



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 2, 2018**

On Tuesday, January 2, 2018, at 5:34 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	Jose “J.P.” Rodriguez
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
Deputy Secretary	Aida Vega
City Attorney	Juan E. Gonzalez

Also present: Veronica Ramirez, Human Resources Director; Rogelio Martinez, Information Technology Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Robert de la Cerda, Interim Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; Andrew Muñoz, Aviation 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, December 29, 2017.

B. Invocation.

Pastor Rene Vega, Laborers of Love and Hope Church, led the invocation.

C. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

None presented.

E. Roll Call.

Aida Vega Deputy Secretary, called the roll, noting perfect attendance and a quorum present.

II. PUBLIC COMMENTS

Miles Bullion, 2010 Forest Lane, voiced his concern with an incident involving loose dogs coming into his property and wanted the ordinance enforced to hold pet owners accountable.

III. 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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.

- B. Approval on second and final reading of the following:
 - 1) Ordinance 2017-55 authorizing a budget amendment for Airport in amount of \$41,815.00 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)
- C. Approval of the renewal of the lease agreement with the Weslaco Mid Valley Civic Theatre now known as the ITheatre effective January 1 - December 31, 2018 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)
- D. Approval of the renewal of a lease agreement with South Texas College for the use of Mayor Pablo G. Pena Park Tennis Courts and/or Fields for Kinesiology classes at the Mid Valley Campus from January 1 - December 31, 2018, and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)
- E. Authorization to request an irrigation easement located on Heritage Square Subdivision from the Hidalgo and Cameron Counties Irrigation District No. 9 (HCCID9) and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement).
- F. Approval of application to the Family Place Libraries Grant and approval of execution of any associated documents throughout the term. (Staffed by the Library Department.)

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to approve consent agenda items A, B, C, D and F withholding item E. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the ordinance is as follows:

ORDINANCE 2017-55

AN ORDINANCE AMENDING ORDINANCE NUMBER 2017-37, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018, FINDING NEED TO AMEND THE 2017-2018 MUNICIPAL BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2017-2018 budget; and

WHEREAS, unusual and unforeseen conditions have arisen during the fiscal year which have, or will require, the expenditure of additional funds constituting an emergency expenditure; and

WHEREAS, Section 102.009 of the Texas Local Government Code authorizes the City to amend its budget in such a manner as to provide for emergency expenditures as an amendment to the original budget in a case of grave public necessity to meet an unusual and unforeseen condition; and

WHEREAS, the City Commission finds the amendments in the line items identified in the attached Exhibit are reasonable, necessary, and for municipal purposes.

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

SECTION 1. FINDINGS. The City Commission finds the statements made in the preamble above are true.

SECTION 2. BUDGET LINE ITEMS. The City Commission approves the budget amendments in the attached Exhibit as such change is necessary to meet an unusual and unforeseen condition as the result of an emergency.

SECTION 3. BUDGET TOTAL. The City Commission further finds the amended budget line items identified in such Exhibit will not cause the total expenditures in the budget to exceed the total amount of estimated revenue.

SECTION 4. APPROVAL. The 2017-2018 Official Budget, adopted by Ordinance 2017-37, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

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

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

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

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 19th day of December 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 2nd day of January 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

E. Authorization to request an irrigation easement located on Heritage Square Subdivision from the Hidalgo and Cameron Counties Irrigation District No. 9 (HCCID9) and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement).

Commissioner Kerr abstained from vote and discussion.

Mardoqueo Hinojosa, City Engineer/Planning and Code Enforcement Director, stated with completed plans for Adams Street, the request for an easement would allow the use of an existing irrigation line for drainage purposes and provide relief to storm lines along Bridge Avenue. Staff recommends approval and there is no cost to the City.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve a request for an irrigation easement located on Heritage Square Subdivision from the Hidalgo and Cameron Counties Irrigation District No. 9 (HCCID9). The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

IV. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2018-01 confirming one appointment by the Chief Executive to an expired term on the Weslaco Civil Service Commission as per Local Government Code §143.006 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve Resolution 2018-01 confirming the reappointment by the Chief Executive of Kevin Bloomquist to an expired term on the Weslaco Civil Service Commission as presented. The motion carried unanimously; Mayor Suarez was present and voting.

As this is the fourth consecutive term for Mr. Bloomquist, it is noted for the record the motion passed by supermajority as prescribed by the Local Government Code. For the record, the resolution is as follows:

RESOLUTION NO. 2018-01

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE WESLACO CIVIL SERVICE COMMISSION.

WHEREAS, the City of Weslaco has established the Weslaco Civil Service Commission pursuant to Chapter 143 of The Texas Local Government Code; and

WHEREAS, the terms of the members of this board are for 3 years; and

WHEREAS, the Civil Service Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT it consents to the appointment of Kevin Bloomquist on the Civil Service Board and the term will begin on February 7, 2018 and expires on February 7, 2021.

PASSED AND APPROVED on this 2nd day of January 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:

/s/Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/Juan E. Gonzalez, CITY ATTORNEY

V. NEW BUSINESS

A. Discussion and consideration to extend the service agreement with SmartCom Telephone, as the vendor for internet access within the Library's ERate Year 2018-2019 funding cycle, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.)

Arnold Becho, Library Director, requested approval to extend the service agreement with SmartCom under the same terms and conditions. Staff is satisfied with the scope of services received and has not had any issues with vendor.

