



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 5, 2017**

On Tuesday, September 5, 2017, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

Mayor	David Suarez
Mayor Pro-Tem	Gerardo “Jerry” Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Olga Noriega
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Jose Pena, Information Technology Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Ted Walensky, Assistant Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, September 1, 2017.

B. Invocation.

Father Ernest Ukwueze, San Martin De Porres Church, led in the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Mayor Suarez recognized the Mayor Joe V. Sanchez Public Library for a successful Summer Reading program.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting prefect attendance and a quorum present.

II. PUBLIC COMMENTS

There were none received.

III. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval of the following:

- 1) Minutes of Regular Meeting on August 15, 2017;
- 2) Record of budget workshop on August 16, 2017;
- 3) Record of budget workshop on August 17, 2017;
- 4) Minutes of Special Meeting on August 22, 2017; and
- 5) Record of budget workshop on August 24, 2017. (Staffed by City Secretary's Office.)

B. Approval of the annual renewal the Interlocal Agreement for 9-1-1 Public Safety Answering Point Services and authorize the Mayor to execute any related documents. (Staffed by Weslaco Police Department.)

C. Approval of the renewal of an agreement with Drug Enforcement Administration for State and Local HIDTA Task Force cooperation for Fiscal Year 2017-2018 and authorize the Mayor to execute any related documents. (Staffed by Weslaco Police Department.)

D. Authorize solicitation of bids for purchase and/or rental of uniform services for Public Works, Parks & Recreation, and Meter Reader Departments and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to approve consent agenda items A through D as presented. The motion carried unanimously; Mayor Suarez was present and voting

IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2017-60 appointing a board member to expired term on the Board of Adjustments and Appeals-Zoning Ordinance. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Noriega, moved to approve Resolution 2017-60 re-appointing Adrian Torres to an expired term on the Board of Adjustments and Appeals-Zoning Ordinance as presented. The motion carried; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-60

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE BOARD OF ADJUSTMENTS & APPEALS-ZONING ORDINANCE.

WHEREAS, the City of Weslaco created and established the Board of Adjustments & Appeals-Zoning Ordinance.

WHEREAS, the term of the members of this board are for two years; and

WHEREAS, the Board of Adjustments & Appeals-Zoning Ordinance members shall serve with neither compensation nor term limits; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Adrian Torres is appointed to serve an expired term on the Board of Adjustments & Appeals-Zoning Ordinance and the term will expire on the 4th day of October, 2019.

PASSED AND APPROVED on this 5th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

B. Discussion and consideration to approve Resolution 2017-53 appointing a member to an unexpired term on the Weslaco 100 Centennial Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Museum.)

Commissioner Pedraza, seconded by Commissioner Kerr, moved to approve Resolution 2017-53 appointing Robert Donalson to an unexpired term on the Weslaco 100 Centennial Committee as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017 - 53

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE WESLACO 100 COMMITTEE TO PREPARE WESLACO'S CENTENNIAL CELEBRATION AND STRATEGIC PLAN

WHEREAS, The City of Weslaco, Texas, founded 1919, will celebrate its centennial in 2019, and anticipates programs and activities befitting the occasion; and

WHEREAS, This Commission finds merit in establishing an ad hoc citizen's committee to solicit suggestions, make recommendations, and encourage participation toward the planning and facilitating of such programs and activities; and

WHEREAS, after public meetings, all recommendations are required to be submitted to the Weslaco City Commission for approval; and

WHEREAS, The Committee shall concurrently consider issues for the strategic growth of the City over the next 100 years, including planning/sustainable development, governance, health, transportation, education, economic development, public safety, parks, information technology, and housing; and

WHEREAS, there shall be sixteen (16) members in the Weslaco 100 Committee who shall be appointed by the Weslaco City Commission and shall be resident citizens of the City of Weslaco. The term for each Committee member shall be for three (3) years and may be eligible for reappointment;

WHEREAS, The Weslaco 100 Committee members shall serve without compensation

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Robert S. Donalson is appointed to serve on the Weslaco 100 Committee and the term will begin on September 6, 2017 and will expire on April 19, 2019.

PASSED AND APPROVED on this 5th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

V. OLD BUSINESS

A. Discussion and consideration of playscape at Pecan Grove Park and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on August 1 and August 15, 2017; Staffed by Parks and Recreation Department.)

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

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to discuss

Mike Perez, City Manager, stated John Jones, an original partner of the development, indicated a letter will be sent to the City proposing a non-warranty deed for \$12,500.00. The City Manager requested time to receive and review the letter. There was no action.

B. Discussion and consideration to adopt a policy for the Tower (El Tinaco) Light Annual Schedule and Tower Light Request Guidelines, and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on August 15, 2017; staffed by Parks and Recreation Department.)

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

David Arce, Parks Director, reviewed the guidelines and schedule for lighting of the tower, including City events, football traditions, National holidays, and special occasion requests. Commissioner Muñoz suggested only national holidays be observed.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2017-37 adopting the City of Weslaco's budget appropriation for the fiscal year October 1, 2017 to September 30, 2018 and authorize the Mayor to execute any related documents. First Reading of Ordinance 2017-37. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.)

Maria Barrera, Finance Director, stated the budget as presented is balanced incorporating changes identified in the wrap up session and the Collective Bargaining Agreement as negotiated for Police with a small margin of \$2,857.00 revenues over expenditures. Staff recommends approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-37 adopting the City of Weslaco's budget appropriation for the fiscal year October 1, 2017 to September 30, 2018 and authorized the Mayor to execute any related documents. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve Ordinance 2017-38 adopting and levying the ad valorem tax rate for the 2017-2018 fiscal year and authorize the Mayor to execute any related documents. First Reading of Ordinance 2017-38. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.)

Mary Barrera recommended approval of the ordinance adopting \$.6667/100.00 as the ad valorem tax rate, with \$0.5146/\$100 for Maintenance & Operations and \$0.1521/\$100 for the payment of principal and interest. She stated a 2.76 percent increase in levy is a result of higher assessed property rates.

Commissioner Pedraza, seconded by Commissioner Kerr, moved to approve Ordinance 2017-38 adopting and levying the ad valorem tax rate for the 2017-2018 fiscal year as \$0.6667 per \$100.00, which is effectively a 2.76 percent increase in the tax rate and authorize the Mayor to execute any related documents. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve Ordinance 2017-39 ratifying the property tax increase reflected in the 2017-2018 fiscal year budget and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-39. Possible action. (Staffed by Finance Department.)

Mayr Barrera stated Section 102.007 of the Local Government Code requires when a budget is adopted raising more revenue than the previous year, a separate vote must be taken ratifying the action. Staff recommends approval.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Ordinance 2017-39 ratifying the property tax increase reflected in the 2017-2018 fiscal year budget. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to authorize the submission of the Weslaco Mid Valley Airport's Fiscal Year 2017-2018 Texas Department of Transportation Grant for Routine Airport Maintenance Program, Project M1821WESL, in the amount not to exceed \$100,000.00

with a 50/50 cost share, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Andrew Muñoz, Aviation Director, stated the grant will allow reimbursement of eligible expenses for routine maintenance/improvement of airport including pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, fuel systems, hangars and terminal buildings. Staff recommends approval.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to authorize the submission of the Weslaco Mid Valley Airport's Fiscal Year 2017-2018 Texas Department of Transportation Grant for Routine Airport Maintenance Program, Project M1821WESL, in the amount not to exceed \$100,000.00 with a 50/50 cost share and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration entering into an agreement with Alvarado Architects & Associates, Inc. for Architectural and Engineering Designs Services for the New Fire Station. Possible action. (Staffed by City Manager's Office.)

Commissioner Muñoz abstained from discussion and vote.

Andrew Muñoz stated the negotiated fee is 6.5% of the total construction cost, with the estimated budget set at \$500,000.00 approximating the design fee at \$32,500.00. Staff recommends approval of an agreement with Alvarado Architects & Associates, Inc. as negotiated.

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to approve an agreement with Alvarado Architects & Associates, Inc. for Architectural and Engineering Designs Services for the New Fire Station as presented. The motion carried with Commissioner Muñoz abstaining; Mayor Suarez was present and voting.

F. Presentation and consideration of park layout for North Side Park, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks Director, stated meetings of the Parks Advisory Board, staff and citizens have been held and the grant to Texas Parks and Wildlife is due by October 1, 2017. Andrew Heffner, landscape architect, reviewed the layout of the 47-acres consisting of a one mile walking trail 12-feet wide with 90 solar lights, 380 parking spaces, 2,000 square foot splash pad with shade canopies, 5-rental pavilions, 2-tennis courts, 1-covered basketball court, combination football/soccer fields with bleachers, fencing, 4-youth soccer fields, one sand volleyball court, 225-foot baseball fields, and amphitheater as well as two acres of natural habitat. The City Manager noted no funds presently are available for the baseball fields as this is a \$7 million total project with \$2.7 million identified in the Master Plan. The City is trying to partner support with non-profit organizations and Texas Parks and Wildlife with grants of \$500,000.00.

In response to Mayor and Commissioners, the development can preserve space for another recreational center like the Boys & Girls Club and special needs play equipment as future funds allow.

Mayor Pro-Tem Tafolla, seconded by Commissioner Noriega, moved to approve the park layout for North Side Park as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to adopt a policy for Weslaco City Cemetery rules and guideline enforcement, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce stated irrigation improvements are almost complete at the cemetery. Staff faces compliance with the adopted rules for the cemetery such as the size and orientation of head stones. The cemetery rules were posted by sign August 22 and individuals are advised at the time of purchase a city employee must be present to ensure compliance; however, non-compliance is a result of no permit and installation after hours.

Frances Villegas commented she purchased a 28x12 headstone that does not meet the guidelines; she has not yet installed it and requested an exception. Commissioner Noriega stated existing structures, included that purchased by Ms. Villegas, should remain as grandfathered but the rules need to be enforced. Mayor Suarez and Commissioners Muñoz and Pedraza stated standard uniformity is good for aesthetic and maintenance. David Arce stated staff will remove any item of value not permitted and store it while attempting to return to owner.

Commissioner Muñoz, seconded by Commissioner Pedraza, moved to adopt a policy for Weslaco City Cemetery rules and guideline enforcement, grandfathering permanent structures only. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve a renewal of a lease agreement with St. Joan of Arc Parish Hall for use of the parking lot north of City Hall and request for site improvements. Possible action. (Staffed by City Manager's Office.)

The City Manager stated Father Luis, St. Joan of Arc Parish Hall, proposes a 10-year renewal of the lease agreement for use of the parking lot contingent to improvements by the City that include re-pavement, striping, an additional exit, trimming of palm trees, sidewalk, landscaping on east side and flashing stop sign. Staff recommends approval as currently twenty employees park in that parking lot daily and all employees park there during election periods.

Mayor Pro-Tem Tafolla, seconded by Commissioner Muñoz, moved to approve renewal of lease agreement with St. Joan of Arc Parish Hall for use of the parking lot north of City Hall as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. REPORTS

A. Report by Weslaco Area Chamber of Commerce.

Doug Croft, Chamber CEO, reported the Chamber is concentrating on digital advertising, with 573,000 marketing impressions that month.

B. Report by Economic Development Corporation of Weslaco.

Marie McDermott, EDC Director, reported signage is installed announcing the UTRGV project and 150 backpacks were distributed despite cancellation of Alfresco. She is working with 60 leads translating into 1,315 jobs and \$150 million in investments.

C. Report by Severn Trent.

George Quilantan, Severn Trent, reported on improvements completed on Lift Stations #22, #17, #5, #51 and #48. Improvements include replacement of pumps and lids; a FEMA grant was received for five pumps.

D. Report by Planning and Code Enforcement.

Mardoqueo Hinojosa, City Engineer/Director of Planning, stated he is finalizing plans for Lift Station 37 that will include odor control features. Joe Pedraza, Health Official, reported 1,689 total animals admitted the reporting period: 25% were euthanized; 30% placed with rescue groups; and half relocated during Hurricane Harvey.

E. Report by Public Works.

Pete Garcia, Public Works Director, reported on cleaning/widening of drain ditches, utility cuts, and alleyways; also 15-fire hydrants replaced to date, 480-feet of sewer line installed and 2-manholes replaced. Over 18,000 sandbags were prepared.

F. Report by I.T.

Jose Pena, IT Director, reported on transitioning the phone service that will have a savings of \$120,000/year to the City; other projects include library website, mobile application, electronic ticket writers and airport surveillance. Targeted projects for next year include upgrade of the legislative room and Incode.

G. Report by Fire Department/Emergency Management.

Antonio Lopez, Fire Chief, reviewed preparedness during the threat of storm activity: emergency operations center activated August 24 with skeleton crew; August 25 emergency operations center ceased at 10 p.m. as threat of impending storm relocated; cost was \$35,000.00. The AMBUS licensed just last month was dispatched with Weslaco medics; 25 personnel on rotation shifts aiding relief efforts in Corpus Christi and Victoria evacuating nursing homes.

VIII. EXECUTIVE SESSION

At 7:32 p.m. Mayor Pro-Tem Tafolla, seconded by Commissioner Muñoz, moved the regular Meeting to convene in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:21 p.m. Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action on this item.

B. Potential Litigation - Consultation with City Attorney regarding Kincaid hangar as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

C. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property being 17.78-acres net being the N820.04' out of Farm Tract 13 West Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by §551.072 of the Texas Local Government Code.

Mayor Pro-Tem Tafolla, seconded by Commissioner Muñoz, moved to authorize negotiations to enter into a contract for the property as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. Pending Litigation - Consultation with City Attorney regarding City of Weslaco v. Briones Consulting and Engineering as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

E. Pending litigation - Consultation with City Attorney regarding Super 8 hotel as authorized by §551.071 of the Texas Government Code.

F. Pending Litigation - Consultation with City Attorney related to the city's right-of-way for cell towers in City of McAllen et al v. State of Texas et al as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

G. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Chicken Hatch "B" as authorized by §551.087 of The Texas Government Code.

There was no action on this item.

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

Mayor Pro-Tem Tafolla, seconded by Commissioner Muñoz, moved to authorize negotiation of a contract for construction and management services for Project Saddle as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

X. ADJOURNMENT

Commissioner Muñoz, seconded by Commissioner Pedraza, moved to adjourn at 8:22 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth Walker

MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Olga Noriega

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza