



**MINUTES OF A REGULAR MEETING OF
THE WESLACO CITY COMMISSION
AUGUST 18, 2020**

On Tuesday, August 18, 2020, at 5:35 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
	Commissioner	Greg Kerr
	Commissioner	Josh Pedraza
	Commissioner	Leo Muñoz
	Commissioner	Adrian Farias
	Commissioner	J.P. Rodriguez
	Mayor Pro Tem	Letty Lopez

ABSENT: None

City Manager	Mike R. Perez
City Secretary	Norma A. Cantu
City Attorney	Juan E. Gonzalez

Also present: Andrew Munoz, Assistant City Manager/Aviation Director, Eddie Gil, Information Technology; Rebekah De La Fuente, Planning Director; Pete Garcia, Public Works Director, Joel Rivera, Police Chief, Albert Aldana, City Engineer, Pete Garcia. Public Works Director, Olga Garza, Asst. Public Works 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 14, 2020.

B. Invocation.

Commissioner Muñoz 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

Joel Rivera, Police Chief, commended his staff and thanked the Fire Department, Texas Rangers, McAllen Police Department, Sheriffs Dept. and Constables during the incident of an active shooter at the Walmart located on Texas Blvd.

III. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Special Meeting on July 31, 2020;
2.) Minutes of the Regular Meeting on August 4, 2020 (Staffed by City Secretary Department.) s
- B. Approval on second and final reading of the following:
- 1) Approve Ordinance 2020-21 to call the General Election on November 03, 2020 for the City of Weslaco, City Commissioner Single Member District 2, and City Commissioner Single Member District 3 pursuant to Texas Election Code Chapter 271 and authorize the Mayor to execute any related documents. (First reading held August 4, 2020; staffed by City Secretary Department.)
- 2) Approve Ordinance 2020-22 to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. (First reading held August 4, 2020; staffed by Planning and Code Enforcement Department.)
- 3) Approve Ordinance 2020-23 to rezone 321 S Airport, Also being 27.080 acre Tract of land of Farm Tract 21 & 22, Block 135, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. (First reading held August 4, 2020; staffed by Planning and Code Enforcement Department.)
- C. Authorization to renew the America Reads and Community Service Agreements with UTRGV to allow for employment of work-study students and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

D. Authorization to receive OPSG (Stonegarden) Grant Award in an amount not to exceed \$230,000.00 with NO MATCH REQUIRED and NO REOCCURRING COST to pay overtime to officers, dispatchers and M&A working Operation Stonegarden and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Clifford Robert Gardner, Jr. for Hanger W13 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant Scott Fuller for Hangar W13 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

F. Approval on renewal of a Facilities Usage Agreement with South Texas College for use of Harlon Block Park (Fields), 1020 W. 18th Street, Weslaco, Texas, from August 24, 2020 – August 13, 2021 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

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

Following for the record are the ordinance(s).

ORDINANCE NO. 2020-21

AN ORDINANCE OF THE CITY OF WESLACO, TEXAS, CALLING AND ORDERING AN ELECTION TO BE HELD ON NOVEMBER 3, 2020 TO ELECT SINGLE MEMBER COMMISSIONER DISTRICT 2 AND SINGLE MEMBER COMMISSIONER DISTRICT 3, PURSUANT TO TEXAS ELECTION CODE AND WESLACO CITY CHARTER, MAKING PROVISIONS FOR CONDUCTING THE ELECTION, RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTIONS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the term of office for Single Member Commissioner District 2 and Single Member Commissioner District 3 of the City of Weslaco, Texas, will expire on the first Tuesday in November, 2020, that being the general election date of November 3, 2020, and on said date a general election will be held in said City; and

WHEREAS, the City Commission has additionally, by Ordinance No. 2020-13, called for a Special Election for Charter Amendments to be held on the General election date of November 3, 2020;

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

1. The City Commission of the City of Weslaco hereby calls and orders that an election be held on the General Election date, that being November 3, 2020 to elect Single Member Commissioner District 2 and Single Member Commissioner District 3, and any other propositions as may be required by the laws of the State of Texas or authorized by the City Commission of the City of Weslaco to be voted on shall be placed on the Election Ballot.
2. That said Election shall be held at the following polling places within the City of Weslaco.

Early Voting Polling Place:
Avenue,

Business Visitor and Event Center, 275 South Kansas
Conference Room A, Weslaco, Texas.

