A REGULAR MEETING

OF THE WESLACO CITY COMMISSION

TUESDAY, AUGUST 15, 2017

On Tuesday, August 15, 2017, at 5:41 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 members present:

Mayor	David Suarez
Mayor Pro-Tem	Gerardo "Jerry" Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Olga Noriega
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Jose Pena, Information Technology Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Gerry Oliva; Police Captain; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, August 11, 2017.

B. Invocation.

Reverend Carlos Zuniga, St. Pius X Catholic Church, led in the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

Judge Sergio Valdez administered the oath of office to newly appointed Municipal Court Associate Judge Juan Alvarez.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting prefect attendance and a quorum present.

II. PUBLIC COMMENTS

None received.

III. REPORTS

A. Presentation by County Commissioner Precinct 1 David Fuentes on Mile 10 North Road Improvements.

David Fuentes, County Commissioner Precinct 1, reported on efforts to improve Mile 10 North from FM1015 to Westgate a five (5) lane road; toward that end, he secured over $600,000 in funding, submitted Advanced Funding Agreement to the Texas Department of Transportation, and formed partnerships with entities with contributions of $2.4 million over a three-year period.

Jacinto Garza, L&G Engineers, reported improvements would be done in three phases, incorporating 80-feet of right-of-way; no homes would be displaced and jurisdictional radius for the City is three miles.

IV. PUBLIC HEARING

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to open the public hearings at 6:06 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input from the public regarding the City of Weslaco ad valorem property tax rate, proposed the same as last year's rate of $0.6667/$100.00 valuation, pursuant to Texas Tax Code Section 26.05(d).

Mary Barrera, Finance Director, noted appraised values had increased 2.76%, increasing the tax levy rate. This is the first public hearing of two required. The next public hearing is August 22nd and the rate by roll call vote is scheduled for September 6.

There were no other comments.

B. To solicit input from the public on proposed changes to the 2040 Zoning Map.

There were no public comments.

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to close the public hearing at 6:08 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

V. CONSENT AGENDA

The following items are of a 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 following:

1) Minutes of Regular Meeting on August 1, 2017;

2) Record of collective bargaining workshop August 9, 2017;

3) Record of budget workshop August 9, 2017; and

4) Record of budget workshop August 10, 2017 (Staffed by City Secretary's Office.)

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

1) Ordinance 2017-35 amending Ordinance 2016-36, The Master Fee Schedule, to revise existing fees and reclassifying specific line items and authorize the Mayor to execute any related documents. (First reading of Ordinance 2017-35 was held on August 1, 2017; Staffed by Planning & Code Enforcement Department.)

2) Ordinance 2017-36 amending Ordinance 2017-17, the City of Weslaco Electrical Code Ordinance; codified as Article 1 Chapter 42 of the Weslaco Code of Ordinances, adopting new regulations and ordaining other matter with respect to the subject matter hereof and authorize the Mayor to execute any related documents. (First reading of Ordinance 2017-36 was held on August 1, 2017; Staffed by Planning & Code Enforcement Department.)

C. Approval on renewal of the America Reads and Federal Work-Study Community Service agreements with UTRGV to allow for employment of work-study students and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

D. Approval of the relocation of the radio repeater and antenna from DPS Harlingen to new location in Bluetown for the use of the National Weather Service and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.)

E. Approval of the renewal of a lease agreement with IDEA Pike Schools for the use of Mayor Pablo G. Pena Park Tennis Courts for the 2017-2018 school year, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

F. Approval of a request by Valley Nature Center to utilize Gibson Park on November 11, 2017 from 12 noon - 10 p.m. for Brew in the Woods, and authorize the Mayor to execute any related documents as may be required, and waive any fees that may be associated with the event. (Requested by Valley Nature Center.)

G. Approval authorizing the Weslaco Police Department to continue participating in the Texas LESO Program (Formerly 1033 Program) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval of Resolution 2017-58 on the submission of an application grant to the Office of the Governor Criminal Justice Division from the Weslaco Police Department for Rifle-Resistant Body Armor Grant Program and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

I. Approval of the renewal of a Professional Services Agreement with City of La Villa for animal care services for the 2017-2018 , and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.)

J. Approval of the renewal of a Professional Services Agreement with City of Mercedes for animal care services for the 2017-2018, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.)

K. Approval of the renewal of a Professional Services Agreement with City of Elsa for animal care services for the 2017-2018, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.)

L. Approval of the renewal of a Professional Services Agreement with City of Edcouch for animal care services for the 2017-2018, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.)

M. Approval of the renewal of a Professional Services Agreement with City of Donna for animal care services for the 2017-2018 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.)

N. Approval of the annual renewal of a general service contract with Carahsoft for Accela software subscription services in an amount not to exceed $31,998.00 and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement Department.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Muñoz, moved to approve consent agenda items A through N as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following are the ordinances:

ORDINANCE 2017-35

AN ORDINANCE AMENDING ORDINANCE 2016-36, THE MASTER FEE SCHEDULE, TO REVISE EXISTING FEES AND ESTABLISH NEW FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

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

SECTION 1. APPROVAL. Ordinance 2016-36 passed and approved on October 4, 2016 as “The Master Fee Schedule Ordinance” and Codified as Section 2-190 of The Weslaco Code of Ordinances is hereby amended so that after final reading it shall read as follows:

ARTICLE VI. MASTER FEE SCHEDULE

Section 2-190. Scheduled established.
The fee schedule attached as an Exhibit to this Ordinance is hereby adopted as if fully forth herein. The City Commission may hereafter amend or replace this fee schedule at any time.

SECTION 2. All other provisions of Ordinance 2016-36 shall remain in full force and effect.

SECTION 3. 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 1st day of August, 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 15th day of August, 2017.

ORDINANCE 2017-36

AN ORDINANCE AMENDING ORDINANCE NUMBER 2016-36, THE CITY OF WESLACO MASTER DEE SCHEDULE ORDINANCE; CODIFIED AS ARTICLE VI OF THE WESLACO CODE OF ORDINANCES, TO REVISE LINE ITEMS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO TEXAS THAT:

SECTION I.

Ordinance 2016-36 passed and approved on October 4, 2016 as "The Master Fee Schedule Ordinance" and Codified as Article VI of the Weslaco Code of Ordinances is hereby amended.

SECTION II.

After second and final reading of this Ordinance the amended Master Fee Schedule ordinance sections will be adopted and codified as Article VI of the Weslaco Code of Ordinances and said Article shall read as follows:

ARTICLE VI MASTER FEE SCHEDULE

SECTION 2-190 Scheduled established

Electric building permit fees:	
Electrical building permit	50.00

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this this 1st day of August, 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 15th day of August, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

For the record, the following is the resolution:

RESOLUTION NO. 2017-58

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the Rifle-Resistant Body Armor Grant Program begins between January 1 and March 1, 2018 and not exceed 12 months; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Office of the Governor – Criminal Justice Division Rifle-Resistant Body Armor Grant Program application; and

WHEREAS, The City of Weslaco agrees that in the event of loss or misuse of the Office of the Governor funds, City of Weslaco assures that the funds will be returned to the Office of the Governor in full.

WHEREAS, The City of Weslaco designates Mayor David Suarez as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of Weslaco approves submission of the grant application for the Rifle-Resistant Body Armor Grant Program to the Office of the Governor.

Grant number 3494001.
Passed and approved this 15th day of August, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

VI. <u>APPOINTMENTS</u>

A. <u>Discussion and consideration on Resolutions 2017-56 and 2017-57 appointing two board members to expired terms on the Parks and Recreation Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks Department.)</u>

Mayor Pro-Tem Tafolla, seconded by Commissioner Noriega, moved to approve Resolutions 2017-56 and 2017-57 re-appointing Lupe Garcia and Joe Vidales to the Parks and Recreation Board as presented. The motion carried unanimously; Mayor Suarez was present and voting.

The City Attorney noted that he will prepare revisions to the board appointment resolution such that upon three consecutive absences, a member is automatically removed but then may appeal to be reinstated.

For the record, the following are the resolutions:

Resolution 2017-56

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PARKS & RECREATION BOARD.

WHEREAS, the City of Weslaco has established the Parks & Recreation Board pursuant to Section 98-83 of the Weslaco Municipal Code of Ordinances; and

WHEREAS, the terms of the members of this board are for three years; however, following the restructuring of this Board to consist of seven members, certain terms shall be assigned for two years so that terms are staggered such that no quorum of members expires simultaneously; and

WHEREAS, the Parks & Recreation Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Lupe Garcia is appointed to serve a three-year term on the Parks & Recreation Board and the term will begin on September 17, 2017 and end on September 20, 2020.

