MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JULY 5, 2022

On Tuesday, July 5, 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	Leo Muñoz
	Commissioner	Letty Lopez
	Commissioner	J.P. Rodriguez
	Commissioner	Adrian Farias
ABSENT:	Commissioner	Greg Kerr
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, Rosie Cavazos, Interim Finance Director, Sonia Flores, Asst. 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, 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 Friday, July 1, 2022.

B. Invocation.

Pastor David McCann, First Presbyterian Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Mayor Suarez recognized Aaron Martinez as Weslaco Crime Stoppers 2021 Officer of the Year.

E. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting the absence of Commissioner Kerr and a quorum present.

II. PUBLIC COMMENTS

None.

III. REPORTS

A. Weslaco Economic Development Corporation.

April Castaneda, Director of Business Development, reported on upcoming grand opening for Clever Foods and Colimex at the end of July located at the existing Industrial Park and invite would follow; working on the fiscal year budget for EDC to be presented to the commission in August; reported sealed bids opened June 28 for three separate construction projects at the Industrial Park for onsite and offsite improvements and a lift station; applied for an EDA grant in the of amount of $1.5 million and were notified an Archeological Survey is required to be submitted to the Texas Historical Commission.

B. Barbara Jean Garza, President/CEO, Weslaco Area Chamber of Commerce & Visitor Center.

Barbara Jean Garza, President/CEO, reported funds from Weslaco Hotel/Motel Tax used for advertising for the month was just over $8,778; visitors for the month had 243 with 13 facility reservations; reported on upcoming event Networking Lunch Mob on July 6; ribbon cuttings Chick-fil-A, Salinas Funeral Home, C&G Construction, Woodmen Life, Advanced Urgent Care and Amado Sanchez, CPA and reported Nana's Taqueria Restaurant was recognized on the Texas Bucket List and will continue to work with them in bringing attention to Weslaco businesses.

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 Resolution 2022-29 for closure of streets affecting state right-of-way on Texas Blvd/FM 88 between U.S. Business Highway 83 and Sixth Street from 2pm - 11pm on the third (3) Thursday of the month from August 2022 to February 2023 for Alfresco Weslaco Music & Art and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. (Staffed by Engineering Department.)

B. Approval to accept Walmart's (Facility #6159) Community Grant Award, Request ID 75442659, in the amount of $2,000 with NO MATCH and NO RECURRING FEES to purchase supplies and promotional items geared toward Community Policing and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

C. Approval to terminate and approve the Mid Valley Airport Ground Lease Agreement(s) as follows:

Hangar W-5 terminate Tenant Gary N. Wise and approve Tenant Fermin Nevarez;
Hangar W-4 terminate Tenant Ray Walker and approve Tenant Kelly Norman;
Hangar W-17 terminate Tenant Ginger Vaughan and approve Tenant Royce Kirk Norman; and
Hangar W-28 terminate Tenant Clifford R Gardner Jr. and approve Tenant Royce Kirk Norman and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

D. Approval on renewal of the Memorandum of Agreement with Coastal Bend Regional Advisory Council (CBRAC) and City of Weslaco Fire Department to continue participation in the Hospital Preparedness Program (HPP) and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire-EMS Department.)

E. Approval on Resolution(s) 2022-30 through 2022-33 to update signatories on legal financial documents identified with the PNC, Navy Army Community Credit Union, Greater State Bank and Tex-Pool for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

F. Approval of a Memorandum of Understanding with South Texas ISD for the use of City Hall parking facilities for the purpose of transportation of students for the school year 2022-2023 and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.)

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

V. APPOINTMENTS

A. Discussion and consideration on Resolution R-2022-34 appointing a member to the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by EDC.)

Norma A. Cantu, City Secretary, stated Jerry Don Wilson, Ramon Montalvo III, Hector Solis, and Joe Daniel Olivarez applied to serve on the Weslaco Economic Development Corporation.

Mayor Suarez seconded by Commissioner Muñoz moved to approve Resolution 2022-34 and appoint Joe Daniel Olivarez to the Weslaco Economic Development Corporation as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on Resolution R2022-35 appointing a member to the Civil Service Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Interim City Manager.)

Norma A. Cantu stated Cris Valdez applied to serve on the Civil Service Commission and there were no other applicants as of today.

Martin Garza, Interim City Manager, stated the recent adoption of an ordinance outlined the orderly procedure for filling of vacancies for the advisory boards, committees, and commissions; the order was Mayor, At-Large Members, Single Member District 1, Single Member District 2, Single Member District 3- and Single-Member District 4; Mayor Suarez nominated the appointment for EDC and At-Large Member Commission Kerr is next to recommend a nomination to a vacancy. Commissioner Kerr advised staff of his absence for the meeting and requested his nomination of Cris Valdez to the Civil Service Commission be introduced.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Resolution R2022-35 appointing Cris Valdez to the Civil Service Commission as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration on Resolution R2022-36 appointing one member to the Library Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.)

Norma A. Cantu stated Renee Dyer applied for consideration to the Library Board and there were no other applicants as of today.

