



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
APRIL 20, 2021**

On Tuesday, April 20, 2021, 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 member's present:

PRESENT:	Mayor	David Suarez
	Mayor Pro Tem	Leo Muñoz
	Commissioner	Greg Kerr
	Commissioner	Adrian Farias
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez
	Commissioner	J.P. Rodriguez

ABSENT: None.

STAFF PRESENT:	Mike R. Perez	City Manager
	Andrew Muñoz	Asst. City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Vidal Roman, Finance Director, Robert Lopez, Asst. Police Chief, Antonio "Tony" Lopez, Fire Chief, Juan Salas, IT Department, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Albert Aldana, City Engineer, Arnold Becho, Library Director, Martin Vela, IT Director, Pete Garcia, Public Works Director, David Arce, Deputy Public Works Director, Olga Garza, Asst. Public Works Director, George Quilantan, Inframark 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, April 20, 2021.

B. Invocation.

Pastor David McCann, First Presbyterian Church led in 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 with perfect attendance and a quorum present.

II. PUBLIC COMMENTS

None.

III. PUBLIC HEARING

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

A. To solicit input on behalf of Adriana Hernandez to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 310 W Expy 83 Suite 3, also being Lot 2, 400 W Expressway 83 subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents.

Commissioner Kerr, seconded by Commissioner Lopez moved to close the public hearing at 5:41 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 April 6, 2021 (Staffed by City Secretary Department.)

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

1) Approve Ordinance 2021-13 adopting mid-year budget amendments in funds with various amounts and authorize the Mayor to execute any related documents. (First reading held April 6, 2021; staffed by Finance Department.)

C. Approval to continue with the Memorandum of Understanding (MOU) between U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and Weslaco Police Department (WPD) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Approval to advertise and solicit Request for Bids (RFBs) for the purchase of a Utility Tractor and authorize the Mayor to execute any related documents. (Staffed by the Airport Department.)

E. Approval to advertise and solicit Request for Bids (RFBs) for the purchase of an Electric Aircraft Tug and authorize the Mayor to execute any related documents. (Staffed by the Airport Department.)

Commissioner Kerr seconded by Commissioner Lopez moved to approve consent agenda A, B, C, D, and E withholding item F as presented. The motion carried with unanimously; Mayor Suarez was present and voting.

Following for the record is the ordinance

ORDINANCE 2021-13

AN ORDINANCE AMENDING ORDINANCE NUMBER 2020-27, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, FINDING NEED TO AMEND THE 2020-2021 MUNICIPAL BUDGET; TO WIT; GENERAL FUND, \$4,603,577 IN EXPENDITURES & \$1,791,997 IN REVENUE; WATER/WASTER COMBINED, \$136,633 IN EXPENDITURES; SOLID WASTE FUND BY \$423,376; AIRPORT BY \$504,600; FIRE DEPT REPLACEMENT FUND INCREASE REVENUE BY \$82,748 AND ECONOMIC INCENTIVES FUND BY \$151,037 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 2020-2021 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.

SECTION 3. BUDGET TOTAL. 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 2020-2021 Official Budget, adopted by Ordinance 2020-27, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibits.



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2021**

FUND: _____ Water/wastewater _____
 DEPARTMENT: _____ VARIOUS _____ BUDGET AMENDMENT# _____
 DATE: _____ April 6, 2021 _____

FUND	G/LACCT #	DESCRIPTIONS	CURRENT BUDGET	INCREASE DR	DECREASE CR	REVISED BUDGET
-	5000	SEE ATTACHMENT		\$ 96 879		\$ 96 879
508		SEE ATTACHMENT	\$	\$ 39,754		\$ 39 754
501-508		FUND BALANCE (DON'T POST)	\$ (1,438!072)	\$ (136,633)	\$	\$ (1,574/05)
			\$ (1,438.072)	\$	\$	\$ (1,438.072)

(Round up all amounts to the nearest dollar)

Justification: _____

SEE ATTACHEMENT

City of Weslaco

Department Head Approval _____ Date _____

Finance Director _____ Date _____

City Manager _____ Date _____



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2021**

FUND: _____ Solid Waste _____
 DEPARTMENT: _____ VARIOUS _____ BUDGET AMENDMENT# _____
 DATE: _____ April 6, 2021 _____