PASSED AND APPROVED on this 15th day of August 2017.

RESOLUTION NO. 2017-57

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PARKS & RECREATION BOARD.

WHEREAS, the City of Weslaco has established the Parks & Recreation Board pursuant to Section 98-83 of the Weslaco Municipal Code of Ordinances; and

WHEREAS, the terms of the members of this board are for three years; however, following the restructuring of this Board to consist of seven members, certain terms shall be assigned for two years so that terms are staggered such that no quorum of members expires simultaneously; and

WHEREAS, the Parks & Recreation Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Joe Vidales is appointed to serve a three-year term on the Parks & Recreation Board and the term will begin on September 17, 2017 and end on September 20, 2020.

PASSED AND APPROVED on this 15th day of August 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

B. Discussion and consideration to approve Resolution 2017-59 appointing the Mayor and one additional member from the City Commission to the Hidalgo County Foreign Trade Zone and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

Commissioner Kerr, seconded by Mayor Pro-Tem Tafolla, moved to approve Resolution 2017-59 appointing the Mayor and Commissioner Lopez as the additional member to the Hidalgo County Foreign Trade Zone as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-59

THE STATE OF TEXAS	§	A RESOLUTION APPOINTING THE MAYOR AND ONE COMMISSIONER TO THE HIDALGO COUNTY REGIONAL FOREIGN TRADE ZONE
COUNTY OF HIDALGO	§	
CITY OF WESLACO	§	

WHEREAS, the creation of the Hidalgo County Regional Foreign Trade Zone (the "HCRFTZ") in accordance with applicable state and federal statutes is to promote the competitiveness of businesses within HCRFTZ;

WHEREAS, the Hidalgo County Regional Foreign Trade Zone Board of Directors shall consist of six (6) Directors;

WHEREAS, each Director must be the Mayor or County Judge of a Member or, with respect to the sixth slot on the Board of Directors, a City Commissioner of the City of Weslaco. The initial Board of Directors is comprised of persons holding the following offices: Mayor, City of Weslaco; Mayor, City of Edinburg; Mayor, City of Pharr; Mayor, City of Donna; County Judge, County of Hidalgo; and one City Commissioner, City of Weslaco.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO that the Mayor of Weslaco, David Suarez, and Commissioner Letty Lopez be appointed as the official members of the Hidalgo County Regional Foreign Trade Zone Board of Directors.

PASSED AND APPROVED this 15th day of August, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

VII. OLD BUSINESS

A. Discussion and consideration of playscape at Pecan Grove Park and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on August 1, 2017; Staffed by Parks and Recreation Department.)

Commissioner Lopez, seconded by Commissioner Pedraza, moved to remove the item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Tafolla, seconded by Commissioner Muñoz, moved to discuss.

The City Manager stated he made several attempts to contact the developer with no response and recommended to table the item.

Commissioner Muñoz, seconded by Mayor Pro-Tem Tafolla, moved to table the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve expanded hours for the Early Voting Election period, 7:00 a.m. - 7:00 p.m., at a cost-share estimated at $6,000.00. Possible action. (This item was tabled on August 1, 2017; Staffed by City Secretary's Office.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr moved to remove the item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

The City Secretary advised the County approved the expanded hours with the cost to be borne solely by the County and no cost participation required of the local entities. Staff recommends approval.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve expanded hours for the Early Voting Election period, 7:00 a.m. - 7:00 p.m. with no cost share from the City as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve an amended Election Order toward an election of Commissioner District 2 and Commissioner District 3 during the General Election on November 7, 2017 reflecting expanded Early Voting Hours pursuant to Texas Election Code Chapter 271 and authorize the Mayor and Commissioners to execute any related documents. Possible action. (Election Order approved August 1, 2017; Staffed by City Secretary's Office.)

The City Secretary advised the amended election order reflects the expanded hours for early voting and recommends approval.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve an amended Election Order toward an election of Commissioner District 2 and Commissioner District 3 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. NEW BUSINESS

A. Discussion and consideration to accept changes on the 2040 Zoning Map. Possible action. (Staffed by Planning and Code Enforcement Department.)

Commissioner Muñoz abstained from vote and discussion and filed a conflict disclosure statement.

Rebekah De la Fuente, Senior Planner, stated the changes identify two corridors for commercial use, including 300 feet north and south along Pike Boulevard and 18th Street. Staff recommends approval.

In response to Commissioner Lopez, there is no immediate impact to the homeowner.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve and accept changes on the 2040 Zoning Map as presented. The motion carried with Commissioner Muñoz abstaining; Mayor Suarez was present and voting.

B. Discussion and consideration of the Final Plat for Midway Mobile Subdivision, a 25.263-acre tract of land being all of Farm Tract 643, West and Adams Tracts Subdivision, Hidalgo

County, Texas, located on Midway Road and Mile 6 ½ North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Rebekah De La Fuente, Senior Planner, stated staff recommends approval with a total of 3.4 acre-feet of drainage detention for this development as calculated by the City Engineer. The City Manager noted the developer is not present and if not in agreement may appeal.

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

C. Discussion and consideration of the Final Plat for Fuentes Legacy Subdivision, a 2.00-acre tract of land out of the West 25.78 acres of Farm Tract 1063, West and Adams Tract Subdivision, Hidalgo County, Texas, located on the ETJ on the east side of Black Street, 1,040 feet North of Adams Street and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Rebekah De La Fuente stated the property is a two (2) lot subdivision outside city limits. The developer is requesting a variance to permit an on-site sewage facility (OSSF) and a variance to the fire hydrant requirement. Staff recommends approval in compliance with the ordinances, allowing the OSSF and denying the fire hydrant variance.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Final Plat for Fuentes Legacy Subdivision as recommended. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve Final Plat of the Re-plat of Reyna Office Park, Unit 1 Subdivision, a 3.89-acre tract of land out of Lot 1, Reyna Office Park Unit 1 Subdivision, Hidalgo County, Texas, as per map recorded in volume 31, page 73B, map records of Hidalgo County, Texas, located Northeast Corner of intersection of Border Rd. and IH-2 Frontage Rd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Rebekah De La Fuente stated this is a two (2) lot subdivision within City limits; staff is requesting a 10-foot dedication by plat along Border Avenue. The developer is requesting a variance to the right-of-way dedication but staff recommends a right-of-way encroachment building agreement; the City Manager clarified this would give the developer license to encroach on city property. The Planning and Zoning Commission recommend approval with denial of the variance; staff recommends approval of the final plat and compliance with the ordinance for the variance.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to approve Final Plat of the Re-plat of Reyna Office Park, Unit 1 Subdivision with denial of variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration of the Final Plat for the Weslaco North Fire Station Subdivision, a 48.682-acre tract of land out of Farm Tract 98 and 114, West Tract Subdivision, Hidalgo County, Texas, located on approximately 375 feet east of FM 88 on Mile 11 North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Rebekah De La Fuente stated this is a two (2) lot subdivision prepared by staff to serve as future development of a fire station and park. Staff recommends approval.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to approve the Final Plat for the Weslaco North Fire Station Subdivision as presented. The motion carried unanimously; Mayor Pro Tem Tafolla was present and voting.

F. Discussion and consideration of additional work and a change order granting a time extension within the Library Roof Repair Project. Possible action. (Staffed by the Library Department.)

Arnold Becho, Library Director, advised there are two concerns. First, the contractor used lumber not as identified in specifications with delivery of correct materials taking twelve (12) weeks, resulting in a 52-day delay. Staff recommends assessing the liquidated damages fee of $350.00 per day, estimated at $14,500.00. Second, the contractor is proposing five change orders: 1) fix imminent problem of electrical in the courtyard; 2) moves conduit under the roof line to correct and prevent electrical problems in the courtyard; 3) replaces the roof drains above the Theater complex; 4) improves roof drain within the flat roof area of the main library building; and 5) repairs the bending stucco on the north most portion of Porter Doss. Staff recommends acceptance of 2, 3, 4 and 5. In response to Commissioner Muñoz, present liability is potential wind damage; the City Manager stated the contractor is responsible for any damages.

Commissioner Lopez, seconded by Commissioner Kerr, moved to approve options 2, 3, 4 and 5 with time extension of 45-days. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve the Depository Services Contract with the most advantageous bidder for three (3) year contract beginning October 1, 2017 and ending September 30, 2020 with an option to renew the contract for two (2) years as authorized by Section 105.017 of the Local Government Code, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Commissioner Kerr abstained from discussion and vote and Mike Perez, City Manager, filed a conflict disclosure statement.