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to approve and extend the service agreement with SmartCom Telephone, as the vendor for internet access within the Library's ERate Year 2018-2019 funding cycle as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to reject bids received and authorize the request for bids for RFB 2017-18-03 Roadway Striping Project - 18th Street to US Business 83 and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa recommended to reject bids received and authorize solicitation of bids. The two bids received were higher than projected cost. Staff will downsize project scope and re-bid with alternate bids to get closer to budgeted cost. In response to Mayor Pro Tem Tafolla and Commissioner Muñoz, the lowest bid received was \$63,710 and projected budget was \$47,000.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to reject bids received and authorize the request for bids for RFB 2017-18-03 Roadway Striping Project - 18th Street to US Business 83 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to ratify the Letter of Agreement for Ambulance (EMS) Services with the City of Mercedes. Possible action. (Staffed by Fire Department.)

Mike Perez, City Manager, stated the City of Mercedes requested assistance for ambulance services because their provider for EMS services may no longer be available. The assistance would be until January 10, 2018. Upon conferring with Chief Lopez and assuring there would be no disruption to services provided to Weslaco residents, the fee to be charged would be \$5,000 per week and all billing would belong to Weslaco.

In response to Mayor Suarez, Chief Lopez stated an ambulance and two staffers would be utilized and housed in Mercedes. In response to Mayor Pro Tem Tafolla the \$5,000 fee would cover the cost of personnel and equipment, responding only to calls within city limits. The City Manager stated the agreement was effective December 22 would end January 10, 2018 with no extension. Any calls for service would be done under mutual aid agreement.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to ratify the Letter of Agreement for Ambulance (EMS) Services with the City of Mercedes as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to select Commission members to a committee to review applications and conduct initial interviews for Police Chief. Possible action. (Staffed by City Manager's Office.)

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla moved to discuss. The motion carried unanimously; Mayor Suarez was present and voting.

The City Manager recommended the Mayor and two (2) Commissioners as a committee to evaluate applications and determine a short list of candidates for interviews by the Commission.

Commissioner Muñoz, seconded by Commissioner Lopez moved to appoint Commissioners Kerr and Rodriguez.

Mayor Pro Tem Tafolla stated he wished to be on the committee and requested consideration. The City Manager indicated four members constituted a quorum that would require posting of meetings.

Commissioner Muñoz, seconded by Commissioner Kerr, amended the motion to include Mayor Pro Tem to the committee to review applications for interviews as presented. The motion carried unanimously; Mayor Suarez was present and voting.

The original motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez announced a change of order of the day to convene the regular meeting into executive session.

VII. EXECUTIVE SESSION

At 6:10 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 6:36 p.m., Commissioner Kerr excused himself from Executive Session and departed the meeting. He did not participate in discussion of item VIII. D. or any that followed.

At 7:08 p.m. Mayor Suarez announced 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 City Manager for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

There was no action.

- B. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.

There was no action.

- C. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project "D" as authorized by §551.087 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve the sale of property as discussed in executive session. The motion carried; Mayor Suarez was present and voting.

- D. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Saddle as authorized by §551.087 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve the purchase of property as discussed in executive session. The motion carried; Mayor Suarez was present and voting.

VI. REPORTS

- A. Report by Weslaco Area Chamber of Commerce.

Doug Croft, Chamber CEO, reported for the months of November and December advertising efforts totaling \$19,231. The Chamber continues with digital advertising and will be participating in the Birding Festival in January.

- B. Report by Economic Development Corporation of Weslaco.

Marie McDermott, Executive Director, reported bids on the UTRGV CIC project were opened December 21 with six respondents and being reviewed by architect and staff; groundbreaking signing scheduled for January 10 for the UTRGV CIC project; Alfresco event for December had 80 vendors; summary leads 67 translating to 1,108 jobs and \$51 million worth of investments.

- C. Report by Inframark.

George Quilantan, Inframark, announced Severn Trent sold its North American company to Inframark as of December stating Inframark is a stand-alone US owned company setting new goals and expectations for its clients.

- D. Report by Parks and Recreation Department.

David Arce, Parks Director, reported as of December 6 work order requests now available online for citizens with forty-three work orders received for Parks and Maintenance division. Sixty head sprinkler improvements were completed at Mayor Pablo G Pena Park; playground equipment at La Placitas, Cavazos and Isaac Rodriguez parks as well as City Hall were soft washed. The City is adding bike racks at the EDC.

D. Report by Planning and Code Enforcement.

Mardoqueo Hinojosa, Planning Director and City Engineer, reported a survey of speed for north and south bound traffic between Pike – Second Street showed minimal vehicles operating over the speed limit of 30mph. The North Fire Station plat is being recorded; Adams Street plans are completed; S. Indiana inlet upgrades are finalizing design; Lift Station 37 and pump station on N. Border are in the designs stage; 10th Street drainage improvements are being finalized; bike lane project will be re-bid; Utah Ave railroad crossing improvements being scheduled and synchronization of traffic lights on Texas Blvd. completed by Texas Dept. of Transportation with Westgate Blvd synchronization report received on December 21.

E. Report by Public Works.

Pete Garcia, Public Works Director, reported on activity for street utility cuts, alley and storm drains maintenance. Additionally, 8,000 sandbags prepared in December; water breaks repaired, storm drains completed, and fire hydrants replacements continue.

IX. ADJOURNMENT

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to adjourn at 7:40 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

ATTEST:

MAYOR, David Suarez

CITY SECRETARY, Elizabeth Walker

MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza