



**MINUTES
REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 4, 2020**

On Tuesday, February 4, 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 members present:

PRESENT:	Mayor	David Suarez
	Mayor Pro Tem	Letty Lopez
	Commissioner	Greg Kerr
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz
	Commissioner	Adrian Farias
	Commissioner	Josh Pedraza
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; Joel Rivera, Police Chief, Antonio Lopez, Fire Chief, Veronica Ramirez, HR Director; 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 31, 2020.

B. Invocation.

Pastor Robin Wiley, First Baptist Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

Mayor Suarez proclaimed February 2020 as Young Hearts Matter Teen Dating Violence Prevention Month.

D. Roll Call.

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

II. PUBLIC COMMENT

Rebekah De La Fuente reported on the Census Art Competition that began January 27 - February 3, 2020 by 17 schools in which they received 106,000 views on Facebook. The top four (4) schools were: First place: Sam Houston Elementary; second place: Antonio Rico Elementary; third place: IDEA Weslaco; and fourth place: Cleckler-Health Elementary. She also thanked McCoy's Building Supply and Lowe's for donating items for the art competition.

John D. Pena, WFFA President, is opposing of proposed agreement (Old Business item B) to provide transfers to Micro Valley Baptist Hospital. There's shortage of manpower and feels this item should be tabled.

Julian Ann Valdez Perez spoke on Old business D and New Business item F and strongly believes of two term limits to hold elected officials accountable.

Edward Mejia spoke about serving on community boards and excessive board members missing meetings. He is also in favor of term limits and the hybrid system.

III. CONSENT AGENDA

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

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

1) Approval on Ordinance 2019-50 to convert the 1/2 of a twenty (20) 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 held January 21, 2020; staffed by Planning and Code Enforcement Department.)

2) Approval on Ordinance 2020-01 amending Ordinance 2016-03 the Equipment Replacement Fund Section One 50-80(c) and authorize the Mayor to execute any related documents. (First reading held January 21, 2020; staffed by City Manager.)

B. Approval of a request by Valley Nature Center to utilize Gibson Park parking lot on April 18, 2020 from 8 a.m. – 10 p.m. for the 6th Annual Spring Feast, waive any fees that may

be associated with the event and authorize the Mayor to execute any related documents. (Requested by Valley Nature Center.)

C. Approval of the renewal of the lease agreement with Weslaco Little League for use of Isaac Rodriguez Park Multi-Purpose Field and Minor Field and Concession Stands and Harlon Block/Sports Complex Field #1, Field #2, Field #3 and the Concession Stands effective February 1, 2020 through July 7, 2020 and authorize the Mayor to execute any related documents. (Requested by Weslaco Little League.)

D. Approval on renewal of the Facility License Agreement with Weslaco Softball Baseball for use of the Softball/Baseball Field 1, 2 and 3 and Concession Stand at Mayor Pablo G. Peña City Park effective February 1, 2020 through July 7, 2020 and authorize the Mayor to execute any related documents. (Requested by Weslaco Softball Baseball.)

E. Approval on renewal of License Agreement for Annual “Movies at the Park” at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2020 season and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

F. Approval on renewal of the lease agreement with I Theatre, Inc. for the use of the Tower Theatre and Tower House effective January 1, 2020 - December 31, 2020 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

G. Approval on renewal of the lease agreement with Mid Valley Youth Soccer League for use of Pablo G. Pena City Park soccer fields and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

H. Approval on request from the Boys & Girls Club of Weslaco, Inc. to use Mayor Pablo Pena Park Baseball/Softball Complex for programs beginning July 8, 2020 through November 30, 2020 and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.)

I. Approval of Resolution 2020-03 authorizing the submittal of FY2020/2021 Solid Waste Grant Application to the Lower Rio Grande Valley Development Council in the amount of \$25,000.00 for the City of Weslaco Recycle Center, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Public Works.)

J. Approval of Resolution 2020-04 authorizing designated individuals as signatories on certain legal financial documents with Lone Star National Bank for the \$240,000 Marion Booth Endowment Certificate of Deposit and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

K. Approval of Memorandum of Understanding (MOU) with South Texas College for implementation of Continuing Education opportunities through the Learner Web Program and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

L. Approval of an Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

M. Authorization to enter into a Memorandum of Understanding (MOU) between Weslaco Police Department (WPD) and the U. S. Department of Justice, Drug Enforcement Administration (DEA) regarding License Plate Reader Information and authorize Mayor to execute any related documents. (Staffed by Police Department.)

N. Approval of Resolution 2020-05 authorizing the submission to Office of the Governor's State Homeland Security Program-LETPA Projects (SHSP-L) Grant application in an amount not to exceed \$250,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute and sign any related documents. (Staffed by Police Department.)

O. Authorization of Resolution 2020-06 authorizing the submission to the Office of the Governor's State Homeland Security Program-Regular Projects (SHSP-R) Grant application in an amount not to exceed \$150,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

P. Authorization of Resolution 2020-07 authorizing the submission to the Office of the Governor's Violence Against Women Justice and Training Program Grant application in an amount not to exceed \$30,000 with 30% MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

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

IV. OLD BUSINESS

A. Discussion and clarification of the Utility Policy Ordinance as codified under Article II Section 4 (5) (d) Utility Reimbursement Agreement Filing Deadline for Saltillo Plaza Subdivision and authorize the Mayor to execute any related documents. Possible action. (This item was tabled January 21, 2020; staffed by Planning and Code Enforcement Department.)

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

Juan E. Gonzalez, City Attorney, stated that reimbursement was not made on a timely manner by Saltillo Plaza, therefore he recommends denial of reimbursement.

Mayor Pro Tem Lopez, seconded by Commissioner Farias moved to deny reimbursement request as discussed. The motion carried; Commission Muñoz abstaining; Mayor Suarez was present and voting.

B. Discussion and consideration on Ambulance Services Agreement between City of Weslaco and VHS Harlingen Hospital Company, LLC dba Valley Baptist Micro-Hospital Weslaco for ambulance transportation services and authorize the Mayor to execute any related documents. Possible action. (This item was tabled January 21, 2020; staffed by Fire Department.)

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

City Manager recommended to reject the item.

Commissioner Muñoz, seconded by Commissioner Kerr moved to deny this item as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

C. 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.)

Andrew reported that seven (7) firms (Milnet, Boultinghouse, Martinez, Gignac, Alvarado, The Warren Group and ERO) have been selected to be interviewed for Architectural / Engineering Design Services for the New Fire Station and Police Station with Municipal / Judicial Court.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to approve the final list of seven (7) firms for interviews for the Architectural/Engineering Design Services as discussed. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

D. Discussion and consideration on Ordinance 2020-02 to order a Special Municipal election for May 02, 2020 for charter amendments and authorize the Mayor to execute any related documents. Possible action. (First reading held January 28, 2020; staffed by City Secretary Department.)

Juan E. Gonzalez, City Attorney, gave a brief review of the proposed propositions and recommended that each proposition be voted on separately.

Proposition A: shall be from four (4) Single Member Districts and two (2) At-Large Members.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez moved to approve Proposition A as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

Proposition B: shall hold office for a period of four (4) / extend terms from 3 to 4 years.

Commissioner Kerr, seconded by Commissioner Farias moved to approve Proposition B as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

Proposition C: shall not serve more than twelve (12) consecutive years.

Commissioner Muñoz, seconded by Commissioner Kerr moved to approve Proposition C as discussed. The motion carried; Mayor Pro Tem Lopez opposed; Mayor Suarez was present and voting.

V. NEW BUSINESS

A. Discussion and consideration to accept the most advantageous bidder, Insight Public Sector, as the vendor for Basic Network Maintenance and Equipment Services submitted in response to the Library's Request for Proposal within the E-Rate Year 23 cycle and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Martin Mata, Asst. Library Director, stated the Library participates in the E-Rate program which provides an approximately 80% discount for various technology services and equipment. Staff recommends selecting Insight Public Sector as the most advantageous bidder with 80% E-rate discount with total cost of \$17,381.00.

Commissioner Kerr, seconded by Commissioner Muñoz moved to approve the most advantageous bidder Insight Public Sector as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and acceptance of a \$158,500 grant from the Texas Emergency Medical Task Force (EMTF) for the purchase of equipment for the EMTF-11 Multi Patient Vehicle-MPV 11-01 Weslaco Ambulance Bus (AmBus) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, stated Fire Department was awarded \$158,500 grant from the State of Texas for the purchase of equipment for the AmBus.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez moved to approve acceptance of grant from Texas Emergency Medical Task Force (EMTF) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to enter into a Development Agreement between the City of Weslaco and Dreamland Estates, LLC for Citrus 674 Subdivision Drainage Detention Area maintenance, the establishment of a Home Owners Association (HOA) and the assessment of a monthly maintenance fee from the property owners as part of their utility bill and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement.)

Rebekah De La Fuente, Planning Director, stated the developer requested to dedicate the drainage areas to the City and require property owners of this development to pay a monthly fee as part of their utility bill for the maintenance of the area. In order to do this, a monthly fee development agreement must be in place. The proposed agreement will require the property owners pay 0.0125 per square foot as part of their monthly utility bill. City Attorney has approved the agreement. Staff is recommending approval.

Commissioner Pedraza, seconded by Commissioner Muñoz moved to approve the Development Agreement between the City of Weslaco and Dreamland Estates, LLC as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to extend the collection agency (American Financial Bureau) contract for delinquent municipal accounts for another year or give authorization to staff to solicit Request for Qualifications for Fines and Fees Collection Services of delinquent municipal accounts, authorize a budget amendment as needed, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Municipal Court.)

Mike R. Perez, City Manager, is recommending that the contract with American Financial Bureau be extended for an additional year.

Commissioner Pedraza, seconded by Commissioner Muñoz moved to approve to extend the collection agency (American Financial Bureau) contract as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve Proposal PSF20-013-00 from Raba Kistner Environmental, Inc. in the amount not to exceed \$190,800.00 for the four-year Landfill Post Closure Care Monitoring as stated on RFQ 2019-20-05 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Kerr, seconded by Commissioner Pedraza moved to table Proposal PSF20-013-00 Landfill Post Closure Care Monitoring as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration on Notice and Order of a Special Election held to be held May 2, 2020 for charter amendments and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary Department.)

Myra Ayala-Garza, City Secretary explained second reading on the ordinance is part of process to continue with Special Election for Charter Amendments on May 2, 2020.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to approve Special Election for May 2, 2020 for Charter Amendments as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. REPORTS

A. Report by Weslaco Chamber of Commerce.

Barbara Jean Garza, President/CEO Area Chamber of Commerce, reported on advertising for January highlighting Winter Texans; they've seen a high volume of winter Texans visiting the Chamber. Currently working on the Onion Fest, nominations for Keep Weslaco Beautiful and a Youth Ambassador program. Continue leasing the facilities for various events.

B. Report by Economic Development Corporation of Weslaco.

Marie McDermott EDC Executive Director, reported on approval of Project Dock incentives; the fan tour event; consultant visited the RGV and toured Kapal Cabinets and HEB Distribution Center; Held the Alfresco event on January 15th with the last one will be held on February 20, 2020.

C. Report by Inframark.

George Quintana, Inframark, reported for the water treatment plant 173 million gallons of water treated with daily average of 5.5 mg; North wastewater plant 62.75-million-gallon water treated with daily average 2.02 mg no violations; South Wastewater Plant treated 44.92 million gallons of water with daily average 1.55 mg without any major issues; lift station 3 located on Tula Ave & Stone Street required discharge line replacement. Introduced new regional manager Ryan Quigley.

D. Report by Public Works.

Pete Garcia reported on the ongoing drainage ditch maintenance cleaning and mowing; the second RDF project is underway on south cemetery; streets finished paving at Kenos café between railroad and 2nd Street. Overlayed taxiways at Mid Valley Airport; contracted to assist with curb and gutter at Merida & Austin; pending paving at Isaac Rodriguez park and crossings at Merida & Austin.

VII. EXECUTIVE SESSION

At 6:48 p.m Commissioner Muñoz, seconded by Commissioner Pedraza, moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:35 p.m Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

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

Commissioner Kerr, seconded by Commissioner Pedraza moved to authorize City Manager and City Attorney to proceed as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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. Legal Consultation - Consultation with City Attorney regarding the Weslaco Firefighter's Association violation of Collective Bargaining Contract as authorized by §551.071 of the Texas Government Code.

No action.

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

Commissioner Rodriguez abstained from discussion.

There was no action.

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

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize to approve incentive program for Project Dock as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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

No action.

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

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize City Manager to proceed on acquisition of real property legally described as a 0.87-acre tract of land out of Farm Tract 706, West Tract Subdivision as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

I. 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 Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize City Manager to proceed on acquisition of real property legally described as Lot 16, Block 2, La Paloma De La Sombras Subdivision as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

J. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 14.82 acre of land out of Farm Tract 706, West Tract Subdivision for the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize City Manager to proceed on acquisition of real property legally described as a 14.82 acre of land out of Farm Tract 706, West Tract Subdivision as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

K. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 5.24 acre tract of land out of the South 10.0 acres out of the North 20.0 acres out of Farm Tract 705 West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize City Manager to proceed on acquisition of real property legally described as a 5.24 acre tract of land out of the South 10.0 acres out of the North 20.0 acres out of Farm Tract 705, West Tract Subdivision as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

L. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 23.84 acre of land consisting of 10.0 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 Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize City Manager to proceed on acquisition of real property legally described as a 23.84-acre tract of land consisting of 10.0 acres out of Farm Tract 706, West Tract Subdivision as discussed in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Commissioner Muñoz, seconded by Commissioner Farias, moved to adjourn the February 4, 2020 meeting at 8:37 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