MINUTES OF A REGULAR MEETING OF THE WESLACO CITY COMMISSION JUNE 2, 2020

On Tuesday, June 2, 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 member's present:

PRESENT:	Mayor	David Suarez
	Mayor Pro-Tem	Letty Lopez
	Commissioner	Greg Kerr
	Commissioner	Josh Pedraza
	Commissioner	Leo Muñoz
	Commissioner	Adrian Farias
	Commissioner	J.P. Rodriguez
ABSENT:	None.	
	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, Joel Rivera, Police Chief, Albert Aldana, City Engineer, Olga Garza, Asst. Public Works Director, Arnold Becho, Library 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 29, 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.

Norma A. Cantu, Interim City Secretary, called the roll, noting at the time of roll call a quorum present.

II. PUBLIC COMMENTS

Edward Mejia expressed his concerns with the Police Department.

Sheila Shidler reported that the Weslaco Museum is seeking support from the City for a grant application to "Humanities Texas for a Humanities Texas Relief Grant" for the Museum's loss of revenue relating to COVID-19 shutdown. Ms. Shidler also reported on their project "Weslaco Dreaming" which would consist of developing an outside greenery space for citizens with two or three park benches, trees and lighting.

Roger Gutierrez reported concerns of flooding which occurred back in 2018 on Cornerstone Meadows subdivision on his street - Chrysolite Drive. His home got flooded and lost money in getting it repaired. His concern is that the City had informed him that back flows were going to be installed in the canal.

IIII. 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 04, 2020;

2.) May 05, 2020; and

3.) May 18, 2020; (Staffed by City Secretary Department.)

B. Authorization for

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

1) 1) 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 held May 19, 2020; staffed by Planning and Code Enforcement Department.)

2) 1) 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 held May 19, 2020; staffed by Planning and Code Enforcement Department.)

C. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Robert Gardner for Hanger W14 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant John Shane Cameron for Hangar W14 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

D. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Clifford Robert Gardner, Jr. for Hanger W16 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant Royce Kelly Norman for Hangar W16 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

E. Approval of Grant Resolution 2020-21 and authorize for the 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 REQUIRED and NO REOCCURRING FEES and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

F. Approval to replace end of life of Self-Contained Breathing Apparatus (SCBA) equipment, item was budgeted under 2019-2020 budget and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

Commissioner Farias abstained from vote and discussion and filed a conflict of interest statement.

Antonio Lopez, Fire Chief, stated that the breathing apparatus equipment is budgeted to purchase of SCBA through buyboard expense.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez moved to approve expense of end of life of self-contained breathing apparatus (SCBA) equipment as presented. The motion was carried with Commissioner Farias abstaining; Mayor was present and voting.

G. Authorize Staff to submit an application to the SAFER Program Grant requesting two positions in an amount not to exceed $290,754.00 with NO MATCH REQUIRED and NO REOCCURRING FEES and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

H. Authorize staff to solicit proposals from qualified insurance carriers for Group Health Insurance and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.)

Andrew Munoz, ACM/Aviation Director, stated City will be soliciting proposals for group health insurance due to the contract expiring the end of September. Staff is recommending solicitation of proposal for a term of three (3) years.

Commissioner Farias paper application expressed that the City require for the Broker to provide an online enrollment system so that families can share the benefits with their families at home for all voluntary benefits and adding, billing reconciliation and quarterly audits especially after open enrollment.

Commissioner Kerr, seconded by Commissioner Pedraza moved to approve solicit proposals from qualified insurance carriers for Group Health Insurance as presented. The motion was carried with Commissioner Farias abstaining; Mayor was present and voting.

I. Authorize staff to solicit proposals from qualified insurance carriers for Supplemental Insurance including 125 Cafeteria plan (short/long term disability, vision, and cancer, accident, hospital indemnity, critical illness, with inclusion of flexible spending account, dental & basic life & AD&D) for the City of Weslaco employees at no cost to the City and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.)

J. Authorize staff to solicit proposals from qualified insurance carriers for Basic Life and AD&D and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.)

