**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
NOVEMBER 1, 2022**

On Tuesday, November 1, 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	Greg Kerr
	Commissioner	Letty Lopez
	Commissioner	JP Rodriguez
	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, 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, October 28, 2022.

B. Invocation.

Pastor Raja Masilamony from Seventh Day Adventists Church led the invocation.

C. Pledge of Allegiance.

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

D. Mayoral Recognition.

Mayor Suarez recognized Anti-Bullying prevention and awareness week and recognized Weslaco Crime Stoppers 2021 Texas Productivity Award.

E. Roll Call.

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

II. PUBLIC COMMENTS

Sandra Reyna, 217 S. Pat Cannon, stated she is a member of the Drainage Committee that was formed because of past flooding events; voiced concerns on the lack of quorum resulting from lack of attendance by members and asked the commission to look into this.

III. REPORTS

A. Weslaco Economic Development Corporation.

Steve Valdez, Executive Director, reported on the construction progress for Mid Valley International Industrial Park Subdivision; advised Glazer formally announced coming to Weslaco; reported signed with Project Brown and Steele; 30% of pad sites sold with 18% of letter of intents for the Mid Valley International Industrial Park Subdivision; stated in compliance with EDA grant received; Alfresco well attended and now pet friendly; terms agreed with Hidalgo County Irrigation District for cost of easement and development on North Bridge Crossings 50% leased.

B. Weslaco Area Chamber of Commerce & Visitor Center.

Barbara Jean Garza, President/CEO, reported advertising for the month was $9,351; visitors for the month totaled 6,061 that included event guests, in and out of State visitors and voters, 13 facility reservations; reported on upcoming events, ribbon cuttings and the Networking Lunch Mob. Stated applications being taken for the Christmas Parade and Weslaco Royal Pageant.

C. Presentation by Inframark on the Annual Maintenance and Repair Cap underspent funds. (Requested by Inframark.)

George Quilantan, Inframark, stated in accordance with the agreement with the City any overage in funds from the Annual Maintenance and Repair Capital is reimbursed back to the City and this year's rebate was for $27,061.15 that is being processed and will submit to finance upon receipt of the check.

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.

A. Approval of the Minutes of the Regular Meeting on October 18, 2022. (Staffed by City Secretary Department.)

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

1) Approval on Ordinance 2022-40 to rezone 835 N Martinez. Also being Lot 1&2, Block 5, Villa Vista Subdivision, 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 held October 18, 2022; staffed by Planning & Code Enforcement Department.)

C. Approval to apply for the Cybersecurity and Infrastructure Security Agency (CISA) and Federal Emergency Management Agency (FEMA) FY22 State and Local Cybersecurity Grant Program in the amount of $49,500 with a $5,500 MATCH required for the purchase of FortiGuard Incident Readiness Subscription Service, with NO RECURRING FEES, and authorize the Mayor to execute and related documents. (Staffed by IT Department/Grant Writer.)

D. Approval to solicit bids for Waterworks Storm, Collection and Distribution materials and supplies and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

E. Approval to ratify and accept FY23 Local Border Security Program (LBSP) Grant #3407206 for the amount of $105,000 with no MATCH and NO RECURRING fees required to pay for overtime for sworn officers and support personnel to meet the goals and objectives of LBSP grant and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

F. Approval to ratify and accept FY23 State Criminal Justice Planning Funds - Juvenile Justice and Truancy Prevention Grant Program #4003403 award in the amount of $78,868.28 with NO MATCH and NO RECURRING fees required to pay for First Offender Program Coordinator's Salary and sworn officers overtime and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval to ratify and accept FY23 State Homeland Security Program (SHSP) - LETPA Grant #4507901 in the amount of $11,400 with NO MATCH and NO RECURRING fees allowed to purchase law enforcement specific protective gear and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval to ratify and accept FY23 State Homeland Security Program (SHSP) - Regular Projects Grant #4508001 in the amount of $52,677 with NO MATCH and NO RECURRING fees required to purchase a cybersecurity firewall for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

I. Approval on renewal of the agreement with the Drug Enforcement Administration of State and Local HIDTA Task Force cooperation for the Fiscal Year 2022-2023 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

J. Approval to ratify authorization to apply to the Texas Department of Transportation 2023 Impaired Driving Mobilization Grant in the amount of $24,000 with a 20% match and no recurring fees to pay for overtime to conduct driving while intoxicated enforcement waves and authorize the Mayor to execute any related documents (Staffed by Police Department.)

