



**MINUTES OF A REGULAR MEETING OF
THE WESLACO CITY COMMISSION
SEPTEMBER 1, 2020**

On Tuesday, September 1, 2020, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting via videoconference 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

STAFF PRESENT:	City Manager	Mike R. Perez
	Asst. City Manager/Aviation Director	Andrew Munoz
	City Secretary	Norma A. Cantu
	City Attorney	Juan E. Gonzalez

Also present: Vidal Roman, Finance Director, Martin Vela, Information Technology Director; Rebekah De La Fuente, Planning Director; Joe Pedraza, Asst. Planning & Code Enforcement Director, Joel Rivera, Police Chief, Antonio Lopez, Fire Chief, Albert Aldana, City Engineer, Pete Garcia, Public Works Director, Olga Garza, Asst. Public Works Director, Omar Rodriguez, Parks & Recreation Director and Aida Vega, Deputy City 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, August 28, 2020.

B. Invocation.

Mayor Pro Tem Lopez 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, City Secretary, called the roll noting perfect attendance and a quorum present.

II. PUBLIC COMMENTS

Barbara Jean Garza, President of Weslaco Area Chamber, reported on upcoming events; Teachers Back to School Fair, promoting campaign “Love Weslaco” that will support local businesses Sept 1-27, 2020 by encouraging community spending and be eligible for prizes by submitting a receipt; continuing to support small business in looking for grants available.

III. PUBLIC HEARING

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez moved to open the public hearing at 5:40 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. Public Hearing to solicit input from the public regarding the City of Weslaco proposed ad valorem property tax rate of .6967 per \$100 valuation, pursuant to Texas Tax Code Section 26.05(d).

None.

B. Public Hearing to solicit input from the public regarding the City of Weslaco's Proposed Budget for Fiscal Year 2020-2021 for the period of October 1, 2020 to September 30, 2021, pursuant to Local Government Code 102.006.

None.

Mayor Pro Tem Lopez, seconded by Commissioner Muñoz moved to close the public hearing at 5:42 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.) Minutes of the Regular Meeting on August 18, 2020;
 - 2.) Minutes of the Special Meeting on August 20, 2020 (Staffed by City Secretary Department.)
- B. Approval on second and final reading of the following:

1) Approve Ordinance 2020-24 authorizing and allowing under the act governing the TMRS system "Updated Service Credit" and establishing an effective date for such actions and authorize the Mayor to execute any related documents. (First reading held August 18, 2020; staffed by Finance Department.)

2) Approve Ordinance 2020-25 for a budget amendment to purchase a 2020 Ford Explorer Police Unit for an amount not to exceed \$42,770.52 to replace a 2018 Ford Explorer Police Unit deemed a total loss by insurance carrier and authorize the Mayor to execute any related documents. (First reading held August 18, 2020; staffed by Police Department.)

C. Approval on annual renewal of Inter-local Agreement with Hidalgo County to provide and receive pickup and disposal service of commercial waste for the Sheriffs East Substation, also known as the Benito Bravo Substation, and authorize the Mayor to execute any related documents. (Staffed by Public Works Department)

D. Approval on renewal of agreement with the Drug Enforcement Administration of State and Local HIDTA Task Force cooperation for Fiscal Year 2020 -2021 and authorize Police Chief Joel Rivera to execute any related documents. (Staffed by Police Department.)

E. Approval on renewal of Interlocal Agreement(s) with the following entities for Animal Care Services:

1. City of Alamo
2. City of Edcouch
3. City of La Villa
4. City of Elsa
5. City of Pharr
6. City of Donna
7. City of Mercedes
8. City of San Juan
9. City of Penitas
10. Willacy County

and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.)

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

Following for the record are the ordinances.

ORDINANCE 2020-24

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE MEMBERS OF THE CITY OF WESLACO; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

Section 1. Authorization of Updated Service Credits.

(a) On the terms and conditions set out in Sections 853.401 through 853.403 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS ACT"), each member of the Texas Municipal Retirement System (hereinafter referred to as the "System") who has current service credit or prior service credit in the System in force and effect on the 1st day of January of the calendar year preceding such allowance, by reason of service in the employment of the City, and on such date has at least 36 months of credited service with the System, shall be and is hereby allowed "Updated Service Credit" (as that term is defined in subsection (d) of Section 853.402 of said title) in an amount that is **50%** of the "base Updated Service Credit" of the member (calculated as provided in subsection (c) of Section 853.402 of said title). The Updated Service Credit hereby allowed shall replace any Updated Service Credit, prior service credit, special prior service credit, or antecedent service credit previously authorized for part of the same service.

(b) On the terms and conditions set out in Section 853.601 of said title, any member of the System who is eligible for Updated Service Credits on the basis of service with this City, and who has unforfeited credit for prior service and/or current service with another participating municipality or municipalities by reason of previous service, and was a contributing member on 1st day of January of the calendar year preceding such allowance, shall be credited with Updated Service Credits pursuant to, calculated in accordance with, and subject to adjustment as set forth in said 853.601.

(c) In accordance with the provisions of subsection (d) of Section 853.401 of said title, the deposits required to be made to the System by employees of the several participating departments on account of current service shall be calculated from and after the date aforesaid on the full amount of such person's earnings as an employee of the City.

Section 2. Increase in Retirement Annuities.

- (a) On terms and conditions set out in Section 854.203 of Subtitle G of Title 8, Government Code, as amended, the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of this City under current service annuities and prior service annuities arising from service by such employees to this City. An annuity increased under this Section replaces any annuity or increased annuity previously granted to the same person.
- (b) The amount of annuity increase under this Section is computed as the sum of the prior and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by **30%** of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of this ordinance.
- (c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.
- (d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereby.
- (e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of this City and of its account in the Benefit Accumulation Fund of the System.

Effective Date: Subject to approval by the Board of Trustees of Texas Municipal Retirement System, the updated service credits and increases in retirement annuities granted hereby shall be and become effective on the **1st day of January 2021**.

Passed and approved this the 18TH day of August 2020.

Passed and approved on second and final reading this the 1st day of September 2020.

ORDINANCE 2020-25

AN ORDINANCE AMENDING ORDINANCE NUMBER 2019-39, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, FINDING NEED TO AMEND THE 2019-2020 MUNICIPAL BUDGET; TO WIT IN THE GENERAL FUND \$3,071 (NET); PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2019-2020 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT:

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2019-2020 Official Budget, adopted by Ordinance 2019-39, is hereby reallocated, revised, amended and approved in the amount as set forth in the budget amendment form attached.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 18th day of August 2020.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 1st day of September 2020.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:
/s/Juan E. Gonzalez, CITY ATTORNEY



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2020**

FUND: GENERAL FUND
DEPARTMENT: POLICE 5202
DATE: August 13, 2020

BUDGET AMENDMENT # _____

FUND	G/L ACCT #	DESCRIPTIONS	CURRENT BUDGET	INCREASE DB	DECREASE CR	REVISED BUDGET
101	- 4000 473810	INSURANCE CLAIM PYMT	\$ 40,000	\$ -	\$ 39,700	\$ 79,700
101	- 5202 554240	VEHICLES	\$ 72,640	\$ 42,771	\$ -	\$ 115,411
						\$ -
101	3005 5500	FUND BALANCE (DNP)	\$ 6,723,227		\$ 3,071	\$ 6,720,156
						\$ -
						\$ -
			\$ 6,835,867	\$ 42,771	\$ 42,771	\$ 6,915,267

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

V. OLD BUSINESS

A. Discussion and consideration to award to the best qualified, most advantageous respondent for bid RFB No. 2019-20-22 Pleasantview and 11th St Drainage improvements Project #6 and authorize the Mayor to execute any related documents. (This item was tabled August 18, 2020; staffed by Engineering Department.)

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

Commissioner Muñoz, seconded by Commissioner Rodriguez, moved to approve.

Mike Perez, City Manager, stated staff tabulated and ranked the bids. The recommendation was to award Rigney Construction, LLC as the most advantageous respondent with a base bid of \$2,747,50.00 with an alternate bid of \$104,056.00 for a total project bid of \$2,747, 506.00.

Commissioner Muñoz voiced concern on the recommendations and bid difference. The City Manager stated the recommendation to award Rigney Construction over the recommendation of consultant Engineer SWG to award Saenz (highest ranked and bidder) was merited on the lowest responsive bid. Albert Aldana, City Engineer, all bid item quantities verified and stated pricing of material difference to respondents contributed to their bid; contract has clause for liquated damages and contract completion is 120 days.

Juan E. Gonzalez, City Attorney, recommended consultation in executive session for legal interpretation awarding based on highest ranked and lowest bid. There was no objection. Mayor Suarez proceeded with the agenda.

B. Discussion and consideration on request for reimbursement from Gilbert Garza for repairs to sanitary sewer line and authorize the Mayor to execute any related documents. Possible action. (This item was tabled August 18, 2020; staffed by City Manager.)

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

The City Attorney stated as directed by the commission, he researched if the City would be obligated for reimbursement of any monies to a developer for improvements to a private development and stated there was no obligation under any local code and/or water code that would implore any reimbursement of monies. The City Attorney recommended consultation in executive session to confer on legal and liability questions; any action to be done in open session.

In response to Commissioner Muñoz, the landlord paid for the utility services. Gilbert Garza requested favorable consideration of reimbursement.

There was no objection for consultation with legal in executive session; Mayor Suarez proceeded with the agenda.

No action upon recess from executive session.

VI. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2020-27, adopting the City of Weslaco's budget appropriation for Fiscal Year 2020-2021 commencing October 1, 2020 and ending on September 30, 2021 and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. First reading on Ordinance 2020-27. Possible action. (Staffed by Finance Department.)

Vidal Roman, recommended approval of the ordinance adopting and appropriating funds for next fiscal year; public hearings were advertised; no comments received. Staff recommended approval of the budget as presented for Fiscal Year 2020-2021 comprised of the following funds; General Economic Incentives, Hotel/Motel Tax, Debt Service, Capital Improvement, Fire Equipment Replacement, Drainage, Water & Wastewater, Solid Waste, and Airport funds; stated 118 working capital days and budget on city website.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve Ordinance 2020-27 adopting City of Weslaco's budget appropriation for Fiscal Year 2020-2021 as presented. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve Ordinance 2020-28, adopting and levying ad valorem tax rate for Fiscal Year 2020-2021 and authorize the Mayor to execute any related

documents. First Reading of Ordinance 2020-28. ROLL CALL VOTER REQUIRED. Possible action. (Staffed by Finance Department.).

Vidal Roman stated the proposed tax rate of \$.6967 was discussed and public hearing held; two components of the tax rate, maintenance and operations \$.5109 per \$100 valuation and debt service rate of \$.0.1858 to be approved separately. The ordinance as prepared is in accordance with Tax Code as per Senate Bill 2. Staff recommended approval adopting a tax rate of \$.6967 on each \$100 valuation by roll call vote.

In response to Mayor Suarez, the tax rate is the same as last year.

Mayor Suarez entertained a motion for tax levied for maintenance and operation rate of \$.5109 on each \$100 valuation of property.

Commissioner Muñoz seconded by Commissioner Kerr moved to approve. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting

Mayor Suarez entertained a motion for tax levied for debt service rate of \$.0.1858 on each \$100 valuation of property.

Commissioner Muñoz seconded by Commissioner Kerr so moved to approve. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez entertained a motion on Ordinance 2020-28 adoption of a tax rate of \$.6967 per \$100 by said adoption of a tax rate effectively is a 1.9% increase in the tax rate.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve Ordinance 2020-28 adopting and levying the ad valorem tax rate for the 2020-2021 fiscal year as \$.6967 per \$100.00 as presented. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration for approval of a plan of Finance and authorize preparation of Refunding Bonds Series 2013 and 2014 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Commissioner Farias abstained from vote and discussion.

Mike R. Perez, City Manager, stated staff wished to propose refunding of bonds for 2013 and 2014 and called on Ms. Anne Entrekin, Hilltop Securities.

Ms. Entrekin went over the market update for municipal bonds stating at its lowest rates since 2016; current rate at time of preparation is 2.02%; went over the municipal market data yield and the City's rating of AA is strong; summarized callable principal bonds for 2013 is \$4,675,000 and 2014 callable principal is \$8,770,000; refunding of bonds structured separately to optimize best value for city; overviewed the projected debt service gross savings for 2013 bonds \$400,157 and for 2014 bonds \$1,417,632 noted both would have a negative arbitrage but the percent to present value savings quantifies further assessment in refunding said bonds.

In response to Commissioner Muñoz, Ann stated negative arbitrage reflects an inefficiency when interest rates are lower to the investor, as a result of the market rates, when refunding bonds before the callable maturity date is done; every dollar of a negative arbitrage could convert to a savings if interest rates would remain as low as they are now and stated there evaluation of the market rates now would offset the negative arbitrage as it would be a significant savings to the City should they pursue refunding of these bond series.

The City Manager recommend authorizing preparation of documents to consider refunding of bonds for 2013 and 2014 series for the next regular meeting.

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to approve a plan of Finance and authorize preparation of Refunding Bonds Series 2013 and 2014 as presented. The motion carried with Commissioner Farias abstaining; Mayor Suarez was present and voting.

D. Discussion and consideration on amendments and extension of September 7, 2020 to October 7, 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.)

Mike R. Perez recommended approval on extension of 30 days to the Disaster Declaration (COVID-19) to October 7, 2020.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve amendments and extension of the Disaster Declaration (COVID-19) to October 7, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration on CARES Act Inter-local Agreement with Hidalgo County to allow placing of devices on City premises that will facilitate the City of Weslaco to participate in the Public Internet Access Wi-Fi Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Mike R. Perez stated that Precinct 1 will be placing wi-fi to lower income communities and would like to place a wi-fi tower at the North Side Fire Station. Staff recommended approval.

Commissioner Kerr, seconded by Mayor Pro Tem Lopez, moved to approve CARES Act Inter-local Agreement with Hidalgo County on placing of devices on City premises as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to authorize staff to mail out certificated notices to private subdivisions within Weslaco City Limits regarding the maintenance of the drainage system within the development and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement.)

Mike R. Perez stated when a declaration of emergency is ordered, city crews may enter into a private development for clean-up efforts as result of flooding; propose the Planning Department send out certified notices to all private subdivisions HOA President requesting an easement and relinquish to the city the drainage lines and inlets in the subdivision this will allow ongoing maintenance as necessary; will take time to formalize and will ask for an executive order and/or

resolution from the HOA giving the City authority to enter the developments until the easement and relinquishment of their drainage system. Staff recommended approval.

In response to Mayor Suarez, the City Manager stated will ask for an executive order and/or resolution from the HOA giving authority to the City to enter the developments until the easement and relinquishment of the drainage system is formally done, metes and bounds and recordation of documents and will provide a sample of a resolution to assist in the transition.

Commissioner Pedraza, seconded by Mayor Pro Tem Lopez, moved to authorize staff to mail out certificated notices to private subdivisions as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on the purchase of twenty-two network switches to replace end-of-life network equipment for an amount of \$119,839.18 approved for FY 2019-2020 Capital Outlay expenditures through IK Network Solutions with TEXAS DIR contract # DIR-TSO-2668 and authorize the Mayor to execute any related documents. Possible action. (Staffed by I.T. Department.)

Mike R. Perez stated this is a budgeted item through Capital Outlay to replace end of life network equipment for an amount of \$119,839.18. Staff recommended approval.

Commissioner Muñoz seconded by Commissioner Kerr moved to approve purchase of twenty-two network switches to replace end-of-life network equipment for an amount of \$119,839.18 for FY 2019-2020 as presented. The motion carried; Commissioner Farias abstaining; Mayor Suarez was present and voting.

H. Discussion and consideration to approve Interlocal Agreement with City of Edinburg for disposal of brush and bulky items at the City of Edinburg Landfill and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Olga Garza, Asst. Public Works Director, stated the interlocal will allow disposal of brush and bulky items with the City of Edinburg at a rate of \$15.50 per ton; the contract with Republic Services has ended; City of Donna will be unable to allow the City to dispose of brush at their landfill at the moment as the capacity to burn may be exceeded. Staff recommended approval.

The City Manager stated he will be in discussions with Donna City Manager and see when they would able to accept our brush and will be taking some to County burn site.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve Interlocal Agreement with City of Edinburg for disposal of brush and bulky items at City of Edinburg Landfill as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve Ordinance 2020-29 amending Ordinance 2011-28 adopting rates for brush and bulky items to multifamily structures effective November 1, 2020 and authorize Mayor to execute any related documents. First reading on Ordinance 2020-29. Possible action. (Staffed by Public Works.)

Olga Garza stated the ordinance proposes adopting rates for brush and bulky items for apartment complexes at a fee per apartment unit of \$5.25; apartments may have individual and/or master meter; estimated revenues could be \$63,000 based on 1,000 apartment units. Staff recommended approval.

Commissioner Muñoz voiced this could progress the issue of individuals dumping in any apartment complex and did not agree on this course of action; suggesting the City look at a facility that would be opened to the public and charge a fee for this. Mayor Pro Tem Lopez also felt this could worsen illegal dumping.

In response to Commissioner Muñoz and Mayor Pro Tem Lopez; Olga Garza stated bulky items are included in the brush fee and other Cities do charge apartments for this service.

City Manager stated complaints are significant on brush collection and the illegal dumping of bulky items; recommended to move the item for a workshop in October and allow staff to evaluate further.

No action.

J. Discussion and consideration to increase purchase order #20-0829 for Resident Project Representative Services for SWG on the Pleasantview & 11th St Drainage Improvements from \$392,500.00 to \$434,500.00 and authorize the Mayor to executive any related documents. Possible action. (Staffed by Engineering Department.)

Commissioner Muñoz seconded by Mayor Pro Tem Lopez moved to discuss.

Albert Aldana, City Engineer, stated commission action approved agreement between City and SWG Engineering for said project for basic services amount of \$392,500 and fee for resident project representative for \$42,000 was outlined in the agreement but that amount was not in the purchase order that would have a project cost of \$434,500.00 Staff recommended approval.

In response to Commissioner Muñoz; the City Engineer stated the basic fee of \$392,500 did not include the \$42,000 for the resident representative that would be on the job-site 8 hours a day for the duration of the project and may not necessarily need to be on-site full time.

In response to Mayor Suarez, the City Engineer stated the resident representative would be hired to oversee the project activity, would not do inspections and report any issues that arise.

The City Manager recommended to take no action and allow staff to meet with SWG and discuss further the scope of work of the Resident Representative and have SWG be present at the next meeting.

No action.

Mayor Suarez recommended reports be presented at the next meeting.

Commissioner Muñoz seconded by Commissioner Pedraza moved reports be on the next meeting. The motion carried unanimously; Mayor Suarez was present and voting.

VII. REPORTS

- A. Report by Public Works.
- B. Report by Parks & Recreation.
- C. Report by Fire Department.
- D. Report by Police Department.

VIII. EXECUTIVE SESSION

At 7:02 p.m. Commissioner Farias seconded by Commissioner Muñoz, moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:11p.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

V. OLD BUSINESS

- A. Discussion and consideration to award to the best qualified, most advantageous respondent for bid RFB No. 2019-20-22 Pleasantview and 11th St Drainage improvements Project #6 and authorize the Mayor to execute any related documents. (This item was tabled August 18, 2020; staffed by Engineering Department.)

The City Manager recommended to award Rigney Construction LLC as the most advantageous respondent for bid RFB No. 2019-20-22 Pleasantview and 11th St Drainage improvements Project #6.

Commissioner Pedraza, seconded by Commissioner Rodriguez moved to award Rigney Construction, LLC bid RFB No. 2019-20-22 Pleasantview and 11th St Drainage improvements Project #6. The motion carried unanimously; Mayor Suarez was present and voting.

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

No action.

- B. Legal Consultation - Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.

No action.

- C. Legal Consultation - Consultation with City Attorney regarding Saltillo v. City of Weslaco as authorized by section §551.071 of the Texas Government Code.

No action.

D. 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.

No action.

E. Real Property - Discussion and consultation with City Attorney regarding Police and Fire Public Safety project development for property located at the corner of Witmer Street and S. Bridge Avenue as authorized by section §551.072 of the Texas Government Code.

No action.

F. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of property from the Lions Club located at 307 W. 3rd Street legally described as E28'-W108'-Lots 11, 12 and E32' out of Lots 11-12, Block 23, Weslaco Original Townsite as authorized by section §551.072 of the Texas Government Code.

No action.

G. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Z & L as authorized by section §551.087 of the Texas Government Code.

No action

III. ADJOURNMENT

Commissioner Kerr seconded by Commissioner Pedraza moved to adjourn the meeting of September 1, 2020 at 8:13 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