A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 7, 2018

On Tuesday, August 07, 2018, at 5:32 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 members present:

Mayor	David Suarez
Mayor Pro-Tem	Gerardo "Jerry" Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; David Arce, Parks and Recreation Director; Leo Gonzalez, Information Technology Director; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; Tony Lopez, Fire Chief; Joel Rivera, Police Chief; Andrew Munoz, Airport Director; Arnoldo Becho, Library Director; Pete Garcia, Public Works Director; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

The Mayor called the meeting to order and certified the public notice of the meeting as properly posted Friday, August 3, 2018.

B. Invocation.

Pastor Elizabeth Wright, First United Methodist Church, led the invocation.

C. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

There were none issued.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll noting the absence of Commissioner Rodriguez and a quorum present.

II. PUBLIC COMMENTS

Randy Hall, Rosie Coronado, and Sandra Reyna voiced concerns on drainage; Jeremy Schaefer, FEMA, announced the new hours of operation for the disaster recovery center; Randy Summers voiced his support for staff and Israel Coronado announced a recall petition.

III. PUBLIC HEARING

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to open the public hearing at 6:06 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of El Compadre Restaurant y Cantina for a Conditional Use Permit to obtain a Mixed Beverage Permit, Food and Beverage Certificate and Beverage Cartage Permit at 702 S.Texas Blvd., Original Townsite of Weslaco, Weslaco, Hidalgo County, Texas. (Staffed by Planning and Code Enforcement Department.)

None received.

B. To solicit input on behalf of Torres Investments LLC to rezone 1302 W. Sugarcane Dr. also being West Tract SE 6.43 AC – E 13.49 AC Ft 141, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business. (Staffed by Planning and Code Enforcement Department.)

None received.

C. To solicit input on behalf of AEC Engineering C/O Carlos Garza, P.E. to rezone 720 International Blvd. also being SEC FM 1015 and Mile 8 North, West and Adams subdivision, tract 1030, TDB-Brito Apartments, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to R-2 Duplex and Apartments District. (Staffed by Planning and Code Enforcement Department.)

None received.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to close the public hearing at 6:07 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

IV. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval of the following:

1) Minutes of the Regular Meeting on July 17, 2018;
2) Record of Workshop on July 17, 2018;
3) Minutes of the Special Meeting on July 24, 2018; and
4) Record of Workshop on July 24, 2018. (Staffed by City Secretary's Office.) .

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

1) Ordinance 2018-20 updating the Cemetery Rules and authorize the Mayor to execute any related documents. (First Reading of held July 17, 2018; Staffed by Parks and Recreation.)

C. Approval of renewal of a Facilities Usage Agreement with South Texas College for use of Harlon Block Park (Fields), 1020 W. 18th Street, Weslaco, Texas and Mayor G Pablo Pena Park (Fields and/or Tennis Courts), 300 North Airport Drive, from August 27,2018 – August 9, 2019 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.)

D. Approval to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Jenalee Jan Gerjets for Hangar E-25 and to approve a Mid Valley Airport Ground Lease Agreement with Tenant The Onion House L.L.C. for Hangar E-25 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

E. Approval of a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Christopher De Leon D/B/A De Leon Aircraft Maintenance Professional for Hanger W5-03 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

F. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for the Application and Development of a Hazard Mitigation Plan and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)

G. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for Phase II: Acquisition and Construction of a Regional Detention Facility (Las Brisas Subdivision) and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)

H. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for Phase II: South Detention Pond and Related Drainage Improvements (Villa Verde Subdivision) and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)

I. Approval for the submission of the Notice of Intent (NOI), under DR-4332, to the Texas Department of Emergency Management (TDEM) for the Acquisition of Right-of-Way and Real Property for the construction of Regional Detention Facility's and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)

J. Approval of revisions to the City of Weslaco Personnel Policies and Procedures and authorizing those sections regulated by executive departments and agencies of the state and

federal government to be updated as necessary. (There was no action on July 17, 2018; Staffed by Human Resources.)

Mike Perez, City Manager, requested item J be withheld from consent agenda.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve consent agenda items A through I and withhold item J as presented. The motion carried unanimously; Mayor Suarez was present and voting. The motion carried unanimously; Mayor Suarez was present and voting.

J. Approval of revisions to the City of Weslaco Personnel Policies and Procedures and authorizing those sections regulated by executive departments and agencies of the state and federal government to be updated as necessary. (There was no action on July 17, 2018; Staffed by Human Resources.)

The City Manager noted the policy incorrectly changed a portion of the sick leave that would have an adverse effect on 29 long-time employees. The section has been corrected, clarifying that employees hired after October 1, 2008 who leave in good standing are eligible for pay of accumulated sick and/or vacation leave not to exceed one hundred twenty (120) hours. In response to Commissioner Muñoz, those employees hired prior to October 1, 2008 will be grandfathered with the policy in effect when hired.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve revisions to the City of Weslaco Personnel Policies and Procedures and authorizing those sections regulated by executive departments and agencies of the state and federal government to be updated as necessary with noted corrections as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record the ordinance is as follows:

ORDINANCE NO. 2018-20

AN ORDINANCE SETTING FORTH POLICIES, PROCEDURES AND REGULATIONS CONCERNING THE WESLACO CEMETERY AND SETTING FORTH AN APPEALS PROCESS FOR DECISIONS MADE ON ITS USE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: No new burials are allowed on the Old Section of the Weslaco City Cemetery unless proof of ownership of burial plots is provided. Proof of ownership includes, but is not limited, to:

1. Written proof of ownership or deed;

2. Receipts evidencing payment for plot;

3. Duly prepared Affidavit of Fact Concerning Identity of Heirs prepared in accordance with Section 203.002 of the Texas Estates Code;

4. Circumstantial evidence, including but not limited to, affidavits of fact, photographs, preexisting markers, maps, plats or diagrams;

5. Self-proving Last Will and Testament, holistic will or any other documents prepared according to the Texas Estates Code evidencing ownership or transfer of interest in a particular plot;

6. Any other proof of ownership acceptable to the City.

SECTION II: The decision on acceptance of proof of ownership will be made by the City Manager in consultation with staff and the City Attorney. If the individual is not satisfied with this decision it may be appealed to the City Commission.

SECTION III: The City Commission shall appoint a subcommittee of three Commissioners to consider the appeal of the decision of the City Manager. The subcommittee may include any member of the City Commission. If any member of the subcommittee is unavailable, any other available member of the City commission may hear the appeal. This subcommittee must comply with all statutory notice and posting requirements as a regular City commission meeting.

SECTION IV: That this Ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 17th day of July 2018.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 7th of August 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

V. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2018-44 establishing the Citizens' Drainage Committee and approving Resolutions 2018-45, 2018-46, 2018-47, 2018-48, 2018-49, 2018-50, and 2018-51 appointing its inaugural members and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve Resolution 2018-44 establishing the Citizens' Drainage Committee. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Muñoz suggested he would like each district represented and nominated Randy Hall. Commissioner Lopez nominated Sandra Reyna.

Commissioner Kerr, seconded by Commissioner Pedraza, moved to approve Resolutions 2018-45 and 2018-46 appointing Randy Hall and Sandra Reyna to the Citizens' Drainage Committee. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following are the resolutions:

RESOLUTION NO. 2018-44

A RESOLUTION OF THE CITY OF WESLACO ESTABLISHING AN AD HOC CITIZENS' COMMITTEE THAT SHALL BE DESIGNATED AS THE WESLACO DRAINAGE CITIZENS' TASK FORCE

WHEREAS, This Commission finds merit in establishing an ad hoc citizens' committee to solicit suggestions, make recommendations, and review progress toward the planning and implementing of infrastructure improvements for City-wide detention and drainage of floodwaters; and

WHEREAS, as it is intended to serve ad hoc, the work of this Committee shall be limited to one year from establishment; and

WHEREAS, there shall be seven (7) members in the Weslaco Drainage Citizens' Task Force who shall be nominated one by each Commission member and approved by the whole Weslaco City Commission; and

WHEREAS, members shall be residents of the City of Weslaco, serve without compensation, and may be eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT a Weslaco Drainage Citizens' Task Force is hereby created.

PASSED AND APPROVED on this 7th day of August, 2018.

RESOLUTION NO. 2018-45

A RESOLUTION OF THE CITY OF WESLACO ESTABLISHING AN AD HOC CITIZENS' COMMITTEE THAT SHALL BE DESIGNATED AS THE WESLACO DRAINAGE CITIZENS' TASK FORCE

WHEREAS, This Commission finds merit in establishing an ad hoc citizens' committee to solicit suggestions, make recommendations, and review progress toward the planning and implementing of infrastructure improvements for City-wide detention and drainage of floodwaters; and

WHEREAS, as it is intended to serve ad hoc, the work of this Committee shall be limited to one year from establishment; and

WHEREAS, there shall be seven (7) members in the Weslaco Drainage Citizens' Task Force who shall be nominated one by each Commission member and approved by the whole Weslaco City Commission; and

WHEREAS, members shall be residents of the City of Weslaco, serve without compensation, and may be eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Randy Hall is appointed to serve on the Weslaco Drainage Citizen's Task Force and the term will expire on 7th day of August 2019.

PASSED AND APPROVED on this 7th day of August, 2018.

RESOLUTION NO. 2018-46

A RESOLUTION OF THE CITY OF WESLACO ESTABLISHING AN AD HOC CITIZENS' COMMITTEE THAT SHALL BE DESIGNATED AS THE WESLACO DRAINAGE CITIZENS' TASK FORCE

WHEREAS, This Commission finds merit in establishing an ad hoc citizens' committee to solicit suggestions, make recommendations, and review progress toward the planning and implementing of infrastructure improvements for City-wide detention and drainage of floodwaters; and

WHEREAS, as it is intended to serve ad hoc, the work of this Committee shall be limited to one year from establishment; and

WHEREAS, there shall be seven (7) members in the Weslaco Drainage Citizens' Task Force who shall be nominated one by each Commission member and approved by the whole Weslaco City Commission; and

WHEREAS, members shall be residents of the City of Weslaco, serve without compensation, and may be eligible for reappointment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Sandra Reyna is appointed to serve on the Weslaco Drainage Citizen's Task Force and the term will expire on 7th day of August, 2019.

PASSED AND APPROVED on this 7th day of August, 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

VI. NEW BUSINESS

A. Discussion and consideration to approve Resolution 2018-52 authorizing publication of Notice of Intention to Issue Certificates of Obligation and authorize the Mayor to executed any related documents. Possible action. (Staffed by City Manager's Office.)

The City Manager stated this was the first step to secure funding for drainage improvements, which may be repaid through a utility fee and/or ad valorem taxes. Mayor Suarez prefers not to use ad valorem; however, the City Manager stated an obligation against ad valorem offers a better interest rate. He recommends applying these funds to create Regional Detention Facilities, which affect the city as a whole by allowing water to gather and hold, across thirteen acres at Harlon Block Park, six acres behind John Knox Village, and limited acreage north of Leisure World.

In response to Mayor Suarez, these funds could be available by October 18; any projects proposed through this funding will be reviewed by the citizens' committee and designed by the engineer to be hired.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to approve Resolution 2018-52 authorizing publication of Notice of Intention to Issue Certificates of Obligation. The motion carried unanimously; Mayor Suarez was present and voting.

The following is the resolution:

RESOLUTION 2018-52

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

WHEREAS, the City Commission (the "Commission") of the City of Weslaco, Texas (the "City"), finds that financing the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of the public property, as well as the payment of fees for professional services related thereto, described in Exhibit A hereto (the "Project") would be beneficial to the inhabitants of the City, and such Project is needed to perform essential governmental functions; and the Commission has determined that certificates of obligation (the "Certificates of Obligation") should be issued pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 *et seq*., Texas Local Government Code (the "Act"), for such purposes;

WHEREAS, prior to the issuance of the Certificates of Obligation, the City is required to publish notice of its intention to issue the Certificates of Obligation in a newspaper of general circulation in the City, the notice stating (i) the time and place the Commission tentatively proposes to pass the ordinance authorizing the issuance of the Certificates of Obligation, (ii) the maximum amount of Certificates of Obligation proposed to be issued, (iii) the purposes for which the Certificates of Obligation are to be issued, and (iv) the manner in which the Commission proposes to pay the Certificates of Obligation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS, THAT:

Section 1. Attached hereto and marked Exhibit A the "Notice of Intention to Issue Certificates of Obligation" (the "Notice"), the form and substance of which are hereby adopted and approved.

Section 2. The Mayor or the City Secretary shall cause the Notice to be published in a newspaper, as defined in Section 2051.044, Texas Government Code, of general circulation in the City for two consecutive weeks, the date of first publication to be at least 30 days prior to the date tentatively set for the ordinance authorizing the issuance of the Certificates of Obligation.

Section 3. The Mayor and the City Secretary are hereby authorized and directed to execute the Certificate to which this Resolution is attached on behalf of the Commission and to do any or all things proper and necessary to carry out the intent thereof.

EXHIBIT A
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE is hereby given that it is the intention of the City Commission (the "Commission") of the City of Weslaco, Texas (the "City") to adopt an Ordinance providing for the issuance of interest bearing obligations of the City presently contemplated to be designated and known as the "CITY OF WESLACO, TEXAS CERTIFICATES OF OBLIGATION, SERIES 2018" (the "Certificates of Obligation") for the purpose of providing for the payment of contractual obligations to be incurred in connection with the design, planning, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, including: (1) drainage projects and projects related thereto or necessary therefor, and (2) payment of contractual obligations for professional services in connection therewith (to wit: architectural, engineering, financial advisory, and legal). The Commission tentatively proposes to authorize the issuance of the Certificates of Obligation at its regular meeting place at City Hall, Weslaco, Texas, at a meeting of the Commission to be commenced at 5:30 p.m. on September 25, 2018, in an amount expected not to exceed $4,500,000.00. The Commission proposes to provide for payment of the Certificates of Obligation from a pledge of an annual ad valorem tax, as well as a limited pledge of certain of the surplus revenues of the City's waterworks and sewer system.

/s/ David Suarez
Mayor, City of Weslaco, Texas

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

B. Discussion and consideration to approve Resolution 2018-53 declaring intention to reimburse certain expenditures related to the flood recovery or drainage improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

The City Manager recommended approval; in response to Commissioner Kerr, property purchased for the Regional Detention Facilities could be reimbursed.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve Resolution 2018-53 declaring intention to reimburse certain expenditures related to the flood recovery or drainage improvements. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION 2018-53

RESOLUTION DECLARING INTENTION TO REIMBURSE CERTAIN EXPENDITURES

WHEREAS, the City of Weslaco, Texas (the "City") desires to pay expenditures in connection with the design, planning, acquisition, construction, equipping, and/or renovating of the project or facilities described in Exhibit A attached hereto (the 'Project");

WHEREAS, Chapter 1201, Texas Government Code (the "Code") permits the City to use the proceeds of obligations to reimburse the City for costs attributable to the Project paid or incurred before the date of issuance of such obligations; and

WHEREAS, the City finds, considers, and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the objectives of the City's programs and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the reasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT:

Section 1. This Resolution declares the intention of the City to reimburse the expenditures for the Project with the proceeds of obligations. The City presently intends to reimburse the expenditure by incurring obligations issued under Texas law, the interest on which is excludable from gross income under section 103 of the Internal Revenue Code of 1986, as amended.

Section 2. The City reasonably expects to incur debt, in one or more series of obligations, in an aggregate maximum principal amount now estimated to be $4,500,000.00 for the purpose of paying the costs for the acquisition of certain property and related improvements for the City.

Section 3. The City intends to reimburse the expenditures hereunder not later than 18 months after the date the original expenditure is paid or the date the Project is placed in service or abandoned. However, in no event shall the City reimburse expenditures more than three years after the original expenditure is paid; provided, however, if the Project is a construction project for which the City and a licensed architect or engineer have certified that at least five years are necessary to complete the Project, the maximum reimbursement period shall be five years after the date of the original expenditure.

Section 4. The City intends that this Resolution satisfy the official intent requirement set forth in Section 1.150-2 of the Treasury Regulations and evidences its intentions under Section 1201.042(c) of the Code.

Section 5. This Resolution shall be liberally construed to evidence the intent of the City to comply with state law and federal income tax law in the issuance of tax-exempt obligations for the Project.

Section 6. The Mayor and the City Secretary are hereby authorized and directed to execute the Certificate to which this Resolution is attached on behalf of the Commission and to do any or all things proper and necessary to carry out the intent thereof.

EXHIBIT A
PROJECT DESCRIPTION
Providing for the payment of contractual obligations to be incurred in connection with the design, planning, purchasing, acquisition, construction, equipping, expansion, repair, renovation, and/or rehabilitation of certain City-owned public property, specifically being: (1) drainage projects and any projects related thereto or necessary therefor, and (2) payment of contractual obligations for professional services in connection therewith (to wit: consulting, engineering, financial advisory, and legal).

/s/ David Suarez
Mayor, City of Weslaco, Texas

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

C. Discussion and consideration to accept the calculation of effective and rollback tax rates for the 2018 tax year by Hidalgo County Tax Assessor-Collector Pablo "Paul" Villarreal. Possible action. (Staffed by Finance.)

Mary Barrera, Finance Director, presenting in the absence of the Tax Assessor, stated on July 26 the effective and rollback tax rate were certified. The effective tax rate of $0.6731 will generate the same revenues as last year; $0.7307 is the rollback tax rate. The current tax rate is $0.6667 which generates $11,241,249. Staff recommends acceptance of the calculated rates.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to accept the calculation of effective and rollback tax rates for the 2018 tax year as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve Resolution 2018-54 proposing an ad valorem tax rate and setting dates on which the Commission will hold public hearings, and a date to adopt the 2018-2019 ad valorem tax rate. Roll Call vote. Possible action. (Staffed by Finance.)

Mary Barrera stated based on budget preparations, revenue projections, and drainage issues, the recommendation is to propose $0.6817 as the ad valorem tax rate, which increases the current rate by 1.5-cents. Commissioner Pedraza noted this is the amount set as not to exceed; the Commission preserves flexibility and may lower it within thirty-days. The public hearings are scheduled August 21 and August 28 with adoption of the tax rate on September 4 by roll call vote.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve Resolution 2018-54 proposing an ad valorem tax rate and setting dates on which the Commission will hold public hearings, and a date to adopt the 2018-2019 ad valorem tax rate. By roll call vote, the motion carried with the Mayor opposed (5-1).

E. Discussion and consideration to approve Ordinance 2018-21, amending Ordinance 2013-22, Section 26-34 Drainage with respect to drainage requirements on new subdivisions. First Reading of Ordinance 2018-21. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa, City Engineer/Director of Planning and Code Enforcement, stated amendments increase the detention requirement to a proposed 50-year storm and gives the City Commission final authority on subdivision drainage facilities. In response to Mayor Pro-Tem Tafolla, McAllen already has a 50-year, a couple of other cities have a 25-year, and most a ten-year detention requirement.

Randy Hall voiced his concern that increased detention reduces the available size of a development and loss of revenue. The City Manager stated staff could calculate the potential loss of lots and determine if it would be cost prohibitive.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to approve Ordinance 2018-21, amending Ordinance 2013-22, Section 26-34 Drainage with respect to drainage requirements on new subdivisions. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration after public hearing on behalf of El Compadre Restaurant y Cantina to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Food and Beverage Certificate and Beverage Cartage Permit at 702 S. Texas Blvd., Original Townsite of Weslaco, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated twenty-four property owners were notified with no objections received. The Planning and Zoning Commission and staff recommend approval as previous use was a restaurant.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Food and Beverage Certificate, Beverage Cartage and late hours Permit at 702 S. Texas Blvd., Original Townsite of Weslaco, Weslaco, Hidalgo County, Texas. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration after public hearing on behalf of Torres Investments LLC. to approve Ordinance 2018-22 rezoning 1302 W. Sugarcane Dr. also being West Tract SE 6.43 AC – E 13.49 AC Ft 141, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business. First reading of Ordinance 2018-22. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated ten property owners were notified with no objections received. The property was annexed in 2014 as residential use and the Future Land Use recommends apartment use. The Planning and Zoning Commission recommend approval because of its existing operation as a restaurant; staff recommends denial based on the 2040 Land Use Map.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve Ordinance 2018-22 rezoning 1302 W. Sugarcane Dr. also being West Tract SE 6.43 AC – E 13.49 AC Ft 141, Weslaco,

Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration after public hearing on behalf of AEC Engineering C/O Carlos Garza, P.E. to approve Ordinance 2018-23 rezoning 720 International Blvd., also being SEC FM 1015 and Mile 8 North, West and Adams subdivision, tract 1030, TDB-Brito Apartments, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to R-2 Duplex and Apartments District. First reading of Ordinance 2018-23. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated seventeen property owners were notified; one inquiry was received at the Planning and Zoning Commission meeting on proposed use. The Planning and Zoning Commission and staff recommend approval. In response to Commissioner Pedraza, the fifty-year detention requirement will not be in effect yet for this property.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve Ordinance 2018-23 rezoning 720 International Blvd., also being SEC FM 1015 and Mile 8 North, West and Adams subdivision, tract 1030, TDB-Brito Apartments from R-1 One Family Dwelling to R-2 Duplex and Apartments District. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve the Final Plat for Ranchitos El Arroyo, 46.46 acres land out of Farm Tract 823, 824, 825 and 827, West Tract Subdivision, Hidalgo County, Texas located on the Southeast Corner of Mile 5 North Road & Mile 4 West Road. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated this is a twenty-one lot proposed subdivision, located outside City limits but serviced by City water and sewer. He noted it is located in flood zones B and AH and there is a requirement to lift within AH. In response to Mayor Pro Tem Tafolla, any voluntary annexation would be a lollipop to consider in a future meeting. The Planning and Zoning Commission and staff recommend approval.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve Final Plat for Ranchitos El Arroyo, 46.46 acres land out of Farm Tract 823, 824, 825 and 827, West Tract Subdivision, Hidalgo County, Texas located on the Southeast Corner of Mile 5 North Road & Mile 4 West Road. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to approve the Final Plat for Plaza Diez Quince, being a 9.24 acres land out of Plaza Diez Quince Subdivision, Weslaco, Hidalgo County, Texas located approximately 400 feet east of FM 1015. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated this is a thirty-two lot subdivision, which the developer re-platted as a result of redrawn lot lines. It has existing utilities and alleys as well as existing 50-foot of right-of-way; staff requests 75-feet of right-of-way from centerline and developer requesting variance to maintain at 50-feet. The Planning and Zoning Commission recommend approval with variance contingent on letters from Irrigation District No. 1 and Hidalgo and Cameron Drainage District No. 9 accepting the 50-feet dedicated right-of-way; such letters were received.

The City Manager recommended compliance of the ordinance reserving 75-feet of right-of-way, preserving access to the ditch, and suggested the City agree to pay for any damages to the paved alley. Ruben Gutierrez voiced concern of damage to pavement from heavy equipment.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the Final Plat for Plaza Diez Quince, being a 9.24 acres land out of Plaza Diez Quince Subdivision without requested variance and authorizing the plat to reflect dedication of a 75-foot right-of-way and a plat note that any damages to alley the City will repair. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve the Final Plat for Las Villas Apartments Subdivision, being a 2.66 acre land out Farm Tract 627, Block 178, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 840 feet West of Mile 6½ West. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated this is a two-lot subdivision located on Business Highway 83 north of Milano Road; it is serviced by city sewer and North Alamo Water Supply water. Mr. Hinojosa noted that it is in flood zone X and under stormwater detention ordinance. The Planning and Zoning Commission and staff recommend approval.

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to approve Final Plat for Las Villas Apartments Subdivision, being a 2.66 acre land out Farm Tract 627, Block 178, West Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to approve a six-month extension of the Final Plat for The Jungle Subdivision, a 10.0' acre tract out of Farm Tract 658 West & Adams Tract Subdivision located on the North side of Mile 6 N. Road, approximately 601.92' West of Westgate Drive. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated this is a three lot subdivision that is close to expiring and expected to be recorded within the next couple of months. The Planning and Zoning Commission and staff recommend approval.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to approve a six-month extension of the Final Plat for The Jungle Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to approve a six-month extension of the Final Plat for Midway Mobile Subdivision, a 25.263 acre tract of land being all of Farm Tract 643, West and Adams Tracts Subdivision, Hidalgo County, Texas. Located on Midway Road and Mile 6½ North Road. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated the developer requests more time for completion. The Planning and Zoning Commission and staff recommend approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve a six-month extension of the Final Plat for Midway Mobile Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to select a committee to evaluate Request For Qualifications No. 2017-18-21 Civil Engineering Services Stormwater Improvements Plan. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa recommends the committee be comprised of elected officials and staff to rank and evaluate. Commissioners Muñoz and Kerr recommended the entire Commission; Mayor Pro Tem Tafolla recommended staff members Efrain Tafolla and Rolando Garza, City Manager recommended Mardoqueo Hinojosa and Zenaida Reyna.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve Mayor and Commissioners, City Manager, Mardoqueo Hinojosa, Efrain Tafolla, Rolando Garza and Zenaida Reyna. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration on approval of payment to Republic Services in the amount of $286,503.97 for the removal of debris due to flooding and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa recommended approval stating this is the second invoice with 32,000 tons of debris collected; $51,593.72 had been authorized for the first invoice. There was consensus to remove roll-off containers by the end of next week; remaining debris may be placed in front of an individual house to be picked up.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve payment to Republic Services in the amount of $286,503.97 for the removal of debris due to flooding as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration on request from Hidalgo County Precinct 1 to approve a revised Interlocal Cooperation Agreement for participation with Phase I-Preliminary Engineering for improvements to Mile 10 roadway from Mile 6 East to FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

The City Manager recommended approval as previous Commission action authorized cost participation.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve a revised Interlocal Cooperation Agreement for participation with Phase I-Preliminary Engineering for improvements to Mile 10 roadway from Mile 6 East to FM 1015. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to renew Health Insurance including EAP with Blue Cross Blue Shield and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez, Human Resources Director, recommended approval to renew as there is no increase in premiums.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve and renew Health Insurance including EAP with Blue Cross Blue Shield as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration to renew Supplemental Insurance including 125 Cafeteria plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez recommended approval stating there is no cost increase and benefits remain the same with the following carriers: Ameriflex-FSA/125; Colonial Life-Cancer/Critical Illness; Cigna-Accident; Eyetopia-Vision; Blue Cross Blue Shield-Dental and The Standard-short/long term disability and term life & ADD.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve and renew Supplemental Insurance including 125 Cafeteria plan as presented. The motion carried unanimously; Mayor Suarez was present and voting.

S. Discussion and consideration to renew with Texas Municipal League and Intergovernmental Insurance (TMLIRP):

1. Workers Compensation

2. Commercial Package (General Liability/Professional, Law Enforcement Liability, Errors & Omissions Liability, Auto Liability, Auto Physical Damage, Aviation, Real & Personal Property, Flood & Earthquake, Mobile Equipment, Ocean Marine, Crime, etc.)

and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez, HR Director, recommended to renew with Texas Municipal League the Workers Compensation and Commercial Package. There was a reduction in workers compensation claims of $52,680.00 and an increase in the commercial package of 1.3%.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve and renew with Texas Municipal League and Intergovernmental Insurance (TMLIRP) the Workers Compensation and Commercial Package as presented. The motion carried unanimously; Mayor Suarez was present and voting.

T. Discussion and consideration to renew Group Basic Life and AD&D and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez, HR Director, stated coverage cost for Group Basic Life increased from $0.12 to $0.132 and there is no increase to the AD&D coverage. Staff recommends renewal as increase is minimal.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve and renew with Dearborn National the Group Basic Life and AD&D. The motion carried unanimously; Mayor Suarez was present and voting.

U. Discussion and consideration to approve an Election Order toward an election of Commissioner District 1 and Commissioner District 4 during the General Election on November 6, 2018 pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. Possible action. (Staffed by City Secretary's Office.)

Elizabeth Walker, City Secretary, recommended approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve an Election Order toward an election of Commissioner District 1 and Commissioner District 4 during the General Election on November 6, 2018 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. Discussion and consideration to assign the district for the new park property and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary's Office.)

Elizabeth Walker recommended assignment of the proposed new park to District 5 as the present boundary between districts four and five north of the expressway is Texas Boulevard/FM88.

Commissioner Kerr, seconded by Commissioner Lopez, moved to assign the new park to District 5 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

There were no reports presented; the Commission proceeded immediately to Executive Session.

VII. REPORTS

A. Report by Finance Department - Quarterly Investment Report. Possible action to accept and file.

There was no action.

B. Report by Finance Department - Quarterly Financial Report. Possible action to accept and file.

There was no action.

C. Report by Siemens Technologies on Performance Contracting Agreement.

D. Report by Weslaco Area Chamber of Commerce.

E. Report by Economic Development Corporation of Weslaco.

F. Report by Planning and Code Enforcement.

G. Report by Inframark.

H. Report by Public Works.

VIII. EXECUTIVE SESSION

At 7:44 p.m. Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 10:24 p.m. Mayor Suarez announced 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 §551.074 of the Texas Government Code.

There was no action.

B. Personnel - Discussion regarding the Arbitration of Appeal from Gilbert Luna as authorized by §551.074 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to authorize the City Attorney to proceed with settlement negotiation as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Contract Negotiations – Discussion with the City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.

There was no action.

D. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Motorcycle as authorized by §551.087 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve incentives for Project Motorcycle as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

E. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.

There was no action.

F. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.072 of the Texas Local Government Code.

There was no action.

G. Real Property – Consultation with City Attorney on the purchase of real property legally described as Chelsea Park W6.83AC GR 5.22AC Net on Border Avenue as authorized by §551.072 of the Texas Local Government Code.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to authorize the City Manager to negotiate the purchase of property legally described as Chelsea Park W6.83AC GR 5.22AC Net on Border Avenue as discussed in executive session. The motion carried with Commissioner Kerr abstaining; Mayor Suarez was present and voting.

H. Real Property – Consultation with City Attorney on the purchase of real property legally described as West Tract W3.67AC-S10AC-N20AC FT 685 at Dawson and Oregon Streets as authorized by §551.072 of the Texas Local Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to authorize the City Manager to negotiate with the owners of real property legally described as West Tract W3.67AC-S10AC-N20AC FT 685 at Dawson and Oregon Streets as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

I. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 1411 W. 18th Street, Weslaco, Texas as authorized by §551.072 of the Texas Local Government Code.

Commissioner Muñoz, seconded by Mayor Pro Tem Tafolla, moved to authorize the City Manager to reduce the sales price of real property located at 1411 W. 18th Street, Weslaco, Texas in consideration of a dedicated 25-foot easement. The motion carried unanimously; Mayor Suarez was present and voting.

X. ADJOURNMENT

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to adjourn the meeting at 10:26 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

_____
MAYOR, David Suarez

ATTEST:

_____
CITY SECRETARY, Elizabeth Walker

_____
MAYOR PRO-TEM, Gerardo "Jerry" Tafolla

_____
COMMISSIONER, Leo Muñoz

_____
COMMISSIONER, Greg Kerr

ABSENT
_____
COMMISSIONER, Jose "J.P." Rodriguez

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza