# A REGULAR MEETING
# OF THE WESLACO CITY COMMISSION
# TUESDAY, FEBRUARY 21, 2017

On Tuesday, February 21, 2017, at 5:35 PM 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:

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| Mayor | David Suarez |
| Commissioner | Greg Kerr |
| Commissioner | Leo Muñoz |
| Commissioner | Olga M. Noriega |
| Commissioner | Letty Lopez |
| Commissioner | Josh Pedraza |
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| City Manager | Mike R. Perez |
| City Secretary | Elizabeth Walker |
| City Attorney | Juan E. Gonzalez |

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Jose Pena, IT Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Stephen Mayer, Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; Andrew Munoz, Airport Director; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; and other staff members and citizens.

## I. CALL TO ORDER

A. Certification of Public Notice.

Mayor David Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, February 17, 2017.

B. Invocation.

Pastor Art Beckwith, RGV Fellowship Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Mayor Suarez proclaimed February as "Teen Violence Awareness Month."

F. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting the absence of Mayor Pro-Tem Gerardo "Jerry" Tafolla.

## II. PUBLIC COMMENTS

Edward Mejia, 721 East Torritos Street, commented on sewer odor and street lights in District 2 requesting the issues be addressed.

## III. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Regular Meeting on February 14, 2017. (Staffed by City Secretary's Office.)

B. Approval for a six (6) month extension to the plat for the Re-plat of Apostolic Assembly Church, being a 4-lot subdivision being all of Apostolic Church Assembly Church Subdivision being a 10.00 acres of the south 20 acres of Farm Tract 115, Block 161, West Tract Subdivision, Llano Grande Grant, Hidalgo County, Texas. (Staffed by Planning and Code Enforcement Department.)

C. Approval on Resolution 2017-14 authorizing to apply for the 2017 State Homeland Security Program (SHSP) for Law Enforcement Terrorism Prevention Activities Grant (LETPA) to purchase SWAT vests in an amount not to exceed $43,040.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

D. Approval of Resolution 2017-15 requesting authorization to apply for 2017 State Homeland Security Program for Regular Projects Grants for the purchase of helmets and inter-operable communications devices in an amount not to exceed $53,300.00 with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

E. Authorization of the solicitation of Request for Bids (RFB) 2016-17-18 for relocation of two city owned generators to City Hall and Fire Department administration building, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

F. Approval of a request by Valley Nature Center to utilize Gibson Park on April 22, 2017 from 8 a.m. – 10 p.m. for 3rd annual Spring Feast, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.)

G. Approval of a request by Weslaco Mid-Valley Lions Club to utilize Harlon Block Park on April 7-8, 2017 from 6 a.m. – 11 p.m. for Q'ing for Vision BBQ Cookoff, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Weslaco Mid-Valley Lions Club.)

Commissioner Noriega, seconded by Commissioner Kerr, moved to approve consent agenda items A through G as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following are the resolutions:

**RESOLUTION 2017-14**

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the 2017 State Homeland Security Program Law Enforcement Terrorism Prevention Activities Grant be operated for the 2017 fiscal year; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the FY2017 HS-Homeland Security Grant Program (HSGP) 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 2017 State Homeland Security Program Law Enforcement Terrorism Prevention Activities Grant to the Office of the Governor.

Grant Number: 3357201

Passed and approved this 21st day of February, 2017

**RESOLUTION 2017-15**

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas, that the 2017 State Homeland Security Program Regular Projects Grant be operated for the 2017 fiscal year; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the FY2017 HS-Homeland Security Grant Program (HSGP) 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 2017 State Homeland Security Program Regular Projects Grant to the Office of the Governor.

Grant Number: 3357301

Passed and approved this 21st day of February 2017.

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

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

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

## IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2017-12 appointing a board member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department).

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve Resolution 2017-12 reappointing George Guerra to the Ambulance Advisory Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

**RESOLUTION NO. 2017-12**

**A 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 re-appointed to serve on the Ambulance Advisory Board and the term will begin on March 20, 2017 and expire March 19, 2019.

**PASSED AND APPROVED** on this 21st day of February, 2017.

**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 from the Board of Adjustments and Appeals and approve Resolution 2017-13 appointing one member to that unexpired term. Possible action. (Staffed by Planning and Code Enforcement Department.).

