



**MINUTES OF A REGULAR MEETING OF
THE WESLACO CITY COMMISSION
TUESDAY, MAY 19, 2020**

On Tuesday, May 19, 2020, at 5:35 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	Josh Pedraza
	Commissioner	Leo Muñoz
	Commissioner	Adrian Farias

ABSENT:	Commissioner	J.P. Rodriguez
	City Manager	Mike R. Perez
	Interim 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, 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, May 15, 2020.

B. Invocation.

Father Francisco J. Solis, St. Joan of Arc 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, Interim City Secretary, called the roll, noting at the time of roll call the absence of Commissioner Rodriguez and a quorum present.

II. PUBLIC COMMENTS

Alex Montenegro with Leadership Mid Valley Class XV reported on their ideas of providing small grants for businesses. They are currently working with Barbara at the Chamber to help support this idea and to possibly provide 2,500 mini grants to Weslaco businesses.

III. PUBLIC HEARING

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

A. To solicit input on behalf of Jamie Gonzalez to rezone 1500 Katie St. Also being Block 6, Lot 12, James M. Black No. 2, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district.

Armando Osorio presented a petition from residents of Katie Street and Seventh Street who are against the rezoning of this property as commercial property. He is concerned for the neighborhood's safety due to high traffic from EMS units and elderly living in the area. Mr. Osorio recommends this property stay family residential zoned.

B. To solicit input on behalf of Melden & Hunt, Inc. to rezone 2732 E. Business 83. Also being 2.394 out of farm tract 710, Block 136, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and highway business district.

No comments received.

C. To solicit input on behalf of Edna Salas to rezone 920 Dolores Huerta. Also being .70 acres out of farm tract 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district.

No comments received.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to close the public hearing at 5:47 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.) January 07, 2020;

2.) January 21, 2020; and

3.) Special Meeting of January 28, 2020. (Staffed by City Secretary Department.)

B. Authorization for application to the Patrick Leahy Bulletproof Vest Partnership (BVP) to purchase concealable body armor for officers for an amount not to exceed \$20,000 with a 50% MATCH REQUIRED and NO REOCCURRING COSTS and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

C. Authorization for application to the Criminal Justice Division Coronavirus Emergency Supplemental Funding (CESF) Program Grant 4143201 in an amount not to exceed \$600,000.00 with NO MATCH REQUIREMENT and NO REOCCURRING FEES and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Authorization to purchase a Two Camera ALPR Message Board trailer from Millenium Products Inc. through the GSA Advantage, a cooperative purchasing program using OPSG grant funding in an amount not to exceed \$49,120.00 with NO MATCH REQUIRED and a yearly reoccurring cost of \$525 per camera and authorize the Mayor to sign any related documents. (Staffed by Police Department.)

E. Authorization to submit an application to the Texas State Library and Archives Commission CARES Grant program, accept funding of up to \$25,000 upon award, accept additional funding if awarded, and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to approve consent agenda items A, B, D, E as presented with exception of item C no action was taken. The motion carried unanimously; Mayor Suarez was present and voting.

V. OLD BUSINESS

A. Discussion and approval to negotiate a contract with the lowest and most advantageous vendor to RFB #2019-20-01 Weslaco North Side Sports Complex and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item on May 05, 2020; Staffed by Airport.)

Andrew Muñoz, ACM/Aviation Director, stated he spoke to the design team and it was determined that the scope would change significantly in order to reach the proposed budget. Staff is seeking authorization to reject all bids and begin to re-design and re-advertise the park project.

Commissioner Muñoz, seconded by Commissioner Pedraza, motioned to reject bid. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to review status report of FY 2019-2020 Street Improvement Project List and approval of any possible changes and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item on May 05, 2020; Staffed by Public Works Department.)

Albert Aldana, City Engineer, stated he and Pete Garcia, Public Works Director, observed streets for possible replacement but they saw that Second Street is badly deteriorated and recommends as a high priority for repairs.

Commissioner Muñoz, seconded by Commissioner Pedraza, moved to approve the FY 2019-2020 Street Improvement Project List as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Jaime Gonzalez to approve Ordinance 2020-10 to rezone 1500 Katie St. Also being Block 6, Lot 12, James M. Black No. 2, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-10. Possible action. (This item requires three-fourths vote as a petition with 20% of the property owners has been received. Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente, Planning Director, stated Jaime Gonzalez is requesting to rezone property from R-1 One-family dwelling district to B-1 Neighborhood business district. The Planning & Zoning Commission recommends approval of the rezone request on May 6, 2020. Staff also recommends approval based on the 2040 Land Use Map. Rebekah also stated a petition was received representing 205 of property owners against the change of zone from family residential to commercial property.

Armando Osorio, a neighborhood resident, requested disapproval of the rezone due to high traffic from EMS units and elderly and retired residents living in the area.

Commissioner Pedraza, seconded by Commissioner Munoz, moved to table and discuss in executive session Ordinance 2020-10 to rezone 1500 Katie St. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Muñoz, seconded by Commissioner Pedraza moved to approve rezone property from R-1 One-Family dwelling district to B-1 Neighborhood business district as presented. The motion failed with unanimously (0-6); Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Melden & Hunt, Inc. to approve Ordinance 2020-11 to rezone 2732 E. Business 83. Also being 2.394 out of farm tract 710, Block 136, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and highway business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-11. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente stated Melden & Hunt is requesting to rezone property from R-1 One-family dwelling district to B-2 Secondary and highway business district. The Planning & Zoning Commission recommended approval of the rezone request on May 6, 2020. Staff recommends approval based on 2040 land use map.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve Ordinance 2020-11 to rezone 2732 E. Business 83 as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Edna Salas to approve Ordinance 2020-12 to rezone 920 Dolores Huerta. Also being .70 acres out of farm tract 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-12. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente stated Edna Salas is requesting to rezone property from R-1 One-family dwelling district to B-1 Neighborhood business district. Planning & Zoning Commission recommended approval of the rezone request on May 6, 2020. Staff recommends approval based on 2040 land use map.

Commissioner Kerr, seconded by Commissioner Pedraza, moved to approve Ordinance 2020-12 to rezone 920 Dolores Huerta as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration for a six month extension of the Final Plat for Pleasantview Heights Subdivision– being a 20.33 acres out of Re- Subdivision of Lots 3 & 4, Rev M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas located approximately 1500 ft. South of Interstate 2 along Pleasantview Dr. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente stated the proposed twenty-five (25) lot subdivision is inside the city limits and being serviced with water by the City through an 8” waterline and sewer by City services through an 8” sewer line.

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

E. Discussion and consideration for a six month extension of the Final Plat for Rangila Subdivision– being a 1.878 acres out of Farm Tracts 29, West Tract Subdivision Vol. 2, Weslaco, Hidalgo County, Texas located, approximately 1900 ft. North of West Frontage Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah De La Fuente stated the two (2) lot subdivision is inside city limits and is being serviced with water by the City through a 20" waterline and sewer by City services through an 8" sewer line. This is the second request for a six (6) month extension for Rangila Subdivision.

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

F. Discussion and consideration on report on Sales Tax status for Fiscal Year 2019-2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, gave a report on the financial status of the City and how COVID-19 has affected the sales tax. We did not see a severe impact to the sales tax. City is in good financial standing.

Mayor Pro Tem Lopez, seconded by Commissioner Pedraza, moved to approve to accept and file Sales Tax report for Fiscal Year 2019-2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on amendment to the inter-local agreement between the City of Weslaco and County of Hidalgo Tax Office for the assessment and collection of property taxes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman stated the City has an interlocal agreement with the County since September 1994 to collect taxes through the office of Hidalgo County Tax Assessor Collector. There will be no increase in fees for next fiscal year and will remain at \$48,564.

Mayor Pro Tem Lopez, seconded by Commissioner Pedraza, moved to approve amendment to the inter-local agreement between City of Weslaco and County of Hidalgo Tax Office as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration on amendments and extension of May 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.)

Antonio Lopez, Fire Chief, requested an additional extension of 30 days as of May 19, 2020 to the Disaster Declaration (COVID-19) amendment.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve a 30-day extension of the Disaster Declaration (COVID-19) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration of contract award to ERO Architects for Engineering and Design Services for the new Fire and Police Station Projects in an amount not to exceed \$500,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Commissioner Munoz abstained from discussion and vote.

Andrew Muñoz stated that staff has negotiated a lump sum fee of \$485,000 with a \$15,000 Supplemental Fee for Detention Design services for a contract not to exceed \$500,000 for engineering and design services for new Fire and Police projects.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve award to ERO Architects for Engineering and Design Services for new Fire and Police Station projects as presented. The motion carried with Commissioner Munoz abstaining; Mayor Suarez was present and voting.

J. Discussion and consideration to ratify Purchase Order No. 20-3097 to contract Southern Trenchless Solutions, LLC. for emergency repair/pipe bursting of a sewer line located at N. Bridge Ave. & Victory St. in the amount of \$59,311.52 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

Pete Garcia asked to ratify the expenditure of emergency repairs of a 12” sewer line on north Bridge.

Commissioner Pedraza, seconded by Commissioner Munoz, moved to approve to ratify Purchase Order No. 20-3097 to contract Southern Trenchless Solutions, LLC for emergency repair/pipe bursting of sewer line as presented. The motion carried with Commissioner Farias abstaining; Mayor Suarez was present and voting.

K. Discussion and consideration to award the purchase of Grapple Brush Truck, as specified on RFB No. 2019-20-12 to the vendor who offers the best value and most advantageous bid (as allowed in Local Government Code 252.043) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Olga Garza, Asst. Public Works Director, stated that bids were solicited for the Grapple Brush Truck. She recommends awarding the bid to the vendor who has the item on stock which would allow us to receive the truck much faster and to be in operations much quicker. Otherwise, the City would have to get an extension with Republic Services because the item would arrive after October 2020. Staff recommendation is to award the bid to Item #15: 2020 Peterbilt with Petersen in the amount of \$510,634.38 as the most advantageous bidder.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve purchase of Grapple Brush Truck, as specified on RFB No. 2019-20-12 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to award the purchase of a Utility Tractor, as specified on RFB No. 2019-20-13 to H & V Equipment for the best value and most advantageous bid in the amount not to exceed \$29,917.77 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Work Department.)

Olga Garza stated that bids were received for the Utility Tractor. Staff recommendation to approve the Utility Tractor to H&V Equipment as the most advantageous bidder in the amount of \$29,917.77.

Commissioner Pedraza, seconded by Commissioner Farias, moved to approve purchase of Utility Tractor, as specified on RFB No. 2019-20-13 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to award the purchase of a Crew Cab Truck, as specified on RFB No. 2019-20-14 to the best value and most advantageous bidder, GUNN Chevrolet, in the amount not to exceed \$29,932.75 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Olga Garza stated that bids were received for the Crew Cab Truck. Staff recommendation to approve the Crew Cab Truck to GUNN Chevrolet as the most advantageous bidder in the amount of \$29,932.75.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to approve purchase of a Crew Cab Truck, as specified on RFB No. 2019-20-14 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to select SWG Engineers and Cruz-Hogan Consultants to assist with Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) grant applications and subsequent design of two qualifying drainage improvement RDF Projects including Clecker-Heald and the Mayor Pablo Peña Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated that Texas Water Development Board Flood Infrastructure Fund program is accepting grant applications for flood control, flood mitigation, and drainage projects. The City is eligible to receive a zero interest (0%) loan. The two qualifying funding projects being proposed are Cleckler-Heald RDF Project #2, Phase 1B and Mayor Pablo Peña Park RDF Project #3, Phase 1. Staff recommends the two qualifying local consultants: SWG Engineers and Cruz Hogan to assist with the funding applications which are due on June 15, 2020.

Mike R. Perez, City Manager, asked each consultant to draw for their proposed projects. Cruz Hogan drew Cleckler-Heald and SWG drew Mayor Pablo Peña Park.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to select SWG Engineers and Cruz-Hogan Consultants to assist with Texas Water Development Board Flood Infrastructure Fund as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. 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. Personnel - Discussion on performance of Interim City Secretary Norma A. Cantu as authorized by §551.074 of the Texas Government Code.

No action.

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 §551.072 of the Texas Local Government Code.

No action.

D. Pending Litigation - Annual Report by City Attorney regarding all pending litigation as provided to City Auditor as authorized by §551.071 of the Texas Government Code.

No action.

E. Contract Negotiations - Discussion with the City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.

No action.

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

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

G. Economic Development Corporation - Discussion and possible action relating to amendment to Project Dock Agreement as authorized by §551.087 of the Texas Government Code.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to recommend approving incentive agreement as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Attorney Consultation - Saltillo Development v. City of Weslaco as authorized by §551.071 of the Texas Government Code.

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

At 6:42 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 7:21 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VII. ADJOURNMENT

Commissioner Kerr, seconded by Commissioner Muñoz, moved to adjourn the meeting at 7:22 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, INTERIM 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