



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 19, 2019**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, March 19, 2019 at 5:30 PM for the purpose of discussing the following items:

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Weslaco City Commission will convene in such executive or closed session whether or not such item is posted as an executive session item at any time during the meeting when authorized by the provisions of the Texas Open Meetings Act.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral recognition.
- E. Roll Call.

II. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

If you are discussing something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

III. PUBLIC HEARING

- A. To solicit input on behalf of Della Fay Perez requesting to rezone 903 S. Border Ave., Also being a 0.70 acre tract of land being the North 185.00 feet of the South 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.

- B. To solicit input on behalf of Antonio Martinez III requesting to rezone 609 Hidalgo St., Also being Lot 14-15, BLK 7. Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.
- C. To solicit input on behalf of Red Rock Real Estate Development Group, LTD requesting to rezone 1321 S. International Blvd. Also being a 1.42 acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1. Mira Vista, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district.
- D. To solicit input on behalf of Red Rock Real Estate Development Group, LTD. requesting to rezone 3602 Camino Real Viejo. Also being a 5.00 Acre Tract Of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.
- E. To solicit input on behalf of Alejandro Pena requesting to rezone 1704 N. International Blvd. Also being Lot A, BLK F. Pecan Grove Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district
- F. To solicit input on behalf of Antonio Duran requesting a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit at 2901 W. Bus 83, also being the W 1.77 acres- an IRR Tract S88 Farm Tract 626 being 1.77 ac Net, West Tract Subdivision, Weslaco, Hidalgo County, Texas.
- G. To solicit input on behalf of Magar Investment LLC requesting a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 2708 N. Texas Blvd., also being the S150'-N711'-E220'-W250' FT 107 0.76AC NET, West Tract Subdivision, Weslaco, Hidalgo County, Texas, approximately the Northeast corner of Texas Blvd and Sugarcane Dr.

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 Special Meeting on February 13, 2019; and
 - 2) Minutes of the Regular Meeting on March 5, 2019 (Staffed by City Secretary's Office.) Attachment.

- B. Approval on renewal of License Agreement for Annual “Movies at the Park” at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2019 season and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.) Attachment
- C. Approval to authorize staff to proceed with purchase of Bulletproof vests for Weslaco Police Department sworn personnel in the amount not to exceed \$47,600.00 (Qty 68 BVP's) and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration to authorize staff to solicit bids for drainage improvements for Merida and Austin Streets and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on March 5, 2019; staffed by Engineering Department.)

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Della Fay Perez, to approve Ordinance 2019-07 to rezone 903 S Border Ave. also being a 0.70 acre tract of land being the north 185.00 feet of the south 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-07. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Antonio Martinez III to approve Ordinance 2019-08 to rezone 609 Hidalgo St., also being Lot 14-15, BLK 7. Weslaco Original Townsite, 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 2019-08. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Red Rock Real Estate Development Group, LTD to approve Ordinance 2019-09 to rezone 1321 S. International Blvd. Also being a 1.42 acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1. Mira Vista, 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 2019-09. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- D. Discussion and consideration after public hearing on behalf of Red Rock Real Estate Development Group, LTD, to approve Ordinance 2019-10 to rezone 3602 Camino Real Viejo also being a 5.00 Acre Tract Of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-10. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration after public hearing on behalf of Alejandro Pena, to approve Ordinance 2019-11 to rezone 1704 N. International Blvd. Also being Lot A, BLK F. Pecan Grove 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 2019-11. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration after public hearing on behalf of Antonio Duran to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit at 2901 W. Bus 83, also being the W 1.77 acres- an IRR Tract S88 Farm Tract 626 being 1.77 ac Net, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- G. Discussion and consideration after public hearing on behalf of Magar Investment LLC to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 2708 N. Texas Blvd., also being the S150'-N711'-E220'-W250' FT 107 0.76AC NET, West Tract Subdivision, Weslaco, Hidalgo County, Texas, approximately the Northeast corner of Texas Blvd and Sugarcane Dr. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment
- H. Discussion and consideration to approve the Final Plat for Avanti At Sienna Palms Legacy - being a 6.5 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the East Side of Mile 6 ½ W. ¼ Mile South of Mile 10 N. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- I. Discussion and consideration to approve Ordinance 2019-12 for the voluntary annexation of the Avanti At Sienna Palms Legacy - being a 7.9 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the East Side of Mile 6 ½ W. ¼ mile south of Mile 10 N. First Reading of Ordinance 2019-12. Possible action. (Staffed by Planning and Code Enforcement Department). Attachment
- J. Discussion and consideration on request from Weslaco Centennial Committee for use of Old Chamber Offices for Weslaco 100 events and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- K. Discussion and consideration to accept the most advantageous bidder, SmartCom Telephone, as the vendor for internet access services submitted in response to the Library's Request for Proposal within the E-Rate Year 22 cycle (Fiscal Year 2019-2020), and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment
- L. Discussion and consideration to reject the bid in response to the Library Basic Network Maintenance and Equipment Services Request For Proposals and authorize the Mayor to execute any related documents. possible action. (Staffed by the Library Department) Attachment
- M. Discussion and consideration to authorize purchase of a JD 8295R Tractor and a Scraper (Option 1 or Option 2) from Deere & Company, Buyboard Vendor Contract No. 529-17, in the amount not to exceed \$425,967.64 and authorize the Mayor to execute all related documents. Possible action. (Staffed by Public Works Department.) Attachment
- N. Discussion and consideration on Memorandum of Understanding between City of Weslaco Fire Department and Med-Care Ambulance on pilot program for emergency responses and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department) Attachment
- O. Discussion on presentation of material for distribution to the public as related to the upcoming May 4, 2019 Bond Election. Possible action. (Staffed by City Manager.) Attachment

VII. REPORTS

- A. Report by Weslaco Police Department

VIII. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:

(1) the defendant had good reason to believe the disclosure was lawful; or

(2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

- 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.
- B. Personnel - Evaluation and interview of Municipal Judges and possible selection of Municipal Judges for the City of Weslaco as authorized by §551.074 of the Texas Government Code
- C. Personnel - Discussion regarding goals, objections and evaluation of the Chief of Police, Joel Rivera, as authorized by §551.074 of the Texas Government Code.
- D. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding City of Weslaco v. Briones Consulting and Engineering as authorized by §551.071 of the Texas Government Code.
- F. 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.

- G. Real Property - Consultation with City Attorney on the purchase of real property legally described as Farm Tract 743, West Adams Addition located on South Texas Blvd South of 18th Street as authorized by §551.072 of the Texas Local Government Code
- H. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Tube as authorized by §551.087 of the Texas Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 15th day of March, 2019 at 4:30 p.m. and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Myra Ayala, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary's Office at (956) 968-3181, Ext. 3100 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials:



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2276	
From:			
Subject: Certification of Public Notice.			
Background: Call to Order, includes the following: A. Certification of Public Notice. B. Invocation. C. Pledge of Allegiance. D. Mayoral recognition. E. Roll Call			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: A. Mayor will Call to Order and certify Public Notice. B. Pastor Steven Wagenknecht, Abiding Savior Lutheran Church will lead the invocation C. Mayor will lead Pledge of Allegiance; Mayor Pro-Tem may lead Texas Flag. D. Mayoral recognition. E. City Secretary will call roll. Four or more Commissioners present constitute a Quorum; otherwise, no action may be taken.			
Attachments, if any: Pledge & Mission updated 2018 election			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

The Pledge of Allegiance to the Flag

"I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL."

The Pledge of Allegiance to the State Flag

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

**The pledge was amended by House Bill 1034 during the 80th Legislature with the addition of "one state under God." The revised wording became effective on June 15, 2007.*

Preamble to the Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

STATEMENT OF VISION: AN INTERNATIONAL CENTER OF GROWTH

Friendly people with vision, courage and integrity

STATEMENT OF MISSION: COMMITMENT TO EXCELLENCE IN PUBLIC SERVICE

- *Positive Attitude of Courtesy & Concern
- *Doing it Right the First Time
- *Sensitive to the citizens' needs
- *Friendly Respect for All
- *Service without Hassle



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2215	
From: Joe Pedraza			
Subject: To solicit input on behalf of Della Fay Perez requesting to rezone 903 S. Border Ave., Also being a 0.70 acre tract of land being the North 185.00 feet of the South 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to R-2 Duplex and apartment district. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on January 25, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on January 21, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on February 6, 2019.			
Aida Vega Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends denial based on 2040 land use map.			
Attachments, if any:			
Responsibilities upon Approval: Staff will notify applicant.			



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2284
From:		
Subject: To solicit input on behalf of Antonio Martinez III requesting to rezone 609 Hidalgo St., Also being Lot 14-15, BLK 7. Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.		
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to R-2 Duplex and apartment district. Thirty-four (34) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Public Hearing		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019		
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.		
Kayla Arevalo Joe Pedraza Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.		
Staff Recommendation: Staff recommends denial based on 2040 Land Use Map		
Attachments, if any:		
Responsibilities upon Approval: Staff will notify applicant.		



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2285	
From: Joe Pedraza			
Subject: To solicit input on behalf of Red Rock Real Estate Development Group, LTD requesting to rezone 1321 S. International Blvd. Also being a 1.42 acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1. Mira Vista, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district.			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary highway business district. Three (3) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any:			
Responsibilities upon Approval: Staff will notify applicant.			



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2288	
From: Joe Pedraza			
Subject: To solicit input on behalf of Red Rock Real Estate Development Group, LTD. requesting to rezone 3602 Camino Real Viejo. Also being a 5.00 Acre Tract Of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary highway business district. Eight (8) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends approval based on existing surrounding land use.			
Attachments, if any:			
Responsibilities upon Approval: Staff will notify applicant.			



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2286	
From: Joe Pedraza			
Subject: To solicit input on behalf of Alejandro Pena requesting to rezone 1704 N. International Blvd. Also being Lot A, BLK F. Pecan Grove Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary highway business district. . Twenty- three (23) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any:			
Responsibilities upon Approval: Staff will notify applicant			



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2216	
From: Joe Pedraza			
Subject: To solicit input on behalf of Antonio Duran requesting a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit at 2901 W. Bus 83, also being the W 1.77 acres- an IRR Tract S88 Farm Tract 626 being 1.77 ac Net, West Tract Subdivision, Weslaco, Hidalgo County, Texas.			
Background: The applicant is requesting to obtain a Conditional Use Permit to obtain a Beer Retail Dealer's On-Premise License, Beer Retail Dealer's On-Premise Late Hours License. Nine (9) property owners within 200 feet of the applicant's property were notified by letter on January 25, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on January 21, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the Conditional Use Permit request with the condition that one security guard be on duty from 10:00 pm until closing on February 6, 2019.			
Aida Vega Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: solicit public comments.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any:			
Responsibilities upon Approval: Staff will notify applicant.			



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2287	
From: Joe Pedraza			
Subject: To solicit input on behalf of Magar Investment LLC requesting a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 2708 N. Texas Blvd., also being the S150'-N711'-E220'-W250' FT 107 0.76AC NET, West Tract Subdivision, Weslaco, Hidalgo County, Texas, approximately the Northeast corner of Texas Blvd and Sugarcane Dr.			
Background: The applicant is requesting to obtain a Conditional Use Permit to obtain a Beer Retail Dealer's On-Premise License, Beer Retail Dealer's On-Premise Late Hours License, and Beverage Cartage Permit. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Public Hearing			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the public hearing for the City Commission appeared in The Monitor on February 18, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the conditional use permit on March 6, 2019 with the condition that two security guards be on duty during late hours.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Solicit public comments.			
Staff Recommendation: Staff recommends approval			
Attachments, if any:			
Responsibilities upon Approval: Staff will notify applicant.			



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2281	
From:			
Subject: Approval of the following: 1) Minutes of the Special Meeting on February 13, 2019; and 2) Minutes of the Regular Meeting on March 5, 2019 (Staffed by City Secretary's Office.) Attachment.			
Background: Record of commission action for Special meeting on February 13, 2019 and regular meeting on March 5, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Mike Perez		Created/Initiated New	
City Manager Comments: Approve.			
Staff Recommendation: Approve.			
Attachments, if any: 180123 minutes , 19-03-05 minutes			
Responsibilities upon Approval: Execute and retain.			



A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 13, 2019

On Tuesday, February 13, at 6:40 p.m. the City Commission of the City of Weslaco, Texas convened in a Special 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	Gregg Kerr
Commissioner	Leo Muñoz
Commissioner	Jose “J.P.” Rodriguez
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
Interim City Secretary	Aida Vega
City Attorney	Juan E. Gonzalez

Also present: Veronica Ramirez, Human Resources Director; Leo Gonzalez, Information Technology Director; Joe Pedraza, Interim Planning and Code Enforcement Director, Andrew Muñoz, Airport Director; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, February 9, 2019.

B. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

C. Roll Call.

Aida Vega, Interim City Secretary, called the roll, noting the absence of Commissioner Tafolla and a quorum present.

At 6:41 p.m. Mayor Pro Tem Kerr, seconded Commissioner Muñoz moved to recess the special called meeting. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:15 p.m. Commissioner Muñoz, seconded by Commissioner Lopez moved to resume the special meeting. The motion carried unanimously; Mayor Suarez was present and voting.

II. PUBLIC COMMENTS

Eloisa Likens voiced concerns with proposed development on 18th Street (intersection of 18th and Border) if drainage is lacking in the area.

III. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2019-04 ordering a Special Bond Election to be held May 4, 2019 in the City of Weslaco, Texas and authorizing the Mayor to execute any related documents. First and final reading of Ordinance 2019-04. Possible action. (Staffed by the City Manager.)

The City Manager stated the commission may adopt or deny ordering an election proposing a tax increase of three cents, six cents or an amount not to exceed six cents for drainage improvements.

In response to Mayor Pro Tem Kerr, the item as introduced would be a six-cent increase; Commissioner Muñoz stated a three-cent increase was more favorable and would be less confusing to the voter.

Bond Counsel stated the six-cent is needed improvements and will levy \$17-million; a three-cent increase will levy \$10-million; the commission would need to determine the amount.

Mayor Suarez called the question on the original motion. The motion failed unanimously.

Commissioner Muñoz, seconded by Commissioner Lopez moved to approve Ordinance 2019-04 ordering a Special Election to be held May 4, 2019 levying a three-cent tax bond election to aggregate principal amount of not more than \$10-million and approve those projects as recommend by the drainage committee. By roll call vote the motion carried; Mayor Suarez was present and voting.

For the record, following is the ordinance.

ORDINANCE NO. 2019-04

AN ORDINANCE CALLING A BOND ELECTION TO BE HELD IN THE CITY OF WESLACO, TEXAS; MAKING PROVISION FOR THE HOLDING OF THE ELECTION; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO

* * * * *

WHEREAS, the City Commission (the "*Commission*") of the CITY OF WESLACO, TEXAS (the "*City*"), located in the County of Hidalgo, Texas hereby finds and determines that an election should be held to determine whether the Commission shall be authorized to issue bonds of the City in the amounts and for the purposes hereinafter identified (the "*Election*"); and

WHEREAS, the City will contract with the Election Administrator (the "*Administrator*") of Hidalgo County, Texas (the "*County*") to conduct all aspects of the Election; and

WHEREAS, the Election will be held jointly with other political subdivisions (such other political subdivisions, collectively, the "*Participants*") for whom the County is also conducting their elections, as provided

pursuant to the provisions of one or more joint election agreements or contracts among the City, the County, and the Participants, entered into in accordance with the provisions of Section 271.002, as amended, Texas Election Code, or other applicable law, pursuant to which the County will conduct all aspects of the Election on the City's behalf; and

WHEREAS, the Commission hereby finds and determines that it is in the best interests of the City to enter into one or more election agreements or contracts with the County and the Participants to conduct the Election in accordance with the laws of the State of Texas (the "State") and applicable federal laws; and

WHEREAS, the Commission hereby finds and determines that the necessity to construct various capital improvements within the City necessitates that it is in the public interest to call and hold the Election at the earliest possible date to authorize the issuance of bonds for the purposes hereinafter identified; and

WHEREAS, the Commission hereby finds and determines that the actions hereinbefore described are in the best interests of the qualified voters of the City; now, therefore,

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

SECTION 1. The Election shall be held in the CITY OF WESLACO, TEXAS on the 4th day of May, 2019 ("*Election Day*"), which is a uniform election date under the Texas Election Code, as amended, and is not less than seventy-eight (78) days nor more than ninety (90) days from the date of the adoption of this ordinance (the "*Ordinance*"), for the purpose of submitting the following propositions to the qualified voters of the City:

PROPOSITION A

"Shall the City Commission of the City of Weslaco, Texas be authorized to issue and sell one or more series of bonds of the City in the aggregate principal amount of not more than \$10,000,000 for the purpose of making permanent public improvements for public purposes, to wit: providing drainage and flood water improvements and facilities for the removal of, and protection from, harmful excesses of water, whether constant or periodic, any other drainage or stormwater improvements, acquiring equipment, lands and rights of way necessary thereto, and in providing for such public improvements, the City Commission shall have the option to utilize other funds available including grants for such purposes or other drainage improvements related to such grants; such bonds to mature serially or otherwise (not more than forty (40) years from their date) in accordance with law; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the City Commission, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Commission of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity and the cost of any credit agreements executed in connection with the bonds?"

SECTION 2. The City Election Day polling places hereby designated for holding the Election in the City are identified in Exhibit A to this Ordinance, and this Exhibit A is hereby incorporated by reference into this Ordinance for all purposes. The City hereby delegates to the Administrator (or her designee) the power to approve the appointment of the Presiding Judges, Alternate Presiding Judges, Election Clerks, and all other election officials for the Election, together with any other necessary changes to election practices and procedures. The City Manager can correct, modify, or change the Exhibits to this Ordinance based upon the final locations and times agreed upon by the Administrator, the City, and the Participants to the extent permitted by applicable law.

The Presiding Judge shall appoint not less than two (2) resident qualified voters of the County to act as clerks in order to properly conduct the Election. To the extent required by the Texas Election Code, as amended, or other applicable law, the appointment of these clerks must include a person fluent in the Spanish language to serve as a clerk

to render oral aid in the Spanish language to any voter desiring such aid at the polls on Election Day. If the Presiding Judge appointed actually serves, the Alternate Presiding Judge shall serve as one of the clerks. In the absence of the Presiding Judge, the Alternate Presiding Judge shall perform the duties of the Presiding Judge of the election precinct.

On Election Day, the polls shall be open from 7:00 a.m. to 7:00 p.m.

The main early voting location is designated in Exhibit B to this Ordinance (which is hereby incorporated herein by reference for all purposes). The Administrator shall designate the Early Voting Clerk to conduct such early voting in the Election. The Early Voting Clerk shall appoint the Deputy Early Voting Clerks. This main early voting location shall remain open to permit early voting on the days and at the times as stated in Exhibit B. Early voting shall commence as provided on Exhibit B and continue through the date set forth on Exhibit B, all as provided by the provisions of the Texas Election Code, as amended.

Additionally, permanent branch offices for early voting by personal appearance shall be established and maintained in accordance with the Texas Election Code. The locations, dates, and hours of operation for early voting at these offices (being the permanent branch offices) shall be determined by the Administrator, as identified in Exhibit B hereto.

An Early Voting Ballot Board is hereby established for the purpose of processing early voting results. The individual designated in Exhibit B as the Presiding Judge of the Early Voting Ballot Board is hereby appointed the Presiding Judge of the Early Voting Ballot Board. The Presiding Judge shall appoint not less than two (2) resident qualified voters of the County to serve as members of the Early Voting Ballot Board.

SECTION 3. Electronic voting machines may be used in holding and conducting the Election on Election Day; provided, however, in the event the use of such electronic voting machines is not practicable, the Election may be conducted on Election Day by the use of paper ballots (except as otherwise provided in this section). Electronic voting machines or paper ballots may be used for early voting by personal appearance (except as otherwise provided in this section). Pursuant to Section 61.012, as amended, Texas Election Code, the City shall provide at least one accessible voting system in each polling place used in the Election. Such voting system shall comply with State and federal laws establishing the requirement for voting systems that permit voters with physical disabilities to cast a secret ballot. Paper ballots, touch screen voting machines, and/or such other legally-permissible voting methods may be used for early voting and Election day voting by personal appearance. Certain early voting may be conducted by mail.

The City shall also utilize a Central Counting Station (the “*Station*”) as provided by Section 127.001, et seq., as amended, Texas Election Code, as amended. The Administrator, or his designee, is hereby appointed as the Manager and Presiding Judge of the Station and may appoint Station clerks and establish a written plan for the orderly operation of the Station in accordance with the provisions of the Texas Election Code, as amended. The Commission hereby appoints the Administrator, or his designee, as the Tabulation Supervisor and the Administrator, or his designee, as the Programmer for the Station. Lastly, the Administrator will publish notice and conduct testing on the automatic tabulation equipment relating to the Station and conduct instruction for the officials and clerks for the Station in accordance with the provisions of the Texas Election Code, as amended.

SECTION 4. The official ballot shall be prepared in accordance with the Texas Election Code, as amended, so as to permit voters to vote “FOR” or “AGAINST” the aforesaid propositions which shall appear on the ballot substantially as follows:

PROPOSITION A

“THE ISSUANCE OF NOT TO EXCEED \$10,000,000 OF CITY OF WESLACO, TEXAS
BONDS FOR DRAINAGE IMPROVEMENTS, AND THE LEVYING OF A TAX IN PAYMENT
THEREOF”

SECTION 5. All resident qualified voters of the City shall be permitted to vote at the Election, and on Election Day, such voters shall vote at the designated polling places. The Election shall be held and conducted in accordance with the provisions of the Texas Election Code, as amended, Chapters 1251 and 1331, as amended, Texas

Government Code, and as may be required by any other law. All materials and proceedings relating to the Election shall be printed in English, Spanish.

SECTION 6. A substantial copy of this Ordinance shall serve as a proper notice of the Election. This notice, including Spanish translation thereof, shall be posted (i) at three (3) public places within the City and at the City Hall not less than twenty-one (21) days prior to Election Day, (ii) in a prominent location at each polling place on Election Day and during early voting, and shall be published on the same day in each of two (2) successive weeks in a newspaper of general circulation in the City, the first of these publications to appear in such newspaper not more than thirty (30) days, and not less than fourteen (14) full days prior to Election Day. In addition, during the twenty-one (21) days prior to Election Day, the City shall, in a prominent manner, maintain such notice on its internet website.

SECTION 7. As required by and in accordance with Section 3.009(b)(5) and (7) through (9) of the Texas Election Code, added by the 83rd Texas Legislature, the City, as of its fiscal year beginning October 1, 2018, had outstanding an aggregate principal amount of debt equal to \$69,120,000; the aggregate amount of the interest owed on such City debt obligations, through respective maturity, totaled \$23,906,328.23; and the City levied an ad valorem debt service tax rate for its outstanding debt obligations of \$0.1524 per \$100 of taxable assessed valuation. The City estimates an ad valorem debt service tax rate of \$0.2124 per \$100 of taxable assessed valuation if the bonds that are subject of the Election are approved and are issued (taking into account the outstanding City bonds and bonds that are the subject of this Election, but not future bond authorizations of the City). This is only an estimate provided for Texas statutory compliance and does not serve as a cap on any City ad valorem debt service tax rate.

SECTION 8. The Commission authorizes the City Manager, or his designee, to negotiate and enter into one or more joint election agreements or contracts with the County, through its Administrator, and the Participants in accordance with the provisions of the Texas Election Code, as amended, and as necessary or desired, to make such technical modifications to this Ordinance that are necessary for compliance with applicable State or federal law or to carry out the intent of the Commission, as evidenced herein.

SECTION 9. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Commission.

SECTION 10. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 11. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 12. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Commission hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 13. It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 14. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption.

* * *

APPROVED AND ADOPTED on first and final reading this 13th day of February 2019.

EXHIBIT A

ELECTION DAY POLLING LOCATIONS

Election Day: Saturday, May 4, 2019

Election Day Polling Locations open from 7:00 a.m. to 7:00 p.m.

Polling Places

Business Visitor and Event Center, 275 South Kansas Avenue

Stephen F. Austin School, 514 West 4th Street

EXHIBIT B

EARLY VOTING
POLLING PLACE, DATES, AND TIMES

Early voting begins Monday, April 22, 2019 and ends on Tuesday, April 30, 2019

Early Voting Clerk: Yvonne Ramon
Early Voting Clerk's address: Hidalgo County Clerk,
101 South 10th Avenue
Edinburg, Texas 78539

Location, Dates & Hours of Early Voting Polling Place

Location: Business Visitor and Event Center, 275 South Kansas Avenue

Dates	Times
April 22, 2019	7:00 a.m. until 7:00 p.m.
April 23, 2019	7:00 a.m. until 7:00 p.m.
April 24, 2019	7:00 a.m. until 7:00 p.m.
April 25, 2019	7:00 a.m. until 7:00 p.m.
April 26, 2019	7:00 a.m. until 7:00 p.m.
April 27, 2019	7:00 a.m. until 7:00 p.m.
April 29, 2019	7:00 a.m. until 7:00 p.m.
April 30, 2019	7:00 a.m. until 7:00 p.m.

Any voter who is entitled to vote an early ballot by personal appearance may do so at any of the early voting polling places listed herein.

Early Voting by Mail

Applications for voting by mail should be mailed to be received no earlier than April 23, 2019 and no later than the close of business (4:30 p.m.) on May 4, 2019.

Send applications by:
Regular mail to:
Yvonne Ramon,
Elections Administrator
Post Office Box 659
Edinburg, Texas 78540
FAX to (956)-393-2039

Common or contract carrier:

Yvonne Ramon,
Elections Administrator
101, South 10th Avenue
Edinburg, Texas 78539

B. Discussion and consideration to approve Ordinance 2019-05 ordering a Special Election to be held May 4, 2019 in the City of Weslaco, Texas authorizing an Ordinance of the City Commission establishing a Municipal Drainage Utility System and related fees and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2019-05. Possible action (Staffed by the City Manager.)

Bond Counsel stated the ordinance, if approved by the voters, would allow the commission to pass an ordinance to create the Municipal Drainage Utility System imposing fees when the commission was ready to proceed.

Commissioner Muñoz, seconded by Commissioner Lopez moved to approve Ordinance 2019-05 ordering a Special Election to be held May 4, 2019 establishing a Municipal Drainage Utility System. By roll call vote the motion failed unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration on Ordinance 2019-06 ordering a Special election to be held May 4, 2019 in the City of Weslaco, Texas authoring an Ordinance of the City Commission adopting a Comprehensive City Drainage Plan and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2019-06. Possible action. (Staffed by the City Manager.)

Commissioner Muñoz, seconded by Commissioner Lopez moved to approve Ordinance 2019-06 ordering a Special Election to be held May 4, 2019 adopting a Comprehensive City Drainage Plan. By roll call vote the motion failed unanimously; Mayor Suarez was present and voting.

IV. ADJOURNMENT

Commissioner Muñoz seconded by Commissioner Pedraza moved to adjourn at 7:46 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

INTERIM CITY SECRETARY, Aida Vega

MAYOR PRO-TEM, Greg Kerr

COMMISSIONER, Leo Muñoz

ABSENT

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Jose “J.P” Rodriguez

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 5, 2019**

On Tuesday, March 05, 2019, at 5:33 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 presence.

Mayor	David Suarez
Mayor Pro-Tem	Greg Kerr
Commissioner	Gerardo "Jerry" Tafolla
Commissioner	Lopez
Commissioner	Pedraza
City Manager	Mike R. Perez
Deputy City Secretary	Aida Vega
City Attorney	Juan E. Gonzalez

Also present: Myra Ayala, City Secretary, Andrew Munoz, Airport Director/Interim Asst. City Manager, Vidal Roman, Finance Director, Sonia Flores, Asst. Finance Director; Omar Rodriguez, Parks and Recreation Director, Leo Gonzalez, Information Technology Director; Joe Pedraza, Ben Worsham City Engineer/Planning and Code Enforcement Director; Robert Lopez, Asst. Police Chief; Veronica Ramirez, HR Director Pete Garcia, Public Works Director; Arnold Becho, Library Director; other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Pro Tem Kerr called the meeting to order and certified the public notice of the meeting as properly posted Friday, March 1, 2019.

B. Invocation.

Pastor Tom Murry, First Episcopal Church, led the invocation.

C. Pledge of Allegiance.

Mayor led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

Mayor Suarez proclaimed March 21, 2018 as "WORLD DOWN SYNDROME DAY"

E. Roll Call.

Aida Vega, Deputy City Secretary, called the roll, noting the absence of Commissioner Rodriguez and Commissioner Muñoz and a quorum present.

II. PUBLIC COMMENTS

None.

III. PUBLIC HEARING

None.

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) Record of Workshop Meeting on January 5, 2019;
- 2) Record of Special Meeting on January 22, 2019; and
- 3) Minutes of the Regular Meeting on February 5, 2019 (Staffed by City Secretary's Office.)

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

- 1) Approve Ordinance 2019-03 a budget amendment for the Animal Care Services Building for metal repairs to the roof and purling not exceeding \$19,000.00 and authorize the Mayor to execute any related documents. (First reading held February 5, 2019; Staffed by Planning & Code Enforcement Department.)

C. Approval to purchase self-contained breathing apparatus/bottles under BuyBoard Contract No. 524-17 at a cost of \$30,795.00 which was budgeted under fire equipment for fiscal year 2018-2019 and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire Dept.)

D. Approval to renew a Service Agreement with SmartCom Telephone for a three-year term for Telecommunications Data and Internet Services for City owned facilities and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.)

E. Approval on the submission of a Letter of Intent to the US Army Corps of Engineers under the Flood Plain Management Service Program, Section 206 of the Flood Control Act of 1960 and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)

F. Approval on the submission of a Letter of Intent to the US Army Corps of Engineers under the Planning Assistance to State Program, Section 22 of the Water Resources Development

Act of 1974, as amended and authorize the Mayor to execute any related documents. (Staffed by City Manager's Office.)

G. Approval on request from the Weslaco Independent School District to place promotional banners publicizing registration at Westgate and Frontage Road 83 and Texas and Pike Blvd and authorize the Mayor to execute any related documents that may be required from the Texas Department of Transportation. (Staffed by the City Manager's Office.)

H. Approval on Resolution 2019-21 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (FY2020 Criminal Justice Program, JAG) to fund salary for a non-civil service Evidence Technician in an amount not to exceed \$45,000 with NO MATCH REQUIRED and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

I. Approval on Resolution 2019-22 to apply to the Office of the Governor's Homeland Security Grants Division Funding Announcement (FY2020 Local Border Security Program) to fund overtime for peace officers and support staff in an amount not to exceed \$120,000 with NO MATCH REQUIRED and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

J. Approval on Resolution 2019-23 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (FY2020 Truancy Prevention and Intervention Program) to fund the First Offender Case Manager's salary, purchase a laptop and obtain an operation budget in an amount not to exceed \$75,000.00 with NO MATCH REQUIREMENT and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

K. Approval on Resolution 2019-24 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (General Victim Assistance Program) to fund the Crime Victim Liaison salary and purchase a laptop and vehicle in an amount not to exceed \$52,000.00 with a 20% MATCH REQUIRED and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

L. Approval on Resolution 2019-25 to apply to the Office of the Governor's Criminal Justice Division Funding Announcement (Violence Against Women Justice and Training Program) to fund training for law enforcement officers, judges, other court personnel, other police support personnel and prosecutors on violence against women in an amount not to exceed \$30,000.00 with a 29% MATCH REQUIREMENT and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

M. Approval on Resolution 2019-26 to apply to the Office of the Governor's Homeland Security Grants Division Funding Announcement (2019 State Homeland Security Program – LETPA Projects) to fund to outfit vehicle(s) for multi-purpose use in an amount not to exceed \$70,000 with NO MATCH REQUIRED and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

N. Approval of Resolution 2019-27 to apply to the Office of the Governor's Homeland Security Grants Division Funding Announcement (2019 State Homeland Security Program –

REGULAR Projects) to fund overtime pay for the Crime Fusion Intelligence Analyst in an amount not to exceed \$15,000 with NO MATCH REQUIREMENT and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

O. Approval of a one year renewal Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

P. Approval of the renewal of the Professional Services Contract with Dr. Andrew Levine for Emergency Medical Services Director in an amount not to exceed \$40,000.00 per year for a two-year term February 2019-February 2021 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

Q. Approval of Resolution 2019-28 authorizing members of staff as signatories on certain legal financial documents for the City of Weslaco with Army Navy Community Credit Union and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

R. Approval of the renewal of the Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

S. Approval to accept 2018-2019 Justice Assistance Grant Program (Grant #3526101) Award in the amount of \$72,640.00 for the purchase an evidence collection van with NO LOCAL MATCH REQUIREMENT and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

T. Approval of a Memorandum of Understanding between the Weslaco Police Department and the Mercedes Police Department regarding participation in Weslaco's Regional Communication Center and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

U. Approval of a Memorandum of Understanding between the FBI, Texas Department of Public Safety (TXDPS), State Administrator of the National Data Exchange (N-DEX) and the Weslaco Police Department for the application and use of N-Dex information and/or equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

V. Acceptance of the 2018 Racial Profiling Report compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.132 (Staffed by Police Department.)

W. Approval to authorize staff to submit a grant to the U.S. Department of Commerce Economic Development Administration (EDA) and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

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

G. Approval on request from the Weslaco Independent School District to place promotional banners publicizing registration at Westgate and Frontage Road 83 and Texas and Pike Blvd and authorize the Mayor to execute any related documents that may be required from the Texas Department of Transportation. (Staffed by the City Manager's Office.)

Mayor Pro Tem Kerr abstained from vote and discussion.

Commissioner Tafolla, seconded by Commissioner Lopez moved to approve Weslaco Independent School District to place promotional banners publicizing registration at Westgate and Frontage Road 83 and Texas and Pike Blvd. The motion carried; Mayor Pro Tem Kerr abstained; Mayor Suarez was present and voting.

For the record following is the ordinance and resolutions.

ORDINANCE 2019-03

AN ORDINANCE AMENDING ORDINANCE NUMBER 2018-27, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019, FINDING NEED TO AMEND THE 2018-2019 MUNICIPAL BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2018-2019 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2018-2019 Official Budget, adopted by Ordinance 2018-27, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 5th day of February 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 5^h day of March 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, Interim CITY SECRETARY

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

RESOLUTION NO. 2019-21

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Justice Assistance Grant (JAG) – Evidence Technician Grant be operated for the fiscal year 2019 to 2020; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Criminal Justice Division Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Justice Assistance Grant (JAG) – Evidence Technician Grant to the Office of the Governor.

Grant Number: 3814401

Passed and approved this 5th day of March 2019.

RESOLUTION NO.2019-22

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the 2020 Local Border Security Program be operated for the fiscal year 2019 through 2020; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Office of the Governor - Homeland Security Grants Division 2020 Local Border Security Program grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the 2018 Local Border Security Program to the Office of the Governor.

Grant Number: 3407203

Passed and approved this 5th day of March 2019.

RESOLUTION NO. 2019-23

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Criminal Justice Division – First Offender Program Grant be operated for the fiscal year 2019 to 2020; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Criminal Justice Division Truancy Prevention and Intervention Program, FY2020; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Criminal Justice Division – First Offender Program Grant to the Office of the Governor.

Grant Number: 3814501

Passed and approved this 5th day of March 2019.

RESOLUTION NO. 2019-24

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Criminal Justice Division – Crime Victim Coordinator Grant be operated for the fiscal year 2019 to 2020; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Criminal Justice Division General Victim Assistance Program, FY2020; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Criminal Justice Division – Crime Victim Coordinator Program Grant to the Office of the Governor.

Grant Number: 3814601

Passed and approved this 5th day of March 2019.

RESOLUTION NO. 2019-25

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the Criminal Justice Division – Violence Against Women Training be operated for the fiscal year 2019 to 2020; and

WHEREAS, The City of Weslaco agrees to provide required matching funds for the said project as required by the Office of the Governor Criminal Justice Division Violence Against Women Justice and Training Program; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the Criminal Justice Division – Violence Against Women Training Grant to the Office of the Governor.

Grant Number: 3814701

Passed and approved this 5th day of March 2019.

RESOLUTION NO. 2019-26

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the 2019 State Homeland Security Program LETPA Project Crime Analyst Grant be operated for the 2019 to 2020 fiscal year; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the 2019 Homeland Security Grant Program (HSGP) LETPA Projects grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the 2019 State Homeland Security Program LETPA Project Crime Analyst Grant to the Office of the Governor.

Grant Number: 3814201

Passed and approved this 5th day of March 2019.

RESOLUTION NO. 2019-27

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the 2019 State Homeland Security Program Regular Projects Drone Grant be operated for the 2019 to 2020 fiscal year; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the 2019 Homeland Security Grant Program (HSGP) Regular Projects grant application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, The City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the 2019 State Homeland Security Program Regular Projects Drone Grant to the Office of the Governor.

Grant Number: 3814301

Passed and approved this 5th day of March 2019.

RESOLUTION NO. 2019-28

STATE OF TEXAS	§	RESOLUTION AUTHORIZING MEMBERS OF STAFF AS
COUNTY OF HIDALGO	§	SIGNATORIES ON CERTAIN LEGAL FINANCIAL DOCUMENTS
CITY OF WESLACO	§	FOR THE CITY OF WESLACO

1. I, Adelaida Vega, certify that I am the Interim City Secretary of The City of Weslaco, organized under the laws of Texas, Federal Employer ID Number 74-6002544, engaged in Municipal business under the name of the City of Weslaco, and that the following is a correct copy of the resolution adopted at a meeting of the City Commission duly and properly called and held on March 5, 2019. This resolution appears in the minutes of this meeting and has not been rescinded or modified.
2. Be it Resolved that,
 - (a) Navy Army Community Credit Union is designated as a depository for the funds of the City of Weslaco.
 - (b) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by this Financial Institution.
 - (c) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City of Weslaco with this financial institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
 - (d) Any of the persons named below, so long as they act in a representative capacity as agents of the City of Weslaco, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this financial institution, concerning funds deposited in this financial institution, moneys borrowed from this financial institution or any other business transacted by and between the City of Weslaco and this financial institution subject to any restrictions stated below.
 - (e) Any and all prior resolutions adopted by the City Commission of the City of Weslaco and certified to this Financial Institution as governing the operations of the City of Weslaco's account(s), are in full force and effect, unless supplemented or modified by this authorization.
 - (f) The City of Weslaco agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City of Weslaco, and authorizes the financial institution named above, at anytime, to charge the City of Weslaco for all checks, drafts, or other orders, for the payment of money, that are properly drawn on this financial institution, and contain the required number of signatures for this purpose.
3. The officials designated below are authorized to conduct business as indicated:

	Name and Title	Signature
(A)	Mike R. Perez, City Manager	_____
(B)	Sonia Flores, Interim Finance Director	_____

Indicate A, and/or B,

- | | | |
|--------------|-----|--|
| <u>A – B</u> | (1) | Exercise all of the powers listed (2) through (9) |
| <u>A – B</u> | (2) | Open any deposit or checking account(s) in the name of the City of Weslaco |
| <u>A – B</u> | (3) | Endorse checks and orders for the payment of money and withdraw funds on deposit with this financial institution.
Number of authorized signatures required for this purpose <u>2</u> . |
| | | Number of authorized signatures required for payroll purpose <u>1</u> . |
| <u>A – B</u> | (4) | Open any certificate of deposit account and withdraw or transfer funds from the certificate of deposit on deposit with this financial institution.
Number of authorized signatures required for this purpose <u>2</u> . |
| <u>A – B</u> | (5) | Transfer funds from operations account to the payroll account, investment account or paying agent approved by City Commission by telefax or other electronic means. Number of authorized signatures required for this purpose <u>1</u> . |
| <u>A – B</u> | (6) | Borrow money on behalf and in the name of the City of Weslaco executes and delivers |

promissory notes or other evidences of indebtedness.

Number of authorized signatures required for this purpose 2.

A – B (7) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the City of Weslaco as security for sums borrowed and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.

Number of authorized signatures required for this purpose 1.

A – B (8) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this financial institution. Number of authorized signatures required to gain access and to terminate the lease 1.

A – B (9) Authorized to make inquiries as to status, account balance pertaining to the City of Weslaco.

4. I further certify that the City Commission of the City of Weslaco has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the power granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this Corporation on March 5, 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, Interim CITY SECRETARY

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

V. APPOINTMENTS

A. Discussion and consideration on Resolution 2019-35 appointing a member to an unexpired term to the Economic Development Corporation of Weslaco Board of Directors and authorizing the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.)

Commissioner Pedraza, seconded by Commissioner Pedraza, moved to approve Resolution 2019-35 appointing Juan Serrano to an unexpired term to the Economic Development Corporation of Weslaco Board of Directors. The motion carried unanimously; Mayor Suarez was present and voting.

RESOLUTION NO. 2019-35

RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE BOARD OF DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION OF WESLACO

WHEREAS, the City of Weslaco has established the Economic Development Corporation pursuant to the Development Corporation Act of 1979 as amended; and

WHEREAS, the term of one member on this board of this corporation is for three years; and

WHEREAS, The Economic Development Corporation of Weslaco's board members shall serve staggered terms without compensation and limited to two (2) consecutive three (3) year terms; and

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

THAT Juan Serrano is appointed to serve an unexpired term on the Board of Directors of the Economic Development Corporation that will expire on the 2nd day of December 2019.

PASSED AND APPROVED on this 5th day of March, 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, Interim CITY SECRETARY

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

B. Discussion and consideration to approve Resolutions 2019-29 and 2019-37 appointing a board member to an expired term on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.)

Commissioner Tafolla, seconded by Commissioner Pedraza, moved to approve Resolutions 2019-29 and 2019-37 reappointing Patrick Kennedy and George Guerra to expired terms on the Ambulance Advisory Board. The motion carried unanimously; Mayor Suarez was present and voting.

RESOLUTION NO. 2019-29

RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Patrick Kennedy is appointed to serve on the Ambulance Advisory Board and the term will begin on April 18 2019 and will expire on April 17, 2021.

PASSED AND APPROVED on this 5th day of March, 2019.

RESOLUTION NO. 2019-37

RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT George Guerra is appointed to serve on the Ambulance Advisory Board and the term will begin on April 18 2019 and will expire on April 17, 2021.

PASSED AND APPROVED on this 5th day of March 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, Interim CITY SECRETARY

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

C. Discussion and consideration to approve Resolutions 2019-30, 2019-31, 2019-32, 2019-33 and 2019-34 appointing members to expired terms on the Weslaco Recycling Committee Task Force and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Tafolla, seconded by Mayor Pro Tem Kerr moved to approve Resolutions 2019-30, 2019-31, 2019-32, 2019-33 reappointing Gail Weigel Ortiz, Ignacio Cavazos, Maria L. Gonzalez and Jim Chapman to expired terms on the Weslaco Recycling Committee Task Force as presented. The motion carried unanimously; Mayor Suarez was present and voting.

RESOLUTION NO. 2019-30

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE
WESLACO RECYCLING TASK FORCE COMMITTEE

WHEREAS, this Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions and recommendations and encourage participation toward the planning and facilitating of programs and activities; and

WHEREAS, after public meetings, all recommendations are required to be submitted to the Weslaco City Commission for approval; and

WHEREAS, the Committee shall concurrently consider challenges and opportunities to promote awareness to reduce, reuse, recycle and encourage participation toward the common goal of a positive public image for the Weslaco Recycling Center; 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 ten (10) members in the Weslaco Recycling Committee Task Force who shall be appointed by the Weslaco City Commission and shall be comprised of three Commissioners, one representative of the Public Works Department, one representative of Republic Services, and five citizens; and

WHEREAS, members shall 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 Recycling Committee Task Force is hereby created.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Gail Weigel Ortiz is appointed to serve on the Committee and the term will begin on March 22, 2019 and expire on March 21, 2020.

PASSED AND APPROVED on this 5th day of March 2019.

RESOLUTION NO. 2019-31

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE
WESLACO RECYCLING TASK FORCE COMMITTEE

WHEREAS, this Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions and recommendations and encourage participation toward the planning and facilitating of programs and activities; and

WHEREAS, after public meetings, all recommendations are required to be submitted to the Weslaco City Commission for approval; and

WHEREAS, the Committee shall concurrently consider challenges and opportunities to promote awareness to reduce, reuse, recycle and encourage participation toward the common goal of a positive public image for the Weslaco Recycling Center; 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 ten (10) members in the Weslaco Recycling Committee Task Force who shall be appointed by the Weslaco City Commission and shall be comprised of three Commissioners, one representative of the Public Works Department, one representative of Republic Services, and five citizens; and

WHEREAS, members shall 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 Recycling Committee Task Force is hereby created.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Ignacio H. Cavazos is appointed to serve on the Committee and the term will begin on March 22, 2019 and expire on March 21, 2020.

PASSED AND APPROVED on this 5th day of March 2019.

RESOLUTION NO. 2019-32

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE
WESLACO RECYCLING TASK FORCE COMMITTEE

WHEREAS, this Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions and recommendations and encourage participation toward the planning and facilitating of programs and activities; and

WHEREAS, after public meetings, all recommendations are required to be submitted to the Weslaco City Commission for approval; and

WHEREAS, the Committee shall concurrently consider challenges and opportunities to promote awareness to reduce, reuse, recycle and encourage participation toward the common goal of a positive public image for the Weslaco Recycling Center; 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 ten (10) members in the Weslaco Recycling Committee Task Force who shall be appointed by the Weslaco City Commission and shall be comprised of three Commissioners, one representative of the Public Works Department, one representative of Republic Services, and five citizens; and

WHEREAS, members shall 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 Recycling Committee Task Force is hereby created.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Maria L. Gonzalez is appointed to serve on the Committee and the term will begin on March 22, 2019 and expire on March 21, 2020.

PASSED AND APPROVED on this 5th day of March 2019.

RESOLUTION NO. 2019-33

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE
WESLACO RECYCLING TASK FORCE COMMITTEE

WHEREAS, this Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions and recommendations and encourage participation toward the planning and facilitating of programs and activities; and

WHEREAS, after public meetings, all recommendations are required to be submitted to the Weslaco City Commission for approval; and

WHEREAS, the Committee shall concurrently consider challenges and opportunities to promote awareness to reduce, reuse, recycle and encourage participation toward the common goal of a positive public image for the Weslaco Recycling Center; 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 ten (10) members in the Weslaco Recycling Committee Task Force who shall be appointed by the Weslaco City Commission and shall be comprised of three Commissioners, one representative of the Public Works Department, one representative of Republic Services, and five citizens; and

WHEREAS, members shall 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 Recycling Committee Task Force is hereby created.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Jim Chapman is appointed to serve on the Committee and the term will begin on March 22, 2019 and expire on March 21, 2020.

PASSED AND APPROVED on this 5th day of March 2019.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, Interim CITY SECRETARY

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

D. Discussion and consideration on Resolution 2019-08, 2019-09 and 2019-10 appointing members to the Complete Count Census Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Commissioner Tafolla, seconded by Mayor Pro Tem Kerr, moved to table Resolutions 2019-08, 2019-09 and 2019-10. The motion carried unanimously; Mayor Suarez was present and voting.

VI. OLD BUSINESS

A. Discussion and consideration to award the Request for Bid received for the construction of the new fire station and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

Andrew Munoz, Aviation Director/Interim Asst. City Manager stated the item was presented at a previous commission meeting and no action taken as proposals were over budget. Seven respondents were evaluated with Tri-Gen Construction the lowest proposal bid of \$1,539,000 with a bid alternate of \$160,000 for total bid price of \$1,699,000.00. Staff was directed to review bids, meet with architect for bid justification and negotiate bid pricing. Staff identified areas of cost reductions and Tri-Gen Construction has provided a letter they will honor bid of \$1,539,000 without alternate bid. Staff recommends approval to award Tri-Gen Construction negotiating a best and final offer.

In response to Mayor Pro Tem Kerr and Mayor Suarez, the City Manager stated do not need to re-bid if negotiating with the lowest bidder and represents a 13% decrease to proposal. City Attorney will offer opinion to confirm action.

Commissioner Tafolla, seconded by Mayor Pro Tem Kerr moved to approve and award the Request for Bid received for the construction of the new fire station to Tri-Gen Construction. The motion carried unanimously; Mayor Suarez was present and voting

VII. NEW BUSINESS

A. Discussion and consideration to approve Change Order No. 1 from Tri-Gen Construction for a decrease in the amount of \$200,254.65 for the New North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

Andrew Munoz stated staff recommended approval for Change Order No.1 a deduction in the amount of \$200,254.65 from the original approved proposal amount of \$1,539,000.00. The revised contract price would not exceed, \$1,338,745.35 and if approved, will be \$88,745.35 over the proposed project budget of \$1,250,000.00, however, final negotiated offer includes Bid Alternate No.1 as part of the base. The project is identified in the City's Five-Year Capital Improvement Plan.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve Change Order No. 1 from Tri-Gen Construction for a decrease in the amount of \$200,254.65 for the New North Side Fire Station Project. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve an Incentive Agreement between Economic Development Corporation of Weslaco and City of Weslaco for drainage improvements in the City's central business district (alley) and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

The City Manager stated to provide more downtown parking, several years ago the Weslaco Economic Development Corporation approached Wells and proposed to improve their private parking area in exchange for public use; paving improvements to the parking area was not done properly and causes flooding to the business. Weslaco Economic Development Corporation proposes to contribute \$25,000 for the city to pave the alley and install valley gutter. The City Manager stated policy in place does not allow to pave alleys and recommends to solicit bids outsourcing the project.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve Incentive Agreement between Economic Development Corporation of Weslaco and City of Weslaco for drainage improvements in the City's central business district (alley) and solicit bids as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to unseal the sole bid received for Request For Bids No. 2018-19-07, and possibly award bid to the sole bidder, for replacement of Automated Weather Observation System III and authorize the Mayor to execute and related documents. Possible Action. (Staffed by Airport.)

Andrew Munoz stated this was for the installation of a new automated observation weather station at the airport; estimated project cost is \$185,000 with TxDOT share \$138,750 and local share of \$46,250 that will be paid by Weslaco Economic Development Corporation. Staff recommends Mayor Suarez unseal sole bid received from DBT Transportation and award if less than \$185,000 if it exceeds the amount, the local match would need to increase or take back to TxDOT for additional grant funding.

Mayor Suarez unsealed sole bid from DBT Transportation announcing a bid of \$182,615.00.

Commissioner Tafolla, seconded by Commissioner Lopez moved to approve sole bid to DBT Transportation in the amount of \$182,615.00 as presented. The motion carried unanimously; Mayor Suarez was present

D. Discussion and consideration to approve the Final Plat for Midway Country Estates– being 28.55 acres out of Farm Tracts 216, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located, approximately 1700 ft West of Mile 6 1/2 West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Rebekah de la Fuente, Senior Planner, stated this was a forty - four (44) lot subdivision; outside city limits; serviced with water by North Alamo Water Supply Company through an 8” waterline

and sewer by on-site sewage facility. The owner requested a variance on drainage to be detained off-site and a variance to allow for sanitary sewer through on-site sewage facility. The Planning and Zoning Commission recommended approval with variances; staff recommending approval of the final plat with compliance to the Ordinance.

Commissioner Tafolla, seconded by Commissioner Lopez moved to approve, Final Plat for Midway Country Estates being 28.55 acres out of Farm Tracts 216, West and Adams Tract Subdivision with variances as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve the Final Plat for Midway Villas Subdivision– being 4.613 acres out of Re- Subdivision of Farm Tract 154, Blk 179, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 500 ft. North of West Expressway 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Rebekah de la Fuente stated this was a two (2) lot subdivision; inside city limits; serviced with water by North Alamo Water Supply and sewer by the City; proposed development is apartments and developer dedicating Lot 2 for a lift station. The Planning and Zoning Commission and staff recommend approval.

Mayor Pro Tem Tafolla, seconded by Commissioner Tafolla, moved to approve Final Plat for Midway Villas Subdivision– being 4.613 acres out of Re- Subdivision of Farm Tract 154, Blk 179, West Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to convert King Estates Subdivision – being the 10.00 acres out of Farm Tract 17, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located on Pleasantview Drive just south of Interstate 2 from a public subdivision to a private subdivision and authorize the Mayor to execute any related documents. Possible action (Staffed by Planning and Code Enforcement.)

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve.

Rebekah de la Fuente stated final plat approval was acted on by the commission on November 7, 2017 as a public subdivision and filed for record in Hidalgo County August 14, 2018. The Engineer representing the owner presented the development as a public subdivision and was not the intention of the developer. Developer is requesting the subdivision convert to private. Staff recommends approval.

Commissioner Pedraza voiced concern with an entrance on the South side that would generate traffic onto Sharon Street; requesting an alternative to alleviate congestion to adjacent subdivision.

The developer stated the intent from the beginning was a private development and agreed to remove that egress by platting into another lot.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez amended moved to approve King Estates Subdivision convert from a public subdivision to a private subdivision contingent to developer re-

plat right-of-way dedicated as Sharon Street into another lot. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to reduce the Clean Sweep events from twice a year to once a year and to increase the neighborhood sweeps to once a month. Possible action. (Staffed by Planning and Code Enforcement Department.)

Joe Pedraza, Building Official, recommended Clean Sweep Operation event occur from twice a year to once a year and increase the neighborhood sweeps to once a month. Containers will be placed in neighborhoods for residents continuing with cleanup efforts. Staff recommends approval.

In response to Mayor Pro Tem Kerr and Commissioner Pedraza; participation of volunteers from organizations has decreased (schools and non-profits) as a result of other community activities that are going on and a schedule for the neighborhood containers will be produced with staff notifying the targeted areas with flyers.

Commissioner Tafolla, seconded by Commissioner Pedraza moved to approve and reduce the Clean Sweep events from twice a year to once a year and to increase the neighborhood sweeps to once a month as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve Resolution No. 2019-36 adopting the 2019 Work Plan and Budget for Year 32 of the Urban County Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Benjamin Worsham, City Engineer, stated the CDBG allocation of funds would be upgrading water and wastewater lines in neighborhoods meeting eligibility criteria in the City; funds for general administration and funds to Amigos Del Valle; total funds allocated for Weslaco was \$295,584.00. Staff recommended approval.

Mayor Pro Tem Kerr, seconded by Commissioner Tafolla moved to approve Resolution No. 2019-36 adopting the 2019 Work Plan and Budget for Year 32 of the Urban County Program. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2019-36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS ADOPTING THE 2019 WORK PLAN AND BUDGET FOR A YEAR THIRTY-TWO (32) URBAN COUNTY PROGRAM

WHEREAS, the City of Weslaco is participating in the Urban County Program; and

WHEREAS, the City of Weslaco conducted a Public Hearing on October 16, 2018 at 6:00 P.M. at the Weslaco City Hall to solicit public input on community needs in compliance with CDBG requirements;

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

The Urban County work plan and budget for Year Thirty-Two (32) 2019 is hereby adopted as follows:

Year 32

<u>PROGRAM ACTIVITY</u>	<u>BUDGET</u>
General Administration	\$ 3,000.00
Water/Sewer Improvements	\$287,584.00
Senior Services – Amigos del Valle	<u>\$ 5,000.00</u>
 TOTAL	 \$295,584.00

PASSED, APPROVED AND ADOPTED THIS THE 5TH DAY OF MARCH 2019

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, Interim CITY SECRETARY

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

I. Discussion and consideration to authorize staff to solicit bids for drainage improvements for Merida and Austin Streets and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

The City Manager recommended approval to authorize staff to negotiate with Hidalgo County Drainage District to do the work for cost of material and if an agreement cannot be reached the City would solicit for bids for improvements to be done before hurricane season. The City Manager stated the drainage district has verbally indicated could do but no official action is in place.

Mayor Suarez recommended to table to allow staff the time to contact Hidalgo County Drainage District for an official written response and their participation.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez, moved to table to solicit bids for drainage improvements for Merida and Austin Streets. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration on Memorandum of Understanding between City of Weslaco and Weslaco Independent School District for design, management and construction standards for traffic improvements at Memorial Elementary and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Mayor Pro Tem Kerr abstained from vote and discussion.

The City Manager stated a proposed development near Memorial Elementary would have egress of residential traffic going into 18th Street; Planning and Zoning Commission had concerns of congestion; developer is willing to assist with cost for driveway improvements at the school to help alleviate traffic.

Benjamin Worsham, City Engineer, stated two design layouts were proposed and the school approved the option to expand their parking lot and they will pay for any additional materials. Staff recommended approval.

Commissioner Lopez, seconded by Commissioner Pedraza moved to approve Memorandum of Understanding between City of Weslaco and Weslaco Independent School District for design, management and construction standards for traffic improvements at Memorial Elementary as presented. The motion carried; Mayor Pro Tem Kerr abstained; Mayor Suarez was present and voting.

K. Discussion and consideration to approve a Memorandum of Understanding (MOU) with the City of South Padre Island and City of Weslaco for Weslaco Fire Department AmBus operations during Spring Break 2019 at a cost of \$10,500 and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Weslaco Fire-EMS Dept.)

Antonio Lopez, Fire Chief, stated the City assisted last year with AmBus and assistance was requested for this Spring break; all costs identified and would be for three days Thursday, Friday and Saturday, March 16-18, 2019. Staff recommended approval. The City Attorney recommended legal review the indemnification clause incorporating changes as necessary.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve Memorandum of Understanding (MOU) with the City of South Padre Island and City of Weslaco for Weslaco Fire Department AmBus operations during Spring Break 2019 at a cost of \$10,500 contingent to City Attorney review of indemnification clause. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration on updated 2017-2018 Street Improvement projects and prioritization list and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Mike Perez, City Manager, stated the list was informational as well as for comments to add or delete.

Pete Garcia, Public Works, went over the list and timeline of street improvements.

In response to Commissioner Tafolla, most of the improvements is reconstruction; stripping would be done. In response to Commissioner Pedraza, Sugarcane does not have adequate right-of-way to widen and the commission could add to expand improvements South of Mile 5 ½.

Commissioner Tafolla, seconded by Mayor Pro Tem Kerr moved to approve the updated 2017-2018 Street Improvement list and include expanding improvements south of Mile 5 ½ as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to approve the Interlocal Agreement with the City of Mercedes to provide ambulance billing and associated support services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

The City Manager introduced Vidal Roman, newly hired Finance Director; stated the interlocal outlined assistance for EMS billing for the City of Mercedes who would reimburse Weslaco a monthly rate of \$3,100; no part-time staff would be necessary as upgrade in software would generate the billing. Staff recommended approval.

Mayor Pro Tem Kerr, seconded by Commissioner Pedraza moved to approve Interlocal Agreement with the City of Mercedes to provide ambulance billing and associated support services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. REPORTS

A. Report by Weslaco Area Chamber of Commerce.

Laura Espinoza, Marketing Director, reported on hotel/motel activity; continued advertising with billboard on I-2/Expressway 83 (both directions) with 360 visitors in attendance for February.

B. Report by Economic Development Corporation of Weslaco.

Marie McDermott, Executive Director, reported Alfresco well attended with over 70 vendors; ribbon cutting for Jason Deli held; reported on commercial activity of Frost Bank, Hampton Inn, Kapil Airport Hanger and CIL Cold Shipping facility and Valley Baptist Medical Center Micro Hospital and a 12,000 sq. ft. shopping center; two (2) façade grants awarded and 58 summary leads.

C. Report by Planning and Code Enforcement.

Joe Pedraza, Head Building Official, reported on construction inspections for 2017-2018; overviewed commercial and apartments activity and reported dilapidated structures repaired by owners were 12 and city demolished 8.

D. Report by Inframark.

George Quintana, Inframark, reported for the water treatment plant 4.98 million gallons of water treated; no violations; sponsored tours to STC students; North wastewater plant 2.07-million-gallon water treated; repaired rotor gearbox and no violations; South Wastewater Plant treated 1.54 million gallons of water; replaced UV System bulb and no violations; Lift Station 5 pump repaired and Lift Station 3 base repair done.

E. Report by Public Works.

Pete Garcia, Public Works Director, reported staff continues with drainage ditch maintenance at Las Brisas and detention pond; assisted Hidalgo County Precinct 1 cleaning head wall at South 18th Street; ongoing with street improvements and storm drain maintenance.

F. Report by Weslaco Museum.

The report was in the packet.

IX. EXECUTIVE SESSION

At 7:05 p.m. Commissioner Tafolla, seconded by Commissioner Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:28 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

A. Personnel - Discussion regarding the goals, objectives, and evaluation of the City Manager for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

No action.

B. Personnel - Evaluation and interview of Municipal Judges and possible selection of Municipal Judges for the City of Weslaco as authorized by §551.074 of the Texas Government Code

No action

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

No action.

F. Legal Consultation - Consultation with City Attorney regarding City of Weslaco v. Briones Consulting and Engineering as authorized by §551.071 of the Texas Government Code.

G.

No action

E. 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.

No action

F. Real Property - Consultation with City Attorney on the purchase of real property legally described as Farm Tract 743, West Adams Addition located on South Texas Blvd South of 18th Street as authorized by §551.072 of the Texas Local Government Code

Commissioner Tafolla, seconded by Commissioner Lopez moved to authorize staff to negotiate on the purchase of real property described as Farm Tract 743, West Adams Addition located on South Texas Blvd South of 18th Street as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

G. 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 Police Union (Weslaco Municipal Police Association) as authorized by §551.071 of the Texas Government Code.

No action.

H. 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 §551.72 of the Texas Local Government Code.

No action.

XI. ADJOURNMENT

Commissioner Tafolla, second by Commissioner Lopez, moved to adjourn the meeting at 8:30 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Myra L. Ayala Garza, CITY SECRETARY

MAYOR PRO-TEM, Greg Kerr

ABSENT
COMMISSIONER, Leo Muñoz

ABSENT
COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2018-1492	
From:			
Subject: Approval on renewal of License Agreement for Annual "Movies at the Park" at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2019 season and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.)			
Background: Martin Garcia has produced the Movies at the Park Series at Mayor Pablo G. Pena City Park for the past seven years. He secures sponsors and rights to present the movies for the series.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Omar Rodriguez Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Movies in the Park 2019, Exhibit A- Movies @ the Park 2019, Movies at the Park Lease Agreement 2019			
Responsibilities upon Approval:			

8th Annual - Weslaco: Movies at the Park (2019)
Movie Titles & Dates
(Thursdays)

- June 6, 2019: **SPIDERMAN: INTO THE SPIDER-VERSE**
- June 13, 2019: **THE LITTLE GIANTS**
- June 20, 2019: **SMALL FOOT**
- June 27, 2019: **JURASSIC WORLD – FALLEN KINGDOM**
- BREAK
- July 11, 2019: **AQUAMAN**
- July 18, 2019: **INSIDE OUT**
- July 25, 2019: **INCREDIBLES 2**
- August 1, 2019: **LEGO MOVIE 2**

All movies to be shown at Mayor Pablo G. Pena Park (Northwest corner)

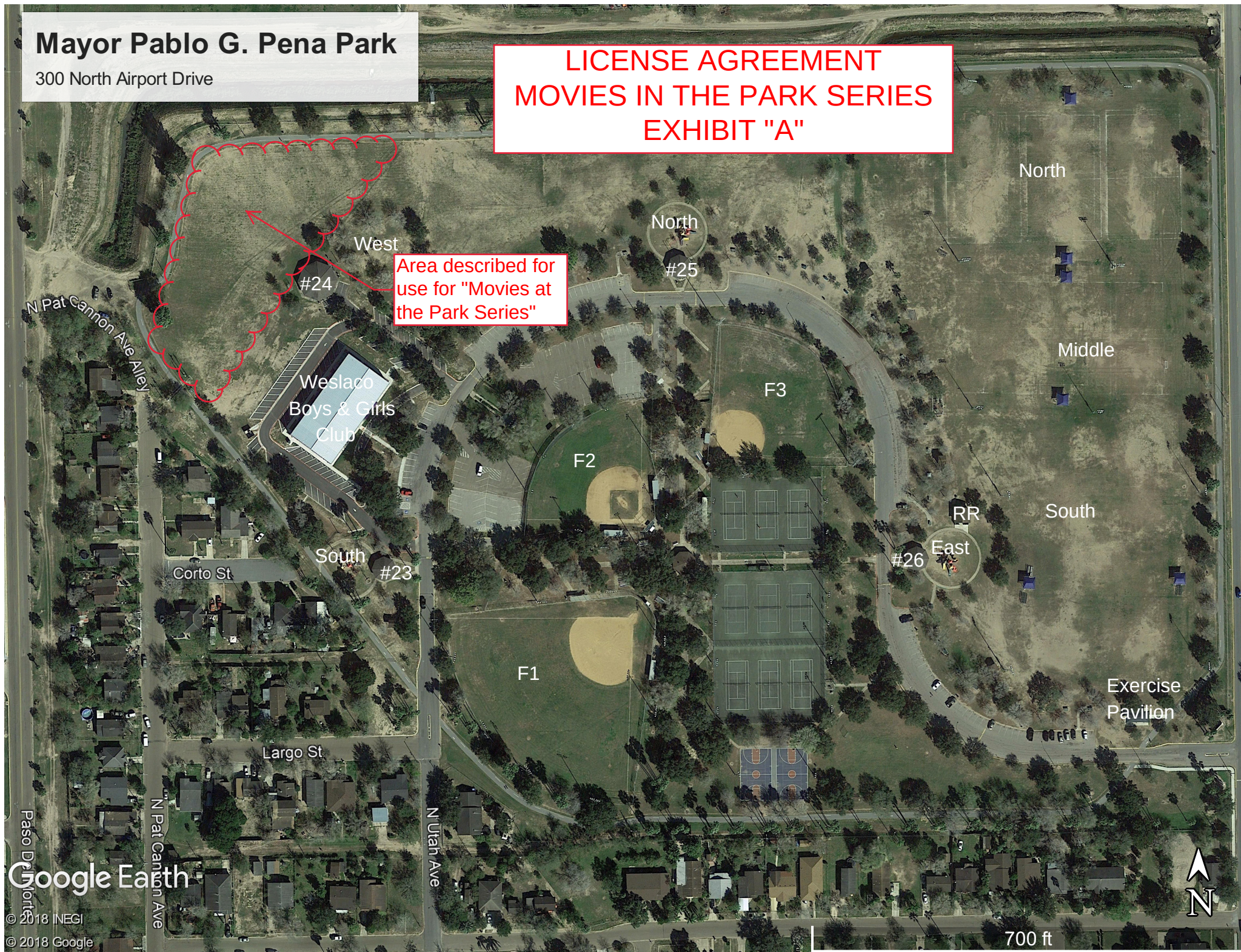
For questions please call Martin Garcia Jr, Director of Operations of Weslaco: Movies at the Park & DICE Productions at 956-463-6251.

Mayor Pablo G. Pena Park

300 North Airport Drive

LICENSE AGREEMENT MOVIES IN THE PARK SERIES EXHIBIT "A"

Area described for
use for "Movies at
the Park Series"



FACILITY LICENSE AGREEMENT

THIS LICENSE AGREEMENT, made and entered into this ____ day of _____ 2019, by and between the City of Weslaco, a home-ruled municipal corporation; 255 S. Kansas Ave. Weslaco, Texas 78596, Licenser, (hereinafter referred to as "CITY"), and Martin Garcia Jr. dba DICE Productions; 4822 N. 5 ½ W. Weslaco, Texas 78599 hereinafter referred to as "LICENSEE".

WITNESSTH

- A. CITY owns all rights, title and interest in Mayor Pablo G. Pena City Park and has the authority to grant this License; and
- B. LICENSEE desires to use the described facility for the purpose described herein, and
- C. CITY is willing to permit LICENSEE to use said facility in such a manner as described herein.

1. GRANT OF LICENSE

1.1. The CITY grants a license to the LICENSEE to use and the LICENSEE licenses from the CITY the portions of the Mayor Pablo G. Peña City Park located at 300 N. Airport Drive, Weslaco Texas 78596 as indicated in Exhibit "A" (occupancy 500 people) hereinafter referred to as the FACILITY.

1.2. The term of this license is for the period of 7:00 p.m. until 10:30 p.m. during the following day(s) as shown:

DATE: Thursday, June 6, 2019
DATE: Thursday, June 13, 2019
DATE: Thursday, June 20, 2019
DATE: Thursday, June 27, 2019
DATE: Thursday, July 11, 2019
DATE: Thursday, July 18, 2019
DATE: Thursday, July 25, 2019
DATE: Thursday, August 1, 2019

1.3 USE: The LICENSEE shall have the right to occupy and use the Facility for the purposes of presenting the summer outdoor film series "Weslaco Movies at the Park" hereinafter referred to as the "SERIES". The right to occupy and use the FACILITY by LICENSEE shall not be construed as an endorsement by the CITY of the SERIES or purposes thereto.

1.4 This Agreement is non-transferrable and the LICENSEE shall not assign this Agreement nor sublet FACILITY without the prior written consent of the CITY.

2. LICENSING FEE

2.1 The CITY will not charge LICENSEE any rent for the use of leased premises.

3. INDEMNIFICATION AND HOLD HARMLESS

3.1 LICENSEE agrees to indemnify the City of Weslaco, from all claims, suits, damages, costs, losses and expenses in any manner arising out of connected to the viewing of the movie or the sale of any concession items.

4. MISCELLANEOUS

- 4.1 LICENSEE will be responsible for all the equipment needed to present the movie(s). This equipment may be set up only on the day(s) of the SERIES and must be removed immediately after the event.
- 4.2 LICENSEE will be allowed to park on (1) vehicle and trailer of the purpose of the projection screen placement. All other automobiles and vehicles must park in areas designated for such purpose by the CITY.
- 4.3 If any material, composition or name to be used or performed under this AGREEMENT is copyrighted, the LICENSEE shall be responsible for securing, before using or employing such material, composition or name, the assent in writing, of the owner or licensee of such copyright. The LICENSEE shall indemnify and save the CITY harmless from any and all claims, expenses or suits for copyright infringements which may arise from the performance of this Agreement.
- 4.4 LICENSEE shall be responsible for all associated licensing fees, permits, costs, and taxes.
- 4.5 LICENSEE will be allowed to have a concession stand and sell popcorn, pickles, candy and drinks.
- 4.6 GOVERNING LAW: This Agreement shall be governed by and construed under the laws of the State of Texas, which shall also be the forum for any law suit arising from or incident to this Agreement. Venue shall be the state and federal courts located in Hidalgo County, Texas.

IN WITNESS WHEREOF, the undersigned hereby execute this lease agreement as of the day and year first above written

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Myra L. Ayala Garza, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez CITY ATTORNEY

Martin Garcia Jr. dba DICE Productions



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2312	
From: Robert Lopez			
Subject: Approval to authorize staff to proceed with purchase of Bulletproof vests for Weslaco Police Department sworn personnel in the amount not to exceed \$47,600.00 (Qty 68 BVP's) and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)			
Background: Bulletproof vests purchase was pre-budgeted for Fiscal Year 2018-2019 in partnership with BVP Grant. Upon purchase, BVP will reimburse up to 50% of the cost. Quote has been provided by Galls, Contract No.: 524-17			
Funding Source (budget code, if applicable): 101-5202-550100 Capital Outlay			
Amount: \$47,600.00		Term of Impact: 24 Months	Identified in Current Budget: Yes
Additional Action Prompted:			
If item previously considered, provide date and action by Commission: On April 17, 2018, at the City Commission Regular Meeting, Weslaco Police Department requested approval and authorization to submit an application towards the Bulletproof Vest Partnership (BVP) Grant. City Commission Approved and the Certificate was Sworn and Subscribed on April 18, 2018.			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Roxanne Saavedra		Created/Initiated	
Robert Lopez		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Weslaco Police Department Accepted the Grant.			
Attachments, if any: BVP Grant Program Overview, City of Weslaco Certificate for BVP Grant, BVP Grant Program Application Details			
Responsibilities upon Approval:			

The Weslaco Police Department will be responsible for grant administration.

Bulletproof Vest Partnership (BVP) Overview

(Updated March 2018)

The purpose of the Bulletproof Vest Partnership (BVP) Program is to reimburse states, counties, federally recognized tribes, cities, and local jurisdictions up to 50% of the cost of body armor vests purchased for law enforcement officers. Since 1999, over 13,000 jurisdictions have participated in the BVP Program, with a total of \$447 million in federal funds for the purchase of over one million vests (1,312,281 vests as of January 2018).

I. Eligible Applicants: Any recognized unit of general government (states, counties, federally recognized tribes, cities, and local jurisdictions) recognized by the U.S. Census Bureau that employs law enforcement officers. The jurisdiction's chief executive is required to complete the online registration and to provide general oversight and approval of key transactions between the BVP Program and the participating law enforcement agencies.

II. Law Enforcement Officer Definition: The term 'Law Enforcement Officer' means any officer, agent, or employee of a State, unit of local government, or federally recognized tribes authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders. This includes full, part-time and auxiliary personnel, whether paid or volunteer.

III. Application Period: The BVP application usually opens in April and closes six weeks from opening date. The BVP application only opens once per year.

IV. Award Process: When a BVP recipient is notified of an award amount, the funds are not disbursed until the recipient logs into the BVP site and provides the receipt information for the vests. Once the payment request is made, BJA reviews the request for accuracy and completes payments on a monthly schedule.

V. Funds Usage Period: BVP funds will be available for drawdown for two years from the time of the award announcement.

VI. Small Jurisdiction Priority Funding: Current legislation allocates funds first to jurisdictions with less than 100,000 residents.

VII. Vest Requirements: In order to qualify for this reimbursement, body armor must comply with the most current National Institute of Justice [JTIC - Ballistic Armor Compliant Product List](#) (NIJ) body armor standards, as of the date the body armor was ordered.

VIII. SWAT vests/tactical armor vest eligibility: BVP funds can be used for tactical-level armor, but for only one vest per officer in a replacement cycle. If the agency purchases a tactical level vest for an officer, it must be the officer's primary vest. The agency cannot then use BVP funds to purchase a regular duty vest for the same officer during the same replacement cycle.

IX. Mandatory Wear Policy: BJA will continue the existing policy that requires a written mandatory wear policy for uniformed patrol officers in place when the FY 2018 BVP applications are submitted.

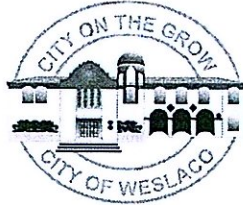
X. Uniquely Fitted Vest Requirement: The BVP Reauthorization Act of 2015 included a provision that states that preference should be given to BVP recipients that provide armor vests to law enforcement officers that are uniquely fitted for such officers, including vests uniquely fitted to individual female law enforcement officers. This provision is applicable to FY 17 BVP awards moving forward. Please see the BVP Reauthorization Act of 2015 amendment for reference: <https://www.congress.gov/114/plaws/publ155/PLAW-114publ155.pdf>.

In the BVP Program, “uniquely fitted vests” means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage, through a combination of: 1) correctly-sized panels and carrier, determined through appropriate measurement, and 2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. The requirement that body armor be “uniquely fitted” does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer. In support of the Office of Justice Programs’ efforts to improve officer safety, the American Society for Testing and Materials (ASTM) International has made available the *Standard Practice for Body Armor Wearer Measurement and Fitting of Armor* ([Active Standard ASTM E3003](#)) available at no cost. The [Personal Armor Fit Assessment checklist](#), is excerpted from ASTM E3003.

In addition, a certification section has been added to the 2018 application (in the BVP system) stating the jurisdictions and law enforcement agency are aware of and will comply with this fitted vest requirement.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

CERTIFICATE

I, Elizabeth M. Walker, Assistant City Manager/City Secretary of the City of Weslaco, Texas, **DO HEREBY CERTIFY**, that the Weslaco City Commission at their Regular Meeting of April 17, 2018 approved item(s) as follows under **IV. CONSENT AGENDA** and **VI. NEW BUSINESS**:

- F. Submit an application to the Bulletproof Vest Partnership (BVP) Grant and authorized the Mayor to execute any related documents.
- K. Purchase an administrative truck for the Weslaco Police Department Chief utilizing a Buyboard contract #521-16 Silsbee Ford in the amount not to exceed \$33,145.00 and authorized the Mayor to execute any related documents.

Such action of the Weslaco City Commission will be recorded in Volume 52 of the Weslaco Minute Book. ***No Ordinance is attached to this certificate.***

DATED this day 18th day of April, 2018.

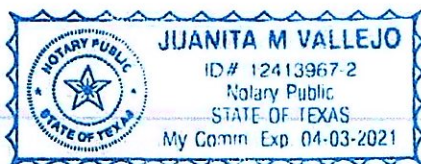

CITY OF WESLACO

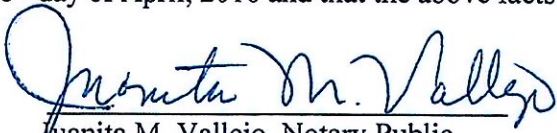
Elizabeth M. Walker

Assistant City Manager/City Secretary

NOTARY

SWORN AND SUBSCRIBED before me, this 18th day of April, 2018 and that the above facts are true and correct to the best of her knowledge.




Juanita M. Vallejo, Notary Public

My Commission expires: 4/03/2021

STATE OF TEXAS

APPLICATION DETAILS

APPLICATION PROFILE

Participant	WESLACO CITY
Fiscal Year	2018
Number of Agencies Applied	0
Total Number of Officers for Application	73
Number of Officers on Approved Applications	73

APPLICATION PROFILE

Fiscal Year	2018
Vest Replacement Cycle ⓘ	5
Number of Officers	73
Number of Emergency Replacement Needs ⓘ	Number of Stolen or Damaged Officer Turnover
	0
	3

APPLICATION DETAILS

NIJ#	Quantity	Unit Price	Extended Cost	Tax Shipping and Handling	Total Cost
sa2910	73	\$755.00	\$55,115.00	\$175.00	\$55,290.00
Grand Totals	73		\$55,115.00	\$175.00	\$55,290.00

AWARD SUMMARY FOR FY2018 REGULAR FUND

Funds Type	Eligible Amount	Award	Date Approved	Status
Regular Fund	\$55,290.00	\$27,645.00	10/03/18	Approved by BVP
Grand Totals:	\$55,290.00	\$27,645.00		

RETURN



8430 N. Sam Houston Pkwy W
Houston, TX 77064
Phone: 281-546-2643
BEULAH-TARA@GALLS.COM

WESLACO

Quote Date

BUYBOARD 507-16

Gallis is required to collect tax on all shipments to all states. Please add applicable state and local tax percentages. Tax exempt customers, state laws require us to have a signed tax exemption or resale certificate on file at our office. If you would like your tax exempt document on file with us please fax this information, including your Gallis account # to (859) 268-5941.

Prices are valid for 30 days from the date of the quote.
payment terms are Net 30 days from date on each invoice.

Thank you for the opportunity to earn your business. Galls

Budget Code: 101-5202-550100

Req. No.: _____

P.O. No.: 19-02140

Please Process Payment



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2305	
From:			
Subject: Discussion and consideration to authorize staff to solicit bids for drainage improvements for Merida and Austin Streets and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on March 5, 2019; staffed by Engineering Department.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission: This item was tabled on March 5, 2019.			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Benjamin Worsham Mike Perez		Created/Initiated New	
City Manager Comments: Approve with Hidalgo County Drainage District to perform work and City will be paying for material only.			
Staff Recommendation: Approved.			
Attachments, if any:			
Responsibilities upon Approval:			



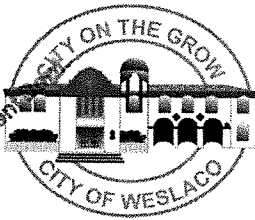
Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2218
From: Joe Pedraza		
Subject: Discussion and consideration after public hearing on behalf of Della Fay Perez, to approve Ordinance 2019-07 to rezone 903 S Border Ave. also being a 0.70 acre tract of land being the north 185.00 feet of the south 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-07. Possible action. (Staffed by Planning and Code Enforcement Department.)		
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to R-2 Duplex and apartment district. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on January 25, 2019.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on January 21, 2019.		
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning & Zoning Commission recommended approval on February 6, 2019.		
Aida Vega Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Deny.		
Staff Recommendation: Staff recommends denial based on 2040 land use map.		
Attachments, if any: 903 Border - Attachments, 903 S Border- Aerial, O2019-07 rezone 903 S Border		

Responsibilities upon Approval:

Staff will notify applicant.

RECEIVED
JAN 15 2019
Planning &
Code Enforcement



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. REZ 19-00005

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot 4 Block 164

Subdivision Name Stebbins Subdivision

Street Address 903 S. Border Avenue

Existing Zoning _____ Existing Land Use _____

Proposed Zoning _____ Proposed Land Use R-2

DFP \$300.00 non-refundable filing fee.

DFP Detailed dimensioned site plan/map must be submitted with this request.

DFP Survey and metes and bounds if the legal description is a portion of a lot.

DFP City and school tax receipts attached. Exemption attached

DFP I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Della Fay Perez Phone 956-867-0755

Address 409 W. Nolana Avenue Fax: _____

City McAllen State Tx Zip Code 78504 E-Mail: dellafay@aol.com

OWNER

Name Green Valley Foundation, Inc. DBA Angels of Love Phone (956) 972-0685

Address 409 W. Nolana Avenue Fax: _____

City McAllen State TX Zip Code 78504 E-Mail: angelsoflove0685@aol.

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature Della Fay Perez Date 1/14/2019
Owner

Signature Della Fay Perez Date 1/14/2019
Applicant

Signature _____ Date _____
Authorized Agent

2464554

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Ordinance No. _____

THE INTENT OF ZONING

Zoning is defined as the division of a municipality into districts for the purpose of regulating the use of private land. A city's police powers enable the municipality to regulate various land welfare of the entire public. They have been designed to lessen the congestion in the streets; to secure safety from, fire, panic, or other dangers; to provide adequate light and air, to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewage, schools, parks and other public requirements. Zoning must be done in accordance with a comprehensive master plan. Such a plan will be a pattern for future development and prohibits the arbitrary and capricious control of land.

HOW AM I AFFECTED

A city's unique character, just like Weslaco is preserved through the various arrangements of land uses permitted in an area. If incomplete land uses are placed together then the safety and character of Weslaco will be placed in danger. Zoning is used as a tool to establish and maintain the character of a neighborhood, if improper land uses are permitted; in the future they became non-conforming uses and spoil the character of an area. Zoning intent is to prevent this and cannot deny the continued use of a site if the site is non-conforming to the rest of the area. The intent of zoning is to provide guidelines for creating compatible land uses and provide the character Weslaco wishes to preserve.

A STATEMENT ON WESLACO'S ZONING ORDINANCE

Weslaco's Zoning Ordinance consists of the description of uses permitted in each district. It defines the different types of uses permitted in each zone. The Zoning Ordinance specifies height regulations, accessory building regulations parking and loading regulations and area, and density regulations.

WHAT IF A BUILDING OR SITE DOES NOT COMPLY WITH ITS ZONING

If a building infringes upon the required building setbacks requirements; the Weslaco Board of Adjustments and Appeals of Zoning must consider the granting of an exception and may permit modifications to various building and lot requirements when necessitated. This may be due to the unusual size or shape of a parcel of land. Board of Adjustments and Appeals of Zoning Petition Packages are available at the Planning Department.

REZONING APPLICATIONS INSTRUCTIONS

1. Application form must be completed in full with applicant's signature.
2. Statement must be attached to the application stating why the rezoning is requested and the type of operation to be conducted on the property.
3. A three-hundred dollar (\$300.00) application fee must also be submitted along with the application.
4. Once the application is submitted in completed form, the Planning Department is required by State Law to notify by mail all property owners within the 200 foot radius of the affected proposed zone change and advertise in a newspaper fifteen (15) days prior to the public hearing to be held by both the Planning and Zoning and City Commissions on the zone change request.
5. After the Planning and Zoning Commission meeting, the request will be placed on the next available City Commission agenda for final consideration.
6. Should the Planning and Zoning Commission or the owners of 20% of the property within the 200 foot radius of the proposed zone change request, oppose the request, a $\frac{3}{4}$ th vote will be required by the City Commission to receive approval.
7. Only after the second and final reading by the City Commission of the rezoning ordinance, may the activity proposed on the property begin operation after all appropriate permits have been issued.

REZONING
DETAILED
SITE PLAN &
MAP



ANGELS OF LOVE RGV

409 W. Nolana Avenue, McAllen, Texas 78504

Phone: (956) 972-0685

Email: angelsoflove0685@aol.com

REZONING DIMENSION SITE PLAN

TO: WESLACO PLANNING AND ZONING COMMISSION

FROM: ANGELS OF LOVE RGV

DATE: JANUARY 14, 2019

Dear Committee members,

Angels of Love was founded with the purpose of developing a full array of services for children and families who are victims of abuse. It is our intention to fill the service gaps left by underfunded and understaffed governmental services to children and their families. Our mission is "To provide abused and neglected women and children of the Rio Grande Valley, and their families with individualized services in a safe and loving environment in order to provide them with the tools necessary to restore each woman and child to a healthy self-worth and healthy family setting". We attempt to accomplish this through the following:

ADVOCACY- Advocacy is speaking on behalf of others to get something done. Angels of Love serves as a catalyst for advocating for women and children victims of abuse in the Rio Grande Valley. We do this by speaking on behalf of women and children and families to local officials, state-level officials, and federal policy-makers. We work with fellow advocates and partner with other organizations that share common goals in order to increase our overall power and influence. Angels of Love provides community-based prevention activities, public awareness, and educational programs and initiatives. In 2018, Angels of Love applied for a grant

to be able to offer legal advocacy services and protective order clinics to victims of domestic abuse. If approved, the program will commence in October 2018.

VICTIM & FAMILY SUPPORT- Family support services are community-based services that assist and support parents in their role as caregivers. Such services can take many different forms depending on the strengths and needs of the family. In 2012, Angels of Love began offering the “**Empowerment for Victims and Families**” a domestic violence for Victims course. These classes are held in Edinburg every Monday night. In 2015, Angels of Love began offering “**Expect Respect**” a teen dating violence prevention course to local school districts, juvenile offenders, and the community. In 2017 we began offering the **Kind Girls and Girl Power** programs for young girls. The youth programs are held in the summer at various hotel conference room locations.

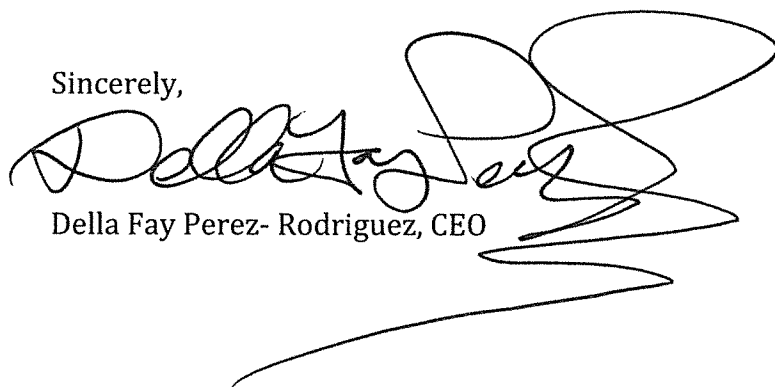
EMERGENCY SHELTER- It is the mission and intent of Angels of Love to open a shelter for women and children who are victims of violence and abuse. We are currently working to raise awareness about the issue, and seeking resources to make this shelter a reality. Women and children who have experienced abuse deserve to feel safe, and protected. The shelter will provide professionals trained in trauma-informed care, to ensure a consistent and supportive approach to victims in crisis situations. While in the shelter they will receive basic needs such as food and clean clothes, Individual and Group therapy, Job Skills and Medical care.

The plan for this home that has been given to us is to house the women and children victims of domestic violence for a period of no more than 90 days in order to give them the Emergency Shelter basic services described above and help them with a long term safety plan for their future. The victims will live in the home and receive individual counseling in the home. The job skills training, medical care, etc... will be obtained outside of the home. Angels of Love has an office location in McAllen where the remainder of any services will be provided. We are looking for a commercial location in Weslaco for the office; but at this time the intake will be done in the McAllen office.

The residence will continue to look just like it does now, like a normal residential home in the neighborhood. No one passing by will know that it is a residence for victims of

domestic violence. There will no changes made to the outside to indicate that it is any kind of commercial location. We will not have a sign indicating that it is a shelter. We are trying to keep the location as secret as possible. The only physical changes we will add is a fence on the north and west side of the residence. This change is to add a secure playground area for the children. See the attached diagram. Exhibit A. We will also be regraveling the driveway in the front of the house.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Della Fay Perez-Rodriguez', with a long horizontal flourish extending to the right.

Della Fay Perez- Rodriguez, CEO

EXHIBIT A

DETAILED
SITE PLAN
MAP

ence
To Be
added

IRS 501 C 3
DETERMINATION
LETTER
&
ASSUMED NAME
CERTIFICATE

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 25 2014

GREEN VALLEY FOUNDATION INC
4020 N 22ND STREET
MCALLEN, TX 78504

Employer Identification Number:
74-3018501
DLN:
404177032
Contact Person:
SHERRI L ROYCE ID# 31653
Contact Telephone Number:
(877) 829-5500
Public Charity Status:
170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated October 30, 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

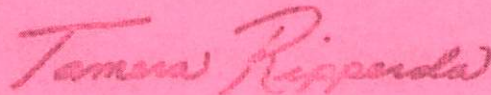
Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

~~Publication 557, Tax-Exempt Status for Your Organization~~, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading.

Please keep this letter in your permanent records.

Sincerely yours,



Director, Exempt Organizations

IRS 501 C3
DETERMINATION
LETTER

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date:

JUL 25 2014

GREEN VALLEY FOUNDATION INC
4020 N 22ND STREET
MCALLEN, TX 78504

Employer Identification Number:
74-3018501

DLN:
404177032

Contact Person:
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Please keep this letter in your permanent records.

Sincerely yours,



Director, Exempt Organizations

ASSUMED NAME CERTIFICATE

Form 503
(Revised 01/06)

Return in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: \$25



Assumed Name Certificate

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
JUL 18 2008
Corporations Section

Assumed Name

The assumed name under which the business or professional service is, or is to be, conducted or rendered is: Angels of Love

Entity Information

The name of the entity filing the assumed name is:

Green Valley Foundation, Inc.

State the name of the entity as currently shown in the records of the secretary of state or on its certificate of formation, if not filed with the secretary of state.

The filing entity is a: (Select the appropriate entity type below.)

- | | |
|---|---|
| ☐ For-profit Corporation | ☐ Professional Corporation |
| ☒ Nonprofit Corporation | ☐ Professional Limited Liability Company |
| ☐ Cooperative Association | ☐ Professional Association |
| ☐ Limited Liability Company | ☐ Limited Partnership |
| ☐ Other | |

Specify type of entity if there is no check box applicable.

The file number, if any, issued to the filing entity by the secretary of state is: 800023668

The state, country, or other jurisdiction of formation is: Texas

The registered or similar office of the entity in the jurisdiction of formation is:

4020 N. 22nd Street, McAllen, Texas 78504

☒ The entity is required to maintain a registered office and agent in Texas. The address of its registered office in Texas and the name of the registered agent at such address is:
Della Fay Perez, Attorney at Law, 4020 N. 22nd Street, McAllen, Texas 78504

The address of the principal office of the entity (if not the same as the registered office) is:

4020 N. 22nd Street, McAllen, Texas 78504

☐ The entity is not required to maintain a registered office and agent in Texas. Its office address in

RECEIVED

Form 503

JUL 18 2008

Secretary of State

in Texas is: _____

☐ The entity is not incorporated, organized or associated under the laws of Texas. The address of the principal place of business in this state is: _____

The office address of the entity is: _____

Period of Duration

☒ The period during which the assumed name will be used is 10 years from the date of filing with the secretary of state.

OR

☐ The period during which the assumed name will be used is _____ years from the date of filing with the secretary of state (not to exceed 10 years).

OR

☐ The assumed name will be used until _____ (not to exceed 10 years).

mm/dd/yyyy

County or Counties in which Assumed Name Used

The county or counties where business or professional services are being or are to be conducted or rendered under the assumed name are:

☐ All counties

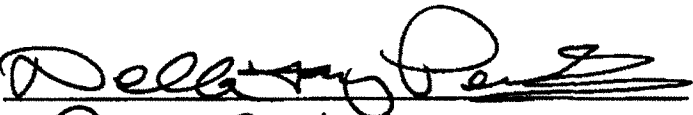
☐ All counties with the exception of the following counties: _____

☒ Only the following counties: Hidalgo and Brooks

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument. If the undersigned is acting in the capacity of an attorney in fact for the entity, the undersigned certifies that the entity has duly authorized the undersigned in writing to execute this document.

Date: July 8, 2008


President - CEO

Signature and title of authorized person(s) (see instructions)

BOARD RESOLUTION



ANGELS OF LOVE RGV

409 W. Nolana Avenue, McAllen, Texas 78504

Phone: (956) 972-0685

Email: angelsoflove0685@aol.com

RESOLUTION OF THE BOARD OF DIRECTORS

Minutes of the meeting of the Board of Directors, on the 10th day of January, 2019.

A regular meeting of the Board of Directors of Angels of Love (hereinafter referred to as "Corporation") was duly held in accordance with the articles of Association /Bylaws of the Corporation.

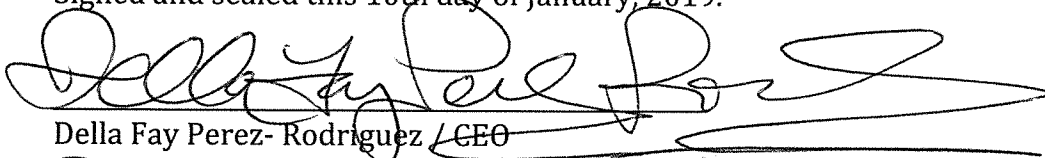
Present at the meeting were a quorum of the Board of Directors. The following Directors were in attendance: Della Fay Perez, Elizabeth Martinez, Patty Lerma, Oralia Jones, and Cynthia Martinez.

The meeting of the Directors undertook the following Corporate Resolution, which has been recorded in the Minute of the Book of the Corporation.

It was unanimously resolved to accept and adopt the following resolution: Della Fay Perez-Rodriguez as CEO of the organization has the power and authorization to file an application with the City of Weslaco Planning and Rezoning division to rezone the property at 903 S. Border Weslaco, Texas 78596 which owned by the organization.

There being no further business, the meeting was declared adjourned, and in witness thereof, the directors signed below on the first written above.

Signed and sealed this 10th day of January, 2019.



Della Fay Perez- Rodriguez / CEO



Patty Lerma, Board of Director as Acting Secretary

LEGAL DESCRIPTION AND SURVEY

METES AND BOUNDS DESCRIPTION
FOR A
0.70 OF AN ACRE TRACT

A 0.70 of an acre tract of land being the north 185.00 feet of the south 360.00 feet of Lot 4, H. L. Stebbins Subdivision of the Northwest 10.00 acres of Farm Tract 672, Block 164, West Tract Subdivision, as recorded in Volume 2, Pages 43, Map Records, Hidalgo County, Texas, also being that certain Tract described in Special Warranty Deed with Vendor's Lien recorded in Document #2707315, Official Records, Hidalgo County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at a point on the centerline of Border Road also being the west line of said Lot 4, H. L. Stebbins Subdivision, being the most southerly northwest corner of Laura Raquel Trejo Subdivision as recorded in Volume 47, Page 142, Map Records, Hidalgo County, Texas, for the southwest corner of herein described tract. Said point bears South 485.00 feet from the northwest corner of said Lot 4, H. L. Stebbins Subdivision.

THENCE North 185.00 feet along said centerline of Border Road also being the west line of said Lot 4, H. L. Stebbins Subdivision, to a point for the northwest corner of herein described tract.

THENCE East parallel to the north line of said Lot 4, H. L. Stebbins Subdivision, pass at 30.00 feet a found one-half inch iron rod being the east Right-of-Way line of said Border Road and continuing for a total distance of 165.00 feet to a found one-half inch iron rod on the east line of said Lot 4, H. L. Stebbins Subdivision, being the most northerly northwest corner of said Laura Raquel Trejo Subdivision, for the northeast corner of herein described tract.

THENCE South 185.00 feet along said east line of Lot 4, H. L. Stebbins Subdivision, also being the west line of said Laura Raquel Trejo Subdivision, to a found one-half inch iron rod being an interior corner of said Laura Raquel Trejo Subdivision, for the southeast corner of herein described tract.

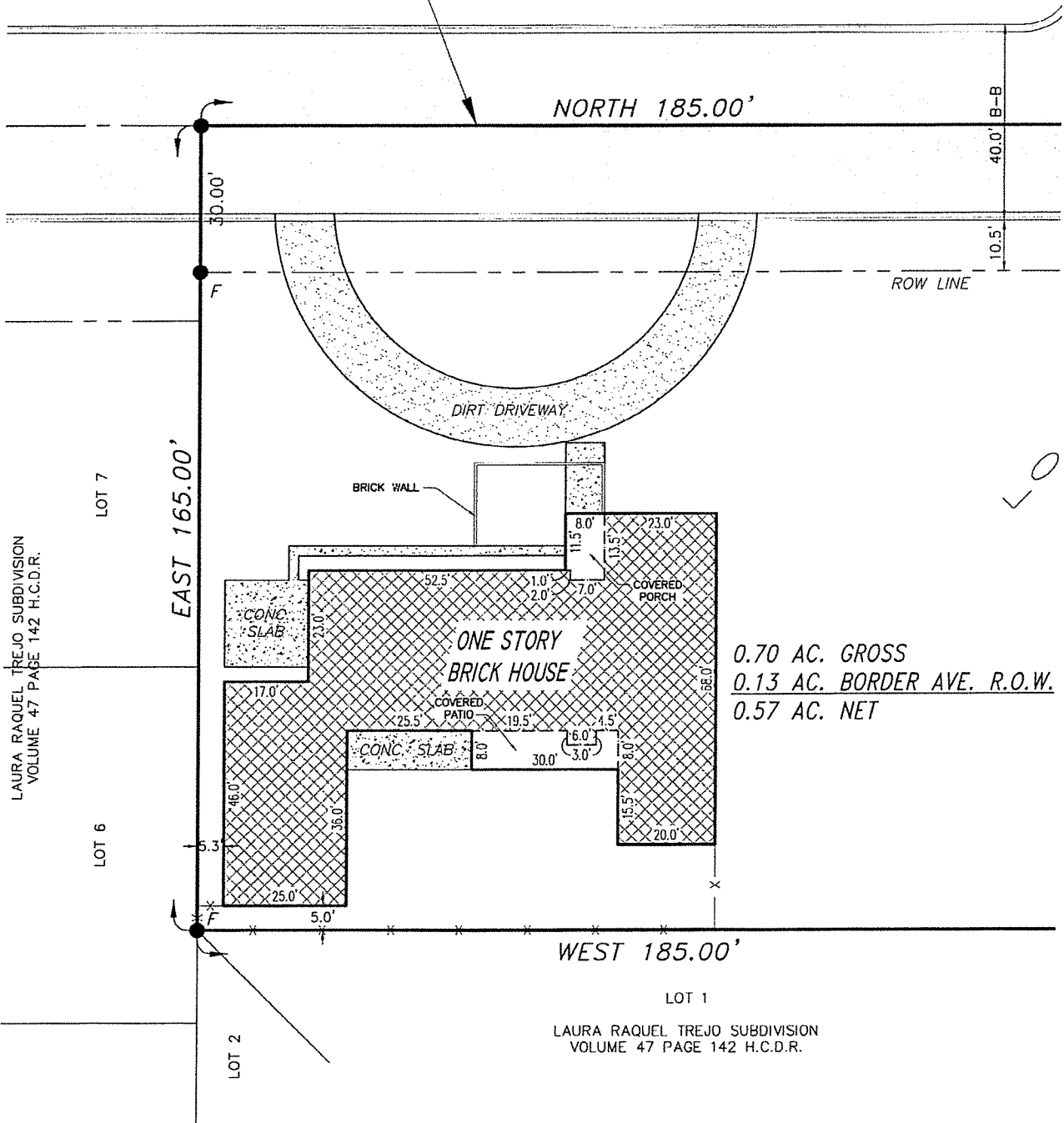
THENCE West along the north line of said Laura Raquel Trejo Subdivision being parallel to the south line of said Lot 4, H. L. Stebbins Subdivision, pass at 135.00 feet a found one-half inch iron rod being the east Right-of-Way line of said Border Road and continuing for a total distance of 165.00 feet to the point of beginning and containing 0.70 of an acre (30,525 square feet) of land, more or less.

BORDER AVENUE
(60.0' R.O.W.)

CHRISTINE ADDITION
VOLUME 11 PAGE 41 H.C.D.R.

LOT 1

4



0.70 AC. GROSS
0.13 AC. BORDER AVE. R.O.W.
0.57 AC. NET

LEGEND:

F - FOUND 1/2"Ø IRON ROD

FIRM:

FLOOD INSURANCE RATE MA
COMMUNITY-PANEL NUMBER
480349 0005 B

MAP REVISED: 03/04/1980
THIS ZONE IS IN FLOOD ARI

CHRISTINE ADDITION
VOLUME 11 PAGE 41 H.C.D.R.

① LOT 1



SCALE: 1" = 30'

BEARINGS BASED ON RECORD BEARINGS OF
LAURA RAQUEL TREJO SUBDIVISION AS RECORDED
IN VOLUME 47, PAGE 142 H.C.M.R.

N.W. CORNER
LOT 4, H.L. STEBBINS SUBD.

WEST 300.00'

Q W 9TH ST.
(50.0' R.O.W.)

PLAT SHOWING

A 0.70 OF AN ACRE TRACT OF LAND BEING THE NORTH 185.00 FEET OF THE SOUTH 360.00 FEET OF LOT 4, H. L. STEBBINS SUBDIVISION OF THE NORTHWEST 10.00 ACRES OF FARM TRACT 672, BLOCK 164, WEST TRACT SUBDIVISION, AS RECORDED IN VOLUME 2, PAGES 43, MAP RECORDS, HIDALGO COUNTY, TEXAS, ALSO BEING THAT CERTAIN TRACT DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT #2707315, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS,

I, RAUL E. GARCIA, REGISTERED PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE ABOVE IS A TRUE AND ACCURATE PLAT OF THE LANDS AS SURVEYED UNDER MY DIRECTION AND THAT THERE ARE NO VISIBLE DISCREPANCIES, VISIBLE EASEMENTS, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, PROTRUSIONS, EXCEPT AS SHOWN.



REGISTERED PROFESSIONAL LAND
SURVEYOR # 4204

This survey is being provided solely for the use of the current parties and that no license has been created, expressed or implied, to copy the survey except as is necessary in conjunction with the original transaction which shall take place within a six (6) months time period.

NOTE:

OVERHEAD AND UNDERGROUND FACILITIES ARE NOT SHOWN ON THIS SURVEY.

SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

R.E. Garcia
PLANNERS
ENGINEERS
SURVEYORS
Associates

R. E. GARCIA & ASSOCIATES

ENGINEERS, SURVEYORS, PLANNERS
ENGINEER (F-5001) & SURVEYOR (10015300)

116 NORTH 12th AVE.
EDINBURG, TEXAS 78541 (956) 381-1061
EMAIL: REGAASSOC@AOL.COM

TITLE:

IMPROVEMENTS SURVEY

DATE: MARCH 02, 2017 REV:

JOB # 2017-033 BOOK T-139/Pg.13

SCALE: 1" = 30'

DRAWN BY: D.E.S.

TAX
EXEMPTION
APPROVAL
LETTER

HIDALGO COUNTY APPRAISAL DISTRICT

ADMINISTRATION

Rolando Garza, Chief Appraiser
Jorge Gonzalez, Asst. Chief Appraiser
PO Box 208
Edinburg, TX 78540-0208
(956) 381-8466 (956) 565-2461
Property Records Fax: (956) 289-2193



www.hidalgoad.org

BOARD OF DIRECTORS

Richard A. Garza	Chairman
David Hernandez	Vice-Chairman
Amador Requenez	Secretary
Albert D. Cardenas	Member
Aquiles "Jimmy" Garza	Member
Pablo "Paul" Villarreal, Jr.	Member

May 19, 2016

GREEN VALLEY FOUNDATION INC
DBA ANGELS OF LOVE
4305 N 10TH ST STE G

MCALLEN, TX 78504

Prop.Id : 326594
Geo.Id : W3800-00-672-0000-20
Legal : WEST TRACT FT 672 LT 4 N 185' - S 360' 0.57 AC

Dear GREEN VALLEY FOUNDATION INC

The Hidalgo County Appraisal District has reviewed the application filed for full exempt status, under Section 11.18 of the Property Tax Code (Charitable Organization). Upon considering all pertinent facts, it is the decision of the Appraisal District that your application be granted exemption for 2016 as of deed filing status 4/27/2016 and forward. You are not required to reapply each year unless one of the following circumstances applies.

- 1) The exempt property changes ownership
- 2) The qualifications for exemption change.
- 3) You are requested to do so by the Chief Appraiser.

Should you have any questions you may contact our Property Records personnel.

Respectfully,

Blanca Perez
Property Records Department

Hidalgo CAD

Property Search Results > 326594 GREEN VALLEY FOUNDATION INC for Year 2019

Property

Account

Property ID:	326594	Legal Description:	WEST TRACT FT 672 LT 4 N 185'- S 360' 0.57 AC
Geographic ID:	W3800-00-672-0000-20	Agent Code:	
Type:	Real		
Property Use Code:			
Property Use Description:			

Location

Address:	903 BORDER AVE TX	Mapsco:	
Neighborhood:	WEST TRACT	Map ID:	
Neighborhood CD:	W380000		

Owner

Name:	GREEN VALLEY FOUNDATION INC	Owner ID:	1074252
Mailing Address:	DBA ANGELS OF LOVE 4305 N 10TH ST STE G MCALLEN, TX 78504-2976	% Ownership:	100.000000000000%
		Exemptions:	EX-XV

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$110,389	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$62,073	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
(=) Market Value:	=	\$172,462	
(-) Ag or Timber Use Value Reduction:	-	\$0	
(=) Appraised Value:	=	\$172,462	
(-) HS Cap:	-	\$0	
(=) Assessed Value:	=	\$172,462	

Taxing Jurisdiction

Owner: GREEN VALLEY FOUNDATION INC
% Ownership: 100.000000000000%

Total Value: \$172,462

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	APPRAISAL DISTRICT	0.000000	\$172,462	\$0	\$0.00
CWL	CITY OF WESLACO	0.666700	\$172,462	\$0	\$0.00
DR1	DRAINAGE DISTRICT #1	0.095100	\$172,462	\$0	\$0.00
GHD	HIDALGO COUNTY	0.580000	\$172,462	\$0	\$0.00
JCC	SOUTH TEXAS COLLEGE	0.178000	\$172,462	\$0	\$0.00
R02	ROAD DIST 02	0.000000	\$172,462	\$0	\$0.00
SST	SOUTH TEXAS SCHOOL	0.049200	\$172,462	\$0	\$0.00
SWL	WESLACO ISD	1.159700	\$172,462	\$0	\$0.00
Total Tax Rate:		2.728700			
				Taxes w/Current Exemptions:	\$0.00
				Taxes w/o Exemptions:	\$4,705.97

Improvement / Building

Improvement #1:	RESIDENTIAL	State Code:	A1	Living Area:	3274.0 sqft	Value: \$110,389
------------------------	-------------	--------------------	----	---------------------	-------------	-------------------------

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	BRKAV - 6P	DBRK	1985	3274.0
POR	PORCH (COVERED)	*		1985	98.0
PAT	PATIO	*		1985	270.0
STG	STORAGE	*		1985	210.0
GAR	GARAGE	*		1985	880.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	L	LOT	0.5700	24829.20	0.00	0.00	\$62,073	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	\$110,389	\$62,073	0	172,462	\$0	\$172,462
2018	\$110,389	\$62,073	0	172,462	\$0	\$172,462
2017	\$110,389	\$62,073	0	172,462	\$0	\$172,462
2016	\$107,712	\$62,073	0	169,785	\$0	\$169,785
2015	\$111,187	\$62,073	0	173,260	\$0	\$173,260
2014	\$117,330	\$62,073	0	179,403	\$0	\$179,403
2013	\$132,974	\$31,037	0	164,011	\$0	\$164,011
2012	\$132,974	\$31,037	0	164,011	\$0	\$164,011
2011	\$132,974	\$31,037	0	164,011	\$0	\$164,011
2010	\$132,974	\$31,037	0	164,011	\$0	\$164,011
2009	\$132,974	\$31,037	0	164,011	\$0	\$164,011
2008	\$132,974	\$31,037	0	164,011	\$0	\$164,011

2007	\$153,652	\$24,829	0	178,481	\$0	\$178,481
2006	\$117,183	\$24,829	0	142,012	\$0	\$142,012
2005	\$125,703	\$22,346	0	148,049	\$0	\$148,049

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	4/27/2016	SVD	SPEC WD/VEN LIEN	AVILES WILFREDO A & CRISTELA V	GREEN VALLEY FOUNDATION INC			2707316
2	11/20/2014	FCL	FORECLOSURE	CORONADO ELIZABETH	AVILES WILFREDO A & CRISTELA V			2565605
3	10/31/2013	SVD	SPEC WD/VEN LIEN	AVILES WILFREDO & CRISTELA	CORONADO ELIZABETH			2460414

Tax Due

Property Tax Information as of 01/14/2019

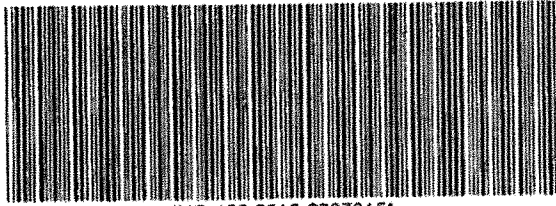
Amount Due if Paid on: 

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
------	---------------------	---------------	----------	-----------------	--------------	-------------------------------	---------------	------------

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call (956) 381-8466

CERTIFIED COPIES OF DEEDS



Doc-2707315

VG-120-2016-2707315

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 2707315

Billable Pages: 2

Recorded On: April 27, 2016 11:07 AM

Number of Pages: 3

*****Examined and Charged as Follows*****

Total Recording: 40.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

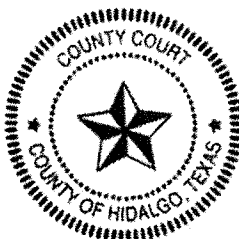
Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 2707315
Receipt No: 20160427000205
Recorded On: April 27, 2016 11:07 AM
Deputy Clerk: Pete Diaz
Station: CH-1-CC-K22

Record and Return To:

Angels of Love



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas



Date: 1-14-18
I, Arturo Guajardo, Jr. County Clerk do hereby certify that this is a true and correct copy of the original document filed in my office.
By: Pete Diaz
Deputy Clerk

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: APRIL 12, 2016

Grantor: WILFREDO AND CRISTELA AVILES
Grantor's Mailing Address (including county):
2600 WILDWOOD DRIVE
WESLACO, TEXAS 78596
HIDALGO County

Grantee: GREEN VALLEY FOUNDATION, INC DBA ANGELS OF LOVE
Grantee's Mailing Address (including county):
4305 N. 10TH STREET, STE G
MCALLEN, TEXAS 78504
HIDALGO County

Consideration: TEN DOLLARS AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration and the further consideration of a note of even date, that is in the principal amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00) and is executed by Grantee, payable to the order of Grantor. It is secured by a vendor's lien retained in this deed and by a deed of trust of even date, from Grantee to CRISTELA AVILES, Trustee.

Property (including any improvements):

Legal Description: The North 185 feet of the South 360 feet of Lot 4, STEBBINS SUBDIVISION, Hidalgo County, Texas according to map thereof recorded in Volume 2, Page 43, Map records of Hidalgo County, Texas

Reservations From and Exceptions to Conveyance and Warranty:

A lien securing a promissory note in the original principal amount of ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00), which is described in and secured by a deed of trust recorded of the Official Public Records of Real Property of Hidalgo County, Texas. Grantee does not assume payment of the note or liability under any instrument securing it.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any

Page 1 of 2

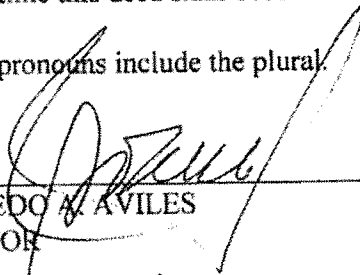


Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do hereby certify that this is a true and correct copy of the original document filed in my office.
By: [Signature]
Deputy Clerk

wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through or under Grantor, but not otherwise.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.


WILFREDO A. AVILES
GRANTOR


CRISTELA V. AVILES
GRANTOR

ACKNOWLEDGMENT

STATE OF TEXAS

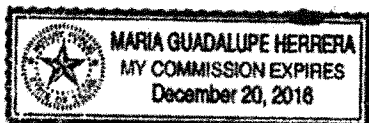
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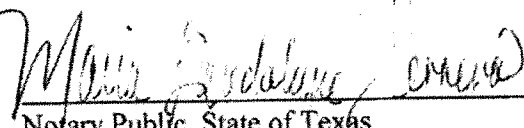
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COUNTY OF HIDALGO

§

This instrument was acknowledged before me on APRIL 12, 2016, by WILFREDO A. AVILES and CRISTELA V. AVILES.



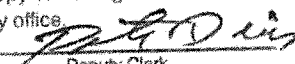

Notary Public, State of Texas

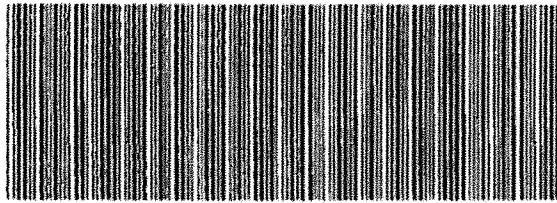
PREPARED IN THE LAW OFFICE OF:

LAW OFFICE OF DELLA FAY PEREZ, PLLC
4305 N. 10TH STREET, STE G
MCALLEN, TEXAS 78504

AFTER RECORDING RETURN TO:
GREEN VALLEY FOUNDATION, INC. DBA ANGELS OF LOVE
4305 N. 10TH STREET, STE H
MCALLEN, TEXAS 78504



Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do
hereby certify that this is a true and
correct copy of the original document
filed in my office.
By: 
Deputy Clerk



Doc-2707316

VG-120-2016-2707316

Hidalgo County
Arturo Guajardo Jr.
County Clerk
Edinburg, Texas 78540

Document No: 2707316

Billable Pages: 5

Recorded On: April 27, 2016 11:07 AM

Number of Pages: 6

*****Examined and Charged as Follows*****

Total Recording: 52.00

*****THIS PAGE IS PART OF THE DOCUMENT*****

Any provision herein which restricts the Sale, Rental, or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information:

Document No: 2707316
Receipt No: 20160427000205
Recorded On: April 27, 2016 11:07 AM
Deputy Clerk: Pete Diaz
Station: CH-1-CC-K22

Record and Return To:

Angels of Love



STATE OF TEXAS
COUNTY OF HIDALGO

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time
printed hereon, and was duly RECORDED in the Official Records of Hidalgo County, Texas.

Arturo Guajardo Jr.
County Clerk
Hidalgo County, Texas



Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do
hereby certify that this is a true and
correct copy of the original document
filed in my office.
By: Pete Diaz
Deputy Clerk

DEED OF TRUST

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: APRIL 12, 2016

Grantor: WILFREDO AND CRISTELA AVILES

Grantor's Mailing Address (including county):

2600 WILDWOOD DRIVE
WESLACO, TEXAS 78596
HIDALGO County

Grantee: GREEN VALLEY FOUNDATION, INC DBA ANGELS OF LOVE

Grantee's Mailing Address (including county):

4305 N. 10TH STREET, STE G
MCALLEN, TEXAS 78504
HIDALGO County

Trustee: CRISTELA AVILES

Trustee's Mailing Address (including county):

CRISTELA AVILES
2600 WILDWOOD DRIVE
WESLACO, TEXAS County

Beneficiary: GREEN VALLEY FOUNDATION, INC DBA ANGELS OF LOVE

Beneficiary's Mailing Address (including county):

4305 N. 10TH STREET, STE G
MCALLEN, TEXAS 78504
HIDALGO County

Note:

Date: APRIL 12, 2016

Amount: \$ 150,000.00

Maker: GREEN VALLEY FOUNDATION, INC, DBA ANGELS OF LOVE

Payee: WILFREDO AND CRISTELA AVILES

Final Maturity Date: as therein provided

Terms of Payment: \$1,000.00 PER MONTH BEGINNING AUGUST 1, 2016 AND LIKE PAYMENTS OF \$1,000.00 TO BE MADE ON THE 1ST DAY OF EACH AND EVERY MONTH FOR ONE HUNDRED FIFTY MONTHS AND UNTIL PAID IN FULL.



Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do
hereby certify that this is a true and
correct copy of the original document
filed in my office.
By: [Signature]
Deputy Clerk

Property (including any improvements):

Legal Description: The North 185 feet of the South 360 feet of Lot 4, STEBBINS SUBDIVISION, Hidalgo County, Texas according to map thereof recorded in Volume 2, Page 43, Map records of Hidalgo County, Texas

Prior Lien(s) (including recording information): NONE

Other Exceptions to Conveyance and Warranty: None

For value received and to secure payment of the note, Grantor conveys the property to Trustee in trust. Grantor warrants and agrees to defend the title to the property. If Grantor performs all the covenants and pays the note according to its terms, this deed of trust shall have no further effect, and Beneficiary shall release it at Grantor's expense.

