



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, APRIL 19, 2016**

On this 19<sup>th</sup> day of April 2016 at 5:35p.m., the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

|                  |                         |
|------------------|-------------------------|
| Mayor            | David Suarez            |
| Mayor Pro-Tem    | Olga Noriega            |
| Commissioner     | Gerardo “Jerry” Tafolla |
| Commissioner     | Letty Lopez             |
| Commissioner     | Leo Muñoz               |
| Commissioner     | Fidel Peña III          |
| City Secretary   | Elizabeth M. Walker     |
| Deputy Secretary | Aida Vega               |
| City Attorney    | Juan E. Gonzalez        |

Also present: Jose Pena, IT Director; Sonia Flores, Asst. Finance Director; Veronica Ramirez, Human Resources Director; Pete Garcia, Public Works Director; Captain Raul Vallejo, Police Department; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; Arnold Becho, Library Director; David Arce, Parks and Recreation Director; Rosa Huerta, Municipal Court Administrator; 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, April 15, 2016.
- B. Invocation.  
Pastor Steven Parker, First Baptist Church, led the invocation.
- C. Pledge of Allegiance.  
Mayor Suarez led the Pledge of Allegiance and Texas Flag.
- D. Mayoral Recognition  
Mayor Suarez proclaimed the month of April as Child Abuse Prevention Month.
- E. Roll Call.  
Aida Vega, Deputy Secretary, called the roll, noting the absence of Commissioner Kerr.

**II. PUBLIC COMMENTS**

Edward Mejia gave a status of the event “La Voz del Valle scheduled June 26, 2016.

Priscilla Alvarez, Director of Education VIDA, stated 53 residents from Weslaco have been assisted as a result of funding and thanked the Commission for the support.

### **III. PUBLIC HEARING**

Commissioner Tafolla, seconded by Commissioner Peña, moved to open the public hearing for items III. A, B C, D and E concurrently at 5:44 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

- A. To solicit input on behalf of Don Capetillo for a Conditional Use Permit to operate a daycare at 2009 N. International Blvd, also being South 1.74 acres of the North 4.05 acres of the South 9.99 acres of Farm Tract 1040, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas.

There were no comments received.

- B. To solicit input on behalf of Judith C. Figueroa d.b.a. Juan Bota’s Drive Thru and Grill LLC to approve Conditional Use Permit to obtain a Wine and Beer Retailer’s Permit and Beverage Cartage Permit at 611 S. Texas Blvd., also being Lot 19 and 20 ft. South of Lot 20, Block 49, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas.

Pastor Steve Parker and Paula Lopez voiced concerns on safety, traffic, consumption on premise. Pastor Parker supported the Planning and Zoning Commission recommendations of safety bollards and privacy fence and requested the additional stipulation of a security officer on premise.

- C. To solicit input on behalf of Ivan Garcia, Rio Delta Engineering, to rezone 2319 W. Business 83, also being 8.68 acres of the West 16.18 acres of Tract 632, West Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District.

There were no comments received.

- D. To solicit input on behalf of RR Company of America to rezone 701 S. International Blvd., also being the 2.08 acres out of Crenshaw Center Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District.

There were no comments received.

- E. To solicit input on behalf of Concepcion Cardenas to rezone 512 Outlet St., also being a Lots 8, 9, 10 and 11, Block 16, B.F. Morgan Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood

Business District.

There were no comments received.

Commissioner Tafolla, seconded by Commissioner Peña, moved to close the public hearing for items III. A, B, C, D and E. at 5:50 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

**IV.**

**CONSENT AGENDA**

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

- A. Approval of the Minutes of the following:
  - 1.) Regular Meeting on April 5, 2016;
  - 2.) Special Meeting on April 5, 2016. (Staffed by City Secretary's Office.) Attachment.
  
- B. Approval on second and final reading of Ordinance 2016-12 to reduce the size of 25-foot electrical and utility easement along the Westside lot 47 West Gate Crossing Phase I Subdivision, Hidalgo County, Texas, to a 7.5 foot electrical and utility easement and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve consent agenda Items A and B as presented. The motion carried unanimously, Mayor Suarez was present and voting.

For the record the following is the Ordinance.

**ORDINANCE NO. 2016-12**

**AN ORDINANCE REDUCING THE SIZE OF 25-FOOT ELECTRICAL AND UTILITY EASEMENT ALONG THE WESTSIDE LOT 47 WEST GATE CROSSING PHASE I SUBDIVISION, HIDALGO COUNTY, TEXAS, TO A 7.5 FOOT ELECTRICAL AND UTILITY EASEMENT AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.**

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

**SECTION I.** Reducing the size of 25-foot electrical and utility easement along the Westside lot 47 West Gate Crossing Phase I Subdivision, Hidalgo County, Texas, to a 7.5 foot electrical and utility easement

**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 5<sup>th</sup> day of April, 2016.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 19<sup>th</sup> day of April, 2016.

**CITY OF WESLACO**  
/s/David Suarez, **MAYOR**

**ATTEST:**  
/s/Elizabeth Walker, **CITY SECRETARY**

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

**V. APPOINTMENTS**  
*Standard Documentation on Appointments*

- A Discussion and consideration to accept the resignation of Lazaro Cardenas and approve Resolution 2016-31 appointing one member to the Planning & Zoning Commission. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mayor Pro-Tem Noriega, seconded by Commissioner Peña, moved to accept the resignation of Lazaro Cardenas and approve Resolution 2016-31 appointing Jim Forward to the Planning and Zoning Commission. The motion carried unanimously, Mayor Suarez was present and voting.

For the record following is the resolution.

**RESOLUTION NO. 2016-31**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PLANNING AND ZONING COMMISSION BOARD.**

**WHEREAS**, the City of Weslaco created and established the Planning and Zoning Commission Board pursuant to Subsection 2-36 of Ordinance No. 291, as codified in the City of Weslaco Code of Ordinances.

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

**WHEREAS**, the Planning and Zoning Commission Board members shall serve without compensation and unlimited terms; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT** Jim Forward is appointed to serve an unexpired term on the Planning and Zoning Commission Board and your term will expire on 3<sup>rd</sup> day of December, 2017.

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016.

**CITY OF WESLACO**  
/s/David Suarez **MAYOR**

**ATTEST:**

/s/Elizabeth M. Walker, **CITY SECRETARY**

**APPROVED AS TO FORM:**

/s/Juan E. Gonzalez, **CITY ATTORNEY**

- B. Discussion and consideration to remove one member and approve Resolution 2016-32 appointing one member to that unexpired term on the Board of Adjustments and Appeals – Zoning Ordinance. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

There was no action on this item.

- C. Discussion and consideration to approve Resolutions 2016-10, 2016-11, 2016-12, 2016-13, 2016-14, 2016-15, 2016-16, 2016-17, 2016-18, 2016-19, 2016-20, 2016-21, 2016-22, 2016-23, 2016-24, and 2016-25 appointing members to the Weslaco 100 Committee to prepare the centennial celebration. Possible action. (Staffed by City Secretary's Office.) Attachment.

In response to Mayor Pro-Tem Noriega, applications and/or letter of interest were received from twenty residents and four already were serving on a board: Lina Fuentes-Johnson; Frank Castellanos; Ernesto Martinez and Joe Vidales.

Mayor Pro-Tem Noriega, seconded by Commissioner Tafolla, moved to approve Resolutions 2016-10, 2016-11, 2016-12, 2016-13, 2016-14, 2016-15, 2016-16, 2016-17, 2016-18, 2016-19, 2016-20, 2016-21, 2016-22, 2016-23, 2016-24, and 2016-25 appointing respectively Yvonne Oregon, Veronica L. Barrera, Yvette Castro-Carrillo, Mary Martin, Sandra Reyna, Barbara Ostemaier, Carlota Garcia Reigner, Irma Garcia, Loretta Barbee, Mark Williams, Leonor Medina, Mark McCaleb, Marta Kang, and Sandra Hernandez to the Weslaco 100 Committee. The motion carried unanimously, Mayor Suarez was present and voting.

For the record the following are the Resolutions:

**RESOLUTION NO. 2016 – 10**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

**WHEREAS,** The City of Weslaco, Texas, founded 1919, will celebrate its centennial in 2019, and anticipates programs and activities befitting the occasion; and

**WHEREAS,** This Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions, make recommendations, and encourage participation toward the planning and facilitating of such 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 issues for the strategic growth of the City over the next 100 years, including planning/sustainable development, governance, health, transportation, education, economic development, public safety, parks, information technology, and housing; and

**WHEREAS,** there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Yvonne Ortegon** is appointed to serve on the Weslaco 100 Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016.

**RESOLUTION NO. 2016 – 11**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

**WHEREAS,** The City of Weslaco, Texas, founded 1919, will celebrate its centennial in 2019, and anticipates programs and activities befitting the occasion; and

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

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**WHEREAS,** there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Veronica L. Barrera** is appointed to serve on the Weslaco 100 Committee and the term will begin on Committee and the term will begin on April 19, 2016, and will

expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016.

**RESOLUTION NO. 2016 – 12**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Jim Chapman** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 13**

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Yvette Castro-Castillo** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 14  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF**

**WESLACO, TEXAS THAT Mary Martin** is appointed to serve on the Weslaco 100 Committee and the term will begin on Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 15**  
**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS**  
**TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S**  
**CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Joe A. Garza** is appointed to serve on the Weslaco 100 Committee and the term will begin on Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 16**  
**A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS**  
**TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S**  
**CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS**, The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Sandra Reyna** is appointed to serve on the Weslaco 100 Committee and the term will begin on Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 17  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS**, The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Barbara Ostermaeir** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 18  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Carlota Garcia Reigner** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 19  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Irma Garcia** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 20  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Loretta Barbee** is appointed to serve on the Weslaco 100 Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 21  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Mark Williams** is appointed to serve on the Weslaco 100 Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 22  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

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**WHEREAS,** there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Leonor Medina** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 23  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

**WHEREAS,** The City of Weslaco, Texas, founded 1919, will celebrate its centennial in 2019, and anticipates programs and activities befitting the occasion; and

**WHEREAS,** This Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions, make recommendations, and encourage participation toward the planning and facilitating of such 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 issues for the strategic growth of the City over the next 100 years, including planning/sustainable development, governance, health, transportation, education, economic development, public safety, parks, information technology, and housing; and

**WHEREAS,** there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Mark McCaleb** is appointed to serve on the Weslaco 100 Committee and the term will begin Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 24  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

**WHEREAS,** The City of Weslaco, Texas, founded 1919, will celebrate its centennial in 2019, and anticipates programs and activities befitting the occasion; and

**WHEREAS,** This Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions, make recommendations, and encourage participation toward the planning and facilitating of such 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 issues for the strategic growth of the City over the next 100 years, including planning/sustainable development, governance, health, transportation, education, economic development, public safety, parks, information technology, and housing; and

**WHEREAS,** there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Marta Kang** is appointed to serve on the Weslaco 100 Committee and the term will begin on Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**RESOLUTION NO. 2016 - 25  
A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS  
TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S  
CENTENNIAL CELEBRATION AND STRATEGIC PLAN**

**WHEREAS,** The City of Weslaco, Texas, founded 1919, will celebrate its centennial in 2019, and anticipates programs and activities befitting the occasion; and

**WHEREAS,** This Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions, make recommendations, and encourage participation toward the planning and facilitating of such 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 issues for the strategic growth of the City over the next 100 years, including planning/sustainable development, governance, health, transportation, education, economic development, public safety, parks, information technology, and housing; and

**WHEREAS,** there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

**WHEREAS,** The Weslaco 100 Committee members shall serve without compensation

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Sandra Hernandez** is appointed to serve on the Weslaco 100 Committee and the term will begin on Committee and the term will begin on April 19, 2016, and will expire on April 19, 2019

**PASSED AND APPROVED** on this 19<sup>th</sup> day of April, 2016

**CITY OF WESLACO**  
/s/David Suarez, **MAYOR**

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

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

## **VI. OLD BUSINESS**

- A. Discussion and consideration to approve the Contingency Fund Request (CFR) of the contract with CDM Constructors, Inc. for the Water Treatment Plant expansion project as follows:

- 1) PCO #3 – Plant 2, 3, 4 Pipe Replacement - \$844,465.00;
- 2) PCO #4 – Plant 2 Sedimentation Basin Rehabilitation - \$36,631.00;
- 3) PCO #5 – Plant 3 Flocculators - \$100,000.00;
- 4) PCO #6 – Plant 3 Clarifier- \$150,000.00.

Possible action. (This item remained tabled March 15, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

The City Attorney recommended discussing this item in executive session.

- B. Discussion and consideration to approve the release of the remaining portion of

retainage of the 2.5% of the contract for CDM Constructors, Inc. for the Water Treatment Plant Expansion project in amount not to exceed \$350,673.67 and authorize the Mayor to execute any related documents. Possible action. (This item was tabled April 5, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

The City Attorney recommended discussing this item in executive session.

- C. Discussion and consideration to approve compensation for project delays to CDM Constructors, Inc. in an amount not to exceed \$960,000.00 and authorize the Mayor to execute any related documents. Possible action. (This item was tabled April 5, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

The City Attorney recommended discussing this item in executive session.

## **VII. NEW BUSINESS**

- A. Discussion and consideration after public hearing on behalf of Don Capetillo to approve a Conditional Use Permit to operate a daycare at 2009 N. International Blvd, also being South 1.74 acres of the North 4.05 acres of the South 9.99 acres of Farm Tract 1040, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department). Attachment.

City Engineer Mardoqueo Hinojosa stated eleven property owners were notified and no objection was received. Staff recommended approval.

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve a Conditional Use Permit to operate a daycare at 2009 N. International Blvd, also being South 1.74 acres of the North 4.05 acres of the South 9.99 acres of Farm Tract 1040, Adams Tract Subdivision as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- B. Discussion and consideration after public hearing on behalf of Judith C. Figueroa d.b.a. Juan Bota's Drive Thru and Grill LLC to approve Conditional Use Permit to obtain a Wine and Beer Retailer's Permit and Beverage Cartage Permit at 611 S. Texas Blvd., also being Lot 19 and 20 ft. South of Lot 20, Block 49, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by the Planning and Code Enforcement Department). Attachment.

Commissioner Peña, seconded by Commissioner Tafolla, moved to approve.

Mr. Hinojosa stated twenty-six property owners were notified and four objections were received. The Planning and Zoning Commission approved contingent to a privacy fence and traffic bollards. Staff recommends approval subject to the conditions.

In response to Mayor Pro-Tem Noriega previous use was an oil change business and consumption would be permitted both in the building and off premise. Stipulations of security officers, such as requested by the Church, have been conditional to other permits that are more bar related with late hours of operation. In response to Commissioner Tafolla operation of hours would up to 2:00 a.m. In response to Mayor Pro-Tem Noriega, an establishment may be within 300-feet of a school; TABC will not deny the permit but may assess an additional fee and insurance may be higher. In response to Commissioner Tafolla and Peña, staff would recommend an 8 foot privacy fence on the east and north sides of the property.

Judith Figueroa, applicant, stated the on premise permit was to satisfy TABC regulations for the business activity proposed: sales of beverages; late hours; consumption on premise and food service. She further stated the majority of business would be the drive thru service and is intended as family oriented and she agrees with the stipulations recommended of privacy fence and traffic bollards.

The City Attorney recommended tabling the item and allowing time to review TABC regulations and standards to ensure the limitations the commission may impose. Commissioner Pena withdrew his motion.

Commissioner Peña, seconded by Mayor Pro-Tem Noriega, moved to table this item. The motion carried unanimously, Mayor Suarez was present and voting.

- C. Discussion and consideration after public hearing on behalf of Ivan Garcia, Rio Delta Engineering, to approve Ordinance 2016-13 rezoning 2319 W. Business 83, also being 8.68 acres of the West 16.18 acres of Tract 632, West Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to R-2 Duplex and Apartments District. First reading of Ordinance 2016-13. Possible action. (Staffed by the Planning and Code Enforcement Department.). Attachment.

Mr. Hinojosa stated twenty-one property owners were notified and no objection was received to the re-zone. Staff recommended approval as the use conforms to adjacent areas.

Commissioner Peña, seconded by Commissioner Lopez, moved to approve Ordinance 2016-13 on first reading rezoning 2319 W. Business 83, also being 8.68 acres of the West 16.18 acres of Tract 632, West Tract Subdivision as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- D. Discussion and consideration after public hearing on behalf of RR Company of America to approve Ordinance 2016-14 rezoning 701 S. International Blvd., also being the 2.08 acres out of Crenshaw Center Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District. First reading of Ordinance 2016-14. Possible action. (Staffed by the Planning and Code Enforcement Department). Attachment.

Mr. Hinojosa stated twelve property owners were notified and no objection was

received to the re-zone. Staff recommended approval as the use conforms to adjacent area and located along a major corridor

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve Ordinance 2016-14 on first reading rezoning 701 S. International Blvd., also being the 2.08 acres out of Crenshaw Center Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-2 Secondary and Highway Business District as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- E. Discussion and consideration after public hearing on behalf of Concepcion Cardenas to approve Ordinance 2016-15 rezoning 512 Outlet St., also being a Lots 8, 9, 10 and 11, Block 16, B.F. Morgan Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. First reading of Ordinance 2016-15. Possible action. (Staffed by the Planning and Code Enforcement Department). Attachment.

Mr. Hinojosa stated thirty-three property owners were notified and no objection was received to the re-zone. Staff recommended approval as the use conforms to adjacent commercial areas.

Commissioner Peña, second by Commissioner Lopez, moved to approve Ordinance 2016-15 on first reading rezoning 512 Outlet St., also being a Lots 8, 9, 10 and 11, Block 16, B.F. Morgan Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District as presented, The motion carried unanimously, Mayor Suarez was present and voting.

- F. Discussion and consideration to approve a Single-lot Variance for Southern Oaks Ranch Phase II Subdivision, being 4.13 acres of Farm Tract 771, Block 137, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located on the South side of Mile 6 North and West of Mile 3 ½ West Road, being 500 feet West of the intersection of Mile 6 North Road and Mile 3 ½ West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department). Attachment.

Mr. Hinojosa stated this was a one lot subdivision and the owner was requesting a variance to the sanitary sewer requirement. There are no street dedication and infrastructure improvements. Mr. Hinojosa recommended similar requests be considered under consent agenda to ease the process for the applicant. Planning and Zoning and staff recommend approval.

Commissioner Peña, seconded by Commissioner Tafolla, moved to approve a Single-lot Variance to sanitary sewer requirement for Southern Oaks Ranch Phase II Subdivision and as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- G. Discussion and consideration to approve Change Order #1 for the Animal Shelter

Expansion Project in an amount not to exceed \$2,400.00 for the installation of a privacy fence. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Hinojosa recommended approval of the Change Order to Tenzo McAllen as lowest quote was from the contractor.

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- H. Discussion and consideration to approve the proposed site plan for the Dog “Bark” Park at Harlon Block Park Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

David Arce, Parks Director, reviewed the proposed layout for the Dog “Bark” Park to be located west side of the baseball park that will include ADA parking and ramps.

In response to Mayor Pro-Tem Noriega and Commissioner Muñoz, the size is 1-2 acres and opening targeted for June. Monies are budgeted from the capital improvement fund for a total of \$60,000.00 for the project.

Mayor Pro Tem Noriega, seconded by Commissioner Tafolla, moved to approve the proposed site plan for the Dog “Bark” Park at Harlon Block Park Complex as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- I. Discussion and consideration to approve the request from the Boys & Girls Club for additional funding for flooring and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

Mr. Hinojosa stated previous commission action authorized a net decrease of \$5,000.00 from the contract of JC Con for the flooring. Carlos Robles, on behalf of the Boys and Girls Club, stated the original quote for the floor did not meet organizational safety requirements and were requesting funds in the amount of \$30,000.00 and the Boys and Girls Club would contribute an additional \$26,000.00.

In response to Commissioner Tafolla and Mayor Pro-Tem Noriega, the floor requested is a sport quart (rubbery and soft), all weather floor and life span of about twenty years; original specifications for the floor had linoleum tile and substantial completion for new flooring is within 2-3 weeks. In response to Commissioner Muñoz, bids were solicited for a total project cost of \$56,000.00.

Commissioner Tafolla, seconded by Mayor Pro-Tem Noriega, moved to approve the request from the Boys & Girls Club for additional funding not to exceed \$30,900.00 for flooring and backboards. The motion carried unanimously, Mayor Suarez was present and voting.

- J. Discussion and consideration to approve Ordinance 2016-16, amending Code of Ordinances Chapter 38, Section 5 relating to Cemetery General Regulations in order to allow the installation of benches. First Reading of Ordinance 2016-16. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

David Arce, Parks Director, stated the proposed Ordinance amendment would allow for the installation of memorial benches and incorporate all previous amendments related to cemetery regulations.

Commissioner Peña, seconded by Commissioner Lopez, moved to approve Ordinance 2016-16, amending Code of Ordinances Chapter 38, Section 5 relating to Cemetery General Regulations in order to allow the installation of benches as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- K. Discussion and Consideration to approve Resolution 2016-33 permitting a Loan Implementation Package for ICMA 457 Plan Sponsors and authorize the Mayor to execute a managed accounts services agreement and any other related documents. Possible action. (Staffed by Human Resources Department.) Attachment.

Veronica Ramirez, HR Director, recommended approval that would allow participants to borrow funds from their accounts for a hardship purpose. This would allow parity of services with other 457 vendors.

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve Resolution 2016-33 permitting a Loan Implementation Package for ICMA 457 Plan Sponsors on hardship only purpose. The motion carried unanimously, Mayor Suarez was present and voting.

- L. Discussion and consideration to approve Amendment Number 01 to the Airport Project Participation Agreement with the Texas Department of Transportation for grant project 1121WESLA adjusting the total project costs and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

Sonia Flores, Asst. Finance Director, stated the amount requested from TXDOT was \$20,895.90 for the final cost sponsorship of land purchase for the project. Elizabeth Walker, City Secretary, stated previous commission action approved a budget amendment. This proposed action serves as administrative housekeeping to approves the amendment to the Airport Project Participation Agreement.

Commissioner Peña, seconded by Mayor Pro-Tem Noriega, moved to approve Amendment Number 01 to the Airport Project Participation Agreement with the Texas Department of Transportation for grant project 1121WESLA adjusting the total project costs as presented. The motion carried unanimously, Mayor Suarez was present and voting.

- M. Discussion and consideration to approve the purchase of computers using the State of Texas DIR contract as budgeted in an amount not to exceed \$30,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by IT Department.) Attachment.

Jose Pena, IT Director, recommended replacement of 50 computers out of 219. Quotes were received and vendors evaluated; monies are budgeted and staff recommends approval of the lowest quote from vendor SCW not to exceed \$30,000.00. In response to Commissioner Muñoz software is owned by the City.

Commissioner Peña, seconded by Commissioner Lopez, moved to approve the purchase of computers using the State of Texas DIR contract as budgeted in an amount not to exceed \$30,000.00 to SCW as recommended. The motion carried unanimously, Mayor Suarez was present and voting.

- N. Discussion and consideration to seek a legal opinion related to limiting by ordinance the number of tow trucks within the wrecker rotation list. Possible action. (Staffed by City Manager's Office.)

Commissioner Peña, seconded by Commissioner Tafolla, moved to approve.

City Attorney, Juan E. Gonzalez, stated the City Manager had recommended an opinion be done and would discuss further in executive session. Commissioner Peña withdrew his motion.

Commissioner Peña, seconded by Commissioner Tafolla, moved to table until after executive session. The motion carried unanimously, Mayor Suarez was present and voting.

- O. Discussion and consideration to approve the request from St. Pius X Catholic Church to extend the waterline approximately 125 feet. Possible action. (Staffed by City Manager's Office.) Attachment.

Mr. Hinojosa reviewed the request of an extension of a waterline for 125 feet to serve an additional building. The recommendation from staff would be to extend the waterline further South (total of 450 feet) to avoid stagnant water and allow a loop for continued water circulation. Staff recommended cost participation from the Church for their affected portion of 125 feet; the project may be completed by City labor within two weeks.

Commissioner Muñoz, seconded by Commissioner Tafolla, moved to approve the extension of a waterline the full length of the block, approximately 450 feet, with St. Pius X Catholic Church participating with 1/3 of the cost of material only and the City 2/3 of materials cost. The motion carried unanimously, Mayor Suarez was present and voting.

- P. Discussion and consideration to approve emergency repairs to Lift Station #35 in an amount not to exceed \$45,000.00. Possible action. (Requested by Severn Trent Services.) Attachment.

Trinidad Cantu, Project Manager, stated previous discussions outlined improvements that would be needed once an assessment of the Lift Stations was done. Lift Station 35 was currently on by-pass mode and in need of emergency repair. He recommended approval of the quote received from Garco Industries at a cost of \$39,785.25 and would be nearly a complete rehabilitation

In response to Commissioner Muñoz, several contractors were called for a quote since it was an emergency repair. Mardoqueo Hinojosa confirmed the urgency of the emergency repair upon inspection of the Lift Station. In response to Mayor Pro-Tem, Severn Trent would revisit the prioritization of items for immediate repairs to allow time for the process of the bidding procurement.

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve emergency repairs to Lift Station #35 in an amount not to exceed \$45,000.00 as presented. The motion carried unanimously, Mayor Suarez was present and voting.

#### **VIII. EXECUTIVE SESSION**

At 7:09 p.m., Mayor Suarez announced the regular meeting to convene in Executive Session. At 7:52 p.m., Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

#### **IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION**

- VI. A. Discussion and consideration to approve the Contingency Fund Request (CFR) of the contract with CDM Constructors, Inc. for the Water Treatment Plant expansion project as follows:

- 1) PCO #3 – Plant 2, 3, 4 Pipe Replacement - \$844,465.00;
- 2) PCO #4 – Plant 2 Sedimentation Basin Rehabilitation - \$36,631.00;
- 3) PCO #5 – Plant 3 Flocculators - \$100,000.00;
- 4) PCO #6 – Plant 3 Clarifier- \$150,000.00.

Possible action. (This item remained tabled March 15, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Peña, seconded by Commissioner Tafolla, moved to remove the item from table. The motion carried unanimously; Mayor Suarez was present and voting.

The City Attorney recommended payment of PCO#4 in the amount of \$48,732.00.

Commissioner Peña, seconded by Commissioner Tafolla, moved to approve payment of PCO#4 in the amount of \$48,732.00 as recommended. The motion carried unanimously, Mayor Suarez was present and voting.

