



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
OCTOBER 19, 2021**

On Tuesday, October 19, 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: Sonia Flores, Asst. Finance Director, Antonio "Tony" Lopez, Fire Chief, Joel Rivera, Police Chief, Robert Lopez, Asst. Police Chief, Eddie Gil, IT Department, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joe Pedraza, Asst. Director of Planning and Code Enforcement, Albert Aldana, City Engineer, Martin Vela, IT Director, David Arce, Deputy Public Works Director, Arnold Becho, Library Director, Luz Galindo, HR Director, Cristina Garcia, PIO, Rosa Badillo, Municipal Court, George Quilantan, Inframark and Molly Vallejo, Administrative Assistant.

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, October 15, 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.

Mayor Suarez proclaimed and recognized the partnership between the Weslaco Crime Stoppers, Weslaco Crime Stoppers coordinator and Weslaco Police Department on their "productivity award for most cases cleared".

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting at the time of roll call the absence of Commissioner Rodriguez and a quorum present.

II. PUBLIC COMMENTS

Jaime Luis Martinez stated he reported a fallen tree to the city; staff went and determined on city property (easement) at 215 and 219 Sergeant. Rosas Street; a tree contractor went and removed the tree and in doing so damaged his property and neighbors; presented pictures of debris left

behind to the city and city crews cleaned the debris; filed a claim and denied and was advised since he hired the contractor that his contractor at fault and wants to know who represented to the insurance that he hired the contractor.

Sergio Trevino, 504 E Mile 15 N, addressed the commission on the lack of lighting at Isaac D. Rodriguez Park; as an active skate boarder disappointed to come back after an absence to see the park in dismay stating he has submitted a request to park maintenance and asked the commission provide a safe well lighted park to the community; utilize funds from grants and The American Rescue Plan of 2021 for a new skate park and further opined why the city should not accept funds from the Department of Homeland Security (DHS).

Randy Hall voiced his concerns with the Drainage Advisory Board that has falsely misrepresented statements against him and not permitted to respond at the September 23, 2021 Drainage Advisory Board; will be requesting an action agenda item at the next advisory board meeting that will allow him to respond and determine if action be taken against those members that have falsely accused him and will not be intimidated for being active on social media on his views and opinions.

Joel Rivera, Chief of Police, thanked the commission, departments, and his staff in attending the National Night Event.

III. PRESENTATION

A. Presentation by Hidalgo County Drainage District No. 1 relating to drainage projects.

County Commissioner David Fuentes along with Raul Sesin, District General Manager HCDD#1 presented an update for Weslaco area projects from the 2018 Bonds; stated the public can access the information at the Hidalgo County website www.hcdd1.org that lists the ongoing county wide drainage projects and status.

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 September 21, 2021 and Special Meeting on September 28, 2021 (Staffed by City Secretary's Department.)

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

1) Approval on Ordinance 2021-37 for the Voluntary Annexation of Texas Road Subdivision – being West Tract E660'-N330' Farm Tract 109 & E660'-S660' Farm Tract 110 15.0 AC GR 13.63 AC net, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located 660' south of Mile 10 North along East Side of FM 88 and authorize the Mayor to execute any related documents. (First reading held September 21, 2021; staffed by Planning & Code Enforcement Department.)

C. Approval to apply to the FY2022 Border Zone Fire Departments (BZFD) under the Office of the Governor, Public Safety Office Homeland Security Grants Division for Equipment, Supplies and or Direct Operating Expenses associated with border security activities. No match requirements and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

D. Approval of the extension of the Memorandum of Understanding (MOU) with the United States Customs and Border Patrol Protection, Rio Grande Valley Sector for Emergency Medical Services training at no cost to the City and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

E. Approval on renewal of the Professional Services Agreement with Dr. Andrew Levine for Emergency Medical Services, Medical Director for an amount not to exceed \$40,000 per year and appointment as Health Authority for the City of Weslaco with an annual salary of \$10,000 per year to run concurrently for a two-year term from February 2021-February 2023 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

F. Approval on Resolution 2021-54 to apply to the FY22 Body-Worn Camera Program Grant #4367801 for an amount not to exceed \$155,010 with a 25% matching requirement to obtain body-worn cameras, digital video storage, and retrieval systems or cloud-based services and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval on Resolution 2021-57 to accept Local Border Security Program Grant #3407205 Award in the amount of \$100,000 for overtime to enhance local law enforcement patrols to facilitate directed actions to deter and interdict criminal activity and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval on Resolution 2021-55 for the application to the FY2022 Operation Lone Star Grant Program (Grant #4377801) to enhance interagency border security operations supporting Operation Lone Star, including the facilitation of directed actions to deter and interdict criminal activity and detain non-citizen inmates and authorize the Mayor to execute any related documents (Staffed by Police Department.)