K. Authorize staff to solicit proposals for an Employee Assistance Program and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment

L. Approval of the Lease Agreements with the Weslaco Youth Football League to host the Summer and Fall Youth Flag Football Season at Harlon Block Sports Complex open area and Isaac Rodriguez Park authorize the Mayor to execute any related documents. (Staffed by Parks Department.)

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

IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2020-22 appointing one member to an expired term on the Weslaco Mid Valley Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Andrew Muñoz stated that Raul Cabaza, III, would like to continue serving on the Weslaco Mid Valley Airport Advisory Committee.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez moved to approve re-appointment of Raul Cabaza III to the Mid Valley Airport Advisory Committee as presented. The motion was carried unanimously; Mayor was present and voting.

V. NEW BUSINESS

A. Discussion and consideration on a request for funding assistance from Dice Productions for Weslaco Movies at the Park in the amount of $1,861.38 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department)

Olga Garza stated that Martin Garcia of Dice Productions is seeking funding assistance to continue the event "Movies at the Park" at Mayor Pablo Peña Park. During this tough time of COVID-19, the businesses who assisted with the movie license fees are experiencing financial difficulty and will not be able to provide sponsorships.

Mayor Suarez and City Commission felt that this a family event, therefore they will fund this one-time expense to sponsor Movies at the Park. City Manager stated Mr. Garcia has submitted a safe work plan for social distancing.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve funding of $1,861.38 for Movies at the Park with Dice Productions as presented. The motion carried unanimously; Mayor Suarez was present and voting.

<u>B. Discussion and consideration 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 of Ordinance 2020-13. Possible action. (Staffed by City Secretary Department.)</u>

Mayor Pro Tem Lopez, seconded by Commissioner Farias, moved to approve Ordinance 2020-13 to postpone Special Election of May 2, 2020 to November 03, 2020 as discussed. The motion carried unanimously; Mayor Suarez was present and voting.

<u>C. Discussion and consideration to award lowest bid to Stewart and Stevenson at a cost not to exceed $20,054.85 for the refurbishment and repair of generator located at North Waste Water Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)</u>

Vidal Roman, Finance Director, stated the generator at North Wastewater Treatment Plant needs to be refurbished. Staff is recommending to award lowest bid to Stewart and Stevenson at a cost of $20,054.85 to repair the radiator of the generator.

Commissioner Farias, seconded by Commissioner Kerr, moved to approve to lowest bidder Stewart and Stevenson for $20,054.85 to refurbish and repair generator as presented. The motion carried unanimously; Mayor Suarez was present and voting.

<u>D. Discussion and consideration to accept financing acquisition proposal from BCI Capital, Inc. for the Brush program - Capital Equipment utilizing capital lease proceeds in the amount of $570,485 and amending the budget by approving Ordinance 2020-14 in same amount and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-14. Possible action. (Staffed by Finance Department.)</u>

Olga Garza requested acceptance of financing with BCI for $570,485 for capital expenditure for the Brush program. Staff is recommending approval.

Commissioner Munoz, seconded by Commissioner Pedraza, moved to approve a financing acquisition proposal from BCI Capital, Inc. for $570,485 for the Brush program as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to maintain the drain ditch located on Mira Vista 2 Subdivision outside of city limits for approximately 600 LF and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated an existing drain ditch along the south side of the proposed Mira Vista No. 2 Subdivision which is partly located inside city limits and some outside needs to be widened to accommodate subdivision drainage detention requirements. Hidalgo County Drainage District No. 1 and HCCID 9 agree of widening but are asking the City to maintain 600 linear feet as part of the approval process. Staff is recommending approval.

Commissioner Pedraza, seconded by Commissioner Farias, moved to approve to maintain the drain ditch located on Mira Vista 2 Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration of an Interlocal Agreement between Hidalgo County Precinct No. 1 and the City of Weslaco to pave the proposed walking trail located at the Northside Sports Park Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated an interlocal agreement with Pct. 1 is being proposed for the walking trail at the Northside Sports Park Complex.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve the Interlocal Agreement between Hidalgo County Precinct 1 and City of Weslaco for walking trail located at Northside Sports Park as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration of an Interlocal Agreement with the City of Mercedes to reconstruct and pave Mile 2 1/2 West Rd between I.H.-2 Eastbound Frontage Rd and US Business 83 and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated that an interlocal agreement is being proposed with the City of Mercedes for half cost share of reconstruction of paving Mile 2 ½ West Rd between the Frontage Road and U.S. Business 83 due to the street being in bad shape. Staff is recommending an interlocal be proposed to the City of Mercedes for half of the share cost of $43,907.

Commissioner Pedraza, seconded by Commissioner Kerr, moved to approve amendment to the inter-local agreement with City of Mercedes for half split cost share to reconstruct and pave Mile 1 ½ Road as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration of an Interlocal Agreement between City of Weslaco and Hidalgo County Precinct #1 on the proposed paving of Mile 5 North from Border Ave to the western city limit and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated the City and Hidalgo County Pct 1 are working together to propose paving Mile 5 North from Border Avenue to the western city limits. The County will be providing the machinery and labor and the City will provide the cost of materials for a total of $101,577.65.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to approve an Inter-local Agreement between City of Weslaco and Hidalgo County Precinct 1 on proposed paving of Mile 5 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Jeremy Reily for Hanger B, E27 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant Royce Kelly Norman for Hangar B, E27 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Mike R. Perez, City Manager, recommended this item be discussed in executive session.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to discuss in executive session Ground Lease Agreement with Tenant Jeremy Reily for Hanger B, E27 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Farias, seconded by Commissioner Pedraza, moved to table.

J. Discussion and consideration on the purchase of a Data Backup Appliance to protect city's data for an amount of $46,888.95 approved for FY 2019-2020 Capital Outlay expenditures through Insight Public Sector with Texas DIR Contract # DIR-TSO- 3763 and authorize the Mayor to execute any related documents. Possible action. (Staff by I.T. Department.)

Martin Vela, IT Director, stated this is Phase 1 of a data disaster recovery plan for the City's Data. Staff is recommending Insight Public Sector for $46,888.95 as part of the Capital Outlay expenditure. This is a Texas DIR Contract.

Commissioner Kerr, seconded by Commissioner Pedraza, moved to approve the purchase of a Data Backup Application in the amount of $46,888.95 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to authorize solicitation for Request for Proposal (RFP) from prospective vendors to provide lease of copiers services for city departments and authorize the Mayor to execute any related documents. Possible action. (Staffed by I.T. Department.)

Martin Vela stated that he's seeking authorization to solicit RFP proposals from prospective vendors to provide lease copier services for City departments for a total of 21 copiers. Martin Vela stated it's been four years with the current copier lease.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to authorize solicitation of the Request for Proposals for lease of copier services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. EXECUTIVE SESSION

At 6:30 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 7:43 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

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

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez moved to appoint Norma A. Cantu as City Secretary with a salary of $60,000 and probationary period of 6 months as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. 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 section §551.071 of the Texas Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorized City Manager to proceed as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. 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 Local Government Code.

No action.

E. Real Property - Discussion of possible purchase of 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 authorize staff to negotiate purchase of property located at 501 S. Kansas Avenue as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

F. Real Property - Discussion of property regarding Texas Department of Transportation - Potential Sale of State-Owned Property - SWC of IH 2 & Airport Blvd., Weslaco, Texas as authorized by section §551.072 of the Texas Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize Staff to negotiate purchase of property legally described as SWC of IH-2 & Airport Blvd., Weslaco, Texas as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

G. Real Property - Discussion of property regarding Texas Department of Transportation - Potential Sale of State-Owned Property - NEC of IH 2 & Airport Blvd., Weslaco, Texas as authorized by section §551.072 of the Texas Government Code.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez moved to authorize Staff to negotiate purchase of property legally described as NEC of IH-2 & Airport Blvd., Weslaco, Texas as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Economic Development Corporation - Discussion of funding of Weslaco EDC Economic Recovery Plan as authorized by §551.087 of the Texas Government Code.

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

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

No action.

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

No action.

K. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Ahmed as authorized by §551.087 of the Texas Government Code.

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

VIII. ADJOURNMENT

Commissioner Farias, seconded by Commissioner Munoz, moved to adjourn the meeting at 7:47 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

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Adrian Farias

COMMISSIONER, Greg Kerr

COMMISSIONER, Josh Pedraza