Commissioner Noriega, seconded by Commissioner Kerr, moved to remove member Erin Wise from the Board of Adjustments and Appeals and approve Resolution 2017-13 appointing Mark

McCaleb to that unexpired term with the exemption to serve concurrently on the Weslaco 100 Committee. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

**RESOLUTION NO. 2017-13**

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE BOARD OF ADJUSTMENTS & APPEALS-ZONING ORDINANCE.

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Zoning Ordinance.

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

WHEREAS, the Board of Adjustments & Appeals-Zoning Ordinance members shall serve with neither compensation nor term limits; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Mark McCaleb is appointed to serve an unexpired term on the Board of Adjustments & Appeals-Zoning Ordinance and the term will expire on the 21st day of December, 2017.

PASSED AND APPROVED on this 21st day of February 2017.

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

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

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

## V. NEW BUSINESS

A. Discussion and consideration to adopt Ordinance 2017-06, amending Ordinance 2013-26, providing for a new schedule of rates to be charged for certain meter tapping fees. First Reading of Ordinance 2017-06. Possible action. (Staffed by Finance Department).

Mary Barrera, Finance Director, recommended increasing meter tapping fees to 20% over cost for those inside city limits and 35% over cost outside. Fees are proposed as follows: for 5/8" meter tap – inside city limits $739.86, outside - $832.34; for 1" meter tap - inside $870.76, outside $979.60; and 1 1/2" - inside $1,187.35 and outside $1,336.23 (unchanged). The fees have not been updated since 2011 and the City is losing money as a result of cost of materials and labor on these connections. Mike Perez, City Manager, recommended approval stating the fees are consistent with surrounding cities. In response to Commissioner Kerr, this will apply to new installations, not existing or replacements. The City currently is seeing construction of 7-8 new homes per month.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve Ordinance 2017-06 amending Ordinance 2013-26, providing for a new schedule of rates to be charged for certain meter tapping fees as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. <u>Discussion and consideration to reject the highest bidder on Bid No. 2016-17-09 for the Public Sale of Property & Building Structures located at 1411 W. 18th Street, Weslaco, Texas and to authorize staff to advertise the sale of said property. Possible action. (Commission awarded Sabas Salinas on January 3, 2017; Staffed by Finance Department - Purchasing Office.)</u>

Mike Perez, City Manager, stated two respondents submitted bids, one for $110,000.00 and one for $85,000.00 with the property appraised at $145,000.00. The respondent that was awarded is unable to obtain financing and requests return of the deposit in the amount of $500.00 submitted with bid. Staff recommends to reject bids and authorize staff to re-bid as calls of interest have been received. There is no language in the bid documents if deposit is refundable and is at the discretion of the Commission, noting $351 was spent on advertising and $840 on legal fees for this bid. Staff will incorporate clearer language in subsequent bid documents concerning the deposit of earnest money.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to reject the highest bidder and to authorize staff to advertise the sale of said property.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to amend the motion and authorize the deposit refund of $500.00. The motion carried unanimously; Mayor Suarez was present and voting.

The original motion carried unanimously; Mayor Suarez was present and voting.

C. <u>Discussion and consideration to award Group Dental & Group Basic Life and AD&D to the best qualified, most advantageous bidder(s), and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.).</u>

Commissioner Lopez, seconded by Commissioner Kerr, moved to approve.

Veronica Ramirez, HR Director, stated proposals were solicited. After tabulation and review by the consultant, Roger Garza recommended to award Blue Cross and Blue Shield the group Dental, who will honor deductibles met and award Dearborn National the Voluntary Life and AD&D. Roger Garza stated the current carrier, Lincoln Financial, did not respond to the RFP, submitting instead a renewal of offer letter.

In response to Commissioner Noriega, Mr. Garza stated Lincoln Financial, current carrier for Voluntary Life and AD&D, is slightly lower and within their agreement to notify by letter an offer of renewal. Mike Perez recommended awarding to Lincoln Financial the Voluntary Life and AD&D and award Blue Cross and Blue Shield the group Dental.

Commissioner Lopez withdrew her motion.

Commissioner Lopez, seconded by Commissioner Kerr, moved to award Lincoln Financial Voluntary Life and AD&D and award Blue Cross and Blue Shield the group Dental as recommended and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve final payments on the Boys and Girls Club building to JCON Construction, LLC for an amount not to exceed $48,652.30 and Alcocer Garcia Associates, Inc. for an amount not to exceed $870.63. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa, City Engineer, stated the ribbon cutting was held in June and final close out documents have been received. A concern with one sub-contractor is being reviewed by the bonding company. Staff recommends approval.

In response to Commissioners Noriega and Kerr, the project is complete with no liens and all other sub-contractors have been paid. Mike Perez stated discussions between contractor and sub-contractor have occurred but unresolved. Jaime Tijerina, Project Manager for JCon Construction, stated he met with Rosbel Mendiola, sub-contractor, who has been paid some monies but disputes the balance owed. The matter was unresolved and their attorney is proposing arbitration.

In response to Commissioner Noriega, Juan Gonzalez, City Attorney, stated the issue needs to be resolved between the parties involved and is not a matter for the City; moreover, the City may incur some exposure if it does not approve.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve final payments on the Boys and Girls Club building to JCON Construction, LLC for an amount not to exceed $48,652.30 and Alcocer Garcia Associates, Inc. for an amount not to exceed $870.63 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to authorize solicitation of Request for Proposals for the Rehabilitation of Sanitary Sewer Lift Station #37 and Qualifications for the Rehabilitation of the 0.5 MG Elevated Storage Tank located at the intersection of Bridge Avenue and 8th Street and authorize the Mayor to executed any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated staff prepared documents to replace pumps and the rehabilitation of the 0.5mg elevated storage tank project; this will begin the process for compliance with the Texas Commission on Environmental Quality notice. In response to Mayor Suarez, repairs to Lift Station 36 were authorized in 2013.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to authorize solicitation of Request for Proposals for the Rehabilitation of Sanitary Sewer Lift Station #37 and Qualifications for the Rehabilitation of the 0.5 MG Elevated Storage Tank as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to update City of Weslaco Building and safety codes by repealing the existing code and adopting by ordinance those as recommend in the 2015 International Code Council. First Reading of Ordinances 2017-07 through 2017-17. Possible action. (Staffed by Planning & Code Enforcement Department.)

1. To adopt Ordinance 2017-07 the 2015 Edition of the International Building Code Property and Maintenance Standards for the regulation and governing of conditions and maintenance of all

property, including the condemnation and demolition of structures unfit for human occupancy and providing for the issuance of permits and collection of fees.

2. To adopt Ordinance 2017-08 the 2015 Edition of the International Existing Building Code for the regulation and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings and providing for the issuance of permits and collection of fees.

3. To adopt Ordinance 2017-09 the 2015 Edition of the International Residential Code for the regulation and governing of construction, replacements, repairs and demolition of detached one and two family dwellings and multiple single family dwellings; providing for the issuance of permits and collection of fees.

4. To adopt Ordinance 2017-10 the 2015 Edition of the International Energy Conservation Code for the regulation and governing of energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems and providing for the issuance of permits and collection of fees.

5. To adopt Ordinance 2017-11 the 2015 Edition of the International Fire Code for the regulation and governing the safeguarding of life and property from fire and explosion hazards and from conditions hazardous to life or property in the occupancy of buildings and premises and providing for the issuance of permits and collection of fees.

6. To adopt Ordinance 2017-12 the 2015 Edition of the International Plumbing Code for the regulation and governing of design, construction, quality, installation, relocation, etc.; use or maintenance of plumbing systems; and providing for the issuance of permits and collection of fees.

7. To adopt Ordinance 2017-13 the 2015 Edition of the International Mechanical Code for the regulation and governing of design, construction, quality, installation, relocation, etc.; use or maintenance of mechanical systems; and providing for the issuance of permits and collection of fees.

8. To adopt Ordinance 2017-14 the 2015 Edition of the International Fuel Gas Code for the regulation and governing of fuel gas systems and gas-fired appliances and providing for the issuance of permits and collection of fees.

9. To adopt Ordinance 2017-15 the 2015 edition of NFPA Life Safety Code 101 relating to construction and to maintenance of buildings and public safety, health and general welfare; and providing for the issuance of permits and collection of fees.

10. To adopt Ordinance 2017-16 the 2015 Edition of the International Swimming Pool and Spa Code governing of design, construction, alteration, movement, renovation, replacement, repair and maintenance of swimming pools, spas, hot tubs, aquatic facilities and related equipment; and providing for the issuance of permits and collection of fees.

11. To adopt Ordinance 2017-17 the 2014 National Electrical Code as the Electrical Code of the City, repealing any previous editions.

Mardoqueo Hinojosa recommended adopting all updated building and safety codes, particularly the Energy Code as mandated by the State. Commissioner Muñoz stated there is some leniency in the adoption of the Energy Code applicable to this area and merits closer examination as the code can impose higher construction costs. Rolando Gonzalez, Chief Building Official, stated currently 2012 building codes are in effect. House Bill 1736 mandates cities to adopt updated codes; if not adopted, the federal government could sanction cities.

Mayor Suarez recommended a committee to review and evaluate the energy code and bring back a recommendation to the Commission. Commissioners Muñoz and Lopez expressed interest. Commissioner Noriega requested the Committee explain the impact on the homeowner as well as the contractor.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve F1, 2, 3, 5, 6, 7, 8, 9, 10, 11 excluding F4. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez, seconded by Commissioner Pedraza, moved to appoint Commissioners Muñoz and Lopez to meet with Planning Code Enforcement staff for review of Item F4 (the energy code) and bring back a recommendation to the Commission. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to amend the Texas Department of Transportation General Aviation Business Plan Grant 15BPWESLA to prepare a Capital Improvement Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Andrew Muñoz, Airport Director, recommended approval stating the amendment will allow updates to the current Airport Business Plan, identifying a five to ten-year Capital Improvement Plan. This program amendment will cost 39,980.00 a ten percent local match. The Airport Advisory Committee recommends approval and this action will require a budget amendment.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to amend the Texas Department of Transportation General Aviation Business Plan Grant 15BPWESLA to prepare a Capital Improvement Plan approve as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to extend the current fuel contract with Petroleum Traders Corporation for an additional one-year period, March 15, 2017 thru March 14, 2018. Possible action. (Staffed by the Public Works Department.)

Pete Garcia, Public Works Director, stated the vendor notified staff this afternoon there would be an increase to the current fuel contract of one cent per gallon. Staff recommends to reject consideration to extend the current fuel contract with Petroleum Traders and go out for bid instead. In response to Commissioner Noriega, the contract expires March 15, 2017 and the contract will go month to month until the bid process is completed.

Commissioner Muñoz, seconded by Commissioner Noriega, moved to go out for bid for fuel services unless Petroleum Traders Corporation keeps the price the same. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to authorize the Weslaco Fire Department to apply for the Assistance to Firefighters Grant under FEMA for cost share of three (3) new Fire Fighter positions for first three years at cost share as Grant 75%, 75%, 25% and City 25%, 25%, 75% and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.)

Antonio Lopez, Fire Chief, wishes to apply for a grant requesting four firefighters that would have a cost share of 75% the first two years, 25% the third year. Notification of grant award may take twelve months which would then come back to the Commission for acceptance. In response to Commissioner Kerr, the City Manager clarified the Capital Improvement Plan for five years budgeted three firefighters and to date six additional firefighters have been hired.

Commissioner Noriega, seconded by Commissioner Lopez, moved to authorize the Weslaco Fire Department to apply for the Assistance to Firefighters Grant under FEMA as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to reject the bid in response to the Library Roof Repair RFB and re-advertise with alternatives in an effort to seek lower project pricing. Possible action. (Staffed by the Library Department.)

The City Manager stated the sole respondent was over budget. Staff recommends to reject and authorize to rebid modifying the specification documents to allow for alternative options in an effort to receive more competitive bids.

Commissioner Kerr, seconded by Commissioner Lopez, moved to reject the bid and re-advertise with alternative options as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to select the best qualified, most advantageous respondent for Request For Proposal 2016-17-15 Fourth of July Firework Display, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks Director, stated proposals were solicited with one response received from Pyro Shows of Texas; proposal is $1,000.00 more than last year and funds are budgeted.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Pyro Shows of Texas as the best qualified, most advantageous respondent for Request For Proposal 2016-17-15 for the Fourth of July Firework Display as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to approve Ordinance 2017-18, authorizing a budget amendment in the amount of $150,000.00 for drainage improvements at Beatriz Garza Middle School on Sugarcane Drive and authorize staff to solicit bids. Possible action. (Staffed by City Manager's Office.)

Mardoqueo Hinojosa, City Engineer/Director of Planning, stated Weslaco Independent School District requested modification to the design plans in order to widen the detention pond for school activities. The project is ready to move forward but funding is not budgeted. In response to Mayor Suarez and Commissioner Noriega, staff stated the contract for Sugarcane Drive improvements has been completed and closed, therefore monies would come from fund balance. The City Manager recommends approving an additional 20 feet to the design with monies to come out of the contingency fund.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-18, authorizing a budget amendment in the amount of $150,000.00 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to approve the articles of incorporation for the new regional Foreign Trade Zone 501(c) 6. Possible action. (Staffed by City Manager's Office.)

The City Manager stated he has been working with other cities and the county in creating a regional Foreign Trade Zone. McAllen has a private nonprofit and Weslaco has the designation but it is not being used. Expanding the Weslaco designation, the regional structure would be composed of one member from Donna, Pharr, Edinburg, County and two members from the Weslaco Commission with the County as the Administrator. The members would be the Mayors of each city.

Commissioner Kerr, seconded by Commissioner Lopez, moved to authorize the Mayor and City Manager to meet with other cities and the county to finalize the Articles of Incorporation and Bylaws and bring back to the Commission for formal approval. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to create a task force to expand the Weslaco Recycling Program. Possible action. (Requested by Commissioners Munoz and Kerr.)

Commissioner Muñoz, seconded by Commissioner Noriega, moved to approve.

Commissioner Kerr commented he has been approached on the possibility of the creation of a task force that would offer ideas on recycling activities. The City Manager recommending first forming the structure of the committee by Resolution. Commissioner Muñoz withdrew his motion.

Commissioner Kerr, seconded by Commissioner Lopez, moved for staff to prepare a Resolution establishing the Recycling Task Force to be composed of Public Works Director, Republic Services Representative, two elected officials; and five citizens. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to re-stripe Westgate Drive between Pike Boulevard and Interstate 2. Possible action. (Requested by Commissioners Kerr and Munoz.)

Commissioner Muñoz stated there is confusion when driving on Westgate that results from the lack of striping of traffic lanes and recommends it be addressed. Mardoqueo Hinojosa stated a cost estimate was received for $13,928.00. This estimate is consistent with previously bided projects and recommends approval.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve the restriping of Westgate Drive between Pike Boulevard and Interstate 2 to as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion on the Single Member District Model for the City of Weslaco. (Requested by Commissioners Munoz and Kerr.)

Commissioner Noriega, seconded by Commissioner Muñoz, moved to table the item until the next regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Muñoz seconded by Commissioner Lopez moved to proceed directly into executive session. The motion carried unanimously; Mayor Suarez was present and voting.

The City Manager noted the scheduled reports to be presented at the next regular meeting.

## VI. REPORTS

A. Quarterly investment report for 12/31/2016. Possible action to accept and file. There was no report.

B. Quarterly financial report for 12/31/2016. Possible action to accept and file. There was no report.

## VII. EXECUTIVE SESSION

At 6:50 p.m. Mayor Suarez announced the regular meeting to convene in executive session. At 7:27 p.m. Mayor Suarez announced the City Commission had completed its executive session and reconvened the regular meeting as open to the public.

## VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action 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.

There was no action on this item.

C. Potential Litigation - Consultation with City Attorney regarding Notice of Claim by Jason Rivera as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

D. Legal Opinion - Consultation with City Attorney on legal opinion related to the appointments of Municipal Judges as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

E. <u>Legal Opinion - Consultation with City Attorney on legal opinion related to the contract with neighboring cities for the sale of water as authorized by §551.071 of the Texas Government Code</u>.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to authorize the City Manager and Commissioner Noriega to negotiate the sale of city water to neighboring cities. The motion carried unanimously; Mayor Suarez was present and voting.

## IX. ADJOURNMENT

Commissioner Muñoz, seconded by Commissioner Kerr, moved to adjourn at 7:28 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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MAYOR, David Suarez

ATTEST:

____________________________________
CITY SECRETARY, Elizabeth Walker

ABSENT
MAYOR PRO-TEM, Gerardo "Jerry" Tafolla

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COMMISSIONER, Leo Muñoz

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COMMISSIONER, Greg Kerr

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COMMISSIONER, Olga Noriega

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COMMISSIONER, Letty Lopez

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COMMISSIONER, Josh Pedraza