



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 21, 2017**

On Tuesday, March 21, 2017, at 5:33 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:

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

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Jose Pena, IT Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; 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, March 17, 2017.

B. Invocation.

Pastor Rene Vega, Laborers of Love and Hope Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Mayor Suarez recognized Fire Chief Antonio Lopez for his initiative in coordinating the first training exercise state-wide on February 24th in health hazardous incidents for Point of Dispensing.

F. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting the absence of Mayor Pro-Tem Gerardo “Jerry” Tafolla and Commissioner Noriega.

II. PUBLIC COMMENTS

Pedro Ayala, Founder/CEO Build RVG, extended an invitation to Building Urban Cultures, an upcoming event in Harlingen on April 4, 2017.

Edward Mejia extended an invitation to an event at Gibson Park on April 15, 2017 to give away Easter baskets from 11 a.m. - 4 p.m.

Joe A. Garza stated there is no need for a change on Single Member District.

Laura Espinoza, Chamber Marketing Director, announced Onion Fest this Saturday, March 25, 2017.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 March 7, 2017 (Staffed by City Secretary's Office.)

B. Approval of the renewal for Dice Productions to administer “Movies at Park” at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2017 season and grant Dice Productions restricted rights for food vendors during the movie hours of 6pm to 10pm. (Requested by Parks and Recreation.)

C. Acceptance of a check from the Texas Comptroller of Public Accounts annual allocation from Law Enforcement Officer Standards and Educations (LEOSE) in the amount of \$4,568.31 to be utilized for training for the Weslaco Peace Officers. (Staffed by Weslaco Police Department.)

D. Approval of Resolution 2017-33 authorizing to apply and accept the 2018 Local Border Security Program Grant through the Office of the Governor Homeland Security Grants Division with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval of the affiliation agreement between the Weslaco Fire Department and Knapp Medical Center for EMS personnel on site clinical education and advanced paramedic education and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.)

F. Approval of the affiliation agreement between the Weslaco Fire Department and the Hidalgo County EMS Ambulance Service for Clinical Training Program for the Weslaco Fire

Department Higher Education Program and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.)

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

For the record, the following is the resolution:

RESOLUTION NO. 2017-33

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the 2018 Local Border Security Program be operated for the fiscal year September 1, 2017 through August 31, 2018; 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 2018 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: **3407201**

Passed and Approved this 21st day of March, 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 Resolutions 2017-21, 2017-22, 2017-23, 2017-24, and 2017-25 appointing citizen members to the Weslaco Recycling Committee Task Force and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 7, 2017; staffed by Public Works.)

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve Resolutions 2017-21 appointing Manuel Ramos, 2017-22 appointing Gail Weigel Ortiz, 2017-23 appointing Ignacio H. Cavazos, 2017-24 appointing Maria L. Gonzalez and 2017-25 appointing Jim Chapman to the Weslaco Recycling Committee Task Force and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, following are the resolutions:

RESOLUTION NO. 2017-21

**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 Manuel Ramos is appointed to serve on the Committee and the term will begin on March 21, 2017 and will expire on March 21, 2018.

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

RESOLUTION NO. 2017-22

**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.

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, the members shall serve without compensation

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 21, 2017 and will expire on March 21, 2018.

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

RESOLUTION NO. 2017-23

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.

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, the members shall serve without compensation

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 21, 2017 and will expire on March 21, 2018.

PASSED AND APPROVED on this 7th day of March, 2017.

RESOLUTION NO. 2017-24

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.

WHEREAS, as it is intended to serve ad hoc, the work of this Committee shall be limited to one year from establishment; 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, the members shall serve without compensation

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 21, 2017 and will expire on March 21, 2018.

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

RESOLUTION NO. 2017-25

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.

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, the 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 Committee and the term will begin on March 21, 2017 and will expire on March 21, 2018.