- B. Discussion and consideration to approve the release of the remaining portion of retainage of the 2.5% of the contract for CDM Constructors, Inc. for the Water Treatment Plant Expansion project in amount not to exceed \$350,673.67 and authorize the Mayor to execute any related documents. Possible action. (This item was tabled April 5, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Peña, seconded by Commissioner Tafolla, moved to remove this item from the table. The motion carried unanimously, Mayor Suarez was present and voting.

The City Attorney recommended authorizing release of retainage in the amount of \$290,000.00 to CDM Constructors contingent to proof of payment to sub-contractors from previous retainage released.

Commissioner Tafolla, seconded by Commissioner Peña, moved to approve authorizing release of retainage in the amount of \$290,000 to CDM Constructors contingent to proof of payment to sub-contractors from previous retainage released.as recommended. The motion carried unanimously, Mayor Suarez was present and voting.

- C. Discussion and consideration to approve compensation for project delays to CDM Constructors, Inc. in an amount not to exceed \$960,000.00 and authorize the Mayor to execute any related documents. Possible action. (This item was tabled April 5, 2016; Staffed by Planning and Code Enforcement Department.) Attachment.

The item remained on the table.

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

There was no action on this item.

- B. Pending Litigation - Consultation with City Attorney regarding *City of Weslaco v. Briones Consulting and Engineering* as authorized by §551.071 of the Texas Government Code.

The City Attorney recommended authorizing Richard Correa, LNV Engineering, conduct inventory and verify the field recommendations were completed by CDM Contractors.

Commissioner Peña, seconded by Commissioner Tafolla, moved to retain Richard Correa, LNV Engineering, to conduct inventory and verify field recommendations were completed by CDM Contractors as recommended. The motion carried unanimously, Mayor Suarez was present and voting.

- C. Economic Development – Consultation with City Attorney on the purchase, exchange, lease or value of real property at the Mid Valley Airport with TR Valley Aviation LLC as authorized by §551.072 of the Texas Local Government Code.

There was no action on this item.

- D. Economic Development – Consultation with City Attorney regarding a lease agreement for Economic Development Project Wild Boar as authorized by §551.087 of The Texas Government Code.

The City Attorney recommended approval of assistance subject to participation by the Weslaco Economic Development Corporation as discussed in executive session.

Commissioner Tafolla, seconded by Commissioner Peña, moved to authorize assistance as discussed in executive session subject to the Weslaco Economic Development Corporation similarly approving. The motion carried unanimously; Mayor Suarez was present and voting.

- VII. N. Discussion and consideration to seek a legal opinion related to limiting by ordinance the number of tow trucks within the wrecker rotation list. Possible action. (Staffed by the City Manager’s Office.)

Commissioner Peña, seconded by Commissioner Tafolla, moved to remove the item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

The City Attorney recommended a legal opinion be prepared as discussed in executive session.

Commissioner Peña, seconded by Commissioner Tafolla, moved to authorize a legal opinion be prepared as discussed in executive session related to limiting by ordinance the number of tow trucks within the wrecker rotation list. The motion carried unanimously, Mayor Suarez was present and voting.

**X. ADJOURNMENT**

With no other business before the commission, at 8:05 p.m. on April 19, 2016, Commissioner Tafolla, seconded by Commissioner Peña, moved to adjourn the regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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MAYOR, David Suarez

ATTEST:

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CITY SECRETARY, Elizabeth Walker

\_\_\_\_\_  
MAYOR PRO-TEM, Olga Noriega

\_\_\_\_\_  
COMMISSIONER, Leo Muñoz

\_\_\_\_\_  
ABSENT  
COMMISSIONER, Greg Kerr

\_\_\_\_\_  
COMMISSIONER, Gerardo “Jerry” Tafolla

\_\_\_\_\_  
COMMISSIONER, Letty Lopez

\_\_\_\_\_  
COMMISSIONER, Fidel L. Peña, III