FUND	G/LACCT#	DESCRIPTIONS	CURRENT BUDGET	DR	CR	REVISED BUDGET
540	- 4000 -	VARIOUS ACCOUNT	\$ 51590!800	\$	\$ 3,289,100	\$ 2!301.700
540	- 5000	VARIOUS ACCOUNT	5,160!048	3,712!476		8!872,524
540		FUND BALANCE (DON'T POST)	1,960/36		423!376	1!537!360
			\$ 12,711,584	\$ 3,712,476	\$ 3,712,476	\$ 12,711,584

(Round up all amounts to the nearest dollar)

Justification: _____

SEE ATTACHEMENT

City of Weslaco

Department Head Approval _____ Date _____

Finance Director _____ Date _____

City Manager _____ Date _____



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2021**

FUND: Airport
DEPARTMENT: VARIOUS
DATE: April 6, 2021

BUDGET AMENDMENT # _____

FUND	G/L ACCT#	DESCRIPTIONS	CURRENT BUDGET	DR	CR	REVISED BUDGET
550	- 4000 -	VARIOUS ACCOUNT	\$ 5,590,800	\$	\$ 672,000	\$ 4,918,800
550	- 5000	VARIOUS ACCOUNT	5,160,048	167,400		5,327,448
550		FUND BALANCE (DON'T POST)	(631,815)		504,600	(127,215)
			\$ 10,119,033	\$ 167,400	\$ 1,176,600	\$ 10,119,033

(Round up all amounts to the nearest dollar)

Justification: _____

SEE ATTACHEMENT _____

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2021**

FUND: FDER
DEPARTMENT: VARIOUS
DATE: April 6, 2021

BUDGET AMENDMENT# _____

FUND	G/L ACCT#	DESCRIPTIONS	CURRENT BUDGET	DR	CR	REVISED BUDGET
415	- 4000 - 490100	Transfer In	\$ 425,000	\$	\$ 82,748	\$ 507,748
415		FUND BALANCE (DON'T POST)	317,513			317,513
			\$ 742,513		\$ 82,748	\$ 825,261

(Round up all amounts to the nearest dollar)

Justification: _____

SEE ATTACHEMENT _____

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date



CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2021

FUND: Economic Incentive
DEPARTMENT: VARIOUS
DATE: April 6, 2021

BUDGET AMENDMENT# _____

FUND	G/L ACCT #	DESCRIPTIONS	CURRENT BUDGET	REVISED BUDGET
121	4000 490100	Transfer In	\$ 1,428,270	\$ 1,579,307
121		FUND BALANCE (DON'T POST)		
			\$ 1,428,270	\$ 1,579,307

(Round up all amounts to the nearest dollar)

Justification:
SEE ATTACHEMENT

City of Weslaco	Department Head Approval	Date
	Finance Director	Date
	City Manager	Date

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

F. Approval of Resolution 2021-28 finding that AEP Texas Central Company's filed an application for approval of a distribution cost recovery factor to increase distribution rates within the city should be denied and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

Commissioner Kerr abstained from discussion and vote.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve consent agenda F as presented. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2021-28

A RESOLUTION OF THE CITY OF WESLACO, TEXAS FINDING THAT AEP TEXAS INC.'S APPLICATION TO AMEND ITS DISTRIBUTION COST RECOVERY FACTORS TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH THE CITIES SERVED BY AEP TEXAS; AUTHORIZING HIRING OF LEGAL COUNSEL; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Weslaco, Texas ("City") is an electric utility customer of AEP Texas Inc. ("AEP" or "Company"), and a regulatory authority with an interest in the rates and charges of AEP; and

WHEREAS, the City is a member of the Cities Served by AEP ("Cities"), a membership of similarly situated cities served by AEP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in AEP's service area; and

WHEREAS, on or about April 6, 2021 AEP filed with the City an Application to Amend its Distribution Cost Recovery Factor ("DCRF"), PUC Docket No. 51984, seeking to increase electric distribution rates by approximately \$54.56 million (an approximately \$2.60 increase to the average residential customer's bill from the rates just approved in the Company's rate case); and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, Cities are coordinating its review of AEP's DCRF filing with designated attorneys and consultants to resolve issues in the Company's application; and

WHEREAS, Cities members and attorneys recommend that members deny the DCRF.

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

Section 1. That the City is authorized to participate with Cities in PUC Docket No. 51984.

Section 2. That subject to the right to terminate employment at any time, the City of hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.

Section 3. That the rates proposed by AEP to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 4. That the Company shall continue to charge its existing rates to customers within the City.