PASSED AND APPROVED on this 21st day of March, 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 approve Resolutions 2017-28, 2017-29, 2017-30, 2017-31 and 2017-32 appointing members to two unexpired and three expired terms to the Weslaco Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

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

Mayor Suarez recommended reappointment of the members. Commissioner Muñoz rescinded his motion.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve Resolutions 2017-28 reappointing James Simmons, 2017-29 reappointing Nancy Sanchez and 2017-30 reappointing Sergio Lozano. The motion carried unanimously; Mayor Suarez was present and voting. There was no action on Resolutions 2017-31 and 2017-32.

For the record, following are the resolutions:

RESOLUTION NO. 2017-28

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE HOTEL OCCUPANCY TAX ADVISORY COMMITTEE

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT James Simmons is appointed to an unexpired term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7TH day of April, 2020.

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

RESOLUTION NO. 2017-29

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE
HOTEL OCCUPANCY TAX ADVISORY COMMITTEE**

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Nancy Sanchez is appointed to an unexpired term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7TH day of April, 2020.

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

RESOLUTION NO. 2017-30

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE
HOTEL OCCUPANCY TAX ADVISORY COMMITTEE**

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Sergio Lozano is appointed to a term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7TH day of April, 2020.

PASSED AND APPROVED on this 21st day of March, 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. OLD BUSINESS

A. Discussion and consideration 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. First Reading of Ordinance 2017-10.

Possible action. (This item was tabled on March 7, 2017; Staffed by Planning and Code Enforcement Department.)

Commissioner Kerr moved to remove the item from the table. Mardoqueo Hinojosa, City Engineer/Director of Planning, requested the item remain on the table and corresponding second reading of ordinances be pushed another meeting.

Commissioner Kerr withdrew his motion; the item remained on the table.

B. Discussion on the Single Member District Model for the City of Weslaco. (This item was tabled March 7, 2017; Requested by Commissioners Munoz and Kerr.)

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

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

Commissioner Kerr stated he has received citizens calls for and against single member districts and recommended it go back to the voters, suggesting a workshop for input from the public and City Attorney.

Commissioner Pedraza stated the Single Member District model has proven to work; however, he would like to discuss term limits for the commission; did not feel a workshop was needed and against an at-large system. Mayor Suarez stated there were unanswered questions and timelines before anything is put before the voters. The City Manager informed the commission Mayor Pro-Tem Tafolla wished to be present for any discussion and suggested a workshop. Mayor Suarez stated for staff to schedule a workshop for citizen input on an off week of a regular meeting when the attendance of Mayor Pro-Tem Tafolla would be feasible.

There was no action.

VI. NEW BUSINESS

A. Discussion and consideration to approve the City of Weslaco Comprehensive Annual Financial Report for fiscal year ending September 30, 2016 as presented by Long Chilton LLP. Possible action. (Requested by Carr, Riggs & Ingram, LLC; Staffed by the Finance Department.)

Mary Barrera, Finance Director, stated the Annual Financial Report ending September 30, 2016 was completed by Long, Chilton, LLP, Auditors recently merged with Carr, Riggs & Ingram.

Quintin Anderson, Partner with Carr, Riggs & Ingram, reviewed the transmittal letter profiling the financial position of the City and explained the highlights of the audit including board action decreasing property tax and net position increasing \$500,000.00. He recapped the governmental funds and reviewed statement of revenues and expenditures. He found no new debt, merely refunded old debt; and found no matters of material deficiencies within internal control. There were no disagreements with management.

In response to the City Manager it is good business practice and appropriate to have a review of financial information to ensure credibility of the City and management of funds; he reiterated there were no significant findings of errors.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to accept and file the City of Weslaco Comprehensive Annual Financial Report for fiscal year ending September 30, 2016 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration of a presentation from Weslaco High School on Adopt-a-Park program and park plan for Gibson Park improvements for 2017 and approval of a budget amendment in the amount not to exceed \$25,000.00 to use in matching funding through WOW/Texas A&M. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks Director, stated Weslaco High adopted Gibson Park proposing a plan to promote access to physical activities. Proposed improvements include bike racks, striped crosswalks, murals on public restroom exterior walls, signage of hours of operation and rules. Project improvements would cost \$70,500.00; there is grant funding of \$35,000.00 available through WOW/Texas A&M. Staff recommended approval.

Commissioner Muñoz, seconded by Commissioner Kerr moved, to approve Adopt-a-Park program and park plan for Gibson Park improvements for 2017 and approval of funding from the Capital Improvement Plan not to exceed \$25,000.00 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration on request by Weslaco Regional Rehabilitation Hospital and the Weslaco Stroke Support Group to utilize south side of Isaac Rodriguez Park and the use of city streets for Stroke Aware Run/Walk on Saturday, May 20, 2017 during National Stroke Awareness Month from 7 a.m. – 12 noon, and authorize the Mayor to execute any related documents. Possible action. (Requested by Weslaco Regional Rehabilitation Hospital.)

David Arce recommended approval of the request for the event promoting national stroke awareness month. Ms. Karina Humphries stated the event would include a survivor walk.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve the request by Weslaco Regional Rehabilitation Hospital and the Weslaco Stroke Support Group to utilize south side of Isaac Rodriguez Park and the use of city streets for Stroke Aware Run/Walk on Saturday, May 20, 2017 during National Stroke Awareness Month from 7 a.m. – 12 noon as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to hold the July 4th celebration with Weslaco Economic Development Corporation on Tuesday, July 4, 2017 at the Mayor Pablo G. Peña City Park at 300 N. Airport Drive, to sell beer during the event from 12 noon to 11 p.m., to waive appropriate ordinances associated with the event, and to place a banner promoting it at the intersection of Texas and Pike Boulevards and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. Possible action. (Staffed by Parks and Recreation Department.)

David Arce recommended approval of the annual event that will be held at the Mayor Palo G. Pena City Park, using the school parking lot for safe launch of the fireworks display.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve the July 4th celebration with Weslaco Economic Development Corporation on Tuesday, July 4, 2017 at the Mayor Pablo G. Peña City Park at 300 N. Airport Drive, to sell beer during the event from 12 noon to 11 p.m., to waive appropriate ordinances associated with the event, and to place a banner promoting it at the intersection of Texas and Pike Boulevard as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to select the best qualified, most advantageous bidder to the Request for Bid (RFB) No.: 2016-17-18 City of Weslaco Generator Electrical Upgrades and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce stated two bids were received and both over budget. Staff recommends rejecting bids and allow staff time to evaluate if any work can be done in-house to reduce cost.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to reject bids to the Request for Bid (RFB) No.: 2016-17-18 City of Weslaco Generator Electrical Upgrades as recommended. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve the Softball/Baseball Rental policy. Possible action. (Staffed by Parks Department.)

David Arce presented the rental policy for the use of the softball/baseball fields, noting preference to Weslaco residents. Staff recommended approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the Softball/Baseball Rental policy as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to amend final plat for Villages at Westgate Subdivision. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mardoqueo Hinojosa stated the developer is proposing to remove two commercial lots. Staff recommends approval

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the amendment to the final plat for Villages at Westgate Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve Ordinance 2017-19 to eliminate and convert the alley located on Heritage Square No. 2 Subdivision between Sugarcane Road and Washington Street into a street with a variance to have a paved section of 20 feet. First reading of Ordinance 2017-19. Possible action. (Requested by the Mayor and Commissioner Lopez; Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated as directed staff prepared an ordinance to convert an alley into a paved street. The recommendation from staff is denial as it would not comply with the subdivision ordinance requiring paved street width of 32 feet. He noted if approved, a variance is needed. The Mayor and Commissioner Pedraza noted the alley functions as a street.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-19 to eliminate and convert the alley located on Heritage Square No. 2 Subdivision between Sugarcane Road and Washington Street into a street with a variance to have a paved section of 20 feet. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve a Service Contract Agreement with the City of Donna for Animal Care Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated staff currently provides animal control services to the Cities of Mercedes and Elsa. The City of Donna is requesting to receive these services. A part-time position was budgeted in the event of providing these services to additional municipalities. Staff recommends approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve a Service Contract Agreement with the City of Donna for Animal Care Services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to terminate the Intergovernmental Cooperative Agreement for the Operation of a Regional Animal Shelter between the City of Weslaco and Palm Valley Animal Shelter and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated Palm Valley Animal Shelter submitted a contract proposing a flat rate of \$1,755.00 per month for adoption services. Staff recommends to terminate the contract; there is no termination fee and adoptable animals are being placed with three non-profit agencies.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to terminate the Intergovernmental Cooperative Agreement for the Operation of a Regional Animal Shelter between the City of Weslaco and Palm Valley Animal Shelter as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to award the most advantageous and lowest bidder for the 2016-17-20 Unleaded and Diesel Fuel and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Pete Garcia, Public Works Director, reported five bids were received and evaluated. Staff recommends awarding Gold Star Petroleum as the lowest bidder for the 2016-17-20 Unleaded and Diesel Fuel. The City Manager noted the City recommends the lowest true margin, which is .0094 above the OPUS rate.

Commissioner Lopez, seconded by Commissioner Muñoz, moved to award Gold Star Petroleum as the most advantageous and lowest bidder for the 2016-17-20 Unleaded and Diesel Fuel as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to adopt the Direct Leave Donation Program Policy.
Possible action. (Staffed by Human Resources.)

Veronica Ramirez, HR Director, recommended approval of the Direct Leave Donation Program Policy, which had been presented at the last meeting as a report and now ready for adoption. The City Manager recommended approval as presented.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to adopt the Direct Leave Donation Program Policy as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to accept, open, award and/or reject the sole bid received to Bid No.: 2016-17-21 Public Sale of Property and Building Structures located at 1411 West 18th Street. Possible action. (Staffed by Finance Department.)

Commissioner Muñoz seconded by Commissioner Kerr moved to open and accept the bid not less than \$100,000.00.

The City Manager recommended the property go back to the tax rolls and accept a minimum bid of not less than \$100,000.00. Mayor Suarez proceeded in opening the bid from sole respondent Agustin Desiga in the amount of \$112,000.00.

The motion carried unanimously to accept the bid from the sole respondent; Mayor Suarez was present and voting.

VII. REPORT

A. Presentation by Economic Development Corporation of Weslaco of its Audit Fiscal Year 2015-2016.

The City Manager stated the EDC audit is component of the City audit based on sales tax and being presented by Manuel Garcia.

Manuel Garcia, CPA, presented the 2015-2016 audit comprised of government-wide financial statements, fund balances, and statistical data highlighting that EDC had a positive increase, with \$10 million in assets, \$4,686,000.00 liabilities, a sales tax decrease of \$32,000.00 and \$985,000.00 dedicated to EDA grant. In response to Mayor Suarez, allowable expenses for promotional items is 10% of total income of \$3,417,000.00.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to accept and file the Economic Development Corporation of Weslaco Audit Fiscal Year 2015-2016 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. EXECUTIVE SESSION

At 7:50 p.m. Mayor Suarez announced the regular meeting to convene in executive session. At 9:02 p.m. Mayor Suarez announced 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.

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. 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.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to authorize the City Attorney to place the appointments of Municipal Judges on the next agenda as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. 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.

There was no action on this item.

E. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project PanAm as authorized by §551.087 of the Texas Government Code.

Commissioner Kerr abstained from discussion and vote and filed a conflict disclosure statement.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to approve an incentive agreement to include square footage and claw back provisions as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

F. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Academy as authorized by §551.087 of the Texas Government Code.

There was no action on this item.

X. **ADJOURNMENT**

Commissioner Muñoz, seconded by Commissioner Kerr, moved to adjourn at 9:04 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

ATTEST:

CITY SECRETARY, Elizabeth Walker

MAYOR, David Suarez

ABSENT
MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

ABSENT
COMMISSIONER, Olga Noriega

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza