



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
AUGUST 15, 2023**

On Tuesday, August 15, 2023, 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
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Greg Kerr
	Commissioner	Adrian Farias

ABSENT:	Mayor Pro Tem	JP Rodriguez
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STAFF PRESENT:	Martin Garza	City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez Jr.	City Attorney

Also present: Andrew Munoz, Asst. City Manager/Airport Director, Aida Vega, Deputy City Secretary, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Luz Galindo, HR Director, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, Public Works Director, Albert Aldana, City Engineer, Director, Rosa Badillo, Court Coordinator, and other staff members.

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, 2023.

B. Invocation.

Deacon Albert Aldana, St. Joan of Arc Church led the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting at the time of roll call the absence of Mayor Pro Tem Rodriguez and a quorum present.

E. Mayoral Recognition.

1) Recognition of Weslaco Texas Amateur Athletic Federation (TAAF).

Mayor Suarez and the Weslaco City Commission recognized and congratulated the Weslaco TAAF athletes for their work, commitment, dedication representing Weslaco at the State tournament TAAF Summer Games.

2) Recognition of Weslaco Little League.

Mayor Suarez and the Weslaco City Commission recognized the hard work, dedication and achievements of the Weslaco Little League organization, players, coaches, and families.

II. PUBLIC COMMENTS

None.

III. REPORTS

A. Inframark.

George Quilantan, Inframark, presented the water flow comparison for the month of July that were consistent; the Water Treatment Plant was 6.9mgd, North Wastewater Treatment Plant was 2.4mgd and South Wastewater Treatment Plant was 1.7mgd; preventative maintenance work orders for all facilities to include lift stations was 408 opened and closed 239; went over repairs done at the South Wastewater Treatment Plant received a new return activated sludge pump, rotor shaft and bearing also done, North Wastewater Treatment Plant rotor repair done; lift station pumps and float cleaning continues for various lift stations; presented the lift station call out log for July and pointed out for lift station 5 during rehab, a portable pump was on site and monitored; lift stations 11 and 28 also being worked on and were monitored.

B. Animal Care Services.

Milva Orellana, Animal Control Officer, went over the monthly live release rates for July that increased and reported live release for dogs was 77% and cats at 100%; a new partner formed with La Michelada Y Mas; August is “Clear the Shelters” with a goal of 30 adoptions that was reached in seven days and currently at 41 adopted dogs; events continued for Clear the Shelters (dogs) at Farmers Market: Delta Oaks Wildflower Ranch 4 adoptions, Eatery 8 adoptions and PetSmart 8 adoptions with 2 kittens; upcoming events Alfresco August 17 will be doing adoptions, vaccine and microchip, adoption event August 25 at Library and Petco on August 26; fundraiser at Peter Piper Pizza; reported on special cases that included an animal cruelty case (cat), abandonment case (dog) and a special adoption case (dog) taken to its forever home as the adopter could not come. Reported on a new program ShelterLuv to be implemented, if approved, that will streamline services, can be used as a donation platform and will automatically update city website.

IV. PUBLIC HEARING

Commissioner Pedraza seconded by Commissioner Lopez moved to open the public hearing at 6:05 p.m. The motion carried; Mayor Suarez was present and voting.

A. To solicit input on behalf of Alma D Berrones to rezone 109 W Esplanada also being Lot 15 and 16, Block 7, Esplanada Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.

No comments.

B. To solicit input on behalf of David & Dora Ybarra to rezone 500 S Iowa also being Lot 1, Block 44, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.

No comments.

C. To solicit input on behalf of April Lugo and Andrew Bermudez to approve a Conditional Use Permit to operate an Event Center, at 300 N Texas, also being Lot 10 and 11, Block 4, Tenn-Tex, Subdivision, Weslaco, Hidalgo County, Texas.

No comments.

Commissioner Farias seconded by Commissioner Lopez moved to close the public hearing at 6:06 p.m. The motion carried; Mayor Suarez was present and voting.

V. 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 August 1, 2023 (Staffed by City Secretary Department.)

B. Approval of six-month extension for the Final Plat for The Woods Subdivision—being a 0.75 gross acre out of Farm Tract 1076, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 600 ft west of FM 1015 along the North side of Hernandez St. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

C. Approval of six-month extension for the Final Plat for Pablo Pena Jr. No. 2 Subdivision—being 5.57 acres out of Farm Tract 145, Block 179, The West and Adams Tracts, Weslaco, Hidalgo County, Texas located on the Northwest corner of N Westgate Dr. & Canyon Rd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

D. Approval of six-month extension for the Final Plat for Plaza De Paz Subdivision—being a 3.00-acre out of Lot 13, Block 137, West Tract Subdivision, Weslaco, Hidalgo County,

Texas located at 1406 W. Pike Blvd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement 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 authorize solicitation of bids for the delivery of fuel, to include gasoline, diesel, and DEF for all city units and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

G. Approval to authorize solicitation of bids for various street sign supplies and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

H. Approval of the renewal of the Host Agency Agreement with AARP Foundation for the Senior Community Service Employment Program at no cost to the city and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.)

I. Approval to modify the date of a contractual Interlocal Agreement between the City of Weslaco and the City of Mercedes to commence January 1, 2023 regarding housing prisoners in the City of Weslaco's municipal jail and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

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

VI. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Alma D Berrones on Ordinance 2023-32 to rezone 109 W Esplanada also being Lot 15 and 16, Block 7, Esplanada Subdivision, Weslaco, 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 of Ordinance 2023-32. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated twenty-seven property owners were notified and no objection was received; applicant proposed use will be duplex type. The Planning and Zoning Commission and staff recommended approval based on the surrounding land use.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Ordinance 2023-32 to rezone 109 W Esplanada as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of David & Dora Ybarra on Ordinance 2023-33 to rezone 500 S Iowa also being Lot 1, Block 44, Weslaco Original Townsite, Weslaco, 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 of Ordinance 2023-33. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated twenty-one property owners were notified and no objection was received and proposed use will be duplex type. The Planning and Zoning Commission and staff recommended approval based on the surrounding land use.

Commissioner Gonzalez Jr. seconded by Commissioner Pedraza moved to approve Ordinance 2023-33 to rezone 500 S Iowa as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of April Lugo and Andrew Bermudez to approve a Conditional Use Permit to operate an Event Center, at 300 N Texas, also being Lot 10 and 11, Block 4, Tenn-Tex, Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated thirty-nine property owners were notified and no objection was received and proposed use will be an event center for small functions such as bridal and baby showers. The Planning and Zoning Commission and staff recommended approval.

Commissioner Gonzalez Jr. seconded by Commissioner Pedraza moved to approve a Conditional Use Permit to operate an Event Center, at 300 N Texas as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve the Final Plat for J&P Estates Subdivision being 4.00 acres out of the South 20.00 acres out of Farm Tract 130, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the southwest corner of Cypress and North Border Ave and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed four lot subdivision for single family use; inside city limits and serviced with water and sewer by the city. The Planning and Zoning Commission and staff recommended approval of the final plat.

Commissioner Gonzalez Jr. seconded by Commissioner Lopez moved to approve the Final Plat for J&P Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration to approve the Final Plat for Highland Manor Phase 3 Subdivision being 12.90 acres out of Farm Tract 238, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 900 ft. North of the intersection of W Mile 11 N Road & North Mile 5 ½ W Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this was a proposed nineteen lot subdivision for single family use; outside city limits; serviced with water by North Alamo Water Supply Corporation and sewer by the city; variances requested to allow on-site sanitary sewer (OSSF), rear setbacks and off-site

drainage and has provided letters of support from the irrigation and drainage districts. The Planning and Zoning Commission recommended approval of the final plat, variance for off-site drainage and OSSF but denied the variance for 15-foot rear setbacks as the lot sizes can comply with the required 25-foot rear setback. Staff recommended approval of the final plat and compliance with the ordinance on the variances.

In response to Mayor Suarez, Rebekah stated the recommendation from the Planning and Zoning Commission to deny the variance for the rear setbacks was because the lots can comply with the 25-foot setback as the depth for the lots ranged from 170 to 195.

Commissioner Farias seconded by Commissioner Pedraza moved to approve the Final Plat for Highland Manor Phase 3 Subdivision with variance for off-site drainage and OSSF but denied the variance for 15-foot rear setback as presented. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve Ordinance 2023-34 for the Voluntary Annexation of EMC Subdivision– being a 1.79-acre tract of land out of Farm Tract 771, West Tract Subdivision, Hidalgo County, Texas located 750’ west of Pleasantview along the south side of E 18th St. and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-34. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed development is outside city limits and is serviced with water by the city. The Planning and Zoning Commission and staff recommended approval as the development is contiguous to the existing city limits line.

Commissioner Lopez seconded by Commissioner Farias moved to approve Ordinance 2023-34 for the Voluntary Annexation of EMC Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve Ordinance 2023-35 for the Voluntary Annexation of Parma Subdivision– being a West Tract BNC an IRR TR S330’-N660’-E660’ FT 109 5.0 AC Net, West Tract Subdivision, Hidalgo County, Texas located North Texas approximately 1,600 feet south of Mile 10 North and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-35. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed development is outside city limits and is serviced with water by North Alamo Water Supply and sewer by the city. The Planning and Zoning Commission and staff recommended approval as the development is contiguous to the existing city limits line along the West, North and South property lines.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve Ordinance 2023-35 for the Voluntary Annexation of Parma Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to authorize staff to utilize Shelterluv software for shelter operations and adoptions and authorize staff to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated this program will replace the current animal control program; offers additional platforms not currently offered such as Shelter to Rescue transfer of digital records, Adoption platform, Field services, Text notifications, Unlimited Users, Donation platform and live updates onto the City Website and automatic uploads to pet sites such as Petfinder, Adopt-a-Pet, and Petco Love Lost. Staff recommended approval as it will make operations more efficient and is a lower cost than the current software.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve staff to utilize Shelterluv software for shelter operations and adoptions as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to accept the calculation of the No-New-Revenue and Voter-Approval tax rates for the 2023 tax year by the Hidalgo County Tax Assessor-Collector Pablo Villarreal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, stated Julio Espinoza, Property Manager from the Hidalgo County Tax office, will present the calculation tax rates.

Mr. Julio Espinoza stated the No-New Revenue at \$0.6134 per \$100 valuation tax rate and would produce the same revenue as last year; Voter Approval Rate at \$0.6971 per \$100 valuation is the highest tax rate the city could adopt without voter approval and stated last year's tax rate was \$0.6967.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve accept the calculation of the No-New-Revenue and Voter-Approval tax rates for the 2023 tax year as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to approve Resolution 2023-50 proposing an ad valorem tax rate and setting dates on which the Commission will hold a public hearing, and a date to adopt the 2023-2024 ad valorem tax rate and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.)

Rosie Cavazos stated the proposed budget took into consideration the projected revenues to meet the expenditures; staff recommendation was a tax rate of \$0.6967 (current) per \$100 valuation; recommended the public hearing be held September 5, 2023, and adopt the FY 2023-2024 ad valorem tax rate. Staff recommended approval stating roll call vote required.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve an ad valorem tax rate of \$0.6967, a public hearing and adoption of tax rate to be held September 5, 2023, as presented. By roll call vote, the motion carried; Mayor Suarez was present and voting.

K. Discussion and consideration to approve and award the Depository Services Contract to the most advantageous respondent from RFP 2022-23-24 for a three-year contract

beginning October 1, 2023 and ending September 30, 2026 with an option to renew the contract for two (2) years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Martin Garza, City Manager, requested no action to allow staff more time to evaluate and back to the commission at the next regular meeting.

L. Discussion and consideration on Resolution 2023-51 supporting the Rio Grande Valley Partnership "One Region, One Voice" initiative to foster economic growth, job creation, community development and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza stated meetings have been held with several Mayors and discussed economic development; Resolution would support the participation and partnership of a "One Region, One Voice" initiative for regional marketing. Staff recommended approval of the resolution that would support the Rio Grande Valley Partnership efforts and endorse them as the designated regional economic development marketing entity as our voice to identify joint initiatives for infrastructure development, workforce training programs and business retention and expansion.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Resolution 2023-51 supporting the Rio Grande Valley Partnership "One Region, One Voice" initiative as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to purchase Ticket on the Go software from ADCOMP Systems Inc. (New in Blue Inc.) and Apple iPads for an amount not to exceed \$25,000 with an annual recurring cost of \$16,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Joel Rivera, Police Chief, recommended approval stating Ticket on the Go was the most advantageous for the department.

In response to Commissioner Pedraza, Chief Rivera stated although their proposal did not itemize the training, it is included and this vendor offered more built in features that will increase efficiency for the officer and municipal court.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve to purchase Ticket on the Go software from ADCOMP Systems Inc. (New in Blue Inc.) and Apple iPads for an amount not to exceed \$25,000 with an annual recurring cost of \$16,000 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to approve final payment for RFP No.: 2021-22-28 Splash Pad for Gibson Park to South Texas Pools for an amount not to exceed \$13,425 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, recommended approval of final payment to South Texas Pools for the completion and staff was satisfied with the project.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve final payment for RFP No.: 2021-22-28 Splash Pad for Gibson Park to South Texas Pools for an amount not to exceed \$13,425 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to solicit Request for Qualifications for Professional Engineering Services to complete the planning, design, procurement preparation, permitting and construction administration for expansion of the City's Southside Wastewater Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated existing flows at the plant has reached 70-75% capacity; TCEQ requires the city begin the process for expansion of the plant to accommodate growth; the RFQ would be for the planning, design, procurement preparation, permitting and construction administration. Staff recommended approval.

Martin Garza stated Homer Rhodes, Albert Aldana, Andrew Munoz, David Arce and Marcelo Cosme would review and any member of the commission was welcomed to participate. Commissioner Pedraza volunteered.

Commissioner Farias seconded by Commissioner Lopez moved to approve solicitation for Request for Qualifications for Professional Engineering Services to complete the planning, design, procurement preparation, permitting and construction administration for expansion of the city's Southside Wastewater Treatment Plant as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration to solicit Request for Qualifications for Professional Engineering/Consulting Services for the evaluation/analysis of infrastructure related to water and wastewater facilities and for utility management services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated recent conversations on the water and wastewater plants existing infrastructure has prompted staff to request a consultant to assess the existing infrastructure and needs of the plants and develop a utility management plan for servicing the plants. Staff recommended approval.

Martin Garza stated Homer Rhodes, Albert Aldana, Andrew Munoz, David Arce and Marcelo Cosme would review and any member of the commission was welcomed to participate. Commissioner Farias volunteered.

Commissioner Farias seconded by Commissioner Lopez moved to approve solicit Request for Qualifications for Professional Engineering/Consulting Services for the evaluation/analysis of infrastructure related to water and wastewater facilities and for utility management services as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to approve on first and final reading of Ordinance 2023-36 to establish a one-way traffic flow for the newly constructed Railroad Street between

Witmer Street and Bridge Avenue with traffic flowing in a southern direction and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2023-36. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated the newly constructed Railroad Street is from Witmer Street to Bridge Avenue; fire department vehicles will need to be accessing the road and to better provide safer maneuvering staff recommended a one-way traffic flow and would allow staff to monitor the traffic from Bridge Street onto Railroad Street to get emergency vehicles out as needed to the intersection.

In response to Commissioner Farias, Albert Aldana stated road would be restricted to Fire and Police Department and signage would be installed.

Commissioner Farias seconded by Commissioner Lopez moved to approve first and final reading of Ordinance 2023-36 to establish a one-way traffic flow for the newly constructed Railroad Street between Witmer Street and Bridge Avenue as presented. The motion carried unanimously; Mayor Suarez was present and voting.

R. Discussion and consideration to declare old and expired fire equipment as surplus, such as retired ladders, Retired EMS stretcher, bunker coats/pants and other items and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, stated annually housekeeping is done to determine those items as old gear and retired equipment. Staff recommended approval these items be declared as surplus.

Commissioner Farias seconded by Commissioner Lopez moved to approve and declare old and expired fire equipment as surplus, such as retired ladders, Retired EMS stretcher, bunker coats/pants and other items as presented. The motion carried unanimously; Mayor Suarez was present and voting.

S. Discussion and consideration to donate surplus fire equipment such as retired ladders, retired EMS stretcher, bunker coats/pants and other items to Edcouch-Elsa Independent School District Fire Academy and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)

Antonio Lopez stated a request from Edcouch-Elsa ISD was received for any surplus fire equipment; the school has an in-house Fire Academy and any equipment considered surplus would be appreciated especially a fire ladder. Chief noted recently the city held a fire fighter entry level exam that had 5-6 graduates from this fire academy that is a much-needed program.

Commissioner Farias seconded by Commissioner Lopez moved to approve and donate surplus fire equipment such as retired ladders, retired EMS stretcher, bunker coats/pants and other items to Edcouch-Elsa Independent School District Fire Academy as presented. The motion carried unanimously; Mayor Suarez was present and voting.

T. Discussion and consideration to purchase lift station pumps from buyboard vendor Zone Industries, in the amount not to exceed \$33,391.20 for lift stations, #3 and #10, with ARPA

funds, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from discussion and vote.

Marcelo Cosme, Water/Wastewater Superintendent, recommended approval on the purchase of pumps for lift stations 3 and 10 that will supplement the original design of the lift stations in having two pumps.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the purchase lift station pumps from buyboard vendor Zone Industries, in the amount not to exceed \$33,391.20 for lift stations, #3 and #10, with ARPA funds as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

U. Discussion and consideration to purchase pumps for lift stations #35 and #36 from sole source vendor Xylem Water Solutions USA for the amount of \$51,448.30 with ARPA funds and authorize Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Marcelo Cosme recommended approval; stated similar to subsequent item presented whereby the purchase of the pumps will supplement the original design of the lift stations in having two pumps; considered a sole source vendor as a result of the original design of the pump basins.

Commissioner Farias seconded by Commissioner Lopez moved to approve the purchase pumps for lift stations #35 and #36 from sole source vendor Xylem Water Solutions USA for \$51,448.30 with ARPA funds as presented. The motion carried unanimously; Mayor Suarez was present and voting.

V. Discussion and consideration to award the Worker's Compensation Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Martin Garza requested no action to allow further review by staff and back to the commission at the next regular meeting.

W. Discussion and consideration to award the Commercial Insurance Package to the best qualified, most advantageous bidder and authority to negotiate with the selected bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Commissioner Farias abstained from discussion and vote.

Luz Galindo, Human Resources Director, stated TML was the sole respondent; comparative costs and proposal were reviewed and stated there was an 11% increase in the property line for a cost of \$83,379.36 attributed to additional assets of the city. The City Manager stated some of these assets included the splash pad at Gibson Park and Boys and Girls Club facility but did not include the new police and fire facility since they are not yet occupied buildings.

In response to Mayor Suarez, this was the only respondent and current policy expires September 30, 2023. In response to Commissioner Pedraza, Roger Garza, Consultant, stated concerns with cities in providing coverage is for the unusual liabilities such as Airport, Police and Fire Stations and results in less respondents. He stated the 11% increase was viable compared to school districts that were seeing an average of 60-70% citing WISD had a 72% increase in their property rates. His recommendation was to award as the proposal was competitive, covers all the risks of the city that included new valuations. The commission can choose not to award, there is time to solicit proposals, but a risk could be none as participation is limited, one sole respondent, more of an increase then the 11% and valuable time could be lost. Staff can negotiate with TML for any other credits to the city.

Commissioner Pedraza seconded by Commissioner Lopez moved to award the Commercial Insurance Package to TML and authority to negotiate as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

VII. EXECUTIVE SESSION

At 6:56 p.m. Commissioner Farias seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:32 p.m. Mayor Suarez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

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

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize the City Attorney obtain a breakdown of numbers and information relating to the lawsuit with CDM as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

C. Legal Consultation - Consultation with City Attorney regarding lawsuit styled C-1678-22-A Christopher De Leon Aircraft Maintenance Professional vs. City of Weslaco and Andrew Muñoz, individually as authorized by section §551.071 of the Texas Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize the City Attorney to retain the Law Offices of William Haggard and proceed as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

D. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at Pike and Vo-Tech as authorized by §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize staff to accept the offer presented as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. ADJOURNMENT

Commissioner Pedraza seconded by Commissioner Lopez moved to adjourn the meeting of August 15, 2023, at 8:33 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

David Suarez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**