I. Approval to authorize staff to solicit bids for an Annual City Grounds Maintenance Contract for City Hall-UTRGV-EDC, Fire Station 2-Library-Flag Plaza-Bank, Fire Station 1, Fire Station 3, Police Department, Shooting Range, Mid-Valley Airport Terminal and Customs & Border Protection Building and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

J. Approval of six-month extension for the Final Plat for Milanos Estates 2 Subdivision– being 26.43 acres being out of and forming a portion of Farm Tract 720 and 721, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of Mile 5 ½ West and Mile 6 ½ Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

K. Approval of 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. (Staffed by Planning & Code Enforcement Department.)

L. Approval of six-month extension for the Final Plat for Freedom Storage– being a 2.409 acre being a part or portion out Farm Tract 710, Block 136, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 863’ east of Pleasantview Dr. south of business 83 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

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

N. Approval to purchase 500 water meters for the total cost of \$166,355 for the continuing development of subdivisions and replenishment of inventory and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

O. Approval to authorize solicitation of bids for the following: 1) Long Reach Excavator; 2) 3-six-inch pumps; 3) Manhole Rehabilitation; 4) 2 backhoes (water/wastewater divisions); 5) 2 trailers with barricades; 6) Various city units for all departments; 7) Oil Distributor Trailer; 8) Mower for ditches; 9) tandem dual wheel pintle trailer; and 10) Utility Vehicle and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

Mayor Pro Tem Muñoz seconded by Commissioner Lopez moved to approve consent agenda A, B, C, D, E, F, G, H, I, J, K, L, M, O withholding item N as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Approval to purchase 500 water meters for the total cost of \$166,355 for the continuing development of subdivisions and replenishment of inventory and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

Sonia Flores, Asst. Finance Director, recommended approval to award Core Main, a sole source vendor, for the purchase of 500 water meters for a total cost of \$166,355.

In response to the Commission, this is the second request for additional meters; the cost has increased in general and water meters should arrive within two weeks.

Mayor Pro Tem Muñoz seconded by Commissioner Lopez, moved to approve Core Main to purchase 500 water meters for the total cost of \$166,355 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record following is the ordinance caption.

ORDINANCE NO. 2021-37

AN ORDINANCE ANNEXING ADDITIONAL TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS ON VOLUNTARY PETITION OF AREA LANDOWNER SUCH LAND BEING 15 ACRES OF LAND, LOCATED IN HIDALGO COUNTY, TEXAS, WHICH IS CONTIGUOUS TO THE CITY LIMITS AND HEREINAFTER DESCRIBED; AS SHOWN IN THE ATTACHED EXHIBIT; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 21st day of September 2021.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 19th day of October 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 to approve Resolution 2021-48 confirming an appointment by the Chief Executive Officer for a term set to expire October 19, 2021 on the Weslaco Civil Service Commission as per Local Government Code §143.006 and authorize the Mayor to execute any related documents. Possible action. (There was no action on October 21, 2021; staffed by Human Resources Department.)

No action.

B. Discussion and consideration on Resolution 2021-53 appointing two members to the Board of Adjustments & Appeals to the Zoning Ordinance for terms set to expire and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Joe Pedraza, Asst. Director of Planning and Code Enforcement stated Andy Veliz and Nick Carranza both expressed their continued interest in serving on the Board of Adjustments & Appeals.

Commissioner Farias seconded by Commissioner Lopez moved to appoint Andy Veliz and Nick Carranza to the Board of Adjustments & Appeals as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record following is the resolution.

RESOLUTION NO. 2021-53

A RESOLUTION OF THE CITY OF WESLACO APPOINTING TWO MEMBERS 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

WHEREAS, the two term of two members are set to expire November 2, 2021 and November 6, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT the following individuals are appointed to serve on the Board of Adjustments & Appeals-Zoning Ordinance.

<u>NAME</u>	<u>TERM ENDING</u>
<u>Andy Veliz</u>	<u>11/02/2023</u>
<u>Nick Carranza</u>	<u>11/06/2023</u>

PASSED AND APPROVED at a regular meeting of the City Commission this 19th day of October 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. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2021-41 reducing the size of an existing 15-foot utility easement along the northside of property line of Lot C-1 Re-Plat of Apostolic Assembly Church Subdivision to a 10-foot utility easement and authorize the Mayor to execute any related documents. First reading on Ordinance 2021-41. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the property owner requested to reduce an existing 15-foot utility easement to 10 foot located on the north side of the property for the construction of a commercial plaza; owner unable to meet requirements due to oversized utility easement; owner has obtained letters from the utility companies they do not have any objection to the reduction in the size of the easement and Subdivision Ordinance requires the dedication of 10-foot utility easement. Staff recommended approval on the reduction of the utility easement.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Ordinance 2021-41 to reduce the size of an existing 15-foot utility easement as presented. The motion carried unanimously; Mayor Suarez was present and voting.

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

Rebekah de la Fuente stated the developer originally proposed fifty (50) lots and is now proposing fifty-two lots; the two lots are along Vani Drive all appropriate updates have been made. The Planning and Zoning Commission and staff recommend approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Final Plat for Verona Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve the Final Plat for White Rose Subdivision– being a 4.644-acre tract of land out of Farm Tract 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located approximately 2000ft North of Intersection Frontage Road & Bridge Ave and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed two lot subdivision inside city limits; serviced with water and sewer by the city. Staff requested an additional 15 feet of right-of-way dedicated on Bridge Avenue and granted. The Planning and Zoning Commission and staff recommended approval of the final plat.

Commissioner Pedraza seconded by Commissioner Kerr moved to approve Final Plat for White Rose Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve Ordinance 2021-42 for the Voluntary Annexation of Adams Tract Subdivision – being 1.166 AC out of North 210.10 FT of the East 242.00 FT. of Farm Tract 1009, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southwest corner of intersection FM 1015 and Mile 6 North and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-42. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated site is a one (1) lot subdivision outside city limits; serviced with water by City and owner proposes to tie into existing city sewer line. The location is the existing Nana's Taqueria. The Planning and Zoning Commission and staff recommended approval of the voluntary annexation.

Commissioner Pedraza seconded by Commissioner Kerr moved to approve Ordinance 2021-42 for Voluntary Annexation of Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve Ordinance 2021-43 for the abandonment of a 50-foot right-of-way on West Esplanada Street and North Georgia Street and authorize the Mayor to

Commissioner Kerr abstained from voting and discussion.

Rebekah de la Fuente stated the original warehouse was constructed in 1944; right of way was originally dedicated as part of Pike Snead subdivision in 1967 but this portion of right of way was never constructed. Staff recommended approval of the abandonment of the 50 ft right of way for West Esplanada Street and North Georgia Street.

Commissioner Farias seconded by Commissioner Pedraza moved to approve Ordinance 2021-43 for abandonment of 50 ft right of way on West Esplanada and North Georgia as presented. The motion carried with Commissioner Kerr abstained; Mayor was present and voting.

F. Discussion and consideration for approval to purchase a 2022 - 2023 FORD F-250 Animal Control Unit from Caldwell Country Ford at a cost of \$68,695 under Buy Board Contract # 601-19 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Farias abstained from voting and discussion.

Joe Pedraza, Assistant Planning and Code Enforcement Director stated local vendors do not carry

the special equipment for the animal control unit, therefore staff recommended approval to purchase the unit through Caldwell Country Ford for a cost of \$68,695 through buyboard contract #601-19.

Commissioner Pedraza seconded by Commissioner Kerr moved to approve purchase a 2022-2023 Ford F-250 Animal Control Unit from Caldwell Country Ford as presented. The motion carried with Commissioner Farias abstained; Mayor Suarez was present and voting.

G. Discussion and consideration on Ordinance 2021-44 granting Freeport Tax Exemption in the City of Weslaco and authorize the Mayor to execute any related documents. First reading of Ordinance 2021-44. Possible action. (Staffed by City Manager.)