Mary Barrera, stated proposals were solicited and Patterson & Associates assisted in the preparation of the request for proposals and evaluation process. Four (4) proposals were received and staff recommends awarding BBVA Compass Bank as the most advantageous vendor. BBVA is the current depository. Award is contingent on successful negotiations of the final contract within 30 days; otherwise to award to second ranked respondent Wells Fargo. BBVA is in agreement.

Commissioner Lopez, seconded by Commissioner Pedraza, moved to approve BBVA Compass for the Depository Services Contract as most advantageous bidder contingent to final terms negotiated within 30-days as presented. The motion carried with Commissioner Kerr abstaining; Mayor Suarez was present and voting.

H. <u>Discussion and consideration to approve 2017-2018 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No. B-17-UC-48-0501 setting the City's allotment at $276,051.00 for activities to be carried out in the City's jurisdiction, and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department).</u>

Mary Barrera presented the 2017-2018 Interlocal Agreement as submitted by Urban County. The City's allotment is $275,051 for general program administration, water/sewer improvements and senior services through Amigos Del Valle. An executed Code of Conduct for each member of the Commission is required. Staff recommends approval.

Commissioner Kerr, seconded by Mayor Pro-Tem Tafolla, moved to approve 2017-2018 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No. B-17-UC-48-0501 setting the City's allotment at $276,051.00 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. <u>Discussion and consideration to unseal the sole bid received for RFB No. 2016-17-26 and possibly award bid to the sole bidder, Mr. Victor's LTD Co., for the purchase of two Recycling Trailers in a total amount not to exceed $30,000.00. Possible action. (Staffed by Public Works.)</u>

Mayor Suarez unsealed the sole bid received as has been the practice with a sole respondent. The recommendation is to accept and award not to exceed $30,000.00. The City Manager recommended to table the item until after executive session.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to table until after executive session as recommended. The motion carried unanimously; Mayor Suarez was present and voting.

J. <u>Discussion and consideration to approve the Certificate of Formation and Bylaws to the Hidalgo County Foreign Trade Zone and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)</u>

The City Manager recommended approval stating this was a partnership with the Cities of Pharr, Donna and Hidalgo County. Staff recommends approval.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez moved to approve the Certificate of Formation and Bylaws to the Hidalgo County Foreign Trade Zone as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to adopt a policy for the Tower (El Tinaco) Light Annual Schedule and Tower Light Request Guidelines, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks Director, stated the lighting defaults to white and proposes a schedule for lighting of the tower as well as guidelines for requests. The City Manager stated staff would revise the policy to remove the Mayor in the appeals process.

Commissioner Kerr, seconded by Commissioner Lopez, moved to table the item. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to negotiate and enter into agreement with Roger Garza, Valley Risk Consulting, for Professional Consulting Services related to insurance coverages for the City and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez, HR Director, stated staff will begin the process for solicitation of bids on health and supplemental insurances. Staff requested to negotiate an agreement with Roger Garza, Valley Risk Consulting Services. The City Manager noted Blue Cross Blue Shield has acquired Allegiant and renewal could be very high. A special called meeting on August 22 will consider authorization to solicit bids for these products.

Mayor Pro-Tem Tafolla, seconded by Commissioner Pedraza, moved to negotiate and enter an agreement with Roger Garza, Valley Risk Consulting, for Professional Consulting Services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to select a name for the City of Weslaco 311 app, a mobile citizen service request application. Possible action. (Staffed by IT Department.)

Jose Pena, IT Director, stated staff is configuring a new app to allow citizens to submit work orders electronically, scheduled to be complete by the end of September. A name for the mobile application was needed noting that “My Weslaco” was already on the City’s website. Commissioners suggested Weslaco Proud, Action Weslaco, My Weslaco and Our Weslaco.

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to select My Weslaco as the name for the City of Weslaco 311 app, a mobile citizen service request application. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to approve Resolution 2017-55 opposing the Border Wall at Santa Ana National Wildlife Refuge. Possible action. (Staffed by City Manager's Office.)

The City Secretary read into the record the revised resolution as drafted from discussions with some Commissioners.

Commissioner Kerr, seconded by Mayor Pro-Tem Tafolla, moved to approve Resolution 2017-55 relating to the Border Wall at Santa Ana National Wildlife Refuge as presented. The motion carried unanimously; Mayor Suarez was present and voting.

The resolution as adopted reads as follows:

RESOLUTION NO. 2017-55

A RESOLUTION OF THE CITY OF WESLACO RELATING TO A BORDER WALL AND FENCE AT SANTA ANA NATIONAL WILDLIFE REFUGE

WHEREAS, border walls and fences have been utilized as a deterrent to illegal immigration and smuggling; and

WHEREAS, advanced information technology solutions also provide effective border security with arguably more efficient use of taxpayer funding; and

WHEREAS, these technological alternatives to border walls mitigate the damage to precious habitat, the displacement of its rare wildlife, and the disruption to a nature-tourism economy generated by refuges and parks, particularly Santa Ana National Wildlife Refuge, along the Rio Grande River; and

WHEREAS, considered the "jewel" of the National Refuge System, Santa Ana has more plant and animal diversity for its size than any other refuge in North America and more than 165,000 nature tourists visit it each year, most of them birders, injecting about $34 million into the economies of the City of Alamo and nearby communities, including the City of Weslaco.

THEREFORE, BE IT RESOLVED, THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS this 15th day, August, 2017, endorses a border security strategy that is minimally intrusive on natural habitat, preserving the old-growth native forest from the proposed 150-foot clearance for fencing and lighting, and preserving public access for tourists and residents who have enjoyed this space since its dedication in 1943.

PASSED AND APPROVED this the 15th day of August, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Elizabeth M. Walker, CITY SECRETARY

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

IX. EXECUTIVE SESSION

At 7:04 p.m. Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved the regular meeting to convene in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:45 p.m. Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

I. Discussion and consideration to unseal the sole bid received for RFB No. 2016-17-26. and possibly award bid to the sole bidder, Mr. Victor's LTD Co., for the purchase of two Recycling Trailers in a total amount not to exceed $30,000.00. Possible action. (Staffed by Public Works.)

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to remove Item I from the table. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Tafolla, seconded by Commissioner Lopez, moved to discuss.

Pete Garcia, Public Works Director, reviewed the options: option 1 is a 25x82 trailer for a total cost of $46,000 ($23,000 each); option 2 is 82x20 for a total cost of $36,000 ($18,000 each) and option 3 is 82x16 for $30,000 (each $15,000). The City currently has the trailer reflected in option 3. The recommendation from the committee was option 1 and is over budget.

Mayor Suarez recommended one from option 2 and one from option 3. Commissioner Noriega recommended to negotiate one from option 1 and one from option 3 not to exceed $30,000.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to award purchase of one trailer from option 2 and one from option 3 for total cost not exceed $30,000.00. The motion carried unanimously; Mayor Suarez was present and voting.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action.

B. Pending Litigation - Consultation with City Attorney regarding City of Weslaco v. Briones Consulting and Engineering as authorized by §551.071 of the Texas Government Code.

There was no action.

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

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to accept the Collective Bargaining Agreement with the Police Union (Weslaco Municipal Police Association) as discussed in executive session subject to language revisions on sexual harassment and probationary employee policy. The motion carried unanimously; Mayor Suarez was present and voting.

D. Personnel - Discussion regarding the investigation by the Department of Justice into an Americans with Disabilities Act complaint against the Police Department as authorized by §551.074 of the Texas Government Code.

There was no action.

E. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Chicken Hatch "B" as authorized by §551.087 of The Texas Government Code.

There was no action.

F. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Memphis as authorized by §551.087 of the Texas Government Code.

Commissioner Muñoz abstained from discussion and vote.

Mayor Pro-Tem Tafolla, seconded by Commissioner Kerr, moved to accept the agreement with incentive packages related to Project Memphis as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

XI. ADJOURNMENT

Commissioner Muñoz, seconded by Commissioner Kerr, moved to adjourn at 7:47 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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MAYOR, David Suarez

ATTEST:

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CITY SECRETARY, Elizabeth Walker

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MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

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COMMISSIONER, Leo Muñoz

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COMMISSIONER, Greg Kerr

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COMMISSIONER, Olga Noriega

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COMMISSIONER, Letty Lopez

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COMMISSIONER, Josh Pedraza