Commissioner Muñoz seconded by Commissioner Mayor Pro Tem Pedraza moved to approve Resolution R2022-36 appointing Renee Dyer to the Library Advisory Board. The motion carried unanimously; Mayor Suarez was present and voting.

VI. NEW BUSINESS

A. Discussion and consideration to approve the 2022 Comprehensive Plan Addendum as prepared by UTSA and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning & Code Enforcement Department)

Rebekah de la Fuente, Planning and Code Enforcement Director, stated UTSA was hired in 2021 to begin to look at updates to the existing Comprehensive Plan and introduced Ian Caine from UTSA-Center for Urban and Regional Planning Research to present the addendums.

Ian Caine, Associate Professor, Director, and Gabriel Diaz Montemayor, MLA Founding Partner LABOR Studio of UTSA, presented the 2022 Comprehensive Plan Addendums that included data compiled based on a series of stakeholder discussions and community focus group forums held; overviewed six chapters within the Comprehensive Plan that needed to be updated that were future Land Use Development; Parks, Recreations & Trails; Downtown Revitalization, Transportation and Economic Development. Staff recommended approval to approve and accept the addendums as presented.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to accept and approve the 2022 Comprehensive Plan Addendum as prepared and presented by UTSA. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on approval of a Reimbursement Contract between the City of Weslaco and Domain Development, Corp for the upgrade of a sanitary sewer line from an eight (8) inch to a twelve (12) inch to allow for the extension of sanitary sewer services to the north side of Pike Blvd between Milanos Road and Midway Road in the amount of $27,670 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning & Code Enforcement Department.)

Rebekah de la Fuente stated a proposed one hundred and five (105) development was being done; developer agreed to upgrade a sanitary sewer line from and 8-inch to a 12-inch that runs from the existing lift station north from Business Highway 83 to Pike Blvd and this would benefit the city as it opens the area to potential commercial growth. Staff stated the developer requested the City pay the difference in the cost of the upgrade in the amount of $27,670 and permissible under the Utility Extension ordinance. Staff recommended approval.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve a Reimbursement Contract between the City of Weslaco and Domain Development, Corp. as presented in the amount of $27,670 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration on Ordinance 2022-21 amending Ordinance 2015-12, the City of Weslaco Sign Ordinance Chapter 114, creating new regulations for temporary signage and free-standing signage and removing content-based regulations and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-21. Possible action. (Staffed by Planning and Code Enforcement Department.)

Rebekah de la Fuente stated in response to recent case law regulating signage based on content as well as regulating on and off premise signage, staff proposed to amend the city's sign ordinance and presented the amendments at a workshop reviewing new regulations for temporary and free-standing signage and removed content-based regulations. Staff recommended approval noting no other changes to the ordinance presented previously at the workshop have been done.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to approve Ordinance 2022-21 amending Ordinance 2015-12, the City of Weslaco Sign Ordinance Chapter 114 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration on Ordinance 2022-22 amending Ordinance 2015-03 the City of Weslaco Electioneering Ordinance and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-22. Possible action. (Staffed by City Secretary Department.)

Norma A. Cantu stated the proposed changes addressed concerns received during the past election; the changes were discussed and reviewed at a workshop; the presented ordinance included parking spaces will be granted to unopposed candidates so wishing to draw and would draw last; a word change was from **should** to **must** advertise for the candidate in the tangent parking space assigned; and added no caravans/parades will be permitted in the ingress and egress of the parking lot. Staff recommended approval.

In response to Mayor Suarez, staff stated this was first reading and would be back at the next meeting for final approval at which time any other comments/changes could be discussed and included into the ordinance.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve Ordinance 2022-22 amending Ordinance 2015-03 the City of Weslaco Electioneering Ordinance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to award a Contract for the Water Spray Splash Pad Request for Proposal No.: 2021-22-28 to be installed at Gibson Park for an amount not to exceed $275,000 to the most responsive advantageous proposal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated budgeted funds for the project is $275,000; proposals solicited and four received from three vendors; staff reviewed for conformity to bid specifications and the Parks Advisory Board scored and ranked proposals based on project understanding 20pts; qualification, experience and reference 20pts; creativity in design 20pts; adherence to city specs and requirements 20pts and proposed cost 20pts for a total of 100 points; went over the four proposals renderings, cost and timeline submitted. The Parks Advisory Board and staff recommended approval to award South Texas Pools from La Feria, Texas as respondent had the highest score of 93.2 for an amount not to exceed $275,000.

A brief discussion on the scoring method ensued with Mayor Suarez and Commissioner Muñoz voicing project cost percentage points should be higher than other noted scoring criteria.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve and award South Texas Pools of La Feria for the Water Spray Splash Pad to be installed at Gibson Park for an amount not to exceed $275,000 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve a contract for landscape architecture services for the Judge Gilbert Garza Park - Soccer Fields project with Heffner Design Team not to exceed $11,500 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation.)

Omar Rodriguez stated additional services added to the project were lights at the park; final phase of the project is the soccer field and ready to move forward but final grading of the playing fields and irrigation system were not in the contract awarded to Celso Construction; proposal from Heffner will provide the city with design plans for irrigation and construction documents to extend the existing irrigation system to the soccer fields, including final grading and turf to include bidding and construction administration services. Staff recommended approval.

Commissioner Muñoz questioned why before the commission and voiced concern to solicit a proposal with price should not be presented as such further stating standard practice is a firm is selected based on qualification and then negotiate fee. Martin Garza stated although the proposal was within his authority to approve his practice for transparency is any cost in professional services be brought for commission action. Omar Rodriguez stated the firm was selected based on the qualifications for services needed and their familiarity with the project.

Commissioner Farias seconded by Mayor Pro Tem Pedraza moved to approve a contract for landscape architecture services for the Judge Gilbert Garza Park - Soccer Fields project with Heffner Design Team not to exceed $11,500 as presented. The motion carried; Commissioner Muñoz against the motion; Mayor Suarez was present and voting.

G. Discussion and consideration to grant an easement and right of way to AEP Texas for the New Public Safety Buildings including the new Police Department and Downtown Fire Station No. 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez recommended approval stating AEP of Texas requested easement and right-of-way to extend services to the new police and fire buildings.

Commissioner Farias seconded by Mayor Pro Tem Pedraza moved to grant an easement and right of way to AEP Texas for the New Public Safety Buildings including the new Police Department and Downtown Fire Station No. 2 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to award RFP No. 2021-22-29 for network cabling services, access control system and video surveillance system for the new Police and Fire Station to the most advantageous proposal from Visceral Illumination Code in an amount not to exceed $333,513 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology.)

Martin Vela, Information Technology Director, stated that the proposals solicited were to provide network cabling services, video surveillance and access control system to the new police and fire building; seven proposals received and evaluated. Staff recommended approval to award Visceral Illumination Code in an amount not to exceed $333,513.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza to award RFP No. 2021-22-29 for network cabling services, access control system and video surveillance system for the new Police and Fire Station to the most advantageous proposal from Visceral Ilumination Code in an amount not to exceed $333,513 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to approve the Memorandum of Understanding regarding the eTRACE Internet-based firearm tracing application between the City of Weslaco Police Department (WPD) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Joel Rivera, Police Chief, stated the agreement outlines terms and conditions that will allow the police department access for a paperless firearm trace submission system and trace analysis module known as eTrace; is a valuable service as it provides the tools for submitting, retrieving, storing, and querying firearms trace related information relative to your jurisdiction. Staff recommended approval.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve the Memorandum of Understanding regarding the eTRACE Internet-based firearm tracing application between the City of Weslaco Police Department (WPD) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to award the North Wastewater Treatment Plant Lift Station Rehabilitation to Southern Trenchless Solutions LLC, Buyboard vendor contract no. 635-21, in the amount not to exceed $275,835 (ARPA Funds), as listed on quote #22168, and to 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 that rehabilitation of the lift station influent well was needed. Marcelo Cosme, Superintendent of Wastewater, stated the rehab of the inner part of the wet well will require the lift station to be bypassed to allow for cleaning and pressure wash existing sediments and mud build up; wet well will be rebuilt from the inside and noted this rehab will give the city time until funds are available for redesign of the lift station for future growth. Staff recommended Southern Trenchless "Buyboard vendor be awarded not to exceed $275,835 and ARPA funds will be used with project taking about 2 months weather permitting.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to award the North Wastewater Treatment Plant Lift Station Rehabilitation to Southern Trenchless Solutions LLC, Buyboard vendor contract no. 635-21 in an amount not to exceed $275,835 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

K. Discussion and consideration of proposed Change Order No. 2 for the Fire and Police Stations Off-Site Improvements Project in the amount of $4,669 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Engineer.)

Albert Aldana, City Engineer, stated additional work to adjust an existing waterline running north and south along the west side of Bridge Ave is needed as the waterline conflicts with a storm line. Staff recommended approval of Change Order No. 2 in the amount of $4,669.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Change Order No. 2 for the Fire and Police Stations Off-Site Improvements Project in the amount of $4,669 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to approve a proposed contract amendment in the amount of $23,462 with Halff Associates to perform an Archeological Study for the Kansas-Los Torritos Drainage project and authorize the Mayor to execute any related documents. Possible Action. (Staffed by the Engineering Department.)

Albert Aldana stated an Archeological Study has been requested by Texas Division of Emergency Management (TDEM) and is the only item pending to receive approval of the drainage project. Staff recommended approval for a contract amendment to Halff Associates Inc in the amount of $23,462 for additional work and further stated the process to receive approval of the study is approximately 2 months.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve proposed contract amendment in the amount of $23,462 with Halff Associates to perform an Archeological Study for the Kansas-Los Torritos Drainage project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 6:45 p.m. Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:06 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

A. Personnel - Discussion regarding the goals, objectives, and evaluation of the 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 Fire Union (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.

No action.

IX. ADJOURNMENT

Commissioner Farias seconded by Commissioner Muñoz moved to adjourn the meeting of July 5, 2022, at 7:06 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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David Suarez, **MAYOR**

ATTEST:

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Norma A. Cantu, **CITY SECRETARY**