



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 3, 2019**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, December 3, 2019 at 5:30 PM for the purpose of discussing the following items:

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Weslaco City Commission will convene in such executive or closed session whether or not such item is posted as an executive session item at any time during the meeting when authorized by the provisions of the Texas Open Meetings Act.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
- E. Roll Call.

II. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

The Public may comment on anything on the agenda, however if you comment on something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 as follows:
 - 1) Regular Meeting on November 5, 2019; and
 - 2) Special Meeting on November 18, 2019. (Staffed by City Secretary Department.) Attachment.

B. Approval on second and final reading of the following:

- 1) Approval on Ordinance 2019-43 to rezone 710 S. Missouri. Also being Lots 3, 4, 5, 6, and 7, Blk 56, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. (First reading held November 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment
- C. Approval for the Mayor Joe V. Sanchez Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for internet access services, equipment, and basic maintenance of internal connections within the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate) and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- D. Approval to authorize the expenditure of \$7,887 of the Marion Booth Endowment Fund for support of the Family Place Libraries Program and upgrade of the Audio Visual equipment within the Mayor Joe V. Sanchez Public Library Meeting Room. (Staffed by the Library Department.) Attachment
- E. Acceptance of reimbursement funds from the Federal Bureau of Investigation (FBI) for state and Local law enforcement agencies (LEA) for the cost of overtime incurred by task force related activities in the amount of \$18,649 per year for officer assigned full-time to the FBI task force and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Approval on Resolution 2019-78 supporting document for agreement between the City of Weslaco and TXDOT for street closure on Texas Blvd. from Frontage Road to 7th St. on December 7, 2019 for the 2019 Weslaco Annual Christmas Parade and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- G. Approval on Resolution 2019-79 supporting document for agreement between the City of Weslaco and TXDOT for street closure on Texas Blvd. from Business 83 to 6th St. on December 7 - 8, 2019 for the Weslaco Centennial Celebration and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- H. Approval on Interlocal Agreement with the Weslaco Independent School District for the use of various softball fields and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Juan M. Hernandez from the Library Board and approve Resolution 2019-80 appointing one member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment
- B. Discussion and consideration on Resolution 2019-81 appointing three members to expired terms on the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration on Ordinance 2019-50 to convert the twenty- foot alley running between Lots 1-20, Block 4, Gonzalez Addition into a utility easement and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-50. Possible action. (This item was tabled November 19, 2019; staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration to approve Ordinance 2019-44 amending Section 12 of Ordinance 397, to fix residential, commercial, and industrial garbage rates; providing an effective date; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-44. Possible action. (This item was tabled October 15, 2019 and no action on November 5, 2019; staffed by Finance Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration of the ORION Consortium Participation Agreement for provision of Fiber Optic Internet Connectivity to the Mayor Joe V. Sanchez Public Library and authorize Mayor to execute any related documents. Possible action. (Staffed by Library.) Attachment
- B. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending September 30, 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration to approve the official 2019 Tax roll totals as prepared by Pablo "Paul" Villarreal Jr., Hidalgo County Tax Assessor and Collector per Section 26.09(e) of the Texas Property Tax Code and authorize Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- D. Discussion and consideration to accept, open, award or reject the sole bid received for the Public Sale of Surplus Property 1.888 Acres on North Texas Avenue / RFB No.:

2019-20-06 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

- E. Discussion and consideration and approval of Allowance Expenditure No. 3 regarding the North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Airport.)
- F. Discussion and consideration on approval of support from the Veterans of Foreign Wars (VFW) for the upkeep and beautification of the Veterans Memorial located inside of Mayor Pablo Pena City Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)
- G. Discussion and consideration to approve Proposed Amendment in the amount of \$71,207.55 for a total of \$2,804,298 for Fiscal Budget Year 2019-2020 with Inframark and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.) Attachment
- H. Discussion and consideration to authorize Hidalgo County Precinct #1 to remove approximately 2,726 cubic yards of fill dirt from the Regional Detention Facility located on S Texas Blvd (F.M. 88) and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Planning & Code Enforcement.) Attachment

VII. REPORTS

- A. Report by Weslaco Area Chamber of Commerce.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Inframark.
- D. Report by Public Works.

VIII. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:

- (1) the defendant had good reason to believe the disclosure was lawful; or
- (2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

- A. Personnel - Discussion regarding the goals, objectives, and evaluation of the City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- B. Consultation – Consultation with City Attorney on negotiated agreement relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.
- C. Legal Consultation - Seek City Attorney opinion relating to the lawsuit with CDM as authorized by §551.071 of the Texas Government Code.
- D. Real Property– Consultation with City Attorney on the sale of real property legally described as Lot 4, Block 143, West Tract Subdivision located in the 2400 Block of N. Texas Boulevard as authorized by §551.072 of the Texas Local Government Code.
- E. Real Property - Consultation with City Attorney on Resolution for the purchase and financing of real property located at the Southeast corner of East Pike Boulevard and Vo-Tech Drive Weslaco, Hidalgo County, Texas as authorized by §551.072 of the Texas Local Government Code.
- F. Real Property– Consultation with City Attorney on the acquisition of real property legally described as Lot 16, Block 2, La Paloma De La Sombras Subdivision for the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.
- G. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 29.08 acre of land consisting of 15.24 acres out of Farm Tract 705 and 13.84 acres out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.
- H. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 0.87 acre tract of land out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.
- I. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.072 of the

Texas Local Government Code.

- J. Consultation – Seek City Attorney opinion on arbitration proceedings by the Weslaco Firefighters Association (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 27th day of November 2019 at 4:00 p.m. and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Myra Ayala, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary's Office at (956) 968-3181, Ext. 3100 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials:



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2887	
From:			
Subject: Certification of Public Notice.			
Background: Call to Order, includes the following: A. Certification of Public Notice. B. Invocation. C. Pledge of Allegiance. D. Mayoral Recognition. E. Roll Call.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: A. Mayor will Call to Order and certify Public Notice. B. Bacilio Castillo, Pave the Way Church will lead the invocation. C. Mayor will lead Pledge of Allegiance; Mayor Pro-Tem may lead Texas Flag. D. Mayoral Recognition. E. City Secretary will call roll. Four or more Commissioners present constitute a Quorum; otherwise, no action may be taken.			
Attachments, if any: Pledge & Mission 2019 updated			

Responsibilities upon Approval:
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City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Letty Lopez, Mayor Pro-Tem, District 5
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

The Pledge of Allegiance to the Flag

"I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL."

The Pledge of Allegiance to the State Flag

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

**The pledge was amended by House Bill 1034 during the 80th Legislature with the addition of "one state under God." The revised wording became effective on June 15, 2007.*

Preamble to the Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

STATEMENT OF VISION: AN INTERNATIONAL CENTER OF GROWTH

Friendly people with vision, courage and integrity

STATEMENT OF MISSION: COMMITMENT TO EXCELLENCE IN PUBLIC SERVICE

- *Positive Attitude of Courtesy & Concern
- *Doing it Right the First Time
- *Sensitive to the citizens' needs
- *Friendly Respect for All
- *Service without Hassle



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2892	
From:			
Subject: Approval of the Minutes as follows: 1) Regular Meeting on November 5, 2019; and 2) Special Meeting on November 18, 2019. (Staffed by City Secretary Department.) Attachment.			
Background: Record of commission action of the Regular Meeting November 5, 2019 and Special Meeting of November 18, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Aida Vega Mike Perez		Created	
City Manager Comments: Approve.			
Staff Recommendation: Approve.			
Attachments, if any: -191105 minutes, 191118 minutes			
Responsibilities upon Approval:			



**MINUTES
REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 5, 2019**

On Tuesday, November 5, 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 members present:

PRESENT:	Mayor Pro Tem	Greg Kerr
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz
ABSENT:	Mayor	David Suarez
	Commissioner	Josh Pedraza
STAFF:	City Manager	Mike Perez
	City Secretary	Myra Ayala Garza
	City Attorney	Juan E. Gonzalez

Also present: Aida Vega, Deputy City Secretary, CSD; Vidal Roman, Finance Director, Eduardo Gil, Interim Information Technology Director; Rebekah de la Fuente, Assistant Planning Director; Joel Rivera, Police Chief, Antonio Lopez, Fire Chief, Pete Garcia, Public Works Director; Arnold Becho, Library Director; Rosa Huerta, Municipal Court Coordinator and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Pro Tem Kerr called the meeting to order and certified the public notice of the meeting as properly posted Friday, November 1, 2019.

B. Invocation.

Pastor Bacilio Castillo, Pave the Way Church, led the invocation.

C. Pledge of Allegiance.

Mayor Pro Tem Kerr led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

E. Roll Call.

Myra Ayala Garza, City Secretary, called the roll noting the absence of Mayor Suarez and Commissioner Pedraza at the time of roll call and a quorum present.

II. PUBLIC COMMENTS

Gail Weigel Ortiz and Pastor Tom Murry voiced objection on the rezone of 710 S. Missouri; requested to preserve the area as residential as adopted in the Land Use Plan; concerns of parking and safety of the area. Ms. Ortiz stated of the thirteen property owners nine objected submitting the additional property owners' names against.

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 October 1, 2019. (Staffed by City Secretary Department.)

B. Approval on second and final reading of the following:

1) Approval on Ordinance 2019-41 amending the Master Fee Schedule with respect to Vitals Statistics fees, Fire/EMS fees, Library fees, Planning/building fees and Police fees, and authorize the Mayor to execute any related documents. (First reading held October 15, 2019; staffed by Finance Department.)

2) Approval on Ordinance 2019-42 amending Ordinance 2013-22, the City of Weslaco Subdivision Ordinance- Annexation and Development Agreement requirement; and authorize the Mayor to execute any related documents. (First reading held October 15, 2019; staffed by Planning & Code Enforcement Department.)

3) Approval on Ordinance 2019-45 a budget amendment in the amount of \$360,000 in revenue and appropriations in the amount of \$387,435 in relation to the Hotel/Motel Tax fund and having a projected ending fund balance of \$597,685 and authorize the Mayor to execute any related documents. (First reading held October 15, 2019; staffed by Finance Department.)

C. Approval on the renewal of a Public Purposes Services Contract with the Boys & Girls Club of Weslaco in an amount not to exceed \$75,000.00 for the public purpose services and activities in this contract, effective October 1, 2019 through September 30, 2020 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

D. Approval on the renewal of a Public Purpose Service Contract with the Weslaco Bicultural Museum d.b.a. Weslaco Museum of Local History and Cultural Art in an amount not to exceed \$63,100.00 effective October 1, 2019 through September 30, 2020 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

E. Approval on the renewal of Professional Services Agreement as recommended by the Weslaco Hotel Occupancy Tax Advisory Committee and approved by the City Commission as follow:

1. Frontera Audubon Society - \$ 39,000.00
2. Valley Nature Center - \$ 40,800.00 and
3. Weslaco Chamber of Commerce \$236,635.00

and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

F. Approval to ratify acceptance of Office of the Governor's Criminal Justice Division Funding Grant #3814601, a grant to fund the Crime Victim Coordinator salary and purchase a laptop and printer in an amount not to exceed \$33,984.05 with a 20% MATCH REQUIRED (\$8,496.01) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval to ratify acceptance of grant award from the Office of the Governor's Homeland Security Grants Division Funding (2019 State Homeland Security Program – LETPA Projects) in an amount of \$19,000 with NO MATCH REQUIRED and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

H. Approval on Resolution 2019-75 to apply to the Criminal Justice Division Opioid Antagonist Grant Program, FY2020 for an amount not to exceed \$100,000 with NO MATCH REQUIRED and authorize the Mayor to execute any related documents (Staffed by Police Department.)

I. Approval to authorize the Mayor Joe V Sánchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during the Holiday Season and to start a toy drive collection and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

J. Approval to authorize staff to solicit Request for Qualifications for professional services for geotechnical and material testing and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

K. Approval on request from the Weslaco Centennial Committee to install street banners across N. Texas Blvd. and N. Westgate Dr. below E. Frontage Rd. on or before November 1, 2019 and remove after December 10, 2019 and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

L. Approval of payment to Rio Grande Valley Communication Group in the amount of \$42,504.00 for various departmental subscription usage and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

M. Approval to authorize solicitation for Request for Qualifications to provide Architectural/Engineering design services for the Airport hangar project. (Staffed by Airport.)

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

IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2019-73 appointing a member to an expired term on the Board of Adjustments & Appeals to the Zoning Ordinance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Joe Pedraza, Health Official, recommended re-appointment of Mark McCaleb who expressed interest in continuing to serve.

Commissioner Lopez, seconded by Commissioner Muñoz moved to approve Resolution 2019-73 and re-appoint Mark McCaleb as a member to an expired term on the Board of Adjustments & Appeals to the Zoning Ordinance

RESOLUTION NO. 2019-73

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

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Building Codes.

WHEREAS, the Board of Adjustments & Appeals-Building Codes shall consist of seven (7) members appointed by the Commission and shall serve a four (4) year term; and

WHEREAS, a board member shall not act in a case in which he/she has personal interest; and

WHEREAS, the board shall hear all appeals on requests for variances under the International and Residential Building Codes and city codes such as plumbing, electrical, housing and mechanical; and

WHEREAS, every decision of the board shall promptly be filed in the office of the Building Official, and shall be opened to public inspection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT the following individuals are appointed to serve expired terms on the Board of Adjustments & Appeals-Building Codes.

<u>NAME</u>	<u>TERM ENDING</u>
1. Mark McCaleb	12/21/23

PASSED AND APPROVED on this 5th day of November 2019

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. OLD BUSINESS

A. Discussion and consideration after public hearing on behalf of Joe Olivarez to approve Ordinance 2019-43 to rezone 710 S. Missouri. Also being Lots 3, 4, 5, 6, and 7, Blk 56, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-43. Possible Action. (This item was tabled October 15, 2019; staffed by Planning and Code Enforcement Department.)

Commissioner Muñoz, seconded by Commissioner Lopez moved to remove the item off the table. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve.

Rebekah de la Fuente, Interim Director Planning and Code Enforcement, stated the City Attorney had reviewed and affirmed the rezone would not be considered spot zoning; petition submitted was supplemented that now represents a majority of property owners notified objecting to the rezone triggering three-fourth vote for approval. Planning and Zoning Commission recommended approval staff recommended compliance with the 2040 Future Land Use Plan

The City Manager recommended it remain tabled as a super majority is needed and allow for full attendance of the commission; majority of the property owners objected to the rezone that requires $\frac{3}{4}$ fourth vote of those present.

In response to Mayor Pro Tem, Rebekah de la Fuente, stated any objection may be submitted on or before the meeting date. City Attorney stated he could offer an opinion if the supplemented petition is considered timely filed. The applicant did not object and voiced he wished for a full attendance of the commission.

Commissioner Muñoz withdrew original motion.

Commissioner Muñoz seconded by Commissioner Lopez moved to table Ordinance 2019-43 to rezone 710 S. Missouri as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

B. Discussion and consideration to approve Ordinance 2019-44 amending Section 12 of Ordinance 397, to fix residential, commercial, and industrial garbage rates; providing an effective date; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-44. Possible action. (This item was tabled October 15, 2019; staffed by Finance Department.)

No action and remained tabled as recommended by the City Manager.

C. Discussion and consideration to approve the FY 2019-2020 Proposed Street Improvement Projects and authorize the Mayor to execute any related documents. Possible action. (There was no action on September 17, 2019; staffed by Public Works Department.)

Mike Perez, City Manager, stated minor changes made to the list provided September 17 added Mile 2 ½ West that the City of Mercedes will contact for a share in the cost.

Commissioner Farias recommended Los Torritos St; Texas to Iowa; Frost Proof reconstruction of the first hundred feet the rest overlay; Commissioner Rodriguez recommended improvements to the intersections of Mile 6 (Westgate and Pike) and Milano's Road be reconstructed. The City Manager stated the intersections could be added to the end of the list if funds available will be done. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Muñoz moved to approve the FY 2019-2020 proposed Street Improvement Projects with noted changes as discussed. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

D. Discussion and consideration to accept, open, award or reject the sole bid received for Flap Gates (RFB No.: 2018-19-18) and alternate bid of Flap Gate Installations and authorize the Mayor to execute any related documents. Possible action. (This item was tabled October 1, 2019 and no action October 15, 2019; staffed by Engineering Department.)

Commissioner Muñoz, seconded by Commissioner Lopez moved to remove the item off the table. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

Rebekah de la Fuente stated the project is for eighty-four flap gates; vendor will assess locations and flap gates will be designed uniquely for that location; training be provided for installation and will be present when installation is being done. The Drainage Advisory Board recommended approval; staff recommended approval.

In response to Mayor Pro Tem Kerr; the City Manager stated the concern was installation cost not included; overbudget about \$34,000 budget amendment may be needed. In response to Commissioner Muñoz and Rodriguez; maintenance is minimal with the Flap Gate customized to the pipe and staffing will be adequate.

Commissioner Muñoz seconded by Commissioner Lopez moved to award sole bid to Municipal Valve & Equipment for Flap Gates as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

VI. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2019-46 amending Ordinance 1989-06, The City of Weslaco Off-Street Parking and Loading Spaces Ordinance- Dance Halls/Event Centers; and authorize the Mayor to execute any related documents. First Reading of Ordinance 2019-46. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Interim Planning and Zoning Director, recommended approval stating the proposed amendment will reduce the required parking spaces to one (1) parking space of every 100 sq. ft. of floor area; current ordinance in place is three (3) parking space of every 100 square feet. The amendment would be uniform with surrounding entities. Staff recommended approval.

In response to Commissioner Muñoz; parking regulated and enforced through zoning ordinance not building code; Ordinance in place adopted in 1989.

Commissioner seconded by Commissioner moved to approve Ordinance 2019-46 amending Ordinance 1989-06, The City of Weslaco Off-Street Parking and Loading Spaces Ordinance-Dance Halls/Event Centers as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

B. Discussion and consideration to approve Resolution 2019-74 to allocate votes in the election for the 2020-2021 Board of Directors of the Hidalgo County Appraisal District pursuant to §6.03(e) of the Texas Property Tax Code and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

The City Manager stated previous commission action had nominated Joe Olivarez; ballot now sent to cast the votes for the candidate of their choice and recommended all 70 votes be allocated to Joe Olivarez for the 2020-2021 Board of Directors of the Hidalgo County Appraisal District.

Commissioner Lopez seconded by Commissioner Farias moved to approve Resolution 2019-74 to allocate the 70 votes to Joe Olivarez for the 2020-2021 Board of Directors of the Hidalgo County Appraisal District as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

For the record, following is the resolution.

RESOLUTION NO. 2019-74

RESOLUTION CASTING VOTES BY THE CITY OF WESLACO FOR A CANDIDATE TO HIDALGO COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS 2020-2021

WHEREAS, the City of Weslaco, a governmental unit entitled to vote in the selection of a Board of Directors for the Hidalgo County Appraisal District, has been notified by the Chief Appraiser of Hidalgo County, Texas, that votes to the said Board of Directors should be submitted in Resolution form to the Chief Appraiser by December 15, 2017 and

WHEREAS, the City wishes to cast all its 70 assigned votes to Joe Olivarez as candidate on the ballot for Director of the Hidalgo County Appraisal District 2020-2021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO as follows:

1. The City Commission of the City of Weslaco does hereby cast its 70 assigned votes to Joe Olivarez as a candidate for the Director of Hidalgo County Appraisal District.
2. A certified copy of this Resolution shall be delivered to the Chief Appraiser Hidalgo County, Texas, to evidence this nomination.

PASSED AND APPROVED this 5th day, November 2019.

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

C. Discussion and consideration on the purchase of Capital Outlay equipment approved for FY 2019-2020 as follows:

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

1. Compact Van (1) - Bldg. Maint. not to exceed \$22,250.00 through Gunn Chevrolet TXMAS SMARTBUY CONTRACT
 2. Truck 3/4 ton (1) - Streets Dept not to exceed \$31,800.00 through Caldwell Country Chev. Buyboard Contract vendor 521-16
 3. Truck 3/4 ton (1) - Parks Dept not to exceed \$32,000.00 through Caldwell Country Chev. Buyboard Contract vendor 521-16
 4. Utility Tractor 5065E (1) - Parks Dept. not to exceed \$43,800.00 through Buyboard Contract #529-17 vendor Deere & Company
 5. Mower Flex Wing FM2120R (1) - Parks Dept. not to exceed \$26,500.00 through Buyboard Contract #529-17 vendor Deere & Company
 6. Tractor Z970R Mower (1) - Parks Dept. not to exceed \$14,400.00 through Buyboard Contract #529-17 vendor Deere & Company;
- and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, and the City Manager recommended approval stating funds are appropriated and within budget.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve purchase of Capital Outlay equipment approved for FY 2019-2020 as presented. The motion carried; Commissioner Farias abstained; Mayor Pro Tem Kerr was present and voting.

D. Discussion and consideration on Ordinance 2019-47 establishing a Series 2019 Drainage Capital Project fund for drainage improvements in the amount of \$10,107,256 and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-47. Possible action. (Staffed by Finance Department.)

Vidal Roman, stated the ordinance will establish a fund for the proceeds from the Bond Issuance related to the bond election held for drainage improvements and recommended approval.

In response to Commission Rodriguez, having a separate fund establishes transparency that proceeds were used for the use indicated and for auditing purposes is more effective.

Commissioner Rodriguez seconded by Commissioner Farias moved to approve Ordinance 2019-47 establishing a Series 2019 Drainage Capital Project fund for drainage improvements in the

amount of \$10,107,256 as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting

E. Discussion and consideration on Ordinance 2019-48 approving a budget amendment for the Series 2019 Drainage Capital Project fund for drainage improvements in the amount of \$10,107,256.30 and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-48. Possible action. (Staffed by Finance Department.)

Vidal Roman recommended approval the amendment allows for the proceeds to be allocated in the FY2019-2020 budget.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve Ordinance 2019-48 a budget amendment for the Series 2019 Drainage Capital Project fund for drainage improvements in the amount of \$10,107,256.30 as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

F. Discussion and consideration on Ordinance 2019-49 establishing an Interest & Sinking Debt Fund on the Series 2019 Bond issue related to drainage improvements and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-49. Possible action. (Staffed by Finance Department.)

Vidal Roman stated bond documents require a separate Interest & Sinking fund that will account for the collection of taxes and payment related to the debt associated with the Bond Issuance and recommended approval.

Commissioner Lopez seconded by Commissioner Muñoz moved to approve Ordinance 2019-49 establishing an Interest & Sinking Debt Fund on the Series 2019 Bond issue related to drainage improvements as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

G. Discussion and consideration on the purchase of 2 EKG Monitors (LP 15) for total of \$55,665.60 approved for FY 2019-2020 CIP and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, recommended approval the purchases are budgeted with the FY2019-2020 CIP.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve the purchase of 2 EKG Monitors (LP 15) for total of \$55,665.60 approved for FY 2019-2020 CIP as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

H. Discussion and consideration on request from the Weslaco Centennial Committee on the closure of streets from December 6-10, 2019 for the Centennial Celebration festivities:

- 1) Designate S. Illinois Ave from Business 83 to East 6th Street a one-way street from 4pm on Friday, December 6th to 8:00 p.m. Sunday, December 8th;
- 2) Closure of 4th, 5th and 6th streets from S. Kansas Ave to S. Illinois Ave for Fiesta Cien from 6pm Friday, December 6 to midnight Sunday, December 8;

- 3) Closure of E. Agostadero Street and E. Plaza Street from N. Kansas Ave to N Illinois and use of La Plazita Park for Conjunto Neighborhood Dance from 7pm to 10pm on Saturday, December 6;
- 4) Closure of N. Texas Blvd from Lone Star Bank to Su Casa Adult Day Care on Railroad Street from 6pm to 9pm Saturday, Dec 6 for Posada; and
- 5) Closure of Pike Blvd. from Westgate Drive to the wet parking entrance of Weslaco High School for fireworks at Bobby Lackey Stadium from 8pm to 9pm December 10; and to waive all fees for all Special Events for the Centennial Celebration authorizing the Mayor to execute any related documents as may be required by the Texas Department of Transportation. Possible action. (Requested by Weslaco 100 Committee.)

The City Manager recommended approval.

Commissioner Rodriguez, seconded by Commissioner Lopez, moved to approve the request from the Weslaco Centennial Committee on the closure of streets from December 6-10, 2019 for the Centennial Celebration festivities and waiver of fees as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

I. Discussion and consideration to approve a six-month extension of the Final Plat for JOW Subdivision, 28.33-acre tract of land out of Farm Tract 62, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at 2615 E. Sugar Cane Drive. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente, recommended approval; developer needs more time for preparations of final documents for recordation of the plat.

Commissioner Lopez seconded by Commissioner Lopez moved to approve a six-month extension of the Final Plat for JOW Subdivision as presented. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

VII. REPORTS

No reports until next meeting.

- A. Report by Weslaco Area Chamber of Commerce.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Inframark.
- D. Report by Public Works.

VIII. EXECUTIVE SESSION

At 6:28 p.m. Commissioner Lopez, seconded by Commissioner Farias moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

At 7:15 p.m. Mayor Pro Tem Kerr stated 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 section §551.074 of the Texas Government Code.

No action.

B. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for proposed development of property legally described as the West Tract N-820.04'-Farm Tract 13, Weslaco, Hidalgo County, Texas located on Mile 3 1/2 West, as authorized by section §551.087 of the Texas Local Government Code.

No action.

C. Consultation – Consultation with City Attorney on negotiated agreement relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.

No action.

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

No action.

E. Real Property – Consultation with City Attorney on the purchase of real property described as Lots 1-4, Block 43, Weslaco Original Townsite located at 501 S. Kansas as authorized by section §551.072 of the Texas Local Government Code.

No action.

F. Real Property– Consultation with City Attorney on the sale of real property legally described as Lot 4, Block 143, West Tract Subdivision located in the 2400 Block of N. Texas Boulevard as authorized by §551.072 of the Texas Local Government Code.

No action.

G. Real Property – Consultation with City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue as authorized by §551.072 of the Texas Local Government Code

Commissioner Lopez, seconded by Commissioner Muñoz, moved to authorize the City Manager and City Attorney negotiate terms on land exchange with Rio Valley Switching Company as discussed in executive session. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

Commissioner Rodriguez seconded by Commissioner Muñoz moved for staff to solicit statement of qualifications design plans of the police and fire department as discussed in executive session. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

H. 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.

No action.

X. ADJOURNMENT

Commissioner Muñoz, seconded by Commissioner Lopez, moved to adjourn the November 5, 2019 meeting at 7:16 p.m. The motion carried unanimously; Mayor Pro Tem Kerr was present and voting.

CITY OF WESLACO

ABSENT

MAYOR, David Pro Tem Kerr

ATTEST:

Myra L. Ayala Garza, CITY SECRETARY

MAYOR PRO-TEM, Greg Kerr

COMMISSIONER, Leo Muñoz

COMMISSIONER, Jose "J.P." Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Letty Lopez

ABSENT

COMMISSIONER, Josh Pedraza



MINUTES
SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
MONDAY, NOVEMBER 18, 2019

On Monday, November 18, 2019 at 5:33 p.m. the City Commission of the City of Weslaco, Texas convened in a Special 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	Adrian Farias
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz

ABSENT: None

City Manager	Mike Perez
City Secretary	Myra L. Ayala Garza

Also, present: Aida Vega, Deputy City Secretary, Vidal Roman, Finance Director, Eduardo Gil, Interim IT Director; Rebekah de la Fuente Interim Planning and Code Enforcement Director; Robert Lopez, Asst. Police Chief; Antonio Lopez, Fire Chief, Veronica Ramirez, Human Resources Director, Rosa Huerta, Court Coordinator, 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 Thursday, November 14, 2019.

B. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

C. Roll Call.

Myra L. Ayala Garza, City Secretary, called roll noting a quorum present.

II. PUBLIC COMMENTS

None.

III. NEW BUSINESS

A. Discussion and consideration to convene as the local canvassing authority to canvass the election returns and approve Resolution 2019-76 certifying the results of the

November 5, 2019 City of Weslaco General Election in accordance with Texas Election Code§67.004(a). Possible action. (Staffed by City Secretary’s Department.)

Mayor Suarez stated by absentee, early vote, and election day, the official results as canvassed by Hidalgo County Elections Department for the Mayors position Alfredo “Duff” Castaneda received 604 votes, David Suarez received 1,548; Leticia “Letty” Lopez received 180 votes for Single Member District 5, and Josh Pedraza received 209 votes for Single Member District 6.

Staff recommended acceptance of the Official Canvassing Report and approval on Resolution 2019-76 declaring duly elected David Suarez, Mayor, Leticia “Letty” Lopez Commissioner Single Member District 5 and Josh Pedraza Commissioner Single Member District 6.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to approve Resolution 2019-79 certifying the results of the November 5, 2019 City of Weslaco General Election. The motion carried unanimously; Mayor Suarez was present and voting.

The resolution reads as follows:

RESOLUTION NO. 2019-76

AN ORDER DECLARING THE RESULTS OF THE CITY OF WESLACO GENERAL ELECTION OF
NOVEMBER 5, 2019 TO FILL THREE VACANCIES

WHEREAS, the City Commission of the City of Weslaco resolved and ordered that a General Election be held on November 5, 2019 in the City of Weslaco, Texas for the purpose of electing three members to the Weslaco City Commission for the following positions:

MAYOR
CITY COMMISSIONER SINGLE MEMBER DISTRICT 5
CITY COMMISSIONER SINGLE MEMBER DISTRICT 6

WHEREAS, there came on to be considered the returns of the election held on the 5th day of November 2019 for the purpose of electing three (3) members to the City Commission.

WHEREAS, the returns of said election have been duly canvassed by the City Commission, and each of the candidates in said election having received the following votes to wit:

MAYOR		
ALFREDO “DUFF” CASTANEDA	Votes	<u>604</u>
DAVID SUAREZ	Votes	<u>1,548</u>
CITY COMMISSIONER SINGLE MEMBER DISTRICT 5		
LETICIA “LETTY” LOPEZ	Votes	<u>180</u>
CITY COMMISSIONER SINGLE MEMBER DISTRICT 6		
JOSH PEDRAZA	Votes	<u>209</u>

IT IS, THEREFORE FOUND, DECLARED AND ORDERED by the City Commission of the City of Weslaco that the above election was duly called. The notice of said election was duly posted and that said election was held in accordance with the laws of the Texas Election Code. That at said General Election David Suarez was elected to the position of Mayor, Leticia “Letty” Lopez was elected to the position of Commissioner Single Member

District 5 and that Josh Pedraza was elected to the position of City Commissioner Single Member District 6 of the City of Weslaco subject to taking their oath of office.

SECTION 1: That it is further found and determined that the results of the election as canvassed and tabulated in the preamble hereof reflect the expressed desires of those persons voting at said election.

IT IS FURTHER FOUND AND DETERMINED that in accordance with the laws of the Texas Election Code the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located at City Hall, place convenient and readily accessible to the general public and said notice having been so posted and remaining posted continuously for at least 72-hours proceeding the scheduled time of said meeting. A copy of the returns shall be attached to the minutes of this meeting and shall be made as part hereof for all intents and purposes.

APPROVED, PASSED AND ADOPTED this 18th day of November 2019

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

B. Conduct Oaths of Office and file Statements of Elected Officers.

Commissioner Lopez, Commissioner Pedraza and Mayor Suarez took their Oaths of Office and tendered their Statements of Elected Officers for public file. They addressed the audience, expressing appreciation for the opportunity to serve, thanking God and their families and friends.

IV. ADJOURNMENT

Mayor Pro Tem Kerr, seconded by Commissioner Muñoz moved to adjourn the November 18, 2019 special meeting at 5:53 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Myra L. Ayala Garza, CITY SECRETARY

MAYOR PRO-TEM, Greg Kerr

COMMISSIONER, Leo Muñoz

COMMISSIONER, Adrian Farias

COMMISSIONER, Jose “J.P” Rodriguez

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2849	
From: Rebekah De La Fuente			
Subject: Approval on Ordinance 2019-43 to rezone 710 S. Missouri. Also being Lots 3, 4, 5, 6, and 7, Blk 56, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. (First reading held November 19, 2019; staffed by Planning and Code Enforcement Department.)			
Background: The applicant is requesting to rezone property from R-1 One-family dwelling district to R-2 Duplex and apartment district. Thirty-seven (37) property owners within 200 feet of the applicant's property were notified by letter on September 20, 2019.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and City Commission appeared in The Monitor on September 16, 2019.			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning & Zoning Commission recommended approval of the rezone request on October 2, 2019.			
Aida Vega Rebekah De La Fuente Mike Perez		Created/Initiated Approved Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends compliance with the 2040 Land Use Map			
Attachments, if any: 710 S MISSOURI - ATTACHMENTS, 710 S Missouri- Aerial, O2019-43 rezone 710 S Missouri			
Responsibilities upon Approval:			

Staff will notify applicant



APPLICATION FOR REZONING

RECEIVED

SEP 10 2019

Planning &
Code Enforcement Dept.

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO.

REZ-19-00020

Sept 10, 2019

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot 3-4-5-6-7 Block 56
Subdivision Name ORIGINAL TOWNSITE OF WESLACO
Street Address 710 S. Mission
Existing Zoning R-1 Existing Land Use Rental Homes
Proposed Zoning R-2 Proposed Land Use Duplexes

- ☐ \$300.00 non-refundable filing fee.
- ☐ Detailed dimensioned site plan/map must be submitted with this request.
- ☐ Survey and metes and bounds if the legal description is a portion of a lot.
- ☐ City and school tax receipts attached.
- ☐ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANT

Name Joe Oliver Phone 956-463-5656
Address 614 N. TX Fax: 968-7341
City Weslaco State TX Zip Code 7579 E-Mail: Joe@LNR Apts.com

OWNER

Name Joe Oliver Phone 956-463-5656
Address 614 N. TX Fax: 968-7341
City Weslaco State TX Zip Code 75796 E-Mail: Joe@LNR Apts.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature [Signature] Date 9-10-19
Owner
Signature [Signature] Date _____
Applicant
Signature _____ Date _____
Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners within
200' of Proposed Site

Date _____

P & Z Notice of Public Hearing Published in Newspaper

Date _____

City Commission Notice of Public Hearing Published

Date _____

Presented to P & Z Commission
Approved _____ Disapproved _____ Tabled _____

Date _____

Presented to City Commission
Approved _____ Disapproved _____ Tabled _____

Date _____

Ordinance No. _____

CITY OF WESLACO

956-968-3181

REC#: 02548451 9/10/2019 12:01 PM

OPER: lbrio TERM: 003

REF#: 1397

PAID BY:

TRAN: 235.1000 PROCESSING FEE

JOE OLIVAREZ

101-400-3200

PROCESSING FEE-ONLI 5.00CR

TRAN: 204.0000 REZONING APPL FEE

JOE OLIVAREZ

101-400-1027

REZONING APPLICATIO 300.00CR

TENDERED: 305.00 CHECK

APPLIED: 305.00-

CHANGE: 0.00

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

PLANNING DEPARTMENT

September 20, 2019

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, October 2, 2019, for the Planning and Zoning Commission and on or before October 15, 2019 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue to consider the following request:

CONDITIONAL USE PERMIT REQUEST:

Joe Olivarez is requesting to rezone 710 S. Missouri. Also being Lot 3, 4, 5, 6, and 7, Weslaco Original Townsite, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

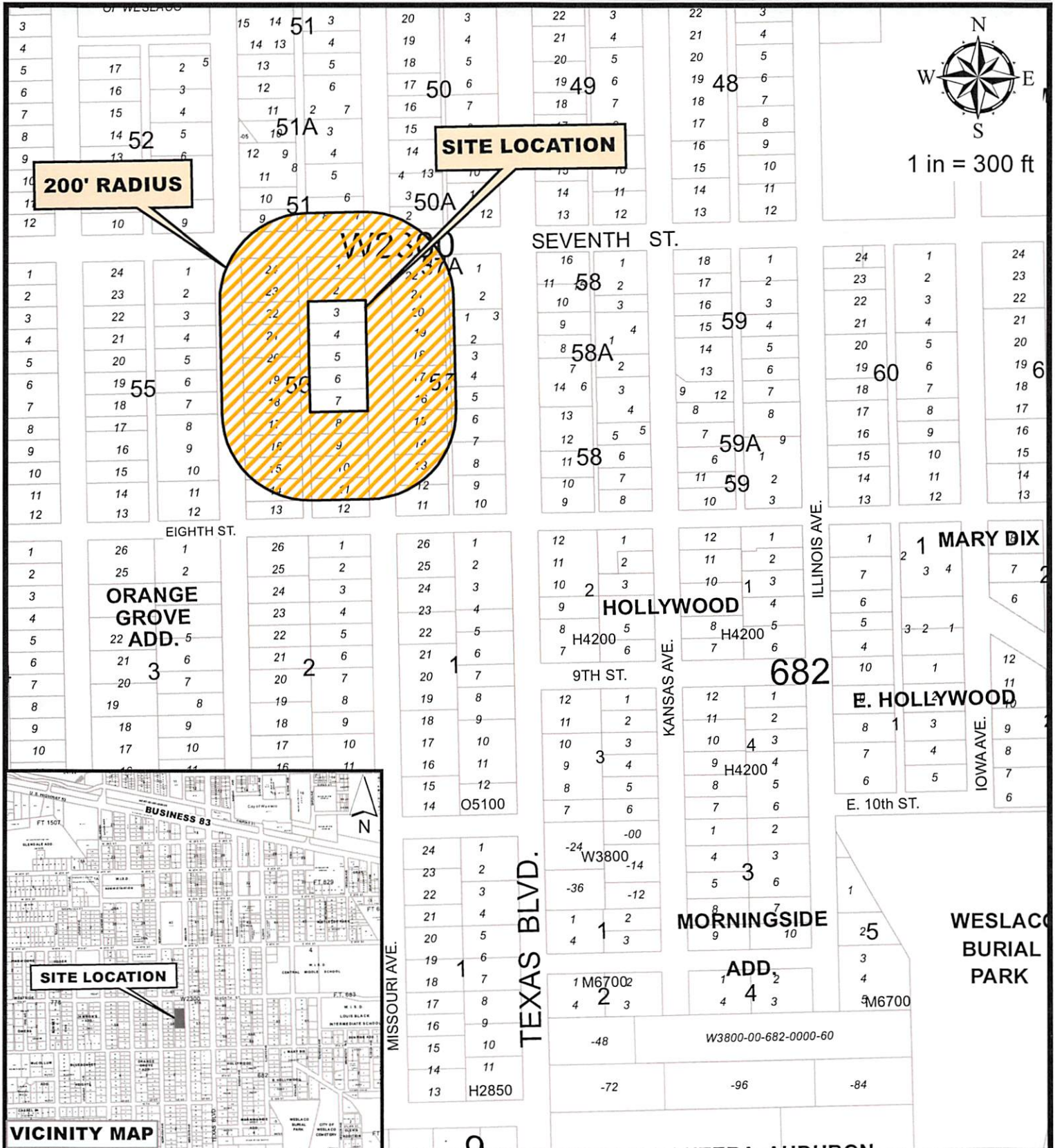
The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rebekah de la Fuente', with a long horizontal line extending to the right.

Rebekah de la Fuente, CFM
Assistant Planning Director



Joe Alvarez

716, 708, 710, 712 and 714 South Missouri Ave.

Weslaco Original Townsite

Lots 3, 4, 5, 6 and 7 Block 56

Purpose for the Rezoning request

Existing zoning: R-1
 Existing land use: Rental Homes
 Proposed zoning: R-2
 Proposed land use: Duplexes



SEP 17, 2019

CASTRO DANIEL 623 S MISSOURI AVE WESLACO TX 78596-6939	W2300-00-050-0011-01 WESLACO ORIGINAL TOWNSITE BLK 50 A-CANAL LT 2-CANAL 623 S MISSOURI AVE	L: 20100 B: 17329
HOLLEY STEVE N & THELMA 622 S MISSOURI AVE WESLACO TX 78596-6940	W2300-00-051-0008-01 WESLACO ORIGINAL TOWNSITE S 25-6 , ALL-7, S 75'-8 BLK 51, 51A CAN 622 S MISSOURI AVE	L: 32663 B: 51549
VELA LUISA V 623 S NEBRASKA AVE WESLACO TX 78596-6923	W2300-00-051-0009-00 WESLACO ORIGINAL TOWNSITE LOT 9 BLK 51 623 S NEBRASKA	L: 21775 B: 30443
HERNANDEZ JUAN R 700 S MISSOURI AVE WESLACO TX 78596-6942	W2300-00-056-0001-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 1 700 S MISSOURI AVE	L: 21775 B: 27004
RODRIGUEZ, ISAAC D & ROSALINDA 225 S TEXAS BLVD WESLACO TX 78596-610	W2300-00-056-0002-00 WESLACO ORIGINAL TOWNSITE LOT BLK 56 706 S MISSOURI AVE	L: 11375 B: 24008
CARDOZA SILVIO H & ANGELICA 2710 N WESTGATE DR WESLACO TX 78599-3875	W2300-00-056-0002-01 WESLACO ORIGINAL TOWNSITE - LOT 2 BLK 56 704 S MISSOURI AVE	L: 21775 B: 44301
RODRIGUEZ ISAAC D & ROSALINDA 225 S TEXAS BLVD WESLACO TX 78596-6105	W2300-00-056-0003-01 WESLACO ORIGINAL TOWNSITE - LOT 3 BLK 56 706 S MISSOURI AVE	L: 21775 B: 24222
RODRIGUEZ ISAAC D & JOE DANIEL 225 S TEXAS BLVD WESLACO, TX 78596-6105	W2300-00-056-0004-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 4 708 S MISSOURI AVE	L: 21775 B: 20885
OLIVAREZ JOE DANIEL PO BOX 1667 WESLACO TX 78599-1667	W2300-00-056-0005-00 WESLACO ORIGINAL TOWNSITE LOT 5 BLOCK 56 710 S MISSOURI AVE	L: 21775 B: 20846
OLIVAREZ JOE DANIEL PO BOX 1667 WESLACO TX 78599-1667	W2300-00-056-0006-00 WESLACO ORIGINAL TOWNSITE LOT 6 BLOCK 56 712 S MISSOURI AVE	L: 21775 B: 13168
OLIVAREZ, JOE DANIEL PO BOX 1667 WESLACO TX 78599-1667	W2300-00-056-0007-00 WESLACO ORIGINAL TOWNSITE LOT 7 BLOCK 56 714 S MISSOURI AVE	L: 21775 B: 16842
GONZALEZ, JUAN M & ROSA H 716 S MISSOURI AVE WESLACO TX 78596-6942	W2300-00-056-0008-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 8 716 S MISSOURI AVE	L: 21775 B: 57562

SEP 17, 2019

GONZALEZ JUAN M & ROSA HILDA 716 S MISSOURI AVE WESLACO TX 78596-6942	W2300-00-056-0009-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 9 718 S MISSOURI AVE	L: 21775 B: 28197
CARDENAS LAZARO JR & ALICIA 1011 W 4TH ST WESLACO TX 78596-5708	W2300-00-056-0010-00 WESLACO ORIGINAL TOWNSITE LOT 10 BLK 56 720 S MISSOURI AVE	L: 16750 B: 27862
MATHEWS BETTY S & JOSEPH 722 S MISSOURI AVE WESLACO TX 78596-6942	W2300-00-056-0011-00 WESLACO ORIGINAL TOWNSITE BK 56 LTS 11 & 12 722 S MISSOURI AVE	L: 43550 B: 74320
ORTIZ, JULIE ROBLES 723 S NEBRASKA AVE WESLACO TX 78596-6925	W2300-00-056-0013-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 13 123 S NEBRASKA	L: 21775 B: 40767
GONZALEZ PEDRO (DECEASED) 721 S NEBRASKA AVE WESLACO TX 78596-6925	W2300-00-056-0014-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 14 721 S NEBRASKA	L: 21775 B: 30861
FLORES, DANIEL & MARIA L 719 S NEBRASKA AVE WESLACO TX 78596-6925	W2300-00-056-0015-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 15 719 S NEBRASKA	L: 21775 B: 22785
DELGADO MOSES 717 S NEBRASKA AVE WESLACO TX 78596-6925	W2300-00-056-0016-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 16 717 S NEBRASKA	L: 21775 B: 21333
OLIVAREZ MARTIN PO BOX 22 WESLACO TX 78599-0022	W2300-00-056-0017-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 17 715 S NEBRASKA	L: 21775 B: 21159
OLIVAREZ MARTIN & YVONNE PO BOX 22 WESLACO TX 78599-0022	W2300-00-056-0018-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 18 713 S NEBRASKA	L: 21775 B: 28294
OLIVAREZ, JOE DANIEL PO BOX 1667 WESLACO TX 78599-1667	W2300-00-056-0019-00 WESLACO ORIGINAL TOWNSITE BLK 56 LTS 19,S 1/2-20 711 S NEBRASKA	L: 32663 B: 50440
ZAVALA GILBERTO & CELIA 707 S NEBRASKA AVE WESLACO TX 78596-6925	W2300-00-056-0020-00 WESLACO ORIGINAL TOWNSITE BLK 56 LTS N 1/2-20, ALL 21 707 S NEBRASKA	L: 32663 B: 52628
MONTANO, AURORA P 705 S NEBRASKA AVE WESLACO TX 78596-6925	W2300-00-056-0022-00 WESLACO ORIGINAL TOWNSITE BLK 56 LT 22 705 S NEBRASKA	L: 21775 B: 46163

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SPANISH CENTRAL DISTRICT 207 W 7TH ST WESLACO TX 78596-6901	W2300-00-056-0023-00 WESLACO ORIGINAL TOWNSITE LOTS 2 3 & 24 BLK 56 207 W 7TH ST	L: 63050 B: 136420
BH GROUP LIMITED LIABILITY 2414 E GRIFFIN PKWY MISSION TX 78572-3302	W2300-00-057-0000-00 WESLACO ORIGINAL TOWNSITE N45' L OT 1 BLK 57 & ALL LOTS 1 & 2 BLK 702 S TEXAS BLVD	L: 91296 B: 122012
SHEPARD STEPHEN P 2022 E HARRISON AVE HARLINGEN TX 78550-7312	W2300-00-057-0001-00 WESLACO ORIGINAL TOWNSITE S50' L OT 1, N30.7' LOT 2 BLK 57 & ALL 704 S TEXAS BLVD	L: 58104 B: 52005
MOLINA JUAN R PO BOX 190 WESLACO TX 78599-0190	W2300-00-057-0003-00 WESLACO ORIGINAL TOWNSITE ALL LO T 3, S8.4' LOT 2 & ALL LOT 4 BLK 710 S TEXAS BLVD	L: 67248 B: 67219
CARDENAS WILBERT 714 S TEXAS BLVD WESLACO TX 78596-7052	W2300-00-057-0005-00 WESLACO ORIGINAL TOWNSITE BLK 57 LT 5 714 S TEXAS BLVD	L: 25740 B: 47531
SEPULVEDA ELOY 716 S TEXAS BLVD WESLACO TX 78596-7052	W2300-00-057-0006-00 WESLACO ORIGINAL TOWNSITE BLK 57 LTS 6, N 1/2-7 716 S TEXAS BLVD	L: 59400 B: 87691
ALDANA ALBERT & MARIA T 5832 N FM 88 WESLACO TX 78599-5537	W2300-00-057-0007-00 WESLACO ORIGINAL TOWNSITE BLK 57 LTS S 1/2 LOT 7 & ALL LOT 8 720 S TEXAS BLVD	L: 59400 B: 92473
B-S INVESTMENTS 614 N TEXAS BLVD WESLACO TX 78596-4804	W2300-00-057-0011-00 WESLACO ORIGINAL TOWNSITE LOT 11 & S 30' LOT 12 BLK 57 104 W 8TH ST	L: 40800 B: 40828
CUELLAR AMY 721 S MISSOURI AVE WESLACO TX 78596-6941	W2300-00-057-0011-01 WESLACO ORIGINAL TOWNSITE ALL LO T 13 & N 20' LOT 12 BLK 57 721 MISSOURI AVE	L: 28140 B: 54005
GONZALEZ LUIS M & ESPERANZA 802 S MISSOURI AVE WESLACO TX 78596-6944	W2300-00-057-0014-00 WESLACO ORIGINAL TOWNSITE BLK 57 LT 14 719	L: 20100 B: 14669
GONZALEZ LUIS M & ESPERANZA 802 S MISSOURI AVE WESLACO TX 78596-6944	W2300-00-057-0015-00 WESLACO ORIGINAL TOWNSITE BLK 57 LT 15 717 MISSOURI AVE	L: 20100 B: 17054
TRUSTEES OF THE DIOCESES OF 701 S MISSOURI AVE WESLACO TX 78596-6941	W2300-00-057-0018-00 WESLACO ORIGINAL TOWNSITE LOTS 1 8-22 BLK 57 & LOT 4 BLK 57A 0	L: 140940 B: 222555

SEP 17, 2019

TRUSTEES OF THE DIOCESE OF	W2300-00-057-0016-00	L: 58200
701 S MISSOURI AVE	WESLACO ORIGINAL TOWNSITE LOTS 1	B: 76325
WESLACO TX 78596-6941	6-17 BLK 57	
	0	

710 S Missouri

Rezone Request R-1 to R-2

Legend

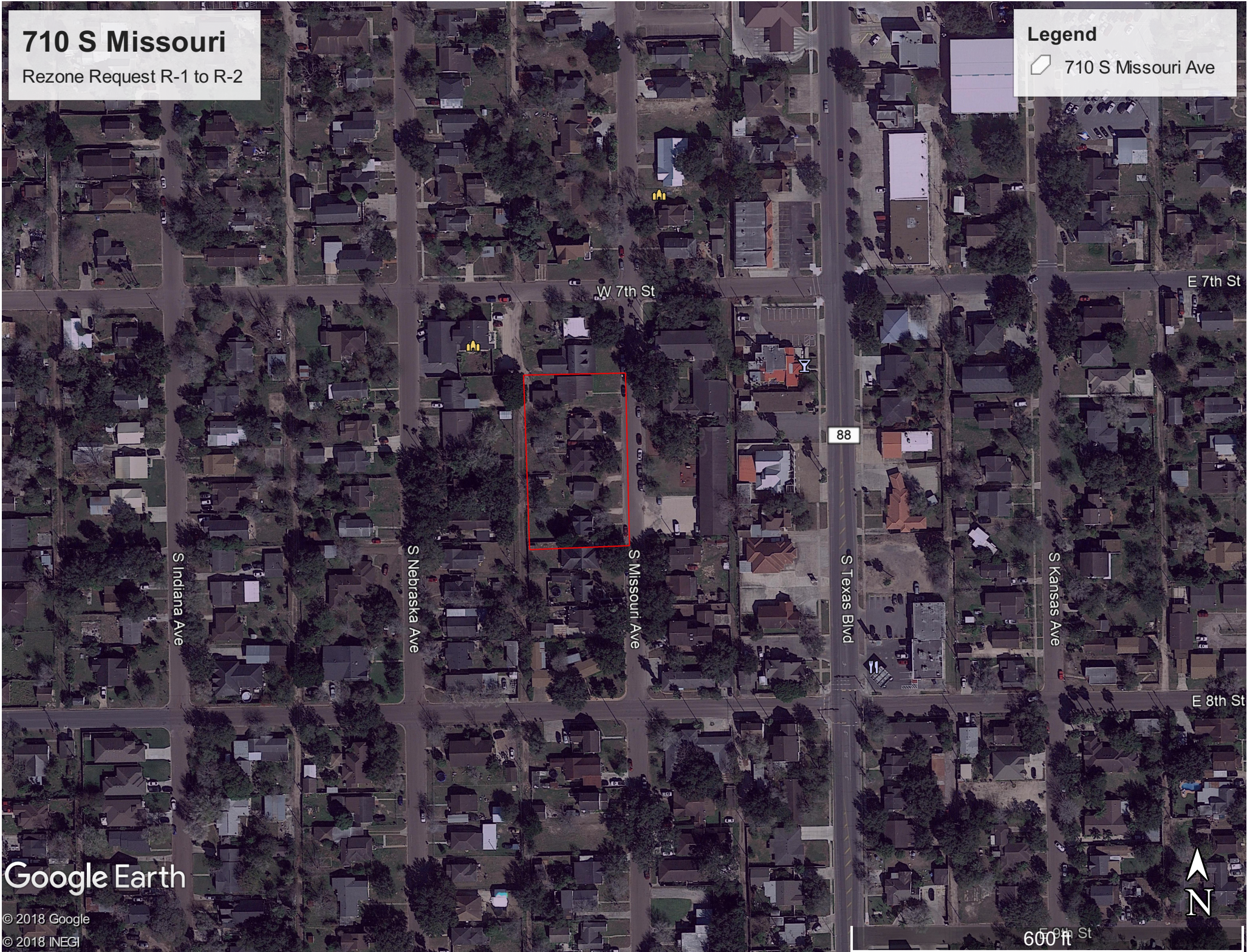
 710 S Missouri Ave

Google Earth

© 2018 Google
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600 ft



ORDINANCE NO. 2019-43

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 710 S. MISSOURI ALSO BEING LOT 3, 4, 5, 6, AND 7, BLK 56, WESLACO ORIGINAL TOWNSITE, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: R-1 One-family dwelling district to R-2 Duplex and apartment district being 710 S. Missouri also being Lot 3, 4, 5, 6, and 7, blk 56, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of November 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 3rd day of December 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2908	
From: Martin Mata, Arnold Becho			
Subject: Approval for the Mayor Joe V. Sanchez Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for internet access services, equipment, and basic maintenance of internal connections within the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate) and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)			
Background: As part of the E-rate grant process the Library is required to ask for RFPs for Internet Access and Basic Maintenance of Internal Connections. After receiving RFPs, The Library and the IT department will then continue the ERate process by selecting the best proposal and presenting their recommendation to the Commission at a later date. The library has been a successful partner with E-rate for over 10 years and the program has provided more than a million dollars' worth of discounts for internet services and equipment. The library was granted permission to apply for the grant within the regular meeting on 10/15/19, the solicitation of RFPs is the next step in the process.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission: NA			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Publication is required only on the City's website. Publication will commence on the City's site on 12/03/19, if approved.			
Advisory Review, if any (name of board/committee, date of action, recommendation): There has been no Library Board review at this time.			
Martin Mata Arnold Becho Eddie Gil Vidal Roman Mike Perez		Created/Initiated Approved Approved New	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			

Attachments, if any:

memo approval to advertise RFPs for ERate Internet and Basic Network Maintenance and Equipment 2019, Erate Overview 2019, INTERNET ACCESS RFP ERATE - Weslaco Library 2020_2021 (1), NETWORK BASIC MAINTENANCE RFP ERATE - Weslaco Library 2020_2021 (1)

Responsibilities upon Approval:

The library will post the RFP to the City's site for 28 days. Mechanisms within the E-rate program will notify vendors. The Library and the IT department will then work together to evaluate the RFPs and will recommend the best proposal to the Commission at a later date.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Letty Lopez, Mayor Pro-Tem, District 5
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

December 3, 2019

To: David Suarez, Mayor; Greg Kerr, Mayor Pro-Tem; Leo Muñoz, Commissioner; Jose "JP" Rodriguez, Commissioner; Adrian Farias, Commissioner; Letty Lopez, Commissioner; Josh Pedraza, Commissioner; Mike Perez, City Manager
CC: Martin J. Mata, Assistant Library Director; Eddie Gil, Intern IT Director; Vidal Roman, Finance Director
Fr: Arnoldo Becho, Library Director
Re: Request for approval to solicit RFPs for Internet Access, Equipment, and Basic Maintenance of Internal Connections

The Library is looking to continue participation within the ERate program and is seeking permission to solicit prospective vendors to submit Request for Proposals (RFPs) internet services, basic network maintenance, and equipment. The library has participated in ERate for greater than 10 years and the program has provided millions of dollars in savings to the city.

The ERate program provides discounts on computing infrastructure and services. At the end of this step we will be provided with the specifics which will detail the cost to the city and the fiscal benefit as well. The amount of the discount depends on the level of poverty and location receiving service. Recently, the library has qualified for an 80% discount.

The Library in past years has been granted funds for internet services, basic network maintenance, and equipment. The match will vary greatly but past information tells us that it should be between \$35,000 to \$45,000. This cost has been budgeted for in the current budget. Unfortunately, we must proceed through this step before arriving at more specific numbers. At the end of this step the Commission will have the opportunity to accept or decline the funding and the corresponding matching cost. Proceeding through this step does not require any further obligation or expense.

Library staff strongly supports the request as it provides necessary services at a reduced cost. Please feel free to contact me with any questions, I will be happy to provide additional information. Thank you for the time.

Arnoldo Becho
Library Director, City of Weslaco
Phone: 956.973.3144
Email: abecho@weslacopl.us

What is E-rate

The E-rate program provides discounts on certain services and products that are essential for classrooms and libraries to receive voice, video, and data communications. The amount of the discount depends on the level of poverty and location of the school or library receiving service. The discount ranges from 20% to 90% of the cost of eligible services.

To be eligible to receive discounts, a school or library must meet certain eligibility criteria. In general elementary and secondary schools are eligible to receive discounts--including many private schools and religious schools. Public libraries and library systems can receive E-rate discounts, provided they meet the eligibility requirements of libraries.

The E-rate process

Develop a Technology Plan - applicant develops a plan for technology implementation.

Procure Services - based on the technology plan, the applicant files the FCC Form 470 to announce that they are seeking E-rate support to purchase eligible goods and services. When the Form 470 is posted to the SLD's website, a 28-day period begins in which interested service providers may submit proposals and bids to provide service to the applicant. After the 28 day posting period, the applicant reviews the bids and proposals, selects a service provider, and signs a contract or service agreement.

Apply For Funding - the applicant submits the FCC Form 471 which tells the SLD which service provider was selected, the goods and services for which the applicant will be requesting E-rate support, and the costs of those goods and services.

Application Review - SLD will review the application to substantiate that the requests are for eligible services that will be delivered to eligible locations and students/patrons.

Receive Services - applicants receive services during the "Funding Year" (July 1 - June 30). They submit the Form 486 to the SLD to signify that the approved services are being delivered.

Realizing Discounts - the applicant has two means of realizing the benefit of the E-rate program. The first, is to receive discounted billing from the approved service provider (the service provider then bills the SLD for the committed portion of the delivered services. The second is to pay the service provider in full and then apply for reimbursement directly to the SLD.

City of Weslaco

"The City on the Grow"



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Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

December 3, 2019

The City of Weslaco is accepting proposals for:

**Mayor Joe V. Sanchez Public Library
(Formerly Weslaco Public Library)
Internet Services
Request for Proposal #2019-20-10 E-Rate Internet Access**

Timeline:

- **Form 470/RFP posted in EPC:** December 4, 2019
- **Deadline to submit Questions:** December 13, 2019
- **Questions and Answers posted in EPC:** December 20, 2019
- **Last date to submit bids:** January 14, 2020

Objectives of this RFP

The City of Weslaco Public Library invites prospective vendors to submit a proposal to enhance and maintain current Internet Access and supply automated services within the confines of the Schools and Libraries Program of the Universal Service Administrative Co. Fund guidelines (E-rate).

We intend to provide an equitable, level and fair format for submission and evaluation of proposals, in accordance with applicable E-rate guidelines and procedures. This Request for Proposal (RFP) provides the relevant background and capacity of desired operational specifications and requirements, and the evaluation factors we will use to select the successful vendor. There is no Texas Department of Information Resources (DIR) requirement for consideration. Prospective vendors do not need to be DIR contracted or DIR vendors to have their proposal considered.

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The term of any accepted proposal shall be one year from the date of implementation, up to a total of four extensions, or as otherwise defined by Universal Service Fund guidelines (E-rate) and may be renewable annually as provided for under E-rate guidelines or consented to by the City of Weslaco City Commission.

This Request for Proposal (RFP) provides potential vendors with the relevant operational, performance, application, and architectural requirements of the system. This RFP specifically request proposals for the successful vendor to provide internet access using the library's existing network hardware, software and fittings, as well as anticipated upgrades. The Mayor Joe V. Sanchez Public Library is requesting proposals to obtain bandwidth at 2 Gigabyte upload and 2 Gigabyte download of unlimited Internet Access. The library reserves the right to consider other options as well. The preferred main location will be located at City of Weslaco Public Library, 525 South Kansas Avenue, Weslaco, Texas 78596.

All vendor-installed equipment shall integrate with current Cisco equipment and software, or reasonably expected upgrades thereto. The vendor shall guarantee full compatibility at peak efficiency, with the equipment in place at the time of installation.

This RFP is funded through the E-Rate program; however, there is no guarantee of E-Rate funding. The award of this RFP by the City of Weslaco Council is not a guarantee of purchase. Decisions to purchase E-Rate eligible items may be dependent upon E-Rate funding and the needs of the City of Weslaco. If no E-Rate funding is provided to the Mayor Joe V. Sanchez Public Library this RFP will be null and void.

Internet Access

Current Internet connectivity equipment contains of a Cisco, and a point-to-point fiber optic connection (1 Gigabyte).

Requirement of: Internet services request per calendar year of fiber-optic or equivalent support of 2 Gigabyte with local dedicated 24/7 technical customer care based in Rio Grande Valley (RGV) - Texas.

General

City of Weslaco Public Library is located at 525 South Kansas Avenue in Weslaco, Texas. It serves a population of 57,000 in the city proper and surrounding areas.

Internet load

The current internet load consists of over 100 computers, which are networked into Cisco equipment and Cisco and/or Dell servers and supporting hardware and software. We are able to provide wireless access greater than 300 wireless devices at one time.

Current telecommunications and data

SmartCom Telephone provides local phone service and long-distance voice services.

Current Internet access

The Library currently has 1 Gigabyte Internet access via fiber optics. The Library is requesting bids for 2 Gbps with this RFP due to the increase in technology and services. Vendor should design, integrate, and test installations systems to Cisco hardware and components at the main location. We wish to keep fiber optic technology as the mode of Internet access.

Right to Reject

The City of Weslaco reserves the right to reject any, all, or portions of responses to this RFP even if all the stated requirements are met. In addition, the City may enter into negotiations with more than one vendor simultaneously and award the transaction to any vendor in negotiations without prior notification to any other vendor. The City reserves the right to select portions of the proposals while rejecting other portions. The Awarding of the proposal will take place at a City Council meeting to be announced at a later date.

Installation Terms

The successful proposal shall provide the following services and requirements at no additional cost above the initial proposal price on equipment or furniture. The proposal should include the cost of installation, transportation of the items to the building, location of the items at their proper location within the building, uncrating, complete assembly, and adjustment by a trained installation mechanic with removal of all debris. Equipment is to be complete including operating/owner's manuals, wiring, and piping. The equipment should be made ready for electrical and/or fluid service connection by the City of Weslaco. After connections, vendors must ready the machine, start up, analyze, and correct any malfunctions of the equipment. Vendors should provide all material equipment and labor to place machinery in top operating conditions and to fully assemble furniture.

Vendor References and Qualifications

Vendors must provide a minimum of five references (public libraries in the RGV are preferred). These references must be for projects that are similar in scope, design, and have been completed by the vendor within the last three years. References that are not positive will be grounds for vendor disqualification. Vendors should provide reference names and phone numbers, and emails of the primary contact person. Vendors must supply the number of employees with maintenance of technical certifications that includes Microsoft and Cisco or equivalent.

The City of Weslaco requires that vendors furnish a certificate of insurance as required by Texas Labor Code 406.096. Coverage must be as follows (minimum amounts):

Worker's Compensation	Statutory Limit
Comprehensive General / Liability Occurrence	\$1,000,000
Bodily Injury Property / Damage Aggregate	\$1,000,000
Comprehensive Auto	\$1,000,000

RFP EVALUATION FACTORS

Instructions to vendors (5 points)

Project Schedule

By allowed date within 28-day window

Wednesday, December 4, 2019 to Monday, January 13, 2020

Vendor selection and contract date will be on or after Tuesday, January 21, 2020

Closing Time and Date

Responses to this RFP must be submitted in sealed packages on or before Tuesday, January 14, 2020 at 10:00 a.m.

Delivery shall be made during normal working hours (Monday-Friday 8:00am to 5:00pm) unless prior approval has been obtained from Purchasing Agent Finance Department.

Response and Submission

Inquiries and responses shall be sent to:

Homer Rhodes
Purchasing Agent
Weslaco City Hall
Finance Department
255 South Kansas Avenue
Weslaco, Texas 78596-6158
(956) 447-2240
hrhodes@weslacotx.gov

Provide three (3) printed copies on company letterhead and one (1) copy saved on USB flash drive in a PDF format, on company letterhead. Proposals will be accepted Tuesday, January 14, 2020 on or before 10:00 a.m. At which time they will be opened, but not read publicly, at the office of the Purchasing Agent Finance Department. The Proposals will be announced publicly at later City Council Meeting. Vendors are

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responsible to complete the City of Weslaco Purchasing Vendor Application which is located at City's web site. Proposals are to be hand delivered or mailed to Homer Rhodes, Purchasing Agent Finance Department. Failure to do so will disqualify vendor. Incomplete responses will not be considered.

Questions and Clarification

For questions and clarification regarding the terms of this RFP, please contact:

Martin J. Mata
Assistant Library Director
Mayor Joe V. Sanchez Public Library
(Weslaco Public Library)
525 South Kansas Avenue
Weslaco, Texas 78596-6215
(956) 968-4533
mjmata@weslacopl.us

Questions and clarifications asked by any one vendor shall be made available to all on the City's web site (www.weslacotx.gov) as provided in the Schools and Libraries (E-Rate) Form 470 in the E-rate Productivity Center. Questions arising out of this RFP must be received in writing by emailed copy on company letterhead.

Responses to all questions received in proper time frame will be answered in writing and distributed to all vendors known to have picked up the RFP. In order to assure prompt and timely posting of all questions and clarifications, the deadline for submittal shall be by Friday, December 13, 2019 on or before 10:00 a.m.

Proposal Period

The term of this agreement shall commence on July 1, 2020 and shall terminate on June 30, 2021 for recurring services and September 30, 2021 for non-recurring services. The agreement expiration date for non-recurring services shall be automatically extended to align with SLD authorized extensions due to late funding and changes in products and/or services approved after March 1, 2021.

If the Schools and Libraries Division ("SLD"), Administrator of the Universal Services Support Mechanism, or its successor, should fail to approve all of or any part of the services and products covered by this contract, the Applicant shall have the right, at its option, to cancel this contract, as to that part of the services and products disallowed for discount pricing.

If, after approval of discount funding by SLD or its successor, Applicant's governing board should fail to approve all of or any part of the services and products covered by this contract, the Applicant shall have the right, at its option, to cancel this contract as to that part of the services and products disallowed by the governing board.

Response to Questions:

Vendor shall respond to questions as specified by Friday, December 13, 2019 on or before 10:00 a.m.

Vendor Background Questions (20 points)

- 1.) Number of years your company has been in business.
- 2.) Where is your head office, your sales and customer service offices located?
- 3.) Where is your billing office?
- 4.) Number of employees in your company.
- 5.) Number of employees in local (RGV) site (if applicable).
- 6.) Number of employees in customer service.
- 7.) Number of employees with technical certifications.
- 8.) Number of employees in local (RGV) site (if applicable) with technical Certifications.
- 9.) Are your hardware and software dependent on third party vendors for manufacturing?
- 10.) Please list any items from current or anticipated equipment which you will not be able to provide maintenance.

References (5 points)

- 1.) Please provide a minimum of three references (public libraries or education entities in the RGV are preferred). For each reference provide names, address, phone numbers and email of the primary contact person.

Repair / Response Times (10 points)

- 1.) How long will it take for you to have a qualified technician on site? (Response Time) during regular business hours (Monday-Friday 8:00am to 5:00pm)
- 2.) How long will it take for you to have a qualified technician on site outside normal business hours?
- 3.) Please provide a direct number to the person(s) who can provide immediate decisions on pricing and expansion.
- 4.) Please provide a direct number for the person(s) who can immediately

facilitate repairs during normal business hours (8:00-5:00 Monday-Friday)

- 5.) Please provide a direct number for the person(s) who can immediately facilitate evening and weekend repairs.

Future Offerings (5 points)

- 1.) What new technology does your company plan to utilize in the near future that would be an advantage to the Mayor Joe V. Sanchez Public Library?
- 2.) What is the most significant factor affecting the future success of your company and what is being planned to address it?

Market Differentiation (10 points)

- 1.) Provide a brief summary of your company's history in the marketplace. Limit response to 2 pages.
- 2.) Please describe any features, services, or practices you provide in relation to the products requested which set you apart from your competition.
- 3.) Identify other Public Libraries or education entities in the Rio Grande Valley for whom your company has provided similar service. Specify the services provided.
- 4.) Please describe how you charge for onsite visits. Specify whether you charge a minimum number of hours per onsite visit, and if so how many, or whether you charge for the actual hours devoted to a project.
- 5.) Please provide your company's mission and/or vision statement.

Proposal and Pricing (45 points)

Price of the eligible goods and services shall be the heaviest weighted criteria.

Service or function	Quantity and/or Capacity:	Monthly Recurring Costs	One-Time Charge
Transport and Internet access via fiber	2 Gbps		

Any additional cost, such as installation, assembly, etc. should be included in the above price. Vendor should provide an exhaustive list of all associated cost within their proposals. Avoiding hidden or unforeseen cost is of the utmost importance.

There is no Texas Department of Information Resources (DIR) requirement for consideration. Prospective vendors do not need to be DIR contracted or DIR vendors to have their proposal considered.

Please fill out, sign and submit with your proposal response the enclosed IRS Form W-9 and Vendor Background Questionnaire.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Letty Lopez, Mayor Pro-Tem, District 5
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

December 3, 2019

The City of Weslaco is accepting proposals for:

**Mayor Joe V. Sanchez Public Library
(Formerly Weslaco Public Library)
Basic Network Maintenance and Equipment Services
Request for Proposal # 2019-20-09 E-Rate Basic Maintenance**

Timeline:

- **Form 470/RFP posted in EPC:** December 4, 2019
- **Deadline to submit Questions:** December 13, 2019
- **Questions and Answers posted in EPC:** December 20, 2019
- **Last date to submit bids:** January 14, 2020

Objectives of this RFP

The City of Weslaco Public Library invites prospective vendors to submit a proposal to enhance and maintain current Internet Access and supply automated services within the confines of the Schools and Libraries Program of the Universal Service Administrative Co. Fund guidelines (E-Rate).

We intend to provide an equitable, level and fair format for submission and evaluation of proposals, in accordance with our requirements and applicable E-rate, state, and local guidelines and procedures. This Request for Proposal (RFP) provides the relevant background and capacity of desired operational specifications and requirements and the evaluation factors we will use to select the successful vendor.

The term of any accepted proposal shall be one year from the date of implementation, up to a total of four extensions, or as otherwise defined Universal Service Fund guidelines (E-rate) and may be renewable annually up to a total of four extensions as

provided for under E-rate guidelines or consented to by the City of Weslaco City Commission.

This Request for Proposal (RFP) provides potential vendors with the relevant operational, performance, application, and architectural requirements of the system. This RFP specifically solicits proposals for vendors who can:

- Category 2 - Maintain the library's existing network hardware, software and fittings through Basic Maintenance and annual updates.
- Implement anticipated equipment upgrades through purchase of new Category 2 equipment.

The Mayor Joe V. Sanchez Public Library is requesting proposals for a Basic Maintenance of Internal Connections package consisting of approximately 100 hours of network maintenance, wire and cable maintenance, warranties, and technical support services. In addition, the library also seeking proposals for new equipment services, upgrades, and installation. The new equipment or equivalent is outlined in sections that follow. At present, the Library does not have coverage for E-Rate eligible equipment and cannot provide access to such a contract. The preferred main location will be the Mayor Joe V. Sanchez Public Library, 525 South Kansas Avenue, Weslaco, Texas 78596.

All vendor-installed equipment shall integrate with current Cisco and/or Dell equipment and Microsoft software, or reasonably expected upgrades thereto. The vendor shall guarantee full compatibility at peak efficiency, with the equipment in place at the time of installation. Bids for new equipment are for the requested manufacturer or equivalent and compatible. Equivalent equipment must include a white paper proving compatibility with existing LAN equipment and product specifications.

This RFP is funded through the E-Rate program; however, there is no guarantee of E-Rate funding. The award of this RFP by the City of Weslaco Council is not a guarantee of purchase. Decisions to purchase E-Rate eligible items may be dependent upon E-Rate funding and the needs of the City of Weslaco. If no E-Rate funding is provided to the Mayor Joe V. Sanchez Public Library this RFP will be null and void.

Such upgrades should be in place or become deployed during the term of the accepted proposal:

1. Request for Bids for New Equipment Configuration or Equivalent

<u>Firewall</u>		
Firewall Equipment		
FPR4120-NGFW-K9	Cisco Firepower 4120 NGFW Appliance, 1U, 2 x NetMod Bays	1

CON-SNT-FPR4121R	SNTC-8X5XNBD Cisco Firepower 4120	1
FPR4K-PWR-AC-1100	Firepower 4000 Series 1100W AC Power Supply	1
CAB-TA-NA	North America AC Type A Power Cable	2
SF-F4K-FXOS-2.3-K9	Cisco FXOS v2.3 for FPR4100	1
SF-F4K-TD6.2.3-K9	Cisco Firepower Threat Defense software v6.2.3 for FPR4100	1
FPR4K-SSD200	Firepower 4000 Series SSD for FPR-4110/4120	1
FPR4K-SSD-BBLKD	Firepower 4000 Series SSD Slot Carrier	1
GLC-TE	1000BASE-T SFP transceiver module for Category 5 copper wire	1
FPR4K-ACC-KIT	FPR4K Hardware Accessory Kit	1
FPR4K-FAN	Firepower 4000 Series Fan	6
FPR4K-PWR-AC-1100	Firepower 4000 Series 1100W AC Power Supply	1
FPR4K-RACK-MNT	Firepower 4000 Series Rack Mount Kit	1
FPR4K-NM-BLANK	Firepower 4000 Series Network Module Blank Slot Cover	1
FPR4K-NM-BLANK	Firepower 4000 Series Network Module Blank Slot Cover	1
WARRANTY	Enhanced Limited Lifetime Warranty (E-LLW)	1
IDF Room 1		
IDF 48-Port Switch		
C9200L-48P-4X-EDU	Catalyst 9200L 48-port PoE+ only, 4x10G uplinks, K12	1
CON-SW-C92L48PX	SNTC-NO RMA Catalyst 9200L 48-port PoE+ only, 4x10G	1
CAB-TA-NA	North America AC Type A Power Cable	1
PWR-C5-BLANK	Config 5 Power Supply Blank	1
C9200L-NW-A-48-EDU	C9200L Network Advantage, 48-port license K12	1
C9200L-STACK-KIT	Cisco Catalyst 9200L Stack Module	1
C9200-STACK	Catalyst 9200 Stack Module	2
STACK-T4-50CM	50CM Type 4 Stacking Cable	1
WARRANTY	Enhanced Limited Lifetime Warranty (E-LLW)	1
IDF Room 2		
IDF 24-Port Switch		
C9200L-24P-4X-EDU	Catalyst 9200L 24-port PoE+ only, 4x10G uplinks, K12	1
CON-SW-C92L24PX	SNTC-NO RMA Catalyst 9200L 24-port PoE+ only, 4x10G	1
CAB-TA-NA	North America AC Type A Power Cable	1
PWR-C5-BLANK	Config 5 Power Supply Blank	1
C9200L-NW-A-48-EDU	C9200L Network Advantage, 48-port license K12	1
C9200L-STACK-KIT	Cisco Catalyst 9200L Stack Module	1
C9200-STACK	Catalyst 9200 Stack Module	2
STACK-T4-50CM	50CM Type 4 Stacking Cable	1

WARRANTY	Enhanced Limited Lifetime Warranty (E-LLW)	1
IDF Room 3		
IDF 48-Port Switch		
C9200L-48P-4X-EDU	Catalyst 9200L 48-port PoE+ only, 4x10G uplinks, K12	1
CON-SW-C92L48PX	SNTC-NO RMA Catalyst 9200L 48-port PoE+ only, 4x10G	1
CAB-TA-NA	North America AC Type A Power Cable	1
PWR-C5-BLANK	Config 5 Power Supply Blank	1
C9200L-NW-A-48-EDU	C9200L Network Advantage, 48-port license K12	1
C9200L-STACK-KIT	Cisco Catalyst 9200L Stack Module	1
C9200-STACK	Catalyst 9200 Stack Module	2
STACK-T4-50CM	50CM Type 4 Stacking Cable	1
WARRANTY	Enhanced Limited Lifetime Warranty (E-LLW)	1
MDF Room		
MDF 48-Port Switch		3
C9200L-48P-4X-EDU	Catalyst 9200L 48-port PoE+ only, 4x10G uplinks, K12	3
CON-SW-C92L48PX	SNTC-NO RMA Catalyst 9200L 48-port PoE+ only, 4x10G	3
CAB-TA-NA	North America AC Type A Power Cable	3
PWR-C5-BLANK	Config 5 Power Supply Blank	3
C9200L-NW-A-48-EDU	C9200L Network Advantage, 48-port license K12	3
C9200L-STACK-KIT	Cisco Catalyst 9200L Stack Module	3
C9200-STACK	Catalyst 9200 Stack Module	6
STACK-T4-50CM	50CM Type 4 Stacking Cable	3
WARRANTY	Enhanced Limited Lifetime Warranty (E-LLW)	1
MDF Room		
MDF Room Core Switch		
C9500-16X-EDU	Catalyst 9500 16-port 10G, K12	1
CON-SW-C950DU16	SNTC-NO RMA Catalyst 9500 16-port 10G, K12	1
C9500-NW-A-L-EDU	C9500 Network Advantage, low-density license K12	1
C9500-NM-8X	Cisco Catalyst 9500 8 x 10GE Network Module	1
S9500UK9-168	UNIVERSAL	1
PWR-C4-950WAC-R	950W AC Config 4 Power Supply front to back cooling	1
PWR-C4-950WAC-R/2	950W AC Config 4 Power Supply front to back cooling	1
CAB-TA-NA	North America AC Type A Power Cable	2
GLC-TE=	1000BASE-T SFP transceiver module for Category 5 copper wire	1
WARRANTY	Enhanced Limited Lifetime Warranty (E-LLW)	1

<u>UPS Equipment for MDF and IDFs</u>		
APC SMART-UPS 1500 LCD	APC Smart-UPS 1500VA LCD RM 2U 120V	5
APC SYBTU1-PLP UPS Battery Unit	Battery Units	16
<u>Equipment Installation and Configuration</u>		
	Installation of Cisco Firewall Equipment or Equivalent	1
	Installation of Cisco Core Switch or Equivalent	1
	Installation of Cisco Switches Equipment or Equivalent	1
	Installation of APC Equipment or Equivalent	1
	Installation and Configuration Limited Lifetime Warranty	1

2. Existing Equipment Configuration for Basic Maintenance

<u>ASA Firewall</u>		
ASA5525VPN-EM750K9	ASA 5525-X w/750 AnyConnect Essentials and Mobile	1
ASA-AC-E-5525	AnyConnect Essentials VPN License - ASA 5525-X (750 Users)	1
ASA-AC-M-5525	AnyConnect Mobile - ASA 5525-X (req. Essentials or Premium)	1
ASA-ANYCONN-CSD-K9	ASA 5500 AnyConnect Client + Cisco Security Desktop Software	1
ASA-VPN-CLNT-K9	Cisco VPN Client Software (Windows, Solaris, Linux, Mac)	1
ASA5500-ENCR-K9	ASA 5500 Strong Encryption License (3DES/AES)	1
ASA5525-MB	ASA 5525 IPS Part Number with which PCB Serial is associated	1
CAB-AC	AC Power Cord (North America), C13, NEMA 5-15P, 2.1m	1
CON-SW-ASA55257	CISCO BASE ASA 5525-X w/750 AnyConnect Ess and Mob	1
SF-ASA-X-9.1-K8	ASA 9.1 Software image for ASA 5500-X Series, 5585-X & ASA-SM	1

IDF Room 1		
WS-C3850-24P-S	Cisco Catalyst 3850 24 Port PoE IP Base	1
PWR-C1-715WAC	715W AC Config 1 Power Supply	1
C3850-NM-2-10G	Cisco Catalyst 3850 2 x 10GE Network Module	1
CAB-SPWR-30CM	Catalyst 3750X Stack Power Cable 30 CM	1
CAB-TA-NA	North America AC Type A Power Cable	1
CON-SW-WS-C384PS	CISCO BASE Cisco Catalyst 3850 24 Port PoE IP Base	1
S3850UK9-33SE	CAT3850 Universal k9 image	1
SFP-10G-LRM=	10GBASE-LRM SFP Module	1
STACK-T1-50CM	50CM Type 1 Stacking Cable	1
SMT1500RM2U	APC Smart-UPS 1500VA LCD RM 2U 120V	1
IDF Room 2		
WS-C3850-48F-S	Cisco Catalyst 3850 48 Port Full PoE IP Base	1
PWR-C1-1100WAC	1100W AC Config 1 Power Supply	1
C3850-NM-2-10G	Cisco Catalyst 3850 2 x 10GE Network Module	1
CAB-SPWR-30CM	Catalyst 3750X Stack Power Cable 30 CM	1
CAB-TA-NA	North America AC Type A Power Cable	1
CON-SW-WSC388FS	CISCO BASE Cisco Catalyst 3850 48 Port Full PoE IP	1
S3850UK9-33SE	CAT3850 Universal k9 image	1
SFP-10G-LRM=	10GBASE-LRM SFP Module	1
STACK-T1-50CM	50CM Type 1 Stacking Cable	1
SMT1500RM2U	APC Smart-UPS 1500VA LCD RM 2U 120V	1
IDF Room 3		
WS-C3850-48F-S	Cisco Catalyst 3850 48 Port Full PoE IP Base	1
PWR-C1-1100WAC	1100W AC Config 1 Power Supply	1
C3850-NM-2-10G	Cisco Catalyst 3850 2 x 10GE Network Module	1
CAB-SPWR-30CM	Catalyst 3750X Stack Power Cable 30 CM	1
CAB-TA-NA	North America AC Type A Power Cable	1
CON-SW-WSC388FS	CISCO BASE Cisco Catalyst 3850 48 Port Full PoE IP	1
S3850UK9-33SE	CAT3850 Universal k9 image	1
SFP-10G-LRM=	10GBASE-LRM SFP Module	1
STACK-T1-50CM	50CM Type 1 Stacking Cable	1
SMT1500RM2U	APC Smart-UPS 1500VA LCD RM 2U 120V	1
MDF Room		
MDF_WS-C3850-48F-S	Cisco Catalyst 3850 48 Port Full PoE IP Base	4
PWR-C1-1100WAC	1100W AC Config 1 Power Supply	4
C3850-NM-2-10G	Cisco Catalyst 3850 2 x 10GE Network Module	4
CAB-SPWR-30CM	Catalyst 3750X Stack Power Cable 30 CM	4
CAB-TA-NA	North America AC Type A Power Cable	4
CON-SW-WSC388FS	CISCO BASE Cisco Catalyst 3850 48 Port Full PoE IP	4
S3850UK9-33SE	CAT3850 Universal k9 image	4

SFP-10G-LRM=	10GBASE-LRM SFP Module	4
STACK-T1-1M	1M Type 1 Stacking Cable	4
MDF_WS-C4500X-16SFP+	Catalyst 4500-X 16 Port 10G IP Base, Front-to-Back, No P/S	1
C4KX-NM-BLANK	Catalyst 4500X Network Module Blank	1
C4KX-PWR-BLANK	Catalyst 4500X power supply Blank	1
C4500X-16P-IP-ES	IP Base to Ent. Services license for 16 Port Catalyst 4500-X	1
C4KX-PWR-750AC-R	Catalyst 4500X 750W AC front to back cooling power supply	1
CAB-US515-C15-US	NEMA 5-15 to IEC-C15 8ft US	1
CON-SW-WSC16SFX	CISCO BASE Catalyst 4500-X 16 Port 10G IP Base, Fro	1
GLC-SX-MMD	1000BASE-SX SFP transceiver module, MMF, 850nm, DOM	1
GLC-T	1000BASE-T SFP	1
S45XUK9-34-1512SG	CAT4500-X Universal Crypto Image	1
SD-X45-2GB-E	Catalyst 4500 2GB SD Memory Card	1
SFP-10G-LR	10GBASE-LR SFP Module	1
SFP-10G-LRM	10GBASE-LRM SFP Module	6
SFP-10G-SR	10GBASE-SR SFP Module	1
<u>APC Net Shelters</u>		
AR3150	Net Shelter SX 42U 750mm Wide x 1070mm Deep Enclosure	1
AR3100	Net Shelter SX 42U 600mm Wide x 1070mm Deep Enclosure	2

3. Basic Maintenance Support

Library Network Maintenance Package of Number of Hours/ year (non-Cisco Smartnet)	1
Requirement of: 100 hours services request per year of network technical	100

maintenance and cabling support care based in Rio Grande Valley (RGV) – Texas.		
WADVULTRA-PX-23	PD1220350008 – SYCF40KF 1 Year Advantage Ultra Service Plan this includes (1)	1
WSAPMV-UG-01	1 Year Stand Alone PM or Recertification	1

Basic Maintenance

Library Network Maintenance Package Number of Hours/ year (non-Cisco SmartNet) Requirement of: 100 hours services request per calendar year of network technical maintenance and cabling support care based in Rio Grande Valley (RGV) - Texas.

General

City of Weslaco Public Library is located at 525 South Kansas Avenue in Weslaco, Texas. It serves a population of 57,000 in the city proper and surrounding areas. Current Internet connectivity equipment consists of a Cisco Router and connection directly to the Internet Service Provider's nearest point of presence (POP). The Library currently receives 1 Gbps Internet access via fiber.

Current telecommunications and data

SmartCom Telephone provides local phone service and long-distance voice services. Voice services are no longer eligible for E-rate support and bids for these services are not being requested in this RFP.

Current Internet access

The Library currently has 1 Gigabyte Internet access via fiber optics.

Internet load

The current internet load consists of over 100 computers, which are networked into Cisco equipment and Dell servers, and supporting hardware and software. We are able to provide wireless access greater than 300 wireless devices at one time.

Right to Reject

The City of Weslaco reserves the right to reject any, all, or portions of responses to this RFP even if all the stated requirements are met. In addition, the City may enter into negotiations with more than one vendor simultaneously and award the transaction to any vendor in negotiations without prior notification to any other vendor. The City reserves the right to select portions of the proposals while rejecting other portions. The awarding of the proposal will take place at a City Council meeting to be announced at a later date.

Installation Terms

The successful proposal shall provide the following services and requirements at no additional cost above the initial proposal price on equipment or services. The proposal should include the cost of shipping, per diem, installation, transportation of the items to the building, location of the items at their proper location within the building, uncrating, complete assembly, and adjustment by a trained installation mechanic with removal of all debris. Equipment is to be complete including operating/owner's manuals, wiring, and piping. The equipment should be made ready for electrical and/or fluid service connection by the City of Weslaco. After connections, vendors must ready the machine, start up, analyze, and correct any malfunctions of the equipment. Vendors should provide all material equipment and labor to place machinery in top operating conditions and to fully assemble furniture.

Vendor References and Qualifications

Vendors must provide a minimum of three references (public libraries or education entities in the RGV are preferred). These references must be for projects that are similar in scope, design, and have been completed by the vendor within the last three years. References that are not positive will be grounds for vendor disqualification. Vendors should provide reference names, phone numbers, and emails of the primary contact person. Vendors must supply the number of employees with maintenance of enterprise Microsoft and Cisco Professional Certifications for Windows Server, Wireless, Routers and Switches, VMware, Firewalls and Basic Training on relevant to Cisco Network Infrastructure Design.

The City of Weslaco requires that vendors furnish a certificate of insurance as required by Texas Labor Code 406.096. Coverage must be as follows (minimum amounts):

Worker's Compensation	Statutory Limit
Comprehensive General / Liability Occurrence	\$1,000,000
Bodily Injury Property / Damage Aggregate	\$1,000,000
Comprehensive Auto	\$1,000,000

RFP EVALUATION FACTORS

Instructions to vendors (5 points)

Project Schedule

By allowed date within 28-day window

Wednesday, December 4, 2019 to Monday, January 13, 2020

Vendor selection and contract date will be on or after Tuesday, January 21, 2020

Closing Time and Date

Responses to this RFP must be submitted in sealed packages on or before Tuesday, January 14, 2020 at 10:00 a.m.

Delivery shall be made during normal working hours (Monday-Friday 8:00am to 5:00pm) unless prior approval has been obtained from Purchasing Agent Finance Department.

Response and Submission

Inquiries and responses shall be sent to:

Homer Rhodes
Purchasing Agent
Weslaco City Hall
Finance Department
255 South Kansas Avenue
Weslaco, Texas 78596-6158
(956) 447-2240
hrhodes@weslacotx.gov

Provide three (3) printed copies on company letterhead and one (1) copy save on USB flash drive in a PDF format, on company letterhead. Proposals will be accepted Tuesday, January 14, 2019 on or before 10:00 a.m. At which time they will be opened, but not read publicly, at the office of the Purchasing Agent Finance Department. The selected proposal will be announced publicly at a later City Council Meeting. Vendors are responsible to complete the City of Weslaco Purchasing Vendor Application which is located at City's web site. Proposals are to be hand delivered or mailed to Homer Rhodes, Purchasing Agent Finance Department. Failure to do so will disqualify vendor. Incomplete responses will not be considered.

Questions and Clarification

For questions and clarification regarding the terms of this RFP, please contact:

Martin J. Mata
Assistant Library Director
Mayor Joe V. Sanchez Public Library
(Weslaco Public Library)
525 South Kansas Avenue
Weslaco, Texas 78596-6215
(956) 968-4533
mjmata@weslacopl.us

Questions and clarifications asked by any one vendor shall be made available to all on the City's web site (www.weslacotx.gov) as provided in the Schools and Libraries (E-Rate) Form 470 in the E-rate Productivity Center. Questions arising out of this RFP must be received in writing by emailed copy on company letterhead. Responses to all questions received in proper time frame will be answered in writing and distributed to all vendors known to have picked up the RFP. In order to assure prompt and timely posting of all questions and clarifications, the deadline for submittal shall be by Friday, December 13, 2019 on or before 10:00 a.m.

Proposal Period

The term of this agreement shall commence on July 1, 2020 and shall terminate on June 30, 2021 for recurring services and September 30, 2021 for non-recurring services. The agreement expiration date for non-recurring services shall be automatically extended to align with SLD authorized extensions due to late funding and changes in products and/or services approved after March 1, 2021.

If the Schools and Libraries Division ("SLD"), Administrator of the Universal Services Support Mechanism, or its successor, should fail to approve all of or any part of the services and products covered by this contract, the Applicant shall have the right, at its option, to cancel this contract, as to that part of the services and products disallowed for discount pricing.

If, after approval of discount funding by SLD or its successor, Applicant's governing board should fail to approve all of or any part of the services and products covered by this contract, the Applicant shall have the right, at its option, to cancel this contract as to that part of the services and products disallowed by the governing board.

Response to Questions:

Vendor shall respond to questions as specified by Friday, December 13, 2019 on or before 10:00 a.m.

Vendor Background Questions (20 points)

- 1.) Number of years your company has been in business.
- 2.) Where is your head office, your sales and customer service offices located?
- 3.) Where is your billing office?
- 4.) Number of employees in your company.
- 5.) Number of employees in local (RGV) site (if applicable).
- 6.) Number of employees in customer service.
- 7.) Number of employees with technical certifications.

- 8.) Number of employees in local (RGV) site (if applicable) with technical Certifications.
- 9.) Are your hardware and software dependent on third party vendors for manufacturing?
- 10.) Please list any items from current or anticipated equipment which you will not be able to provide maintenance.

References (5 points)

- 1.) Please provide a minimum of three references (public libraries or education entities in the RGV are preferred). For each reference provide names, address, phone numbers and email of the primary contact person.

Repair / Response Times (10 points)

- 1.) How long will it take for you to have a qualified technician on site? (Response Time) during regular business hours (Monday-Friday 8:00am to 5:00pm)
- 2.) How long will it take for you to have a qualified technician on site outside normal business hours?
- 3.) Please provide a direct number to the person(s) who can provide immediate decisions on pricing and expansion.
- 4.) Please provide a direct number for the person(s) who can immediately facilitate repairs during normal business hours (Monday-Friday 8:00-5:00)
- 5.) Please provide a direct number for the person(s) who can immediately facilitate evening and weekend repairs.

Future Offerings (5 points)

- 1.) What new technology does your company plan to utilize in the near future that would be an advantage to the Mayor Joe V. Sanchez Public Library?
- 2.) What is the most significant factor affecting the future success of your company and what is being planned to address it?

Market Differentiation (10 points)

- 1.) Provide a brief summary of your company's history in the marketplace. Limit response to 2 pages.
- 2.) Please describe any features, services, or practices you provide in relation to the products requested which set you apart from your competition.

- 3.) Identify other Public Libraries or education entities in the Rio Grande Valley for whom your company has provided similar service. Specify the services provided.
- 4.) Please describe how you charge for onsite visits. Specify whether you charge a minimum number of hours per onsite visit, and if so how many, or whether you charge for the actual hours devoted to a project.
- 5.) Please provide your company's mission and/or vision statement.

Proposal and Pricing (45 points)

Price of the eligible goods and services shall be the heaviest weighted criteria. Bids for all equipment and basic maintenance (Category 2) will be evaluated as one project. Bidders are required to provide E-rate eligibility for each piece of equipment bid.

Service or function	Quantity and/or Capacity:	One Time Charge per QTY	Monthly Recurring Charge, if any	Other costs, if any
Basic Maintenance for existing equipment				
CISCO maintenance on qualifying items (Cisco BASE)				
Other qualifying maintenance				
Equipment				

Supplement any additional cost, such as installation, assembly, shipping, travel, per diem, etc. Vendor should provide an exhaustive list of all associated costs within their proposals.

Support services for online and telephone-based network technical assistance and tools are not eligible.

Please fill out, sign and submit with your proposal response the enclosed IRS Form W-9 and Vendor Background Questionnaire. We look forward to hearing from you.



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2018-2001	
From: Arnold Becho			
Subject: Approval to authorize the expenditure of \$7,887 of the Marion Booth Endowment Fund for support of the Family Place Libraries Program and upgrade of the Audio Visual equipment within the Mayor Joe V. Sanchez Public Library Meeting Room. (Staffed by the Library Department.)			
Background: Approximately 8 years ago Marion Booth bequeathed to the Library Board approximately \$481,000. Since that time the Library Board has established a Booth Endowment. Following the recent maturation of the BBVA CD, the Library Board began looking into projects the endowment could sponsor. The proposed projects utilize approximately \$7,887 of the total \$7,887.82 interest gained from the maturation of the CD and does not touch the corpus of the funds. The Library Board decided on two projects, support of the Family Place Libraries Program and upgrade of the Audio Visual equipment within the Mayor Joe V. Sanchez Public Library Meeting Room. The Board directed staff to spend half of the allocated amount on each project. If the AV project should achieve completion without utilizing the total funds allocated, the Board instructed that the remainder be used to further supplement the Family Place Libraries Program.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission: NA			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: NA			
Advisory Review, if any (name of board/committee, date of action, recommendation): The Library Board unanimously approved a motion to sponsor these projects and these fund amounts within their November 2019 meeting.			
Arnold Becho		Created/Initiated	
Arnold Becho		Approved	
Vidal Roman		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			

Staff recommends approval.

Attachments, if any:

CHARTER - The Marion Booth Permanent Endowment Program, memo - Request to approve Booth Endowment Expenditures Nov 2019

Responsibilities upon Approval:

The library will attain quotes which satisfy each of the project goals. The library will need to work with Finance to move forward with those quotes. The bulk of funds used to pay for these projects will come from the Endowment. Several of these projects may need additional funding but the library has sufficient funds within its regular budget to cover these cost. No budget amendments or additional funds are needed.

CHARTER

**THE MARION BOOTH PERMANENT
ENDOWMENT PROGRAM**

MAYOR JOE V. SANCHEZ PUBLIC LIBRARY

WESLACO, TEXAS

THE PURPOSE

The Marion Booth Permanent Endowment Program, hereafter referred to in this document as the “Endowment Program,” is established for the purpose of providing individuals and organizations the opportunity to make charitable gifts to Weslaco’s public library that will become a permanent endowment and internal grant program. The Endowment Program is intended for purposes that are not a part of the library’s established programs, which are funded through the annual operating budget provided by the City. Thus, the Endowment Program is not intended to substitute in any way the City’s budget for the library.

The Mayor Joe V. Sanchez Public Library dedicates itself to provide information to the community in a caring, committed and effective manner, with due and diligent stewardship of the resources placed in its trust. The library emphasizes collections which support the community’s interest, programming with cultural depth, and social enrichment.

ADMINISTRATION

The Endowment Program will be administered by the Library Board of Weslaco, hereafter referred to in this document as the “Board.” The Board shall cooperate with the Finance Department of the City of Weslaco in assuring that funds are accurately tracked and only utilized for purposes permitted by the City Commission and Board. The Library Director and the Finance Director of the City together shall be responsible for acknowledging donations to the Endowment Program within City Commission and Library Board Meetings.

INVESTMENT OF ENDOWMENT FUNDS

The purpose of any endowment is to provide a stable and secure source of financial support in order to facilitate the mission of the organization. To that end, the policy that governs the management of the Endowment Program will be the total return concept. This is essential to provide current income and growth of income for future needs to carry out the mission of the Mayor Joe V. Sanchez Public Library and to ensure the preservation and growth of principal.

All gifts received by the Endowment Program shall be invested as determined by the Board. Assets of the Endowment Program may be segregated into separate accounts, and such separate accounts may, for convenience or in order to comply with the conditions or request of the donor, be designated by separate names. Assets of the various accounts may be commingled for investment or accounting purposes.

The Board may select a default account to place funds within during transitional periods. Currently that account is the BBVA Compass account originally created for the Library, by the City of Weslaco.

CHANGE IN INVESTMENT POLICY

Any transfer of the Endowment Program assets for investment with another institution must be approved by a majority vote of the Library Board and the City Commission, at which a quorum is present.

LIMITATION ON USE OF PRINCIPAL

The objectives of the Endowment Program are to conserve principal and make use of only the distributions determined by the Board. Any withdrawal of principal will be recommended by the Board and must be approved by a two-thirds (2/3) vote of the Board and a majority vote of the City Commission.

DISTRIBUTIONS FROM THE ENDOWMENT PROGRAM

Distributions from accounts in the Endowment Program shall be made by the Board. In the case of undesignated gift accounts, the amount of all distributions shall be determined by the Board, which shall keep in mind the Endowment Program investment objectives stated in this document. The purposes and causes to which distributions are to be made shall be approved by the Board and City Commission. Quantity of distributions will be made with respect to the Endowment's goal of ensuring the preservation and growth of principal.

GIFTS TO THE FUND

The Board may accept gifts, devises, or bequests of money or property (herein called donations) to the Endowment Program. All donations to the Endowment Program shall be subject to approval by the City Commission. Donations may be accepted on such conditions as may be approved by the City Commission. Without limitation upon the generality of lawful conditions which may be approved by the City Commission, donations may be accepted on the condition that the principal amount thereof be retained and invested and only the income expended for the benefit of Weslaco's public library.

LIABILITY OF TRUSTEES

In the absence of gross negligence or fraud, no member of the Library Board shall be personally liable for any action taken or omitted with respect to the Endowment Program.

MERGER, CONSOLIDATION, OR DISSOLUTION OF THE MARION BOOTH PERMANENT ENDOWMENT PROGRAM

If at any time the Mayor Joe V. Sanchez Public Library is lawfully merged or consolidated with any other department, municipality or library, all the provisions hereof in respect to the Endowment shall be deemed to have been made on behalf of the merged or consolidated institution which shall be authorized to administer the same in all respects and in accordance with the terms thereto. If the Mayor Joe V. Sanchez Public Library should ever be dissolved without any lawful successor, the Fund, including both principal and interest to date, shall be distributed as directed by the Board.

AMENDMENTS

Technical corrections and amendments to the Endowment Program which do not alter the stated purpose of the Endowment Program may be made by a majority affirmative vote of the Board and the City Commission.

SEVERABILITY

If any provisions or any application of any provisions of the Endowment Program shall be held or deemed to be illegal, inoperative, or unenforceable, the same shall not affect any other provisions or application of any provisions herein contained or render the same invalid, inoperative or unenforceable.

This Endowment Program charter was adopted on _____

Library Board

____ For ____ Against and ____ Abstained. _____
Board President

Library Director

This Endowment Program charter was adopted on October 16, 2018

City Commission

6 For 0 Against and 0 Abstained. [Signature] WCC 10/16/18
Recording Secretary

[Signature]
Mayor

Authored by Patricia Avila and Arnoldo Becho, 7/26/10
Revised by Christine Warren and Arnoldo Becho, 8/03/11
Revised by Arnoldo Becho, 10/11/18

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Letty Lopez, Mayor Pro-Tem, District 5
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

November 20, 2019

To: David Suarez, Mayor; Letty Lopez, Mayor Pro-Tem; Leo Muñoz, Commissioner; Greg Kerr, Commissioner; Jose Rodriguez, Commissioner; Adrian Farias, Commissioner; Josh Pedraza, Commissioner; Mike Perez, City Manager
CC: Vidal Roman, Sonia Flores, Martin J. Mata
Fr: Arnoldo Becho, Library Director
Re: Request to Approve Expenditure of Booth Funds.

Approximately 8 years ago Marion Booth bequeathed to the Library Board approximately \$481,000. Since that time the Library Board has established a Booth Endowment. The endowment outlines the goals of the Library Board with respect to these funds and the means through which projects could be sponsored. Currently the Library Board favors sponsoring projects funded only by interest garnered through investments. Following the maturation of the BBVA CD, the Library Board began considering projects the Endowment could sponsor.

The proposed projects utilize approximately \$7,887 of the total \$7,887.82 interest gained from the maturation of the CD and does not touch the corpus of the funds. The Library Board decided on two projects, support of the Family Place Libraries Program and upgrade of the Audio Visual equipment within the Mayor Joe V. Sanchez Public Library Meeting Room. The Board directed staff to spend half of the allocated amount on each project. If the AV project should achieve completion without utilizing the total funds allocated, the Board instructed that the remainder be used to further supplement the Family Place Libraries Program. Official motions approved these initiatives within the November Library Board meeting. Several of these projects may need some minimal additional funding but the library has sufficient funds within its regular budget to cover these costs. No budget amendments or additional funds are needed.

At this time the Library strongly recommends approval. Please feel free to contact me with any questions, I will be happy to provide additional information.

Thank you for the time.
Arnoldo Becho
Library Director, City of Weslaco
Phone: 956.973.3144
Email: abecho@weslacopl.us



Standardized Agenda Request Form

Date of Meeting: December 3, 2019	Agenda Item No. (to be assigned by CSO): 2019-2929	
From:		
Subject: Acceptance of reimbursement funds from the Federal Bureau of Investigation (FBI) for state and Local law enforcement agencies (LEA) for the cost of overtime incurred by task force related activities in the amount of \$18,649 per year for officer assigned full-time to the FBI task force and authorize the Mayor to execute any related documents. (Staffed by Police Department.)		
Background: To accept and receive funds from the FBI for reimbursement to state and local law enforcement agencies (LEA) for the cost of <i>overtime incurred</i> by the task force officers assigned <i>Full-Time</i> to FBI Managed task forces provided with <i>overtime expenses were incurred as a result of task force related activities.</i>		
Funding Source (budget code, if applicable): Acct No.: 101-5202-510080(Overtime) & Acct No.: 101-5202-510090(Overtime Grants)		
Amount: \$18,649.00	Term of Impact: FY 2020	Identified in Current Budget: Yes
Additional Action Prompted:		
If item previously considered, provide date and action by Commission: The Notice of Limits for FY 2019 was reviewed and approved by the City Commission Regular Meeting on September 18, 2018. And the Federal Bureau of Investigation Rio Grande Valley Safe Streets Task Force Memorandum of Understanding was reviewed and approved by the City Commission Regular Meeting on November 20, 2018		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Roxanne Saavedra Robert Lopez Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends acceptance and approval.		
Attachments, if any: State Local OT Authorization 2020 FBI MOU Task Force, FULLY EXECUTED MOU_for_RGV_SSTF_bettween_FBI_and_Weslaco_PD 12.21.2018		
Responsibilities upon Approval: Invoice will be submitted in a monthly basis by Weslaco Police Department and Finance Department to agency for reimbursement of overtime wages incurred during		

MOU agreement activates. Funds will be requested for reimbursement when overtime is approved for task force related activities.

NOTICE OF LIMITS

FOR

FY 2020 STATE AND LOCAL OVERTIME REIMBURSEMENTS

Subject to the availability of funding and legislative authorization, the FBI may reimburse state and local law enforcement agencies (LEA) for the cost of overtime incurred by officers assigned **full-time** to FBI-managed task forces provided the overtime expenses were incurred as a result of task force-related activities. Consistent with regulation and policy, a separate Cost Reimbursement Agreement (CRA) must be executed between the FBI and the LEA, **and** an underlying Memorandum of Understanding (MOU) must exist in support of the task force relationship.

For **fiscal year 2020**, the maximum limits for reimbursements under these CRAs are **\$1,554.08** per month and **\$18,649** per year for each officer assigned **full-time** to the task force. These limits are effective for overtime worked on or after October 1, 2019.

These reimbursements are limited to eligible officers' direct overtime salary expenses and shall not include any costs associated with the LEA's indirect expenses or officers' benefits such as retirement, social security, and similar related expenses.

FBI field offices and state and local law enforcement agencies may process overtime reimbursement requests under formally executed CRAs in accordance with the authority of this notice. This notice is issued unilaterally by the FBI's Budget Officer and does not require formal acceptance and signature by FBI field offices and state and local law enforcement agencies.

This notice does **not** represent an authorization to obligate or expend funds. The actual amount of overtime expenses that can and should be approved for each task force officer is also dependent upon the availability of funding and operational necessity.



Ambrosia Patterson
Budget Officer
Federal Bureau of Investigation

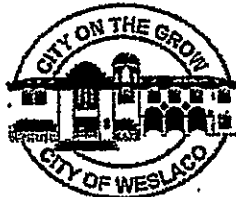
8/23/19

Date



City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Gerardo "Jerry" Tafolla, Mayor Pro-Tem, District 4
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Lefly Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

CERTIFICATE

I, Aida Vega, Interim City Secretary of the City of Weslaco, Texas, **DO HEREBY CERTIFY**, that the Weslaco City Commission at their Regular Meeting of November 20, 2018 approved item(s) as follows under **III. CONSENT AGENDA: ITEM D.**

D. Approval on the continuance on the Memorandum of Understanding with FBI Rio Grande Valley Safe Streets Task Force and Weslaco Police Department and authorize the Mayor to execute any related documents.

Such action of the Weslaco City Commission will be recorded in Volume 52 of the Weslaco Minute Book. *No Ordinance is attached to this certificate.*

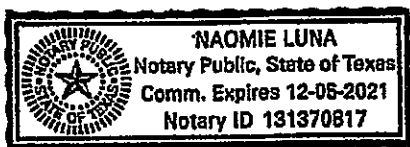
DATED this 21st day of December 2018.

CITY OF WESLACO

Aida Vega
Interim City Secretary

NOTARY

SWORN AND SUBSCRIBED before me, this 21st day of December 2018 and that the above facts are true and correct to the best of her knowledge.

Naomie Luna, Notary Public
My Commission expires: 12/05/21

STATE OF TEXAS

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**FEDERAL BUREAU OF INVESTIGATION
RIO GRANDE VALLEY SAFE STREETS TASK FORCE
MEMORANDUM OF UNDERSTANDING**

PARTIES

1. This Memorandum of Understanding (MOU) is entered into by and between the Federal Bureau of Investigation (FBI) and the Weslaco, Texas Police Department. Nothing in this MOU should be construed as limiting or impeding the basic spirit of cooperation which exists between these agencies.

AUTHORITIES

2. Authority for the FBI to enter into this agreement can be found at Title 28, United States Code (U.S.C.), Section (§) 533; 42 U.S.C. § 3771; Title 28, Code of Federal Regulations (C.F.R.), § 0.85; and applicable United States Attorney General's Guidelines.

PURPOSE

3. The purpose of this MOU is to delineate the responsibilities of the Rio Grande Valley Safe Streets Task Force (RGVSSTF) personnel formalize relationships between participating agencies for policy guidance, planning, training, public and media relations; and maximize inter-agency cooperation. This MOU is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law or otherwise by any third party against the parties, the United States, or the officers, employees, agents, or other associated personnel thereof.

MISSION

4. The mission of the SSTF is to identify and target for prosecution criminal enterprise groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence such as murder and aggravated assault, robbery, and violent street gangs, as well as to intensely focus on the apprehension of dangerous fugitives where there is or may be a federal investigative interest. The SSTF will enhance the effectiveness of federal/state/local law enforcement resources through a well-coordinated initiative seeking the most effective investigative/prosecutive avenues by which to convict and incarcerate dangerous offenders.

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SUPERVISION AND CONTROL

A. Supervision

5. Overall management of the SSTF shall be the shared responsibility of the participating agency heads and/or their designees.
6. The Special Agent in Charge (SAC) of the San Antonio Division shall designate one Supervisory Special Agent (SSTF Supervisor) to supervise the SSTF. The SSTF Supervisor may designate a Special Agent to serve as the Safe Streets Task Force Coordinator (Task Force Coordinator). Either the SSTF Supervisor or the Task Force Coordinator shall oversee day-to-day operational and investigative matters pertaining to the SSTF.
7. Conduct undertaken outside the scope of an individual's SSTF duties and assignments under this MOU shall not fall within the oversight responsibility of the SSTF Supervisor or Task Force Coordinator. As stated in paragraph 74, below, neither the United States nor the FBI shall be responsible for such conduct.
8. SSTF personnel will be subject to the laws, regulations, policies, and personnel rules applicable to their respective agencies. FBI employees will continue to adhere to the Bureau's ethical standards, including Department of Justice (DOJ)/FBI regulations relating to outside employment and prepublication review matters, and will remain subject to the Supplemental Standards of Ethical conduct for employees of the DOJ.
9. SSTF personnel will continue to report to their respective agency heads for non-investigative administrative matters not detailed in this MOU.
10. Continued assignment of personnel to the SSTF will be based on performance and at the discretion of appropriate management. The FBI SAC and SSTF Supervisor will also retain discretion to remove any individual from the SSTF.

B. Case Assignments

11. The FBI SSTF Supervisor will be responsible for opening, monitoring, directing, and closing SSTF investigations in accordance with existing FBI policy and the applicable United States Attorney General's Guidelines.
12. Assignments of cases to personnel will be based on, but not limited to, experience, training and performance, in addition to the discretion of the SSTF Supervisor.
13. For FBI administrative purposes, SSTF cases will be entered into the relevant FBI computer system.

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14. SSTF personnel will have equal responsibility for each case assigned. SSTF personnel will be responsible for complete investigation from predication to resolution.

C. Resource Control

15. The head of each participating agency shall determine the resources to be dedicated by that agency to the SSTF, including personnel, as well as the continued dedication of those resources. The participating agency head or designee shall be kept fully apprised of all investigative developments by his or her subordinates.

OPERATIONS

A. Investigative Exclusivity

16. It is agreed that matters designated to be handled by the SSTF will not knowingly be subject to non-SSTF law enforcement efforts by any of the participating agencies. It is incumbent on each agency to make proper internal notification regarding the SSTF's existence and areas of concern.
17. It is agreed that there is to be no unilateral action taken on the part of the FBI or any participating agency relating to SSTF investigations or areas of concern as described in paragraph 3. All law enforcement actions will be coordinated and cooperatively carried out.
18. SSTF investigative leads outside of the geographic areas of responsibility for FBI San Antonio Division will be communicated to other FBI offices for appropriate investigation.

B. Confidential Human Sources

19. The disclosure of FBI informants, or Confidential Human Sources (CHSs), to non-SSTF personnel will be limited to those situations where it is essential to the effective performance of the SSTF. These disclosures will be consistent with applicable FBI guidelines.
20. Non-FBI SSTF personnel may not make any further disclosure of the identity of an FBI CHS, including to other individuals assigned to the SSTF. No documents which identify, tend to identify, or may indirectly identify an FBI CHS may be released without prior FBI approval.
21. In those instances where a participating agency provides a CHS, the FBI may, at the discretion of the SAC, become solely responsible for the CHS's continued development, operation, and compliance with necessary administrative procedures regarding operation and payment as set forth by the FBI.

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22. The United States Attorney General's Guidelines and FBI policy and procedure for operating FBI CHSs shall apply to all FBI CHSs opened and operated in furtherance of SSTF investigations. Documentation of, and any payments made to, FBI CHSs shall be in accordance with FBI policy and procedure.
23. Operation, documentation, and payment of any CHS opened and operated in furtherance of an SSTF investigation must be in accordance with the United States Attorney General's Guidelines, regardless of whether the handling agency is an FBI SSTF participating agency. Documentation of state, county, or local CHSs opened and operated in furtherance of SSTF investigations shall be maintained at an agreed upon location.

C. Reports and Records

24. All investigative reporting will be prepared in compliance with existing FBI policy. Subject to pertinent legal and/or policy restrictions, copies of pertinent documents created by SSTF personnel will be made available for inclusion in the respective investigative agencies' files as appropriate.
25. SSTF reports prepared in cases assigned to SSTF personnel will be maintained at an FBI approved location; original documents will be maintained by the FBI.
26. Records and reports generated in SSTF cases which are opened and assigned by the FBI SSA with designated oversight for investigative and personnel matters will be maintained in the FBI investigative file for SSTF.
27. SSTF investigative records maintained at the San Antonio Field Office of the FBI will be available to all SSTF personnel, as well as their supervisory and command staff subject to pertinent legal, administrative and/or policy restrictions.
28. All evidence and original tape recordings (audio and video) acquired by the FBI during the course of the SSTF investigations will be maintained by the FBI. The FBI's rules and policies governing the submission, retrieval and chain of custody will be adhered to by SSTF personnel.
29. All SSTF investigative records will be maintained at an approved FBI location. Placement of all or part of said information into participating agency files rests with the discretion of supervisory personnel of the concerned agencies, subject to SSA approval.
30. Classified information and/or documents containing information that identifies or tends to identify an FBI CHS shall not be placed in the files of participating agencies unless appropriate FBI policy has been satisfied.
31. The Parties acknowledge that this MOU may provide SSTF personnel with access to information about U.S. persons which is protected by the Privacy Act of 1974 and/or

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Executive Order 12333. The Parties expressly agree that all such information will be handled lawfully pursuant to the provisions thereof. The Parties further agree that if this access to information by SSTF personnel requires a change in privacy compliance documents, those changes will be accomplished prior to access being granted.

INFORMATION SHARING

32. No information possessed by the FBI, to include information derived from informal communications between SSTF personnel and FBI employees not assigned to the SSTF, may be disseminated by SSTF personnel to non-SSTF personnel without the approval of the SSTF Supervisor and in accordance with the applicable laws and internal regulations, procedures or agreements between the FBI and the participating agencies that would permit the participating agencies to receive that information directly. Likewise, SSTF personnel will not provide any participating agency information to the FBI that is not otherwise available to it unless authorized by appropriate participating agency officials.
33. Each Party that discloses PII is responsible for making reasonable efforts to ensure that the information disclosed is accurate, complete, timely, and relevant.
34. The FBI is providing access to information from its records with the understanding that in the event the recipient becomes aware of any inaccuracies in the data, the recipient will promptly notify the FBI so that corrective action can be taken. Similarly, if the FBI becomes aware that information it has received pursuant to this MOU is inaccurate, it will notify the contributing Party so that corrective action can be taken.
35. Each Party is responsible for ensuring that information it discloses was not knowingly obtained or maintained in violation of any law or policy applicable to the disclosing Party, and that information is only made available to the receiving Party as may be permitted by laws, regulations, policies, or procedures applicable to the disclosing Party.
36. Each Party will immediately report to the other Party each instance in which data received from the other Party is used, disclosed, or accessed in an unauthorized manner (including any data losses or breaches).
37. The Parties agree that either or both may audit the handling and maintenance of data in electronic and paper recordkeeping systems to ensure that appropriate security and privacy protections are in place.

PROSECUTIONS

38. SSTF investigative procedures, whenever practicable, are to conform to the requirements which would allow for either federal or state prosecution.
39. A determination will be made on a case-by-case basis whether the prosecution of SSTF cases will be at the state or federal level. This determination will be based on the

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evidence obtained and a consideration of which level of prosecution would be of the greatest benefit to the overall objectives of the SSTF.

40. In the event that a state or local matter is developed that is outside the jurisdiction of the FBI or it is decided to prosecute a SSTF case at the state or local level, the FBI agrees to provide all relevant information to state and local authorities in accordance with all applicable legal limitations.

A. Investigative Methods/Evidence

41. For cases assigned to an FBI Special Agent or in which FBI CHSs are utilized, the parties agree to conform to federal standards concerning evidence collection, processing, storage, and electronic surveillance. However, in situations where the investigation will be prosecuted in the State Court where statutory or common law of the state is more restrictive than the comparable federal law, the investigative methods employed by FBI case agents shall conform to the requirements of such statutory or common law pending a decision as to venue for prosecution.
42. In all cases assigned to state, county, or local law enforcement participants, the parties agree to utilize federal standards pertaining to evidence handling and electronic surveillance activities as outlined in the Domestic Investigations and Operations Guide to the greatest extent possible. However, in situations where the statutory or common law of the state is more restrictive than the comparable federal law, the investigative methods employed by state and local law enforcement agencies shall conform to the requirements of such statutory or common law pending a decision as to venue for prosecution.
43. The use of other investigative methods (search warrants, interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policies and procedures of the FBI.

B. Undercover Operations

44. All SSTF undercover operations will be conducted and reviewed in accordance with FBI guidelines and the Attorney General's Guidelines on Federal Bureau of Investigation Undercover Operations. All participating agencies may be requested to enter into an additional agreement if an employee of the participating agency is assigned duties which require the officer to act in an undercover capacity.

USE OF LESS-THAN-LETHAL-DEVICES¹

¹ Pursuant to Section VIII of the DOJ Less-Than-Lethal Devices Policy dated May 16, 2011, all state/local officers participating in joint task force operations must be made aware of and adhere to the policy and its limits on DOJ officers.

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45. The parent agency of each individual assigned to the SSTF will ensure that while the individual is participating in FBI-led task force operations in the capacity of a task force officer, task force member, or task force participant, the individual will carry only less-lethal devices that the parent agency has issued to the individual, and that the individual has been trained in accordance with the agency's policies and procedures.
46. The parent agency of each individual assigned to the SSTF will ensure that the agency's policies and procedures for use of any less-lethal device that will be carried by the task force officer, task force member, or task force participant are consistent with the DOJ policy statement on the Use of Less-Than-Lethal Devices.

DEADLY FORCE AND SHOOTING INCIDENT POLICIES

47. SSTF personnel will follow their own agencies' policies concerning firearms discharge and use of deadly force.

DEPUTATIONS

48. Local and state law enforcement personnel designated to the SSTF, subject to a limited background inquiry, shall be sworn as federal task force officers either by acquiring Title 21 or Title 18 authority (via the United States Marshals), with the FBI securing the required deputation authorization. These deputations should remain in effect throughout the tenure of each investigator's assignment to the SSTF or until the termination of the SSTF, whichever comes first.
49. Deputized SSTF personnel will be subject to the rules and regulations pertaining to such deputation. Administrative and personnel policies imposed by the participating agencies will not be voided by deputation of their respective personnel.

VEHICLES

50. In furtherance of this MOU, employees of LEA may be permitted to drive FBI owned or leased vehicles for official SSTF business and only in accordance with applicable FBI rules and regulations, including those outlined in the FBI Government Vehicle Policy Directive (0430D) and the Government Vehicle Policy Implementation Guide (0430PG). The assignment of an FBI owned or leased vehicle to LEA SSTF personnel will require the execution of a separate Vehicle Use Agreement.
51. The participating agencies agree that FBI vehicles will not be used to transport passengers unrelated to SSTF business.
52. The FBI and the United States will not be responsible for any tortious act or omission on the part of LEA and/or its employees or for any liability resulting from the use of an FBI owned or leased vehicle utilized by LEA SSTF personnel, except where liability may fall

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under the provisions of the Federal Tort Claims Act (FTCA), as discussed in the Liability Section herein below.

53. The FBI and the United States shall not be responsible for any civil liability arising from the use of an FBI owned or leased vehicle by LEA task force personnel while engaged in any conduct other than their official duties and assignments under this MOU.
54. To the extent permitted by applicable law, LEA agrees to hold harmless the FBI and the United States, for any claim for property damage or personal injury arising from any use of an FBI owned or leased vehicle by LEA SSTF personnel which is outside the scope of their official duties and assignments under this MOU.

SALARY/OVERTIME COMPENSATION

55. The FBI and LEA remain responsible for all personnel costs for their SSTF representatives, including salaries, overtime payments and fringe benefits consistent with their respective agency, except as described in paragraph 56 below.
56. Subject to funding availability and legislative authorization, the FBI will reimburse to LEA the cost of overtime worked by non-federal SSTF personnel assigned full-time to SSTF, provided overtime expenses were incurred as a result of SSTF-related duties, and subject to the provisions and limitations set forth in a separate Cost Reimbursement Agreement to be executed in conjunction with this MOU. A separate Cost Reimbursement Agreement must be executed between the FBI and LEA for full-time employee(s) assigned to SSTF, consistent with regulations and policy, prior to any reimbursement by the FBI. Otherwise, overtime shall be compensated in accordance with applicable LEA overtime provisions and shall be subject to the prior approval of appropriate personnel.

PROPERTY AND EQUIPMENT

57. Property utilized by the SSTF in connection with authorized investigations and/or operations and in the custody and control and used at the direction of the SSTF, will be maintained in accordance with the policies and procedures of the agency supplying the equipment. Property damaged or destroyed which was utilized by SSTF in connection with authorized investigations and/or operations and is in the custody and control and used at the direction of SSTF, will be the financial responsibility of the agency supplying said property.

FUNDING

58. This MOU is not an obligation or commitment of funds, nor a basis for transfer of funds, but rather is a basic statement of the understanding between the parties hereto of the tasks and methods for performing the tasks described herein. Unless otherwise agreed in writing, each party shall bear its own costs in relation to this MOU. Expenditures by

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each party will be subject to its budgetary processes and to the availability of funds and resources pursuant to applicable laws, regulations, and policies. The parties expressly acknowledge that the above language in no way implies that Congress will appropriate funds for such expenditures.

FORFEITURES

59. The FBI shall be responsible for processing assets seized for federal forfeiture in conjunction with SSTF operations.
60. Asset forfeitures will be conducted in accordance with federal law, and the rules and regulations set forth by the FBI and DOJ. Forfeitures attributable to SSTF investigations may be equitably shared with the agencies participating in the SSTF.

DISPUTE RESOLUTION

61. In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the SSTF's objectives.
62. The participating agencies agree to attempt to resolve any disputes regarding jurisdiction, case assignments, workload, etc., at the field level first before referring the matter to supervisory personnel for resolution.

MEDIA RELEASES

63. All media releases and statements will be mutually agreed upon and jointly handled according to FBI and participating agency guidelines.
64. Press releases will conform to DOJ Guidelines regarding press releases. No release will be issued without FBI final approval.

SELECTION TO SSTF AND SECURITY CLEARANCES

65. If an LEA candidate for the SSTF will require a security clearance, he or she will be contacted by FBI security personnel to begin the background investigation process prior to the assigned start date.
66. If, for any reason, the FBI determines that an LEA candidate is not qualified or eligible to serve on the SSTF, the participating agency will be so advised and a request will be made for another candidate.
67. Upon being selected, each candidate will receive a comprehensive briefing on FBI field office security policies and procedures. During the briefing, each candidate will execute non-disclosure agreements (SF-312 and FD-868), as may be necessary or required by the FBI.

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68. Before receiving unescorted access to FBI space identified as an open storage facility, SSTF personnel will be required to obtain and maintain a "Top Secret" security clearance. SSTF personnel will not be allowed unescorted access to FBI space unless they have received a Top Secret security clearance.
69. Upon departure from the SSTF, each individual whose assignment to the SSTF is completed will be given a security debriefing and reminded of the provisions contained in the non-disclosure agreement to which he or she previously agreed.

LIABILITY

70. The participating agencies acknowledge that this MOU does not alter the applicable law governing civil liability, if any, arising from the conduct of personnel assigned to the SSTF.
71. The participating agency shall immediately notify the FBI of any civil, administrative, or criminal claim, complaint, discovery request, or other request for information of which the agency receives notice, concerning or arising from the conduct of personnel assigned to the SSTF or otherwise relating to the SSTF. The participating agency acknowledges that financial and civil liability, if any and in accordance with applicable law, for the acts and omissions of each employee detailed to the SSTF remains vested with his or her employing agency. In the event that a civil claim or complaint is brought against a state or local officer assigned to the SSTF, the officer may request legal representation and/or defense by DOJ, under the circumstances and pursuant to the statutes and regulations identified below.
72. For the limited purpose of defending against a civil claim arising from alleged negligent or wrongful conduct under common law under the FTCA, 28 U.S.C. § 1346(b), and §§ 2671-2680: An individual assigned to the SSTF who is named as a defendant in a civil action as a result of or in connection with the performance of his or her official duties and assignments pursuant to this MOU may request to be certified by the Attorney General or his designee as having acted within the scope of federal employment at the time of the incident giving rise to the suit. 28 U.S.C. § 2679(d)(2). Upon such certification, the individual will be considered an "employee" of the United States government for the limited purpose of defending the civil claim under the FTCA, and the claim will proceed against the United States as sole defendant. 28 U.S.C. § 2679(d)(2). Once an individual is certified as an employee of the United States for purposes of the FTCA, the United States is substituted for the employee as the sole defendant with respect to any tort claims. Decisions regarding certification of employment under the FTCA are made on a case-by-case basis, and the FBI cannot guarantee such certification to any SSTF personnel.
73. For the limited purpose of defending against a civil claim arising from an alleged violation of the U.S. Constitution pursuant to 42 U.S.C. § 1983 or Bivens v. Six Unknown Named

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Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971): An individual assigned to the SSTF who is named as a defendant in a civil action as a result of or in connection with the performance of his or her official duties and assignments pursuant to this MOU may request individual-capacity representation by DOJ to defend against the claims. 28 C.F.R. §§ 50.15, 50.16. Any such request for individual-capacity representation must be made in the form of a letter from the individual defendant to the U.S. Attorney General. The letter should be provided to Chief Division Counsel (CDC) for the FBI San Antonio Division, who will then coordinate the request with the FBI Office of the General Counsel. In the event of an adverse judgment against the individual, he or she may request indemnification from DOJ. 28 C.F.R. § 50.15(c)(4). Requests for DOJ representation and indemnification are determined by DOJ on a case-by-case basis. The FBI cannot guarantee the United States will provide legal representation or indemnification to any SSTF personnel.

74. Liability for any conduct by SSTF personnel undertaken outside of the scope of their assigned duties and responsibilities under this MOU shall not be the responsibility of the FBI or the United States and shall be the sole responsibility of the respective employee and/or agency involved.

DURATION

75. The term of this MOU is for the duration of the SSTF's operations, contingent upon approval of necessary funding, but may be terminated at any time upon written mutual consent of the agency involved.
76. Any participating agency may withdraw from the SSTF at any time by written notification to the SSA with designated oversight for investigative and personnel matters or program manager of the SSTF at least 30 days prior to withdrawal.
77. Upon termination of this MOU, all equipment provided to the SSTF will be returned to the supplying agency/agencies. In addition, when an entity withdraws from the MOU, the entity will return equipment to the supplying agency/agencies. Similarly, remaining agencies will return to a withdrawing agency any unexpended equipment supplied by the withdrawing agency during any SSTF participation.

MODIFICATIONS

78. This agreement may be modified at any time by written consent of all involved agencies.
79. Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

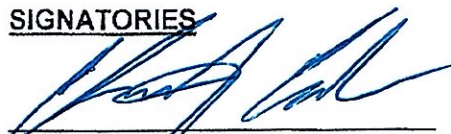
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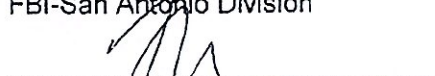
SIGNATORIES



Christopher Combs
Special Agent in Charge
FBI-San Antonio Division

2/7/19

Date



Joel Rivera
Chief of Police
Weslaco Police Department

12-21-18

Date

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Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2937	
From:			
Subject: Approval on Resolution 2019-78 supporting document for agreement between the City of Weslaco and TXDOT for street closure on Texas Blvd. from Frontage Road to 7th St. on December 7, 2019 for the 2019 Weslaco Annual Christmas Parade and authorize the Mayor to execute any related documents. (Staffed by Public Works.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Olga Garza		Created/Initiated	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: R2019-78 closure of street 2019 XMAS parade			
Responsibilities upon Approval:			

RESOLUTION NO. 2019-78

**A RESOLUTION OF THE CITY OF WESLACO, TEXAS, AUTHORIZING THE CITY TO
ENTER
INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC
TRANSPORTATION
FOR PUBLIC EVENT IN THE CITY LIMITS OF WESLACO**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSIONERS OF
THE CITY OF WESLACO, TEXAS:**

That the City of Weslaco wishes to enter into an agreement with the State of Texas, acting by and through the Texas Department of Transportation for temporary closure of a street for public event.

That the closure of **Texas Boulevard from Frontage Road to 7th St. for the 2019 Weslaco Annual Christmas Parade on Saturday, December 7, 2019 from 7:00 a.m. to 1:00 p.m.**

That all rules and procedures of 43 Tex., Adm. Code, Section 22.12 have been established for the temporary closure of a segment of the State highway system and this agreement has been developed in accordance with the rules and procedures.

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 3rd day of December 2019 by the City Commissioners of the City of Weslaco, Texas.

CITY OF WESLACO

DAVID SUAREZ, MAYOR

ATTEST:

MYRA L. AYALA GARZA, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, City Attorney



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2938	
From:			
Subject: Approval on Resolution 2019-79 supporting document for agreement between the City of Weslaco and TXDOT for street closure on Texas Blvd. from Business 83 to 6th St. on December 7 - 8, 2019 for the Weslaco Centennial Celebration and authorize the Mayor to execute any related documents. (Staffed by Public Works.)			
Background: As part of a new procedure from TXDOT, a resolution is required when requesting street closures on State Right of Way. Street closures have been previously approved by the commission.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Olga Garza		Created/Initiated	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: R2019-79 TxDOT closure of street Centennial			
Responsibilities upon Approval:			

RESOLUTION NO. 2019-79

**A RESOLUTION OF THE CITY OF WESLACO, TEXAS, AUTHORIZING THE CITY TO
ENTER
INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC
TRANSPORTATION
FOR PUBLIC EVENT IN THE CITY LIMITS OF WESLACO**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSIONERS OF
THE CITY OF WESLACO, TEXAS:**

That the City of Weslaco wishes to enter into an agreement with the State of Texas, acting by and through the Texas Department of Transportation for temporary closure of a street for public event.

That the closure of **Texas Boulevard from Business 83 to 6th St. for the Weslaco Centennial Celebration from Saturday, December 7, 2019 at 1:00 p.m. until Sunday, December 8, 2019 at Midnight.**

That all rules and procedures of 43 Tex., Adm. Code, Section 22.12 have been established for the temporary closure of a segment of the State highway system and this agreement has been developed in accordance with the rules and procedures.

This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 3rd day of December 2019 by the City Commissioners of the City of Weslaco, Texas.

CITY OF WESLACO

DAVID SUAREZ, MAYOR

ATTEST:

MYRA L. AYALA GARZA, CITY SECRETARY

APPROVED AS TO FORM:

JUAN E GONZALEZ, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-15	
From:			
Subject: Approval on Interlocal Agreement with the Weslaco Independent School District for the use of various softball fields and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)			
Background: Weslaco ISD has requested to use the Softball Fields at Harlon Block Park for their Middle School Softball program beginning in January and running through February of this year. The City will maintain fields and prepare for game play as per WISD schedule. WISD will provide the game administration, security, custodial support, field paint and chalk for marking the fields.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Omar Rodriguez		Created/Initiated	
Omar Rodriguez		New	
Mike Perez			
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: 2019 Middle School Softball Schedule, HBP Aerial View, Interlocal Agreement WISD HBP Softball Field Use			
Responsibilities upon Approval:			

2018-19 SOFTBALL 7TH/8TH Grade Master Schedule

TOURNAMENTS:			2019 JANUARY	17-	19						
		7 TH	EDCOUCH ELSA								
		8 TH	WESLACO								
TOURNAMENTS:			2019 FEBRUARY	7-	9						
		7 TH	DONNA								
		8 TH	MERCEDES								
Team listed 2nd italicized is the HOME team.											
	SATURDAY-JANUARY 12, 2019				TUESDAY-JANUARY 15, 2019				THURSDAY-JANUARY 17, 2019		
F2	AP Solis	VS	B Garza	F2	Sauceda	VS	B Garza		Cuellar	VS	Sauceda
	Chacon	VS	EE		Mary Hoge	VS	EE		AP Solis	VS	Chacon
F3	Todd	VS	Mary Hoge	F3	Todd	VS	Cuellar		Central	VS	Todd
F4	Harrell	VS	Cuellar	F4	Chacon	VS	Central	F4	Veterans	VS	Mary Hoge
	Central	VS	Veterans		Veterans	VS	Harrell		B Garza	VS	Harrell
	BYE-Sauceda				BYE-AP Solis				BYE- EE		
	THURSDAY-JANUARY 24, 2019				THURSDAY-JANUARY 31, 2019				TUESDAY-FEBRUARY 5, 2019		
	Sauceda	VS	Chacon	F3	Sauceda	VS	Mary Hoge	F2	Sauceda	VS	Central
	Mary Hoge	VS	AP Solis		Harrell	VS	AP Solis		AP Solis	VS	Todd
	Cuellar	VS	EE		EE	VS	Todd		EE	VS	Harrell
F4	Veterans	VS	B Garza		Chacon	VS	Veterans	F3	Veterans	VS	Cuellar
	Central	VS	Harrell	F4	Central	VS	B Garza	F4	Chacon	VS	B Garza
	BYE-Todd				BYE-Cuellar				BYEMaryHoge		
	THURSDAY-FEBRUARY 7, 2019				TUESDAY-FEBRUARY 12, 2019				THURSDAY-FEBRUARY 21, 2019		
	Sauceda	VS	AP Solis		EE	VS	Sauceda		Todd	VS	Sauceda
	EE	VS	Veterans	F3	AP Solis	VS	Central		AP Solis	VS	EE
	B Garza	VS	Todd		Todd	VS	Veterans		Cuellar	VS	Chacon
F3	Cuellar	VS	Central	F4	Mary Hoge	VS	Cuellar	F4	B Garza	VS	Mary Hoge
F4	Harrell	VS	Mary Hoge		Harrell	VS	Chacon				
	BYE-Chacon				BYE-B Garza				BYE-Veterans	Harrel	Central

GAME TIMES: Week day games 5:00 PM Saturday games 10:00 AM

WISD GAME LOCATION: HBP = Harlon Block Sports Complex Park 1020 W 18th St.

FIELD ASSIGNMENT: F2 (FIELD 2) F3 (FIELD 3) F4 (FIELD 4) See attachment

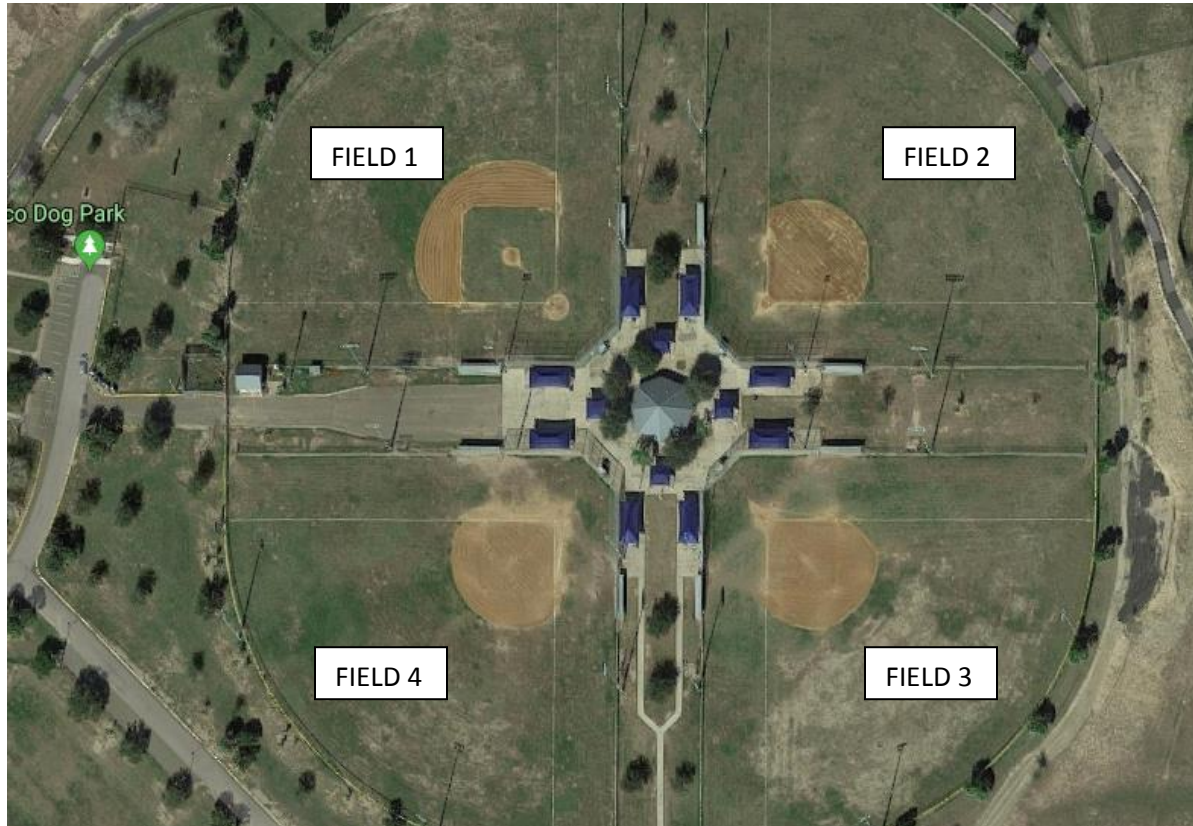


Weslaco East Athletic Trainer Coverage



Weslaco High School Athletic Trainer Coverage

NORTH



SOUTH

INTERLOCAL AGREEMENT

This Agreement is entered into between the Weslaco Independent School District ("WISD" or the "District") and the City of Weslaco, Texas ("the City"). The parties are authorized by the Interlocal Cooperation Act, Texas Government Code Chapter 791 to enter into cooperative agreements with other local government entities of the State of Texas for the purpose of fulfilling and implementing their respective public and governmental purposes, needs, objectives, and programs.

The facilities that are the subject of this Agreement are the City's designated baseball/softball fields, which are part of the City's public park system, located at Harlon Block Park located at 18th Street in Weslaco, Texas (herein the "Facility") which are identified in **Exhibit A**. The purpose of this agreement is to provide the terms and conditions for the use of the Facility by WISD. The services that are the subject of this agreement are a governmental function.

The parties have determined that this Agreement is in the best and public interest of the parties and their respective constituents.

I. Terms of Use

The parties agree as follow:

1. The City's Obligations:

- a. The City will allow WISD access to and exclusive use of the designated softball field(s) located at the Facility for UIL softball events on the following dates:
 - i. January 16, 18, 19, and 25, 2017
 - ii. February 1, 8, 15, 22, and 27, 2017
 - iii. March 1, and 5, 2017
- b. The City will maintain and drag the fields in its usual and customary fashion.

2. WISD's Obligations:

- a. WISD will assign the following personnel to the Facility on the days in which WISD will have exclusive use of the Facility: an Administrator in Charge; a Security Guard, a Custodian and any other personnel needed by the WISD to facilitate baseball or softball games;
- b. WISD will be responsible for striping the field(s) the day of use;
- c. WISD will maintain and clean the Facility immediately after use.

II. General Provisions

2.1 **Nondiscrimination.** None of the parties shall discriminate against any person on the basis of race, religion, gender, creed, or national origin.

2.2 **Independent Contractor/No Partnership Created.** Nothing contained in this agreement shall be deemed or construed by any party hereto or by any third party as creating the relationship of principal and agent or of partnership or joint venture between the parties hereto, it being understood and agreed that neither any provision herein nor any acts of the parties shall create any relationship between the parties other than that of independent contractors to the District.

2.3 **Sovereign Immunity.** It is expressly understood and agreed that, in the execution of the agreement, neither party waives, nor shall be deemed hereby to waive, any immunity or defense that would otherwise be available to it against claims arising in the exercise of governmental powers and functions.

2.4 **Amendment.** The Parties to this agreement acknowledge that it may be necessary to amend and/or modify this agreement from time to time in order to address additional concerns or issues that arise as the program progresses. However, no amendment, modification or alteration of the terms of this agreement shall be binding unless the same is in writing, dated subsequent to the date hereof and duly executed by an authorized representative of the parties hereto.

2.5 **Governance.** This agreement will be governed by state and federal laws and regulations, school district, and TSTC policies and requirements.

2.6 **Texas Law To Apply.** This agreement shall be construed under and in accordance with the laws of the State of Texas and all obligations of the parties created hereunder are performable in Hidalgo County, Texas.

AGREED:

Isidoro Nieto,
WISD Board President
319 West Fourth Street
Weslaco TX 78596

(Date)

David Suarez
Mayor of the City of Weslaco, Texas

(Date)



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2930	
From:			
Subject: Discussion and consideration to accept the resignation of Juan M. Hernandez from the Library Board and approve Resolution 2019-80 appointing one member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Arnold Becho Mike Perez		Created/Initiated New	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Resignation Juan M. Hernandez, Library Board as of 42519, R2019-80 Library Board unexpired term			
Responsibilities upon Approval: Execute and retain.			

Adelaida Vega

From: Patti Avila
Sent: Monday, November 18, 2019 4:12 PM
To: Adelaida Vega
Cc: Arnoldo Becho; Martin J. Mata
Subject: FW: Letter of Resignation

Importance: High

Hi Aida,

Please see Juan M. Hernandez resignation from the Library Board below. Thank you.

Patti
Secretary
Weslaco Public Library
525 S. Kansas Ave.
Weslaco, TX 78596
Tel: 956-973-3137
Fax: 956-973-1641
Email: pavila@weslacopl.us

From: Martin J. Mata <mjmata@weslacopl.us>
Sent: Monday, November 18, 2019 2:09 PM
To: Arnoldo Becho <abecho@weslacopl.us>
Cc: Patti Avila <pavila@weslacopl.us>; Mary Garcia <mgarcia@weslacopl.us>
Subject: FW: Letter of Resignation
Importance: High

From: Juan Hernandez <sargentrico17@yahoo.com>
Sent: Monday, November 18, 2019 1:36 PM
To: Martin J. Mata <mjmata@weslacopl.us>
Subject: Letter of Resignation

This is to inform that i Mr. Juan M. Hernandez will be resigning from the Library Board. It has been an honor serving but i can no longer fulfil my commitment. Thank You.

LIBRARY BOARD

TERM EXPIRES	FIRST NAME	LAST NAME
5/7/2021	Juan	Hernandez
5/7/2021	Paula	Villanueva
3/5/2021	Christine	Warren
3/5/2021	Luciano "Chano"	Garza
3/5/2021	Idolina	Garcia

Revised 42519 mv

FYI – Mr. Juan Hernandez submitted a letter of resignation via email dated November 18, 2019.

As of today November 20, 2019, no applicants on file.

RESOLUTION NO. 2019-81

**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 _____ is appointed to serve an unexpired term on the Library Board and the term will begin on _____, 2019 and end on _____, 20____.

PASSED AND APPROVED on this 3rd day of December 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2886	
From:			
Subject: Discussion and consideration on Resolution 2019-81 appointing three members to expired terms on the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Resolution			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: EDC Board of Directors, Juan J Serrano - Intent of continued interest, R2019-81 EDC Board Member - three (3) members with expired terms			
Responsibilities upon Approval: Execute and retain.			

ECONOMIC DEVELOPMENT CORPORATION OF WESLACO BOARD OF DIRECTORS

LAST NAME	FIRST NAME	APPOINTED	RE- APPOINTED	EXPIRATION	TERM	
Talbert	Rick	12/2/2014	11/1/2016	12/2/2019	3 year	
Olivarez	Joe	12/2/2014	11/1/2016	12/2/2019	3 year	
Valadez	Benita	12/2/2018		12/2/2021	3 year	
Serrano	Juan Jose	03/05/2019	Fill unexpired term	12/2/2019	3 year	
Charlton	G. Stephen	12/2/2014	11/21/17	12/2/2020	3 year	
Fuentes-Aguilar	Diana	12/2/2014	11/21/17	12/2/2020	3 year	
Cabaza	Cynthia	12/2/2014	11/21/17	12/2/2020	3 year	

As of 110718 mv

*Juan Jose Serrano, Jr., appointed on 3/05/19, serving unexpired term for Rodolfo Cisneros

Adelaida Vega

From: Juan J. Serrano <JJSerrano@weslacoedc.com>
Sent: Thursday, October 24, 2019 2:16 PM
To: Adelaida Vega; Myra Ayala
Subject: Fw: JJ Serrano - EDCW Term

Ms. Ayala & Ms. Vega,

I apologize for leaving you off the e-mail below. I would really appreciate if you included this in an upcoming City Commission Meeting. Please let me know if you have any questions or concerns.

Thanks,

JJ Serrano Jr.

Board Member

Economic Development Corporation of Weslaco (EDCW)

c:(956)975-8933

JJSerrano@weslacoedc.com

From: Juan J. Serrano
Sent: Tuesday, September 24, 2019 4:32 PM
To: david.suarez@weslacotx.gov; gkerr@weslacotx.gov; jprodriguez@weslacotx.gov; letty.lopez@weslacotx.gov; leo.munoz@weslacotx.gov; josh.pedraza@weslacotx.gov
Cc: Marie McDermott
Subject: JJ Serrano - EDCW Term

Mayor & Weslaco City Commissioners,

I would like to thank you for appointing me to serve an unexpected term on the Board of Directors of the EDCW. My unexpected term is set to expire on December 2, 2019. I have enjoyed the honor of serving our great city in this role and respectfully request your consideration in appointing me to a new/full term.

Please let me know if you have any questions or concerns. Thank you!

JJ Serrano Jr.
Board Member
Economic Development Corporation of Weslaco (EDCW)
c:(956)975-8933
JJSerrano@weslacoedc.com

RESOLUTION NO. 2019-81

**A RESOLUTION OF THE CITY OF WESLACO APPOINTING
THREE MEMBERS TO THE BOARD OF DIRECTORS OF THE
ECONOMIC DEVELOPMENT CORPORATION OF WESLACO**

WHEREAS, the City of Weslaco has established the Economic Development Corporation pursuant to the Development Corporation Act of 1979 as amended; and

WHEREAS, the term for a member on this board of this corporation is for three years; and

WHEREAS, The Economic Development Corporation of Weslaco's board members shall serve staggered terms without compensation and limited to two (2) consecutive three (3) year terms; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS the following individuals are appointed to serve expired terms on the Board of Directors of the Economic Development Corporation of Weslaco.

<u>NAME</u>	<u>TERM ENDING</u>
_____	12//2022
_____	12//2022
_____	12//2022

PASSED AND APPROVED on this 3rd day of December 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2909	
From: Rebekah De La Fuente			
Subject: Discussion and consideration on Ordinance 2019-50 to convert the twenty- foot alley running between Lots 1-20, Block 4, Gonzalez Addition into a utility easement and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-50. Possible action. (This item was tabled November 19, 2019; staffed by Planning and Code Enforcement Department.)			
Background: The proposed conversion is being requested by Vantage Bank, to allow the bank use of the alley for a proposed expansion to their parking lot to the east.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Rebekah De La Fuente		Created/Initiated	
Rebekah De La Fuente		Approved	
Mike Perez		Final Approval	
City Manager Comments: Still meeting and hope to have a resolution and recommendation by city commission meeting.			
Staff Recommendation: Staff recommends denial based on opposition from surrounding property owners.			
Attachments, if any: Correspondence with Utility Companies, Hold Harmless Statement, Applicant and Consent Forms, Metes and Bounds, Proposed Deed, Site Plan, O2019-50 Alley to Utility Easement Conversion			
Responsibilities upon Approval: Staff will advise applicant.			

Juan Molina

From: Humberto Garza <hgarza@rgec.net>
Sent: Friday, September 20, 2019 9:19 AM
To: 'Irma Rodriguez'; 'Juan Molina'
Subject: FW: [EXTERNAL] RE: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

From: Javier Gutierrez [mailto:javier@rgec.net]
Sent: Thursday, September 19, 2019 7:42 AM
To: 'Humberto Garza'; rgutierrez@rgec.net
Subject: FW: [EXTERNAL] RE: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

Response from AEP...

Regards,

Javier Gutiérrez

R. Gutierrez Engineering Corporation
Firm Number: F-486
130 East Park Avenue
Pharr, Texas 78577
(956)782-2557
Email: javier@rgec.net

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From: Mario G Campos Jr. <mgcamosjr@aep.com>
Sent: Wednesday, September 18, 2019 2:47 PM
To: javier@rgec.net
Cc: Francisco R Gonzalez <frgonzalez@aep.com>
Subject: RE: [EXTERNAL] RE: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

Good afternoon Mr. Gutierrez,
On behalf of AEP Right of Way, I'll be assisting with this abandonment request.
Any questions or comments on this matter, you may direct them to me. Thank you and I'll keep you posted on the status

Respectfully,



MARIO G CAMPOS JR. | RIGHT OF WAY AGENT
MGCAMPOSJR@AEP.COM | D:956.626.2617
1401 EAST BUSINESS HIGHWAY 77, SAN BENITO, TX 78586

From: Francisco R Gonzalez <frgonzalez@aepcom>
Sent: Tuesday, September 17, 2019 4:45 PM

To: Mario G Campos Jr. <mgcamposjr@aep.com>

Subject: FW: [EXTERNAL] RE: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

Mario,

This is in your area.

Thanks,



FRANCISCO R GONZALEZ | RIGHT OF WAY AGENT

FRGONZALEZ@AEP.COM | D:956.283.2351 | C:956.223.9748
5700 NORTH CAGE BLVD., PHARR, TX 78577-7921

From: Javier Gutierrez <javier@rgec.net>

Sent: Tuesday, September 17, 2019 4:05 PM

To: everardo.balboa@onegas.com; 'Martinez, Miguel A.' <Miguel.Martinez@onegas.com>; Lucy Salinas <LS7555@ATT.COM>; Rolando Rodriguez <rolando.rodriguez@charter.com>; Francisco R Gonzalez <frgonzalez@aep.com>; pgarcia@weslacotx.gov

Cc: rgutierrez@rgec.net; 'Humberto Garza' <hgarza@rgec.net>

Subject: [EXTERNAL] RE: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

This is an **EXTERNAL** email. **STOP. THINK** before you **CLICK** links or **OPEN** attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to incidents@aep.com from a mobile device.

To all,

Please acknowledge receipt of email sent on 9/10/2019, which was sent as notification / advisement that the City of Weslaco is considering a request by Vantage Bank to convert an existing 20' alley to a "utility easement".

Regards,

Javier Gutiérrez

R. Gutierrez Engineering Corporation

Firm Number: F-486

130 East Park Avenue

Pharr, Texas 78577

(956)782-2557

Email: javier@rgec.net

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From: Javier Gutierrez <javier@rgec.net>

Sent: Tuesday, September 10, 2019 4:46 PM

To: 'everardo.balboa@onegas.com' <everardo.balboa@onegas.com>; 'Martinez, Miguel A.'

<Miguel.Martinez@onegas.com>; Lucy Salinas (LS7555@ATT.COM) <LS7555@ATT.COM>; Rolando Rodriguez

(<rolando.rodriguez@charter.com>) <rolando.rodriguez@charter.com>; 'frgonzalez@aep.com' <frgonzalez@aep.com>;

'pgarcia@weslacotx.gov' <pgarcia@weslacotx.gov>

Cc: 'rgutierrez@rgec.net' <rgutierrez@rgec.net>; 'Humberto Garza' <hgarza@rgec.net>

Subject: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

To All,

This is to notify you that the City of Weslaco is considering a request by Vantage Bank to convert a 20' alley, shown in the attached 'site plan sheet', to a utility easement.

Utilities owned by your respective companies have been identified as existing in this alley.

Lucy / Rolando, please forward to the appropriate personnel within your company.

Regards,

Javier Gutiérrez

R. Gutierrez Engineering Corporation

Firm Number: F-486

130 East Park Avenue

Pharr, Texas 78577

(956)782-2557

Email: javier@rgec.net

This email and any files transmitted with it contain information belonging to the office of R. Gutierrez Engineering Corporation which is confidential and/or legally privileged. This information is intended only for the individual or entity to whom this email is addressed. If you are not the named recipient, you are hereby notified that any disclosure, copying, distributing or taking of this information for any use whatsoever is strictly prohibited. If you receive this message in error, please notify the sender at (956)782-2557 or by email at office@rgec.net and delete this message immediately from your computer. Thank you...

Juan Molina

From: Humberto Garza <hgarza@rgec.net>
Sent: Wednesday, September 18, 2019 9:29 AM
To: 'Irma Rodriguez'; 'Juan Molina'
Subject: FW: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

SEE BELOW for all intended purposes

From: Javier Gutierrez [mailto:javier@rgec.net]
Sent: Tuesday, September 17, 2019 4:05 PM
To: everardo.balboa@onegas.com; 'Martinez, Miguel A.'; Lucy Salinas; Rolando Rodriguez; frgonzalez@aep.com; pgarcia@weslacotx.gov
Cc: rgutierrez@rgec.net; 'Humberto Garza'
Subject: RE: Vantage Bank - Alley To Be Abandoned and Replaced by Utility Easement

To all,

Please acknowledge receipt of email sent on 9/10/2019, which was sent as notification / advisement that the City of Weslaco is considering a request by Vantage Bank to convert an existing 20' alley to a "utility easement".

Regards,

Javier Gutiérrez

R. Gutierrez Engineering Corporation
Firm Number: F-486
130 East Park Avenue
Pharr, Texas 78577
(956)782-2557
Email: javier@rgec.net

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From: Javier Gutierrez <javier@rgec.net>
Sent: Tuesday, September 10, 2019 4:46 PM
To: 'everardo.balboa@onegas.com' <everardo.balboa@onegas.com>; 'Martinez, Miguel A.' <Miguel.Martinez@onegas.com>; Lucy Salinas (LS7555@ATT.COM) <LS7555@ATT.COM>; Rolando Rodriguez (rolando.rodriguez@charter.com) <rolando.rodriguez@charter.com>; 'frgonzalez@aep.com' <frgonzalez@aep.com>; 'pgarcia@weslacotx.gov' <pgarcia@weslacotx.gov>
Cc: 'rgutierrez@rgec.net' <rgutierrez@rgec.net>; 'Humberto Garza' <hgarza@rgec.net>
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Regards,

Javier Gutiérrez

R. Gutierrez Engineering Corporation

Firm Number: F-486

130 East Park Avenue

Pharr, Texas 78577

(956)782-2557

Email: javier@rgec.net

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HOLD HARMLESS AND INDEMNITY

VANTAGE BANK agrees to hold the CITY OF WESLACO, its officers, agents, officials, employees, and volunteers ("City") harmless against any and all loss, liability, damage, costs, and expenses which Vantage Bank or any person participating in activities on City property under this agreement may suffer, incur, be put to, pay or expend by reason of, or arising out of or as a result of the conversion of the alley into an utility easement described as Gonzales Addition- Part 4, Survey Plat and Metes and Bounds attached hereto as Exhibit "A" and "B" made a part hereof.

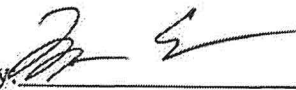
VANTAGE BANK shall indemnify, and hold harmless the CITY OF WESLACO and its officers and employees, from and against any and all actions, suits, proceedings, claims, demands, losses, costs and expenses, including legal costs and attorneys' fees, for injury to persons (s) or damages to property (including property owners by the CITY OF WESLACO, and for errors and omissions committed by VANTAGE BANK, its officers, employees, and agents, arising out of or relating to VANTAGE BANK's performance with the Application for Conversion of an Alley into a Utility Easement.

VANTAGE BANK hereby further grant CITY OF WESLACO, a reserved Utility Easement for the right to use the alleyway for any purpose that does not interfere with the City's Reserved Easement for ingress and egress its rights in the alleyway for facilities to go through, over and across, to and from the property attached hereto. VANTAGE BANK will further grant access its parking lot while utility companies service the utilities.

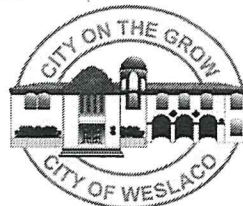
By signing below we acknowledge and agree to indemnify and hold harmless CITY OF WESLACO, and its employees, from and any loss that may be incurred relating to the abandonment of Alley restrictions and encroachments on the property.

Dated: October 8, 2019

VANTAGE BANK

By 
Authorized Representative

"The City on the Grow"



Location of Proposed Abandonment: Kansas Ave.
 Lot: 11-20 Block: 4 Addition: Gonzalez
 Type of Easement to be Abandoned: Alley
 Reason property should be vacated/abandoned: _____

APPLICANT: R. Gutierrez Engineering Corp.
ADDRESS: 130 E. Park Avenue, Pharr, TX 77577
PHONE NO.: (956) 782-2557 FAX NO. (956) 782-2558
E-MAIL ADDRESS: hgarza@rgec.net

Rain Singh
Applicant

(Make copies as needed)

Please do not alter this application.

Hidalgo CAD**Property Search Results > 180551 VANTAGE BANK
TEXAS for Year 2019**

Tax Year: 2019

Property**Account**

Property ID:	180551	Legal Description:	GONZALEZ LTS 14-15 BLK 4
Geographic ID:	G5600-00-004-0014-00	Zoning:	RS
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Location

Address:	413 N KANSAS AVE WESLACO, TX 78596	Mapsco:	
Neighborhood:	GONZALEZ	Map ID:	CWL VOL 7 PG 10-A
Neighborhood CD:	G560000		

Owner

Name:	VANTAGE BANK TEXAS	Owner ID:	1140692
Mailing Address:	1801 S 2ND STREET MCALLEN, TX 78503-1353	% Ownership:	100.000000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$7,089	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$20,100	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$27,189	
(-) Ag or Timber Use Value Reduction:	-	\$0	

(=) Appraised Value:	=	\$27,189	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$27,189	

Taxing Jurisdiction

Owner: VANTAGE BANK TEXAS

% Ownership: 100.0000000000%

Total Value: \$27,189

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	APPRAISAL DISTRICT	0.000000	\$27,189	\$27,189	\$0.00
CWL	CITY OF WESLACO	0.666700	\$27,189	\$27,189	\$181.27
DR1	DRAINAGE DISTRICT #1	0.095100	\$27,189	\$27,189	\$25.86
GHD	HIDALGO COUNTY	0.580000	\$27,189	\$27,189	\$157.70
JCC	SOUTH TEXAS COLLEGE	0.178000	\$27,189	\$27,189	\$48.40
R02	ROAD DIST 02	0.000000	\$27,189	\$27,189	\$0.00
SST	SOUTH TEXAS SCHOOL	0.049200	\$27,189	\$27,189	\$13.38
SWL	WESLACO ISD	1.159700	\$27,189	\$27,189	\$315.31
Total Tax Rate:		2.728700			
Taxes w/Current Exemptions:					\$741.92
Taxes w/o Exemptions:					\$741.91

Improvement / Building

Improvement #1: RESIDENTIAL State Code: A1 Living Area: 816.0 sqft Value: \$7,089

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	WDLW - 3	DWD	1981	816.0
POR	PORCH (COVERED)	*		1981	56.0
STG	STORAGE	*		2013	128.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	L	LOT	0.1377	6000.00	50.00	120.00	\$20,100	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	\$7,089	\$20,100	0	27,189	\$0	\$27,189
2018	\$10,944	\$20,100	0	31,044	\$0	\$31,044
2017	\$10,944	\$20,100	0	31,044	\$0	\$31,044
2016	\$10,421	\$20,100	0	30,521	\$0	\$30,521
2015	\$10,421	\$20,100	0	30,521	\$0	\$30,521
2014	\$13,542	\$20,100	0	33,642	\$0	\$33,642
2013	\$13,490	\$15,000	0	28,490	\$0	\$28,490
2012	\$13,771	\$15,000	0	28,771	\$0	\$28,771
2011	\$14,052	\$15,000	0	29,052	\$0	\$29,052
2010	\$15,138	\$15,000	0	30,138	\$0	\$30,138
2009	\$15,434	\$15,000	0	30,434	\$0	\$30,434
2008	\$16,621	\$15,000	0	31,621	\$0	\$31,621
2007	\$17,287	\$11,100	0	28,387	\$0	\$28,387
2006	\$20,392	\$11,100	0	31,492	\$0	\$31,492

2005	\$20,594	\$11,100	0	31,694	\$0	\$31,694
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Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	2/1/2019	WD	WARRANTY DEED	SANCHEZ ANA T & NOE	VANTAGE BANK TEXAS			2984126
2	11/30/2004	WDV	WARRANTY DEED/VENDORS LIEN	MERCEDES NATIONAL BANK	SANCHEZ ANA T & NOE			1408622
3	4/6/2004	FCL	FORECLOSURE	SANCHEZ RENE	MERCEDES NATIONAL BANK			1319431

Tax Due

Property Tax Information as of 04/23/2019

Amount Due if Paid on: 

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
------	---------------------	---------------	----------	-----------------	--------------	-------------------------------	---------------	------------

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call (956) 381-8466

**ADJACENT PROPERTY OWNERS
CONSENT FOR CONVERSION OF AN ALLEY
INTO A UTILITY EASEMENT**

(Make copies as needed)

OWNER: Maria Elva Alaniz
Address: 110 E Agostadero St. Lot: _____
Phone No. 956 977 8422 Block: _____
Addition: _____

The undersigned, owner(s) of property abutting upon that portion of the alley named and described in Exhibits "A", **do hereby consent** to such conversion of an alley into a utility easement, and do hereby release the City of Weslaco from all claims for damages arising or growing out of such conversion. (Include the printed names and signatures of the owners of the property). The signatures must be notarized.

OWNER _____

OR

☒ I am the owner of the adjacent/underlying property and **DO NOT** consent to the conversion of the alley into a utility easement.

Reason I do not consent: No doy mi consentimiento porque
afectaria a mis clientes - consent not given because
it affects my clients.

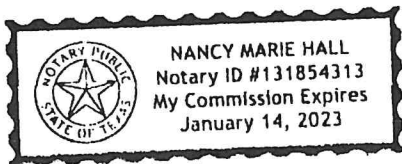
OWNER _____

THE STATE OF TEXAS §
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Maria Elva Alaniz, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12th day of September, A.D. 2019.

[Signature]
Notary Public In and For Hidalgo County, Texas





LAW OFFICE OF JUAN R. MOLINA

JUSTICE STARTS HERE

jmolina@rgv.rr.com

710 S. Texas Blvd.
P.O. Box 190
Weslaco, TX 78596

Ofc: (956) 968-7971
Fax: (956) 968-8045

September 5, 2019

CERTIFIED 7018 1830 0001 2265 41
RETURN RECEIPT REQUESTED

Mr. Ruben Moreno
P.O. Box 512
Weslaco, TX 78599

**RE: VANTAGE BANK PARKING RECONFIGURATION PROJECT
NOTICE OF APPLICATION FOR CONVERSION OF AN
ALLEY INTO A UTILITY EASEMENT**

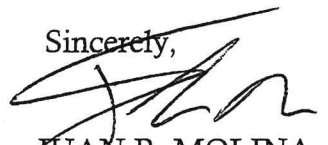
Dear Mr. Moreno:

Please be advised that we are writing this letter on behalf of R. Gutierrez Engineering Corporation. The Corporation is part of the design team tasked with the parking lot reconfiguration for Vantage Bank. Be further notified that a petition has been filed with the City of Weslaco Planning Department for the conversion of the adjacent alley into a utility easement.

The utility easement includes a requirement provision titled "Adjacent Property Owners Consent for Conversion of an Alley into a Utility Easement". Therefore, by signing and returning the document in accordance with the instruction set forth with the City of Weslaco, you may either "Consent" or "Do Not Consent" to the conversion request. Each property owner needs to sign the enclosed whether they want to accept the conversion or not.

Your prompt response to this letter is greatly appreciated. If you have any questions or need any information, please do not hesitate to contact us 956 968 7971.

Sincerely,



JUAN R. MOLINA

JRM:ir

7018 1830 0001 2265 6541
1459 5922 1000 0681 7010

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To <u>RUBEN MIRANO</u>	
Street and Apt. No., or PO Box No. <u>PO BOX 512</u>	
City, State, ZIP+4® <u>WESLACO, TX 78596</u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



UNIT CANNOT BE USED AT ANY OTHER POST OFFICE
OF THE RETURN ADDRESS OF THE MAIL
PLACE STICKER TOP OF THE MAIL

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Roman Moreno
P.O. Box 512
Mesilla, TX 76594



9590 9402 4380 8190 9440 35

2. Article Number (Transfer from service label)

701A 1A3D 0001 2265 6565

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒

☐ Agent

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- | | |
|--|---|
| ☐ Adult Signature | ☐ Priority Mail Express® |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail™ |
| ☐ Certified Mail® | ☐ Registered Mail Restricted Delivery |
| ☐ Certified Mail Restricted Delivery | ☐ Return Receipt for Merchandise |
| ☐ Collect on Delivery | ☐ Signature Confirmation™ |
| ☐ Collect on Delivery Restricted Delivery | ☐ Signature Confirmation Restricted Delivery |
| ☐ Insured Mail | |
| ☐ Insured Mail Restricted Delivery over \$500 | |

Domestic Return Receipt

JUAN R. MOLINA
Law Office of Juan R. Molina
710 S TEXAS BLVD
WESLACO TX 78596

CERTIFIED MAIL®



7018 1830 0001 2265 6565



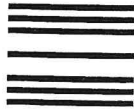
Mr. Ruben Moreno
PO Box 512
Weslaco TX 78599-0512

9/6

062S0006670252



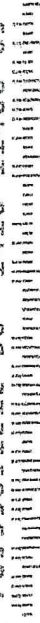
\$6.80
US POSTAGE
FIRST-CLASS
FROM 78596
SEP 05 2019
stamps
endicia



UNABLE TO FORWARD/FOR
782 AE 1840N C0009/19/19
REVIEW **B006**

#WD
78599-0512

BC: 78599051212 DU *1410-11466-05-43



Juan Molina

From: Juan Molina <jmolina@rgv.rr.com>
Sent: Monday, October 14, 2019 3:20 PM
To: 'rmoreno.associates@gmail.com'
Cc: 'hgarza@rgec.net'
Subject: VANTAGE BANK ALLEY WAY ABANDONMENT
Attachments: RUBEN MORENO CONSENT.pdf

Mr. Ruben Moreno

**RE: VANTAGE BANK PARKING RECONFIGURATION PROJECT
NOTICE OF APPLICATION FOR CONVERSION OF AN ALLEY INTO A UTILITY
EASEMENT**

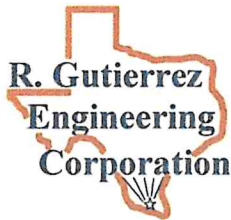
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Juan R. Molina
LAW OFFICE OF JUAN R MOLINA
P.O. Box 190
Weslaco, TX 78599-0190
Ofc (956) 968-7971
Fax (956) 968-8045
Email: jmolina@rgv.rr.com
Cell: (956) 532-8881

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Professional Engineers & Land Surveyors

130 E. PARK AVENUE • PHARR, TEXAS 78577

(TEL) 956-782-2557 • (FAX) 956-782-2558

Engineering Firm F - 486 • Surveying Firm #101650-00

ENG19.006
September 09, 2019

(EXHIBIT A)
METES AND BOUNDS DESCRIPTION
(20 FOOT ALLEY)

Being 0.126 of an acre of land comprising of 0.115 of an acre out of Block 4, Gonzales Addition to Weslaco, as per map recorded in Volume 6, Page 10A, Map Records of Hidalgo County, Texas and 0.011 of an acre out of Gonzales Addition-Part 4, Hidalgo County, Texas, as per map Recorded in Volume 12, Page 8, Map Records of Hidalgo County, Texas. Said 0.126 of an acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a No. 4 rebar found at the Northwest corner of Lot 10-A Gonzales Addition-Part 4, also being the existing East line of a 20 foot Alley for the Northeast corner of this tract of land and the **POINT OF BEGINNING**;

THENCE, South, with the existing East line of said 20 foot Alley and the West line of said Lot 10-B, a distance of 25.00 feet pass a No. 4 rebar set (with a plastic cap stamped RGEC) at the common corner of said Lot 10-B and Lot 11, Gonzales Addition to Weslaco, continuing South with the East line of said 20 foot Alley and the West Line of Lot 11 thru Lot 2, Gonzales Addition to Weslaco, a total distance of 275.00 feet to an "X" cut on concrete set at the Southwest corner of Lot 20, Gonzales Addition to Weslaco for the Southeast corner of this tract of land;

THENCE, West, a distance of 20.00 feet to an "X" cut on concrete found at the existing West line of said 20 foot Alley, also being the Southeast corner of Lot 1, Gonzales Addition to Weslaco for the Southwest corner of this tract of land;

THENCE, North, with the existing West line of said 20 foot Alley, also being the East line of Lot 1 thru Lot 10, Gonzales Addition to Weslaco, a distance of 250.00 feet pass a No. 4 rebar set (with a plastic cap stamped RGEC) at the common corner of said Lot 10 and Lot 10-A, Gonzales Addition-Part 4, continuing with the existing East line of said 20 foot alley and the East line of Lot 10-A, Gonzales Addition-Part 4 for a total distance of 275.00 feet to a No. 4 rebar found at the Northeast corner of Lot 10-A, Gonzales Addition-Part 4 for the Northwest corner of this tract of land;

THENCE, East, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 0.126 of an acre of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby state that the above metes and bounds are true and are the result of an actual survey performed on the ground under my direction.

PRELIMINARY-SUBJECT TO REVISION

Pablo Soto, Jr. – R.P.L.S. No. 4541

Date: _____



SCALE: 1"=40'

Basis of Bearing

EAST 20.00'

P.O.B. N.E. CORNER OF LOT 10-B GONZALES ADD.-PART 4 W. LOS TORRITOS

GONZALES ADDITION-PART 4 VOL. 12, PG. 8, M.R.H.C. TX.

GONZALES ADDITION-PART 4 VOL. 12, PG. 8, M.R.H.C. TX.

N. TEXAS BLVD. (FM 88) (55' R.O.W.)

GONZALES ADDITION TO WESLACO VOL. 6, PAGE 10-A, M.R.H.C., TX.

GONZALES ADDITION TO WESLACO VOL. 6, PAGE 10-A, M.R.H.C., TX.

KANSAS AVENUE (60' R.O.W.)

- SX- SET "X" ON CONCRETE
- S4- SET No. 4 REBAR WITH PLASTIC CAP STAMPED RGCE
- FX- FOUND "X" ON CONCRETE
- F4- FOUND No. 4 REBAR

(EXHIBIT B) SURVEY PLAT OF

(20 FOOT ALLEY)

0.126 OF AN ACRE OF LAND COMPRISING OF 0.115 OF AN ACRE OUT OF BLOCK 4, GONZALES ADDITION TO WESLACO, AS PER MAP RECORDED IN VOLUME 6, PAGE 10A, M.R.H.C., TEXAS, AND 0.011 OF AN ACRE OUT OF GONZALES ADDITION-PART 4, HIDALGO COUNTY, TEXAS, AS PER MAP RECORDED IN VOLUME 12, PAGE 8, M.R.H.C., TEXAS.

SURVEY SHOWS ALL IMPROVEMENTS LOCATED ON THE LAND AND THAT THERE ARE NO ENCROACHMENTS, BOUNDARY CONFLICTS, PROTRUSIONS OR VISIBLE OR APPARENT EASEMENTS, EXCEPT AS SHOWN ON THE SURVEY PLAT.

WEST 20.00'

W. AGOSTADERS ST. (40' R.O.W.)

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE RESEARCH

PRELIMINARY SUBJECT TO REVISION

PABLO SOTO, JR. - R.P.L.S. No. 4541

Date: _____

I, Pablo Soto, Jr., hereby certify that this Survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey. Any certification expressed or implied herein is invalid without the original signature and seal of Pablo Soto, Jr. alteration of this document, except by a Licensed Land Surveyor, is illegal.

I, Pablo Soto, Jr., hereby state that this Survey was performed on the ground under my supervision and that this Survey correctly represents the facts found at the time of the survey.

G.F. No. N/A		Com.-Panel No.: 480349 0005 B	
FLOOD ZONE ☐ A ☐ AO ☐ C ☐ X ☒ AH ☐ B ☐ D ☐ OTHER		EFFECTIVE DATE: MARCH 4, 1990	
Description: Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no hazard factors are determined. BFE: 74.0			
Client: VANTAGE BANK	Mailing Address:	City:	State: TX Zip Code:



Professional Engineers & Land Surveyors

130 E. PARK AVENUE • PHARR, TEXAS 78577
(TEL) 956 782-2557 • (FAX) 956 782-2558
ENGINEERING FIRM No. 486 • SURVEYING FIRM No. 101650-00

Job No.: ENG19.006	FB:	Drawn By: RG
Date: 09/09/2019	PG:	Checked By: PS

ABANDONMENT and CONVEYANCE of ALLEYWAY

WHEREAS, they CITY OF WESLACO, (the "City") has received a request from VANTAGE BANK, L.L.C., a Texas limited liability company ("VANTAGE BANK") the owner of property adjacent to a 0.126 acre public alley right of way situated to Block 4, Gonzales Addition to Weslaco, according to the Map or Plat thereof recorded in Volume 6, Page 10A, Map Records of Hidalgo County, Texas, more particularly described in the attached Exhibit A (the "Alleyway"), that the City's interest in said Alleyway be abandoned and vacated, excluding any interest the City may have in any dedicated utility easements over and across said Alleyway, and conveyed to VANTAGE BANK, and,

WHEREAS, VANTAGE BANK is requesting said abandonment as the owner of that certain property more particularly described in the attached Exhibit B, which property is contiguous to the Alleyway requested to be abandoned; and,

WHEREAS, the City acting by and through the City Council, by an ordinance duly passed, approved and adopted that the City has no further use for said Alleyway and has deemed it advisable to vacate, abandon and convey the City's interest in said Alleyway; and,

WHEREAS, they City desires to declare and reserve for itself and its successors and assigns a perpetual, non-exclusive easement for underground utility lines (the "Reserved Easement") over the Alleyway; and,

WHEREAS, the City Council of City has authorized the undersigned officer to execute and deliver this Abandonment and Conveyance of Alleyway to evidence the vacation and abandonment of the City's interest in said Alleyway and to convey the Alleyway to VANTAGE BANK;

NOW, THEREFORE, The City, acting by and through the undersigned duly authorized officer, in consideration of the premises and agreements set forth in the Ordinance and pursuant to the Ordinance;

1. Vacates and abandons the Alleyway; and
2. Subject to the reservation from and exceptions to conveyance and warranty, grants, sells, and conveys to VANTAGE BANK the Alleyway, together with all and singular the rights and appurtenance thereto in any wise belonging, to have and to hold it to VANTAGE BANK, its heirs, executors, administrators, successors or assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) or excluded.

3. Declares and reserves for itself and its successors and assigns a permanent underground utility easement for the installation, maintenance, construction and reconstruction of utility lines, including but not limited to water, sewer, gas and telephone lines, and other type of public utilities (collectively, the "Facilities) and all related used and purposes common to same in, on, under, over and across the Alleyway..
4. The Reserved Easement is made subject to CITY OF WESLACO's right to use the Alleyway for any purpose that does not interfere with the City's Reserved Easement rights in the Alleyway, including, but not limited to, planting of ground cover and other landscaping in the alleyway, paving in the Alleyway (collectively, "Authorized Improvements") and using the alleyway for ingress and egress to and from the balance of VANTAGE BANK's real property. VANTAGE BANK may not, however, place any permanent structures on the Alleyway without the City's written consent. If the City must remove, or if the City damages or destroys, any of VANTAGE BANK's improvements placed in the Alleyway in connection with the City's enjoyment of the Reserved Easement granted herein, the City is not responsible to VANTAGE BANK for any damages to such improvements.

This conveyance is made and accepted subject to any and all conditions, covenants, easements and restrictions, if any, relating to the Alleyway, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Hidalgo County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other government authorities, if any, but only to the extent that they are in effect, relating to the Alleyway.

EXECUTED this ____ day of October, 2019.

CITY OF WESLACO, TEXAS

ATTEST:

By: _____

By: _____

Name: DAVID SUAREZ

Title: Mayor

APPROVED AS TO FORM

LAW OFFICE OF JUAN E. GONZALEZ

By: _____

JUAN E. GONZALEZ, City Attorney

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF HIDALGO §

BEFORE ME, the undersigned authority, on this _____ day of October, 2019, did personally appear DAVID SUAREZ, Mayor of the CITY OF WESLACO, TEXAS, a municipal corporation, who acknowledged this instrument and stated that he executed same on behalf of said CITY OF WESLACO.

Notary Public, State of TEXAS

AFTER RECORDING RETURN TO:

JUAN R. MOLINA
Attorney At Law
710 S. Texas Blvd./P.O. Box 190
Weslaco, Texas 78599

PREPARED IN THE LAW OFFICE OF:

JUAN R. MOLINA
Attorney at Law
710 S. Texas Blvd./P.O. Box 190
Weslaco, Texas 78599



Professional Engineers & Land Surveyors

130 E. PARK AVENUE • PHARR, TEXAS 78577

(TEL) 936-782-2557 • (FAX) 936-782-2558

Engineering Firm F-486 • Surveying Firm #101630-00

ENG19.006
September 09, 2019

(EXHIBIT A)
METES AND BOUNDS DESCRIPTION
(20 FOOT ALLEY)

Being 0.126 of an acre of land comprising of 0.115 of an acre being the 20 Foot Alley in Block 4, Gonzales Addition to Weslaco, as per map recorded in Volume 6, Page 10A, Map Records of Hidalgo County, Texas and 0.011 of an acre being the 20 Foot Alley in Block 4, Gonzales Addition-Part 4, an addition to the City of Weslaco, Hidalgo County, Texas, as per map Recorded in Volume 12, Page 8, Map Records of Hidalgo County, Texas. Said 0.126 of an acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a No. 4 rebar found at the Northwest corner of Lot 10-B, Block 4, Gonzales Addition-Part 4, also being the existing East Right of Way line of a 20 foot Alley for the Northeast corner of this tract of land and the **POINT OF BEGINNING**;

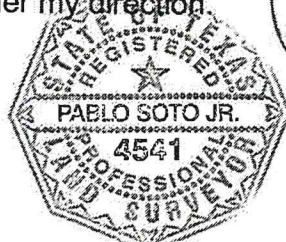
THENCE, South, with the existing East Right of Way line of said 20 foot Alley and the West line of said Lot 10-B, Block 4, a distance of 25.00 feet pass a No. 4 rebar set (with a plastic cap stamped RGEC) at the common corner of said Lot 10-B, Block 4 and Lot 11, Block 4, Gonzales Addition to Weslaco, continuing South with the East Right of Way line of said 20 foot Alley and the West Line of Lot 11 thru Lot 20, Block 4, Gonzales Addition to Weslaco, a total distance of 275.00 feet to an "X" cut on concrete set at the Southwest corner of Lot 20, Block 4, Gonzales Addition to Weslaco for the Southeast corner of this tract of land;

THENCE, West, a distance of 20.00 feet to an "X" cut on concrete found at the existing West Right of Way line of said 20 foot Alley, also being the Southeast corner of Lot 1, Block 4, Gonzales Addition to Weslaco for the Southwest corner of this tract of land;

THENCE, North, with the existing West Right of Way line of said 20 foot Alley, also being the East line of Lot 1 thru Lot 10, Block 4, Gonzales Addition to Weslaco, a distance of 250.00 feet pass a No. 4 rebar set (with a plastic cap stamped RGEC) at the common corner of said Lot 10, Block 4 and Lot 10-A, Block 4, Gonzales Addition-Part 4, continuing with the existing West Right of Way line of said 20 foot alley and the East line of Lot 10-A, Block 4, Gonzales Addition-Part 4 for a total distance of 275.00 feet to a No. 4 rebar found at the Northeast corner of Lot 10-A, Block 4, Gonzales Addition-Part 4 for the Northwest corner of this tract of land;

THENCE, East, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 0.126 of an acre of land, more or less.

I, Pablo Soto, Jr., a Registered Professional Land Surveyor in the State of Texas, do hereby state that the above metes and bounds are true and are the result of an actual survey performed on the ground under my direction.



Pablo Soto, Jr.
Pablo Soto, Jr. - R.P.L.S. No. 4541
Date: 9/12/19



SCALE: 1"=40'

Basis of
BearingEAST
20.00'P.O.B.
N.E. CORNER
OF LOT 10-B, BLK. 4
GONZALES ADD.-PART 4

LOS TORRITOS STREET

N. TEXAS BLVD. (FM 88) (55' R.O.W.)

GONZALES ADDITION-PART 4
VOL. 12, PG. 8, M.R.H.C. TX.
10-A, BLK. 4GONZALES ADDITION-PART 4
VOL. 12, PG. 8, M.R.H.C. TX.
10-B, BLK. 4GONZALES ADDITION
TO WESLACO
VOL. 6, PAGE 10A, M.R.H.C., TX.GONZALES ADDITION
TO WESLACO
VOL. 6, PAGE 10A, M.R.H.C., TX.

KANSAS AVENUE (60' R.O.W.)

SX- SET "X" ON CONCRETE
S4- SET No. 4 REBAR WITH
PLASTIC CAP STAMPED RGEC
FX- FOUND "X" ON CONCRETE
F4- FOUND No. 4 REBAR(EXHIBIT B)
SURVEY PLAT
OF

(20 FOOT ALLEY)

0.126 OF AN ACRE OF LAND COMPRISING OF
0.115 OF AN ACRE BEING THE 20 FOOT ALLEY IN BLOCK 4,
GONZALES ADDITION TO WESLACO,
AS PER MAP RECORDED IN
VOLUME 6, PAGE 10A, M.R.H.C., TEXAS,
AND0.011 OF AN ACRE BEING THE 20 FOOT ALLEY IN BLOCK 4,
GONZALES ADDITION-PART 4,
AN ADDITION TO THE CITY OF WESLACO,
HIDALGO COUNTY, TEXAS,
AS PER MAP RECORDED IN
VOLUME 12, PAGE 8, M.R.H.C., TEXAS.SURVEY SHOWS ALL IMPROVEMENTS LOCATED ON THE LAND AND THAT THERE
ARE NO ENCROACHMENTS, BOUNDARY CONFLICTS, PROTRUSIONS OR VISIBLE OR
APPARENT EASEMENTS, EXCEPT AS SHOWN ON THE SURVEY PLAT.

G.F. No. N/A	Com.-Panel No.: 480349 0005 B			
FLOOD ZONE ☐ A ☐ AO ☐ C ☐ X ☒ AH ☐ B ☐ D ☐ OTHER	EFFECTIVE DATE: MARCH 4, 1980			
Description: Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no hazard factors are determined. BFE: 74.0				
Client: VANTAGE BANK	Mailing Address: 1801 S. 2nd. STREET	City: McALLEN	State: TX	Zip Code: 78503



Professional Engineers & Land Surveyors

130 E. PARK AVENUE • PHARR, TEXAS 78577
(TEL) 956 782-2557 • (FAX) 956 782-2558
ENGINEERING FIRM No.: 486 • SURVEYING FIRM No.: 101650-00WEST
20.00'

AGOSTADERS ST. (40' R.O.W.)

THIS SURVEY WAS PREPARED WITHOUT
THE BENEFIT OF A TITLE RESEARCHPABLO SOTO, JR. - R.P.L.S. No.
4541

Date: 9/12/19

I, Pablo Soto, Jr., hereby certify that this Survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey. Any certification expressed or implied herein is invalid without the original signature and seal of Pablo Soto, Jr. alteration of this document, except by a Licensed Land Surveyor, is illegal.

I, Pablo Soto, Jr., hereby state that this Survey was performed on the ground under my supervision and that this Survey correctly represents the facts found at the time of the survey.

Job No.: ENG19.006	FB:	Drawn By: RG
Date: 09/09/2019	PG:	Checked By: PS

EXHIBIT "B"

LEGAL DESCRIPTION OF VANTAGE BANK'S PROPERTY

Tract One

All of Lots One (1) through Four (4) inclusive, and Twenty-Seven (27) through thirty-three (33) inclusive, Block Forty Three (43), ORIGINAL TOWNSITE of Weslaco, Hidalgo County, Texas, according to the map recorded in Volume 2, Page 30, Map Records in the Office of the County Clerk of Hidalgo County, Texas.

Tract Two

All of Lots One (1) through Eighteen (18), inclusive, Block Thirty-Two (32), ORIGINAL TOWNSITE of Weslaco, Hidalgo County, Texas, according to the map recorded in Volume 2, Page 30, Map Records in the Office of the County Clerk of Hidalgo County, Texas.

Tract Three

All of Lots One (1) through Six (6), inclusive, Block Thirty-Three (33), ORIGINAL TOWNSITE of Weslaco, Hidalgo County, Texas, according to the map recorded in Volume 2, Page 30, Map Records in the Office of the County Clerk of Hidalgo County, Texas.

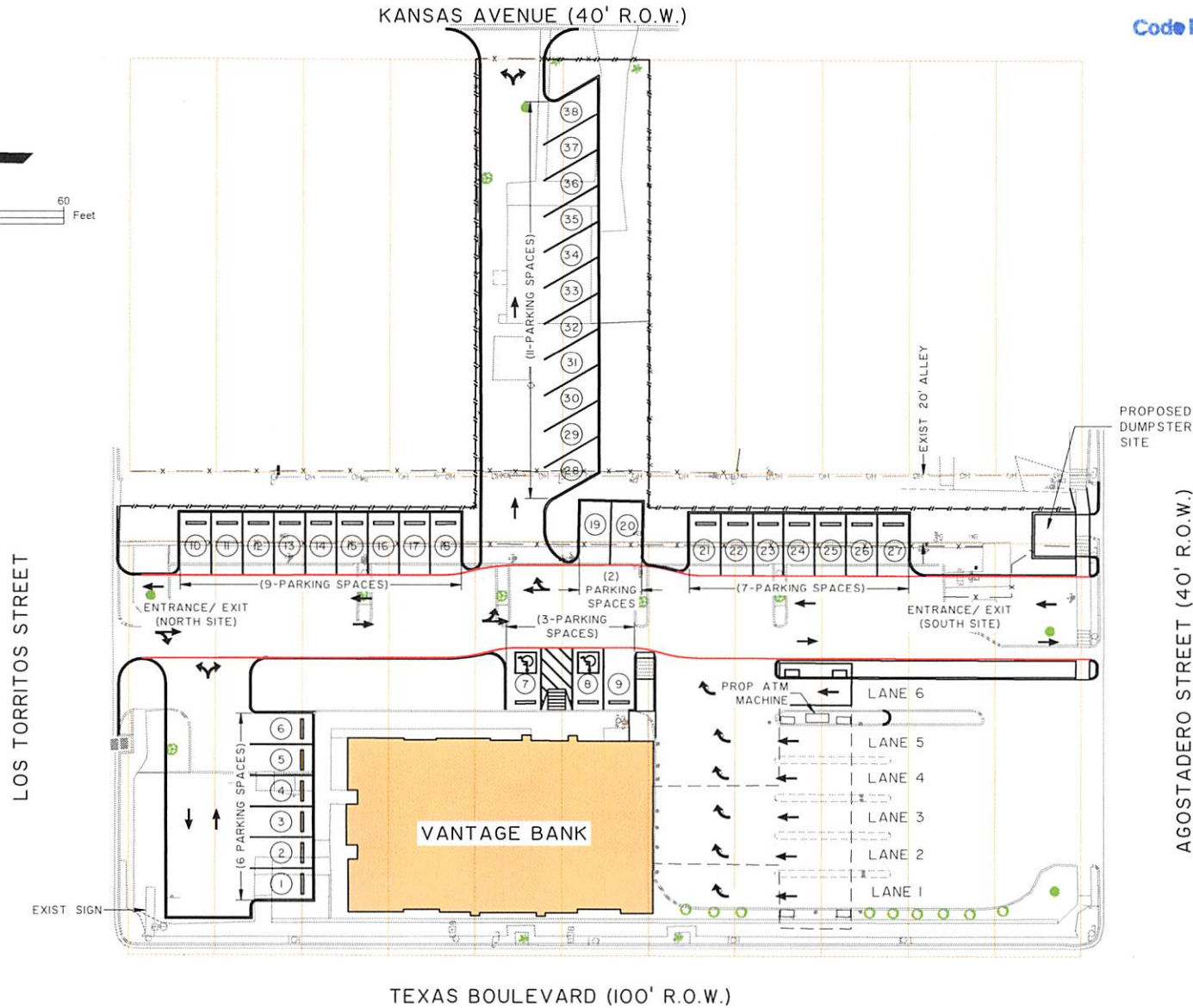
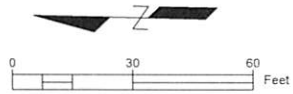
Tract Four

All of Lots One (1) through Ten (10), and Lot 10 A (10A) Block Four (4), GONZALEZ ADDITION to the City of Weslaco, Hidalgo County, Texas, according to the map recorded in Volume 7, Page 10A, Map Records in the Office of the County Clerk of Hidalgo County, Texas.

RECEIVED

NOV 13 2019

Planning &
Code Enforcement Dept.



Professional Engineers & Land Surveyors
R. J. JAMES, INC.
10000 W. 10th Street, Suite 100
Tulsa, Oklahoma 74107
(918) 438-1000
Firm No. 88

PRELIMINARY FOR REVIEW ONLY
These documents are for design review
and are not intended for construction. Bidding
and construction shall be under the supervision of
the engineer of record.
DANIEL GUTERREZ - 63349
Print Name Title Date

VANTAGE BANK
DRIVETHRU AND RENOVATION
OPTION -A
CITY OF WESLACO

SCALE AS SHOWN	DATE	BY
DATE: MARCH 10/8		
DESIGNED BY: RG		
DRAWN BY: RG		
CHECKED BY:		

SHEET
1

RECEIVED

NOV 13 2019

Planning &
Code Enforcement Dept.

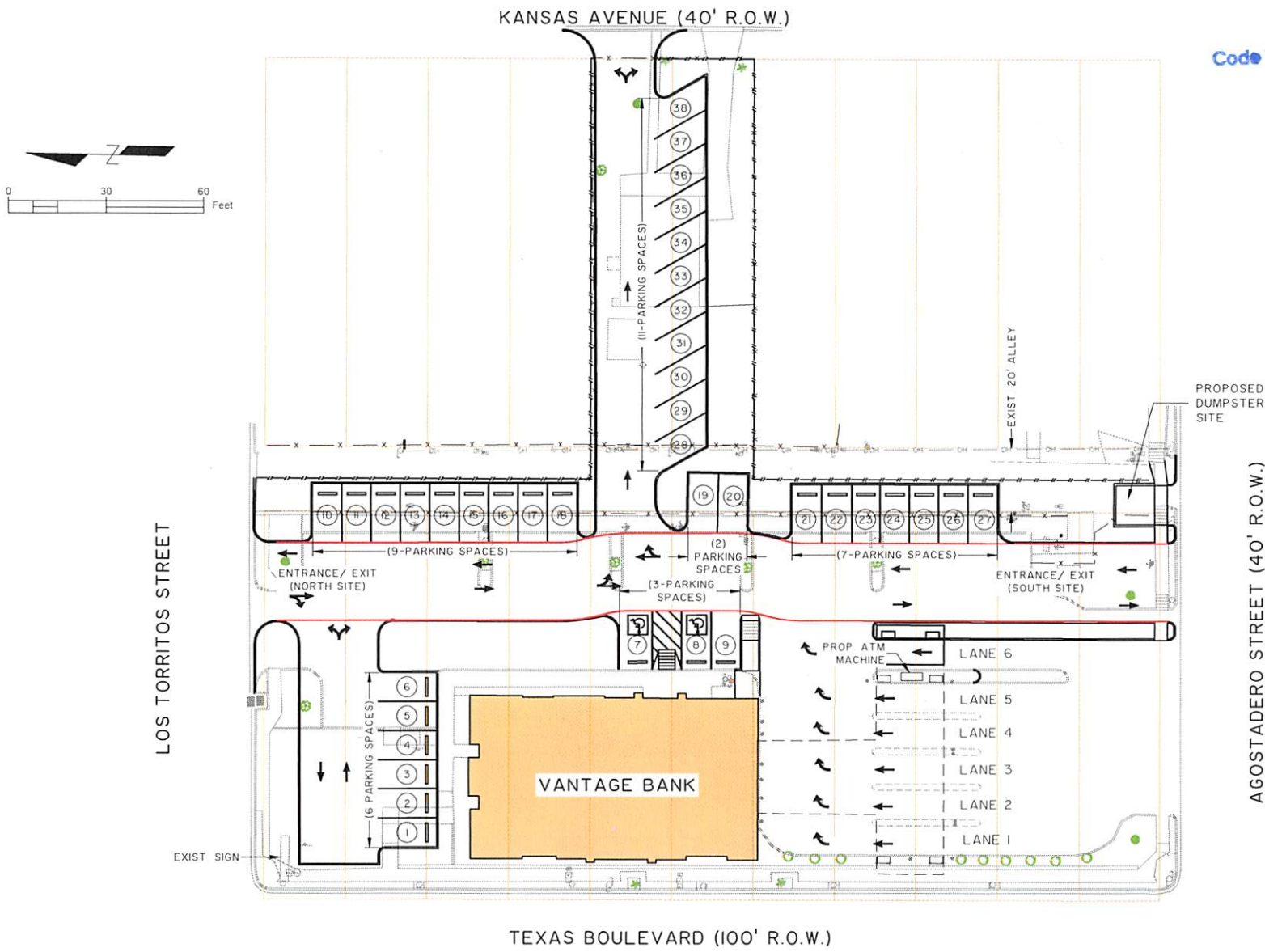
Professional Engineers & Land Surveyors
R. Gutierrez
131 E. PARK AVENUE - P.O. BOX 1057
WESLACO, TEXAS 77679
(TEL) 281-335-1000
FAX 281-335-1001
P.E. No. 106

PRELIMINARY FOR REVIEW ONLY
These documents are for design review
and are intended for construction. Bidding
and construction shall be prepared
by or under the supervision of:
RANCHO GUTIERREZ - 53345
Print Name Title Date

VANTAGE BANK
DRIVETHRU AND RENOVATION
OPTION - A
CITY OF WESLACO

SCALE & DATE	DATE	BY	REVISION	DATE	BY
SCALE: 1/8" = 1'-0"	DATE: MARCH 2019	BY: [Signature]	REVISION: [Signature]	DATE: [Signature]	BY: [Signature]
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	DATE: [Signature]	BY: [Signature]	DATE: [Signature]	BY: [Signature]

SHEET
1



ORDINANCE 2019-50

AN ORDINANCE TO CONVERT 20' X 250' ALLEY ALSO BEING 0.126-ACRE TRACT OF LAND LOCATED BETWEEN BLK 4 OF GONZALEZ ADDITION SUBDIVISION CREATING A 20' X 250' PUBLIC UTILITY EASEMENT; AND ORDAINING OTHER MATTER WITH RESPECT TO THE SUBJECT MATTER HEREOF.

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

SECTION I. It is in the interest of the City of Weslaco to convert 20' x 250' alley also being 0.126-acre tract of land located between Blk 4 of Gonzalez Addition Subdivision creating a 20' x 250' public right of way instead.

BEGINNING at a No. 4 rebar found at the Northwest corner of Lot 10-A Gonzales Addition- Part 4, also being the existing East line of a 20-foot Alley for the Northeast corner of this tract of land and the POINT OF BEGINNING;

THENCE, South, with the existing East line of said 20 foot Alley and the West line of said Lot 10-B, a distance of 25.00 feet pass a No. 4 rebar set (with a plastic cap stamped RGEC) at the common corner of said Lot 10-B and Lot 11, Gonzales Addition to Weslaco, continuing South with the East line of said 20 foot Alley and the West Line of Lot 11 thru Lot 2, Gonzales Addition to Weslaco, a total distance of 275.00 feet to an "X" cut on concrete set at the Southwest corner of Lot 20, Gonzales Addition to Weslaco for the Southeast corner of this tract of land;

THENCE, West, a distance of 20.00 feet to an "X" cut on concrete found at the existing West line of said 20 foot Alley, also being the Southeast corner of Lot 1, Gonzales Addition to Weslaco for the Southwest corner of this tract of land;

THENCE, North, with the existing West line of said 20 foot Alley, also being the East line of Lot 1 thru Lot 10, Gonzales Addition to Weslaco, a distance of 250.00 feet pass a No.4 rebar set (with a plastic cap stamped RGEC) at the common corner of said Lot 10 and Lot 10-A, Gonzales Addition-Part 4, continuing with the existing East line of said 20 foot alley and the East line of Lot 10-A, Gonzales Addition-Part 4 for a total distance of 275.00 feet to a No. 4 rebar found at the Northeast corner of Lot 10-A, Gonzales Addition-Part 4 for the Northwest corner of this tract of land;

THENCE, East, a distance of 20.00 feet to the POINT OF BEGINNING and containing 0.126 of an acres of land, more or less

SECTION II. The alley described above in Section I of this ordinance is hereby designated as a 20' x 250' Public Utility Easement.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 3rd day of December 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra Ayala, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2854	
From:			
Subject: Discussion and consideration to approve Ordinance 2019-44 amending Section 12 of Ordinance 397, to fix residential, commercial, and industrial garbage rates; providing an effective date; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-44. Possible action. (This item was tabled October 15, 2019 and no action on November 5, 2019; staffed by Finance Department.)			
Background: Republic Services submitted their annual CPI adjustment in the amount of 3.71% increase to all residential and commercial rates for garbage and brush. I reviewed their propose rate increases and the end result will be that the City will not realizing any net income. I am proposing for the City to increase their proposed rates by 5% in all categories in order to offset the cost and also to have a net income positive result. The last time that the city made overall rate increase was in 2011.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Ordinance - First Reading			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Aida Vega Vidal Roman Mike Perez		Created/Initiated New	
City Manager Comments: Met with Republic Services and waiting for response; may not have a recommendation until next regular commission meeting.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Republic Letter on increase, CPI rate increase Revenue, Proposed Rate, O2019-44 amend Commercial rates incr			
Responsibilities upon Approval:			

A budget amendment will be done to recognize the additional revenue anticipated with rate change.



PO Drawer 1217 La Feria, TX 78559
o 956.423.7316 f 956.428.2045 republicservices.com

August 1, 2019

Mike Perez, City Manager
City of Weslaco
Weslaco, TX 78596

Reference 2019 Consumer Price Index (CPI)

*Valid
new rates for
Republic
for Friday Nov*

Dear Mr. Perez,

In accordance with the solid waste agreement between the City of Weslaco and Allied Waste Services, we hereby submit our comparative statement justifying this notice for September 1, 2019.

2019-2020 CPI Calculation

Description	Water Sewer Trash
June-18	231.341
June-19	239.928
Index Change	8.587
Net %Change	3.71%
Effective Change @ 100%	3.71%
Rate % Increase	3.71%
CPI Cap 5.0%	5.00%

←
←

Residential Rates 2019-2020

Item	Description	Rates
1	Residential Service twice/week	\$ 9.80
2	Twice/month residential brush/bulky item service	\$ 6.12
3	Overfilled Front Load Container per yard fee	\$ 37.50

Commercial Rates 2019-2020

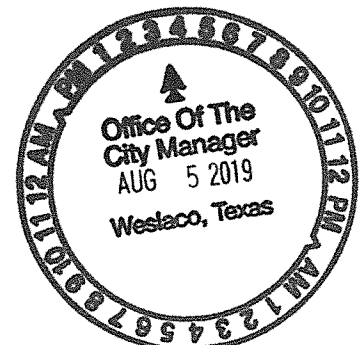
Container Size	1 x wk	2 x wk	3 x wk	4 x wk	5 x wk	6 x wk
2 cubic yard	\$ 75.14	\$ 137.74	\$ 200.34	\$ 262.99	\$ 325.57	\$ 386.80
3 cubic yard	\$ 86.84	\$ 159.21	\$ 231.59	\$ 303.97	\$ 376.32	\$ 448.69
4 cubic yard	\$ 98.44	\$ 180.57	\$ 262.70	\$ 344.85	\$ 425.46	\$ 509.14
6 cubic yard	\$ 124.06	\$ 225.71	\$ 327.38	\$ 429.07	\$ 530.72	\$ 632.38
8 cubic yard	\$ 145.47	\$ 266.64	\$ 387.89	\$ 509.08	\$ 630.27	\$ 751.49
30 cubic yard	Haul Rate	\$ 213.79	Tonnage Rate	\$ 45.91	Rental Rate	\$ 6.16

If you have any questions please contact me at 800-423-7316.

We Truly Appreciate Your Business!

Omar Rodriguez

Omar Rodriguez
Municipal Services Manager
Republic Services, Inc.



City of Weslaco's
Commercial Revenue
compared to Republics CPI increase

RATE COMPARISON - PROPOSED RATES COMPARED WITH REPUBLIC INCLUDING CIP INCREASE OCT --2019

SANITATION REVENUES		Ordinance City Rate	Republic Proposed Rate	Republic Incr (Decr)	Net to City's	CITY	REPUBLIC	NET
			3.71% CPI					
Commercial Rates								
Routes								
2 CY Bin	1	73.18	75.14	2.69	(1.96)	3,585.82	3,681.86	(96.04)
	2	133.06	137.74	4.93	(4.68)	798.36	826.44	(28.08)
	3	195.00	200.34	7.17	(5.34)	-	-	-
	4	254.28	262.99	9.41	(8.71)	-	-	-
	5	314.88	325.57	11.65	(10.69)	-	-	-
	6	375.47	386.80	13.84	(11.33)	-	-	-
3 CY Bin	1	84.57	86.84	3.11	(2.27)	10,486.68	10,768.16	(281.48)
	2	155.05	159.21	5.70	(4.16)	8,372.70	8,597.34	(224.64)
	3	225.54	231.59	8.28	(6.05)	18,268.74	18,758.79	(490.05)
	4	296.03	303.97	10.87	(7.94)	592.06	607.94	(15.88)
	5	366.49	376.32	13.46	(9.83)	1,099.47	1,128.96	(29.49)
	6	436.97	448.69	16.05	(11.72)	873.94	897.38	(23.44)
4 CY Bin	1	95.87	98.44	3.52	(2.57)	9,395.26	9,647.12	(251.86)
	2	175.85	180.57	6.46	(4.72)	8,616.65	8,847.93	(231.28)
	3	255.60	262.70	9.40	(7.10)	8,690.40	8,931.80	(241.40)
	4	336.28	344.85	12.34	(8.57)	1,008.84	1,034.55	(25.71)
	5	418.96	425.46	15.22	(6.50)	1,675.84	1,701.84	(26.00)
	6	501.63	509.14	18.21	(7.51)	2,006.52	2,036.56	(30.04)
6 CY Bin	1	131.87	124.06	4.44	7.81	6,197.89	5,830.82	367.07
	2	240.57	225.71	8.07	14.86	7,217.10	6,771.30	445.80
	3	316.20	327.38	11.71	(11.18)	5,375.40	5,565.46	(190.06)
	4	415.01	429.07	15.35	(14.06)	1,245.03	1,287.21	(42.18)
	5	513.81	530.72	18.99	(16.91)	3,596.67	3,715.04	(118.37)
	6	611.31	632.38	22.62	(21.07)	-	-	-
8 CY Bin	1	155.08	145.47	5.20	9.61	7,909.08	7,418.97	490.11
	2	284.03	266.64	9.54	17.39	12,213.29	11,465.52	747.77
	3	377.75	387.89	13.88	(10.14)	17,754.25	18,230.83	(476.58)
	4	492.73	509.08	18.21	(16.35)	3,449.11	3,563.56	(114.45)
	5	610.01	630.27	22.55	(20.26)	6,100.10	6,302.70	(202.60)
	6	731.86	751.49	26.88	(19.63)	3,659.30	3,757.45	(98.15)
30CY	Haul Rate	213.79						
	Tonnage	45.91						
	Rental Rate	6.16						

City of Weslaco's
Commercial Proposed Rate
compared to Republic's CPI increase

RATE COMPARISON - PROPOSED RATE INCREASE (5%) COMPARED WITH REPUBLIC INCLUDING CIP INCREASE OCT --2019

SANITATION REVENUES			Proposed City Rate 5%	Republic Proposed Rate 3.71% CPI	City's Impact	Current Net - City	CITY	REPUBLIC	NET
Commercial									
	Routes								
2 CY Bin	49	1	76.84	75.14	1.70	1.70	3,765.11	3,681.86	83.25
	6	2	139.71	137.74	1.97	1.97	838.28	826.44	11.84
		3	204.75	200.34	4.41	4.41	-	-	-
		4	266.99	262.99	4.00	4.00	-	-	-
		5	330.62	325.57	5.05	5.05	-	-	-
		6	394.24	386.80	7.44	7.44	-	-	-
3 CY Bin	124	1	88.80	86.84	1.96	1.96	11,011.01	10,768.16	242.85
	54	2	162.80	159.21	3.59	3.59	8,791.34	8,597.34	194.00
	81	3	236.82	231.59	5.23	5.23	19,182.18	18,758.79	423.39
	2	4	310.83	303.97	6.86	6.86	621.66	607.94	13.72
	3	5	384.81	376.32	8.49	8.49	1,154.44	1,128.96	25.48
	2	6	458.82	448.69	10.13	10.13	917.64	897.38	20.26
4 CY Bin	98	1	100.66	98.44	2.22	2.22	9,865.02	9,647.12	217.90
	49	2	184.64	180.57	4.07	4.07	9,047.48	8,847.93	199.55
	34	3	268.38	262.70	5.68	5.68	9,124.92	8,931.80	193.12
	3	4	353.09	344.85	8.24	8.24	1,059.28	1,034.55	24.73
	4	5	439.91	425.46	14.45	14.45	1,759.63	1,701.84	57.79
	4	6	526.71	509.14	17.57	17.57	2,106.85	2,036.56	70.29
6 CY Bin	47	1	138.46	124.06	14.40	14.40	6,507.78	5,830.82	676.96
	30	2	252.60	225.71	26.89	26.89	7,577.96	6,771.30	806.66
	17	3	332.01	327.38	4.63	4.63	5,644.17	5,565.46	78.71
	3	4	435.76	429.07	6.69	6.69	1,307.28	1,287.21	20.07
	7	5	539.50	530.72	8.78	8.78	3,776.50	3,715.04	61.46
	0	6	641.88	632.38	9.50	9.50	-	-	-
8 CY Bin	51	1	162.83	145.47	17.36	17.36	8,304.53	7,418.97	885.56
	43	2	298.23	266.64	31.59	31.59	12,823.95	11,465.52	1,358.43
	47	3	396.64	387.89	8.75	8.75	18,641.96	18,230.83	411.13
	7	4	517.37	509.08	8.29	8.29	3,621.57	3,563.56	58.01
	10	5	640.51	630.27	10.24	10.24	6,405.11	6,302.70	102.41
	5	6	768.45	751.49	16.96	16.96	3,842.27	3,757.45	84.82
30CY	Haul Rate		213.79						
	Tonnage Rate		45.91						
	Rental Rate		6.16						

ORDINANCE 2019-44

AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NUMBER 397, TO FIX RESIDENTIAL, COMMERCIAL AND INDUSTRIAL GARBAGE RATES; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

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

SECTION 1. Section 12 of Ordinance No. 397, passed and approved the 7th day of September 1965, and as subsequently amended, is amended to establish new rates for garbage collection within the City of Weslaco. So that after second and final reading of Section 12 of Ordinance No. 397 shall read as follows:

ARTICLE II. CHARGES FOR COLLECTION*

Sec. 15-34. Charge for removal.

It is the express intent and purpose of this chapter to fairly, reasonably, and equitably apportion the costs of the collection and removal of garbage and trash within the city limits. In computing the charge made to any residence, duplex, triplex, apartment house, tenement house, or trailer court as unit, all apartments, tenements or trailers therein shall be deemed to be occupied unless the water meter serving the building is disconnected. In all cases, if a water meter is in service the house and all apartments or units serviced by that meter shall be deemed to be occupied.

RESIDENTIAL

The rate for residential garbage collection shall be fifteen dollars and five cents (\$15.05) per container, per month. The rate for apartments, where all apartments are on one (1) water meter shall be the same as the applicable residence rate, plus an additional charge of fifteen dollars and five cents (\$15.05) per each additional container, per month, whether or not all of such units are rented. Where apartments have separate water meters, the rate shall be the same as the applicable residence rate, plus an additional charge of fifteen dollars and five cents (\$15.05) per each additional container, per month, whether or not all of such units are rented. The minimum charge for trailers or mobile home units shall be the same as the applicable residence rate.

BUSINESS, COMMERCIAL AND INDUSTRIAL

(a) No business, commercial or industrial account shall be permitted to utilize more than six (6) containers, as defined in Section 15-6, regardless of the number of garbage pickups per week. Should six (6) standard containers be insufficient to accommodate the volume of trash

generated by such account, such account shall be required to utilize a commercial container for garbage collection, such commercial container to be supplied by the city, the size of such container being dependent upon the volume of garbage generated, and the rates for commercial container pickups to be as hereinafter provided.

(b) For those commercial, industrial and business accounts whose volume of garbage can be accommodated by not more than six (6) standard containers, the rate shall be fifteen dollars and five cents (\$15.05) per container per month with 2 pickups per week, or as follows:

<i>Number of Pickups Per Week</i>	<i>Monthly Rate</i>
2	\$ 15.05
3	\$ 45.14
4	\$ 75.24
5	\$105.34
6	\$150.48

(c) For those business, commercial or industrial accounts required hereby to utilize a commercial container, the following rate schedule shall apply.

Volume of Container (Cubic yards)	Number of Pickups Per Week					
	1	2	3	4	5	6
2	76.84	139.71	204.75	266.99	330.62	394.24
3	88.80	162.80	236.82	310.83	384.81	458.82
4	100.66	184.64	268.38	353.09	439.91	526.71
6	138.46	252.60	332.01	435.76	539.50	641.88
8	162.83	298.23	396.64	517.37	640.51	768.45

30 Cubic yard will be charged \$213.79 per haul plus \$45.91 per ton for disposal plus \$6.16 per day rental. The daily rental fee will be waived if hauled at least twice per month.

The monthly charge or rate for the collection and removal of garbage, trash and rubbish, and recyclables by the City of Weslaco from school districts shall be based on the business, commercial and industrial rates as prescribed.

SECTION 2. Except as heretofore and herein amended, the remaining provisions of Section 12 of Ordinance No. 397 shall apply with full force and effect.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 3rd day of December 2019.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission
this ____ day of ____ 2019.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Myra L. Ayala Garza, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2018-1704	
From: Arnold Becho, Martin Mata			
Subject: Discussion and consideration of the ORION Consortium Participation Agreement for provision of Fiber Optic Internet Connectivity to the Mayor Joe V. Sanchez Public Library and authorize Mayor to execute any related documents. Possible action. (Staffed by Library.)			
Background: Region One is looking to create a new fiber optic network thru the ERate program. This fiber optic network is referred to as ORION. ORION will connect participating school districts and public libraries for the goal of providing internet access. At this point, Region One is asking that a formal agreement to be executed. Committing to partner at this time will tie the library into a 4-year commitment beginning July 1, 2020. The partnership will provide 10 GBs of fiber optic connectivity. The agreement is in effect for a minimum of 4 years with 6 annual renewal options thereafter. The cost is \$400 per month for the first 4 years and \$400 per month within the following optional years. The library will continue to receive internet access thru the conventional ERate process in the interim but beginning in July 2020 the ORION system will supplant the previous method of internet access. Currently the library pays approximately \$150 per month for 500 MBs of internet service. The proposed ORION connection is approximately 20 times faster than the current service. It should be noted that the increased speed will only be of marginal utility in the short term. The largest benefit from participation in ORION is insurance against the discontinuation of ERate. There has been much speculation as to the discontinuation of ERate and it would be difficult to feel confident regarding its long-term prospects. If we participate in ORION our internet cost would not go up in the event of the termination of ERate. If we do not participate in ORION, our ERate cost will increase to greater than \$1,000 per month if ERate is discontinued. To summarize, the annual estimated difference between traditional ERate and ORION would be \$3,000 for the first year. The gap would close within following years and may be negligible by year 4. Thus, the crux of the issue is whether to pay the additional initial cost in the short term to insure that we are not faced with a large increase in internet cost if ERate is discontinued. In addition to this insurance against the discontinuation of ERate, ORION is also a superior product. In addition to execution of the agreement, Form 479 will also need to be executed if the agenda item is approved. Form 479 states that we are in compliance with the Child Internet Protection Act (CIPA). The Library does comply with CIPA.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	

Additional Action Prompted: Mayor's Signature	
If item previously considered, provide date and action by Commission: NA	
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: NA	
Advisory Review, if any (name of board/committee, date of action, recommendation): None at this time.	
Arnold Becho Arnold Becho Eddie Gil Vidal Roman Mike Perez	Created/Initiated Approved Approved Approved Final Approval
City Manager Comments: Approve.	
Staff Recommendation: Staff recommends approval.	
Attachments, if any: memo - Request to approve ORION Participation agreement, ORION agreement_City of Weslaco	
Responsibilities upon Approval: The Library and the City Secretary's office will assist the Mayor in executing the One Regional Interconnected Optical Network (ORION) Consortium Participation Agreement. Library administration will execute Form 479. The agreement will then be implemented by the Library and the IT department. For City Secretary Department: Sign, date, scan, and e-mail the ORION project agreement to Ali M. Kolahdouz <akolahdouz@esc1.net> by Dec. 6, 2019. Please copy Library Administration at: abecho@weslacopl.us and mjmata@weslacopl.us.	

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Letty Lopez, Mayor Pro-Tem, District 5
Leo Muñoz, Commissioner, District 1
Greg Kerr, Commissioner, District 2
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

November 20, 2019

To: David Suarez, Mayor; Letty Lopez, Mayor Pro-Tem; Leo Muñoz, Commissioner; Greg Kerr, Commissioner; Jose Rodriguez, Commissioner; Adrian Farias, Commissioner; Josh Pedraza, Commissioner; Mike Perez, City Manager
CC: Martin J. Mata, Eddie Gil, Vidal Roman
Fr: Arnoldo Becho, Library Director
Re: Discussion and consideration of membership in the Region One ORION Consortium

Region One is looking to create a new fiber optic network thru the ERate program. This fiber optic network is referred to as ORION. ORION will connect participating school districts and public libraries for the goal of providing internet access. At this point, Region One is asking that a formal agreement to be executed.

Committing to partner at this time will tie the library into a 4-year commitment beginning July 1, 2020. The partnership will provide 10 GBs of fiber optic internet connectivity. The agreement is in effect for a minimum of 4 years with 6 annual renewal options thereafter. The cost is \$400 per month for the first 4 years and \$400 per month within the following 6 years. The library will continue to receive internet access thru the conventional ERate process in the interim but beginning in July 2020 the ORION system will supplant the previous method of internet access.

Currently the library pays approximately \$150 per month for 500 MBs of internet service. The proposed ORION connection is approximately 20 times faster than the current service. It should be noted that the increased speed will only be of marginal utility in the short term. The largest benefit from participation in ORION is insurance against the discontinuation of ERate. There has been much speculation as to the discontinuation of ERate and it would be difficult to feel confident regarding its long-term prospects. If we participate in ORION our internet cost would not go up in the event of the termination of ERate. If we do not participate in ORION, our ERate cost will increase to greater than \$1,000 per month if ERate is discontinued.

To summarize, the annual estimated difference between traditional ERate and ORION would be \$3,000 for the first year. The gap would close within following years and may be negligible by year 4. Thus, the crux of the issue is whether to pay the additional initial cost in the short term to ensure that we are not faced with a large increase in internet cost if ERate

is discontinued. In addition to this insurance against the discontinuation of ERate, ORION is also a superior product.

In addition to execution of the agreement, Form 479 will also need to be executed if the agenda item is approved. Form 479 states that we are in compliance with the Child Internet Protection Act (CIPA). The Library does comply with CIPA.

Library staff recommends approval. Please contact me with questions or concerns.

Thank you,

Arnoldo Becho
Library Director, City of Weslaco
Phone: 956.973.3144
Email: abecho@weslacopl.us



"The City on the Grow"

ONE REGIONAL INTERCONNECTED OPTICAL NETWORK (ORION) CONSORTIUM PARTICIPATION AGREEMENT

This Agreement is made by and between the Mayor Joe V. Sanchez Public Library an entity established thru the City of Weslaco, a Texas public school district or Texas municipality (hereinafter “Member”) and Region One Education Service Center as Administrative Agent and Lead Member (hereinafter “Lead Member”) of the ONE REGIONAL INTERCONNECTED OPTICAL NETWORK CONSORTIUM (hereinafter “ORION Consortium”) under authority of Section 791.025 of the Texas Government Code, Section 271.102 of the Texas Local Government Code, and 47 CFR Part 54, Subpart F.

I. RECITALS

WHEREAS, Lead Member, Member, and a group of other E-rate eligible school districts and libraries that are situated within the Lead Member’s service area have formed a cooperative association known as the ORION Consortium for the purpose of the Schools and Libraries (E-rate) Program to aggregate demand in order to lower prices and promote more efficient use of shared facilities and to procure eligible services in compliance with state law and E-rate procurement regulations; and

WHEREAS, on December 19, 2017, Member executed a Letter of Agency joining the ORION Consortium and designating Region One Education Service Center as Lead Member of the consortium, a copy of which is incorporated herein by reference; and

WHEREAS, the purpose of the ORION Consortium is to seek competitive bids and E-rate funding for the purchase of high-speed internet access (hereinafter the “ORION Project”) for the Consortium members; and

WHEREAS, the goal of the ORION Project is to assist all ORION Consortium members to obtain high-speed Internet access and achieve inter-connectivity with each other at the most affordable rates for educational purposes; and

WHEREAS, the Lead Member is authorized to file FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Libraries Division of the Universal Service Administrative Company (hereinafter “USAC”) on behalf of the ORION Consortium members; and

WHEREAS, Lead Member has solicited and obtained bids for the ORION Project on behalf of ORION Consortium members;

NOW THEREFORE, in consideration of the mutual covenants, promises and obligations contained herein, the undersigned Member and the Lead Member agree to the following:

II. TERMS AND CONDITIONS

1. Term. This agreement is effective on the date that it is signed by the Member's authorized representative. The Initial Term of the service to be provided to Member shall begin the first day of the next month following the activation and written acceptance of the service by Member's authorized representative and shall continue, thereafter, for a consecutive forty-eight (48) month period (hereinafter the "Initial Term"). Thereafter, the service will automatically renew annually on July 1 of each calendar year for up to an additional six consecutive years unless the Member provides written notice to Region One by March 1 of each calendar year, or 60 days advance notice. Member agrees to remain obligated to pay the Lead Member for any unpaid balance of Member's fee if Member terminates service during the initial term.

2. Service Start Date. The Member's service start date will be the date shown below in the signature page of this Agreement. Member acknowledges that although connectivity is installed, no internet service may be available on the Member's circuit until the "service start date". Member acknowledges that Lead Member will not begin invoicing for the service until the requested service start date as specified in this agreement. If the Member desires to commence service prior to the Member's specified "service start date", the Member will need to notify the Lead Member, in writing. The Lead Member will work with the service provider to see if the request may be accommodated.

3. Cost of ORION Project. The estimated cost of the ORION Project is determined on the basis of the bid awarded to a Service Provider by the Lead Member for high-speed internet access service and the administrative fee to be paid by each member to Lead Member.

4. Funding for ORION Project. The ORION Project will be funded with a combination of E-rate funds provided by USAC and with local funds provided by Member and by other consortium members to cover costs, post-E-rate discount. Member acknowledges that USAC, the funding agency, has averaged the E-rate discount at 89% for the ORION Consortium members.

5. Payment for ORION Project: Eighty-nine percent (89%) of the project cost for and for high-speed broadband internet access will be paid through USAC cost reimbursements. The project cost shall be the joint responsibility of all the ORION Consortium members. Member shall be required to pay a pro-rata share of the project cost (non-discounted share) beginning after commencement of service. The pro-rata, monthly share of the project cost to Member shall be calculated on the basis of the Member's student enrollment count, as illustrated in Table 1, below. Member agrees to pay its calculated share of the net project costs on a monthly basis to the Lead Member commencing on the first day of the next month following the activation and written acceptance of the service by Member's authorized representative.

- There is no additional "transport" cost.
- Pricing shown includes all transmitted and received traffic and necessary equipment to be provided by Service Provider.
- Pricing for each additional circuit is the same as the first circuit.

- Payments are due within 30 days of receipt of invoice.
- Member's service shall consist of a minimum of 10 Gbps connectivity.
- Member's service shall include up to 10 Gbps Internet Access service via the 10 Gbps connectivity is as noted in the previous bullet point.
- Service Provider shall increase internet access to 20 gbps if Member utilizes 85% of Member's initial 10 gbps of internet access service within years 1-4.

TABLE 1

Number of Students	Years 1-4 Monthly Consortium member Cost per Circuit	Years 5-10 Monthly Consortium member Cost per Circuit	Ten Year Total Cost
1-999	\$400	\$400	\$48,000
1000-2999	\$650	\$650	\$78,000
3000-5999	\$800	\$800	\$96,000
6000-10,000	\$800	\$800	\$96,000
10,000+	\$1,000	\$1,000	\$120,000

6. Administrative Management Fee: Member agrees to pay a pro-rata monthly as compensation for a consultant or consultants to be procured by Lead Member on behalf of the Consortium, and who will provide day-to-day project management and E-rate consulting services under this Agreement. This fee will be an obligation of Member and is included in the Member's pro-share of the net project cost, as illustrated in Table 1, above. This fee will not be eligible for E-rate discount.

7. Termination of Agreement:

a. This Agreement may be terminated at any time following the expiration of the Initial Term by either Party for the convenience of either party upon ninety (90) days written notice.

b. If Member defaults on its obligation to pay Member's pro-rata share of the project cost during the Initial Term, the Lead Member may terminate the Member's service. If Member defaults on its payment obligations during the last 12 months of the Initial Term, the Lead Member may suspend the Member's service. Member's service will not be terminated or suspended unless the Member fails to cure the default within thirty (30) days following receipt of a written notice of default from the Lead Member. In either event, the

Member agrees to remain obligated to pay the Lead Member for the unpaid balance of Member's pro-rata share project cost.

c. If any state or federal law or regulation is enacted or promulgated which prohibits the performance of any of the duties herein, or, if any law is interpreted to prohibit such performance, this Agreement shall automatically terminate as of the effective date of such prohibition.

8. Lead Member Duties and Responsibilities:

- a. Open the required competitive bidding process by posting of an FCC Form 470 to the USAC website on behalf of ORION Consortium members, and solicit bids for eligible services in compliance with FCC and USAC regulation, and state of Texas procurement laws;
- b. To evaluate the bids received, construct a bid evaluation matrix which includes such evaluation factors as prior experience, including past performance; personnel qualifications including technical excellence; management capability including schedule compliance; and environmental objectives with price of eligible products and services being the primary factor;
- c. Coordinate with Member for establishing an Evaluation Committee to test, evaluate and award proposals, for any required procurement, that will be composed of not less than six (6) consortium members representatives and of Lead Member representatives;
- d. Apply for Schools and Libraries Program discounts by filing an FCC Form 471;
- e. Respond to questions and requests for additional information from USAC in Program Integrity Assurance (PIA) review process regarding FCC Form 471, if selected for review;
- f. After Consortium receives the Funding Commitment Decision Letter (FCDL) from USAC, start the preparations to begin receiving discounted services by discussing with the service providers any details involved in the provision of services and invoicing for those services; and
- g. After Consortium receives the FCDL and the delivery of services has started, file an FCC Form 486 no later than 120 days after the Service Start Date or 120 days after the date of the FCDL, whichever is later, to inform USAC that:
 - Services for which the Consortium has been approved for discounts have started and invoicing will begin; and,
 - Consortium member is in compliance with the Children's Internet Protection Act (CIPA).

- h. Overseeing the process for invoicing for services; confirm accurate billing by the service provider of both the Consortium Member and USAC as required, including preparation of accurate cost sheets and all FCC Forms 472 (BEAR Forms) and complete and timely return any Service Certifications, where applicable, and ensure that only eligible services approved on the correct Form 471 and delivered consistent with the (FCDL) Funding Commitment Letter and contract agreements are billed. Confirmation shall include follow-up with the Service Providers and/or USAC in the event of a discovered discrepancy;
- j. As backup support secondary to the Service Provider:
 - Periodically monitor internet access service from ISP;
 - Provide alerts concerning network maintenance and/or unplanned outages; and
 - Notify Member via email and telephone call of any emergency network impairments as soon as the problem is reported by Service Provider to Lead Member.
- k. Utilize the competitive bidding process to procure the most economical resources for the network;
- l. Comply with current FCC document retention requirements (currently ten years from the last date to receive service or equipment delivery date, whichever is later), including documentation related to pre-commitment, contracting, post-commitment, invoicing, all backup data that supports the certifications made on any E-rate application and documentation regarding equipment funded through E-Rate. Member will be provided copies of any documents upon Member's request and at Member's expense.
- n. In the event of an audit to be conducted by USAC or any entity acting on USAC's behalf, the Lead Member will notify Member not later than three (3) days after receipt of the first notice from USAC; shall collect and provide all documentation requested by auditors at the first notice of an audit and, in consultation with Member, provide any information and documentation requested by the auditor(s) by the deadlines established.
- o. In the event of an Audit finding, the Lead Member, with the Member's assistance (to the extent required) will implement all corrective actions required by USAC, to verify that it has implemented measures to comply with the E-Rate Program Rules and will assert any and all defenses legally warranted and appropriate appeal points to USAC and/or the FCC on behalf of the Consortium and at the joint expense of the Members.

10. Consortium Member Duties and Responsibilities:

- a. Provide to Lead Member a signed FCC Form 479, Certification by Administrative Authority to Billed Entity of Compliance with the Children's Internet Protection

Act, to establish that Member's status under the Children's Internet Protection Act (CIPA) to enable Lead Member to complete the FCC Form 486, Receipt of Service Confirmation and Children's Internet Protection Act and Technology Plan Certification Form.

- b. Provide a 24 x 7 technical contact that can respond immediately to problems affecting the ORION Network;
- c. Provide firewall services that protect against unauthorized access and usage of the Member's network since ORION backbone does not filter, block, or alter traffic;
- d. Ensure cabling between equipment and the Consortium Member LAN is continually operational, and that Service Provider has remote and physical access to the equipment;
- e. Serve as the point of contact for campuses connected to the ORION network;
- f. May not trade, donate, sell, resell, or transfer eligible products and services purchased with E-rate Program discounts, except as permitted by USAC rules;
- g. Member certifies that the person signing this Agreement has express authority to represent and bind the Member to any agreements with Lead Member regarding any matter related to or affecting this Agreement, unless and until the Member designates another person and notifies the Lead Member, in writing, of the new designation;
- h. Member may, at its discretion, participate in any Audit conducted by USAC or in an appeal from any audit finding, and shall be required to participate, to the extent reasonably necessary;
- i. Member shall be required to comply with any reasonable requests for information and/or records made by the Lead Member.
- k. Make timely payments within 30 days of receipt of correct invoices from Lead Member.

11. Reimbursement.

The Member agrees to reimburse the Lead Member for any amounts owed and unpaid by Member under paragraph 5, above, and which are paid by the Lead Member to any service provider from the Lead Member's own funds.

III. GENERAL PROVISIONS

- 1.** The terms of this Agreement may be amended only by express written agreement of the parties.
- 2.** The parties may not sell, transfer, or convey any interest in this Agreement nor delegate the performance of any duties to a third-party without the express written consent of the other party, and only in compliance with USAC or FCC rules and regulations.
- 3.** Upon reasonable advance notice and no more than once every 12 months Member and Lead Member shall have the right to audit and inspect each other's books and records regarding the subject matter of this Agreement and such other policies or practices as reasonably necessary to ensure compliance with the terms and conditions of this Agreement. The Member and Lead Member shall cooperate with each other and conduct any such audit in a manner that does not unreasonably interfere with each other's ongoing business operations.
- 4.** This Agreement represents the complete understanding of the Member and Lead Member. To the extent there exists any conflict between the terms of this Agreement and that of prior agreements, the terms of this Agreement shall control and take precedence over all prior participation agreements.
- 5.** Member and Lead Member agree that as condition precedent to litigation of any dispute or controversy arising under this Agreement, resolution of any such dispute or controversy shall first be attempted by submitting the dispute or controversy to non-binding mediation upon demand by either of the parties. The mediation shall be conducted by an impartial, third-party mediator at an agreed time, place, and location within the Region One Education Service Center's service area. The cost and expense of the mediation shall be equally borne by the parties.
- 6.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and venue for litigation of any disputes arising under this Agreement shall be properly fixed in accordance with the venue statutes of the State of Texas.
- 7.** By the execution and delivery of this Agreement, the undersigned individuals warrant that they have been duly authorized by all requisite administrative action required to enter into and perform the terms of this Agreement.

[intentionally left blank]

SUBSCRIPTION DETAILS AND SIGNATURES

Subscribed Services and Agreement Duration

Service Building Name Mayor Joe V. Sanchez Public Library

Service Address(es) 525 S. Kansas Ave

Service Start Date July 2020

Service End Date July 2024

Number of Internet Access Circuits 1

Monthly Recurring Charges \$400/mo for the first four (4) years;
option to renew for \$400/month for six more years

Authorized Consortium Member Representative _____
Signature

Printed Name: _____

Title: Mayor

Date: _____

ESC Region One Executive Director _____
Signature

Dr. Cornelio Gonzalez

Date



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2931	
From:			
Subject: Discussion and consideration to accept and file the Quarterly Investment Report for the period ending September 30, 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)			
Background: The Quarterly Investment report needs to be filed on a quarterly basis to the Commission.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Vidal Roman		Created/Initiated	
Vidal Roman		Approved	
Mike Perez		Final Approval	
City Manager Comments: Accept and file.			
Staff Recommendation: Staff recommends acceptance of the report.			
Attachments, if any: CC Investment Report 9.30.19 cover, Quarterly Investment Report 9.30.19			
Responsibilities upon Approval:			

CITY OF WESLACO
FINANCE DEPARTMENT
QUARTERLY INVESTMENT REPORT
FOR QUARTER ENDING
SEPTEMBER 30, 2019



City of Weslaco, Texas

Investment Report

September 30, 2019

Deposits:

Cash on Deposit
 BBVA Compass
 Tex Pool
 Tex Pool Prime
 Certificates of Deposit
 Navy Army CU 3/28/2019
 BBVA Compass 3/26/18
Total

4th Quarter	3rd Quarter	2nd Quarter	1st Quarter
09/30/19	06/30/19	03/31/19	12/31/18
\$ 21,259,251	\$ 16,919,846	\$ 17,224,227	\$ 16,045,452
3,335,084	3,316,311	3,296,502	3,277,062
3,283,736	3,264,157	3,243,482	3,222,807
244,087	242,068	240,000	-
247,888	245,158	240,000	240,000
\$ 28,370,045	\$ 23,987,539	\$ 24,244,212	\$ 22,785,321

Rates:

Cash - Interest Earning
 BBVA Compass
 Tex Pool
 Tex Pool Prime
 Certificate of Deposits
 Navy Army CU 3/28/19
 BBVA Compass 3/26/18

4th Quarter	3rd Quarter	2nd Quarter	1st Quarter
09/30/19	06/30/19	03/31/19	12/31/18
0.800%	0.80%	0.80%	0.80%
2.16%	1.73%	1.39%	1.09%
2.27%	2.02%	1.60%	1.32%
3.34%	3.34%	3.34%	0.00%
2.15%	2.15%	2.15%	0.00%

Total Interest Earned for Period

Total Interest
 Average Return
 Benchmark - 4 week T-Bill Rate
 Weighted Average Maturity (Days)

\$ 70,975.49	\$ 74,612.08	\$ 55,785.75	\$ 41,733.49
1.18%	1.13%	1.01%	0.92%
2.18%	2.18%	2.43%	1.29%
4.72	5.85	7.50	1.00

Total Interest Earned Year to Date

\$ 243,106.81

This report is in full compliance with the investment policy and strategy as established for the City of Weslaco, Texas and the Public Funds Investment Act (Chapter 2256, Government Code).

Prepared by:


 Vidal Roman
 Finance Director

11-25-19
 Date

Reviewed by:


 Mike R. Perez
 City Manager

11/25/19
 Date



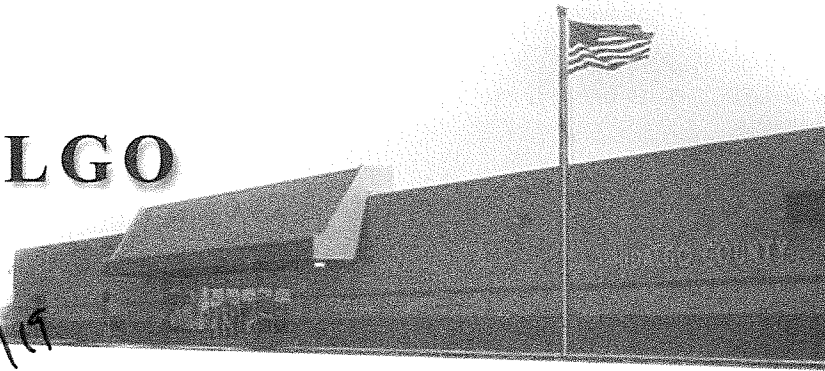
Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2932	
From:			
Subject: Discussion and consideration to approve the official 2019 Tax roll totals as prepared by Pablo "Paul" Villarreal Jr., Hidalgo County Tax Assessor and Collector per Section 26.09(e) of the Texas Property Tax Code and authorize Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)			
Background: The city has to formally approve the Official Tax Roll.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Vidal Roman		Created/Initiated	
Vidal Roman		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Tax Roll - Official			
Responsibilities upon Approval:			

Office of Tax Assessor-Collector

COUNTY of HIDALGO

Pablo "Paul" Villarreal, Jr. PCC.



October 29, 2019

Mike R Perez, City Manager
City of Weslaco
255 S. Kansas Ave.
Weslaco, TX. 78596

P.O. Box 178
Edinburg, Texas 78540-0178
Ph. (956) 318-2157
Fax (956) 318-2733
www.hidalgocountytax.org

*11/18/19
Vidal
FYE ad place
on next city council
agenda
mr*

Dear Mr. Perez,

Enclosed please find the 2019 Tax Roll Totals for your district.

Be advised these totals do not include totals for accounts currently under protest. Those totals will be added once the protests are resolved.

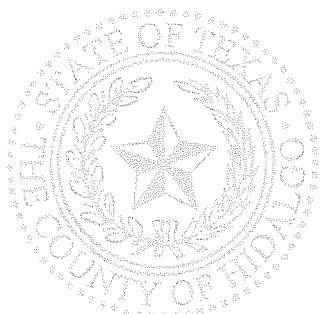
Please place this item on the agenda of your next meeting for approval by your governing body, as per Section 26.09(e), of the Texas Property Tax Code.

Should you have any questions in regards, do contact our office.

Sincerely,

Pablo (Paul) Villarreal Jr., PCC
Hidalgo County Tax Assessor-Collector

Xc: Hon. Maria Arcilia Duran, CPA
Hidalgo County Auditor



CITY OF WESLACO

ENTITY

The Following information is furnished as requested.

NOTE: IT IS IMPORTANT YOU COMPLETE EACH SECTION SEPARATELY.

Itemized 2019 Tax Rate (per \$100 valuation):

(A) Maintenance and Operation (M and O) \$ 0.5109

(B) Debt Service (I and S) \$ 0.1858

Total TAX RATE (A + B) FOR 2019 \$ 0.6967

Total TAX LEVY FOR 2019 \$ 12,988,668.71

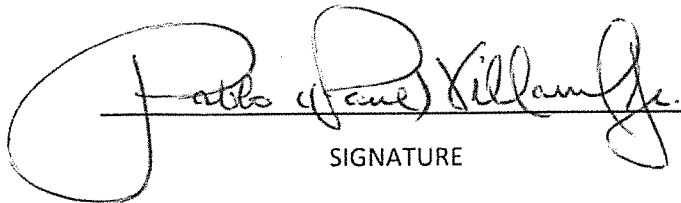
Effective Tax Rate 2019 \$ 0.6601

Rollback Tax Rate 2019 \$ 0.7167

Average Residential Value 2019 \$ 98,848

10-17-19

DATE



SIGNATURE

HIDALGO COUNTY TAX ASSESSOR-COLLECTOR

TITLE

PLEASE RETURN AS SOON AS POSSIBLE TO:

HIDALGO COUNTY APPRAISAL DISTRICT
Attn: Lydia Elizondo, Finance/Personnel Director
PO BOX 208
EDINBURG, TX 78540-0208
FAX: (956) 289-2120

ENTITY	CITY OF WESLACO	2019
JURISDICTION	40	

EXEMPT VALUE (EXXV)		TOTAL PARCELS		17,755
AG EXCLUSION	48,655,882	TOTAL MARKET VALUE		2,429,615,778
HS CAPPED AMOUNT	3,902,740	TOTAL EXEMPT PROPERTY	-	549,613,945
ABATED AMOUNT		TAXABLE VALUE	=	1,880,001,833
FREEPORT VALUE	9,224,401	TAX RATE PER \$100	*	0.6967
HB366 VALUE	10,774	LEVY (Before Frozen Levy Loss)	=	13,097,972.77
POLLUTION VALUE	594,720	LEVY LOSS DUE TO FREEZE	-	121,218.30
HISTORICAL VALUE		LATE AG	+	41.59
CHDO EXEMPTION	600,000	LATE RENDITION	+	11,871.67
PRO MISC EXEMPTS	23,821,704	LEVY	=	12,988,667.73
VETERAN FULL EXEMP OVER 65 HOMESTEAD	13,808,083	TOTAL LEVY (From TC502)	=	12,988,668.71
EXEMPTION	22,696,137	VARIANCE	+/-	-0.98
OVER 65 HOMESTEAD SURVIVING SPOUSE	1,738,067			
DISABLED	2,730,000			
VETERAN EXEMPTIONS	2,849,996			
EXEMPT	11,326			
PRORATED EXXV	416,721,699			
PRO SCHOOLS	1,656,307			
PRO CHARITABLE	0			
CHARITABLE ORG	592,109			
EXXG				
TOTAL EXEMPT PROPERTY	549,613,945			

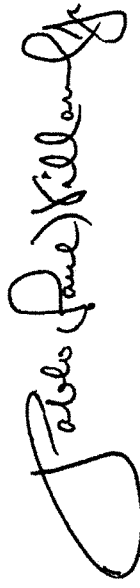
CERTIFIED TAX ROLL AS OF OCTOBER 1, 2019

TAX ASSESSMENT ROLLS OF CITY OF WESLACO FOR THE YEAR 2019 SHOW THE FOLLOWING SUMMARIES:

ROLL	NUMBER ACCTS	MARKET VALUE	TAXABLE VALUE	FREEZE LOSS	TOTAL LEVY
REAL PROPERTY	16,150	2,155,658,651	1,643,500,497	121,218.30	11,329,092.35
PERSONAL PROPERTY	1,605	273,957,127	236,501,336	.00	1,659,576.36
MOBILE HOME PROPERTY	0	0	0	.00	.00
MINERAL PROPERTY	0	0	0	.00	.00
OTHER PROPERTY	0	0	0	.00	.00
TOTAL	17,755	2,429,615,778	1,880,001,833	121,218.30	12,988,668.71

RATE OF TAXATION ASSESSMENT RATIO 100%
TOTAL TAX RATE 00.696700

PABLO (PAUL) VILLARREAL JR., PCC
TAX ASSESSOR - COLLECTOR HIDALGO COUNTY
BY :



Tax Collection System -- HIDALGO COUNTY
 Certified Roll Jurisdiction Summary
 Processing For Tax Year: 2019 County Code: ALL Tax Unit: ALL

Jurisdiction:

40 CITY OF WESLACO**Total Parcels:**

17,755

Tax Rate:

0.6967000

Market Value:

2,429,615,778

State Hom:

0

Opt Hom:

0.0000000

State O65:

0

Opt O65:

10,000

Disabled:

0

Opt Disabled:

10,000

AG Exclusion Count:

179

AG Exclusion Amt:

48,655,882

Timber Exclusion Count:

0

Timber Exclusion Amt:

0

HS Capped Count:

408

HS Capped Amt:

3,902,740

Assessed Value:

2,377,057,156

Prorated-Exxy Count/Amt:

565

Pro Schools Count/Amt:

1,656,307

100% Exempt Vet Count/Amt:

115

Exempt Count/Amt:

11,326

Freeport Count/Amt:

14

Charitable Org Count/Amt:

592,109

Hb366 Count/Amt:

34

Chdo Count/Amt:

600,000

Pollution Control Count/Amt:

5

Pro Misc Exempts Count/Amt:

23,821,704

State Homestead Count:

6,287

State Homestead Amt:

0

Local Homestead Count:

0

Local Homestead Amt:

0

State Over 65 Count:

0

State Over 65 Amt:

0

Local Over 65 Count:

2,354

Local Over 65 Amt:

22,696,137

Surviving Spouse Count:

177

Surviving Spouse Amt:

1,738,067

State Disabled Count:

0

State Disabled Amt:

0

Local Disabled Count:

280

Local Disabled Amt:

2,730,000

Total VET Count:

265

Total VET Amt:

2,849,996

***VET Surviving Spouse Count:**

15

***VET Surviving Spouse Amt:**

153,000

included in the Total VET Count/Amt*Partial Exempt Values:**

30,014,200

Taxable Value:

1,880,001,833

Total Levy Amt:

12,988,668.71

Late AG Penalty Count:

1

Late AG Penalty Amt:

41.59

Late Rendition Penalty Count:

603

Late Rendition Penalty Amt:

11,871.67

Frozen Account Count:

2,582

Frozen Homesite Value:

171,641,212

Frozen Taxable Value:

138,282,090

Unfrozen Levy Amt:

963,411.29

Frozen Levy Amt:

842,192.99

Frozen Levy Loss Amt:

121,218.30

Total Non-Exempt Parcel Count:

17,754



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2935	
From:			
Subject: Discussion and consideration to accept, open, award or reject the sole bid received for the Public Sale of Surplus Property 1.888 Acres on North Texas Avenue / RFB No.: 2019-20-06 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)			
Background: On October 15, 2019 City Commission authorized sale of surplus property			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of Public Sale published in the Advance News Journal on 10/30/2019 and 11/6/2019. Notice of RFB was also posted on the city website for public viewing.			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Homer Rhodes		Created/Initiated	
Vidal Roman		Approved	
Mike Perez		Final Approval	
City Manager Comments: Open bid and award if at or above appraised value of \$103,650.00.			
Staff Recommendation: Staff recommends approval if the minimum bid of \$103,650.00 is met.			
Attachments, if any: RFB NO. 2019-20-06 LAND SALE, JOE OLIVAREZ - SOLE BID UNOPENED			
Responsibilities upon Approval: City attorney will make contact with awarded bidder and prepare sale contract.			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Greg Kerr, Mayor Pro-Tem, District 2
Leo Muñoz, Commissioner, District 1
Jose "J.P." Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4
Letty Lopez, Commissioner, District 5
Josh Pedraza, Commissioner, District 6

Mike R. Perez, City Manager

CITY OF WESLACO

Invitation to Bid

The City of Weslaco hereby requests sealed bids for the following:

Public Sale of Surplus Property 1.888 Acres on Texas Avenue / RFB No.: 2019-20-06

Sealed bids addressed to Homer Rhodes, Purchasing Agent, will be accepted at the Weslaco City Hall Purchasing Department, 255 S. Kansas, Weslaco, Texas 78596, until **3:00 p.m. on November 15, 2019** at which time they will be opened and read aloud. Please mark envelope, "Sealed Bid"

Public Sale of Surplus Property 1.888 Acres on Texas Avenue / RFB No.: 2019-20-06

Specifications and instructions to bidders may be secured at the Weslaco City Hall Purchasing Department, 255 S. Kansas, Weslaco, Texas 78596, or by calling (956) 447-2240. Potential Bidders/Respondents are also advised that the bidding documents can be downloaded from the City of Weslaco web page address: www.weslacotx.gov. **PRE-BID MEETING: An informative, non-mandatory Pre-Bid meeting will be held at 10:00 am on November 8, 2019 at Weslaco City Hall – Purchasing Conference Room C, located at 255 S. Kansas Avenue, Weslaco, Texas.**

Physical Location of Property: **North Texas Boulevard 0.13 miles south of Water Plant Road – Weslaco, Tx.**

Minimum Deposit: A cashier's check in the amount of \$1,000.00 will be required with the bid submittal as a security deposit. Deposit will be retained as earnest money for the successful bidder and may be subject to administrative charges if awarded respondent does not execute purchase contract. No personal checks will be accepted.

The property will be sold to the highest bidder **"AS IS"**. The City offers no warranties expressed or implied especially a warranty of habitability. It is recommended that Bidders make a careful and thorough inspection prior to bidding, defects discovered after bid date and time are the responsibility of the successful bidder.

The City of Weslaco reserves the right to accept or reject any or all bids to waive any informalities in the bidding or to accept the bid to the best and most advantageous to the City and to hold bids for a period of forty-five (45) days from the date of the bid opening without taking action for the purpose of reviewing the bids prior to bid award. Bids submitted past the aforementioned date and time will not be accepted.

City of Weslaco
/s/ Homer Rhodes,
hrhodes@weslacotx.gov
Purchasing Agent



VENDOR'S NOTICE OF INTENT TO SUBMIT A BID

If you intend to submit a bid for **Public Sale of Surplus Property 1.888 Acres on Texas Avenue / RFB No.: 2019-20-06**

with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **November 8, 2019** so that you may receive any addendums to the specifications should the need arise.

Homer Rhodes

City of Weslaco

Purchasing Office

255 S. Kansas Avenue

Weslaco, Texas 78596

Phone: 956.447.2240

hrhodes@weslacotx.gov

Name: _____ Signature: _____

(print / contact person)

Title: _____ Company/Agency: _____

Mailing

Address: _____ City/State/Zip: _____

Phone: _____ Fax: _____

Email Address: _____

Bid No.: 2019-20-06



CITY OF WESLACO

Public Sale of Surplus Property 1.888 Acres on Texas Avenue / RFB No.: 2019-20-06

TO PURCHASE Property on: **North Texas Avenue 0.13 miles south of Water Plant Road – Weslaco, Tx**

OVERVIEW / BID INFORMATION:

Bids are being accepted for the property as a whole - located at **North Texas Avenue 0.13 miles south of Water Plant Road – Weslaco, Tx**. The property minimum bid is: \$103,650.00

PRE-BID MEETING: An informative, non-mandatory Pre-Bid meeting will be held at 10:00 am on November 8, 2019 at Weslaco City Hall – Purchasing Conference Room C, located at 255 S. Kansas Avenue, Weslaco, Texas.

PROPERTY

See Exhibit A: Property Survey

Contact: Homer Rhodes (956) 447-2240 or hrhodes@weslacotx.gov for any details.

BIDDER'S RESPONSIBILITIES:

Interested parties must accept the following key obligations:

1. The interested party must respond to this RFB by 3:00 pm on **Friday, November 15, 2019**.

Homer Rhodes
City of Weslaco
Finance Department / Purchasing Office
255 S. Kansas Ave.
Weslaco Tx, 78596

Bids should be clearly marked

“RFB NO.: 2019-20-06 Public Sale of Surplus Property 1.888 Acres on Texas Avenue”

Bids received after the closing time and date will be returned unopened. **Faxed or emailed proposals will not be accepted.**

2. Financial Viability. All interested parties will be responsible for demonstrating that they have the financial capacity to purchase property, as described. Proof of financial capacity may include a certified financial statement, provision of approval for project financing from a financial institution licensed by the State of Texas, a designation of cash reserves for the purchase of property in an amount satisfactory for completion, or other means.

DEADLINE AND SUBMISSION REQUIREMENTS:

1. **Bids are due November 15, 2019 at 3:00 pm** and must be accompanied with a minimum deposit of \$1,000.00 cashier's check made payable to the City of Weslaco.
2. A cashier's check in the amount of \$1,000.00 will be required with the bid submittal as a security deposit. Deposit will be retained as earnest money for the successful bidder and may be subject to administrative charges if awarded respondent does not execute purchase contract. No personal checks will be accepted.

SELECTION CRITERIA/PROCESS:

City staff will review the bids, as well as any additional information that may be requested from the applicants, and make a recommendation to the City Commission based on the following criteria:

1. The most advantageous bid offer.

AWARD:

The City Commission, at its sole discretion, may select the successful interested party under this RFB. The City reserves the right to reject any and all bids. The City reserves the right, at its sole discretion, to rescind its selection of any interested party under this RFB, and any subsequent agreement implementing its selection, in the event that the City determines, in its sole judgment, that:

1. The City cannot reach an agreement with the selected interested party under the proposed terms and conditions for conveyance of the sale of property and building structures to the interested party, and
2. There is any other procedural or substantive issue relating to the development of the property sale.
3. **ADDITIONAL INFORMATION:**

Specific questions regarding this RFB should be addressed to:

Homer Rhodes, Purchasing Agent at 956.447.2240 hrhodes@weslacotx.gov

Interested respondents should limit their contact to the City of Weslaco by communicating only with Homer Rhodes regarding this RFP. Contact with persons other than Mr. Homer Rhodes regarding an RFB may be grounds for elimination from the selection process.

CITY OF WESLACO
Public Sale of Surplus Property 1.888 Acres on Texas Avenue / RFB No.: 2019-20-06

BID FORM

The _____ (Respondent), having read the instructions and specifications, proposes a bid to purchase property located at **North Texas Avenue 0.13 miles south of Water Plant Road – Weslaco, Tx.** The undersigned affirms that they are duly authorized to execute this bid, and that bid is not in partnership or individual has not prepared this bid in collusion with any other individual, and that the contents of this bid as to prices, terms conditions of said bid have not been communicated by the undersigned nor by any employee or agent to any other person engaged in this type of business prior to the official opening of this bid.

Property: North Texas Avenue 0.13 miles south of Water Plant Road – Weslaco, Tx.

\$ _____

The bid must be signed by an authorized representative to become valid.

Name: _____

Address: _____

City/State/Zip: _____

Phone No.: _____ Fax No.: _____

Signature: _____

(Please Print Above Signature)

Joe Olivarez
PO Box 1667
Westaco, TX 78599

11-14-19

1.88 AC

on Texas Av.

RFB

MO.

2019-20-06

Homel Rhodes
City of Wes/Aro
Finance Dept / Purchas



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2936
From:		
Subject: Discussion and consideration and approval of Allowance Expenditure No. 3 regarding the North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Airport.)		
Background: The proposed Allowance Expenditure No. 3 is to cover asphalt paving of driveways, fencing, control access changes, flood lighting for flag pole and IT tray installation. There is no budget impact as the Contingency's have not been used. Attachments will be provided at the meeting.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Aida Vega Andrew Muñoz Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any:		
Responsibilities upon Approval:		



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2944	
From:			
Subject: Discussion and consideration to approve Proposed Amendment in the amount of \$71,207.55 for a total of \$2,804,298 for Fiscal Budget Year 2019-2020 with Inframark and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)			
Background: Inframark has been providing operational and maintenance services for the city in our water and wastewater facilities for the past years. Inframark is proposing a 3.017% increase attributable to the Consumer Price Index (CPI).			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Budget Amendment			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
Olga Garza		Created/Initiated	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval subject to a budget amendment in the amount of \$71,207.55.			
Attachments, if any: Inframark Proposed Letter 2019-2020			
Responsibilities upon Approval: A budget amendment will be required to cover the additional cost.			

November 15, 2019

Mike R. Perez
City Manager
City of Weslaco
255 S. Kansas
Weslaco, Texas 78596

Re: Proposed Amendment Letter for Budget Year 2019-2020

Dear Mr. Perez:

Inframark is pleased to have the opportunity to continue providing professional operations and maintenance services for the City of Weslaco's water and wastewater treatment facilities entering year five. Inframark will continue to dedicate our people, programs and technologies to work together in partnership with you to meet the City's water and wastewater challenges in an innovative and cost-effective manner.

As you are aware the cost of doing business in the waterworks industry continues to escalate due to fluctuation in fuel, energy, labor and raw materials costs. These higher costs directly affect our daily operational costs and have impacted the City's budget as well.

Our fourth year continued to see many changes as Inframark and the City have worked together to provide needed improvements to the system for the community. I have outlined these changes below and their impact on the service costs.

Repair and Maintenance Limit - As per Schedule 5, Section 1 of the Water and Wastewater System Operation and Maintenance Agreement between the City of Weslaco and Inframark, LLC, formerly known as Severn Trent Environmental Services, Inc., dated September 4, 2015, as amended (the "Agreement"), the Annual Repair and Maintenance Limit for the Agreement Year ending September 30, 2019 was Two Hundred and Fifty-Six Thousand Dollars (\$256,000.00). Annual Maintenance Expenditures through the end of this Agreement Year were \$284,399.72. Although the Annual Maintenance Expenditures exceeded the Annual Repair and Maintenance Limit, Inframark is not proposing an increase at this time. We will continue to manage the budget and look for ways to help the City optimize costs and by performing capital improvements whenever possible.

Baseline Conditions – As per Schedule 6 of the Agreement, the baseline annual average flow increased during the Agreement Year ending September 30, 2019 for the South WWTP and the Water Plant. There was a slight decrease in flow for the North WWTP. The average annual flow for the North WWTP was 2.20 MGD and the **actual flow was 2.13 MGD**; the average annual

flow for the South WWTP was 1.22 MGD and the **actual flow was 1.30 MGD**; and the average annual flow for the Water Plant was 5.40 MGD and the **actual flow was 5.43 MGD**. Although these Baseline Conditions have changed, Inframark will not adjust the fees to address these changes.

Pursuant to Section 5.1 of the Agreement, the Base Fee is to be adjusted on October 1, 2019 of each Agreement Year. However, Inframark has developed the following options for addressing this adjustment:

Option 1 – Adjustment to Inframark’s Fee: As per the release of the Price Index, the Price Index Increase for the Agreement Year ending September 30, 2020 is 3.017%. However, we understand that the City of Weslaco through your administration set goals this year to reduce expenditures and increase the financial status of the City. In efforts of assisting the City with achieving these goals and securing our partnership, Inframark is only proposing the Price Index Increase only applies to the Base Fee and does not apply to the Baseline Contract Hauling Fee or Baseline Chemical Fee for the Agreement Year ending September 30, 2020 If agreed upon, the adjusted Base Fee of \$2,804,297.91 will be effective October 1, 2019.

Option 2 – Adjustment to Inframark’s Base Fee and Purchase of Trucks: Inframark continues to use an aged pickup truck fleet that is costing an excessive amount of dollars for repairs. These vehicles have reached the end of their useful life. Under Section 2.3 of the Agreement, which was added through the First Amendment dated May 17, 2016, the City is to replace the vehicles once said vehicles reach the end of their useful life. Inframark is requesting that rather than purchase the vehicles directly, the City adds the finance charge for sixty months to our Base Fee amount for the replacement of three Ford F-150 Regular Cab trucks. Each truck cost is \$32,000 at a monthly fee of \$533.00 for 60 months. Total monthly fee added to the Base Fee for these 3 trucks is \$1,599.00. At the end of useful life of these 3 trucks, Inframark will transfer ownership of the trucks to the City for a nominal fee of \$1.00 per truck. As a condition to Inframark financing this vehicle purchase, Inframark requests a 24 month extension to the Agreement, which would extend the current term through September 30, 2026. Inframark would also adjust the Base Fee under this Option 2 as stated in Option 1.

Below is a table summarizing the above options:

2018-2019 Base Fee Year	\$2,733,090.36
Annual Base Fee 2019-2020 Increase 3.017%	\$71,207.55
Total Proposed Annual Agreement 2019-2020 Base Fee Option #1	\$2,804,297.91
Option #2 Truck annual cost	\$19,188.00
Total Proposed Annual Agreement 2019-2020 Base Fee+24 month extension Option #2	\$2,823,485.91

Please let me know if either of these options is acceptable to the City. If so, Inframark can prepare an amendment to the Agreement to address the agreed upon changes.

We look forward to each upcoming year as an opportunity to grow with the City and continue to provide world class service for the community.

Please call me if you have any questions or would like any additional information about this proposal.

Respectfully,



Oswaldo Garza
Regional Director

Cc: George Quilantan, Project Manager



Standardized Agenda Request Form

Date of Meeting: December 3, 2019		Agenda Item No. (to be assigned by CSO): 2019-2947
From: Rebekah De La Fuente		
Subject: Discussion and consideration to authorize Hidalgo County Precinct #1 to remove approximately 2,726 cubic yards of fill dirt from the Regional Detention Facility located on S Texas Blvd (F.M. 88) and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Planning & Code Enforcement.)		
Background: Hidalgo County Precinct #1 has requested to utilize the surplus soil from the RDF located on S Texas Blvd as part of a county project to raise the elevation at a collection site located in Monte Alto. Hidalgo County will haul away the soil and City staff will assist with the loading for the trucks.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
Rebekah De La Fuente Rebekah De La Fuente Mike Perez		Created/Initiated Approved Final Approval
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: Hidalgo County Request		
Responsibilities upon Approval:		

Rebekah M. De La Fuente

From: Mike Perez
Sent: Tuesday, November 26, 2019 8:29 AM
To: Rebekah M. De La Fuente
Subject: FW: Drainage Dirt

Rebekah,

The request by Pct 1 was via email.....see below. Let me know if you need anything else.

Thx,
Norma

From: Alejandro Livas <alejandro.livas@co.hidalgo.tx.us>
Sent: Wednesday, September 25, 2019 3:30 PM
To: Mike Perez <mrperez@weslacotx.gov>
Cc: suarez, david <david.suarez@co.hidalgo.tx.us>
Subject: Drainage Dirt

Mr.Perez,

We're inquiring if the city had any dirt available from the city's drainage projects that we might be able to have. We plan to lift up one of our collection sites and are searching for access dirt. If possible, we can haul the dirt to our Monte Alto collection site if the city can have staff/machinery there to load up our trucks. Please let us know if this would work out. I understand the city is in the process of surplussing the dirt and we feel this scenario would benefit both of us. Thank you.



Alejandro L. Livas
Administrative Assistant IV

Office of Commissioner David L. Fuentes

1902 Joe Stephens Ave, Weslaco Tx
Hidalgo County PCT 1
956-968-8733 ext: 1019
www.co.hidalgo.tx.us/pct1

"It is amazing how much can be accomplished if no one cares who gets the credit" - John Wooden

December Advertising		
Item	Description	Cost
Winter Texan Advertising	RGV Visitor Guide 2019-20	\$2,935.00
Mexico Advertising	De Shopping-Holiday Shopping Ad	\$500.00
Texas/Domestic	Benchmark Billboard	\$2,300
Trade Shows	Winter Texas Appreciation/McAllen Connection Fair	\$500
Total:		\$6,235.00

Business, Visitor & Events Center	
Approximate # of Guests	1,400
Election Day	1,020
In State Visitors	45
Out of State visitors	76
Total:	2,541

**total of 18 facility reservations (conference center/board room)*

Other:

- Upcoming Events:
 - Santa Dash 5K, December 7, 2019 at 9AM
 - Christmas Parade, December 7, 2019 at 10AM
 - RGV Sugar Growers Informational Presentation, December 3, 2019 at 9AM
- Working on contract with Spectrum that will air over 3,600 commercials featuring Weslaco Dining, Shopping, and lodging!

Highlight:

- Partnership with Texas Birding, Hosted Mr. Dominic Couzens, natural History Writer, toured Estero Llano Grande, Frontera Audubon, and Valley Nature Center!
- Staff attended the 2019 McAllen Connection Fair, where they met with over 200 visitors and shared information on Weslaco upcoming events and city attractions
- Total of 10 Volunteers are registered to assist with Tourism and Visitors Center Efforts (including weekly activities and coffee bar)
- Hotel Occupancy Tax Meeting by Justin Braigel from THLA





THE ECONOMIC DEVELOPMENT CORPORATION
OF WESLACO

Whether you are launching, expanding or relocation a business, it makes sense to choose Weslaco – it is the Business Center of the Rio Grande Valley!

November 26, 2019

Projects

- Project Light, the lighting of the underpass at Texas Blvd., is going to be completed in December. The Federal officials and Texas Dept of Transportation had to approved of the project.
- Project Collapse, an education institution, an existing firm that is looking to find temporary space.
- Project Crazy, a quick service restaurant, that is inquiring about a facility in Weslaco.
- Project Nursing is looking to expand in Weslaco creating double their student base.

Business Retention

- Visited AgriLife and talk to seven researchers that are advancing agricultural crops. This is important to attract cold storage firms and food processing.

Alfresco Weslaco

- Alfresco Weslaco, was November 21st, in Historic Downtown Weslaco, 6:30 pm to 9:00 pm. The band was Jaime G and the Adel's and we had 80 vendors showing up for food, arts and crafts.

Christmas Lighting

- December 4th is the lighting of the Christmas tree, at 6:00 pm, with schools from Weslaco ISD and Idea Public School performing.

Weslaco 100

This celebration of Weslaco Birthday is beginning December 6th with the luncheon that Dr. Ray Perryman is the keynote speaker.

Summary of Leads List

Staff is working a total of 65 leads.

2016/2017 TOTAL WINS	14 WINS	JOBS: 296	CAPITAL INVEST. \$15,302,638
2017/2018 TOTAL WINS	23 WINS	JOBS: 266	CAPITAL INVEST. \$31,083,199
2018/2019 TOTAL WINS	17 WINS	JOBS: 136	CAPITAL INVEST. \$ 8,822,211

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