City Manager Mike Perez recommended approval stating the need of a taxation of Freeport Goods and granting Freeport Tax Exemption of certain tangible personal property from ad valorem taxation for the city was not in place. Staff recommended approval of Ordinance 2021-44.

Commissioner Rodriguez seconded by Commissioner Kerr moved to approve Ordinance 2021-44 granting Freeport Tax Exemption in the City of Weslaco as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve Resolution 2021-56 to allocate votes in the election for the 2022-2023 Board of Directors of the Hidalgo County Appraisal District pursuant to §6.03(e) of the Texas Property Tax Code and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

City Manager Mike Perez stated 75 votes are needed to appoint Joe Olivarez to the 2022-2023 Board of Directors of the Hidalgo County Appraisal District. Staff recommends approval of resolution 2021-56.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Resolution 2021-56 to allocate votes in the election for the 2022-2023 Board of Directors of the Hidalgo County Appraisal District as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to reject all bids for Sanitation Building Renovations RFB#2020-21-23 and allow staff to rebid and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Deputy Public Works Director, recommended to reject all bids as they are over budget for the renovations of the sanitation building and requested to rebid. The cost range submitted was from \$410,000 to \$1,013,000.

Commissioner Pedraza seconded by Commissioner Kerr moved to reject all bids for Sanitation Building Renovation and allow staff to rebid as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to approve the purchase of 2-way radios from Tri County Communications through Buyboard Contract #603-20/604-20 in the amount not to exceed \$56,273 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from voting and discussion.

David Arce stated two (2) way radios are needed for the operation of brush and garbage collection; to be used by Supervisors, Drivers, and Mechanics to communicate on daily routes. Staff recommended approval to purchase 2-way radios from Tri County Communications.

Commissioner Kerr seconded by Commissioner Lopez moved to approve purchase of two-way radios from Tri County Communications as presented. The motion carried with Commissioner Farias abstained; Mayor Suarez was present and voting.

K. Discussion and consideration to approve purchase of survey equipment through DIR Contract #DIR-CPO-4504 in the amount of \$32,256.37 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated the need to purchase survey equipment in the amount of \$32,256.37 through Texas Department of Information Resources (DIR) contract; the department's existing survey equipment is in bad condition. Staff recommended approval of the purchase.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve purchase of survey equipment through DIR Contract #DIR-CPO-4504 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration for planning, program development and to solicit funds through grants, partners, agencies and foundations for the purchase of a Mobile Communications/Command Unit (Regional) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief stated staff requested approval to solicit funds through grants, partners, agencies, and foundations for the purchase of a Mobile Communications/Command Unit (Regional); this unit would be like the Ambus which will be mobilized as needed for disaster events. Staff recommended approval to solicit funds.

Commissioner Pedraza seconded by Commissioner Kerr moved to approve to solicit funds for purchase of a Mobile Communications/Command Unit (Regional) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration for approval to purchase a 107 ft Ladder Truck under the 2021-2022 WFD Apparatus Replacement Fund at a cost of \$1,230,000 under Buy Board Contract # 651-21 replacing Downtown Fire Station 2004 Engine Company/ 2003 Ladder 1 and authorized the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Commissioner Farias abstained from voting and discussion.

Antonio Lopez requested to purchase a 107ft Ladder Truck under the 2021-2022 Weslaco Fire Apparatus Replacement fund at a cost of \$1,230,000 under the Buyboard contract #651-2; replacement of Ladder 1 and Engine 2 which are older models. Staff recommended approval of purchase of Ladder Truck.

Commissioner Lopez seconded by Commissioner Kerr moved to approve purchase of a 107 ft Ladder Truck under the 2021-2022 WFD Apparatus Replacement Fund as presented. The motion carried with Commissioner Farias abstained; Mayor Suarez was present and voting.

N. Discussion and consideration to purchase Fire Rescue Tools and Equipment from Metro Fire Apparatus Specialist in the total amount of \$42,864.00 through Buy Board Contract # 603-20 which was approved for FY 2021-2022 under Capital Outlay expenditures and authorized the Mayor to execute any related documents. Possible action. (Staff by Fire Department.)

Commissioner Farias abstained from voting and discussion.

Antonio Lopez recommended approval for the replacement of old hydraulic rescue tools for the current Engine Company; rescue tools would include updating of equipment to E-Drolic rescue tools (Battery Powered), Recue Spreader, Rescue Cutter, Rescue Ram, Rescue Stabilization jacks and Airbag lifting system.

Commissioner Lopez seconded by Commissioner Kerr moved to approve purchase Fire Rescue equipment from Metro Fire Apparatus Specialist through buyboard vendor as presented. The motion carried with Commissioner Farias abstained; Mayor Suarez was present and voting.

O. Discussion and consideration accepting a financing proposal from Frost Bank for the purchase of commercial bins with Ordinance 2021-24 that approved a Budget Amendment on the Solid Waste program for purchase and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Sonia Flores, Asst. Finance Director, stated the city solicited financing proposals for the purchase of commercial bins; three proposals for financing received and reviewed. Staff recommended Frost Bank as the most favorable for the City with the lowest interest rate offered at 1.671%.

Commissioner Pedraza seconded by Mayor Pro Tem Muñoz moved to approve financing proposal from Frost Bank for purchase of commercial bins and as presented. By roll call vote, the motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration awarding a contract to the most advantageous respondent in Retail Energy Services and authorize the Mayor to execute all related documents. Possible action. (Staffed by Finance Department.)

Sonia Flores introduced Rudy Ramirez, Energy Consultant.

The City Manager stated the proposals received for retail energy services are higher than currently being paid with the current vendor, Cavallo Energy through the Texas General Land Office Contract (GLO). The City Manager recommended to reject all bids and authorize staff and consultant to discuss with the GLO to extend the contract until December 2023 as the city is currently paying 3.5cents and proposals received are about 25% more.

Rudy Ramirez stated four proposals received and all had fixed rates; three had ancillary charges subject to change a charge that could range from \$9 to \$25 per kilowatt that can be imposed upon legislative law to support the transmission of electric power because of an event, such as the severe winter storm; the Consultant recommended to award Engie Resources that has a fixed rate, includes ancillary charges and has a blend and extend option that allows the rate to be lowered if market rates become lower and extends the contract; Engie Resources will not change the rates during the contract unless the blend and extend option is used. The rate is not subject to change; city will have an increase of \$11,000 monthly but the city is protected from ancillary charges when imposed for the term of the contract and the rates from the other proposals may be lower but subject to change as the rate may not be an all-protected fixed rate.

In response to Mayor Pro Tem Muñoz and Commissioner Kerr, the Consultant stated the contract can be terminated and recommended a 96-term contract instead of 60-term and has a 30-day termination but offers the blend and extend, if rates are lower, will lower and contract extended. The City Manager stated if they are permitted to cancel at any time should lower rates occur, he would agree with the recommendation from the consultant. The Consultant noted benefits in the contract ancillary charges included and usage of kilowatts does change the rate.

Commissioner Kerr seconded by Commissioner Rodriguez moved to approve Engie Resources subject to review as the most advantageous respondent for Retail Energy Services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration on the Special Services Agreement for the Hotel/Motel Room Occupancy tax proceeds between City of Weslaco and the following:

1.) Chamber of Commerce for \$275,185

2.) Frontera Audubon Society for \$51,500; and

3.) Lower Rio Grande Valley Nature Center for \$80,000

and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.)

Sonia Flores recommended approval to fund the Chamber of Commerce, Frontera Audubon Society and Lower Rio Grande Valley Nature Center as recommended by the Hotel/Motel Advisory Committee from the Hotel/Motel Room Occupancy tax proceeds.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve Special Services Agreement for Hotel/Motel room Occupancy tax proceeds as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration of Statement of Qualifications provided in response to the New Library/Library Renovation Project and designation of an evaluation team to assist in selection and interview of respondents. Possible action. (Staffed by the Library Department)

Arnold Becho, Library Director stated seven Statements of Qualifications received; recommended Saida Sanchez, Ray Banda, Library Members, Dr. Sylvia Sanchez Garza, the Library Consultant, and staff be members to evaluate. The City Manager recommended Commissioner Farias, Mayor Suarez, and Mayor Pro Tem Muñoz as an ex officio member.

Commissioner Lopez seconded by Commissioner Kerr moved to approve designation of an evaluation team for the Statement of Qualifications provided in response to New Library/Library Renovation Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

S. Discussion and consideration to approve Change Order #1 in the amount of \$43,401.00 for the Airport hangar project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.

Andrew Munoz, Asst. City Manager, recommended approval; this is to furnish and install three 30-foot light poles along the apron area near the Customs and Border Protection area for after-hour and night inspections for international flights with funds for the project will be under the Routine Area Maintenance Program (RAMP), which has the budgeted funds.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Change Order #1 in the amount of \$43,401 for Airport Hangar project as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

VII. REPORTS

A. Report by Engineering Interns on the work completed for the City of Weslaco and experience gained.

Raul Estrada, Intern for Engineering reviewed a power point on his internship such as surveying the old Recycling Center, working in the flood zone areas and manholes in the city.

B. Report by Parks & Recreation Department - New Police and Fire Station project.

Omar Rodriguez reviewed the design layout and costs.

VIII. EXECUTIVE SESSION

At 7:27 p.m. Mayor Pro Tem Munoz seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 9:30 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. 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. Personnel - Discussion regarding terms of the Agreement with MRP Consultant for consulting services for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve to enter into a contract agreement with MRP Consulting as discussed in executive session. This agreement can be terminated without cause upon notice as discussed in executive session. The motion carried unanimously; Mayor was present and voting.

C. Personnel - Discussion regarding the appointment of an Interim City Manager and discuss Resolutions 2021-50, 2021-51 and 2021-52 for signatories on legal financial documents identified with the PNC, Navy Army, and Tex-Pool for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

Commissioner Lopez seconded by Commissioner Pedraza moved to appoint Andrew Muñoz as Interim City Manager, approved Resolutions 2021-50, 2021-51 and 2021-52 authorizing him as signatory on legal financial documents and authorize MRP Consulting to begin the search for a new City Manager as discussed in executive session. The motion carried unanimously; Mayor was present and voting.

D. Contract Negotiations - Discussion with the City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Police Union (Weslaco Municipal Police Association) as authorized by section §551.071 of the Texas Government Code.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve Collective Bargaining Agreement Option A with the Weslaco Police Association as discussed in executive session. The motion carried unanimously; Mayor was present and voting.

E. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of various city-owned real property to Affordable Homes of South Texas, Inc., TuCasa Investments, Inc as authorized by section §551.072 of the Texas Government Code.

No action.

F. 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.

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

No action.

H. 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.

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

Commissioner Pedraza seconded by Mayor Pro Tem Muñoz moved to authorize Attorney Rolando Rios to submit the redistricting map to the Justice Department as discussed in executive session. The motion carried unanimously; Mayor was present and voting.

J. Legal Consultation - Consultation with City Attorney regarding the Performance Contracting Agreement between the City of Weslaco and Siemens Industry Inc. as authorized by section §551.071 of the Texas Government Code

No action.

K. 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.

No action.

L. Legal Consultation - Consultation with City Attorney regarding Letter of Representation and Notice Pursuant to TEX.CIV.P. & REM. Code § 101, from the Law Office of Rogelio Solis, PLLC to on behalf of Laura de Socorro Zamora , Nathan Alexis Guerra and Jayden Isaiah Guerra as authorized by section §551.071 of the Texas Government Code.

No action.

M. Legal Consultation - Consultation with the City Attorney regarding claim in accordance with The Texas Tort Claims Act, Section 101.101 from the Law Office of Raul "Rudy" Rodriguez, P.C. on behalf of the estate, wife and minor children of Juan Pedro Guerra as authorized by section §551.071 of the Texas Government Code.

No action.

N. Legal Consultation - Consultation with City Attorney regarding the Conditional Use Permit for Tipsey Monkey located at 3700 E. Expressway also being Lot 5, Replat Red Bird No. 2 Subdivision, Weslaco, Hidalgo County, Texas as authorized by section §551.071 of the Texas Government Code.

No action.

O. Economic Development - Consultation with City Attorney regarding ongoing and pending economic development projects as authorized by section §551.087 of the Texas Government Code.

No action.

IX. ADJOURNMENT

Commissioner Pedraza seconded by Mayor Pro Tem Muñoz moved to adjourn the meeting of October 19, 2021 at 9:32 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY