



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 3, 2022**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, May 3, 2022 at 5:30 PM for the purpose of discussing the following items:

NOTE: If during the course of the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Weslaco City Commission will convene in such executive or closed session whether or not such item is posted as an executive session item at any time during the meeting when authorized by the provisions of the Texas Open Meetings Act.

Pursuant to Texas Government Code Section 551.127, on a regular, non-emergency basis, the Weslaco City Commission may attend and participate in the meeting remotely by telephonic conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
- E. Roll Call.

II. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

The Public may comment on anything on the agenda, however if you comment on something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

III. PRESENTATION

- A. Steve Valdez, Executive Director, Weslaco Economic Development Corporation.
- B. Barbara Jean Garza, President/CEO, Weslaco Area Chamber of Commerce & Visitors Center.

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 19, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2022-14 to rezone 211 S Milanos Road also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading held April 19, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of the inter-local contract with the Lower Rio Grande Valley Development Council to accept and appropriate grant award for the Regional Solid Waste Grant in the amount of \$24,375 approve a budget amendment as required and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- D. Approval of application to the South Texas Literacy Coalition free book distribution program; acceptance of books upon award and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.

V. OLD BUSINESS

- A. Discussion and consideration to amend the Personnel Policies of the City of Weslaco for On-Call Pay in adherence to FLSA overtime provisions and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 15, 2022; staffed by Human Resources Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration on request to amend the Weslaco Economic Development Corporation Articles of Incorporation and By-Laws regarding unexpired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.
- B. Discussion and consideration on presentation of the financials for the General, Water/Wastewater, Solid Waste and Airport funds for the period ending March 31,

2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

- C. Discussion and consideration to approve the Quarterly Investment Report for the period ending March 31, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- D. Discussion and consideration on Ordinance 2022-15 adopting a mid-year budget amendment and authorize the Mayor to execute and related documents. First reading of Ordinance 2022-15. Possible action. (Staffed by Finance Department.) Attachment.
- E. Discussion and consideration to award Buyboard vendor Precision Pump Systems for a new 8" Gorman Rupp pump for lift station 12 for an amount not to exceed \$24,188 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- F. Discussion and consideration to submit a Letter of Intent to the Knapp Community Care Foundation for an amount not to exceed \$750,000 for a new swimming pool and authorize the Mayor and Interim City Manager to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- G. Discussion and consideration to submit a Letter of Support to WISD- Weslaco High School for a grant submission to the Knapp Community Care Foundation for a Music Playscape at Gibson Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- H. Discussion and consideration authorizing the City of Weslaco to submit a joint application with Hidalgo County for Congressional Earmark/Community Project Funding and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- I. Discussion and consideration to authorize staff to solicit Requests for Qualifications for grant assistance, environmental study and engineering design services for the Texas General Land Office CDBG-DR 2018 and 2019 Infrastructure Competitions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- J. Discussion and consideration to approve ERO Amendment #3 Professional Services Agreement AIA G808-2017 in an amount not to exceed \$16,349.92 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.

VII. REPORTS

- A. Construction Report - New Police Department and Municipal Court

B. Construction Report - New Downtown Fire Station No. 2

VIII. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:

(1) the defendant had good reason to believe the disclosure was lawful; or

(2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

- A. Personnel - Discussion regarding the goals, objectives, and evaluation of the Interim City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- B. Contract Negotiations - Discussion with the Interim 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.
- C. 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.
- D. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Steele as authorized by section §551.087 of the Texas Local Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of

Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 29th day of April 2022, on or before 4:00 pm and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Norma A. Cantu, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary Department at (956) 968-3181, Ext. 1001 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials:

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN".

“DE ACUERDO CON LA SECCION 30.06 DEL CODIGO PENAL (INGRESO SIN AUTORIZACION DE UN TITULAR DE UNA LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA SEGUN EL SUBCAPITULO H, CAPITULO 411, CODIGO DEL GOBIERNO (LEY SOBRE LICENCIAS PARA PORTAR PISTOLAS), NO PUEDE INGRESAR A ESTA PROPIEDAD CON UNA PISTOLA OCULTA”.

"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY".

“DE ACUERDO CON LA SECCION 30.07 DEL CODIGO PENAL (INGRESO SIN AUTORIZACION DE UN TITULAR DE UNA LICENCIA CON UNA PISTOLA A LA VISTA), UNA PERSONA CON LICENCIA SEGUN EL SUBCAPITULO H, CAPITULO 411, CODIGO DEL GOBIERNO (LEY SOBRE LICENCIAS PARA PORTAR PISTOLAS), NO PUEDE INGRESAR A ESTA PROPIEDAD CON UNA PISTOLA A LA VISTA”.



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2021-4950	
From:			
Subject: Certification of Public Notice.			
Background: Call to Order, includes the following: A. Certification of Public Notice. B. Invocation. C. Pledge of Allegiance. D. Mayoral Recognition. E. Roll Call.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
NORMA CANTU ADELAIDA VEGA Martin Garza		Created/Initiated New	
City Manager Comments: Approve.			
Staff Recommendation: A. Mayor will Call to Order and certify Public Notice. B. Pastor Raja Masilamony from Seventh Day Adventists Church will lead the invocation. C. Mayor will lead Pledge of Allegiance; Mayor Pro-Tem may lead Texas Flag. D. Mayoral Recognition. E. City Secretary will call roll. Four or more Commissioners present constitute a Quorum; otherwise, no action may be taken.			
Attachments, if any: Pledge & Mission updated as of MARCH 29, 2022			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

The Pledge of Allegiance to the Flag

"I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL."

The Pledge of Allegiance to the State Flag

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

**The pledge was amended by House Bill 1034 during the 80th Legislature with the addition of "one state under God." The revised wording became effective on June 15, 2007.*

Preamble to the Constitution of the United States of America

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

STATEMENT OF VISION: AN INTERNATIONAL CENTER OF GROWTH

Friendly people with vision, courage and integrity

STATEMENT OF MISSION: COMMITMENT TO EXCELLENCE IN PUBLIC SERVICE

- *Positive Attitude of Courtesy & Concern
- *Doing it Right the First Time
- *Sensitive to the citizens' needs
- *Friendly Respect for All
- *Service without Hassle



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5389	
From:			
Subject: Steve Valdez, Executive Director, Weslaco Economic Development Corporation.			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
ADELAIDA VEGA Martin Garza		Created	
City Manager Comments: Presentation only.			
Staff Recommendation:			
Attachments, if any:			
Responsibilities upon Approval:			



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5390	
From:			
Subject: Barbara Jean Garza, President/CEO, Weslaco Area Chamber of Commerce & Visitors Center.			
Background:			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted:			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
ADELAIDA VEGA ADELAIDA VEGA Martin Garza		Created/Initiated New	
City Manager Comments: Presentation only.			
Staff Recommendation:			
Attachments, if any:			
Responsibilities upon Approval:			



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2021-4955	
From:			
Subject: Approval of the Minutes of the Regular Meeting on April 19, 2022. (Staffed by City Secretary Department.) Attachment.			
Background: Record of commission action of the regular meeting on April 19, 2022.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
NORMA CANTU ADELAIDA VEGA Martin Garza		Created	
City Manager Comments: Approve.			
Staff Recommendation: Approve.			
Attachments, if any: 220419 minutes draft			
Responsibilities upon Approval: Execute and retain.			



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
APRIL 19, 2022**

On Tuesday, April 19, 2022, 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	Josh Pedraza
	Commissioner	Greg Kerr
	Commissioner	J.P. Rodriguez
	Commissioner	Leo Muñoz
	Commissioner	Letty Lopez
	Commissioner	Adrian Farias

ABSENT: None

STAFF PRESENT:	Martin Garza	Interim City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Aida Vega, Deputy City Secretary, Vidal Roman, Finance Director, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joel Rivera, Police Chief, Luz Galindo, HR Director, Rosa Badillo, Municipal Court, Albert Aldana, City Engineer, David Arce, Deputy Public Works Director, Pete Garcia, Public Works Director, Arnold Becho, Library Director, Martin Vela, IT Director, George Quilantan, Inframark, Cristina Garcia, PIO and other staff members.

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 Thursday, April 14, 2022

B. Invocation.

Pastor Bascolo Castillo, Pave the Way Church led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the "Pledge of Allegiance and Texas Flag."

D. Mayoral Recognition.

Mayor Suarez recognized Juanita Maldonado on her accomplishments and award recipient of the Presidential Volunteer Award.

E. Roll Call.

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

II. PUBLIC COMMENTS

Casey Fischbeck, Industrial Disposal Supply Company, spoke on their product Tymco Street Sweeper; is a Texas product manufactured out of Waco with offices in San Antonio, Houston and Dallas and serve thirteen cities in the Rio Grande Valley.

III. PUBLIC HEARING

Commissioner Kerr seconded by Commissioner Rodriguez moved to open the public hearing at 5:42 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Eric Cavazos is requesting to rezone 901 Hackberry also being Lot 1-3, Block 2, Bouganvillea Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-1 neighborhood business district.

Jaime Vasquez, 611 Border Avenue, voiced objection to the rezone; petition submitted by the residents against that had concerns of traffic, adequate parking for a business and requested denial of the request.

B. To solicit input on behalf of Eduardo Garcia is requesting to rezone 149 N. Pleasantview Dr. Also being N275' FT 20 8.333AC GR 8.15AC NET, WEST TRACT Subdivision, Weslaco, Hidalgo County, and Texas from R-1 One Family Dwelling District to B-2 secondary and highway business district.

Josh Pedraza, 2110 Largo Street, voiced objection to the rezone citing the quality of life for the residents will be interrupted with additional 18-wheelers in the area; an expansion on the property disrupts the area with noise and activity on-going into late hours and requested denial of the rezone and signatures were collected against the rezone.

C. To solicit input on behalf of Oscar Zarate is requesting to rezone 211 S Milanos Rd. also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District.

No comments.

D. To solicit input on behalf of Leticia Acevedo is requesting a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit and Late Hours Certificate at 4024 E Interstate 2, also being Lot 3, Royal Subdivision Weslaco, Hidalgo County, Texas.

No comments.

E. To solicit input on behalf of OL Beverage Holdings, LLC is requesting a Conditional Use Permit to obtain a On-premise mixed beverage, Food and Beverage and Late Hours Certificate at 1411 W. Interstate 2, also being Lot 2, Harbor Freight Subdivision Weslaco, Hidalgo County, Texas.

Commissioner Kerr seconded by Commissioner Lopez moved to close the public hearing at 5:46 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 5, 2022. (Staffed by City Secretary Department.)

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

1) Ordinance 2022-11 for the Voluntary Annexation of 211 S Milanos Road being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas, located on Milanos Road and authorize the Mayor to execute any related documents. (First reading held April 5, 2022; staffed by Planning & Code Enforcement Department.)

C. Approval to purchase (and issue to) Honorably Retired Peace Officer Lt. Billy Pemelton's service weapon, a (UG-GLOCK22G4) used Glock 22 Gen 4 .40 handgun with serial number #WXN010 for the amount of \$238.50, as allowed under Texas Government Code Section 614.051 and authorize the Mayor to execute any related documents (Staffed by Police Department).

D. Approval of a six-month extension for 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 the westside of Pleasant View Drive, 1320' North Mile 5 North Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

E. Approval of the request from Habitat for Humanity to move the date of the inaugural “Fiesta del Hogar” to June 16, 2022, amend the lease to reflect this change, and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve consent agenda as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the caption of Ordinance 2022-11.

ORDINANCE NO. 2022-11

AN ORDINANCE ANNEXING ADDITIONAL TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS ON VOLUNTARY PETITION OF AREA LAND OWNER SUCH LAND BEING 8.00 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.

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. OLD BUSINESS

A. Discussion and consideration to approve the Wholesale Wastewater Treatment Interlocal Agreement between the City of Weslaco and North Alamo Water Supply Corporation (NAWSC) and authorize the Mayor to execute any related documents. Possible action. (There was no action on January 4, January 18 and February 1, 2022; staffed by Planning & Code Enforcement Department.)

Juan E. Gonzalez, City Attorney, requested consultation in executive session advising there were legal implications that the commission needed to be advised.

B. Discussion and consideration of the amended Airport Rules and Regulations and authorize the Mayor to execute any related documents. Possible action. (There was no action March 15, 2022; staffed by Airport Department.)

Andrew Munoz, Aviation Director/Asst. City Manager, stated this was previously presented for review and comments; the City Attorney and Airport Advisory reviewed and approved; went over four amendments that included right-of-entry restricted, rules, violations, and penalties more disciplinary; commercial activity will require a lease agreement and added TSA control access requirements for background checks. Staff, City Attorney and Airport Advisory Board recommended approval.

Commissioner Farias seconded by Mayor Pro Tem Pedraza moved to approve the amended Airport Rules and Regulations as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. NEW BUSINESS

A. Discussion to accept and file the City of Weslaco's Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2021, as presented by Carr, Riggs & Ingram, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Vidal Roman, Finance Director, stated the Annual Comprehensive Financial Report for fiscal year ending September 30, 2021, was completed, and introduced Matthew Montemayor,

Engagement Partner with Carr, Riggs & Ingram, LLC.

Matthew Montemayor, CPA Engagement Partner with Carr, Riggs & Ingram, LLC; overviewed the contents of the reports such as the transmittal letter provides a profile of the city, management discussion and analysis, financial statements, statistical information and compliance section; noted the Finance Department awarded certificate of excellence for financial reporting; presented two components of the audit; Financial Statement Audit (governmental activities and business activities) and Federal Awards (grants); noted the Economic Development Corporation audit is done separately; three reports issued 1) Independent Auditors provides an unmodified opinion on the financial statements, 2) control over financial reporting and 3) compliance on federal awards stating two grants audited was the Coronavirus Relief Fund \$629k and Coronavirus state and local recovery funds (ARPA) \$700k ; went over assets, liabilities and net position for the city; reviewed statements of revenues and expenditures for governmental activities and business activities; stated sales tax and property taxes increased from last year and stated all reporting similar to last year with no major concerns; reported the general fund revenues at \$31,694,483 and expenditures \$34,316,709 and despite a decrease in the fund balance the city has 90 days of operating expenditures and is on target. There were no disagreements with management as well as no significant difficulties from the audit results to communicate as required.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to accept and file City of Weslaco's Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2021, as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Eric Cavazos on Ordinance 2022-12 to rezone 901 Hackberry also being Lot 1-3, Block 2, Bougainvillea Heights Subdivision, Weslaco, Hidalgo County, 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 of Ordinance 2022-12. Three-fourths vote required. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning and Code Enforcement Director, stated twenty-nine property owners notified; petition received with fifteen property owners against that will require a super majority vote (three-fourths). The Planning & Zoning Commission and staff recommended denial based on the existing surrounding land use and 2040 Land Use Map identifies as single family residential.

Commissioner Kerr seconded by Commissioner Muñoz moved to approve the item as presented. The motion failed with all opposed (0-7); Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Eduardo Garcia on Ordinance 2022-13 to rezone 149 N. Pleasantview Dr. Also being N275' FT 20 8.333AC GR 8.15AC NET, WEST TRACT Subdivision, Weslaco, Hidalgo County, Texas from 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 of Ordinance 2022-13. Three-fourths vote required. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mayor Pro Tem Pedraza abstained from discussion and vote.

Rebekah de la Fuente stated sixty-three property owners notified; petition received with twenty-nine property owners against that will require a super majority vote (three-fourths). The Planning & Zoning Commission and staff recommended denial based on the existing surrounding land use and 2040 Land Use Map.

In response to Commissioner Muñoz, Rebekah de la Fuente stated a B-2 District would allow almost any type of commercial use; owner is currently using the property as a truck-tractor mechanic shop that is considered legal-nonconforming use and wants to expand the business by constructing new canopies and clean out areas that is not permitted under the City's Zoning Ordinance unless property is rezoned, and noise complaints have been received.

Commissioner Rodriguez seconded by Commissioner Muñoz moved to approve. The motion failed with six opposed (0-6); Mayor Pro Tem Pedraza abstained; Mayor Suarez was present and voting.

D. Discussion and consideration after public hearing on behalf of Oscar Zarate on Ordinance 2022-14 to rezone 211 S Milanos Road also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-14. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirty-three property owners notified with no objection received; the property was recently annexed and will be a continuation to the property west of Walgreens. The Planning and Zoning Commission and staff recommended approval based on the existing surrounding land use.

Commissioner Kerr seconded by Commissioner Muñoz moved to approve Ordinance 2022-14 to rezone 211 S Milanos Road also being an 8.00-acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration after public hearing on behalf of Leticia Acevedo to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit and Late Hours Certificate at 4024 E Interstate 2, also being Lot 3, Royal 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 stated six property owners notified with no objection received; applicant is proposing to obtain a permit for a Wine and Malt Beverage retail Dealer's On-Premise Permit and Late Hours Certificate at the existing Jungle Inn. The Planning and Zoning Commission recommended approval with the condition that two licensed security guards be on duty during late hours of operations. Staff recommended approval.

Commissioner Kerr seconded by Mayor Pro Tem Pedraza moved to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On-Premise Permit and Late Hours

Certificate at 4024 E Interstate 2 with condition that two licensed security guards be on duty during late hours of operations as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration after public hearing on behalf of OL Beverage Holding, LLC to approve a Conditional Use Permit to obtain an On-premise mixed beverage, Food and Beverage and Late Hours Certificate at 1411 W. Interstate 2, also being Lot 2, Harbor Freight 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 stated sixteen property owners notified with no objection received; applicant is proposing to obtain a permit for an On-premise mixed beverage, Food and Beverage and Late Hours Certificate. The Planning and Zoning Commission recommended approval with the condition that two licensed security guards be on duty during late hours of operations. Staff recommended approval.

Commissioner Farias seconded by Commissioner Muñoz moved to approve a Conditional Use Permit to obtain an On-premise mixed beverage, Food and Beverage and Late Hours Certificate at 1411 W. Interstate 2, also being Lot 2, Harbor Freight Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve the Final Plat for San Gabriel Subdivision– being a 9.98-acre tract of Farm Tract 795, The West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas located approximately ¼ mile south of Mile 5 North on the east side of Westgate Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed thirty-one lot subdivision inside city limits; serviced with water and sewer by the city; developer requested variance to allow for off-site drainage. The Planning and Zoning Commission moved to approve with variance; staff recommended approval and compliance on the ordinance on the variance.

Commissioner Kerr seconded by Commissioner Lopez moved to approve the Final Plat for San Gabriel Subdivision– being a 9.98-acre tract of Farm Tract 795, The West and Adams Tracts Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve the Final Plat for Villas San Miguel Subdivision– being a 20.00-acre tract of Farm Tract 180, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately on the East side of Mile 5 ½ West, ½ mile north of Mile 10 North 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 thirty lot subdivision outside city limits; serviced with water from North Alamo Water Supply and sewer by on-site sewage facility (OSSF); developer requested variance to allow for off-site drainage. The Planning and Zoning

Commission moved to approve with variance; staff recommended approval and compliance on the ordinance on the variance.

Commissioner Kerr seconded by Commissioner Lopez moved to approve the Final Plat for Villas San Miguel Subdivision– being a 20.00-acre tract of Farm Tract 180, West Tract Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve Resolution 2022-26 finding that AEP Texas Central Company's application for a distribution cost recovery factor to increase distribution rates within the city should be denied; finding that the city's reasonable rate case expenses shall be reimbursed by the company; and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Commissioner Kerr abstained from discussion and vote.

Martin Garza, Interim City Manager, stated AEP filed for a rate distribution cost increase; he recommended approval of the resolution to allow the city to participate with other cities to deny the rate and negotiate for a reasonable rate increase for all.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to approve Resolution 2022-26 as presented. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

J. Discussion and consideration to approve Contingency Allowance Expenditure Authorization No. 2 for the New Police Department with Municipal Court and increase the Owner's Contingency Fund by \$8,310, leaving a balance of \$243,521 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Parks and Recreation Department.)

Commissioner Muñoz abstained from discussion and vote.

Omar Rodriguez, Parks and Recreation Director, stated the item reconciles credits and debits to the project as follows; credit of \$1,883 for HVAC Permit; debit of \$2,920 relocation of sign in ROW; \$7,700 credit for reduction of fire lines and credit of \$1,647 for the automatic transfer switch for a total credit of \$8,310 increase to the contingency fund. Staff recommended approval.

In response to Mayor Suarez, Omar Rodriguez confirmed the new contingency balance is \$243,831 noting the \$243,521 was the prior ending balance.

Commissioner Lopez seconded by Commissioner Kerr moved to approve Contingency Allowance Expenditure Authorization No. 2 for the New Police Department with Municipal Court with new contingency balance of \$243,831 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve Contingency Allowance Expenditure Authorization No. 01 for the New Downtown Fire Station No.2 decreasing the Owner's

Contingency Fund by \$57,749, leaving a balance of \$22,251 and authorizing the Mayor to execute any related documents. Possible action. (Staffed by the Parks and Recreation Department.)

Commissioner Muñoz abstained from discussion and vote.

Omar Rodriguez, Parks and Recreation Director, stated the item reconciles credits and debits to the project as follows; credit of \$1,653 reduction of the 4" fire line; credit \$525 of permit fees; debit \$7,820 for the addition of hollow metal frame, door and hardware for sleeping quarters; \$1,495 credit for waterline connection; \$54,322.13 debit for concrete instead of asphalt for driveways and \$719 credit for less labor as a result of reduction of 47' linear feet for waterline. Staff recommended approval of decrease to the contingency fund in the amount of \$57,749.

Mayor Pro Tem Pedraza seconded by Commissioner Kerr moved to approve Contingency Allowance Expenditure Authorization No. 01 for the New Downtown Fire Station No.2 as presented. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

L. Discussion and consideration to purchase a 2023 Chevrolet 1500 Silverado 4x4 Crew Cab for the Engineering Department for the amount of \$38,175 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Commissioner Farias abstained from discussion and vote.

Albert Aldana, City Engineer, stated this is a budgeted expense for a new truck for the engineering department that will provide much needed space to accommodate expensive equipment as well as more personnel for field projects and the monies allocated will be carried over into FY2022-2023 budget. Staff recommended approval.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve the purchase a 2023 Chevrolet 1500 Silverado 4x4 Crew Cab in the amount of \$38,175 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration for the City of Weslaco to assume financial responsibility for monthly streetlight costs (6-streetlights) for Border Trace Ph II Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana stated complaints were received on several streetlights on Border Trace Ph II Subdivision not functioning; city unable to provide maintenance on six streetlights as records showed they were not transferred to the city. Staff recommended to assume responsibility for maintenance and operations cost that would be \$15-20 per streetlight and noted the area is serviced by Magic Valley Electric Cooperative.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to assume financial responsibility for streetlights (6) in Border Trace Ph II Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to approve final payment and release of retainage for Pleasantview & 11th Street Drainage Improvements by Total Commitment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated this project began October 2020 that included the area from 10th Street to 12th Street; project incurred delays because of COVID, material delivery and weather; initial project cost was \$2,917,832; change orders totaled \$351,694 for a total project cost of \$3,165,479. Staff recommended approval of project completion and approved final payment of \$85,159.90 and retainage in the amount of \$158,274.

Jose Reyes, Project Engineer Sigler, Winston Greenwood (SWG) stated staff, contractor and himself walked the project as of today as was in final completion and recommended acceptance of the project.

In response to Commissioner Muñoz and Rodriguez; SWG stated the site was walked and no deficiencies found to be addressed; project delays were included in the closeout documents of the project, change orders justified and commission approval received; brush removal (along drain ditch) was not in the contract but the contractor would be removing the debris once the regional detention facility was completed (from 12th to 18th Street) since he is also the contractor for that project; vegetation along the banks (behind the golf course) will not be removed as the vegetation is very heavy and removal may cause issues. The city will be maintaining the crossing on a regular basis.

Commissioner Kerr seconded by Commissioner Muñoz moved to approve final payment and release of retainage for Pleasantview & 11th Street Drainage Improvements as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to award water line pipe bursting to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed \$308,790 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

Pete Garcia, Public Works Director, recommended approval to award Southern Trenchless Solutions to do water line pipe bursting in three locations along Texas Blvd and intersections of 5th, 7th, and 10th Street due to aging infrastructure. Monies were from the American Rescue Plan Act (ARPA).

Commissioner Muñoz seconded by Commissioner Lopez moved to award water line pipe bursting to Southern Trenchless Solutions, buy board vendor contract no. 635-21, in the amount not to exceed \$308,790 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

P. Discussion and consideration to award sewer line pipe bursting to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed

\$308,500 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

Pete Garcia, Public Works Director, recommended approval to award Southern Trenchless Solutions to do sewer line pipe bursting of 1560 linear feet with required monies were from the American Rescue Plan Act (ARPA).

In response to Mayor Suarez, replacement would consist of PVC durable materials.

Commissioner Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to award sewer line pipe bursting to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed \$308,500 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

Q. Discussion and consideration to award Manhole Rehabilitation Phase VI to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed \$299,962 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, stated an evaluation of eighty manholes was done; presented an inspection report with the location of forty-five manholes that necessitate immediate attention for rehab to extend the use of the manhole. Staff recommended approval to award Southern Trenchless Solutions in the amount not to exceed \$299,962 and expenditure is from the American Rescue Plan Act (ARPA).

Commissioner Rodriguez seconded by Commissioner Muñoz moved to award Manhole Rehabilitation Phase VI to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed \$299,962 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

R. Discussion and consideration to award Buyboard vendor Rush Truck Center for two (2) new 2024 Peterbilt garbage trucks in an amount not to exceed \$646,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from vote and discussion.

David Arce stated the city is experiencing growth in residential and commercial areas and to ensure there is no disruption in providing services that could result in delivery delays of equipment, staff requested approval to order two trucks: one for residential services in the amount of \$336,291 and one commercial truck in the amount of \$309,464 from Rush Truck Center. Staff recommended to maintain the same fleet as the initial order in 2020 of white Peterbilt's, and the same NeWay body to be mounted. Staff recommended approval and noted a budget amendment will be presented during the mid-year budget amendments by Finance.

In response to Mayor Suarez, Vidal Roman, Finance Director, stated the payment process had not been determined staff is wanting to secure the purchase and order the equipment and upon receipt of equipment the financing recommended would be a lease purchase with no penalty for early payment.

Commissioner Rodriguez seconded by Commissioner Kerr moved to award Buyboard vendor Rush Truck Center for two (2) new 2024 Peterbilt garbage trucks in an amount not to exceed \$646,000 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

S. Discussion and consideration to award Kinloch Equipment & Supply, Inc as the most advantageous bid for the purchase of an Elgin Regen X street sweeper for an amount not to exceed \$254,810 and authorize a budget amendment as may be required and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce stated the city has a 2014 Elgin Pelican 3.5 cubic yards with 20mph travel time and is mechanical unit; bids were solicited with specification for a regenerative air street sweeper instead of mechanical unit; five bids received and evaluated, and all met specifications. Staff recommended the Elgin Regen X in the amount of \$254,810 based on price, service, delivery time of 10 days and included a one-year warranty for parts, labor, and maintenance at 100%. Staff stated the recommendation is not the lowest bid as delivery time of equipment of the low bidder is 120-150 days and the difference in bid was \$5,000; city was considering outsourcing to a vendor for a one-time street sweep of 60 curb miles at cost of \$4,800 and will forego this and use these monies towards the purchase and have equipment on site within ten days.