Grantor's Obligations

Grantor agrees to:

1. Keep the property in good repair and condition;
2. Pay all taxes and assessments on the property when due;
3. Preserve the lien's priority as it is established in this deed of trust;
4. Maintain, in a form acceptable to Beneficiary, an insurance policy that:
 - a. covers all improvements for their full insurable value as determined when the policy is issued and renewed, unless Beneficiary approves a smaller amount in writing;
 - b. contains an 80% coinsurance clause;
 - c. provides fire and extended coverage, including windstorm coverage;
 - d. protects Beneficiary with a standard mortgage clause;
 - e. provides flood insurance at any time the property is in a flood hazard area; and
 - f. contains such other coverage as Beneficiary may reasonably require;
5. Comply at all times with the requirements of the 80% coinsurance clause;
6. Deliver the insurance policy to Beneficiary and deliver renewals to Beneficiary at least ten days before expiration;
7. Keep any buildings occupied as required by the insurance policy; and
8. If this is not a first lien, pay all prior lien notes that Grantor is personally liable to pay and abide by all prior lien instruments.

Beneficiary's Rights

1. Beneficiary may appoint in writing a substitute or successor trustee, succeeding to all rights and responsibilities of Trustee.
2. If the proceeds of the note are used to pay any debt secured by prior liens, Beneficiary is subrogated to all of the rights and liens of the holders of any debt so paid.
3. Beneficiary may apply any proceeds received under the insurance policy either to repair or replace damaged or destroyed improvements covered by the policy.
4. If Grantor fails to perform any of Grantor's obligations, Beneficiary may perform those obligations and be reimbursed by Grantor on demand at the place where the note is payable for any sums so paid, including attorney's fees, plus interest on those sums from the dates of payment at the rate stated in the note for matured, unpaid amounts. The sum to be

Page 2 of 5



Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do hereby certify that this is a true and correct copy of the original document filed in my office.
By: [Signature]
Deputy Clerk

- reimbursed shall be secured by this deed of trust.
5. If Grantor defaults on the note or fails to perform any of Grantor's obligations or if default occurs on a prior lien note or other instrument, and the default continues after Beneficiary gives Grantor notice of the default and the time within which it must be cured, as may be required by law or by written agreement, then Beneficiary may:
 - a. declare the unpaid principal balance and earned interest on the note immediately due;
 - b. request Trustee to foreclose this lien, in which case Beneficiary or Beneficiary's agent shall give notice of the foreclosure sale as provided by the Texas Property Code as then amended; and
 - c. purchase the property at any foreclosure sale by offering the highest bid and then have the bid credited on the note.

Trustee's Duties

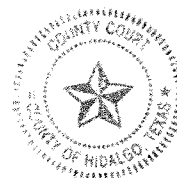
If requested by Beneficiary to foreclose this lien, Trustee shall:

1. Either personally or by agent give notice of the foreclosure sale as required by the Texas Property Code as then amended;
2. Sell and convey all or part of the property to the highest bidder for cash with a general warranty binding Grantor, subject to prior liens and to other exceptions to conveyance and warranty; and
3. From the proceeds of the sale, pay, in this order:
 - a. expenses of foreclosure, including a commission to Trustee of 5% of the bid;
 - b. to Beneficiary, the full amount of principal, interest, attorney's fees, and other charges due and unpaid;
 - c. any amounts required by law to be paid before payment to Grantor; and
 - d. to Grantor, any balance.

General Provisions

1. If any of the property is sold under this deed of trust, Grantor shall immediately surrender possession to the purchaser. If Grantor fails to do so, Grantor shall become a tenant at sufferance of the purchaser, subject to an action for forcible detainer.
2. Recitals in any Trustee's deed conveying the property will be presumed to be true.
3. Proceedings under this deed of trust, filing suit for foreclosure, or pursuing any other remedy will not constitute an election of remedies.
4. This lien shall remain superior to liens later created even if the time of payment of all or part of the note is extended or part of the property is released.
5. If any portion of the note cannot be lawfully secured by this deed of trust, payments shall be applied first to discharge that portion.
6. Grantor assigns to Beneficiary all sums payable to or received by Grantor from condemnation of all or part of the property, from private sale in lieu of condemnation, and from damages caused by public works or construction on or near the property. After deducting any expenses incurred, including attorney's fees, Beneficiary may release any remaining sums to Grantor or apply such sums to reduce the note. Beneficiary shall not be liable for failure to collect or to exercise diligence in collecting any such sums.
7. Grantor assigns to Beneficiary absolutely, not only as collateral, all present and future rent

Page 3 of 5

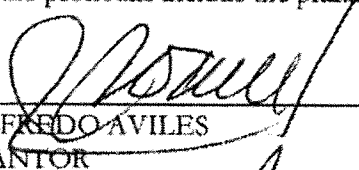


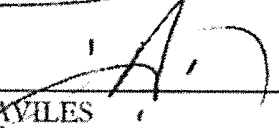
Date: 1-14-19
 I, Arturo Guajardo, Jr. County Clerk do hereby certify that this is a true and correct copy of the original document filed in my office.
 By: [Signature]
 Deputy Clerk

and other income and receipts from the property. Leases are not assigned. Grantor warrants the validity and enforceability of the assignment. Grantor may as Beneficiary's licensee collect rent and other income and receipts as long as Grantor is not in default under the note or this deed of trust. Grantor will apply all rent and other income and receipts to payment of the note and performance of this deed of trust, but if the rent and other income and receipts exceed the amount due under the note and deed of trust, Grantor may retain the excess. If Grantor defaults in payment of the note or performance of this deed of trust, Beneficiary may terminate Grantor's license to collect and then as Grantor's agent may rent the property if it is vacant and collect all rent and other income and receipts. Beneficiary neither has nor assumes any obligations as lessor or landlord with respect to any occupant of the property. Beneficiary may exercise Beneficiary's rights and remedies under this paragraph without taking possession of the property. Beneficiary shall apply all rent and other income and receipts collected under this paragraph first to expenses incurred in exercising Beneficiary's rights and remedies and then to Grantor's obligations under the note and this deed of trust in the order determined by Beneficiary. Beneficiary is not required to act under this paragraph, and acting under this paragraph does not waive any of Beneficiary's other rights or remedies. If Grantor becomes a voluntary or involuntary bankrupt, Beneficiary's filing a proof of claim in bankruptcy will be tantamount to the appointment of a receiver under Texas law.

8. Interest on the debt secured by this deed of trust shall not exceed the maximum amount of nonusurious interest that may be contracted for, taken, reserved, charged, or received under law; any interest in excess of that maximum amount shall be credited on the principal of the debt or, if that has been paid, refunded. On any acceleration or required or permitted prepayment, any such excess shall be canceled automatically as of the acceleration or prepayment or, if already paid, credited on the principal of the debt or, if the principal of the debt has been paid, refunded. This provision overrides other provisions in this and all other instruments concerning the debt.
9. When the context requires, singular nouns and pronouns include the plural.
10. The term "note" includes all sums secured by this deed of trust.
11. This deed of trust shall bind, inure to the benefit of, and be exercised by successors in interest of all parties.
12. If Grantor and Maker are not the same person, the term "Grantor" shall include Maker.
13. Grantor represents that this deed of trust and the note are given for the following purposes:

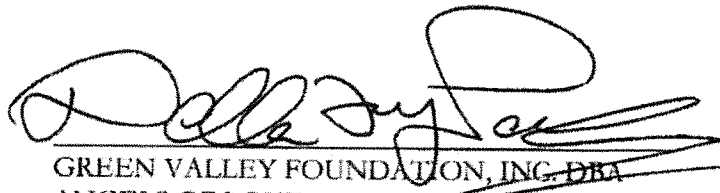
When the context requires, singular nouns and pronouns include the plural.


WILFREDO AVILES
GRANTOR


CRISTELA AVILES
GRANTOR



Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do
hereby certify that this is a true and
correct copy of the original document
filed in my office.
By: 
Deputy Clerk


GREEN VALLEY FOUNDATION, INC. DBA
ANGELS OF LOVE
BENEFICIARY

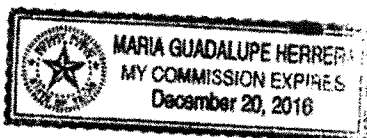
ACKNOWLEDGMENT

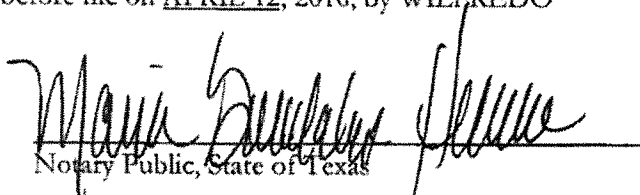
STATE OF TEXAS

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COUNTY OF HIDALGO

This instrument was acknowledged before me on APRIL 12, 2016, by WILFREDO AVILES and CRISTELA AVILES.




Notary Public, State of Texas

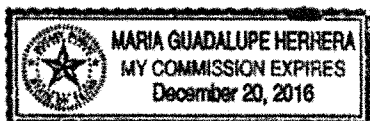
ACKNOWLEDGMENT

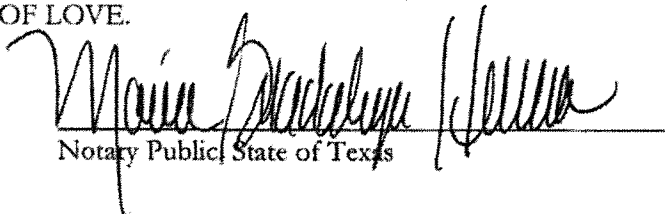
STATE OF TEXAS

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§
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COUNTY OF HIDALGO

This instrument was acknowledged before me on APRIL 12, 2016, by GREEN VALLEY FOUNDATION, INC. DBA ANGELS OF LOVE.




Notary Public, State of Texas

PREPARED IN THE OFFICE OF:
LAW OFFICE OF DELLA FAY PEREZ, PLLC
4305 N. 10TH STREET, STE G
MCALLEN, TEXAS 78504

AFTER RECORDING RETURN TO:
GREEN VALLEY FOUNDATION, INC. DBA ANGELS OF LOVE
4305 N. 10TH STREET, STE H
MCALLEN, TEXAS 78504



Date: 1-14-19
I, Arturo Guajardo, Jr. County Clerk do
heraby certify that this is a true and
correct copy of the original document
filed in my office.
By: 
Deputy Clerk

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

January 25, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, February 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, February 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

Della Fay Perez is requesting to rezone 903 S Border Ave. Also being a 0.70 acre tract of land being the north 185.00 feet of the south 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, West Tract Subdivision, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

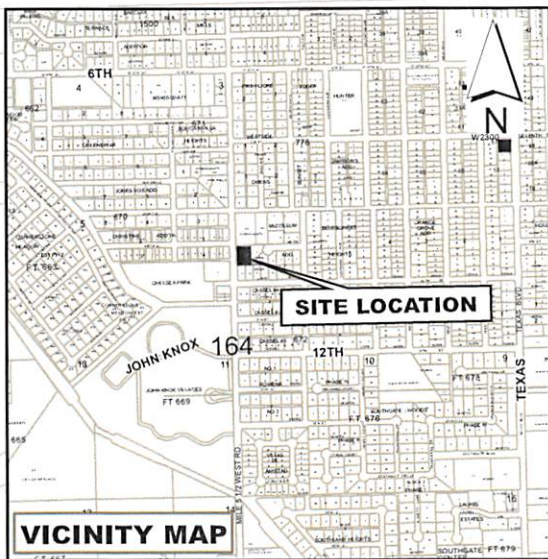
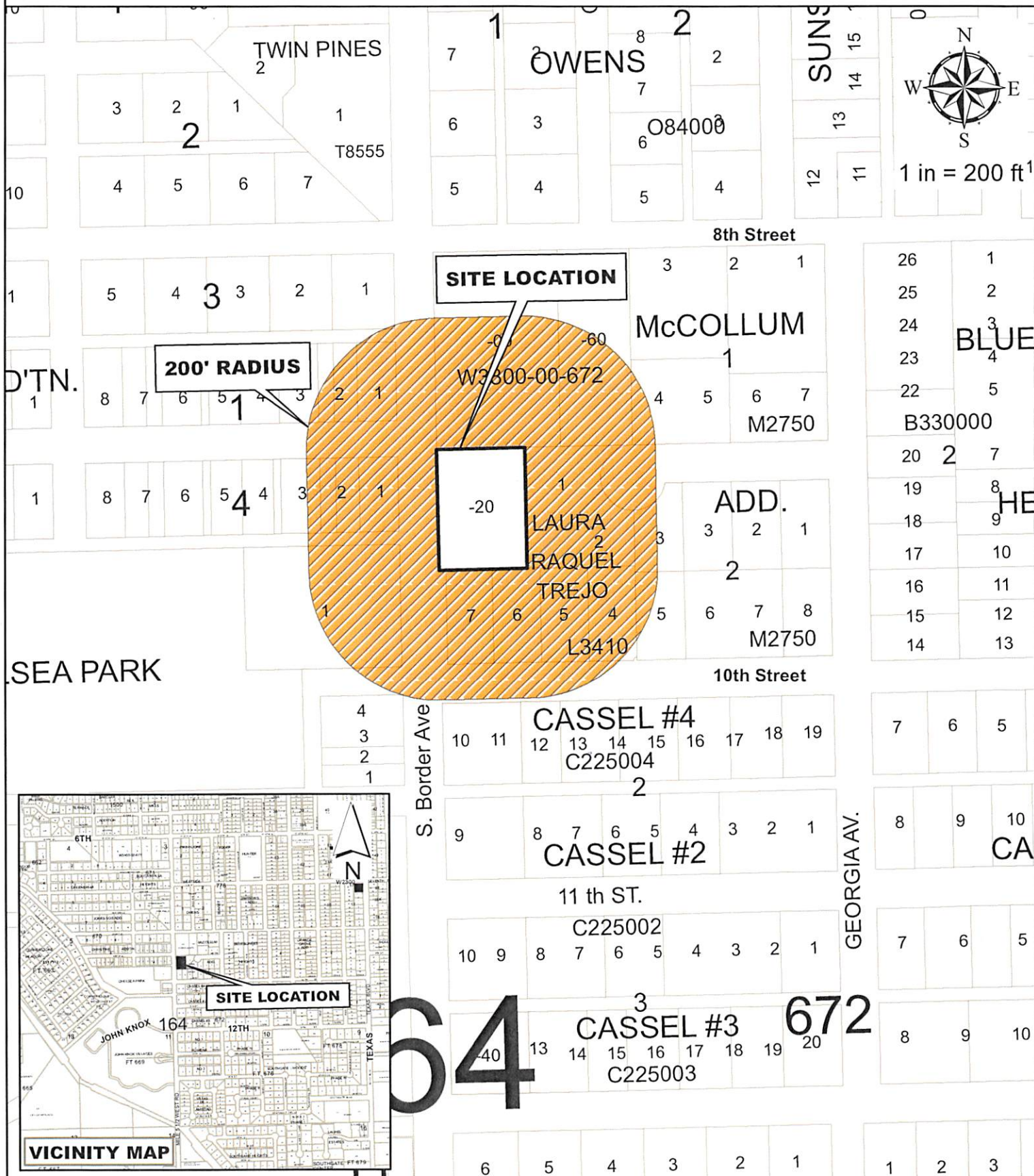
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

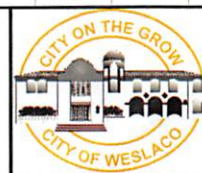
A handwritten signature in black ink, appearing to read "Rebekah de la Fuente".

Rebekah de la Fuente
Senior Planner



Green Valley Foundation Inc
903 S. Border Ave
Lot 4 & Block 164

Purpose for the rezone request
Existing zoning: Residential
Existing land use: R-1
Prop Request: R-2



City of Weslaco Code Enforcement Dept.

JAN 21, 2019

HOBART, GENE 1002 S BORDER AVE WESLACO TX 78596-7424	C4130-00-000-0004-00 CHELSEA PARK LOT 4 1000 S BORDER AVE	L: 14550 B: 39951
HOBERT, GENE 1002 S BORDER AVE WESLACO TX 78596-7424	C4130-00-000-0004-01 CHELSEA PARK LOT 4-A	L: 983 B: 0
MICHEL, BAYARD 3810 CIELO BLANCO WESLACO TX 78596-3784	C4300-00-001-0001-00 CHRISTINE ADDITION LOT 1 & E36' 0 W 9TH ST	L: 37440 B: 73156
SEPULVEDA JAMEY LYNN 906 W 9TH ST WESLACO TX 78596-6712	C4300-00-001-0003-00 CHRISTINE ADDITION W24' LOT 2, A 8' LOT 5 BLK 1 906 W 9TH ST	L: 71136 B: 119878
ESQUIVEL SANDRA MD 2105 S WESTGATE DR WESLACO TX 78596-9411	C4300-00-004-0001-00 CHRISTINE ADDITION LOT 1 & E36' 901 W 9TH ST	L: 35712 B: 90007
GARZA RICARDO 905 W 9TH ST WESLACO TX 78596	C4300-00-004-0002-00 CHRISTINE ADDITION W24' LOT 2, A T 4 BLK 4 905 W 9TH ST	L: 35712 B: 57288
TODD RAYMOND L 729 W 8TH ST WESLACO TX 78596	J8100-00-003-0001-00 JONES VOS LOT 1 BLK 3 800 S BORDER AVE	L: 36984 B: 44386
RANA RIZWANA N & AMIR A 805 W 9TH ST WESLACO TX 78596-5108	L3410-00-000-0001-00 LAURA RAQUEL TREJO LOT 1 805 W 9TH ST	L: 48012 B: 198461
PENA, SARITA 801 W 9TH ST WESLACO TX 78596-5108	L3410-00-000-0002-00 LAURA RAQUEL TREJO LOT 2 0 W 9TH ST	L: 36030 B: 165804
PHILLIPS GREGORY K & DALIA 711 W 9TH ST WESLACO TX 78596-5107	L3410-00-000-0003-00 LAURA RAQUEL TREJO LOT 3 711 W 9TH ST	L: 30258 B: 125585
RODRIGUEZ BRENDA M & RENE P & 800 W 10TH ST WESLACO TX 78596-2600	L3410-00-000-0004-00 LAURA RAQUEL TREJO LOT 4 800 W 10TH ST	L: 37048 B: 89845
MARTINEZ ORFELINDA 804 W 10TH ST WESLACO TX 78596-2600	L3410-00-000-0005-00 LAURA RAQUEL TREJO LOT 5 804 W 10TH ST	L: 37048 B: 100941

JAN 21, 2019

AVILES WILFREDO A & CRISTELA V 2600 WILDWOOD DR WESLACO TX 78596-3442	L3410-00-000-0006-00 LAURA RAQUEL TREJO LOT 6 808 W 10TH ST	L: 37048 B: 0
AVILES WILFREDO A & CRISTELA V 2600 WILDWOOD DR WESLACO TX 78596-3442	L3410-00-000-0007-00 LAURA RAQUEL TREJO LOT 7 812 W 10TH ST	L: 36033 B: 0
GREIN OLGA D 712 W 9TH ST WESLACO TX 78596-5110	M2750-00-001-0004-00 MCCOLLUM BLK 1 LT S 130' 4-5 712 W 9TH ST	L: 62400 B: 170654
PEMELTON TOMMY 706 W 10TH ST WESLACO TX 78596-6820	M2750-00-002-0005-00 MCCOLLUM BLK 2 LT 5 706 E 10TH ST	L: 33919 B: 22851
AZUA ADAM 906 S BORDER AVE WESLACO TX 78596-6830	W3800-00-670-0000-00 WEST TRACT W240'- E270'- S198'- C GR 1.04AC NET 906 S BORDER AVE	L: 113255 B: 161401
TODD RAYMOND L & LYNDA L 729 W 8TH ST WESLACO TX 78596-6813	W3800-00-672-0000-00 WEST TRACT W55'-N300' LOT 3 & N3 729 W 8TH ST	L: 114127 B: 152554
GREEN VALLEY FOUNDATION INC 4305 N 10TH ST STE G MCALLEN TX 78504-2976	W3800-00-672-0000-20 WEST TRACT FT 672 LT 4 N 185'- S 903 BORDER AVE	L: 62073 B: 110389
GARZA CARLOS JAIME 703 W 8TH ST WESLACO TX 78596-6813	W3800-00-672-0000-60 WEST TRACT FT 672 N300'-E110' LO 703 W 8TH ST	L: 75141 B: 55326

Rezone Request

903 S Border Ave

Legend

-  (CONTINUOUS)
-  2901 W Business 83

S Border Ave

903 S Border Ave

9th Street

Google Earth

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© 2018 INEGI

300 ft



ORDINANCE NO. 2019-07

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 903 S BORDER AVE. ALSO BEING A 0.70 ACRE TRACT OF LAND BEING THE NORTH 185.00 FEET OF THE SOUTH 360 FEET OF LOT 4, H.L. STEBBINS SUBDIVISION OF THE NW 10.00 AC OF FARM TRACT 672, BLOCK 164, WEST TRACT SUBDIVISION WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT.

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

SECTION I: R-1 One-Family Dwelling District to R-2 Duplex and apartment district being 903 S Border Ave. also being a 0.70 acre tract of land being the north 185.00 feet of the south 360 feet of Lot 4, H.L. Stebbins Subdivision of the NW 10.00 ac of Farm Tract 672, Block 164, West Tract Subdivision, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of March 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

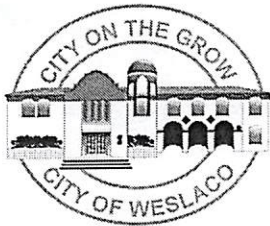
Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2289	
From: Joe Pedraza			
Subject: Discussion and consideration after public hearing on behalf of Antonio Martinez III to approve Ordinance 2019-08 to rezone 609 Hidalgo St., also being Lot 14-15, BLK 7. Weslaco Original Townsite, 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 2019-08. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to R-2 Duplex and apartment district. Thirty-four (34) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends denial based on 2040 Land Use Map			
Attachments, if any: 609 w hidalgo - attachments, 609 Hidalgo Street, O2019-08 rezone 609 Hidalgo St			
Responsibilities upon Approval:			

Staff will notify applicant.



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. REZ19-00010

RECEIVED

FEB 11 2019

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot 14 - 15 Block 7 Planning & Code Enforcement Dept.

Subdivision Name WESLACO ORIGINAL TOWNSITE

Street Address 609 W Hidalgo St

Existing Zoning Residential Existing Land Use Vacant

Proposed Zoning Multiple Residential Proposed Land Use Lot 14 & 15

- ☒ \$300.00 non-refundable filing fee.
- ☒ Detailed dimensioned site plan/map must be submitted with this request.
- ☒ NA Survey and metes and bounds if the legal description is a portion of a lot. full lot
- ☒ City and school tax receipts attached.
- ☒ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Antonio Martinez III Phone (956) 503-0702

Address 609 W Hidalgo St Fax: N/A

City Weslaco State Tx Zip Code 78596 E-Mail: mtztrey@gmail.com

OWNER

Name Graciela M Maldonado Phone (956)407-6680

Address 609 W Hidalgo St Fax: N/A

City Weslaco State Tx Zip Code 78596 E-Mail: mtztrey@gmail.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature] Date 1-10-19

Signature [Signature] Date 01/10/19
Applicant

Signature _____ Date _____
Authorized Agent

City of Weslaco
01/10/19
255 S Kansas Ave
Weslaco, Tx 78596

Planning and Zoning Commission,

My name is Antonio Martinez III, resident at 609 W Hidalgo St. Weslaco, Tx, 78596 (**Weslaco Original Townsite, Block 7, lots 14-15**). I am an applicant respectfully requesting rezoning on my property in hopes of building a duplex home for myself, Antonio Martinez III, and my brothers Gregory Maldonado, Ricardo O Diaz, Andrew R Maldonado, and mother Graciela M Maldonado. Our ancestors and us have owned the property at 609 W Hidalgo St for over 60 years together as a family. Recently the house became too weak and brittle, causing attraction from the City's departments. After being in agreement and cooperation with the City of Weslaco Planning department, we decided demolishing the old house was a route we should take. I Antonio Martinez III, attended the hearings in the Weslaco City Hall, agreed then purchased a Demolition Permit, hired a Demolition crew, and completed the task. Then, I hired surveyors to have the land surveyed to create an officially sealed Boundary and Plat Plan. The house was our inheritance from my Grandparents, Elisa and Oligario Maldonado. Our only wish is to continue to live in a home together as a family, except separate the household into a duplex due to us having separate careers, children of our own, and wanting more privacy as well. Furthermore, since our careers differ, we'd like to separate our bills. Lastly, time passes, and times change. As much as I remember sharing rooms with my brother as kids when my Grandparents were with us, we now thankfully, by the grace of God, each have steady enough jobs to accommodate ourselves to these standards instead of live cramped together as we did throughout our childhood being raised in low class family. Therefore, it is prayed said application be considered and granted. Thank you for your time.

Sincerely,



Antonio Martinez III
Ph# (956)503-0702
609 W Hidalgo St
Weslaco, Tx 78596

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:

MALDONADO GRACIELA MARIA
609 W HIDALGO ST
WESLACO, TX 78596-5969

Legal Description:

WESLACO ORIGINAL TOWNSITE BLK 7 LTS
14-15

Account No: W2300-00-007-0014-00

Appr. Dist. No.: 321602

Legal Acres: .1102

Parcel Address: 609 W HIDALGO

As of Date: 02/06/2019

Print Date: 02/06/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$16,080	\$5,630	\$21,710	\$21,710	\$0	\$0	\$0	
Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax	
		Code	Amount				
HIDALGO COUNTY	\$21,710		\$0.00	\$21,710	0.5800000	\$125.92	
DRAINAGE DIST #1	\$21,710		\$0.00	\$21,710	0.0951000	\$20.65	
CITY OF WESLACO	\$21,710		\$0.00	\$21,710	0.6667000	\$144.74	
Amount saved by additional sales tax revenue \$39.49							
WESLACO ISD	\$21,710		\$0.00	\$21,710	1.1597000	\$251.77	
SOUTH TEXAS ISD	\$21,710		\$0.00	\$21,710	0.0492000	\$10.68	
SOUTH TEXAS COLLEGE	\$21,710		\$0.00	\$21,710	0.1780000	\$38.64	

Total Tax: \$592.40

Total Tax Paid to date: \$592.40

Total Tax Remaining: \$0.00

Exemptions:

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 02/06/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



* W 2 3 0 0 0 0 0 0 7 0 0 1 4 0 0 *

W2300-00-007-0014-00

MALDONADO GRACIELA MARIA
609 W HIDALGO ST
WESLACO, TX 78596-5969

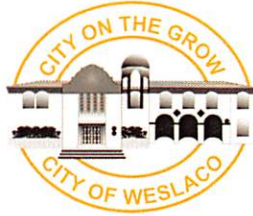
AMOUNT PAID:

\$ _____

00003216020000000000

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

February 22, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, March 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, March 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

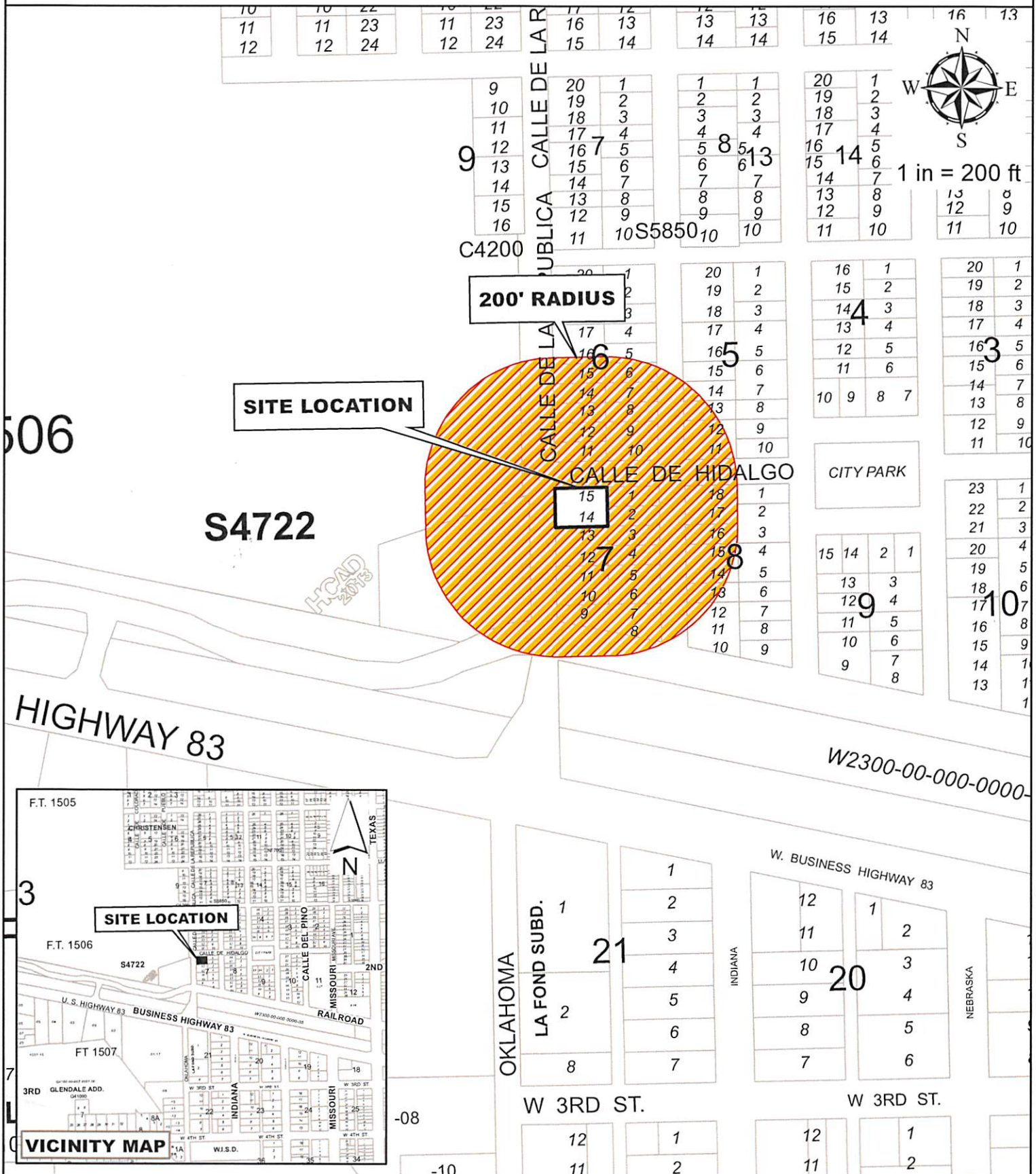
Antonio Martinez III is requesting to rezone 609 Hidalgo St. Also being Lot 14-15, BLK 7. Weslaco Original Townsite, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district. The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebekah de la Fuente", is written over the word "Sincerely,".

Rebekah de la Fuente
Senior Planner



Graciela M Maldonado
609 W Hidalgo St
Lot 14-15 & Block 7

Purpose for the rezone request
Existing zoning: R-1
Existing land use: Vacant
Prop zone: R-2



FEB 20, 2019

MURILLO JUAN 303 S 6TH ST DONNA TX 78537-3104	W2300-00-005-0011-00 WESLACO ORIGINAL TOWNSITE BLK 5 119 S LIBERTY	L: 16080 B: 24460
VALDEZ ROBERTO & GRACIELA G 117 S LIBERTY ST WESLACO TX 78596-5921	W2300-00-005-0013-00 WESLACO ORIGINAL TOWNSITE BLK 5 117 S LIBERTY	L: 8040 B: 14514
GUAJARDO EUGENIO & DESILO 2714 ALAMO ST WESLACO TX 78599-9426	W2300-00-005-0014-00 WESLACO ORIGINAL TOWNSITE BLK 5 113 S LIBERTY	L: 8040 B: 5659
LOPEZ PABLO H 1015 W MILE 10 -34 N WESLACO TX 78596	W2300-00-005-0015-00 WESLACO ORIGINAL TOWNSITE BLK 5 0	L: 8040 B: 4629
SALINAS ISABELLE 2005 PRIMROSE DR WESLACO TX 78596-5070	W2300-00-006-0005-00 WESLACO ORIGINAL TOWNSITE LTS 5- 108 S LIBERTY	L: 16080 B: 12400
SALINAS ISABELLE REYMUNDO & DIONICIA GONZALEZ 717 E LLANO GRANDE ST WESLACO TX 78596	W2300-00-006-0006-00 WESLACO ORIGINAL TOWNSITE BLK 6 LT 6 0	L: 8040 B: 1683
MURILLO DAVID & GLORIA 112 S LIBERTY ST WESLACO TX 78596-5922	W2300-00-006-0007-00 WESLACO ORIGINAL TOWNSITE BLK 6 112 S LIBERTY	L: 8040 B: 21313
MURILLO DAVID & GLORIA 112 S LIBERTY ST WESLACO TX 78596-5922	W2300-00-006-0008-00 WESLACO ORIGINAL TOWNSITE BLK 6 112 S LIBERTY	L: 8040 B: 0
CITY OF WESLACO 255 S KANSAS AVE WESLACO TX 78596-6158	W2300-00-006-0009-00 WESLACO ORIGINAL TOWNSITE BLK 6 118 S LIBERTY	L: 28800 B: 0
SALDANA ANITA SAMUDIO 121 S REPUBLIC WESLACO TX 78596-5947	W2300-00-006-0011-00 WESLACO ORIGINAL TOWNSITE BLK 6 121	L: 8040 B: 10690
LOPEZ MARIA NATIVIDAD 119 S REPUBLIC ST WESLACO TX 78596-5947	W2300-00-006-0012-00 WESLACO ORIGINAL TOWNSITE BLK 6 119 S REPUBLIC	L: 8040 B: 11616
ORTIZ, BLASA F 117 S REPUBLIC ST WESLACO TX 78596-5947	W2300-00-006-0013-00 WESLACO ORIGINAL TOWNSITE BLK 6 117 S REPUBLIC	L: 8040 B: 11175

FEB 20, 2019

LOPEZ, MARIA DEL CARMEN 115 S REPUBLIC ST WESLACO TX 78596-5947	W2300-00-006-0014-00 WESLACO ORIGINAL TOWNSITE BLK 6 115 S REPUBLIC	L: 8040 B: 12283
MACIAS FRANCES ET AL 8045 POULSON ST CITRUS HEIGHTS CA 95610-4044	W2300-00-006-0015-00 WESLACO ORIGINAL TOWNSITE LOT 15 111 S REPUBLIC	L: 8040 B: 0
GARZA JUAN JOSE 107 S REPUBLIC ST WESLACO TX 78596-5947	W2300-00-006-0016-00 WESLACO ORIGINAL TOWNSITE BLK 6 107 S REPUBLIC	L: 16080 B: 55416
VASQUEZ, MAGDALENA 200 S LIBERTY ST WESLACO TX 78596-5924	W2300-00-007-0001-00 WESLACO ORIGINAL TOWNSITE BLK 7 200 S LIBERTY	L: 8040 B: 9223
VASQUEZ MAGDALENA 200 S LIBERTY ST WESLACO TX 78596-5924	W2300-00-007-0002-00 WESLACO ORIGINAL TOWNSITE BLK 7 202 S LIBERTY	L: 8040 B: 7351
MORIN JUANITA COOKSEY 1312 STATE HIGHWAY 495 ALAMO TX 78516-9321	W2300-00-007-0003-00 WESLACO ORIGINAL TOWNSITE LOT 3 204 S LIBERTY	L: 8040 B: 6896
MORALES BEATRIZ R PO BOX 9080 MISSION TX 78572	W2300-00-007-0004-00 WESLACO ORIGINAL TOWNSITE BLK 7 206 S LIBERTY	L: 8040 B: 0
MEZA ABIGAIL 210 S LIBERTY ST WESLACO TX 78596-5924	W2300-00-007-0005-00 WESLACO ORIGINAL TOWNSITE BLK 7 210 S LIBERTY	L: 16080 B: 23715
IBARRA MARTIN 600 W RAILROAD ST WESLACO TX 78596-5944	W2300-00-007-0007-00 WESLACO ORIGINAL TOWNSITE BLK 7 0	L: 41280 B: 82497
GARCIA IRMA 211 S REPUBLIC ST WESLACO TX 78596-5949	W2300-00-007-0010-00 WESLACO ORIGINAL TOWNSITE BLK 7 211 S REPUBLIC	L: 16080 B: 10134
DIAZ JUAN & GUADALUPE E 209 S REPUBLIC ST WESLACO TX 78596-5949	W2300-00-007-0012-00 WESLACO ORIGINAL TOWNSITE BLK 7 0	L: 16080 B: 12296
MALDONADO GRACIELA MARIA 609 W HIDALGO ST WESLACO TX 78596-5969	W2300-00-007-0014-00 WESLACO ORIGINAL TOWNSITE BLK 7 609 W HIDALGO	L: 16080 B: 5630

FEB 20, 2019

GARCIA MARIA S 304 N CEDRO WESLACO TX 78596-5210	W2300-00-008-0001-00 WESLACO ORIGINAL TOWNSITE BLK 8 200 S PALMAS	L: 8040 B: 10109
AGUILAR, CONSUELO 202 S PALMAS ST WESLACO TX 78596-5932	W2300-00-008-0002-00 WESLACO ORIGINAL TOWNSITE BLK 8 202 S PALMAS	L: 16080 B: 33485
CITY OF WESLACO 255 S KANSAS AVE WESLACO TX 78596-6158	W2300-00-008-0004-00 WESLACO ORIGINAL TOWNSITE BLK 8 206 S PALMAS	L: 28800 B: 0
MOROLES JOSE A & MARIA E LIVING 201 N SALINAS BLVD DONNA TX 78537-2927	W2300-00-008-0010-00 WESLACO ORIGINAL TOWNSITE BLK 8 502 W RAILROAD ST	L: 43200 B: 48658
CARDENAS, HERNANDO & MARIA 211 S LIBERTY ST WESLACO TX 78596-5923	W2300-00-008-0013-00 WESLACO ORIGINAL TOWNSITE BLK 8 211 S LIBERTY	L: 8040 B: 10105
HUERTA PABLO 1100 E JASMINE MCALLEN TX 78501-4393	W2300-00-008-0014-00 WESLACO ORIGINAL TOWNSITE BLK 8 207 S LIBERTY	L: 8040 B: 7621
MEDINA, LUCIANA 205 S LIBERTY ST WESLACO TX 78596-5923	W2300-00-008-0016-00 WESLACO ORIGINAL TOWNSITE BLK 8 205 S LIBERTY	L: 8040 B: 11546
ALMAGUER NORA ALICIA 201 S LIBERTY ST WESLACO TX 78596-5923	W2300-00-008-0017-00 WESLACO ORIGINAL TOWNSITE BLK 8 201 S LIBERTY	L: 16080 B: 16930
SANTOS JESUS & MARIA LUISA 800 W CHAPARRAL ST SAN JUAN TX 78589-2210	W3800-00-000-1506-01 WEST TRACT FT 1506 LTS 1-6 700 W RAILROAD ST	L: 243060 B: 69167
SOUTH TEXAS COLLEGE 3201 PECAN BLVD MCALLEN TX 78501-6661	S4722-00-000-0001-00 SOUTH TEXAS COLLEGE MID VALLEY L 0	L: 3371801 B: 13802797

Rezone Request

609 Hidalgo Street

Legend

 609 Hidalgo Street



Google Earth

© 2018 Google
© 2018 INEGI

ORDINANCE NO. 2019-08

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 609 HIDALGO ST ALSO LOTS 14-15, BLK 7. WESLACO ORIGINAL TOWNSITE, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT

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

SECTION I: R-1 One-Family Dwelling District to R-2 Duplex and apartment district being 609 Hidalgo St also being lots Lots 14-15, BLK 7. Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of March 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2290
From: Joe Pedraza		
Subject: Discussion and consideration after public hearing on behalf of Red Rock Real Estate Development Group, LTD to approve Ordinance 2019-09 to rezone 1321 S. International Blvd. Also being a 1.42 acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1. Mira Vista, 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 2019-09. Possible action. (Staffed by Planning and Code Enforcement Department.)		
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary highway business district. Three (3) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019.		
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.		
Kayla Arevalo Joe Pedraza Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approved.		
Staff Recommendation: Staff recommends approval		
Attachments, if any: 1321 S International - ATTACHMENTS, 1321 S International, O2019-09 rezone 1321		

International Blvd
Responsibilities upon Approval: Staff will notify applicant.

RECEIVED
FEB 07 2019

Per



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. REZ19-00008

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot A 1.42 acre tract of land out of Farm Tract 1020 Block

Subdivision Name West and Adams Tract Subdivision

Street Address

Existing Zoning R-1 Existing Land Use

Proposed Zoning B-2 Proposed Land Use

\$300.00 non-refundable filing fee.

Detailed dimensioned site plan/map must be submitted with this request.

Survey and metes and bounds if the legal description is a portion of a lot.

City and school tax receipts attached.

I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Red Rock Real Estate Development Group, LTD. Phone (956) 800-1333

Address 2912 S. Jackson Rd. Fax:

City McAllen State TX Zip Code 78503 E-Mail: riocantu@yahoo.com

OWNER

Name Espanjas Development, LTD Phone (956) 800-1333

Address 2912 S. Jackson Rd. Fax:

City McAllen State TX Zip Code 78503 E-Mail: cruzcantuiii@aol.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature  Date 2/6/19
Owner

Signature Date
Applicant

Signature Date
Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Ordinance No. _____

Affidavit

To: City of Weslaco
255 S. Kansas Ave.
Weslaco, TX 78596

I, Cruz Cantu, III, Member, Esponjas Development, Ltd., owner of a 19.85 acre tract of land being all of Farm Tract 1020 and 9.72 acres out of Lots 11 and 12, Block 113, West and Adams Tract Subdivision, Hidalgo County, Texas, hereby authorize Red Rock Real Estate Development Group, Ltd. to submit a subdivision application and change of zone application for approval.

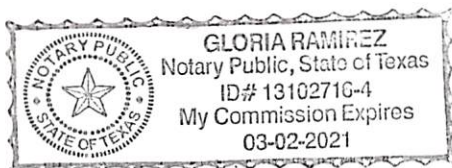


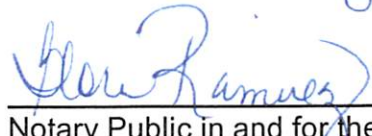
Owner: Esponjas Development, Ltd.
Cruz Cantu, III, Member

State of Texas
County of Hidalgo

Before me, the undersigned authority, a notary public in and for the State of Texas, County of Hidalgo, on this day personally appeared Cruz Cantu, III, Member, Esponjas Development, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 6th day of February, 2019.





Notary Public in and for the State of
Texas, County of Hidalgo

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:
ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

Legal Description:
ADAMS TRACT - AN IRR TR
E1098.70-W1366.70 FT 1020 4.62AC OUT OF
THE SE COR FT 1024 9.72AC GR 9.22AC NET

Account No: A0800-00-000-1020-08

Appr. Dist. No.: 721087

Legal Acres: 9.2200

Parcel Address: S FM 1015

As of Date: 02/05/2019

Print Date: 02/05/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$248,940	\$0	\$248,940	\$248,940	\$0	\$0	\$248,940	\$0

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
HIDALGO COUNTY	\$248,940	OSP	\$245,049.00	\$3,891	0.5800000	\$22.57
DRAINAGE DIST #1	\$248,940	OSP	\$245,049.00	\$3,891	0.0951000	\$3.70
CITY OF WESLACO	\$248,940	OSP	\$245,049.00	\$3,891	0.6667000	\$25.94
<i>Amount saved by additional sales tax revenue \$7.08</i>						
WESLACO ISD	\$248,940	OSP	\$245,049.00	\$3,891	1.1597000	\$45.12
SOUTH TEXAS ISD	\$248,940	OSP	\$245,049.00	\$3,891	0.0492000	\$1.91
SOUTH TEXAS COLLEGE	\$248,940	OSP	\$245,049.00	\$3,891	0.1780000	\$6.93

Total Tax: \$106.17
Total Tax Paid to date: \$106.17
Total Tax Remaining: \$0.00

Exemptions:

OSP OPEN SPACE 1-D-1

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 02/05/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



* A 0 8 0 0 0 0 0 0 0 1 0 2 0 0 8 *

A0800-00-000-1020-08

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

AMOUNT PAID:

\$ _____

00007210870000000000

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:
ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

Legal Description:
ADAMS TRACT FT 1020 18.12 AC

Account No: A0800-00-000-1020-00

Appr. Dist. No.: 108294

Legal Acres: 18.1200

Parcel Address: S FM 1015

As of Date: 02/05/2019

Print Date: 02/05/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$489,240	\$0	\$489,240	\$489,240	\$0	\$0	\$489,240	\$0
Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax	
		Code	Amount				
HIDALGO COUNTY	\$489,240	OSP	\$481,593.00	\$7,647	0.5800000	\$44.35	
DRAINAGE DIST #1	\$489,240	OSP	\$481,593.00	\$7,647	0.0951000	\$7.27	
CITY OF WESLACO	\$489,240	OSP	\$481,593.00	\$7,647	0.6667000	\$50.98	
Amount saved by additional sales tax revenue \$13.91							
WESLACO ISD	\$489,240	OSP	\$481,593.00	\$7,647	1.1597000	\$88.68	
SOUTH TEXAS ISD	\$489,240	OSP	\$481,593.00	\$7,647	0.0492000	\$3.76	
SOUTH TEXAS COLLEGE	\$489,240	OSP	\$481,593.00	\$7,647	0.1780000	\$13.61	

Total Tax: \$208.65
Total Tax Paid to date: \$208.65
Total Tax Remaining: \$0.00

Exemptions:

OSP OPEN SPACE I-D-1

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.168



Print Date: 02/05/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



* A 0 8 0 0 0 0 0 0 0 1 0 2 0 0 0 *

A0800-00-000-1020-00

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

AMOUNT PAID:

\$ _____

00001082940000000000

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

Legal Description:

ADAMS TRACT FT 1020 5.52 AC

Account No: A0800-00-000-1020-01

Appr. Dist. No.: 108295

Legal Acres: 5.5200

Parcel Address: S FM 1015

As of Date: 02/05/2019

Print Date: 02/05/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$149,040	\$0	\$149,040	\$149,040	\$0	\$0	\$149,040	\$0
Taxing Unit		Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
			Code	Amount			
HIDALGO COUNTY		\$149,040	OSP	\$146,711.00	\$2,329	0.5800000	\$13.51
DRAINAGE DIST #1		\$149,040	OSP	\$146,711.00	\$2,329	0.0951000	\$2.21
EMS DIST #1		\$149,040	OSP	\$146,711.00	\$2,329	0.0194000	\$0.45
WESLACO ISD		\$149,040	OSP	\$146,711.00	\$2,329	1.1597000	\$27.01
SOUTH TEXAS ISD		\$149,040	OSP	\$146,711.00	\$2,329	0.0492000	\$1.15
SOUTH TEXAS COLLEGE		\$149,040	OSP	\$146,711.00	\$2,329	0.1780000	\$4.15

Total Tax: \$48.48
Total Tax Paid to date: \$48.48
Total Tax Remaining: \$0.00

Exemptions:

OSP OPEN SPACE I-D-1

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 02/05/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



A0800-00-000-1020-01

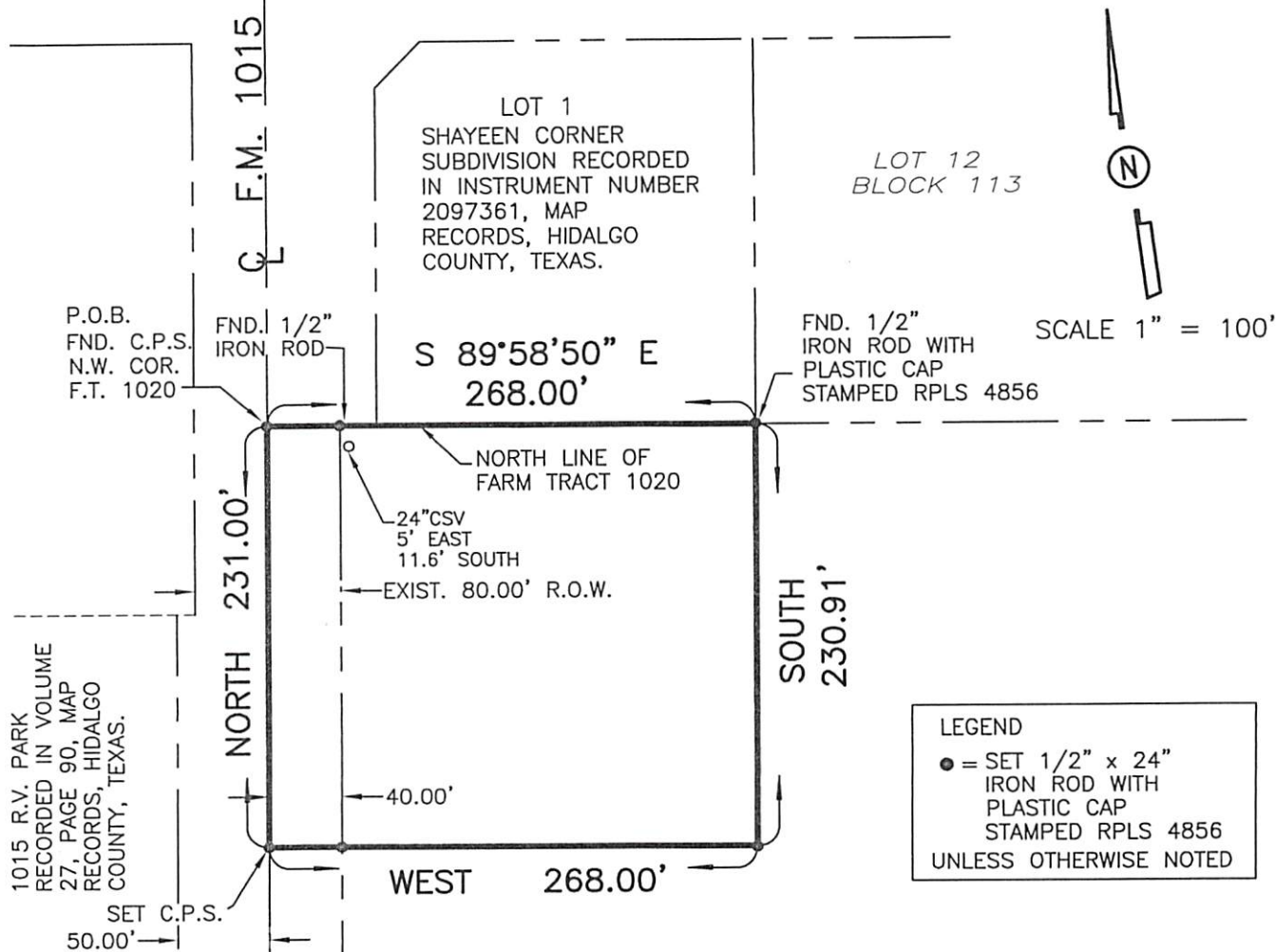
ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

AMOUNT PAID:

\$ _____

00001082950000000000

CAMINO REAL VIEJO ROAD



NOTE: THIS SURVEY WAS DONE WITHOUT THE
BENEFIT OF A TITLE COMMITMENT.

PLAT SHOWING ZONE CHANGE FROM R1 TO B2

A 1.42 ACRE TRACT OF LAND OUT OF FARM TRACT 1020, WEST AND ADAMS TRACTS SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGES 34-37, MAP RECORDS, HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1631125, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS.

FLOOD ZONE DESIGNATION: ZONE "B"
AREAS BETWEEN LIMITS OF THE 100-YEAR AND 500-YEAR FLOOD; OR CERTAIN AREAS SUBJECT TO 100-YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT OR WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN ONE (1) SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM THE BASE FLOOD.
COMMUNITY-PANEL No. 480334 0525 B
EFFECTIVE DATE: JANUARY 2, 1981

BEARINGS ARE IN ACCORDANCE WITH SOUTH PALM GARDENS ESTATES UNIT NO. 1, RECORDED IN VOLUME 20, PAGE 100, MAP RECORDS, HIDALGO COUNTY, TEXAS.

THE PROPERTY SHOWN ON THIS SURVEY PLAT MAY BE SUBJECT TO THE SUBDIVISION REGULATIONS OF THE COUNTY OF HIDALGO AND/OR ORDINANCES OR GOVERNMENTAL REGULATIONS OF THE CITY IN WHICH THE PROPERTY MAY BE LOCATED OR HOLDING EXTRA TERRITORIAL JURISDICTION.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THE FOREGOING PLAT TO BE A TRUE AND CORRECT REPRESENTATION OF THE LANDS SHOWN AS THE RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION. AND THERE ARE NOT ANY DISCREPANCIES, CONFLICTS, EASEMENTS, OR SHORTAGES IN AREA OR BOUNDARY LINES, OR ANY ENCROACHMENTS, OR ANY OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN ON THIS PLAT.



[Signature]

ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL LAND SURVEYOR
No. 4856



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND SURVEYORS

124 E. STUBBS ST. PHONE 956-381-6480

EDINBURG, TEXAS 78539 FAX 956-381-0527

ENGINEERING REGISTRATION NUMBER F-1513
SURVEYING REGISTRATION NUMBER 100411-00

VOL. 2 PAGE 34-37
SURVEYED FEBRUARY 5, 2019
ADDRESS _____
OWNER _____
JOB No. _____
BOOK No. _____ PAGE _____
F:\DATA\SUBD\WES\OASIS\SURVEY



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

Consulting Engineers ★ Land Surveyors

Alfonso Quintanilla, P.E., R.P.L.S. Eulalio Ramirez, P.E.
Engineering Firm Registration No. F-1513
Surveying Firm Registration No. 100411-00
Municipal & County Projects ★ Subdivisions ★ Surveys
124 E. Stubbs, Edinburg, Texas 78539
Phone 956/381-6480 Fax 956/381-0527

METES AND BOUNDS

ZONE CHANGE FROM R1 TO B2

A 1.42 ACRE TRACT OF LAND OUT OF FARM TRACT 1020, WEST AND ADAMS TRACTS SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 2, PAGES 34-37, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1631125, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A COTTON PICKER SPINDLE FOUND IN THE CENTERLINE OF F.M. 1015 FOR THE NORTHWEST CORNER OF FARM TRACT 1020, THE SOUTHWEST CORNER OF SHAYEEN CORNER SUBDIVISION (RECORDED IN INSTRUMENT NUMBER 2097361, MAP RECORDS, HIDALGO COUNTY, TEXAS), AND THE NORTHWEST CORNER OF THIS TRACT.

THENCE; S 89°58'50" E, ALONG THE NORTH LINE OF FARM TRACT 1020, AND THE SOUTH LINE OF SHAYEEN CORNER SUBDIVISION, PASSING A 1/2" IRON ROD FOUND AT 40.00 FEET FOR THE EAST RIGHT OF WAY LINE OF F.M. 1015, A TOTAL DISTANCE OF 268.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 FOUND FOR THE SOUTHEAST CORNER OF SHAYEEN CORNER SUBDIVISION, AND THE NORTHEAST CORNER THIS TRACT.

THENCE; SOUTH, A DISTANCE OF 230.91 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; WEST, PASSING A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET AT 228.00 FEET FOR THE EAST RIGHT OF WAY LINE OF F.M. 1015, A TOTAL DISTANCE OF 268.00 FEET TO A COTTON PICKER SPINDLE SET ON THE WEST LINE OF FARM TRACT 1020, AND IN THE CENTERLINE OF F.M. 1015 FOR THE SOUTHWEST CORNER OF THIS TRACT.

THENCE; NORTH, ALONG THE WEST LINE OF FARM TRACT 1020, AND THE CENTERLINE OF F.M. 1015, A DISTANCE OF 231.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.42 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH SOUTH PALM GARDENS ESTATES UNIT No.1, RECORDED IN VOLUME 20, PAGE 100, MAP RECORDS, HIDALGO COUNTY, TEXAS.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: FEBRUARY 5, 2019


ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856



City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

February 22, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, March 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, March 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

Red Rock Real Estate Development Group, LTD. is requesting to rezone 1321 S. International Blvd. Also being a 1.42 acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1, Mira Vista, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to B-2 Secondary highway business district.

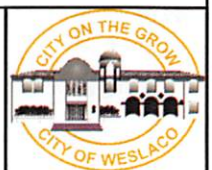
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebekah de la Fuente", written over a horizontal line.

Rebekah de la Fuente
Senior Planner



FEB 19, 2019

ESPONJAS DEVELOPMENT LTD	A0800-00-000-1020-00	L: 0
2912 S JACKSON RD	ADAMS TRACT FT 1020 18.12 AC	B: 0`
MCALLEN TX 78503-1870	1313 S INTERNATIONAL BLVD	
ESPONJAS DEVELOPMENT LTD	A0800-00-000-1020-08	L: 0
2912 S JACKSON RD	ADAMS TRACT - AN IRR TR E1098.70	B: 0
MCALLEN, TX 78503-1870	4.62AC OUT OF THE SE COR FT 1024	
	3500 CAMINO REAL VIEJO	
FINKLESTEIN MAX J & MILDRED R	S3060-00-000-0001-00	L: 186353
6280 LAKEVIEW RD	SHAYEEN CORNER LOT 1	B: 492355
LENOIR CITY, TN 37772-4396	1301 S INTERNATIONAL BLVD	

Rezone Request

1321 S International

Legend

Kalanchoe St
1321 S International

1015

Mile 6 1/2 W

Louisiana

Kansas

Illinois

Texas

Bill Summers International Blvd

Google Earth

© 2018 Google

© 2018 INEGI



600 ft

ORDINANCE NO. 2019-09

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 1321 S. INTERNATIONAL BLVD ALSO BEING A 1.42 ACRE TRACT OF FARM TRACT 1020 WEST AND ADAMS TRACT SUBDIVISION, PROPOSED LOT 1, BLK 1. MIRA VISTA, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO B-2 SECONDARY HIGHWAY BUSINESS DISTRICT

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

SECTION I: R-1 One-Family Dwelling District to B-2 Secondary highway business district being 1321 S. International Blvd also being a 1.42-acre tract of Farm Tract 1020 West and Adams Tract Subdivision, proposed Lot 1, BLK 1. Mira Vista, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of March 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2292	
From: Joe Pedraza			
Subject: Discussion and consideration after public hearing on behalf of Red Rock Real Estate Development Group, LTD, to approve Ordinance 2019-10 to rezone 3602 Camino Real Viejo also being a 5.00 Acre Tract Of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-10. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary highway business district. Eight (8) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval			
Attachments, if any: 3602 camino real viejo - attachments, 3602 Camino Real Viejo, O2019-10 3602 Camino Real Viejo			

Responsibilities upon Approval:

Staff will notify applicant.



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. REZ19-00009

RECEIVED

FEB 07 2019

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot A 5.00 acre tract of land out of Farm Tract 1020 and out of Lot 12 Block Block 113

Subdivision Name West and Adams Tracts Subdivision

Street Address 3602 Camino Real Viejo

Existing Zoning R-1 Existing Land Use

Proposed Zoning R-2 Proposed Land Use

\$300.00 non-refundable filing fee.

Detailed dimensioned site plan/map must be submitted with this request.