Election Day Polling Place: Business Visitor and Event Center, 275 South Kansas Avenue,
Conference Room A, Weslaco, Texas.

Election Day Polling Place: Stephen F. Austin School, USDA Building, 514 W. Fourth Street,
Weslaco, Texas.

3. All requests by candidates to have their names placed on the ballot for the above mentioned election shall be in writing and sworn to by an officer authorized to administer the oath, signed by the candidate and filed with the City Secretary. The Application for a Place on the Ballot shall be filed not earlier than 8:00 a.m., July 18, 2020 and no later than 5:00 p.m., August 17, 2020. The application includes a statement by the candidate swearing to defend the Constitution and laws of the United States and Texas, as required by Section 141.031 of the Texas Election Code.
4. The polls at the designated polling places shall on Election Day be open from 7:00 o'clock a.m. to 7:00 o'clock p.m.
5. Direct Recording Electronic Voting Machines shall be used to conduct early voting for persons voting early by personal appearance and those voting on election day. Paper ballots shall be provided for voters voting early by mail.
6. Early voting by personal appearance shall begin on Tuesday, October 13, 2020 and continue through Friday, October 30, 2020 preceding the date of said election.
7. The manner of holding said election shall be governed, as nearly as may be, by the Texas Election Code, as amended during the 86th Legislature.
8. The required Notice of Election shall be given, and such notice shall be posted on the City of Weslaco's website. Said posting shall be made at least twenty (20) days before said election. Notice of this election shall also be published at least one (1) time in a newspaper of general circulation in Hidalgo County, Texas, and said publication shall not be made earlier than the thirtieth (30th) day nor later than the tenth (10th) day before election day.
9. The City Commission of the City of Weslaco does hereby order to call a run-off election as per the City of Weslaco Charter and Texas Election Code if a candidate for Single Member Commissioner District 2 or a candidate for Single Member Commissioner District 3 fails to receive a majority of the votes cast for such offices after the results of the regular election have been declared. If such Special Run-Off Election is required, only the names of the two (2) candidates receiving the highest number of votes cast for said office at the general regular election shall be printed on the ballot and submitted to the qualified voters for election, and the candidate receiving the majority of the votes at such Special Run-Off Election for office for which he or she was a candidate shall be declared duly elected. The same polling places may be used in the Special Run-off Election as those used in the regular election.
10. If all candidates for elective offices for Single Member Commissioner District 2 and Single-Member Commissioner District 3 of the City of Weslaco are unopposed, the City of Weslaco may cancel the General Election and will continue with the Special Election for the Propositions scheduled for November 3, 2020.

11. 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.

It is further ORDERED that this Ordinance shall serve as the Order calling said election and that the contents of this Ordinance is confirmed by the City Commission of the City of Weslaco, Texas. That the Mayor and City Secretary of the City of Weslaco, Texas are hereby authorized to sign this resolution indicating the Commissions' approval of the contents thereof.

That this Ordinance shall take effect immediately from and after its date of final passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission on this the 4th day of August 2020.

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

ORDINANCE NO. 2020-22

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3701 S. WESTGATE. ALSO BEING WEST TRACT S330' & E440'-S495'-N990' FT 795 15 AC GR 14.77 AC NET, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT. BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: R-1 One-family dwelling district to R-2 Duplex and apartment district. being 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990' FT 795 15 AC GR 14.77 AC NET, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 4th day of August 2020.

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

ORDINANCE NO. 2020-23

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 321 S AIRPORT, ALSO BEING 27.080 ACRE TRACT OF LAND OF FARM TRACT 21 & 22, BLOCK 135, WEST AND ADAMS TRACT SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS, FROM R-1 ONE-FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: R-1 One-family dwelling district to R-2 Duplex and apartment district. being 321 S Airport, Also being 27.080 acre Tract of land of Farm Tract 21 & 22, Block 135, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 4th day of August 2020.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this _18th day of August 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

IV. NEW BUSINESS

A. Discussion and consideration to accept the calculation of the No-New-Revenue (Effective) and Voter Approval (Rollback) tax rates for 2020 tax year by Hidalgo County Tax Assessor-Collector Pablo Villarreal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, stated the County completed the certified tax roll numbers and benchmarks for the 2020 tax rate calculations; overviewed Senate Bill 2 that changed terminology of effective tax rate would be referred to as NNR “No-New Revenue Tax Rate” and rollback rate would be referred VAR, Voter Approval Rate; calculation rate decreased the NNR from 8% to 3.5% plus current debt rate; one public hearing required and posting on City website; last year’s tax rate was 0.6967, voter approval tax rate was 0.7037. Staff recommended proposed tax rate of 0.6967 (same as last year).

In response to Commissioner Muñoz, M&O tax rate is 0.5034; debit rate is 0.1827.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to accept the calculation of the No-New Revenue (Effective) and Voter Approval (Rollback) tax rate for 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve Resolution 2020-27 proposing an ad valorem tax rate and setting dates on which the Commission will hold public hearing, and a date to adopt the 2020-2021 ad valorem tax rate and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.)

Vidal Roman stated the Resolution proposes the tax rate of \$0.6967 per \$100 valuation; sets the Public Hearing be held September 1, 2020 and adopt the FY 2020-2021 ad valorem tax rate. Staff recommended approval stating roll call vote required.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve Resolution 2020-27 proposing ad valorem tax rate \$0.6967, a public hearing held September 1, 2020 and adopt tax rate as presented. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to accept and file the Quarterly Investment Report for period ending June 30, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman reported the Quarterly Investment Report for period ending June 30, 2020 had total deposits down a little; interest income increased with the addition of a Certificate of Deposit and stated the City is doing well recommending acceptance and filing of the investment report ending June 30, 2020.

Commissioner Muñoz, seconded by Commissioner Pedraza moved to accept and file the Quarterly Investment Report for period ending June 30, 2020 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration on 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 on Ordinance 2020-24. Possible action. (Staffed by Finance Department.)

Vidal Roman stated annually the Texas Municipal Retirement System require cities to adopt updated service credits; unfunded actuarial liability increased from \$3,933.764 to \$4,120.083 and funded ratio decreased from 91.2% to 90.9, fund is financially strong and recommended approval.

Commissioner Muñoz, seconded by Mayor Pro Tem Lopez, moved to approve Ordinance 2020-24 authorizing the TMRS System "Updated Service Credit" as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration on 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 on Ordinance 2020-25. Possible action. (Staffed by Police Department.)

Joel Rivera, Police Chief, recommended approval stating the insurance carrier deemed a total loss of the police unit and a check has been received less the deductible.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to approve Ordinance 2020-25 budget amendment to purchase a 2020 Ford Explorer Police Unit not to exceed \$42,770.52 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to award the Group Health Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

The City Manager stated staff and consultant were still in negotiations and recommended to table. Commissioner Muñoz, seconded by Commissioner Pedraza, moved to table as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to award the Cafeteria 125 Plan Services and Voluntary Supplemental Insurance Products (short/long term disability, vision, dental, cancer, accident, hospital indemnity, critical illness, flexible spending account, basic life and AD&D) for the City of Weslaco employees at no cost to the City to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Commissioner Farias abstained from vote and discussion.

Andrew Munoz, Interim HR Director/Airport Director, stated staff solicited proposals for Cafeteria 125 Plan and Voluntary Supplemental Insurance products; received eight respondents for Vision; five for Dental; five for Group Accident; eight for Critical Illness; five for Term Life and AD&D and two for Flexible Spending Plan. Staff and consultant reviewed and evaluated and recommended to award the following respondents: Vision-Avesis; Dental-Blue Cross/Blue Shield; Cancer-Colonial Life; Critical Illness-Unum; Hospital Indemnity-Trustmark (new product); Term Life& AD&D and Short/Long Term Disability-The Standard; Accident-Mutual of Omaha ad Flexible Spending-Ameriflex.

In response to Commissioner Kerr and Mayor Pro Tem Lopez, evaluated on product and cost to the employee; agent of records is multiple. The City Manager recommended the agents in place Jeff Everett and Carlos Tamez remain.

Commissioner Pedraza seconded by Commissioner Muñoz moved to award respondents as presented. The motion carried; Commissioner Farias abstaining; Mayor Suarez was present and voting.

H. Discussion and consideration to award the Workers' Compensation Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Andrew Munoz stated two proposals were received for the worker's Compensation Insurance on a fully funded basis; staff and consultant rated the two respondents TML and Texas Mutual and recommended Texas Mutual as the most advantageous bid representing a decrease from the current vendor (TML).

In response to Commissioner Farias, award is for one year.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to award the Worker's Compensation Insurance to Texas Mutual as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to award the Commercial Insurance Package to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Andrew Munoz stated one proposal was received; evaluated and coverage and pricing acceptable. Staff recommended to award respondent TML for one year for a total premium of \$413,332.

Commissioner Kerr, seconded by Commissioner Rodriguez, moved to award the Commercial Insurance Package to TML as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration for the Final Plat for Moonlight Subdivision - being a 4.00 acres out of Farm Tract 175, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 330' north of Mile 10 North along the Westside of F.M. 88 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning and Code Enforcement Director, stated this was a two-lot subdivision outside city limits; serviced with water from North Alamo Water Supply Company and sewer on site. The developer requested a variance for onsite sewer facility. The Planning and Zoning Commission recommended approval with variance; staff recommended approval with compliance of the ordinance on the variance.

Commissioner Muñoz; seconded by Commissioner Rodriguez, moved to approve Final Plat for Moonlight Subdivision being 4.00 acres out of Farm Tract 175, West and Adams Tract Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration for the Final Plat for Professional & Medical Ph. 2 Subdivision – being 5.474 acres out of Farm Tract 17, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 420' South of U.S Expressway 83 on Professional Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a two-lot subdivision outside city limits; serviced with water and sewer by city. The Planning and Zoning Commission and staff recommended approval

Commissioner Muñoz; seconded by Mayor Pro Tem Lopez, moved to approve Final Plat for Professional & Medical Ph. 2 Subdivision, being 5.474 acres out of Farm Tract 17, West and Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration for the Final Plat for Verona Subdivision - being a 20 acres out of Farm Tract 1038, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1800 ft. North of Mile 8 on FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed fifty (50) lot subdivision inside city limits; serviced with water and sewer by the city. The developer is requesting variance for off-site drainage detention; provided letters of support and excavating the existing ditch to accommodate 205 cfs.

In response to Commissioner Muñoz and Pedraza, staff stated developer will be widening a drain ditch on the Westside of the property for additional 205 cfs; runoff to pump site No. 2 and widening of ditch is an additional 25 feet into their property with a total right-of-way of 120 feet.

The City Manager noted the City's position for storm runoff is similar to Hidalgo County Drainage District favoring, in private development, widening of ditches over detention ponds; developments with detention ponds will require a home owners maintenance fee on the water bill to ensure maintenance is done.

Commissioner Kerr; seconded by Commissioner Muñoz, moved to approve Final Plat for Verona Subdivision, being 20 acres out of Farm Tract 1038, West and Adams Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration for the Final Plat for Villa Event Center Subdivision - being a 3.11 acre tract of land of Farm Tract 31, West and Adams Subdivision, Hidalgo County, Texas located on the Northeast corner of Bridge and Dolores Huerta and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed one lot subdivision inside city limits; serviced with water and sewer by the city. The Planning and Zoning Commission and staff recommended approval.

Commissioner Muñoz; seconded by Mayor Pro Tem Lopez, moved to approve Final Plat for Villa Event Center Subdivision, being 3.11 acres out of Farm Tract 31, West and Adams Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to ratify Purchase Order No. 20-4309 for a collapsed manhole emergency repair located South of 111 Peña Ave. on August 10, 2020 with Southern Trenchless in the amount of \$58,112.50 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from vote and discussion.

Pete Garcia, Public Works Director, stated emergency repair for a collapsed manhole located South of 111 Pena Ave was done August 10. Staff proceeded with repairs to avoid any health issues with sewage backups and spills. Staff recommended approval ratifying funds in the amount of \$58,112.50 to buy board vendor Southern Trenchless.

In response to Commissioner Muñoz, the City Manager stated budgeted funds are \$100,00 for repairs of manholes and estimated about \$250,000 expended. He stated recent rains is a contributing factor on the amount of emergency repairs being done and would assess internal cost versus subcontracting.

Mayor Pro Tem Lopez, seconded by Commissioner Muñoz, moved to ratify Purchase Order No. 20-4309 to Southern Trenchless Solutions in an amount not to exceed \$58,112.50 as presented. The motion carried; Commissioner Farias abstaining; Mayor Suarez was present and voting.

O. Discussion and consideration to approve Interlocal Agreement with City of Donna for the acceptance and disposal of clean brush and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Olga Garza, Assistant Public Works Director, stated staff has been in discussions with City of Donna that proposed a rate of \$20.00 per ton of clean brush; went over fuel cost analysis between City of Donna and Edinburg and although proposed rate per ton from Edinburg is \$15.50, staff factored in cost of fuel, travel time, equipment wear and tear and landfill fees. Staff recommended to enter into an agreement with City of Donna.

In response to Commissioner Pedraza; the City of Donna stated this was their final offer and in response to Commissioner Muñoz; Olga Garza stated budgeted funds last year was \$156,000 based on 78 tons of disposal; cost savings with Edinburg could be \$35,100 that could be absorbed with unexpected circumstances such as repairs, labor hours and/or less time on routes.

Mayor Suarez stated he spoke with City of Donna negotiating a price of \$18.00 per ton and entertained a motion to enter into an Agreement with City of Donna not to exceed \$18.00 per ton.

Commissioner Kerr seconded by Commissioner Pedraza, moved to approve an Interlocal Agreement with City of Donna for acceptance and disposal of clean brush not to exceed \$18.00 per ton as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. 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. (Staffed by Engineering Department.)

The City Manager recommended to table and allow staff time to finalize acquisition of a remaining parcel of land.

Commissioner Muñoz, seconded by Commissioner Rodriguez, moved to table. The motion carried unanimously; Mayor Suarez was present and voting.

Q. 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. (Staffed by City Manager.)

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

The City Manager stated owner Gilbert Garza developed an apartment complex on South Westgate; sewer services were not available but was billed for services since 2005; City issued owner a credit going back 7 years (city policy) estimated at \$8,000 that was applied to the cost of the City installing a sewer line around his development. Mr. Garza is requesting consideration of reimbursement from the beginning of being billed that would be an additional \$7,051.

Gilbert Garza, owner, communicated to the commission sewer was not available when development occurred in 2000; additional development followed in 2001 and contractor connected the new development to the sewer line now available but did not connect the existing

development that was being billed; agreed to receive a credit that he was going to use to pay for sewer connections.

The City Attorney recommended to convene in executive session and confer with legal and proceed with the agenda.

Commissioner Muñoz, seconded by Commissioner Rodriguez, moved to convene in executive session for consultation with legal. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration on contract extension with Republic Services for Solid Waste Collection and Disposal Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

The City Manager stated he met with Republic Services representatives to discuss terms of a contract extension; proposed a sixteen-month extension, increase to residential and commercial accounts but no Consumer Price Index (CPI) increase for the last for months.

Mayor Suarez recommended to convene in executive session for consultation with legal.

Commissioner Kerr, seconded by Commissioner Farias, moved to table and convene in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

V. REPORTS

A. Report by Inframark.

George Quilantan, Inframark, reported on issues with current SCADA system that included licenses, outdated software, inefficient, costly for upgrades, lack of security against cyber threats annual maintenance expensive and lack of surge protection; went over options to either upgrade existing system or purchase a new system.

VI. EXECUTIVE SESSION

At 7:00 p.m. Commissioner Muñoz, seconded by Commissioner Farias, moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:17 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

NEW BUSINESS

Q. 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. (Staffed by City Manager.)

Commissioner Kerr seconded by Commissioner Rodriguez moved to authorize the City Attorney author an opinion on matter of reimbursement to Gilbert Garza as discussed in executive session. 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. Personnel - Discussion regarding goals and objectives for Human Resources Director for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

No action.

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

Commissioner Kerr seconded by Commissioner Rodriguez moved to authorize the City Attorney to serve notice of termination to sublessor Christopher De Leon as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. Legal Consultation: Consultation with City Attorney regarding Republic Services as authorized by section §551.071 of the Texas Government Code.

Commissioner Kerr seconded by Commissioner Muñoz moved to authorize terms of contract extension of sixteen months at the proposed rate as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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

Commissioner Pedraza seconded by Commissioner Rodriguez moved to authorize the City Attorney to continue negotiations stipulating no increase nor decrease of previous offer as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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. Real Property – Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property located at 400 South Illinois as authorized by section §551.072 of the Texas Government Code.

Commissioner Kerr seconded by Mayor Pro Tem Lopez moved to authorize staff solicit Request for Qualifications for Broker services to advertise, market and manage the possible sale of real

property located at 400 South Illinois as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. 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 §551.072 of the Texas Government Code.

_No action.

I. 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.

J. Real Property – Consultation with City Attorney on the acquisition of real property located North of Industrial Park and North East of Mile 9 and International Blvd. as authorized by §551.072 of the Texas Local Government Code.

Mayor Pro Tem Lopez abstained from vote and discussion.

No action.

VIII. ADJOURNMENT

Commissioner Muñoz seconded by Commissioner Pedraza moved to adjourn the meeting of August 18, 2020 at 8:21p.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