A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 4, 2017

On Tuesday, April 4, 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
Mayor Pro-Tem	Gerardo "Jerry" Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Olga Noriega
Commissioner	Letty Lopez
Commissioner	Josh Pedraza

City Manager	Mike R. Perez
Deputy Secretary	Aida Vega
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 31, 2017.

B. Invocation.

Pastor Manual Portilla Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Mayor Suarez proclaimed April 4, 2017 as "National Service Recognition Day."

F. Roll Call.

Aida Vega, Deputy City Secretary, called the roll, noting perfect attendance.

II. PUBLIC COMMENTS

There were no public comments.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 on second and final reading of the following:

1) Approval of 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 was held March 21, 2019. (Requested by the Mayor and Commissioner Lopez; Staffed by Planning and Code Enforcement Department.)

B. Approval of the affiliation agreement between the Weslaco Fire Department and Med-Care EMS Ambulance Service for Clinical Training Program for the Weslaco Fire Department Higher Education Program. (Staffed by Fire Department.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to approve consent agenda item B withholding item A1. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Tafolla requested withholding to see the possibility of cost participation from the land owners. The concern was similar requests for paving of an alley would come forth.

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to table the item for the next regular meeting and directed staff to meet with residents on cost participation. The motion carried unanimously; Mayor Suarez was present and voting

IV. APPOINTMENTS

A. Discussion and consideration on Resolution 2017-34 appointing a board member to an expired term on the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Resolution 2017-34 reappointing Sandra Esquivel to the Ambulance Advisory Board. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-34

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 Sandra Esquivel is appointed to serve on the Ambulance Advisory Board and the term will begin on April 4, 2017 and will expire on May 6, 2019

PASSED AND APPROVED on this 4th day of April, 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 on approval of Resolutions 2017-35 and 2017-36 appointing two members to the Library Board for expired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library.)

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Resolutions 2017-35 and 2017-36 re-appointing Juan Hernandez and Paula Villanueva, respectively, to the Library Board. The motion carried unanimously; Mayor Suarez was present and voting

For the record, the following is the resolution:

RESOLUTION NO. 2017-35

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE LIBRARY BOARD.

WHEREAS, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

WHEREAS, the Library 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 Juan Hernandez is appointed to serve a two-year term on the Library Board and the term will expire on May 7, 2019

PASSED AND APPROVED on this 4th day of April 2017.

RESOLUTION NO. 2017-36

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE LIBRARY BOARD.

WHEREAS, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

WHEREAS, the Library 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 Paula Villanueva is appointed to serve a two year term on the Library Board and the term will expire on May 7, 2019.

PASSED AND APPROVED on this 4th day of April 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**

C. Discussion and consideration to accept the resignation of Yvette Castro Castillo from the Weslaco 100 Committee and approve Resolution 2017-37 appointing a member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Museum.)

Commissioner Kerr, seconded by Commissioner Lopez, moved to accept the resignation of Yvette Castro Castillo and approve Resolution 2017-37 appointing Debby Rektorik to the Weslaco 100 Committee for an unexpired term. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017 - 37

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 Debby Rektorik is appointed to serve on the Weslaco 100 Committee and the term will begin on April 4, 2017, and will expire on April 19, 2019.

PASSED AND APPROVED on this 4th day of April, 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 remained tabled on March 21, 2017; Staffed by Planning and Code Enforcement Department.)

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

Mardoqueo Hinojosa, City Engineer/Planning Director, requested the item remain tabled.

Commissioner Lopez, seconded by Commissioner Pedraza, moved to table as recommended. The motion carried unanimously; Mayor Suarez was present and voting

VI. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2017-20 for the voluntary annexation of the 48.682 acres out of Farm Tracts 98 and 114 and the right-of-way along F.M. 88 between Mile 10 North Road and Mile 11 North Road. First Reading of Ordinance 2017-20. Possible action. (Staffed by Planning and Code Enforcement Department).

Mardoqueo Hinojosa recommended approval stating the property was for the proposed park development on the north side of town.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Ordinance 2017-20 for the voluntary annexation of the 48.682 acres out of Farm Tracts 98 and 114 and the right of way along F.M. 88 between Mile 10 North Road and Mile 11 North Road as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez stated there would be no action for item B and C and moved on to item D.

B. Discussion and consideration to name the street converted from an alley located on Heritage Square No. 2 Subdivision between Sugarcane Road and Washington Street. Possible action. (Staffed by Planning and Code Enforcement Department.)

There was no action on this item.

C. Discussion and consideration to approve the cost allocation from the Capital Improvement Program paving fund in the amount of approximately $80,000.00 for the paving a a street converted from an alley at Heritage Square No. 2 Subdivision. Possible action. (Staffed by Planning and Code Enforcement Department.)

There was no action on this item.

D. Discussion and consideration to adopt Ordinance 2017-21 to amend speed limits along FM 1015 between U.S. Business Highway 83 and Mile 8 North Road. First Reading of Ordinance 2017-21. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated Texas Department of Transportation conducted a speed and accident survey along FM 1015 between Mile 6 1/2 North Road and Mile 8 North Road. The proposal recommends reducing the speed limit from 40 mph to 35 mph on the north side of US Business 83 for approximately 0.627 miles. In addition, north of Interstate 2, the speed limit would be raised from 40 mph to 45 mph for approximately 0.226 miles. Staff recommends approval.

In response to Commissioner Muñoz, staff would research the possibility of a median to reduce vehicle traffic turning left onto FM 1015 with TXDOT.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Ordinance 2017-21 to amend speed limits along FM 1015 between U.S. Business Highway 83 and Mile 8 North Road. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve Ordinance 2017-22 creating a no parking zone on Huisache Street from Calle De La Republica to Border Avenue and authorize citations to be issued. First Reading of Ordinance 2017-22. Possible action. (Staffed by Public Works Department.)

Pete Garcia, Public Works Director, recommended approval designating a portion of the West side of Huisache Street as a no parking zone. In response to Commissioner Muñoz, staff would clarify the description of the no parking zone.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Ordinance 2017-22 creating a no parking zone on Huisache Street from Calle De La Republica to Border Avenue as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Approval of the Lease Agreement with the Weslaco Youth Football League to host a Summer Youth Flag Football Season at Harlon Block Sports Complex open area, for a term of 1 month June 1, 2017-June 30, 2017 and authorize the Mayor to execute any related documents. Possible action. (Requested by Parks Department)

David Arce, Parks Director, recommended approval stating this is a term of short duration, just four weekends on Saturdays from 9 a.m. – 2 p.m.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the Lease Agreement with the Weslaco Youth Football League to host a Summer Youth Flag Football Season at Harlon Block Sports Complex open area, for a term of 1 month June 1, 2017 - June 30, 2017 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on Resolution 2017-38 amending Interlocal Agreement dated August 6, 2013 between City and County of Hidalgo for the Mile 6 West (Westgate Drive) from Mile 9 North Road to Mile 11 North Road Project for roadway improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

The City Manager stated the resolution outlines the city's cost participation; the County requests funds be identified by specific date. Staff recommends approval of the resolution.

In response to Commissioner Kerr, payment is required upon invoice of services; in response to Commissioner Muñoz, project completion is estimated 2019; and in response to Mayor Pro-Tem Tafolla sidewalks are proposed on both sides of the street improvement.

Commissioner Kerr, seconded by Mayor Pro-Tem Tafolla, moved to approve Resolution 2017-38 amending Interlocal Agreement dated August 6, 2013 between City and County of Hidalgo for the Mile 6 West (Westgate Drive) from Mile 9 North Road to Mile 11 North Road Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-38

A RESOLUTION AMENDING INTERLOCAL AGREEMENT BETWEEN CITY OF WESLACO AND HIDALGO COUNTY SETTING DATES AND PLACE FOR PAYMENT OF SERVICES FOR PROPOSED ROADWAY IMPROVMENTS MILE 6 WEST (WESTGATE DRIVE) WESLACO, HIDLAGO COUNTY, TEXAS, AND AUTHORIZING THE MAYOR EXECUTE ANY RELATED DOCUMENTS.

WHEREAS, the City of Weslaco and County of Hidalgo, Texas entered an Interlocal Agreement dated August 6, 2013 (attached) for roadway improvements for the project identified as Mile 6 (Westgate Drive) and;

WHEREAS, the City and County under mutual covenants under the Interlocal Agreement agreed payment for expenses incurred on City's behalf for the project would be invoiced and payment within 30 days would be made to County;

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

Section 1. The City in fulfillment of meeting financial obligations hereby will:

a) Before September 30, 2017 at Hidalgo County Precinct 1 request, City of Weslaco will issue a check for $755,008.37;
b) Before November 1, 2018 at Hidalgo County Precinct 1 request, City of Weslaco will issue a check for $347,000;
c) Before November 1, 2019 at Hidalgo County Precinct 1 request, City of Weslaco will issue a check for $416,000;
d) Before November 1, 2020 at Hidalgo County Precinct 1 request, City of Weslaco will issue a check for $416,000.

Section 2. The schedule of payments will complete the City of Weslaco financial obligation of the said project and said resolution will become a record of agreement supplementing the Interlocal Agreement dated August 6, 2013 between City and County.

PASSED AND APPROVED on this 4th day of April 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**

H. <u>Discussion and consideration to approve retainage release for an amount not to exceed $486,376.00 of the contract for CDM Constructors, Inc. for the Water Treatment Plant Expansion Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)</u>

Mardoqueo Hinojosa stated CDM Constructors, Inc. is requesting retainage release of $486,376.00 for subcontractors that have completed their work. Staff recommends approval.

In response to Commissioner Muñoz, Matthew Hofmann, CDM, stated the subcontractors have completed a punch list; conditional release of liens will be obtained by them and full release of liens will be obtained by Textura, a third-party vendor that invoices, pays and gets the lien waiver.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve retainage release for an amount not to exceed $486,376.00 of the contract for CDM Constructors, Inc. for the Water Treatment Plant Expansion Project contingent on release of liens. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration on consultant agreement with Armando A. Martinez for advanced education EMS Training and Continuing Education services. Possible action. (Staffed by the Fire Department.)

The City Manager stated services would enhance the education and training for the fire department and coordination of the affiliation partnerships with medical facilities and hospitals. Staff recommends approval of a one year contract.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the consultant agreement with Armando A. Martinez for advanced education EMS Training and Continuing Education services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. REPORTS

A. Presentation by Weslaco 100 Committee on centennial activities.

Mary Martin, Chair, introduced the officers of the executive committee; she reported five major committees have been formed, with the marketing committee facilitating a contest to create a Centennial logo; additionally, post office and bank accounts have been opened and website and mission statement created. Tentative schedule of events for December 6, 7, 8 with actual celebration to be December 10, 2019.

B. Report by Economic Development Corporation of Weslaco.

Marie McDermott reported marketing the Weslaco 100 and Façade Incentive Program; preparing for the ICSC in May with retailers and developers; organizing a procurement workshop with UTRGV and US Small Business Administration. The summary leads list includes 55 prospects, translating into 1,243 jobs and $146.2 million in investments.

C. Report by Weslaco Area Chamber of Commerce.

Don Croft, Chamber CEO, reported Onion Fest was a great success; they are directing advertising to shopping locally and promoting Weslaco airport. The Weslaco app continues to increase and visitors for the month was 260.

D. Report by Severn Trent.

George Quiltan reported a letter was received from the Texas Commission on Environmental Quality for the water plants north and south and minor findings noted and reported on minor repairs for Lift Stations and clarifier catwalk.

E. Report by Parks and Recreation Department.

David Arce reported Onion Fest was well attended; the installation of ramps at City park began; supplies were ordered for benches and walking trail at Gibson Park. Upcoming events include Lions Club BBQ cook-off, Egg Dash; Boys and Girls Easter Egg hunt, Law Enforcement Flag tournament; with youth softball, baseball and soccer ongoing. Staff already is working on Breakfast with Santa event and remodeling the former boys and girls club building to be the Marshall's Office.

F. Report by Planning and Code Enforcement.

Mardoqueo Hinojosa reported mosquito spraying commenced this week; staff examined drainage evaluation for improvements North of the Expressway and is working on the plat for North fire station and the plans to convert an alley to street. At the city's request, the street improvements completed through Urban County will be re-done.

G. Report by Public Works.

Pete Garcia reported on the ongoing replacement of fire hydrants, drain ditch cleaning, and street paving with 2016 list completed and will begin the 2017 list. The water tower tank has been sealed inside.

H. Report by Information Technology Department.

Jose Pena stated the website launched and already has received an honorable mention in international competition. The Planning functions are now fully electronic through implementation of the Accela program, with the permit portal launched this month; Police also now has online reporting and EMS receives electronic payments. Next staff will work on a 311 mobile application, time clock system upgrade, dispatch center relocation to Public Works; implementation of electronic ticket writers. Also, staff will work on online portals for HR, consolidation of the phone services, upgrade equipment for the Legislative room, and design a new library website.

VIII. EXECUTIVE SESSION

At 7:28 p.m. Mayor Suarez announced the regular meeting to convene in executive session. At 9:09 p.m. Mayor Suarez announced the City Commission had completed its executive session and reconvened the regular meeting as open to the public.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action 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 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.

D. 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.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to approve an Economic Development incentive agreement related to Project Academy as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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

Commissioner Kerr, seconded by Mayor Pro-Tem Tafolla, moved to reduce the number of positions for Municipal Judges from three (3) to two (2) as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

F. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at Bridge Avenue and Expressway 83 as authorized by §551.072 of the Texas Local Government Code

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to authorize the City Manager to advertise the sale of real property located at Bridge Avenue and Expressway 83 as discussed in executive session.

X. ADJOURNMENT

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez moved to adjourn at 9:11 p.m. 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, Gerardo “Jerry” Tafolla

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Olga Noriega

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza