



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
October 15, 2024**

On Tuesday, October 15, 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
	Mayor Pro Tem	Adrian Farias
	Commissioner	JP Rodriguez
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Josh Pedraza
ABSENT:	Commissioner	Greg Kerr
STAFF PRESENT:	Martin Garza	City Manager
	Norma A. Cantu	City Secretary
	Ben Castillo	Interim City Attorney

Also present: Aida Vega, Deputy City Secretary, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, MariCarmen, Asst. Library Director, Luz Galindo, HR Director, Albert Aldana, City Engineer, Chris Sanchez, Asst. Fire Chief, Joel Rivera, Police Chief, David Arce, Public Works Director, Omar Rodriguez, Parks and Recreation Director, Lily Alvarez, Airport 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, October 11, 2024.

B. Invocation.

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

E. Mayoral recognition.

1) Proclamation – Chamber of Commerce Week

Mayor Gonzalez along with the City Commission proclaimed October 14-18, 2024 as “Texas Chamber of Commerce Week”

2) Proclamation – TX1015 Sweet Onion Day

Mayor Gonzalez along with the City Commission proclaimed October 15, 2024 as “TX1015 Sweet Onion Day”.

3) Proclamation – Fire Prevention Month

Mayor Gonzalez along with the City Commission proclaimed the month of October 2024 as “Fire Prevention Month”

II. PUBLIC COMMENTS

Noe Rodriguez Jr. expressed his displeasure in the Weslaco Police Department handling regarding a theft of his property (computer) that occurred two years ago; stated the hard drive contained a project of information he had been compiling and wanted to work with the police department to get this resolved.

Barbra Garza, CEO Weslaco Chamber of Commerce, stated the Lemonade Program is a nationwide event and the city/chamber participated for the first time this year; received notification that the City/Chamber was awarded “The New Kid on the Block Program” that is a nationally recognized award bestowed to participants of the program; awarded because as first time participant exceeded in the efforts of bringing awareness of the importance of this program, exceeded the fund raising goals to the Lemonade Program in their community(s) that had forty-three students who participated from across the mid-valley that raised \$9,000 of which \$3,000 came back to the community.

Randy Hall stated the Drainage Advisory board ineffectiveness was because of the lack of funds from the commission, the absence of advice to the commission to request funds and to use existing funds; commented he did not resign from the drainage advisory board his letter stated his term expired in July and did not seek another term.

III. REPORTS

A. Drainage Improvements update.

Eloy De Leon, Vice-Chairman Weslaco Drainage Advisory Board, stated they meet quarterly; as a board they make recommendations regarding projects and areas of concern; reported in 2019 a citywide study done regarding drainage improvements; in 2020 four drainage projects were completed and Phase I had the installation of 38 flap gates; 2022 had a big project done that was the Pleasantview RDF and improvements of storm lines; 2023 Bridge and 10th drainage

improvements and 2024 projects are the RDF at Cleckler Heald -B Garza, Border Road Mile 5 ½. Mayor Pablo Pena Park RDF with storm lines and stated a funding application submitted for Harlon Block Sports Complex for improvements. Introduced advisory members Annett Valadez who thanked the commission for their support and stated a very helpful tool is a drainage dashboard that is available on the city website under Engineering that shows citywide the drainage projects and Homer Saenz Jr. thanked the commission for his appointment and looked forward to serving the community.

IV. PUBLIC HEARING

Commissioner Pedraza seconded by Lopez moved to open the public hearing at 6:06 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

- A. To solicit input on behalf of Gloria Salazar to approve a Conditional Use Permit to operate an event center at 2611 N Texas Blvd. Ste 5, also being Lot 3, Block 1, Tejas Development, Weslaco, Hidalgo County, Texas.

No comments.

- B. To solicit input in compliance with the Consolidated Plan for Community Planning and Development (CDBG) Urban County Program Fiscal Year 38 (2025) Needs Assessment Plan.

No comments.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to close the public hearing 6:07 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 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.

- A. Approval on the request from First Baptist Church for street closure from 2:00pm to 8:00 pm on October 31, 2024, from Kansas Street between 6th and 7th Street for their Halloween Fall Festival and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

- B. Approval to ratify acceptance of the FY25 Violence Against Women Act (VAWA) Justice and Training Program #4507603 for the amount of \$21, 487.67 with a cash match of \$9,209.01 to pay for training in violence against women and family violence and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

- C. Approval on Resolution 2024-70 to apply for the FY2025 Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant in the amount not to exceed \$61,000 with 20% match required not to exceed \$12,200 to purchase fixed lpr cameras and have access to

software data and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Approval to use the Court Technology Fund to pay for the yearly maintenance fee for Tyler Technologies Incode Software System for Municipal Court, which includes the following services: Court Case Management, and Third-Party System Software (System Software Non-SQL Maintenance) in the amount not to exceed \$11,643.88 and authorize the Mayor to execute any related items. (Staffed by the Municipal Court.)

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

VII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Gloria Salazar to approve a Conditional Use Permit to operate an event center at 2611 N Texas Blvd. Ste. 5, also being Lot 3, Block 1, Tejas Development, 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, Planning & Code Enforcement Director, stated twenty-one property owners were notified with no objection received; applicant will operate an event center for small events. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve a Conditional Use Permit to operate an event center at 2611 N Texas Blvd. Ste 5 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration to approve Ordinance 2024-30 for the Voluntary Annexation of Alto Bonito also being Lot 2 Reisser Subdivision an 8.172-acre tract of land, Weslaco, Hidalgo County, Texas located West of 18th Street East of South Milanos Rd. and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-30. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the development was a proposed thirty-six lot subdivision located outside of city limits; serviced with water and sewer from the city and use is residential. The Planning and Zoning Commission and staff recommended approval as the voluntary annexation will be contiguous to the current city limits.

Commissioner Pedraza seconded by Lopez moved to approve Ordinance 2024-30 for the Voluntary Annexation of Alto Bonito Subdivision as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Discussion and consideration to approve the Final Plat for Altamura Subdivision being 41.06 acres out of Farm Tracts 242 and 249, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 170 feet south of Mile 12 North and Mile 5 West

and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the development was a proposed sixty-five residential lot subdivision located outside of city limits; serviced with water from North Alamo water Supply Corporation and sewer from On-Site Sewage Facility (OSSF); developer requested variances for OSSF and off-site drainage and provided the letters of support from the drainage and irrigation districts. The Planning and Zoning Commission recommended approval with variances and staff recommended approval with compliance with the ordinances on the variances.

Commissioner Gonzalez Jr. seconded by Mayor Pro Tem Farias moved to approve the Final Plat for Altamura Subdivision as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration to approve the Final Plat for the Amended Plat of Mid-Valley International Industrial Park Subdivision being 146.09 acres out of Farm Tracts 1056,1057 and 1058 Blk 116, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of the intersection of Mile 9 & 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the development was a proposed twenty lot subdivision with industrial and commercial use located inside city limits; developer is amending the existing plat because there were errors that were corrected regarding lines table measurement and metes and bounds. The Planning and Zoning Commission and staff recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the Final Plat for the Amended Plat of Mid-Valley International Industrial Park Subdivision as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration to approve the Water Rights Fees be waived for Texas Heights Phase II Subdivision being 22.192 acres out of Farm Tracts 108 and 109, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located on Texas Blvd & Northcross Avenue and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the subdivision was submitted as a single-phase development in 2021; developer afterwards divided the project into two phases, Texas Heights Phase I was recorded January 30, 2023 and Texas Heights Phase II was approved April 16, 2024 by the commission and the Water Rights Ordinance was adopted on February 6, 2024. Staff stated in accordance with the ordinance the amount calculated to convert the water rights is \$63,432.90 due from the developer. Staff recommended denial of the request because Phase II was approved after the adoption of the water rights ordinance.

Mike Hernandez, Melden & Hunt, addressed the commission and stated the developer requested consideration for a waiver of fees; went over the timeline of Phase I and Phase II and commented water rights fees were never mentioned and requested favorable consideration to waive the fees.

Minutes of the Regular Meeting on October 15, 2024

Page 5 of 10

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to deny the Water Rights Fees be waived for the Texas Heights Phase II Subdivision as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration on the petition from Greener Pastures Mobile Home Subdivision for the release of 3.94-acre tract of land being Lots 82,133,134,135 and 136, Greener Pastures Mobile Home Subdivision, Hidalgo County, Texas real property located in the city's Extraterritorial Jurisdiction and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the development is a proposed fourteen lot subdivision located outside city limits; serviced with water and sewer by the city and stated the city oversaw the installation of the water and sewer lines are according to city standards. The developer requested removal from the City's ETJ in accordance with SB 2038. Staff recommended approval as petitioner has submitted the required documents.

In response to Mayor Pro Tem Farias, calls for police matters would come from the Hidalgo County and Fire/EMS services there are interlocal agreements for the rural areas.

Mayor Pro Tem Farias seconded by Commission Rodriguez moved to approve the petition from Greener Pastures Mobile Home Subdivision for the release of 3.94-acre tract of land being Lots 82, 133, 134, 135 and 136, Greener Pastures Mobile Home Subdivision as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration to approve Ordinance 2024-31 adopting a final budget amendment to the General fund and Water/Wastewater, Solid Waste, Airport and other funds presented and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2024-31. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, stated the final reconciliation of the FYE24 budget staff identified overages/expenditures; reported on the major funds impacted was General fund had a positive impact to fund balance of \$571,013, Water & Sewer fund had a positive impact to combined fund balance of \$613,284, Solid Waste had a positive impact of \$28,712, Airport fund had a positive impact of \$1,575 and amended other small governmental funds with immaterial impacts. Staff recommended approval of Ordinance on first and final reading.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve Ordinance 2024-31 adopting a final budget amendment to the General fund and Water/Wastewater, Solid Waste, Airport and other funds as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

For the record, following is the caption.

ORDINANCE 2024-31

AN ORDINANCE AMENDING ORDINANCE NUMBER 2024-16, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024, FINDING NEED TO AMEND THE 2023-2024 MUNICIPAL BUDGET; TO

WIT; GENERAL FUND, \$1,547,708 IN EXPENDITURES & \$2,118,721 IN REVENUE; WATER/WASTER NET COMBINED, (\$613,284) IN REVENUES OVER EXPENDITURES; SOLID WASTE FUND BY \$18,787 IN EXPENDITURES AND \$47,499 IN REVENUE; AIRPORT BY \$1,575 AND \$0 IN EXPENDITURES AND REVENUE RESPECTIVELY; CIP FUND \$0 IN REVENUES, AND \$26,769 IN EXPENDITURES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

CITY OF WESLACO
/s/Adrian Gonzalez, MAYOR

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

APPROVED AS TO FORM:
/s/Benjamin Castillo, INTERIM CITY ATTORNEY

H. Discussion and consideration on Resolution 2024-71 to approve participation with the cities served by AEP Texas Inc., authorizing hiring of Lloyd Gosselink Attorneys and Consulting Services to review the AEP's Resiliency Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, stated AEP filed for a rate cost increase; the city is part of a coalition of cities that hire Lloyd Gosselink Attorneys and Consulting Services to review the application to negotiate a reasonable rate increase and recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Resolution 2024-71 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

I. Discussion and consideration to accept the resignation of the City Attorney and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza stated a letter of resignation was received from the City Attorney Juan E. Gonzalez on September 24, 2024 and recommended to accept the resignation.

Commissioner Pedraza seconded by Commissioner Lopez moved to accept the resignation of the City Attorney as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

J. Discussion and consideration to appoint an Interim City Attorney and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza stated an appointment of an interim city attorney is needed to have legal services available; past meetings legal services have been from the firm of O'Hanlon, Demerath & Castillo Attorneys at Law, working with Eden Ramirez and tonight Ben Castillo was in attendance.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to appoint Benjamin Castillo of O'Hanlon, Demerath & Castillo Attorneys at Law as Interim City Attorney as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

K. Discussion and consideration to award the Airport Appraisals Rent Study Contract to AMCG for a fixed fee of \$29,195 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Lily Alvarez, Airport Director, stated AMCG presented to the commission the scope of the rental study. Staff recommended approval of AMCG to do a rent study that will outline current local rates; stated this would include corporate hangers, T-hangers and land leases owned by the city. Staff recommended approval.

Benjamin Castillo, Interim City Attorney, recommended approval be contingent to legal review.

Commissioner Pedraza seconded by Lopez moved to award the Airport Appraisals Rent Study Contract to AMCG for a fixed fee of \$29,195 contingent to legal review as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

L. Discussion and consideration to amend an Administrative Services Agreement with Creative Benefits Administrators to include Health Reimbursement Arrangement (HRA) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Luz Galindo, Human Resources Director, stated the amendment is for a Health Reimbursement Arrangement that would allow the communication credit (flexible spending account) be provided for the employees with dependent coverage that was approved by previous commission action; IRS regulations allow an employer contribution of \$500 per employee towards a flexible spending account; the health reimbursement arrangement would allow up to \$1,000 per employee contribution. Staff noted an employee with dependent coverage would have a maximum contribution of \$800.

Mayor Pro Tem Farias recommended to table because the city's consultant for the medical health insurance was not aware of the amendment and allow time for review and comments.

Mayor Gonzalez suggested no action be taken and there was no objection.

No action.

M. Discussion and consideration to award bid for RFB #2023-24-36 to the most advantageous bidder, Cornett Construction, LLC out of La Feria, Texas, in the amount of \$1,853,024.99 for the proposed new Lift Station #12 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Marcus Cruz, Cruz Hogan Inc. Project Engineer, stated seven bids were received, tabulated and the low bidder was vetted with everything in order. The recommendation from Cruz Hogan Inc. and staff was to award Cornett Construction, LLC the low bidder in the amount of \$1,853,024.99.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to award bid to Cornett Construction, LLC in the amount of \$1,853,024.99 for the proposed new Lift Station #12 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VIII. EXECUTIVE SESSION

At 6:38 p.m. Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 7:33 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. Legal Consultation – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Weslaco Municipal Police Union (WMPU) as authorized by Section §551.071 of the Texas Government Code.

No action.

C. Legal Consultation – Consultation with City Attorney regarding Liquid Environmental as authorized by Section §551.071 of the Texas Government Code.

No action.

D. Legal Consultation - Consultation with the City Attorney regarding the status of City of Weslaco vs CDM as authorized by §551.071 of the Texas Government Code.

No action.

E. Legal Consultation – Consultation with the City Attorney regarding Weslaco Fire Union (IAFF-WFFA Local 3207) vs City of Weslaco as authorized by Section §551.071 of the Texas Government Code.

Commissioner Rodriguez abstained from discussion and vote.

No action.

F. Legal Consultation – Consultation with the City Attorney regarding Weslaco Fire Union (IAFF-WFFA Local 3207) vs City of Weslaco as authorized by Section §551.071 of the Texas Government Code.

No action.

G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for project Blue Diamond as authorized by Section §551.071 of the Texas Government Code.

No action.

X. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to adjourn the regular meeting of October 15, 2024, at 7:34 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**