



**MINUTES OF A SPECIAL MEETING
WESLACO CITY COMMISSION
OCTOBER 3, 2022**

On Monday, October 3, 2022, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Special Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following member's present:

PRESENT:	Mayor	David Suarez
	Commissioner	Leo Muñoz
	Commissioner	Letty Lopez
	Commissioner	JP Rodriguez
	Commissioner	Adrian Farias
ABSENT:	Mayor Pro Tem	Josh Pedraza
	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, Omar Rodriguez, Parks & Recreation Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Joel Rivera, Police Chief, Antonio Lopez, Fire Chief, Albert Aldana, City Engineer, David Arce, Deputy Public Works Director, Pete Garcia, Public Works Director, Martin Vela, IT Director, Cristina Garcia, PIO, Luz Galindo, HR Director 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, September 30, 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.

Proclamation - Proclaiming October as Breast Cancer Awareness month.

Proclamation - Proclaiming Daniel "Danny" Saenz Day

Proclamation - Recognition of World Teacher Day

Mayor Suarez recognized and proclaimed Daniel "Danny" Saenz Day, October as Breast Cancer Awareness month and World Teacher Day.

E. Roll Call.

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

II. PUBLIC COMMENTS

None.

III. REPORTS

Martin Garza, Interim City Manager, stated no reports at this time.

A. Inframark.

IV. CONSENT AGENDA

All items listed under the Consent Agenda are considered to be routine and the Governing Body has been furnished with background and support material on each item and will be acted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and voting on the Consent Agenda.

Norma A. Cantu, City Secretary, introduced corrections to attendance for the minutes of September 20, 2022 to reflect Mayor Pro Tem Pedraza in attendance and the absence of Comm. Rodriguez.

A. Approval of the Minutes of the Regular Meeting on September 20, 2022. (Staffed by City Secretary Department.)

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

1) Approval on Ordinance 2022-36 to rezone 2625 Mile 6 ½ West Road. Also being 23.05-acre tract of land out of Farm Tract 648 and 649, West and Adams 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 September 20, 2022; staffed by Planning & Code Enforcement Department.)

2) Approve Ordinance 2022-37 for the Voluntary Annexation of Gilberto Estates Subdivision– being a 4.56-acre tract of land out of Farm Tract 101, West and Adams Tract Subdivision, Hidalgo County, Texas located northwest corner of mile 10 N Rd & Mile 4 ½ West Rd and authorize the Mayor to execute any related documents. (First reading held September 20, 2022; staffed by Planning & Code Enforcement Department.)

C. Approval of a request from the Valley Nature Center to close Gibson Park to the public on November 12, 2022 for the Brew in the Woods annual fundraiser and allow to serve alcohol during the event and authorize the Interim City Manager to execute any related documents. (Staffed by Parks & Recreation Department.)

D. Approval on the request of the City's support from HEB for the 20th Annual "Feast of Sharing" to be scheduled for Saturday, December 17, 2022 at St. Joan of Arc Catholic Church Hall and waiver of any related fees for permits and approve assistance from various city departments and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.)

E. Approval to renew the Federal Work-Study America Reads Challenge and Community Service Challenge agreements with the University of Texas Rio Grande Valley and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

F. Approval to submit an application renewing the ERate 2022-2023 grant program, accept funds upon award, accept additional funding if awarded during the grant year, and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

G. Approval to purchase a Bush Hog 2815 Flex-Wing Rotary Cutter from vendor Valadez Equipment & Trailer LLC for an amount not to exceed \$22,500 and authorize the Mayor to execute any related documents (Staffed by Public Works Department.)

H. Approval of an amendment to the interlocal agreement with Hidalgo County Tax Assessor for assessment and collections of property taxes and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

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

Following for the record are captions for ordinances.

ORDINANCE NO. 2022-36

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 2737 E MILE 6 N. ALSO BEING LOTS 1-44, MID VALLEY ESTATES 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:

ORDINANCE NO. 2022-37

AN ORDINANCE ANNEXING ADDITIONAL TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS ON VOLUNTARY PETITION OF AREA LANDOWNER SUCH LAND BEING 4.56 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. NEW BUSINESS

A. Discussion and consideration to negotiate with the sole bidder, FR Green Thumb Landscaping of Edinburg, Texas, for Judge Gilbert Garza soccer field project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated sole bid received and evaluated; staff and Heffner Design, Consultant, recommended negotiating a contract with sole respondent, FR Green Thumb Landscaping to provide cost for the scope of work included in the bid package. Staff would bring back to the commission for approval.

In response to Commissioner Muñoz, there were multiple vendors that reviewed the proposals on BidNet (4-5) but only one was submitted.

Commissioner Farias seconded by Commissioner Lopez moved to approve and negotiate with the sole bidder, FR Green Thumb Landscaping as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to lease/purchase of a New John Deere 6145M Cab Tractor with Diamond 30' Ditch Bank Mower from Buyboard vendor Deere & Company (Tellus Equipment Solutions) through a municipal lease program for an amount not to exceed \$60,000 a year for 4 years for a total of \$240,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

David Arce, Deputy Public Works Director, recommended an approval to purchase a new John Deere ditch bank mower from Tellus; funding was approved in the budget and stated a municipal lease purchase option with Deere and Company would be entered with annual payments of under \$60,000 delivery is estimated for April of 2023.

Commissioner Lopez seconded by Commissioner Muñoz moved to approve lease/purchase of a New John Deere 6145M Cab Tractor with Diamond 30' Ditch Bank Mower from Buyboard vendor Deere & Company (Tellus Equipment Solutions) through a municipal lease program for an amount not to exceed \$60,000 a year for 4 years for a total of \$240,000 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

C. Discussion and consideration to approve a Memorandum of Agreement (MOA) between Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. and the City of Weslaco for preparation of a stormwater Permit Application and Stormwater Plan for the Weslaco Airport and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana, City Engineer, stated the Airport needed a pollutant discharge elimination permit; TCEQ (Texas Commission on Environmental Quality) regulations requires a stormwater application and plan. Staff recommended approval of the agreement with Lower Rio Grande Valley TPDES Stormwater Task Force that would prepare the application and prepare a Stormwater Pollution Prevention Plan for submittal to TCEQ at a cost not to exceed \$6,000.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve Memorandum of Agreement (MOA) between Lower Rio Grande Valley TPDES Stormwater Task Force

Partnership, Inc., and the City of Weslaco for preparation of a stormwater Permit Application and Stormwater Plan for the Weslaco Airport as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration of proposed change order #3 in the amount of \$8,034.25 to the contract with Castle Enterprises for the construction of off-site improvements for the new fire and police stations project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department).

Commissioner Muñoz abstained from discussion and vote.

Albert Aldana stated the change order is needed because of a sanitary sewer line and storm line that does not have the elevation clearance needed for connection to the police department; two components to the change order is install a conflict manhole that will enable the connection of the sanitary sewer line to the existing main sewer line a cost of \$6,090.00 and the cost of a waterline tapping sleeve \$1,944.25. Staff recommended approval.

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve change order #3 in the amount of \$8,034.25 to the contract with Castle Enterprises as presented. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

E. Discussion and consideration on first and final reading of Ordinance 2022-39 proposing a speed limit increase from 30 MPH to 45 MPH for Westgate Drive between 18th St and 34th St (Mile 5N Rd) and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2022-39. Possible action. (Staffed by the Engineering Department.)

Albert Aldana stated a request was received to evaluate the speed limit between Westgate Drive between 18th Street and 34th Street; a speed study to determine the 85th percentile speed of the roadway segment was done along with traffic volume, roadway width, driveway density and accident history were considered to help determine an adequate speed limit. Staff recommended the speed limit on this roadway segment should be increased from 30 MPH to 45 MPH based on the 85th percentile and all data collected in determining a reasonable speed limit that would be conducive to the traffic flow in both directions.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve first and final reading of Ordinance 2022-39 proposing a speed limit increase from 30 MPH to 45 MPH for Westgate Drive between 18th St and 34th St (Mile 5N Rd) as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Following for the record is the ordinance caption.

ORDINANCE 2022-39

AN ORDINANCE AMENDING CHAPTER 134 – TRAFFIC, ARTICLE II OPERATION OF VEHICLES, SECTION 134-58 SPEED LIMITS OF THE WESLACO CODE OF ORDINANCE TO INCREASE THE SPEED LIMIT ALONG WESTGATE DR FOR 1.0 MILES BETWEEN 18TH ST AND 35TH ST TO 45 MPH; AND ORDAINING OTHER MATTER WITH RESPECT TO THE SUBJECT MATTER HEREOF.

PASSED AND APPROVED on first and final reading at a special meeting of the City Commission this 3rd day of October 2022.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

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

F. Discussion and consideration on a Memorandum of Understanding between the City of Weslaco and Knapp Medical Center to allow the hospital to participate in the Federal drug discount program established under Section 340B of the Public Health Services Act that provides healthcare services to low-income individuals and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, stated the city has participated in a discount program for low-income individuals since 2011 with Knapp Medical Center; hospital reached out requesting an updated

agreement that will allow them continued participation with the 340B Federal Drug Discount Program. Staff recommended approval as it benefits the indigent and uninsured with pharmaceutical needs.

Commissioner Muñoz seconded by Commissioner Lopez moved to approve a Memorandum of Understanding between the City of Weslaco and Knapp Medical Center to allow the hospital to participate in the Federal Drug Discount Program established under Section 340B of the Public Health Services Act as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on the purchase of one X690 extreme network switch and three 5320 extreme network switches for the new police station building in the amount of \$42,934 through vendor IK Network Solutions with Texas DIR Contract # 2668 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.) Attachment.

Commissioner Muñoz abstained from discussion and vote.

Martin Vela, IT Director, requested approval for the purchase of one X690 extreme network switch and three 5320 extreme network switches for the new police station building that will allow the police and fire new buildings to connect to the private network at City Hall as well provide network connectivity of servers, computers, access control system, security camera system, and intercom system. Staff noted IK Network was not the lowest respondent and awarded as the most advantages as the proposal included installation/deployment of the switches and 3-year maintenance and support; lowest respondent included 1-year maintenance and support and did not offer installation/deployment of the equipment.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve the purchase of one X690 extreme network switch and three 5320 extreme network switches in the amount of \$42,934 from vendor IK Network Solutions with Texas DIR Contract # 2668 as presented. The motion carried; Commissioner Muñoz abstained; Mayor Suarez was present and voting.

H. Discussion and consideration authorizing the EDC to purchase from Hidalgo & Cameron County Irrigation District 9 (HCCID) an easement within the property boundaries of the new Mid Valley International Industrial Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.) Attachment.

Steve Valdez, Executive Director Weslaco Economic Development Corporation along with Sam Maldonado, Engineer for the project, presented options to address a blanket easement owned by the Hidalgo & Cameron County Irrigation District 9 (HCCID) that became known when the survey was done for the property; options included leave as is, relocate easement and the irrigation line, or purchase; purchase cost would be \$2.50 a square foot and this is standard board policy of the irrigation district and no negotiations would be entertained by them; the recommendation from the EDC Board is to purchase the easement and remove the irrigation line to allow the project to move forward noting that no irrigation service to the south would be available.

In response to Commission Muñoz, HCCID is the last approval needed before recording of the plat can be done; aware of the irrigation line but not the blanket easement that is owned by them. Mayor Suarez stated the request is before the commission because of the expenditure being over \$100,000. The City Attorney stated procurement requirements of the city would not apply since EDC is the purchaser not the city. Mr. Maldonado stated the irrigation line is active but if purchased the line would no longer be active and the irrigation district is agreeable and a benefit if purchased is more square footage available to sell at a higher cost; cost to purchase the easement is estimated \$150,000 because it is about 66,000 square footage easement.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve the EDC to purchase from Hidalgo & Cameron County Irrigation District 9 (HCCID) an easement within the property boundaries of the new Mid Valley International Industrial Park as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration regarding acceptance of an easement from the Weslaco EDC for the construction of a new lift station and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.)

Steve Valdez stated the city requested property for a lift station; presented a layout of the location of the lift station and recommended the city approve and accept the gifting of land.

In response to Martin Garza, Albert Aldana stated Engineering reviewed and is acceptable, good location and access is adequate. Steve Valdez noted it is 75x75 feet and located at the south end of Mile 9 and access is from Mile 9.

Commissioner Muñoz seconded by Commissioner Rodriguez moved to approve and accept an easement from the Weslaco EDC for the construction of a new lift station as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VI. EXECUTIVE SESSION

At 6:36 p.m. Commissioner Farias seconded by Commissioner Muñoz moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:36 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VII. 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 section §551.071 of the Texas Government Code.

Commissioner Muñoz seconded by Commissioner Farias moved to authorize the negotiating team to continue discussions with the Fire Union as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project No Sock as authorized by section §551.087 of the Texas Local Government Code.

Commissioner Lopez seconded by Commission Rodriguez moved to approve financial offer or other incentives for Project No Sock as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. Legal Consultation - Consultation with the City Attorney regarding requirements and factors used in consideration of awarding bids, contracts and economic development projects as authorized by section §551.071 of the Texas Government Code.

Commissioner Lopez abstained from discussion and vote.

No action.

VIII. ADJOURNMENT

Commissioner Muñoz seconded by Commissioner Rodriguez moved to adjourn the meeting of October 3, 2022, at 7:37 p.m. The motion carried unanimously; Mayor Suarez was present and voting

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**