Survey and metes and bounds if the legal description is a portion of a lot.

City and school tax receipts attached.

I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Red Rock Real Estate Development Group, LTD. Phone (956) 800-1333

Address 2912 S. Jackson Rd. Fax:

City McAllen State TX Zip Code 78503 E-Mail: riocantu@yahoo.com

OWNER

Name Esonjas Development, LTD Phone (956) 800-1333

Address 2912 S. Jackson Rd. Fax:

City McAllen State TX Zip Code 78503 E-Mail: cruzcantuuii@aol.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature] Date 2/6/19
Owner

Signature Date
Applicant

Signature Date
Authorized Agent

Affidavit

To: City of Weslaco
255 S. Kansas Ave.
Weslaco, TX 78596

I, Cruz Cantu, III, Member, Esponjas Development, Ltd., owner of a 19.85 acre tract of land being all of Farm Tract 1020 and 9.72 acres out of Lots 11 and 12, Block 113, West and Adams Tract Subdivision, Hidalgo County, Texas, hereby authorize Red Rock Real Estate Development Group, Ltd. to submit a subdivision application and change of zone application for approval.

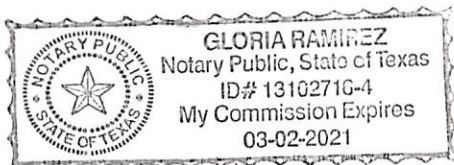


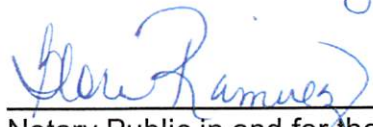
Owner: Esponjas Development, Ltd.
Cruz Cantu, III, Member

State of Texas
County of Hidalgo

Before me, the undersigned authority, a notary public in and for the State of Texas, County of Hidalgo, on this day personally appeared Cruz Cantu, III, Member, Esponjas Development, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this the 6th day of February, 2019.





Notary Public in and for the State of
Texas, County of Hidalgo

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:
ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

Legal Description:
ADAMS TRACT - AN IRR TR
E1098.70-W1366.70 FT 1020 4.62AC OUT OF
THE SE COR FT 1024 9.72AC GR 9.22AC NET

Account No: A0800-00-000-1020-08

Appr. Dist. No.: 721087

Legal Acres: 9.2200

Parcel Address: S FM 1015

As of Date: 02/05/2019

Print Date: 02/05/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$248,940	\$0	\$248,940	\$248,940	\$0	\$0	\$248,940	\$0

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
HIDALGO COUNTY	\$248,940	OSP	\$245,049.00	\$3,891	0.5800000	\$22.57
DRAINAGE DIST #1	\$248,940	OSP	\$245,049.00	\$3,891	0.0951000	\$3.70
CITY OF WESLACO	\$248,940	OSP	\$245,049.00	\$3,891	0.6667000	\$25.94
<i>Amount saved by additional sales tax revenue \$7.08</i>						
WESLACO ISD	\$248,940	OSP	\$245,049.00	\$3,891	1.1597000	\$45.12
SOUTH TEXAS ISD	\$248,940	OSP	\$245,049.00	\$3,891	0.0492000	\$1.91
SOUTH TEXAS COLLEGE	\$248,940	OSP	\$245,049.00	\$3,891	0.1780000	\$6.93

Total Tax: \$106.17
Total Tax Paid to date: \$106.17
Total Tax Remaining: \$0.00

Exemptions:

OSP OPEN SPACE 1-D-1

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 02/05/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



A0800-00-000-1020-08

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

AMOUNT PAID:

\$ _____

00007210870000000000

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:
ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

Legal Description:
ADAMS TRACT FT 1020 18.12 AC

Account No: A0800-00-000-1020-00

Appr. Dist. No.: 108294

Legal Acres: 18.1200

Parcel Address: S FM 1015

As of Date: 02/05/2019

Print Date: 02/05/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$489,240	\$0	\$489,240	\$489,240	\$0	\$0	\$489,240	\$0
Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax	
		Code	Amount				
HIDALGO COUNTY	\$489,240	OSP	\$481,593.00	\$7,647	0.5800000	\$44.35	
DRAINAGE DIST #1	\$489,240	OSP	\$481,593.00	\$7,647	0.0951000	\$7.27	
CITY OF WESLACO	\$489,240	OSP	\$481,593.00	\$7,647	0.6667000	\$50.98	
<i>Amount saved by additional sales tax revenue \$13.91</i>							
WESLACO ISD	\$489,240	OSP	\$481,593.00	\$7,647	1.1597000	\$88.68	
SOUTH TEXAS ISD	\$489,240	OSP	\$481,593.00	\$7,647	0.0492000	\$3.76	
SOUTH TEXAS COLLEGE	\$489,240	OSP	\$481,593.00	\$7,647	0.1780000	\$13.61	

Total Tax: \$208.65
Total Tax Paid to date: \$208.65
Total Tax Remaining: \$0.00

Exemptions:

OSP OPEN SPACE I-D-1

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 02/05/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



A0800-00-000-1020-00

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

AMOUNT PAID:

\$ _____

00001082940000000000

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

Legal Description:

ADAMS TRACT FT 1020 5.52 AC

Account No: A0800-00-000-1020-01

Appr. Dist. No.: 108295

Legal Acres: 5.5200

Parcel Address: S FM 1015

As of Date: 02/05/2019

Print Date: 02/05/2019

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$149,040	\$0	\$149,040	\$149,040	\$0	\$0	\$149,040	\$0
Taxing Unit		Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
			Code	Amount			
HIDALGO COUNTY		\$149,040	OSP	\$146,711.00	\$2,329	0.5800000	\$13.51
DRAINAGE DIST #1		\$149,040	OSP	\$146,711.00	\$2,329	0.0951000	\$2.21
EMS DIST #1		\$149,040	OSP	\$146,711.00	\$2,329	0.0194000	\$0.45
WESLACO ISD		\$149,040	OSP	\$146,711.00	\$2,329	1.1597000	\$27.01
SOUTH TEXAS ISD		\$149,040	OSP	\$146,711.00	\$2,329	0.0492000	\$1.15
SOUTH TEXAS COLLEGE		\$149,040	OSP	\$146,711.00	\$2,329	0.1780000	\$4.15

Total Tax: \$48.48
Total Tax Paid to date: \$48.48
Total Tax Remaining: \$0.00

Exemptions:

OSP OPEN SPACE I-D-1

AMOUNT DUE IF PAID BY:

02/28/2019 7%	04/01/2019 9%	04/30/2019 11%	05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%	12/02/2019 22 + up to 15%	12/31/2019 23 + up to 15%	01/31/2020 24 + up to 15%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 02/05/2019

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



A0800-00-000-1020-01

ESPONJAS DEVELOPMENT LTD
2912 S JACKSON RD
MCALLEN, TX 78503-1870

AMOUNT PAID:

\$ _____

00001082950000000000



QUINTANILLA, HEADLEY AND ASSOCIATES, INC.

Consulting Engineers ★ Land Surveyors

Alfonso Quintanilla, P.E., R.P.L.S. Eulalio Ramirez, P.E.
Engineering Firm Registration No. F-1513
Surveying Firm Registration No. 100411-00
Municipal & County Projects ★ Subdivisions ★ Surveys
124 E. Stubbs, Edinburg, Texas 78539
Phone 956/381-6480 Fax 956/381-0527

METES AND BOUNDS

ZONE CHANGE FROM R1 TO R2

A 5.00 ACRE TRACT OF LAND OUT OF FARM TRACT 1020, AND OUT OF LOT 12, BLOCK 113, WEST AND ADAMS TRACTS SUBDIVISION, HIDALGO COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 2, PAGES 34-37, MAP RECORDS HIDALGO COUNTY, TEXAS, AND ACCORDING TO WARRANTY DEED RECORDED UNDER COUNTY CLERK'S DOCUMENT NUMBER 1631125 AND 1756394, OFFICIAL RECORDS, HIDALGO COUNTY, TEXAS, REFERENCE TO WHICH IS HERE MADE FOR ALL PURPOSES AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR THE SOUTHWEST CORNER OF THIS TRACT, SAID ROD BEARS EAST, 850.00 FEET, AND NORTH, 75.00 FEET FROM THE SOUTHWEST CORNER OF FARM TRACT 1020.

THENCE; NORTH, A DISTANCE OF 725.80 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET ON THE SOUTH RIGHT OF WAY LINE OF CAMINO REAL VIEJO ROAD FOR THE NORTHWEST CORNER OF THIS TRACT FOR THE NORTHWEST CORNER THIS TRACT.

THENCE; S 89°58'50" E, ALONG THE SOUTH RIGHT OF WAY LINE OF CAMINO REAL VIEJO ROAD, A DISTANCE OF 300.00 FEET TO A 1/2" IRON ROD WITH CAP STAMPED RPLS 4856 SET FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE; SOUTH, A DISTANCE OF 725.70 FEET TO A 1/2" IROD ROD WITH CAP STAMPED RPLS 4856 SET FOR THE SOUTHEAST CORNER OF THIS TRACT.

THENCE; WEST, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.00 ACRES OF LAND MORE OR LESS.

BEARINGS ARE IN ACCORDANCE WITH SOUTH PALM GARDENS ESTATES UNIT No.1, RECORDED IN VOLUME 20, PAGE 100, MAP RECORDS, HIDALGO COUNTY, TEXAS.

I, ALFONSO QUINTANILLA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THE ABOVE METES AND BOUNDS TO BE TRUE AND CORRECT, AND TO BE THE REPRESENTATION AND RESULT OF AN ACTUAL SURVEY DONE ON THE GROUND UNDER MY DIRECTION.

DATE PREPARED: FEBRUARY 5, 2019


ALFONSO QUINTANILLA
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4856



City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

February 22, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, March 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, March 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

Red Rock Real Estate Development Group, LTD. is requesting to rezone 3602 Camino Real Viejo. Also being a 5.00 Acre Tract of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams Tract Subdivision, proposed Lot 1-18, BLK 3. Mira Vista, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

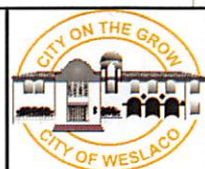
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebekah de la Fuente", with a stylized flourish at the end.

Rebekah de la Fuente
Senior Planner



Purpose for the rezone request
Existing zoning: R-1
Existing land use: R-1
Prop zone: R-2

FEB 19, 2019

ESPONJAS DEVELOPMENT LTD 2912 S JACKSON RD MCALLEN TX 78503-1870	A0800-00-000-1020-00 ADAMS TRACT FT 1020 18.12 AC 1313 S INTERNATIONAL BLVD	L: 0 B: 0
ESPONJAS DEVELOPMENT LTD 2912 S JACKSON RD MCALLEN, TX 78503-1870	A0800-00-000-1020-08 ADAMS TRACT - AN IRR TR E1098.70 4.62AC OUT OF THE SE COR FT 1024 3500 CAMINO REAL VIEJO	L: 0 B: 0
CARDENAS GILBERT JR & CYNTHIA 3509 CAMINO REAL VIEJO RD WESLACO TX 78596-1198	C0660-00-000-0001-00 CAMINO REAL VIEJO LOT 1 0	L: 38117 B: 131467
GARCIA AARON 3520 CAMINO REAL VIEJO WESLACO TX 78596	S4400-01-001-0001-00 SOUTH PALM GARDENS ESTATES UT NO 0	L: 26653 B: 102882
LEONARD JASON WAYNE 3601 CAMINO REAL VIEJO WESLACO TX 78596-0989	S4400-01-002-0001-00 SOUTH PALM GARDENS ESTATES UT NO 0	L: 26653 B: 39859
MARINES JOSE LUIS JR 3609 CAMINO REAL VIEJO RD WESLACO TX 78596-0989	S4400-01-002-0002-00 SOUTH PALM GARDENS ESTATES UT NO 0	L: 26653 B: 71404
GONZALES MICAELA O PO BOX 1541 WESLACO TX 78599-1541	S4400-01-002-0003-00 SOUTH PALM GARDENS ESTATES UT NO 0	L: 26653 B: 46319
LOPEZ ELOY & NORMA 3701 E CAMINO REAL WESLACO TX 78596	S4400-01-002-0004-00 SOUTH PALM GARDENS ESTATES UT NO 0	L: 26653 B: 149074

Rezone Request

3602 Camino Real Viejo

Legend

 3602 Camino Real Viejo

1015

Palm Pkwy

Kalanchoe St

Mile 6 1/2 W

Louisiana

Illinois

Texas

Bill Summers International Blvd

Google Earth

© 2018 Google

© 2018 INEGI



800 ft

ORDINANCE NO. 2019-10

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 3602 CAMINO REAL VIEJO ALSO BEING A 5.00 ACRE TRACT OF LAND OUT OF FARM TRACT 1020 OUT OF LOT 12 BLK 113 WEST AND ADAMS TRACT SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT.

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

SECTION I: R-1 One-Family Dwelling District to R-2 Duplex and apartment district being 3602 Camino Real Viejo also being a 5.00 Acre Tract Of Land Out Of Farm Tract 1020 Out Of Lot 12 BLK 113 West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of March 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2291	
From: Joe Pedraza			
Subject: Discussion and consideration after public hearing on behalf of Alejandro Pena, to approve Ordinance 2019-11 to rezone 1704 N. International Blvd. Also being Lot A, BLK F. Pecan Grove 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 2019-11. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary highway business district. . Twenty- three (23) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the City Commission appeared in The Monitor on February 18, 2019			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval			
Attachments, if any: 1704 n intl- attachments, 1704 N International, O2019-11 rezone 1704 N. International Blvd			

Responsibilities upon Approval:

Staff will advise the applicant.



APPLICATION FOR REZONING

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. ReZ19-00007

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot A Block F

Subdivision Name PECAN GROVE PH 1

Street Address 1704 N. Intercontinental Blvd.

Existing Zoning R-1 One family Dwelling Existing Land Use None

Proposed Zoning _____ Proposed Land Use _____

☒ \$300.00 non-refundable filing fee.

☒ Detailed dimensioned site plan/map must be submitted with this request.

☒ Survey and metes and bounds if the legal description is a portion of a lot.

☒ City and school tax receipts attached.

☒ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name ALEJANDRO PENA / NINETY SEVENTHENTS LLC Phone 956-459-3504

Address 2815 EARLIS RUN Fax: _____

City BROWNSVILLE State TX Zip Code 78526 E-Mail: ap@ausasolar.com

OWNER

Name Ernest G. Frerking Phone 512-968-0505

Address 3708 Ranch Creek Dr. Fax: 5

City Austin State TX Zip Code 78730-3704 E-Mail: erniefrerking@prodigy.net

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature] Owner

Date 1/25/2019

Signature _____ Applicant

Date _____

Signature _____ Authorized Agent

Date _____

OWNER

Virginia Ruth Anderson
4725 Palisade Dr.
Austin, Texas 78731

512-206-0615

vruthanderson@hotmail.com

Virginia Ruth Anderson

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

February 22, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, March 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, March 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

REZONE REQUEST:

Alejandro Peña is requesting to rezone 1704 N. International Blvd. Also being Lot A, BLK F. Pecan Grove Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary highway business district. Possible action.

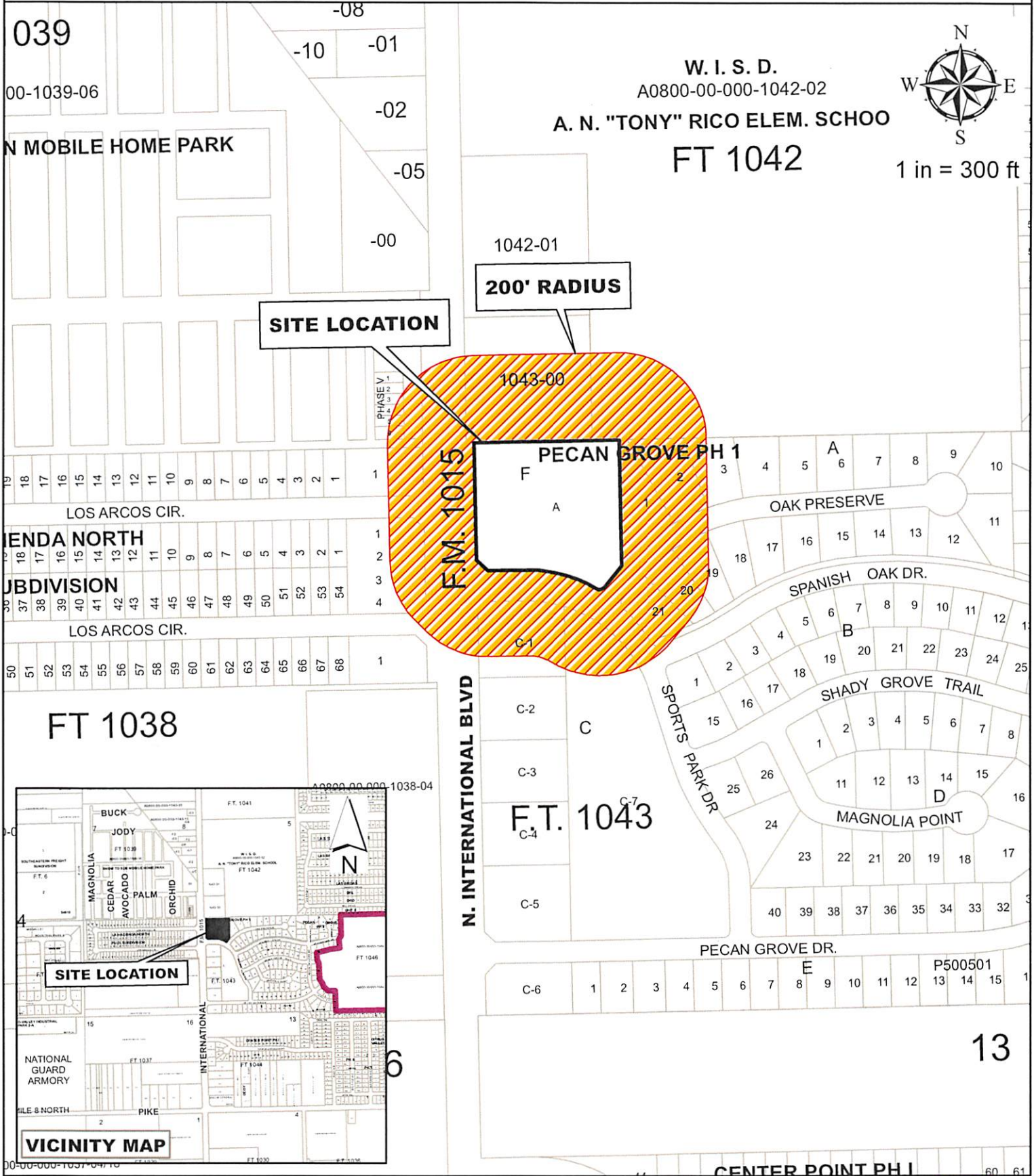
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebekah de la Fuente", with a stylized flourish at the end.

Rebekah de la Fuente
Senior Planner



Ernesto G Frerking
1704 N. International Blvd
Pecan Grove Ph.1
Lot A & Block F

Purpose for the rezone request
Existing zoning: R-1
Existing land use: R-1
Prop zone: B-2



FEB 19, 2019

MHC SNOW TO SUN (TX) LLC 31200 NORTHWESTERN HIGHWAY FARMINGTON HILLS MI 48334-5900	A0800-00-000-1039-06 ADAMS TRACT ALL FT 1039 55.12 AC 0	L: 2354854 B: 2670990
WESLACO IND SCHOOL DIST 319 W 4TH ST WESLACO TX 78596-6047	A0800-00-000-1042-02 ADAMS TRACT 35.0AC-38.34AC FT 10 2002 N INTERNATIONAL BLVD	L: 616000 B: 3761185
PINA JESUS 3705 N CYNTHIA ST MCALLEN TX 78501-9115	A0800-00-000-1043-00 ADAMS TRACT N1.282AC FT 1043 & 0 07AC NET 1708 N INTERNATIONAL BLVD	L: 67680 B: 23456
RST TEXAS REAL ESTATE LP 1709 E PIKE BLVD WESLACO TX 78599-5026	L1063-00-001-0001-00 LA HACIENDA NORTH P.U.D LOT 1 BL 0 N FM 1015	L: 62195 B: 4594
RST TEXAS REAL ESTATE LP 1709 E PIKE BLVD WESLACO TX 78599-5026	L1063-00-002-0001-00 LA HACIENDA NORTH P.U.D LOT 1 TH 1609	L: 155928 B: 535724
RST TEXAS REAL ESTATE LP 2300 W PIKE BLVD STE 103 WESLACO TX 78596	L1063-00-002-0002-00 LA HACIENDA NORTH P.U.D LOT 2 BL K 2 0	L: 24723 B: 0
RST TEXAS REAL ESTATE LP 2300 W PIKE BLVD STE 103 WESLACO TX 78596	L1063-00-002-0003-00 LA HACIENDA NORTH P.U.D LOT 3 BL K 2 0	L: 24723 B: 0
RST TEXAS REAL ESTATE LP 2300 W PIKE BLVD STE 103 WESLACO TX 78596	L1063-00-002-0004-00 LA HACIENDA NORTH P.U.D LOT 4 BL K 2 0	L: 24005 B: 0
CASANOVA, XAVIER E & SARAH 3407 OAK PRESERVE WESLACO TX 78596	P5005-01-00A-0001-00 PECAN GROVE PH 1 LOT 1 & 2 BLK A 3407 OAK PRESERVE DR	L: 109464 B: 184780
SOUTHERN ORCHARD LP PO BOX 9 DRIFTWOOD TX 78619-0	P5005-01-00A-0002-00 PECAN GROVE PH 1 LOT 2 BLK A	L: 24518 B: 0
CUEVAS, LORENA T & MANUEL 1409 W BUSINESS 83 APT 318 WESLACO TX 78596-5676	P5005-01-00A-0003-00 PECAN GROVE PH 1 LOT 3 BLK A 3423 OAK PRESERVE DR	L: 50622 B: 125378
PECAN GROVE REAL ESTATE LT ATTN: ERICK PALOMARES 2403 N 10TH ST PMB NO 113 MCALLEN TX 78501	P5005-01-00A-0018-00 PECAN GROVE PH 1 LOT 18 BLK A 0 OAK PRESERVE DR	L: 28149 B: 0

FEB 19, 2019

PECAN GROVE REAL ESTATE LT ATTN: ERICK PALOMARES 2403 N 10TH ST PMB NO 113 MCALLEN TX 78501	P5005-01-00A-0019-00 PECAN GROVES PH 1 LOT 19 BLK A 0 OAK PRESERVE DR	L: 28755 B: 0
PECAN GROVE REAL ESTATE LT ATTN: ERICK PALOMARES 2403 N 10TH ST PMB NO 113 MCALLEN TX 78501	P5005-01-00A-0020-00 PECAN GROVES PH 1 LOT 20 BLK A 0 OAK PRESERVE DR	L: 28586 B: 0
PECAN GROVE REAL ESTATE LT ATTN: ERICK PALOMARES 2403 N 10TH ST PMB NO 113 MCALLEN TX 78501	P5005-01-00A-0021-00 PECAN GROVE PH 1 LOT 21 BLK A 0 OAK PRESERVE	L: 30021 B: 0
LOPEZ ARTURO DDS 308 CARDINAL ST MCALLEN TX 78504-2739	P5005-01-00C-00C1-00 PECAN GROVE PH 1 LOT C1 BLK C 0	L: 95906 B: 0
CITY OF WESLACO 255 S KANSAS AVE WESLACO TX 78596-6158	P5005-01-00C-00C7-00 PECAN GROVE PH 1 LOT C LOT C7 (	L: 683634 B: 0
FRERKING ERNEST G & VIRINIA R 3708 RANCH CREEK DR AUSTIN TX 78730-3704	P5005-01-00F-000A-00 PECAN GROVE PH 1 LOT A BLK F 1610 N INTERNATIONAL BLVD	L: 102299 B: 1663
SUN TEXAS POOL LIMITED PAR 27777 FRANKLIN RD STE 200 SOUTHFIELD MI 48034-8205	S3971-05-000-0002-00 SNOW TO SUN M/H PARK PH 5 LOT 2 1701 N INT'L BLVD	L: 8425 B: 0
SUN TEXAS POOL LIMITED PAR 27777 FRANKLIN RD STE 200 SOUTHFIELD MI 48034-8205	S3971-05-000-0003-00 SNOW TO SUN M/H PARK PH 5 LOT 3 1701 N INT'L BLVD	L: 8425 B: 0
SUN TEXAS POOL LIMITED PAR 27777 FRANKLIN RD STE 200 SOUTHFIELD MI 48034-8205	S3971-05-000-0004-00 SNOW TO SUN M/H PARK PH 5 LOT 4 1701 N INT'L BLVD	L: 8425 B: 0
SUN TEXAS POOL LIMITED PAR 27777 FRANKLIN RD STE 200 SOUTHFIELD MI 48034-8205	S3971-05-000-0005-00 SNOW TO SUN M/H PARK PH 5 LOT 5 1701 N INT'L BLVD	L: 8425 B: 0
SUN TEXAS POOL LIMITED PAR 27777 FRANKLIN RD STE 200 SOUTHFIELD MI 48034-8205	S3971-05-000-0006-00 SNOW TO SUN M/H PARK PH 5 LOT 6 1701 N INT'L BLVD	L: 10110 B: 0

Rezone Request

1704 N International

Legend

 1704 N International



Google Earth

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ORDINANCE NO. 2019-11

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 1704 N. INTERNATIONAL BLVD ALSO BEING LOT A, BLK F. PECAN GROVE SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO B-2 SECONDARY HIGHWAY BUSINESS DISTRICT

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

SECTION I: R-1 One-Family Dwelling District to B-2 Secondary highway business district being 1704 N International Blvd also being Lot A, BLK F. Pecan Grove Subdivision, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of March 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2217	
From: Joe Pedraza			
Subject: Discussion and consideration after public hearing on behalf of Antonio Duran to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit at 2901 W. Bus 83, also being the W 1.77 acres- an IRR Tract S88 Farm Tract 626 being 1.77 ac Net, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: The applicant is requesting to obtain a Conditional Use Permit to obtain a Beer Retail Dealer's On-Premise License, Beer Retail Dealer's On-Premise Late Hours License. Nine (9) property owners within 200 feet of the applicant's property were notified by letter on January 25, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the public hearing for the City Commission appeared in The Monitor on January 21, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the Conditional Use Permit request with the condition that one security guard be on duty from 10:00 pm until closing on February 6, 2019.			
Aida Vega Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: 2901 w bus 83- attachments, 2901 W Bus 83- Aerial			

Responsibilities upon Approval:

Staff will notify applicant.



APPLICATION FOR CONDITIONAL USE PERMIT

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO.

CUP19-000004
RECEIVED

JAN 14 2019

Planning &
Code Enforcement Dept.

PROPOSED PROJECT

Legal Description of Property for which Conditional Use Permit is requested:

Lot 1.77 Acres Block farm tract 626

Subdivision Name West Tract subdivision

Street Address 2901 W. bus 83 Weslaco TX 78596

Existing Zoning _____ Existing Land Use Commercial

Purpose for the Conditional Use Permit Request Sports Bar / Dance Hall

What, if anything, is planned to minimize the impact on the surrounding land uses: _____

- _____ \$300.00 non-refundable filing fee.
- _____ Detailed dimensioned site plan/map must be submitted with this request.
- _____ Survey and metes and bounds if the legal description is a portion of a lot.
- _____ City and school tax receipts attached.
- _____ I have received a copy of "CUP Application Instructions"

APPLICANT

Name Antonio Duran Phone (956) 532-5570

Address 3220 Billman Rd. Fax: _____

City Donna State Tx Zip Code 78537 E-Mail: tduran@gmail.com
1963

OWNER

Name Arturo E. Robles Phone (281) 733-8064

Address 13923 Conner Park Dr. Fax: 713-784-4577

City Cypress State Tx Zip Code 77429 E-Mail: arobles757@gmail.com

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc., which would prevent the utilization of the property in the manner indicated?

Yes _____ No _____

I certify that I am the actual owner of the property described above and this application is being submitted with my consent or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date _____
Owner

Signature _____ Date _____
Applicant

Signature _____ Date _____
Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners Within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published in Newspaper Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc., which would prevent the utilization of the property in the manner indicated?

Yes _____

No ✓

I certify that I am the actual owner of the property described above and this application is being submitted with my consent or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature 
Owner

Date 1-3-2019

Signature _____
Applicant

Date _____

Signature _____
Authorized Agent

Date _____

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners Within
200' of Proposed Site

Date _____

P & Z Notice of Public Hearing Published in Newspaper

Date _____

City Commission Notice of Public Hearing Published
in Newspaper

Date _____

Presented to P & Z Commission
Approved _____ Disapproved _____ Tabled _____

Date _____

Presented to City Commission
Approved _____ Disapproved _____ Tabled _____

Date _____

Thursday, December 20, 2018

Payment Result[Begin a New Search](#) [Go to Your Portfolio](#)

Your payment was submitted to the tax office and will be submitted for approval to your financial institution. Please print this page for your records.

If you would like to search for other accounts please click the "New Search" button.

PROPERTY PAYMENT INFORMATION

[W380000626000001](#)
RODRIGUEZ NOHEMI R
13923 CONNER PARK DR
CYPRESS, TX 77429-8226

Payment Amount: \$5,374.93

PAYMENT SUMMARY

Reference ID: 2190669

Payment Method: E-Check

Total Payment Amount: \$5,374.93

BANK ACCOUNT INFORMATION

Routing Number:

Checking Account Number:

CONTACT INFORMATION

Name: Arturo Robles

Address: 13923 Conner Park Drive

City: Cypress

State: TX

Zip Code: 77429

E-Mail Address: arobles757@gmail.com

Phone Number: (281) 733-8064

[Terms of Use](#) [Privacy Policy](#)

The Tax Office makes no representations as to the accuracy or reliability of any information accessed from its computer data base. The Tax Office, its officers, agents, employees and representatives shall not be liable for the information posted on the Tax Office Website in connection with any actions losses, damages, claims or liability in any way related to use of, distribution of or reliance upon such information.

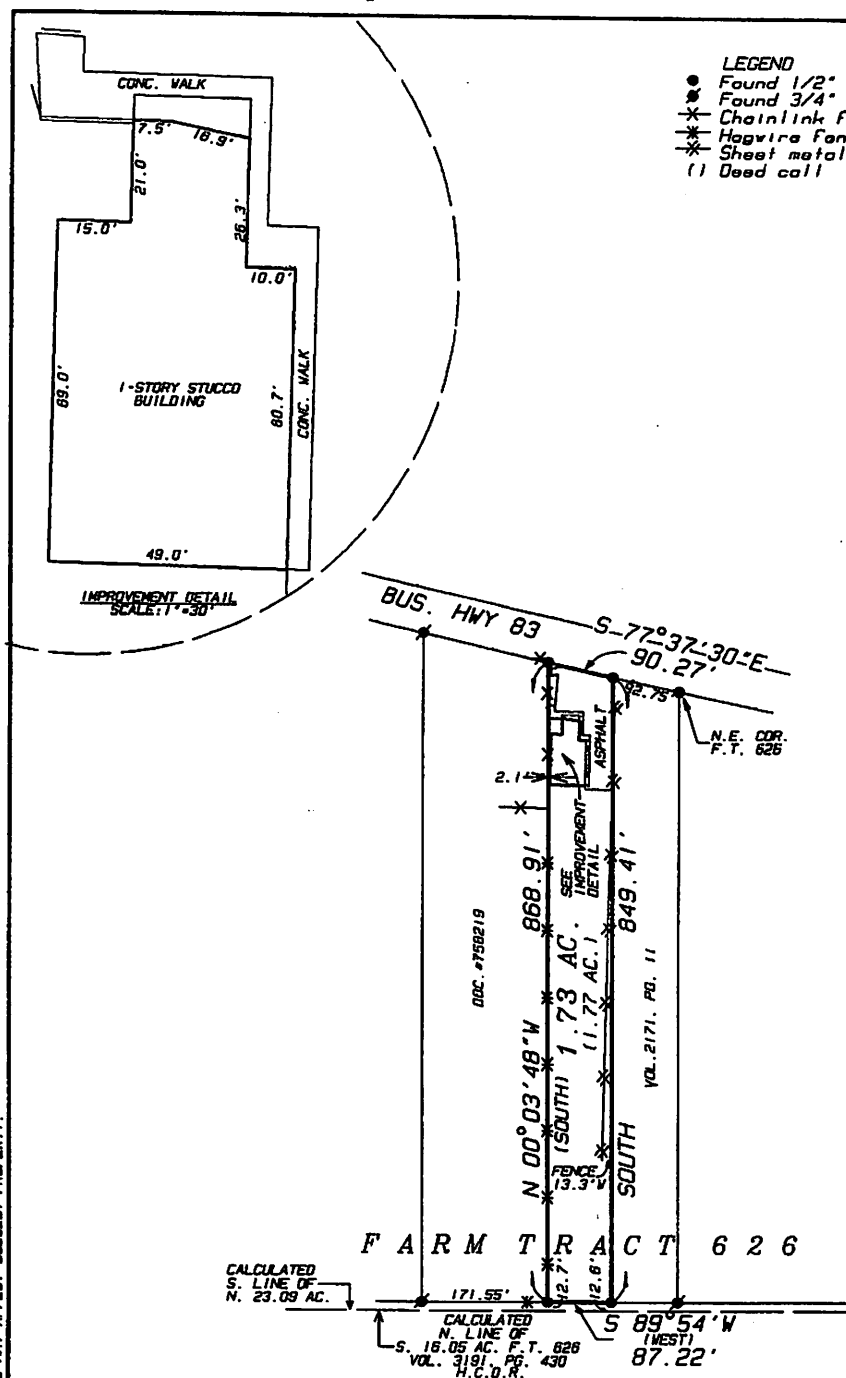
HIDALGO COUNTY TAX OFFICE
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157
You may also [e-mail](#) the office.

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19676

- LEGEND**
- Found 1/2" iron rod
 - ✱ Found 3/4" iron pipe
 - ✱ Chainlink fence
 - ✱ Hagvira Fence
 - ✱ Sheet metal fence
 - () Used call

BASIS OF BEARINGS:
1/2" I.R., FND.
AT N.E. & S.E.
COR.



SURVEY PLAT OF
THE WEST 1/2 OF THE EAST 3.45 ACRES OF
THE EAST 7.09 ACRES OF
THE NORTH 23.09 ACRES OF
FARM TRACT 626
WEST TRACT SUBDIVISION
HIDALGO COUNTY, TEXAS
PER MAP RECORDED IN VOLUME 2, PAGE 34-37, H.C.M.R.

I, REYNALDO ROBLES, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A SURVEY AS MADE ON THE GROUND UNDER MY SUPERVISION, THAT THERE ARE NO VISIBLE ENCROACHMENTS, NOR VISIBLE AND APPARENT EASEMENTS AT THE TIME OF SURVEY EXCEPT AS SHOWN AND BY GRAPHIC PLOTTING ONLY THIS PROPERTY LIES IN FLOOD ZONE "X" AREAS OF 500-YEAR FLOOD AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WITH DRAINAGE AREAS LESS THAN ONE SQUARE MILE AND AREAS PROTECTED BY TOWNS FROM THE 100-YEAR FLOOD OF FIRM COMMUNITY PANEL NO. 48000-010 DATED JUNE 8, 2000.

REGISTERED
REYNALDO ROBLES
LAND SURVEYOR
HIDALGO COUNTY, TEXAS

PREPARED FOR: ARTURO ROBLES

RA ROBLES &
ASSOCIATES, PLLC

PROFESSIONAL LAND SURVEYORS

P.O. BOX 478
107 W. HUISACHE ST.
WEBLACO, TEXAS 76096

PHONE (817) 898-2422
FAX (817) 898-2011
FIRM No. 10006700

SURVEYED: 08-01-17

DRAWN BY: PG/08-05-17

SCALE: 1"=200'

JOB No. 19676

TITLE COMMITMENT No.

REVISED:

SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL
EMBOSSED SEAL OF SURVEYOR OF RECORD.

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ON-PREMISE PREQUALIFICATION PACKET

L-ON
(12/2017)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original ☒ Add Late Hours Only License/Permit Number

☐ Reinstatement License/Permit Number

☐ Change of Licensed Location License/Permit Number

2. Type of On-Premise License/Permit

☒ BG Wine and Beer Retailer's Permit

☐ LB Mixed Beverage Late Hours Permit

☒ BE Beer Retail Dealer's On-Premise License

☐ MI Minibar Permit

☒ BL Retail Dealer's On-Premise Late Hours License

☐ CB Caterer's Permit

☐ BP Brewpub License

☐ FB Food and Beverage Certificate

☐ V Wine & Beer Retailer's Permit for Excursion Boats

☐ PE Beverage Cartage Permit

☐ Y Wine & Beer Retailer's Permit for Railway Dining Car

☐ RM Mixed Beverage Restaurant Permit with FB

☐ MB Mixed Beverage Permit

☐ O Private Carrier's Permit - For Brewpubs (BP) with a BG only

3. Indicate Primary Business at this Location

☐ Restaurant

☐ Sporting Arena, Civic Center, Hotel

☒ Bar

☐ Grocery/Market

☐ Sexually Oriented

☐ Miscellaneous

4. Trade Name of Location

BREW'S AND CUES SPORTS BAR

5. Location Address

2901 BUSINESS HWY 83W.

City

Weslaco

County

Hidalgo

State

TX.

Zip Code

78599

6. Mailing Address

3220 Billman Rd.

City

DONNA

State

TX.

Zip Code

78537

7. Business Phone No.

956-647-5051

Alternate Phone No.

956-373-4765

E-mail Address

TDURAN1963@gmail.com

OWNER INFORMATION

8. Type of Owner

☒ Individual

☐ Corporation

☐ City/County/University

☐ Partnership

☐ Limited Liability Company

☐ Other

☐ Limited Partnership

☐ Joint Venture

☐ Limited Liability Partnership

☐ Trust

9. Business Owner/Applicant

ANTONIO DURAN

10. Are you, the applicant a veteran-owned business? ☐ Yes ☒ No

11. Are you, the applicant a Historically Underutilized Business (HUB)? ☐ Yes ☒ No

12. As indicated on the chart, enter the individuals that pertain to your business type:

(For additional space, use Form L-OIC)

☒ Individual/Individual Owner	Limited Liability Company/All Officers or Managers
Partnership/All Partners	Joint Venture/Venturers
Limited Partnership/All General Partners	Trust/Trustee(s)
Corporation/All Officers	City, County, University/Official

Last Name DURAN	First Name ANTONIO	MI	Title
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et seq.

13. Will your business be located within 300 feet of a church or public hospital? ☐ Yes ☒ No

NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.

14. Will your business be located within 300 feet of any private/public school, day care center or child care facility? ☐ Yes ☒ No

If "YES," are the facilities located on different floors or stories of the building? ☐ Yes ☐ No

NOTE: For private/public schools, day care centers and child care facilities measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.

NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.

NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.

15. Will your business be located within 1,000 feet of a private school? ☐ Yes ☒ No

16. Will your business be located within 1,000 feet of a public school? ☐ Yes ☒ No

60-DAY SIGN

17. As required under Section 11.391 and 61.381, enter the exact date the 60-Day sign was posted at your location.

Exact Date (MM/DD/YYYY)

ALL APPLICANTS

18. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE ☐

I, the applicant, have confirmed I am not located in the city limits of any city and therefore all city certificates are not required.

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:

Proprietorship
Partnership
Corporation
Limited Partnership
Limited Liability Partnership
Limited Liability Company

WHO MUST SIGN:

Individual Owner
Partner
Officer
General Partner
General Partner
Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT
NAME

ANTONIO DURAN

SIGN
HERE X

Antonio Duran

TITLE

OWNER

Before me, the undersigned authority, on this 10th day of JAN, 2019, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN
HERE

SEAL

NOTARY PUBLIC



OLGA WEBBER VASQUEZ
Notary ID # 126416092
My Commission Expires
December 23, 2020

CERTIFICATE OF CITY SECRETARY (FOR MB, RM, V & Y)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

SIGN

HERE

City Secretary/Clerk

City

TEXAS

SEAL

CERTIFICATE OF CITY SECRETARY (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

Election for given location was held for:

- ☐ legal sale of all alcoholic beverages
- ☐ legal sale of all alcoholic beverages except mixed beverages
- ☐ legal sale of all alcoholic beverages including mixed beverages
- ☐ legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- ☐ legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per Section 25.14 or Section 69.17 of the TABC Code. One for beer and wine off-premise and one for mixed beverage.

- ☐ legal sale of beer and wine for off-premise consumption only

AND EITHER:

- ☐ legal sale of mixed beverages

OR

- ☐ legal sale of mixed beverages in restaurants by food and beverage certificate holders
(applicant must apply for FB with BG or BE)

SIGN

HERE

City Secretary/Clerk

City

TEXAS

SEAL

**CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT
(LB & BL)**

Chapters 29 & 70 et seq.

- I hereby certify on this _____ day of _____, 20____, that one of the below is correct:
- ☐ The governing body of this city has by ordinance authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
 - ☐ The governing body of this city has by ordinance authorized the sale of **beer** between midnight and _____ A.M.; or
 - ☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
 - ☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN
HERE _____, TEXAS
City Secretary/Clerk City

S E A L

CERTIFICATE OF COUNTY CLERK (FOR MB, RM, V & Y)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.

SIGN
HERE _____ COUNTY
County Clerk

S E A L

CERTIFICATE OF COUNTY CLERK (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court.

Election for given location was held for:

- ☐ legal sale of all alcoholic beverages
- ☐ legal sale of all alcoholic beverages except mixed beverages
- ☐ legal sale of all alcoholic beverages including mixed beverages
- ☐ legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- ☐ legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per 25.14 or 69.17 of the TAB Code. One for beer and wine off-premise and one for mixed beverage.

- ☐ legal sale of beer and wine for off-premise consumption only

AND EITHER:

- ☐ legal sale of mixed beverages

OR

- ☐ legal sale of mixed beverages in restaurants by food and beverage certificate holders
(applicant must apply for FB with BG or BE)

SIGN
HERE _____ COUNTY
County Clerk

S E A L

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT (LB & BL)

Chapters 29 & 70 et seq

- I hereby certify on this _____ day of _____, 20____, that one of the below are correct:
- ☐ The Commissioner's Court of the county has by order authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- ☐ The Commissioner's Court of the county has by order authorized the sale of **beer** between midnight and _____ A.M.; or
- ☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- ☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN
HERE _____ COUNTY

SEAL
County Clerk _____**COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE**

Section 11.46 (b) & 61.42 (b)

This is to certify on this _____ day of _____, 20____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN
HERE _____ FIELD OFFICE _____

SEAL

PUBLISHER'S AFFIDAVIT (FOR MB, LB, RM, BP, BG, BE, BL, V & Y)

Section 11.39 and 61.38

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>		
Signature of publisher or designee		
Sworn to and subscribed before me on this date (MM/DD/YYYY)		
Signature of Notary Public		
SEAL		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

January 25, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, February 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, February 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

CONDITIONAL USE PERMIT REQUEST:

Antonio Duran is requesting a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit at 2901 W. Bus 83, Also being W 1.77 acres- An IRR Tract S88 Farm Tract 626 being 1.77 ac Net, West Tract Subdivision, Weslaco, Hidalgo County, and Texas.

The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebekah de la Fuente".

Rebekah de la Fuente
Senior Planner



Purpose for the rezone request
Existing zoning: Residential
Existing land use: Commercial
CUP request: Sports Bar/ Dance Hall

JAN 21, 2019

AGUIRRE HECTOR LOPEZ 301 HECTOR DR ALAMO TX 78516-4040	W3800-00-164-0000-00 WEST TRACT AN IRR TR E548.82'-FT 9.69 AC NET 0 W BUS HWY 83	L: 334730 B: 0
MENDEZ ALEX 2815 W BUSINESS 83 WESLACO TX 78596-9395	W3800-00-626-0000-00 WEST TRACT E6AC-W16AC-N23.09AC F NET 2815 W BUS 83	L: 275000 B: 103414
RODRIGUEZ NOHEMI R 13923 CONNER PARK DR CYPRESS TX 77429-8226	W3800-00-626-0000-01 WEST TRACT W1.77AC-AN IRR TR S88 626 1.77AC NET 2901 W BUS HWY 83	L: 157027 B: 101210
HERNANDEZ DAVID & IRMA 319 W MERIDA ST WESLACO TX 78599-3855	W3800-00-626-0000-02 WEST TRACT E1.77AC-E3.55AC-E7.09 6 0	L: 157027 B: 178960
BENAVIDEZ LORI ANN 2811 W BUSINESS 83 WESLACO TX 78596	W3800-00-626-0000-07 WEST TRACT BNG AN IRR TR N919.24 3.50AC NET 0	L: 21780 B: 116001
ONE WAY ROAD TO HEAVEN 1910 MILLER AVE DONNA TX 78537	W3800-00-626-0000-10 WEST TRACT AN IRR TR E88'-W712.1 1.00AC GR 0.80AC NET 2813 W BUS HWY 83	L: 165528 B: 229103
VILLARREAL JOSE L & GRACIELA B 2801 W BUSINESS 83 WESLACO TX 78596-9395	V3671-00-000-0001-00 VILLA-REAL LOT 1 2803 W BUS HWY 83	L: 108965 B: 198947
VILLARREAL JOSE L & GRACIELA B 2801 W BUSINESS 83 WESLACO TX 78596-9395	V3671-00-000-0002-00 VILLA-REAL LOT 2 & 3 2801 W BUS HWY 83	L: 16335 B: 50542
VILLARREAL JOSE L & GRACIELA B 2801 W BUSINESS 83 WESLACO TX 78596	V3671-00-000-0003-00 VILLA-REAL LOT 3 0 W BUS HWY 83	L: 0 B: 3420

Conditional Use Permit

2901 W. Bus. 83

Legend

-  (CONTINUOUS)
-  2901 W Business 83

Business 83

2901 W Business 83

Google Earth

© 2018 Google
© 2018 INEGI

300 ft





Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2293
From: Joe Pedraza		
Subject: Discussion and consideration after public hearing on behalf of Magar Investment LLC to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 2708 N. Texas Blvd., also being the S150'-N711'-E220'-W250' FT 107 0.76AC NET, West Tract Subdivision, Weslaco, Hidalgo County, Texas, approximately the Northeast corner of Texas Blvd and Sugarcane Dr. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)		
Background: The applicant is requesting to obtain a Conditional Use Permit to obtain a Beer Retail Dealer's On-Premise License, Beer Retail Dealer's On-Premise Late Hours License, and Beverage Cartage Permit. Twenty (20) property owners within 200 feet of the applicant's property were notified by letter on February 22, 2019.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the public hearing for City Commission notice appeared in The Monitor on February 18, 2019.		
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on March 6, 2019 with the condition that two security officers be on duty during late hours.		
Kayla Arevalo Joe Pedraza Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approved.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: 2708 n texas blvd - attachments, 2708 N Texas		

Responsibilities upon Approval:

Staff will notify applicant.



APPLICATION FOR CONDITIONAL USE PERMIT

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO.

CUP19-00005

RECEIVED

FEB 13 2019

Planning &
Code Enforcement Dept.

PROPOSED PROJECT

Legal Description of Property for which Conditional Use Permit is requested:

Lot _____ Block _____

Subdivision Name WEST TRACT-9150,N711,-E 220,-W 250, FT 107 0.76 AC NET

Street Address 2708 N TEXAS BOULEVARD WESLACO TEXAS 785

Existing Zoning COMMERCIAL Existing Land Use LEASE SPACE

Purpose for the Conditional Use Permit Request MIXED BEVERAGE PERMIT +
MIXED BEVERAGE LATE HOURS PERMIT - RESTAURANT & BAR

What, if anything, is planned to minimize the impact on the surrounding land uses: _____

_____ \$300.00 non-refundable filing fee.

_____ Detailed dimensioned site plan/map must be submitted with this request.

_____ Survey and metes and bounds if the legal description is a portion of a lot.

☒ City and school tax receipts attached.

☒ I have received a copy of "CUP Application Instructions"

APPLICANT DBA: LOS AGUACHILES BAR & GRILL

Name MAGAR INVESTMENT LLC Phone 956-776-2345

Address 2708 N TEXAS BOULEVARD Fax: _____

City WESLACO State TX Zip Code 78596 E-Mail: silencio26@live.com

OWNER

Name LICON ALMADA FAMILY LIMITED PARTNERSHIP Phone 956-585-0832

Address 1800 E. BUSINESS 83 Fax: _____

City MISSION State TEX Zip Code 78572 E-Mail: SLICON523@AOL.COM

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc., which would prevent the utilization of the property in the manner indicated?

Yes _____ No _____

I certify that I am the actual owner of the property described above and this application is being submitted with my consent or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date _____
Owner

Signature _____ Date _____
Applicant

Signature _____ Date _____
Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners Within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published in Newspaper Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

2018 TAX STATEMENT



PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540

Certified Owner:

LICON ALMADA FAMILY LIMITED PARTNERSHIP
3530 PLAZAS DEL LAGO DR
EDINBURG, TX 78539-7700

Legal Description:

WEST TRACT-S150'-N711'-E220'-W250' FT
107 0.76AC NET

Account No: W3800-00-107-0000-00

Appr. Dist. No.: 324424

Legal Acres: .7600

Parcel Address: 2708 N TEXAS BLVD

As of Date: 11/30/2018

Print Date: 11/30/2018

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$165,525	\$146,748	\$312,273	\$312,273	\$0	\$0	\$0	\$312,273
Taxing Unit		Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
			Code	Amount			
HIDALGO COUNTY		\$312,273		\$0.00	\$312,273	0.5800000	\$1,811.18
DRAINAGE DIST #1		\$312,273		\$0.00	\$312,273	0.0951000	\$296.97
CITY OF WESLACO		\$312,273		\$0.00	\$312,273	0.6667000	\$2,081.92
Amount saved by additional sales tax revenue \$568.02							
WESLACO ISD		\$312,273		\$0.00	\$312,273	1.1597000	\$3,621.43
SOUTH TEXAS ISD		\$312,273		\$0.00	\$312,273	0.0492000	\$153.64
SOUTH TEXAS COLLEGE		\$312,273		\$0.00	\$312,273	0.1780000	\$555.85

Total Tax: \$8,520.99
Total Tax Paid to date: \$0.00
Total Tax Remaining: \$8,520.99

Exemptions:

AMOUNT DUE IF PAID BY:

11/30/2018 0%	12/31/2018 0%	01/31/2019 0%	02/28/2019 7%	04/01/2019 9%	04/30/2019 11%
\$8,520.99	\$8,520.99	\$8,520.99	\$9,117.45	\$9,287.89	\$9,458.30
05/31/2019 13%	07/01/2019 15%	07/31/2019 18 + up to 15%	09/02/2019 19 + up to 15%	09/30/2019 20 + up to 15%	10/31/2019 21 + up to 15%
\$9,628.72	\$9,799.15	\$11,562.99	\$11,660.96	\$11,758.97	\$11,856.96

School Information:

WESLACO ISD 2018 M&O 1.1397000 I&S .02000000 Total 1.1597000 2017 M&O 1.1397000 I&S .02000000 Total 1.1597000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.68

Print Date: 11/30/2018

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

PABLO (PAUL) VILLARREAL JR., PCC
HIDALGO COUNTY TAX ASSESSOR - COLLECTOR
PO BOX 178
EDINBURG, TEXAS 78540
(956) 318-2157



W3800-00-107-0000-00

LICON ALMADA FAMILY LIMITED PARTNERSHIP
3530 PLAZAS DEL LAGO DR
EDINBURG, TX 78539-7700

AMOUNT PAID:

\$

00003244240000852099



NOTE: ALL FEDERAL, STATE AND LOCAL CODES REGULATIONS ETC. SHALL BE CONSIDERED AS PART OF SPECIFICATIONS FOR THIS BUILDING AND SHALL TAKE PREFERENCE OVER ANYTHING SHOWN, DESCRIBED OR IMPLIED WHERE VARIATIONS OCCUR.

A-1-Q

7000

PROJECT:
LA CASA DEL TACO

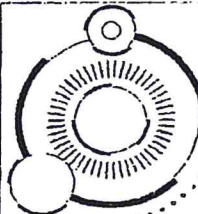
[illegible]

100 - ECHS BY EXHIBIT THAT THIS INFORMATION
IS FROM THE SAME SOURCE AND RELATED SPECIFICATIONS
WAS THE LEGAL CASE REQUIREMENTS AND
AND THE LEGAL CASE REQUIREMENTS AND
SOURCES IN THE SAME CASE AND THE SAME

SCALE: 3/16" = 1'-0"

SITE PLAN

PROJECT NO.	LCOT-CD-08-03
DATE.	10.14.08
DRAWN BY	RS
CHK. BY	RS

[illegible]

SELA
CONSTRUCTION
L.L.C.

SELA DESIGNS.

SELA CONSTRUCTION
DESIGN AND DEVELOPMENT
3500 GUMWOOD
MCALLEN, TX 78501
PHONE 956-537-7092



ON-PREMISE PREQUALIFICATION PACKET

L-ON
(12/2017)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number

☐ Reinstatement License/Permit Number

☐ Change of Licensed Location License/Permit Number

2. Type of On-Premise License/Permit

- | | |
|--|---|
| ☐ BG Wine and Beer Retailer's Permit | ☒ LB Mixed Beverage Late Hours Permit |
| ☐ BE Beer Retail Dealer's On-Premise License | ☐ MI Minibar Permit |
| ☐ BL Retail Dealer's On-Premise Late Hours License | ☐ CB Caterer's Permit |
| ☐ BP Brewpub License | ☐ FB Food and Beverage Certificate |
| ☐ V Wine & Beer Retailer's Permit for Excursion Boats | ☒ PE Beverage Cartage Permit |
| ☐ Y Wine & Beer Retailer's Permit for Railway Dining Car | ☐ RM Mixed Beverage Restaurant Permit with FB |
| ☒ MB Mixed Beverage Permit | |
| ☐ O Private Carrier's Permit – For Brewpubs (BP) with a BG only | |

3. Indicate Primary Business at this Location

- | | | |
|--|--|--|
| ☒ Restaurant | ☐ Sporting Arena, Civic Center, Hotel | ☐ Bar |
| ☐ Grocery/Market | ☐ Sexually Oriented | ☐ Miscellaneous _____ |

4. Trade Name of Location

Los Aguachiles Bar & Grill

5. Location Address

2708 N Texas Boulevard

City

Weslaco

County

Hidalgo

State

TX

Zip Code

78596

6. Mailing Address

3309 Northgate Lane

City

McAllen

State

TX

Zip Code

78504

7. Business Phone No.

956-776-2345

Alternate Phone No.

954-391-0617

E-mail Address

silencio26@live.com

OWNER INFORMATION

8. Type of Owner

- | | | |
|--|---|---|
| ☐ Individual | ☐ Corporation | ☐ City/County/University |
| ☐ Partnership | ☒ Limited Liability Company | ☐ Other _____ |
| ☐ Limited Partnership | ☐ Joint Venture | |
| ☐ Limited Liability Partnership | ☐ Trust | |

9. Business Owner/Applicant

MAGAR INVESTMENT, LLC

10. Are you, the applicant a veteran-owned business? ☐ Yes ☒ No

11. Are you, the applicant a Historically Underutilized Business (HUB)? ☐ Yes ☒ No

12. As indicated on the chart, enter the individuals that pertain to your business type:*(For additional space, use Form L-OIC)*

Individual/Individual Owner	Limited Liability Company/All Officers or Managers		
Partnership/All Partners	Joint Venture/Venturers		
Limited Partnership/All General Partners	Trust/Trustee(s)		
Corporation/All Officers	City, County, University/Official		
Last Name Davila	First Name Agustina	MI N.	Title Manager
Last Name Hernandez	First Name Edgar	MI O.	Title Member
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et seq.

13. Will your business be located within 300 feet of a church or public hospital? ☐ Yes ☒ No**NOTE:** For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.**14.** Will your business be located within 300 feet of any private/public school, day care center or child care facility? ☐ Yes ☒ NoIf "YES," are the facilities located on different floors or stories of the building? ☐ Yes ☐ No**NOTE:** For private/public schools, day care centers and child care facilities measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.**NOTE:** For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.**NOTE:** If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.**15.** Will your business be located within 1,000 feet of a private school? ☐ Yes ☒ No**16.** Will your business be located within 1,000 feet of a public school? ☐ Yes ☒ No**60-DAY SIGN****17.** As required under Section 11.391 and 61.381, enter the exact date the 60-Day sign was posted at your location.

Exact Date (MM/DD/YYYY)

N/A

ALL APPLICANTS**18. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE ☐**

I, the applicant, have confirmed I am not located in the city limits of any city and therefore all city certificates are not required.

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:

Proprietorship
Partnership
Corporation
Limited Partnership
Limited Liability Partnership
Limited Liability Company

WHO MUST SIGN:

Individual Owner
Partner
Officer
General Partner
General Partner
Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT
NAME

Agustina N. Davila

SIGN
HERE



TITLE

Manager

Before me, the undersigned authority, on this _____ day of December, 2018, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN
HERE

 Raul C. Santiago
NOTARY PUBLIC

CERTIFICATE OF CITY SECRETARY (FOR MB, RM, V & Y)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

SIGN

HERE

City Secretary/Clerk

City

TEXAS

SEAL

CERTIFICATE OF CITY SECRETARY (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

Election for given location was held for:

- ☐ legal sale of all alcoholic beverages
☐ legal sale of all alcoholic beverages except mixed beverages
☐ legal sale of all alcoholic beverages including mixed beverages
☐ legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
☐ legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per Section 25.14 or Section 69.17 of the TABC Code. One for beer and wine off-premise and one for mixed beverage.

- ☐ legal sale of beer and wine for off-premise consumption only

AND EITHER:

- ☐ legal sale of mixed beverages

OR

- ☐ legal sale of mixed beverages in restaurants by food and beverage certificate holders
(applicant must apply for FB with BG or BE)

SIGN

HERE

City Secretary/Clerk

City

TEXAS

SEAL

**CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT
(LB & BL)**

Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

- ☐ The governing body of this city has by ordinance authorized the sale of *mixed beverages* between midnight and 2:00 A.M.; or
- ☐ The governing body of this city has by ordinance authorized the sale of *beer* between midnight and _____ A.M.; or
- ☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- ☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE _____

City Secretary/Clerk

City _____

TEXAS

SEAL

CERTIFICATE OF COUNTY CLERK (FOR MB, RM, V & Y)

Section 11.37

I hereby certify on this 23rd day of January, 2019, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.



ARTURO GUERRERO JR.
County Clerk

Hidalgo

COUNTY

CERTIFICATE OF COUNTY CLERK (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court.

Election for given location was held for:

- ☐ legal sale of all alcoholic beverages
- ☐ legal sale of all alcoholic beverages except mixed beverages
- ☐ legal sale of all alcoholic beverages including mixed beverages
- ☐ legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- ☐ legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per 25.14 or 69.17 of the TAB Code. One for beer and wine off-premise and one for mixed beverage.

