



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
SEPTEMBER 7, 2021**

On Tuesday, September 7, 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	J.P. Rodriguez
	Commissioner	Adrian Farias
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez

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, Gus Ramirez, Interim Asst. Fire Chief, Eddie Gil, IT Department, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joel Rivera, Police Chief, Luz Galindo, HR Director, Arnold Becho, Library Director, Martin Vela, IT Director, Pete Garcia, Public Works Director, David Arce, Deputy Public Works Director, Rosa Badillo, Municipal Court, Cristina Garcia, PIO, 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, September 3, 2021.

B. Invocation.

Pastor Bacilio Castillo, Pave the Way Church led in the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

Mayor Suarez proclaimed "Larissa Nicole Rodriguez" as the Jr. Miss Regency International 2021.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting perfect attendance and a quorum present.

II. PUBLIC COMMENTS

Rojelio Melendrez, 501 San Carlos Street, expressed gratitude to the Public Works Department for the brush pickup; voiced tires in the alley not picked up and would dispose of them himself; requested continued support for drainage improvements for his subdivision MP Lackland and thanked Commissioner Rodriguez and Representative Armando Martinez for their calls.

III. PUBLIC HEARING

Commissioner Kerr, seconded by Mayor Pro Tem Muñoz moved to open the public hearing at 5:43 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

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

None.

B. Public Hearing to solicit input from the public regarding the City of Weslaco's Proposed Budget for Fiscal Year 2021-2022 commencing October 1, 2021 and ending on September 30, 2022, pursuant to Local Government Code 102.006. (Staffed by Finance Department.)

None.

Mayor Pro Tem Muñoz, seconded by Commissioner Lopez moved to close the public hearing at 5:44 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 August 17, 2021 and Special Meeting on August 31, 2021. (Staffed by City Secretary Department.)

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

1) Approval on Ordinance 2021-30 to rezone 2526 N International Blvd. also being an 8.9-acre tract of land out of farm tract 1056, Block 116, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas R-1 One family dwelling district to B-2 secondary and highway business district and authorize the Mayor to execute any related documents. (First reading held August 17, 2021; staffed by Planning & Code Enforcement Department.)

2) Approval on Ordinance 2021-31 to rezone 3700 E. Sugarcane being a 137-acre tract of land out of farm tract 1056, 1057 and 1058, Block 116, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas R-1 One family Dwelling district to I Industrial district and authorize the Mayor to execute any related documents. (First reading held August 17, 2021; staffed by Planning & Code Enforcement Department.)

3) Approval on Ordinance 2021-32 to rezone 1912 Mile 4 1/2 Road West / N. Bridge Ave. Also being West Tract E347.24'-W629.50'-S118.93', Farm Tract 31, .95 AC GR .88 AC NET, Weslaco, Texas from R-1 One family Dwelling district to B-1 Neighborhood business district and authorize the Mayor to execute any related documents. (First reading held August 17, 2021; staffed by Planning & Code Enforcement Department.)

C. Approval on amendments and extension from September 7, 2021 to October 7, 2021 for Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

D. Approval on renewal of a Facilities Usage Agreement with South Texas College for use of Harlon Block Parks (Fields), 1020 W. 18th Street and Mayor Pablo G. Pena City Park (Fields), and/or Tennis Courts), 300 North Airport Drive, from August 23, 2021 - August 12, 2022 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

E. Approval to declare approximately 120 Christmas Wreaths surplus property, donate to the City of Edcouch and authorize the Mayor to execute any related documents. (Parks and Recreation Department.)

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

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

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

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

V. APPOINTMENTS

A. Discussion and consideration on Resolution 2021-44 appointing a member to the Board of Adjustments & Appeals to the Zoning Ordinance for a term set to expire October 4, 2021 and authorize the Mayor to execute any related documents to Possible action. (Staffed by Planning and Code Enforcement.)

Mike Perez, City Manager stated Mr. Gilbert Zuniga expressed interest in serving and would submit a Board Application; vacancy was that of board member Maria Cisneros that did not express continued interest.

In response to Commissioner Kerr, the City Manager stated Mr. Zuniga called for consideration and an application on file was for Zachery P. Sunderland.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve Resolution 2021-44 appointing Gilbert Zuniga as member of the Board of Adjustments & Appeals as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION NO. 2021-44

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 Gilbert Zuniga is appointed to serve on the Board of Adjustments & Appeals-Zoning Ordinance and the term will begin October 4, 2021 and expire on October 4, 2023.

PASSED AND APPROVED on this 7th day of September 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

VI. OLD BUSINESS

A. Discussion and consideration after public hearing on behalf of Felix De La Cruz on Ordinance 2021-26 to rezone 105 Adelita St. Also being Lot 8-10, San Francisco Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District and R-2 Duplex and apartment district to B-1 neighborhood business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-26. Three-fourths vote required. Possible action. (This item was tabled July 20, 2021; no action August 3 and 17 2021; Staffed by Planning & Code Enforcement Department.)

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

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated the item required a supermajority vote; applicant had requested no action until a full board of the commissioner's present. The Planning and Zoning Commission and staff recommended denial based on the 2040 Land Use Map and the proposed use does not conform to the surrounding area.

Mayor Suarez called for a vote on the original motion. The motion failed unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2021-33, adopting the City of Weslaco's budget appropriations for Fiscal Year 2021-2022 commencing October 1, 2021 and ending September 30, 2022 and authorizing the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. First reading on Ordinance 2021-33. Possible action. (Staffed by the Finance Department.)

Vidal Roman, Finance Director, stated the budget for FYE September 30, 2022 as presented is balanced; public hearing held as required and staff recommended approval.

Commissioner Farias requested reconsideration of the funding request for the Weslaco Museum in the amount of \$6,000. Mayor Suarez recommended a budget amendment be forthcoming as the budget presented was a balanced budget. The City Manager agreed unless there was any objection to the recommendation.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve Ordinance 2021-33 adopting City of Weslaco's budget appropriates for FY 2021-22 as presented. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve Ordinance 2021-34, adopting and levying ad valorem tax rate for Fiscal Year 2021-2022 and authorizing the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. First reading of Ordinance 2021-34. Possible action. (Staffed by the Finance Department.)

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

Vidal Roman stated the proposed tax rate of \$.6967 was discussed and public hearing held; two components of the tax rate, maintenance and operations \$.5066 per \$100 valuation and debt service rate of \$.01901 per \$100 valuation to be approved separately. Staff recommended approval on Ordinance 2021-34 adopting and levying tax rate for FY 2021-2022.

Mayor Suarez called the question on the adoption of tax rate for Maintenance and Operation rate of \$.5066 per \$100 valuation. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez called the question on the adoption of a tax rate for Debt Service rate of \$.01901 per \$100. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez called the question on Ordinance 2021-34 adoption of a tax rate of \$0.6967 per \$100 by said adoption of a tax rate effectively a 2.8 % increase in the tax rate. By roll call vote the motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration on acceptance of the American Rescue Plan Act of 2021 funds in the amount of \$5,157,540, authorize expenditures and consider Ordinance 2021-35, a budget amendment and create a Special Projects Fund for appropriations and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-35. Possible action. (Staffed by City Manager.)

Vidal Roman stated the city received half of the award from the American The Rescue Plan Act in the amount of \$5,157,54 and recommended approval to acknowledge the funds, expenditures, and appropriate the funds by creating a Special Projects Fund for accountability purposes.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to authorize expenditures and approve Ordinance 2021-35 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration on Resolution 2021-45 to adopt the annual Investment Policy for the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman stated the Public Investments Funds Act requires annual review and approval. Staff recommended approval stating there were no changes to its present structure.

Commissioner Lopez seconded by Commissioner Pedraza moved to adopt the annual Investment Policy as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to select and award an EMS Billing and Collection contract for the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.)

Vidal Roman stated proposals were solicited for EMS billing services; six responses were received, evaluated, and ranked by staff. Staff recommended to award Quick Med as the highest ranked.

In response to Commissioner Farias and Mayor Suarez, the contract would be for two (2) years with an option of one (1) additional year and a 60-day termination clause and fee to city is 6% of actual collections.

Commissioner Farias seconded by Mayor Pro Tem Muñoz moved to award Quick Med for EMS Billing and Collection services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve Resolution 2021-46 nominating Joe Olivarez to the Hidalgo County Appraisal District Board of Directors for the 2022-2023 election and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

The City Manager recommended the nomination of Joe Olivarez a local business owner of the community. The Hidalgo County Appraisal District will then submit to the entities a ballot to cast their allotted votes for the candidate of their choice.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve Resolution 2021-46 nominating Joe Olivarez to Hidalgo County Appraisal District Board of Directors as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on face mask mandates for city facilities and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

No action.

H. Discussion and consideration on Resolution 2021-47 to support the adoption and approval of the Texas Term Sheet in its entirety regarding the Opioid Settlement in the approximate amount of \$90,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

The City Manager stated the Attorney General of Texas announced that millions had been awarded in opioid settlement funds and recommended to approve and accept the terms of the settlement to receive funds of between \$74,000 - \$90,000 for the purpose of providing education, awareness, and training in the schools, community youth programs and first responders.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Resolution 2021-47 to support the adoption and approval of Texas Term sheet regarding Opioid settlement as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the resolution.

RESOLUTION 2021- 47

BE IT REMEMBERED, at a regular meeting of the City Commission of the City of Weslaco held on the 7th day of September 2021 on motion made by Commissioner Pedraza of the City of Weslaco and seconded by Commissioner Lopez of the City of Weslaco the following Resolution was adopted.

WHEREAS the City of Weslaco obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs to the City of Weslaco; and

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as Exhibit "A"; and

WHEREAS, Special Counsel and the State of Texas have recommended that the City of Weslaco support the adoption and approval the Texas Term Sheet in its entirety.

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

1. Support the adoption and approval the Texas Term Sheet in its entirety; and
2. Finds as follows:
 - a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City of Weslaco;
 - b. The City Commission supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as Exhibit A. The City Commission of the City of Weslaco understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this City and throughout Texas.

PASSED AND APPROVED on this 7th day of September 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

I. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2021-2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.)

The City Manager stated the budget proposed has sales tax revenues at \$3.3 million with expenditures of \$4,962,908; budget has large projects that may or may not be done; will have carryover of funds of about \$3.8million; a workshop in August overviewed the EDC budget that is being presented. Staff recommended approval.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2021-2022 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration on request from the Weslaco Area Chamber of Commerce to hold a monthly Mid-Valley Farmers Market Outdoor event on the last Saturday of each month on South Kansas Ave. from 10AM-2PM and consideration to waive appropriate fees from ordinances associated with the event and authorize the Mayor to execute any related document. Possible action. (Requested by Weslaco Area Chamber of Commerce.)

The City Manager recommended approval.

Barbara Jean Garza, Chamber CEO, stated the Chamber continues to look for events of interest for the community; proposes a monthly free event to be marketed as “La Cebollita” Mid-Valley Farmers Market to be held on the last Saturday of each month from 10am-2pm located on South Kansas Avenue; requested a waiver of all fees and ordinances associated with the event and support to place signage promoting event around town and support from the Weslaco Public Facilities Department, Parks & Recreation, Police Department, Fire Department and EMS .

Commissioner Lopez seconded by Commissioner Pedraza moved to approve the Weslaco Area Chamber of Commerce Mid-Valley Farmers Market Outdoor event as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration of advertisement for Request for Qualifications for Architectural/Engineering Design for the expansion and remodeling of the Mayor Joe V Sanchez Public Library Complex. Possible action. (Staffed by the Library Department.)

Arnold Becho, Library Director, stated the request for proposal will be for a new library and/or remodeling; current facility 40 years old; lacks the ability to provide up-to-date technology to the community; lacks natural light and does not have sufficient space to serve families properly stating the library is one of the most highly used in the County. Staff recommended approval to solicit RFQ's.

Commissioner Lopez seconded by Mayor Pro Tem Muñoz moved to approve advertisement for RFQ for Architectural/Engineering Design for expansion and remodeling of Mayor Joe V. Sanchez Public Library as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to approve a Memorandum of Agreement to Reimbursement Customs and Border Protection for costs related to providing information technology (IT) equipment and services for the Weslaco Mid Valley Airport in an amount not to exceed \$70,770 with annual reoccurring costs of \$14,763 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)

Andrew Munoz, Asst. City Manager/Airport Director, stated an agreement in place with Customs and Border Protection outlines the city shall reimburse all technology related expenses; last update to equipment was in 2011; request would upgrade existing technology infrastructure at the Airport whose main purpose is to process passports and aircraft advised this will require a budget amendment as it is unbudgeted. Staff recommended approval.

Mayor Pro Tem Muñoz seconded by Commissioner Pedraza moved to approve memorandum of Agreement to Reimburse Customs and Border Protection for costs related to IT equipment and services at Mid-Valley Airport as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration on the purchase of a data network storage server with cloud data backup software licenses to protect the city's data for an amount of \$98,376 through vendor Insight Public Sector with Texas DIR contract # DIR-TSO-3763 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.)

Martin Vela, IT Director, stated the data storage server located at city hall has reached end-of-life; server's warranty has expired and storage capacity reaching its maximum limit. Staff recommended approval for purchase from Insight Public Sector for network storage with cloud data backup software licenses.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve vendor Insight Public Sector for purchase of data network storage server with cloud data backup as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration on request from the Children's Advocacy Center of Hidalgo and Starr County to rent the first-floor office suite located at 111 E. 5th Street and authorize the Mayor to execute any related documents. Possible action. (Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated The Children's Advocacy Center of Hidalgo and Starr Counties (CACHSC) wish to expand their mental and health services to the children and families affected by child abuse; requested to use the city's vacant office space on the first floor located at 111 E. 5th Street on a lease basis of One Dollar (\$1.00) per year with any remodeling needed be done at their cost and recognized in attendance Mr. Jesus A. Sanchez, Executive Director for the agency. Staff recommended approval.

Commissioner Farias seconded by Commissioner Rodriguez moved to approve request from Children's Advocacy Center of Hidalgo and Starr County as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to approve Ordinance 2021-36 repealing Ordinance 1969-09 the City of Weslaco Fire Limits Ordinance for downtown, Codified as Chapter 26, Article II of the Weslaco Code of Ordinances and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-36. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the ordinance in place is over 50 years old and adopted to regulate buffer zones between buildings in the downtown district; city adopts the International Building Codes that regulates compliance for building codes to be enforced. Staff recommended approval to repeal Ordinance 1969-09.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve Ordinance 2021-36 repealing Ordinance 1969-09 the City of Weslaco Fire Limits for downtown as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration to purchase an 8,000 gallon above-ground fuel tank from Buy Board vendor JF Petro Group in the amount not to exceed \$182,245 and authorize the Mayor

to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

David Arce, Deputy Public Works Director, recommended approval to purchase fueling station and fuel management system from Buyboard vendor JF Petro Group not to exceed \$182,245 for an 8,000 double-wall above ground diesel tank, Fuel Master management system, two single hose dispensers, overfill alarm system concrete pad installed for tank, bollards, and all required permits, test all equipment and available to fuel fire trucks and ambulances.

Commissioner Lopez seconded by Mayor Pro Tem Muñoz moved to approve purchase of 8,000 gallon above-ground fuel tank from JF Petro Group as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

Q. Discussion and consideration to purchase routing software and hardware from HGAC vendor Routeware Inc. for 11 solid waste collection units, in the amount not to exceed \$51,315, plus travel, and a reoccurring monthly fee of \$5,400 a month and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce stated the purchase would be for routing management system for the vehicles; included eleven tablets and cameras, training, installation; monthly reoccurring fees for cellular charge, pictures service, cloud storage, route maker and subscription. Staff recommended approval to purchase from HGAC vendor Routeware Global not to exceed \$51,315.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve purchase routing software and hardware from Routeware Inc. not to exceed \$51,315 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration to purchase Simplicity Dual High Pressure Wash System equipment for an amount not exceed \$47,286 from HGAC vendor Washing Equipment of Texas Inc., for new solid waste trucks and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce stated the purchase of a Wash Bay Equipment included Simplicity Dual High Pressure wash system, compressor, hose, wand, foaming brush, spot free system, a 350-gallon tank and is a manual wash system for the solid waste trucks. Staff recommended approval of HGAC vendor Washing Equipment of Texas, Inc. in the amount of \$47,286.

Mayor Pro Tem Muñoz seconded by Commissioner Farias moved to approve HGAC vendor Washing Equipment of Texas, Inc. in the amount of \$47,286. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

S. Discussion and consideration to purchase Front End Commercial bins from Wastequip Manufacturing Company LLC. in the amount not to exceed \$1,135,877 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.

David Arce stated three bids for the Solid Waste Commercial Grade Containers received and evaluated; bids were for 910 containers assorted sizes plus accessories. Staff recommended to award Wastequip Manufacturing Company LLC in the amount of \$1,135,877 with delivery beginning October 7 and completed the last week of November.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve Wastequip Manufacturing Company LLC in the amount of \$1,135,877 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

T. Discussion and consideration to approve bid tabulation for RFB 2020-21-30 Traffic Signal Improvements and award a contract to TRAF-TEX in the amount of \$422,862 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

The City Manager stated three bids were received and tabulated for signal improvements at four locations; lowest bid was from TRAF-TEX LLC in the amount of \$422,862 and exceeds the budgeted amount. The City Manager recommend removing the location of Westgate at 6th Street to come within budgeted amount estimated at \$255,793 and bring back to the commission to reconsider mid-year, if budget permits, Westgate at 6th Street signal improvements be done.

Commissioner Lopez seconded by Mayor Pro Tem Muñoz moved to approve TRAF-TEX LLC removing Westgate at 6th Street signal improvements as presented. The motion carried unanimously; Mayor was present and voting.

U. Discussion and consideration to approve bid tabulation for RFB 2020-21-31 Sidewalk Improvements and award a contract to La Frontera Special Projects, LLC in the amount of \$102,800 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

The City Manager stated budgeted amount for sidewalk and ramps was \$100,000; six bids were received and tabulated for city-wide sidewalk improvements; lowest respondent was La Frontera Special Projects, LLC in the amount of \$102,800. Staff recommended approval to award La Frontera Special Projects LLC in the amount of \$102,800 and vendor was in the audience. The City Manager noted staff would bring back the list of sidewalk improvements.

Commissioner Lopez seconded by Commissioner Rodriguez moved to award La Frontera Special Projects, LLC in the amount of \$102,800 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. REPORTS

A. Report by Engineering Department - Pleasantview Project

None.

B. Report by Siemens: Year 2 Annual Performance Assurance.

Vidal Roman voiced concerns that the reporting of accuracy, usage and guaranteed measures being presented does not reflect actual numbers from city data; questioned Siemens representative Mark Castaneda who indicated their information was based on a model representation of data from 2016; the assurance to the city was guaranteed accurate usage and more revenues and is not the case. Mr. Roman recommended the performance contract be terminated as their report will show favorable numbers for them based on a model and not actual data from the city. The City Manager recommended consultation with City Attorney for the next meeting to review the contract and termination clause.

C. Report by Parks and Recreation None.

D. Report by Public Works. None.

- E. Report by Emergency Management - COVID 19
None.

IX. EXECUTIVE SESSION

At 6:33 p.m. Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:33 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

X. 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. 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.

C. 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.

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. Legal Consultation - Consultation with City Attorney relating to 380 Agreement between City of Weslaco and SDI Weslaco Holdings, LLC. as authorized by section §551.071 of the Texas Government Code.

No action.

F. Legal Consultation - Consultation with City Attorney regarding redistricting for the City of Weslaco as authorized by section §551.071 of the Texas Government Code.

No action.

G. Legal Consultation - Consultation with City Attorney regarding the Conditional Use Permit for Sr Mostacho located at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County as authorized by section §551.071 of the Texas Government Code.

Commission Pedraza seconded by Commissioner Lopez moved to authorize the City Attorney and staff proceed with revocation of the Conditional Use Permit for Sr Mostacho located at 2307 W Interstate 2. Suite A as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

H. Legal Consultation - Consultation with City Attorney regarding Economic Development Corporation of Weslaco versus Sunil Wadhwani, Nolana Self-Storage LLC, Harjinder Singh, Gerardo Tafolla, Ricardo Quintanilla and Leo Lopez Cause No. C-0295-20-L as authorized by section §551.071 of the Texas Government Code.

Commissioner Lopez seconded Commissioner Pedraza moved to authorize the City Attorney to proceed as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

XI. ADJOURNMENT

Commissioner Pedraza seconded by Commissioner Lopez moved to adjourn the meeting of September 7, 2021 at 7:34 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

Norma A. Cantu, CITY SECRETARY