MINUTES OF REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JUNE 4, 2019

On Tuesday, June 4, 2019, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following member's present:

PRESENT:	Mayor	David Suarez
	Mayor Pro-Tem	Greg Kerr
	Commissioner	Letty Lopez
	Commissioner	Josh Pedraza
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz
ABSENT:	None.	
STAFF:	City Manager	Mike R. Perez
	City Secretary	Myra L. Ayala Garza
	City Attorney	Juan E. Gonzalez

Also present: Aida Vega, Deputy City Secretary; Andrew Munoz, Airport Director/Asst. City Manager, Vidal Roman, Finance Director, Omar Rodriguez, Parks and Recreation Director, Leo Gonzalez, Information Technology Director; Ben Worsham, City Engineer/Planning Director; Robert Lopez, Asst. Police Chief, Antonio Lopez, Fire Chief, Veronica Ramirez, HR Director; Pete Garcia, Public Works Director; Martin Mata, Asst. 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, May 31, 2019.

B. Invocation.

Father Ernest Ukwueze, San Martin de Porres Catholic Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None.

Mayor Suarez called on a moment of silence for Soyla Gonzalez

E. Roll Call.

Myra L. Ayala Garza, City Secretary, called the roll, noting perfect attendance.

II. PUBLIC COMMENTS

Sheila Shidler, Executive Director, Weslaco Museum, reported ongoing construction at the museum for an area to honor military members; paver to be installed in front of Museum will be in memory of Soyla Gonzalez; reported on upcoming event Here Comes the Bride; exhibits for June focus on Weslaco 100 celebration; July focus on Emergency Services; November 9 Celebration Pan de Campo extending an invitation to commission; introduced the Board of Directors and thanked the commission for their support.

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 May 7, 2019 and May 23, 2019. (Staffed by City Secretary's Office.)

B. Acceptance of the Affiliation Agreement between the The University of Texas Rio Grande Valley (UTRGV) and the City of Weslaco Police Department's Case Manager to serve as a Facility Liaison for UTRGV students entering Social Services Internship. (Staffed by Police Department).

C. Approval on Resolution 2019-55 to apply and accept the Hidalgo 2018 OPSG Stonegarden Grant through eGrants for border security initiatives in the amount of $175,000.00 with NO LOCAL MATCH required and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Authorization to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Terry Barbee for Hangars E11-14 and to approve a Mid Valley Airport Ground Lease Agreement with Tenant Arthur Beckwith D/B/A Beckwith Farms for Hangars E11-14 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

E. Authorization to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Shari Pate for Hangars W15-16 and to approve a Mid Valley Airport Ground Lease Agreement with Tenant Scott Fuller for Hangar W16 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

F. Acceptance of free books from South Texas Literacy Coalition and authorize the Mayor to execute any related documents. (Staffed by the Library) Background.

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

Following for the record, is the resolution.

RESOLUTION NO.2019-55

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the HIDALGO-2018 OPERATION STONEGARDEN be operated for the fiscal year 2019 through 2020; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Homeland Security Grant 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 HIDALGO-2018 OPERATION STONEGARDEN to the Office of the Governor.

Grant Number: **3173404**

Passed and approved this 4th, day of June 2019.

Signed by: CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Myra L. Ayala Garza, CITY SECRETARY

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

IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2019-56 appointing members to expired terms on the Weslaco Mid Valley Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Munoz, Asst. City Manager/Airport Director, recommended approval of those members' terms that have expired (6) be re-appointed and noted member Raul Cabaza III was appointed to an un-expired term ending June 2020 with no action required for his term. Those members' terms who have expired expressed continued interest serving and requested an exemption for Randal Summers, who serves on the Planning and Zoning Commission.

Mayor Pro Tem Kerr, seconded by Commissioner Pedraza moved to approve Resolution 2019-56 appointing Art Beckwith, Don Holmes, Bud Payne, Terry Barbee, Ramon Montalvo III and Randal Summers with exemption as presented. The motion carried unanimously; Mayor Suarez was present and voting.

RESOLUTION NO. 2019-56

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE WESLACO MID-VALLEY AIRPORT COMMITTEE.

WHEREAS, the City of Weslaco has established the Weslaco Mid-Valley Airport Committee pursuant to Chapter 6 Airport Section 6-34 of the Weslaco Municipal Code of Ordinances; and,

WHEREAS, the members of this board shall serve staggered terms of three years with not more than three committee member's terms expiring on the same date; and,

WHEREAS, the Weslaco Mid-Valley Airport Committee members shall serve without compensation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS the following individuals are appointed to serve expired and un-expired terms on the Weslaco Mid-Valley Airport Committee.

NAME	TERM ENDING
Art E. Beckwith	June 8, 2021
Don Holmes	June 8, 2021
Bud Payne	June 8, 2021
Terry Barbee	June 8, 2022
Randall Summers	June 8, 2022
Ramon Montalvo III	June 8, 2022

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Myra L. Ayala Garza, CITY SECRETARY

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

V. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2019-19 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-19. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, presented the mid-year budget amendments that address emergency expenditures, unforeseen expenditures or fund accounts necessary to carry until the current fiscal year. Mr. Vidal reported on six (6) accounts; noting a correction to the general fund for overtime in the police department was $30,000 not $114,000 impact to general fund total $455,000 (various departments) ; impact to the water fund is $187,024 (water meters) ; Wastewater Fund impact $731,426 (repairs lift stations, water/sewer lines); Solid Waste impact is $1,450 and Stormwater Fund impact $1,332,007(land acquisition, equipment and engineering services). Monies coming from the fund balance.

In response to Mayor Suarez, the general fund has a healthy fund balance. The City Manager noted the water and sewer funds will be monitored closely.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Ordinance 2019-19 adopting a mid-year budget amendment on first reading as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on extension of franchise agreement with Liquid Environmental Solutions for grease trap collection and disposal services not to exceed seven years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Joe Pedraza, Health Official, stated this would be the second renewal to an original contract date of 2005; city has been with vendor 14 years; franchise fees collected in 2018 totaled $29,860; service under 200 customers in the city; contracting for this service ensures compliance with ordinance for restaurants to clean their grease traps and minimizes the amount of grease into the lift stations. Staff recommends approval. The City Manager stated vendor will generate a report on those businesses having higher concentration of grease to address it with them and this is the last extension permitted.

In response to Mayor Pro Tem Kerr and Commissioner Muñoz; no cost to the city; owner pays for the service; city receives a franchise fee that is competitive and can be extended not to exceed seven years as outlined in the original proposal; the last request for proposal was in 2004. The City Attorney stated any option of term can be entertained to the vendor. Mayor Suarez recommended one-year extension and solicit proposals.

Mayor Pro Tem Kerr, seconded by Commissioner Lopez moved to approve a one (1) year extension of franchise agreement with Liquid Environmental Solutions for grease trap collection and disposal services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to purchase a 2019 190GW FT4 Wheeled Excavator in the amount of $192,720.85 from Dogget Heavy Machinery Services, through Buyboard Contract #515-16 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Mike Perez, City Manager, stated the small excavator in use is 18 years old; repairs on existing equipment is costly; staff solicited proposal for a wheeled excavator and a recommends approval stating a wheeled excavator would be more efficient. The City would receive about $17,000 for old equipment and monies from bond issuance would pay for the purchase.

In response to Commissioner Pedraza, the expenditure does not affect the drainage improvements projects.

Commissioner Muñoz, seconded by Commissioner Lopez moved to approve purchase of a 2019 190GW FT4 Wheeled Excavator in the amount of $192,720.85 from Dogget Heavy Machinery Services, through Buyboard Contract #515-16 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Ratification of Purchase Order No. 19-03048 to contract Southern Trenchless Solutions for emergency repairs of a collapsed sewer line located at FM 1015 from Mooreland Dr. to Lift Station No. 21, in the amount not to exceed $276,969.00, and authorize a budget as may be required the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

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

The City Manager stated staff was in the process to solicit proposals for repairs; recent rains contributed to the collapsed line creating the emergency for repairs that began. Marcel Cosme, Water/Wastewater Superintendent, stated underlying issues for the line were manholes uncovered were buried underneath FM1015; line is 18-20 feet deep; by-pass pump used to identify damages; presented a brief video showing damages of the line that included separation of joints and accumulation sand buildup in the line.

In response to Commissioner Rodriguez, contributing factors for the collapsed line is heavy traffic, line is 60 years old, clay and ground water seeping into the line.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Ratification of Purchase Order No. 19-03048 to contract Southern Trenchless Solutions for emergency repairs of a collapsed sewer line located at FM 1015 from Mooreland Dr. to Lift Station No. 21 in the amount not to exceed $276,969.00 as presented. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

E. Discussion and consideration of the drainage short term projects. Possible action. (Staffed by Engineering Department.)

Commissioner Pedraza seconded by Commissioner Lopez moved to discuss.

The City Manager briefly outlined the projects from proceeds of the $4 million certificates of obligations to include drainage improvements for Merida and Austin Street; flat gates installation; new crossing South side of the City; the bond issuance of $10million would include construction of detention facility on South FM 88, detention pond behind Clecker-Heald School noting EDC approved financial assistance over $100,000 (salary-3 individuals, supplies and equipment) to assist in the drainage detention facilities; storm drain improvements on Pleasantview estimated at $4.7million will be solicited for proposals and $3.5million to be used for city's match for grants. The City Manager stated he will recommend the drainage ad hoc committee be an advisory committee. An ordinance establishing the board will be presented at the next meeting.

Andrew Muñoz gave a status on grants submitted to Army Corps of Engineering and Texas Department of Emergency Management.

In response to Commissioner Muñoz, no action necessary, projects ready to proceed with design plans 30% flat gates and 95% detention facility complete and staff can present to the commission and community of the projects; projects in order outlined; any work staff can do will be done in-house.

No action.

F. Discussion and consideration on Memorandum of Understanding by and between City of Weslaco and Research, Applied Technology, Education, and Service (RATES) for the summer internship program (MOA #R-RGV-SIP-2019-00001) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Ben Worsham, City Engineer, stated the agreement will provide for three summer interns with cost to the City of $7,000 and RATES program share of $3,500. Staff recommends approval.

In response to Commissioner Pedraza, the interns will be verifying field information and inventory of utilities.

Commissioner Pedraza, seconded by Commissioner Lopez moved to approve Memorandum of Understanding by and between City of Weslaco and Research, Applied Technology, Education, and Service (RATES) for the summer internship program (MOA #R-RGV-SIP-2019-00001) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. REPORTS

A. Report by Weslaco Area Chamber of Commerce.

Barbra Jean Garza, CEO, reported on upcoming plans for a Traveling Exhibit, a Weslaco Youth Ambassador Program and Young Entrepreneurs Summer Camp; reported on advertising for May campaigns in Mexico; billboards along I-2/Expressway 83 and digital promotions at Airport; visitors for the month was 1,010 includes in-state and out-of-state with fourteen facility reservations.

B. Report by Economic Development Corporation of Weslaco.

Steve Valdez, EDC Director, reported a luncheon for Weslaco companies was held to promote customized training by South Texas College Mid Valley Campus; application for Kapal Cabinet House for nomination as an Enterprise Zone Project was submitted; attended the ICSC RECON with commercial realtors, developers and retail representatives; reported July 4th activities included three bands; summary leads was 64.

C. Report by Weslaco 100 Committee.

Debbie Rektorik, Vice-Chair of Weslaco 100 Committee, stated scheduled events were in the final planning stage; fundraising activity included a golf tournament and Weslaco 100 banners; luncheon scheduled the weekend of July 8 extending an invitation to the commission; celebratory activities begin December 6-10; closing ceremony and fire work display is December 10; introduced the Weslaco 100 Committee and thanked the commission, staff, Weslaco Museum and sponsors.

D. Report by Inframark.

George Quintana, Project Manager II Inframark, reported for the water treatment plant 5.59 million gallons of water treated; water plant 2 running no issues and chemical bulk tanks operational and

at full capacity; North wastewater plant 2.17-million-gallon water treated and no violations; South Wastewater Plant treated 1.54 million gallons of water; UV module electrical and rotor repairs ongoing and no violations.

E. Report by Airport.

Andrew Munoz went over the 2018 fuel sales and cost for JetA; overviewed the fuel sale history and revenue collections for fuel sales, hanger rentals, land lease, tie downs and retail sales; accentuated on available Itinerant Flights and airport projects.

VII. EXECUTIVE SESSION

At 6:07 p.m. Commissioner Pedraza seconded by Commissioner Muñoz, moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 6:53 p.m. Mayor Suarez stated 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.

No action.

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

No action.

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

No action.

D. Pending Litigation - Report by City Attorney regarding all pending litigation as provided to City Auditor as authorized by §551.071 of the Texas Government Code

No action.

E. Legal Consultation - Seek City Attorney opinion relating to breach of contract by Accela and consider authorizing City Attorney to proceed with legal action as authorized by §551.071 of the Texas Government Code.

F. Legal Consultation - Seek City Attorney opinion on potential litigation concerning a trailer located East of Pleasantview Drive on E Expressway Frontage as authorized by §551.071 of the Texas Government Code.

No action.

G. Legal Consultation - Consultation with City Attorney on potential litigation as related to the Weslaco Animal Shelter as authorized by §551.071 of the Texas Government Code.

No action.

H. Legal Consultation - Consultation with City Attorney on Notice of potential litigation by Jose Julian Chavez represented by P. Garza, Law Firm, P.C. as authorized by §551.071 of the Texas Government Code.

No action.

I. Legal Consultation - Consultation with City Attorney on potential litigation on claim filed by Roberto Perez for damages to property as authorized by §551.071 of the Texas Government Code.

No action.

J. Real Property– Consultation with City Attorney on the purchase of real property legally described asWestTractW3.67AC-S10AC-N20AC FT685 at Dawson and Oregon Streets as authorized by §551.072 of the Texas Local Government Code.

Commissioner Muñoz seconded by Commissioner Pedraza moved to authorize the City Manager and staff negotiate the purchase of real property as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Commissioner Muñoz seconded by Commissioner Pedraza moved to adjourn the meeting at 7:58 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

_____
MAYOR, David Suarez

ATTEST:

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Myra L. Ayala Garza, CITY SECRETARY

_____
MAYOR PRO-TEM, Greg Kerr

_____
COMMISSIONER, Leo Muñoz

_____
COMMISSIONER, Jose "J.P." Rodriguez

_____

VACANT

COMMISSIONER,

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza