



**MINUTES
REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 7, 2020**

On Tuesday, January 7, 2020, at 5:34 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

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

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Aida Vega, Deputy City Secretary; Vidal Roman, Finance Director, Omar Rodriguez, Parks and Recreation Director, Jose Martin Vela, Information Technology Director; Robert Lopez, Asst. Police Chief, Jaime Hernandez, Asst. Fire Chief, Pete Garcia, Public Works Director; Arnold Becho, Library Director; Rebekah de la Fuente, Planning and Code Enforcement Director, Rosa Huerta, Court Coordinator and other staff members and citizens.

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, January 3, 2020

B. Invocation.

Pastor Timothy Aguiar, Open Door Baptist 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.

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

II. PUBLIC COMMENTS

Sandra Reyna expressed her concerns on the traffic lights on Texas Blvd and 2nd Street. She would like for the City to install surveillance cameras to control citizens running red lights and prevent a major accident.

Gilbert Vasquez, attorney representative for Elva Alaniz (beauty salon owner of New Dimensions & Spa) spoke about item 4A. He is not in agreement with utility easement request from Vantage Bank.

Mark McCaleb presented an oil painting designed by Andrea Espinosa in celebration of Weslaco 100.

III. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval of the following:

- 1) Minutes of the regular meeting on December 3, 2019;
- 2) Minutes of the regular meeting on December 17, 2019. (Staffed by City Secretary Department.)

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

- 1) Approve Ordinance 2019-51 to rezone 1531 N. International Blvd. also being Adams Tract N25AC-S28.84AC FT 1038 EXC S660'-E330 20AC NET, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. (First reading held December 17, 2019; staffed by Planning and Code Enforcement Department.)

C. Authorization to allow the Weslaco Police Department to accept a weapons (handguns) transfer from the Weslaco Independent School District. No additional paperwork or cost is required for the acceptance of the weapons and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Authorization to enter into an Interlocal Cooperation Act Agreement between the City of Weslaco, Texas by and through the Weslaco Police Department and Office of the Inspector General for Shooting Range Use and Training and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

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

IV. OLD BUSINESS

A. Discussion and consideration on Ordinance 2019-50 to convert the twenty- foot alley running between Lots 1-20, Block 4, Gonzalez Addition into a utility easement and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-50. Possible action. (This item was tabled November 19, remained tabled December 3 and no action on December 17, 2019; staffed by Planning and Code Enforcement Department.)

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

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

Rebekah de la Fuente stated that Vantage Bank is requesting conversion of the alley for a proposed expansion to their parking lot to the east. Staff is recommending denial due to opposition from property owners.

Humberto Garza with R. Gutierrez Engineering spoke about several options and ideas relating to the access of the alleyway by the salon owner and surrounding businesses.

Gilbert Vasquez, attorney representative for Elva Alaniz (New Dimension Salon owner) spoke about the improvements being proposed by Vantage Bank and the concerns it might interfere with future development.

Since all parties involved did not come into an agreement, Mayor asked for a motion to table this item. Commissioner Pedraza, seconded by Commissioner Rodriguez motioned to table this item. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

B. Discussion and consideration to approve Ordinance 2019-44 amending Section 12 of Ordinance 397, to fix residential, commercial, and industrial garbage rates; providing an effective date; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. First reading of Ordinance 2019-44. Possible action. (This item was tabled October 15, 2019; remained tabled December 3 and no action December 17, 2019; staffed by Finance Department.)

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

Mike Perez, City Manager, recommended approval. The City Manager stated at the workshop recently held, staff presented a rate comparison of charges and proposed rate increase comparison for commercial accounts only; advised that Republic Services submitted their annual CPI adjustment of 3.71% that would have a negative impact to the commercial accounts. The recommendation is to approve Ordinance 2019-44 with a 4% rate increase to commercial accounts.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve Ordinance 2019-44 amending Section 12 of Ordinance 397, to fix residential, commercial, and industrial garbage rates

with a 4% increase to commercial accounts only as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration on Inter-local Agreement between City of Weslaco and Hidalgo and Cameron Counties Irrigation District No. Nine to grant Weslaco a license in, over and across the Weslaco designated ditches to access, maintain, operate, expand, and/or repair and authorize the Mayor to execute any related documents. Possible action. (There was no action on December 17, 2019; staffed by City Manager.)