The City Attorney stated the second lowest respondent can be awarded based on the recommendation from staff upon a record made as to why the lowest respondent was not awarded. Staff's recommendation based on the evaluation of specs and delivery time is sufficient should the commission choose to award as recommended.

Mayor Pro Tem Pedraza seconded by Commissioner Kerr moved to award Kinloch Equipment & Supply, Inc as the most advantageous bid for the purchase of an Elgin Regen X street sweeper for an amount not to exceed \$254,810 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

T. Discussion and consideration to award Phoenix Contracting as the most advantageous bid for the purchase of one (1) Texas Pride 20+5 Dovetail trailer for an amount not to exceed \$13,000 and one (1) Kaufman tandem axle utility 16' trailer for an amount not to exceed \$4,500 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce stated two bids were received for utility trailers and evaluated; Phoenix Contracting was the lowest bid; the dovetail trailer is for the water division and the 16' utility trailer is for traffic division. Staff recommended approval to award Phoenix Contracting and ARPA funds will be used.

Commissioner Rodriguez seconded by Commissioner Muñoz moved to award Phoenix Contracting as the most advantageous bid for the purchase of one (1) Texas Pride 20+5 Dovetail trailer for an amount not to exceed \$13,000 and one (1) Kaufman tandem axle utility 16' trailer for an amount not to exceed \$4,500 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

U. Discussion and consideration to award IPL for the purchase of 715 residential Omnicart trash bins for an amount not to exceed \$42,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce recommended approval to purchase additional residential containers; inventory on hand is about 300 bins and with the growth of the 4-plex complexes will deplete quickly. If approved the bins will take 6-7 weeks to arrive and are the same containers currently being used and stated a budget amendment will be needed.

Commissioner Farias seconded by Commissioner Lopez moved to award IPL for the purchase of 715 residential Omnicart trash bins for an amount not to exceed \$42,000 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. Discussion and consideration to accept FY22 Body-Worn Camera Program, Grant #4367801 in the amount of \$98,407.50 with a \$32,802.50 cash match requirement and an amount not to exceed \$20,000 in recurring fees and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Joel Rivera, Chief of Police, recommended approval stating two grants were applied for and notification of the state grant award received and waiting for notice of award federal grant; total project cost is \$131,210 and grant award is \$98,407.50 and the city match would be \$32,802.50 and recurring fees of \$20,000 for a server system for retention purposes. Staff recommended to accept the grant and recurring cost to be budgeted.

In response to Commissioner Muñoz, Chief Rivera stated the grant will cover fifty plus cameras and will be in partial implementation with all patrol and investigation will have and the department will be creating policy on the use of body-worn camera.

Commissioner Lopez seconded by Commissioner Muñoz moved to accept FY22 Body-Worn Camera Program, Grant #4367801 in the amount of \$98,407.50 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 7:09 p.m. Commissioner Muñoz seconded by Commissioner Rodriguez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:25 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

V. OLD BUSINESS

A. Discussion and consideration to approve the Wholesale Wastewater Treatment Interlocal Agreement between the City of Weslaco and North Alamo Water Supply Corporation (NAWSC) and authorize the Mayor to execute any related documents. Possible action. (There was no action on January 4, January 18 and February 1, 2022; staffed by Planning & Code Enforcement Department.)

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

A. Personnel - Discussion regarding the goals, objectives, and evaluation of the Interim 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 Interim 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.

Commissioner Kerr abstained from discussion and vote.

Commissioner Farias seconded by Commissioner Muñoz moved to authorize the Interim City Manager proceed with negotiations as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

F. Potential Litigation - Consultation with City Attorney regarding Tri-Gen Construction LLC and the City of Weslaco Airport and Hanger Infrastructure Improvements Project as authorized by Section §551.071 of the Texas Government Code.

No action.

G. 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.

No action.

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

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve financial offer or other incentives for Project Cool Air as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to adjourn the meeting of April 19, 2022, at 8:27 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5380
From:		
Subject: Ordinance 2022-14 to rezone 211 S Milanos Road also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading held April 19, 2022; staffed by Planning & Code Enforcement Department.)		
Background: The applicant is requesting to rezone property from R-1 One Family Dwelling District to R-2 Duplex and Apartment District. Thirty-three (33) property owners within 200 feet of the applicant's property were notified by letter on March 25, 2022.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Ordinance - First Reading Ordinance - Final Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: Notice of the application and the Public Hearing for the Planning and Zoning Commission and City Commission appeared in The Monitor on March 23, 2022.		
Advisory Review, if any (name of board/committee, date of action, recommendation): The Planning and Zoning Commission recommended approval of the rezone request based on surrounding land use at their regular meeting of April 6, 2022		
ADELAIDA VEGA REBEKAH DE LA FUENTE Martin Garza		Created/Initiated New
City Manager Comments: Approve as recommended by staff and the Planning and Zoning Commission.		
Staff Recommendation: Staff recommends approval based on based on surrounding land use		
Attachments, if any: Rezone-211 S Milanos- Memo, 211 S. Milanos- aerial, 211 S Milanos - attachments, O2022-14 rezone 211 S Milanos		
Responsibilities upon Approval:		

Staff will advise the applicant

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

MEMO

TO: Mayor and City Commission

FROM: Rebekah de la Fuente, Planning & Code Enforcement Director

RE: Rezone- 211 S Milanos

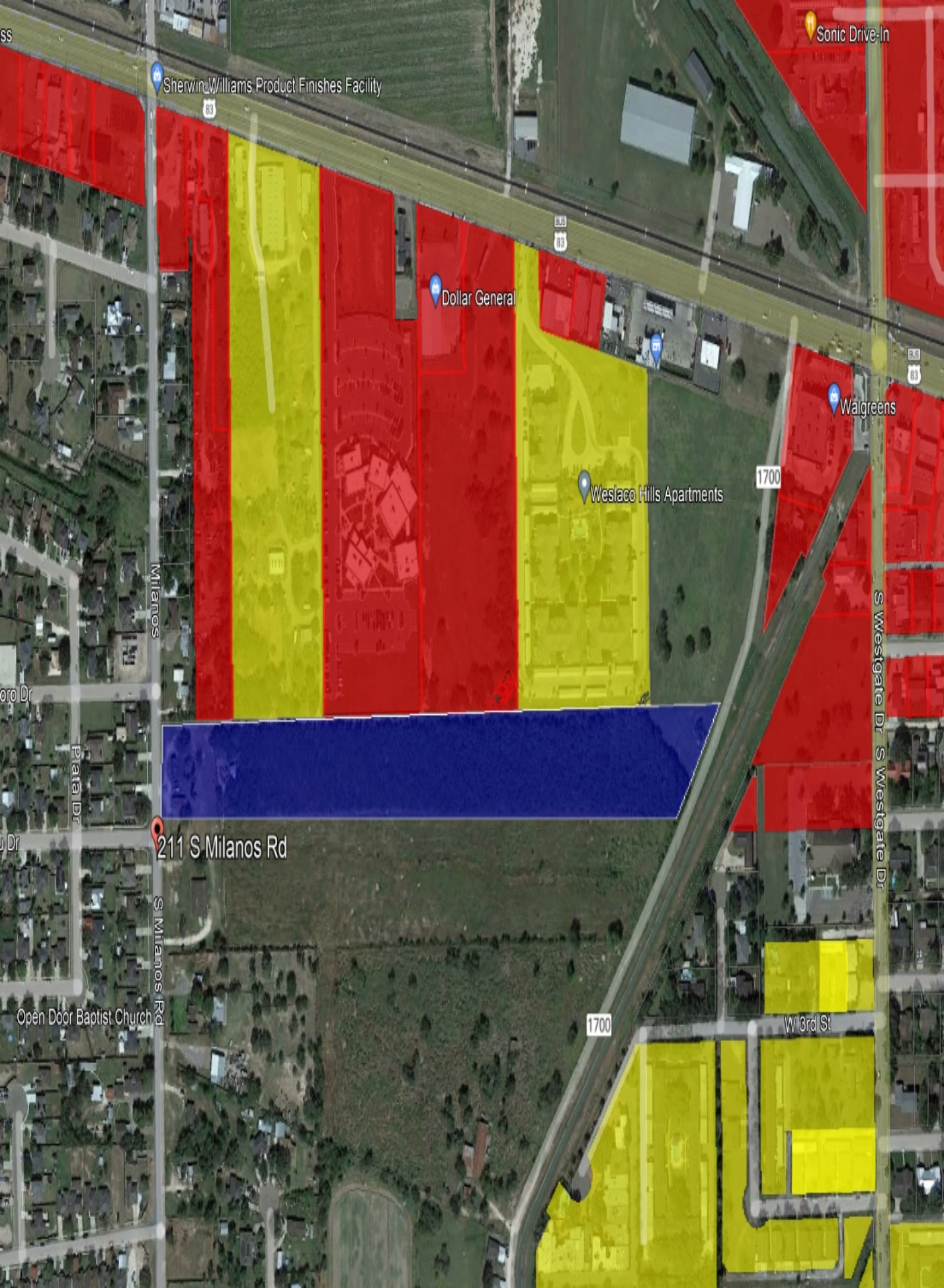
DATE: April 12, 2022

The property owner is proposing an apartment & duplex type use for this located. This property was discussed at the Regular City Commission Meeting of April 5, 2022, for voluntary annexation and will be a continuation to the previously zoned property west of Walgreens. This area was not included in the 2040 Land Use Map as it was outside the City Limits. However, the proposed use does conform the existing surrounding land use. No petitions were received for or against this item.

The Planning & Zoning Commission recommended approval based on the existing surrounding land use.

Thank you,

Rebekah de la Fuente, CFM



Sonic Drive-In

Sherwin Williams Product Finishes Facility

Dollar General

Weslaco Hills Apartments

Walgreens

211 S Milanos Rd

S Milanos Rd

S Westgate Dr S Westgate Dr

W 3rd St

1700

1700

83

83

Open Door Baptist Church

Pala Dr

oro Dr

Dr

ss



APPLICATION FOR REZONING

R ZNE-000203-2022

The Planning & Zoning Commission meets every 1st Wednesday of each month at 5:30 pm.

The City Commission meets every 1st and 3rd Tuesday of each month at 5:30 pm

FILE NO. _____

PROPOSED PROJECT

Legal Description of Property to be rezoned:

Lot West Tract N171.75'-W2100.7' IRR TR EXC 0.20 AC FT 631 7.80AC GR 7.68AC NET Block _____Subdivision Name The West And Adams Tract Subdivision 211 S MilanosStreet Address W Business 83, Weslaco, TX 78596Existing Zoning _____ Existing Land Use Raw LandProposed Zoning Multi-Family Proposed Land Use Multi-Family

_____ \$305.00 non-refundable filing fee.

_____ Detailed dimensioned site plan/map must be submitted with this request.

_____ Survey and metes and bounds if the legal description is a portion of a lot.

_____ City and school tax receipts attached.

_____ I have received a copy of "The Intent of Zoning Application Instructions".

APPLICANTName Oscar Zarate Phone 956-561-9587Address 1992 Date Palm Drive Fax: _____City Mercedes State TX Zip Code 78570 E-Mail: Oscar@zaratehomedesigns.com**OWNER**Name Robert Roger Davila Phone 956-792-0600Address 18021 Betty Bob Dr. Fax: _____City Harlingen State TX Zip Code 78552 E-Mail: liz.davila6898@gmail.com

I certify that I am the actual owner of the property described above and this application is being submitted with my consent (include corporate name if applicable); or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature *Roger Davila* Date 02/01/2022
2/1/2022 7:44:50 PM CST Owner

Signature *[Signature]* Date 01/26/2022
 Applicant

Signature _____ Date _____
 Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Ordinance No. _____

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Andrew Muñoz, Interim City Manager

PLANNING DEPARTMENT

March 25, 2022

Legal Notice

Dear Occupant:

The Weslaco Planning and Zoning Commission will hold a public hearing on Wednesday, April 6, 2022, at 5:30pm and the City Commission will also hold a public hearing on April 19, 2022 at 5:30 p.m. at the City Hall Legislative Chambers located at 255 South Kansas Avenue

Members of the public who wish to participate in Public Hearing on an agenda item must send their name, address and phone number via email to karevalo@weslacotx.gov by 12:00 pm on April 6, 2022. A staff member will contact you with instructions via phone call to address your public comment.

Rezone Request:

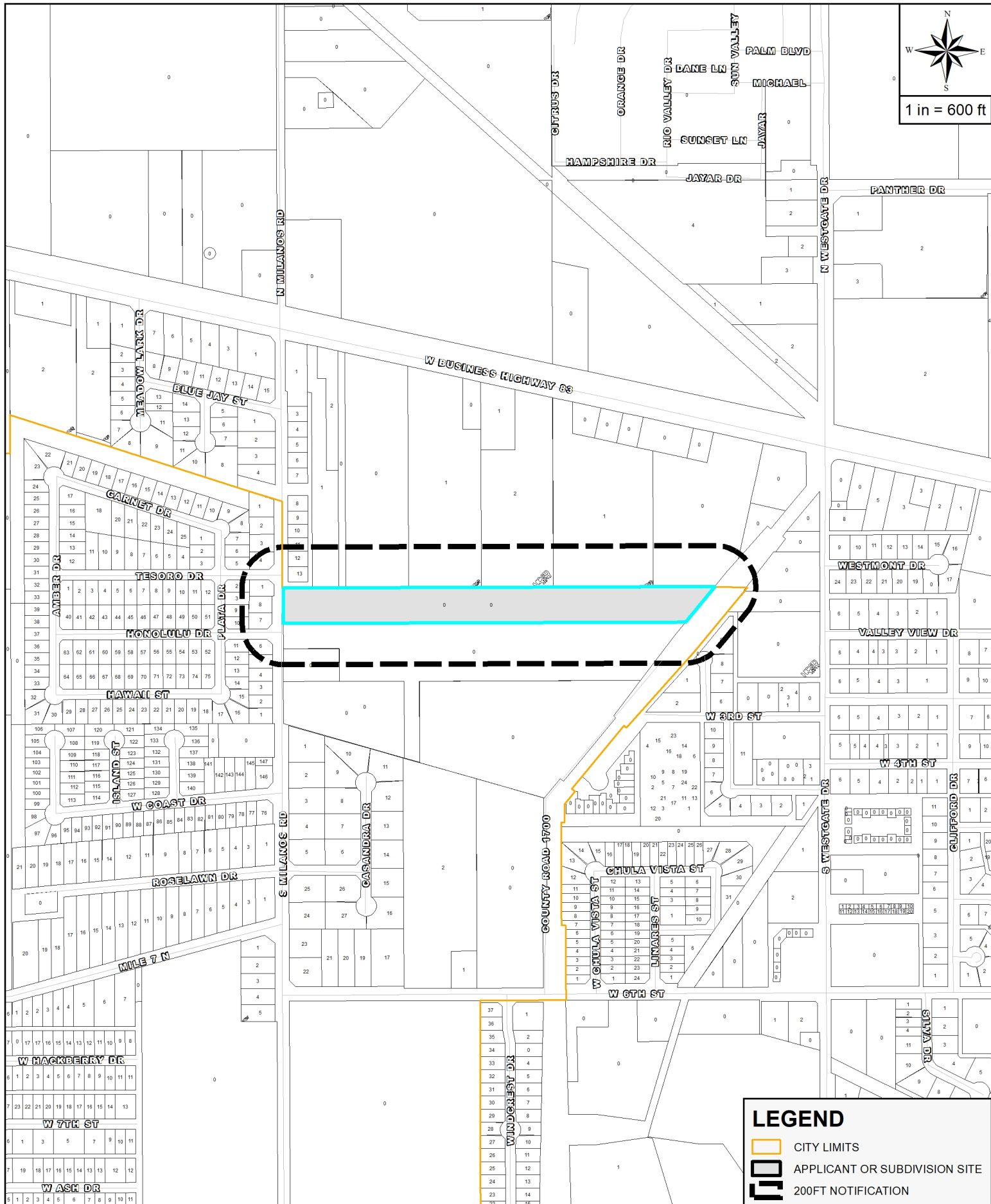
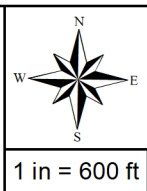
Oscar Zarate is requesting to rezone 211 S Milanos Rd. Also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District located 1288 ft South of Bus 83 on Milanos road. Possible Action.

The public is hereby invited to attend and express their support or opposition to the request. You may also file a written notice supporting or protesting this action. For more information please call the Planning Department at (956) 447-3403.

Si desea información en español, por favor llame al departamento de Planeación de la ciudad de Weslaco, (956) 447-3403.

Sincerely,

Rebekah de la Fuente, CFM
Planning Director



LEGEND

- CITY LIMITS
- APPLICANT OR SUBDIVISION SITE
- 200FT NOTIFICATION



SITE MAP

APPLICANT AND/OR SUBDIVISION:

211 SOUTH MILANOS RD

MAR 21, 2022

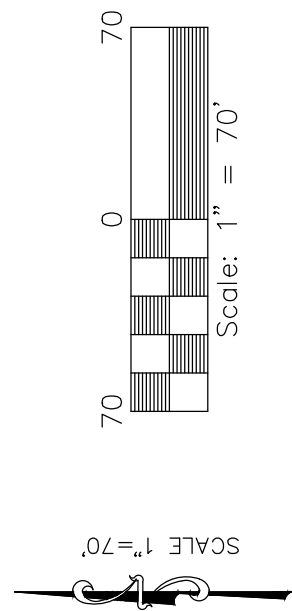
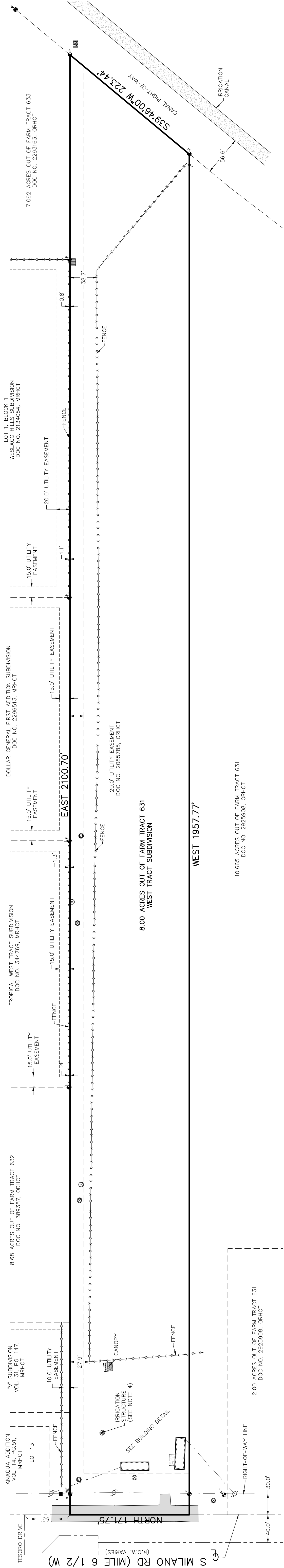
PEREZ MARIA R 115 S MILANO RD WESLACO TX 78596	A5000-00-000-0011-00 ANAQUA LT 11 213 MILE 6 1/2 W	L: 13264 B: 29747
PEREZ MARIA R 115 S MILANO RD WESLACO TX 78596	A5000-00-000-0012-00 ANAQUA LOT 12 217 MILE 6 1/2 W	L: 15304 B: 1208
HERNANDEZ MARIA M 121 S MILANOS RD WESLACO TX 78596	A5000-00-000-0013-00 ANAQUA LOT 13 303 MILE 6 1/2 W	L: 15304 B: 14416
GUIN CAMERON & TIFFANY 304 JOHNSON CIR WESLACO TX 78596	C5700-00-002-0008-00 CLIFFORD LOT 8 BLK 2 304 JOHNSON CIR	L: 27900 B: 134602
RAMOS YOLANDA LETICIA CANALES ROBERT 201 JOHNSON CIR WESLACO TX 78596	C5700-00-002-0009-00 CLIFFORD LOT 9 BLK 2 201 JOHNSON CIR	L: 30987 B: 106079
PETERSON JOHN H & JANICE H 303 JOHNSON CIR WESLACO TX 78596	C5700-00-003-0001-00 CLIFFORD LOT 1 BLK 3 303 JOHNSON CIR	L: 34089 B: 118145
HERMOSILLO JOSE & STEPHANIE 120 S MILANOS RD WESLACO TX 78596-4596	T1817-01-001-0003-00 TESORO ESTATES PH 1 LOT 3 BLK 1	L: 25500 B: 108526
MEDINA MOISES 101 S MILANOS RD WESLACO TX 78596	T1817-01-001-0004-00 TESORO ESTATES PH 1 LOT 4 BLK 1	L: 24720 B: 0
LOPEZ JOSE LUIS & GUADALUPE 104 PLATA DR WESLACO TX 78596-8596	T1817-01-001-0005-00 TESORO ESTATES PH 1 LOT 5 BLK 1	L: 19138 B: 61523
CHARLES JOSE EFRAIN & YADIRA JIM 202 S MILANOS RD WESLACO TX 78596-4066	T1817-01-004-0001-00 TESORO ESTATES PH 1 LOT 1 BLK 4	L: 23220 B: 41607
RAMIREZ ERICA 3902 JOSE PORTILLO RD DONNA TX 78537-7705	T1817-01-004-0002-00 TESORO ESTATES PH 1 LOT 2 BLK 4	L: 19138 B: 0
GARZA ANGEL & VERONICA 214 PLATA DR WESLACO TX 78596-5468	T1817-01-004-0003-00 TESORO ESTATES PH 1 LOT 3 BLK 4	L: 19440 B: 67459

MAR 21, 2022

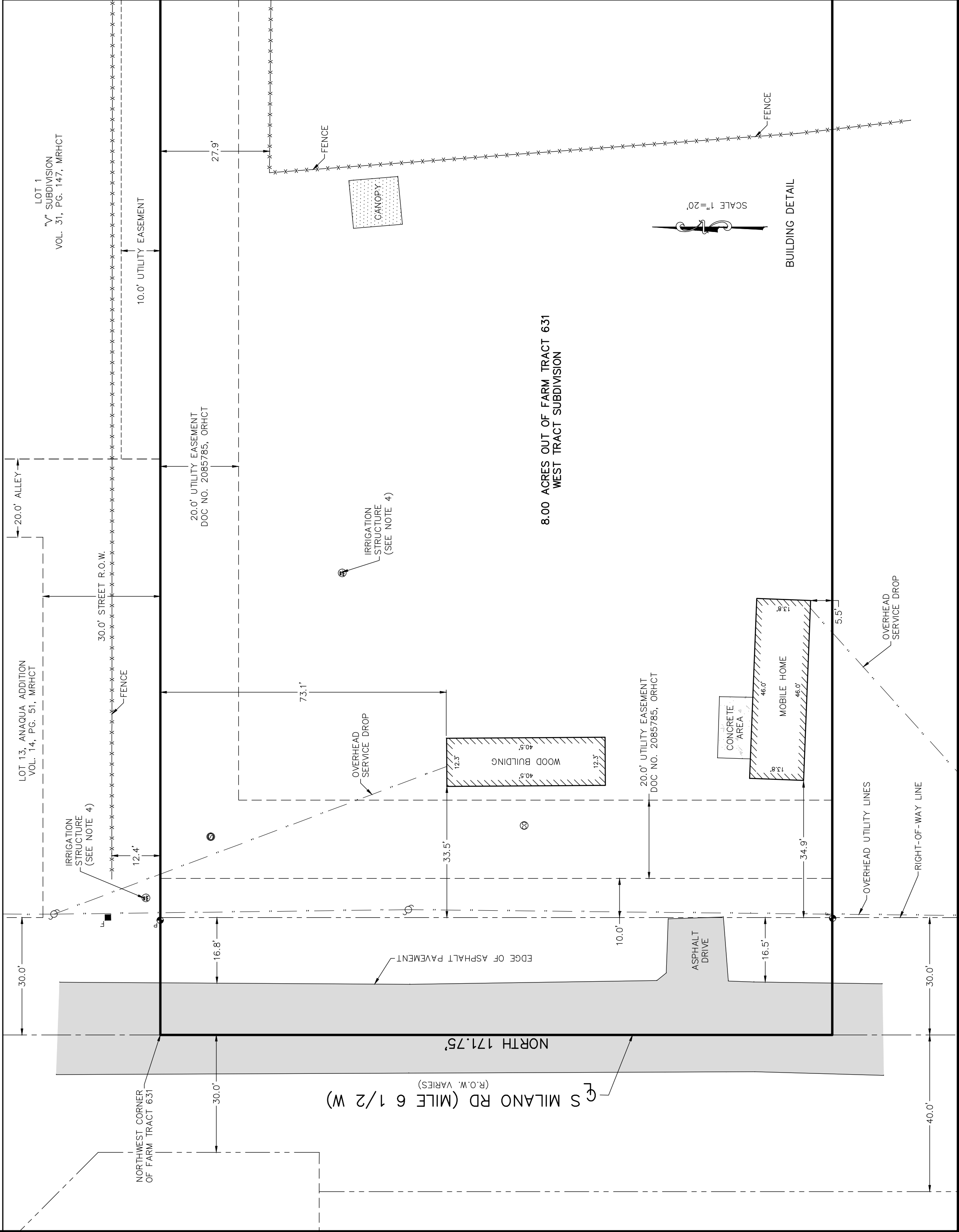
SMITH ARCHIE L & ALMA V 128 S 83RD ST EDINBURG TX 78542-5864	T1817-02-000-0005-00 TESORO ESTATES PH 2 LOT 5 - AMEN DED	L: 20183 B: 65803
PEREZ TOMAS JR 216 S MILANOS RD WESLACO TX 78596-4066	T1817-02-000-0006-00 TESORO ESTATES PH 2 LOT 6 - AMEN DED	L: 22445 B: 71019
VILLEGAS JESSICA L & NORBERTO P 210 S MILANOS RD WESLACO TX 78596-4066	T1817-02-000-0007-00 TESORO ESTATES PH 2 LOT 7 - AMEN DED	L: 23998 B: 71076
CLARKE SIRIA PAMELA 206 S MILANOS RD WESLACO TX 78596-4066	T1817-02-000-0008-00 TESORO ESTATES PH 2 LOT 8 - AMEN DED	L: 24300 B: 59103
GARCIA MARICELA PENCINA 222 PLATA DR WESLACO TX 78596-5468	T1817-02-000-0009-00 TESORO ESTATES PH 2 LOT 9	L: 18630 B: 65456
GARZA AMELIA & ROBERTO 226 PLATA DR WESLACO TX 78596-5468	T1817-02-000-0010-00 TESORO ESTATES PH 2 LOT 10	L: 18328 B: 66436
PLATA ANTONIA A & MARTHA L 302 PLATA DR WESLACO TX 78596-5478	T1817-02-000-0011-00 TESORO ESTATES PH 2 LOT 11	L: 9552 B: 31319
GARCIA ALFONSO PO BOX 986 PROGRESO TX 78579	V0050-00-000-0001-00 V LOT 1 2415 W BUS HWY 83	L: 173318 B: 104969
DAVILA ESTHER PO BOX 1493 WESLACO TX 78599-1493	W3800-00-631-0000-03 WEST TRACT S160'-N454.80'-W272.2 5' FOR IMPS FT 631 1.0AC GR 0.8	L: 10680 B: 71514
DAVILA ROBERT ROGER PO BOX 1493 WESLACO TX 78599-1493	W3800-00-631-0000-04 WEST TRACT 0.20AC-N171.75'-W2100 .7' IRR TR FT 631	L: 2400 B: 12539
DAVILA ROBERT ROGER PO BOX 1493 WESLACO TX 78599-1493	W3800-00-631-0000-05 WEST TRACT N171.75'-W2100.7' IRR TR EXC 0.20AC FT 631 7.80AC GR	L: 92160 B: 0
DAVILA ESTHER PO BOX 1493 WESLACO TX 78599-1493	W3800-00-631-0000-06 WEST TRACT S283.05'-N454.8'-W195 .77'-IRR TR & S395.74'-E74.7'-W6	L: 0 B: 0

MAR 21, 2022

FRANTZ NORMAN & SUSAN BARGE 2319 W BUSINESS 83 WESLACO TX 78596	W3800-00-632-0000-01 WEST TRACT BLK FT 632 E8.68-W16.18 0 W BUS 83	L: 350845 B: 119960
E & O VENTURES FAMILY LP 807 S KANSAS AVE WESLACO TX 78596	W3800-00-633-0000-02 WEST TRACT AN IRR TR 33 7.11AC 1821 W BUS HWY 83	L: 391050 B: 0
MEDINA JUAN & JUANA R PO BOX 433 WESLACO TX 78599	W3800-00-633-0000-08 WEST TRACT S0.50 AC -NE 2AC FT 633 1725 W BUS HWY 83	L: 54450 B: 35368
HERNANDEZ CLAUDIA DDS MSD 420 PROFESSIONAL DRIVE SUITE A WESLACO TX 78596	W3800-00-634-0000-00 WEST TRACT S215'-N515' FT 634 202 S WESTGATE DR	L: 175000 B: 0
JONES MITCHELL JAY 1603 SCOBEEY DONNA TX 78537	W3800-00-634-0000-03 WEST TRACT S0.95AC-N3.25AC FT 634 204 S WESTGATE DR	L: 214152 B: 0
WESLACO HILLS APARTMENTS LP 9907 MOORBERRY LN HOUSTON TX 77080	W2246-00-001-0001-00 WESLACO HILLS LOT 1 BLK 1 2101 W BUS HWY 83	L: 727452 B: 2616935
CANVI HOLDINGS LLC 1901 S DANA DR PHARR, TX 78577-6778	D6122-00-000-0002-00 DOLLAR GENERAL FIRST ADDITION LOT 2 2107 W BUS HWY 83	L: 359585 B: 0
CHURCH OF JESUS CHRIST 50 E NORTH TEMPLE FL 22 SALT LAKE CITY UT 84150	C5700-00-00E-0000-00 CLIFFORD LOT E	L: 392040 B: 602082
TROPICAL TEXAS BEHAVIORAL PO BOX 1108 EDINBURG TX 78540	T7948-00-000-0001-00 TROPICAL WEST TRACT LOT 1	L: 1250903 B: 3651776



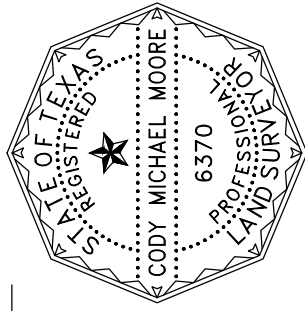
LEGEND	
IRON ROD FOUND	FIRE HYDRANT
IRON ROD SET WITH CAP	GRATE INLET
IRON ROD SET WITH COVER	MANHOLE
NAIL FOUND	CONCRETE
CONC. MONUMENT FOUND	ELECTRIC JUNCTION BOX
IRON PIPE FOUND	CABLE PEDESTAL
TELEPHONE PEDESTAL	LIGHT POST
WATER METER	IRRIGATION STANDPIPE
SOFT WIRE ANCHOR	MANHOLE



SURVEYOR CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREIN WAS MONUMENTED ON THE GROUND ON **02/03/2022**, THAT THE ONLY VISIBLE IMPROVEMENTS ARE AS SHOWN, THAT THERE ARE NO APPARENT CONFLICTS, OR VISIBLE EASEMENTS EXCEPT AS SHOWN HEREIN. THIS SURVEY CONFORMS TO THE MINIMUM STANDARDS OF THE TEXAS PROFESSIONAL LAND SURVEYING BOARD OF PROFESSIONAL LAND SURVEYING.

Cody Moore
CODY MICHAEL MOORE, R.P.L.S.
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6370
DATE: 02/04/2022



BOUNDARY SURVEY OF:
8.00 ACRES OF LAND OUT OF FARM TRACT 631,
WEST TRACT SUBDIVISION,
HIDALGO COUNTY, TEXAS, RECORDED IN VOLUME
2, PAGES 34-37, MAP RECORDS OF HIDALGO
COUNTY, TEXAS, RECORD NO. 2085785, ORHCT
DESCRIBED IN DOCUMENT NO. 801908, OFFICIAL
RECORDS OF HIDALGO COUNTY, TEXAS.

FOR: ZARATE HOMES & DESIGNS LLC
DATE: 4 FEBRUARY 2022 JOB NO: 185554

Moore Land
Surveying, LLC

14216 Pails Drive, La Feria, TX 78559
(956) 245-1988 1945 Firm No. 10194166

ORDINANCE NO. 2022-14

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 211 S MILANOS RD. ALSO BEING A 8.00 ACRE TRACT OF LAND OUT OF FARM TRACT SIX HUNDRED THIRTY-ONE (631), WEST TRACT SUBDIVISION, WESLACO HIDALGO COUNTY, R-1 ONE FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from an R-1 One Family Dwelling District to R-2 Duplex and Apartment District located at 211 S MilanOs Rd. Also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Weslaco, Hidalgo County, Texas.

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

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of April 2022.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 3rd day of May 2022.

CITY OF WESLACO

David Suarez, MAYOR

ATTEST:

Norma A. Cantu, CITY SECRETARY

APPROVED AS TO FORM:

Juan E. Gonzalez, CITY ATTORNEY



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5305	
From:			
Subject: Approval of the inter-local contract with the Lower Rio Grande Valley Development Council to accept and appropriate grant award for the Regional Solid Waste Grant in the amount of \$24,375 approve a budget amendment as required and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)			
Background: The LRGVDC is pleased to inform you that we have received authorization from the Texas Commission on Environmental Quality (TCEQ) to proceed with the inter-local agreement with the City of Weslaco on the Solid Waste Project. (8) 8 Yard containers \$1,470/unit -\$11,760.00 (8) Side locks \$85.00/unit - \$680.00 (8) Side slots \$92.00/unit - \$736.00 Shipping -\$1,854.00			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
David Arce Pete Garcia VIDAL ROMAN Martin Garza		Created/Initiated Approved Approved New	
City Manager Comments: Approved to accept as recommended by the Public Works Department.			
Staff Recommendation: Approval			
Attachments, if any: Memo 2022 Solid Waste Grant Approval, City of Weslaco SW contract 22-21-02			
Responsibilities upon Approval:			

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

Date: May 3, 2022

To: City Commission

From: David Arce, Deputy Public Works Director

Subject: LRGVDC – SOLID WASTE GRANT

Cc: Martin Garza, Interim City Manager
Vidal Roman, Finance Director

On February 18, 2022, the Solid Waste Division submitted a grant application to LRGVDC for use in expanding our recycle program to include cardboard collecting containers to be placed at certain Weslaco ISD campuses for a total of \$24,375. Our presentation was ranked the highest with a score of 83.07 - beating out two other city's presentations - after the ranking on March 8, 2022. On April 19, 2022, the Texas Commission on Environmental Quality (TCEQ) approved the inter-local agreement to award the City of Weslaco the grant. We are pending acceptance from city commission and mayor signatures. The final step will be the LRGVDC director signature, and we can begin the procurement process of the recycle bins.

Staff recommends approval.



**Lower Rio Grande Valley Development Council
Inter-Local Contract
CONTRACT SIGNATURE PAGE**

Contract Name:	REGIONAL SOLID WASTE GRANTS PROGRAM	
Contract Number:	22-21-02	
Performing Party:	City of Weslaco	
Maximum LRGVDC Obligation: \$ 24,375.00	Effective Date: May 1, 2022	Expiration Date: May 31, 2023

The Lower Rio Grande Valley Development Council (LRGVDC), and the named Performing Party, a governmental body, agency, or political subdivision of: The United States, the State of Texas, or another State, enter this Agreement (Contract) to cooperatively conduct authorized governmental functions and activities under the laws of the State of Texas.

The Parties agree as follows: (a) to be effective, the Contract must be signed by an authorized official of the LRGVDC and the Performing Party; (b) this Contract consists of all documents specified in the list of Contract Documents following this page; and (c) as authorized by LRGVDC, Performing Party will conduct Contract Activities as part of its own authorized governmental functions and LRGVDC will reimburse Allowable Cost subject to the Texas Uniform Grant Management Standards (UGMS) and this Contract.

Parties to the Contract:	Lower Rio Grande Valley Development Council (LRGVDC)	City of Weslaco
By (Authorized Signature):		
Printed Name:	Manuel Cruz	Honorable David Suarez
Title:	Executive Director	Mayor
Date of Signature:		
Contract Manager Name:	Rick Carrera	David Arce
Contact Numbers:	(956) 682-3841	(956) 968-3181
Finance Representative:	Crystal Balboa	Vidal Roman

Intergovernmental Cooperative Agreement
CONTRACT DOCUMENTS

The entire Contract between LRGVDC and Performing Party is composed of the Contract Documents listed on this page and marked by an "X." A listed document includes all amendments. The terms "Contract" and "Grant Agreement" include all the Contract Documents. In the event of a conflict of terms, the Contract Documents as amended control in the descending order of the list, subject to provisions in the Special Terms and Conditions, if any. All contract provisions, however, are subject to control by the latest amendment and most specific provision and by the applicable state and federal laws, rules, and regulations.

X	Contract Signature Page
X	Contract Activities
X	Contract Reporting
X	Special Terms & Conditions
X	General Terms and Conditions
X	Project Representatives and Records Location
X	Attachment A – Performing Party Budget
X	Attachment B – Work Program & Tasks
X	Attachment C – Schedule of Major Deliverables

LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL
Inter-Governmental Cooperative Agreement

CONTRACT ACTIVITIES

1. INTRODUCTION

The purpose of this Agreement is to define the scope of services for implementation of the Regional Solid Waste Management Plan (RSWMP) goals and objectives. It is understood the obligations identified within this document apply to each pass-through recipient as well as the PERFORMING PARTY.

2. DESCRIPTION OF ACTIVITIES

The PERFORMING PARTY agrees to follow Regional Solid Waste Grants Program Administrative Procedures identified in this Agreement and in the Work Program & Tasks, Attachment B, in performance of the deliverables identified within this Agreement.

I. QUALIFYING CONDITIONS

- 3. Eligibility.** Only those local and regional political subdivisions located within the State of Texas as set forth in this Article are eligible to receive funding from the PERFORMING PARTY for an implementation project. Federal entities are not eligible to receive funds under this Agreement. Eligible entities include the following:

- 3-1.** Cities.
- 3-2.** Counties.
- 3-3.** Public schools and school districts (do not include Universities or post secondary educational institutions).
- 3-4.** Other general and special law districts created in accordance with state law, and with the authority and responsibility for water quality protection or municipal solid waste management, to include river authorities.
- 3-5.** Regional Planning Commissions, Regional Councils of Governments, Regional Area Councils, Regional Development Councils, or Regional Associations of Governments.

II. SPECIFICATIONS AND STANDARDS FOR PERFORMANCE

- 4. Contract Amendments:** This document may be changed by amendment as provided for in the General Terms and Conditions. PERFORMING PARTY must submit a formal budget amendment for budget changes that result in greater than 10% (ten percent) of the PERFORMING PARTY's fiscal year (FY) budget. PERFORMING PARTY has prior authorization to conduct budget category changes for less than 10% (ten percent) of the PERFORMING PARTY's FY budget. All budget category changes and/or amendments must be reflected in Request for Reimbursement Reports. PERFORMING PARTY shall ensure Budget forms (Attachment A) reflect all changes and amendments.
- 5. Contract Documents:** The working documents, presented in order of preference, are:
- 5.1.** This LRGVDC Grant Agreement.
 - 5.2.** Performing Party's Budget Form (Attachment A).
 - 5.3.** Work Program & Tasks - (Attachment B).
 - 5.4.** Schedule of Major Deliverables (Attachment C).

III. CONTRACT FUNDING

- 6. Budget Category Expense Standards and Adjustments.** The budget for this Agreement shall be derived from the PERFORMING PARTY's Application documents (Attachment B). Following review and approval by the LRGVDC, the budget and the completed Application forms submitted by the PERFORMING PARTY, and all approved amendments, shall be incorporated into this Agreement as updates to Attachment A. Budget amendments are necessary when budget category adjustments exceed 10% (ten percent) of the FY total budget, adjustments less than 10% (ten percent) shall be reported on Requests for Reimbursement. All negative budget categories should be adjusted prior to submitting the Request.
- 6-1.** The PERFORMING PARTY shall not incur expenses in excess of the budget category amounts shown in each fiscal year's budget column.
 - 6-2.** Amendments to the budget contained in Attachment A shall consist of a signed letter of request submitted by a PERFORMING PARTY representative with signatory authority, addressed to the LRGVDC Project Representative, with copy of an amended Budget Form and supporting reason(s) for the request.

- 7. Budget Category Expense Records and Documentation.** The PERFORMING PARTY shall maintain expenditure documentation to show the work was performed and that the expense was, in fact, incurred. Expense documentation should support reasonable expenditure necessary to this Agreement. Expense record documentation shall be conducted per the UGMS. Budget category expenses not addressed in the following will be administered per the General Terms and Conditions of this Agreement.
- 7-1. Supplies.** Expenses included under the Supplies expense category of the budget set forth in Attachment A, shall be for non-construction related costs for goods and materials having a unit acquisition cost of less than \$1,000, excluding shipping, handling, freight, tax, etc. Such expenditures shall generally relate to the routine purchase of office supplies (paper, pencils, and staplers) or other goods which are consumed by the PERFORMING PARTY in a relatively short period of time, in the regular performance of the general activities funded under this Agreement.
- 7-1-1.** Supplies expenditure documentation to be maintained by the PERFORMING PARTY includes receipts or purchase orders (if issued) or invoices marked paid, and canceled checks.
- 7-2. Equipment.** Expenses included under the Equipment expense category of the budget set forth in Attachment A, shall be for non-construction related, tangible, personal property having a unit acquisition cost of \$5,000, or more with an estimated useful life of over one year.
- 7-2-1.** PERFORMING PARTY must seek LRGVDC prior approval for purchase of additional equipment, and such equipment must be placed on the Authorized Equipment Expense list in Attachment A.
- 7-2-2.** Equipment expenditure documentation to be maintained by the PERFORMING PARTY includes receipts, purchase orders (if issued) or invoices marked paid and canceled checks.
- 7-3. Contractual.** Expenses included under the Contractual expense category of the budget set forth in Attachment A, shall be for costs for professional services or tasks provided by a firm or individual who is not employed by the performing party as set forth in the Article.
- 7-3-1.** No expenses included under the contractual expense category of the budget set forth in Attachment B shall be allowed under this Agreement unless the contractor and the contract amount are approved ahead of time by the LRGVDC and included on the list of authorized contractual expenses in Attachment A.
- 7-3-2.** The PERFORMING PARTY shall maintain evidence that the contract price is reasonable and necessary. As applicable under state law and regulations for the activity or service being contracted for, this evidence may take the form of bid tab sheets or other form of evaluation of competitive price offers or competitive proposals, and/or a cost analysis or price analysis under the UGMS.
- 7-3-3.** No expenses included under the contractual expenses category of the budget set forth in Attachment A shall be allowed under this Agreement unless such contract's scope of work has been approved ahead of time, in writing, by the LRGVDC.
- 7-3-4.** Any amendment to a PERFORMING PARTY subcontract authorized for reimbursement under this Agreement, whether or not such subcontract required LRGVDC pre-approval, which will result in or require substantive changes to any of the tasks required to be performed under this Agreement, as set forth in this Agreement, must be approved in writing by the LRGVDC.
- 7-3-5.** All applicable laws and regulations concerning competitive bidding, competitive proposals, and contracting for services shall be followed.
- 7-4. Other Expenses.** All expenses under the "Other" expense categories of the budget set forth in Attachment A shall be in connection with the tasks and activities to be performed under this Agreement. Expenses not falling under the main expense categories may be included under the "Other" expense category if appropriate for the proposed project as set forth in this Article.
- 7-4-1.** No expenses under the "Other" expense category including computer hardware or software purchases not included under the Equipment expense category, e.g., controlled assets costing less than \$5,000, shall be eligible for reimbursement under this Agreement unless approved ahead of time by the LRGVDC and included on the list of authorized "Other" expenses in Attachment A. Subcategories of "Other" expenses for which prior authorization is not required, are set forth in this Article.
- 7-4-1-1.** Books and reference materials.
- 7-4-1-2.** Dues and membership fees for the PERFORMING PARTY's affiliation with organizations and associations which directly relate to the performance of activities under this Agreement (dues for individual employee affiliation to particular organizations or professional associations, unless listed in Attachment A to this Agreement, must be pre-approved individually, in writing, by the LRGVDC).
- 7-4-1-3.** Subscriptions, only inasmuch as they relate directly to the performance of activities under this Agreement.

- 7-4-1-4. Postage, telephone, Fax, and utilities expenses.
 - 7-4-1-5. Printing and reproduction expenses.
 - 7-4-1-6. Advertising and public notices.
 - 7-4-1-7. Repair and maintenance costs.
 - 7-4-1-8. Office furniture, not falling under the definition of equipment under this Article.
 - 7-4-1-9. Space and equipment rentals.
 - 7-4-1-10. Signs.
 - 7-4-1-11. Additional Other expenses listed in Attachment A to this Agreement.
 - 7-4-1-12. Creation/graphic design of brochures and pamphlets for education and outreach to promote reducing waste/recycle and responsible municipal solid waste management practices and planning.
- 7-4-2. The PERFORMING PARTY shall ensure that expenditures charged under the “Other” expense category are not also included within the expenses reimbursed through the Indirect Costs allocation, Central Services Cost allocation, or the Internal Services fund.
- 7-5. **Additional Expense Records.** If requested by the LRGVDC, the PERFORMING PARTY agrees to provide to the LRGVDC the additional expense records and documentation materials, appropriate for the expense, for the time period requested by the LRGVDC. The LRGVDC will provide reasonable time for the PERFORMING PARTY to comply with a request for additional records. The LRGVDC will allow the PERFORMING PARTY reasonable time to respond to any findings of noncompliance or other problems identified by the records review.
- 8. REIMBURSEMENT PAYMENT METHOD.** The PERFORMING PARTY shall submit a Request for Reimbursement, which shall include attached legible copies of invoices issued by the subcontractor or vendor providing the products or services that substantiates the incurred expenditure amount. In addition, all requests for reimbursement of expenditures must be itemized and described in such a way that the acquired item can be readily matched to pre-acquisition approvals.
- 8-1. The PERFORMING PARTY must submit the Request for Reimbursement if costs have been incurred. They should be submitted with the required progress reports and results reports. However, LRGVDC is not liable for any costs incurred by the PERFORMING PARTY in the performance of this agreement, which have not been billed to LRGVDC within fifteen days following termination of this agreement.
 - 8-2. The LRGVDC reserves the right to suspend payment of funds awarded under this contract due to incomplete, incorrect, or inconsistent reports or tasks required under this contract until the PERFORMING PARTY satisfactorily completes, revises, or corrects such services or reports. The LRGVDC also reserves the right to require reimbursement of any overpayments determined as a result of any audit or inspection of records kept by the PERFORMING PARTY concerning the contract supported tasks to be performed.
 - 8-3. All expenditures under the equipment, construction, or contractual, budget categories must be approved in advance by the LRGVDC. Further, for any other category expenses not specifically spelled out in the contract, the PERFORMING PARTY shall obtain prior written approval from LRGVDC for that expense.
 - 8-4. If the PERFORMING PARTY does not have a current indirect cost rate approved in accordance with Uniform Grant and Contract Management Standards (UGCMS), the LRGVDC may negotiate a lump sum indirect cost charges that do not exceed the charges established using the Indirect Cost Consumption Table provided in the UGCMS.

IV. CONTRACT ACTIVITIES

- 9. The work identified herein is subject to the guidelines as directed in Attachment B, the Work Program and these guidelines may be updated and or amended throughout the timeline of this document as deemed necessary by the LRGVDC.
- 10. A project or service funded under this program must promote cooperation between public and private entities and may not be otherwise readily available or create a competitive advantage over a private industry that provides recycling or solid waste services. The PERFORMING PARTY agrees to perform the following activities as prescribed in this document and as outlined in Attachment B.

V. REPORTING REQUIREMENTS

- 11.** Detailed records that are not required to be submitted with the reports referred to in this section must be kept at the designated location for records access.
 - 11-1.** The PERFORMING PARTY shall maintain and submit to LRGVDC mileage records on the use of the vehicle originally purchased for the program along with monthly Progress Report.
 - 11-2.** The PERFORMING PARTY shall comply with any reasonable request by the LRGVDC for additional information on activities conducted in order for the LRGVDC to adequately monitor the PERFORMING PARTY's progress in completing the requirements of and adhering to the provisions of this contract.
 - 11-3.** Payments (reimbursements) required under this contract may be withheld by the LRGVDC until such time as any past due progress reports are received.
 - 11-4.** The PERFORMING PARTY's failure to comply with the requirements of this Article shall constitute a breach of this contract.
 - 11-5.** The PERFORMING PARTY shall prepare and submit to the LRGVDC the Pass-Through Grant Progress and Results Report monthly, concerning performance under this contract documenting accomplishments and units of work performed under Attachment B: Work program of this agreement. The PERFORMING PARTY's progress reports contain descriptions of activities for the LRGVDC to ensure that the provisions of this contract are being complied with. The PERFORMING PARTY results report will include quantifiable measurements or reasonable estimations of the project outcomes.
 - 11-6.** All progress and results reports shall be submitted within 10 days after the end of the month for the term of this contract so that LRGVDC may submit a consolidated report to TCEQ.
 - 11-7.** The PERFORMING PARTY shall prepare and submit to the LRGVDC, the Pass-Through Grant Request for Reimbursement as necessary with appropriate supporting documentation.

VI. CLOSE-OUT PROGRESS AND RESULTS REPORT

- 12.** The PERFORMING PARTY will submit a closeout progress and results report with the final requests for payment under this contract. The closeout report will include the cumulated information from previous progress and closeout reports. The closeout report must be submitted within 15 days of the ending date of this contract. The PERFORMING PARTY shall certify in writing to the LRGVDC, through the final progress report, the satisfactory completion of all activities and deliverables required under this contract.

VII. FOLLOW-UP SUMMARY RESULTS REPORT

- 13.** The PERFORMING PARTY shall submit periodic follow-up summary results reports according to Attachment C: Schedule of Mayor Deliverables. The PERFORMING PARTY shall document the results of the grant-funded project and provide those results to the LRGVDC for use of evaluating program effectiveness and for providing regional results information to TCEQ. The results reporting documentation and reporting requirements shall specifically cover reporting on results during the term of the contract and continue to document, the results of the project activities for the life of the program or activity.

VIII. OTHER REPORTS

- 14-1.** The PERFORMING PARTY shall provide LRGVDC with a reasonable number of photographs of the project activities for documentation purposes such as inclusion in a report to the State Legislature.
- 14-2.** The PERFORMING PARTY shall occasionally present an oral report to the LRGVDC Solid Waste Advisory Committee during the committee's meetings regarding the status of the project implementation. LRGVDC will notify the PERFORMING PARTY one week in advance of such requests for oral reports. Note that the committee typically meets quarterly see Attachment C.

IX. SPECIAL TERMS AND CONDITIONS

15-1. Statutory Authority. Fiscal Year (FY) 2022-2023 Appropriations Bill (86th Legislature Regular Session) and Texas Health and Safety Code § 361.014(b).

15-2. Availability of Funds. The source of the funds provided by the TCEQ is the Solid Waste Disposal and Transportation Fees, as stated in Texas Health and Safety Code § 361.013 and the Municipal Solid Waste Disposal Account, as listed in Texas Health and Safety Code § 361.014(d). The parties agree that TCEQ's obligations under this Contract are contingent upon the continued availability of sufficient funds in the Municipal Solid Waste Disposal Account. TCEQ may terminate this contract if funds become unavailable due to lack of fees collected, legislative changes, or demands upon the funds described above that are necessary to protect the health and safety of the public. The *Performing Party* shall place this notice in all subgrants and contracts.

15-3. *Performing Party* agrees to perform activities described in this Contract, which may be a modification of the proposal submitted to TCEQ.

15-4. Local and regional political subdivisions that are subject to the payment of state solid waste disposal fees and whose fee payments are in arrears, as determined by the TCEQ, are not eligible to receive subgrant or contract funding from the *Performing Party*. The *Performing Party* shall allow a potential subgrant or contract applicant that is listed as being in arrears in its fee payments the opportunity to provide documentation of payment of the fees owed the state. If the potential applicant provides the *Performing Party* with documentation of payment of the fees, such as a canceled check or receipt from the state, the *Performing Party* may consider that applicant to be eligible to receive subgrant or contract funding under this Contract.

15-5. The *Performing Party* is responsible for ensuring that subrecipients and contractors have all necessary permits, meet all other legal requirements to perform the activities, are qualified to perform the activities, and are not in arrears on any penalties owed to TCEQ.

15-6. Local and regional political subdivisions that are barred from participating in state contracts by the Texas Comptroller of Public Accounts (CPA) under the provisions of § 2155.077, Texas Government Code, and Title 34 Texas Administrative Code (TAC) § 20.585, CPA Regulations, are not eligible to receive subgrants or contracts from the *Performing Party*.

15-7. The activities funded under this Contract, both projects conducted by the *Performing Party* or as a part of a subgrant, shall be in accordance with all provisions of this Contract, all applicable federal, state and local laws, rules, regulations, and guidelines. The main governing requirements include, but are not limited to, the following standards.

15-5-1. §361, §363, and §364 of the Texas Health and Safety Code.

15-5-2. Title 30 TAC §330, Subchapter O, TCEQ Rules.

15-5-3. Title 30 TAC §14, TCEQ Rules.

15-5-4. The Uniform Grant and Contract Management Act, Texas Government Code, §§783.001 et seq., and the Uniform Grant Management Standards, 34 TAC §§20.456-20.467 and the Uniform Grant Management Standards issued by CPA and formerly by the Texas Office of the Governor (UGMS)

15-5-5. General Appropriations Act, 86th Legislature Regular Session, including Article IX, Part 4.

15-5-6. Chapter 391 of the Local Government Code and related rules.

X. GENERAL TERMS AND CONDITIONS

16. CONTRACT PERIOD

16-1. Contract Period. The Contract begins on the Effective Date and ends on the Expiration Date as provided on the Signature Page of this Contract (Contract Period). If no Effective Date is provided, the Effective Date of the Contract is the date of last signature. If no Expiration Date is provided, the Expiration Date is July 31 of the same Fiscal Year in which the Contract is signed.

16-2. Renewal and Extension Period. The Contract may be extended by notice of LRGVDC beyond expiration of a Contract Period for up to 90 (ninety) days (Extension Period) during which the parties may agree on a written amendment to extend the Contract for a longer period. Renewals and extensions do not extend any other deadlines or due dates other than the expiration of the Contract Period.

17. DEFINITIONS

- 17-1. "Include."** The word "include" and all forms such as "including" shall be construed to introduce a non-exhaustive list. The parties agree include is a term of enlargement and does not limit the scope of the preceding noun.

18. FUNDS

- 18-1. Availability of Funds.** This Contract and all claims, suits or obligations arising under or related to this Contract are subject to the receipt and availability of funds appropriated by the Texas Legislature for the purposes of this Contract or the respective claim, suit or obligation, as applicable.
- 18-1-1.** Performing Party will ensure that this clause concerning the availability of funds received indirectly by subcontractors through Performing Party is included in any subcontract it awards.
- 18-2. Amount Limits on Funds.** The maximum reimbursement is shown on the Contract Signature Page.
- 18-3. Grants.** If this agreement was entered under the LRGVDC authority to award grants, LRGVDC is providing financial assistance to the recipient to undertake its own project.

19. ALLOWABLE COSTS

- 19-1. Conforming Activities.** LRGVDC will reimburse the Performing Party for Allowable Costs incurred and paid by the Performing Party in performance of conforming Contract Activities. Allowable Costs are those costs for conforming Contract Activities that are reasonable, necessary, actual, and authorized by this Contract and a Notice to Proceed. Contract Activities must be authorized in writing to be eligible for reimbursement.
- 19-2. UGMS.** Allowable Costs are restricted to costs that comply with the Texas Uniform Grant Management Standards (UGMS) and applicable state and federal rules and law. The parties agree that all the requirements of the UGMS apply to this Contract, including the criteria for Allowable Costs.

20. REIMBURSEMENT

- 20-1. Contract for Reimbursement.** The Contract Documents describe the activities to be conducted by the Performing Party for reimbursement by LRGVDC.
- 20-2. Reimbursement Request Deadline.** Grant recipients have one year to expense project funds. If no funds are expended within the first six months, the Solid Waste Advisory Committee (SWAC) will convene to decide further action of the project. Funds will be de-obligated if 90% of funds are not expended within ten (10) months. Performing Party shall submit final requests for payment to LRGVDC prior to **May 31, 2023**.
- 20-3. Reimbursement Requests.** Performing Party shall invoice LRGVDC to request reimbursement for its Allowable Costs for performing the Contract Activities. Performing Party's invoice shall conform to LRGVDC's reimbursement requirements.
- 20-4. Supporting Records.** Upon request, Performing Party shall submit records and documentation to LRGVDC as appropriate for the review and approval of reimbursing costs. At a minimum, Performing Party shall submit supporting records with its invoices; LRGVDC may reject invoices without appropriate supporting documentation. LRGVDC has the right to request additional documentation. Performing Party shall maintain records subject to the terms of this Contract.
- 20-5. Conditional Payments.** Reimbursements are conditioned on the Contract Activities being performed in compliance with the Contract. Performing Party shall return payment to LRGVDC for either overpayment or activities undertaken that are not compliant with the Contract Activities. This does not limit or waive any other LRGVDC remedy.
- 20-6. Historically Underutilized Businesses.** Performing Party shall include, with its invoicing, reports on the use of Historically Underutilized Businesses.

21. AMENDMENTS

Changes to the Contract may only be made by a written amendment, signed and agreed to by the Parties.

22. CONTRACT INTERPRETATION

- 22-1. Interpretation of Time.** All days are calendar days, unless stated otherwise. Days are counted to exclude the first and include the last day of a period. If the last day of the period is a Saturday or Sunday, or a state or federal holiday, it is omitted from the computation.
- 22-2. State, Federal Law.** This Contract is governed by and interpreted under the laws of the State of Texas, as well as applicable federal law.
- 22-3. Severability.** If any provision of this Contract is held to be invalid, illegal or unenforceable, the remainder of the Contract shall be construed to conform to the intent of the parties.

23. PERFORMING PARTY'S RESPONSIBILITIES

- 23-1. Performing Party's Responsibility for the Contract Activities.** Performing Party undertakes performance of the Contract Activities as its own project and does not act in any capacity on behalf of the LRGVDC nor as a LRGVDC agent, employee or vendor of goods or services. Performing Party agrees that the Contract Activities are furnished and performed at Performing Party's sole risk as to the means, methods, design, processes, procedures and performance of the Contract Activities.
- 23-2. Independent Contractor.** Nothing in this agreement shall create an employee-employer relationship between Performing Party and LRGVDC. The parties agree that the Performing Party is an independent contractor.
- 23-3. Performing Party's Responsibility for Subcontractors.** All acts and omissions of Subcontractors, Suppliers and other persons and organizations performing or furnishing any of the Contract Activities under a direct or indirect contract with Performing Party shall be considered to be the acts and omissions of Performing Party.
- 23-4. No Third-Party Beneficiary.** The LRGVDC does not assume any duty to exercise any of its rights and powers under the Contract for the benefit of third parties. Nothing in this Contract shall create a contractual relationship between LRGVDC and any of Performing Party's subcontractors, suppliers or other persons or organizations with a contractual relationship with the Performing Party.

24. PERFORMING PARTY PERFORMANCE EVALUATION

Performance evaluations are a part of the LRGVDC review performing party and may be a factor in the selection of future contracts. The LRGVDC may provide this information to state agencies and upon request, to others. Performing Party consents to the disclosure of any information or opinion in the evaluations.

25. CONFLICT OF INTEREST

The Performing Party shall timely notify the LRGVDC in writing of any actual, apparent, or potential conflict of interest regarding the Performing Party or any related entity or individual. No entity or individual with any actual, apparent, or potential conflict of interest shall take part in the performance of any portion of the Contract Activities, nor have access to information regarding any portion of the Contract Activities. Performing Party agrees that LRGVDC has sole discretion to determine whether a conflict exists, and that a conflict of interest is grounds for termination for cause.

26. INTELLECTUAL PROPERTY

- 26-1. Third Party Intellectual Property.** Unless specifically waived, Performing Party must obtain all Intellectual Property licenses expressly required in the Contract Activities, or incident to the use or possession of the intellectual property. Performing Party shall obtain and furnish to LRGVDC: documentation on the use of such Intellectual Property, and a perpetual, irrevocable, enterprise-wide license to reproduce, publish, otherwise use, or modify such Intellectual Property and associated user documentation, and to authorize others to reproduce, publish, otherwise use, or modify such Intellectual Property for LRGVDC non-commercial purposes, and other purposes of the State of Texas.

- 26-2. Grant of License.** Performing Party grants to LRGVDC a nonexclusive, perpetual, irrevocable, enterprise-wide license to reproduce, publish, modify or otherwise use for any non-commercial LRGVDC purpose any preexisting intellectual property belonging to the Performing Party that is incorporated into the Contract Activities, intellectual property created under this Contract, and associated user documentation.

27. TIME DELAYS

- 27-1. Time is of the Essence.** Performing Party's timely performance is a material term of this Contract.
- 27-2. Delays.** Where Performing Party's performance is delayed, except by *Force Majeure* or act of the LRGVDC, LRGVDC may withhold or suspend reimbursement, terminate the Contract, or enforce any of its other rights.

28. TERMINATION

- 28-1. Termination for Cause.** LRGVDC may, upon 10 (ten) days written notice and the opportunity to cure, terminate this Contract for cause if Performing Party materially fails to comply with the Contract Documents including any one or more of the following acts or omissions: nonconforming Contract Activities, existence of a conflict of interest, failure to provide evidence of required insurance coverage and failure to comply with HUB requirements in law or this Contract. Termination for cause does not prejudice LRGVDC's other remedies authorized by this Contract or by law.
- 28-2. Termination for Convenience.** LRGVDC may, upon 10 (ten) days written notice, terminate this Contract for convenience. Termination shall not prejudice any other right or remedy of LRGVDC or the Performing Party. Performing Party may request reimbursement for: conforming Contract Activities and timely, reasonable costs directly attributable to termination. Performing Party shall not be paid for: work not performed, loss of anticipated profits or revenue, consequential damages or other economic loss arising out of or resulting from the termination.
- 28-3.** If, after termination for cause, it is determined that the Performing Party had not materially failed to comply with the Contract Documents, the termination shall be deemed to have been for the convenience of the LRGVDC.

29. INSURANCE AND INDEMNIFICATION

- 29-1. Insurance.** Unless prohibited by law, the Performing Party shall require its contractors and suppliers to obtain and maintain during the Contract Term adequate insurance coverage sufficient to protect the Performing Party and the LRGVDC from all claims and liability for injury to persons and for damage to property arising from the Contract, whether caused by the Performing Party or by the contractor(s) or by anyone directly or indirectly employed by either. Unless specifically waived by the LRGVDC, sufficient coverage shall include Workers Compensation and Employer's Liability Insurance, Commercial Automobile Liability Insurance, and Commercial General Liability Insurance.
- 29-2. Indemnification.** TO THE EXTENT AUTHORIZED BY LAW, THE PERFORMING PARTY SHALL REQUIRE ALL CONTRACTORS PERFORMING CONTRACT ACTIVITIES ON BEHALF OF PERFORMING PARTY TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE LRGVDC AND PERFORMING PARTY AND THEIR OFFICERS, EMPLOYEES AND REPRESENTATIVES FROM AND AGAINST ALL LOSSES, LIABILITIES, DAMAGES, AND OTHER CLAIMS OF ANY TYPE ARISING FROM THE PERFORMANCE OF THE CONTRACT ACTIVITIES BY THE PERFORMING PARTY OR ITS CONTRACTORS, SUPPLIERS AND AGENTS, INCLUDING THOSE ARISING FROM A DEFECT IN DESIGN, WORKMANSHIP, MATERIALS, OR FROM INFRINGEMENT OF ANY PATENT, TRADEMARK OR COPYRIGHT; OR FROM A BREACH OF APPLICABLE LAWS, REGULATIONS, SAFETY STANDARDS OR DIRECTIVES. THE DEFENSE OF THE LRGVDC SHALL BE SUBJECT TO THE AUTHORITY OF THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS TO REPRESENT THE LRGVDC. THIS COVENANT SURVIVES THE TERMINATION OF THE CONTRACT.

30. DISPUTES, CLAIMS, REMEDIES

- 30-1. Payment not a Release.** Neither payment by LRGVDC nor any other act or omission other than an explicit written release constitutes a release of Performing Party from liability under this Contract.
- 30-2. Schedule of Remedies available to the LRGVDC.** In accordance with §2261, Texas Government Code, the following Schedule of Remedies applies to this contract. In the event of Performing Party's nonconformance, LRGVDC may:
- 30-2.1.** Issue notice of nonconforming performance;
 - 30-2.2.** Reject nonconforming performance and request corrections without charge to the LRGVDC;
 - 30-2.3.** Reject a reimbursement request or suspend further payments, or both, pending accepted revision of the nonconformity;
 - 30-2.4.** Suspend all or part of the Contract Activities or payments, or both, pending accepted revision of the nonconformity;
 - 30-2.5.** Demand restitution and recover previous payments where performance is subsequently determined nonconforming;
 - 30-2.6.** Terminate the contract without further obligation for pending or further payment by the LRGVDC and receive restitution of previous payments.
- 30-3. Opportunity to Cure.** The Performing Party will have reasonable opportunity to cure its nonconforming performance, if possible, under the circumstances.
- 30-4. Cumulative Remedies.** Remedies are cumulative: the exercise of any remedy under this Contract or applicable law does not preclude or limit the exercise of any other remedy available under this Contract or applicable law.

31. FINANCIAL RECORDS, ACCESS, AND AUDITS

- 31-1. Audit of Funds.** The Performing Party understands that acceptance of funds under this Contract acts as acceptance of the authority of the State Auditor's Office, or any successor agency, to conduct an audit or investigation in connection with those funds. Performing Party further agrees to fully cooperate with the State Auditor's Office or its successor in the conduct of the audit or investigation, including providing all records requested. Performing Party shall ensure that this clause concerning the authority to audit funds received indirectly by subcontractors through Contractor and the requirement to cooperate is included in any subcontract it awards.
- 31-2. Financial Records.** Performing Party shall establish and maintain financial records including records of costs of the Contract Activities in accordance with generally accepted accounting principles. Upon request Performing Party shall submit records in support of reimbursement requests. Performing Party shall allow access during business hours to its financial records by LRGVDC and other state agencies for the purpose of inspection and audit. Records shall be maintained for a minimum of 3 (three) years beyond the expiration or earlier termination of this Contract, and 3 (three) years after the end of any litigation or claims process, including appeals.

32. INDIRECT COST RATE

- 32-1. Authority for Indirect Cost Rates.** The Performing Party shall comply with the UGMS relating to Indirect Cost Rates. In the event an audit changes the indirect cost rate, Performing Party agrees to waive additional indirect costs, or in the alternative, contribute the difference between the contract indirect rate and audited indirect rate.
- 32-2. Indirect Cost Rate of Contract Activities.** The cost of services provided to LRGVDC by another agency may include allowable direct costs of the service plus a pro rata share of indirect costs, if authorized by the budget. A standard indirect cost allowance equal to 10% (ten percent) of the direct salary and wage cost of the activity may be used in lieu of determining the actual indirect costs of the activity, if any indirect cost rate is approved.

33. SOVEREIGN IMMUNITY

The parties agree that this Contract does not waive any sovereign immunity to which either party is entitled by law.

34. MISCELLANEOUS

- 34-1. Assignment.** No delegation of the obligations, rights, or interests in the Contract, and no assignment of payments by Performing Party will be binding on LRGVDC without its written consent, except as restricted by law. No assignment will release or discharge the Performing Party from any duty or responsibility under the Contract.
- 34-2. Venue.** Performing Party agrees that the Contract is being performed or administered in Cameron, Hidalgo, and Willacy County Region. This provision does not waive sovereign immunity.
- 34-3. Publication.** Performing Party agrees to notify LRGVDC 5 (five) days prior to the publication or advertisement of information related this Contract. Performing Party agrees not to use the LRGVDC logo or a LRGVDC graphic as an advertisement or endorsement without an agreement signed by the appropriate LRGVDC authority.
- 34-4. Waiver.** With the exception of an express, written document signed with authority by LRGVDC, no act or omission will constitute a waiver or release of Performing Party's obligation to perform conforming Contract Activities. No waiver on one occasion, whether expressed or implied, shall be construed as a waiver on any other occasion. The making of a payment does not constitute acceptance of the invoiced Contract Activities nor does it constitute a waiver of the LRGVDC's claims against the Performing Party or its sureties.
- 34-5.** LRGVDC relies on Performing Party to perform all Contract Activities in conformity with all applicable laws, regulations, and rules and obtain all necessary permits and licenses.
- 34-6. Survival of Obligations.** Except where a different period is specified in this agreement or applicable law, all representations, indemnifications, and warranties made in, required by or given in accordance with the Contract Documents, as well as all continuing obligations indicated in the Contract Documents, will survive for 4 (four) years beyond the termination or completion of the Agreement; or after the end of a proceeding which was brought under the contract or if LRGVDC has notified Performing Party of an on-going proceeding. A proceeding includes any litigation, legal proceeding, permit application, State Office of Administrative Hearings proceeding, or similar activity listed in a LRGVDC notice to the Performing Party.
- 34-7. Release of Claims.** As a condition to final payment or settlement, or both, the Performing Party shall execute and deliver to the LRGVDC a release of all claims against the LRGVDC for payment under this contract.
- 34-8. Legal Fees Prohibited.** This money shall be spent on administrative fees and projects as approved by LRGVDC. The funds under this Agreement may not be used for legal representation, or any other fees associated with hiring an attorney.

PROJECT REPRESENTATIVES/RECORDS LOCATION**ARTICLE 35.1 LRGVDC PROJECT REPRESENTATIVE**

The individual named below is the LRGVDC Project Representative, who is authorized to give and receive communications and directions on behalf of the LRGVDC. All communications including all payment requests must be addressed to the LRGVDC Project Representative or his or her designee.

Rick Carrera

Name

Director of Community & Economic Development

Title

Lower Rio Grande Valley Development Council

301 West Railroad

Weslaco, Texas 78596

Phone: (956) 682-3481 ext. 164

Email: rcarrera@lrgvdc.org

ARTICLE 35.2 PERFORMING PARTY PROJECT REPRESENTATIVE

The individual named below is the PERFORMING PARTY Project Representative, who is authorized to give and receive communications and directions on behalf of the PERFORMING PARTY. All communications to the PERFORMING PARTY will be addressed to the PERFORMING PARTY Project Representative or his or her designee.

For Financial Matters:

Vidal Roman

Name

Finance Director

Title

255 S. Kansas Avenue

Weslaco, TX 78596

Phone: (956) 968-3181

Email: vroman@weslacotx.gov

For Contractual Matters:

Honorable David Suarez

Name

Mayor

Title

255 S. Kansas Avenue

Weslaco, TX 78596

Phone: (956) 968-3181

Email: david.suarez@weslacotx.gov

ARTICLE 35.3 DESIGNATED LOCATION FOR RECORDS ACCESS AND REVIEW

The PERFORMING PARTY designates the physical location indicated below for record access and review pursuant to any applicable provision of this contract:

David Arce

Name

Deputy Public Works Director

Title

255 S. Kansas Avenue

Weslaco, Texas 78596

Phone: (956) 973-3146

Email: darce@weslacotx.gov

PERFORMING PARTY BUDGET**Attachment A**

BUDGET CATEGORY	FUNDING AMOUNT
Supplies	\$ 0.00
Equipment (1) 40 Yard roll off container - \$9,345.00	\$ 9,345.00
Construction	\$ 0.00
Contractual	\$ 0.00
Other (8) 8 Yard containers \$1,470/unit -\$11,760.00 (8) Side locks \$85.00/unit - \$680.00 (8) Side slots \$92.00/unit - \$736.00 Shipping -\$1,854.00	\$ 15,030.00
Total Funding	\$24,375.00

WORK PROGRAM & TASKS

Attachment B:

GOAL: The City of Weslaco will continue to expand their recycling efforts by purchasing containers to collect cardboard at 8 schools ranging from elementary schools to high schools. These schools will have the opportunity to breakdown their cardboard boxes and dispose them in a designated container provided to them.

Objective 1: The City of Weslaco will divert cardboard waste from going to the landfill and will teach students at all levels the best practices for recycling.

- 1) Task/Deliverable: The City of Weslaco will follow the City of Weslaco's Procurement Policy Procedures to purchase containers to collect recyclables.
- 2) Task/Deliverable: The City of Weslaco will have staff available to commit to a schedule and pickup cardboard collected by the schools. Public works staff will bring containers to the public works building to empty them out into the 40 yard roll off container. Once the roll off container reaches capacity it will be taken to Master Fibers in Pharr, Texas, Gama Recycling in Alamo or General Paper Inc in McAllen, Texas.
- 3) Task/Deliverable: All equipment purchased will be placed in the City of Weslaco's inventory. All equipment purchased will be placed in the City of Weslaco's inventory. Equipment is to be labeled with TCEQ & LRGVDC logos.

Objective 2: Report on the Progress and results of the program

- 1) Task/Deliverable: The Project Coordinator will measure and document monthly the following: amount (in pounds) of brush/yard waste, metal, cardboard, newspaper, other paper, and aluminum. The documented information should be included in the Pass-Through Grant Progress & Results Reports provided to you by the LRGVDC with supporting documentation. Please attach copies of the scale tickets of the market that collected your recyclables.

Completion Time Frame: Submit the Pass- Through Grant Progress & Results Reports monthly basis, on the 10 day of the month for the term of the contract so that the LRGVDC may submit a consolidated report to TCEQ.

Request for Reimbursement will be submitted in the Pass-Through Grant Request for Reimbursement forms, when necessary, with supporting documentation.

- 2) Task/Deliverable: The Project Coordinator will submit Follow-up Reports using the Pass-Through Grant Progress & Results Reports forms a year after contract ends.
- 3) Task/Deliverable: City of Weslaco will present an oral report to the LRGVDC SWAC Committee to inform them on the status of project.

Attachment C:**FY 2022/2023 Schedule of Major Deliverables for
Solid Waste Grants**

Deliverables	Due Date
1. Contract Term	May 1, 2022 – May 31, 2023
2. Solid Waste Advisory Committee	Meets quarterly, therefore you will be notified one week in advance to be present to give an oral report on project status.
3. Pass - Through Grant Progress & Results Reports Due Monthly Must be emailed to: bsalinas@lrgvdc.org	Due Monthly May 2022 – June 10, 2022 June 2022 – July 10, 2022 July 2022 – August 10, 2022 August 2022 – September 10, 2022 September 2022 – October 10, 2022 October 2022 – November 10, 2022 November 2022 – December 10, 2022 December 2022 – January 10, 2023 January 2023 – February 10, 2023 February 2023 – March 10, 2023 March 2023 – April 10, 2023 April 2023 – May 10, 2023 May 2023 – June 10, 2023
4. Pass – Through Grant Request for Reimbursements Report Due as Necessary Must be emailed to: bsalinas@lrgvdc.org	As Necessary Grant recipients have one year to expense project funds. If no funds are expended within the first six months, the Solid Waste Advisory Committee (SWAC) will convene to decide further action of the project. Funds will be de-obligated if 90% of funds are not expensed within ten (10) months. Performing Party shall submit <u>final</u> requests for payment to LRGVDC prior to May 31, 2023 .
5. TCEQ Results & Follow up Results Must be emailed to: bsalinas@lrgvdc.org	Due Once a Year Results due to TCEQ – December 31, 2023 Follow up Results – October 15, 2024 *Ensure Project Coordinator maintains Progress & Reports after contract ends because TCEQ will ask for follow-up reports.



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5378	
From:			
Subject: Approval of application to the South Texas Literacy Coalition free book distribution program; acceptance of books upon award and authorize the Mayor to execute any related documents. (Staffed by Library Department.)			
Background: South Texas Literacy Coalition (STLC) is a non-profit organization that funds the distribution of books for qualifying programs. The books go to community members and are distributed during literacy events. The audience focus is children. The book distribution initiative is designed as a community outreach project to promote reading, family literacy, and educational achievement. Planning and documentation is required of participating organizations but there is no fiscal obligation. The library seeks to remain a partner indefinitely, so long as there is never any fiscal responsibility. Past partnerships have been very positive. Last year, our literacy program was awarded approximately \$4,000 in free books for all ages. Library staff strongly supports the request. Please feel free to contact me with any questions, I will be happy to provide additional information.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission: N/A			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners: N/A			
Advisory Review, if any (name of board/committee, date of action, recommendation): None at this time.			
MARICARMEN GARCIA ARNOLDO BECHO Martin Garza		Created/Initiated Approved New	
City Manager Comments: Approve as recommended by the Library Director.			
Staff Recommendation: Staff recommends approval			

Attachments, if any:

Memo -South Texas Literacy Coalition, South Texas Literacy Book Request Form

Responsibilities upon Approval:

The library will execute the agreement and return it to STLC. The library will then work with STLC to coordinate and document book dispersal events.

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

April 19, 2022

To: David Suarez, Mayor; Josh Pedraza, Mayor Pro-Tem; Leo Muñoz, Commissioner, At-Large; Greg Kerr, Commissioner, At-Large; Letty Lopez, Commissioner; Jose "JP" Rodriguez, Commissioner; Adrian Farias, Commissioner; Martin Garza, Interim City Manager
CC: Martin J. Mata, Vidal Roman, Sonia Flores, MariCarmen Garcia
Fr: Arnoldo Becho, Library Director
Re: Request to reapply for the South Texas Literacy Coalition free book distribution program.

South Texas Literacy Coalition (STLC) is a non-profit organization that funds the distribution of books for qualifying programs. The books go to community members and are distributed during literacy events. The audience focus is children. The book distribution initiative is designed as a community outreach project to promote reading, family literacy, and educational achievement.

Planning and documentation are required of participating organizations but there is no fiscal obligation. The library seeks to remain a partner indefinitely, so long as there is never any fiscal responsibility. Past partnerships have been very positive.

This agenda item requires no additional funding and adds no cost to the library budget. Library staff strongly supports the request. Please feel free to contact me with any questions, I will be happy to provide additional information.

Thank you for the time,

Arnoldo Becho
Library Director, City of Weslaco
Phone: 956.973.3144
Email: abecho@weslacopl.us

Book Request Contact

The South Texas Literacy Coalition Distributes an average of 60,000 books every year through partnerships and collaboration to host community literacy projects. Our Book Distribution Initiative was designed to put new, free books in the hands of children throughout South Texas.

Sign in to Google to save your progress. [Learn more](#)

ALL REQUESTS MUST BE SUBMITTED AT LEAST 3 WEEKS PRIOR TO EVENT DATE

Name of Organization

Your answer

Purpose of Organization

Your answer

Name of point of contact

Your answer

Email

Your answer



Phone Number

Your answer

Is this your first time requesting books from The STLC?

☐ Yes

☐ No

If No, when was the last date you requested books?

Date

mm/dd/yyyy

Are you an active follower on our social media platforms? (Facebook, Twitter, Instagram)

☐ Yes

☐ No

Page 1 of 3

Next

Clear form

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Google Forms



Book Request Contact

Sign in to Google to save your progress. [Learn more](#)

Book Request Totals

We allow organizations to submit book requests twice a year.

Are you requesting more than 250 Books?

☐ Yes

☐ No



Reading levels you are requesting

We often are able provide a total of 250 books to every organization that submits a book request form. We customize the selection depending on your selected reading levels chosen below. Books are available for pick up from our facility Monday-Friday, 10am-3pm. You will be notified when your books are ready for pick up and will be given appointment options.

	0 Books	25 Books	50 Books	75 Books	100 Books	125 Books	150 Books	175 Books	200 Books
Toddlers (Pre-K - K)	☐	☐	☐	☐	☐	☐	☐	☐	☐
Early Elementary (1st-2nd)	☐	☐	☐	☐	☐	☐	☐	☐	☐
Elementary (3rd-5th)	☐	☐	☐	☐	☐	☐	☐	☐	☐
Middle School (6th-8th)	☐	☐	☐	☐	☐	☐	☐	☐	☐
High school (9th-12th)	☐	☐	☐	☐	☐	☐	☐	☐	☐

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Book Request Event/Program Description

Our books distributions are made possible through the support of grantees, sponsorships and donations. We ask that you be as creative and detailed as possible when filling out this section as the information is used to continue applying for grants and seeking out sponsorships.

Name of Event/Program

Your answer

Event/Program Description

Your answer

Event, Program and Organization Objectives-Intended Outcomes

Your answer

Date of Event/Program

Date

mm/dd/yyyy



Event/Program Start Time

Time

: AM ▼

Event/Program Location

Your answer

Are you Requesting a Speaker at your event or a Exhibitor?

The date and time will be taken into consideration, If a staff member of the STLC is available on the date of your event, you will be notified of our RSVP.

- ☐ Speaker
- ☐ Exhibitor
- ☐ Virtual Presentation
- ☐ No, Thank You

IMPACT Stories

You will be sent a follow up email once your event has passed with a link to fill out an impact story. It is very important that you fill this form out as it will be taken into consideration for future book requests through The South Texas Literacy Coalition.

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Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5310
From:		
Subject: Discussion and consideration to amend the Personnel Policies of the City of Weslaco for On-Call Pay in adherence to FLSA overtime provisions and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 15, 2022; staffed by Human Resources Department.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
ADELAIDA VEGA Luz Galindo Martin Garza		Created/Initiated Approved New
City Manager Comments: Approve to amend the Personnel Policies regarding on-call pay as recommended by HR Director.		
Staff Recommendation:		
Attachments, if any: MEMO, On Call Pay, CALCULATIONS, OT CALCULATION, PROPOSED ON-CALL POLICY		
Responsibilities upon Approval:		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

INTERNAL MEMO HUMAN RESOURCES DEPARTMENT

DATE: April 28, 2022

TO: Mayor and City Commission

CC: Martin Garza, Interim City Manager

FROM: Luz Galindo, Human Resources Department

SUBJECT: On-Call Policy

The City was audited by DOL Wage & Hour division on September 2021 and found to be non-compliant with FLSA. Specifically, overtime pay on additional wages when overtime hours worked.

Checks for back pay wages were processed and delivered to employees in February 2022. The total amount paid was \$3751.15.

As a result of the audit, Andrew Munoz, at the time acting interim city manager directed a committee group of directors to review the current policy and present a proposed policy to city council for review.



Personnel Policies

CITY OF WESLACO, TEXAS

ON-CALL PAY

Originally Approved: 02/21/2006

Amended: 02/24/2009

08/07/2018

Page: 1 of 1

Employees may be placed on call for a one (1) week period of time (i.e., Friday 5 PM to Friday 5 PM).

Employees who are placed on call will receive 4 hours of pay at their regular rate of pay (not to be included in overtime pay calculations). Calls will be paid at a minimum of 15 minutes per call and rounded up to the nearest 15-minute interval.

Work is only considered a call after 5 PM. If the employee who is on call receives a call at 5 PM, it would not be recorded as a call. It would simply be considered working late and recorded as such.

Any call received on a holiday will be paid at the rate of 1-1/2 times their regular rate of pay (regardless of whether or not the employee has worked over 40 hours during that work week) up to a maximum of 8 hours, in addition to any holiday pay.

ADDITIONAL WAGES

HRS WRK'D TIMES HOURLY RATE EQUALS **STRAIGHT PAY**.

THEN ADD STRAIGHT PAY TO STANDBY PAY TO GET **TOTAL WAGES**.

DIVIDE TOTAL WAGES BY TOTAL HOURS WORKED TO GET **NEW HRLY RATE**.

DIVIDE NEW HRLY RATE BY TWO TO GET THE **NEW OT RATE**.

ADD TOTAL WAGES PLUS NEW OT RATE

For this example employee worked 40 hours plus 1 hour of overtime and schedule for standby

41 hrs X's \$10/hr = \$410

\$410 + \$40 (standby) = **450**

\$450/41 = \$10.989 (new hrly rate)

\$10.98/2 = **5.49** (new ot rate)

\$450 + \$5.49 = \$455.49

40 hrs @ \$10/hr = **\$400**

4 hrs on-call = **\$40**

\$10 (1 base hr) + 5.49 = **15.49**

TOTAL WAGES EARNED = 455.49

450/41 = \$10.98 (New Hrly Rate)

\$10.98/2 = \$5.49 (New OT Rate)

40 hrs @ \$10/hr = \$400

1 hr (OT) x \$10 = \$10

4 hrs standby = \$40

\$450/41 = \$10.98 (new hrly rate)

\$10.98/2 = **\$5.49** (new OT rate)

TOTAL WAGES EARNED = 455.49

**OVERTIME PAY ON "ON CALL" HOURS WORKWEEKS
CALCULATIONS ARE REQUIRED BY WAGE & HOUR DIVISION**

METHODOLOGY ON CALCULATION

Hourly Rate	Hours Worked	Overtime Hours	Standby Hours	Standby Pay = (hrly rate x standby hrs)	Stand by		
					Stand by Addt'l Rate	Addt'l Rate to pay x .5	Additional Overtime Pay
\$ 12.00	46	6	4	\$ 48.00	\$ 1.04	\$ 0.52	\$ 3.13

Stand by Additional Pay = \$48.00/46

Additional OT Pay = .52*6

Paycheck

Reg Hrs	\$ 480.00 ✓
OT (\$18.)	108.00
Addtl	3.13
	<u>\$ 591.13</u>

Incremental Pay by Hrs

1	0.59
2	0.57
3	0.56
4	0.55
5	0.53
6	0.52
7	0.51
8	0.50
9	0.49
10	0.48

PROPOSED: ON-CALL POLICY

Purpose: The City of Weslaco provides for after-hour service needs by allowing certain departments to designate certain employees to be “on-call”. Non-exempt employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by each department.

Procedures:

1. Employees may be placed on call for a one (1) week period of time. Departments requiring employees to be On-Call shall rotate the assignment throughout the department as determined by department director or supervisor.
2. Employees who are placed On-Call will receive their assigned hours of pay at their regular rate of pay. Calls will be paid at a minimum of one hour for the first hour and rounded up to the nearest 15-minute interval.
3. Employees will receive overtime pay for hours worked over 40 hours per workweek at a rate not less than one and on-half times the regular rate of pay.
4. Any call received on a holiday will be paid at the rate of 1 ½ times their regular rate of pay (regardless of whether, or not the employee has worked over 40 hours during that work week) in addition to any holiday pay.
5. All employees designated to be On-Call are expected to be fit (mentally and physically) to accomplish services needed within the time frame required.
6. Employees exempt from overtime are not eligible for compensation under the provisions of this policy.
7. This policy suspends upon declaration of emergency operations.
8. City manager may exercise discretion to modify policy based on departmental needs.



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5306
From:		
Subject: Discussion and consideration on request to amend the Weslaco Economic Development Corporation Articles of Incorporation and By-Laws regarding unexpired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
ADELAIDA VEGA Martin Garza		Created
City Manager Comments: Approve as recommended by the Weslaco Econoomic Development Board.		
Staff Recommendation:		
Attachments, if any: City Letter of Intent-Board Rule Change		
Responsibilities upon Approval:		



THE ECONOMIC DEVELOPMENT CORPORATION
OF WESLACO

To: Martin Garza, Interim City Manager
From: Steven M. Valdez
Date: April 28, 2022
Re: **Request to Amend Articles of Incorporation and extend Term Limits for Unexpired Terms**

EDC Board is requesting a review of the policy for filling unexpired terms for EDC Board members. Current board member, Mr. J.J. Serrano had originally filled the remaining 7 months of an unexpired term left by the Late Rudy Cisneros. While Mr. Serrano may have completed one full, three-year term, his total time served would be three years and seven months.

The EDC would like the City Commission of Weslaco to consider amending the Articles of Incorporation to allow Directors who fill an unexpired term to serve for a period equal to:

1. The number of months in the unexpired term; plus
2. A full three (3) year term; plus
3. The number of months served by the previous Director who vacated the seat, which will equal no more than of 6 years.

The formula referenced above would allow a person filling a vacated Director position to serve the equivalent of two (2) full three (3) year terms, and it would also comply with Section 501.062(b) of the Texas Local Government Code, which provides that directors of an economic development corporation cannot serve for a term of more than six (6) years.

Neither the **Articles of Incorporation, as amended**, nor **Bylaws** of the EDC are clear or specific on whether the completion of an unexpired term counts as a full term when two individuals occupy the same seat. If given the opportunity to set a new standard, I would respectfully suggest that when a term is vacated by a certain individual appointed by the City Commission, that the new Director have the opportunity to serve for a full six (6) years from the date that he or she begins to serve as a Director.

Specifically, we request that the City Commission consider amending Article VI, Section 6.2 of the **Articles of Incorporation** to read as follows:

“6.2 Upon the expiration of the initial term of office of each initial Director, subsequently appointed Directors for each Director’s place shall serve for three-year terms based upon a September 30th anniversary date. Except as hereinafter indicated, no Director shall serve for more than two (2) consecutive three (3) year terms; however, a Director who serves two (2) consecutive terms shall be eligible for reappointment after the lapse of two (2) years following the end of his/her last term.

In the event a vacancy occurs in one of more of the Director's places, whether by cause by death, resignation, disqualification, removal or expiration of term as provided in this Article, the Weslaco City Commission shall appoint one or more individuals to fill the vacancy to complete the unexpired term or terms of such Director or Directors. A Director who is appointed to fill the unexpired term of another Director in accordance with this Article shall then be eligible to serve for one (1) additional three (3) year term, **plus a term equal to the time served by the prior Director prior to vacating his or her seat for a total term of six (6) years."**

The EDC Board of Directors approved this measure at the March 16, 2022, board meeting. We are seeking the review and possible approval by the Mayor and City Commission.

Mr. Serrano enjoys his service to the City of Weslaco and believes that his contribution could be better utilized by serving two full terms.



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5397
From:		
Subject: Discussion and consideration on presentation of the financials for the General, Water/Wastewater, Solid Waste and Airport funds for the period ending March 31, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)		
Background: The Finance department presents the financials for the major funds on a quarterly basis to keep the Mayor and Commission informed as to their financial condition.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted:		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
VIDAL ROMAN VIDAL ROMAN Martin Garza		Created/Initiated New
City Manager Comments: Approve acceptance and filing of reports as presented and recommended by the Finance Director.		
Staff Recommendation: Staff recommends acceptance and filing of reports.		
Attachments, if any: Financials Memo, Financials 3.31.22 Mtg		
Responsibilities upon Approval:		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

Date: May 03, 2022

To: Mayor and City Commission
CC: Martin Garza, Interim City Manager

FR: Vidal Roman, Finance Director

Re: City of Weslaco Financial Report – March 31, 2022

I have included the financials for the General, Water/Wastewater, Solid Waste and Airport funds for your review and acceptance for the period ending March 31, 2022.

General fund had a net surplus of \$5.7M yet keep in mind that the increase is attributed to the collection of property taxes of which will be minimal in the future months. Sales taxes continue to show an increase. We still maintain a strong number of working capital days.

Water/Wastewater continues to have a \$861K deficit when calculating the net change of revenues over expenditures. The reason for a turn is that the Bond payments came due in the month of February. Do note that currently last year the number of working days did decrease from -130 days to -70 days.

Solid Waste fund net change in fund equity reflects a deficit. This report has been modified to show the two functions with the fund be it Solid waste collection and Brush collection. This allows the Mayor and Commission more information as to how each function is performing.

Airport fund still reflects a negative net change.

Staff recommends acceptance and filing of these reports.

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - GENERAL FUND COMBINED
3/31/2022
(Unaudited)

ASSETS

Cash and Equivalents	12,171,958	
Investment in Lease	-	
A/R Taxes-Current & Delinquent	1,079,759	
A/R Other	1,468,593	
A/R Ambulance Fees	1,222,299	
Due from other Funds	2,028,931	
Due from other Govt	450,597	
Inventory	17,018	
Prepaid Expense	845	
Restricted Assets (PEG)	513,397	
TOTAL ASSETS	18,953,397	-

LIABILITIES

Accounts Payable	317,184	
Accrued Salaries & Wages	(939)	
Due to other Funds	450,623	
Other Liabilities	531,039	
Escrow	404,324	
Trusts	513,397	
Deposits	5,336	
Deferred Revenues	2,680,920	
TOTAL LIABILITIES	4,901,884	-

FUND BALANCE

Nonspendable fund balance	31,880	
Restricted fund balance		
Committed fund balance	4,874,000	
Unassigned fund balance	3,366,230	
Change in net position	5,779,404	-
TOTAL FUND BALANCE	14,051,513	
TOTAL LIABILITIES AND FUND BALANCE	18,953,397	-

CITY OF WESLACO, TEXAS

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES

GENERAL FUND COMBINED

3/31/2022

REVENUES	Actual	Annual Budget
Ad Valorem Taxes	10,424,323	10,851,071
Sales Tax	6,726,341	10,650,000
Franchise Taxes	898,216	2,024,708
Permits & Licenses	449,914	706,442
Intergovernmental Revenue	210,802	1,410,211
Charges for Services	1,061,920	2,512,145
Fines and Forfeitures	239,855	627,522
Investment Income	16,823	50,700
Rentals and Royalties	5,761	82,883
Other Revenue	59,033	126,610
TOTAL REVENUES	20,092,987	29,042,292
EXPENDITURES		
General Government	1,846,889	4,045,230
Judicial and Legal	308,561	572,715
Public Safety	8,416,927	15,873,175
Public Works	191,892	703,756
Streets and Highways	1,003,660	2,040,565
Planning, Inspections & Engineering	667,716	1,660,496
Culture and Recreation	702,083	1,768,173
Nondepartmental	605,960	696,392
Capital Outlay	498,430	897,809
Debt Service	78,818	176,853
TOTAL EXPENDITURES	14,320,933	28,435,164
EXCESS OF REVENUES OVER EXPENDITURES	5,772,054	607,128
OTHER FINANCING SOURCES (USES)		
Transfers In	895,281	1,490,561
Transfers In (Out)	(887,930)	(1,854,784)
Economic Development and Assistance	-	-
OTHER SOURCES (USES)	7,350	(364,223)
NET CHANGE IN FUND BALANCE	5,779,404	242,905
Fund Balance - October 1 (Beginning)	8,437,557	
Fund Balance - September 30 (Ending)	14,216,961	
Number of days in working capital	246	

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - WATER & WASTEWATER FUND COMBINED
3/31/2022
(UNAUDITED)

	WATER	WASTEWATER	COMBINED
ASSETS			
Cash and Equivalents	384,638	(935,097)	(550,460)
Restricted Cash	1,729	-	1,729
Current Receivables	913,998	882,843	1,796,841
Inventory	145,147	123,749	268,896
Deferred Resource Outflow	71,211	21,797	93,008
Assets, net of Depr	10,115,394	28,423,444	38,538,839
TOTAL ASSETS	11,632,117	28,516,736	40,148,853
LIABILITIES			
Accounts Payable	143,101	209,483	352,584
Accrued Salaries & Wages	80,232	14,269	94,501
Customers Deposits	1,437,978	-	1,437,978
Due to Other Funds	-	-	-
Lease Payable	527,602	293,214	820,817
Other Liabilities	672,218	186,746	858,964
Deferred Resource Inflow	85,955	24,248	110,203
Long Term Liabilities - Bonds/Leases	4,882,832		4,882,832
TOTAL LIABILITIES	7,829,920	727,960	8,557,879
FUND EQUITY			
Net Investment in Capital Assets			-
Capital Fee Reserve	-	-	-
Unrestricted fund equity	3,506,563	28,945,074	32,451,637
Change in net position	295,634	(1,156,298)	(860,664)
TOTAL FUND EQUITY	3,802,197	27,788,777	31,590,974
TOTAL LIABILITIES AND FUND EQUITY	11,632,117	28,516,736	40,148,853

CITY OF WESLACO, TEXAS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
WATER AND WASTEWATER FUNDS
3/31/2022

			Combined	
REVENUES	WATER	WASTEWATER	Actual	Annual Budget
Charges for Services	3,632,391	2,528,222	6,160,613	13,225,000
Utility Billing Penalties	64,455	53,683	118,137	168,000
Other Financing Sources (CIP)	-	-	-	-
Other Revenue	99,940	372,685	472,625	826,788
TOTAL REVENUES	3,796,786	2,954,589	6,751,376	14,219,788
EXPENDITURES				
Treatment	992,011	669,975	1,661,987	3,109,700
Distribution & Collection	301,293	868,803	1,170,096	2,533,402
Utility Billing	207,167	-	207,167	399,614
Water Meter Division	66,226	-	66,226	139,666
Capital Outlay	355,153	258,024	613,177	698,140
Bad Debt	-	-	-	-
Debt Service/Leases	527,472	58,552	586,024	586,024
TOTAL EXPENDITURES	2,449,321	1,855,354	4,304,675	7,466,546
EXCESS OF REVENUES OVER EXPENDITURES	1,347,465	1,099,235	2,446,700	6,753,242
OTHER FINANCING SOURCES (USES)				
Transfers In	-	-	-	-
Transfers (Out)	(1,051,831)	(2,255,533)	(3,307,364)	(6,610,060)
OTHER SOURCES (USES)	(1,051,831)	(2,255,533)	(3,307,364)	(6,610,060)
NET CHANGE IN FUND EQUITY	295,634	(1,156,298)	(860,664)	143,182
Fund Balance - October 1 (Beginning)			35,251,654	
Fund Balance - September 30 (Ending)			34,390,990	
Number of days in working capital				-70

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - SOLID WASTE FUND
3/31/2022
(UNAUDITED)

ASSETS

Cash and Equivalents	(1,452,859)
Current Receivables	691,665
Noncurrent Receivable	2,000,000
Deferred Resource Outflow	2,604
Assets, net of Depr	<u>1,511,989</u>
TOTAL ASSETS	2,753,400

LIABILITIES

Accounts Payable	89,551
Accrued Salaries & Wages	29,758
Other Liabilities	18,308
Due to Other Funds	91
Noncurrent Liabilities	1,392,807
Deferred Resource Inflow	<u>3,974</u>
TOTAL LIABILITIES	1,534,488

FUND EQUITY

Contributed Capital	-
Reserved fund equity	-
Unreserved fund equity*	1,293,898
Change in net position	<u>(74,987)</u>
TOTAL FUND EQUITY	1,218,912

TOTAL LIABILITIES AND FUND EQUITY **2,753,400**

*Fund equity includes \$2M loan advanced to Water/Sewer Fund from Solid Waste Fund to complete WTP Project

CITY OF WESLACO, TEXAS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
SOLID WASTE FUND
3/31/2022

	Solid Waste Collection	Brush Collection	Combined Actual	Annual Budget
REVENUES				
Intergovernmental Revenue	-			-
Charges for Services	2,211,053	634,219	2,845,272	5,624,102
Other Revenue	45,500	4,356	49,855	87,000
TOTAL REVENUES	2,256,553	638,575	2,895,127	5,711,102
EXPENDITURES				
Collection	1,614,965		1,614,965	2,703,103
Transfer Station/Recycling	-	54,406	54,406	107,629
Landfill	-	16,339	16,339	48,000
Brush Collection	-	265,342	265,342	553,328
Capital Outlay	4,990,214	-	4,990,214	21,500
Debt Service	-	-	-	1,156,518
TOTAL EXPENDITURES	6,605,179	336,087	6,941,266	4,590,078
EXCESS OF REVENUES OVER EXPENDITURES	(4,348,626)	302,487	(4,046,139)	1,121,024
OTHER FINANCING SOURCES (USES)			-	
Other Financing Sources	4,396,152		4,396,152	-
Transfers In	-		-	
Transfers (Out)	(425,000)		(425,000)	(850,000)
OTHER SOURCES (USES)	3,971,152	-	3,971,152	(850,000)
NET CHANGE IN FUND EQUITY	(377,474)	302,487	(74,987)	271,024
Fund Balance - October 1 (Beginning)	1,295,529			
Fund Balance - September 30 (Ending)	1,220,542			
Number of days in working capital	-178			

CITY OF WESLACO, TEXAS
STATEMENT OF FINANCIAL POSITION - AIRPORT FUND
3/31/2022

ASSETS

Cash and Equivalents	59,996
Due from Other Government	-
Current Receivables	209,936
Inventory	48,403
Restricted Assets	100
Deferred Resource Outflow	17,258
Assets, net of Depr	13,661,480
TOTAL ASSETS	13,997,172

LIABILITIES

Accounts Payable	327,369
Accrued Salaries & Wages	44,567
Due to Other Funds	1,778,662
Due to Other Governments	-
Other Liabilities	125,644
Deferred Resource Inflow	25,008
Notes Payable	1,397,045
TOTAL LIABILITIES	3,698,294

FUND EQUITY

Unreserved fund equity	11,018,955
Change in net position	(720,077)
TOTAL FUND EQUITY	10,298,879

TOTAL LIABILITIES AND FUND EQUITY	13,997,172
--	-------------------

-

CITY OF WESLACO, TEXAS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
AIRPORT FUND
3/31/2022

REVENUES	Actual	Annual Budget
Charges for Services	321,988	320,350
Rentals	133,194	123,300
Intergovernmental Revenue	47,373	50,000
Other Revenue	2,799	1,500
TOTAL REVENUES	505,355	495,150
EXPENDITURES		
Airport Operations	401,479	606,679
Capital Outlay	874,231	130,000
Debt Service	74,721	94,870
TOTAL EXPENDITURES	1,350,431	831,549
EXCESS OF REVENUES OVER EXPENDITURES	(845,077)	(336,399)
OTHER FINANCING SOURCES (USES)		
Transfers In (Out)	125,000	250,000
OTHER SOURCES (USES)	125,000	250,000
NET CHANGE IN FUND EQUITY	(720,077)	(86,399)
Fund Balance - October 1 (Beginning)	11,032,546	
Fund Balance - September 30 (Ending)	10,312,469	
Number of days in working capital	-143	



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5398
From:		
Subject: Discussion and consideration to approve the Quarterly Investment Report for the period ending March 31, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)		
Background: Pursuant to Chapter 2256 of the Government Code, Section 2256.023 requires quarterly reports to be submitted to the government body as per the Public Funds Investment Act (PFIA).		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
VIDAL ROMAN VIDAL ROMAN Martin Garza		Created/Initiated New
City Manager Comments: Approve acceptance and filing as presented and recommended by the Finance Director.		
Staff Recommendation: Staff recommends acceptance and filing.		
Attachments, if any: Quarterly Investment Memo 3.31.22, Quarterly Investment Report 3.31.22		
Responsibilities upon Approval: File report.		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

Date: May 03, 2022

To: Mayor and City Commission
CC: Martin Garza, Interim City Manager

FR: Vidal Roman, Finance Director

Re: Quarterly Investment Report – March 31, 2022

I respectfully submit the Quarterly Investment for the period ending March 31, 2022.

Cash on Deposit increase by \$25M due to the transfer of funds from out Tex Pool account due to the bank promising a better interest rate at the time.

Interest rates collection was half of what we collected the previous quarter.

We will be considering looking into making investments into short term CD's.

Staff recommends acceptance and filing of these reports.

City of Weslaco, Texas
Investment Report
March 31 2022

Deposits:

Cash on Deposit
PNC Bank
Tex Pool
Tex Pool Prime
Certificates of Deposit
Navy Army CU 5/24/2021
Greater State Bank 1/29/2022
Total

2nd Quarter	1st Quarter
03/31/22	12/31/21
\$ 41,716,027	\$ 16,891,734
866,304	866,121
5,835,447	31,830,723
242,473	241,757
240,000	-
\$ 48,900,251	\$ 49,830,335

Rates:

Cash - Interest Earning
PNC Bank
Tex Pool
Tex Pool Prime
Certificate of Deposits
Navy Army CU 05/24/2021
Greater State Bank 1/29/2022

2nd Quarter	1st Quarter
03/31/22	12/31/21
0.190%	0.19%
0.15%	0.04%
0.27%	0.09%
1.20%	1.20%
0.35%	-

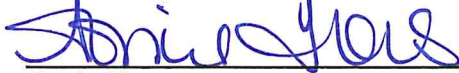
Total Interest Earned for Period
Total Interest
Average Return
Benchmark - 4 week T-Bill Rate
Weighted Average Maturity (Days)

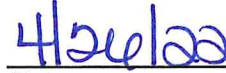
\$ 18,883.10	\$ 12,486.00
0.20%	0.13%
0.17%	0.06%
3.59	1.69

Total Interest Earned Year to Date **\$ 31,369.10**

This report is in full compliance with the investment policy and strategy as established for the City of Weslaco, Texas and the Public Funds Investment Act (Chapter 2256, Government Code).

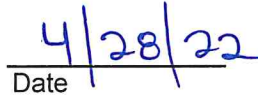
Prepared by:


Sonia Flores
Assistant Finance Director


Date

Reviewed by:


Vidal Roman
Finance Director


Date



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5399
From:		
Subject: Discussion and consideration on Ordinance 2022-15 adopting a mid-year budget amendment and authorize the Mayor to execute and related documents. First reading of Ordinance 2022-15. Possible action. (Staffed by Finance Department.)		
Background: A mid-year budget amendment is required to take into consideration previous City Commission actions that addressed emergency expenditures, overage in line item categories not anticipated during the budgeting process.		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature Budget Amendment Ordinance - First Reading		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
VIDAL ROMAN VIDAL ROMAN Martin Garza	Created/Initiated Approved New	
City Manager Comments: Approve as recommended by the Finance Director.		
Staff Recommendation: Staff recommends acceptance of budget amendment(s) and approval of Ordinance.		
Attachments, if any: Budget Amendment Memo, Gen. Fund Mid Year BA FY 22, Mid Yr Bdgt Amendment - Enterprise Funds, ARPA BUDGET, O2022-15 Mid-year budget amendment		
Responsibilities upon Approval: Filing budget amendment and updating website budget.		

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

Date: May 03, 2022

To: Mayor and City Commission
CC: Martin Garza, Interim City Manager

FR: Vidal Roman, Finance Director

Re: City of Weslaco Mid Year Budget Amendment

The City is at mid-point of the fiscal year and is necessary to amend the original budget in accordance with keeping expenditures within budgetary constraints at the departmental level and at the same time recognizing the additional funds receive respectively of grant awards.

Whereas any deviation from this requires approval by the governing body, the City Commission needs to be informed of said changes and amend the budget.

We respectfully come before you for consideration on this request.

Staff recommends approval of Ordinance and Budget Amendment.



**CITY OF WESLACO
BUDGET AMENDMENT
FY 2021-2022**

FUND:	<u>GENERAL FUND</u>	
DEPARTMENT:	<u>VARIOUS</u>	BUDGET CHANGE # <u> </u>
DATE:	<u>May 3, 2022</u>	

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>Debit</u>	<u>Credit</u>	<u>REVISED BUDGET</u>
101	4000-	See Attachment	30,532,853		1,267,078	31,799,931
101	5000-	See Attachment	30,289,948	2,285,755		32,575,703
101		Fund Balance (Don't Post)	8,461,735		1,018,677	7,443,058
						-
						-
						-
						-
			<u>\$ 69,284,536</u>	<u>\$ 2,285,755</u>	<u>\$ 2,285,755</u>	<u>\$ 71,818,692</u>

(Round up all amounts to the nearest dollar)

<u>Justification:</u>		
Mid Year fund to balance unanticipated budget overruns and recognize grants received during the course of the past months.		

Department Head Approval	Date
Finance Director	Date
City Manager	Date

City of Weslaco
Mid Year Budget Amendment
Fiscal Year 2021-2022

RECAP BY DEPARTMENTS		<u>Revenue</u>	<u>Expenditures</u>
Revenues	General Fund - all sources	1,267,078	
<u>Expenditures</u>			
City Commission			-
City Manager			55,965
Finance			-
Human Resources			49,500
Building Mntnce			23,000
Municipal Court			1,100
Other General Expenditure			25,000
Police			1,162,467
Fire			455,520
Emerg. Med Svcs			215,604
Public Works Admin			4,500
Streets			285,150
Drain Ditch			20,000
Engineering			1,000
Planng/Code Enf			61,949
Transfers	Ordinance 2020-01 (Fire Repl. Fund)		(75,000)
		1,267,078	2,285,755
		Net Effect:	(1,018,677)

Detail Listing

Account Number	pt / Function	Description	Expenditure	Revenue
REVENUE				
101-4000-414020		Franchise - Magic Valley		48,000
101-4000-414500		Franchise - Allied Waste		(90,000)
101-4000-422010		Subdivision Fees		20,000
101-4000-422030		Electric & Plumbing Permits		30,000
101-4000-422060		Game Room Machine Permit		2,000
101-4000-432610		Ambulance Fees		(300,000)
101-4000-437200		Processing Fee Online		10,000
101-4000-450010		Intergovernmental Revenue		116,642
101-4000-450010		Intergovernmental Revenue -COPS		87,710
101-4000-450012		Covid 19 Emergency Supplement		34,529
101-4000-450010		Grant from Walmart for supplies		5,000
101-4000-451111		Stonegarden (addtl funding)		101,000
101-4000-450010		Ed Byrne - Radios		330,450
101-4000-471100		Office of the Governor		131,210
101-4000-450215		Cares Act Ambulance Assistance		(50,000)
101-4000-450010		LRGVDC Trak-V		-
101-4000-451256		Deployments		788,537
101-4000-478910		Miscellaneous Income		2,000
EXPENSES				
101-5101-510010	City Manager	Overtime	600	
101-5101-550110		Office Furniture	2,000	
101-5101-510020		Grant Writer	36,504	
101-5101-510020		Grant Writer - Car Allowance	3,000	
101-5101-510020		Grant Writer - Phone Allowance	480	
101-5101-511140		FICA Tax	2,479	
101-5101-511150		Medicare Tax	580	
101-5101-511160		Workers Comp	72	
101-5101-511180		Unemployment	250	
101-5101-544046		Miscellaneous	8,000	
101-5101-550110		Office Furniture	2,000	
101-5106-510010	Finance	Exempt	55,000	
101-5106-510020		Non-Exempt Wages	(65,000)	
101-5106-544001		Office Supplies	10,000	
101-5109-533010	Human Resources	Professional Services - Everett	47,000	
101-5109-522810		Other Services	2,000	
101-5110-522626	Building Mntnce	Maintenance - Other (Tower of Honor)	3,000	
101-5110-522641		Maintenance - HVAC	15,000	
101-5110-544005		Janitorial Supplies	5,000	
101-5120-522320	Municipal Court	Copying Expenses	600	
101-5120-544001		Office Supplies	500	
101-5140-522080	Other General Exp	Insurance & Bonds	15,000	
101-5140-522080		Bank & Credit Card Services	10,000	
101-5202-510080	Police	Overtime	150,000	
101-5202-510090		Overtime - Grants	173,000	
101-5202-522080		Insurance & Bonds	20,000	-
101-5202-522520		Membership & Subs	38,708	-
101-5202-544001		Office Supplies	1,000	-
101-5202-544101		Grant Expenditures	5,000	

(Continue)

Account Number	Dept / Function	Description	Expenditure	Revenue
101-5202-544045		Other Supplies	5,950	
101-5202-554131		Equipment - WISD radios	330,450	
101-5202-554131		Equipment - body cameras	131,210	
101-5202-554240		Capital outlay -Vehicles (rollover)	59,000	
101-5202-554240		Capital outlay -Vehicles	154,000	
101-5202-554240		Capital outlay -Vehicles (Stonegarden)	94,149	
101-5202-554240		Capital outlay -Vehicles	-	
101-5202-554240		Capital outlay -Vehicles	-	
101-5206-510080	Fire	Overtime	150,000	
101-5206-510090		Overtime Grants	265,194	
101-5206-511180		Unemployment	1,000	
101-5206-522043		Travel and Training	30,576	
101-5206-522080		Insurance & Bonds	1,000	-
101-5206-522520		Membership & Subs	250	-
101-5206-522810		Other Services	1,000	
101-5206-544012		Clothing & Linens	5,500	
101-5206-544045		Other Supplies	1,000	
101-5208-522043	Emerg. Med Svcs	Travel and Training	2,104	
101-5208-522810		Other Services -Med Quik	64,000	
101-5208-533020		Consultant	10,000	
101-5208-554131		Capital outlay - Tools & Eqpmnt	139,500	
101-5300-510080	Public Works Admin	Overtime	800	
101-5300-522240		Advertising	500	
101-5300-522636		Maintenance - Vehicles	3,000	
101-5300-522810		Other Services	200	
101-5304-510080	Streets	Overtime	15,000	
101-5304-522300		Equipment Rental	2,500	
101-5304-522628		Maintenance - Other	6,000	
101-5304-533050		Street Light Installation	4,150	
101-5304-544043		Striping	2,500	
101-5304-554240		Vehicles	255,000	
101-5307-510080	Drain Ditch	Overtime	5,000	
101-5307-522300		Equipment Rental	15,000	
101-5350-522080	Engineering	Insurance & Bonds	1,000	
101-5511-510010	Planning	Planner - Unbudgeted	40,019	
101-5511-511100		Health Insurance	5,950	
101-5511-511120		Pension	3,418	
101-5511-511140		FICA	2,481	
101-5511-511150		Medicare	580	
101-5511-511160		Workers Comp	801	
101-5511-554240		Vehicles	8,700	
101-5140-580415		Transfer to Fire Eqpt Repl Fund	(75,000)	
			2,285,755	1,267,078
		Adjustment-Prior Fund Balance Activity		-
			2,285,755	1,267,078
		Fund Balance		(1,018,677)



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2022**

FUND: _____ Water/Wastewater _____
DEPARTMENT: _____ VARIOUS _____ BUDGET AMENDMENT # _____
DATE: _____ May 3, 2022 _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>INCREASE DR</u>	<u>DECREASE CR</u>	<u>REVISED BUDGET</u>
501	- 5000	SEE ATTACHMENT		\$ 134,357	\$ 137,000	\$ (2,643)
501		FUND BALANCE (DON'T POST)				
508		SEE ATTACHMENT	\$ -	\$ 467,486		\$ 467,486
501-508		FUND BALANCE (DON'T POST)	\$ (2,514,563)	\$ 601,843	\$ 137,000	\$ (2,979,406)
						-
			<u>\$ (2,514,563)</u>	<u>\$ 1,203,686</u>	<u>\$ 274,000</u>	<u>\$ (2,514,563)</u>

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

Account	Department	Description	Expenditure	Revenue
<u>Water Fund</u>				
	Revenue			
501-4000-433310		Water Tapping Fees		\$ 75,000
501-4000-433720		Billing Penalties		32,000
501-4000-437210		Online Transaction Fee		30,000
501-5312-533012	Water Treatment	Contractual - Inframark	31,657	
501-5315-522010	Meter Division	Communication	1,000	-
501-5315-544020		Minor Tools	1,000	
501-5315-550100		Capital Outlay - Water Meters	100,000	
501-5316-550110	Utility Billing	Supplies	500	-
501-5316-544045		Other Supplies	200	
			134,357	137,000
		Impact on Fund Balance	\$ 2,643	

<u>WasteWater Fund</u>				
508-5322-533012	WW Treatment	Contractual - Inframark	23,743	
508-5324-533012	WW Collection	Contractual - Inframark	23,743	
508-5324-5553120		Capital Improvements	420,000	
			467,486	-
		Impact on Fund Balance	\$ (467,486)	



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2022**

FUND: Solid Waste
DEPARTMENT: VARIOUS
DATE: May 3, 2022

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>DR</u>	<u>CR</u>	<u>REVISED BUDGET</u>
540	- 4000 -	VARIOUS ACCOUNT	\$ 5,711,102	\$ -	\$ 6,482,507	\$ 12,193,609
540	- 5000	VARIOUS ACCOUNT	5,440,078	6,975,491	-	12,415,569
540		FUND BALANCE (DON'T POST)	1,483,844	-	492,984	990,860
						-
						-
						-
						-
			<u>\$ 12,635,024</u>	<u>\$ 6,975,491</u>	<u>\$ 6,975,491</u>	<u>\$ 25,600,038</u>

(Round up all amounts to the nearest dollar)

Justification:

SEE ATTACHEMENT

City of Weslaco

Department Head Approval

Date

Finance Director

Date

City Manager

Date

Solid Waste Fund			
Revenue			
540-4000-433600		Residential Garbage Fees	\$ - \$ (2,496,000)
540-4000-433610		Commercial Garbage Fees	2,626,256
540-4000-490100		Other financing sources	6,327,876
540-4000-490100		LRGVDC	24,375
Expenses (Dept)			
540-5330-510010	Solid Waste	Exempt Wages	43,253
540-5330-510020	" "	Non-Exempt Wages	43,253
540-5330-510080	" "	Overtime	92,000
540-5330-522010	" "	Communication	1,700
540-5330-522080	" "	Insurance & Bonds	600
540-5330-533100	" "	Contractual Services	240,000
540-5330-550100	" "	Capital Outlay	6,500,000
540-5332-510025	Recycling	Part-time wages	1,910
540-5332-510080	"	Overtime	1,400
540-5332-544016	"	Motor Fuel & Lube	7,000
540-5332-548050		Equipment - non cap	15,030
540-5332-554131		Equipment	9,345
540-5336-510080	Brush Collection	Overtime	15,000
540-5336-522080	" "	Insurance & Bonds	5,000
			-
			6,975,491
			6,482,507
Impact on Fund Balance			\$ (492,984)

Current Budget	Adjustment	Revised Budget
4,324,102	(2,496,000)	1,828,102
-	2,626,256	2,626,256
4,324,102	130,256	4,454,358

this budget(mid) amendment was for the creation of the



BUDGET AMENDMENT #

(Round up all amounts to the nearest dollar)

SEE ATTACHEMENT

City of Weslaco

Date _____

Date _____

Date _____

DETAIL LISTING OF BUDGET AMENDMENT			
<u>Airport Fund</u>			
Revenue			
550-4000-435560	Fuel Sales	\$ -	\$ 250,000
550-4000-471560	Eastside Hangar Rental		\$ 73,440
550-4000-471562	Westside Hangar Rental		31,256
550-4000-471564	Building Rental		1,200
550-4000-490100	Miscellaneous Revenue		1,541
Expenditures			
550-5520-510020	Non-Exempt Wages - GSC	5,366	
550-5520-510020	Non-Exempt Wages - GSC	6,677	
550-5520-510025	Part time (Unbudgeted)	14,560	
550-5520-510080	Overtime	2,100	
550-5520-511140	FICA Tax	17,796	
550-5520-511150	Medicare Tax	416	
550-5520-511120	TMRS	998	
550-5520-511160	Workmens Comp	340	
550-5520-522080	Insurance & Bonds	9,000	
550-5520-522920	Bank & Credit Charges	3,000	
550-5520-544018	Fuel Delivery	185,000	
550-5522-522632	Maintenance - Apparatus	1,200	
550-5522-522655	Professional Services	6,000	
		252,453	357,437
	Impact on Fund Balance	\$ 104,984	



**CITY OF WESLACO
BUDGET AMENDMENT
FISCAL YEAR 2022**

FUND: _____ **FDER** _____
DEPARTMENT: _____ **Administration** _____
DATE: _____ **May 3, 2022** _____

BUDGET AMENDMENT # _____

<u>FUND</u>	<u>G/L ACCT #</u>	<u>DESCRIPTIONS</u>	<u>CURRENT BUDGET</u>	<u>DR</u>	<u>CR</u>	<u>REVISED BUDGET</u>
415	- 4000 490100	Transfer In	\$ 350,000		\$ 75,000	\$ 275,000
415	5206 554240	Vehicle		\$ 93,801		\$ 93,801
415		FUND BALANCE (DON'T POST)	265,788	75,000		190,788
						-
						-
						-
			<u>\$ 615,788</u>	<u>\$ 168,801</u>	<u>\$ 75,000</u>	<u>\$ 559,589</u>

(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
Drainage Fund - \$4M
Budget

PROJECTS	STATUS	History	History	Adopted	YTD	Estimate		
		Fiscal Year 2018-2019	Fiscal Year 2019-2020	Fiscal Year 2020-2021	Fiscal Year 2020-2021	Fiscal Year 2020-2021	Fiscal Year 2021-2022	Fiscal Year 2022-2023
BEGINNING FUND BALANCE:		\$ -	\$ 2,917,027	\$ 2,100,323	\$ 2,100,323	\$ 2,100,323	\$ 2,188,368	
Transfers in from General Fund		100,000	100,000	100,000	50,000	100,000	100,000	-
Other Financing Sources				-			-	-
\$4M - Certificate of Obligation		4,078,948	-					
TOTAL REVENUE		4,178,948	100,000	100,000	50,000	100,000	100,000	
TOTAL RESOURCES		4,178,948	3,017,027	2,200,323	2,150,323	2,200,323	2,288,368	
Austin & Merida	Completed	18,354	15,580	-			-	-
IBWC Levee Improvement	Completed	-	67,038	-				-
Flap Gates	1st Phase Completed - \$1M Budgeted (?)	-	338,800	500,000	-	-	661,200	-
Proj. #-5-Cemetery RDF		-	-	-			-	-
Land Purchase-by cemetery	Completed	-	257,048	-				-
Storm Pipes	80% complete	-	-	-				
Rental Equipment	Completed	-	45,517	-	11,956	11,956	-	-
Project #8-RDF for S. 88								
Land Purchase-South FM 88	Completed	261,810	-	-	-	-	-	-
Other Activity/Purchases								
Tractor	Purchased	275,398	-	-	-	-	-	-
Scraper	Purchased	150,570	-	-	-	-	-	-
Excavator	Purchased	-	192,721	-	-	-	-	-
Sports Lighting		-	-	-	92,646	-	-	-
Proj. #2 RDF N. Westgate/Sugarcane		-	-	2,422,000			-	-
Project #6 Pleasantview								
Advertising-Design Services		1,003	-	-	332	-	-	-
Half Associates		-	-	-	266,477	-	-	-
Construction		-	-	-	-	-	-	-
Matching Grants								
Flood Mitigation Asst Grant-Half Assoc.		27,000	-	-	-	-	-	-
Drainage Study								
Half Associates	375,840	343,074	-	-		-	-	-
Westgate Excavation-S. Westgate		114,000	-	-	-	-	-	-
Bond Issuance								
Series 2018		70,712	-	-			-	-
Series 2019			-	-			-	-
TOTAL BY YEAR		1,261,920	916,704	2,922,000	371,410	11,956	661,200	-
Excess of Revenue over Expenditures		2,917,027	(816,704)	(2,822,000)	(321,410)	88,044	(561,200)	-
Carry over prior FB		-	-					
FUND BALANCE		2,917,027	2,100,323	(721,677)	1,778,914	2,188,368	1,627,168	-

City of Weslaco
Drainage Fund 417
General Obligation Bond

PROJECTS	STATUS	Actual	Actual	Current			Proposed	
		Fiscal Year 2018-2019	Fiscal Year 2019-2020	Budget 2020-2021	2020-2021 YTD	2020-2021 Estimated	Fiscal Year 2021-2022	Fiscal Year 2022-2023
BEGINNING FUND BALANCE:		\$ -	\$ 10,000,000	\$ 8,856,054	\$ 8,856,054	\$ 8,856,054	\$6,722,211	\$ 2,154,548
Transfers in from General Fund		-	-	-	-	-	-	-
Other Financing Sources				-	-	-	-	-
\$10M - Series 2019 Bond		10,107,256						
TOTAL REVENUE		10,107,256	-	-	-	-	-	-
TOTAL RESOURCES			10,000,000	8,856,054	8,856,054	8,856,054	6,722,211	2,154,548
Proj. #7-S. Int'l Blvd & BUS 83		-	-	-	-	-	-	
Project #6 Pleasantview								
Engineering-SWG	Contract \$434,500 -- 93% complete	-	369,500	-	33,299	-	-	
Advertising-Design Services		-	-	-	302	-	-	
Land Purchase		-	715,547	-	43,324	-	-	
Construction (\$3,183,656)	Rigney Construction - \$2,957,396 (3 C.O.'S) - 69% complete (\$332094)	-	-	3,665,950	2,605,323	2,033,843	167,663	
Construction	Total Commitment (\$500,000)					100,000	400,000	
Rental of Equipment			2,300					
Proj. #? - Pena Park RDF					92,978		4,000,000	
Matching Grants								
Army Corps		-	-	3,393,000	-	-	-	
H2O-Hazard mitigation grant		-	61,500	-	6,000	-	-	
Flood Mitigation Assistant Grant-Halff Assc.		-	-	-	-	-	-	
Bond Issuance								
Series 2019		107,256	(4,901)	-	-	-	-	
TOTAL EXPENDITURES		107,256	1,143,946	7,058,950	2,781,225	2,133,843	4,567,663	-
Excess of Revenue over Expenditures		10,000,000	(1,143,946)	(7,058,950)	(2,781,225)	(2,133,843)	(4,567,663)	-
FUND BALANCE		\$ 10,000,000	\$ 8,856,054	\$ 1,797,104	\$ 6,074,829	\$ 6,722,211	\$ 2,154,548	-

City of Weslaco
Drainage Fund 417
General Obligation Bond

PROJECTS	STATUS	Actual	Actual	Current			Proposed	
		BUDGET	Fiscal Year 2019-2020	Budget 2020-2021	2020-2021 YTD	2020-2021 Estimated	Fiscal Year 2021-2022	Fiscal Year 2022-2023
BEGINNING FUND BALANCE:		\$ -	\$ 0	\$ 9,160,809	\$ 9,160,809	\$ 9,160,809	\$7,026,966	\$ 2,459,303
TWDB -Project #40114		-	-	-	-	-	-	-
Grant		1,951,708	1,951,708	-	-	-	-	-
Loan		1,051,000	1,051,000					
TDEM	Phase I	122,996	122,996					
Local	Phase I	347,004	347,004					
FEMA		1,300,000	1,300,000					
		194,919	194,919					
TOTAL REVENUE		4,967,627	4,967,627	-	-	-	-	-
TOTAL RESOURCES			4,967,628	9,160,809	9,160,809	9,160,809	7,026,966	2,459,303
LOS TORRITOS RDF PROJECT		-	-	-	-	-	-	
Engineering-		420,000		-	33,299	-	-	
Surveying for Design Services		20,000	-	-	302	-	-	
Geotech eng and testing		30,000	715,547	-	43,324	-	-	
		470,000	-	3,665,950	2,605,323	2,033,843	167,663	
Construction						100,000	400,000	
Mobilization		200,870	2,300					
Utility adj. - sewer line + Manhole		86,400						
Utility adj. - water line + Manhole		52,600			92,978		4,000,000	
Utility adj. - Storm sewer line + Manhole		11,000						
Channel excavation		110,000						
Detention pond & weir		100,000						
5" layer concrete for weir		90,000						
48" RCP pond outfall		137,000	-	3,393,000	-	-	-	
48" Flap Gate		13,000	61,500	-	6,000	-	-	
8'x6' RCB Storm drain		2,891,000	-	-	-	-	-	
Curb inlets		108,000						
Junction Box		113,392						
Headwall Structure		50,000	-	-	-	-	-	
Roadway R&R		255,000						
Material testing		84,365	-	-	-	-	-	
Project Inspection		195,000						
		4,497,627						
			(4,901)	-	-	-	-	
TOTAL EXPENDITURES		4,967,627	774,446	7,058,950	2,781,225	2,133,843	4,567,663	-
Excess of Revenue over Expenditures		0	4,193,182	(7,058,950)	(2,781,225)	(2,133,843)	(4,567,663)	-
FUND BALANCE		\$ 0	\$ 9,160,809	\$ 2,101,859	\$ 6,379,584	\$ 7,026,966	\$ 2,459,303	-

City of Weslaco
Drainage Fund 417
General Obligation Bond

PROJECTS	STATUS	Actual	Actual	Current			Proposed	
		BUDGET	Fiscal Year 2019-2020	Budget 2020-2021	2020-2021 YTD	2020-2021 Estimated	Fiscal Year 2021-2022	Fiscal Year 2022-2023
BEGINNING FUND BALANCE:		\$ -	\$ 2,961,982	\$ 2,143,626	\$ 2,143,626	\$ 2,143,626	\$ 9,783	\$(4,557,880)
TWDB -Project #40114		-	-	-	-	-	-	-
Grant		2,280,000		-	-	-	-	-
Loan		760,000						
		-						
TOTAL REVENUE		3,040,000	-	-	-	-	-	-
TOTAL RESOURCES			2,961,982	2,143,626	2,143,626	2,143,626	9,783	(4,557,880)
LOS TORRITOS RDF PROJECT		-	-	-	-	-	-	
Engineering-				-	33,299	-	-	
Surveying for Design Services			-	-	302	-	-	
Geotech eng and testing			715,547	-	43,324	-	-	
		-	-	3,665,950	2,605,323	2,033,843	167,663	
Construction						100,000	400,000	
Mobilization			2,300					
Utility adj. - sewer line + Manhole								
Utility adj. - water line + Manhole					92,978		4,000,000	
Utility adj. - Storm sewer line + Manhole								
Channel excavation								
Detention pond & weir								
5" layer concrete for weir								
48" RCP pond outfall			-	3,393,000	-	-	-	
48" Flap Gate			61,500	-	6,000	-	-	
8'x6' RCB Storm drain			-	-	-	-	-	
Curb inlets								
Junction Box								
Headwall Structure			-	-	-	-	-	
Roadway R&R								
Material testing			-	-	-	-	-	
Project Inspection								
		-						
		39,009	39,009					
Financial Administration		39,009						
		39,009						
		-						
			-	-	-	-	-	
TOTAL EXPENDITURES		78,018	818,356	7,058,950	2,781,225	2,133,843	4,567,663	-
Excess of Revenue over Expenditures		2,961,982	(818,356)	(7,058,950)	(2,781,225)	(2,133,843)	(4,567,663)	-
FUND BALANCE		\$ 2,961,982	\$ 2,143,626	\$ (4,915,324)	\$ (637,599)	\$ 9,783	\$(4,557,880)	-

PROJECTS	Project Code	Fiscal Year 21-22 BUDGET
BEGINNING FUND BALANCE:		
GRANT FUNDING		-
Grant		4,457,540
		-
TOTAL REVENUE		4,457,540
TOTAL RESOURCES		4,457,540
GENERAL FUND ACTIVITY		-
Police/Fire Supplement	ARPA - 22-012	150,000
Information Tech Capital Outlay	ARPA - 22-003	
Server Upgrades		40,000
PD Video Storage		45,000
PD Video Storage Expand		45,000
Disaster Recovery Site- Planning		12,000
Disaster Recovery Design		50,000
DR Fiber Optic Ring Planning		25,000
DR Fiber Optic Ring Construction		25,000
New Control Access		22,000
Traffic Dept - Trailer for COVID clinic	ARPA - 22-013	20,000
Parks Wifi	ARPA - 22-007	41,000
COVID vaccine incentive program	ARPA - 22-015	20,000
WATER/SEWER PROJECTS		
Revenue loss	ARPA - 21-001	460,000
Water Distribution		
Waterlines	ARPA - 22-005	158,560
Waterlines pipe burtising project	ARPA - 22-005	308,790
Sewerlines pipe burtising project	ARPA - 22-005	308,500
Manhole Rehabilitation	ARPA - 22-005	299,962
3 - 6" pumps	ARPA - 22-006	150,000
Wastewater Collection - Manholes Rehab	ARPA - 22-004	207,540
Water Treatment Plant	ARPA - 22-008	
Chlorine Dioxide Control Cabinet		40,000
Backwash Pump		32,000
Marlow 630 Pump		10,000
Transfer Pump		15,000
Centrifuge Maintenance - Contractual		50,000
Sump Pump		10,000
Sludge Pump		15,000
Vertical Turbine Pump (2)		65,000
High Service Pump		45,000
Floculator gearbox/motor		20,000
Submersible pumps		20,000
RAW pump		10,000
Multisage blower		85,000
Pump		10,000
Filter Media		45,000
North Waster Water Treatment Plant	ARPA - 22-009	
Rotor		35,000
Influent Well Rehab		250,000
South Waster Water Treatment Plant	ARPA - 22-010	
Rotor		35,000
Drying Bed Sand		10,000
Lift Stations	ARPA - 22-011	
Pump		15,000
Pump		15,000
Pump base and Discharge line		10,000
Pump base and Discharge line		15,000
Discharge line		8,000
Design - 5 Lift Stations (TBD)		1,000,000
Lift Stations #12 Design	ARPA - 22-014	180,000
Pump		24,188
TOTALS		4,457,540

ORDINANCE 2022-15

AN ORDINANCE AMENDING ORDINANCE NUMBER 2021-33, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, FINDING NEED TO AMEND THE 2021-2022 MUNICIPAL BUDGET; TO WIT; GENERAL FUND, \$2,285,755 IN EXPENDITURES & \$1,267,078 IN REVENUE; WATER/WASTER NET COMBINED, \$464,843 IN EXPENDITURES; SOLID WASTE FUND BY \$6,975,491 IN EXPENDITURES AND 6,482,507 IN REVENUE; AIRPORT BY \$252,453 AND 357,437 IN EXPENDITURES AND REVENUE RESPECTIVELY; FIRE DEPT REPLACEMENT FUND DECREASE REVENUE BY \$75,000 AND INCREASE OF EXPENDITURES BY 98,801; ARPA BUDGET IN THE AMOUNT OF \$4,457,540; 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 2021-2022 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 2021-2022 Official Budget, adopted by Ordinance 2021-33, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibits.

SECTION 5. AUTHORIZATION. The City Manager is authorized to undertake action to execute such transfers in accordance with state law, and file, or cause to be filed, a true and correct copy of this Ordinance, with the attached budget amendment, with the City Secretary.

SECTION 6. SEVERABILITY CLAUSE. It is the intent of the City Commission that each sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be deemed severable and, should any such sentence, paragraph, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the Ordinance left standing.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect upon final reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 3rd day of May 2022.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this ____ day of _____ 2022.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**

APPROVED AS TO FORM:

Juan E. Gonzalez, **CITY ATTORNEY**



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5402	
From:			
Subject: Discussion and consideration to award Buyboard vendor Precision Pump Systems for a new 8" Gorman Rupp pump for lift station 12 for an amount not to exceed \$24,188 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)			
Background: The reason for this purchase is to help the lift station with the increased flow it has been getting for the past two years. The current two 6" pumps are currently under size, and both pumps are pumping about 632 GPM combined, according to a recent study from Cruz Hogan shows that this lift station is currently receiving around 745 GPM. Due to this flow, the city's collection system is at full capacity and will not allow new development to tie into the collection lines or engineering to do accurate elevation studies for future development. The new pump will increase the pumping capacity to about 900 GPM. This will allow us to pump down the collection system, which will cut down on sanitary sewer overflows, allow contractors to tie into the collection lines and it will allow city crews to be able to properly maintain the collection lines. City staff will install the pump, along with upgrading some electrical services to accommodate the pump.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
David Arce Pete Garcia VIDAL ROMAN Martin Garza		Created/Initiated Approved Approved New	
City Manager Comments: Approve as recommended by the Public Works Department.			
Staff Recommendation: Approval			
Attachments, if any: Memo 2022 Lift Station 12 Pump, CITY OF WESLACO T8 PACKAGE 25HP			

Responsibilities upon Approval:
--

City of Weslaco

"The City on the Grow"



David Suarez, Mayor
Josh Pedraza, Mayor Pro-Tem, District 1
Leo Muñoz, Commissioner, At-Large
Greg Kerr, Commissioner, At-Large
Letty Lopez, Commissioner, District 2
Jose "JP" Rodriguez, Commissioner, District 3
Adrian Farias, Commissioner, District 4

Martin Garza, Interim City Manager

Date: May 3, 2022

To: City Commission

From: David Arce, Deputy Public Works Director

Subject: LIFTSTATION #12 PUMP PURCHASE

Cc: Martin Garza, Interim City Manager
Vidal Roman, Finance Director

Public Works is requesting authorization to purchase an 8" Gorman Rupp T8A3S-B Pump for lift station #12 from buyboard vendor Precision Pump in the amount not to exceed \$24,188. The reason for this purchase is to help the lift station with the increase flow it has been getting for the past two years. The current two 6" pumps are currently under size, and both pumps are pumping about 632 GPM combined, according from a recent study from Cruz Hogan shows that this lift station is currently receiving around 745 GPM. Due to this flow the city's collection system is at full capacity and will not allow new development to tie into the collection lines or engineering to do accurate elevation studies for future development. The New pump will increase the pumping capacity to about 900 GPM. This will allow us to pump down the collection system which will cut down on sanitary sewer overflows allow contractors to tie into the collection lines and it will allow city crews to be able to properly maintain the collection lines. City staff will install the pump, along with upgrading some electrical services to accommodate the pump.

Staff recommends approval.



PRECISION PUMP SYSTEMS

3908 East Richardson
Edinburg TX 78542
Phone: 956-378-9270

BuyBoard Contract # 589-19

Attn: CITY OF WESLACO
Project: T8 PACKAGE
Contact: MARCELO

Date: 3/17/22
Quote#PD22319
Page: 1 of 1

Pursuant to your inquiry as referenced above, we are pleased to submit our proposal for your kind consideration. We appreciate your confidence in **Precision Pump Systems (PPS)** to supply the best equipment and service available in the industry today.

Equipment Scope & Services Included – GORMAN RUPP T8A3S-B WITH 25HP MOTOR 1800 RPM PUMP, MOTOR, BASE, BELTS & SHEAVES INCLUDED.

Net Price: \$ 24,187.43

Freight Included

NOTES/EXCEPTIONS:

Unless specifically mentioned in this proposal for inclusion with proposed items, PPS has not included any other items or services. Items quoted are standard construction and paint unless otherwise noted. Motors sent in for rebuild that are "Listed Motors" i.e. UL, FM, etc. will not be re-certified unless specifically stated at time of repair. Any sale of goods is based on our "Standard Terms & Conditions of Sales", request copy if needed. Proposal is limited to the items and quantities listed. Neither verbal nor handwritten changes are acceptable. Any revision to proposal will be provided in a re-typed "revised" proposal.

We look forward to working with you on this and any future projects. If you have any questions or thoughts, please do not hesitate to call.

Sincerely,
PRISCILLA DOMINGUEZ
OUTSIDE SALES

PRECISION PUMP SYSTEMS

M: 956.578.1053
pdominguez@precisionpumpsystems.com

APPROVED BY: _____

DATE: _____

Terms are net 30, upon approved credit. No taxes are included. Prices firm for 30 days only. Note: Retainers are not considered as part of the terms of the quotation. PPS will furnish Insurance Certificate upon request. The above quotation is subject to PPS's standard conditions of sale and any party's acceptance to purchase items @ cost noted hereby signify that they have read and understand those conditions and agree to them. These said terms & conditions shall have absolute & overriding authority of any agreement between PPS & other parties unless specifically noted otherwise by PPS in writing. No verbal or handwritten changes to this proposal shall be acceptable, unless within revised written proposal provided. This offer is not a Bill of Sale. Customer must supply written notice of any order cancellation and is solely responsible for All cost associated with any order cancellation requested. There will be a 1% Interest per Month Charge on All Payments Past 60 Days. By Signing this Quote, means you have read and agree to all Terms and Conditions.

P.O. Box 73149, Houston, TX 77273 Tel: 713-783-8530 Fax: 713-783-1221



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5400	
From:			
Subject: Discussion and consideration to submit a Letter of Intent to the Knapp Community Care Foundation for an amount not to exceed \$750,000 for a new swimming pool and authorize the Mayor and Interim City Manager to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)			
Background: Staff was directed to pursue development and funding for a new city swimming pool. We engaged PR&S Consulting (Sally Gavlic) to assist the City with grant submissions to the Texas Parks & Wildlife Non-urban Outdoor Grant, KCCF, and Valley Baptist Legacy Foundation Grant. The Knapp Community Care Foundation (KCCF) is seeking "Letters of Intent" for projects to be considered for their 2022 funding cycle, which is due May 13, 2022. Only 1 year projects (Jan-Dec 2023) will be considered and there is no budget ceiling restriction for this funding cycle. The proposed Swimming Pool budget is \$1.5 to \$3.5 million. Proposed Funding Budget: \$ 500,000 - 1,500,000 City of Weslaco (FY 2022-23) \$ 250,000 - 750,000 Knapp Community Care Foundation Grant (Due May 13) \$ 250,000 - 500,000 Valley Baptist Legacy Foundation Grant (Due Nov 1) \$ 500,000 - 750,000 Texas Parks & Wildlife Non-urban Outdoor Grant (Due Aug 1) \$1,500,000 - 3,250,000 Total Funding The City has previously been awarded grants from KCCF for projects at Isaac Rodriguez Park and Mayor Pablo Pena Park.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
ADELAIDA VEGA OMAR RODRIGUEZ Martin Garza		Created/Initiated Approved New	
City Manager Comments: Approve as recommended by the Parks and Recreation Director.			

Staff Recommendation:
Staff Recommends approval
Attachments, if any:
KCCF Funding Forum PPT 2022
Responsibilities upon Approval:



Caring Today for a Healthier Tomorrow

ANNOUNCEMENTS

- PowerPoint presented today will be emailed to all attendees, so be sure to include your email on the sign-in sheet
- If, after listening to the session today, you would like to discuss any ideas, please connect with any KCCF staff to schedule some time
- Send questions via email to mel@knappccf.com

Knapp Community Care Foundation

2022 Funding Forum

April 20-21, 2022

1. History
2. KCCF Community Investment Dashboard
3. Social Determinants of Health (SDOH)
4. Overview of Funding (*Who, What, Where, When, How*)
5. Apply for Funding
6. Funding Cycle Process
7. Things to Consider When Developing the LOI
8. Financial Information
9. Q & A
10. Contact Information



History

The Knapp Community Care Foundation (KCCF) was created in the fall of 2013 with a mission “to improve the health of Mid-Valley families” in the Rio Grande Valley – Deep South Texas.

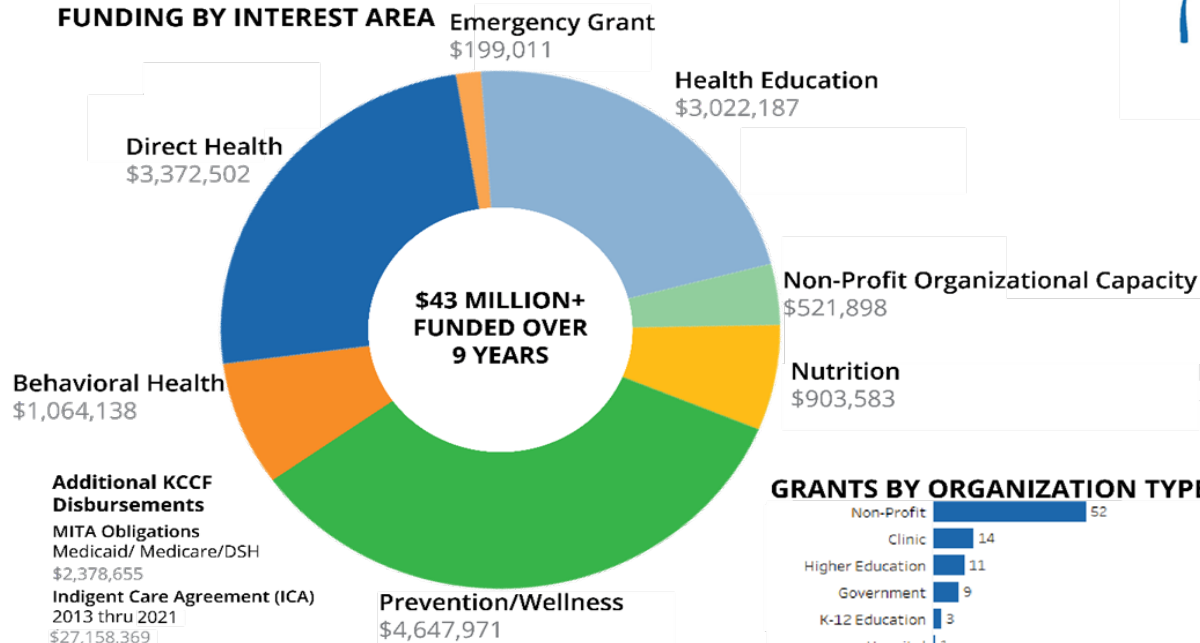


KCCF Community Investment Dashboard

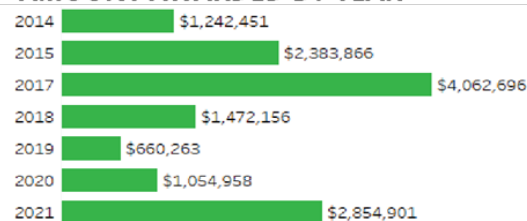


OUR INVESTMENTS

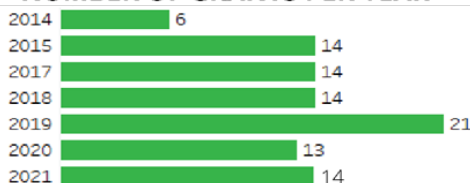
FUNDING BY INTEREST AREA



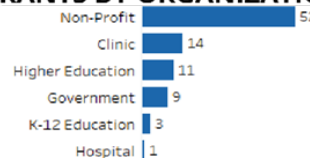
AMOUNT AWARDED BY YEAR



NUMBER OF GRANTS PER YEAR

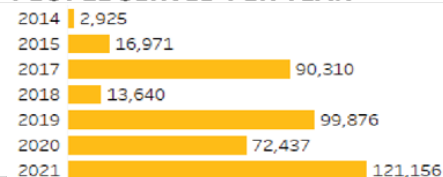


GRANTS BY ORGANIZATION TYPE

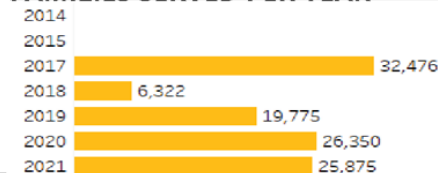


OUR COMMUNITY IMPACT

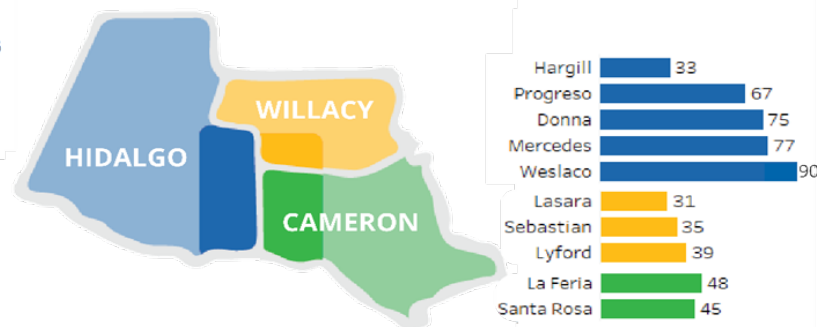
PEOPLE SERVED PER YEAR



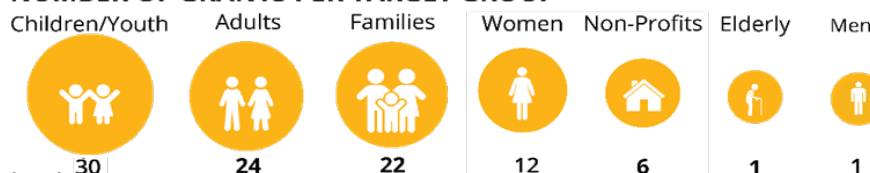
FAMILIES SERVED PER YEAR



NUMBER OF GRANTS BY COUNTY



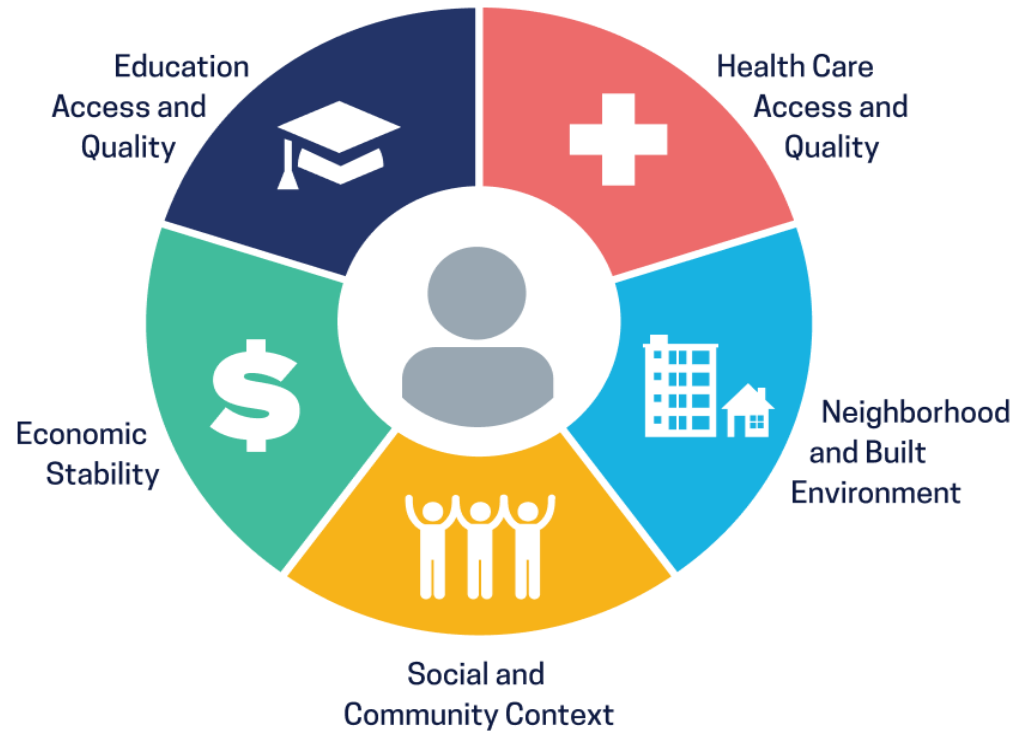
NUMBER OF GRANTS PER TARGET GROUP



4/22/2022

Source: KCCF/Foundant GLM System

Social Determinants of Health



Social Determinants of Health
Copyright-free

 Healthy People 2030



CommunityCare.Today

KNAPP COMMUNITY CARE FOUNDATION

What are the Social Determinants of Health (SDOH)

- Are the conditions in the environments where people are born, live, work, play, and age that affect a wide range of health functions and quality-of-life outcomes.
- SDOH can be grouped into the 5 domains:
 - Economic Stability
 - Education Access and Quality
 - Health Care Access and Quality
 - Neighborhood and Built Environment
 - Social and Community Context

The following data is provided by: U. S. Department of Health and Human Services – Office of Disease Prevention and Health Promotion.

Economic Stability



Goal: Help people earn steady incomes that allow them to meet their health needs.

This domain focuses on key issues such as poverty, employment, food security and housing stability for the individual/family.

Research demonstrates the connection between financial resources (income, socioeconomic status) and health.

Translation: People with steady employment are less likely to live in poverty, and to be more healthy. Employment, affordable housing, social connections, quality education and access to health care one of many factors that may have long term impact on health outcomes.

Education Access and Quality



Goal: Increase educational opportunities and help children /adolescents do well in school.

The connection of education to health and wellbeing has been researched widely. This domain supports key issues:

- Graduating from high school
- Enrollment in higher education / technical training
- Language support / literacy; and
- Early childhood education and development.

Translation: little or no education means you earn less, more likely to live in an unsafe / unhealthy environment. Health correlation to co-morbidities- heart disease, diabetes and depression.

Health Care Access and Quality



Goal: Increase access to comprehensive, high quality health care services.

The connection between people's **access to and understanding of** health services and their own health is critically important. This domain focuses on improving health by helping people get timely, quality health care services.

Translation: Diabetes, Obesity, Heart disease and Cancer continue to be major health concerns that the population of all ages face.

Neighborhood and Built Environment



Goal: Create neighborhoods and environments that promote health and safety.

The neighborhoods people live in and places where they work, learn and play have a major impact on their health and well being. This domain focuses on topics such as quality of housing, access to transportation, availability of healthy foods, air and water quality, and neighborhood crime and violence.

Translation: We all want for ourselves and our families sidewalks / parks/ bike lanes / safe quality affordable housing / healthy food/ safe air to breathe and water to drink.

Social and Community Context



Goal: Increase social and community support.

The relationships and interactions with family, friends coworkers and community members can have a major impact on the health and wellbeing of an individual/family unit. Developing a social support network where people live, work, learn and play is central to a healthy outcome.

Translation: Interventions that build community / social networks for children and adults with emotional/social support while teaching and engaging families are critical for improving health and well being.

Who We Fund

- In order to receive funding from KCCF, an organization must:
 - Be a qualified public entity or an Internal Revenue Service (IRS) recognized 501(c)(3) and 509(a), or Section 170(c)(1) and has timely filed its Form 990s or other information and /or tax returns, as may be required by the IRS, and is in good standing with the IRS and relevant state and local authorities.
- We encourage programs that include:
 - Evidence/researched based models
 - Leverage
 - Collaborations
- Programs and/or services that have a demonstrable impact on our community.



What We Fund

KCCF will accept proposals that address Diabetes & Obesity and the Social Determinants of Health

Areas of Interest

- Behavioral Health Prevention
- Direct Healthcare Services
- Health Related Education
- Nutrition
- Prevention/Wellness

KCCF will continue to support programs that include the impact from COVID -19



Where We Fund

KCCF funds in the Mid-Valley

- Delta Area
 - ✓ Edcouch
 - ✓ Elsa
 - ✓ La Villa
 - ✓ Monte Alto
 - ✓ San Carlos
 - ✓ La Blanca
- Donna
- Hargill
- La Feria
- La Sara
- Lyford
- Mercedes
- Progreso
- Santa Rosa
- Sebastian
- Weslaco

When We Fund

Funding cycle opens today, April 20, 2022.

*Letters of Intent (LOIs) will be accepted **through May 13, 2022 – 5:00** p.m. No late LOIs will be accepted, reminder that the system self stamps the LOIs.*

**Notifications of award are expected to
be announced late Fall 2022**



How We Fund

Types of Support:

- Collaborative Planning
- Organizational Support
- Project/Program support

Populations:

- Infants
- Children/Youth
- Women
- Men
- Elderly

Apply for Grant Funding

- KCCF uses an Online Grant System to process LOIs and Applications. There are a couple of ways to access this system. The best and most convenient way is to access the KCCF website at <https://www.communitycare.today/>
- Or you can go directly to the grant portal website on Foundant <https://www.grantinterface.com/Home/Logon?urlkey=knappcf>
- Click on “apply for a grant”
- Returning users may use previous password, or reset their password.
- Newcomers will need to create an account to begin the registration process



Funding Cycle Process

- **Letter of Intent (LOI).** (3.5 weeks to prepare and submit LOI)
- **Application.** If LOI is approved, entities are assigned an application (5 weeks to prepare and submit application)
- **Application review.** (Applications are reviewed by KCCF Staff, evaluated by the Grant & Community Development Committee, and approved by the full KCCF Board of Directors)
- **Notice of award – late Fall**

Things to Consider When Developing the Letter of Intent (LOI)

- Be clear, specific and realistic.
- Paint the picture that best illustrates your request.
- Make the connection between your request and how it fits KCCF Areas of Interest. Do not make the evaluator do the work.
- Upon approval of the grant, copies of subcontracts and/or MOUs will be required for any subcontracted work.
- A letter of support signed by the Executive Director and Board Chair must be included in the LOI.

Additional Things to Consider

- At no time may a Grant Writer represent the entity.
- Progress reports are required (every 6 months), as well as a final close out report.
- Each application will require an evaluation component with measurable and realistic outcomes;
- KCCF conducts on-site visits that include program and budget reviews;
- Communication with KCCF staff is key, this cannot be stressed enough
- ***Only 1 year projects will be considered for 2022***
- ***There is no budget ceiling restriction for this funding cycle.***



Additional Things to Consider

- **Because funding is limited**, take your time to be thoughtful when creating the budget. After an LOI is submitted, budget amount requests cannot be increased but can be decreased.
- When preparing a budget for your project please take into consideration the size of the project budget as compared to your entire entity's annual operations budget. There must be a correlation between the two.
- To assist entities at the application stage, KCCF will schedule (2) two workshops/trainings to navigate through the program and budget.

Financial Information

- Financial Audits are requested for an organization whose total annual budget is \$750,000 or more (may be on a case by case basis)
- Financial Reviews are **acceptable** on a case by case basis
- Internal financial statements for the most recent Year Ended
- Recent 990 required (staff utilizes GuideStar)

Financial Information

- Grant Application contains a Budget Narrative
- Fringe benefits are capped at 27%
- 15% Overhead/Indirect added to total direct costs budgeted (Capital expenditures excluded)
- If leverage is included in the proposal, verification is required
- There will be an onsite project review which includes a review of project expenses

For questions or additional information, please contact:

Ms. Mel Escamilla, Director for Grants & Programs

email address: mel@knappccf.com

Mr. Ralph Zelno, Controller

email address: ralph@knappccf.com

Office: 956-854-4534

Corporate Cell: 956-332-8040

Website: www.communitycare.today





Caring Today for a Healthier Tomorrow



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5401	
From:			
Subject: Discussion and consideration to submit a Letter of Support to WISD- Weslaco High School for a grant submission to the Knapp Community Care Foundation for a Music Playscape at Gibson Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)			
Background: The Weslaco High School Family and Consumer Sciences Education Family, Career and Community Leaders of America has adopted Gibson Park for many years. Throughout the years, they have raised over \$200,000 in funds to rehabilitate the park through fundraisers and grant awards. This year they propose submitting a grant for a Musicscape to the Knapp Community Care Foundation's upcoming grant cycle. Their request from the KCCF foundation is for \$25,000. The City would provide demolition of equipment, and site preparation for the instruments.. The students would provide assistance in design and installation.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
ADELAIDA VEGA OMAR RODRIGUEZ Martin Garza		Created/Initiated Approved New	
City Manager Comments: Approve as recommended by the Parks and Recreation Director.			
Staff Recommendation:			
Attachments, if any: Gibson Park LOI Request, KCCF Funding Forum PPT 2022			
Responsibilities upon Approval:			

From: [MARTIN, MARY](#)
To: [Omar Rodriguez](#)
Subject: Requesting Letter of Support
Date: Thursday, April 28, 2022 7:28:05 AM
Attachments: [image.png](#)

Good morning,

Good morning,

I am working on submitting a grant LOI for the Knapp Foundation for Gibson Park. Weslaco High School is submitting a grant for a music component to add to Gibson park. I would appreciate the support from the City of Weslaco and the Parks and Recreation Department to move forward with this request. The grant proposal would be around \$25,000 with the City contributing the removal of the swing sets and preparing the land for the foundation work. See pictures below.

Thank you

Mary Martin
Weslaco High School
Family and Consumer Sciences Education
Family, Career and Community Leaders of America (FCCLA) Sponsor





Weslaco ISD does not discriminate on the basis of race, religion, color, national origin, gender, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; section 504 of the Rehabilitation Act of 1973, as amended.



Caring Today for a Healthier Tomorrow

ANNOUNCEMENTS

- PowerPoint presented today will be emailed to all attendees, so be sure to include your email on the sign-in sheet
- If, after listening to the session today, you would like to discuss any ideas, please connect with any KCCF staff to schedule some time
- Send questions via email to mel@knappccf.com

Knapp Community Care Foundation

2022 Funding Forum

April 20-21, 2022

1. History
2. KCCF Community Investment Dashboard
3. Social Determinants of Health (SDOH)
4. Overview of Funding (***Who, What, Where, When, How***)
5. Apply for Funding
6. Funding Cycle Process
7. Things to Consider When Developing the LOI
8. Financial Information
9. Q & A
10. Contact Information



History

The Knapp Community Care Foundation (KCCF) was created in the fall of 2013 with a mission “to improve the health of Mid-Valley families” in the Rio Grande Valley – Deep South Texas.

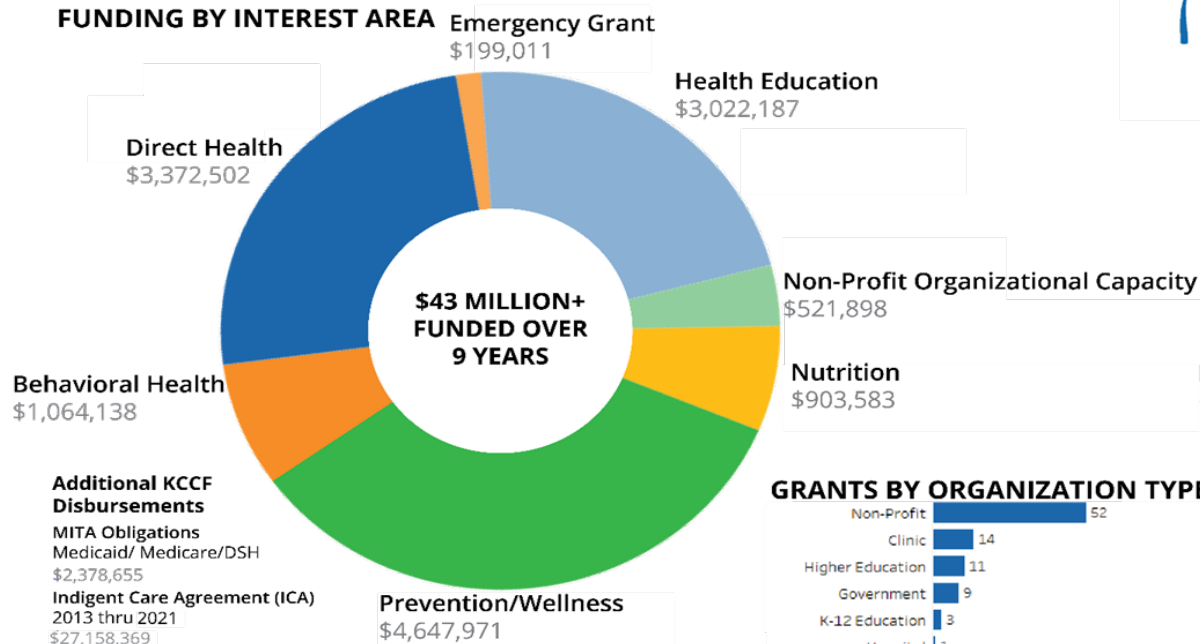


KCCF Community Investment Dashboard

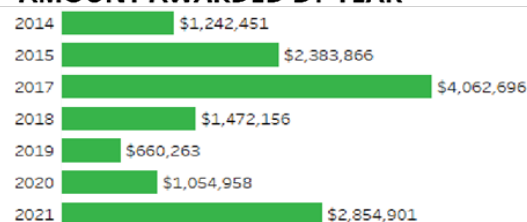


OUR INVESTMENTS

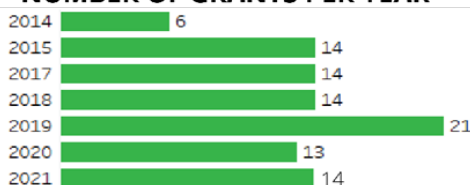
FUNDING BY INTEREST AREA



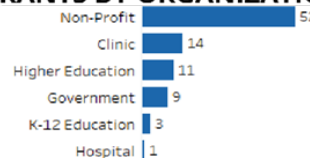
AMOUNT AWARDED BY YEAR



NUMBER OF GRANTS PER YEAR

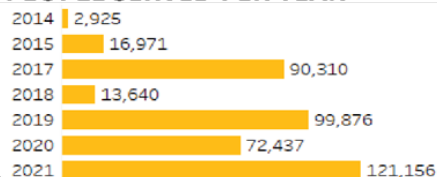


GRANTS BY ORGANIZATION TYPE

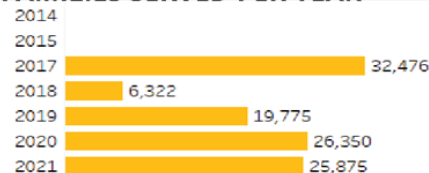


OUR COMMUNITY IMPACT

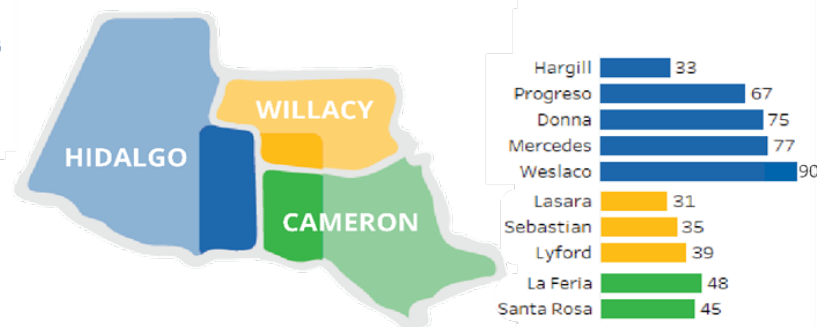
PEOPLE SERVED PER YEAR



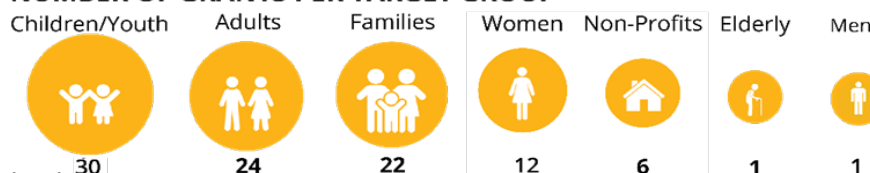
FAMILIES SERVED PER YEAR



NUMBER OF GRANTS BY COUNTY



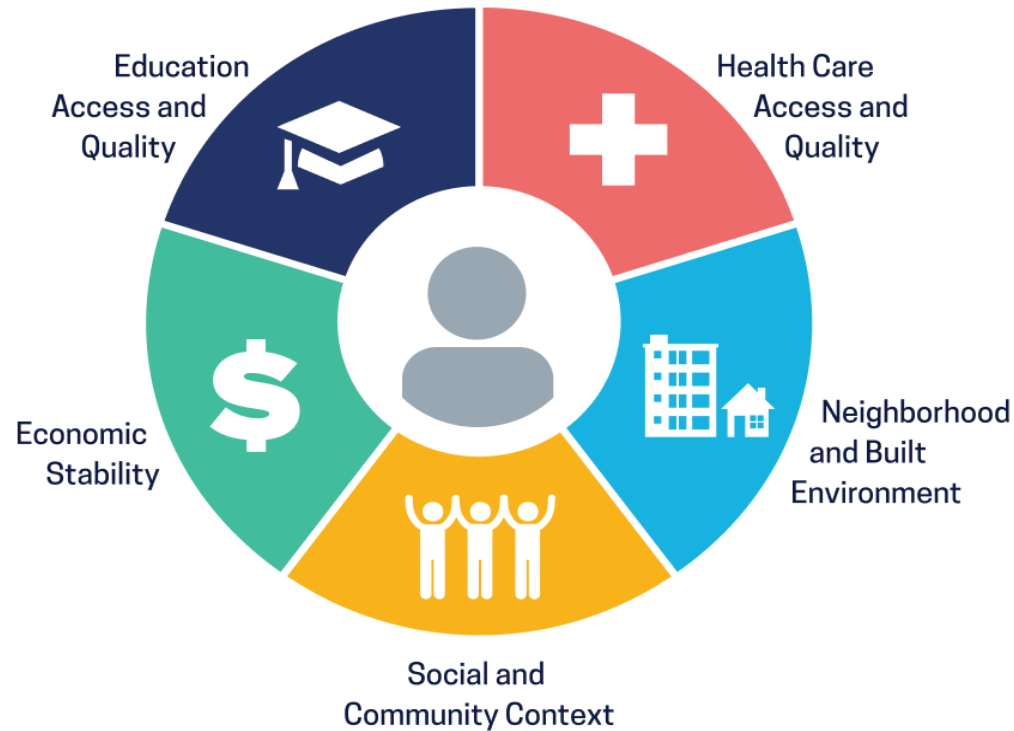
NUMBER OF GRANTS PER TARGET GROUP



4/22/2022

Source: KCCF/Foundant GLM System

Social Determinants of Health



Social Determinants of Health
Copyright-free

 Healthy People 2030



CommunityCare.Today
KNAPP COMMUNITY CARE FOUNDATION

What are the Social Determinants of Health (SDOH)

- Are the conditions in the environments where people are born, live, work, play, and age that affect a wide range of health functions and quality-of-life outcomes.
- SDOH can be grouped into the 5 domains:
 - Economic Stability
 - Education Access and Quality
 - Health Care Access and Quality
 - Neighborhood and Built Environment
 - Social and Community Context

The following data is provided by: U. S. Department of Health and Human Services – Office of Disease Prevention and Health Promotion.

Economic Stability



Goal: Help people earn steady incomes that allow them to meet their health needs.

This domain focuses on key issues such as poverty, employment, food security and housing stability for the individual/family.

Research demonstrates the connection between financial resources (income, socioeconomic status) and health.

Translation: People with steady employment are less likely to live in poverty, and to be more healthy. Employment, affordable housing, social connections, quality education and access to health care one of many factors that may have long term impact on health outcomes.

Education Access and Quality



Goal: Increase educational opportunities and help children /adolescents do well in school.

The connection of education to health and wellbeing has been researched widely. This domain supports key issues:

- Graduating from high school
- Enrollment in higher education / technical training
- Language support / literacy; and
- Early childhood education and development.

Translation: little or no education means you earn less, more likely to live in an unsafe / unhealthy environment. Health correlation to co-morbidities- heart disease, diabetes and depression.

Health Care Access and Quality



Goal: Increase access to comprehensive, high quality health care services.

The connection between people's **access to and understanding of** health services and their own health is critically important. This domain focuses on improving health by helping people get timely, quality health care services.

Translation: Diabetes, Obesity, Heart disease and Cancer continue to be major health concerns that the population of all ages face.

Neighborhood and Built Environment



Goal: Create neighborhoods and environments that promote health and safety.

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For questions or additional information, please contact:

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email address: mel@knappccf.com

Mr. Ralph Zelno, Controller

email address: ralph@knappccf.com

Office: 956-854-4534

Corporate Cell: 956-332-8040

Website: www.communitycare.today





Caring Today for a Healthier Tomorrow



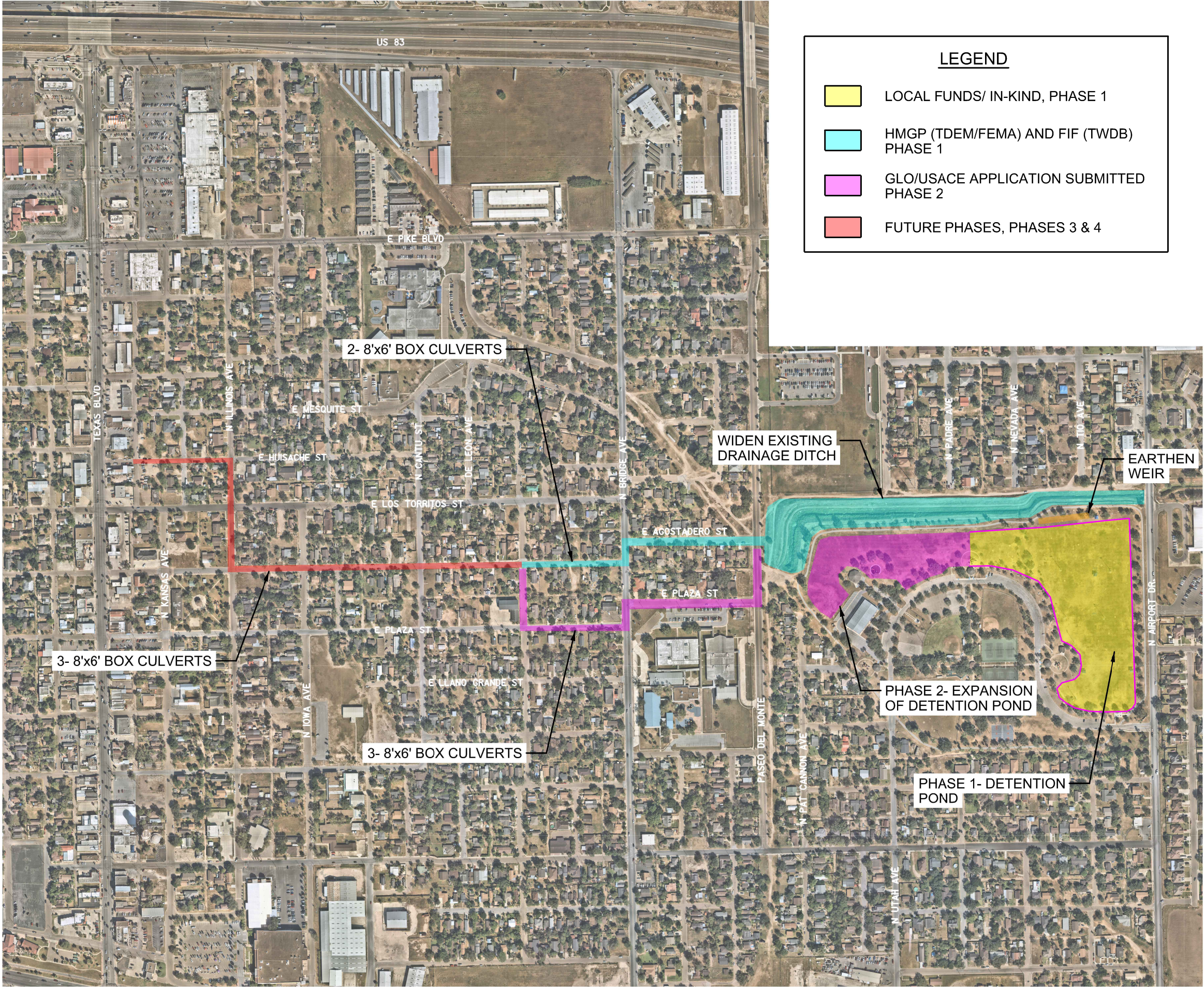
Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5408
From:		
Subject: Discussion and consideration authorizing the City of Weslaco to submit a joint application with Hidalgo County for Congressional Earmark/Community Project Funding and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)		
Background:		
Funding Source (budget code, if applicable):		
Amount:	Term of Impact:	Identified in Current Budget:
Additional Action Prompted: Mayor's Signature		
If item previously considered, provide date and action by Commission:		
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:		
Advisory Review, if any (name of board/committee, date of action, recommendation):		
ADELAIDA VEGA Martin Garza		Created
City Manager Comments:		
Staff Recommendation:		
Attachments, if any:		
Responsibilities upon Approval:		



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5404	
From:			
Subject: Discussion and consideration to authorize staff to solicit Requests for Qualifications for grant assistance, environmental study and engineering design services for the Texas General Land Office CDBG-DR 2018 and 2019 Infrastructure Competitions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)			
Background: Staff is seeking assistance for the upcoming General Land Office CDBG-DR 2018 and 2019 Infrastructure Competitions. The proposed Kansas and Los Torritos is the primary drainage project from the list of approved drainage projects. Staff is seeking assistance with the grant application, grant administration, project inspection services and engineering design services. There will be no fee associated with the project if the project is not funded.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission: 2020-2021 for CDBG MIT Competition			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
ADELAIDA VEGA ANDREW MUNOZ Martin Garza		Created/Initiated Approved New	
City Manager Comments: Approve as recommended by Asst. City Manager/Airport Director.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: Kansas and Los Torritos Phases			
Responsibilities upon Approval: Create a SOQ and advertise.			



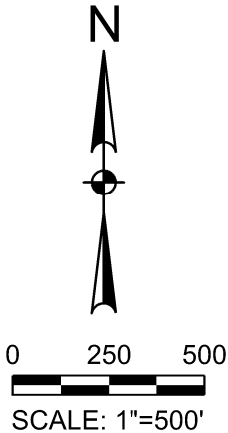
LEGEND

LOCAL FUNDS/ IN-KIND, PHASE 1

HMGP (TDEM/FEMA) AND FIF (TWDB) PHASE 1

GLO/USACE APPLICATION SUBMITTED PHASE 2

FUTURE PHASES, PHASES 3 & 4



KANSAS & LOS TORITOS TO MAYOR
PABLO PENA PARK PROJECT
FUNDING SOURCES AND USES
WESLACO, TX



PRELIMINARY

FOR INTERIM REVIEW ONLY
THESE DOCUMENTS ARE FOR INTERIM
REVIEW PURPOSES ONLY AND NOT
INTENDED FOR CONSTRUCTION,
BIDDING OR PERMITTING.
THEY WERE PREPARED BY OR
UNDER THE SUPERVISION OF:

ROBERT L. SAENZ, P.E. 82072. 12/30/20
TBPELS Engineering Firm #312

Project No.:	34810.002
Issued:	12/30/20
Drawn By:	IE
Checked By:	KL
Scale:	AS NOTED
Sheet Title	EXHIBIT
	EX-1
Sheet Number	



Standardized Agenda Request Form

Date of Meeting: May 3, 2022		Agenda Item No. (to be assigned by CSO): 2022-5405	
From:			
Subject: Discussion and consideration to approve ERO Amendment #3 Professional Services Agreement AIA G808-2017 in an amount not to exceed \$16,349.92 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)			
Background: Attached is the ERO Architects' Amendment #3 Professional Services Agreement AIA G802-2017 for the increase in the architecture and engineering fee due to the increase of the final approved construction bids of the two GCs. Also attached are the Notice of Awards for Tri-Gen Construction and Gerlach verifying the construction cost increases; as well as the ERO Amendment #2 G802-2017 to our Agreement dated October 12, 2020, to verify the previous request for an additional fee for services.			
Funding Source (budget code, if applicable):			
Amount:	Term of Impact:	Identified in Current Budget:	
Additional Action Prompted: Mayor's Signature			
If item previously considered, provide date and action by Commission:			
If item requires Publication Notice, provide date and periodical of publication; indicate if comments received from letters mailed to property owners:			
Advisory Review, if any (name of board/committee, date of action, recommendation):			
ADELAIDA VEGA ANDREW MUNOZ VIDAL ROMAN Martin Garza		Created/Initiated Approved Approved New	
City Manager Comments: Approve as recommended by Asst. City Manager/Airport Director.			
Staff Recommendation: Staff recommends approval.			
Attachments, if any: 19087 21 1005 From Tri-Gen - Notice of Award_Signed, 19087.01 21 1005 From Gerlach - Notice of Award_Signed, G802-2017 - Amendment #2 to the Professional Services Agreement, 19087 19087.01 22 0328 AE Increase Amendment 003 G802-2017 - For... ERO Owner-Architect Final			

Responsibilities upon Approval:

Execute the agreements.

PROJECT RFB NO.: 2020-21-25
CITY OF WESLACO
DOWNTOWN FIRE STATION AND POLICE STATION WITH MUNICIPAL COURT

NOTICE OF AWARD

NOTICE OF AWARD

TO: TRI-GEN CONSTRUCTION, LLC
2900 N. TEXAS BLVD. STE. 201
WESLACO, TEXAS 78599

PROJECT DESCRIPTION: DOWNTOWN FIRE STATION

The OWNER has considered the BID submitted by you for the above-described WORK in response to its Advertisement for Bids and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$ 2,999,000.00.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and Certificates of Insurance within ten (10) calendar days from the date of this Notice to you and GUARANTEES on all workmanship and materials on this Project of construction work. Additional GUARANTEES for related work shall be as noted on respective type specifications.

If you fail to execute said Agreement and to furnish said Certificates within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are requested to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 5TH day of OCTOBER, 2021.

OWNER: City of Weslaco

BY: Mike R. Perez

TITLE: Mike R. Perez, City Manager

ENGINEER: City of Weslaco

BY: Albert J. Aldana

TITLE: Albert J. Aldana, City Engineer

ACCEPTANCE OF NOTICE BY BIDDER

Receipt of the above NOTICE OF AWARD is hereby acknowledged by Tri-Gen Constr, this the 5 day of October, 2021

BY: [Signature]

TITLE: _____

END OF SECTION



SECTION 00510

NOTICE OF AWARD

PART 1 - GENERAL

1.01 SECTION INCLUDES

This section describes the standardized Notice of Award form for use in the project.

1.02 REFERENCES – Not Used

1.03 DEFINITIONS – Section 0700

PART 2 - PRODUCT – Not Used

PART 3 - EXECUTION (FORMS ON FOLLOWING PAGES)

STANDARDIZED FORM FOLLOWS



PROJECT RFB NO.: 2020-21-25

CITY OF WESLACO

DOWNTOWN FIRE STATION AND POLICE STATION WITH MUNICIPAL COURT

NOTICE OF AWARD

SECTION 00510

NOTICE OF AWARD

PART 1 - GENERAL

1.01 SECTION INCLUDES

This section describes the standardized Notice of Award form for use in the project.

1.02 REFERENCES – Not Used

1.03 DEFINITIONS – Section 0700

PART 2 - PRODUCT – Not Used

PART 3 - EXECUTION (FORMS ON FOLLOWING PAGES)

STANDARDIZED FORM FOLLOWS



NOTICE OF AWARD

TO: GERLACH BUILDERS, LLC dba WIL-CON
918 BIG HORN DRIVE
EDINBURG, TEXAS 78542

PROJECT DESCRIPTION: POLICE STATION WITH MUNICIPAL COURT

The OWNER has considered the BID submitted by you for the above-described WORK in response to its Advertisement for Bids and Information for Bidders.

You are hereby notified that your BID has been accepted for items in the amount of \$ 8,930,000.00.

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND, and Certificates of Insurance within ten (10) calendar days from the date of this Notice to you and GUARANTEES on all workmanship and materials on this Project of construction work. Additional GUARANTEES for related work shall be as noted on respective type specifications.

If you fail to execute said Agreement and to furnish said Certificates within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are requested to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 5TH day of OCTOBER, 2021.

OWNER: City of Weslaco

ENGINEER: City of Weslaco

BY: Mike R. Perez

BY: Albert J. Aldana

TITLE: Mike R. Perez, City Manager

TITLE: Albert J. Aldana, City Engineer

ACCEPTANCE OF NOTICE BY BIDDER

Receipt of the above NOTICE OF AWARD is hereby acknowledged by Shawn Gerlach, this the 5th day of October, 2021.

BY: Shawn Gerlach

TITLE: President

END OF SECTION



**AIA**[®]**Document G802™ – 2017*****Amendment to the Professional Services Agreement*****PROJECT:** *(name and address)*Weslaco Police Station with
Municipal/Judicial Court
302 South Bridge Ave.,
Weslaco, TX 78596-628**AGREEMENT INFORMATION:**

Date: May 19, 2020

AMENDMENT INFORMATION:

Amendment Number: 002

Date: October 12, 2020

OWNER: *(name and address)*City of Weslaco, Texas
255 S. Kansas Ave.
Weslaco, TX 78596-6285**ARCHITECT:** *(name and address)*ERO Architects
300 South 8th Street
McAllen, Texas 78501

The Owner and Architect amend the Agreement as follows:

Based on Article 11.1.1., Compensation, the Stipulated Sum to the Architect is \$485,000. Due to the increase in size/program (37,202 SF) and increase in the Cost of Work (\$8,300,000) for the Police Station, ERO total compensation should increase because of the change and magnitude of the Project based on Articles 4.2.1.1 Architect's Additional Services and 11.3 Compensation for Additional Services; services necessitated by a change in the Project including Size or Budget for Cost of the Work.

Under Article 11.1.1., Compensation, the Stipulated Sum is increased to \$781,840. This an increase to the Stipulated Sum of \$296,920. This additional fee includes the basic services as stated in the Agreement: architecture, structural engineering, MEP, civil engineering and landscape design. Please see attached Letter of Proposal to City of Weslaco from ERO dated September 29, 2020.

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:
\$781,840.

Schedule Adjustment:

SIGNATURES:

ERO Architects

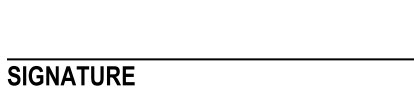
ARCHITECT *(Firm name)*

SIGNATURE

Brian Godinez, Principal

PRINTED NAME AND TITLE

October 9, 2020

DATE**OWNER** *(Firm name)*

SIGNATURE**PRINTED NAME AND TITLE****DATE**

**AIA**[®]**Document G802™ – 2017*****Amendment to the Professional Services Agreement*****PROJECT:** *(name and address)*New Weslaco Fire and Police Station
with Municipal/Judicial Court
302 South Bridge Ave.,
Weslaco, TX 78596-628**AGREEMENT INFORMATION:**

Date: May 19, 2020

AMENDMENT INFORMATION:

Amendment Number: 003

Date: March 28, 2022

OWNER: *(name and address)*City of Weslaco, Texas
255 S. Kansas Ave.
Weslaco, TX 78596-6285**ARCHITECT:** *(name and address)*ERO Architects
300 South 8th Street
McAllen, Texas 78501

The Owner and Architect amend the Agreement as follows:

Based on Article 11.1.1 Compensation of the AIA B101-2020 Agreement between Owner and Architect, the Stipulated Sum to the Architect is \$781,840. Due to the last combined increase in the Cost for the Fire Station and Police Station of \$11,929,000 due to the acceptance of the two General Contractor's final bids (see Notice of Awards attachments) -- an increase of \$1,129,000 of the last Cost of Work at \$10,800,000, ERO Architect's total compensation has increased by \$81,739.60. The fee increase includes the basic services as stated in the Agreement including: architecture, structural engineering, MEP, civil engineering and landscape design and only reflects the Construction Administration phase.

This is supported by Article § 11.6, when compensation identified in Section 11.1 is on a percentage basis progress payments for each phase of Basic Services shall be calculated by multiplying the percentages identified in this Article by the Owner's most recent budget for the Cost of the Work. Compensation paid in previous progress payments shall not be adjusted based on subsequent updates to the Owner's budget for the Cost of the Work.

ERO used the same percentage of 7.24% as the basis with the additional cost increase of \$729,000; as was used previously for an ERO fee increase with Amendment #2 dated October 12, 2020 an approved by the City Commission. See attachment.

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:

\$1,129,000

Schedule Adjustment:

The \$81,739.60 increase reflects the Construction Administration Phase only at 20% for a total of \$16,347.92 to be paid to ERO – paid over an estimated 18 months with an additional \$908.21 per month.

SIGNATURES:

ERO Architects

ARCHITECT *(Firm name)*

SIGNATURE

Brian Godinez, Principal

PRINTED NAME AND TITLE

March 28, 2022

DATE

City of Weslaco

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE