



**MINUTES
REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 18, 2020**

On Tuesday, February 18, 2020, at 5:31 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	Leo Muñoz
	Commissioner	Adrian Farias
ABSENT:	Commissioner	J.P. Rodriguez
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; Vidal Roman, Finance Director, Omar Rodriguez, Parks and Recreation Director, Jose Martin Vela, Information Technology Director; Robert Lopez, Asst. 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, Molly Vallejo 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, February 14, 2020.

B. Invocation.

Deacon Sergio Gonzalez, St. Pius Catholic Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None.

D. Roll Call.

Myra L. Ayala, City Secretary, called the roll, noting at the time of roll call the absence of Commissioner Rodriguez and a quorum present.

II. PUBLIC COMMENT

None.

III. PUBLIC HEARING

Mayor Pro Tem Lopez, seconded by Commissioner Kerr, moved to open the public hearing concurrently at 5:35 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on the adoption of the proposed City of Weslaco Southeast Community Revitalization Plan described as approximately four and one half (4.5) square mile area located Southeast of downtown Weslaco is bounded by IH-2/U.S. 83 Expressway to the North, S. Texas Blvd. to the West, FM 1015 or S. International Blvd. to the East, and W. 18th Street to the South.

There were no comments.

Mayor Pro Tem Lopez, seconded by Commissioner Pedraza moved to close the public hearing at 5:43 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

IV. 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 request from the Weslaco Area Chamber of Commerce to hold the 31st Annual Texas Onion Fest on Saturday, March 28, 2020 at the Mayor Pablo G. Peña City Park, to sell beer during the event, to place a banner promoting the event at the intersection of Texas and Los Torritos St. and Westgate and Frontage for two weeks prior to the event, to waive appropriate fees from ordinances associated with event and authorize the Mayor to execute any related documents.

B. Approval of Memorandum of Understanding between The American Red Cross and City of Weslaco in preparing for, responding to, and recovering from emergencies and disasters and authorize the Mayor to execute any related documents.

C. Approval of a Memorandum of Understanding (MOU) with the City of South Padre Island and City of Weslaco for Weslaco Fire Department AmBus operations during Spring Break 2020 at a cost of \$10,500 and authorize the Mayor to execute any related documents.

D. Approval of a one-year renewal Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents.

Antonio Lopez, Fire Chief, stated that Armando Martinez conducts the EMS training and Continuing Education for the Fire Department EMS Division.

Commissioner Kerr, second by Commissioner Pedraza, moved to approve consent agenda item D as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Approval of a Memorandum of Understanding between U.S. Immigration and Customs Enforcement and Weslaco Police Department for assistance with Homeland Security Investigations and authorize the Mayor to execute any related documents.

F. Authorization to purchase 3 CID unmarked 2020 Chevy Malibus from Lake Country Chevrolet with a GoodBuy Purchasing Program contract and 2 Patrol marked 2020 Chevy Tahoe police units from Caldwell Country Chevrolet through BuyBoard BID contract in an amount not to exceed \$174,570 and authorize the Mayor to execute any related documents.

Commissioner Farias abstained from discussion and vote.

Robert Lopez, Asst. Police Chief, is requesting to replace older units of three (3) CID cars and two (2) patrol units.

Commissioner Pedraza, second by Mayor Pro Tem Lopez, moved to approve consent agenda item F as presented. The motion was carried with Commissioner Farias abstaining; Mayor Suarez was present and voting.

G. Authorization to ratify Chief of Police Joel Rivera, PhD, signature on a Memorandum of Understanding (MOU) between Weslaco Police Department (WPD) and the Texas Department of Public Safety regarding License Plate Reader Information and authorize Mayor to execute any related documents.

H. Authorization to enter into an Interlocal Cooperation Act Agreement between the City of Weslaco Police Department and the Texas Department of Public Safety for the use of the Weslaco Police Department's Shooting Range for Training and authorize the Mayor to execute any related documents.

I. Authorization of Resolution 2020-08 authorizing the submission to the Office of the Governor's Local Border Security Program (LBSP) Grant application in an amount not to exceed \$160,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents.

J. Authorization of Resolution 2020-09 authorizing the submission to the Office of the Governor's Criminal Justice Program 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.

K. Authorization of Resolution 2020-10 authorizing the submission to the Office of the Governor's General Victim Assistance Grant Program application in an amount not to exceed \$75,000 with 20% MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents.

L. Authorization of Resolution 2020-11 authorizing the submission to the Office of the Governor's Juvenile Justice and Truancy Prevention Grant Program application in an amount not to exceed \$80,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents.

M. Authorization of Resolution 2020-12 authorizing the submission to the Office of the Governor's Rifle-Resistant Body Armor Grant Program application in an amount not to exceed \$5,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents.

N. Authorization of Resolution 2020-13 authorizing the submission to the Office of the Governor's Texas Conversion to the National Incident-Based Reporting System (NIBRS) Grant application in an amount not to exceed \$500,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents.

O. Authorization of Resolution 2020-14 authorizing the submission to the Office of the Governor's Operation Stonegarden Grant application in an amount not to exceed \$230,000 with NO MATCH REQUIRED, authorize acceptance upon award and authorize the Mayor to execute any related documents.

Commissioner Kerr, seconded by Commissioner Pedraza, moved to approve consent agenda items A, B, C, E, G, H, I, J, K, L, M, N and O, withholding items D and F as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. APPOINTMENTS

A. Discussion and consideration to accept the resignation of Diana Fuentes Aguilar from the Weslaco Economic Development Corporation and approve Resolution 2020-15 appointing a member to an unexpired term and authorize the Mayor to execute any related documents. Possible action.

Commissioner Pedraza, seconded by Commissioner Kerr moved to approve the resignation of Diana Fuentes and approve Resolution 2020-15 appointing Patrick Gonzalez to the Weslaco EDC Board as presented. The motion carried unanimously; Mayor Suarez was present and voting

VI. OLD BUSINESS

A. Discussion and consideration to approve Proposal PSF20-013-00 from Raba Kistner Environmental, Inc. in the amount not to exceed \$190,800 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. (This item was tabled on February 4, 2020)

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

Olga Garza, Asst. Public Works Director, is requesting to approve a contractual 4-year Landfill Post Closure Care Monitoring with Raba Kistner.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve Proposal PSF20-013-00 for four (4) year landfill Post Closure Care Monitoring with Raba Kistner Environmental as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration after public hearing to adopt the proposed City of Weslaco Southeast Community Revitalization Plan described as approximately four and one half (4.5) square mile area located Southeast of downtown Weslaco bounded by IH-2/U.S. 83 Expressway to the North, S. Texas Blvd. to the West, FM 1015 or S. International Blvd. to the East, and W. 18th Street to the South and authorize the Mayor to execute any related documents. Possible action.

Rebekah De La Fuente, Planning Director, reported that the proposed revitalization plan identifies economic development, affordable housing, transportation and mobility, infrastructure improvements, community facilities, and public safety. The proposed revitalization plan will assist the State funding application for the reconstruction of Weslaco Village Apartments.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to adopt the proposed City of Weslaco Southeast Community Revitalization Plan as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to adopt Resolution 2020-16 authorizing the project known as Weslaco Village Apartments as a development that will contribute most significantly to the concerted revitalization efforts of the City of Weslaco- Southeast Community Revitalization Plan and authorize the Mayor to execute any related documents. Possible action.

Rebekah De La Fuente stated the proposed project is for reconstruction of Weslaco Village Apartments located at 1601 S. Bridge Avenue. The proposed resolution will assist them with the application and funding of the project. Staff is recommending approval.

Commissioner Kerr, seconded by Commissioner Pedraza, moved to adopt Resolution 2020-16 authorizing project known as Weslaco Village Apartments as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to execute a Utility Easement between Auriel Investments and the City of Weslaco for the construction of a sanitary sewer line for the proposed Harbor Freight development and authorize the Mayor to execute any related documents.

Rebekah De La Fuente stated the proposed utility easement will be granted to the City from Weslaco Plaza Subdivision to allow an access point to extend sanitary sewer to the Harbor Freight

Development located on the west side of Weslaco Plaza Subdivision. Staff is recommending approval.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve Utility Easement between Auriel Investments and City of Weslaco for construction of sanitary sewer line as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and authorization to combine Clean Sweep/Census Event on April 18, 2020. Possible action.

Joe Pedraza, Asst. Planning Director, stated staff is proposing to host a Clean Sweep and Census Day Event on April 18, 2020. The targeted area for Clean Sweep will be from Railroad to Pike Blvd. and Texas Blvd. to Border Avenue. South Texas College will be providing the staging and allow the City to use their computer room so that citizens can participate in the Census via internet.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve Clean Sweep/Census Event on April 18, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration for the Final Plat for Harbor Freight Subdivision – A Tract of land containing 4.015 acres being a part or portion out of Farm Tract 137, Block 162, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately 726 ft. East of the intersection of Westgate Drive & U.S. Expressway 83 and authorize the Mayor to execute any related documents. Possible action.

Rebekah De La Fuente stated the proposed two (2) lot subdivision are inside the City of Weslaco city limits. This subdivision is being served with water by the City through an 8” waterline and sewer by City services through 10” sewer line. Staff is recommending approval of the Final Plat.

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

F. Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management and authorize the Mayor to execute any related documents. Possible action.

Veronica Ramirez, HR Director, stated the professional services agreement is up for renewal for Loss Control and Risk Management. She presented two options: 1) to provide 160 hours of training for \$27,500 (current option) or 2) to provide 225 hours of training at \$36,000 to continue conducting additional trainings and audits to city departments.

Mr. Ramon Montalvo stated the additional 65 hours they are proposing would be to provide more on-site spot checks and continue training especially for the field workers and to comply with OSHA training guidelines. Danny Charles stated he’s noticed a tremendous change in employees following guidelines especially with their PPE/ safety equipment. He also emphasized continuous spot checks on employees and to be more proactive. The City has made tremendous improvements.

Commissioner Farias, seconded by Mayor Pro Tem Lopez, moved to approve a Professional Services Agreement with Montalvo Insurance Agency with Option #2 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on request from Inframark on proposed amendment letter for FY 2019-2020 budget to the Fourth Amendment to the Water and Wastewater System Operation and Maintenance Agreement and authorize the Mayor to execute any related documents. Possible action.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to discuss in executive session the Fourth Amendment to the Water and Wastewater System Operation and Maintenance Agreement. The motion carried unanimously; Mayor Suarez was present and voting.

Juan E. Gonzalez, City Attorney, recommends accepting a Fourth Amendment to the contract for the Water and Wastewater System Operation and Maintenance Agreement as discussed in executive session.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve the proposed FY 2019-2020 Budget to Fourth Amendment to the Water and Wastewater System Operation and Maintenance Agreement as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve demolition of residential structure at South Cemetery RDF as recommended by Drainage Advisory Board and authorize the Mayor to execute any related documents. Possible action.

Pete Garcia, Public Works Director, stated that pictures of the residential/house structure at South Cemetery RDF were presented to the Drainage Advisory Board meeting on January 30, 2020. The Drainage Advisory Board is recommending demolishing the residential structure for betterment of the RDF.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve demolition of residential structure at South Cemetery RDF as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to award a contract for Request for Bids No. 2019-20-10 for Aviation Fuel and Service for the Weslaco Mid Valley Airport and authorize the Mayor to execute any related documents. Possible action.

Andrew Muñoz, ACM/Aviation Director, stated the current fuel delivery and services for Aviation Fuel expires May 2020. Staff advertised for 30 consecutive days and staff received three (3) bids - Avfuel, Arrow and Titan. Avfuel Company came in the lowest which includes rack fees and taxes. Staff recommends to award to Avfuel with 3-year base agreement with 2 one-year options.

Mayor Pro Tem Lopez, seconded by Commissioner Pedraza, moved to award contract for Request for Bids 2019-20-10 to Avfuel Corporation for Aviation Fuel and Service for Weslaco Mid Valley Airport as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration on possible dates for a joint workshop with the Weslaco School Board. Possible action.

Mike R. Perez, City Manager, discussed several potential meeting dates for a joint workshop with Weslaco Independent School District Board to discuss RDF items at Cleckler-Heald, Memorial School, Roosevelt Schools and some paving projects. A date of March 31, 2020 was determined for the joint workshop.

Commissioner Muñoz, seconded by Commissioner Pedraza, moved to approve a joint workshop for March 31, 2020 with Weslaco Independent School District Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve the submission of the final proposed annual work plan for the City of Weslaco under the Hidalgo County Urban County Program, approve Resolution 2020-17 for year 33 (2020) and to accept the allocation of approximately \$285,782 and authorize the Mayor to execute any related documents. Possible action.

Vidal Roman, Finance Director, stated the City held a public hearing and approved the submission of the workplan for the Urban County Fiscal Year 33 (2020) on October 15, 2019, regarding flood drainage improvements to include upgrade and expansion of the storm sewer system at Lee Garza Street and Cantu Street. The workplan summary sheet consists of \$3,000 for General Administration, \$277,782 for Water/Sewer Improvements and \$5,000 for Senior Services.

Mayor Pro Tem Lopez, seconded by Commissioner Pedraza, moved to approve submission of the final proposed annual work plan for City of Weslaco under the Hidalgo County Urban County Program as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. 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.

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

Andrew Muñoz stated firms drew to determine order, with 15 minutes allocated for each presentation and 5 minutes for questions and answers. Those firms not presenting left the Legislative Chambers until called as a professional courtesy.

Boultinghouse, Martinez Architects, Gignac, ERO, The Warren Group, Alvarado Architects and Milnet, each in turn presented their qualifications, emphasizing their project experience and team expertise.

Andrew Muñoz stated that Staff's recommendation is to award the Design Services to ERO as they scored the highest points.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve to select ERO for the Architectural / Engineering Design Services as presented. The motion carried with Commissioner Munoz abstaining; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 6:07 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 6:40 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

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

No action.

C. 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 sale, exchange, lease or value of real property located at Bridge Avenue and Highway Business 83 as authorized by section §551.072 of the Texas Government Code.

No action.

E. 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 section §551.072 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.

No action.

G. Legal Consultation - Seek City Attorney opinion regarding service contract with Republic Services as authorized by section §551.071 of the Texas Government Code.

No action.

IX. ADJOURNMENT

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to adjourn the February 18, 2020 meeting at 9:28 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

ABSENT
COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Greg Kerr

COMMISSIONER, Josh Pedraza