- ☐ legal sale of beer and wine for off-premise consumption only

AND EITHER:

- ☐ legal sale of mixed beverages

OR

- ☐ legal sale of mixed beverages in restaurants by food and beverage certificate holders
(applicant must apply for FB with BG or BE)

SIGN

HERE _____

County Clerk

COUNTY _____

SEAL

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT (LB & BL)

Chapters 29 & 70 et seq

- I hereby certify on this 23rd day of January, 20 19, that one of the below are correct:
- ☒ The Commissioner's Court of the county has by order authorized the sale of mixed beverages between midnight and 2:00 A.M.; or
- ☐ The Commissioner's Court of the county has by order authorized the sale of beer between midnight and _____ A.M.; or
- ☐ The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- ☐ The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).



ARTURO GUALARDO JR.
County Clerk

Hidalgo COUNTY

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

Section 11.46 (b) & 61.42 (b)

This is to certify on this _____ day of January, 20 19, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number _____ Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

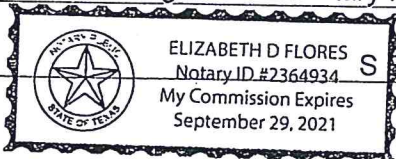
SIGN
HERE _____ FIELD OFFICE _____

SEAL

PUBLISHER'S AFFIDAVIT (FOR MB, LB, RM, BP, BG, BE, BL, V & Y)

Section 11.39 and 61.38

Name of newspaper	<u>The Monitor</u>
City, County	<u>McAllen, Hidalgo</u>
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)	<u>1/25/19 + 1/26/19</u>
Publisher or designee certifies attached notice was published in newspaper stated on dates shown.	
Signature of publisher or designee	<u>[Signature]</u>
Sworn to and subscribed before me on this date (MM/DD/YYYY)	<u>1/28/2019</u>
Signature of Notary Public	<u>[Signature]</u>



APPLICATION HAS BEEN MADE WITH THE TEXAS ALCOHOLIC BEVERAGE COMMISSION FOR A MIXED BEVERAGE PERMIT AND A MIXED BEVERAGE LATE HOURS PERMIT BY MAGAR INVESTMENT, LLC DBA LOS AGUACHILES BAR & GRILL, TO BE LOCATED AT 2708 N. TEXAS BOULEVARD, WESLACO, HIDALGO COUNTY, TEXAS. MEMBERS ARE AGUSTINA N. DAVILA AND EDGAR O. HERNANDEZ.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

February 22, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, March 6, 2019 at 5:30 p.m. and the City Commission will also hold a public hearing on Tuesday, March 19, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

CONDITIONAL USE PERMIT REQUEST:

Magar Investment LLC is requesting a Conditional Use Permit to obtain a Mixed Beverage Permit, Mixed Beverage Late Hours Permit and Beverage Cartage Permit at 2708 N. Texas Blvd., also being the S150'-N711'-E220'-W250' FT 107 0.76AC NET, West Tract Subdivision, Weslaco, Hidalgo County, and Texas, approximately the Northeast corner of Texas Blvd and Sugarcane Dr.

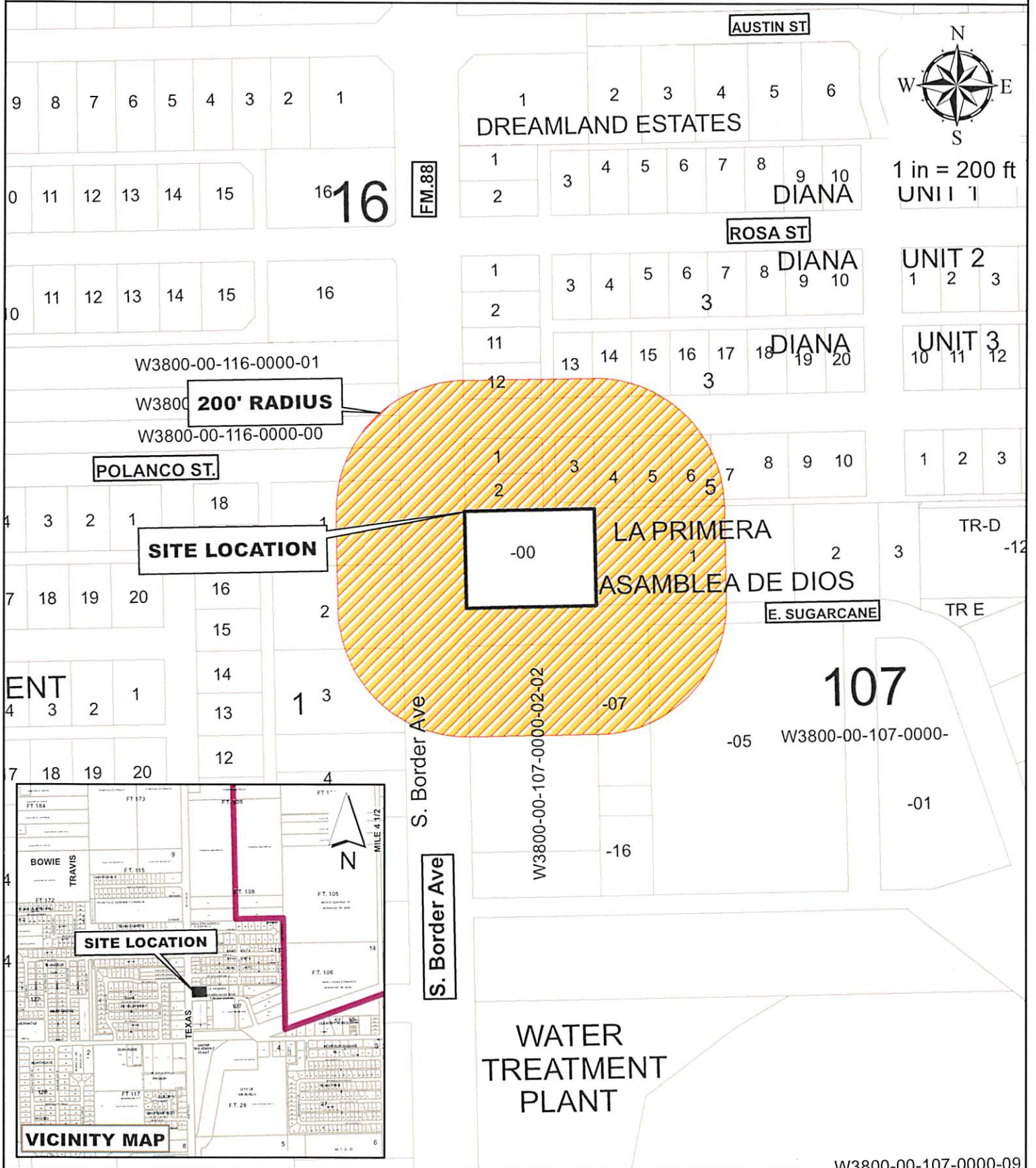
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebekah de la Fuente".

Rebekah de la Fuente
Senior Planner



Licon Almada Family Limited Partnership
2708 N. Texas Blvd

Purpose for the rezone request

Existing zoning: Commercial
Existing land use: Lease Space
CUP request: Restaurant & Bar



FEB 19, 2019

RODRIGUEZ VERONCIA 504 W MERIDA ST WESLACO TX 78599-3858	D4400-03-003-0012-00 DIANA UT NO. 3 BLK 3 LOT 12 0	L: 33000 B: 0
JIMENEZ EUGENE 1921 BUNTING LN MISSION TX 78572-4986	D4400-03-003-0013-00 DIANA UT NO. 3 BLK 3 LOT 13 0	L: 11400 B: 20908
FLORES SANTOS G & MARIA B 201 E 2ND ST SAN JUAN TX 78589-3009	D4400-03-003-0014-00 DIANA UT NO. 3 BLK 3 LOT 14 121 DE LOS SANTOS ST	L: 11400 B: 20033
REYES RAMIRO 125 DE LOS SANTOS AVE WESLACO TX 78599	D4400-03-003-0015-00 DIANA UT NO. 3 BLK 3 LOT 15 216 DE LOS SANTOS ST	L: 11400 B: 22030
ROMO AURORA 125 S GUERRA AVE WESLACO TX 78596-6327	D4400-03-005-0001-00 DIANA UT NO. 3 BLK 5 LOT 1 0	L: 45000 B: 25605
ROMO AURORA 125 S GUERRA AVE WESLACO TX 78596-6327	D4400-03-005-0002-00 DIANA UT NO. 3 BLK 5 LOT 2 0	L: 33000 B: 0
SALAZAR, PABLO, JR 118 DE LOS SANTOS AVE WESLACO TX 78596-4025	D4400-03-005-0003-00 DIANA UT NO. 3 BLK 5 LOT 3	L: 11514 B: 12868
AMADOR, RAMON & HERLINDA 122 DE LOS SANTOS AVE WESLACO TX 78596-4025	D4400-03-005-0004-00 DIANA UT NO. 3 BLK 5 LOTS 4 & 5 122 DE LOS SANTOS ST	L: 27270 B: 32207
REYES DOLORES 125 DE LOS SANTOS AVE WESLACO TX 78599-4024	D4400-03-005-0006-00 DIANA UT NO. 3 BLK 5 LOT 6 125 DE LOS SANTOS ST	L: 13635 B: 11637
RODRIGUEZ HERMAN 210 DE LOS SANTOS AVE WESLACO TX 78599-4023	D4400-03-005-0007-00 DIANA UT NO. 3 BLK 5 LOT 7 210 DE LOS SANTOS ST	L: 11514 B: 13099
FIRST SPANISH ASSM OF GOD 606 ELMA ST WESLACO TX 78596-4932	L1750-00-001-0001-00 LA PRIMERA ASAMBLEA DE DIOS LOT 0	L: 82620 B: 211169
TEJAS BUILDING & DEV INC 2623 N TEXAS BLVD WESLACO TX 78599-4039	T1200-00-001-0001-00 TEJAS DEVELOPMENT LOT 1 BLK 1 2707 N TEXAS BLVD	L: 130000 B: 91698

FEB 19, 2019

TEJAS DEVELOPMENT 2623 N TEXAS BLVD WESLACO TX 78599-4039	T1200-00-001-0002-00 TEJAS DEVELOPMENT LOT 2 BLK 1 2623 N TEXAS BLVD	L: 120292 B: 56499
S-U-NIK HOME BUILDERS LLC 105 E MILE 11 N RD WESLACO TX 78599-5559	T1200-00-001-0003-00 TEJAS DEVELOPMENT LOT 3 BLK 1 2611 N TEXAS BLVD	L: 130000 B: 544558
LICON ALMADA FAMILY LIMITED 3530 PLAZAS DEL LAGO DR EDINBURG TX 78539-7700	W3800-00-107-0000-00 WEST TRACT-S150'-N711'-E220'-W25 ET 2708 N TEXAS BLVD	L: 165525 B: 146748
GUERRA FUNERAL HOME OF WES PO BOX 72 WESLACO TX 78599-0072	W3800-00-107-0000-02 WEST TRACT S389'-W268.80' FT 107 NET 201 WATER ST	L: 413820 B: 282005
CITY OF WESLACO 255 S KANSAS AVE WESLACO TX 78596-6158	W3800-00-107-0000-05 WEST TRACT E2.885-SW5.425AC FT 1	L: 223232 B: 31484
GUERRA GEORGE & YOLANDA 202 E SUGAR CANE DR WESLACO TX 78599	W3800-00-107-0000-07 WEST TRACT E81.20'-W299.20'-N220 0.41AC NET	L: 31568 B: 110930
SALINAS DANIELLE R & MAYRA A PO BOX 164 WESLACO TX 78599-0164	W3800-00-116-0000-00 WEST TRACT S0.75-NE1.50-S30AC FT 2713 N TEXAS BLVD	L: 88209 B: 15445
SAN MIGUEL JUAN A & YOLANDA G 820 W MILE 10 N WESLACO TX 78599-3095	W3800-00-116-0000-02 WEST TRACT S49.5'-N413.5'-E660' .70AC NT 2715 N TEXAS BLVD	L: 152460 B: 15403

Conditional Use Permit

2708 N Texas

W Merida St

Legend

 2708 N Texas

Polanco St

Sgt Rosas St

De Los Santos St

N Illinois Ave

88

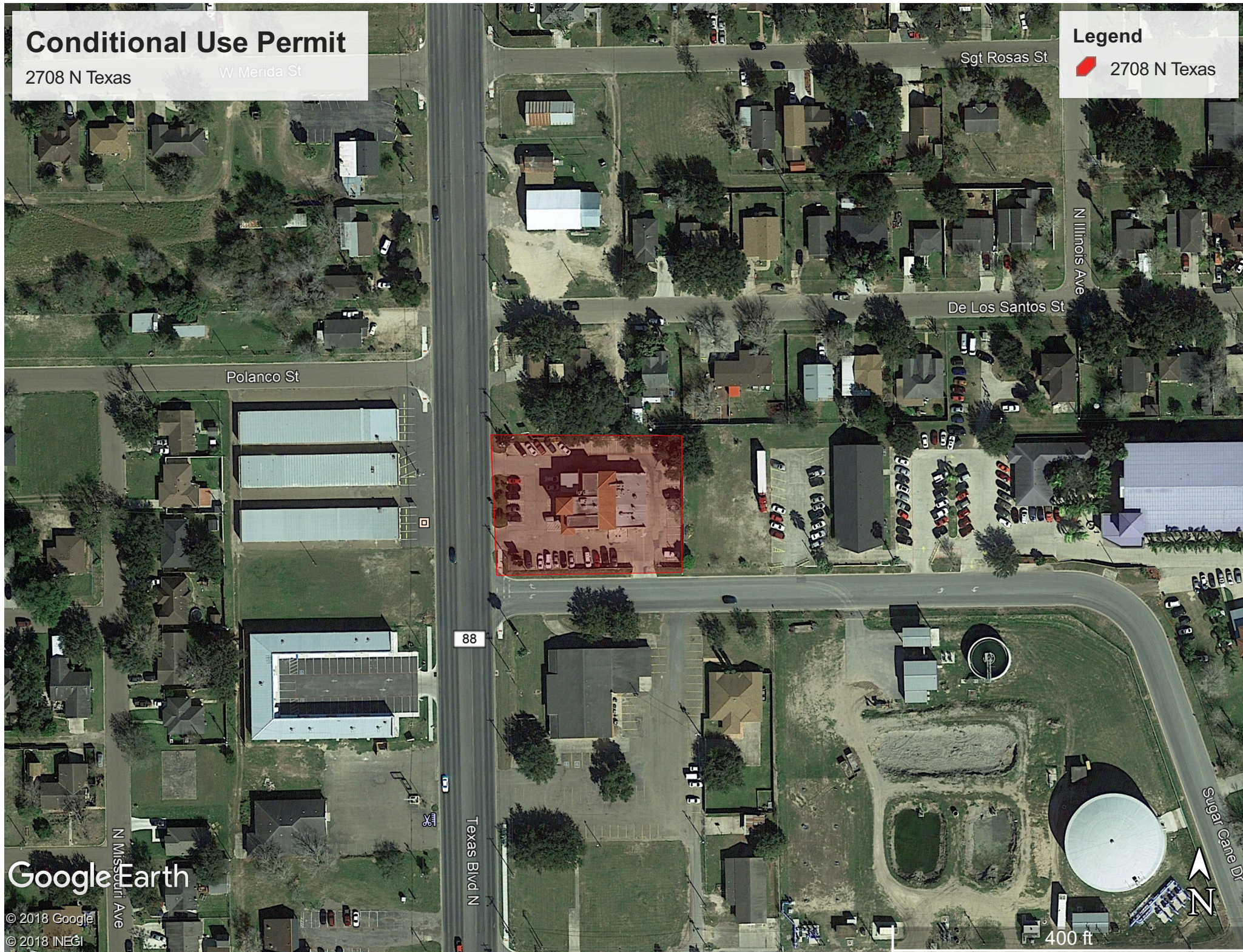
Texas Blvd N

Sugar Cane Dr

Google Earth

© 2018 Google
© 2018 INEGI

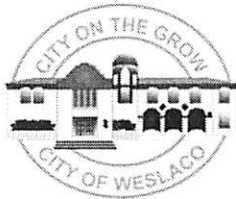
400 ft





Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2294	
From: Joe Pedraza			
Subject: Discussion and consideration to approve the Final Plat for Avanti At Sienna Palms Legacy - being a 6.5 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the East Side of Mile 6 ½ W. ¼ Mile South of Mile 10 N. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)			
Background: The proposed one (1) lot subdivision is outside city limits. This subdivision is being serviced with water by North Alamo Water Supply Company through an 8" waterline and sewer by city of Weslaco through a 6" sewer line. The property is within a Flood Zone "X".			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning and Zoning recommended approval for the final plat on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval			
Attachments, if any: avanti AT SIENNA - attach, Avanti			
Responsibilities upon Approval: Staff will notify applicant.			



SUBDIVISION PLATTING APPLICATION

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. SUB19-00007

This form shall be completed by the Property Owner or Applicant and submitted to the Planning Department along with the required number of copies of the respective plat, review fee and all other required information listed below and in the Subdivision Ordinance. The submittal of an application does not constitute acceptance for processing until the staff reviews and determines the application is complete.

STAFF USE ONLY

☐ Single Lot Variance ☐ Minor Plat ☐ Planned Unit Development ☒ Standard Subdivision

GENERAL INFORMATION

Name of Subdivision: Avanti at Sienna Palms Legacy

Location: East side Mile 6 1/2 W, 1/4 mile south of Mile 10 N

Legal Description: 6.5 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant

Is subdivision inside city limits? ☐ YES ☒ NO

If subdivision is in the ETJ, indicate? ☒ 3.5 Mile ☐ 5 Mile

If no submit letter of Annexation (Contiguous or Consensual)

Existing Zoning: Not Zoned

Existing Land Use: Agriculture Proposed Land Use: Multi-Family

Number of Lots Proposed: 1 Gross Acreage: 6.5 Acres

Title Report Submitted: ☒ YES ☐ NO

OWNER INFORMATION

Owner's Name: Jimmy Closner & Sons Construction Co., Inc. Telephone: (956) 565-2688

Address: PO Box 170

Fax: _____

City: Mercedes State: TX Zip: 78570 E-mail: bclosner@jimmyclosner.com

ENGINEER INFORMATION

Name: T. Craig Carney Telephone: 469-443-0861

Address: 5700 Granite Parkway, Suite 200

Fax: _____

City: Plano State: TX Zip: 75024 E-mail: Craig@eng-firm.com

- ☒ Contours
- ☒ Flood Zones
- ☒ Adjoiners
- ☒ Existing & Proposed street names
- ☒ Utility Layout
 - ☒ Existing & Proposed Utilities
 - ☒ Proposed Fire Hydrants
 - ☒ Adjoiners
 - ☒ Street names
- ☒ Drainage plans and calculations with engineer's seal
 - ☒ Elevations
 - ☒ Flood directional arrows
 - ☒ Detention areas
 - ☒ Street names
- ☒ Proof of ownership of the property
- ☐ If septic tank system required, submit soil evaluation report
- ☐ Water Rights associated with the property
- ☒ Tax Receipt for all taxing entities showing that taxes are paid in full
- ☒ Number of fire hydrants proposed for subdivision
- ☐ Trip Generation Worksheet

SUBMITTALS REQUIRED FOR FINAL (P & Z) **Will not apply to Single Lot Variance**

- ☐ Twelve (12) sets of plans **FOLDED & STAPLED** (24 x 36) & PDF copy **with all corrections**
- ☐ Plats to be sealed by Professional Engineer
- ☐ Approved Drainage Report
- ☐ Traffic Impact Analysis (If required)

SUBMITTALS REQUIRED FOR FINAL (City Commission)

- ☐ One set of 8 ½ x 11 of plat and utilities with all corrections done

SUBMITTALS REQUIRED FOR PRE-CONSTRUCTION MEETING

- ☐ Seven (7) full sets of construction plans 24 x 36 and one (1) 11 x 17 with plan & profile.
- ☐ Engineering cost estimates for 3% geotechnical testing fees and 2% inspection fees
- ☐ Notice of Intent
- ☐ SW3P

SUBMITTALS REQUIRED FOR RECORDING OR HIDALGO COUNTY PLANNING

- ☐ Electronic file of final plat and as-builds
- ☐ Reproducible plat to be recorded with all required signatures
- ☐ 3% geotechnical testing fees or negotiated Material Testing fee by City, whichever is higher
- ☐ 2% inspection fee
- ☐ Park Fees
- ☐ Checks or Receipts: HCCID #9; HCDD #1; County Clerk
- ☐ Tax certificates
- ☐ Memo from engineering inspector releasing subdivision
- ☐ Water Rights associated with the property dedicated and assigned to City of Weslaco or payment of fees sufficient to meet the needs necessitated and attributable to development
- ☐ 30 Year Water and 30 Year Sewer Service Agreements
- ☐ Park dedication/Fees in lieu of

SUBMITTALS REQUIRED FOR RECORDING BY SECURITY

- ☐ Sealed engineering cost estimates
- ☐ Letter of Credit/Performance Bond/Escrow

UTILITY PROVISIONS

Will proposed subdivision connect to:

☐ YES ☐ NO Water Provision: North Alamo Water

☐ YES ☐ NO Wastewater Provision: City of Weslaco

☒ YES ☐ NO Electric Company: Magic Valley

☒ YES ☐ NO Phone Utility TBD

☐ YES ☒ NO Gas Utility

☒ YES ☐ NO Cable Utility

Proposed subdivision is in the following districts:

☒ YES ☐ NO Drainage District 1

☒ YES ☐ NO Irrigation District 9

Has the property been assessed as flat rate irrigable property: ☐ YES ☒ NO

Have Water Rights been conveyed to City/Water Supplier? ☐ YES ☒ NO

(Attach written proof of such assessment or that it has never been assessed as such a property) If YES, attach an estimate from the irrigation district of the proportional water rights for the subdivision as calculated under Texas Water Code § 49.505.

SUBMITTALS REQUIRED FOR MINOR PLAT REVIEW

Two (2) sets of plats folded and stapled (24 x 36) and forward a copy in PDF format to mhinojosa@weslacotx.gov & rdelafuente@weslacotx.gov

\$350.00 Planning Review fee

One 11" X 17" reduced copy of plat

Plat Layout

Existing & Proposed Easements

Existing & Proposed ROW

Existing & Proposed Drainage Easements

Contours

Flood Zones

Adjoiners

Existing street names

Drainage plans and calculations with engineer's seal

Elevations

Flood directional arrows

Detention areas

Street names

Proof of ownership of the property

If septic tank system required, submit soil evaluation report

Water Rights associated with the property

Tax Receipt for all taxing entities showing that taxes are paid in full

SUBMITTALS REQUIRED FOR PRELIMINARY (P & Z)

x Twelve (12) sets of preliminary plat folded and stapled (24 x 36) and forward a copy in PDF format to mhinojosa@weslacotx.gov & rdelafuente@weslacotx.gov

x \$350.00 (one time fee for preliminary and final plat)

x One 11" X 17" reduced copy of plat

x Plat Layout

x Existing & Proposed Easements

x Existing & Proposed ROW

x Existing & Proposed Drainage Easements

255 S. KANSAS AVE ■ WESLACO, TEXAS 78596-6285 ■ 956-447-3401 ■ (Fax) 956-973-3128 ■ WWW.WESLACOTX.GOV

Randy C. Winston, P.E., President
Jose Reyes, P.E., Associate
Sergio Gonzalez, BSCE, Associate

SIGLER, WINSTON, GREENWOOD
& ASSOC.
SWG ENGINEERING, LLC
611 Bill Summers Intl Blvd
Weslaco, TX 78596
O 956.968.2194 F 956.968.8300
Firm Registration No. F-592

Joe B. Winston, Jr., P.E., Exec. VP
Isaac Huacuja, EIT, Associate

January 24, 2019

Re: Avanti at Sienna Palms Legacy Subdivision

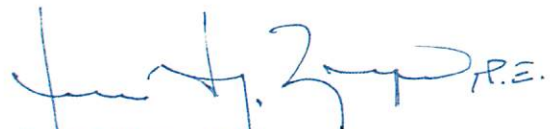
Ms. Rebekah M. De La Fuente, CFM
Senior Planner
City of Weslaco
255 S. Kansas Avenue
Weslaco, TX 78596

Dear Ms. De La Fuente:

Sigler, Winston, Greenwood & Associates, SWG Engineering, LLC has reviewed the referenced subdivision plat and utility plan, all requested changes have been addressed appropriately.

Should you have any questions or need additional information please feel free to call me at (956) 789-4143 or contact me via email: jreyes@siglerwinstongreenwood.com.

Sincerely,
SIGLER, WINSTON, GREENWOOD
& ASSOC., LLC.



Jose G. Reyes, P.E.

RW:cdz

Randy C. Winston, P.E., President
Jose Reyes, P.E., Associate
Sergio Gonzalez, BSCE, Associate

**SIGLER, WINSTON, GREENWOOD
& ASSOC.
SWG ENGINEERING, LLC**
611 Bill Summers Intl Blvd
Weslaco, TX 78596
O 956.968.2194 F 956.968.8300
Firm Registration No. F-592

Joe B. Winston, Jr., P.E., Exec. VP
Isaac Huacuja, EIT, Associate

January 9, 2019

Re: Avanti at Sienna Palms Legacy Subdivision

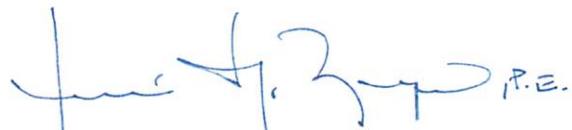
Ms. Rebekah M. De La Fuente, CFM
Senior Planner
City of Weslaco
255 S. Kansas Avenue
Weslaco, TX 78596

Dear Ms. De La Fuente:

Sigler, Winston, Greenwood & Associates, SWG Engineering, LLC has reviewed the referenced subdivision, and have the following comments, refer to attached PDF.

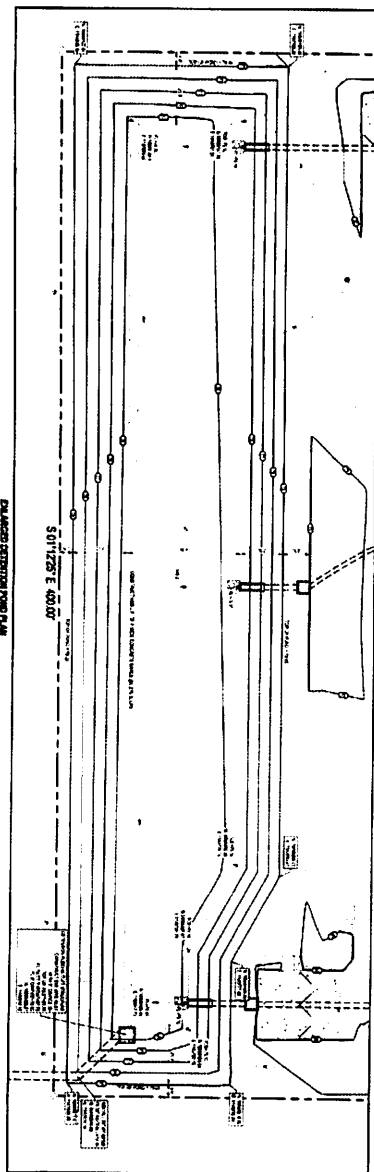
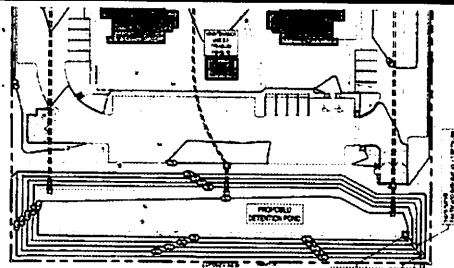
Should you have any questions or need additional information please feel free to call me at (956) 789-4143 or contact me via email: jreyes@siglerwinstongreenwood.com.

Sincerely,
SIGLER, WINSTON, GREENWOOD
& ASSOC., LLC.



José G. Reyes, P.E.

RW:cdz



DETENTION POND PLAN

811
Know what's below.
Call before you dig.

UTILITY LOCATING SERVICE
1-800-4-A-DIG
www.4adig.com

UTILITY LOCATING SERVICE
1-800-4-A-DIG
www.4adig.com

CARNEY ENGINEERING, PLLC
10000 WEST 10TH STREET, SUITE 200
FORT WORTH, TEXAS 76133
(817) 336-1111
www.carneyengineering.com

CS.3

DETENTION POND PLAN

ISSUED FOR REVIEW

**AVANTI LEGACY
AT SIENNA PALMS
MILE 6 1/2 WEST
WESLACO, TEXAS**

CITY OF WESLACO

PLANNING AND CODE ENFORCEMENT DEPARTMENT

SUBDIVISION REVIEW MEETING

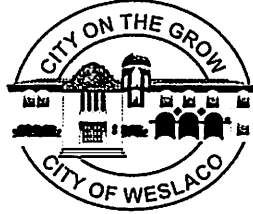
NAME OF SUBDIVISION: Avanti @ Seinna Palms Legacy 01/03/2019

SIGN IN FORM

1	Name	Company	Phone #
2	Rebekah dela Fuente	COW	447-3401
3	Mike Swinnea	Weslaco FMO	447-3415
4	Bobby Closner, Jr.	Jimmy Closner + Sons	565-2688
5	EDDIE SALAZAR	COURIC ENTERPRISES	956-590-4944
6	T. CRAIG CARNEY	CARNEY EX GILREAY	469-443-0861
7	Marcos Cosm	C.O.W	532-8342
8			
9			
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11			
12			
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14			
15			
16			
17			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

December 31, 2018

Jimmy Closner & Sons Construction Co. Inc.
c/o Bobby Closner
P.O. Box 170
Mercedes, Texas 78570

Re: Avanti at Sienna Palms Legacy Subdivision

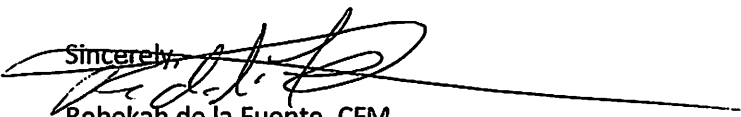
Dear Applicant:

As per the plan set received, please find below general comments that need to be addressed for the above-mentioned subdivision:

1. Identify the point of commencement
2. Identify benchmark as a plat note
3. Adjacent properties must be identified on all sides- Missing an owner to the east ✓
4. Add Plat Note: Streetlight must be located every 300 feet ✓
5. Include all appropriate signature lines- Missing Signature line for Mayor, attest by City Secretary, HCCID #9 (or exclusion letter)
6. Add Plat Note for Setbacks, Minimum Building Setback lines shall be as follows: ✓
Front: 20 ft.
Rear: 15ft
Side: each side of a building of not less than ten percent of the width of the lot, but such side yard shall not be less than 5 feet
7. Add Plat Note: Landscaping is required per city ordinance. ✓
8. All subdivisions located within the city's extraterritorial jurisdiction and connected to one or more of the city utilities, must request annexation to the city prior to the approval of the final subdivision plat.
9. Plat Note 11 will require City Commission approval by separate request.
10. Revise Owner's Dedication if subdivision is to remain private.

Should you need additional information or have any questions, please call the Planning Department at (956) 447-3401.

Sincerely,


Rebekah de la Fuente, CFM
Senior Planner

WESLACO FIRE MARSHAL'S OFFICE
255 S. Kansas
Weslaco, Texas 78596
(956) 447-3415 Fax (956) 969-4921

DATE: 12/31/18 OCCUPANCY CLASS: Subdivision
FACILITY NAME: Avanti at Sienna Palms Legacy
PHYSICAL & MAILING ADDRESS: Mile 6 ½ West by Mile 9 ¾ North
PHONE #: _____ OWNER/MANAGER: _____

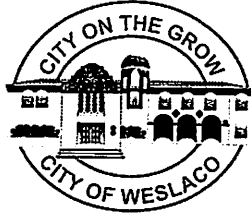
PLAN REVIEW – CHECK OFF LIST

X	Approved as submitted	X	with notes
	A	Illuminated exit signs and emergency lighting shall be combination with 90-minute battery pack back-up.	
	B	All restrooms shall have emergency lighting with 90-minute battery pack back-up.	
	C	Shall provide minimum 5 lb. ABC dry chemical extinguisher at 75' intervals, annually inspected & tagged by a licensed agency and mounted no higher than 48" from top to ground. NFPA 10, Latest Edition & IFC 2015 Edition, Section 906.	
	D	Shall have fire alarm company submit plans for proposed fire alarm.	
	E	Shall have fire alarm system installed in accordance with the latest editions of NFPA 70 & 72, by a licensed agency and monitored 24/7 by an outside agency. Shall call our office 24 hours in advance for trip test. NFPA 101, Life Safety Code, 2015 Edition	
	F	Shall have fire alarm system tied into the sprinkler system to monitor flow and tamper switches. Shall also be tied into the suppression system for the kitchen hood. NFPA 101, Life Safety Code, 2015 Edition.	
	G	Shall have automatic sprinkler system installed by a licensed agency and in accordance with the latest edition of NFPA 13. Sprinkler company shall submit plans to our office and ISO for review. Shall contact our office 24 hours in advance for underground & aboveground hydrostatic tests. IFC, 2015 Edition, Section 903 & 912 and latest edition of NFPA 13. No ceiling shall be in place until aboveground hydrostatic test has been approved.	
	H	If cooking that releases grease latent vapors, shall provide hood suppression system installed by a licensed agency; hood shall vent to exterior of building. NFPA 96, Latest edition. An approved method shall be provided that will ensure that the appliance(s) is returned to an approved design location, NFPA 96, Section 12.1.2.3.1 Shall call our office 24 hours in advance for trip test. IFC, 2015 Edition, Section 904.	
	I	Shall have 1 – K extinguisher for kitchen annually inspected by a licensed agency. IFC, 2015 Edition, Section 904.11.5	
X	J	Shall have fire hydrant within 400'. Shall have 4 ½" outlet facing the street with 18" to 24" clearance from bottom of outlet to grade level for hydrant wrench. Hydrants shall be marked on the streets with reflective blue marker to show location of hydrants. Hydrants shall have 3' clearance from any fences, poles, brush, etc.	
	K	Fire department connection shall be free-standing, away from the building, minimum 1 ½ times the building height, out of the collapse zone, and within 100' of a fire hydrant. FDC shall be protected from impact with 4" diameter concrete filled bollards, cemented 4' into the ground with 3' above ground. Shall be spaced 3' apart. Shall have a reflective sign indicating "FDC" with 6" high letters, ½" wide. IFC, 2015 Edition, Section 903.3.7 and all of section 912, IFC, 2015 Edition, and latest edition of NFPA 13. The FDC connection shall be the 5-inch storz with a 30 to 40-degree downward deflection angle adapter. Tamper protection for backflow preventer shall be of an approved type and approved by Authority Having Jurisdiction.	
X	L	Access roads shall be 26' minimum with hydrant unobstructed, 20' without hydrant unobstructed. All weather surface road that supports the imposed loads of fire apparatus shall be in place (concrete or asphalt).	
X	M	Fire apparatus access road shall comply with IFC 2015 Edition, Appendix D. (Cul-de-sac, wye, hammerhead)	
	N	Shall have evacuation routes, with primary & secondary exits marked, in place. IFC, 2015 Edition, Section 404.	
	O	Shall maintain a clear path for means of egress in the following areas:	
	P	Shall have all exit doors open in the direction of egress travel. If equipped with a locking device, it shall be of an approved type.	
	Q	Every room or space that is an Assembly occupancy shall have the occupant load posted in a conspicuous place.	
	R	Shall maintain 44" clearance between aisles.	
X	S	All access gates to property shall have specs submitted to our office. Shall maintain a 20' clearance or 12' on each side of an island, if present, prior to installation of gate. Shall provide Knox Box Gate Entry System if the gate is automated. Chained gates shall have a Knox padlock in place. If the gate system is automated, all gates in the system shall open automatically.	
	T	Shall post address in front of building plainly visible from the street with 6" x ½" stroke letters or numbers.	
	U	Shall have Knox Box, 3200 Series, with hinged door, installed for fire department access. www.KnoxBox.com	
	V	Shall have Knox FDC 5-inch Storz Caps in place. www.KnoxBox.com	
	W	Shall have an exterior door to Riser Room. Shall label Riser Room with a white reflective sign to read "Riser Room" with 6" x ¾" stroke red letters.	
	X	Shall provide fire lane painted with 6" red striping, with white lettering 4" x ¾" stroke to read "No Parking Fire Lane" spaced every 10 to 12 feet.	
X	Y	Shall submit a complete set of plans for construction to my office for further requirements. Construction Plans	
	Z	Shall pay appropriate fees for the following:	Plan review
		Sprinkler system plan review	Aboveground hydro test
			Fire alarm plan review
			Underground hydro test
			Fire alarm trip test
			Suppression system trip test

Asst. Fire Marshal Mike Swinnea
FIRE MARSHAL/FIRE INSPECTOR

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

INTERNAL MEMO

DATE: December 21, 2018

TO: Randy Winston, SWG
Efrain Tafolla, Construction Insp./CADD Supervisor
Zenaida Guerrero, Engineer I
Pete Garcia, Public Works Director/ Marcelo Cosme
Chris Sanchez, Fire Marshal/Mike Swinnea
Rolando Gonzalez, Building Official
Police Chief Joel Rivera, Police Department/ Eric Hernandez

FROM: Rebekah de la Fuente, Senior Planner 

SUBJECT: Subdivision Review Meeting

A subdivision review meeting will be held on **Thursday, January 3, 2018** in the Planning Department Conference Room B. It is imperative that you attend. Listed below is the subdivision that will be discussed:

➤ **Sienna Palms Subdivision- 9:30 a.m.**

Please make every effort to attend or send a representative, if you or a representative is unable to attend, submit your comments in writing. Be advised that all comments must be received before the scheduled meeting in order to avoid delays of construction.

Should you have any questions, please call 447-3401.



CARNEY
ENGINEERING
COMPANY, PLLC

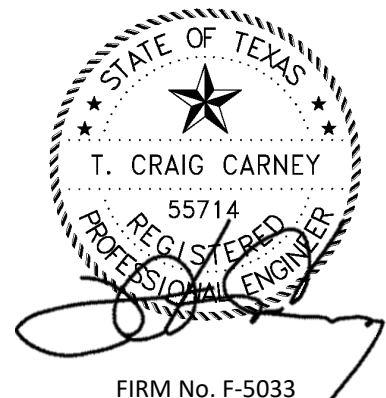
HIDALGO COUNTY DRAINAGE DISTRICT No. 1

DRAINAGE REPORT

AVANTI AT SIENNA PALMS LEGACY

HIDALGO COUNTY, TEXAS

PREPARED BY:
CARNEY ENGINEERING, PLLC
5700 GRANITE PARKWAY, SUITE 200
PLANO, TEXAS 75024
469-443-0861 (OFFICE)
CRAIG@ENG-FIRM.COM



FIRM No. F-5033

January 17, 2019

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DRAINAGE STATEMENT
PROPOSED AVANTI AT SIENNA PALMS LEGACY
ETJ OF CITY OF WESLACO, HIDALGO COUNTY

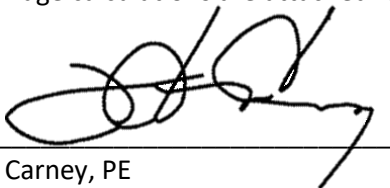
The Avanti at Sienna Palms Legacy development will be located southeast of the intersection of Mile 10 N and Mile 6 ½ W, Hidalgo County, Texas. For further reference, the subdivision is also located in the Juan Jose Ynojosa De Balli Survey, Abstract No. 54. Refer to the location map included in this statement for the project location. The Avanti at Sienna Palms Legacy development will contain **6.13** acres of land to be platted and is located in the ETJ of the **City of Weslaco**. The proposed development shall include an apartment complex with two access points from Mile 6 ½ W. The subject property does not appear to lie within the limits of a 100-year Flood Hazard Zone according to the map published by the Federal Emergency Management Agency, and has a **Zone "X" (Unshaded)** rating as shown by Map No. **4803340450C**, with effective date January 2, 1981, revised date **June 6, 2000**. The **Zone X (Unshaded)** area is described as "the flood insurance rate zone that corresponds to areas outside of the 500-year flood-plain".

According to the USDA Soil Conservation Service soil survey for Hidalgo County, the site soils are classified as Hidalgo series (**Soils 25 and 28**), fine sandy loam and sandy clay loam soils. The Hidalgo series fine sandy loam and sandy clay loam soils are both part of hydrologic **group "B"** and characterized as being well drained, have a slow runoff rate, moderate permeability, and a high water capacity. The plasticity index is generally between 11 and 22. See attached Hidalgo County soil survey map and soil property tables.

The property is predominantly flat with an average ground slope less than 1%. The land has been historically and recently used for agricultural purposes. The property drains in a northeasterly direction where it enters an existing drainage channel, HCDD1 Weslaco North Lateral, which flows to the North according to the Hidalgo County Drainage District. All storm water drainage from the development will be collected in a system of underground drainage pipes, routed to discharge into a new storm water storage pond located on the east end of the project site. The detention pond will discharge into the existing drainage channel, HCDD1 Weslaco North Lateral, to the East of the site.

The proposed improvements consist of the construction of a new 109,230 sf main building, 600 sf maintenance building, parking facilities, water, sewer, electric, and underground drainage system. The proposed on-site drainage system will be owned and maintained by the property owner and will discharge into the existing HCDD1 Weslaco North Lateral, through a new pipe from the new detention pond to the existing drainage channel. The proposed storm water management system shall be designed in accordance with current city, county, and state regulations. The computed required storage volume for the site for the 50-year storm event is **1.26 ac-ft or 54,967 ft³** (see attached calculations). The proposed detention pond is calculated to provide **2.13 ac-ft or 92,873 ft³** of total storage volume and fully contain the 5, 10, 25, 50 and 100-year storm events. The allowable discharge rate from the proposed detention pond shall be **2.94 CFS**. The post-development calculated release rate from the detention pond is **2.90 CFS** for the 50-year storm. There is a **decrease** in the release rate by 0.04 CFS in the proposed condition. See the attached "Drainage Area Exhibit" for more details.

The drainage calculations are attached for documentation.



T. Craig Carney, PE
Carney Engineering, PLLC
Carney Engineering, PLLC

FIRM No. F-5033



AVANTI AT SIENNA PALMS LEGACY

PRE-DEVELOPED CONDITIONS		
Frequency:	10.00	years
Area:	6.13	acres
Undeveloped t_c :	77.00	min.
Composite:	0.20	

DEVELOPED CONDITIONS		
Frequency:	50	year
Area:	6.13	acres
Developed t_c :	10.00	min.
Composite:	0.60	

PRE-DEVELOPED CALCULATIONS (Using Rational Method)

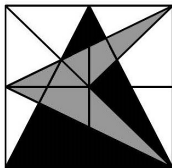
				OUTFLOW	
2-year	e	b	d	I_2 (in/hr)	
	0.8645	72.4	12.92	1.48	$Q_2 = 1.82$
5-year	e	b	d	I_5 (in/hr)	
	0.8647	100.21	13.9	2.03	$Q_5 = 2.49$
10-year	e	b	d	I_{10} (in/hr)	
	0.8599	116.24	14.33	2.40	$Q_{10} = 2.94$
25-year	e	b	d	I_{25} (in/hr)	
	0.8572	140.47	15.32	2.90	$Q_{25} = 3.56$
50-year	e	b	d	I_{50} (in/hr)	
	0.8613	170.66	16.71	3.42	$Q_{50} = 4.19$
100-year	e	b	d	I_{100} (in/hr)	
	0.8619	201.07	18	3.97	$Q_{100} = 4.87$

DEVELOPED CALCULATIONS (Using Modified Rational Method)

Allowable Discharge: 2.94 (10-year Pre-Developed)

t_{cd} (min)	Intensity (in/hr.)	Peak Disch. (cfs)	Vin (cf)	Vout (cf)	Storage (cf)	Storage (acre ft.)
10	10.08	37.06	22,238	1,762	20,476	0.470
15	8.69	31.97	28,774	2,203	26,572	0.610
20	7.66	28.18	33,820	2,643	31,177	0.716
25	6.86	25.25	37,872	3,084	34,788	0.799
30	6.23	22.90	41,224	3,524	37,700	0.865
35	5.70	20.98	44,062	3,965	40,097	0.920
40	5.27	19.38	46,508	4,406	42,102	0.967
45	4.90	18.02	48,649	4,846	43,803	1.006
50	4.58	16.85	50,546	5,287	45,260	1.039
55	4.30	15.83	52,245	5,727	46,518	1.068
60	4.06	14.94	53,780	6,168	47,612	1.093
65	3.85	14.15	55,178	6,608	48,570	1.115
70	3.65	13.44	56,459	7,049	49,410	1.134
75	3.48	12.81	57,640	7,490	50,151	1.151
80	3.33	12.24	58,735	7,930	50,805	1.166
85	3.19	11.72	59,755	8,371	51,384	1.180
90	3.06	11.24	60,708	8,811	51,897	1.191
95	2.94	10.81	61,602	9,252	52,350	1.202
100	2.83	10.41	62,445	9,692	52,752	1.211
105	2.73	10.04	63,240	10,133	53,107	1.219
110	2.64	9.70	63,994	10,573	53,420	1.226
115	2.55	9.38	64,709	11,014	53,695	1.233
120	2.47	9.08	65,390	11,455	53,935	1.238
125	2.39	8.81	66,039	11,895	54,144	1.243
130	2.32	8.55	66,660	12,336	54,324	1.247
135	2.26	8.30	67,254	12,776	54,478	1.251
140	2.20	8.07	67,824	13,217	54,608	1.254
145	2.14	7.86	68,372	13,657	54,715	1.256
150	2.08	7.66	68,899	14,098	54,801	1.258
155	2.03	7.46	69,406	14,539	54,867	1.260
160	1.98	7.28	69,895	14,979	54,916	1.261
165	1.93	7.11	70,368	15,420	54,948	1.261
170	1.89	6.94	70,825	15,860	54,965	1.262
175	1.85	6.79	71,267	16,301	54,967	1.262 High Point
180	1.80	6.64	71,696	16,741	54,955	1.262
185	1.77	6.50	72,112	17,182	54,930	1.261
190	1.73	6.36	72,515	17,622	54,893	1.260
195	1.69	6.23	72,907	18,063	54,844	1.259
200	1.66	6.11	73,288	18,504	54,784	1.258

Storage Required: 54,967 cf
Storage Required: 1.262 acre ft.



**CARNEY
ENGINEERING,
PLLC.**

5700 GRANITE PARKWAY, SUITE 200
Plano, Texas 75024
PH (469) 443-0861
FAX (469) 443-0863
TBPE FIRM REGISTRATION NO: F-5033



TR55 Tc Worksheet

Hydraflow Hydrographs Extension for Autodesk® Civil 3D® 2019 by Autodesk, Inc. v12

Hyd. No. 1

PRE-DEVELOPED SITE

<u>Description</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>Totals</u>
Sheet Flow				
Manning's n-value	= 0.240	0.011	0.011	
Flow length (ft)	= 100.0	0.0	0.0	
Two-year 24-hr precip. (in)	= 2.20	0.00	0.00	
Land slope (%)	= 0.10	0.00	0.00	
Travel Time (min)	= 57.04	+	0.00	+
			0.00	= 57.04
Shallow Concentrated Flow				
Flow length (ft)	= 600.00	0.00	0.00	
Watercourse slope (%)	= 0.10	0.00	0.00	
Surface description	= Unpaved	Paved	Paved	
Average velocity (ft/s)	=0.51	0.00	0.00	
Travel Time (min)	= 19.60	+	0.00	+
			0.00	= 19.60
Channel Flow				
X sectional flow area (sqft)	= 0.00	0.00	0.00	
Wetted perimeter (ft)	= 0.00	0.00	0.00	
Channel slope (%)	= 0.00	0.00	0.00	
Manning's n-value	= 0.015	0.015	0.015	
Velocity (ft/s)	=0.00	0.00	0.00	
Flow length (ft)	(0)0.0	0.0	0.0	
Travel Time (min)	= 0.00	+	0.00	+
			0.00	= 0.00
Total Travel Time, Tc				76.64 min

AVANTI AT SIENNA PALMS LEGACY

TxDOT Hydraulic Design Manual (rev. 10/2011)

“C” Values for Rational Method

Table 4-10: Runoff Coefficients for Urban Watersheds

Type of drainage area	Runoff coefficient
Business:	
Downtown areas	0.70-0.95
Neighborhood areas	0.30-0.70
Residential:	
Single-family areas	0.30-0.50
Multi-units, detached	0.40-0.60
Multi-units, attached	0.60-0.75
Suburban	0.35-0.40
Apartment dwelling areas	0.30-0.70
Industrial:	
Light areas	0.30-0.80
Heavy areas	0.60-0.90
Parks, cemeteries	0.10-0.25
Playgrounds	0.30-0.40
Railroad yards	0.30-0.40
Unimproved areas:	
Sand or sandy loam soil, 0-3%	0.15-0.20
Sand or sandy loam soil, 3-5%	0.20-0.25
Black or loessial soil, 0-3%	0.18-0.25
Black or loessial soil, 3-5%	0.25-0.30
Black or loessial soil, > 5%	0.70-0.80
Deep sand area	0.05-0.15
Steep grassed slopes	0.70
Lawns:	
Sandy soil, flat 2%	0.05-0.10
Sandy soil, average 2-7%	0.10-0.15
Sandy soil, steep 7%	0.15-0.20
Heavy soil, flat 2%	0.13-0.17
Heavy soil, average 2-7%	0.18-0.22
Heavy soil, steep 7%	0.25-0.35
Streets:	
Asphaltic	0.85-0.95
Concrete	0.90-0.95
Brick	0.70-0.85
Drives and walks	0.75-0.95
Roofs	0.75-0.95

AVANTI AT SIENNA PALMS LEGACY

RAINFALL INTENSITY FOR HIDALGO COUNTY

TIME	10 YEARS	50 YEARS		TIME	10 YEARS	50 YEARS		TIME	10 YEARS	50 YEARS
Min.	(In/Hrs)	(In/Hrs)		Min.	(In/Hrs)	(In/Hrs)		Min.	(In/Hrs)	(In/Hrs)
1	11.111	14.360		31	4.374	6.116		61	2.826	4.018
2	10.523	13.696		32	4.293	6.007		62	2.794	3.974
3	9.999	13.095		33	4.215	5.903		63	2.763	3.931
4	9.528	12.549		34	4.140	5.803		64	2.733	3.889
5	9.103	12.049		35	4.067	5.706		65	2.703	3.848
6	8.716	11.591		36	3.998	5.613		66	2.674	3.808
7	8.364	11.169		37	3.931	5.523		67	2.646	3.768
8	8.041	10.778		38	3.866	5.435		68	2.618	3.730
9	7.743	10.416		39	3.803	5.351		69	2.591	3.692
10	7.469	10.080		40	3.743	5.270		70	2.565	3.656
11	7.215	9.765		41	3.685	5.191		71	2.539	3.620
12	6.978	9.472		42	3.629	5.115		72	2.514	3.585
13	6.758	9.196		43	3.574	5.041		73	2.489	3.550
14	6.553	8.938		44	3.521	4.969		74	2.465	3.516
15	6.360	8.695		45	3.470	4.900		75	2.441	3.483
16	6.179	8.465		46	3.421	4.833		76	2.418	3.451
17	6.009	8.248		47	3.373	4.767		77	2.395	3.419
18	5.849	8.043		48	3.326	4.704		78	2.373	3.388
19	5.698	7.849		49	3.281	4.642		79	2.351	3.358
20	5.555	7.665		50	3.237	4.582		80	2.329	3.328
21	5.419	7.489		51	3.194	4.524		81	2.308	3.298
22	5.291	7.322		52	3.153	4.467		82	2.288	3.270
23	5.169	7.163		53	3.113	4.412		83	2.267	3.241
24	5.053	7.011		54	3.073	4.358		84	2.247	3.214
25	4.942	6.866		55	3.035	4.305		85	2.228	3.186
26	4.836	6.728		56	2.998	4.254		86	2.209	3.160
27	4.736	6.595		57	2.962	4.205		87	2.190	3.133
28	4.639	6.468		58	2.927	4.156		88	2.172	3.108
29	4.547	6.346		59	2.892	4.109		89	2.154	3.082
30	4.459	6.228		60	2.859	4.063		90	2.136	3.057

$$I=b/(tc+d)^e$$

Hidalgo County

10 Years

d=14.33 e=0.8599 b=116.2

25 Years

d=15.32 e=0.8572 b=140.5

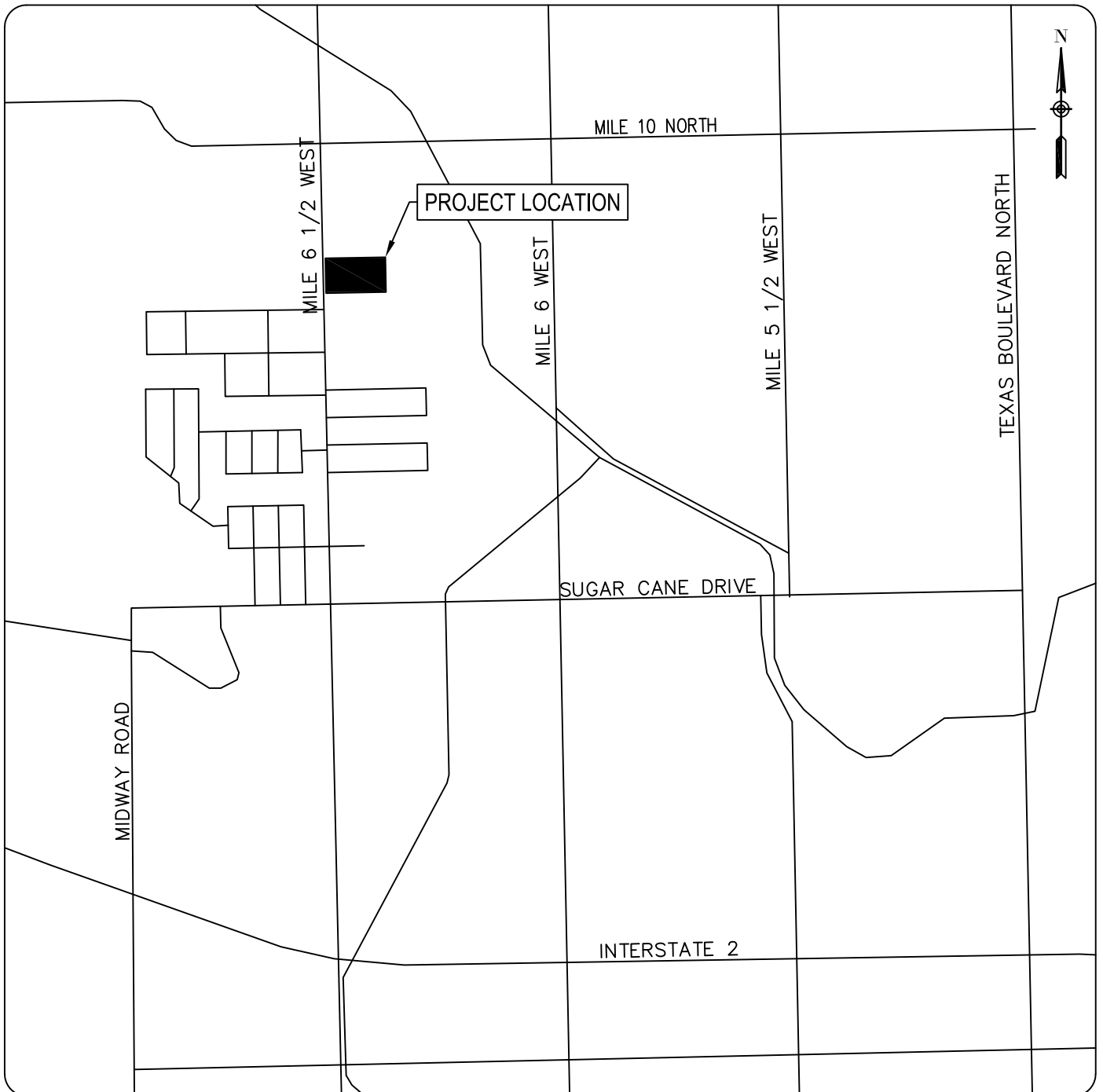
50 Years

d=16.71 e=0.8613 b=170.7

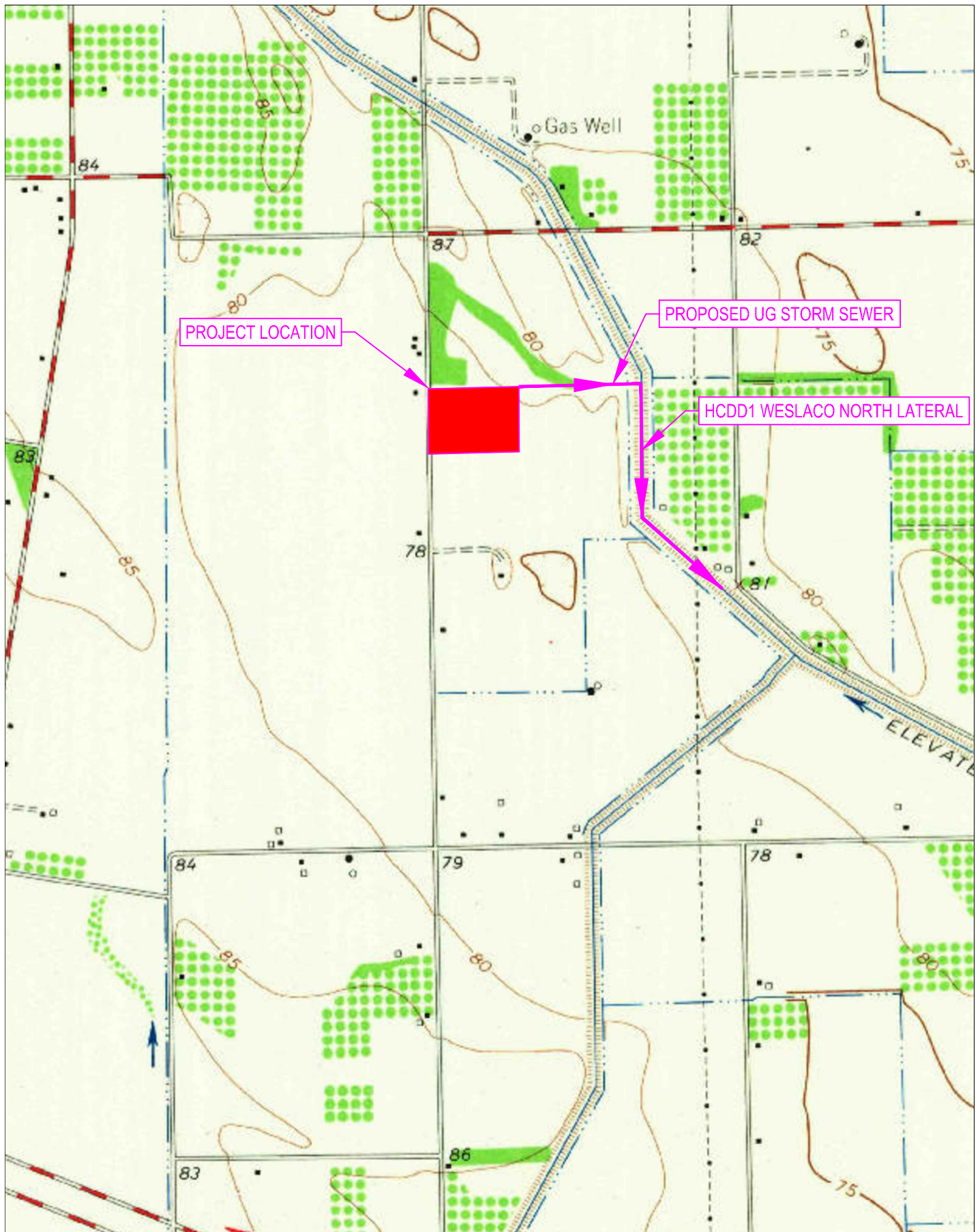
PROJECT LOCATION MAP

NOT TO SCALE

AVANTI AT SIENNA PALMS LEGACY



USGS TOPOGRAPHICAL MAP WITH RUNOFF PATTERN





APPROXIMATE SCALE

2000
0



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

HIDALGO COUNTY,
TEXAS
(UNINCORPORATED AREAS)

(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
480334 0450 C

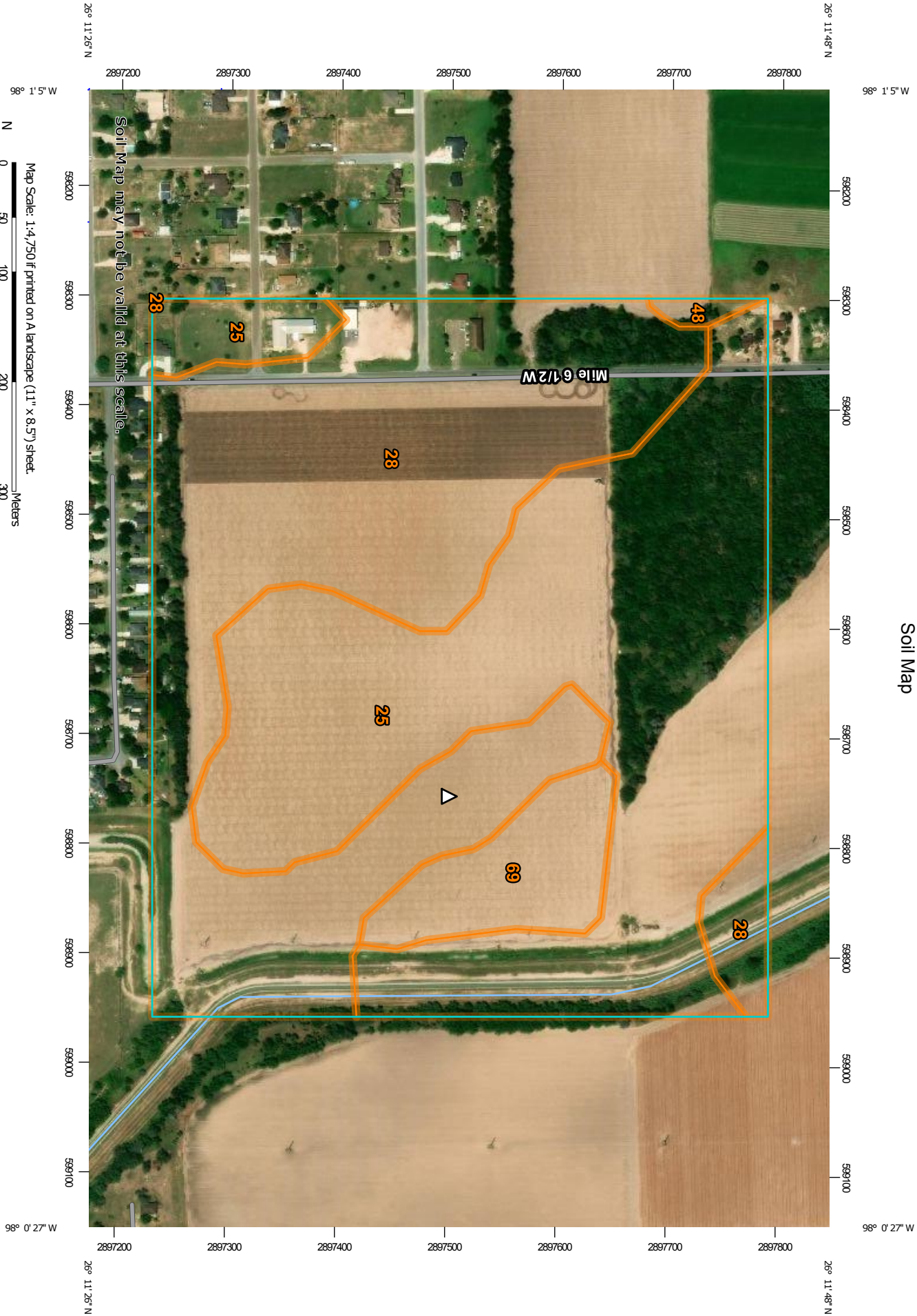
MAP REVISED:
JUNE 6, 2000



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.nsc.fema.gov

Custom Soil Resource Report
Soil Map



MAP LEGEND

	Area of Interest (AOI)		Spoil Area
	Area of Interest (AOI)		Stony Spot
Soils			Very Stony Spot
	Soil Map Unit Polygons		Wet Spot
	Soil Map Unit Lines		Other
	Soil Map Unit Points		Special Line Features
Special Point Features		Water Features	
	Blowout		Streams and Canals
	Borrow Pit	Transportation	
	Clay Spot		Rails
	Closed Depression		Interstate Highways
	Gravel Pit		US Routes
	Gravelly Spot		Major Roads
	Landfill		Local Roads
	Lava Flow		Background
	Marsh or swamp		Aerial Photography
	Mine or Quarry		
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Hidalgo County, Texas
Survey Area Data: Version 17, Sep 15, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 20, 2015—Nov 5, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hidalgo County, Texas

25—Hidalgo fine sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2sxn
Elevation: 20 to 500 feet
Mean annual precipitation: 20 to 27 inches
Mean annual air temperature: 72 to 74 degrees F
Frost-free period: 300 to 365 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Hidalgo and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hidalgo

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Calcareous loamy alluvium

Typical profile

Ap - 0 to 17 inches: fine sandy loam
Bk1 - 17 to 28 inches: sandy clay loam
Bk2 - 28 to 38 inches: clay loam
Ck - 38 to 80 inches: clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 35 percent
Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 10.0
Available water storage in profile: Moderate (about 7.8 inches)

Interpretive groups

Land capability classification (irrigated): 2s
Land capability classification (nonirrigated): 2s
Hydrologic Soil Group: B
Ecological site: Gray Sandy Loam (R083DY019TX)
Hydric soil rating: No

Minor Components

Willacy

Percent of map unit: 10 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Brennan

Percent of map unit: 5 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Sandy Loam (R083EY023TX)
Hydric soil rating: No

28—Hidalgo sandy clay loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2sxvl
Elevation: 20 to 500 feet
Mean annual precipitation: 20 to 27 inches
Mean annual air temperature: 72 to 74 degrees F
Frost-free period: 300 to 365 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Hidalgo and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hidalgo

Setting

Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Calcareous loamy alluvium

Typical profile

Ap - 0 to 17 inches: sandy clay loam
Bk1 - 17 to 28 inches: sandy clay loam
Bk2 - 28 to 38 inches: clay loam
Ck - 38 to 80 inches: clay loam

Custom Soil Resource Report

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 35 percent
Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 10.0
Available water storage in profile: Moderate (about 7.8 inches)

Interpretive groups

Land capability classification (irrigated): 1
Land capability classification (nonirrigated): 2c
Hydrologic Soil Group: B
Ecological site: Gray Sandy Loam (R083DY019TX)
Hydric soil rating: No

Minor Components

Raymondville

Percent of map unit: 7 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Clay Loam (R083DY025TX)
Hydric soil rating: No

Racombes

Percent of map unit: 6 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: Clay Loam (R083DY025TX)
Hydric soil rating: No

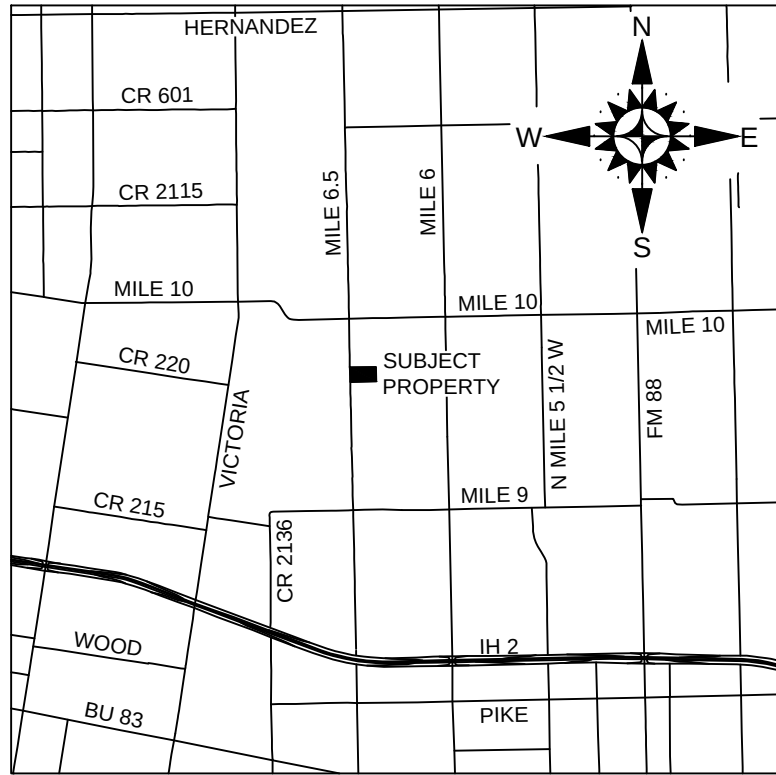
Willacy

Percent of map unit: 2 percent
Landform: Terraces
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: No

Custom Soil Resource Report

Absence of an entry indicates that the data were not estimated. The asterisk "*" denotes the representative texture; other possible textures follow the dash. The criteria for determining the hydrologic soil group for individual soil components is found in the National Engineering Handbook, Chapter 7 issued May 2007(<http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757.wba>). Three values are provided to identify the expected Low (L), Representative Value (R), and High (H).

Engineering Properties—Hidalgo County, Texas														
Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Pct Fragments		Percentage passing sieve number—				Liquid limit	Plasticity index
					Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
			<i>In</i>				<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>
25—Hidalgo fine sandy loam, 0 to 1 percent slopes														
Hidalgo	85	B	0-17	Fine sandy loam	CL, SM, SC-SM, SC	A-4, A-2-4	0-0-0	0-0-0	100-100-100	94-96-100	84-94-100	35-47-56	15-23-25	1-7-8
			17-28	Sandy clay loam, clay loam	CL, SC	A-6, A-7-6	0-0-0	0-0-0	100-100-100	94-98-100	85-96-100	50-60-75	30-35-44	11-17-22
			28-38	Clay loam, sandy clay loam	CL, SC	A-6, A-7-6	0-0-0	0-0-0	95-97-100	91-94-100	81-93-100	54-68-81	30-38-44	11-17-22
			38-80	Clay loam, sandy clay loam	CL, SC	A-6, A-7-6	0-0-0	0-0-0	96-97-100	91-95-100	82-94-100	57-72-84	30-38-44	11-17-22
28—Hidalgo sandy clay loam, 0 to 1 percent slopes														
Hidalgo	85	B	0-17	Sandy clay loam	CL, SC	A-6	0-0-0	0-0-0	100-100-100	95-98-100	86-96-100	44-54-63	25-30-39	11-15-18
			17-28	Sandy clay loam, clay loam	CL, SC	A-6, A-7-6	0-0-0	0-0-0	100-100-100	94-98-100	85-96-100	50-60-75	30-35-44	11-17-22
			28-38	Clay loam, sandy clay loam	CL, SC	A-6, A-7-6	0-0-0	0-0-0	95-97-100	91-94-100	81-93-100	54-68-81	30-38-44	11-17-22
			38-80	Sandy clay loam, clay loam	CL, SC	A-6, A-7-6	0-0-0	0-0-0	96-97-100	91-95-100	82-94-100	57-72-84	30-38-44	11-17-22



LEGEND

—V-B—V-B— 8-INCH WATER LINE
—O-E—O-E— OVERHEAD ELECTRIC LINE
—C—C— UTILITY POLE
—G—G— GUY WIRE
—W—W— WATER VALVE

METES AND BOUNDS DESCRIPTION

BEING a 6.50 acre tract of land situated in the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, Hidalgo County, Texas, being a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant, as recorded in Volume 2, Pages 34-37, of the Map Records of Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the common west corner of said Farm Tract 214 and Farm Tract 215 (Y = 16,596,510.42; X = 1,143,135.43), being in the east line of Farm Tract 216 and being in the centerline of a N Mile 6 1/2 (an apparent 40-foot right-of-way);

THENCE North 88°57'47" East, along the common line of said Farm Tracts 214 and 215, passing a concrete monument set at a distance of 40.00 feet and continuing a total distance of 707.85 feet to a concrete monument set;

THENCE South 01°12'25" East, a distance of 400.00 feet to a concrete monument set;

THENCE South 88°57'47" West, passing a concrete monument set at a distance of 667.85 feet and continuing a total distance of 707.85 feet to a point in the aforesaid centerline of N Mile 6 1/2 and being the west line of said Farm Tract 214;

THENCE North 01°12'25" West, along said centerline and west line, a distance of 400.00 feet to the **POINT OF BEGINNING** and containing 6.50 acres (263,140 square feet) of land.

ENGINEER'S CERTIFICATION

State of Texas
County of _____

I, the undersigned, a registered professional engineer in the State of Texas, hereby certify that proper engineering consideration has been given to this plat.

This the _____ day of _____, 2019.

T. Craig Carney
Registered Professional Engineer No. 55714

State of Texas
County of Nueces

I, Allen W. Kerley, a Registered Professional Land Surveyor for Frontier Surveying Company, have prepared the foregoing map from a survey made on the ground under my direction and is true and correct to the best of my knowledge, information and belief. I have been engaged under contract to set all Lot and Block corners as shown herein and to complete such operations with due and reasonable diligence consistent with sound professional practice.

This the _____ day of _____, 2019

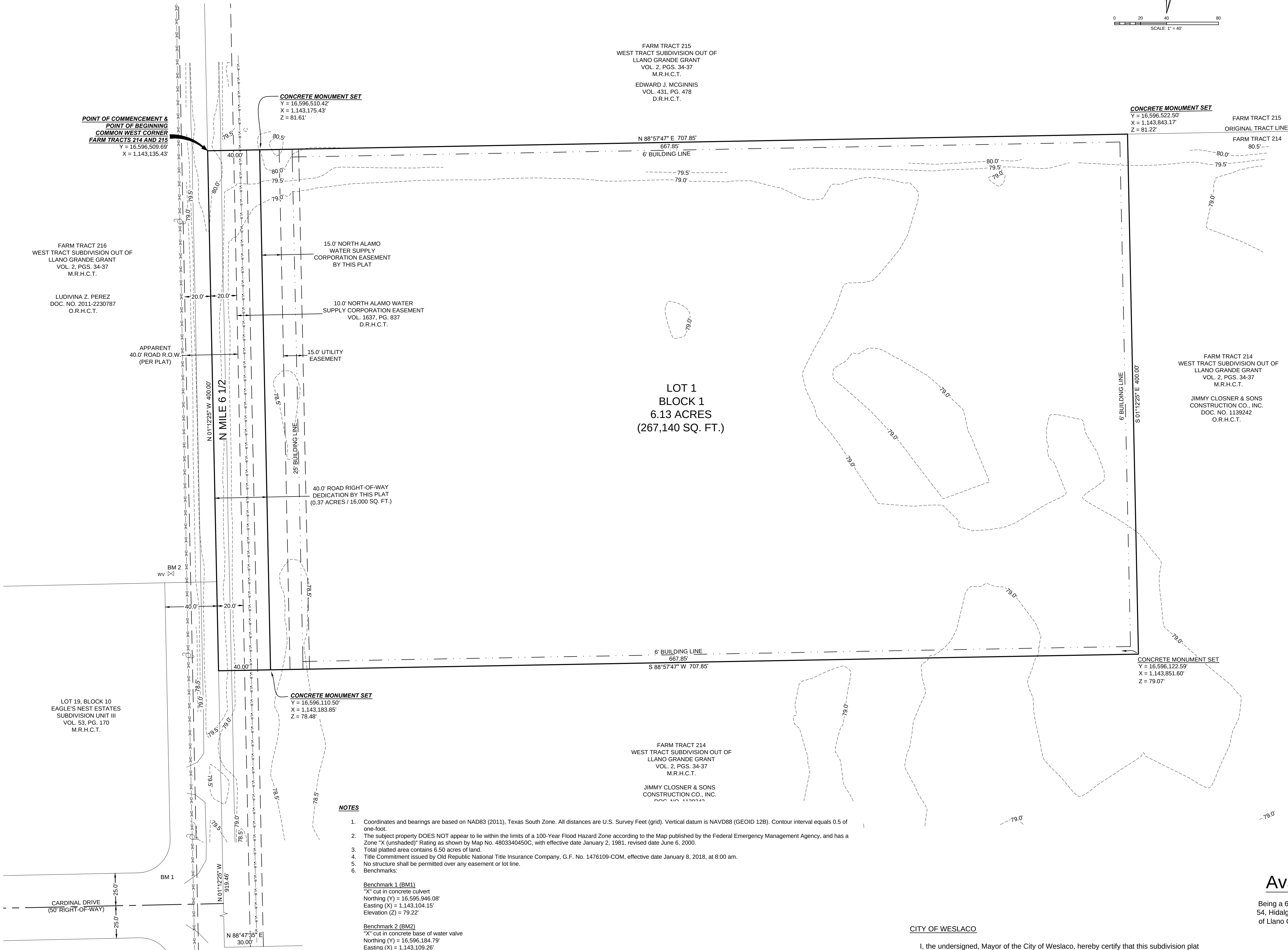
PRELIMINARY
THIS DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE.

PRINCIPAL CONTACTS

Owner: Jimmy Closner & Sons Construction Co., Inc.
Surveyor: Allen W. Kerley, Frontier Surveying Company
Engineer: T. Craig Carney, Carney Engineering, PLLC

P.O. Box 170, Mercedes, TX 78570
710 Buffalo St, Suite 700, Corpus Christi, TX 78401
5700 Granite Parkway, Suite 200, Plano, TX 75024

PH: (361) 881-8044
PH: (361) 881-8044
PH: (469) 443-0861



NOTES

- Coordinates and bearings are based on NAD83 (2011), Texas South Zone. All distances are U.S. Survey Feet (grid). Vertical datum is NAVD88 (GEOID 12B). Contour interval equals 0.5 of one-foot.
- The subject property DOES NOT appear to lie within the limits of a 100-Year Flood Hazard Zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "X" (unshaded) Rating as shown by Map No. 4803340450C, with effective date January 2, 1981, revised date June 6, 2000.
- Total platted area contains 6.50 acres of land.
- Title Commitment issued by Old Republic National Title Insurance Company, G.F. No. 1476109-COM, effective date January 8, 2018, at 8:00 am.
- No structure shall be permitted over any easement or lot line.
- Benchmarks:
Benchmark 1 (BM1)
"X" cut in concrete culvert
Northing (Y) = 16,595,846.08'
Easting (X) = 1,143,104.15'
Elevation (Z) = 79.22'
Benchmark 2 (BM2)
"X" cut in concrete base of water valve
Northing (Y) = 16,596,184.79'
Easting (X) = 1,143,109.26'
Elevation (Z) = 83.19'
- The subject property lies within Hidalgo & Cameron Counties Irrigation District 9.
- Drainage detention required for this Lot is 54,967 C.F. The developer shall be responsible for detaining and accommodating more than the detained volume shown on this plat if it is determined, at the permit stage, that the detention requirements are greater than the hydraulic calculations for this subdivision. Proposed detention areas shall be maintained by individual lot owners.
- A five (5.0) foot sidewalk, with ADA ramps, is required along east side N Mile 6 1/2 road during subdivision construction (at building permit stage).
- A separate permit is required for sidewalks during building permit stage for commercial and residential areas.
- Erosion and sedimentation control during construction shall be in accordance with current T.P.D.E.S. guidelines.
- Minimum finish floor shall be 18" above top of curb or Base Flood Elevation, whichever is greater.
- Site plan is required prior to issuance of building permit for commercial developments.
- All common access, parking and landscaping areas will be maintained by the lot owners.
- Street light must be located every 300 feet.
- Landscaping is required per city ordinance.
- Minimum Building Setback lines shall be as follows:
Front: 20 feet
Rear: 15 feet
Side: Each side of a building of not less than ten percent of the width of the lot, but such side yard shall not be less than 5 feet.

CITY OF WESLACO

I, the undersigned, Mayor of the City of Weslaco, hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

Mayor

Attest: City Secretary

OWNER'S DEDICATION, CERTIFICATION AND ATTESTATION:

State of Texas
County of Hidalgo

Jimmy Closner & Sons Construction Co., Inc., owner of the 6.50 acre tract of land encompassed within the proposed **Avanti at Sienna Palms Legacy**, hereby subdivide the land as depicted in this subdivision plat and dedicated to public use the streets, and easements shown herein.

David R. Closner
President

Date

State of Texas
County of Hidalgo

Before me, the undersigned authority, on this day personally appeared **David R. Closner, as President of Jimmy Closner & Sons Construction Co., Inc.** known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for purposes and considerations therein stated.

Given under my hand and seal of office this _____ day of _____, 2019.

Notary Public

County, Texas

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESETS, that the undersigned owners of the property shown on this plat, their successors, assigns and transferees (hereinafter called "Grantor" whether one or more persons are named), in consideration of on dollar (\$1.00) and other good and valuable consideration paid by North Alamo Water Supply Corporation, (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors, and assigns, an perpetual easement with the right to erect, construct, install, lay and thereafter use, operate, inspect, repair, maintain, replace, and remove water distribution lines and appurtenances over and across the lands shown on this plat, together with the right of ingress and egress over Grantor's adjacent lands for the purpose for which the above mentioned rights are granted. The easement hereby granted shall not exceed 15-feet in width, and Grantee is hereby authorized to designate the course of the easement herein conveyed except that when the pipeline(s) are installed, the easement herein granted shall be limited to a strip of land 15-feet in width, the center line thereof being the pipeline installed.

In the event the easement hereby granted abuts on a public road and the city, county or state hereafter widens or relocates the public road so as to require the relocation of this water line as installed, Grantor further grants to Grantee an addition easement over and across the land shown on this plat for the purpose of laterally relocating said water line as may be necessary to clear the road improvements, which easement hereby granted shall be limited to a strip of land 15-feet in width, the center line thereof being the pipeline as relocated.

The consideration recited herein shall constitute payment in full for all damages sustained by Grantor by reason of the installation, maintenance, repair, replacement and relocation of the structures referred to herein. This agreement together with other provisions of this grant shall constitute an easement for the benefit of the Grantee, its successors and assigns. The Grantor covenants that it is the owner of the above-described lands and that said lands are free and clear of all encumbrances and liens except the following:

The easement conveyed herein was obtained or improved through Federal financial assistance. This easement is subject to the provisions of Title VI of the Civil Rights Act of 1964 and the regulations issued pursuant thereto for so long as the easement continues to be used for the same or similar purpose for which financial assistance was extended or for so long as the Grantee owns it, whichever is longer.

IN WITNESS WHEREOF the said Grantor executed this instrument this _____ day of _____, 2019.

David R. Closner
President

Jimmy Closner & Sons Construction Co., Inc.

State of Texas
County of Hidalgo

I, _____, Administrator/Director of Planning and Zoning Department of the City of Weslaco, Texas do hereby certify this minor subdivision plat known as **Avanti at Sienna Palms Legacy** conforms to all subdivision requirements of this City wherein my approval is required and has been approved for recording on this the _____ day of _____, 2019 with the County Clerk of Hidalgo County, Texas.

Administrator/Planning and Zoning Department Director

HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 CERTIFICATION

State of Texas
County of Hidalgo

Hidalgo County Drainage District No. 1 hereby certifies that the drainage plans for this subdivision comply with the minimum standards of the district adopted under Texas Water Code 49.211(c). The District has not reviewed and does not certify that the drainage structures described are appropriate for the specific subdivision, based on generally accepted engineering criteria. It is the responsibility of the Developer and his Engineer to make these determinations.

Hidalgo County Drainage District No. 1

Raul E. Sesin, P.E., C.F.M.
General Manager

Date

HIDALGO AND CAMERON COUNTY IRRIGATION DISTRICT NO. 9 CERTIFICATION

This Plat is approved by the Hidalgo and Cameron Counties Irrigation District No. 9m dated this day of _____, 2019.

- No improvements of any kind shall be placed upon Hidalgo and Cameron Counties Irrigation District No. 9 right-of-ways and/or easements without the expressed written permission of HCCID #9.
- It is understood that the rate of flow of storm water for the development will be no greater than the rate of flow of storm water when the land was in agricultural use.
- HCCID #9 will not be responsible for the storm/drainage water system to any lot within this subdivision. As well, HCCID #9 will not be responsible for the delivery of water to any lot within this subdivision. If desired, this will not be at the districts expense.
- HCCID #9 has not reviewed and does not certify that the storm sewer or utilities systems described are appropriate for the particularly subdivision, based on generally accepted engineering criteria. The developer and his engineer are responsible for their determinations.

President

Attest
Secretary

Subdivision For Avanti at Sienna Palms Legacy

Being a 6.50 acre tract of land situated in the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, Hidalgo County, Texas, being a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant, as recorded in Volume 2, Pages 34-37, of the Map Records of Hidalgo County, Texas

On: _____ At: _____ AM / PM

Instrument Number
of the Map Records of Hidalgo County, Texas

By: _____
Deputy

PLAT DATE: 1/24/2019

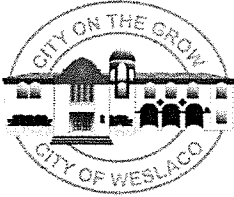
G:\Projects\2019\1801009 - Avanti - Avanti at Sienna Palms Legacy - Hidalgo\DWG\1801009 Plat.dwg



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2296	
From: Joe Pedraza			
Subject: Discussion and consideration to approve Ordinance 2019-12 for the voluntary annexation of the Avanti At Sienna Palms Legacy - being a 7.9 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas located on the East Side of Mile 6 ½ W. ¼ mile south of Mile 10 N. First Reading of Ordinance 2019-12. Possible action. (Staffed by Planning and Code Enforcement Department).			
Background: The property is within a Flood Zone "X". The proposed one (1) lot subdivision is outside city limits. This subdivision is being serviced with water by North Alamo Water Supply Company through an 8" waterline and sewer by city of Weslaco through a 6" sewer line. The proposed property will be for an 114 unit elderly apartment complex.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation): Planning and Zoning recommended approval of the voluntary annexation on March 6, 2019.			
Kayla Arevalo Joe Pedraza Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approved.			
Staff Recommendation: Staff recommends approval			
Attachments, if any: sienna palms - attachments, Sienna Palms, O2019-12 Avanti Sienna Palmas Legacy annexation			
Responsibilities upon Approval:			

Staff will notify applicant.



APPLICATION FOR VOLUNTARY ANNEXATION

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. AUX 19-000d

GENERAL INFORMATION

Name of Subdivision: Avanti at Sienna Palms Legacy

Location: East side Mile 6 1/2 W, 1/4 mile south of Mile 10 N / 3520 N Milanos Rd

Legal Description: 6.5 acres out of the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, being a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant

Yes Petition for annexation signed and notarized by property owners.
Yes Detailed dimensioned site plan/map must be submitted with this request.
Yes Survey and metes and bounds.
Yes City and school tax receipts attached.

OWNER INFORMATION

Owner's Name: Jimmy Closner & Sons Construction Co., Inc. Telephone: (956) 565-2688

Address: PO Box 170 Fax: _____

City: Mercedes State: TX Zip: 78570 E-mail: bclosner@jimmyclosner.com

ENGINEER INFORMATION

Name: T. Craig Carney Telephone: 469-443-0861

Address: 5700 Granite Parkway, Suite 200 Fax: _____

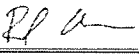
City: Plano State: TX Zip: 75024 E-mail: Craig@eng-firm.com

AUTHORIZATION AND ACKNOWLEDGEMENTS

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); and the following person listed below is my authorized agent to act on my behalf.

I certify that the above information is correct and complete to the best of my knowledge. I understand that I must comply with all applicable local, state, and federal regulations.

Owner Printed Name: Robert Closner

Owner Signature:  Date: 1/17/19

_____ is the authorized agent

Authorized Agent Signature: _____ Date: _____

Authorized Agent Printed Name: _____

THIS PAGE FOR STAFF USE ONLY

Date Received: _____ Received By: _____

Staff Review Date: _____

P & Z Commission Approval: _____

City Commission Approval on First Reading: _____

City Commission Approval on Final Reading: _____

LEGEND

- ☒ SET CONCRETE MONUMENT
- ⊕ FOUND RAILROAD SPIKE

EXHIBIT "B"

NOTES

1. Coordinates and bearings are based on NAD83 (2011), Texas South Zone. All distances are U.S. Survey Feet (grid).

FARM TRACT 216
WEST TRACT SUBDIVISION OUT OF
LLANO GRANDE GRANT
VOL. 2, PGS. 34-37
M.R.H.C.T.

N MILE 6 1/2
40.0' ROAD R.O.W.
VOL. 2, PG. 34
M.R.H.C.T.

MILE 10 N ROAD
40.0' ROAD R.O.W.
VOL. 2, PG. 34
M.R.H.C.T.

POINT OF BEGINNING

Y = 16,597,828.55'
X = 1,143,102.93'

FARM TRACT 215
WEST TRACT SUBDIVISION OUT OF
LLANO GRANDE GRANT
VOL. 2, PGS. 34-37
M.R.H.C.T.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 88°35'17" E	20.00'
L2	S 01°24'43" E	1319.39'
L3	N 88°57'47" E	687.85'
L4	S 01°12'25" E	400.00'
L5	S 88°57'47" W	727.85'
L6	N 01°12'25" W	400.00'
L7	N 01°24'43" W	1319.24'
L8	N 88°55'11" E	20.00'

LOT 19, BLOCK 10
EAGLE'S NEST ESTATES
SUBDIVISION UNIT III
VOL. 53, PG. 170
M.R.H.C.T.

EDWARD J. MCGINNIS
VOL. 431, PG. 478
D.R.H.C.T.

7.90 ACRES
(343,911 SQ. FT.)

FARM TRACT 214
WEST TRACT SUBDIVISION OUT OF
LLANO GRANDE GRANT
VOL. 2, PGS. 34-37
M.R.H.C.T.

CARDINAL DRIVE
(50' RIGHT-OF-WAY)

The undersigned hereby certifies that an on the ground survey was conducted under my direction and supervision that meets the minimum requirements set forth by the Texas Board of Professional Land Surveying.



0 150 300 600
SCALE: 1" = 300'

FRONTIER
SURVEYING COMPANY
WWW.FRONTIERSURVEYING.COM
710 BUFFALO ST., SUITE 700
CORPUS CHRISTI, TEXAS 78401
TBPLS FIRM NO. 10082900
PHONE: (361) 881 - 8044



Registered Professional Land Surveyor
Allen W. Kerley, R.P.L.S. No. 5427

BOUNDARY SURVEY

Being a 7.90 acre tract of land situated in the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, Hidalgo County, Texas, being a portion N Mile 6 1/2 Road (a 40-foot wide right-of-way) and a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant, as recorded in Volume 2, Pages 34-37, of the Map Records of Hidalgo County, Texas

Job Number:	1801009	Scale:	1" = 300'
Field Date:	1/3/2019	Checked by:	AWK
Field Tech(s):	DR	Office Tech(s):	CMB
Drawing Date:	2/4/2019	Revision:	



Exhibit “A”

7.90 Acres

Metes and Bounds Description

BEING a 7.90 acre tract of land situated in the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, Hidalgo County, Texas, being a portion N Mile 6 1/2 Road (a 40-foot wide right-of-way) and a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant, as recorded in Volume 2, Pages 34-37, of the Map Records of Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a railroad spike found ($Y = 16,597,828.55'$, $X = 1,143,102.93'$) marking the intersection of the centerlines of said N Mile 6 1/2 Road and Mile 10 N Road (a 40-foot wide right-of-way);

THENCE North $88^{\circ}35'17''$ East, a distance of 20.00 feet to a point on the east line of said N Mile 6 1/2 Road;

THENCE South $01^{\circ}24'43''$ East, along said east line, a distance of 1319.39 feet to a point on the common line of Farm Tracts 214 and 215;

THENCE North $88^{\circ}57'47''$ East, along said common line, passing a concrete monument set at a distance of 20.00 feet and continuing a total distance of 687.85 feet to a concrete monument set;

THENCE South $01^{\circ}12'25''$ East, a distance of 400.00 feet to a concrete monument set;

THENCE South $88^{\circ}57'47''$ West, passing a concrete monument set at a distance of 667.85 feet and continuing a total distance of 727.85 feet to a point on the west line of aforesaid N Mile 6 1/2 Road;

THENCE North $01^{\circ}12'25''$ West, along said west line, a distance of 400.00 feet;

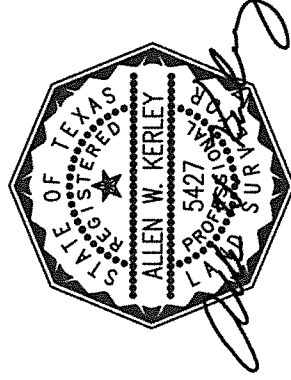
THENCE North $01^{\circ}24'43''$ West, continuing along said west line, a distance of 1319.24 feet;

THENCE North $88^{\circ}55'11''$ East, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 7.90 acres (343,911 square feet) of land.

Coordinates and bearings are based on NAD83 (2011), Texas South Zone.
All distances are U.S. Survey Feet (grid).

Prepared By:

Frontier Surveying Company
710 Buffalo Street, Suite 700
Corpus Christi, TX 78401
Texas Firm Registration No. 10082900



Registered Professional Land Surveyor
Allen W. Kerley, R.P.L.S. No. 5427

Voluntary Annexation

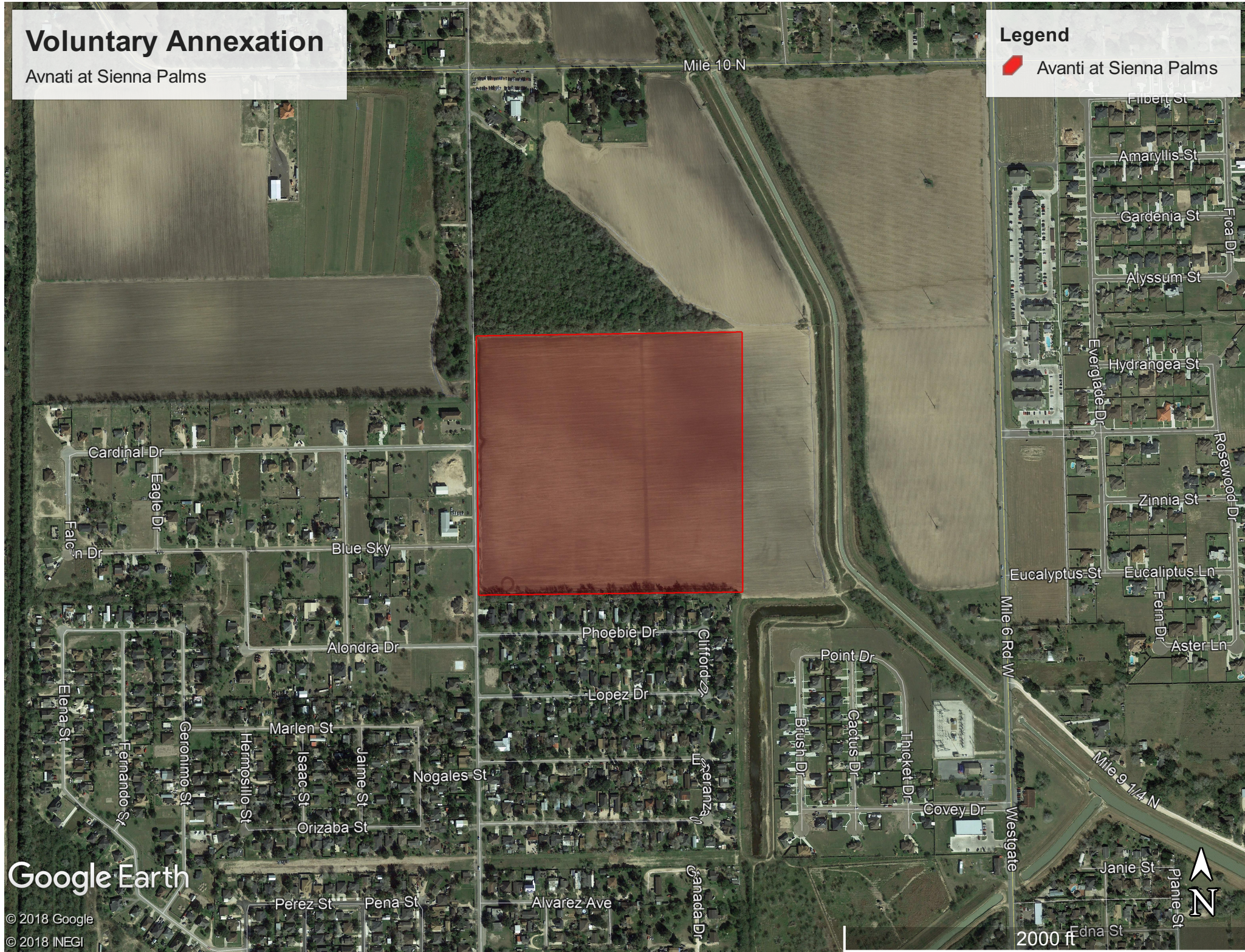
Avnati at Sienna Palms

Legend

 Avnati at Sienna Palms

Google Earth

© 2018 Google
© 2018 INEGI



ORDINANCE NO. 2019-12

AN ORDINANCE ANNEXING ADDITIONAL TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS ON VOLUNTARY PETITION OF AREA LAND OWNER SUCH LAND BEING 7.90 ACRES OF LAND, LOCATED IN HIDALGO COUNTY, TEXAS, WHICH IS CONTIGUOUS TO THE CITY LIMITS AND HEREINAFTER DESCRIBED; AS SHOWN IN THE ATTACHED EXHIBIT; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the City of Weslaco, Texas (the "City"), is a home rule municipality authorized by State law and the City's Charter to annex territory lying adjacent and contiguous to the City;

WHEREAS, the City Council, in compliance with §43.021, *Tex. Local Gov't Code*, instituted proceedings for the annexation of certain property more particularly described herein (the "subject property");

WHEREAS, the subject property hereby annexed is adjacent and contiguous to the present City limits;

WHEREAS, the boundaries of the City are contiguous to the subject property on at least two sides;

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

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. There is hereby annexed on voluntary petition of area landowner as part of the territory within the corporate boundaries of the City of Weslaco the following tract located in Hidalgo County, Texas, that totals to 7.90 acres and are more specifically described as follows, to-wit:

BEING a 7.90 acre tract of land situated in the Juan Jose Ynojosa De Balli Survey, Abstract No. 54, Hidalgo County, Texas, being a portion N Mile 6 1/2 Road (a 40-foot wide right-of-way) and a portion of Farm Tract 214 of the West Tract Subdivision out of Llano Grande Grant, as recorded in Volume 2, Pages 34-37, of the Map Records of Hidalgo County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a railroad spike found (Y = 16,597,828.55', X = 1,143,102.93') marking the intersection of the centerlines of said N Mile 6 1/2 Road and Mile 10 N Road (a 40-foot wide right-of-way);

THENCE North 88°35'17" East, a distance of 20.00 feet to a point on the east line of said N Mile 6 1/2 Road;

THENCE South 01°24'43" East, along said east line, a distance of 1319.39 feet to a point on the common line of Farm Tracts 214 and 215;

THENCE North 88°57'47" East, along said common line, passing a concrete monument set at a

distance of 20.00 feet and continuing a total distance of 687.85 feet to a concrete monument set;

THENCE South 01°12'25" East, a distance of 400.00 feet to a concrete monument set;

THENCE South 88°57'47" West, passing a concrete monument set at a distance of 667.85 feet and continuing a total distance of 727.85 feet to a point on the west line of aforesaid N Mile 6 1/2 Road;

THENCE North 01°12'25" West, along said west line, a distance of 400.00 feet;

THENCE North 01°24'43" West, continuing along said west line, a distance of 1319.24 feet;

THENCE North 88°55'11" East, a distance of 20.00 feet to the POINT OF BEGINNING and containing 7.90 acres (343,911 square feet) of land.

SECTION 3. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Weslaco.

SECTION 4. This ordinance shall be published in one (1) newspaper of general circulation published in Weslaco, once a week for two (2) weeks, after the last reading of the ordinance.

SECTION 5. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Tex. Gov't. Code*.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of March, 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2313
From:		
Subject: Discussion and consideration on request from Weslaco Centennial Committee for use of Old Chamber Offices for Weslaco 100 events and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted:		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Molly Vallejo	Created/Initiated	
Mike Perez	Final Approval	
City Manager Comments: Approve.		
Staff Recommendation:		
Attachments, if any: Request from Weslaco Centennial Committee		
Responsibilities upon Approval:		



Weslaco Centennial Committee

P.O. Box 801, Weslaco, TX 78599

weslaco100@outlook.com

www.weslaco100.org



March 12, 2019

Mike Perez
City Manager
City of Weslaco
255 S Kansas Ave.
Weslaco Texas 78596

Dear Mr Perez:

The Weslaco Centennial Committee is hereby requesting permission from the City to use the old chamber offices for Weslaco 100 events.

Very truly yours,
WESLACO CENTENNIAL COMMITTEE

Mark McCaleb,
Chairman



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2307	
From: Martin Mata, Arnold Becho			
Subject: Discussion and consideration to accept the most advantageous bidder, SmartCom Telephone, as the vendor for internet access services submitted in response to the Library's Request for Proposal within the E-Rate Year 22 cycle (Fiscal Year 2019-2020), and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)			
Background: The Schools and Libraries Program of the Universal Service Fund (E-Rate) makes discounts available to eligible schools and libraries for telecommunication services, internet access, and internal connections. As part of the E-Rate application process RFPs are solicited for various services and evaluated by staff. The City is only responsible for approximately 10% - 20% of cost. The ERate granting agency covers the remainder. Staff evaluated the aforementioned vendor as providing the most advantageous proposal. Possible action. (Staffed by the Library Department)			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission: NA			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: The competitive bidding was open online on the City's website for at least 28 days as required by the School and Libraries Program of the Universal Service Program Fund (E-Rate). 28-Day Waiting Period: Wednesday, January 11, 2019 to Tuesday, February 19, 2019 Bid proposals were open on Wednesday, February 20, 2017 at 10:00 AM.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Weslaco Public Library Board approved SmartCom as the prospective vendor for Internet Access of the E-Rate 2019-2020 within the confines of the School and Libraries Program of the Universal Service Program Fund (E-Rate).			
Martin Mata Arnold Becho Leo Gonzales		Created/Initiated New	

Mike Perez

City Manager Comments:

Approved.

Staff Recommendation:

Staff recommends SmartCom Telephone as the vendor for internet access services.

Attachments, if any:

SMARTCOM 2.20.2019, 3.Bid Summary BAFO, Vendor Evaluations - Internet Access
- Round 2019, Request to Accept Smartcom as the Vendor for Internet Services 2019

Responsibilities upon Approval:

The library and the City Secretary's office will assist the Mayor in executing the contract. The contract will then be implemented by the Library and the IT department.



SMARTCOMTELEPHONE, LLC.

Monday, February 18, 2019

Smartcom Telephone, LLC.
600 Ash Avenue
McAllen, TX 78501
956-687-7070

Homer Rhodes, Purchasing Agent
Finance Department
Weslaco City Hall
255 South Kansas Avenue
Weslaco, Texas 78596-6158

RE: E-Rate Round 22 Funding Year 19, RFP #2018-19-10, E-Rate Internet Access

Mr. Rhodes,

Smartcom Telephone, LLC. is pleased to submit a response to your RFP #2018-19-10.

As we have done in the past, SmartCom will continue to provide excellent service under the E-rate program.

SmartCom has provided pricing for elements of the RFP #2018-19-10 to include Internet Access Services.

Please feel free to call me if you have any questions. My direct line is 956-213-1274. My fax number is 956-213-1203. You can also e-mail me rsanchez@smartcomtelephone.com.

Regards,

Robert Sanchez
K-12 Account Specialist



SMARTCOM TELEPHONE, LLC

MAYOR JOE V. SANCHEZ PUBLIC LIBRARY

**E-Rate Round 22 Funding Year 19
RFP #2018-19-10
E-Rate Internet Access**

**Allowable Contract Date: Wednesday, February 20, 2019
Time: 10:00 AM**

Submitted to:

Homer Rhodes
Purchasing Agent
Finance Department
Weslaco City Hall
255 South Kansas Avenue
Weslaco, Texas 78596-6158

Submitted by:

Robert Sanchez
rsanchez@smartcomtelephone.com
Government and Education Specialist
Smartcom Telephone, LLC
600 Ash Avenue
McAllen, Texas 78501
SPIN# 143020929

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

January 11, 2019

The City of Weslaco is accepting proposals for:

Mayor Joe V. Sanchez Public Library

Internet Access

Request for Proposal #2018-19-10 E-Rate Internet Access

Timeline:

- **Form 470/RFP posted in EPC:** January 11, 2019
- **Deadline to submit Questions:** January 18, 2019
- **Questions and Answers posted in EPC:** January 21, 2019
- **Last date to submit bids:** February 20, 2019

Objectives of this RFP

The City of Weslaco Public Library invites prospective vendors to submit a proposal to enhance and maintain current Internet Access and supply automated services within the confines of the Schools and Libraries Program of the Universal Service Fund guidelines (E-rate).

We intend to provide an equitable, level and fair format for submission and evaluation of proposals, in accordance with applicable E-rate guidelines and procedures. This Request for Proposal (RFP) provides the relevant background and capacity of desired operational specifications and requirements, and the evaluation factors we will use to select the successful vendor. There is no Texas Department of Information Resources (DIR) requirement for consideration. Prospective vendors do not need to be DIR contracted or DIR vendors to have their proposal considered.

The term of any accepted proposal shall be one year from the date of implementation, up to a total of four extensions, or as otherwise defined by Universal Service Fund guidelines (E-rate) and may be renewable annually as provided for under E-rate guidelines or consented to by the City of Weslaco City Commission.

This Request for Proposal (RFP) provides potential vendors with the relevant operational, performance, application, and architectural requirements of the system. This RFP specifically request proposals for the successful vendor to provide internet access using the library's existing network hardware, software and fittings, as well as anticipated upgrades. The Mayor Joe V. Sanchez Public Library is requesting proposals to obtain bandwidth at 1 Gigabyte upload and 1 Gigabyte download of unlimited Internet Access. The library reserves the right to consider other options as well. The preferred main location will be located at City of Weslaco Public Library, 525 South Kansas Avenue, Weslaco, Texas 78596.

All vendor-installed equipment shall integrate with current Cisco equipment and software, or reasonably expected upgrades thereto. The vendor shall guarantee full compatibility at peak efficiency, with the equipment in place at the time of installation.

This RFP is funded through the E-Rate program; however, there is no guarantee of E-Rate funding. The award of this RFP by the City of Weslaco Council is not a guarantee of purchase. Decisions to purchase E-Rate eligible items may be dependent upon E-Rate funding and the needs of the City of Weslaco. If no E-Rate funding is provided to the Mayor Joe V. Sanchez Public Library this RFP will be null and void.

Internet Access

Current Internet connectivity equipment contains of a Cisco, and a point-to-point fiber optic connection (500 Megabits per second).

Requirement of: Internet services request per calendar year of fiber-optic or equivalent support of 1 Gigabyte with local dedicated 24/7 technical customer care based in Rio Grande Valley (RGV) - Texas.

General

City of Weslaco Public Library is located at 525 South Kansas Avenue in Weslaco, Texas. It serves a population of 57,000 in the city proper and surrounding areas.

Internet load

The current internet load consists of over 100 computers, which are networked into Cisco equipment and Cisco and/or Dell servers and supporting hardware and software. We are able to provide wireless access greater than 300 wireless devices at one time.

Current telecommunications and data

SmartCom Telephone provides local phone service and long-distance voice services.

Current internet access

The Library currently has 500 Mbps Internet access via fiber optics. The Library is requesting bids for 1 Gbps with this RFP due to the increase in technology and services. Vendor should design, integrate, and test installations systems to Cisco hardware and components at the main location. We wish to keep fiber optic technology as the mode of Internet access.

Right to Reject

The City of Weslaco reserves the right to reject any, all, or portions of responses to this RFP even if all the stated requirements are met. In addition, the City may enter into negotiations with more than one vendor simultaneously and award the transaction to any vendor in negotiations without prior notification to any other vendor. The City reserves the right to select portions of the proposals while rejecting other portions. The Awarding of the proposal will take place at a City Council meeting to be announced at a later date.

Installation Terms

The successful proposal shall provide the following services and requirements at no additional cost above the initial proposal price on equipment or furniture. The proposal should include the cost of installation, transportation of the items to the building, location of the items at their proper location within the building, uncrating, complete assembly, and adjustment by a trained installation mechanic with removal of all debris. Equipment is to be complete including operating/owner's manuals, wiring, and piping. The equipment should be made ready for electrical and/or fluid service connection by the City of Weslaco. After connections, vendors must ready the machine, start up, analyze, and correct any malfunctions of the equipment. Vendors should provide all material equipment and labor to place machinery in top operating conditions and to fully assemble furniture.

Vendor References and Qualifications

Vendors must provide a minimum of five references (public libraries in the RGV are preferred). These references must be for projects that are similar in scope, design, and have been completed by the vendor within the last three years. References that are not positive will be grounds for vendor disqualification. Vendors should provide reference names and phone numbers, and emails of the primary contact person. Vendors must supply the number of employees with maintenance of technical certifications that includes Microsoft and Cisco or equivalent.

The City of Weslaco requires that vendors furnish a certificate of insurance as required by Texas Labor Code 406.096. Coverage must be as follows (minimum amounts):

Worker's Compensation	Statutory Limit
Comprehensive General / Liability Occurrence	\$1,000,000
Bodily Injury Property / Damage Aggregate	\$1,000,000
Comprehensive Auto	\$1,000,000

RFP EVALUATION FACTORS

Instructions to vendors (5 points)

Project Schedule

By allowed date within 28-day window

Thursday, January 11, 2019 to Friday, February 19, 2019

Vendor selection and contract date will be on or after February 20, 2019

Closing Time and Date

Responses to this RFP must be submitted in sealed packages on or before
Wednesday, February 20, 2019 at 10:00 a.m.

Delivery shall be made during normal working hours (Monday-Friday 8:00am to 5:00pm)
unless prior approval has been obtained from Purchasing Agent Finance Department.

Response and Submission

Inquiries and responses shall be sent to:

Homer Rhodes
Purchasing Agent
Weslaco City Hall
Finance Department
255 South Kansas Avenue
Weslaco, Texas 78596-6158
(956) 447-2240
hrhodes@weslacotx.gov

Provide three (3) printed copies on company letterhead and one (1) copy saved on USB flash drive in a PDF format, on company letterhead. Proposals will be accepted Wednesday, February 20, 2019 on or before 10:00 a.m. At which time they will be opened, but not read publicly, at the office of the Purchasing Agent Finance Department. The Proposals will be announced publicly at later City Council Meeting. Vendors are responsible to complete the City of Weslaco Purchasing Vendor Application which is located at City's web site. Proposals are to be hand delivered or mailed to Homer Rhodes, Purchasing Agent Finance Department. Failure to do so will disqualify vendor. Incomplete responses will not be considered.

Questions and Clarification

For questions and clarification regarding the terms of this RFP, please contact:

Martin J. Mata
Assistant Library Director
Mayor Joe V. Sanchez Public Library
(Weslaco Public Library)
525 South Kansas Avenue
Weslaco, Texas 78596-6215
(956) 968-4533
mjmata@weslacopl.us

Questions and clarifications asked by any one vendor shall be made available to all on the City's web site (www.weslacotx.gov) as provided in the Schools and Libraries (E-Rate) Form 470 in the E-rate Productivity Center. Questions arising out of this RFP must be received in writing by emailed copy on company letterhead. Responses to all questions received in proper time frame will be answered in writing and distributed to all vendors known to have picked up the RFP. In order to assure prompt and timely posting of all questions and clarifications, the deadline for submittal shall be by Friday, January 18, 2019 on or before 10:00 a.m.

Proposal Period

The term of this agreement shall commence on July 1, 2019 and shall terminate on June 30, 2020 for recurring services and September 30, 2020 for non-recurring services. The agreement expiration date for non-recurring services shall be automatically extended to align with SLD authorized extensions due to late funding and changes in products and/or services approved after March 1, 2020.

If the Schools and Libraries Division ("SLD"), Administrator of the Universal Services Support Mechanism, or its successor, should fail to approve all of or any part of the services and products covered by this contract, the Applicant shall have the right, at its option, to cancel this contract, as to that part of the services and products disallowed for discount pricing.

If, after approval of discount funding by SLD or its successor, Applicant's governing board should fail to approve all of or any part of the services and products covered by this contract, the Applicant shall have the right, at its option, to cancel this contract as to that part of the services and products disallowed by the governing board.

Response to Questions:

Vendor shall respond to questions as specified by Monday, January 18, 2019 on or before 10:00 a.m.

Vendor Background Questions (20 points)

- 1.) Number of years your company has been in business.
- 2.) Where is your head office, your sales and customer service offices located?
- 3.) Where is your billing office?
- 4.) Number of employees in your company.
- 5.) Number of employees in local (RGV) site (if applicable).
- 6.) Number of employees in customer service.
- 7.) Number of employees with technical certifications.
- 8.) Number of employees in local (RGV) site (if applicable) with technical Certifications.
- 9.) Are your hardware and software dependent on third party vendors for manufacturing?
- 10.) Please list any items from current or anticipated equipment which you will not be able to provide maintenance.

References (5 points)

- 1.) Please provide a minimum of three references (public libraries or education entities in the RGV are preferred). For each reference provide names, address, phone numbers and email of the primary contact person.

Repair / Response Times (10 points)

- 1.) How long will it take for you to have a qualified technician on site? (Response Time) during regular business hours (Monday-Friday 8:00am to 5:00pm)
- 2.) How long will it take for you to have a qualified technician on site outside normal business hours?
- 3.) Please provide a direct number to the person(s) who can provide immediate decisions on pricing and expansion.
- 4.) Please provide a direct number for the person(s) who can immediately facilitate repairs during normal business hours (8:00-5:00 Monday-Friday)
- 5.) Please provide a direct number for the person(s) who can immediately facilitate evening and weekend repairs.

Future Offerings (5 points)

- 1.) What new technology does your company plan to utilize in the near future that would be an advantage to the Mayor Joe V. Sanchez Public Library?
- 2.) What is the most significant factor affecting the future success of your company and what is being planned to address it?

Market Differentiation (10 points)

- 1.) Provide a brief summary of your company's history in the marketplace. Limit response to 2 pages.
- 2.) Please describe any features, services, or practices you provide in relation to the products requested which set you apart from your competition.
- 3.) Identify other Public Libraries or education entities in the Rio Grande Valley for whom your company has provided similar service. Specify the services provided.
- 4.) Please describe how you charge for onsite visits. Specify whether you charge a minimum number of hours per onsite visit, and if so how many, or whether you charge for the actual hours devoted to a project.
- 5.) Please provide your company's mission and/or vision statement.

Proposal and Pricing (45 points)

Price of the eligible goods and services shall be the heaviest weighted criteria.

Service or function	Quantity and/or Capacity:	Monthly Recurring Costs	One-Time Charge
Transport and Internet access via fiber	1 Gbps	\$ 1,199.00	\$ 0.00
Optional 36 Month Term	1Gbps	\$999.00	\$0.00

Any additional cost, such as instillation, assembly, etc. should be included in the above price. Vendor should provide an exhaustive list of all associated cost within their proposals. Avoiding hidden or unforeseen cost is of the utmost importance. There is no Texas Department of Information Resources (DIR) requirement for consideration. Prospective vendors do not need to be DIR contracted or DIR vendors to have their proposal considered.

Please fill out, sign and submit with your proposal response the enclosed IRS Form W-9 and Vendor Background Questionnaire.

Vendor Background Questions (20 points)

1.) Number of years your company has been in business.

Smartcom Telephone has been in business for 20+ years.

2.) Where is your head office, your sales and customer service offices located?

Smartcom is a local company based here in McAllen, Texas. We have telecommunication facilities collocated in central offices in most Valley cities, including Laredo, Corpus Christi, and Weslaco Texas. Our customer service offices are also located in McAllen, Texas

3.) Where is your billing office?

Smartcom billing offices are in McAllen, Texas

4.) Number of employees in your company.

Smartcom currently staffs 30+ employees

5.) Number of employees in local (RGV) site (if applicable).

Smartcom currently staffs 30+ employees

6.) Number of employees in customer service.

There are 8 staff members that assigned to customer services

7.) Number of employees with technical certifications.

There 6 employees with technical certifications

8.) Number of employees in local (RGV) site (if applicable) with technical Certifications.

There 5 employees with technical certifications

9.) Are your hardware and software dependent on third party vendors for manufacturing?

N/A

10.) Please list any items from current or anticipated equipment which you will not be able to provide maintenance.

N/A: All Smartcom owned equipment can be maintained by Smartcom Tech support

References (5 points)

- 1.) Please provide a minimum of three references (public libraries or education entities in the RGV are preferred). For each reference provide names, address, phone numbers and email of the primary contact person.

See References Tab

Repair / Response Times (10 points)

- 1.) How long will it take for you to have a qualified technician on site? (Response Time) during regular business hours (M-F 8:00-5:00)

Our network is monitored 24-hours a day by both personnel on-site as well as remote notification to key personnel in the event of network alarms. Average response time during working hours for customer inquiries by phone is less than 3 minutes. E-mail is generally within one hour. Smartcom services level agreement response time onsite is within four (4) hours. See Internet SLA included in this RFP response.

- 2.) How long will it take for you to have a qualified technician on site outside normal business hours?

Smartcom response time onsite is within four (4) hours for critical systems regardless of extended hours. Non-critical systems, Smartcom response time is within four (4) hours next business day

- 3.) Please provide a direct number to the person(s) who can provide immediate decisions on pricing and expansion.

Alan Yoder: 956-213-1130

- 4.) Please provide a direct number for the person(s) who can immediately facilitate repairs during normal business hours (8:00-5:00 Monday-Friday)

Steve Moghadam: 956-213-1132
Howard Hawbaker: 956-213-1165
Robert Sanchez: 956-213-1274

- 5.) Please provide a direct number for the person(s) who can immediately facilitate evening and weekend repairs.

Smartcom support line 956-687-7070

Future Offerings (5 points)

- 1.) What new technology does your company plan to utilize in the near future that would be an advantage to the Mayor Joe V. Sanchez Public Library?

Smartcom is in the early deployment stages of a Gigabit Passive Optical Network ("G-PON") in Hidalgo County. In some areas, this will allow for direct fiber service to the business ("FTTB") and Active Ethernet in some areas. In others, it will facility fiber to the node service using copper for the last-mile transport. Either method allows for significantly higher bandwidth than is currently available to users in the Valley area. This is the same technology used for AT&T's "U-Verse" and Verizon's "FIOS" services, neither of which is yet available in the Valley.

Currently Smartcom has increased its presence from East to Western USA. We currently peer with three IXP points in the USA. See Fiber Route Diversity included in the Smartcom Information Tab in this RFP response.

2.) What is the most significant factor affecting the future success of your company and what is being planned to address it?

Texas and the Valley have not suffered the effects of the economic recession that have greatly affected the remainder of the country. However, the belt-tightening that have been required by many business and organizations have caused many managers to take a second look at Smartcom when they may not have seriously considered us before. Smartcom offers local service, local management and local ownership. From the entry-level employee to the CEO, all personnel are based right here in the Valley. This gives us a unique perspective on what goods and services the market needs. Further, Smartcom tries always to keep an eye to "what's next" in terms of products and services. Obviously, deployments of new services are directly tied to the return we can achieve on our investment. However, knowing the area and staying on the cutting-edge of technology allows us to be the proverbial "first kid on the block" to offer them.

Market Differentiation (10 points)

1.) Provide a brief summary of your company's history in the marketplace. Limit response to 2 pages.

Our competitors have been known to tell our customers that we merely resell their services. This is absolutely not true. While we have an excellent working relationship with both AT&T and Verizon and work with these companies to deliver our services to your home or business, Smartcom operates its very own state-of-the-art Class V switching systems and fiber-optic networks to connect you to the world!

Smartcom Telephone, LLC is a privately-held Competitive Local Exchange Carrier ("CLEC") based in McAllen, Texas. We were formed in 1999, but our owners, the Yoder family, have been in business in the Valley since the early 1900's. This gives them a unique insight into how the Valley has grown and will continue to grow. Other than being a truly **local** company, what sets Smartcom apart from other providers is that our family of related companies were high-volume telephone *users* long before we became a phone *company*. We remember what it was like to be the customer and even more importantly we remember what we didn't like about doing business with other phone companies! We've made it our mission not to be like the "other guys" in that we try to adapt to our customers' needs, rather than our customers adapting to us. Our sales personnel are trained to look for ways for you, our customer, to save money. Simply put, if you don't need it, we'd rather not sell it to you!

Because we'd rather spend our money on building and improving our networks instead of advertising, we like to joke that we're the best-kept-secret in phone companies for South Texas. Fortunately, our customers are known for doing our advertising for us. The majority of our business comes from referrals made by our existing customers. We're glad to know we're keeping these folks happy enough to spread the news!

Smartcom provide telephone, internet access and Ethernet Private Lines (EPL) services for more than 40 municipal government and school districts in the Valley, plus we provide thousands of phone/PRI lines for other commercial customer, both big and small. We've proven to our customers many times that we have the experience and capabilities to provide for the telephone and internet service needs. We'd like to keep your entity in our current ever-growing list of customers.

2.) Please describe any features, services, or practices you provide in relation to the products requested which set you apart from your competition.

As stated previously, Smartcom's main "claim-to-fame" is that we're located right here in the Valley. We know the people, we know the business and we know the technology that people need. We've been asked before why it is that Smartcom can provide services that the big companies can't. The answer to that is simple: There really isn't much of anything that Smartcom can provide that the others can't....however we provide services that they don't. There is a difference. One of the reasons we've been so successful is that we try to adapt our services to the customer's needs...not the other way around. To our customers we're more than just their service provider...we're their friend. We like it that way.

- 3.) Identify other Public Libraries in the Rio Grande Valley for whom your company has provided similar service. Specify the services provided.

See References Tab for a list of references to contact.

- 4.) Please describe how you charge for onsite visits. Specify whether you charge a minimum number of hours per onsite visit, and if so how many, or whether you charge for the actual hours devoted to a project.

For the services quoted on this RFP all labor and installation is included. Smartcom rates are \$85.00 per hour one hour minimum with travel included for surrounding cities.

- 5.) Please provide your company's mission and/or vision statement.

Mission and Vision Statement

About Us

Smartcom Telephone, LLC is the South Texas Competitive provider of Telephone and Internet services to Schools, Libraries, Colleges and Business. Smartcom leverages local, and private partnerships to provide world-class broadband and telephony connectivity to institutions that enrich lives. Smartcom's high performance optical network meets the mission-critical needs of Texas's education, health care, business and public service communities. Serving the diverse set of education needs and the private sector of South Texas, Smartcom has developed and operates a backbone with a 100Gbps infrastructure serving some of the largest entities in South Texas.

Mission

Smartcom Telephone, LLC mission is to provide superior quality communications services across Texas that: Technology Leaders recommend to their customers and friends, Customers prefer for their critical success, Purchasers choose for their organizations, and Employees are proud of.

Vision

Smartcom will strive to be the South Texas Communications Provider of choice. We will

offer the most technological advanced solutions at the very best value proposition possible and follow it up with exceptional customer service as we help our customers be successful.

(SUBMIT WITH CURRENT W9 FORM)

Company Name: Smartcom Telephone, LLC.	Telephone No.() 956-687-7070
Mailing Address: P.O. Box 3097, McAllen, Texas 78502	Fax No. () 956-213-1203
Physical Address: 600 Ash Avenue	
City, State, Zip McAllen, Texas 78501	Federal Tax I.D. # or Social Security # 74-2897310
Remit to Address: Same	City, State, Zip
E-Mail Address: ayoder@smartcomtelephone.com	
Representative(s) Names(s) & Titles(s) Robert Sanchez, K12 Public Sector Sales	
Type of Organization (check one): ___ Individual ___ Partnership ___ Corporation ___ Non-Profit ___ Sole Proprietor ☒ Other, Specify LLC	
Type of Business (check one): ___ Manufacturer ___ Wholesaler ___ Retailer ___ Distributor ☒ Service Organization ___ Other, Specify	
<u>Name & Title of Person(s) Authorized to Sign Bids, Proposals, and/or Contracts:</u> Alan Yoder, Member	
What type of product(s) is/are solicited by your company?: Smartcom Specializes in Telecommunications, Phone Systems, ISP Internet Access, and Point to Point Fiber Circuits.	
Would you like to be provided with specifications for procurements of such products?:(☒ Yes () No	
To Be Completed by City of Weslaco: Rec'd by (Purchasing):_____Date Rec'd by (Purchasing):_____	

The City requires that you furnish a certificate of insurance as required by Texas Labor Code 406.096, prior to commencement of any work/service. Coverage must be as follows (minimum amounts):

Worker's Compensation
Comprehensive General Liability
Bodily Injury Property Damage
(Per Occurrence)

Please return this form by mail or email:

Statutory
\$ 1,000,000
\$ 1,000,000

City of Weslaco
Purchasing Office
255 S. Kansas Avenue
Weslaco, Texas 78596
Phone: (956) 447-2240
hrhodes@weslacotx.gov

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

FORM CIQ

OFFICE USE ONLY

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

N/A

2 ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information in this section is being disclosed.

N/A

Name of Officer

This section (item 3 including subparts A, B, C, & D) must be completed for each officer with whom the vendor has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☒ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☒ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more?

☐ Yes ☒ No

D. Describe each employment or business and family relationship with the local government officer named in this section.

4



Signature of vendor doing business with the governmental entity

02/18/2019

Date

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

Smartcom Telephone, LLC.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► **S**

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ►

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

600 Ash Avenue

6 City, state, and ZIP code

McAllen, Texas 78501

Requester's name and address (optional)

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

____ - ____ - _____

or

Employer identification number

7 4 - 2 8 9 7 3 1 0

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign
Here

Signature of
U.S. person ►

Date ► 02/18/2019

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)

- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

Monday, February 18, 2019

VENDOR PROFILE:

SmartCom Telephone, LLC has been in business for 20+years. We are a local company based here in McAllen, Texas. We have telecommunication facilities collocated in central offices in most Valley cities, including Laredo and Corpus Christi. Our customer service and billing offices are also located in McAllen, Texas. SmartCom currently employs 30+ staff members eight of them which are assigned to customer services.

SmartCom currently provides services to Public Libraries, School Districts, Cities and other business accounts across the valley. Service offering includes Telephone, Hosted VoIP, High Speed circuits [T-1s, PRI's, DS3s, Smart Fiber Circuits 1Gbps-10Gbps, etc.]) See Smartcom Customer List included in this document.

SmartCom Telephone, LLC is certified by the Texas Public Utility Commission as a Competitive Local Exchange Carrier and was issued a Service Provider Certificate of Authority # 60229 on February 19, 1999. SmartCom is fully certified as an E-Rate (USF SLD) telecommunications and Internet service provider (**SPIN 143020929**). SmartCom employees staff with over eighteen (18) years of E-rate experience.

Our network is monitored 24-hours a day by both personnel on-site as well as remote notification to key personnel in the event of network alarms. Average response time during working hours for customer inquiries by phone is less than 3 minutes. E-mail is generally within one hour. SmartCom services level agreement response time onsite is within four (4) hours. SmartCom response time onsite is within four (4) hours for critical systems regardless of extended hours. Non-critical systems, SmartCom response time is within four (4) hours next business day.

Future Offerings:

SmartCom is in the early deployment stages of a Gigabit Passive Optical Network ("G-PON") in Hidalgo County. In some areas, this will allow for direct fiber service to the business ("FTTB") in some areas. In others, it will support facility fiber to the node service using copper for the last-mile transport. Either method allows for significantly higher bandwidth than is currently available to users in the Valley area. This is the same technology used for AT&T's "U-Verse" and Verizon's "FIOS" services, neither of which is yet available in the throughout the Valley.

Texas and the Valley have not suffered the effects of the economic recession that have greatly affected the remainder of the country. However, the belt-tightening that has been required by many business and organizations has caused many managers to take a second look at SmartCom when they may not have seriously considered us before. SmartCom offers local service, local management and local ownership. From the entry-level employee to the CEO, all personnel are based right here in the Valley. This gives us a unique perspective on what goods and services the market needs. Further, SmartCom tries always to keep an eye to "what's next" in terms of products and services. Obviously, deployment of new services is directly tied to the return we can achieve on our investment. However, knowing the area and staying on the cutting-edge of technology allows us to be the proverbial "first kid on the block" to offer them.

Monday, February 18, 2019

Greetings,

Please allow this letter to serve as an introduction to our company. SmartCom Telephone is a leader in internet, data and telephone services in South Texas. Since we do very little advertising, we jokingly refer to ourselves as the best kept secret in service providers! However, our customers have a tendency to not keep it secret when they tell others of the level of service they are enjoying with us! We think you'll find that we have some very satisfied customers here in South Texas. Some of our clients include:

Rio Grande Valley Municipal Governments:

City of McAllen	Telephone and Internet Access Services (all city departments)
City of Harlingen	Telephone, Internet and Data Services (all city departments)
City of Pharr	Telephone, Internet and Data Services (all city departments)
City of Brownsville	Telephone Services (Public Utilities, Housing Authority)
City of Palmview	Internet Services (all city departments)
City of Alton	Telephone and Internet Services (all city departments)
City of Mission	Internet Services
City of Weslaco	Internet and Data Services (all city departments)
City of Edinburg	Telephone and Internet Access and Data Services (City Wide)

Public School Districts & Public Libraries: (E-RATE)

Alice ISD	Data Services (District Wide)
Beeville ISD	Data Services (District Wide)
Brooks ISD	Data Services (District Wide)
Brownsville ISD	Internet and Data Services (District Wide)
Brownsville Public Library	Internet Access Services
Corpus Christi ISD	Internet Services
Donna ISD	Telephone, Internet Access and Data Services (District Wide)
Dustin Michael Sekula Memorial Library	Telephone and Internet Services
Edcouch-Elsa ISD	Telephone, Internet Access and Data Services (District Wide)
Edinburg CISD	Telephone, Internet and Data Services (District Wide)
Elsa Public Library	Internet Access Services
Harlingen ISD	Internet Access Services
Hector P. Garcia Memorial Library	Internet Services
Hidalgo ISD	Telephone, Internet and Data Services (District Wide)
Hidalgo Public Library	Telephone and Internet Access Services
La Feria ISD	Telephone, Internet Access and Data Services (District Wide)
La Joya ISD	Internet Access and Data Services (District Wide)
Laredo ISD	Internet and Data Services and Dark Fiber Services
Laredo United	Internet Access and Data Services (District Wide)
Los Fresnos ISD	Telephone, Internet Access and Data Services (District Wide)
Mathis ISD	Data Services
Mercedes ISD	Internet Access Services
Mid Valley Academy and Gateway Academy	Internet Access and Data Services
Mission CISD	Telephone and Data Services (District Wide)
Monte Alto ISD	Telephone, Internet Access Services
Pharr Memorial Library	Internet Services
Pharr-San Juan-Alamo ISD	Internet Access and Data Services
Port Isabel ISD	Telephone, Internet Access and Data Services (District Wide)
Premont ISD	Data Services (District Wide)
Region One Service Center	Telephone Services
Rio Hondo ISD	Telephone, Internet and Data Services (District Wide)
San Benito ISD	Telephone, Internet and Data Services (District Wide)

P.O. DRAWER 3097 • MCALLEN, TX • 78502-3097

PHONE: 956-687-7070 • TOLL FREE: 888-302-1125 • FAX: 956-213-1247

WWW.SMARTCOMTELEPHONE.COM

SmartCom *The SMART choice in Telephone & Data Services*

Santa Gertrudis ISD	Internet Access Services and Data Services (District Wide)
San Maria ISD	Internet Access Services
Sergeant Fernando De La Rosa Memorial Library	Internet Services
Sharyland ISD	Telephone, Internet and Data Services (District Wide)
South Texas ISD	Telephone, Internet and Data Services (District Wide)
Valley View ISD	Data Services (District Wide)
Vanguard Academy	Telephone Services
Webb CISD	Telephone, Internet Access and Data Services
Weslaco ISD	Telephone Services

Higher Education:	
UTRGV	Telephone and Data Services
Texas A&M	Telephone and Internet Access Services
South Texas College	Data Services

Rio Grande Valley Business Sector:	
AIM Media Texas <i>(The Monitor, Valley Morning Star, Brownsville Herald, Mid-Valley Town Crier, Island Breeze)</i>	Telephone, Internet and Data Services
MedCare EMS	Telephone and Internet Services
Holiday Inn Express <i>(Pharr, South Padre Island, Laredo)</i>	Telephone and Internet Services (varies by location)
Staybridge Suites <i>(McAllen, Brownsville)</i>	Telephone Services
La Copa Hotels <i>(McAllen, Alamo, Mercedes, South Padre Island)</i>	Telephone and Internet Services
La Quinta Hotels <i>(Alamo, South Padre Island)</i>	Telephone and Internet Services

Even with this short list, you can see that we have a wide variety of customers both in size and type. I'll be happy to provide you with contact names and telephone numbers for any or all of these customers. We would love to add your organization to our list of satisfied customers. If you are an E-Rate-eligible entity, SmartCom is fully certified as an E-Rate (USF SLD) telecommunications and Internet service provider (**SPIN 143020929**).

Services:
Primary Rate Interface (PRI) – High Capacity Voice Service
SIP Trunking (Voice)
Basic Telephone Services ("POTS")
Long Distance Telephone Services
MPLS Data Transport
Broadband Internet Services Transport (DS1, DS3, Fiber Based 1Gb, 10Gb, 20Gb)
PBX – PBX VoIP – Hosted VoIP – Hosted On Premise VoIP solutions

SmartCom is a local company based here in McAllen, Texas. We have telecommunication facilities collocated in central offices in most Valley cities, including Laredo and Corpus Christi. We operate our own fiber-based interconnection between these facilities. In addition, we purchase redundant transport from local and other carriers to provide a more cost effective solution to our customers. We provide our own call routing using state-of-the-art Taqua Class 5 switching systems, wholly owned by SmartCom.

As you can tell, we get pretty excited when we get to show people what we can do. Moreover, we like showing customers that they actually **do** have a choice in who provides their telephone, Internet Access and Data Transport services. We think our customers have made the *Smart* choice. We hope you do to!

Best regards,
Smartcom Telephone, LLC

You DO have a choice

on who provides you with your telephone service

.....make the SMART choice

State & Local Government

K-12 Public Sector

Voice & Data - Smartcom Telephone offers plans that include both Voice and Data services. Help your growing organization save money when you combine these services.

PRI Services - Does your organization need more than just a few phone lines and the ability to direct dial a department? Smartcom Telephone can help! We can install PRI(s) for your organization and not only save you money but make calling easier and more efficient! Find out what Smartcom can do for you.

Internet Access & Transport Services- Smartcom Telephone provides Internet Access & transport data plans for the organizations that need more than just telephone lines. With our Internet Access & transport data plans, you can get your organization online at high speed services. Internet Access & Transport services at competitive rates!



Telecommunications	Internet Access & Transport Services	Networking
PRI or SIP Trunking Services	Internet Access	Data Cabling Infrastructure
Basic Telephone Services	Transport to ESC1 for Internet Access	Network Hardware Infrastructure
Long Distance Services	Point to Point T-1	Data Center Infrastructure, Collocation Services
Extended Local Calling	MPLS VPN	Storage - SAN, NAS
PBX – VoIP, Hosted VoIP, Hosted On-Premise VoIP	High Speed Digital Transmission (DS3, OC3, Fiber)	Top of Rack Network Infrastructure



Reclaim Your Network



Dynamic Security for the Global Network



Empowered by Innovation

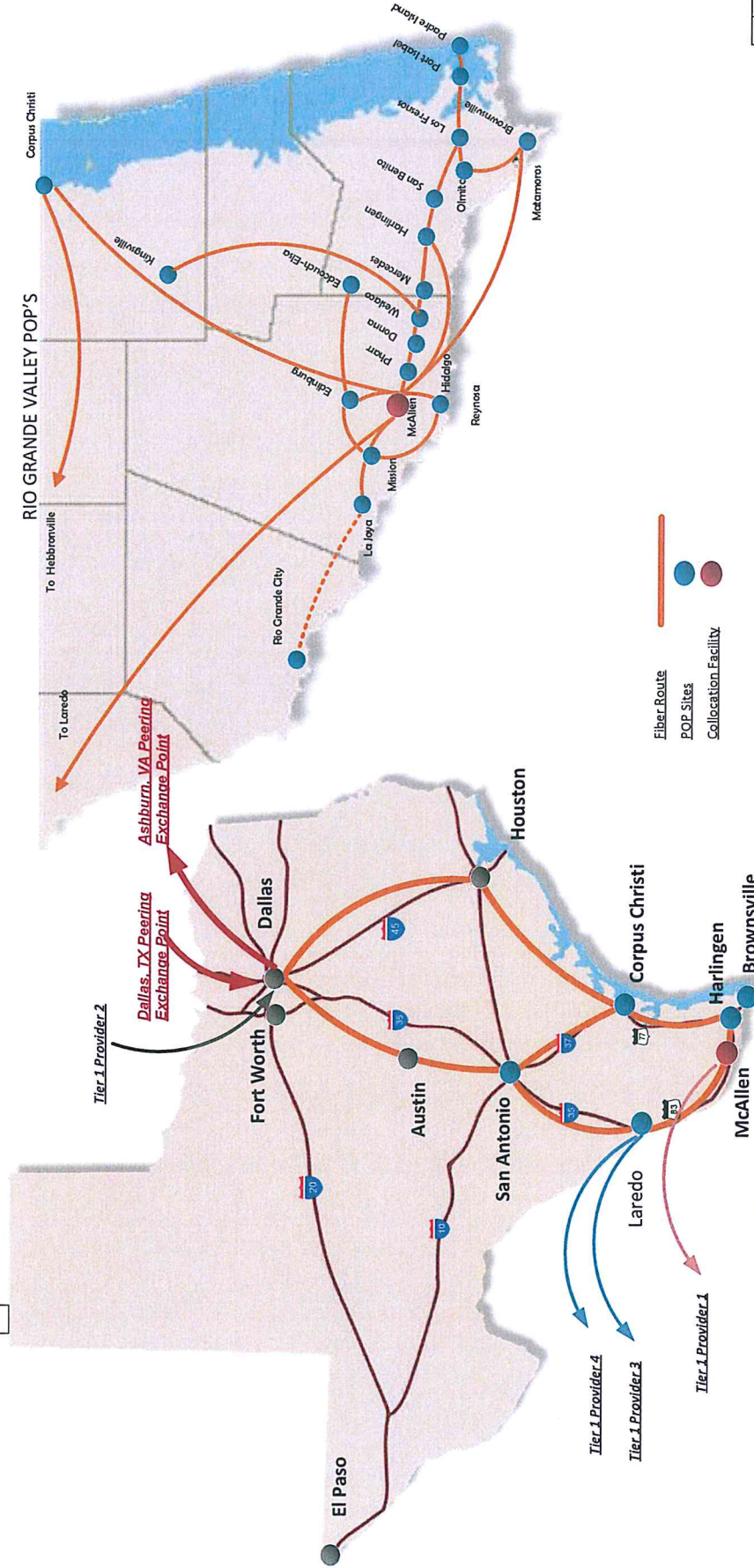


Empowered by Innovation

December 11, 2018



Carrier-Diverse Internet Routes



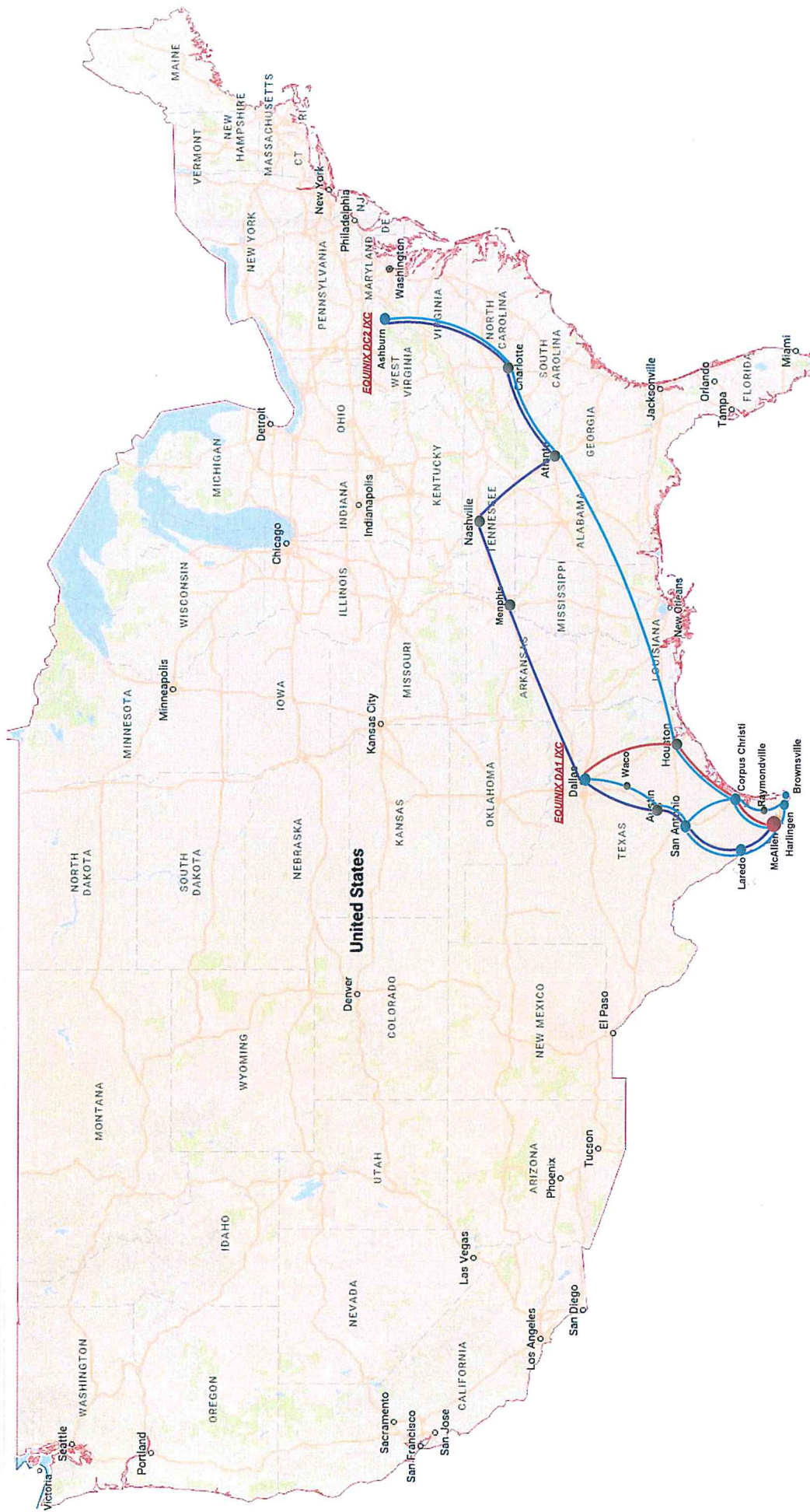
- 24x7 Network Monitoring
- 24x7 Ticketing System and Phone Support
- Quad-homed Tier-1 connections
- Redundant 10 GigE connections

- Redundant Fiber Connectivity scalable to OC-192
- Multi-Redundant Core Routing
- Redundant UPS and redundant diesel generator backup
- Access controlled facility

- Digital video monitoring and recording
- Collocation facilities
- IPv6 Ready Network

SmartCom

The **SMART** choice in Telephone & Data Services



Smartcom Telephone POP/Colocation Sites			
Equinix Dallas DA1 - IXP	Equinix Washington DC2 - IXP	Equinix Dallas - Hurricane Electric	MDC
Dallas, TX	Ashburn, VA	Dallas, TX	McAllen, TX
Smartcom NOC	Smartcom POP	Smartcom POP	Smartcom POP
McAllen, TX	McAllen, TX	Laredo, TX	Corpus Christi, TX
VTX, AT&T, Spectrum, Sprint	AT&T, VTX	AT&T, VTX	AT&T, VTX
		PCW, Cogent, Tella, VTX	AT&T, VTX

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**SMARTCOM TELEPHONE, LLC ETHERNET PRIVATE LINE
SERVICE LEVEL AGREEMENT**

This Service Level Agreement ("SLA") applies to Smartcom Telephone, LLC domestic Ethernet Private Line service ("Service" or "EPL") ordered by customers pursuant to an agreement ("Agreement") between the specific customer ("Customer") and Smartcom Telephone, LLC. Terms not defined in this SLA are defined in the Agreement. For Customer's claims related to Service deficiencies, interruptions or failures, Customer's exclusive remedies are limited to those remedies set forth in this SLA.

1. Network Components. The SLA includes all network components of the Smartcom Telephone, LLC EPL network. The Smartcom Telephone, LLC EPL network includes all physical media owned by Smartcom Telephone, LLC, including the network equipment maintained by Smartcom Telephone, LLC at the designated interface demarcation points located in Smartcom Telephone, LLC POPs. The Smartcom Telephone, LLC EPL network does not include local access or any Customer premises equipment or circuits provided by Customer.

2. Circuit Availability. Customer will, subject to the terms, exclusions, and restrictions described in this SLA, be eligible to receive from Smartcom Telephone, LLC a credit, as outlined in this SLA for an Affected Service. "Affected Service" means the particular EPL circuit that fails to meet the Goal.

The availability (Circuit Availability) of a particular EPL circuit, expressed as a percentage, is calculated as follows:

$$(\text{Hours in month} - \text{Unscheduled Outage Hours in month}) / \text{Hours in month} \times 100\%$$

The Affected Service will for purposes of this Goal be deemed to be unavailable to Customer only if that Service is subject to an interruption that results in the total disruption of the Service ("Outage"). The length of each Outage will be calculated in hours. An Outage will be deemed to have commenced upon verifiable notification of the Outage by Customer to Smartcom Telephone, LLC, or, when indicated by network control information actually known to Smartcom Telephone, LLC network personnel, whichever is earlier. Each Outage will be deemed to terminate upon restoration of the Affected Service as evidenced by appropriate network tests by Smartcom Telephone, LLC. Smartcom Telephone, LLC's trouble ticketing system will be the governing source of data for calculating Outage credits. Smartcom Telephone, LLC will give notice to Customer of any scheduled outage as early as is practicable, and a scheduled outage will under no circumstances be viewed as an Outage hereunder.

Total Service Outage in any Calendar Month	Service Credit
5 min – 1 Hour	1 Service Credit
Over 1 Hour – 4 Hours	2 Service Credits
Over 4 Hours – 8 Hours	3 Service Credits
Over 8 Hours – 16 Hours	6 Service Credits
For every subsequent 24-hour period	3 Service Credits

Performance Standard:

Mean Time to Repair (MTTR) is guaranteed to not exceed 4 hours and shall be calculated on a calendar month as follows:

MTTR: (Service Outage Time Hours – Excluded Outage Time Hours / Outage Count, provided that Service Outage Time, Excluded Outage Time and Outage Count are measured over a single calendar month.

A Service Outage will be defined as any interruption in the normal flow of datagrams between customers Location A and Z of the circuit.

Service Credit is defined as: (a) 1/30th of the flat rate monthly charge of the relevant Port(s) specified in the Order Form, excluding any Non-Company Provided Circuit charges or third party circuit charges (e.g. Local Circuit charges, Cross connect charges); or (b) 1/30th of the Committed Usage (CDR) monthly charge of the relevant IP Ports(s) specified on the Order Form, excluding any Non-Company Provided Circuit charges or third party circuit charges (e.g. Local Circuit charges, cross connect charges).

3. General.

3.1 Remedies. To be eligible for service credits, Customer must be in good standing with Smartcom Telephone, LLC and current in its obligations. To receive Service credits, Customer must submit the relevant trouble ticket information within 30 calendar days after the date when the relevant SLA Goal was not met. Smartcom Telephone, LLC will determine the credits provided to Customer by applying the applicable remedies set forth in this SLA. A credit will be applied only to the month in which the event giving rise to the credit occurred. The credits will apply to the MRCs of the Affected Service after application of all discounts and do not apply to MRCs of other services. The maximum service credits for Smartcom Telephone, LLC EPL Service issued in any one calendar month will not exceed the stated applicable percentage of the MRC for the Affected Service. Credits in any one month must exceed \$25.00 to be processed. If Customer fails to notify Smartcom Telephone, LLC in the manner set forth above with respect to the applicable SLA credits, Customer will have waived its right to such SLA credits for that month.

3.2 Service Credit Exceptions. This SLA will not apply, and Customer will not be entitled to receive a credit under this SLA, for any event that adversely impacts the Service that is caused by: (a) the acts or omissions, or negligence of Customer, its employees, contractors or agents or its end users; (b) the failure or malfunction of structures, equipment, applications, facilities or systems not owned or controlled by Smartcom Telephone, LLC; (c) Force Majeure Events including, but not limited to, acts of war, civil disturbances, acts of civil or military authorities or public enemies, earthquakes, hurricanes, floods, fires, storms, tornados, explosions, lightning, power surges or failures, fiber cuts, strikes, or labor disputes; (d) scheduled service maintenance, alteration or implementation; (e) the unavailability of required Customer personnel, including as a result of failure to provide Smartcom Telephone, LLC with accurate, current contact information; (f) Smartcom Telephone, LLC's lack of access to the Customer premises where reasonably required to restore the Service; (g) Customer's failure to release the Service for testing or repair and continuing to use the Service on an impaired basis; (h) Smartcom Telephone, LLC's termination of Service for Cause or Customer's use of Service in an unauthorized or unlawful manner; (i) improper or inaccurate network specifications provided by Customer; (j) data exceeding subscribed CIR.



SLA Dedicated Internet Access (DIA)

A. SERVICE DESCRIPTION:

1. Overview:

DIA service provides customer with high-speed connectivity to the Internet. Customers connect either statically or via BGP sessions from the Customer's Autonomous System ("AS") to SmartCom Telephone's AS border routers using one or more permanent in-house cabling, local access and/or backhaul facilities.

2. Customer Responsibilities:

In instances where SmartCom Telephone is not designated as the Customer's primary DNS provider, the Customer is responsible for

- a) Obtaining and registering their domain names and for installing, configuring and maintaining their primary, secondary, tertiary, etc. Domain Name servers;
- b) If Customer connects via BGP, Customer is responsible for obtaining and maintaining at all times a Local Internet Registry status, as well as IP addresses and at least one (1) Autonomous System ('AS') number from the relevant Regional Internet Registry ('RIR'). In addition, Customer is responsible for ensuring the accuracy of all Customer-related information in the RIR database; ensuring that only registered routes are advertised; and ensuring that an exact match between its registered route objects and its Border Gateway Protocol route advertisements is maintained.
- c) If Customer is colocated, configure and maintain the Customer equipment in the collocation facility or purchase remote hands services from SmartCom Telephone.

3. Connectivity:

The Service's connectivity speeds include the following:

- 1.544 Mbps (DS1)
- 44.746 Mbps (DS-3)
- 10-100 Mbps (Fast Ethernet)
- 100 Mbps (Fast Ethernet)
- 1000 Mbps (Gigabit Ethernet)
- 10000 Mbps (10Gigabit Ethernet)

4. Demarcation Points:

The Service is provided by SmartCom Telephone and presented to the Customer at the Demarcation Points. The Demarcation Points are designated in one of the following configurations:

- a.) at the Digital Distribution Frame (DDF) or Optical Distribution Frame (ODF) positions in the "meet-me rooms" of the relevant IP POP's.
- b.) at the active port of the Local Access provider connection to the SmartCom Telephone Provider Edge (PE) router;
- c.) at the designated SmartCom Telephone PE router port;
- d.) at network side interface of the Customer Edge (CE) router or smart-jack device for Customer Site delivery. The Local Access circuit and any in-house cabling required to connect the smart-jack device to the SmartCom Telephone network at the Customer Site(s) is included in this option. Any in-house cabling required for interconnecting the smart-jack device and the CE router is not part of this option.
- e.) At network side interface of the Customer Edge (CE) L2 switch at the SmartCom Telephone collocation rack (as applicable).

5. Standard Service Features:

1. Available service features include the following:
 - a.) Setting up a permanent BGP session between the Customer and SmartCom Telephone border routers;
 - b.) Advertising the Customer provided AS Macro(s) or AS number(s) to the global community in accordance with agreed routing policies;
 - c.) Assigning and routing SmartCom Telephone IP addresses to Customer;
 - d.) Advertising the global Internet routing table to the Customer;
 - e.) Provide DNS if requested;
 - f.) Permanently passing upstream and downstream traffic resulting from the route advertisements and Customer actions;

SLA Dedicated Internet Access (DIA)

2. Optional service features include the following:

- a.) Customer Site delivery implemented by providing a dedicated connection between the Customer Site and the closest SmartCom Telephone IP POP via the facilities of a Local Access provider. The connection terminates at the Customer Edge (CE) router located at the Customer Premises and at the SmartCom Telephone Provider Edge (PE) router or DDF or ODF of the Local Access provider. Connectivity from this DDF/ODF to SmartCom Telephone's network is included in the service.
- b.) Secondary (or Primary) DNS services provided by SmartCom Telephone to the Customer. This includes acceptance and installation of a DNS configuration from the Customer on one of SmartCom Telephone's DNS servers, as well as responding to queries with respect to IP addresses and domain names that appear in the configuration.

B. SERVICE LEVEL AGREEMENT

1. Application of SLA:

Where a SmartCom Telephone DIA service provides Internet connectivity via the SmartCom Telephone network, the following SLA parameters apply: network availability, latency service level, packet delivery service level. All credits are subject to the exclusions set forth in Section 6.

2. Network Availability

Average Network Service Availability is defined as the percentage of network up time averaged over regional core nodes in a calendar month. Average Network Service Availability is calculated as follows:
(Hours in month – Unscheduled Outage Hours in month) / Hours in month x 100%

The average network availability guarantee is as follows:

Total Service Outage in any Calendar Month	Service Credit
5 min – 1 Hour	1 Service Credit
Over 1 Hour – 4 Hours	2 Service Credits
Over 4 Hours – 8 Hours	3 Service Credits
Over 8 Hours – 16 Hours	6 Service Credits
For every subsequent 24 hour period	3 Service Credits

Service Credit is defined as: (a) 1/30th of the flat rate monthly charge of the relevant IP Port(s) specified in the Order Form, excluding any Non-Company Provided Circuit charges or third party circuit charges (e.g. Local Circuit charges, Cross connect charges); or (b) 1/30th of the Committed Usage (CDR) monthly charge of the relevant IP Ports(s) specified on the Order Form, excluding any Non-Company Provided Circuit charges or third party circuit charges (e.g. Local Circuit charges, cross connect charges).

3. Latency Service Level

Average Latency is defined as the average round-trip delay for IP traffic between the ingress and egress router ports at SmartCom Telephone regional Gateway nodes over a calendar month.

The Average Packet Delivery Service Level is:

Region	Maximum Average Latency
U.S. (City – City)	<= 65ms
Europe (City – City)	
US – Asia ¹	<=275ms
US - Europe	<=120ms
Europe - Asia ²	<=300ms
Intra-Asia ¹	<=80ms

¹ Hong Kong, Kowloon, Seoul, Singapore, Taipei, Tokyo;

² Includes: Bangkok, Jakarta, Kuala Lumpur, Manila, Seoul, Singapore, Taipei, and Tokyo, but excludes India.

PE=Provider Edge IXP=Internet xChange Point

In the event Smartcom Telephone does not meet the Average Latency Service Level, Customer will be entitled to receive a service credit equal to ten percent (10%) of the monthly recurring charge of the affected port.

4. Packet Delivery Service Level

Average Packet Delivery is defined as the percentage of IP packets that are successfully transported between the SmartCom Telephone ingress and egress

**SLA Dedicated Internet Access (DIA)**

Gateway ports within a region in a calendar month. Average Packet Delivery is measured every five (5) minute interval and averaged on monthly basis.

The Average Packet Delivery Service Level is:

Region	Average Packet Delivery
Intra U.S.	>= 99.99%
Intra Europe	
US – Europe	
US – Asia	
Intra Asia	
Europe – Asia	

In the event Smartcom Telephone does not meet the Average Packet Delivery Service Level, Customer will be entitled to receive a service credit according to the following table:

Average Packet Delivery	Service Credit
< 99.9% and >= 98%	1 Service Credit
< 98% and >= 95%	2 Service Credits
< 95%	3 Service Credits

Service Credit is defined as: (a) 1/30th of the flat rate monthly charge of the relevant IP Port(s) specified in the Order Form, excluding any Non-Company Provided Circuit charges or third party circuit charges (e.g. Local Circuit charges, Cross connect charges); or (b) 1/30th of the Committed Usage (CDR) monthly charge of the relevant IP Ports(s) specified on the Order Form, excluding any Non-Company Provided Circuit charges or third party circuit charges (e.g. Local Circuit charges, cross connect charges).

Maximum Credit: The service credit for failure to meet the Packet Delivery Guarantee in any particular month shall not exceed three (3) Service Credits.

5. Credit Terms

- Credit will be granted as provided above only if the service outage is attributed to the SmartCom Telephone Network and is not the result of an event of one of the exclusions set forth in Section 6 below.
- A claim for a Service Level Guarantee rebate must be sent in writing to the Company within 15 (Fifteen) days from the date that the event giving

rise to the claim for the rebate occurred. When making the claim, the Customer must supply the trouble ticket number opened by the SmartCom Telephone Helpdesk.

- The maximum Service Credit amount for any cause in a month shall not exceed the Monthly Recurring Charge for the affected port.
- Credit for any given month will be applied within two (2) months from the month in which the credit is accrued.
- Credits are calculated after deduction of all discounts and other special pricing considerations on the Monthly Recurring Charges for the affected Customer, excluding third party charge, taxes and other surcharges.
- Any claim for a credit must comply with the requirements set in this Service Level Agreement. If the Customer fails to make a claim in accordance with the requirements, the Customer is taken to have unconditionally and irrevocably waived its right to claim for the rebate; and make any claim against in respect of the Company's failure to meet the Service Level Guarantee.

6. Exclusions

Computation of Service Level parameters and credits listed in Sections 1 to 4 shall exclude the following circumstances:

- Planned service outages or routine maintenance. SmartCom Telephone will provide 72 hours advanced notice prior to conducting any scheduled maintenance.
- Interruptions during any period when the Customer elects not to release the Service for testing or repair and continues to use the Service on an impaired basis.
- Interruptions during any period when the Customer has not released the Service to SmartCom Telephone for maintenance or for the implementation of a Customer Order.
- Interruptions due to failure of Customer power, Customer Premises Equipment or Customer



SLA Dedicated Internet Access (DIA)

- access circuit provided by Customer or other third parties.
- e) Interruptions caused by the negligence of the Customer, including the provision of inaccurate information and failure to follow agreed-upon procedures.
- f) Interruptions not reported to SmartCom Telephone.
- g) Interruptions occurring prior to Service Date.
- h) Interruptions due to any Force Majeure event.
- i) Delay in service implementation due to an incomplete Customer Order.
- j) Delay in service restoration due to any act of omission by Customer or its Customer or third party suppliers.
- discarded. The next highest measurement shall constitute the Bursted Bandwidth.
- The "Bursted Bandwidth Charge" = (Bursted Bandwidth – Committed Access Rate) * (Burstable Bandwidth price per Megabit)

C. CHARGES:

Unless otherwise provided, Customer shall be charged on a fixed rate basis as of the date of the Connection Notice. The manner of billing selected will be set forth in each Customer Order. Fixed rate charges for Internet Access Service consists of the following components: (a) a fixed installation charge (nonrecurring) per connection which is payable in advance; and (b) "Flat Rate Billing," fixed monthly recurring charge and, where applicable, (as set forth in an Order Form) (c) "Burstable Billing", usage based charges which is calculated from the date of the Connection Notice and is payable monthly in arrears.

The minimum interface rate for Burstable Billing option is Fast Ethernet. For Burstable Billing, the Customer contracts for a selected Committed Information Rate and SmartCom Telephone provides Customer the capability to burst up to the layer 3 capacity of the port. The amount of Burstable Bandwidth is derived from the 95th percentile calculation described below. The Burstable Bandwidth Charge described below will be invoiced to the Customer in arrears and is in addition to the Flat Rate Billing for the selected Committed Access Rate.

"Bursted Bandwidth" is calculated as follows (95th Percentile):

Smartcom Telephone polls the routers for Customer ingress and egress usage at five-minute intervals. The higher usage number for each poll is stack ranked. The top 5% of the usage number is



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/11/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Shepard Insurance Agency 5801 N 10th St Ste 600 McAllen TX 78504	CONTACT NAME: Yolanda Alonso	
	PHONE (A/C, No, Ext): 956-686-3888	FAX (A/C, No): 956-682-5650
E-MAIL ADDRESS: yolandaa@shepins.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Hartford Lloyds Ins. Co.		38253
INSURER B : United Fire Lloyds		43559
INSURER C : Texas Mutual Insurance Company		22945
INSURER D :		
INSURER E :		
INSURER F :		

INSURED
SMARTCOM Telephone, Inc.
PO Drawer 3097
McAllen TX 78502

SMARTEL-01

COVERAGES

CERTIFICATE NUMBER: 243145959

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			65SBMTA1910	2/24/2018	2/24/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			12308013	2/24/2018	2/24/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000			65SBMTA1910	2/24/2018	2/24/2019	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	N/A	0001219512	1/1/2019	1/1/2020	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Professional Liability Technology E&O			65SBMTA1910	2/24/2018	2/24/2019	Each Glitch Limit 1,000,000 Aggregate Limit 1,000,000 Each Glitch Retention 10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

City of Weslaco
255 S Kansas
Weslaco TX 78596
USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2019-441953

Date Filed:
01/16/2019

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Smartcom Telephone, LLC.
McAllen, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Mayor Joe V. Sanchez Public Library

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

RFP #2018-19-10
E-Rate Internet Access

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Yoder, Charles	McAllen, TX United States	X	
	Yoder, Alan	McAllen, TX United States	X	

5 Check only if there is NO Interested Party.

☐

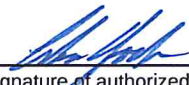
6 UNSWORN DECLARATION

My name is Alan Yoder, and my date of birth is 08/21/61.

My address is 600 Ash Avenue, McAllen, TX, 78501, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Hidalgo County, State of Texas, on the 18th day of February, 20 19.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)



References Attachment:

School District	Contact Person	Phone Number	Address	E-Mail Address	Service Provided
Dustin Michael Sekula Memorial Library	Leticia Leija, Library Director	956-383-6246	1906 S Closner Blvd, Edinburg, TX 78539	Letty@edinburg.lib.tx.us	Internet Access
Pharr Memorial Library	Adolfo Garcia, Library Director	956-787-3966	121 E Cherokee Ave, Pharr, TX 78577	adolfo@pharr.lib.tx.us	Internet Access
Brownsville Public Library System	James McCoy, Assistant Director	956-548-1055	2600 Central Blvd, Brownsville, TX 78520	james@cob.us	Internet Access
Sergeant Fernando de la Rosa Memorial Library	Laura Solis, Library Director	956-787-6160	416 N Tower Rd, Alamo, TX 78516	Isolis@alamotexas.org	Internet Access
Hector P. Garcia Memorial Library	Marisol Vidales, Library Director	956-565-2371	434 S Ohio St., Mercedes, TX 78570	mvidales@cityofmercedes.com	Internet Access

Proposal: RFP #2018-19-10

Company: Smartcom Telephone, LLC.

**RFP # 2018-19-10
PROPOSAL ACCEPTANCE AND AGREEMENT**

THIS AGREEMENT is entered into by and between Mayor Joe V. Sanchez Public Library ("customer") address at 525 South Kansas Avenue, Weslaco, Texas 78596 and Smartcom Telephone, LLC. ("Smartcom") address at 600 Ash Avenue, McAllen, Texas 78501, for the purpose of establishing the terms and conditions under which Smartcom will provide Internet Access Services. Smartcom reserves the right to refuse service.

SERVICE TO BE PROVIDED. Smartcom, under the terms of this agreement will provide to Customer Internet Access Services as listed under Services below:

Awarded Services	Services	Location Name	Address	Monthly Cost
☐	Internet Access 1Gbps	Mayor Joe V. Sanchez Public Library	525 South Kansas Avenue, Weslaco, TX 78596	\$1199.00

Plus applicable regulatory fees and surcharges

TERMS OF THE AGREEMENT. This Agreement shall be in effect for an initial term of twelve (12) months, commencing on July 1, 2019 through June 30, 2020 with a voluntary extension for four (4) additional twelve (12) month terms unless notification is given in writing of the CUSTOMER's decision prior to expiration of the initial term. Otherwise, if a new term agreement is not entered into within 30 days, the service will revert to a "month-to-month" service agreement. The monthly service charges may increase to the then-current rate, unless prior to the end of the initial term either party notifies the other, in writing, of their intent to terminate the agreement.

CHANGES TO SERVICE. A move of service will be considered as a "disconnect" and a new installation. Charges for new service will apply.

PAYMENT SCHEDULE. At the time of the first bill, the Customer will be billed Non-Recurring (installation) charges, as well as the appropriate monthly recurring charges ("MRC") for the service(s) ordered. All billing for services is done in advance. Title to any premise equipment supplied by Smartcom shall remain the property of Smartcom. Customer assumes the risk of loss or damage of the equipment upon delivery to Customer's location.

Monthly service charges are due and payable upon receipt of statement. Failure to pay monthly service charges shall give Smartcom the right, without liability, to temporarily disconnect service. To restore service will require payment of any unpaid balance and a reconnect charge. The charge for reconnecting is \$50.00 per site. If service is not restored within ten (10) calendar days, the service will be permanently disconnected. To restore service after permanent disconnect, prepayment of full unpaid balance, early termination charge, and new installation charges will apply.

RETURNED CHECKS: A returned check will be considered non-payment of the account. A \$35.00 processing fee will be charged on all returned checks.

APPROPRIATE USE. Appropriate use of Smartcom's Services. Customer agrees to maintain all passwords as private and confidential information. Customer agrees to use its Smartcom account in a way that conforms to all applicable laws and regulations. Customer understands that violation of certain generally accepted guidelines on Internet usage, such as restrictions on mass e-mailings (Spam) and advertising, or posting to inappropriate newsgroups, may cause severe operating difficulties for Smartcom, and would be a likely cause for the termination of Customer's account. Customer specifically agrees not to make any attempt to gain unauthorized access to any other systems or networks. Customer agrees to abide by Smartcom's Subscriber Acceptable Use Policy.

INTERNET CONTENT. Customer understands that the information available through Smartcom or interconnecting networks may not be accurate, including the content displayed on the Smartcom Desktop. Customer understands that the some of the information available through Smartcom or interconnecting networks may be intended for adult audiences. Any filtering of internet content will be the sole responsibility of Customer.

SECURITY POLICY. Customer understands that internetworking communications are not secure, and may be subject to interception or loss. Smartcom makes no warranties of any kind, either express, implied, or statutory concerning the data or information available through the use of its Smartcom network. Customer understands that the use of its Smartcom account, and any data or information accessed using that account, will be completely at its own risk. Customer is responsible for its network security. Smartcom will not be liable for damages arising out of unauthorized access to Customer's network.

CUSTOMER PROVIDED EQUIPMENT (CPE). Smartcom is not responsible for equipment purchased/installed by Customer. Smartcom will not work on, or open any Customer-owned or personal computers. Any equipment purchased from Smartcom becomes Customer Provided Equipment (CPE) upon installation.

INSTALLATION. Prior to installation, Customer is responsible for ensuring that their computers are configured for network connection. Smartcom will provide/install the service to the Demarc, Intermediate Distribution Facility (IDF), Main Distribution Facility (MDF) or Customer designated area at the Customer's premises at the Customer's request. Customer will provide, or through a third party vendor, inside wiring and jack work.

Installation dates and times will be determined and communicated to Customer. If technician is on site and access cannot be provided, Customer may be charged a \$45.00 "no show" fee and rescheduling may result in a delay of service.

SERVICE DELIVERY. Actual data transmission or throughput may be lower due to Internet congestion, data filters, server or router speeds, protocol overheads, and other factors which Smartcom cannot control.

SERVICE CALLS. If Smartcom is called to the Customer site and it is determined that the problem is other than the Smartcom network or Smartcom-Provided interface device, a service fee of \$65 will be charged for the first hour or any fraction thereof, and \$25.00 for each additional half hour increment. The stated rates apply during regular business hours, out-of-hours; weekend and holiday rates will be higher.

DELAY. Smartcom will not be liable for any delay in the delivery or installation of any service or for any damages suffered by Customer by reason of such delay is directly or indirectly caused by, or any manner arises from transportation delays or any other cause beyond the control of Smartcom.

CONSEQUENTIAL DAMAGES. Smartcom is not responsible for any consequential damages resulting from failure of or suspension of services.

EARLY TERMINATION. Cancellation/termination before the end of the initial term period will be subject to a termination liability charge equal to 100% of the remaining balance of the contract. Additional charges may apply based upon the type of services.

NON-APPROPRIATIONS. By executing the Agreement, Customer warrants that Customer has funds appropriated and available to pay all amounts due hereunder through the end of Customer's current fiscal period. Customer further agrees to request all appropriations and funding necessary to pay for the Services for each subsequent fiscal period through the end of the Agreement Term. In the event

Revised 01/2013

Customer's Initials:

600 Ash Ave - McAllen, TX 78501 • (956) 687-7070 • (956) 213-1203 (fax)

Customer is unable to obtain the necessary appropriations or funding for the Services provided under this Agreement, Customer may terminate the Services without liability for the termination charges upon the following conditions: (i) Customer has taken all actions necessary to obtain adequate appropriations or funding; (ii) despite Customer's best efforts funds have not been appropriated and are otherwise unavailable to pay for the Services; and (iii) Customer has negotiated in good faith with SMARTCOM to develop revised terms, an alternative payment schedule or a new agreement to accommodate Customer's budget. Customer must provide SMARTCOM thirty (30) days' written notice of its intent to terminate the Services. Termination of the Services for failure to obtain necessary appropriations or funding shall be effective as of the last day for which funds were appropriated or otherwise made available. If Customer terminates the Services under this Attachment, Customer agrees as follows: (i) it will pay all amounts due for Services incurred through date of termination, and reimburse all unrecovered non-recurring charges; and (ii) it will not contract with any other provider for the same or substantially similar services or equipment for a period equal to the original Agreement Term.

ATTORNEY'S FEES. If either party commences an action against the other party to force the provisions of this Agreement, the prevailing party shall be entitled to recover from the losing party, reasonable attorney's fees and cost of suit.

SEVERABILITY. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

NO IMPLIED WARRANTIES. The customer acknowledges that the services of the company are of such a nature that the services can be interrupted for many reasons other than the negligence of Smartcom, and that damages resulting from any interruption of the services are difficult to ascertain. Therefore, the customer agrees that Smartcom shall not be liable for any damages arising from the customer's use of the system or the services. Smartcom makes no warranties of any kind, express or implied, with respect to the system or the services. Smartcom disclaims any warrant of merchantability, fitness for a particular purpose, or non-infringement with respect to the system and the services. Smartcom shall not be liable to the user, or to any third party, for any loss or damage as a result of the use of the system or the services. This includes but is not limited to the loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions, whether caused by Smartcom's own negligence, errors, omissions or otherwise.

The liability of Smartcom for mistakes, omissions, interruptions, delays, errors, or defects in transmission shall not exceed an amount equivalent to the proportionate monthly recurring charge to the Customer for the period of service during which such events occur. No credit shall be allowed for an interruption of a continuous duration of less than two (2) hours. For purposes of determining service credits, a month shall be deemed to have seven hundred twenty (720) hours. Any credits will be offset against charges billed during the next month. Additional limitations on liability can be found in Smartcom's current End-User tariff on file with the Public Utility Commission of Texas.

FORCE MAJEUR: Smartcom is not liable for failure to perform their obligations if such failure is as a result of Acts of God (including fire, flood, earthquake, storm, hurricane or other natural disaster), war, invasion, act of foreign enemies, hostilities (regardless of whether war is declared), civil war, rebellion, revolution, insurrection, military or usurped power or confiscation, terrorist activities, nationalization, government sanction, blockage, embargo, labor dispute, strike, lockout or interruption or failure of electricity or telephone service. Neither party is entitled to terminate this Agreement due to such circumstances.

VENUE. In the event of legal action arising out of or related to this Agreement, including claims for non-payment of amounts owed hereunder, Hidalgo County, Texas shall be the exclusive jurisdiction and legal venue for said action This Agreement shall be construed according to the laws of the State of Texas.

EXECUTED this day of , 20

Customer Signature

Printed Name

525 South Kansas Avenue

Billing Address

Weslaco

City

TX

State

78596

Zip Code

Billing Telephone Number

Smartcom Telephone, LLC. Signature

Alan Yoder

Printed Name

600 Ash Avenue

Address

McAllen

City

TX

State

78501

Zip Code

956-687-7070

Telephone

E-rate Rider

**PROPOSAL ACCEPTANCE AND AGREEMENT SIGNED ON _____ ("Agreement") FOR
SERVICES AND/OR PRODUCTS SUBJECT TO UNIVERSAL SERVICES ("E-RATE") FUNDING**

This Attachment ("Attachment"), entered into by Smartcom Telephone, LLC. ("Smartcom") and Mayor Joe V. Sanchez Public Library ("Customer") and effective as of the date last signed below ("Effective Date"), is an attachment to the Agreement. This Attachment shall have the same term as the Agreement. If there are any inconsistencies between the Agreement and this Attachment with respect to the Service for which E-rate funding is sought, the terms and conditions of this Attachment shall control.

TERMS AND CONDITIONS APPLICABLE TO E-RATE FUNDED PRODUCTS AND SERVICES

Customer may seek funding through the Federal Universal Service Fund program known as "E-Rate" for some or all of the Services or Service Components purchased under the Agreement. E-Rate is administered by the Schools and Libraries Division ("SLD") of the Universal Service Fund Administrative Company ("USAC") (Sometimes collectively or individually referred to herein as "USAC/SLD"). The Federal Communications Commission ("FCC") has promulgated regulations that govern the participation in the E-Rate program. Both Parties agree to adhere to FCC regulations as well as the rules established by SLD and USAC regarding participation in the E-Rate program. The Parties further agree:

1. Reimbursement of USAC/SLD. If USAC/SLD seeks reimbursement from SMARTCOM of E-Rate funds as a result of Customer's failure to comply with the E-Rate rules or regulations, including Customer delays in submitting required forms or contracts; or, if USAC/SLD determines that Services which it had previously approved for discounts are not eligible and funds must be returned (a "ComAd") (other than as the result of SMARTCOM's failure to comply with the E-Rate requirements), then Customer shall reimburse SMARTCOM for any such funds SMARTCOM must return to USAC/SLD within ninety (90) days of notice from USAC/SLD seeking reimbursement. In addition, Customer agrees and acknowledges that a determination of ineligibility does not affect the obligations set forth in the Agreement, including those obligations related to payments and early termination fees.
2. Eligibility of Products and Services. The eligibility or ineligibility of products or services for E-Rate funding is solely the responsibility of the USAC/SLD and/or the FCC. SMARTCOM makes no representations or warranties regarding such eligibility.
3. Service Substitutions. Customer acknowledges that USAC/SLD funding commitments are based upon the products, services and locations set forth in the Form 471 and that any modification to the products and services and/or the locations at which the products or services are to be installed and/or provided, requires Customer to file a service substitution with USAC/SLD, seeking permission to receive alternative service or receive the service to an alternative location. If Customer intends to make any such service substitutions, then Customer agrees to pursue them, and file any and all requisite documentation, diligently. SMARTCOM will provide Services and Service Components only as approved by the SLD and may suspend activities pending approval of service substitution requests.
4. Requested Information. If requested, Customer will promptly provide SMARTCOM with final copies of the following E-Rate-related materials (including all attachments) prepared by or for Customer: (i) Form 471 and Item 21 Attachment; if appropriate, (ii) Form 486; (iii) Form 500; (iv) Service Substitution Request; (v) Service Certification Form; and, (vi) Form 472-BEAR. If the Customer issues purchase orders, Customer shall clearly delineate between eligible and non-eligible Services on those orders.
5. Representations, Warranties and Indemnities. Each Party represents and warrants that it has and will comply with all laws and the requirements applicable to the E-Rate Program. In addition to any indemnification obligations set forth in the Agreement and to the extent permitted by law, each Party agrees to indemnify and hold harmless the other Party (its employees, officers, directors and agents, and its parents and affiliates under common control) from and against all third party claims (including FCC or USAC/SLD claims) and related loss, liability, damage and expense (including reasonable attorney's fees) arising out of the indemnifying Party's violation of the E-Rate Requirements or breach of the representations, warranties, and terms contained in this Attachment.

6. Non-Appropriations. By executing the Agreement, Customer warrants that Customer has funds appropriated and available to pay all amounts due hereunder through the end of Customer's current fiscal period. Customer further agrees to request all appropriations and funding necessary to pay for the Services for each subsequent fiscal period through the end of the Agreement Term. In the event Customer is unable to obtain the necessary appropriations or funding for the Services provided under this Attachment, Customer may terminate the Services without liability for the termination charges upon the following conditions: (i) Customer has taken all actions necessary to obtain adequate appropriations or funding; (ii) despite Customer's best efforts funds have not been appropriated and are otherwise unavailable to pay for the Services; and (iii) Customer has negotiated in good faith with SMARTCOM to develop revised terms, an alternative payment schedule or a new agreement to accommodate Customer's budget. Customer must provide SMARTCOM thirty (30) days' written notice of its intent to terminate the Services. Termination of the Services for failure to obtain necessary appropriations or funding shall be effective as of the last day for which funds were appropriated or otherwise made available. If Customer terminates the Services under this Attachment, Customer agrees as follows: (i) it will pay all amounts due for Services incurred through date of termination, and reimburse all unrecovered non-recurring charges; and (ii) it will not contract with any other provider for the same or substantially similar services or equipment for a period equal to the original Agreement Term.

Customer Must Choose A or B

A.) ☐ [OPTION "A" IS AVAILABLE FOR NEW OR EXISTING SERVICES]

CUSTOMER DIRECTS SMARTCOM TO COMMENCE OR CONTINUE SERVICES EVEN IF FUNDING COMMITMENT DECISION LETTER ("FCDL") HAS NOT BEEN RECEIVED FROM USAC/SLD. CUSTOMER ACKNOWLEDGES ITS OBLIGATION TO PAY FOR THE SERVICE IF FUNDING IS DENIED OR USAC/SLD COMMITMENT IS NOT RECEIVED.

1. Scope: Customer desires that Services commence on or about insert date. Customer intends to seek funding from the USAC/SLD, but acknowledges that it may not receive an FCDL prior to this date and that it is possible that USAC/SLD may not approve funding or may delay its decision.

2. Funding Denial Agreement Termination: CUSTOMER ACKNOWLEDGES THAT THERE IS NO RIGHT TO TERMINATE THE SERVICES OR SERVICE COMPONENTS MADE THE BASIS OF THIS ATTACHMENT IF E-RATE FUNDING IS DELAYED OR DENIED.

Customer should refer to the E-Rate Rules and Regulations regarding USAC/SLD payments for eligible services delivered after the beginning of the E-Rate year (July 1st) but before receipt of an FCDL.

B.) ☐ [OPTION "B" IS APPROPRIATE FOR NEW SERVICES]

SERVICES WILL NOT COMMENCE AND/OR EQUIPMENT WILL NOT SHIP UNTIL SMARTCOM RECEIVES NOTIFICATION THAT E-RATE FUNDS HAVE BEEN COMMITTED; IF E-RATE FUNDING FOR SERVICES AND/OR EQUIPMENT IS DENIED, AGREEMENT WILL TERMINATE AS TO THOSE SERVICES AND/OR EQUIPMENT UNLESS AND UNTIL A NEW ATTACHMENT (REPLACING THIS ATTACHMENT) IS EXECUTED.

1. Scope: Customer agrees to use best efforts to obtain funding from the USAC/SLD SMARTCOM will not begin work related to the Services and/or equipment (including, without limitation, construction, installation or activation activities) until after SMARTCOM receives Customer notification to proceed with the order, and verification of funding approval, and, for Internal Connections (IC), a verification of Form 486 approval by the USAC/SLD. SMARTCOM will commence Service(s) as soon as is practical following the receipt of the appropriate documentation.

2. Funding Denial Agreement Termination: if a funding request is denied by the USAC/SLD, the Agreement, with respect to such Service(s) and/or equipment, shall terminate sixty (60) days from the date of the FCDL in which E-Rate funding is denied or on the 30th day following the final appeal of such denial, and Customer will not incur termination liability. In the event Services and/or equipment are to be provided pursuant to a multi-year arrangement (whether by contract or tariff), this termination right applies only to the first year of the multi-year agreement.

3. IF CUSTOMER WISHES TO CHANGE ITS SELECTION AND WISHES SMARTCOM TO COMMENCE SERVICES REGARDLESS OF FUNDING COMMITMENT FROM THE USAC/SLD, CUSTOMER WILL EXECUTE A NEW (REPLACEMENT) ATTACHMENT, AND AGREE TO THE TERMS SET FORTH IN "A" ABOVE. Upon execution of the Replacement Attachment, the Parties will mutually agree upon a Service Commencement Date.

This provision does not apply to Services that were initially approved for funding and subsequently deemed ineligible by USAC/SLD after commencement of Service

Customer acknowledges its obligation to designate the method by which it will receive E-Rate discounts. With respect to each discount method, Customer agrees as follows, please select Invoice Method:

☐ Billed Entity Application Reimbursement ("BEAR") – Form 472:

As of July 1, 2016, Customers who choose the Billed Entity Applicant Reimbursement (BEAR) payment method from USAC will need to have an FCC Form 498 ID number (498 ID) on file with USAC to receive reimbursement payments. To receive a 498 ID, applicants must file the FCC Form 498 in EPC. Customer must also file an FCC Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, to request reimbursement from USAC for the discount amount on eligible services that the applicant has received and paid for in full. Customer must have a Personal Identification Number (PIN) to file a BEAR Form. Customer can submit the BEAR Form as often as they wish (e.g. monthly, bimonthly, quarterly, annually). However, Customer must pay in full for the services received before filing a BEAR Form. USAC/SLD will remit a check in the amount of the certified Form 472 directly to Customer. It is solely Customer's responsibility to ensure the accuracy of this submission and the amounts sought to be recovered through the E-Rate program.

☐ Service Provider Invoice form - ("SPI") – Form 474:

After SMARTCOM has received notification of approved funding, an approved Form 486, and Customer has confirmed the appropriate Billed Accounts to be discounted per Funding Request Number, SMARTCOM will then provide E-rate program discounts and will file a Form 474 SPI. Customer agrees to promptly submit any SMARTCOM or USAC/SLD Forms needed to support requests for payment of Services rendered. In the event SLD denies payment, Customer will be responsible for repayment of all funds provided to Customer by SMARTCOM associated with this process.

FCC RULES REQUIRE THAT PRIOR TO SUBMISSION OF A FORM 471 APPLICATION FOR FUNDING THE PARTIES MUST HAVE ENTERED INTO A BINDING CONTRACT FOR THE SERVICES MADE THE SUBJECT OF THE APPLICATION. IT IS THE CUSTOMER'S RESPONSIBILITY TO ENSURE THAT STATE LAW REQUIREMENTS FOR A BINDING CONTRACT HAVE BEEN MET PRIOR TO THE SUBMISSION OF A FORM 471.

SO AGREED by the Parties' respective authorized signatories:

Customer: Mayor Joe V. Sanchez Public Library	Smartcom Telephone, LLC. ("SMARTCOM")
Signature:	Signature: 
Print Name:	Print Name: Alan Yoder
Title:	Title: Member
Date:	Date: 02/18/2019

Wednesday, February 27, 2019

Robert Sanchez

rsanchez@smartcomtelephone.com

FCCRN: 0008358285

SPIN# 143020929

Internet Access	Qty	Unit Cost Monthly	12 Month Term MRC	Installation One Time Cost	Notes
Internet Access 1Gbps	1	\$785.00	\$785.00	\$0.00	Internet Access Services include fiber transport with an option to extend for an additional three (3) twelve (12) month terms

Plus applicable regulatory fees and surcharges

Optional Internet Access 36 Month Term	Qty	Unit Cost Monthly	36 Month Term MRC	Installation One Time Cost	Notes
Internet Access 1Gbps	1	\$745.00	\$745.00	\$0.00	Internet Access Services include fiber transport

CITY OF WESLACO
MAYOR JOE V. SANCHEZ PUBLIC LIBRARY
E-RATE INTERNET ACCESS - VENDOR REVIEW (RFP #2016-17-12)
E-RATE 2017 (ROUND 20) - WEDNESDAY, FEBRUARY 15, 2017 AT 3:00PM

CRITERIA		PROSPECTIVE VENDORS					
	VENDORS NAME	Foremost Telecommunications	Score	SmartCom Telephone	Score	Spectrum Enterprise	Score
	Instructions to Vendors (10 points)		9		9		9
	Vendor Background (20 points)						
1	years in existence		2		2		2
2	head office location		2		2		2
3	billing office location		2		2		2
4	number of employees in company		2		2		2
5	employees in local site		2		2		2
6	employees in customer service		2		2		2
7	employees with technical certifications		2		2		2
8	employees in local site with tech certifications		2		2		2
9	dependent on 3rd party hardware/software		2		2		2
10	listed items excluded from maintenance		2		2		2
	Section totals		20		20		20
	Repair/Response (10 points)						
1	technician on site normal hours (response time)		2		2		1
2	technician on site outside normal hours		2		2		1
3	Provide phone number for local pricing contact.		1		2		1
4	Provide repair person contact number.		1		2		1
5	Provide off-hours person contact number.		1		2		1
	Section totals		7		10		5
	Future Offerings (10 points)						
1	useful new technology		5		5		5
2	factors affecting success		5		5		5
	Section totals		10		10		10
	Market Differentiation (10 points)						
1	summary of company history		2		2		2
2	distinctive features and services		2		2		2
3	other public library clients		0		2		0
4	invoicing methodology		2		2		2
5	minimum 5 references		0		2		0
	Section totals		6		10		6
	Proposal and Pricing (40 points)		30		40		20
	TOTAL SCORE		82		99		70

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

March 6, 2019

To: Mike Perez, City Manager; David Suarez, Mayor; Gerardo Tafolla, Mayor Pro-Tem; Leo Muñoz, Commissioner; Gregory Kerr, Commissioner; Jose "P" Rodriguez, Commissioner; Letty Lopez, Commissioner; Josh Pedraza, Commissioner
CC: Martin J. Mata, Sonia Flores, Leo Gonzales
Fr: Arnoldo Becho, Library Director
Re: Authorization to Accept Smartcom as the Vendor for Internet Access

The library annually participates in the ERate program which provides an approximately 80% to 90% discount for various technology services and equipment. Currently the next step in the process is to gain authorization to accept the most advantageous bidder for Internet services. Smartcom has submitted the best proposal in response to the library's RFP.

Smartcom as Internet Service Provider was among three proposals which submitted an excellent pricing option on the 1 Gigabyte (Gbps). Smartcom's internet service will average approximately \$78.50 with ERate funding and \$785.00 without ERate funding per month.

The library has had excellent experiences with Smartcom in the past and the pricing this term was best as well.

The city contribution for this project will come from within this year's and next year's budget because the term is from July 2019 to June 2020. We will not require any budget amendment or additional funds.

The library has been a successful partner with E-rate for over 10 years. The program has provided millions in cost savings and we look forward to seeing the partnership continue. Please feel free to contact me with any questions, I will be happy to provide additional information. Thank you for the time.

Arnoldo Becho
Library Director, City of Weslaco,
Phone: 956.973.3144,
Email: abecho@weslacopl.us



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2314	
From: Martin Mata, Arnold Becho			
Subject: Discussion and consideration to reject the bid in response to the Library Basic Network Maintenance and Equipment Services Request For Proposals and authorize the Mayor to execute any related documents. possible action. (Staffed by the Library Department)			
Background: The Library recently requested RFPs for E-Rate Basic Network Maintenance and Equipment Services. Staff evaluated these RFPs and due to budget constrains within the Universal Service Administrative Company / School and Libraries Program (E-Rate) the Mayor Joe V. Sanchez Public Library does not qualify for sufficient funding. The Library will qualify for more funding next year and the most fiscal course of action is to wait one year for these improvements. (Staffed by the Library Department)			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission: NA			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: The competitive bidding was open online on the City's website for at least 28 days as required by the School and Libraries Program of the Universal Service Program Fund (E-Rate). 28-Day Waiting Period: Wednesday, January 11, 2019 to Tuesday, February 19, 2019 Bid proposals were open on Wednesday, February 20, 2017 at 10:00 AM.			
Advisory Review, if any (name of board/committee, date of action, recommendation): None at this time.			
Martin Mata Arnold Becho Leo Gonzales Mike Perez		Created/Initiated New	
City Manager Comments: Approve.			
Staff Recommendation:			

Library staff request to wait for next fiscal year 2019-2020.

Attachments, if any:

Request to Reject the ERate Basic Maintenance and Equipment Services 2019

Responsibilities upon Approval:

The library staff will make contact with vendors on outcome.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Gerardo "Jerry" Tafolla, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

March 8, 2019

To: Mike Perez, City Manager; David Suarez, Mayor; Gerardo Tafolla, Mayor Pro-Tem; Leo Muñoz, Commissioner; Gregory Kerr, Commissioner; Jose "P" Rodriguez, Commissioner; Letty Lopez, Commissioner; Josh Pedraza, Commissioner
CC: Martin J. Mata, Sonia Flores, Leo Gonzales
Fr: Arnoldo Becho, Library Director
Re: Authorization to reject all bids for Basic Network Maintenance and Equipment Services.

The library annually participates in the ERate program which provides an approximately 80% to 90% discount for various technology services and equipment. Currently the next step in the process is to gain authorization to accept or reject the most advantageous bidder for ERate Basic Maintenance. Insight was the only proposal in response to the library's RFP.

Insight provided a sufficient bid but the library does not qualify for enough funding at this time. Thus, the library would like to reject the bid in response to the E-Rate Basic Network Maintenance and Equipment Request For Proposal number 2018-19-11. At moment the Library is not eligible to participate in ERate. The Library will qualify for more funding next year and the most fiscal course of action is to wait one year for these improvements.

Please feel free to contact me with any questions, I will be happy to provide additional information. Thank you for the time.

Arnoldo Becho
Library Director, City of Weslaco,
Phone: 956.973.3144,
Email: abecho@weslacopl.us



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2315
From:		
Subject: Discussion and consideration to authorize purchase of a JD 8295R Tractor and a Scraper (Option 1 or Option 2) from Deere & Company, Buyboard Vendor Contract No. 529-17, in the amount not to exceed \$425,967.64 and authorize the Mayor to execute all related documents. Possible action. (Staffed by Public Works Department.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Lucy Espinoza	Created/Initiated	
Pete Garcia	Approved	
Vidal Roman	Approved	
Mike Perez	Final Approval	
City Manager Comments: Approve purchase of tractor and scraper with option 2.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: image03-14-2019-135630, Tractor and Carry All Scraper Pictures, Proposal Tractor and Carry-All Scraper-Option 1, Proposal Tractor and Ejector Scraper-Option 2		
Responsibilities upon Approval:		



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2315
From:		
Subject: Discussion and consideration to authorize purchase of a JD 8295R Tractor and a Scraper (Option 1 or Option 2) from Deere & Company, Buyboard Vendor Contract No. 529-17, in the amount not to exceed \$425,967.64 and authorize the Mayor to execute all related documents. Possible action. (Staffed by Public Works Department.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Lucy Espinoza	Created/Initiated	
Pete Garcia	Approved	
Vidal Roman	Approved	
Mike Perez	Final Approval	
City Manager Comments: Approve purchase of tractor and scraper with option 2.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: image03-14-2019-135630, Tractor and Carry All Scraper Pictures, Proposal Tractor and Carry-All Scraper-Option 1, Proposal Tractor and Ejector Scraper-Option 2		
Responsibilities upon Approval:		



2010DE Ejector Scraper

- Struck capacity: 10.4 m³
(13.6 cu. yd.)
- Heaped capacity: 15.3 m³
(20.0 cu. yd.)
- Bowl width: 3.2 m (10 ft. 6 in.)

Build Your Own

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Features

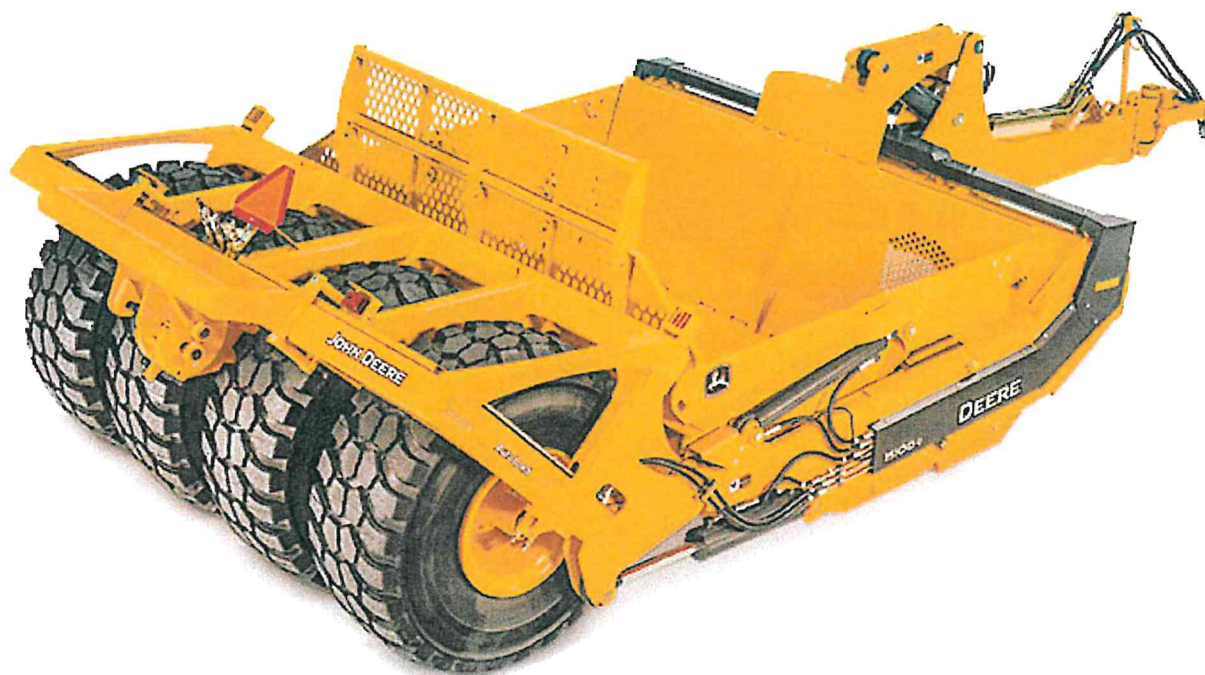
Expand All

+ Productivity

+ Capacity

+ Versatility





Equipment World Spec Guide

YOU COULD SAVE \$668
when you switch to Progressive

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John Deere 1510D C | Scrapers Pull-Type

Performance

Bowl capacity heaped (cu yds):	15
Bowl capacity struck (cu yds):	11
Type:	Carry All
Width of cut (in):	120"
Rear hitch for tandem:	--

Dimensions

Length w/tongue & hitch (in):	298"
Width, upperstructure (in):	142"
Height, bowl on ground (in):	90"

Tractor Power

Required horsepower:	--
Max suggested horsepower:	--

Weight

Empty weight (lbs):	16,800
---------------------	--------



Sweet spot found

Choose from a large selection of tires in singles, doubles, and triples to fit your needs. Front tires are available in widths ranging from 12.6 in. (320 mm) to 25.6 in. (650 mm); rear tires in widths from 12.6 in. (320 mm) to 35.4 in. (900 mm).

Tire Options, including Group 49s. John Deere offers a wide selection of tires to fit a variety of row-crop, broad-acre, and transport applications, including an expanded lineup of Group 48 duals and Group 49 tire options. Group 49s have a larger diameter and longer footprint for improved traction and reduced compaction when compared to smaller tires of the same section-width and design.



YOUR CONTRACT. YOUR QUOTE. YOUR HELP REQUESTED.

**Ensure your equipment arrives with no delay.
Issue your Purchase Order or Letter of Intent.**

To expedite the ordering process, please include the following information in Purchase Order or Letter of Intent:

For any questions, please contact:

☐ Shipping address

☐ Billing address

Vendor: John Deere Company

☐ 2000 John Deere Run Cary,
NC 27513

☐ Contract name and/or number

☐ Signature

☐ Tax exempt certificate, if applicable

R.d. Machen

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596

Tel: 956-968-7502

Fax: 956-968-4173

Email: rmachen@agproco.com



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

Quote Summary

Prepared For:

City Of Weslaco
901 N Airport Dr
Weslaco, TX 78599
Business: 956-968-7581

Delivering Dealer:

Ag-Pro
R.d. Machen
2000 E Expressway 83
Weslaco, TX 78596
Phone: 956-968-7502
rmachen@agproco.com

All Used Equipment is Sold As Is, No Warranty.

Quote ID: 19078755
Created On: 04 March 2019
Last Modified On: 08 March 2019
Expiration Date: 03 April 2019

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 1510D C Carry-All Scraper Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation 529-17 (PG 67 CG 70) Price Effective Date: March 5, 2019	\$ 94,124.20	\$ 74,075.78 X	1 =	\$ 74,075.78
JOHN DEERE 8295R Tractor Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation 529-17 (PG 67 CG 70) Price Effective Date: March 5, 2019	\$ 350,333.00	\$ 275,397.70 X	1 =	\$ 275,397.70
Equipment Total				\$ 349,473.48

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 349,473.48
Trade In	
SubTotal	\$ 349,473.48
Est. Service	\$ 0.00
Agreement Tax	
Total	\$ 349,473.48
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 349,473.48

Salesperson : X _____

Accepted By : X _____

Confidential

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

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2000 E Expressway 83
Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

JOHN DEERE 1510D C Carry-All Scraper

Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation
529-17 (PG 67 CG 70)

Price Effective Date: March 5, 2019

Suggested List *

\$ 94,124.20

Selling Price *

\$ 74,075.78

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
0744T8	1510D C Carry-All Scraper	1	\$ 84,531.00	22.00	\$ 18,596.82	\$ 65,934.18	\$ 65,934.18
Standard Options - Per Unit							
0202	United States	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
1050	Standard Rear Hitch	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
2007	Four - 20.5 x 25 in. 24 Ply E3 Bias	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3055	Hoses and Couplers for Front Scraper in Tandem Application	1	\$ 610.00	22.00	\$ 134.20	\$ 475.80	\$ 475.80
4000	Straight	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
7070	Less AutoLoad	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
9028	Quick Attach Drawbar for 8000, 8010, 8020, 8030, and 8R Series Tractors with Category 3 or 4 Hitch	1	\$ 3,621.00	22.00	\$ 796.62	\$ 2,824.38	\$ 2,824.38
Standard Options Total			\$ 4,231.00		\$ 930.82	\$ 3,300.18	\$ 3,300.18
Dealer Attachments/Non-Contract/Open Market							
BXT10034	Carry-All Super Overflow Spill Guard	1	\$ 2,367.20	22.00	\$ 520.78	\$ 1,846.42	\$ 1,846.42
001	Non-Contract HD Hitch Kit	1	\$ 1,250.00	0.00	\$ 0.00	\$ 1,250.00	\$ 1,250.00
002	Non-Contract Hydro Line kit	1	\$ 1,745.00	0.00	\$ 0.00	\$ 1,745.00	\$ 1,745.00
Dealer Attachments Total			\$ 5,362.20		\$ 520.78	\$ 4,841.42	\$ 4,841.42
Suggested Price							\$ 74,075.78
Total Selling Price			\$ 94,124.20		\$ 20,048.42	\$ 74,075.78	\$ 74,075.78

JOHN DEERE 8295R Tractor

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

Contract: TX BuyBoard Grounds Mtn Equip, Irrigation							Suggested List *
529-17 (PG 67 CG 70)							\$ 350,333.00
Price Effective Date: March 5, 2019							Selling Price *
							\$ 275,397.70
* Price per item - includes Fees and Non-contract items							
Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
07C0RW	8295R Tractor	1	\$ 307,701.00	22.00	\$ 67,694.22	\$ 240,006.78	\$ 240,006.78
Standard Options - Per Unit							
188S	JDLink Connect 5 Year subscription	1	\$ 1,200.00	22.00	\$ 264.00	\$ 936.00	\$ 936.00
0202	United States	1	\$ 1,900.00	22.00	\$ 418.00	\$ 1,482.00	\$ 1,482.00
0409	English	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
0500	No Package	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
832D	High Capacity Take-Out Oil Reservoir	1	\$ 1,284.00	22.00	\$ 282.48	\$ 1,001.52	\$ 1,001.52
1490	16F/5R Speed PowerShift Transmission (PST) 42 km/h (26 mph)	1	\$ -6,232.00	22.00	\$ -1,371.04	\$ -4,860.96	\$ -4,860.96
2059	Standard CommandView III Cab	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
2660	Standard Radio Package	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
2701	Right-hand Reverser Bump-Shift-Type Transmission Controls	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3037	John Deere PowerTech 9.0 L (549 cu. in.) 6 Cylinder Tier 4/Stage V Compliant Diesel Engine	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3260	227.1 L/min (60 gpm) Hydraulic Pump	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3341	Four Premium Rear Remote SCVs with Electrohydraulic (EH) Controls, Premium Couplers, and High Pressure Relief Levers	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3810	45 mm (1-3/4 in.) 1,000 rpm (20-spline) PTO	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

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956-968-7502
lneuhaus@agproco.com

4034	8,391 kg (18,500 lb) capacity 3-Point Hitch (Cat 3/3N) with Sway Blocks and Quik-Coupler	1	\$ 1,437.00	22.00	\$ 316.14	\$ 1,120.86	\$ 1,120.86
4321	Category 4 adjustable Swinging Drawbar with 50 mm (2 in.) Pin	1	\$ 310.00	22.00	\$ 68.20	\$ 241.80	\$ 241.80
5042	120 mm (4.72 in.) diameter by 3010 mm (118.5 in.) length with Double Taper Wheel Hubs	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
5601	480/80R50 159A8 R1W Radial in Dual Wheel Configuration	1	\$ 3,473.00	22.00	\$ 764.06	\$ 2,708.94	\$ 2,708.94
5902	Goodyear Brand Only	1	\$ 800.00	22.00	\$ 176.00	\$ 624.00	\$ 624.00
6044	1500 Series MFWD with hydraulic differential lock and Group 48 Rear Tires	1	\$ 7,457.00	22.00	\$ 1,640.54	\$ 5,816.46	\$ 5,816.46
6603	420/85R34 147A8 R1W Radial in Dual Wheel Configuration - Eight Position	1	\$ 10,259.00	22.00	\$ 2,256.98	\$ 8,002.02	\$ 8,002.02
7201	Standard Lighting	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
8010	Fenders, Pivoting Front - 480 mm (18.9 in.) Wide	1	\$ 1,450.00	22.00	\$ 319.00	\$ 1,131.00	\$ 1,131.00
8064	Ethernet Switch	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
8960	Weight, front support with twenty-two suitcase weights	1	\$ 3,038.00	22.00	\$ 668.36	\$ 2,369.64	\$ 2,369.64
8977	One Pair 625 kg (1378 lb)	1	\$ 3,543.00	22.00	\$ 779.46	\$ 2,763.54	\$ 2,763.54
Standard Options Total			\$ 29,919.00		\$ 6,582.18	\$ 23,336.82	\$ 23,336.82
Technology Options/Non-Contract/Open Market							
1946	4600 Processor	1	\$ 1,500.00	22.00	\$ 330.00	\$ 1,170.00	\$ 1,170.00
1822	4600 CommandCenter	1	\$ 495.00	22.00	\$ 108.90	\$ 386.10	\$ 386.10
1835	Less StarFire Receiver	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
1851	CommandCenter AutoTrac Activation	1	\$ 1,000.00	22.00	\$ 220.00	\$ 780.00	\$ 780.00
1834	Less John Deere ActiveCommand Steering (ACS)	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
Technology Options Total			\$ 2,995.00		\$ 658.90	\$ 2,336.10	\$ 2,336.10
Dealer Attachments/Non-Contract/Open Market							

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

001	Non-Contract beacon light kit	1	\$ 699.00	0.00	\$ 0.00	\$ 699.00	\$ 699.00
002	Non-Contract rear Hydro Valve Kit	1	\$ 3,450.00	0.00	\$ 0.00	\$ 3,450.00	\$ 3,450.00
003	Non-Contract cab radio Kit	1	\$ 675.00	0.00	\$ 0.00	\$ 675.00	\$ 675.00
004	Non-Contract Set Up And Frieght	1	\$ 2,899.00	0.00	\$ 0.00	\$ 2,899.00	\$ 2,899.00
005	Non-Contract Exchange of Wider Tires	1	\$ 1,995.00	0.00	\$ 0.00	\$ 1,995.00	\$ 1,995.00
Dealer Attachments Total			\$ 9,718.00		\$ 0.00	\$ 9,718.00	\$ 9,718.00
Value Added Services Total			\$ 0.00			\$ 0.00	\$ 0.00
Suggested Price						\$ 275,397.70	
Total Selling Price			\$	\$ 74,935.30	\$	\$	\$
			350,333.00		275,397.70	275,397.70	275,397.70

YOUR CONTRACT. YOUR QUOTE. YOUR HELP REQUESTED.

**Ensure your equipment arrives with no delay.
Issue your Purchase Order or Letter of Intent.**

To expedite the ordering process, please include the following information in Purchase Order or Letter of Intent:

For any questions, please contact:

☐ Shipping address

☐ Billing address

Vendor: John Deere Company

☐ 2000 John Deere Run Cary,
NC 27513

☐ Contract name and/or number

☐ Signature

☐ Tax exempt certificate, if applicable

R.d. Machen

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596

Tel: 956-968-7502

Fax: 956-968-4173

Email: rmachen@agproco.com



ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

Quote Summary

Prepared For:

City Of Weslaco
901 N Airport Dr
Weslaco, TX 78599
Business: 956-968-7581

Delivering Dealer:

Ag-Pro
R.d. Machen
2000 E Expressway 83
Weslaco, TX 78596
Phone: 956-968-7502
rmachen@agproco.com

All Used Equipment is Sold As Is, No Warranty.

Quote ID: 19078755
Created On: 04 March 2019
Last Modified On: 13 March 2019
Expiration Date: 03 April 2019

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 8295R Tractor	\$ 350,333.00	\$ 275,397.70 X	1 =	\$ 275,397.70
Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation 529-17 (PG 67 CG 70) Price Effective Date: March 5, 2019				
JOHN DEERE 2010D E Four Tire Ejector Scraper	\$ 177,316.00	\$ 150,569.94 X	1 =	\$ 150,569.94
Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation 529-17 (PG 67 CG 70) Price Effective Date: March 13, 2019				
Equipment Total				\$ 425,967.64

* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 425,967.64
Trade In	
SubTotal	\$ 425,967.64
Est. Service Agreement Tax	\$ 0.00
Total	\$ 425,967.64
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 425,967.64

Salesperson : X _____

Accepted By : X _____

Confidential

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Ag-Pro
2000 E Expressway 83
Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

JOHN DEERE 8295R Tractor

Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation
529-17 (PG 67 CG 70)

Price Effective Date: March 5, 2019

Suggested List *

\$ 350,333.00

Selling Price *

\$ 275,397.70

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
07C0RW	8295R Tractor	1	\$ 307,701.00	22.00	\$ 67,694.22	\$ 240,006.78	\$ 240,006.78
Standard Options - Per Unit							
188S	JDLINK Connect 5 Year subscription	1	\$ 1,200.00	22.00	\$ 264.00	\$ 936.00	\$ 936.00
0202	United States	1	\$ 1,900.00	22.00	\$ 418.00	\$ 1,482.00	\$ 1,482.00
0409	English	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
0500	No Package	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
832D	High Capacity Take-Out Oil Reservoir	1	\$ 1,284.00	22.00	\$ 282.48	\$ 1,001.52	\$ 1,001.52
1490	16F/5R Speed PowerShift Transmission (PST) 42 km/h (26 mph)	1	\$ -6,232.00	22.00	\$ -1,371.04	\$ -4,860.96	\$ -4,860.96
2059	Standard CommandView III Cab	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
2660	Standard Radio Package	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
2701	Right-hand Reverser Bump-Shift-Type Transmission Controls	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3037	John Deere PowerTech 9.0 L (549 cu. in.) 6 Cylinder Tier 4/Stage V Compliant Diesel Engine	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3260	227.1 L/min (60 gpm) Hydraulic Pump	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
3341	Four Premium Rear Remote SCVs with Electrohydraulic (EH) Controls, Premium Couplers, and High Pressure Relief Levers	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

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lneuhaus@agproco.com

3810	45 mm (1-3/4 in.) 1,000 rpm (20-spline) PTO	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
4034	8,391 kg (18,500 lb) capacity 3-Point Hitch (Cat 3/3N) with Sway Blocks and Quik-Coupler	1	\$ 1,437.00	22.00	\$ 316.14	\$ 1,120.86	\$ 1,120.86
4321	Category 4 adjustable Swinging Drawbar with 50 mm (2 in.) Pin	1	\$ 310.00	22.00	\$ 68.20	\$ 241.80	\$ 241.80
5042	120 mm (4.72 in.) diameter by 3010 mm (118.5 in.) length with Double Taper Wheel Hubs	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
5601	480/80R50 159A8 R1W Radial in Dual Wheel Configuration	1	\$ 3,473.00	22.00	\$ 764.06	\$ 2,708.94	\$ 2,708.94
5902	Goodyear Brand Only	1	\$ 800.00	22.00	\$ 176.00	\$ 624.00	\$ 624.00
6044	1500 Series MFWD with hydraulic differential lock and Group 48 Rear Tires	1	\$ 7,457.00	22.00	\$ 1,640.54	\$ 5,816.46	\$ 5,816.46
6603	420/85R34 147A8 R1W Radial in Dual Wheel Configuration - Eight Position	1	\$ 10,259.00	22.00	\$ 2,256.98	\$ 8,002.02	\$ 8,002.02
7201	Standard Lighting	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
8010	Fenders, Pivoting Front - 480 mm (18.9 in.) Wide	1	\$ 1,450.00	22.00	\$ 319.00	\$ 1,131.00	\$ 1,131.00
8064	Ethernet Switch	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
8960	Weight, front support with twenty-two suitcase weights	1	\$ 3,038.00	22.00	\$ 668.36	\$ 2,369.64	\$ 2,369.64
8977	One Pair 625 kg (1378 lb)	1	\$ 3,543.00	22.00	\$ 779.46	\$ 2,763.54	\$ 2,763.54
Standard Options Total			\$ 29,919.00		\$ 6,582.18	\$ 23,336.82	\$ 23,336.82
Technology Options/Non-Contract/Open Market							
1946	4600 Processor	1	\$ 1,500.00	22.00	\$ 330.00	\$ 1,170.00	\$ 1,170.00
1822	4600 CommandCenter	1	\$ 495.00	22.00	\$ 108.90	\$ 386.10	\$ 386.10
1835	Less StarFire Receiver	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
1851	CommandCenter AutoTrac Activation	1	\$ 1,000.00	22.00	\$ 220.00	\$ 780.00	\$ 780.00
1834	Less John Deere ActiveCommand Steering (ACS)	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

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2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

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Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

Technology Options Total			\$ 2,995.00		\$ 658.90	\$ 2,336.10	\$ 2,336.10
Dealer Attachments/Non-Contract/Open Market							
001	Non-Contract beacon light kit	1	\$ 699.00	0.00	\$ 0.00	\$ 699.00	\$ 699.00
002	Non-Contract rear Hydro Valve Kit	1	\$ 3,450.00	0.00	\$ 0.00	\$ 3,450.00	\$ 3,450.00
003	Non-Contract cab radio Kit	1	\$ 675.00	0.00	\$ 0.00	\$ 675.00	\$ 675.00
004	Non-Contract Set Up And Frieght	1	\$ 2,899.00	0.00	\$ 0.00	\$ 2,899.00	\$ 2,899.00
005	Non-Contract Exchange of Wider Tires	1	\$ 1,995.00	0.00	\$ 0.00	\$ 1,995.00	\$ 1,995.00
Dealer Attachments Total			\$ 9,718.00		\$ 0.00	\$ 9,718.00	\$ 9,718.00
Value Added Services Total			\$ 0.00			\$ 0.00	\$ 0.00
Suggested Price							\$ 275,397.70
Total Selling Price			\$ 350,333.00		\$ 74,935.30	\$ 275,397.70	\$ 275,397.70

JOHN DEERE 2010D E Four Tire Ejector Scraper

Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation
529-17 (PG 67 CG 70)

Price Effective Date: March 13, 2019

Suggested List *

\$ 177,316.00

Selling Price *

\$ 150,569.94

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
0714T8	2010D E Four Tire Ejector Scraper	1	\$ 115,584.00	22.00	\$ 25,428.48	\$ 90,155.52	\$ 90,155.52
Standard Options - Per Unit							
0202	United States	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
0800	Custom Configuration	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
1050	Standard Rear Hitch	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
2007	Four - 20.5 x 25 in. 24 Ply E3 Bias	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00

Selling Equipment

Quote Id: 19078755 **Customer Name:** CITY OF WESLACO

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580; DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

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Weslaco, TX 78596
956-968-7502
lneuhaus@agproco.com

3055	Hoses and Couplers for Front Scraper in Tandem Application	1	\$ 610.00	22.00	\$ 134.20	\$ 475.80	\$ 475.80
4000	Straight	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
7070	Less AutoLoad	1	\$ 0.00	22.00	\$ 0.00	\$ 0.00	\$ 0.00
9020	GPS Position or Laser Receiver Bracket	1	\$ 1,758.00	22.00	\$ 386.76	\$ 1,371.24	\$ 1,371.24
9028	Quick Attach Drawbar for 8000, 8010, 8020, 8030, and 8R Series Tractors with Category 3 or 4 Hitch	1	\$ 3,621.00	22.00	\$ 796.62	\$ 2,824.38	\$ 2,824.38
Standard Options Total			\$ 5,989.00		\$ 1,317.58	\$ 4,671.42	\$ 4,671.42
Dealer Attachments/Non-Contract/Open Market							
001	Non-Contract Universal Hose Kit	1	\$ 2,499.00	0.00	\$ 0.00	\$ 2,499.00	\$ 2,499.00
002	Non-Contract Lazer Leveling System	1	\$ 49,995.00	0.00	\$ 0.00	\$ 49,995.00	\$ 49,995.00
003	Non-Contract HD Hitch Kit	1	\$ 3,249.00	0.00	\$ 0.00	\$ 3,249.00	\$ 3,249.00
Dealer Attachments Total			\$ 55,743.00		\$ 0.00	\$ 55,743.00	\$ 55,743.00
Suggested Price							\$ 150,569.94
Total Selling Price			\$ 177,316.00		\$ 26,746.06	\$ 150,569.94	\$ 150,569.94



Standardized Agenda Request Form

Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2301	
From:			
Subject: Discussion and consideration on Memorandum of Understanding between City of Weslaco Fire Department and Med-Care Ambulance on pilot program for emergency responses and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department)			
Background: (Pilot program) Memorandum of Understanding between City of Weslaco Fire Department and Med-Care Ambulance on pilot program for emergency responses to support Weslaco Fire department in times of low level EMS operations.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega		Created/Initiated	
Antonio Lopez		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve for 6 months. At 6 months report to City Commission for a review and possible extension.			
Staff Recommendation:			
Attachments, if any: Memorandum of Understanding			
Responsibilities upon Approval:			

**MEMORANDUM OF UNDERSTANDING DEFINING ROLES AND RESPONSIBILITY
BETWEEN CITY OF WESLACO FIRE DEPARTMENT AND MED-CARE EMS. INC.
IN REGARDS TO A PILOT PROGRAM FOR EMERGENCY RESPONSES**

This Memorandum of Understanding (MOU) is entered by and between the City of Weslaco Fire Department (**Weslaco F. D.**) and Med-Care EMS, Inc., (**MedCare**) to define the roles and responsibilities for a pilot program for level of assistance.

WITNESSETH

WHEREAS, **Weslaco F. D.** anticipates there may be circumstance for increased coverage during large volumes of emergency 911 calls; and

WHEREAS, **Weslaco F. D.**, a Texas licensed EMS provider, will redirect emergency responses to 911 calls based on the level of assistances to **Med-Care**.

NOW, THEREFORE, the parties hereby agree as follows:

ARTICLE 1. PURPOSE

Weslaco F. D., a Texas licensed EMS provider and **Med-Care** agree to a pilot program for 911 emergency response calls as follows:

CITY RESPONSIBILITY AND ROLE

Level 1-Weslaco 911 Dispatch Center of **Weslaco F. D.**, will notify **Med-Care** when there is no EMS unit left in service in the City of Weslaco as a result of a structure fire, major response and/or disaster; and

Level 2-Weslaco 911 Dispatch Center will notify **Med-Care** when there is one (1) EMS unit left in-service in the City of Weslaco; and

Level 3-Weslaco 911 Dispatch Center of **Weslaco F. D.** will notify **Med-Care** when the level status is at one (1) station in-service in the City of Weslaco.

MED-CARE RESPONSIBILITY AND ROLE

Level 1-**Med-Care** upon request by Weslaco 911 Dispatch Center, will send an EMS unit, possible second unit, into City of Weslaco to cover all incoming EMS traffic for duration of Level 1 status and will stand by at a Fire Station directed by Shift Commander; and

Level 2-**Med-Care**, upon request by Weslaco 911 Dispatch Center, will be notified to send EMS unit into City of Weslaco for potential for next call response; and;

Level 3-**Med-Care**, will be notified by Weslaco 911 Dispatch Center of **Weslaco F. D.** on situational awareness of possible response needed allowing Med-Care time to prepare to move EMS unit to Weslaco Level status at one (1) station in-service in the City of Weslaco.

ARTICLE 2. TERM

This MOU shall be in effect upon signatures of all parties and terminated immediately by either party upon written notice to the other party.

ARTICLE 3. INSURANCE

- A. Evidence of Insurance for **Med-Care** attached as Exhibit A, if required.
- B. Evidence of Insurance for **Weslaco F. D.** attached as Exhibit B, if required.

ARTICLE 4. INDEMNITY

The **CITY** shall not be liable or responsible for damage or injury to any person or damage or injury to property, arising out of, or occasioned by, directly or indirectly, any act, omission, operation, activity or any negligent act performed by the **COMPANY**, or its agents, servants, employees, officers, directors, subcontractors, or licensees, under this agreement.

ARTICLE 5. GOVERNING LAW

The laws of the State of Texas shall govern this MOU and all obligations hereunder of the parties are performable in Weslaco, Texas. Venue for any legal proceeding is Hidalgo County, Texas.

ARTICLE 6. NON-ASSIGNMENT

This MOU shall be binding upon and to the benefit of the parties hereto and their respective legal representatives, successors and assigns. Neither **Med-Care** nor **Weslaco F. D.** shall assign any duty of MOU, excepting those already identified herein, without written consent of the other.

ARTICLE 7. SEVERABILITY

Should any provisions of this MOU for any reasons be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

ARTICLE 8. RELATIONSHIP OF PARTIES

Nothing contained in this MOU shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this MOU nor any act or acts of the parties hereto shall be deemed to

create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this MOU.

ARTICLE 9. ENTIRETY OF MOU

This is the entire MOU between parties and no modification of this MOU shall be of any force or effect, unless it is in writing signed by both parties. NO OFFICIAL, EMPLOYEE, AGENT OR REPRESENTATIVE OF THE EITHER PARTY HAS ANY AUTHORITY, EITHER EXPRESS OR IMPLIED, TO AMEND THIS MOU, EXCEPT PURSUANT TO SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE CITY OF WESLACO AND MED-CARE.

ARTICLE 10. EFFECTIVE DATE

The effective date of the MOU is March 19, 2019.

CITY OF WESLACO

MED-CARE EMS, INC.

David Suarez, Mayor

Veronica L. Ontiveros,
Vice President

ATTEST:

City Secretary, **Myra L. Garza**

APPROVED AS TO FORM:

Juan E. Gonzalez, City Attorney



Standardized Agenda Request Form

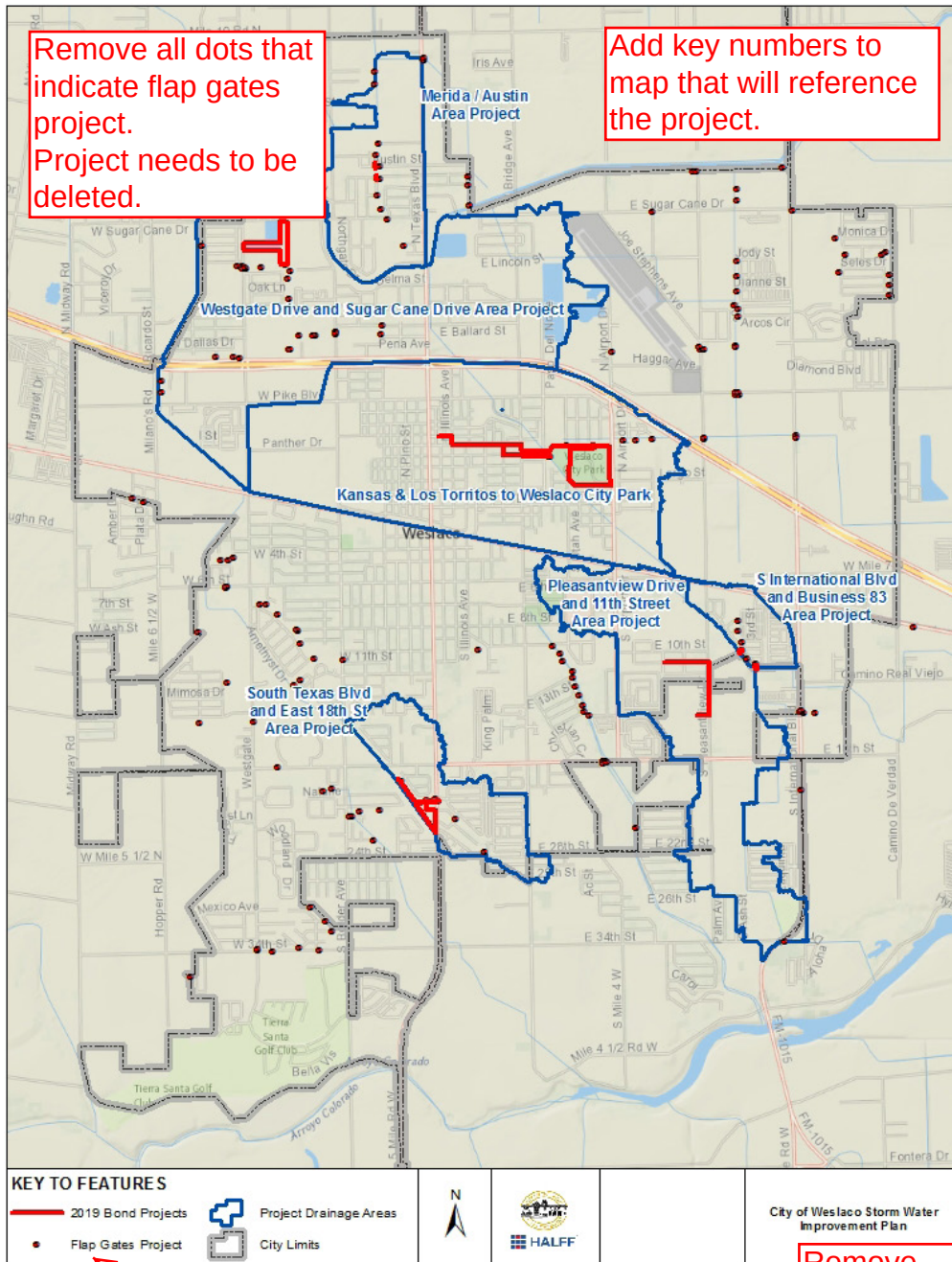
Date of Meeting: March 19, 2019		Agenda Item No. (to be assigned by CSO): 2019-2326	
From:			
Subject: Discussion on presentation of material for distribution to the public as related to the upcoming May 4, 2019 Bond Election. Possible action. (Staffed by City Manager.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Aida Vega Mike Perez		Created	
City Manager Comments: Approved.			
Staff Recommendation:			
Attachments, if any: USE-Weslaco Brochure 8.5 x 11, USE-Weslaco Brochure 5.5 x 8_V2, USE-Weslaco Brochure 8.5 x 11_Spanish, USE-Weslaco_FB			
Responsibilities upon Approval:			



Make 2019 more visible

Create updated form in Spanish.

DRAINAGE BOND PROGRAM



Remove all dots that indicate flap gates project. Project needs to be deleted.

Add key numbers to map that will reference the project.

CITY OF WESLACO PROPOSED PROJECT AREAS

- 1 South International Blvd. and Business 83**
Proposed project includes upsizing of two culverts in the drainage channel between South Pleasant View Drive and South International Boulevard, south of Business 83.
- 2 South Texas Blvd. and East 18th St.**
Proposed project includes widening of the channel between Mile 5½ Road West and South Texas Boulevard, south of East 18th Street, plus upsizing the culvert under South Texas Boulevard at Trails End Drive. A 5-acre stormwater detention pond is proposed for this area to offline higher flows in the adjacent drainage channel system.
- 3 Westgate Drive and Sugar Cane Drive**
Proposed project includes development of an 11-acre detention pond in the space behind Clecker-Heald Elementary School to reduce the amount of stormwater flowing into the undersized storm drainage system downstream.
- 4 Pleasantview Drive and 11th St.**
Project includes development of a new storm drain system in the neighborhood south of Weslaco East High School to capture and carry stormwater to the existing channel near East 18th Street and Pleasantview Drive.

Merida/Austin ← Delete project

Project includes upsizing of the culvert crossings of the drainage channel located west of Texas Boulevard at Austin Street and West Merida Street.

Flap Gates ← Delete project

Project includes installation of a flap gate structure at the junction of an existing drainage system to an outfall channel.

- 5 Los Torritos St. and North Kansas Ave.**
It is proposed that \$3.5 million from this bond election be used as the City's match for a \$10 million U.S. Army Corps of Engineers' flood damage reduction project. This project includes construction of a storm drain system with new or upsized culvert crossings that will carry stormwater from the Los Torritos Street and North Kansas Avenue area to a new 30-acre detention pond at Weslaco City Park.

Remove highlighted area from #5 project.

Remove Flap Gates Project

KEY DATES

Early voting:
April 22–April 30
Last day to apply
for mail-in vote: April 23
Election day: Saturday,
May 4, 7 a.m.–7 p.m.

EARLY VOTING

Monday, April 22–Tuesday, April 30, 7 a.m.–7 p.m.
Business Visitor and Event Center, 275 South Kansas Ave.

Add: Except Sunday, April 28

ELECTION DAY VOTING

Saturday, May 4, 7 a.m.–7 p.m.
• Business Visitor and Event Center, 275 South Kansas Ave.
• Stephen F. Austin School, 514 West Fourth St.

Add: Except April 28

- 6 Create a new project (#6) to include the following language: It is proposed that \$3.5 million from this bond election be used as the City's match for grants from different state and federal agencies.**

Font below is a little difficult to see

EARLY VOTING

Monday, April 22–Tuesday, April 30, 7 a.m.–7 p.m.
Business Visitor and Event Center, 275 South Kansas Ave.

Add: Except Sunday, April 28

ELECTION DAY VOTING

Saturday, May 4, 7 a.m.–7 p.m.

- Business Visitor and Event Center, 275 South Kansas Ave.
- Stephen F. Austin School, 514 West Fourth St.

MAIL-IN VOTING

Tuesday, April 23
Final day to apply for a mail-in vote



Use this design/style for information documents.

Change: Document layout orientation to portrait.

All documents need to be created in Spanish.

2019

DRAINAGE BOND PROGRAM

Make all changes indicated in the English document.

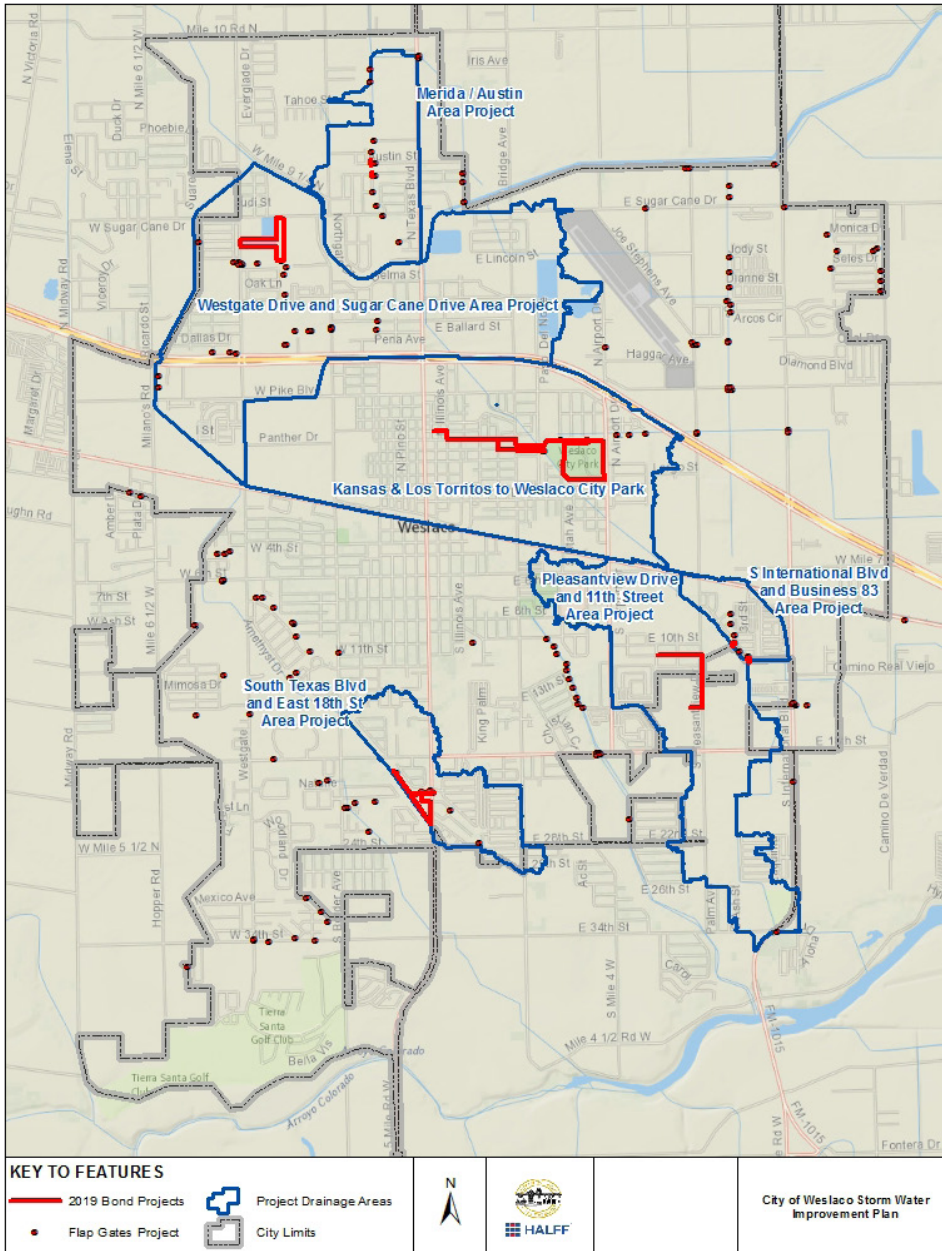


Programa

BONOS

de Drenaje

Add the word Propuso



CIUDAD DE WESLACO ÁREAS DEL PROYECTO

South International Blvd. y Business 83

El proyecto propuesto incluye la ampliación del tamaño de dos alcantarillas en el canal de drenaje ubicado entre S. Pleasant View Drive y S. International Boulevard, al sur de Business 83.

South Texas Blvd. y East 18th St.

El proyecto propuesto incluye la ampliación del canal entre Mile 5½ Road West y South Texas Boulevard, al sur de East 18th Street y aumentar el tamaño de la alcantarilla bajo South Texas Boulevard en Trails End Drive. También se propone un estanque de detención de aguas pluviales de 5 acres en esta área para relevar los flujos mayores del canal de drenaje adyacente.

Westgate Drive y Sugar Cane Drive

El proyecto propuesto incluye el desarrollo de un estanque de detención de 11 acres en el área detrás de la Escuela Primaria Clecker-Heald para reducir la cantidad de aguas pluviales que fluyen hacia el sistema de drenaje pluvial de tamaño insuficiente que se encuentra río abajo.

Pleasantview Drive y 11th St.

Este proyecto incluye el desarrollo de un nuevo sistema de drenaje pluvial en el vecindario al sur de Weslaco East High School para capturar y transportar las aguas pluviales al canal existente cerca de East 18th Street y Pleasantview Drive.

Merida/Austin

Este proyecto incluye el aumento de tamaño de los cruces de alcantarilla del canal de drenaje ubicado al oeste de Texas Boulevard en Austin Street y West Merida Street.

Compuertas Abatibles

Este proyecto incluye la instalación de una estructura de compuerta abatible en la unión de un sistema de drenaje existente con un canal de descarga.

Los Toritos St. y North Kansas Ave.

Se propone que \$3.5 millones de esta Elección de Bonos se utilice como el equivalente de la Ciudad para un Proyecto de Reducción de Daños por Inundación del U.S. Army Corp of Engineers. Este proyecto incluye la construcción de un nuevo sistema de drenaje de pluvial con cruces de alcantarillas nuevas o de tamaño superior que llevarán agua de pluvial desde el área de Los Toritos y North Kansas Avenue hasta un nuevo estanque de detención de 30 acres en Weslaco City Park.

Highlighted area needs to be in Spanish

KEY DATES

Early voting:
April 22–April 30

Last day to apply
for mail-in vote: April 23

Election day: Saturday,
May 4, 7 a.m.–7 p.m.

EARLY VOTING

Monday, April 22–Tuesday, April 30, 7 a.m.–7 p.m.
Business Visitor and Event Center, 275 South Kansas Ave.

ELECTION DAY VOTING

Saturday, May 4, 7 a.m.–7 p.m.
• Business Visitor and Event Center, 275 South Kansas Ave.
• Stephen F. Austin School, 514 West Fourth St.

Change Design/Style to match
other docs.
Create a flyer in Spanish.



Add: 2019

DRAINAGE

BOND

PROGRAM

EARLY VOTING: APRIL 22–30

ELECTION DAY: MAY 4

WWW.WESLACOTX.GOV

Add: Except April 28