Section 5. That the City's reasonable rate case expenses shall be reimbursed in full by AEP within 30 days of presentation of an invoice to AEP.

Section 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 7. That a copy of this Resolution shall be sent to Leila Melhem, American Electric Power Service Corporation, 400 West 15th Street, Suite 1520, Austin, Texas 78701 and to Thomas Brocato, General Counsel to the Cities, at Lloyd Gosselink Rochelle & Townsend, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 20th day of April 2021.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

V. APPOINTMENTS

A. Discussion and consideration on Resolution 2021-29 appointing two members to the Library Board for terms set to expire May 7, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Arnold Becho, Library Director, recommended appointment of Rey Banda and Paula Villanueva; members are interested in continuing to serve.

Commissioner Pedraza seconded by Commissioner Lopez moved to appoint Paula Villanueva and Rey Banda to the Library Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2021-29

A RESOLUTION OF THE CITY OF WESLACO APPOINTING MEMBERS TO THE LIBRARY BOARD.

WHEREAS, the City of Weslaco has established the Library Board pursuant to Section 17-17 of the Weslaco Municipal Code Book; and

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

WHEREAS, the Library Board members shall serve without compensation and unlimited terms; and

WHEREAS, the terms of two members are set to expire May 7, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS the following individuals are appointed to serve a two-year term on the Library Board.

PASSED AND APPROVED this 20th day of April 2021.

<u>NAME</u>	<u>TERM ENDING</u>
Rey Banda	05/08/2023
Paula Villanueva	05/08/2023

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

V. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Adriana Hernandez to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 310 W Expy 83 Suite 3, also being Lot 2, 400 W Expressway 83 subdivision, Weslaco, Hidalgo County, Texas 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 nineteen property owners were notified with no objection; located along frontage road where STX Gym was; proposed hours of operation will be 11:00 a.m. to 8:00 p.m. Tuesday through Thursday and 12:00 p.m. to 9:00 p.m. Friday through Saturday. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr, seconded by Commissioner Pedraza moved to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 310 W. Expy 83 Suite 3, being lot 2, 400 W. Expressway 83 Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration for the Final Plat for Weslaco Public Services Subdivision—being 9.03 acres out of Farm Tract 54, Block 142, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on Bridge Ave and Witmer St and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this is a three (3) lot subdivision; inside the City and being serviced with water and sewer by the City; proposed subdivision is for the new administrative services of the police and fire department. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve Final Plat for Weslaco Public Services Subdivision being 9.03 acres out of Farm Tract 54, Block 142, West Tract Subdivision located on Bridge Ave. and Witmer St. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve the Final Plat for Pleasant View Estates Subdivision— being 10.984 acres out of Farm Tract 772, Block 137, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on westside of Pleasant View Drive, 1320' North Mile 5 North Road 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-one (51) lot subdivision outside City limits; serviced with water and sewer by the city; developer requested several variances; 1) front setback to be 15' instead of 20' in a cul-de-sac; 2) rear setback of 10' instead of the City required 25 feet; and 3) a variance to permit off-site drainage. Staff noted a development agreement will be required to oversee construction of improvements as water and sewer will be from the City. The Planning and Zoning Commission recommended approvals with variances; staff recommended approval with compliance of the ordinance.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Final Plat for Pleasant View Estates Subdivision being 10.984 acres out of Farm Tract 772, Block 137, West Tract Subdivision, Weslaco located on westside of Pleasant View Drive, 1320" North Mile 5 North Road with variances as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration for six-month extension for the Final Plat for San Jacinto Estates No.10, Phase I Subdivision – being 13.49-acre tract of land out of Farm Tract 94, West & Adams Tract Subdivision, Hidalgo County, Weslaco, Texas. Approximately on the Northwest corner of Mile 10 North Road and Mile 4 West Road 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 hundred forty-four (144) lot subdivision; outside city limits; is the second six-month extension; developer needs more time for completion of the construction of utilities. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr, seconded by Commissioner Pedraza moved to approve a six-month extension for Final Plat for San Jacinto Estates No. 10, Phase I Subdivision being 13.49-acre tract of land out of Farm Tract 94, West and Adams Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration for six-month extension for the Final Plat for Tejas Cuatro Phase III Subdivision – being a 21.21 acre tract of land out of Farm Tract 172, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 2000 ft North of the intersection of W. Sugar Cane Dr. along Mile 5 ½ West. 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 sixty-four (64) lot subdivision; outside city limits; is the second six-month extension; developer needs more time for completion to submit for recording. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Lopez moved to approve six-month extension for Final Plat for Tejas Cuatro Phase III Subdivision being a 21.21-acre tract of land out of Farm Tract 172, West and Adams Subdivision as presented. The motion carried unanimously; Mayor Suarez

was present and voting.

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

Rebekah de la Fuente stated this was a proposed twenty-five (25) lot subdivision; inside city limits; developer needs more time for completion of documents to submit for recording. The Planning and Zoning Commission and staff recommended approval for a six-month extension.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve six-month extension for Final Plat for Pleasant View Heights Subdivision being 20.33 acres out of Re-Subdivision of Lots 3 & 4, Rev M. Perez Dream Acres Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending March 31, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, stated there were no significant changes to report; cash on hand is a healthy balance; interest revenue down as a result of low interest rates. Staff recommended approval to accept and file and report is in full compliance with the Public Investment Policy of the city.

Commissioner Kerr seconded by Commissioner Lopez moved to accept and file the Quarterly Investment Report for period ending March 31, 2021 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to accept and file the Financial Reports for the General, Water/Wastewater and Solid Waste funds for the period ending March 31, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman presented the financial reports ending March 31, 2021 (asset sheets and Performance report) for the General, Water/Wastewater, Sanitation and Airport Funds; general fund remains healthy and all other funds have improved as well from last quarter. Staff recommended approval.

Commissioner Kerr second by Mayor Pro Tem Muñoz moved to accept and file the Financial Reports for the General, Water/Wastewater and Solid Waste funds for period ending March 31, 2021 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to accept and award the most advantageous bidder Pico Propane & Fuels fuel price agreement and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Deputy Public Works Director, stated five (5) bids for fuel services for Police Dept. Fire Dept. and all white fleet units were received and evaluated. Staff recommended to award the second lowest respondent Pico Propane and Fuels stating they have a local fleet of 7 tankers; is a local business readily available to the public safety departments if fuel system is down and during emergency operations respondent will have a tanker stationed at Public Works and/or at EOC staging area when requested.

Commissioner Pedraza seconded by Commissioner Lopez moved to accept and award Pico Propane & Fuels fuel price agreement as presented. Motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to accept and award the purchase of a Low Boy Trailer, as specified on RFB No. 2020-21-11 to the lowest and most advantageous bidder Don Van Orden Equipment, in an amount not to exceed \$51,347 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Lopez seconded by Commissioner Kerr moved to discuss.

David Arce stated six bids were received; the purchase would replace a 1991 lowboy trailer: trailer unusable and costly to repair; used to move excavators and other heavy equipment from site to site. Staff recommended lowest bidder Don Van Orden Equipment in the amount of \$53,847 but actual cost would be lower as respondent offered the best trade in value for city's equipment in the amount of at \$2,500. The final cost of the trailer with all fees, delivered and haul away will be \$51,347 and delivery time is 210-240 days. All the vendors included a one-year parts and labor warranty.

Commissioner Pedraza questioned the safety and usage of the equipment and concerned with delivery time of 210-240 days stating the respondent Nexa Trailers had the trailer available. David Arce stated the equipment is used as needed varying two or three times a week.

In response to Commissioner Farias, the City Manager stated the commission could award to another bidder justifying availability and hazardous condition of the existing equipment. Mayor Suarez recommended the equipment be available sooner and discuss with Nexa Trailers a trade in value. David Arce stated he was not clear of in stock availability. Mayor Pro Tem Muñoz stated if not in stock then it would need to come back to the commission to award to another respondent.

Commissioner Farias seconded by Commissioner Kerr moved to award the third lowest respondent Nexa Trailers not to exceed \$57,844 in the City's best interest of in-stock availability and safety and welfare concerns of existing equipment; authorized staff negotiate a trade in value and back to the commission if equipment no longer in stock. Motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to award the purchase for a 2019 Skid Steer and sandbagger to Doggett Heavy Machinery LLC. through BuyBoard Contract #597-19 not to exceed \$69,612 and authorize Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from voting and discussion.

David Arce stated nine quotes from buyboard vendors were received; sand bagging unit was included with exception of one vendor. Staff recommended to award Doggett Heavy Machinery not to exceed \$69,612 for a 2019 John Deere 332G skid steer (on wheels) with 18,000 bags and sand bagger and a grapple bucket attachment and has 24-month 2000-hour warranty that begins upon acceptance of equipment.

Commissioner Kerr seconded by Commissioner Lopez moved to award the purchase for a 2019 Skid Steer and sandbagger to Doggett Heavy Machinery LLC through Buyboard contract #597-19 not to exceed \$69,612 as presented. Motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

L. Report of brush collection services due to February 2021 freeze weather event. (Staffed by Public Works Department.)

Olga Garza, Assistant Public Works Director, reported brush piles are excessive stating one residential site alone had five truck loads; City of Harlingen assisted with equipment (one truck); staff working 10-11 hour work days to include Saturdays; presented totals of tons collected with March 2021 being 980 tons utilizing six trucks (includes cleanup from freeze); staff foresees April will be close to 980 tons; suggested pickup be once month but an obstacle is resources. Presented options to meet the demand of brush collection that included 1) rental of equipment (\$5,100 per month); 2) purchase of another truck either new or used but availability may not be until August for a 30-cubic yard or May 2022 for a 40-cubic yard and 3) hire temporary personnel.

Discussion with staff included possible reimbursement from FEMA; outside illegal dumping in the City; averaging 1 ½ pick-up monthly if there are no delays from sites; additional equipment (rental) may require training of employees and/or hiring temporary labor; twice a month pick-up may not be feasible at this time; advise residents city is working diligently in brush collection. Staff suggested temporary personnel for now, looking at 11-hour workday to allow employees to be off the weekend and utilize employees from other departments.

No action report only. The consensus from the commission was to bring back for action to approve temporary personnel and purchase of additional equipment.

M. Discussion and consideration to award RFB No. 2020-21-09 Weslaco Mid-Valley Airport Hangar Expansion and Infrastructure Development (EDA #08-79-05334), and authorize the Mayor to execute any related items. Possible action. (Staffed by Airport Department.)

Andrew Muñoz, Airport/Interim Human Resources Director, stated bids were solicited for two buildings; one building to have four pre-leased hangers and one building to have two (2) pre-leased hangers; seven (7) base bids received all exceeding the budgeted amount; Tri-Gen Construction base bid was the low bidder in the amount of \$1,769,500 for both building leaving a shortfall of \$352,833; scope of work revised for an alternate bid for the construction of four (4) hangers only. The Airport Advisory Board and staff recommended to move forward with the revised scope of work and award low bidder Tri-Gen Construction in the amount \$1,338,226.21, which is within the project's budget.

The City Manager recommended to award base bid to Tri-Gen Construction in the amount of \$1,769,500 any shortfall to come from the fund balance stating it would be more cost effective to build now; hangers are in demand and the monies from the fund balance may be reimbursable from federal grants.

Commissioner Kerr seconded by Commissioner Pedraza moved to award Tri-Gen Construction base bid in the amount of \$1,769,500 for the Weslaco Mid-Valley Airport Hangar Expansion and Infrastructure Development project as presented. Motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration on Ordinance 2021-14 amending ordinance Number 200 the City of Weslaco Traffic Ordinance; Codified as Chapter 134 of the Weslaco Code of Ordinances, adopting new regulations regarding the stopping, standing or parking vehicle near mailboxes; and ordaining other matters. First reading of Ordinance 2021-14. Possible action. (Staffed by City Manager.)

The City Manager stated complaints of obstruction in front of their mailboxes have been received by the City Manager and Code Enforcement; staff researched and found surrounding cities have a policy in place to prohibit parking in front of mailboxes.

Rebekah de la Fuente overviewed the proposed ordinance that would restrict a vehicle to be within 10 feet from a mailbox between the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturdays, except on federal holidays and except momentarily to load or unload passengers or merchandise; ordinance shall not apply to non-conforming residential size lots or lots whose frontage width is

less than 50 feet.

In response to Commissioner Farias and Mayor Pro Tem Muñoz ; Rebekah stated violations of the ordinance will be complaint based only and no restriction in place on the location of a mailbox and the US Postal is no longer allowing individual mailboxes new developments will have “cluster mailboxes”. Mayor Pro Tem Muñoz recommended a mailbox be a minimum of 10’ from the property line.

The City Manager recommended to approve on first reading and incorporate changes as discussed to include design layout of permitted locations of a mailbox for second and final reading.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve Ordinance 2021-14 on first reading with amendments as discussed. Motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration on Resolution 2021-30 in support of funding request by Hidalgo County from President Biden’s American Jobs Plan (infrastructure bill) for the expansion of the Hidalgo County Master Drainage System and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

The City Manager recommended approval stating the resolution supports Hidalgo County on their request of funding to President Biden’s American Jobs Plan for the expansion efforts of the Hidalgo County Master Drainage System.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Resolution 2021-30 in support of funding request by Hidalgo County from President Biden’s American Jobs Plan (infrastructure bill) for expansion of Hidalgo County Master Drainage System as presented. Motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION 2021-30

A RESOLUTION IN SUPPORT OF FUNDING REQUEST FROM JOE BIDEN’S
AMERICAN PLAN (INFRASTRUCTURE BILL) BY HIDLAGO COUNTY
FOR UPGRADES TO THE HIDALGO COUNTY MASTER DRAINAGE SYSTEM

WHEREAS, chronic flooding in Hidalgo County has affected the economy, health, and safety of citizens of Hidalgo County, the State of Texas, and the United States; and

WHEREAS, Hidalgo County is the seventh largest county by population in the State of Texas, with a population of approximately one million citizens; and

WHEREAS, Hidalgo County provides a critical component in the economic wellbeing of the United States due to its multiple international bridges and transportation infrastructure which directly and indirectly support millions of jobs in both the State of Texas and the United States; and

WHEREAS, Hidalgo County is seeking funding from President Joe Biden's American Jobs Plan to fund upgrades to the Hidalgo County Master Drainage System; and

WHEREAS, during flood events, the transportation of billions of dollars in goods and produce in Hidalgo County come to a complete halt, affecting the jobs and economy of the United States; and

WHEREAS, the proposed expansion project will help bring the Hidalgo County Master Drainage System up to date to prevent flooding and foster economic growth on a yearly basis; and

WHEREAS, drainage infrastructure projects are critical in providing community and economic resilience as well as in safeguarding the health and safety of citizens; and

WHEREAS, President Joe Biden's American Jobs Plan will appropriate funding for critical infrastructure with the end goal of making the infrastructure in our country more resilient; and

WHEREAS, one of the American Jobs Plan's intent is to safeguard critical infrastructure and services, and to defend vulnerable communities much like Hidalgo County, one of the poorest and most vulnerable counties in the United States; and

WHEREAS, the funding for the updates to Hidalgo County Master Drainage System will have an immediate and measurable effect in reducing flooding and creating economic opportunities for generations to come in both Hidalgo County and the United States.

NOW THEREFORE, BE IT RESOLVED that the Weslaco City Commission supports the allocation of funding from President Biden's American Jobs Plan for the expansion of the Hidalgo County Master.

PASSED AND APPROVED on this 20th day of April 2021.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

VII. EXECUTIVE SESSION

At 6:26 p.m. Commissioner Pedraza seconded by Commissioner Kerr moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:28 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

B. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.

No action.

C. Legal Consultation - Consultation with City Attorney for opinion regarding possible claim against Texas Cordia Construction and SAMES as authorized by section §551.071 of the Texas Government Code.

Commissioner Kerr seconded by Commission Lopez moved to authorize the City Attorney to send a demand letter to Texas Cordia Construction and SAMES as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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

No action.

E. Real Property - Consultation with City Attorney on Real Estate Contract for property described as a 65.88-acre tract of land out of Farm Tracts 1056, 1057 and 1058 West Adams Tract Subdivision as authorized by section §551.072 of the Texas Government Code.

Commissioner Kerr abstained from vote and discussion.

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize the Mayor to execute the Real Estate Contract with San Jacinto Properties for property described as a 65.88-acre tract of land out of Farm Tracts 1056, 1057 and 1058 West Adams Tract Subdivision. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

F. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property located on Dragon Fly Street as authorized by section §551.072 of the Texas Government Code.

No action.

G. 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 Police Union (Weslaco Municipal Police Association) as authorized by section §551.071 of the Texas Government Code.

No action.

H. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Z & L as authorized by section §551.087 of the Texas Government Code.

Commissioner Kerr abstained from vote and discussion.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve incentives for Project Z & L in the amount of \$198,000 as discussed in executive session and directed staff to bring information on Tax Abatement back to the commission. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

VIII. ADJOURNMENT

Commissioner Farias seconded by Commissioner Kerr moved to adjourn the meeting of April 20, 2021 at 7:30 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, CITY SECRETARY