



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 7, 2020**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, July 7, 2020 at 5:30 pm pursuant to Section 551.045 of the Texas Open Meetings Act.

This meeting will be closed to in person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. The meeting will be recorded and uploaded to the City website following the conclusion of the meeting.

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: 1-877-853-5247; Meeting ID: 879 7583 3086.

Members of the public who wish to participate in Public Comment on an agenda item must send their name, address and phone number via email to nacantu@weslacotx.gov by 12:00 pm on July 7, 2020. A staff member will contact you with instructions via phone call to address your public comment.

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 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 following:
 - 1) Minutes of the Regular Meeting on June 16, 2020;
 - 2) Minutes of the Special Meeting on June 22, 2020; and
 - 3) Minutes of the Special Meeting on July 1, 2020 (Staffed by City Secretary's Office.) Attachment.
- B. Authorization to receive Department of Justice Office of Justice Programs Coronavirus Emergency Supplemental Funding Program Grant #2020-VD-BX-1579 in the amount of \$38,412.00 with NO MATCH REQUIRED and NO REOCCURRING COSTS and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

IV. **APPOINTMENTS**

- A. Discussion and consideration to approve Resolution 2020-24 appointing three members to expired terms on the Weslaco Drainage Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment

V. **OLD BUSINESS**

- A. Discussion and consideration on amendment to Republic Services waste collection contract to include debris removal during a natural disaster and authorize the Mayor to execute any related documents. Possible action. (This item was tabled June 16, 2020; staffed by Weslaco Office of Emergency Management.) Attachment
- B. Discussion and consideration on purchasing equipment, vehicles and approving proposed improvements to city facilities relating to COVID-19 (CARES Act.) prioritized as follows:

<u>FIRE/EMS</u>		<u>Total Cost</u>
infectious disease response unit (IDRU ambulance)	(1)	\$450,000
Auto- pulse CPR machine (hands free CPR)	(3)	42,660
CAPR Systems - system/filters/covers/cuffs/batteries/ replacement parts.....	(20)	32,177

<u>POLICE</u>		
COVID Special OPS vehicle/response unit for public management/control	(1)	59,027
4X4 unmarked pickup Crew Cab - transport / store PPE and equipment	(1)	63,721
Unmarked SUV w/ emergency lighting and universal storage unit box	(1)	52,458
4X4 pickup crew cab w/partition for suspected COVID prisoners	(1)	63,721

Transit passenger van XL for transport of prisoners/patients	(1)	68,980
Big Tex tandem axle trailer to carry barricades, cones and stop signs	(1)	5,200

INFORMATION TECHNOLOGY

ZOOM 12 month subscription	(1)	11,000
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AIRPORT

Building skin-to store PPE delivered by State	(1)	500,000
Forklift-for use to upload PPE delivered by State	(1)	28,000

EOC

EOC communication dispatch radio	(2)	20,000
RGIFS - OCE Systems	(1)	10,000
Servers for COVID data storage	(1)	10,000

WESLACO ECONOMIC DEVELOPMENT CORPORATION

Incentive Plan		300,000
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LIBRARY

Glass barriers at service points	(1)	3,500
Wireless outdoor access point	(1)	1,800

PLANNING

EOC software solution : VEOCI emergency & operations management	(1)	11,500
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INFORMATION TECHNOLOGY

Network Monitoring switches - professional services	(60)	9,000
Cloud1) computing services - infrastructure as a service	(1)	21,000

BUILDING MAINTENANCE

Electrostatic disinfectant sprayers (Library and City Hall)	(2)	3,000
Ion Generator for HVAC System for disinfection of duct system	(1)	4,900

FINANCE

Drive thru pay station Building; Utility Billing/Library	(1)	300,000
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PARKS

20' Trailer for Barriers and perimeter fence	(1)	300,000
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ALL DEPARTMENTS

Surface pro Directors/Assistant Dir./Chief/Assistant Chief/EOC		
Mayor and Commissioners/City Manager	(31)	46,500

BUILDING MAINTENANCE

Automated doors; outer doors, lobby, Legislative Chamber	(1)	35,000
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and authorize the Mayor to execute any related documents. Possible action. (this item was tabled July 1, 2020; staffed by City Manager.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to adopt Ordinance 2020-16 amending the Utility Extension Ordinance Codified as Article III Section 5 regarding the approval of a

Utility Reimbursement Agreement and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-16. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- B. Discussion and consideration of Ordinance 2020-18 for dis-annexation request from the property owner of 5000 S. Border Avenue also being the West 22.0 acres of Farm Tract 799 excluding the W3.68 acres for improvements 18.32 acres gross, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-18. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration on presentation of the financials for the General, Water/Wastewater and Solid Waste funds as of June 30,2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- D. Discussion and consideration to approve Ordinance 2020-15 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-15. Possible action. (Staffed by Finance Department.) Attachment
- E. Discussion and consideration of a Memorandum of Understanding (MOU) between the City of Weslaco and Hidalgo County Drainage District No. 1, Phase I Flood Control Project and authorize the Mayor to execute and related documents. Possible action. (Staffed by Engineering Department.) Attachment
- F. Discussion and consideration to approve Allowance Expenditure Authorization No.5 for the North Side Fire Station Project as presented by Alvarado Architects and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport.) Attachment
- G. Discussion and consideration to approve Change Order No.3 - Final Change Order for the North Side Fire Station Project as presented by Alvarado Architects and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport.) Attachment
- H. Discussion and consideration to approve final payment for North Fire Station Project to Tri-Gen Construction for an amount not to exceed \$162,010.59 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- I. Discussion and consideration to approve final payment for North Fire Station Project to Alvarado Architects for an amount not to exceed \$18,288.43 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment

- J. Discussion and consideration to amend the City of Weslaco's Drug and Alcohol Policy and authorize the Mayor to execute any related documents. Possible action (Staffed by Human Resources.) Attachment
- K. Discussion and consideration to adopt the City of Weslaco's Criminal History Record Information (CHRI) Proper Access, Use and Dissemination Procedures and authorize the Mayor to execute any related documents. Possible action (Staffed by Human Resources.) Attachment
- L. Discussion and consideration on amendments and extension of July 10, 2020 to August 7, 2020 Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- M. Discussion and consideration to purchase a 2020 Volvo EC300EL Track Excavator in an amount not to exceed \$233,206.00 from ROMCO Equipment Co., through Buyboard Contract #597-19, authorize a budget amendment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- N. Discussion and consideration to approve Ordinance 2020-17 a budget amendment in the amount not to exceed \$233,206.00 and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-17. Possible action. (Staffed by Public Works Department.) Attachment

VII. 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. Real Property - Discussion with City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue as authorized by section §551.072 of the Texas Government Code.
- C. Real Property - Discussion of possible purchase of Vantage Bank property located at 501 S. Kansas Avenue as authorized by §551.072 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding claim by Jaime Castaneda as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Felix Sanchez as authorized by section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding Steven Sosa as authorized by section §551.071 of the Texas Government Code.
- G. Legal Consultation - Consultation with City Attorney regarding Saltillo v. City of Weslaco as authorized by section §551.071 of the Texas Government Code.
- H. Legal Consultation - Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

IX. 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 3rd day of July 2020 at 3:30 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/ Norma A. Cantu, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary Department at (956) 968-3181, Ext. 1001 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: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3229	
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):			
Molly Vallejo		Created/Initiated	
Aida Vega		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: A. Mayor will Call to Order and certify Public Notice. B. Commissioner 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			
Attachments, if any: Pledge & Mission 2019 updated			
Responsibilities upon Approval:			

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: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3234	
From:			
Subject: Approval of the following: 1) Minutes of the Regular Meeting on June 16, 2020; 2) Minutes of the Special Meeting on June 22, 2020; and 3) Minutes of the Special Meeting on July 1, 2020 (Staffed by City Secretary's Office.) Attachment.			
Background: Record of commission action for the Regular Meeting on June 16, 2020 and Special Meeting on June 22 and July 1, 2020.			
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):			
Molly Vallejo		Created/Initiated	
Aida Vega		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Approve.			
Attachments, if any: 20-06-16 minutes, 20-06-22 minutes special meeting, 07-01-20 minutes			
Responsibilities upon Approval: Execute and retain.			



**MINUTES
REGULAR MEETING
WESLACO CITY COMMISSION
JUNE 16, 2020**

On Tuesday, June 16, 2020, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following member's present:

PRESENT:

Mayor	David Suarez
Mayor Pro-Tem	Letty Lopez
Commissioner	Greg Kerr
Commissioner	Leo Muñoz
Commissioner	Adrian Farias

ABSENT:

Absent	Commissioner J.P. Rodriguez
	Commissioner Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Norma A. Cantu
City Attorney	Juan E. Gonzalez

Also present: Andrew Munoz, Assistant City Manager/Aviation Director, Vidal Roman, Finance Director, Martin Vela, Information Technology Director; Rebekah De La Fuente, Planning Director; Pete Garcia, Public Works Director, Joe Pedraza, Asst. Planning Code Enforcement Director, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, Albert Aldana, City Engineer, Olga Garza, Asst. Public Works Director, and Molly Vallejo, Secretary.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor David Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, June 12, 2020.

B. Invocation.

Pastor Tom Murray, Grace Episcopal Church led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting the absence of Commissioner Rodriguez and Commissioner Pedraza at the time of roll call and a quorum present.

II. PUBLIC COMMENTS

Edward Mejia supported the agenda item request for the 4th of July Fireworks display and hoped the commission consider approval and voiced his displeasure and was offended with a member of commission regarding a conversation related to his appointment to a committee/board.

Julie Ann Valdez outlined her experience and dissatisfaction with the police department process in filing a complaint stating the lack of organization, transparency and resolution with the process is unfair to the complainant.

III. PUBLIC HEARING

Commissioner Munoz, seconded by Mayor Pro Tem Lopez moved to open the public hearing at 5:45 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Fernando Gutierrez is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 900 N. Border Ave. Suite C, also being a 1.59 acres tract of land being the W210'-S330' Farm Tract 123, West Tract Subdivision, Weslaco, Hidalgo County, Texas.

B. To solicit input on behalf of Sr. Mostacho, LLC, Raul H. Ugalde is requesting a Conditional Use Permit to obtain an On Premise Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2, Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco, Hidalgo County, Texas

There were no comments received.

Mayor Pro Tem Lopez, seconded by Commissioner Munoz, moved to close the public hearing at 5:46 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

IV. CONSENT AGENDA

The following items are 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:

1.) February 18, 2020; and

2.) June 02, 2020; (Staffed by City Secretary Department.)

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

1) Approval on Ordinance 2020-13 amending Ordinance 2020-02 to postpone Special Election of May 2, 2020 and move to General Election on November 03, 2020 and authorize the Mayor to execute any related documents. (First reading held on June 02, 2020; Staffed by City Secretary Department.)

C. Authorization to apply for the FY 2020 Texas State Library Interlibrary Loan Lending Reimbursement Program and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

D. Approval of the purchase of five desk top computers and six monitors to include accessories in an amount not to exceed \$7,746.54 from the Court Technology Fund and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

E. Authorization to submit application to Defense Logistics Agency to continue to participate in the Law Enforcement Support Office to acquire military surplus of property, equipment, and vehicles at NO CHARGE or CASH MATCHING and NO REOCCURRING FEES and approve the State Plan of Operation and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

F. Approval of Mid Valley Airport Ground Lease Agreement with Ray Walker for Hangar W-11, and authorize the Mayor to execute any related documents. (Staffed by Airport.)

G. Approval of a Mid Valley Airport Hangar Lease Agreement with Paula Pesavento, Hangar E-5, and authorize the Mayor to execute any related documents. (Staffed by Airport.)

H. Approval on renewal of Interlocal Agreement with Community Council of the Rio Grande Valley for 2-1-1 Texas Program and authorize the Mayor to execute any related documents. (Staffed by City Manager)

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

Norma Cantu, City Secretary, requested the minutes as presented for June 2, 2020 agenda item V.A. "Movies at the Park" stand with a noted correction that Commissioner Muñoz, not Commissioner Kerr seconded the motion.

Mayor Pro Tem Lopez, seconded by Commissioner Muñoz, moved to approve correction as presented. Motion carried unanimously; Mayor Suarez was present and voting.

V. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2020-23 appointing a member to unexpired term to the Weslaco Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, stated three members terms have expired; contact was made with the members with one member unable to continue to serve, one expressed continued interest and one no response. Staff recommended to re-appoint Sergio Lozano and solicit applicants to bring back to the commission for the appointment of two members.

Mayor Pro Tem Lopez seconded by Commissioner Kerr moved to approve Resolution 2020-23 to re-appoint Sergio Lozano to the Weslaco Hotel Occupancy Tax Advisory Committee as presented. The motion carried unanimously; Mayor was present and voting.

For the record, following is the resolution.

RESOLUTION NO. 2020-23

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Sergio Lozano is appointed to a term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 4th day of April 2023.

PASSED AND APPROVED on this 16th day of June 2020.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

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

VI. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Fernando Gutierrez is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 900 N. Border Ave. Suite C, also being a 1.59 acres tract of land being the W210'-S330' Farm Tract 123, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente, Planning Director, stated the applicant Fernando Gutierrez requested a Conditional Use Permit for a Wine and Beer Retailer's permit for 900 N. Border Avenue. The Planning & Zoning Commission and staff recommended approval.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve Conditional Use Permit to obtain On-Premise Wine and Beer Permit at 900 N. Border Avenue as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Sr. Mostacho, LLC, Raul H. Ugalde is requesting a Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2, Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente stated the applicant Sr. Mostacho LLC., requested a Conditional Use Permit for a Mixed Beverage permit, Mixed Beverage late hours permit and Beverage Cartage permit for 2307 W. Interstate 2. The Planning & Zoning Commission recommended approval with the condition one security guard on duty during hours of operation; staff recommended approval.

Commissioner Kerr, seconded by Commissioner Farias, moved to approve Conditional Use Permit to obtain On-Premise Wine and Beer Permit at 2307 W. Interstate 2, Suite A with condition as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to extend franchise agreement for 8 months effective August 1, 2020 with Liquid Environmental Solutions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Joe Pedraza, Asst. Planning and Code Enforcement Director, stated previous commission action approved an extension for one year that ends July 31, 2020 and to solicit proposals. Liquid Environmental Solutions requested an 8-month extension effective August 1, 2020 due to COVID-19 pandemic that has most of their staff working from home. Staff recommended approval.

In response to the Commission; Joe Pedraza stated staff asked for justification of the request and the vendors response was as a result of staffing no longer in the office and layoff of personnel it would made it difficult for them to respond to a request for qualifications. The City Manager stated staff was to begin the process in March for the RFQ's but with EOC operations ensuing in the emergency order for COVID-19 staff has not been able to begin; the contract allows the extension; if approved gives time for staff to begin the process of solicitation for proposals. Joe Pedraza stated their rates charged are reasonable; the vendor has been in place for 8 years and by soliciting proposal allows comparison of true market value for this type of service.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve an extension of franchise agreement for 8 months effective August 1, 2020 with Liquid Environmental Solutions and proposals be solicited as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration on amendment to Republic Services waste collection contract to include debris removal during a natural disaster and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Office of Emergency Management.)

Joe Pedraza stated the amendment to the contract contains verbiage for debris removal during a natural disaster; required in order to receive reimbursement of state funds once all resources have been exhausted by the City for debris removal and the rates would be determined at the time services are rendered.

Mayor Suarez voiced concerns on the absence of the rates. Joe Pedraza stated the vendors position is if a rate is set it could be too high or low since it is unclear when and if the services may be needed. Commissioner Muñoz stated if the contract in place is for another one or two years a rate could be indicated. The City Manager stated he would be meeting with them and recommended to table until a rate could be established and bring back to the commission.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to table an amendment to Republic Services waste collection contract as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration of the 4th of July fireworks display and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

Commissioner Farias seconded by Mayor Pro Tem Lopez moved to discuss.

Omar Rodriguez, Parks & Recreation Director stated Weslaco Economic Development Corporation (EDC) has hosted the 4th of July festivities and the City partners in these festivities by providing the fireworks display. The EDC cancelled the festival this year and staff recommended to close the park to the public and allow the fireworks display to be done for the citizens from the Mayor Pablo Peña Park since there is a pending order of fireworks. The total cost would be \$13,000 and a contract has not been finalized.

Commissioner Muñoz suggested to move the fireworks display to Harlon Block Sports Complex since the event will be closed to the public noting traffic control has been a concern for the area in the past. Mayor Suarez recommended to table any action until after executive session.

Commissioner Munoz seconded by Commissioner Farias moved to table. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to extend existing contract or authorize staff to proposals for Depository Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Commissioner Kerr seconded by Mayor Pro Tem Lopez moved to approve.

Vidal Roman, Finance Director, stated the contract with the present Bank will expire September 30, 2020; contract allows renewal option of two more years. Staff requested authorization to initiate the process of soliciting proposals for depository services.

Commissioner Kerr withdrew the original motion.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to authorize staff to solicit proposals for Depository Services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on amendments and extension of June 19, 2020 Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Mayor Suarez recommended to discuss upon completion of executive session and move forward with the agenda.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to table until after executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration on Interlocal Agreement between City of Weslaco and County of Hidalgo on COVID-19 CARES Funds and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Mike R. Perez stated the Interlocal Agreement with Hidalgo County is required in order to receive COVID-19 CARES funds in the amount of \$114.00 per capita for Weslaco; legal counsel has reviewed; upon execution the City will receive about \$940,000 right away which is 20% of its total allocation of \$4,745,706. Staff recommended approval noting the budget of expenditures of these funds will need to be approved and is forthcoming as item I.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve Interlocal Agreement between City of Weslaco and County of Hidalgo on COVID-19 CARES Funds as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration on submittal of reimbursement to County of Hidalgo for CARES Act for COVID-19 response and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Mike R. Perez stated the budget of expenditures to be submitted to Hidalgo County will be in six (6) categories medical; public health; payroll; actions to facilitate COVID-19 activities; economic support; functions of a government activities for COVID-19. The City Manager went over the summary of items for reimbursement that include wages of exempt employees; equipment, technology, vehicles and capital outlay for the departments for an estimated burn rate from March 1 to December 2020 to be \$3.5 million and recommended approval.

In response to the commission; the City Manager stated staff was ready to proceed in submittal of reimbursement within the next couple of days; the capital outlay for the airport and improvements will be categorized as expenses to facilitate COVID-19 activities (distribution of supplies). Mayor Suarez recommended more monies for the “incentive plan”. The City Manager noted the budget can change and if the commission wished to increase those funds it could be done. The City may receive more funding from the County as the per capita for Weslaco may be an additional \$18.00. The City Manager stated the City will be paying for some items, funds need to be spent first and then will be reimbursed subject to eligibility and stated staff will be working closely with County Auditors to ensure eligibility.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve submittal of reimbursement expenses with the increase in line item of incentive plan for CARES Act for

COVID-19 response as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to select Halff Associates to assist with Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) grant application and subsequent design of Kansas and Los Torritos Drainage Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Andrew Munoz, Aviation Director/Interim HR Director, stated Halff Associates has been the firm for the past two years developing scope of work for drainage projects for Weslaco as well as assisting with the FEMA grant applications. Staff recommends approval extending the grant/loan application with the Texas Water Development Board's (TWDB) FIF to Halff Associates; fees will be included in the loan/grant application; no requirement to pay the firm unless the project is selected for funding.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve Halff Associates to assist with Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) grant application and design of Kansas and Los Torritos as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and authorization to submit an application for funding to the Texas Water Development Board Flood Infrastructure (FIF) Program for the Kansas and Los Torritos Drainage Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Andrew Munoz stated with commission approval of item J for Halff Associates to assist with the grant application to the Texas Water Development Board Flood Infrastructure (FIF) Program, staff recommended approval and proceed to submit the grant application.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve to submit an application for funding to the Texas Water Development Board Flood Infrastructure (FIF) Program for Kansas and Los Torritos as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration on sale of a Fire Skid and one (1) Tank to the City of Progreso and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

The City Manager recommended approval of the sale to the City of Progreso of a Fire Skid and one (1) Tank (water) from our surplus at Weslaco Fire Department for a total sale of \$2,000 for the Fire Skid and \$1,000 for the tank.

Commissioner Munoz, seconded by Commissioner Kerr, moved to approve sale of a Fire Skid and 1 Tank to the City of Progreso as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to accept the second lowest proposal for the acquisition and funding of Brush related equipment and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Olga Garza, Asst. Public Works Director, stated the selected vendor, BCI Capital Finance will not be able to fulfill their obligation of the financing. Staff recommends accepting and award the second lowest respondent that is subject to confirmation of proposal with Government Capital Corporation. It will have an increase of \$16,434,90.

In response to Mayor Suarez, staff reached out to the vendor, BCI Capital Finance, with no response. Mayor Suarez and Commissioner Kerr voiced concern on the lack of response and their commitment for any future financing needs.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve the second lowest proposal Government Capital Corporation for Brush equipment as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to contract Southern Trenchless Solutions, LLC., the lowest bidder for the repairs of a collapsed manhole and sewer line located on Mile 5 North Rd. and Sawgrass St. in the amount not to exceed \$162,188.95 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from vote and discussion.

Pete Garcia, Public Works Director, recommended to award Southern Trenchless as the lowest respondent.

In response to Commissioner Muñoz, the total quote from Southern Trenchless was \$205,233.95 that included the bypass.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve lowest bidder Southern Trenchless Solutions, LLC., to repair a collapsed manhole and sewer line on Mile 5 North Rd. not exceed \$205,233.95 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 6:40 p.m. Commissioner Munoz, seconded by Mayor Pro Tem Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 740 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

B. Real Property - Discussion of possible purchase of Vantage Bank property located at 501 S. Kansas Avenue as authorized by §551.072 of the Texas Government Code.

Commissioner Kerr seconded by Mayor Pro Tem Lopez moved to proceed with negotiations on the purchase of property located at 501 S. Kansas Avenue as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Real Property - Discussion with City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue as authorized by section §551.072 of the Texas Government Code.

No action.

D. Legal Consultation - Consultation with City Attorney regarding Felix Sanchez as authorized by section §551.071 of the Texas Government Code.

No action.

E. Legal Consultation - Consultation with City Attorney regarding Steven Sosa as authorized by section §551.071 of the Texas Government Code.

No action.

F. Legal Consultation - Consultation with City Attorney regarding Justin Becerra as authorized by section §551.071 of the Texas Government Code.

Commissioner Farias seconded by Mayor Pro Tem Lopez moved to authorize the City Attorney to negotiate settlement as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

G. Legal Consultation - Consultation with City Attorney regarding Saltillo v. City of Weslaco as authorized by section §551.071 of the Texas Government Code.

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to authorize the City Attorney to proceed with negotiations as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Legal Consultation - Consultation with City Attorney regarding the termination of a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Jeremy Reily for Hanger B, E27 as authorized by section §551.071 of the Texas Government Code.

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to authorize staff and City Attorney to proceed with termination of the lease agreement with Tenant Jeremy Reily. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration of the 4th of July fireworks display and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

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

In response to Mayor Suarez, Chief Rivera stated staffing needed would be eight (8) officers and it would be overtime because of modified schedules as a result of COVID-19; Fire Chief Lopez stated six (6); three (3) staff the engine company; two (2) for the brush truck and two (2) fire marshals. In response to Mayor Pro Tem Lopez the park would be completely closed to the public that includes no pedestrian; in response to Commissioner Farias, Chief Rivera stated no parking at all would be permitted and violators may/or not be enforced and pedestrians would be a challenge to control.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to host the 4th of July fireworks display at Harlon Block with the park closed to the public. The motion carried with 3 ayes and 2 nays Mayor Pro Tem Lopez and Mayor Suarez against.

G. Discussion and consideration on amendments and extension of June 19, 2020 Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

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

The City Manager recommended approval and extend the Disaster Declaration order until July 10, 2020.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve amendment to extend Disaster Declaration (COVID-19) through July 10, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Commissioner Kerr, seconded by Commissioner Muñoz, moved to adjourn the meeting at 7:50 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, CITY SECRETARY

MAYOR PRO-TEM, Letty Lopez

COMMISSIONER, Leo Muñoz

ABSENT

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Greg Kerr

ABSENT

COMMISSIONER, Josh Pedraza



**MINUTES
WESLACO CITY COMMISSION
SPECIAL MEETING
MONDAY, JUNE 22, 2020**

On this 22nd day of June 2020 at 5:31 p.m. the City Commission of the City of Weslaco, Texas convened in a Special Meeting via Zoom.

Mayor Suarez called the meeting to order. The following city officials were present, a quorum was established, and the following proceedings were held.

let

Mayor	David Suarez
Mayor Pro-Tem	Letty Lopez
Commissioner	Leo Munoz
Commissioner	Greg Kerr
Commissioner	J.P. Rodriguez
Commissioner	Adrian Farias
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Norma A. Cantu
City Attorney	Juan E. Gonzalez

Also present: Andrew Muñoz, ACM/Aviation Director, Omar Rodriguez, Parks & Recreation Director, Antonio Lopez, Fire Chief, Joe Pedraza, Asst. Planning & Code Enforcement Director, and Cristina Garcia, PIO.

I. **CALL TO ORDER**

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, June 19, 2020.

B. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

C. Roll Call.

Norma A. Cantu, City Secretary, called the roll, noting perfect attendance and a quorum present.

II. **PUBLIC COMMENTS**

Edward Mejia stated he is in support of the City conducting the 4th of July Fireworks event at Harlon Park.

Alex Livas voiced his concern of having a 4th of July Fireworks event due to the increase of COVID-19 cases.

III. NEW BUSINESS

- A. Discussion and possible action on Rescission of City Commission approval of motion to conduct 4th of July Fireworks at Harlon Block Park and authorize the Mayor to execute any related documents. Possible action. (This item was approved June 16, 2020; staffed by City Manager.)

Mayor Pro Tem Lopez, seconded by Commissioner Pedraza moved to rescind the 4th of July Fireworks event at Harlon Block Sports Complex Park.

In response to Commissioner Muñoz, the City Attorney stated under Robert Rules of Order an item approved by the commission, maybe rescinded with a motion introduced by any Commission member (present or absent). The City Manager stated no contract had been executed, a 10-day mobilization period needed, and the vendor had not been notified nor had they contacted the City.

In response to Commissioner Kerr, the City Attorney stated his interpretation is if a vendor has not been informed and accepted a contract the commission action may be rescinded; public action in his opinion is not considered as being informed; reviewed for case law and or ruling that public action is considered as being informed and found none. In response to Mayor Pro Tem Lopez, the Mayor would have the authority under the declaration of the emergency order of COVID-19 to cancel the event and Mayor Suarez favored action by the commission since it had been acted on.

Mayor Suarez voiced concern of resources (personnel) available to ensure public safety as related to COVID-19 activity; Commissioner Pedraza was concerned with the gatherings of individuals at the event. Commissioner Kerr favored the event be held; Commissioner Rodriguez was concerned with enforcement of non-compliance individuals and traffic safety.

Chief Rivera and Chief Lopez addressed the commission concerning those obstacles that could be faced in control of attendees, traffic safety with public parking on the streets and ensuring personnel available in lieu of experiencing shortage of staff resulting in COVID-19. With the event still a couple of weeks away it may be difficult to determine schedules for the event as well as daily operations.

Mayor Pro Tem Lopez, called the question on the original motion. The motion carried by a vote of 4 ayes and 3 nays; Commissioners Farias, Kerr and Muñoz against; Mayor Suarez was present and voting.

IV. ADJOURNMENT

Commissioner Farias, seconded by Commissioner Kerr moved to adjourn at 6:22 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Norma A. Cantu

MAYOR PRO-TEM, Letty Lopez

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Josh Pedraza

COMMISSIONER, Adrian Farias



**MINUTES
WESLACO CITY COMMISSION
SPECIAL MEETING
WEDNESDAY, JULY 1, 2020**

On this 1st day of July 2020 at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Special Meeting via Zoom.

Mayor Suarez called the meeting to order. The following city officials were present, a quorum was established, and the following proceedings were held.
let

Mayor	David Suarez
Mayor Pro-Tem	Letty Lopez
Commissioner	Leo Munoz
Commissioner	J.P. Rodriguez
Commissioner	Adrian Farias
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Norma A. Cantu
City Attorney	Juan E. Gonzalez

ABSENT: Commissioner Greg Kerr

Also present: Andrew Muñoz, ACM/Aviation Director, Antonio Lopez, Fire Chief, Vidal Roman, Finance Director, Omar Rodriguez, Parks & Recreation Director, Arnold Becho, Library Director and Rebekah de la Fuente, Planning and Code Enforcement Director.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, June 26, 2020.

B. Pledge of Allegiance.

None.

C. Roll Call.

Norma A. Cantu, City Secretary, called the roll, noting the absence of Commissioner Kerr and a quorum present.

II. PUBLIC COMMENTS

None.

III. NEW BUSINESS

A. Discussion and consideration on purchasing equipment, vehicles and approving proposed improvements to city facilities relating to COVID-19 (CARES Act.) and

authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager).

Mayor Suarez recommended no action.

Mike R. Perez, City Manager advised the commission staff received information that Hidalgo County issued new rulings (guidelines) on reimbursement of expenditures; review of the new guidelines alters enough that raise concern for staff. The City Manager recommended no action until July 7, 2020 on the proposed expenditures of any funds until staff confers with Hidalgo County on clarification of eligibility expenses under COVID-19 CARES Act.

Commissioner Muñoz, seconded by Commissioner Rodriguez motioned to table until July 7, 2020 regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

IV. ADJOURNMENT

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez moved to adjourn at 5:34 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Norma A. Cantu

MAYOR PRO-TEM, Letty Lopez

COMMISSIONER, Leo Muñoz

ABSENT

COMMISSIONER, Greg Kerr

COMMISSIONER, Jose "J.P." Rodriguez

COMMISSIONER, Josh Pedraza

COMMISSIONER, Adrian Farias



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3419	
From: Robert Lopez			
Subject: Authorization to receive Department of Justice Office of Justice Programs Coronavirus Emergency Supplemental Funding Program Grant #2020-VD-BX-1579 in the amount of \$38,412.00 with NO MATCH REQUIRED and NO REOCCURRING COSTS and authorize the Mayor to execute any related documents. (Staffed by Police Department.)			
Background: The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers.			
Funding Source (budget code, if applicable): Department of Justice Office of Justice Programs			
Amount: \$38,412.00		Term of Impact: 24 months	Identified in Current Budget: No
Additional Action Prompted: Mayor's Signature Budget Amendment			
If item previously considered, provide date and action by Commission: Approved on 04/21/2020 Agenda Item#2020-3192.			
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):			
Robert Lopez		Created/Initiated	
Robert Lopez		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Coronavirus Grant 2020-VD-BX-1579 Grant Award \$38,412			

Responsibilities upon Approval:
--



Department of Justice (DOJ)

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 6, 2020

Chief Joel Rivera
City of Weslaco
255 South Kansas Avenue
Weslaco, TX 78596-6158

Dear Chief Rivera:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by City of Weslaco for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$38,412. These funds are for the project entitled City of Weslaco Coronavirus Emergency Supplemental Funding Program.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should City of Weslaco accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Wendy Rose, Program Manager at (202) 514-7842; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at ask.ocfo@usdoj.gov.

We look forward to working with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katharine T. Sullivan", is located below the "Sincerely," text.

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

Encl.



Department of Justice (DOJ)

Office of Justice Programs

Office of Civil Rights

Washington, DC 20531

June 6, 2020

Chief Joel Rivera
City of Weslaco
255 South Kansas Avenue
Weslaco, TX 78596-6158

Dear Chief Rivera:

Congratulations on your recent award. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, require recipients of federal financial assistance to give assurances that they will comply with those laws. In addition to those civil rights laws, many grant program statutes contain nondiscrimination provisions that require compliance with them as a condition of receiving federal financial assistance. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with OJP and other DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a non-discriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEO requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), .205(c)(5). Please submit information about any adverse finding to the OCR at the above address.

We at the OCR are available to help you and your organization meet the civil rights requirements that are associated with OJP and other DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to let us know.

Sincerely,

Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

Grant

PAGE 1 OF 16

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

City of Weslaco
255 South Kansas Avenue
Weslaco, TX 78596-6158

4. AWARD NUMBER: 2020-VD-BX-1579

5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022
BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022

6. AWARD DATE 06/06/2020

7. ACTION

Initial

2a. GRANTEE IRS/VENDOR NO.

746002545

8. SUPPLEMENT NUMBER

00

2b. GRANTEE DUNS NO.

036562767

9. PREVIOUS AWARD AMOUNT

\$ 0

3. PROJECT TITLE

City of Weslaco Coronavirus Emergency Supplemental Funding Program

10. AMOUNT OF THIS AWARD

\$ 38,412

11. TOTAL AWARD

\$ 38,412

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C

14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)

16.034 - Coronavirus Emergency Supplemental Funding Program

15. METHOD OF PAYMENT

GPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Katharine T. Sullivan
Principal Deputy Assistant Attorney General

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Joel Rivera
Chief of Police

17. SIGNATURE OF APPROVING OFFICIAL

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19A. DATE

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	DIV. REG.	OFC.	SUB.	POMS	AMOUNT
X	B	VD	80	00	00		38412

21. VVDUGT1646



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 2 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

1. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 3 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

2. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2020 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2020 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2020 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.333.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

4. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 4 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

5. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2018, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

7. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 5 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

8. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 6 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

9. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) and (2) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 7 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

10. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "personally identifiable information (PII)" (2 CFR 200.79) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

11. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

12. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 8 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

13. Unreasonable restrictions on competition under the award; association with federal government

SCOPE. This condition applies with respect to any procurement of property or services that is funded (in whole or in part) by this award, whether by the recipient or by any subrecipient at any tier, and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

1. No discrimination, in procurement transactions, against associates of the federal government

Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 (requiring awards to be "manage[d] and administer[ed] in a manner so as to ensure that Federal funding is expended and associated programs are implemented in full accordance with U.S. statutory and public policy requirements") and 200.319(a) (generally requiring "[a]ll procurement transactions [to] be conducted in a manner providing full and open competition" and forbidding practices "restrictive of competition," such as "[p]lacing unreasonable requirements on firms in order for them to qualify to do business" and taking "[a]ny arbitrary action in the procurement process") -- no recipient (or subrecipient, at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), grant recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 9 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

14. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

17. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

18. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://ojp.gov/funding/Implement/TrainingPrinciplesForGrantees-Subgrantees.htm>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 10 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

19. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

20. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

21. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

22. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

23. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 11 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

24. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

25. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2020) The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions that may be set out in applicable appropriations acts are indicated at <https://ojp.gov/funding/Explore/FY20AppropriationsRestrictions.htm>, and are incorporated by reference here. Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 12 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

27. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 13 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

28. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

29. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

30. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

31. Signing Authority

This award must be signed by an authorized official of the applicant State, local, or tribal government, on behalf of that applicant State, unit of local government, or Tribe, unless the applicant designates an organizational unit to apply on its behalf. For example, if designated by a unit of local government, a Police Department or Sheriff's Office (or similar agency) may apply on behalf of the applicant jurisdiction, as long as the department, office, or agency is listed as the organizational unit on the SF-424. In that case, the head of the designated organizational unit (such as a Police Chief or Sheriff) may sign the award. Documentation of the designation by the appropriate governing body must be retained by the grant recipient.

32. The "Emergency Appropriations for Coronavirus Health Response and Agency Operations" law (Public Law 116-136) includes definitions, reporting requirements, and certain other provisions that apply (whether in whole or in part) to this award. In addition, consistent with the CESF Program's purposes, which involve preparing for, preventing, and responding to the coronavirus national emergency, OJP will provide notice of any additional CESF program-specific grants administrative requirements on an award page, accessible at <https://www.ojp.gov/funding/explore/CESF-program-specific-condition>, that is incorporated by reference here.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 14 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

33. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).
34. FFATA reporting: Subawards and executive compensation
- The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.
- This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$25,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
35. Required monitoring of subawards
- The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
36. Use of program income
- Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.
37. Justice Information Sharing
- Recipients are encouraged to comply any information-sharing projects funded under this award with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) is encouraged to conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information.
38. Avoidance of duplication of networks
- To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity.



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 15 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

39. Compliance with National Environmental Policy Act and related statutes

Upon request, the recipient (and any subrecipient at any tier) must assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these award funds, either directly by the recipient or by a subrecipient. Accordingly, the recipient agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact BJA. The recipient understands that this condition applies to new activities as set out below, whether or not they are being specifically funded with these award funds. That is, as long as the activity is being conducted by the recipient, a subrecipient, or any third party, and the activity needs to be undertaken in order to use these award funds, this condition must first be met. The activities covered by this condition are: a. New construction; b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places; c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories. The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/ or an Environmental Impact Statement, as directed by BJA. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <https://bjagov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations. Application of This Condition to Recipient's Existing Programs or Activities: For any of the recipient's or its subrecipients' existing programs or activities that will be funded by these award funds, the recipient, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

40. Establishment of interest-bearing account

If award funds are being drawn down in advance, the recipient (or a subrecipient, with respect to a subaward) is required to establish an interest-bearing account dedicated specifically to this award. Recipients (and subrecipients) must maintain advance payments of federal awards in interest-bearing accounts, unless regulatory exclusions apply (2 C.F.R. 200.305(b)(8)). The award funds, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Coronavirus Emergency Supplemental Funding (CESF) program. The recipient also agrees to obligate the award funds in the account(including any interest earned) during the period of performance for the award and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to OJP at the time of closeout.

41. Expenditures requiring prior approval

No funds under this award may be expended on individual items costing \$500,000 or more, or to purchase Unmanned Aerial Systems (UAS), Unmanned Aircraft (UA), and/or Unmanned Aerial Vehicles (UAV) without prior written approval from BJA. Prior approval must be obtained post-award, through the submission and approval of a Grant Adjustment Notice (GAN) through OJP's Grant Management System (GMS).



Department of Justice (DOJ)
Office of Justice Programs
Bureau of Justice Assistance

**AWARD CONTINUATION
SHEET
Grant**

PAGE 16 OF 16

PROJECT NUMBER 2020-VD-BX-1579

AWARD DATE 06/06/2020

SPECIAL CONDITIONS

42. Authorization to obligate (federal) award funds to reimburse certain project costs incurred on or after January 20, 2020

The recipient may obligate (federal) award funds only after the recipient makes a valid acceptance of the award. As of the first day of the period of performance for the award (January 20, 2020), however, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum-- (1) the recipient makes a valid acceptance of the award, and (2) all applicable withholding conditions are removed by OJP (via a Grant Adjustment Notice). (A withholding condition is a condition in the award document that precludes the recipient from obligating, expending, or drawing down all or a portion of the award funds until the condition is removed.)

Nothing in this condition shall be understood to authorize the recipient (or any subrecipient at any tier) to use award funds to "supplant" State or local funds.

43. Use of funds for DNA testing; upload of DNA profiles

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS.

44. Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and is listed on the NIJ Compliant Body Armor Model List (<https://nij.gov/topics/technology/body-armor/Pages/compliant-ballistic-armor.aspx>). In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information can be found here: <https://nij.gov/topics/technology/body-armor/pages/safety-initiative.aspx>.



Department of Justice (DOJ)

Office of Justice Programs

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Categorical Exclusion for City of Weslaco

The Coronavirus Emergency Supplemental Funding (CESF) Program allows eligible states, local units of government, and tribes to support a broad range of activities including preventing, preparing for, and responding to the coronavirus.

All recipients of CESF funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a sub-grantee or third party.

BJA's expectation is that none of the following activities will be conducted whether under this federal award or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories) other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

If, however, award funds are proposed to be used for any of the enumerated projects or activities above, grant recipients must contact their grant manager, and receive written approval prior to commencing that project or activity.

Questions about this determination may be directed to your grant manager or Orbin Terry, Environmental Coordinator for BJA.

 Department of Justice (DOJ) Office of Justice Programs Bureau of Justice Assistance	GRANT MANAGER'S MEMORANDUM, PT. I: PROJECT SUMMARY	
	Grant	
	PROJECT NUMBER 2020-VD-BX-1579	PAGE 1 OF 1
This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. B; 28 U.S.C. 530C		
1. STAFF CONTACT (Name & telephone number) Wendy Rose (202) 514-7842	2. PROJECT DIRECTOR (Name, address & telephone number) Robert Lopez Assistant Chief 901 North Airport Drive Weslaco, TX 78599-5001 (956) 968-8591 ext.2010	
3a. TITLE OF THE PROGRAM BJA FY 20 Coronavirus Emergency Supplemental Funding Program		3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)
4. TITLE OF PROJECT City of Weslaco Coronavirus Emergency Supplemental Funding Program		
5. NAME & ADDRESS OF GRANTEE City of Weslaco 255 South Kansas Avenue Weslaco, TX 78596-6158	6. NAME & ADDRESS OF SUBGRANTEE	
7. PROGRAM PERIOD FROM: 01/20/2020 TO: 01/31/2022	8. BUDGET PERIOD FROM: 01/20/2020 TO: 01/31/2022	
9. AMOUNT OF AWARD \$ 38,412	10. DATE OF AWARD 06/06/2020	
11. SECOND YEAR'S BUDGET	12. SECOND YEAR'S BUDGET AMOUNT	
13. THIRD YEAR'S BUDGET PERIOD	14. THIRD YEAR'S BUDGET AMOUNT	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) The Coronavirus Emergency Supplemental Funding (CESF) Program allows States, U.S. Territories, the District of Columbia, units of local government, and federally recognized tribal governments to support a broad range of activities to prevent, prepare for, and respond to the coronavirus. Funded projects or initiatives may include, but are not limited to, overtime, equipment (including law enforcement and medical personal protective equipment), hiring, supplies (such as gloves, masks, sanitizer), training, travel expenses (particularly related to the distribution of resources to the most impacted areas), and addressing the medical needs of inmates in state, local, and tribal prisons, jails, and detention centers. NCA/NCF		



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3438	
From:			
Subject: Discussion and consideration to approve Resolution 2020-24 appointing three members to expired terms on the Weslaco Drainage Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering.)			
Background: One-Year terms have expired for three members of the drainage advisory committee. These members include Randy Hall, Mark Garza, and David Menchaca. All three members have expressed their desire to continue to serve in the committee.			
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):			
Alberto Aldana		Created/Initiated	
Alberto Aldana		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval of the appointments for Mark Garza, David Menchaca and Randy Hall.			
Attachments, if any: Drainage Advisory Board members - 070220 mv, R2020-24 Citizens Drainage Advisory Board			
Responsibilities upon Approval:			

Weslaco Drainage Advisory Board Members

FIRST NAME	LAST NAME	DATE APPLIED	TERM	TERM EXPIRES	INTERESTED
Randy L.	Hall	6/11/2019	1 year	07/25/2020	Wants to be reappointed
Mark	Garza	6/12/2019	1 year	07/25/2020	Wants to be reappointed
David	Menchaca	6/12/2019	1 year	07/25/2020	Wants to be reappointed
Fred	Perez	6/11/2019	2 years	07/25/2021	
Sandra	Reyna	6/12/2019	2 years	07/25/2021	
Alejandro	Livas	6/12/2019	2 years	07/25/2021	
David	Morales	6/11/2019	3 years	07/25/2022	
Annette	Valadez	6/11/2019	3 years	07/25/2022	
Erik	Ramirez	10/1/19	3 years	07/25/2022	

RESOLUTION NO. 2020-24

**A RESOLUTION OF THE CITY OF WESLACO, TEXAS APPOINTING
MEMBERS TO THE CITIZENS DRAINAGE ADVISORY BOARD**

WHEREAS, the City Commission passed and approved Ordinance 2019-23 an ordinance amending Part II-Code of Ordinances, Chapter 2 Administration by providing a new article; establishing Article XI. Drainage; creating Section 2-280 through Section 2-284; creating a Citizens Drainage Advisory Board;

WHEREAS, Section 2-281 outlines the composition of the Citizens Drainage Advisory Board which shall be composed of nine (9) members appointed by the City Commission, with the advice of the City Manager; and,

WHEREAS, Section 2-282 states the terms of members shall be for no more than two (2) three (3) year staggered terms for a total of no more than six (6) years. The staggered terms shall be determined at the first regularly scheduled meeting of Citizens Drainage Advisory Board. The City Commission will have the ability to waive the term limit; and,

WHEREAS, Members of the board shall serve without compensation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS that the following individuals are appointed to serve on the Citizens Drainage Advisory Board.

PASSED AND APPROVED on this 7th day of July 2020.

NAME

TERM ENDING

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3344	
From:			
Subject: Discussion and consideration on amendment to Republic Services waste collection contract to include debris removal during a natural disaster and authorize the Mayor to execute any related documents. Possible action. (This item was tabled June 16, 2020; staffed by Weslaco Office of Emergency Management.)			
Background: Republic Services waste collection contract to include debris removal during a natural disaster.			
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 Joe Pedraza Antonio Lopez Mike Perez		Created/Initiated New	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Amendment to Contract for Solid Waste Collection and Disposal Services for Emergency Management (v3) - Final with pricing 07022020			
Responsibilities upon Approval:			

AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICE

This Amendment to Contract for Solid Waste Collection and Disposal Service (this “Amendment”) is entered into as of April __, 2020, between the City of Weslaco, Texas (the “City”), and BFI Waste Services of Texas, LP doing business as Republic Services of Rio Grande Valley (“Contractor”).

Recitals

A. The City and Contractor entered into the Contract for Solid Waste Collection and Disposal Service (collectively, the “Contract”), whereby Contractor agreed to provide solid waste and recycling services to the City; and

B. The City and Contractor have agreed to extend the Contract and modify certain terms as identified below.

Agreement

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree to the following terms and conditions:

1. **Disaster Debris.**

(a) Pursuant to Section 20 of the Contract, Contractor will provide the City with collection services for additional debris resulting from a natural disaster. Upon initial request from the City, Contractor will assess the situation and determine the equipment and process needed for Disaster Debris services. Contractor will then work together with the City to create a plan and timeline for the Disaster Debris services (i.e. Grapppler Brush Truck services, Roll-off containers and hauling services, Roll-off container and City fulfilling loading).

(b) Rates listed below for Brush Truck Services are provided as the starting rates for the current year of 2020-2021 and will be assessed going forward into any additional years that coincide with the overall Solid Waste Contract term. Pricing for Brush Truck Services are to be assessed independently to that of Commercial Rates provided for Roll-off container services. Rates and pricing for Roll-off container services will be based on the Commercial Rates provided to the City of Weslaco in their annual Price Increase letters. Below are the Commercial Rates for the 2020-2021 year. Any and all pricing adjustments for Roll-off container services will coincide with and be calculated according to the price increase language as stated in the Solid Waste Contract. All price increases for either of these services will take place annually on September 1.

- Brush Truck Services - \$691.00 per load
- 30-Yard Roll-off Containers – will be based on Commercial Rates as provided to the City of Weslaco annually. The 2020-2021 rates are listed below.

Commercial Rates 2020-2021						
Container Size	1 x wk	2 x wk	3 x wk	4 x wk	5 x wk	6 x wk
2 cubic yard	\$ 77.40	\$ 141.89	\$ 206.37	\$ 270.91	\$ 335.37	\$ 398.44
3 cubic yard	\$ 89.45	\$ 164.00	\$ 238.56	\$ 313.12	\$ 387.65	\$ 462.20
4 cubic yard	\$ 101.40	\$ 186.01	\$ 270.61	\$ 355.23	\$ 438.27	\$ 524.47
6 cubic yard	\$ 127.79	\$ 232.50	\$ 337.23	\$ 441.99	\$ 546.69	\$ 651.41
8 cubic yard	\$ 149.85	\$ 274.67	\$ 399.57	\$ 524.40	\$ 649.24	\$ 774.11
30 cubic yard	Haul Rate	\$ 220.23	Tonnage Rate	\$ 47.29	Rental Rate	\$ 6.35

(c) Annually, the parties will conduct a review of the Disaster Debris rates to determine whether modifications are warranted. Modifications of Disaster Debris rates will be independently reviewed and assessed separate and apart from the rate modifications for Residential, Commercial and Industrial Services.

2. Capitalized Terms. Capitalized terms used but not otherwise defined in this Amendment shall have the meanings assigned to them in the Contract.

3. Continuing Effect and Order of Precedence. Except as expressly modified or amended by this Amendment, all terms and provisions of the Contract shall remain in full force and effect. In the case of a conflict in meaning between the Contract and this Amendment, the Amendment shall govern.

4. Counterparts. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original and all of which combined shall constitute one and the same instrument. Facsimile and/or electronic copies of the parties' signatures shall be valid and treated the same as original signatures.

IN WITNESS WHEREOF, the parties have entered into this Amendment to be effective as of the Effective Date.

CONTRACTOR:

CITY:

BFI WASTE SERVICES OF TEXAS, LP
By Its General Partner:

CITY OF WESLACO

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____



Standardized Agenda Request Form

Date of Meeting: July 7, 2020	Agenda Item No. (to be assigned by CSO): 2020-3458
From:	
Subject: Discussion and consideration on purchasing equipment, vehicles and approving proposed improvements to city facilities relating to COVID-19 (CARES Act.) prioritized as follows:	
<u>FIRE/EMS</u>	
TOTAL COST	
infectious disease response unit (IDRU ambulance)	(1) \$450,000
Auto- pulse CPR machine (hands free CPR)	(3) 42,660
CAPR Systems - system/filters/covers/cuffs/batteries/ replacement parts.....(20)	32,177
<u>POLICE</u>	
COVID Special OPS vehicle/response unit for public management/control	(1) 59,027
4X4 unmarked pickup Crew Cab - transport / store PPE and equipment	(1) 63,721
Unmarked SUV w/ emergency lighting and universal storage unit box	(1) 52,458
4X4 pickup crew cab w/partition for suspected COVID prisoners	(1) 63,721
Transit passenger van XL for transport of prisoners/patients	(1) 68,980
Big Tex tandem axle trailer to carry barricades, cones and stop signs	(1) 5,200
<u>INFORMATION TECHNOLOGY</u>	
ZOOM 12 month subscription	(1) 11,000
<u>AIRPORT</u>	
Building skin-to store PPE delivered by State	(1) 500,000
Forklift-for use to upload PPE delivered by State	(1) 28,000
<u>EOC</u>	
EOC communication dispatch radio	(2) 20,000
RGIFS - OCE Systems	(1) 10,000
Servers for COVID data storage	(1) 10,000
<u>WESLACO ECONOMIC DEVELOPMENT CORPORATION</u>	
Incentive Plan	300,000
<u>LIBRARY</u>	
Glass barriers at service points	(1) 3,500
Wireless outdoor access point	(1) 1,800

PLANNING

EOC software solution : VEOCI emergency & operations management (1) 11,500

INFORMATION TECHNOLOGY

Network Monitoring switches - professional services (60) 9,000

Cloud1) computing services - infrastructure as a service (1) 21,000

BUILDING MAINTENANCE

Electrostatic disinfectant sprayers (Library and City Hall)(2) 3,000

Ion Generator for HVAC System for disinfection of duct system (1) 4,900

FINANCE

Drive thru pay station Building; Utility Billing/Library (1) 300,000

PARKS

20' Trailer for Barriers and perimeter fence (1) 300,000

ALL DEPARTMENTS

Surface pro Directors/Assistant Dir./Chief/Assistant Chief/EOC

Mayor and Commissioners/City Manager (31) 46,500

BUILDING MAINTENANCE

Automated doors; outer doors, lobby, Legislative Chamber(1) 35,000

and authorize the Mayor to execute any related documents. Possible action. (this item was tabled July 1, 2020; staffed by City Manager).

Background:**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	Created/Initiated
Mike Perez	Final Approval

City Manager Comments:

Approve.

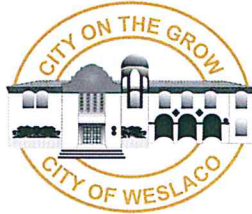
Staff Recommendation:**Attachments, if any:**

20-06-29 CM memo re Proposed Expenditures relating to COVID-19

Responsibilities upon Approval:

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

MEMO

TO: Mayor and City Commission
FROM: Mike R. Perez, City Manager
SUBJECT: Proposed Expenditures relating to COVID-19
DATE: June 29, 2020

Attached is a spreadsheet on the actual expenditures till May 2020 and estimated expenditures for the rest of the calendar year. We also attached a spreadsheet on what the special meeting is about; the list of proposed expenditures that will allow us to continue to operate during these difficult times. We will go over each expense and ask for approval or denial.

Below is a quick preliminary look at the numbers:

Today available Funds today	\$4,745,706
Burn Rate till end of May 2020	<u>1,359,013</u>
Remaining funds after reimbursement thru end of May	3,386,693
Estimated Burn Rate till December 2020	<u>3,048,831</u>
Remaining for other expenses	339,862
Additional fund at 18.00 per capitol (maybe)	<u>749,322</u>
Possible remaining for other expenses	1,089,184
Proposed expenditures from attached sheet	<u>2,107,337</u>
Short	1,018,153

Should you have any questions call me.

DEPT.	PRIORITY	DESCRIPTION	QUANTITY	PRICE	COST	ACCUMULATED COST
FIRE/EMS	1	INFECTIOUS DISEASE RESPONSE UNIT (IDRU AMBULANCE)	1	450,000	\$ 450,000.00	\$ 450,000.00
FIRE/EMS	2	AUTO- PULSE CPR MACHINE (HANDS FREE CPR)	3	14,220	42,660.00	492,660.00
FIRE/EMS	3	CAPR SYSTEMS - SYSTEM/FILTERS/COVERS/CUFFS/BATTERIES/ REPLACEMENT PARTS	20	1,609	32,177.45	524,837.45
POLICE	4	COVID SPECIAL OPS VEHICLE/RESPONSE UNIT FOR PUBLIC MANAGEMENT/CONTROL	1	59,027	59,027.00	583,864.45
POLICE	5	4X4 UNMARKED PICKUP CREW CAB - TRANSPORT / STORE PPE AND EQUIPMENT	1	49,914	49,914.00	633,778.45
POLICE	6	UNMARKED SUV W/ EMERGENCY LIGHTING AND UNIVERSAL STORAGE UNIT BOX	1	52,458	52,458.00	686,236.45
POLICE	7	4X4 PICKUP CREW CAB W/PARTITION FOR SUSPECTED COVID PRISONERS	1	63,721	63,721.00	749,957.45
POLICE	8	TRANSIT PASSENGER VAN XL FOR TRANSPORT OF PRISONERS/ PATIENTS	1	68,980	68,980.00	818,937.45
POLICE	9	BIG TEX TANDEM AXEL TRAILER TO CARRY BARRICADES, CONES AND STOP SIGNS	1	5,200	5,200.00	824,137.45
IT	10	ZOOM 12 MO SUBSCRIPTION	1	11,000	11,000.00	835,137.45
AIRPORT	11	BUILDING SKIN-TO STORE PPE DELIVERED BY STATE	1	500,000	500,000.00	1,335,137.45
AIRPORT	12	FORKLIFT-FOR USE TO UPLOAD PPE DELIVERED BY STATE	1	28,000	28,000.00	1,363,137.45
EOC	13	EOC COMMUNICATION DISPATCH RADIO	2	10,000	20,000.00	1,383,137.45
EOC	14	RGIFS - OCE SYSTEMS	1	10,000	10,000.00	1,393,137.45
EOC	15	SERVERS FOR COVID DATA STORAGE	1	10,000	10,000.00	1,403,137.45
ECONOMIC DEVELOPMENT CORPORATION	16	Incentive Plan			300,000.00	1,703,137.45
LIBRARY	17	GLASS BARRIERS AT SERVICE POINTS	1	3,500	3,500.00	1,706,637.45
LIBRARY	18	WIRELESS OUTDOOR ACCESS POINT	1	1,800	1,800.00	1,708,437.45
PLANNING	19	EOC SOFTWARE SOLUTION : VEOCI EMERGENCY & OPERATIONS MANAGEMENT	1	11,500	11,500.00	1,719,937.45
IT	20	NETWORK MONITORING SWITCHES - PROFESSIONAL SERVIICES	60	150	9,000.00	1,728,937.45
IT	21	CLOUD COMPUTING SERVICES - INFRASTRUCTURE AS A SERVICE	1	21,000	21,000.00	1,749,937.45
Build. Maint.	22	Electrostatic Disinfectant Sprayers (Library and City Hall)	2	1,500	3,000.00	1,752,937.45
Build. Maint.	23	Ion Generator for HVAC System for disinfection of Duct System	1	4,900	4,900.00	1,757,837.45
FINANCE	24	Drive Thru Pay station Building: Utility Billing / Library	1	300,000	300,000.00	2,057,837.45
PARKS	25	20' Trailer for Barriers and Perimeter Fence	1	3,000	3,000.00	2,060,837.45
ALL DPTS.	26	Surface Pro: Directors/Assistant Dir./Chief/Assistant Chief/EOC/ Mayor/Commisioners/City Manager	31	1,500	46,500.00	2,107,337.45
Build. Maint.	27	Automated Doors: Outer Doors, Lobby, Legislative Chamber	1	35,000	35,000.00	2,142,337.45
						\$ 1,307,200.00

DEPT.	DESCRIPTION	QUANTITY	PRICE	COST
POLICE	TACMED Emergency stations wall mounted supplied with medical equipment first aid and PPE	2	660	1,320.00
	55in Samsung Smart TV	3	499	1,497.00
	Portable Radios, licenses and programming	6	2,763	16,579.98
	Power Phone to provide dispatch queued questions	1	70,000	70,000.00
	Mass Notification System to keep public informed of health information.	1	15,904	15,904.00
				\$ 105,300.98
LIBRARY	CURBSIDE IP CAMERA (SECURITY OUTDOOR WIRELESS CAMERA)	1	700	700.00
	AUTOMATIC HAND SANITTIZER STATIONS	2	350	700.00
	CURBSIDE SERVICE: MESSAGE BOARDS	2	169	338.00
	CURBSIDE SERVICE: CONES	3	35	105.00
	CURBSIDE SERVICE: STEEL PUSH CART	1	154	154.00
	CURBSIDE SERVICE: PORTABLE BARCODE SCANNERS	1	450	450.00
	EXPANSION OF DIGITAL PROGRAMING: CAMTASIA SOFTWARE	1	224	224.00
	EXPANSION OF DIGITAL PROGRAMING: CAMCORDER	1	575	575.00
	EXPANSION OF DIGITAL PROGRAMING: TRIPOD	1	100	100.00
				\$ 3,346.00
IT	DESKTOP WEB CONFERENCE CAMERAS	1	200	200.00
	MITEL CONFERENCE PHONE	1	450	450.00
				\$ 650.00
FIRE/EMS	CONFERENCE TABLE PHONE	2	450	\$ 900.00
EMERGENCY OPERATION CENTER	CONFERENCE TABLE PHONE	1	450	450.00
	TV MONITORS W/STANDS FOR CASE MAPPING/WEB EOC	2	900	1,800.00
				\$ 2,250.00

Soa 2h1

	CURRENT				PROPOSED				PROPOSED				TOTAL
	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	TOTAL	AVERAGE	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
AIRPORT	371.74	-	-	123.91	123.91	123.91	743.48	123.91	123.91	136.30	136.30	136.30	1,276.31
FIN	517.21	701.80	686.41	635.14	635.14	635.14	3,810.84	635.14	635.14	698.65	698.65	698.65	6,541.94
FIRE	26,470.21	85,390.94	144,780.89	85,547.35	85,547.35	85,547.35	513,284.08	85,547.35	85,547.35	94,102.08	94,102.08	94,102.08	881,137.67
HR	2,683.82	2,109.38	140.25	1,644.48	1,644.48	1,644.48	9,866.90	1,644.48	1,644.48	1,808.93	1,808.93	1,808.93	16,938.18
LIBRARY	1,555.75	5,941.94	5,260.03	4,252.57	4,252.57	4,252.57	25,515.44	4,252.57	4,252.57	4,677.83	4,677.83	4,677.83	43,801.51
PARKS/B. MAINT.	547.58	156.80	738.55	480.98	480.98	480.98	2,885.86	480.98	480.98	529.07	529.07	529.07	4,954.06
PCE	2,450.18	6,638.55	6,098.70	5,062.48	5,062.48	5,062.48	30,374.86	5,062.48	5,062.48	5,568.72	5,568.72	5,568.72	52,143.51
POLICE	143,291.59	346,864.26	222,613.74	237,589.86	237,589.86	237,589.86	1,425,539.18	237,589.86	237,589.86	261,348.85	261,348.85	261,348.85	2,447,175.59
PUBLIC WORKS	40.11	-	-	13.37	13.37	13.37	80.22	13.37	13.37	14.71	14.71	14.71	137.71
DPT WAGES	177,928.19	447,803.67	380,318.57	335,350.14	335,350.14	335,350.14	2,012,100.86	335,350.14	335,350.14	368,885.16	368,885.16	368,885.16	3,454,106.48
CITY MANAGER	-	-	-	-	-	-	-	-	-	-	-	-	-
WAGES	5,825.16	5,825.16	5,825.16	5,825.16	5,825.16	5,825.16	34,950.96	5,825.16	5,825.16	5,825.16	5,825.16	5,825.16	58,251.60
TOTAL WAGES:	183,753.35	453,628.83	386,143.73	341,175.30	341,175.30	341,175.30	2,047,051.82	341,175.30	341,175.30	374,710.32	374,710.32	374,710.32	3,512,358.08
PPE:	7,987.12	12,392.51	31,643.25	-	-	-	52,022.88	-	-	-	-	-	52,022.88
SUPPLIES:	25,671.10	10,519.34	376.51	-	-	-	36,566.95	-	-	-	-	-	36,566.95
Other Expenses:	33,741.29	84,695.02	128,461.14	80,000.00	80,000.00	80,000.00	486,897.45	80,000.00	80,000.00	80,000.00	80,000.00	80,000.00	806,897.45
	BURN RATE MAR - MAY: 1,359,013.19				BURN RATE JUNE-AUG: 1,263,525.91				BURN RATE SEPT - DEC: 1,785,306.26				ESTIMATED BURN RATE 03/01-12/31
CAPITAL OUTLAY	-	-	-	-	-	-	-	-	-	-	-	-	-
AIRPORT	-	-	-	829,500.00	829,500.00	829,500.00	2,488,500.00	829,500.00	829,500.00	829,500.00	829,500.00	829,500.00	829,500.00
ENGINEERING	-	-	-	3,300.00	3,300.00	3,300.00	9,900.00	3,300.00	3,300.00	3,300.00	3,300.00	3,300.00	3,300.00
FIRE/EMS	-	-	-	524,837.45	524,837.45	524,837.45	1,574,512.35	524,837.45	524,837.45	524,837.45	524,837.45	524,837.45	524,837.45
IT	-	-	-	-	-	-	-	-	-	-	-	-	-
LIBRARY	-	-	-	2,500.00	2,500.00	2,500.00	7,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
EMERGENCY OPER.	-	-	-	-	-	-	-	-	-	-	-	-	-
PLANNING	-	-	-	-	-	-	-	-	-	-	-	-	-
POLICE	-	-	-	43,500.98	43,500.98	43,500.98	130,502.94	43,500.98	43,500.98	43,500.98	43,500.98	43,500.98	43,500.98
PUBLIC WORKS	-	-	-	240.00	240.00	240.00	720.00	240.00	240.00	240.00	240.00	240.00	240.00
CITY SECRETARY	-	-	-	1,500.00	1,500.00	1,500.00	4,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
BUILDING MAINT.	-	-	-	-	-	-	-	-	-	-	-	-	-
PARKS	-	-	-	81,475.00	81,475.00	81,475.00	244,425.00	81,475.00	81,475.00	81,475.00	81,475.00	81,475.00	81,475.00
FINANCE	-	-	-	27,052.32	27,052.32	27,052.32	81,157.28	27,052.32	27,052.32	27,052.32	27,052.32	27,052.32	27,052.32
CITY COMMISSION	-	-	-	3,499.00	3,499.00	3,499.00	10,497.00	3,499.00	3,499.00	3,499.00	3,499.00	3,499.00	3,499.00
EDC	-	-	-	75,000.00	75,000.00	75,000.00	225,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
MONTHLY TOTALS:	251,152.86	561,235.70	1,905,637.82	472,415.28	2,712,623.41	1,797,226.21	11,797,226.21	516,991.97	516,991.97	529,710.32	465,710.32	2,261,016.57	2,658,029.75

TOTAL COST: \$ 7,065,875.11

41

ENGINEERING		75in LED TV AND ACCESSORIES	1	1,200	1,200.00
		WAL MOUNTING KIT	1	150	150.00
		WEBCAM	1	150	150.00
		CONFERENCE PHONE	1	300	300.00
					\$ 1,800.00
PW		Non-touch Hand Sanitizing Stations	4	24	96.00
		Non Touch Water Faucet	12	75	900.00
		Non-touch soap dispensers	6	24	144.00
		Main Entrance-Automatic doors	1	22,969	22,969.00
		Inside Back Double Hollow Metal-automatic doors	1	15,710	15,710.00
					\$ 39,819.00
FINANCE		55in Smart TV with Wall mount	1	499	\$ 499.00
PARKS		8ft Steel Barriers	50	97	4,826.00
		Yellow Temporary Fencing (28 panels)	2	3,863	7,726.32
		Soft wash System for Playground/Pavilion Disinfection	1	10,000	10,000.00
					\$ 22,552.32
Build. Maint.		City Hall Location			
		Automated Faucets	8	300	2,400.00
		Automated Urinals	3	150	450.00
		Automated Toilets	8	150	1,200.00
					\$ 4,050.00

TOTAL COVID 19: 1,488,367.30



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3429
From: Rebekah De La Fuente		
Subject: Discussion and consideration to adopt Ordinance 2020-16 amending the Utility Extension Ordinance Codified as Article III Section 5 regarding the approval of a Utility Reimbursement Agreement and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-16. Possible action. (Staffed by Planning and Code Enforcement Department.)		
Background: The current Utility Extension Ordinance was adopted by City Commission in August of 1993. However the section of the ordinance pertaining to the developers right to a Utility Reimbursement Agreement does not properly identify the appropriate filing deadline for an agreement to be approved by the City Commission. The ordinance also does not appropriately outline the process in which a fee schedule is to be developed.		
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):		
Molly Vallejo Rebekah De La Fuente Mike Perez		Created/Initiated New
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval.		
Attachments, if any: Existing- Utility Extension Ordinance- Utility Reimbursements, Utility Reimbursement Ordinance		
Responsibilities upon Approval: Staff will enforce the newly adopted ordinance and regulations.		

Section 4. - Extension of utilities to developments or properties shall be in the manner herein prescribed.

(A) The cost to the developer or the person requesting the extension:

- (1) The developer shall be responsible for extending utilities from existing utilities in accordance with the City of Weslaco master plan including all costs of right-of-way acquisition and fire hydrants both off-site and on-site and other necessary appurtenances.
- (2) It shall be the developer's obligation to acquire right-of-way needed to extend utility lines from their present terminus or nearest location to developer's property, the cost of which shall be reimbursable as set forth above. The location, width and cost of such right-of-way, shall be subject to approval of the city. Should the developer be unable to acquire the needed right-of-way, the city may, at its option, assist in acquiring same.
- (3) The developer shall pay in cash or provide an unconditional guarantee from a financial institution, approved by the city, for the developer's share of the utility extensions as determined by the city. Such guarantee shall be filed with the city engineer in letter form from the financial institution and signed by its principal loan officer. The letter shall state the name of the subdivision and shall list the improvement which the developer is required to provide. This payment or guarantee must be filed with the city engineer prior to final plat approval.
- (4) However, the developer may request of the city to participate in the cost of such utilities. The city may elect to participate in the cost of such utilities either by paying for the difference in oversizing, when such oversizing is required, or by [participating] jointly in such venture when in the opinion of the city commission that such utilities are in the best interest of the city and are needed to facilitate other city projects. However, the city's participation shall be limited to no more than fifty (50) percent of the cost of the off-site utilities.
- (5) Developers may be eligible for reimbursement fee for any off-site utility extension from properties determined to be within the service area of such utilities, provided that:
 - (a) The developers request must receive approval from the city commission.
 - (b) The reimbursement schedule is to be prepared by the city engineer.
 - (c) Pro rata share for off-site water and sanitary sewer lines shall be calculated in accordance with the attached Schedule I. Lift stations and forcemains pro rata costs shall be calculated on acreage only.

Editor's note— Schedule I is not set out herein, but is on file and available for inspection in the office of

the city secretary and the engineering department.

- (d) Reimbursement fees are to be collected by the city from the property in the service area at the time of subdivision approval of such properties or at the time of permit application for construction in the properties in the service area.
- (e) The city will disburse such reimbursement fees collected to the developer in the same percentage as construction contribution by the developer of subject utilities.
- (f) The reimbursement schedule shall be based on actual construction cost to be submitted to the city engineer.
- (g) The developer shall be eligible to receive reimbursement fee for a period of ten (10) years from the time of completion of subject utilities.
- (h) The city shall notify the developer when a subdivision is approved or when a building permit is issued if reimbursement fees are due and the city shall not be held responsible for failure to collect reimbursement fees from the properties where reimbursement fees were due unless the developer gives notice in writing to the city of such requirements within thirty (30) days of the commencement of construction of utilities.

(B) The cost to property owners where utilities are made available by the extension:

- (1) A pro rata charge shall be assessed to each property where utilities are made available. The charge will be made according to the terms of the attached Schedule I.

Editor's note— Schedule I is not set out at length herein, but is on file and available for inspection in the offices of the city secretary and the engineering department.

- (2) The city may connect any future customer reasonably served from the utility extension, provided the customer has paid the pro rata charge and tapping fee.
- (3) Any customer not contributing the pro rata charge at the time of installation of the utility extension who requests service at a later date, must pay the pro rata charge in full plus an additional fifteen percent (15%), plus the tapping fee before service will be installed. The fifteen percent (15%) surcharge will be retained by the city to defray the cost of bookkeeping for the utility extension and will be excluded from the computations for refunds.
- (4) Any condition not covered by these regulations or of such a nature that would result in an inequitable pro rata charge to any customer, will be negotiated by the city commission at the time of installation of a proposed line extension.

(Ord. No. 93-11, § 4, 8-19-1993)

ORDINANCE 2020-16

AN ORDINANCE AMENDING ORDINANCE NUMBER 1993-11, THE CITY OF WESLACO UTILITY EXTENSION ORDINANCE; CODIFIED AS APPENDIX B, ARTICLE III, OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; 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 I.

Ordinance Number 1993-11 passed and approved on August 19, 1993 as “Utility Extension Ordinance” and Codified as Appendix B, Article III, of the Weslaco Code of Ordinances is hereby amended.

SECTION II.

After second and final reading of this Ordinance the new Utility Extension ordinance will be adopted and codified as Appendix B, Article III of the Weslaco Code of Ordinances and said Chapter shall read as follows:

APPENDIX B- SUBDIVISION REGULATIONS & POLICIES ARTICLE III- UTILITY EXTESION

SECTION 4. – EXTENSION OF UTILITIES TO DEVELOPMENTS OR PROPERTIES SHALL BE IN THE MANNER HEREIN PRESCRIBED

(A) (5) Developers may be eligible for reimbursement fee for any off-site utility extension from properties determined to be within the service area of such utilities, provided that:

- a) The developer’s request must receive approval for a utility reimbursement agreement from the city commission.
- b) The utility reimbursement agreement must be submitted for consideration by the city commission prior to the submission of a subdivision review application from a property within the service area.
- c) The reimbursement schedule is to be prepared by the city engineer and shall be based on actual construction cost.
- d) Pro rata shares for off-site water and sanitary sewer lines, forcemains and lift stations shall be calculated in accordance with actual construction cost as provided by the developer after the construction and acceptance of the subdivision and approved by the City Engineer.
- e) Properties within the services area shall be responsible for a pro rate share of the utility extension based on the totally linear feet and fixtures constructed adjacent to the property. ~~Pro rata share for off-site water and sanitary sewer lines shall be calculated in accordance~~

~~with the attached Schedule I.~~ Lift stations and forcemains pro rata costs shall be calculated on acreage only.

- f) Reimbursement fees are to be collected by the city from the property in the service area at the time of subdivision approval ~~of such properties or at the time of permit application for construction in the properties in the service area~~ prior to the recording of the subdivision with Hidalgo County Land Records for properties within the service area.
- g) The city will disburse such reimbursement fees collected to the developer in the same percentage as construction contribution by the developer of subject utilities.
- h) The developer shall be eligible to receive reimbursement fee for a period of ten (10) years from the time of completion of subject utilities.
- i) The city shall notify the developer when a subdivision is approved within the service area, the developer shall have thirty (30) days to notify the city in writing if the subdivision is required to pay reimbursement fees. or when a building permit is issued if reimbursement fees are due and. ~~The city shall not be held responsible for failure to collect reimbursement fees from the property owner if written notice has not been provided by the developer prior to the recordation of the subdivision. where reimbursement fees were due unless the developer gives notice in writing to the city of such requirements within thirty (30) days of the commencement of construction of utilities.~~

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 7th, day of July 2020.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2020.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3423
From: Rebekah De La Fuente		
Subject: Discussion and consideration on Ordinance 2020-18 for dis-annexation request from the property owner of 5000 S. Border Avenue also being the West 22.0 acres of Farm Tract 799 excluding the W3.68 acres for improvements 18.32 acres gross, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-18. Possible action. (Staffed by Planning and Code Enforcement Department.)		
Background: The property owner of 5000 S Border Avenue has requested the dis-annexation of his property from the Weslaco City Limits. The property was annexed on April 1, 2014 as part of Ordinance 2014-02. A service plan was created in order to extend sanitary sewer to the property. The extension of sanitary sewer service to this area had not been constructed at this time.		
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):		
Molly Vallejo Rebekah De La Fuente Mike Perez	Created/Initiated Approved Final Approval	
City Manager Comments: Approve.		
Staff Recommendation: Staff recommends approval		
Attachments, if any: Correspondence from Ezequiel Reyna, Jr. re de-annexation of property located at 5000 S. Border, Annexation Service Plan - Tract 17, 5000 S Border- Utility Map, O2020-18 disannexation 5000 S. Border		
Responsibilities upon Approval: Staff will advise property owner.		



LAW OFFICES
OF

EZEQUIEL REYNA, JR., P.C.

EZEQUIEL REYNA, JR.
GRACIELA MARROQUIN

702 W. EXPRESSWAY 83, STE. 100
WESLACO, TEXAS 78599
TELEPHONE: (956) 968-9556
TELECOPIER: (956) 969-0492

EDWARD L. CICCONE
ZACHARY A. ZAPATA
ROEL GUTIERREZ

Ezequiel Reyna Jr.
5000 S. Border
Weslaco, TX 78596

June 7, 2020

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



Dear Mike Perez:

This letter is to request that my property be de-annexed. I am the owner of the property located at 5000 S. Border, Weslaco, TX 78596. Seven years ago, my property was annexed by the City of Weslaco. As required by state law, within 2 ½ years of annexation, the City of Weslaco was required to provide "full municipal services" to my property. "Full municipal services" includes water, wastewater, roads and drainage as provided to all residences within city boundaries. I had previously notified the city that it had failed to provide any necessary services within the required timeframe. And while I am a proud tax paying member of my community, it is my belief that this annexation was done inappropriately and without the required and necessary planning. While I have remained patient, I have suffered damages to my vehicles and during the latest rain events, accessibility to my house has become increasingly difficult due to the unattended road improvements.

For these reasons, I am respectfully requesting for the city to de-annex my property so that I may make the street improvements to the property myself. At your request, I will provide any necessary information for the de-annexation. I can be reached at 956-968-9556, as well.

Respectfully,

Ezequiel Reyna Jr.

Z&L ENTERPRISES

June 8, 2020
Weslaco Economic Development Corporation
Marie McDermott
Executive Director
275 S Kansas Avenue, Suite A
Weslaco, TX 78596

Re: Tierra Santa Golf Course EDC Request

Ms. McDermott,

Tierra Santa Golf Course has been a destination location in Weslaco for over 23 years. In those years, our company has been a proud member of the Weslaco business community by providing jobs, working with our local school districts and has hosted thousands of events. We are very privileged to have been a part of countless corporate outings, weddings, anniversaries, and other special events. In addition, Tierra Santa has been host to many charitable tournaments and events that have raised millions of dollars for underprivileged organizations and community outreach programs. We are honored to be the host venue for all these special occasions.

What we have discovered is that our area is in need of an event center that can host events ranging from 100-400 people in what we consider to be one of the most beautiful venues in all of south Texas. We are proposing to invest \$4,000,000 in a brand-new event center facility and golf center. This new building will be flexible enough to host a multiple of small and large events simultaneously and will expand our golf operations to include new services. Our building will be approximately 22,000 square feet of new vertical construction.

We are requesting the Economic Development Corporation to assist us with ten percent of the project cost. This assistance will enable us to secure the necessary financing for the new construction. This request will be used to assist with necessary infrastructure to make the building fully accessible to the public. Our plan includes moving existing gates to provide public access to the event center and a dedication of those roads to the City of Weslaco as well as expanding and improving the infrastructure to accommodate the new building and increased capacity. We also would like to propose that the City of Weslaco

and the EDC consider acquiring the naming rights of the new event center. We propose \$10,000 per month. In exchange for this, our consideration would be the following: advertising for the EDC/City on our two sided billboard located along the expressway, use of the naming of the event center by the City of Weslaco and/or EDC on the building (i.e., "Weslaco EDC Event Center at Tierra Santa"), and use of the building for an event as designated by the City/EDC. We are hopeful that our finance package can be secured in the next sixty days and that construction will begin shortly thereafter.

Our family has, over the years, invested millions of dollars on the Tierra Santa project. We need to continue to invest for the success of Tierra Santa so that we may continue to compete with the rest of the cities in the Rio Grande Valley. Even though our Weslaco market is somewhat smaller, we continue to have faith and feel this investment will attract other worthy projects to our area.

We appreciate your consideration and look forward to working together to continue to make Weslaco a destination for all the Rio Grande Valley. We are confident that this event center will attract visitors from all across the Rio Grande Valley as well as many national and international travelers. These improvements will help us compete in attracting more of our friends from Mexico and Canada to our city. Tierra Santa continues to be the premiere destination that attracts visitors from our neighboring countries. We want to continue to expand the facility to create greater opportunities to remain at the forefront of attracting visitors and new business to Weslaco. Your assistance is a key component to creating that synergy for our great city.

Sincerely,



Ezequiel Reyna Jr.
President, Tierra Santa Golf Club

Cc:
Mike Perez, City Manager, City of Weslaco
David Suarez, Mayor, City of Weslaco

702 W Expressway 83
Suite 116
Weslaco, TX 78596

PHONE (956) 447-3962
FAX (956) 973-8655
WEB SITE <http://www.reynaprop.com>



ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST

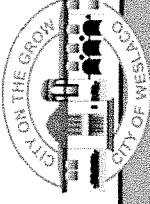
- TRACT NO.
- - - - - PROP FORCEMAIN
- . - . - PROP 8-IN SANITARY SEWER
- PROP 12-IN SANITARY SEWER

CITY OF WESLACO ANNEXATION PLAN 2013

TRACT 17



Annexation 2013
Tract 17
30-Aug-13



Opinion of Probable Cost						
PLANNING AND CODE ENFORCEMENT DEPARTMENT						
Item	Description	Unit	Estimated Quantity	Price per Unit	Estimated Amount	Basis of Pricing
TRACT 17						
ACQUISITION PHASE						
Land Acquisition	Acquire Easements thru Property	AC	0.5	\$ 20,000.00	\$ 10,000.00	Estimation
SURVEY						
Survey 1	Survey Project Area for Design	LS	1	\$ 3,000.00	\$ 3,000.00	RS Means 022113130400
Survey 2	Construction Staking	LS	1	\$ 2,000.00	\$ 2,000.00	RS Means 017123131200
GEOTECHNICAL						
Geotechnical Study	Report and Borelogs	LS	1	\$ 5,000.00	\$ 5,000.00	RS Means 023213100010
ENGINEERING						
Engineering	Fees	LS	1	8%	\$ 13,123.44	RS Means 011131301100
CONSTRUCTION COST						
Silt Fence	SW3P (Material Only)	LF	5980	\$ 1.35	\$ 8,073.00	RS Means 312514161100
Construction Exits	SW3P	SY	80	\$ 22.00	\$ 1,760.00	TxDOT Pharr
8" PVC SDR 26	Sewer Line	LF	2990	\$ 44.00	\$ 131,560.00	RS Means 221113743430
48" FG Manhole	Sewer Routing	EA	5	\$ 4,400.00	\$ 22,000.00	TxDOT Pharr
Service Connections	Stubouts for Homes	EA	1	\$ 650.00	\$ 650.00	Engineer's Estimate
					20 % CONTINGENCY	\$ 39,433.29
					TOTAL COST	\$ 236,599.73

5000 S Border

Utility Map



ORDINANCE NO. 2020-18

AN ORDINANCE AMENDING ORDINANCE NO. 2014-02 TO PROVIDE FOR THE DISANNEXATION OF CERTAIN UNIMPROVED AREA FROM THE TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS, AND ORDAIN OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

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

SECTION I: Section 1 of the Ordinance No. 2014-02 is hereby amended to delete a tract of land from Section 2 of the following territory being annexed by Ordinance No. 2014-02:

A TRACT OF LAND CONTAINING 21.53 AC SITUATED IN THE CITY OF WESLACO IN THE COUNTY OF HIDALGO, TEXAS, BEING ALL OR PART OF FARM TRACT 799, WEST TRACT SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2, PAGES 34-37, ACCORDING TO THE PLAT RECORDED AT THE HIDALGO COUNTY MAP RECORDS.

SECTION II: This Ordinance becomes effective on the Second and Final Reading

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 7th day of July, 2020.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____, 2020.

CITY OF WESLACO

David Suarez,
MAYOR

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3454	
From:			
Subject: Discussion and consideration on presentation of the financials for the General, Water/Wastewater and Solid Waste funds as of June 30, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department).			
Background: This report was initiated this year and reports will be presented on a Quarterly basis hereafter for transparency and keep the Commission informed as to its financial position.			
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):			
Norma Cantu		Created/Initiated	
Vidal Roman		Approved	
Mike Perez		Final Approval	
City Manager Comments: Accept and file.			
Staff Recommendation: Staff recommends acceptance of the financials as presented.			
Attachments, if any: C.O.W. FINANCIALS 6.30.20 - Mtg			
Responsibilities upon Approval:			

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - GENERAL FUND COMBINED
6/30/2020

ASSETS

Cash and Equivalents	9,043,591
Investment in Lease	2,874,000
A/R Taxes-Current	1,008,005
A/R Ambulance Fees	1,493,460
Due from other Funds	545,350
Due from other Govt	110,090
Inventory	34,654
Prepaid Expense	2,578
Restricted Assets - Other	81,936
Restricted Assets (PEG)	397,275
TOTAL ASSETS	15,590,939

LIABILITIES

Accounts Payable	658,642
Due to other Funds	88,244
Other Liabilities	438,277
Deferred Revenues	894,466
Escrow	239,016
Trusts	397,275
Deposits	7,535
Deferred Revenues	15,000
TOTAL LIABILITIES	2,738,456

FUND BALANCE

Nonspendable fund balance	296,000
Committed fund balance	2,874,000
Unassigned fund balance	7,712,273
Change in net position	1,970,210
TOTAL FUND BALANCE	12,852,483

TOTAL LIABILITIES AND FUND BALANCE	15,590,939
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CITY OF WESLACO, TEXAS

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES

GENERAL FUND COMBINED

6/30/2020

REVENUES	Actual	Annual Budget
Ad Valorem Taxes	9,225,881	9,834,485
Sales Tax	6,748,372	10,100,000
Franchise Taxes	1,196,091	1,934,797
Permits & Licenses	504,871	574,029
Intergovernmental Revenue	806,911	1,066,753
Charges for Services	1,651,456	2,888,590
Fines and Forfeitures	292,723	595,116
Investment Income	133,029	203,000
Rentals and Royalties	24,965	106,550
Other Revenue	123,293	124,259
TOTAL REVENUES	20,707,594	27,427,579
EXPENDITURES		
General Government	2,673,258	3,848,311
Judicial and Legal	425,988	570,734
Public Safety	10,707,372	14,930,386
Public Works	381,170	567,067
Streets and Highways	1,364,463	1,915,693
Planning, Inspections & Engineering	844,484	1,305,680
Culture and Recreation	861,740	1,515,665
Nondepartmental	1,493,540	682,392
Capital Outlay	635,775	1,124,734
Debt Service	194,875	292,910
TOTAL EXPENDITURES	19,582,665	26,753,572
EXCESS OF REVENUES OVER EXPENDITURES	1,124,929	674,007
OTHER FINANCING SOURCES (USES)		
Settlements	-	-
Transfers In	845,281	1,690,561
Transfers In (Out)	-	(2,363,256)
Economic Development and Assistance	-	-
OTHER SOURCES (USES)	845,281	(672,695)
NET CHANGE IN FUND BALANCE	1,970,210	1,312
Fund Balance - October 1 (Beginning)	10,882,273	
Fund Balance - June 30 (Ending)	12,852,483	
Number of days in working capital	187	

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - WATER & SEWER FUND COMBINED
6/30/2020

	WATER	WASTEWATER	COMBINED
ASSETS			
Cash and Equivalents	167,467	725,343	892,810
Restricted Cash	-	-	-
Current Receivables	1,130,451	1,004,051	2,134,502
Inventory	94,873	66,027	160,900
Deferred Resource Outflow	163,829	40,320	204,149
Assets, net of Depr	10,772,083	31,525,180	42,297,262
TOTAL ASSETS	12,328,702	33,360,921	45,689,623
LIABILITIES			
Accounts Payable	86,813	28,600	115,413
Accrued Salaries & Wages	75,425	11,122	86,547
Customers Deposits	1,250,640	-	1,250,640
Due to Other Funds	-	-	-
Lease Payable	6,154,496	378,016	6,532,513
Other Liabilities	796,433	213,607	1,010,040
Deferred Resource Inflow	27,204	11,678	38,882
Long Term Liabilities - Bonds/Leases	-	-	-
TOTAL LIABILITIES	8,391,009	643,023	9,034,034
FUND EQUITY			
Net Investment in Capital Assets			-
Capital Fee Reserve	-	1,736,179	1,736,179
Unrestricted fund equity	1,864,662	31,546,154	33,410,816
Change in net position	2,073,030	(564,435)	1,508,595
TOTAL FUND EQUITY	3,937,693	32,717,898	36,655,590
TOTAL LIABILITIES AND FUND EQUITY	12,328,702	33,360,920	45,689,631

CITY OF WESLACO, TEXAS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
WATER AND WASTEWATER FUNDS
6/30/2020

REVENUES	WATER	WASTEWATER	Combined Actual	Annual Budget
Intergovernmental Revenue			-	-
Charges for Services	5,457,309	3,719,063	9,176,372	12,363,250
Other Financing Sources (CIP)	-	505,054	505,054	759,110
Other Revenue	130,858	46,923	177,780	276,701
TOTAL REVENUES	5,588,167	4,271,039	9,859,206	13,399,061
EXPENDITURES				
Treatment	1,253,026	1,029,519	2,282,544	3,000,413
Distribution & Collection	433,554	1,319,553	1,753,108	2,514,380
Utility Billing	243,685	-	243,685	142,350
Water Meter Division	93,492	-	93,492	318,851
Capital Outlay	233,373	26,038	259,411	193,070
Bad Debt	-	-	-	-
Debt Service/Leases	527,472	70,552	598,024	598,025
TOTAL EXPENDITURES	2,784,602	2,445,662	5,230,264	6,767,089
EXCESS OF REVENUES OVER EXPENDITURES	2,803,565	1,825,377	4,628,943	6,631,972
OTHER FINANCING SOURCES (USES)				
Transfers In	629,183	-	629,183	629,183
Transfers (Out)	(1,359,718)	(2,389,813)	(3,749,531)	(6,953,811)
OTHER SOURCES (USES)	(730,535)	(2,389,813)	(3,120,348)	(6,324,628)
NET CHANGE IN FUND EQUITY	2,073,030	(564,435)	1,508,595	307,344
Fund Balance - October 1 (Beginning)			18,590,120	
Fund Balance - June 30 (Ending)			20,098,716	
Number of days in working capital			130	

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - SOLID WASTE FUND
6/30/2020

ASSETS

Cash and Equivalents	(445,351)
Current Receivables	786,623
Noncurrent Receivable	2,000,000
Deferred Resource Outflow	8,161
Assets, net of Depr	<u>568,865</u>
TOTAL ASSETS	2,918,298

LIABILITIES

Accounts Payable	200,553
Accrued Salaries & Wages	6,975
Due to Other Funds	-
Other Liabilities	26,344
Noncurrent Liabilities	387,764
Deferred Resource Inflow	<u>203</u>
TOTAL LIABILITIES	621,839

FUND EQUITY

Contributed Capital	-
Reserved fund equity	-
Unreserved fund equity*	1,970,671
Change in net position	<u>325,788</u>
TOTAL FUND EQUITY	2,296,459

TOTAL LIABILITIES AND FUND EQUITY	2,918,298
--	------------------

*Fund equity includes \$2M loan advanced to Water/Sewer Fund
from Solid Waste Fund to complete WTP Project

CITY OF WESLACO, TEXAS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
SOLID WASTE FUND
6/30/2020

REVENUES	Actual	Annual Budget
Intergovernmental Revenue	-	-
Charges for Services	3,865,089	5,427,800
Other Revenue	36,812	82,000
TOTAL REVENUES	3,901,901	5,509,800
EXPENDITURES		
Collection	2,418,674	3,260,140
Transfer Station/Recycling	59,592	94,508
Landfill	44,976	30,400
Brush Collection	490,371	650,000
Capital Outlay	-	-
Disaster	-	-
Debt Service	-	-
TOTAL EXPENDITURES	3,013,613	4,035,048
EXCESS OF REVENUES OVER EXPENDITURES	888,288	1,474,752
OTHER FINANCING SOURCES (USES)		
Transfers In	-	-
Transfers (Out)	(562,500)	(1,125,000)
OTHER SOURCES (USES)	(562,500)	(1,125,000)
NET CHANGE IN FUND EQUITY	325,788	349,752
Fund Balance - October 1 (Beginning)	1,970,671	
Fund Balance - June 30 (Ending)	2,296,459	
Number of days in working capital	14	



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3318	
From:			
Subject: Discussion and consideration to approve Ordinance 2020-15 adopting a mid year budget amendment and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-15. Possible action. (Staffed by Finance Department.)			
Background: A mid year budget amendment is typically done to take into consideration previous City Commission actions that addressed emergency expenditures, overage in line items that were not anticipated during the budget process which will be funded from fund balance(s). This year there was a disaster declaration for COVID 19 pandemic which caused over expenditures in critical functions that were necessary to protect the health of the community. This expenditures will be offset with grant funding. A transfer for Economic Incentive that was not initially budgeted amounted to 52% of the net amount.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Budget Amendment 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):			
Vidal Roman		Created/Initiated	
Vidal Roman		Approved	
Mike Perez		Final Approval	
City Manager Comments: adopt and file.			
Staff Recommendation: Staff recommends approval			
Attachments, if any: General Fund Budget Amendment Form, Mid Year Budget Amendment - G.F - RECAP BY DEPTS, Mid Yr Bdgt Amendment Form & Detail - Enterprise Funds,			

O2019-20 mid-year budget amendment
Responsibilities upon Approval:



CITY OF WESLACO BUDGET AMENDMENT FISCAL YEAR 2020

FUND: GENERAL FUND
DEPARTMENT: VARIOUS
DATE: July 1, 2020

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE DB</u>	<u>DECREASE CR</u>	<u>REVISED BUDGET</u>
101	- 4000 -	VARIOUS ACCOUNT	\$ -	\$ 1,182,220		\$ -
101	- 5000	VARIOUS ACCOUNT	\$ -		\$ 1,625,496	\$ -
101		FUND BALANCE	\$ 7,166,503		\$ 443,276	\$ 6,723,227
						\$ -
						\$ -
			<u>\$ 7,166,503</u>	<u>\$ 1,182,220</u>	<u>\$ 2,068,772</u>	<u>\$ 6,723,227</u>

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

City of Weslaco
Mid Year Budget Amendment
Fiscal Year 2019-2020

RECAP BY DEPARTMENTS		Expenses	Revenue
Revenue	General Fund - all sources		1,182,220
Expenses			
City Commission		10,000	
City Manager		19,366	
City Secretary		(20,000)	
Finance		(4,500)	
Human Resources		10,900	
Building Mntnce		12,500	
Information Tech		(5,000)	
Law		(11,000)	
Police		954,330	
Fire		310,000	
Emerg. Med Svcs		(2,000)	
Emerg. Mgmnt		112,000	
Public Works Admin		(1,100)	
Streets		40,000	
Drain Ditch		39,000	
Parks		(35,000)	
Library		(49,000)	
Planng/Code Enf		5,000	
Transfers	Ordinance 2020-01 (Fire Repl. Fund)	(126,000)	
Transfers	Economic 380 Incentives	366,000	
		1,625,496	1,182,220
		Net Effect:	(443,276)

Detail Listing

Account Number:pt / Function	Description	Expenditure	Revenue
			Over/(Under)
101-4000-41320	Alcoholic Beverage Tax - Pandamic Adj		(23,000)
101-4000-413220	Bingo Tax		3,000
101-4000-414020	Franchise - Magic Valley		5,000
101-4000-414200	Franchise - GTE/Verizon		(14,000)
101-4000-422030	Electrical/Plumbing Permits		40,000
101-4000-422050	Police/Fire Alarm Permits		(6,000)
101-4000-422100	Health Permits		(21,000)
101-4000-432610	Ambulance Fees		(400,000)
101-4000-435240	Demolition/Weedy lot		5,000
101-4000-441100	Corporation Court Fines		(111,000)
101-4000-441203	City Judicial Support Fine		(1,200)
101-4000-441204	Local Omni Base Fee		(2,000)
101-4000-441205	Time Payment Revenue		(1,600)
101-4000-441207	Special Expense Fee		(36,000)
	Covid 19 Interlocal w/ Hidalgo county		949,141
101-4000-441210	Court Fines (Warrants)		(35,000)
101-4000-471100	Property Rental		(8,000)
101-4000-471430	Park Facility Rental		(24,000)
101-4000-473810	Insurance Claims Payment		40,000
101-4000-478910	Miscellaneous Income		15,000
	EXPENSES		
101-5100-5330: City Commission	Professional Services	10,000	
101-5101-5100: City Manager	Exempt Wages - Public Info Officer	21,200	
101-5101-511100	Health Insurance	1,299	
101-5101-511120	Pension Contribution	371	
101-5101-511140	FICA Tax	329	
101-5101-511150	Medicare Tax	77	
101-5101-511160	Workers Comp	29	
101-5101-511180	Unemployment	63	
101-5101-522043	Travel and Training	(4,000)	
101-5103-5100: City Secretary	Non-Exempt Wages	(20,000)	
101-5103-522043	Travel and Training	(4,000)	
101-5103-522810	Other Services	9,000	
101-5103-533010	Professional Services	(5,000)	
101-5106-5100: Finance	Non-Exempt Wages	(11,000)	
101-5106-522810	Other Services	12,000	
101-5106-533010	Professional Services	(5,500)	
101-4000-450010	Ambulance Fees -Stimulus Grant		30,227
101-5109-5100: Human Resources	Exempt Wages	(2,100)	
101-5109-510080	Overtime	3,000	
101-5109-533010	Professional Services	3,000	
101-5109-544026	Educational Supplies	(3,000)	
101-5109-550110	Office Furniture	10,000	
101-5110-5226: Building Mntnce	Maintenance - Building	6,000	
101-5110-522629	Maintenance - Parks	1,500	
101-5110-522641	Maintenance - HVAC	5,000	

(cont)

Account Number	Description	Expenditure	Revenue
101-5111-5100: Information Tech	Exempt	67,362	
101-5111-510020	Non-Exempt Wages	(67,362)	
101-5111-522043	Travel and Training	(5,000)	
101-5125-5220: Law	Travel and Training	(1,000)	
101-5125-533027	Special cases	(10,000)	
101-5202-5100: Police	Overtime	160,000	
101-4000-450010	Intergovernmental Revenue		49,120
101-4000-450010	" " "		33,984
101-4000-450010	" " " - HSGP		19,000
101-4000-450010	" " " - NIBRS		300,000
101-4000-450010	" " " - DOJ Grant		149,890
101-4000-450010	City of Mercedes Communication Cntr		2,000
101-4000-450010	Intergov. Revenue - Ed Bryne Grant		72,640
101-4000-450010	Evident Collection Vehicle		80,000
101-5202-550100	License Plate Reader	19,000	
101-5202-550100	Message Board Trailer	149,890	
101-5202-550100	Extended Service Plan - 8 workstations	19,800	
101-5202-550100	Weslaco PD evidence vehicle	72,640	
101-5202-550100	Capital outlay	533,000	
101-5202-5100: Fire	Overtime	310,000	
101-4000-476310	Hidalgo Co. Emergency		10,000
101-4000-450010	Fire Department Deployment		61,018
101-5208-5220: Emerg. Med Svcs	Travel and Training	(3,000)	
101-5208-550110	Capital outlay	1,000	
101-5209-5100: Emerg. Mgmnt	Overtime	2,000	
101-5209-544045	Other Supplies - COVID 19	110,000	
101-5300-5100: Public Works Admin	Other Supplies	400	
101-5300-522043	Travel and Training	(1,500)	
101-5304-5100: Streets	Overtime	5,000	
101-5304-522080	Ins.& Bonds - Claims	15,000	
101-5304-522636	Maintenance - Machinery	20,000	
101-5307-5100: Drain Ditch	Non exempt	(10,000)	
101-5307-510080	Overtime	3,000	
101-5307-533634	Maintenance - Machinery	22,000	
101-5307-533034	Storm Water Project	16,000	
101-5307-544016	Motor fuel & lube	8,000	
101-5404-5100: Parks	Non exempt	(20,000)	
101-5404-522043	Travel and Training	(3,000)	
101-5404-522634	Maintenance - Machinery	10,000	
101-5404-522643	Maintenance - Pools	(7,000)	
101-5404-527510	Fireworks Display	(15,000)	
101-5410-5100: Library	Non exempt	(4,000)	
101-5410-522043	Travel and Training	(4,000)	
101-5410-522636	Maintenance - Vehicles	(1,000)	
101-5410-544101	Grant Expenditures	(40,000)	
101-5511-510020	Non exempt	(15,000)	
101-5511-510080	Overtime	10,000	
101-5511-550100	Capital outlay	5,000	
101-5511-550110	Equipment/Office Furniture	5,000	
	Transfer to Fire Eqpt Repl Fund	(126,000)	
	Transfer to Economic 380 Agreement	366,000	
		1,625,496	1,182,220
	Fund Balance		(443,276)



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2020**

FUND: Water/Wastewater

DEPARTMENT: VARIOUS

DATE: July 1, 2020

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE DB</u>	<u>DECREASE CR</u>	<u>REVISED BUDGET</u>
501	- 4000 -	VARIOUS ACCOUNT	\$ 8,149,434	\$ -	\$ 165,000	\$ 7,984,434
501	- 5000	VARIOUS ACCOUNT	\$ 7,010,481	\$ 74,870	\$ -	\$ 7,085,351
508		VARIOUS ACCOUNT	\$ 5,878,810		\$ 190,000	\$ 5,688,810
508		VARIOUS ACCOUNT	\$ 6,710,421	\$ 84,740		\$ 6,795,161
501-508		FUND BALANCE (DON'T POST)	\$ 160,685		\$ 514,610	\$ (353,925)
						-
			<u>\$ 27,909,831</u>	<u>\$ 159,610</u>	<u>\$ 869,610</u>	<u>\$ 27,199,831</u>

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

Account	Department	Description	Expenditure	Revenue
<u>Water Fund</u>				
501-4000-433300	Revenue	Water Sales	\$ -	\$ (120,000)
501-4000-433310	Revenue	Water Tapping Fees		(30,000)
501-4000-433320	Revenue	Utility Billing Penalties		(15,000)
501-5312-522380	Water Treatment	Utilities	(15,000)	
501-5312-550100		Vehicles for Inframark	20,870	-
501-5315-510020	Meter Division	Wages	(5,000)	
501-5315-511100		Health Insurance	(1,000)	-
501-5315-522840		Unanticipated additional meters	75,000	
			74,870	(165,000)
		Impact on Fund Balance	\$ (239,870)	

<u>WasteWater Fund</u>				
508-4000-433400	WW Treatment	Wastewater Sales		\$ (90,000)
508-4000-433450		Capital Improvement Fees		(90,000)
508-4000-433720		Billing Penalties		\$ (10,000)
508-5322-522380	WW Treatment Dept	Utilities -	\$ (15,000)	
508-5322-550100		Capital Outlay	10,000	-
508-5322-550100		Vehicles - Inframark	41,740	
508-5324-510020	WW Collection	Wages	(40,000)	
508-5324-511100		Health Insurance	(5,000)	
508-5324-522634		Mntnce - Machinery	8,000	
508-5324-522650		Mntnce - Collection Lines	25,000	
508-5324-522810		Other Services - unforeseen breakage	60,000	
			84,740	(190,000)
		Impact on Fund Balance	\$ (274,740)	



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2020**

FUND: Solid Waste
DEPARTMENT: VARIOUS
DATE: July 1, 2020

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>REVISED BUDGET</u>
540	- 4000 -	VARIOUS ACCOUNT	\$ 5,590,800	\$ -	\$ (786,331)	\$ 6,377,131
540	- 5000	VARIOUS ACCOUNT	5,160,048	733,485	-	5,893,533
540		FUND BALANCE (DON'T POST)	2,620,310	52,846	-	2,673,156
						-
						-
						-
			<u>\$ 13,371,158</u>	<u>\$ 786,331</u>	<u>\$ (786,331)</u>	<u>\$ 14,943,820</u>

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

<u>Solid Waste Fund</u>			
540-4000-433660	Commercial Rates Increase	\$ -	\$ 215,846
540-4000-433660	Other financing sources		\$ 570,485
540-5330-533100	Contractual Services - Solid Waste	123,000	
540-5332-510080	Recycling - Overtime	2,000	
540-5334-522845	Monitoring - Landfill	3,000	
540-5336-533100	Contractual Services - Brush	35,000	
540-5336-550100	Grapple Trks,	570,485	
		733,485	786,331
	Impact on Fund Balance	\$ 52,846	

ORDINANCE 2020-15

AN ORDINANCE AMENDING ORDINANCE NUMBER 2019-39, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, FINDING NEED TO AMEND THE 2019-2020 MUNICIPAL BUDGET; TO WIT; GENERAL FUND, \$443,276 LESS; WATER/WASTER COMBINED, \$514,610 LESS; AND SOLID WASTE FUND BY \$52,846 PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2019-2020 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2019-2020 Official Budget, adopted by Ordinance 2019-39, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. 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 7th day of July 2020.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____ 2020.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

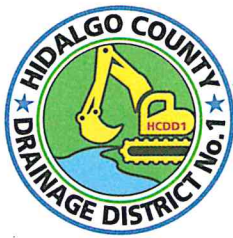
APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3371	
From:			
Subject: Discussion and consideration of a Memorandum of Understanding (MOU) between the City of Weslaco and Hidalgo County Drainage District No. 1, Phase I Flood Control Project and authorize the Mayor to execute and related documents. Possible action. (Staffed by Engineering Department.)			
Background: Hidalgo County Drainage District No. 1 has applied for funding with the Texas Water Development Board for a Phase I Flood Control Project. The project watershed is located in the City of Weslaco and Hidalgo county jurisdiction. Funding requirements call for an executed MOU as to the management of the watershed in which the project is to be located.			
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):			
Alberto Aldana		Created/Initiated	
Alberto Aldana		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: HCDD No. 1 - application for funding to the Texas Water Development Board's Flood Infrastructure Program			
Responsibilities upon Approval:			



HIDALGO COUNTY DRAINAGE DISTRICT No. 1

RAUL E. SESIN, PE, CFM
District General Manager
Hidalgo County Floodplain Administrator

BOARD OF DIRECTORS

DAVID L. FUENTES Board Member	EDUARDO "EDDIE" CANTU Board Member	RICHARD F. CORTEZ Chairman of the Board	JOE M. FLORES Board Member	ELLIE TORRES Board Member
----------------------------------	---------------------------------------	--	-------------------------------	------------------------------

June 02, 2020

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

Re: Hidalgo County Drainage District No. 1's Application
For Texas Water Development Board's Flood Infrastructure Fund Program
Hidalgo County Drainage District No. 1 Phase 1 Flood Control Project



Dear Mr. Perez,

Hidalgo County Drainage District No. 1 ("HCDD1") will be submitting an application for funding to the Texas Water Development Board's Flood Infrastructure Funding ("FIF") Program for the Hidalgo County Drainage District No. 1 Phase 1 Flood Control Project.

For your reference, the project's watershed is located within Hidalgo County and includes portions of the City of Weslaco. See Exhibit 1 for Project Description and Map.

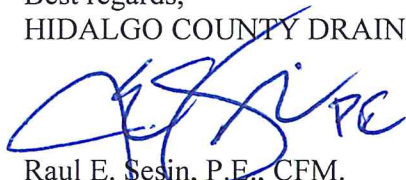
The FIF Rules indicate that all governmental entities within the project watershed shall be presented with a copy of the attached Memorandum of Understanding ("MOU"). See Exhibit 2. The attached MOU does not have to be executed at this time. If HCDD1's application is selected to the next round of the FIF Program, we will be requesting the City of Weslaco's City Council and the Hidalgo County Commissioners' Court to approve the MOU.

The City of Weslaco and Hidalgo County have provided valuable input regarding this project. Your comments and feedback helped shape the project to better serve our region and community.

HCDD1 looks forward to continuing working collaboratively with the City of Weslaco and Hidalgo County to mitigate flooding in our region and to safeguard the health and safety of our community.

As always, please feel free to contact us anytime if you have any comments or questions.

Best regards,
HIDALGO COUNTY DRAINAGE DISTRICT No. 1


Raul E. Segin, P.E., CFM.
District General Manager

CC: Valde Guerra, Commissioners Court Executive Officer, Hidalgo County

EXHIBIT 1

Hidalgo County Drainage District No. 1 Phase 1 Flood Control Project

Project Description and Map

The project will provide enhancements to the Mercedes Lateral and existing drainage systems around Mile 10 North, Mile 11 North, FM 1015, Mile 1 West, and Texas Boulevard.

Regional retention ponds will be built to safely store and manage stormwater. Drainage systems will be created along residential areas, including but not limited to residential areas along Beto Garcia, Tahiti, and Samoa Drive. Additionally, the project will include culvert improvements and 105,600 linear feet of ditch improvements.

A pump station will also be installed along the North Floodway.

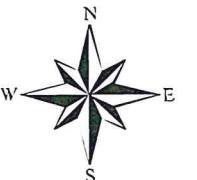
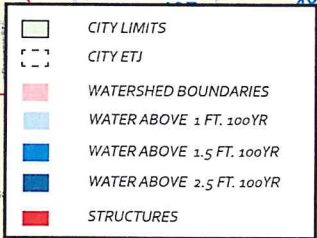
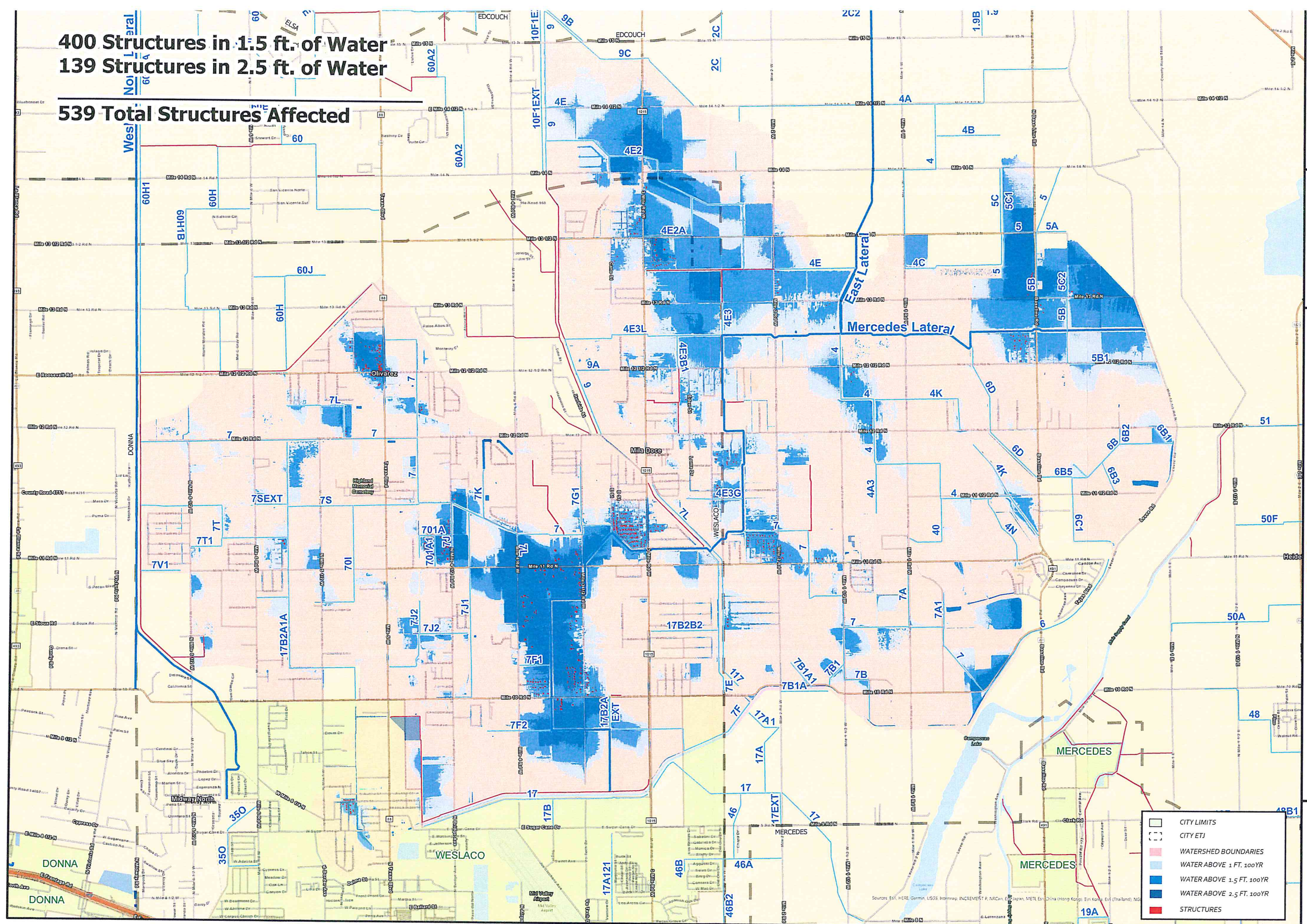
Over 500 structures will directly benefit from these improvements. Most importantly, these improvements will help to manage the immense floodwaters and storm water runoff from the major urbanized areas of Hidalgo County such as McAllen, Mission, Pharr, and Edinburg.

The total project cost is \$31,263,369.65. Funding is being sought from the Texas Water Development Board's Flood Infrastructure Fund Program for right-of-way acquisition and construction costs.

Please see the attached map for additional project information.

400 Structures in 1.5 ft. of Water
139 Structures in 2.5 ft. of Water

539 Total Structures Affected



1 inch equals 1,592 feet

HIDALGO COUNTY
DRAINAGE DISTRICT No. 1



Raul E. Sesin P.E., C.F.M.
General Manager
Floodplain Administrator

Exhibit 1
Watershed P1A
Hidalgo County Drainage District 1
Phase 1 Flood Control Project

EXHIBIT 2

TEXAS WATER CODE SECTION 15.005 MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding (“MOU”) between the Board of Hidalgo County Drainage District No. 1 (the “HCDD1”), the Commissioners’ Court of Hidalgo County, Texas (the “Hidalgo County”), and the City Council of City of Weslaco (the “City of Weslaco”).

WHEREAS, pursuant to Texas Water Code § 15.005 and 31 Texas Administrative Code § 363.408, if the Executive Administrator determines that an application has flood control as one of its purposes and that the watershed in which the project is located is partially located outside the political subdivision making the application, the applicant must submit a written memorandum of understanding relating to the management of the watershed in which the project is to be located, signed by all governing bodies of eligible political subdivisions located in the project watershed; and

WHEREAS, HCDD1 has filed an application with the Texas Water Development Board for funding the Hidalgo County Drainage District No. 1 Phase 1 Flood Control Project that has flood control as one of its purposes; and

WHEREAS, HCDD1 has determined that the watershed in which the project is located is partially located within the jurisdiction of Hidalgo County and City of Weslaco;

NOW THEREFORE, in consideration of the benefits to the Nueces-Rio Grande Watershed and the State of Texas, HCDD1, Hidalgo County, and City of Weslaco agree to the following:

HCDD1 will provide QUARTERLY progress updates to Hidalgo County and City of Weslaco as the project develops and changes.

HCDD1 will notify Hidalgo County and City of Weslaco of any potential change in impacts to Hidalgo County and City of Weslaco within 1 MONTH of the identified change.

Hidalgo County and City of Weslaco will provide constructive input to HCDD1 as the project develops and changes.

HCDD1 and Hidalgo County and City of Weslaco will work cooperatively for the management of the Nueces-Rio Grande Watershed.

Richard Cortez, Chairman of Board
Hidalgo County Drainage District No. 1

Richard Cortez, County Judge
Hidalgo County, Texas

David Suarez, Mayor
City of Weslaco



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3436	
From:			
Subject: Discussion and consideration to approve Allowance Expenditure Authorization No.5 for the North Side Fire Station Project as presented by Alvarado Architects and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport.)			
Background: 1. Per CPR No. 22: Provided credit for the access control not used on project (\$4,500.00) 2. Per CPR No. 23: Provide cost to relocate the disconnect switch as requested by the City of Weslaco (\$975.00) 3. Per CPR No. 24: Provide cost to add concrete aprons at the drives as requested by the City of Weslaco (\$3,000.00) Original Owner's Contingency Allowance \$50,000.00 Allowance Balance Prior to this Authorization \$1,651.00 Allowance Sum will be Increased by this Authorization (\$525.00) New Owner's Contingency Allowance Balance \$2,176.00			
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):			
Andrew Muñoz		Created/Initiated	
Andrew Muñoz		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Allowance Expenditure Authorization No. 5			
Responsibilities upon Approval:			

Alvarado Architects & Associates, Inc.
307 South Main Street
Donna, Texas 78537
Phone: 956.464.8258
Fax: 956.464.8268

Allowance Expenditure Authorization

Project: North Side Fire Station
City of Weslaco

Authorization No.: 05

AAA Project No.: 1709

Date: May 27, 2020

To: Tri-Gen Construction
2900 North Texas Boulevard, Ste. 201
Weslaco, TX 78599

Attention: Mr. Jorge Gonzalez

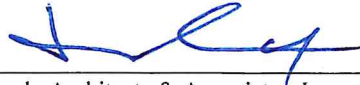
You are authorized to perform the following item(s) of work and to adjust the allowance sum accordingly, as indicated below. This is not a change order and does not increase nor decrease the contract amount.

Description of Work:

1. Per CPR No. 22: Provide credit for the access control not used on the project. (\$ 4,500.00)
2. Per CPR No. 23: Provide cost to relocate the disconnect switch as requested by the City of Weslaco. \$ 975.00
3. Per CPR No. 24: Provide cost to add concrete aprons at the drives as requested by the City of Weslaco. \$3,000.00

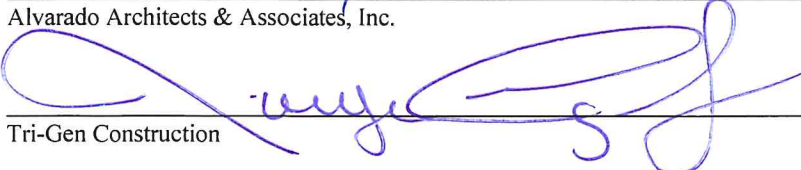
TOTAL: (\$ 525.00)

Original Owner's Contingency Allowance	\$ 50,000.00
Allowance Balance Prior to this Authorization	\$ 1,651.00
Allowance Sum will be Increased by this Authorization	\$ (525.00)
New Owner's Contingency Allowance Balance	\$ 2,176.00


Alvarado Architects & Associates, Inc.

05.27.20

Date


Tri-Gen Construction

5/29/2020

Date

City of Weslaco

Date

Alvarado Architects & Associates, Inc.
307 South Main Street
Donna, Texas 78537
Phone: 956.464.8258
Fax: 956.464.8268

Change Proposal Request

Project: North Side Fire Station
City of Weslaco

Request No.: 22

AAA Project No.: 1709

Date: May 19, 2020

To: Tri-Gen Construction
2900 North Texas Boulevard, Ste. 201
Weslaco, Texas 78599

Attention: Jorge Gonzalez

This is a request for an itemized quotation in the Contract Sum and/or time for the following proposed modifications to the Contract Documents.

This request is not an authorization for changes or additional work, and it does not revise the contract price.

Description of Work:

1. Provide credit for the access control not used on the project.

Attachment: None

This change proposal was initiated at the request of the:

☐ Owner

☒ Architect

☐ Engineer

☐ Contractor



Erasmo Eli Alvarado III
Vice President

cc: Andrew Munoz, City of Weslaco



Tri-Gen Construction, LLC
2900 N. Texas Blvd. Suite 201
Weslaco, Texas 78599
T: 956.447.1048
F: 956.447.2003

May 19, 2020

Eli Alvarado
Alvarado Architects

RE: Weslaco Fire Station CPR #22

Mr. Alvarado,,

The amount that is available for the Access Control credit is \$4,500.00

If there are any more questions or concerns, please contact Jorge or myself. Thank you



Connie Bearden
Tri-Gen Construction LLC

Alvarado Architects & Associates, Inc.
307 South Main Street
Donna, Texas 78537
Phone: 956.464.8258
Fax: 956.464.8268

Change Proposal Request

Project: North Side Fire Station
City of Weslaco

Request No.: 23

AAA Project No.: 1709

Date: March 12, 2020

To: Tri-Gen Construction
2900 North Texas Boulevard, Ste. 201
Weslaco, Texas 78599

Attention: Jorge Gonzalez

This is a request for an itemized quotation in the Contract Sum and/or time for the following proposed modifications to the Contract Documents.

This request is not an authorization for changes or additional work, and it does not revise the contract price.

Description of Work:

1. Provide cost to relocate the disconnect switch as requested by the City of Weslaco.

Attachment: None

This change proposal was initiated at the request of the:

☒ **Owner**

☐ Architect

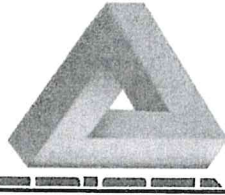
☐ Engineer

☐ Contractor



Erasmo Eli Alvarado III
Vice President

cc: Andrew Munoz, City of Weslaco



Tri-Gen Construction, LLC
2900 N. Texas Blvd. Suite 201
Weslaco, Texas 78599
T: 956.447.1048
F: 956.447.2003

March 12, 2020

Eli Alvarado
Alvarado Architects

RE: Weslaco Fire Station

PRICING FOR MOVING DISCONNECT

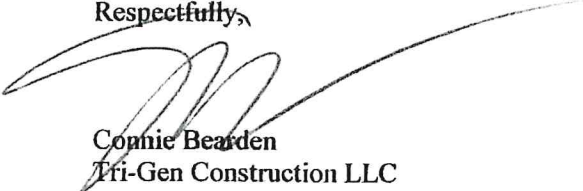
Mr. Alvarado,,

The price for moving the disconnect to the other side is as shown. Please see estimate to follow. If I can get this approved today, they can do it tomorrow. If not approved today – I will work diligently to get it scheduled as soon as possible.

Materials: \$283.00
Labor: \$692.00
Total: \$975.00

Please let me know if this is approved or not. Thank you

Respectfully,



Connie Bearden
Tri-Gen Construction LLC



*lighting > electrical > energy
technology > signs*

March 12, 2020

To: Trigen Construction

Attn: Connie Bearden

Please see attached pricing to relocate disconnect, and re-route conduit and wire to new location.

I appreciate this opportunity to offer you a lump sum price of **\$975.00** for the following scope of work.

***** (Labor: \$692 Material: \$283)*****

Estimate Includes:

- Remove existing disconnect and install cover plate over existing conduit. Seal holes with white silicone.
- Mount existing Disconnect in new location.
- Cut conduit, install J-box, and re-use existing wire to re-feed disconnect.

Estimate Excludes:

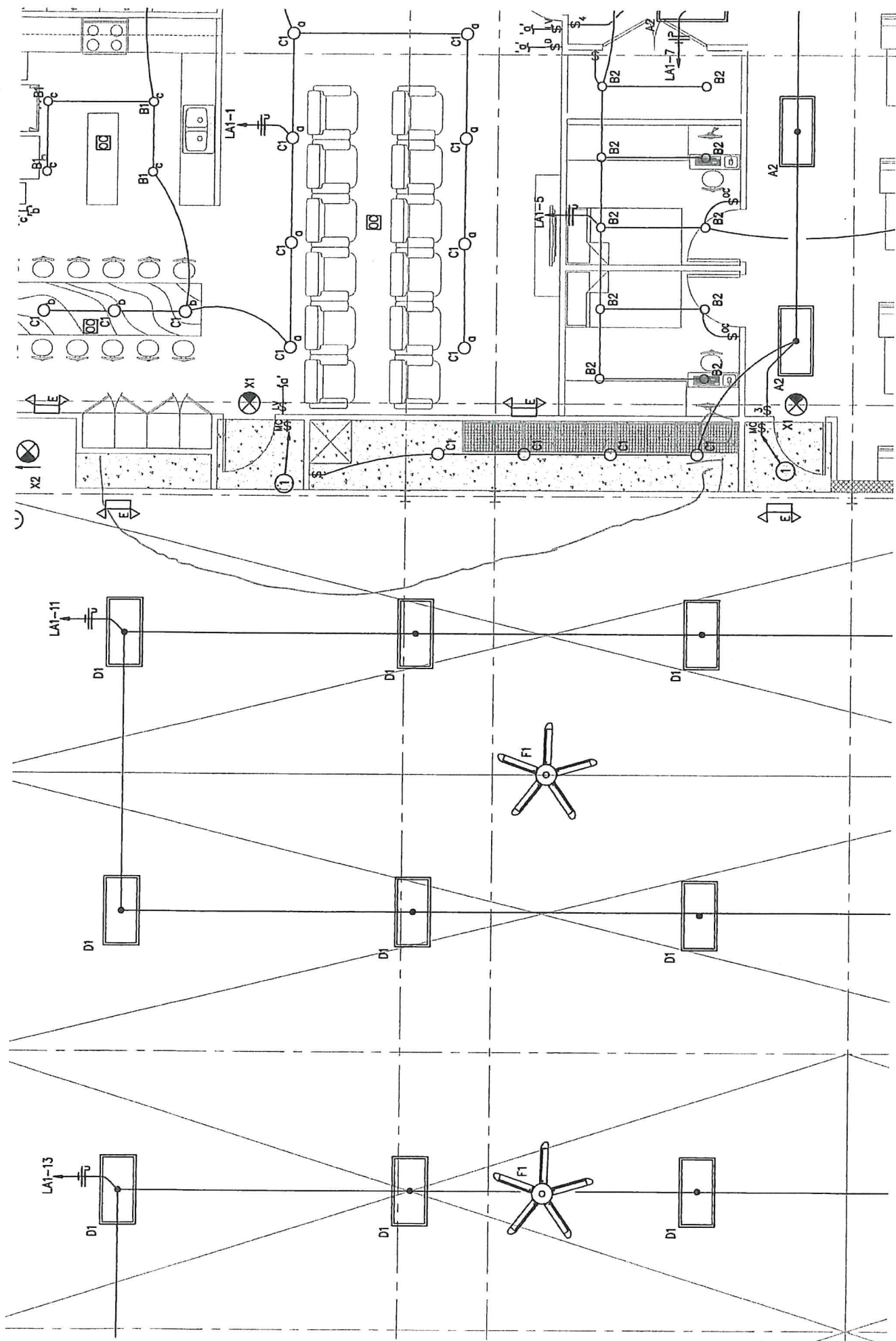
- Night/Weekend/Overtime work
- Repairs to existing conduit or wiring
- Paint and patching
- Repairs to any existing panels or upgrades
- Taxes

Please call me with any questions----- 956-230-2505 ofc., 956-226-3578 mbl.

Sincerely,

Doug Brown
doug.brown@fsgi.com
956-226-3578

8018 West Exp. 83, Harlingen TX, 78552
Regulated by The Texas Department of Licensing and Regulation, P.O. Box 12157
Austin, Texas 78711, 1-800-803-9202, 512-463-6599; TECL #25589
Website: www.license.state.tx.us/complaints



Alvarado Architects & Associates, Inc.
307 South Main Street
Donna, Texas 78537
Phone: 956.464.8258
Fax: 956.464.8268

Change Proposal Request

Project: North Side Fire Station
City of Weslaco

Request No.: 24

AAA Project No.: 1709

Date: March 12, 2020

To: Tri-Gen Construction
2900 North Texas Boulevard, Ste. 201
Weslaco, Texas 78599

Attention: Jorge Gonzalez

This is a request for an itemized quotation in the Contract Sum and/or time for the following proposed modifications to the Contract Documents.

This request is not an authorization for changes or additional work, and it does not revise the contract price.

Description of Work:

1. Provide cost to add concrete aprons at the drives as requested by the City of Weslaco.

Attachment: None

This change proposal was initiated at the request of the:

☒ **Owner**

☐ Architect

☐ Engineer

☐ Contractor



Erasmo Eli Alvarado III
Vice President

cc: Andrew Munoz, City of Weslaco



Tri-Gen Construction, LLC
2900 N. Texas Blvd. Suite 201
Weslaco, Texas 78599
T: 956.447.1048
F: 956.447.2003

April 29, 2020

Eli Alvarado
Alvarado Architects

RE: Concrete Ribbon at edge of Asphalt

Below is the breakdown for the addition of the concrete ribbon that was installed at the edge of the asphalt per the request of City of Weslaco to reach compaction needed on Asphalt. This will be an "at charge" cost with no mark-up to the City.

Forming labor	\$ 975.00
Rebar and accessories	\$ 483.00
Concrete material	<u>\$1542.00</u>
	\$3000.00


Connie Bearden
Tri-Gen Construction LLC

INVOICE #04-15-2020

Arturo Tovar

4315 Melony Lane
Edinburg Texas 78542

4/15/2020

BILL TO

Trigen Constr. Jorge Gonzalez

Weslaco
533-1919

FOR

fire station ribbon

Details

AMOUNT

formin labor 3 man	\$975.00
rebar and edge	\$483.00
concrete include short load	\$1,542.00

SUBTOTAL \$3,000.00

TAX RATE no

OTHER no

TOTAL \$3,000.00

RECEIVED

Make all checks payable to Arturo Tovar



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3436	
From:			
Subject: Discussion and consideration to approve Change Order No.3 - Final Change Order for the North Side Fire Station Project as presented by Alvarado Architects and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport.)			
Background: Provide a credit back to the owner as part of a deductive change order to the contract per allowance expenditure #05 for funds not used as part of the owner's contingency allowance, The original contract sum was \$1,338,745.35 The net change by previously authorized change orders \$283,536.52 The contract sum prior to this change order was \$1,622,281.87 The contract sum will be decreased by this change order in the amount of \$2,176.00 The new contract sum including this change order will be \$1,620,105.87			
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):			
Andrew Muñoz		Created/Initiated	
Andrew Muñoz		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any: Change Order No. 3			
Responsibilities upon Approval:			

**AIA**[®]**Document G701™ – 2017****Change Order**

PROJECT: *(Name and address)*
 New Fire Station for the City of Weslaco
 Weslaco, Texas

CONTRACT INFORMATION:
 Contract For: General Construction
 Date: March 20, 2019

CHANGE ORDER INFORMATION:
 Change Order Number: 003
 Date: May 27, 2020

OWNER: *(Name and address)*
 City of Weslaco
 255 South Kansas Avenue
 Weslaco, Texas 78596

ARCHITECT: *(Name and address)*
 Alvarado Architects & Associates, Inc.
 307 South Main Street
 Donna, Texas 78537

CONTRACTOR: *(Name and address)*
 Tri-Gen Construction, LLC
 2900 North Texas Boulevard, Suite
 201
 Weslaco, Texas 78596

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

Provide a credit back to the Owner as part of a Deductive Change Order to the contract per Allowance Expenditure #05 for funds not used as part of the Owner's Contingency Allowance as part of the project.

The original Contract Sum was	\$ 1,338,745.35
The net change by previously authorized Change Orders	\$ 283,536.52
The Contract Sum prior to this Change Order was	\$ 1,622,281.87
The Contract Sum will be decreased by this Change Order in the amount of	\$ 2,176.00
The new Contract Sum including this Change Order will be	\$ 1,620,105.87

The Contract Time will be increased by Zero (0) days.
 The new date of Substantial Completion will be

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Alvarado Architects & Associates, Inc.

Tri-Gen Construction, LLC

City of Weslaco

ARCHITECT *(Firm name)***CONTRACTOR** *(Firm name)***OWNER** *(Firm name)***SIGNATURE****SIGNATURE****SIGNATURE**

Erasmio D. Alvarado, Jr. AIA, President

Jorge Gonzalez, President

David Suarez, Mayor

PRINTED NAME AND TITLE**PRINTED NAME AND TITLE****PRINTED NAME AND TITLE**

May 27, 2020

5/29/2020

DATE**DATE****DATE**



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2018-1735	
From:			
Subject: Discussion and consideration to approve final payment for North Fire Station Project to Tri-Gen Construction for an amount not to exceed \$162,010.59 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport.)			
Background: Project was completed on 5/31/2018 being 25 days ahead of schedule. Final payment requested is to release 10% retainage for an amount not to exceed \$162,010.59.			
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):			
Andrew Muñoz		Created/Initiated	
Andrew Muñoz		Approved	
Mike Perez		New	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: OMT Close out Documents, Final Pay App Tri-Gen			
Responsibilities upon Approval: Staff will finalize payment.			

Certificate of Final Completion

Project: Weslaco North Fire Station Waterline

Owner: City of Weslaco

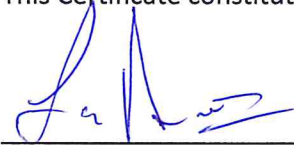
Contractor: OMT Utilities

Project# 2017-18-08

THIS CERTIFICATE OF FINAL COMPLETION APPLIES TO ALL PORTIONS OF WHT WESLACO NORTH FIRE STATION WATERLINE PROJECT.

The work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be complete. The Date of Completion for the Project is hereby declared May 29, 2018. The commencement of applicable warranties required by the Contract Documents, is as noted in the Contract Documents.

This Certificate constitutes an acceptance of Work in accordance with the Contract Documents.



Luis Reyes III OMT Utilites

5-31-18

Date



Mike Perez, City Manager

5-31-18

Date

City of Weslaco

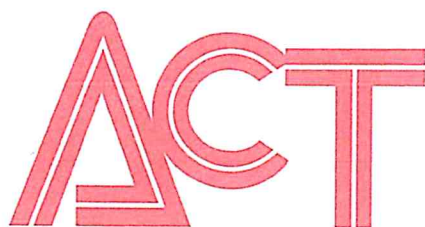


Mardoqueo Hinojosa

5-31-18

Date

Planning Director/City Engineer, City of Weslaco



PIPE & SUPPLY

Established 1976

MATERIAL SUPPLIER

UNCONDITIONAL WAIVER & RELEASE UPON FINAL PAYMENT

For and in consideration of payment by the undersigned of a check from **O.M.T. Utilities** for the sum of **Zero Dollars and Zero Cents (\$0.00)**, the receipt and sufficiency of which is hereby acknowledged, payable to the undersigned, this document releases pro tanto any mechanic's lien, stop notice or bond for the **N. Fire Station Waterline** project. The undersigned warrants and represents that it possesses and has not assigned to any third party the rights herein released.

The undersigned certifies that all labor, materials, and services furnished, and all applicable state and federal payroll insurance taxes payable, by or through the undersigned, in connection with the performance of the subcontractor's purchase order, have been paid in full, and the undersigned agrees to defend, indemnify and hold Contractor and Owner harmless from and against any cost, liability or expense, in connection with the same.

Dated this 25th day of May, 2018

ACT Pipe & Supply, Inc.

Rhonda Wilson, CBA
Sr. Credit Manager

Sworn to and subscribed before me this 25 day of May, 2018

Sharon Hollenshead Notary Public



6950 West Sam Houston Pkwy. N. Houston, Texas 77041 • (713) 937-0600 • FAX (713) 937-0690 • (800) 231-9808

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Remit To:
ACT PIPE AND SUPPLY, INC.
PO BOX 301282
DALLAS, TX 75303-1282

Statement

CUSTOMER NUMBER	STATEMENT DATE
6674	05/24/18
Your Branch:	PAGE NO.
ACT PIPE AND SUPPLY, INC. 1004 N SHARY RD MISSION, TX 78572 956-583-1558 Fax 956-580-4987	1 of 1

BILL-TO CUSTOMER:

O. M. T. UTILITIES
1906 SOUTH PLEASANTVIEW
WESLACO, TX 78596

DATE	INVOICE NUMBER	PURCHASE ORDER NUMBER	INVOICE AMOUNT	PAYMENTS/CREDITS	NET DUE
------	----------------	-----------------------	----------------	------------------	---------

Ship-To: N. FIRE STATION WATERLINE GC

Future	Current	31-60 Days	61-90 Days	Over 90 Days	BALANCE
0.00	0.00	0.00	0.00	0.00	= 0.00

Ship-To: SANTA MARIA ISD HIGH SCHOOL

Future	Current	31-60 Days	61-90 Days	Over 90 Days	BALANCE
0.00	0.00	0.00	0.00	0.00	= 0.00

Ship-To: SHOP

Future	Current	31-60 Days	61-90 Days	Over 90 Days	BALANCE
0.00	0.00	0.00	0.00	0.00	= 0.00

PREV BALANCE	PAYMENTS	CREDITS	PURCHASES	SERVICE CHARGE	NEW BALANCE
-2052.79	526.91	-823.69	3403.39	0.00	0.00

FUTURE	CURRENT	31-60 DAYS	61-90 DAYS	OVER 90 DAYS
0.00	0.00	0.00	0.00	0.00

All past due balances subject to SERVICE CHARGE of 1.50% per month.

Document 00641

AFFIDAVIT AND WAIVER OF LIEN
PRIME CONTRACTOR

THE STATE OF TEXAS

§
KNOW ALL MEN BY THESE PRESENTS:

THE COUNTY OF _____

Personally appeared before me, the undersigned Notary Public for said County and State

Luis Reyes III (Name of Individual),
owner (Title) of O.M.T. utilities

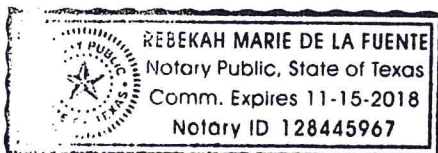
(Prime Contractor), who being duly sworn by me states on oath that all product suppliers and Subcontractors, payrolls, sales tax, privilege tax or license, old age benefits tax, state and federal unemployment insurance, and other liabilities incurred in the performance of _____

(Type of Contract) Contract for the construction of improvements at Project No. # 2017-18-08
Project Title Weslaco North Firestation waterline (Name of Project), have been paid in full and that the above named Prime Contractor waives any claims and released City of Weslaco (Owner) from any rights or claims (including lien rights) for debts due and owing by virtue of the furnishing of any labor, products, and supplies furnished for such improvements.

The above named Prime Contractor agrees to indemnify the Owner and save him harmless on account of any loss he may sustain in reliance upon this Affidavit and Waiver of Lien including the amount of any lien he may be compelled to pay all costs relating thereto and a reasonable attorney's fee.

[Signature]
[Prime Contractor's Signature]

SWORN AND SUBSCRIBED before me on May 31st, 2018
[Date]



[Signature]
Notary Public in and for the State of TEXAS
Rebekah de la Fuente
[Print or type Notary Public name]

[Notary Seal]

My Commission Expires: 11/15/18
[Expiration Date]

END OF DOCUMENT

00641- 1 of 2



Document 00642

RELEASE AND WAIVER OF CLAIMS BY
SUBCONTRACTORS AND PRODUCT VENDORS

THE STATE OF TEXAS

THE COUNTY OF _____

§
KNOW ALL MEN BY THESE PRESENTS:

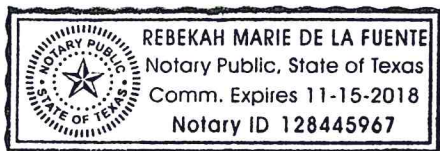
Personally appeared before me the undersigned authority in and for said County and State (Name of Individual), Luis Reyes II (Title) of O.M.T. utilities (Company), who, being duly sworn by me states on oath that all bills for labor and products, sales tax, privilege tax or license, old age benefits tax, state and federal unemployment insurance and other liability have been paid in full, or that funds are in hand to discharge such liabilities when due, incurred in the performance of its Subcontract for furnishing labor or products in the construction of improvements at Project No. # 2017-18-08 Project Title weslaco North Fire station waterline (Name of Project & Location), upon receipt of check in the amount \$ _____, the undersigned company waives any claims and releases (Owner) _____ (Contractor) from any rights or claims for debts due and owing by virtue of the furnishing of any labor or products and any lien therefore.

O.M.T. utilities

[NAME OF COMPANY]

SWORN AND SUBSCRIBED before me on May 31st 2018

[Date]



[Notary Seal]

[Signature]

Notary Public in and for the State of TEXAS

Rebekah de la Fuente

[Print or type Notary Public name]

My Commission Expires: 11/15/18

[Expiration Date]

END OF DOCUMENT



AIA® Document G702® – 1992

Application and Certificate for Payment

TO OWNER:	City of Weslaco 255 S. Kansas Ave. Weslaco, Texas 78596	PROJECT:	North Side Fire Station 412 E. Mile 11 North Weslaco, Texas 78596	APPLICATION NO:	014 - Retainage	PERIOD TO:	June 05, 2020	Distribution to:	OWNER: ☒ ARCHITECT: ☒ CONTRACTOR: ☒ FIELD: ☐ OTHER: ☐
FROM	Tri-Gen Construction, L.L.C.	VIA	Alvarado Architects	CONTRACT FOR:	General Construction	CONTRACT DATE:	March 20, 2019		
CONTRACTOR:	2900 N Texas Blvd Ste 201 Weslaco, TX 78599	ARCHITECT:	307 S. Main Street Donna, Texas 78537	PROJECT NOS:	Alvarado Architects / Tri-Gen Construction LLC / City of Weslaco				

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$1,638,745.35
2. NET CHANGE BY CHANGE ORDERS	\$281,360.52
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$1,620,105.87
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$1,620,105.87

5. RETAINAGE:

- a. 0.00 % of Completed Work
(Column D + E on G703)
- b. 0 % of Stored Material
(Column F on G703)

Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$0.00

6. TOTAL EARNED LESS RETAINAGE \$1,620,105.87

(Line 4 Less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$1,458,095.28

(Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE \$162,010.59

9. BALANCE TO FINISH, INCLUDING RETAINAGE

(Line 3 less Line 6)

\$0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$283,536.52	\$2,176.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$283,536.52	\$2,176.00
NET CHANGES by Change Order		\$281,360.52

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: 

State of: Texas

Date: June 04, 2020

County of: Hidalgo

Subscribed and sworn to before me this _____ day of _____

Notary Public: Constance D Bearden

My Commission expires: April 18, 2024

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$162,010.59

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: 

Date: 6-24-20

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA® Document G703® – 1992

Continuation Sheet

AIA Document, G702®-1992, Application and Certification for Payment, or G736™-2009, Project Application and Project Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

In tabulations below, amounts are in US dollars.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO:
APPLICATION DATE:
PERIOD TO:
ARCHITECT'S PROJECT NO:

014 - Retainage

June 05, 2020

June 05, 2020

Alvarado Architects

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G		H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD		TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G ÷ C)		
	Division 1	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Project Manager	11,000.00	11,000.00	0.00	0.00	11,000.00	100.00%	0.00	0.00
	Bond Expense	35,481.80	35,481.80	0.00	0.00	35,481.80	100.00%	0.00	0.00
	Main Office Overhead	49,000.00	49,000.00	0.00	0.00	49,000.00	100.00%	0.00	0.00
	Superintendent	30,000.00	30,000.00	0.00	0.00	30,000.00	100.00%	0.00	0.00
	Contractors Profit	87,500.00	87,500.00	0.00	0.00	87,500.00	100.00%	0.00	0.00
	Gen Insurance	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00%	0.00	0.00
	Rental Equipment	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00%	0.00	0.00
	Builders Risk	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00%	0.00	0.00
	Dumpster/Roll Off	4,512.40	4,512.40	0.00	0.00	4,512.40	100.00%	0.00	0.00
	Electrical Consumption	2,820.25	2,820.25	0.00	0.00	2,820.25	100.00%	0.00	0.00
	Site Access/Traffic Control	3,948.35	3,948.35	0.00	0.00	3,948.35	100.00%	0.00	0.00
	Temporary Toilets	2,078.40	2,078.40	0.00	0.00	2,078.40	100.00%	0.00	0.00
	Project Sign	875.00	875.00	0.00	0.00	875.00	100.00%	0.00	0.00
	Division 2	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Silt Fence	3,040.00	3,040.00	0.00	0.00	3,040.00	100.00%	0.00	0.00
	Division 32	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Building Pad Dirtwork	35,000.00	35,000.00	0.00	0.00	35,000.00	100.00%	0.00	0.00
	Sidewalks	16,544.00	16,544.00	0.00	0.00	16,544.00	100.00%	0.00	0.00
	Mini Pads	560.00	560.00	0.00	0.00	560.00	100.00%	0.00	0.00
	Wheel stops	560.00	560.00	0.00	0.00	560.00	100.00%	0.00	0.00
	Division 33	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00

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User Notes:

(3B9ADA51)

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	Utilities	17,850.00	17,850.00	0.00	0.00	17,850.00	100.00%	0.00	0.00
	Bollard Material	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00%	0.00	0.00
	Division 3	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Building Pad Concrete	31,350.00	31,350.00	0.00	0.00	31,350.00	100.00%	0.00	0.00
	Building pad Rebar and Accessories	14,250.00	14,250.00	0.00	0.00	14,250.00	100.00%	0.00	0.00
	Concrete Labor	12,540.00	12,540.00	0.00	0.00	12,540.00	100.00%	0.00	0.00
	Concrete Pump	1,800.00	1,800.00	0.00	0.00	1,800.00	100.00%	0.00	0.00
	Concrete Pest Control	1,504.80	1,504.80	0.00	0.00	1,504.80	100.00%	0.00	0.00
	Division 4	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Cmu/Masonry	33,217.00	33,217.00	0.00	0.00	33,217.00	100.00%	0.00	0.00
	Total Brick	4,890.00	4,890.00	0.00	0.00	4,890.00	100.00%	0.00	0.00
	Total Stucco	13,254.00	13,254.00	0.00	0.00	13,254.00	100.00%	0.00	0.00
	Masonry Rebar	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00%	0.00	0.00
	Division 5	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Bollard Installation	2,700.00	2,700.00	0.00	0.00	2,700.00	100.00%	0.00	0.00
	Structural Steel and panels (material and labor)	158,325.00	158,325.00	0.00	0.00	158,325.00	100.00%	0.00	0.00
	Division 6	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Millwork	14,980.00	14,980.00	0.00	0.00	14,980.00	100.00%	0.00	0.00
	Trusses	7,953.41	7,953.41	0.00	0.00	7,953.41	100.00%	0.00	0.00
	Framing labor	16,816.00	16,816.00	0.00	0.00	16,816.00	100.00%	0.00	0.00
	Framing Material	30,782.38	30,782.38	0.00	0.00	30,782.38	100.00%	0.00	0.00
	Division 7	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Fiberglass Insulation	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Ceiling Insulation	1,103.30	1,103.30	0.00	0.00	1,103.30	100.00%	0.00	0.00
	Waterproofing	46,697.27	46,697.27	0.00	0.00	46,697.27	100.00%	0.00	0.00
	Decking material	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Decking Labor	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00

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User Notes:

(3B5ADA51)

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	Division 8	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	HMF, Doors, Hardware	22,600.00	22,600.00	0.00	0.00	22,600.00	100.00%	0.00	0.00
	Glass and Glazing	8,500.00	8,500.00	0.00	0.00	8,500.00	100.00%	0.00	0.00
	Overhead doors	60,516.00	60,516.00	0.00	0.00	60,516.00	100.00%	0.00	0.00
	Division 9	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Ceramic Tile Flooring	3,217.50	3,217.50	0.00	0.00	3,217.50	100.00%	0.00	0.00
	Base	1,250.00	1,250.00	0.00	0.00	1,250.00	100.00%	0.00	0.00
	Plaster M/L	10,216.00	10,216.00	0.00	0.00	10,216.00	100.00%	0.00	0.00
	Acoustic Ceilings	6,950.25	6,950.25	0.00	0.00	6,950.25	100.00%	0.00	0.00
	Gypsum	8,242.47	8,242.47	0.00	0.00	8,242.47	100.00%	0.00	0.00
	VCT M/L	13,718.00	13,718.00	0.00	0.00	13,718.00	100.00%	0.00	0.00
	Restroom Wall Tile	4,436.50	4,436.50	0.00	0.00	4,436.50	100.00%	0.00	0.00
	TFTP	31,902.32	31,902.32	0.00	0.00	31,902.32	100.00%	0.00	0.00
	Division 10	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Signage	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00%	0.00	0.00
	Flagpole	2,307.00	2,307.00	0.00	0.00	2,307.00	100.00%	0.00	0.00
	RR and Shower Accessories	3,083.00	3,083.00	0.00	0.00	3,083.00	100.00%	0.00	0.00
	Other Specialties	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00%	0.00	0.00
	Partitions	2,750.00	2,750.00	0.00	0.00	2,750.00	100.00%	0.00	0.00
	Division 21	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Fire Suppression	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Engineering/Design and Permit Fees	1,590.00	1,590.00	0.00	0.00	1,590.00	100.00%	0.00	0.00
	Materials and Fabrication	13,723.00	13,723.00	0.00	0.00	13,723.00	100.00%	0.00	0.00
	Labor	10,499.00	10,499.00	0.00	0.00	10,499.00	100.00%	0.00	0.00
	Testing and Closeouts	688.00	688.00	0.00	0.00	688.00	100.00%	0.00	0.00
	Underground - material	3,525.00	3,525.00	0.00	0.00	3,525.00	100.00%	0.00	0.00
	Underground - labor	4,717.75	4,717.75	0.00	0.00	4,717.75	100.00%	0.00	0.00

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User Notes:

A	B	C	D	E	F	G	H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G ÷ C)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD				
	Division 22	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
	Plumbing	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
	Plumbing material and supplies							
	Plumbing Fixtures	17,328.00	17,328.00	0.00	0.00	17,328.00	100.00%	0.00
	Plumbing Labor	8,970.00	8,970.00	0.00	0.00	8,970.00	100.00%	0.00
	Plumbing Equipment	13,468.00	13,468.00	0.00	0.00	13,468.00	100.00%	0.00
	Rental	2,022.20	2,022.20	0.00	0.00	2,022.20	100.00%	0.00
	Septic System	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
	Submittals and Permits	1,850.00	1,850.00	0.00	0.00	1,850.00	100.00%	0.00
	Materials	8,673.00	8,673.00	0.00	0.00	8,673.00	100.00%	0.00
	Labor	6,127.00	6,127.00	0.00	0.00	6,127.00	100.00%	0.00
	Equipment Rentals	2,100.00	2,100.00	0.00	0.00	2,100.00	100.00%	0.00
	Division 23	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
	Mechanical	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
	Units, Compressors and Supplies	19,262.00	19,262.00	0.00	0.00	19,262.00	100.00%	0.00
	Ductwork (M/L)	8,465.00	8,465.00	0.00	0.00	8,465.00	100.00%	0.00
	Grills/Returns	6,996.35	6,996.35	0.00	0.00	6,996.35	100.00%	0.00
	Mat/Labor	6,278.65	6,278.65	0.00	0.00	6,278.65	100.00%	0.00
	Insulation Mat/Labor	12,973.00	12,973.00	0.00	0.00	12,973.00	100.00%	0.00
	labor	20,857.00	20,857.00	0.00	0.00	20,857.00	100.00%	0.00
	Ceiling Fans	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
	Division 26 - Electrical	6,020.00	6,020.00	0.00	0.00	6,020.00	100.00%	0.00
	Equipment Rental	13,715.00	13,715.00	0.00	0.00	13,715.00	100.00%	0.00
	Underground Material	13,740.00	13,740.00	0.00	0.00	13,740.00	100.00%	0.00
	Underground Labor	17,195.00	17,195.00	0.00	0.00	17,195.00	100.00%	0.00
	Rough in labor	19,730.00	19,730.00	0.00	0.00	19,730.00	100.00%	0.00
	rough in material	27,580.00	27,580.00	0.00	0.00	27,580.00	100.00%	0.00
	Wire Material							

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	Wire Labor	8,765.00	8,765.00	0.00	0.00	8,765.00	100.00%	0.00	0.00
	Lighting Material	15,440.00	15,440.00	0.00	0.00	15,440.00	100.00%	0.00	0.00
	Lighting labor	5,090.00	5,090.00	0.00	0.00	5,090.00	100.00%	0.00	0.00
	Lighting Controls	5,250.00	5,250.00	0.00	0.00	5,250.00	100.00%	0.00	0.00
	Gear material	21,350.00	21,350.00	0.00	0.00	21,350.00	100.00%	0.00	0.00
	Gear Labor	4,365.00	4,365.00	0.00	0.00	4,365.00	100.00%	0.00	0.00
	Wiring Devices								
	Material	1,780.00	1,780.00	0.00	0.00	1,780.00	100.00%	0.00	0.00
	Wiring Devices Labor	940.00	940.00	0.00	0.00	940.00	100.00%	0.00	0.00
	Special Misc Materials	5,375.00	5,375.00	0.00	0.00	5,375.00	100.00%	0.00	0.00
	LIGHTING								
	PROTECTION	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Submittals	850.00	850.00	0.00	0.00	850.00	100.00%	0.00	0.00
	Grounding material	1,015.00	1,015.00	0.00	0.00	1,015.00	100.00%	0.00	0.00
	Grounding Labor	1,405.00	1,405.00	0.00	0.00	1,405.00	100.00%	0.00	0.00
	Downleads material	1,695.00	1,695.00	0.00	0.00	1,695.00	100.00%	0.00	0.00
	Downleads labor	2,340.00	2,340.00	0.00	0.00	2,340.00	100.00%	0.00	0.00
	THru Roof Material	675.00	675.00	0.00	0.00	675.00	100.00%	0.00	0.00
	Thru roof labor	940.00	940.00	0.00	0.00	940.00	100.00%	0.00	0.00
	Top roof material	3,390.00	3,390.00	0.00	0.00	3,390.00	100.00%	0.00	0.00
	Top roof Labor	4,680.00	4,680.00	0.00	0.00	4,680.00	100.00%	0.00	0.00
	Division 28	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Intercom and Intrusion	4,335.00	4,335.00	0.00	0.00	4,335.00	100.00%	0.00	0.00
	Fire Alarm	11,350.00	11,350.00	0.00	0.00	11,350.00	100.00%	0.00	0.00
	CCTV	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00%	0.00	0.00
	Access Controls	13,800.00	13,800.00	0.00	0.00	13,800.00	100.00%	0.00	0.00
	Other	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	Test and Balance (All Exp #2) Moved to Allowance use per AA	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00%	0.00	0.00

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User Notes:

(359ADA51)

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ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D ÷ E + F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)	
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD						
	Owner Allowance	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00%	0.00	0.00	
	AUTH #1 - Sum Increases \$5688.00	-5,688.00	-5,688.00	0.00	0.00	-5,688.00	100.00%	0.00	0.00	
	Auth #2 - T&B Line Item Above	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00	
	Auth #3 - Decreases \$8235.00	-8,235.00	-8,235.00	0.00	0.00	-8,235.00	100.00%	0.00	0.00	
	Auth #4 - Allowances Decreased \$45802.00	-42,526.00	-42,526.00	0.00	0.00	-42,526.00	100.00%	0.00	0.00	
	CPR#10 2 inground light fixtures at flagpole	975.00	975.00	0.00	0.00	975.00	100.00%	0.00	0.00	
	CPR#15 - add back landscaping and Irrigation to Contract	24,875.00	24,875.00	0.00	0.00	24,875.00	100.00%	0.00	0.00	
	CPR#16 - add bak fencing and gates	26,250.00	26,250.00	0.00	0.00	26,250.00	100.00%	0.00	0.00	
	CPR #17 - Reduce number 911 units	-16,570.00	-16,570.00	0.00	0.00	-16,570.00	100.00%	0.00	0.00	
	CPR #18 - Credit to change glass type in lobby	-393.00	-393.00	0.00	0.00	-393.00	100.00%	0.00	0.00	
	CPR#21 - cost to install backflow preventor required by NAWS	1,159.00	1,159.00	0.00	0.00	1,159.00	100.00%	0.00	0.00	
	ALLOWANCE EXPENDITURE AUTH #1	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00	
	CPR#1 Relocation of Fire Supression Lines \$388.00	388.00	388.00	0.00	0.00	388.00	100.00%	0.00	0.00	

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			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	CPR#2 Cost to change wall type Wood to CMU (Divides bay from Admin) \$6,677.00	6,677.00	6,677.00	0.00	0.00	6,677.00	100.00%	0.00	0.00
	CPR #3 Credit to delete interceptor in Septic System \$-3,000.00	-3,000.00	-3,000.00	0.00	0.00	-3,000.00	100.00%	0.00	0.00
	CPR#4 Credit to change roof Comp (foam insulation in lieu of batting) \$-3,620.00	-3,620.00	-3,620.00	0.00	0.00	-3,620.00	100.00%	0.00	0.00
	CPR#5 Special systems adjustment to coordinate with City \$405.00	405.00	405.00	0.00	0.00	405.00	100.00%	0.00	0.00
	CPR#6 Credit in Electrical to coincide with AEP requests \$-6,488.00,	-6,488.00	-6,488.00	0.00	0.00	-6,488.00	100.00%	0.00	0.00
	CPR#8 Door Modification	3,025.00	3,025.00	0.00	0.00	3,025.00	100.00%	0.00	0.00
	CPR #9 Backflow NAWS requirement	1,550.00	1,550.00	0.00	0.00	1,550.00	100.00%	0.00	0.00
	CPR #11 Fence Slats	367.00	367.00	0.00	0.00	367.00	100.00%	0.00	0.00
	CPR #12R Cable Tray	3,293.00	3,293.00	0.00	0.00	3,293.00	100.00%	0.00	0.00
	CPR - GENERATOR	16,500.00	16,500.00	0.00	0.00	16,500.00	100.00%	0.00	0.00
	All Exp #3	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	CPR# Civil Outside Lot	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	1.5' Sel fill material	21,021.00	21,021.00	0.00	0.00	21,021.00	100.00%	0.00	0.00
	1.5' Sel fill labor	5,255.25	5,255.25	0.00	0.00	5,255.25	100.00%	0.00	0.00
	RCP Pipes Material	2,880.00	2,880.00	0.00	0.00	2,880.00	100.00%	0.00	0.00
	RCP Pipes Labor	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00%	0.00	0.00

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			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	HD Flex base area material	15,210.00	15,210.00	0.00	0.00	15,210.00	100.00%	0.00	0.00
	HD Flex base area labor	8,190.00	8,190.00	0.00	0.00	8,190.00	100.00%	0.00	0.00
	HD Subgrade w/lime Material	8,450.00	8,450.00	0.00	0.00	8,450.00	100.00%	0.00	0.00
	HD Subgrade w/lime labor	4,550.00	4,550.00	0.00	0.00	4,550.00	100.00%	0.00	0.00
	HD HMA 3" with tack material	21,008.00	21,008.00	0.00	0.00	21,008.00	100.00%	0.00	0.00
	HD HMA 3" with tack labor	11,312.00	11,312.00	0.00	0.00	11,312.00	100.00%	0.00	0.00
	LD Flex base area material	2,080.00	2,080.00	0.00	0.00	2,080.00	100.00%	0.00	0.00
	LD Flex base area labor	1,120.00	1,120.00	0.00	0.00	1,120.00	100.00%	0.00	0.00
	LD Subgrade w/lime Material	1,177.00	1,177.00	0.00	0.00	1,177.00	100.00%	0.00	0.00
	LD Subgrade w/lime labor	623.00	623.00	0.00	0.00	623.00	100.00%	0.00	0.00
	LD HMA 2" with tack material	3,239.00	3,239.00	0.00	0.00	3,239.00	100.00%	0.00	0.00
	LD HMA 2" with tack labor	1,745.00	1,745.00	0.00	0.00	1,745.00	100.00%	0.00	0.00
	Concrete Aprons labor	4,950.00	4,950.00	0.00	0.00	4,950.00	100.00%	0.00	0.00
	Concrete Aprons Material	14,421.00	14,421.00	0.00	0.00	14,421.00	100.00%	0.00	0.00
	CPR# Civil INSIDE Lot	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
	1.5' Sel fill material	10,921.00	10,921.00	0.00	0.00	10,921.00	100.00%	0.00	0.00
	1.5' Sel fill labor	3,104.00	3,104.00	0.00	0.00	3,104.00	100.00%	0.00	0.00
	HD Flex base area material	13,505.71	13,505.71	0.00	0.00	13,505.71	100.00%	0.00	0.00

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			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	HD Flex base area labor	7,272.32	7,272.32	0.00	0.00	7,272.32	100.00%	0.00	0.00
	HD Subgrade w/lime Materia	7,540.00	7,540.00	0.00	0.00	7,540.00	100.00%	0.00	0.00
	HD Subgrade w/lime labor	4,057.04	4,057.04	0.00	0.00	4,057.04	100.00%	0.00	0.00
	HD HMA 3" with tack material	18,635.00	18,635.00	0.00	0.00	18,635.00	100.00%	0.00	0.00
	HD HMA 3" with tack labor	10,035.46	10,035.46	0.00	0.00	10,035.46	100.00%	0.00	0.00
	LD Flex base area material	4,875.00	4,875.00	0.00	0.00	4,875.00	100.00%	0.00	0.00
	LD Flex base area labor	2,625.00	2,625.00	0.00	0.00	2,625.00	100.00%	0.00	0.00
	LD Subgrade w/lime Materia	2,779.00	2,779.00	0.00	0.00	2,779.00	100.00%	0.00	0.00
	LD Subgrade w/lime labor	1,496.00	1,496.00	0.00	0.00	1,496.00	100.00%	0.00	0.00
	LD HMA 2" with tack material	7,605.00	7,605.00	0.00	0.00	7,605.00	100.00%	0.00	0.00
	LD HMA 2" with tack labor	4,095.00	4,095.00	0.00	0.00	4,095.00	100.00%	0.00	0.00
	Sidewalks Material	8,816.00	8,816.00	0.00	0.00	8,816.00	100.00%	0.00	0.00
	Sidewalks Labor	2,204.00	2,204.00	0.00	0.00	2,204.00	100.00%	0.00	0.00
	parking Lot Striping	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00%	0.00	0.00
	GC Overhead and MarkUp	37,163.83	37,163.83	0.00	0.00	37,163.83	100.00%	0.00	0.00
	Additional Bond Expense	7,175.91	7,175.91	0.00	0.00	7,175.91	100.00%	0.00	0.00
	CPR #19 Addtl'l Counters	1,056.00	1,056.00	0.00	0.00	1,056.00	100.00%	0.00	0.00
	AUTH #05	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2018-1735	
From:			
Subject: Discussion and consideration to approve final payment for North Fire Station Project to Alvarado Architects for an amount not to exceed \$18,288.43 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport.)			
Background: To serve as final payment for north fire station project. Final payment requested.			
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):			
Andrew Muñoz		Created/Initiated	
Andrew Muñoz		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Final Payment			
Responsibilities upon Approval: Staff will finalize payment.			

ALVARADO ARCHITECTS & ASSOCIATES, INC.

307 South Main Street

Donna, Texas 78537

P: (956) 464-8258 F: (956) 464-8268

Eli@Alvaradoarchitects.com

ARCHITECT'S APPLICATION FOR PAYMENT

June 5, 2020

Project No:

1709

Invoice No:

170911

Mr. Andrew Munoz, Project Manager

City of Weslaco

255 S. Kansas Avenue

Weslaco, Texas 78596

Project:

City of Weslaco - New North Fire Station

Application No. 11

Professional Services from May 01, 2020 to May 31, 2020

Fee

Estimated Construction Cost 1,620,105.87 FINAL Contract Sum (Including Change Orders)

Fee Percentage 6.50

Total Fee 105,306.88 New Fee based on FINAL Contract Sum

Billing Phase	Percent of Fee	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Schematic Design	15.00	15,796.03	100.00	15,796.03	13,052.77	2,743.26
Design Development	20.00	21,061.38	100.00	21,061.38	17,403.69	3,657.69
Construction Documents	40.00	42,122.75	100.00	42,122.75	34,807.38	7,315.37
Bidding	5.00	5,265.34	100.00	5,265.34	4,350.92	914.42
Construction Administration	20.00	21,061.38	100.00	21,061.38	17,403.69	3,657.69
Totals				105,306.88	87,018.45	18,288.43
		Total Fee				18,288.43
				Total this Invoice		\$18,288.43

REIMBURSABLE EXPENSES:

None

Total Reimbursable Expenses This Invoice:

\$0.00



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3434	
From:			
Subject: Discussion and consideration to amend the City of Weslaco's Drug and Alcohol Policy and authorize the Mayor to execute any related documents. Possible action (Staffed by Human Resources.)			
Background: Amend the City of Weslaco's Drug and Alcohol Policy. Policy to include safety sensitive and non-safety sensitive employees, employee violations, specific drug(s) and amounts and test refusals.			
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):			
Andrew Muñoz		Created/Initiated	
Andrew Muñoz		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Drug and Alcohol Policy Draft 6-25-20			
Responsibilities upon Approval:			

	Personal Policies CITY OF WESLACO, TEXAS	DRUG AND ALCOHOL-FREE WORKPLACE	
		Originally Approved:	
		Amended:	
		Page:	1 of 14

I. PURPOSE

The City of Weslaco has a responsibility to attempt to provide and maintain a safe and healthy workplace free from the influence of alcohol and drugs for its employees. The City will comply with the requirements of the Drug Free Workplace Act of 1988 and all drug testing regulations issued by the Department of Transportation (DOT).

Drug and alcohol abuse by City employees endanger the health and safety of themselves, their fellow employees, and the citizens we serve. Eliminating such abuse will reduce accidents and injuries to persons and property and reduce absenteeism and tardiness. The City of Weslaco hereby establishes this policy with the intent to eliminate drug, alcohol, and/or inhalant abuse while on the job and hereby mandates a zero tolerance for such behavior.

The City recognizes alcohol and drug abuse as a potential health, safety and security problem. If employees need help in dealing with such problems, they are encouraged to use our health insurance plans, as appropriate. Conscientious efforts to seek help for an alcohol or substance abuse problem will not jeopardize their job and will not be noted in their personal records. (Prior to Drug and Alcohol Testing. These services will not “save” employment if a positive test.)

II. SCOPE

This policy applies to all City employees, including but not limited to full time, part time and temporary regardless of pay status or level in the organization, except for sworn Police Officers and Firefighters who are covered by another city policy or collective bargaining agreement. Applicants for employment are also subject to applicable provisions of this policy and may be regulate by other policy(ies).

In addition, employees who are covered by this policy may be subject to provisions of the Department of Transportation's (DOT) federal drug and alcohol testing programs as set out in City Policies which apply to employees who hold positions who are required to drive, or may be called upon to drive, a vehicle which requires a Commercial Driver's License.

The City recognizes that some positions require the handling of substances, containers, and/or paraphernalia that is prohibited by this policy. Performance of such duties, in the course and scope of employment is not considered a violation of this policy.

III. DEFINITIONS

ACCIDENT - a collision or incident involving a motor driven vehicle or motor driven equipment, resulting in any property damage or personal injury.

ADULTERATION - The addition of any substance to a sample that may mask or falsify test results. This includes, but is not limited to, substitution or dilution of urine with water or additives.

ALCOHOL - The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols including methyl or isopropyl alcohol.

ALCOHOL CONCENTRATION (OR CONTENT) - The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under 49 CFR, Part 382.

BEING UNDER THE INFLUENCE OF ALCOHOL - having a breath alcohol concentration of 0.04 or greater.

DRUG PARAPHERNALIA - The definition of "Drug Paraphernalia" contained in Section 481.002 of the Texas Health and Safety Code is hereby adopted for this policy. Examples of drug paraphernalia will include, but are not limited to, the following:

A scale or balance used or intended for use in weighing or measuring a controlled substance. A capsule, balloon, envelope, or other container used or intended for use in packaging small quantities of a controlled substance. An object used or intended for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body.

CITY INVESTIGATION - a fact finding review, conducted by a representative of the Human Resources Department of the accident and/or accident site and the circumstances leading up to and resulting in the accident.

CITY PREMISES OR WORKSITES - includes all property, buildings, structures, job sites, parking lots, means of transportation, motor vehicles, equipment, and machinery owned, leased, or otherwise used for City business. An employee's personal vehicle is also included in this definition when being used to conduct City business or when parked on City premises or worksites during an employee's working hours, including lunch and break times.

CONTROLLED SUBSTANCES - includes all substances covered by the Federal Drug Abuse Prevention and Control Act (21 U.S.C. 801 et. seq.) or the Texas Controlled Substances Act (Chapter 481, Texas Health and Safety Code). Controlled substances include, but are not limited to, amphetamines, marijuana, barbiturates, methadone, benzodiazepines, methaqualone, morphine, codeine, and anabolic steroids. A controlled substance is "unauthorized" if the employee does not have a valid prescription for that substance at the time of its use or possession.

DETECTABLE LEVEL - a quantity of a drug or drug metabolite equal to or greater than the detection level for that substance as established by this policy.

ILLEGAL DRUGS - any unauthorized controlled substances including, but not limited to, heroin, cocaine, crack cocaine, cannabinoids (Marijuana, hashish, THC), PCP (phencyclidine), and LSD (lysergic acid diethylamide).

NEGATIVE DRUG RESULT - The result reported by the certified laboratory to the MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

POSTITIVE DRUG RESULT - the result reported by the certified laboratory to the MRO when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

SPLIT SPECIMEN - a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

SUBSTANCE ABUSE PROFESSIONAL - A person who evaluates employees who have violated a drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

SUBSTITUTED SPECIMEN - a urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

VERIFIED POSITIVE DRUG TEST - a drug test result or validity testing result from an HHS certified laboratory that has undergone review and final determination by the MRO.

IV. CONDITION OF EMPLOYMENT

1. APPLICANTS

During pre-employment screening, applicants will be advised that they are subject to drug testing. Any job offer will be contingent on passing a drug test. Applicants will be required to sign a consent form acknowledging this policy as a condition of employment. Consent is indicated by signing any form required by the City's Specimen Collection and Drug and Alcohol Testing Service Provider for laboratory collection of the specimen for testing.

Applicants who fail the drug test will not be allowed to reapply for twelve (12) months after the date of the test. However, he/she can be eligible to reapply during this twelve (12) month period, if he/she presents evidence of his or her completion of a physician-approved rehabilitation program and consents to random testing for twelve (12) months after the effective date of his/her employment.

2. EMPLOYEES

Employees who fail a drug test as confirmed by the MRO and subsequently terminated as a result of the verified positive drug test, will not be considered for rehire for twelve (12) months after the date of the verified positive drug test. However, as an applicant, he/she can be eligible for rehire during this twelve (12) month period, if he/she presents proof of a SAP's evaluation, and evidence of his or her completion of a physician-approved rehabilitation program, if required by the evaluation, and consents to random testing for twelve (12) months after the effective date of his/her employment.

V. ACKNOWLEDGEMENT OF COMPLIANCE WITH POLICY

Compliance with the City of Weslaco's Alcohol and Drug Policy is a condition of employment for all employees covered by this policy. Covered employees will be required to sign an acknowledgement of understanding which will become part of each employee's Human Resources file.

VI. TESTING ADMINISTRATOR

The Director of Human Resources, or designee, is the Testing Administrator of this policy, with full authority to order that employees comply with its provisions, to oversee the integrity of the drug testing, procedures, and general administration of this policy.

VII. DRUG AND/OR ALCOHOL TESTING

The following drug and/or alcohol testing will be conducted under this policy:

Pre-employment - All job offers are contingent upon selected applicant passing a drug and alcohol test. Applicants cannot begin employment until a verified negative drug test has been received by the City. Applicants may not contest positive test results.

Reasonable Suspicion - If individualized reasonable suspicion exists that an employee is under the influence of alcohol or has used or possessed any illegal drug or controlled substance, absent a valid prescription, in violation of this policy, the employee will be required to submit a urine specimen for drug testing and/or breath sample for alcohol testing immediately or as soon as practicable but no later than 2 hours.

Post-Accident - Whenever a City investigation determines that a driver/operator employed by the City, while on City business, was involved in an accident/incident, involving a motor driven vehicle or motor driven equipment, regardless of fault, which involves a fatality, bodily injury which requires emergency medical care in a clinic or emergency room, or damage to property, an employee will be required to submit a urine specimen for drug and a breath sample for alcohol testing immediately after the accident or as soon as practicable.

However, if a driver/operator, while operating a motor driven vehicle or motor driven equipment, damages an underground cable or pipeline the operator will be required to submit a urine specimen for drug testing and a breath sample for alcohol testing only if the Director of Human Resources, or designee, determines that it meets the criteria for testing, based upon the facts presented by the department representative following his/her investigation of the event.

Specific to damaging an underground cable or pipeline, the following will apply:

1. If work was commenced without the guidance of a line locator and the employee damages the underground cable or pipeline, testing will be mandatory, unless the service provider refused a request for a line locator.
2. If a line locator accurately identifies the line location and the operator damages the underground cable or pipeline, testing will be mandatory.
3. If the operator accurately avoids the location identified by the line locator and damages the line, finding that the line was not accurately marked by the line locator, the employee will not be tested.

Return-to-Duty - A City employee who returns from leave taken for any reason for longer than thirty (30) calendar days, who is covered by this policy, is required to undergo a drug and alcohol test before the employee may return to work.

An employee absent due to leave associated with self-referral under the policy will be required to pass return-to-work drug and alcohol testing before returning to duty in addition to other drug testing required by this policy, upon returning to duty from alcohol and/or drug rehabilitation treatment which was entered into as a result of an employee's self-disclosure of a prohibited drug or alcohol related problem, an employee will be subject to follow-up drug and alcohol testing without prior notice for up to twelve (12) months from the date of return.

Random Testing - Employees are subject to random testing especially safety sensitive positions. A safety sensitive position means an employment position involving job duties which if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure may result in mistakes that could present a real and/or imminent threat to the personal health and safety of the employee, co-workers, and/or the public. This applies to safety sensitive positions at the time an employee reports to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety sensitive positions subject to random testing under this policy are identified by title in the attached addendum. Employees in safety sensitive positions will be selected for testing on a random basis in a manner to ensure that each covered employee has a substantially equal chance of selection.

1. Regular full-time employees – Except as provided in 49CFR¹, paragraphs (b) through (d) of this section, the minimal annual percentage rate for random drug and alcohol testing shall be 50 percent of covered employees; the random alcohol testing rate shall be 10 percent. As provided in paragraph b of said section, this rate is subjected to annual review by the administrator. full-time employees in safety sensitive positions will be drug tested every twelve (12) months.
2. Part-time and/or Temporary employees - a minimum of five percent (5%) of part-time and/or temporary employees in safety sensitive positions will be drug tested every twelve (12) months.

In addition, employees who are covered by this policy may be subject to provisions of the Department of Transportation's (DOT) federal drug and alcohol testing programs as set out in City Policies which apply to employees who hold positions who are required to drive, or may be called upon to drive, a vehicle which requires a Commercial Driver's License.

Employees to be tested will be selected by a computer based random number generator. Each employee shall have an equal chance of being tested each time a random drug testing list is generated. Random tests will be unannounced and the dates for administering random tests will be spread reasonably throughout the calendar year.

Upon notification, a randomly selected employee must proceed to the testing site immediately, or, if the employee is performing a safety sensitive function at the time of notification, the employee shall be directed by the Department Director or designee, to cease the performance of the function and proceed to the testing site as soon as possible.

Alcohol Testing - An employee who has a breath alcohol content of 0.04% or greater during working hours, including lunch and break times will be presumed to be under the influence of alcohol and in violation of this policy. Alcohol testing will be conducted in the event of reasonable suspicion, return to work or post-accident.

¹ The Department of Transportation's (DOT) rule, 49 CFR Part 40, describes required procedures for conducting workplace drug and alcohol testing for the Federally regulated transportation industry.

An employee who was tested and had an alcohol concentration of 0.02 or greater, but less than 0.04, or used alcohol within 8 hours of an accident, or consumed alcohol within four hours prior to duty, shall not be permitted to return to duty requiring the performance of a safety sensitive function until the employee has undergone a return to duty alcohol test with a result which indicates an alcohol concentration of less than 0.00.

VIII. TESTING PROCEDURES

Drug testing will be conducted using a laboratory certified by the United States Department of Health and Human Services (SAMHSA/CAP FUDTP). Chain-of-custody procedures will be followed to account for the integrity of each urine sample by tracking its handling and storage from point of specimen collection to final disposition of the specimen.

Each specimen submitted for testing under the testing provision of this policy, will be analyzed for the presence of the following compounds which include, but are not limited to.

DRUG CLASS	EMIT SCREEN DETECTION LEVEL *ng/ml	GC-MS CONFIRMATION Detection Level ** *ng/ml
6 – Acetylmorphine	10	10
Amphetamines/Methamphetamine	300	250
Barbiturates	300	100
Benzodiazapines	300	100
Benzoylcegonine Cocaine Metabolites	300	100
Hydrocodone/Hyrdomorphone	300	100
MDMA/MDA	300	250
Methqualone	300	200
Methadone	300	100
Codeine/Morphine	2000	2000
Oxycodone/Oxymorphone	100	100
Phencyclidine	25	25
Propoxyphene	300	200
Marijuana Metabolite (Including THC found in Cannabidiol)***	20	10

*nanograms/milliliter

**confirmation detection levels are subject to change

***Cannabidiol derived from the Hemp plant can contain up to 0.3% THC. If an employee is currently taking or is thinking about taking a Cannabidiol product, it is possible that if screened, they can test positive for THC. Under this Policy, THC is prohibited. A positive drug screen for any prohibited substance will result in automatic termination.

Employee's consent for testing is indicated by signing any form required by the Specimen Collection and Drug and Alcohol Testing Service Provider or laboratory collecting the specimen for testing.

An employee reasonably suspected of the use or possession of illegal drugs, and/or being under the influence of alcohol, or in the event post-accident testing is required, or in the event of self-referral for a drug or alcohol related problem, will be taken to the City Specimen Collection and Drug and Alcohol Testing Service Provider for testing. **For safety purposes, the employee will not be allowed to drive him/herself for specimen collection or alcohol and/or drug testing or to drive him/herself home or back to work.** The Department Director, at his/her discretion, may have the employee taken home and paid for the time required to get test results.

The Medical Review Officer (MRO) for the City of Weslaco will be the designated City Medical Advisor or any physician designated by the City's Director of Human Resources, or designee, who is a licensed physician with knowledge of drug abuse disorders.

The MRO shall review the results of drug testing before they are reported to the Director of Human Resources and will interpret confirmed positive test results to determine if there is an alternative medical explanation for the confirmed positive result. After review, the MRO shall deliver test results directly to the Director of Human Resources, or designee.

If the test result of the primary specimen is positive, the applicant or employee may request that the MRO direct that the split sample be tested in a different certified laboratory for presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. The MRO shall honor such a request if it is made within 72 hours of the employee having been notified of a verified positive test result. Upon receipt of the test result of the split specimen which reaffirms the test results of the primary specimen, the employee and the Director of Human Resources, or designee shall be notified within one business day. Upon receipt of the test result of a split specimen which fails to reconfirm the presence of the drug(s) or drug metabolites found in the primary specimen, the MRO shall cancel the test, and report the cancellation and the reasons for it to the City and the employee. The fee for transferring and retesting a split specimen by another certified laboratory is to be prepaid by credit/debit card, by the requesting applicant or employee, directly to _____. The laboratory used for split specimen testing is _____. The fee for retesting and transferring a split specimen is determined by the collection facility.

Upon a confirmed positive drug test result, or a breath alcohol concentration of 0.04 or greater, the employee shall be placed on administrative leave with pay and taken home, pending disciplinary review.

Upon a test result of an alcohol concentration of 0.02 or greater, but less than 0.04, an employee shall be removed from duty, and, if it is the first occurrence, will be allowed to use leave under existing leave policies, if applicable, (Family and Medical Leave Act, sick leave, personal leave, vacation, or special leave requests without pay). In the event of a second occurrence of an alcohol concentration of 0.02 or greater, but less than 0.04, the employee shall be placed on administrative leave with pay, pending disciplinary review.

If the MRO's review indicates a legitimate medical explanation for the confirmed positive test result, no further action will be taken against the employee and an applicant will be eligible for hire.

If the MRO's review determines there is no legitimate medical explanation for the positive test result, the employee tested will be subject to disciplinary action up to and including termination upon the first offense or if an applicant for employment, the applicant will not be eligible for hire for the position applied for.

IX. DRUG-FREE AWARENESS PROGRAM

A Drug-Free Awareness Program will provide an ongoing educational effort to prevent and eliminate drug and alcohol abuse that may affect the workplace. This program will inform employees about:

- The dangers of alcohol and drug abuse in the workplace;
- This City's Alcohol and Drug Policy;
- The availability of treatment and counseling for employees who voluntarily seek such assistance through the Employee Assistance Program; and
- The discipline which will be imposed for violations of this policy.

X. EMPLOYEE ASSISTANCE PROGRAM (EAP)

It is recognized that drug and alcohol problems can be treated. The City of Weslaco believes it has a responsibility to offer assistance to City employees through the Employee Assistance program, (EAP) but that the initiative in asking for and obtaining such help is the responsibility of the employee.

Employees who first seek help through their Department Director, or designee, or Director of Human Resources or designee, for a prohibited drug and/or alcohol related problem before it is discovered through reasonable suspicion, employee conduct, or testing authorized under this policy, shall be allowed to participate in a rehabilitation program as recommended by the Employee Assistance Program counselor who is a Substance Abuse Professional, and as otherwise agreed to in writing by the Department Director, or designee, or Director of Human Resources, or designee, and the employee.

Note: The employee must have sought help before the employee's city identification number is pulled in the process of generating the random test list and/or before being directed to submit to testing in the event of a reasonable suspicion.

The employee will consent to disclosure of medical or other information related to treatment to the Director of Human Resources or designee, and other city management personnel as deemed necessary by the Director of Human Resources or designee, or the city's designated physician. Failure to authorize such release of information will result in the denial of the employee's request for assistance, and subsequent termination of employment. It is the employee's responsibility to provide to the Director of Human Resources or designee proof of a substance abuse professional's evaluation, treatment plan, and evidence of completion of the rehabilitation program.

The Director of Human Resources or designee will:

1. Ensure the SAP, in writing, has released the employee to return to work after completing required rehabilitation set forth by the SAP.
2. Ensure that an employee, upon completing rehabilitation, passes a return-to-work drug and alcohol test, and,
3. Determine a schedule of unannounced follow-up drug/alcohol testing for an employee who had returned to duty after rehabilitation to confirm his/her continuing drug free status.

Upon returning to duty from alcohol and/or drug rehabilitation treatment which was entered into as a result of an employee's self-disclosure of a prohibited drug-related problem or alcohol problem, an employee will be subject to follow-up drug testing without prior notice for up to twelve (12) months from the date of return, with the frequency being determined by the Director of Human Resources or designee.

An employee who is returned to work under the above provisions must fully comply with all provisions of this policy and the terms of any follow-up or related self-referral agreements with the City and/or any support the SAP identified in the rehabilitation and/or treatment plan.

While medical costs of rehabilitation are the sole responsibility of the employee, medical plan insurance may be used to the extent provided under the individual's health insurance coverage. Existing leave policies (Family and Medical Leave Act, sick leave, personal leave, vacation, or special leave requests without pay) may be requested for use during rehabilitation periods.

An employee on leave under this policy shall be required to report biweekly on his/her status and intent to return to work by contacting the employee's Department Director, or designee.

XI. PROHIBITED ACTIVITIES

The following activities are prohibited for covered employees:

1. Use, possession, manufacture, distribution, or sale of illegal drugs or drug paraphernalia, at any time.
2. Distribution or sale of authorized controlled substances, at any time.
3. Having an illegal drug present in his/her body, at any time.
4. Unauthorized use or possession of alcohol while on any City premises or worksite and/or during working hours, including lunch, break times and while scheduled on-call.
5. Being under the influence of alcohol while on any City premises or worksite and/or during working hours, including lunch, break times and while scheduled on-call.
6. Unauthorized storing of any illegal drug, drug paraphernalia, or alcohol in a locker, desk, vehicle, equipment, or any other City premises or worksites.
7. Use of alcohol off City premises or worksites during off duty hours which affects the employee's ability to safely and fully perform assigned job duties, renders the employee a danger to self or others at work, or which brings discredit upon the City or the public service.
8. Switching or adulterating any breath or urine specimen submitted for testing.
9. Failing to submit or refusing to submit a specimen for testing when required under this policy. Consent is indicated by signing any form required by the City's designated Specimen Collection and Alcohol Testing Service Provider, or laboratory collecting the specimen for testing.
10. Refusal to submit to an inspection of any desk, locker, or other City property, premises, or worksites under an employee's control when asked to do so by a supervisor, department Director, or designee, or City investigator.
11. Conviction under any criminal drug statute.
12. Public conduct at any time involving alcohol or illegal drugs under circumstances which bring discredit upon the City or the public service.

13. Failure to notify the Department Director or Director of Human Resources in writing of any arrest, conviction, probation, deferred adjudication or pre-trial diversion under any criminal drug statute at the beginning of the next work shift after such event or finding.
14. Failure to report to the supervisor the use of a prescription drug or over the counter medication which may impair the employee's behavior or physical ability to safely and fully perform assigned duties, and failure to provide written pharmaceutical information on the prescription drug or over the counter medications used, or failure to provide a written statement by the employee's physician that the prescription drug or over the counter medication is safe to use while performing his/her assigned job functions. Employees are prohibited to sharing, exchanging and passing to/from one another prescription and/or non-prescription and or medication.
15. Failure to keep prescribed medicine in its original container or to provide other proof of identification of drug prescription and prescribing physician.
16. Taking, using or being under the influence of a prescribed medication in a manner or dosage other than as prescribed.
17. Refusing to sign a statement agreeing to comply with the City's Alcohol and Drug Policy.
18. Failure of a City employee to report the use or possession on City premises or worksites, and/or during working hours, including lunch and break times, of an illegal drug or unauthorized alcoholic beverage by another City employee
19. Failure of a City employee to report the existence of an unauthorized alcoholic beverage or illegal drug on City premises or worksites.
20. Reporting for duty while on "on call" status under the influence of alcohol or with an illegal drug present in his/her body and/or the inability to report to work as required in a condition to safely and fully perform assigned duties due to alcohol or drug use.
21. Failing to adhere to provisions of any agreement executed by the employee which requires treatment or counseling for alcohol or drug abuse.
22. Having a verified positive drug test administered under this or any other City policy.
23. Knowingly or intentionally use or possess any substance or device designed to mask or falsify a controlled substance test.
24. Use, possess or have within their control a controlled substance, absent a valid, personal prescription.

XII. CONSEQUENCES FOR VIOLATION OF THIS POLICY

A. The following violations of this policy will result in automatic and mandatory termination upon first offense:

1. Use, possession, manufacture, distribution, or sale of any illegal drug, or drug paraphernalia, while on city premises or worksites and/or during working hours, including lunch and break times.
2. Knowingly or intentionally use or possess any substance or device designed to mask or falsify a controlled substance test.
3. Use, possess or have within their control a controlled substance, absent a valid, personal prescription.
4. Distribution or sale of any authorized controlled substance while on City premises or worksites and/or during working hours, including lunch and break times.
5. Driving or operating a personal vehicle while on City business, or any City motor driven vehicle, motor driven equipment at any time while having an illegal drug present in his/her body.

6. Unauthorized use or possession of alcohol during working hours on any City premises or worksites including lunch or other break periods.
7. Driving or operating any City motor driven vehicle, motor driven equipment, or a personal vehicle while on city business, including lunch and break times, while under the influence of alcohol.
8. Failing to take a test or refusing to take a test and/or refusal to submit a specimen for alcohol and/or drug testing when required under this policy.
9. Having a verified positive drug test administered under this or any other City policy.
10. Having a breath alcohol content of 0.04% or greater during working hours, including lunch and break times, as determined by a breath alcohol test administered under this policy.
11. Failing to participate in and/or to comply with any alcohol or drug rehabilitation and/or follow-up testing program, whether mandatory or self-referral.
12. Having a second occurrence of a test result of an alcohol concentration of at least 0.02, but less than 0.04.

B. Violations of other provisions of this policy will result in discipline up to and including termination.

1. Failure to report to the supervisor, or designee the use of a prescription drug or over the counter medication which may impair the employee's behavior or physical ability to safely and fully perform assigned duties, or failure to provide a written statement by the employee's physician that the prescription drug or over the counter medication is safe to use while performing his/her assigned job function.
2. On the first occurrence of a test result of an alcohol concentration of at least 0.02, but less than 0.04, a letter of reprimand will be placed in the employee's official personnel file and the employee will not be allowed to resume job duties until:
 - I. the Substance Abuse Professional has evaluated and released the employee to return to duty; and
 - II. the employee has taken an alcohol test with a resulting alcohol concentration of less than 0.02; and
 - III. the employee has passed a drug test, if determined by the Substance Abuse Professional that a drug test is necessary for the employee; and
 - IV. the employee has complied with any recommended rehabilitation based on the Substance Abuse Professional's assessment or the provisions of any disciplinary agreement between the department Director and the employee regarding rehabilitation

Failure of the employee to participate in and/or comply with the procedures outlined in items one through four (1-4) outlined in Section XII.2 will result in automatic and mandatory termination.

XIII. RECORDS PROCEDURES

RELEASE OF INFORMATION - Requests for employment verification or references for an individual terminated under this policy shall be forwarded to the Human Resources Department for response.

REPORTING CONVICTIONS TO FEDERAL AGENCY - In compliance with the Drug Free Workplace Act, the Human Resources Department will notify the appropriate federal agency within ten (10) days after receiving notice from the employee of a conviction under criminal drug statutes.

Employees are required to notify their Department Director or Director of Human Resources in writing of any arrest, conviction, probation, deferred adjudication or pre-trial diversion under any criminal drug statute at the beginning of the next work shift after such event or finding.

XIV. QUESTIONS REGARDING THIS POLICY

Questions regarding this policy shall be directed to the Director of Human Resources, or designee, who may be contacted at 956-968-3181.

DRAFT

**EMPLOYEEACKNOWLEDGEMENTFORM
ALCOHOL AND DRUG ABUSE POLICY**

I have received a copy of the City of Weslaco's Alcohol and Drug Abuse Policy, as revised **May 1, 2020**. I understand that compliance with this policy is a condition of employment.

I have carefully heard and/or read this policy and understand its content. I have been given an opportunity to ask questions about this policy and to receive explanations.

I agree to comply with this policy. I understand that failure to do so will result in my being in violation of this policy and will subject me to disciplinary action up to and including termination on the first offense.

I understand that employees who first seek help through their Department Director, or designee, or Director of Human Resources or designee, for a prohibited drug and/or alcohol related problem **before it is discovered through reasonable suspicion, employee conduct, or testing authorized under this policy**, shall be allowed to participate in a rehabilitation program as recommended by the Employee Assistance Program counselor who is a Substance Abuse Professional, and as otherwise agreed to in writing by the Department Director, or designee, or Director of Human Resources, or designee, and the employee. *I acknowledge that I must seek help before my city employee identification number is pulled in the process of generating the random test list and/or before being directed to submit to testing in the event of a reasonable suspicion.*

I understand that in addition to the Citywide Alcohol and Drug Abuse Policy, that I may also be subject to the provisions of Department of Transportation's (DOT) federal drug and alcohol testing programs as set out in City Policies which apply to employees who are required to drive, or may be called upon to drive, a City commercial vehicle which requires a Commercial Driver's License (COL). If I am covered by more than one City Alcohol and Drug Abuse Policy, I understand that I must remain in compliance with each policy which applies to the position I hold as a condition of employment.

(PRINT) Employee's Name

Employee's ID#

Employee's Signature

Date

Department Name

Please return to: Human Resources Department, Employee Personnel File

SAFETY SENSITIVE POSITIONS BY JOB TITLE

*** As of 10/1/2019 - Subject to change.

Heavy equipment operators

City Manager

Public Works Director

Public Works Assistant Directors

Fleet Supervisor

Mechanic Forman

Mechanic

Drain Ditch Maintenance Supervisor

Streets Supervisor

Water/Wastewater Superintendent

Wastewater Collection Operator

Water Distribution Operator

Medium Equipment Operator (certain ones and some Equipment Operators

Police Chief

Jailers

Case Managers First Offender Program

Fire Chief

I.T. Director

Airport Ramp Agents

Parks and Recreation Director

Parks Working Supervisor

Building Maintenance Supervisor

Meter Readers

Ramp Service Supervisor

City Engineer

Engineering Technician III

Planning Director

Assistant Planning Director

Chief Building Official/Arson Investigator

Building Inspector

Code Enforcement Inspector

Content Clerk

Human Resources Director



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3435	
From:			
Subject: Discussion and consideration to adopt the City of Weslaco's Criminal History Record Information (CHRI) Proper Access, Use and Dissemination Procedures and authorize the Mayor to execute any related documents. Possible action (Staffed by Human Resources.)			
Background: This is request from the Department of Public Safety regarding our recent Triennial Audit. They recommend we have a use and access policy on file for employees with access to their database. Final draft will be presented at the meeting as staff is pending review from Texas Department of Public Safety.			
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):			
Andrew Muñoz		Created/Initiated	
Andrew Muñoz		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: incident_reporting_document, proper_access,_use_and_dissemination_policy			
Responsibilities upon Approval:			

**Agency
INCIDENT
REPORTING FORM**

DATE OF REPORT (MM//DD/YYYY): _____

DATE OF INCIDENT (MM/DD/YYYY): _____

NAME: _____

PHONE: _____

EMAIL: _____

LOCATION(S) OF INCIDENT: _____

AREA AFFECTED: _____

METHOD OF DETECTION: _____

DESCRIPTION OF INCIDENT (e.g. access, use, retention, dissemination etc.):

ACTIONS TAKEN/RESOLUTION:

Copy to:

Crime Records Service MCS 0232

ADB
5/2018

Attn: Tina Saenz, Manager
Access and Dissemination Bureau
5805 N Lamar Blvd
P.O. Box 4143
Austin, TX 78765-4143
Tina.Saenz@dps.texas.gov

ADB
5/2018

Criminal History Record Information (CHRI) Proper Access, Use and Dissemination Procedures

Purpose

The intent of the following policies is to ensure the protection of the Criminal Justice Information (CJI) and its subset of Criminal History Record Information (CHRI) until such time as the information is purged or destroyed in accordance with applicable record retention rules.

The following policies were developed using the FBI's Criminal Justice Information Services (CJIS) Security Policy. The *[agency name]* may complement this policy with a local policy; however, the CJIS Security Policy shall always be the minimum standard. The local policy may augment, or increase the standards, but shall not detract from the CJIS Security Policy standards.

Scope

The scope of this policy applies to any electronic or physical media containing FBI CJI while being stored, accessed or physically moved from a secure location from the *[agency name]*. In addition, this policy applies to any authorized person who accesses, stores, and/or transports electronic or physical media.

Criminal Justice Information (CJI) and Criminal History Record Information (CHRI)

CJI is the term used to refer to all of the FBI CJIS provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

CHRI, is a subset of CJI and for the purposes of this document is considered interchangeable. Due to its comparatively sensitive nature, additional controls are required for the access, use and dissemination of CHRI. In addition to the dissemination restrictions outlined below, Title 28, Part 20, Code of Federal Regulations (CFR), defines CHRI and provides the regulatory guidance for dissemination of CHRI.

Proper Access, Use, and Dissemination of CHRI

Information obtained from the Interstate Identification Index (III) is considered CHRI. Rules governing the access, use, and dissemination of CHRI are found in Title 28, Part 20, CFR. The III shall be accessed only for an authorized purpose. Further, CHRI shall only be used for an authorized purpose consistent with the purpose for which III was accessed. Dissemination to another agency is authorized if (a) the other agency is an Authorized Recipient of such information and is being serviced by the accessing agency, or (b) the other agency is performing noncriminal justice administrative functions on behalf of the authorized recipient and the outsourcing of said functions has been approved by appropriate CJIS Systems Agency (CSA) or State Identification Bureau (SIB) officials with applicable agreements in place.

Personnel Security Screening

Access to CJI and/or CHRI is restricted to authorized personnel. Authorized personnel is defined as an individual, or group of individuals, who have been appropriately vetted through a national fingerprint-based record check and have been granted access to CJI data. Agencies located within states having passed legislation authorizing or requiring civil fingerprint-based background checks for personnel with

Sample 'Written Policy'

access to CHRI for the purposes of licensing or employment shall submit fingerprint-based record check within 30 days of employment or assignment on all personnel with who have direct access to CJI, those who have direct responsibility to configure and maintain computer systems and networks with direct access to CJI, and any persons with access to physically secure locations or controlled areas containing CJI. Agencies located within states without this authorization or requirement are exempted from the fingerprint-based background check requirement until such time as appropriate legislation has been written into law.

Security Awareness Training

Basic security awareness training shall be required within six months of initial assignment, and biennially thereafter, for all personnel who have access to CJI.

Physical Security

A physically secure location is a facility or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect the FBI CJI and associated information systems. The perimeter of the physically secure location shall be prominently posted and separated from non-secure locations by physical controls.

Only authorized personnel will have access to physically secure non-public locations. The *[agency name]* will maintain and keep current a list of authorized personnel. All physical access points into the agency's secure areas will be authorized before granting access. The agency will implement access controls and monitoring of physically secure areas for protecting all transmission and display mediums of CJI. Authorized personnel will take necessary steps to prevent and protect the agency from physical, logical and electronic breaches.

Media Protection

Controls shall be in place to protect electronic and physical media containing CJI while at rest, stored, or actively being accessed. "Electronic media" includes memory devices in laptops and computers (hard drives) and any removable, transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drives, external hard drives, or digital memory card. "Physical media" includes printed documents and imagery that contain CJI.

The agency shall securely store electronic and physical media within physically secure locations or controlled areas. The agency shall restrict access to electronic and physical media to authorized individuals. If physical and personnel restrictions are not feasible then the data shall be encrypted per Section 5.10.1.2.

Media Transport

Controls shall be in place to protect electronic and physical media containing CJI while in transport (physically moved from one location to another) to prevent inadvertent or inappropriate disclosure and use. The agency shall protect and control electronic and physical media during transport outside of controlled areas and restrict the activities associated with transport of such media to authorized personnel.

Media Sanitization and Disposal

When no longer usable, hard drives, diskettes, tape cartridges, CDs, ribbons, hard copies, print-outs, and other similar items used to process, store and/or transmit FBI CJI shall be properly disposed of in accordance with measures established by *[agency name]*.

Physical media (print-outs and other physical media) shall be disposed of by one of the following methods:

- 1) shredding using *[agency name]* issued shredders.
- 2) placed in locked shredding bins for *[private contractor name]* to come on-site and shred, witnessed by *[agency name]* personnel throughout the entire process.
- 3) incineration using *[agency name]* incinerators or witnessed by *[agency name]* personnel onsite at agency or at contractor incineration site, if conducted by non-authorized personnel.

Electronic media (hard-drives, tape cartridge, CDs, printer ribbons, flash drives, printer and copier Hard-drives, etc.) shall be disposed of by one of the <Agency Name> methods:

- 1) **Overwriting (at least 3 times)** - an effective method of clearing data from magnetic media. As the name implies, overwriting uses a program to write (1s, 0s, or a combination of both) onto the location of the media where the file to be sanitized is located.
- 2) **Degaussing** - a method to magnetically erase data from magnetic media. Two types of degaussing exist: strong magnets and electric degausses. Note that common magnets (e.g., those used to hang a picture on a wall) are fairly weak and cannot effectively degauss magnetic media.
- 3) **Destruction** – a method of destroying magnetic media. As the name implies, destruction of magnetic media is to physically dismantle by methods of crushing, disassembling, etc., ensuring that the platters have been physically destroyed so that no data can be pulled.

IT systems that have been used to process, store, or transmit FBI CJI and/or sensitive and classified information shall not be released from *[agency name]*'s control until the equipment has been sanitized and all stored information has been cleared using one of the above methods.

Account Management

The agency shall manage information system accounts, including establishing, activating, modifying, reviewing, disabling, and removing accounts. The agency shall validate information system accounts at least annually and shall document the validation process.

All accounts shall be reviewed at least annually by the designated CJIS point of contact (POC) or his/her designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information. The POC may also conduct periodic reviews.

Remote Access

The [agency name] shall authorize, monitor, and control all methods of remote access to the information systems that can access, process, transmit, and/or store FBI CJI. Remote access is any temporary access to an agency's information system by a user (or an information system) communicating temporarily through an external, non-agency controlled network (e.g., the Internet).

The [agency name] shall employ automated mechanisms to facilitate the monitoring and control of remote access methods. The [agency name] shall control all remote accesses through managed access control points. The [agency name] may permit remote access for privileged functions only for compelling operational needs but shall document the rationale for such access in the security plan for the information system.

Utilizing publicly accessible computers to access, process, store or transmit CJI is prohibited. Publicly accessible computers include but are not limited to: hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.

Personally Owned Information Systems

A personally owned information system shall not be authorized to access, process, store or transmit CJI unless the agency has established and documented the specific terms and conditions for personally owned information system usage. A personal device includes any portable technology like camera, USB flash drives, USB thumb drives, DVDs, CDs, air cards and mobile wireless devices such as Androids, Blackberry OS, Apple iOS, Windows Mobile, Symbian, tablets, laptops or any personal desktop computer. When bring your own devices (BYOD) are authorized, they shall be controlled using the requirements in Section 5.13 of the CJIS Security Policy.

Reporting Information Security Events

The agency shall promptly report incident information to appropriate authorities to include the state CSA or SIB's Information Security Officer (ISO). Information security events and weaknesses associated with information systems shall be communicated in a manner allowing timely corrective action to be taken. Formal event reporting and escalation procedures shall be in place. Wherever feasible, the agency shall employ automated mechanisms to assist in the reporting of security incidents. All employees, contractors and third party users shall be made aware of the procedures for reporting the different types of event and weakness that might have an impact on the security of agency assets and are required to report any information security events and weaknesses as quickly as possible to the designated point of contact.

Policy Violation/Misuse Notification

Violation of any of the requirements contained in the CJIS Security Policy or Title 28, Part 20, CFR, by any authorized personnel will result in suitable disciplinary action, up to and including loss of access privileges, civil and criminal prosecution and/or termination.

Likewise, violation of any of the requirements contained in the CJIS Security Policy or Title 28, Part 20, CFR, by any visitor can result in similar disciplinary action against the sponsoring employee, and can also result in termination of services with any associated consulting organization or prosecution in the case of criminal activity.



Standardized Agenda Request Form

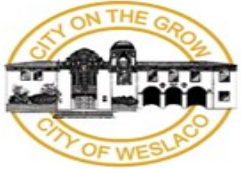
Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3343	
From:			
Subject: Discussion and consideration on amendments and extension of July 10, 2020 to August 7, 2020 Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)			
Background:			
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):			
Norma Cantu Mike Perez		Created/Initiated Final Approval	
City Manager Comments: Approve.			
Staff Recommendation:			
Attachments, if any:			
Responsibilities upon Approval:			



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3453	
From:			
Subject: Discussion and consideration to purchase a 2020 Volvo EC300EL Track Excavator in an amount not to exceed \$233,206.00 from ROMCO Equipment Co., through Buyboard Contract #597-19, authorize a budget amendment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)			
Background:			
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):			
Olga Garza		Created/Initiated	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Buyboard Quotes for Excavator, Doggett Excavator Quote, Holt Cat Excavator Quote, ROMCO Excavator Quote			
Responsibilities upon Approval:			

CITY OF WESLACO
Buyboard Quotes for Excavator



Date: 6/30/2020

DESCRIPTION
TRACK EXCAVATOR

QTY	Doggett Danny Jackson 901 East Interstate 2 San Juan, TX 78589 Ph No.: 956.342.5228 Office No.: 956.787.0001 danny.jackson@doggett.com ROMCO Caleb Cavazos 312 Park St. Mercedes, TX 78570 Ph No.: 956.565.0100 Fax No.: 956.565-1765 ccavazos@romco.com Holt Cat Rudy Solis 10701 N. Highway 281 Edinburg, TX 78541 Ph No.: 956.371.2295 Fax No.: 956.292.7900 rodolfo.solis@holtcat.com		
	Total Price	Total Price	Total Price
1	\$295,000.00	\$233,206.00	\$288,572.00
	2020 John Deere 350G LC FT4 Excavator, 271 HP, HD Bucket 54 in./2.27 Yd ³	2020 Volvo EC300EL Crawler Excavator, 241 HP, Bucket 54 in./ 2.25 Yd ³	2020 330CAT Excavator, HD Bucket 54 in./2.02 Yd ³
	ETA: 1 week	ETA: 2-3 Days	ETA: 2-3 Days
	Buy Board #597-19	Buy Board #597-19	Buy Board #597-19
	\$295,000.00	\$233,206.00	\$288,572.00
	Doggett	ROMCO	HOLT CAT

RECOMMENDATION:

Staff recommends approval of the best value and most advantageous bid, ROMCO in the amount not to exceed \$233,206.00.

Tabulation created by: Olga Garza

350G LC FT4 EXCAVATOR



29-Jun-2020

Sales Quotation for the City of Weslaco

Attn: Tony Vargas Drainage Supervisor

1912 Joe Stephens Ave. Weslaco, Texas

Code	Description		
0BJ1FF	350G LC FT4 EXCAVATOR	1	\$329,023.00
	F.O.B Kernersville, North Carolina for Complete Machine. See DEALER-INSTALLED ATTACHMENT section for additional source notes.		

Option Codes

1095	Engine Stage IV Emissions	1	\$36,995.00
	John Deere PowerTech PSS 9.0L 271 Net Rated hp (ISO 9249) Series Turbocharged Charge Air Cooler Electronic Engine Control Unit Auto-Idle System Cool on Demand Hydraulic Driven Fan Antifreeze Protection to -34F (-37C) Enclosed Fan Guard A/C Condenser and Fuel Cooler Dual Element Dry-type Air Filter with Restriction Indicator Full Flow Oil Filter Double Fuel Filter Water Separator Underhood Diesel Particulate Filter with Curved Exhaust Automatic Belt Tension Device Heavy Duty, Low Maintenance Batteries 80-Amp Alternator - 24 Volt 500 Hour Engine Oil Change Interval 70% (35 degrees) Off Level Capability Engine Oil Sampling Valve		
9015	Engine Block Heater	1	\$248.00

080B	PACKAGE 1 - Configured with Minimal Options Package Includes: - 800MM Triple Grouser Track Shoes (3350) - 6.4M (21 ft. 0 in.) Boom (6835) - Air Suspension Heated Seat (4130) - Engine Block Heater (9015) - JDLINK Ultimate Cellular - 5 Years (170C) Also choose from codes below: - Arm 3.2M (10 ft 6 in) or 4.0M (13 ft. 1 in.) (7222, 7267) - Grade Guidance / Grade Ready Options (7901, 7920, 7930, 7950, 7951, 7953, 7954) - Buckets (8001, 8340, 8350, 8353, 8354)	1	No Added Cost
1600	English Customer Delivery Packet English Decals and Customer Delivery Packet	1	No Added Cost
170C	JDLINK Ultimate - 5 Year Subscription Includes JDLINK hardware: integrated cab wiring harness, antenna, modular telematics gateway (MTG), and now includes all Ultimate Connectivity features – Wireless Data Transfer (WDT) enabling automatic data transfer from TimberMatic and Waratah H16 Measuring Systems to TimberManager and MyJohnDeere, supporting TimberOffice 5 Software. Additionally, Ultimate now includes Limited Internet features supporting optional ForestSight Solutions such as advance mapping systems and Remote Display Access (RDA) features supported by TeamViewer applications. JDLINK utilizes cellular and satellite technology infrastructure that is outside the control of John Deere. Changes to that infrastructure may require customers to purchase compatible JDLINK hardware to restore functionality. Includes 5 year subscription. Annual subscription renewal required after 5 years for continued functionality. JDLINK customer account must be created to access JDLINK Ultimate data. Go to www.StellarSupport.com to renew or update JDLINK subscriptions. Use of this service, and all rights and obligations of John Deere and the Customer (as identified in the applicable agreement), are governed by the terms and conditions outlined in the applicable Services and Software agreements available at www.JohnDeere.com/Agreements . If these terms and conditions are not agreeable do not proceed and do not use the service.	1	No Added Cost
3350	Triple Semi-Grouser Shoes 800 mm (32 In.) Recommended for extremely soft terrain.	1	No Added Cost
4130	Seat, Heated Air-Suspension	1	\$1,366.00

6835	One Piece Boom with Arm Cylinder and Plumbing	1	\$29,127.00
	6.4 M (21 Ft. 0 In.) One Piece Boom with Arm Cylinder and Plumbing		
7901	Less Grade Reference Ready Mounts	1	No Added Cost
7267	Arm with Bucket Cylinder and Linkage	1	\$22,839.00
	4.0 M (13 ft. 1 in.)		
	Not recommended for impact (hammer) or high density material applications.		
7401	Less Auxiliary Hydraulics	1	No Added Cost
8350	Heavy-Duty Bucket	1	\$13,992.00
	54 In. (1375 mm), 2.27 Yd3 (1.74 M3) Heavy-Duty Bucket		
	Includes Six (6) John Deere TK-Series Fanggs Teeth (TK450FD).		

Total	\$433,590.00
--------------	---------------------

Buy Board Discount : 35% Doggett Buy Board # 597-19	- \$ 151,756.50
Buy Board Sales Price	\$ 281,833.50
Factory Freight	\$ 9,500.00
Pre-Delivery Inspection	\$ 2,800.00
36 Months or 3,000 Hours of Extended Warranty	\$ 2,010.00
Doggett Government Discount	-\$ 1,143.50
Final Sales Price	\$ 295,000.00
	-

Thank you, for the opportunity for Doggett Heavy Machinery Services to provide a Buy Board Sales Quotation on a New John Deere 350G Excavator, please free to contact me if you have any questions, thank you.

(quote expires in 90 days)

Sincerely, Danny Jackson Territory
Sales Manager (956-342-5228)



DATE: June 29, 2020
QUOTE #:259181-01

CITY OF WESLACO
255 S KANSAS AVE
WESLACO, TEXAS 78596-6216

Rodolfo Solis
956.371.2295

BUYBOARD QUOTE (CONTRACT # 597-19)

New Caterpillar Model: 330 Excavators with all standard equipment in addition to the additional specifications listed below:

STOCK NUMBER: HLK039596

SERIAL NUMBER: 0LHW01103

YEAR: 2019

HOURS: 5

DATE: June 29, 2020QUOTE #:Quote 259181-01

MACHINE SPECIFICATIONS

STOCK NUMBER: HLK039596

SERIAL NUMBER: 0LHW01103

YEAR: 2019

HOURS: 5

DESCRIPTION	REF.#	PRICE
330 07A HEX AM-N CFG1	562-4525	\$296,370.00
330 HEX	516-8524	\$0.00
GUARD, SWIVEL	134-8883	\$0.00
MACHINE ECM	488-6816	\$0.00
LIGHT, CHASSIS	490-2683	\$0.00
PEDAL, STRAIGHT TRAVEL	490-7715	\$0.00
CAB, DELUXE	500-1000	\$0.00
RADIO, W/BLUETOOTH	502-7166	\$0.00
COUNTERWEIGHT, 14,770LB	508-9621	\$0.00
MONITOR, 10"	511-9428	\$0.00
SENSOR, PRESSURE, EOU	513-3214	\$0.00
GUARD, BOTTOM, HD	513-4044	\$0.00
GUARD, TRAVEL MOTOR, HD	514-7013	\$0.00
ALARM, TRAVEL	516-2545	\$0.00
CYLINDER, BOOM	516-8457	\$0.00
COMMON ARRANGEMENT	516-8536	\$0.00
UNDERCARRIAGE, LONG	516-8540	\$0.00
FINE SWING	520-1923	\$0.00
RECEIVER, BLUETOOTH	524-8272	\$0.00
STORAGE TRAY	539-5199	\$0.00
FILM, OPERATING PATTERN, 2WAY	520-9418	\$0.00
BOOM, REACH 20'2"	516-8561	\$9,140.00

DESCRIPTION	REF.#	PRICE
STICK, R10'6"	516-8566	\$4,480.00
CYLINDER, STICK	516-5832	\$4,110.00
CYLINDER, BKT, CB2	516-5840	\$2,625.00
LINKAGE, BKT CB2 W/EYE GRADE	521-8015	\$3,210.00
BOOM TUBE W/EOU	516-8550	\$0.00
TRACK, 31" TG	516-8657	\$4,445.00
GUARD, TRACK GUIDING, SEGMENTED	346-7150	\$1,775.00
HYDRAULIC PKG, JOYSTICK	556-5581	\$2,225.00
LINES, MAKE UP, STD	516-7664	\$0.00
RETURN PIPE, STD	516-7668	\$0.00
VALVE, HYDRAULIC, HL	516-9251	\$0.00
JOYSTICKS, SLIDER	528-6835	\$0.00
UPPER COVER, CENTER	555-5784	\$0.00
LINES, DRAIN, PQC	549-9535	\$0.00
LIGHTS PKG, REACH & SLR BOOM	556-5578	\$288.00
LIGHT, BOOM LH	516-8473	\$0.00
LIGHT, BOOM RH	517-2429	\$0.00
LIGHTS, CAB, W/O 360	524-8314	\$287.00
PRODUCT LINK PKG, CELL PLE742	557-3407	\$0.00
WIRING, PRODUCT LINK ELITE	506-7032	\$0.00
PRODUCT LINK, CELLULAR PL641	555-7256	\$0.00
NETWORK MANAGER, GRADE ADV.	555-7287	\$0.00
LIFT CHART, 330	538-2072	\$0.00
DECALS, EXTERIOR, ANSI	524-5915	\$0.00
DECALS, CAB, ANSI	522-3168	\$0.00
DECALS, STICK WARNING, ANSI	567-3815	\$0.00
INSTRUCTIONS, ENGLISH	0P-3380	\$0.00
LINES, QC, REACH BOOM	516-7688	\$1,360.00
LINES-QC, R10'6" STICK	321-0150	\$1,195.00
WIPER, RADIAL W/LOWER	484-8022	\$296.00
SUN SCREEN, REAR	488-6450	\$211.00
QUICK DRAINS, READY	516-8577	\$0.00
CONTROL, QC	517-4758	\$870.00
CAMERA, REAR & RH VIEW	516-8546	\$820.00
GRADE W/2D, ASSIST&PAYLOAD	520-1918	\$0.00
GRADE SENSOR, REACH BOOM	519-6977	\$0.00
GRADE SENSOR, R10'6" STICK	519-6978	\$0.00
BATTERIES, 2	506-5013	\$580.00
MIRROR, CAB, W/O GUARD	327-6552	\$107.00
FILM, ROPS	567-3818	\$0.00
ANTIFREEZE, -50C (-58F)	0P-2407	\$251.00
STORAGE PROTECTION (EXPORT)	0G-4126	\$274.00
ROLL ON-ROLL OFF W/O BKT QC CB	0G-0482	\$164.00
BUCKET – 54" HEAVY DUTY HGA052857	541-1750	\$11,311.00
TIP, PENETRATION PLUS ADVANSYS - HGA052857	505-4103	\$828.00

INCLUDES 1 YEAR / 1,500 HOUR PREMIER FULL MACHINE WARRANTY

TOTAL MACHINE LIST PRICE

\$347,222.00

MINIMUM DISCOUNT REQUIRED BY BUY BOARD 8% OFF MACHINE LIST

SALE PRICE	\$284,074.00
EXT WARRANTY	Included
TOTAL PRICE	\$284,074.00
SUB TOTAL	\$284,074.00
TOTAL PURCHASE PRICE	\$284,074.00

WARRANTY

Standard Warranty: 12 Month/Unlimited Hours Total Machine
Extended Warranty: 36 MONTHS / 3,000 HR PREMIER

OPTIONAL NON LIST EXTENDED WARRANTY (UPGRADE EXTENDED WARRANTY TO:)

60 MONTHS / 3,000 HOURS PRMIER	\$3,400
84 MONTHS / 5,000 HOURS POWERTRAIN & HYDRAULICS	\$4,300
84 MONTHS / 6,000 HOURS POWERTRAIN & HYDRAULICS	\$7,000

OPTIONS: 2020 GCI Program

Customer Support Agreement

36 Month/5000 Hour Iron Pro \$13,539.39

NOTES

Equipped with 3 year Vision Link Subscription

2020 CAT 330 Model available (same configuration)

Sales Price \$288,572.00

STANDARD EQUIPMENT

POWERTRAIN

C7.1e twin turbo Tier 4 Final diesel engine
Electric fuel priming pump
Reversible electric cooling fans
Two-stage fuel filtration system with

UNDERCARRIAGE

Grease lubricated track link
Tie down points on base frame

HYDRAULICS

Electronic main control valve
Auto warm up
Tandem type electronic main pump (165cc/rev)
Electric boom regeneration circuit

ELECTRICAL

Maintenance free battery
Centralized electrical disconnect switch
CAT product link
After engine shut down, programmable

OPERATOR ENVIRONMENT

Sound suppressed ROPS cab (ISO 12117-2 compliant) with viscous mount
Increased rear window size as emergency exit
Openable tempered front upper windshield w/assist device and removable tempered lower windshield with in cab storage bracket
51mm (2 inch) orange seat belt
Upper radial wiper for 70/30
Automatic bi-level air conditioner with pressurized function
Washable floor mat

SAFETY AND SECURITY

RH hand rail and hand hold (ISO 2867 compliant)
Service platform with anti-skid plate and countersunk bolts
Hydraulic lock out lever neutralizes

OTHER STANDARD EQUIPMENT

Side entry to service platform
Grouped location for engine oil and fuel filters

water separator and indicator
2x115 amp. dual alternator
Sealed double element air filter with integrated pre-cleaner
Biodiesel capable (up to B20)

(ISO 15818 compliant)

Stick regeneration circuit
Automatic two speed travel
Boom and stick drift reduction valve
Element type main hydraulic filter

time delay LED working lights:
One chassis mounted, one LH boom mounted

Roller front sunscreen
Beacon ready
2 x 12V DC outlet and USB Port
Dome and lower LED interior lights, coat hook, cup holder, console storage
rear storage with net, and overhead storage with net
(Comfort cab)
-Mechanical suspension comfort seat w/ headrest, console height adjustment
w/ tools, arm rest angle adjustment
-Fixed left side console
-Openable steel hatch

all controls
Ground level accessible secondary engine shutoff switch in cab
Signaling / warning horn

Ground level 2nd dipstick for engine oil
Sampling ports for scheduled oil
Sampling (S.O.S)



312 Park Street / Mercedes, TX 75870 / (956) 565-0100 / Fax: (956) 565-1765

City of Weslaco
255 S. Kansas Ave
Weslaco, Tx 78599
Attn: Public Works Dept.

6/30/20
Q096

ROMCO Equipment Co. is pleased to present the following equipment for your consideration:

1- New Volvo EC300EL Crawler Excavator, equipped as follows:

Boom, 20' 4" (6.2m), GP
Arm, 10' 0" (3.05m), HD
Linkage with lifting eye, GP
Decal Kit NA
Track Pads, 32" Triple Grouser
Roller guard STD
Lower frame - foldable steps
Belly Cover HD, 10mm
Engine NA
Cooling System High Capacity
Engine Block heater, 120V
Standard fan drive
Air precleaner, Cyclone
Anti-vandal mounting brackets on cab
CareCab w/ Opening Hatch
Seat, Air suspension w/Heater & X-Isolator
Seat Belt, 3 inch Retractable
Joystick, 4 Switches
Air conditioning, ACC (automatic climate control)
Universal key
Radio with MP3, USB port & Bluetooth
Guardrail
Work lights on deck & boom, Halogen
Extra work lights on cab front/rear, CWT, boom & RH side, Halogens
Travel alarm
Rear view camera
Side view camera
CareTrack, GSM/Satellite
CareTrack Connectivity 4 yr Subscription
Hydraulic oil ISO VG46
X1 2 pump double acting piping
X1 additional return filter
X1 2-switch control, On/Off, double acting
X1 Pedal control, Proportional
Quick fit piping, UQF (piping not installed for long reach boom and arm)
Pilot control pattern change

EQUIPMENT FOR THE CONSTRUCTION, MINING AND AGGREGATE INDUSTRIES

Straight travel pedal
Boom float function, w/o hose rupture valve
Pre-setting for hyd. pressure
Manual, English
CWT 5500kg, Fabrication
Under cover HD, 4.5mm superstructure
Bucket 54" with Teeth
Life Time Warranty Frame, Boom and Arm
12 Months/1,500 Hours Full Machine

Buy Board Price F.O.B Weslaco, Tx.
Buy Board Contract # 597-19

\$233,206

Price does not include applicable sales or use taxes. The above price is valid for 30 days unless specifically extended by ROMCO Equipment Co.

We appreciate the opportunity to present this quotation and we look forward to serving you. If you have any questions, please do not hesitate to call.

Sincerely,

Caleb J. Cavazos

RGV Branch Manager
ROMCO Equipment Co.



Standardized Agenda Request Form

Date of Meeting: July 7, 2020		Agenda Item No. (to be assigned by CSO): 2020-3456	
From:			
Subject: Discussion and consideration to approve Ordinance 2020-17 a budget amendment in the amount not to exceed \$233,206.00 and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-17. Possible action. (Staffed by Public Works Department.)			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature Budget Amendment 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):			
Olga Garza		Created/Initiated	
Pete Garcia		Approved	
Mike Perez		Final Approval	
City Manager Comments: Approve.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: exhibit to Ordinance Budget Amend 7.1.20 (002), O2020-17 budget amendment 2020 Volvo excavator			
Responsibilities upon Approval:			



CITY OF WESLACO BUDGET AMENDMENT FISCAL YEAR 2020

FUND: 01
DEPARTMENT: VARIOUS
DATE: 4 July 1, 2020

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE DB</u>	<u>DECREASE CR</u>	<u>REVISED BUDGET</u>
101	- 4000 -	VARIOUS ACCOUNT	\$ -	\$ 1,182,220		\$ -
101	- 5000	VARIOUS ACCOUNT	\$ -		\$ 1,625,496	\$ -
101		FUND BALANCE	\$ 7,166,503		\$ 443,276	\$ 6,723,227
						\$ -
						\$ -
			<u>\$ 7,166,503</u>	<u>\$ 1,182,220</u>	<u>\$ 2,068,772</u>	<u>\$ 6,723,227</u>

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date



CITY OF WESLACO BUDGET AMENDMENT FISCAL YEAR 2020

FUND: 01
DEPARTMENT: Public Works
DATE: 4 July 1, 2020

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE DB</u>	<u>DECREASE CR</u>	<u>REVISED BUDGET</u>
101	- 5307 - 550100	Capital Outlay	\$ 18,200	\$ 233,206		\$ 251,406
		FUND BALANCE (DON'T POST)	\$ 6,721,914		\$ 233,206	\$ 6,488,708
						\$ -
						\$ -
			<u>\$ 6,740,114</u>	<u>\$ 233,206</u>	<u>\$ 233,206</u>	<u>\$ 6,740,114</u>

(Round up all amounts to the nearest dollar)

Justification:

As approved by City Commission on July 7, 2020
for the purchase of a 2020 EC300EL Crawler Excavator.

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

ORDINANCE 2020-17

AN ORDINANCE AMENDING ORDINANCE NUMBER 2019-39, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, FINDING NEED TO AMEND THE 2019-2020 MUNICIPAL BUDGET; TO WIT; \$233,206 IN THE GENERAL FUND, PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2019-2020 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2019-2020 Official Budget, adopted by Ordinance 2019-39, is hereby reallocated, revised, amended and approved in the amount not to exceed \$233,206.00 as set forth in the attached Exhibit.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. 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 7th day of July 2020.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____ 2020.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**