Commissioner Kerr abstained from vote and discussion.

The City Manager stated no action was taken at the previous meeting to allow staff to meet with irrigation district.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve Inter-local Agreement between City of Weslaco and Hidalgo and Cameron Counties Irrigation District No. Nine to grant Weslaco a license in, over and across the Weslaco designated ditches to access, maintain, operate, expand, and/or repair. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

V. NEW BUSINESS

A. Discussion and reconsideration for the Final Plat for Citrus 674 Subdivision– being a 8.46 acre tract being a portion of Farm Tract 674, Blk 164, West Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast Corner of Border Ave and 18th St and authorize the Mayor to execute any related documents. Possible action (Staffed by Planning & Code Enforcement.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated the developer amended plat to reflect a twenty-one-foot access easement and providing a 27 feet access easement around fire hydrant. The front setbacks for lots 27-35 reduced to 35 feet (acceptable) with dedicated drainage area to the City. Developer is requiring the homeowner to pay a monthly fee to be reflected on the utility bill for maintenance of the drainage area. Staff recommended approval and compliance with the ordinance for drainage.

Commissioner Rodriguez, seconded by Mayor Pro Tem Lopez, moved to approve the Final Plat for Citrus 674 Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to select a firm from the Request for Qualifications #2019-20-04 for the Weslaco Mid Valley Airport Hangar Expansion and Infrastructure Development project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

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

Andrew Muñoz, Airport Director/Asst. City Manager stated this is a federal grant awarded to the airport for hangar expansion and related infrastructure development. City advertised for 30 days and received responses/proposals from five (5) firms being KSA, Halff, Architecture Design Management Group, Ark Form and Negrete & Kolar.

Commissioner Pedraza withdrew motion to select firms and enter motion to interview all five (5) firms, seconded by Mayor Pro Tem Lopez, moved to interview respondents as presented. The motion carried; Commissioner Farias and Commissioner Muñoz abstained; Mayor Suarez was present and voting.

C. Discussion and consideration on approval of Change Proposal 13 with Tri-Gen for construction of the entries leading into the City of Weslaco Park for access (outside property entrances) for the North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

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

Andrew Muñoz reported on the entry ways project leading into the North Side Fire Station was scheduled to be done by city staff. However, staff recommends outside vendor to complete this project. Recommendation to have Tri-Gen or another vendor complete the entry ways project and not to exceed \$152,833.19.

Commissioner Kerr, seconded by Commissioner Pedraza, moved to approve the Change Proposal 13 with Tri-Gen for construction of the entries leading into the City of Weslaco Park for access (outside property entrances) for the North Side Fire Station project as presented. The motion carried; Commissioner Muñoz abstained, Mayor Suarez was present and voting.

D. Discussion and consideration on approval of Change Proposal 14 with Tri-Gen to construct entries leading into the City of Weslaco Park for access (inside property drives) for the North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

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

Andrew Muñoz stated this is another access project from property line leading up to the base from the Fire Station. Due to Staff's paving schedule, recommendation that Tri-Gen complete the project not to exceed \$130,703.33

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve the Change Proposal 14 with Tri-Gen to construct entries leading into the City of Weslaco Park for access (inside property drives) for the North Side Fire Station Project as presented. The motion carried; Commissioner Muñoz abstained, Mayor Suarez was present and voting.

E. Discussion and consideration to select a firm from the Request for Qualifications #2019-20-07 for Architectural / Engineering Design Services for a New Fire Station and Police Station with Municipal / Judicial Court and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

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

VI. REPORTS

A. Report by Weslaco Chamber of Commerce.

Barbara Jean Garza, CEO, went over advertising expenses for December; visitors for the month totaled 1,006 includes in and out-of-state; twelve facility reservations; Social Media Marketing Workshop scheduled for January 8; Texas Onion Festival date is March 28; working on holding another Job Fair in April; Christmas Parade successful; participated in Centennial Celebrations; fits collected for children and patients at Knapp Medical and the Holiday Lights Contest winners were Chick-fil-a and the Banda family from Weslaco. Thanked the Commission and City Manager for the ongoing support from the City.

B. Report by Economic Development Corporation of Weslaco.

Marie McDermott, Executive Economic Development Director, reported the lighting project at the underpass at Texas to be completed January 6; working with prospects for expansion in Weslaco that include restaurant and retailer businesses; Alfresco held December 19 with 80 vendors; Christmas tree lighting December 4 well attended, and summary leads totaled 65.

C. Report by Inframark.

George Quilantan, Inframark, reported 154.73 million gallons of water treated for the month; centrifuge repairs being scheduled and no violations; North wastewater plant 63.02 million gallons water treated for the month; rotor bearing replaced and no violations; South Wastewater Plant treated 43.61 million gallons of water treated and solar panel completed and working well and Lift Station 5 located on Bridge Ave between 6th and 8th Street new pump installed.

D. Report by Public Works.

Pete Garcia, Public Works Director, reported on alleyways improvement West of Texas Blvd to completed next week and begin end of January the alleyways North of Business 83; striping of roadways ongoing; continuing with mowing and maintenance of ditches. Marcelo Cosme, Water/Wastewater Operations Supervisor, reported on the manhole rehabilitation consisted of 32 manholes and will be seeking approval to move forward with pipe busting repairs on Pike Blvd.

VII. EXECUTIVE SESSION

At 7:15 p.m. Commissioner Kerr, 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 8:54 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. Legal Consultation - Seek City Attorney opinion relating to the lawsuit with CDM as authorized by §551.071 of the Texas Government Code.

No action.

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

No action.

D. Real Property– Consultation with City Attorney on the acquisition of real property legally described as Lot 16, Block 2, La Paloma De La Sombras Subdivision for the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.

Commissioner Rodriguez, seconded by Commissioner Farias, moved to authorize the Mayor, Commissioner Pedraza and City Manager to proceed with negotiations with the property owner as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

E. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 29.08 acre of land consisting of 15.24 acres out of Farm Tract 705 and 13.84 acres out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.

No action.

F. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 0.87 acre tract of land out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Local Government Code.

No action.

G. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Crazy as authorized by §551.087 of the Texas Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to proceed with incentives program for Project Crazy as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Legal Consultation - Consultation with City Attorney on potential lawsuit regarding claim under Texas Unemployment Compensation Act by Gloria Oliva as authorized by Section §551.071 of the Texas Government Code.

No action.

I. Legal Consultation - Seek City Attorney opinion on Fourth Amendment to the Water and Wastewater System Operation and Maintenance Agreement between Inframark, LLC and the City of Weslaco, Texas dated September 4, 2015 as authorized by §551.071 of the Texas Government Code.

Commissioner Rodriguez, seconded by Mayor Pro Tem Lopez, moved to authorize the City Attorney demand the Fourth Amendment to the Water and Wastewater System Operation and Maintenance Agreement between Inframark and City be amended to include language for a no clause termination with a 90-day notice as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

J. Legal Consultation - Consultation with City Attorney regarding potential litigation relating to termination of Police Officer Anne Lugo as authorized by Section §551.071 of the Texas Government Code.

No action.

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

IX. ADJOURNMENT

Commissioner Farias, seconded by Commissioner Muñoz, moved to adjourn the January 7, 2020 meeting at 7:12 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Myra L. Ayala Garza, CITY SECRETARY

MAYOR PRO-TEM, Letty Lopez

COMMISSIONER, Leo Muñoz

COMMISSIONER, Jose "J.P." Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Greg Kerr

COMMISSIONER, Josh Pedraza