 0.86AC Net, Weslaco, Hidalgo County, Texas.

No comments.

D. To solicit input on behalf of Javier Hernandez 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.

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.

IV. REPORTS

A. Engineering and Drainage Projects

1. Cleckler-Heald.

2. Los Torritos Kansas Street.
3. Harlon Block.
4. Bridge and 10th Street.
5. Border North of Sugarcane.
6. Flap gates.
7. Striping Improvements 18th and Airport and Westgate.
8. Traffic Signal Bridge.

Albert Aldana, City Engineer, went over a power point presentation and highlighted on the following; Cleckler-Heald (RDF project), notice to proceed issued to Rhyner Construction with schedule of events to follow; Los Torritos Kansas Street (drainage) bidding phase to be completed Feb 16, 2024, award May 31, 2024 and estimated project completed by December 2025, Harlon Block (drainage) contract awarded to Halff Associates, updating information for grant submission, staff reviewing scope of work and fee proposal for approval; Bridge and 10th Street (drainage) drawing design drawings 100% complete, will be done in-house in phases, ARPA funds will be used and estimated completion is January 2024; Border Road North of Sugar Cane (drainage) Cruz-Hogan Engineering is assisting staff; pending a drainage easement from WISD and advertising anticipated for January 2024; Flap Gates, this is Phase II that included 26 flap gates ordered, shipping is 01/22/24 and should be installed before the next storm season by Public Works; Striping Improvements 18th and Airport, project mostly completed, pending yellow hatching; Westgate, pending pavement overlay at intersection, estimated date for striping is December 18.; Traffic Signal Bridge, Bridge at 18th St. installed and placed on flash mode to alert motorists of the new signal for seven days and fully operational by December 8 and Bridge at 6th St, left turn signal heads replaced and new signal controller installed by the end of the week.

B. Parks Improvements update.

1. Mayor Pablo Pena Park.
2. Isaac Rodriguez.
3. Harlon Block.
4. Judge Gilbert Garza Park.
5. Villa Verda.
6. Service Center.
7. Municipal Swimming Pool.

Omar Rodriguez, Parks and Recreation Director, presented a power point presentation and highlighted the following: Mayor Pablo Pena Park went over the master plan of improvements that included tennis court rehab, new sports lighting, new restroom and concession, a fitness court and studio, and new hike and bike trail; Isaac Rodriguez, complete renovation of lighting, new restrooms and concession stand and new irrigation on multi-field; Judge Gilbert Garza Park, added parking lot, playground equipment and backstops ordered; Villa Verde Park improvements included driveway, parking, playground, sports fields and a hike & bike trail; Harlon Block Park reported an interlocal with Hidalgo County was approved for a proposed hike & bike trail from Weslaco to San Juan; Isaac Rodriguez Service Center past discussions on options for remodeling has taken place; noted items was electrical replacement needed to be updated, structurally sound, asbestos removed, occupancy is 200 that would be reduced as a result of building code compliance of improvements done; Municipal Swimming Pool, Sam Garcia Architect completed site and

operation and maintenance analysis, and programming; project estimated at \$2.8million that includes engineering and architectural, proposed location is the former Public Works property along E. Business 83 and right-of-way in place towards Second St, went over proposed site plan for parking, 25-yard 3-lane pool with a program pool.

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 15, 2023. (Staffed by City Secretary's Department.)

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

1) Ordinance 2023-49 authorizing and allowing under the act governing the TMRS system "Updated Service Credit" and establishing an effective date for such action and authorize the Mayor to execute any related documents. First reading held November 28, 2023; 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.

For the record following is the ordinance caption.

ORDINANCE 2023-49

AN ORDINANCE REGARDING THE CITY OF WESLACO'S TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS ADOPTING: (1) 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 after public hearing on behalf of Javier Hernandez on 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 of Ordinance 2023-50. Possible action. (Staffed by Planning & Code Enforcement Department.)

Martin Garza, City Manager, requested to deviate to item A until after executive session. There was no objection.

B. Discussion and consideration after public hearing on behalf of Julio Seguy on 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 of Ordinance 2023-51. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning & Code Enforcement Director, stated nine property owners were notified with no objection received; property when annexed in 2014 was commercial and became a non-commercial use; owner constructed a new building, and the rezone will have the property in compliance. The Planning and Zoning Commission and staff recommended approval based on the surrounding land use of commercial and location is along IH-2.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve Ordinance 2023-51 to rezone 3825 E IH 2 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Discussion and consideration after public hearing on behalf of S2 Engineering PLLC. on 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 of Ordinance 2023-52. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirteen property owners were notified with no objection received; proposed use is residential on a narrow lot (R-4). The Planning and Zoning Commission and staff recommended approval based on the surrounding land use and comprehensive plan.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Ordinance 2023-52 to rezone 2806 S Texas Blvd. as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration after public hearing on behalf of Nancy Valdes to approve a Conditional Use Permit to operate an Event Center, at 916 W Pike, also being West Tract W88.40'-E377.6'-S452.70' FT 133 0.92AC GR 0.86AC Net, 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 nineteen property owners were notified with no objection received; applicant has not submitted any plans until the conditional use permit was approved that would allow the operation of an event center. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to approve a Conditional Use Permit to operate an Event Center, at 916 W Pike as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration on presentation of the unaudited financials for the General Fund, Water/Wastewater and Solid Waste funds for period ending September 30, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, presented the financials as follows; General Fund positive change in fund balance of \$1,380,402, revenues collected were at \$34.4M, expenditures were \$32.5M with an operating surplus of \$1.9M, sales tax collected was \$14.6M, interest earned \$650,000 and ambulance fees collected was \$1.3M; number of days remained strong at 117; Water & Wastewater Fund had a positive change in fund balance of \$942,965 and had 95 days of working capital; Sanitation Fund had a positive change of \$1,326,767 with 14 days of working capital; Airport Fund ended the year with a -29,843 change in net position. Staff recommended approval to accept and file the financials as presented and advised pending review from external auditors.

Commissioner Kerr seconded by Commissioner Lopez moved to accept and file the unaudited financials for the General Fund, Water/Wastewater and Solid Waste funds for period ending September 30, 2023 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending September 30, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos presented the Quarterly Investment Report as follows: an increase in the interest received for this quarter was 15% for a total interest earned to date is \$2,240,004 that is 649% increase compared to FY2022 and noted the General Fund recognized \$642,166 and remaining funds went to other capital projects. Staff recommended approval to accept and file.

Commissioner Lopez seconded by Mayor Pro Tem Farias moved to accept and file the Quarterly Investment Report for the period ending September 30, 2023 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration to approve the purchase of 1,375 water meters from the sole source vendor, Core & Main in an amount not to exceed \$588,751 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos stated in the expectation of the growth of new development staff recommended approval to order 1,375 new meters to replenish inventory as wait time is 6 months for delivery from the vendor.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve the purchase of 1,375 water meters from the sole source vendor, Core & Main in an amount not to exceed \$588,751 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Discussion and consideration to approve the purchase of TCC-P25P-P25 Portable Radios from Tri-County Communications through Buyboard Contract #698-23 in the amount not to exceed \$29,114.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Mayor Pro Tem Farias abstained from discussion and vote.

Andrew Munoz, Airport Director/Asst. City Manager, stated based on the continued growth and an audit of airport operations, staff is moving forward with FAA Part 139 certification; requires the creation of Airport Emergency Plan and working with Fire, Police Hazmat teams and Hazard Mitigation team a deficiency of radio communication between the airport and first responders was found. Staff recommended approval on the purchase of 6 radios and 1 base radio for compliance of the Airport Emergency Plan that will integrate with the city's Hazardous Mitigation Plan and monies are budgeted.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve the purchase of TCC-P25P-P25 Portable Radios from Tri-County Communications through Buyboard Contract #698-23 in the amount not to exceed \$29,114.00 as presented. The motion carried; Mayor Pro Tem Farias abstained; Mayor Gonzalez was present and voting.

I. Discussion and consideration to authorize staff to submit an application for Flood Mitigation Assistance (FMA) grant with the Texas Water Development Board for the Harlon Block Regional Detention Facility (RDF) project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)

Andrew Munoz, stated staff along with Halff Associates, are working on the Harlon Block RDF project; requested authorization to submit a grant application to the Texas Water Development Board for Flood Mitigation Assistance grant due January 8; the ratio of low interest loan and grant amount will be determined by the H&H Study and Benefits Cost Analysis and the grant request for the project is \$8.5 million. Staff recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve staff to submit an application for Flood Mitigation Assistance (FMA) grant with the Texas Water Development Board for the Harlon Block Regional Detention Facility (RDF) project as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

J. Discussion and consideration to purchase fifteen (15) bunker gear sets to replace end of life equipment at a cost of \$59,850.00 from vendor Metro Fire Apparatus Specialist under BuyBoard Contract #698-23 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Mayor Pro Tem Farias abstained from discussion and vote.

Antonio Lopez, Fire Chief, recommended approval of the purchase of 15 bunker gear that consist of pants, coat and boots and monies budgeted.

Commissioner Kerr seconded by Commissioner Lopez moved to approve purchase fifteen (15) bunker gear sets to replace end of life equipment at a cost of \$59,850.00 from vendor Metro Fire Apparatus Specialist under BuyBoard Contract #698-23 e the as presented. The motion carried; Mayor Pro Tem Farias abstained; Mayor Gonzalez was present and voting.

K. Discussion and consideration to solicit Request for Bids for Annual Grounds Maintenance for various city properties and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks & Recreation Director, stated the request for bids was for the annual grounds' maintenance of city hall and various surrounding city owned buildings that included library, two fire stations and new police and fire stations. Staff recommended approval.

In response to Mayor Gonzalez, staff stated under the recommendation from legal because there has been a change in the original scope of the buildings and grounds for maintenance, bids should be requested.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve to solicit Request for Bids for Annual Grounds Maintenance for various city properties as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

L. Discussion and consideration to award Manhole Rehabilitation Phase IX to Southern Trenchless Solutions, Buyboard vendor contract no. 635-21, in the amount not to exceed \$249,384 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Mayor Pro Tem Farias abstained from discussion and vote.

David Arce, Public Works Director, stated annually manholes that need rehabilitation are ranked by location and condition; monies are budgeted, and staff recommended to award Buyboard vendor Southern Trenchless Solutions for rehabilitation of thirty-five manholes.

In response to Mayor Gonzalez, staff stated they are local buyboard vendor, city has used in the past and no issues with their work or change orders; bids have been solicited but cost for the work has been higher because cost of mobilization for the vendor who may be out of the area.

Commissioner Lopez seconded by Commissioner Kerr moved to approve and award Manhole Rehabilitation Phase IX to Southern Trenchless Solutions, Buyboard vendor contract no. 635-21, in the amount not to exceed \$249,384 as presented. The motion carried; Mayor Pro Tem Farias abstained; Mayor Gonzalez was present and voting.

M. Discussion and consideration to award sewer line pipe bursting to Southern Trenchless Solutions, Buyboard vendor contract no. 635-21, in the amount not to exceed \$89,250 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce recommended the replacement of sewer lines in the downtown area because of aging infrastructure; replacement work included 360 linear feet between 3rd and 4th St on the east side;

vendor provided their payment and performance bond in the quote. Staff recommended approval to award Southern Trenchless Solutions and stated improvements is within budget for this fiscal year.

Commissioner Rodriguez seconded by Commissioner Kerr moved to approve and award sewer line pipe bursting to Southern Trenchless Solutions, Buyboard vendor contract no. 635-21, in the amount not to exceed \$89,250 as presented. The motion carried; Mayor Pro Tem Farias abstained; Mayor Gonzalez was present and voting.

N. Discussion and consideration to authorize staff to send non-renewal notice to AlSCO Linen and Uniform Rental Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce requested approval for staff to send a 90-day non-renewal notice to the current uniform vendor; contract is set to expire April 1, 2024 and staff would bring back to the commission to request solicitation for bids.

Commissioner Lopez seconded by Mayor Pro Tem Farias moved to approve staff to send non-renewal notice to AlSCO Linen and Uniform Rental Services as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

O. Discussion and consideration of an application to TxDOT HSIP Funding Program for a project to upgrade the vehicular detection system and traffic controllers on six existing signalized intersections on Westgate Dr between US Business 83 and IH-2 Eastbound Frontage Rd at a cost of \$290,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana, City Engineer, stated TxDOT had a program that awards funding for highway safety improvements; staff identified one eligible project that would replace the traffic signal detection system and controller cabinets for six signalized intersections on Westgate Drive between US Business 83 and IH-2 Eastbound Frontage Rd; estimated cost is \$290,000.00 and required a local match of 10% of the construction costs but if selected for funding the local match could be reduced to about 3% due to the economic disadvantaged counties program.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve an application to TxDOT HSIP Funding Program for a project to upgrade the vehicular detection system and traffic controllers on six existing signalized intersections on Westgate Dr between US Business 83 and IH-2 Eastbound Frontage Rd at a cost of \$290,000.00 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

P. Discussion and consideration to award the Request for Qualification No. 2023-24-02 for Engineering Services for Expansion of South Wastewater Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated Cruz-Hogan Engineering and Halff Associates responded to the request for qualifications for improvements to the South Wastewater Treatment Plant; responses were

reviewed and ranked by the subcommittee; the highest ranked firm was Cruz-Hogan Engineering. Staff recommended to award Cruz-Hogan Engineering.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve the Request for Qualification No. 2023-24-02 for Engineering Services for Expansion of South Wastewater Treatment Plant to Cruz-Hogan Engineering as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

Q. Discussion and consideration to approve Change Order No. 1 in the amount of \$13,000 to Sweats Mechtech Solutions, LLC for the additional electrical components required for the connection of the Howden Aeration Blower at the North Wastewater Treatment Plant approved as an emergency installation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated the proposed Change Order #1 was for new conduits that go to the control panel because the existing ones go to a different location within the control panel room; change order will cover additional conduits, electrical and signal conductors. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve Change Order #1 in the amount of \$13,000 to Sweats Mechtech Solutions, LLC for the additional electrical components required for the connection of the Howden Aeration Blower at the North Wastewater Treatment Plant as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

R. Discussion and consideration on placing a moratorium on the development of duplexes, tri-plexes, four-plexes and apartment complex subdivisions and authorize the Mayor to execute any related documents. Possible action. (Requested by Mayor Gonzalez and Commissioner Pedraza.)

Commissioner Kerr seconded by Commissioner Pedraza moved to approve.

Andrew Munoz presented a handout on the justification for a moratorium as defined by the Texas Local Government Code; highlighted a moratorium can be issued based on 1) the need to prevent a shortage of essential public facilities (water, sewer, storage drainage facilities, street improvements) or 2) if not based on a shortage of essential public facilities demonstrate a significant need for other public facilities, to include police and fire facilities and the city must issue written findings from available information used to issue the moratorium; staff reviewed the conditions, capacity and impact on the treatment plants, lift stations, manholes, streets, public safety resources, drainage/stormwater and water rights allocations; stated a consultant would be requested to evaluate water plants, wastewater and distribution systems; stated various documents looked at such as the Land Use Map 2045, Comprehensive Plan 2022, Subdivision and Zoning Ordinance that were last revised in 2013 and 2018 and stated legislation that has since passed need to be included in these ordinances that allow fees a municipality can have, city limit and ETJ as well as the CCN (Certificate of Convenience and Necessity were looked at; went over a map of areas considered critical if failure of the water distribution system occurred (water/sewer); went

over the impact of development for public safety response (fire and police); identified those lift stations considered critical if power failure occurs and went over those in need of immediate repair; 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.

Commissioner Kerr questioned if the written findings have been done. Juan E. Gonzalez, City Attorney, stated staff would be preparing once public hearings were held. Mayor Pro Tem Farias voiced concern on those developments already in process. City Attorney stated if application has been received and in process would be considered exempt.

Juan E. Gonzalez recommended a consultation in executive session to describe the legal requirements and process of a moratorium.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to approve a moratorium on the development of duplexes, tri-plexes, four-plexes and apartment complex subdivisions as presented. The motion carried (5ayes-2nays); Commissioner Kerr and Lopez against; Mayor Gonzalez was present and voting.

VII. EXECUTIVE SESSION

At 7:25 p.m. Rodriguez seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:51 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

NEW BUSINESS

R. Discussion and consideration on placing a moratorium on the development of duplexes, tri-plexes, four-plexes and apartment complex subdivisions and authorize the Mayor to execute any related documents. Possible action. (Requested by Mayor Gonzalez and Commissioner Pedraza.)

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to authorize staff to provide notice and hold public hearings on placing a moratorium on the development of duplexes, tri-plexes, four-plexes and apartment complex subdivisions.

Commissioner Kerr voiced concern in stopping development and questioned the need of the moratorium now. Martin Garza stated the review from staff regarding infrastructure, services, and the need of updating ordinances related to impact fees was the need for a moratorium and this allows the necessary time for assessment and ensure the growth of city services will be sustainable.

A lengthy discussion on the existing facilities, aging infrastructure, impact fees, capacity of the water/sewer plants, growth and why staff brought for consideration of a moratorium was apartments can have a higher impact on services versus, residential and commercial. Staffs position was time was needed to “catch-up” on policy and practices for development as well

updating those necessary documents that regulate the development and noted exemptions and waivers would be in place for developments already in progress.

Commissioner Pedraza voiced his favor to allow time to assess the existing facilities, update necessary documents related to development for all districts to be able to adequately provide the services to the citizens.

Mayor Gonzalez called the question. The motion carried (5-2); Commissioner Kerr and Lopez against; Mayor Gonzalez was present and voting.

A. Discussion and consideration after public hearing on behalf of Javier Hernandez on 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 of Ordinance 2023-50. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirty-nine property owners were notified with no objection received. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Gonzalez Jr., moved to approve Ordinance 2023-50 to rezone 105 N Kansas. The motion carried unanimously; Mayor Gonzalez was present and voting.

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. Real Property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as Lots 18, 19, 20, 21 & 22, Block 42, Weslaco Original Townsite, Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Government Code.

No action.

IX. ADJOURNMENT

Commissioner Kerr seconded by Commissioner Rodriguez moved to adjourn the regular meeting of December 5, 2023, at 8:15 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**