K. Approval of a Memorandum of Understanding (MOU) with the Department of Homeland Security, U.S. Customs, and Border Patrol Protection, Port of Progreso for Emergency Medical Services Clinical Field ride outs and training and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

L. Approval for Mayor Joe V. Sanchez Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for Basic Maintenance of Internal Connections within the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate) and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

M. Approval of application to the South Texas Literacy Coalition Free Book Distribution and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

N. Approval to terminate and approve the Mid Valley Airport Ground Lease Agreement for Hangar W-3 Tenant Art Beckwith and approve Tenant Gary Wise and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

O. Approval of the Mid Valley Airport Hangar Lease Agreement (s) as follows:

Hangar E-1 tenant Hendrickson Flying Service.
Hangar E-5 tenant David J. Garza.
Hangar E-6 tenant Aaron Carlson.
Hangar E-7 tenant Felipe Leal.
Hangar E-8 tenant Gloria Brady.
Hangar E-9 tenant Gloria Brady.
Corporate Hangar 3 tenant Sergio Saenz and authorize the Mayor to execute any related documents (Staffed by Airport Department.)

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza 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 2022-40.

ORDINANCE NO. 2022-40

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 835 N MARTINEZ. ALSO BEING LOT 1&2, BLOCK 5, VILLA VISTA SUBDIVISION, HIDALGO COUNTY, TEXAS FROM R-1 ONE-FAMILY DWELLING DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

V. APPOINTMENTS

A. Discussion and consideration on Resolution 2022-56 appointing members to the Board of Adjustments and Appeals to the Building Codes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Commissioner Muñoz seconded by Commissioner Lopez moved to discuss.

Norma A. Cantu, City Secretary, introduced the nominees as follows, Clemente A. Del Campo by Commissioner Rodriguez, Pablo G. Pena Jr. by Commissioner Lopez, and Nicholas Carranza by Mayor Pro Tem Pedraza.

Commissioner Kerr seconded by Commissioner Muñoz moved to approve the appointments of Clemente A. Del Campo, Pablo G. Pena Jr. and Nicholas Carranza presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration on Resolution 2022-57 appointing members to the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.)

Martin Garza, Interim City Manager, requested no action as well as for subsequent item C. Staff will be evaluating the method of appointments and do away with the rotation of the governing body for appointees and propose assignment of committee members instead.

No action.

C. Discussion and consideration on Resolution 2022-58 appointing members to the Animal Shelter Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

No action.

VI. OLD BUSINESS

A. Presentation and discussion of the programing proposal from Boultinghouse Simpson Gates, and consideration of approval of a project program for the New Library/Library Renovation Project. Possible action. (Staffed by the Library Department.)

Arnold Becho, Library Director, stated staff continues to work with the design process in determining square footage for the different spaces to provide library services with Architect, Boultinghouse Simpson Gates and keep the project within budget; based on discussions from the workshop, the Architect modified and prepared options for reduced plans, yet maintaining the square footage and keep project within the proposed budget of $7.5 million for new construction.

Mr. Bob Boultinghouse , Boultinghouse Simpson Gates addressed the commission and stated to keep within budget, looked at how to reduce program space from the interior development part to help lower the new construction cost and still keep the proposed square footage of 16,720; project is in early stages and cost estimates could change when the project is ready to bid out of what actual construction costs will be at that time; the hybrid plan would have demolition of the Porter

Doss building and renovation of the theater and the reduced plan would have no demolition and no renovation to the theater.

In response to Commissioner Muñoz, the Architect stated staying within the budget (reduced plan) those cost for remodeling and renovations of the theater and lobby would not be done. Mr. Becho stated reduced space for staff, children's area and the lounge/study would be done but no interior walls to help in construction cost; the Library Board wished to see Hybrid Plan but wants the project to move forward. Mr. Boultinghouse also stated they could request alternatives of "add on items" during the bidding process to see those costs in the event the city is able to fund.

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

B. Discussion and re-consideration on the Final Plat for Gilberto Estates being a 4.56-acre out of farm tract 101, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Northeast corner of Mile 4 ½ W & Mile 10 N and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Commissioner Muñoz seconded by Commissioner Lopez moved to approve.

Rebekah de la Fuente, Planning & Code Enforcement Director, stated this was a proposed six lot subdivision inside city limits; presented to the City Commission on October 18, 2022. Staff recommended approval of the final plat with compliance on the variance to OSSF (on-site sewage facility).

Martin Garza stated there is a possibility of a sewer line being available along Mile 10 and surrounding area within the next three years either by private development or if the city extends a sewer line (660') the return on investment could be within 2½ years because of construction of homes for this subdivision and other development in the area but in the interim the city could allow septic tanks until a sewer line becomes available at which time connection to the sewer line by ordinance would have to be done.

In response to Commissioner Muñoz, Martin Garza stated when previously presented there was no timeline of when sewer would be available as well cost for the sewer line if the city would do in-house. Rebekah de la Fuente stated should a property owner refuse to connect, an option is the city can do the tapping connection and recover that cost against their water account by notifying NAWSC for sewage flows. The City Attorney stated the authority for the city is the ordinance in place and is enforceable for homesteads to connect to the sewer line when it is available and as suggested by Mr. Garza a note on the plat could be done but the ordinance allows enforcement. Rebekah further stated should there be non-compliance a lien would be filed against the property and staff could place a note on the plat for transparency to those individuals buying a lot that connection to the sewer line when available by ordinance would need to connect.

In response to Mayor Pro Tem Pedraza and Commissioner Farias; Rebekah stated cost in-house to extend is $40,000 the cost is much higher for the developer because developer would need to also extend the sewer line to the proposed subdivision and staff would not recommend charging a percentage to the developer to do the sewer line because it would set a precedent for developers requesting the same consideration. Rebekah stated the item was for reconsideration of the variance request to allow OSSF not for Final Plat approval.

Commissioner Muñoz voiced he was not clear as to why the item was back for reconsideration and would refrain from voting.

With a motion on the floor, Mayor Suarez called for a vote. The motion failed (0-6); Commissioner Muñoz refrained; Mayor Suarez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration to purchase Front End Commercial bins under sourcewell contract #040621-WQI from vendor Wastequip Manufacturing Company LLC. for an amount not to exceed $60,639 authorizing a mid-year budget amendment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Deputy Public Works Director, recommended approval for fifty (50) new commercial bins to replenish inventory for solid waste collection; same bins as ordered before and delivery time is 4-6 weeks.

Commissioner Rodriguez seconded by Mayor Pro Tem Pedraza moved to approve to purchase Front End Commercial bins under source well contract #040621-WQI from vendor Wastequip Manufacturing Company LLC. for an amount not to exceed $60,639 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to purchase a 3-point boom mower from Buyboard contract #611-20, vendor Valadez Equipment & Trailer LLC, for an amount not to exceed $38,845, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve to purchase a 3-point boom mower from Buyboard contract #611-20, vendor Valadez Equipment & Trailer LLC, for an amount not to exceed $38,845 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

C. Discussion and consideration to approve a Letter of Support to the Rio Grande Valley Metropolitan Planning Organization in support of the proposed passenger rail service S4 Higher-Speed Railroute between San Antonio and Brownsville and authorize the Mayor to execute any related documents. Possible action. (Staffed by RGVMPO and Grant Writer.)

Javier Dominguez, Transportation Planner at RGVMPO, stated the letter of support was for federal funding for connectivity of corridors via Amtrak Station in San Antonio; TX Dot submitted a letter of interest highlighting five corridors one being San Antonio to the Rio Grande Valley via Edinburg, South to McAllen, East through Weslaco to Brownsville and requested favorable consideration of support to bring passenger rail service.

Commissioner Kerr seconded by Commissioner Lopez moved to approve a Letter of Support to the Rio Grande Valley Metropolitan Planning Organization in support of the proposed passenger rail service S4 Higher-Speed Railroute between San Antonio and Brownsville as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve the purchase of rescue tools from Siddons-Martin Emergency Group in the amount not to exceed $40,330; funds approved through the FY 22-23 budget and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, recommended approval stating funds are budgeted and these rescues tools are also known as “jaws of life” equipment.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz moved to approve the purchase of rescue tools from Siddons-Martin Emergency Group in the amount not to exceed $40,330 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration on request from Inframark for an amendment to expand the City's rebatable account to include chemicals and sludge with no CPI increase to the base for FY 2022-2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

Rosie Cavazos, Interim Finance Director, stated Inframark provides maintenance and operational services to the city’s Water/Wastewater facilities and proposed two options regarding their annual CPI increase; option A proposed a 4.64% increase to the base fee of $2.6million for a total increase amount of $125,000 and option B proposed a 0% CPI increase to the base fee and expend the rebate able maintenance account that is currently capped at $256,000 and would increase to $1,396,000 to include chemicals and sludge hauling. Staff recommended approval of Amendment with option B as this could allow underspent funds to be used for overages in other items and future CPI increases would be to the new base operation fee of $1.5 million.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to approve amendment to expand the City's rebatable account to include chemicals and sludge with no CPI increase to the base for FY 2022-2023 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to authorize the Weslaco Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for network equipment and internal connections within the New Library Facility through the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate). Possible action. (Staffed by the Library Department.)

Arnold Becho stated the Erate grants helps pay for equipment as well as the maintenance and technology for the library; this solicitation is for equipment and infrastructure for the new library and recommended approval.

Commissioner Kerr seconded by Commissioner Farias moved to approve to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for network equipment and internal connections within the New Library Facility through the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate). presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration on the Interlocal Agreement between the County of Hidalgo and the City of Weslaco for certain improvements to Mile 10 North from Mile 6 to FM 1015 Phase II and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated the City and Hidalgo County entered an interlocal agreement on August 14, 2018, for proposed improvements to Mile 10 North Rd between Mile 6 West (Westgate Dr) and FM 1015; Phase I of the project consisted of preliminary engineering, environmental and public involvement; Phase II of the project includes development of right-of-way-map, plans and specifications and estimate. Staff recommended approval of the interlocal cooperation agreement for Phase II of the project in an amount of $1,693,886.00 to be paid by the city in four equal installments on a quarterly basis starting on July 1, 2023 for the city's contribution towards the project.

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to approve the Interlocal Agreement between the County of Hidalgo and the City of Weslaco for certain improvements to Mile 10 North from Mile 6 to FM 1015 Phase II as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. EXECUTIVE SESSION

At 6:46 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 7:58 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

IX. 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.

No action.

C. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.072 of the Texas Local Government Code.

Commissioner Muñoz seconded by Mayor Pro Tem Pedraza moved to authorize staff obtain an appraiser from the TXDOT list, attain appraisal and proceed with auction of property. The motion carried unanimously; Mayor Suarez was present and voting.

D. Legal Consultation - Consultation with City Attorney regarding claims made against the City by Frankenmuth Surety and Castle Construction regarding the Police and Fire Station Project as authorized by Section §551.071 of the Texas Government Code.

Mayor Pro Tem Pedraza seconded by Commissioner Muñoz approved the Interim City Manager and City Attorney proceed as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

E. Legal Consultation - Consultation with 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 vote and discussion.

Commissioner Muñoz seconded by Commissioner Farias moved to approve to impose a 1% fee of the construction costs for the Mid Valley International Industrial Park Subdivision project as discussed in executive session. The motion carried; Commissioner Lopez abstained; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Mayor Pro Tem Pedraza seconded by Commissioner Lopez moved to adjourn the meeting of November 1, 2022, at 8:00 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**