A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 20, 2018

On Tuesday, March 20, 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	Jose “J.P.” Rodriguez
Commissioner	Letty Lopez
Commissioner	Josh Pedraza
City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Juan E. Gonzalez

Also present: Mary Barrera, Finance Director; Veronica Ramirez, Human Resources Director; Rogelio Martinez, Interim Information Technology 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; Andrew Munoz, Airport Director; Martin Mata, Assistant Library Director; Rosa Huerta, Municipal Court Coordinator; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Pro Tem Tafolla called the meeting to order and certified the public notice of the meeting as properly posted Friday, March 16, 2018.

B. Invocation.

Mayor Pro Tem Tafolla led the invocation.

C. Pledge of Allegiance.

The Mayor Pro Tem led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

The Mayor recognized Jacob Howell on the occasion of his fourth published book.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting the arrival of Mayor Suarez at 5:45 p.m. and the absence of Commissioner Kerr; a quorum was present.

II. REPORTS

A. Discussion and consideration to accept a grant from Knapp Community Care Foundation in the amount of $250,000.00 for the Weslaco North Side Sports Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

Ms. Bonnie Gonzalez, on behalf of the Foundation, presented two ceremonial checks, one for 2017 and one for 2018 totaling $450,000.00. She then introduced her board members present.

Commissioner Lopez, seconded by Commissioner Pedraza, moved to accept grant from Knapp Community Care Foundation in the amount of $250,000.00 for the Weslaco North Side Sports Complex and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was not present.

III. PUBLIC COMMENTS

Laura Espinoza, Marketing Director for the Weslaco Area Chamber of Commerce, reported on the upcoming Onion Fest event scheduled Saturday, March 24, 2018 extending an invitation to the Commission and public.

IV. PUBLIC HEARING

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to open the public hearing concurrently at 5:50 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Abel Sanchez for a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit, pool tables and coin operated machines at 4024 E. Expressway 83 also being Lot 3, Royal Subdivision, Weslaco, Hidalgo County, Texas. (Staffed by Planning and Code Enforcement Department)

Abel Sanchez, applicant, requested favorable consideration.

B. To solicit input on behalf of Javier Pena to rezone 1905 Hollow Drive also being Lot 97, Westgate Village Phase II Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business District. (Staffed by Planning and Code Enforcement Department)

There were no comments received.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to close the public hearing at 5:53 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

V. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval of the Minutes of the Regular Meeting on March 6, 2018. (Staffed by City Secretary's Office.)

B. Approval of the reapplication to the South Texas Literacy Coalition grant for free books with no local match required and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

C. Approval of the renewal of the Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System (HCLS) and authorize the Mayor to execute any related documents. (Staffed by the Library.)

D. Declaration as surplus a 2010 Dodge Ram 1500 and authorize solicitation of quotes/bids using it as a trade-in on the purchase of a used 2014 or newer half-ton pick-up truck. (Staffed by Weslaco Police Department.)

E. Authorization to allow Weslaco Police Department to conduct a weapon/equipment trade through Buyboard with GT Distributors, Inc. and authorize the mayor to execute any related documents. (Staffed by the Weslaco Police Department.)

F. Approval of Resolution 2018-26 authorizing an application and continued participation in 2019 Local Border Security Program Grant (#3407202) through the Office of the Governor Homeland Security Grants Division with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

G. Approval of Resolution 2018-27 authorizing an application to the 2018-2019 National Incident-Based Reporting System (NIBRS) Grant (#3658001) through the Office of the Governor Criminal Justice Division with no local match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Authorization to use the Court Technology Fund to purchase a new cash register from Connection for the Municipal Court not to exceed $636.40. (Staffed by Weslaco Municipal Court.)

I. Authorization to use the Court Technology Fund to purchase three credit card chip readers from Shi Government Solutions for the Municipal Court not to exceed $1,440.45. (Staffed by Weslaco Municipal Court.)

J. Approval of a Mid Valley Airport Ground Lease Agreement, with a reversion clause, with Tenant Mike Poindexter for Hangar W-32 and authorize the Mayor to execute any related documents. (Staffed by Airport.)

K. Approval of Resolution 2018-28 authorizing designated individuals as signatories on certain legal financial documents with BBVA Compass Bank for the $240,000 Marion Booth Endowment Certificate of Deposit, and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

L. Approval of Ordinance 2018-10 on First Reading approving a negotiated resolution between the City and Texas Gas Service regarding the company's Cost of Service Adjustment tariff filing; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; repealing any prior ordinances inconsistent with this ordinance; and requiring delivery of this ordinance to the company and the City's legal counsel. First Reading of Ordinance 2018-10. (Staffed by Finance Department.)

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

For the record, the resolutions are as follows:

RESOLUTION 2018-27

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the 2018-2019 Weslaco PD NIBRS be operated for the fiscal year 2018 through 2019; and

WHEREAS, The City of Weslaco agrees to provide matching funds for the said project as required by the Office of the Governor - Criminal Justice Division 2018-2019 Weslaco PD NIBRS grant application; and

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

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

NOW THEREFORE, BE IT RESOLVED that The City of Weslaco approves submission of the grant application for the 2018-2019 Weslaco PD NIBRS to the Office of the Governor.

Grant Number: **3658001**

Passed and approved this 20th day of March 2018

RESOLUTION NO. 2018-28

STATE OF TEXAS	§	RESOLUTION AUTHORIZING MEMBERS OF STAFF AS SIGNATORIES ON CERTAIN LEGAL FINANCIAL DOCUMENTS FOR THE CITY OF WESLACO
COUNTY OF HIDALGO	§	
CITY OF WESLACO	§	

1. I, Elizabeth M. Walker, certify that I am the City Secretary of The City of Weslaco, organized under the laws of Texas, Federal Employer ID Number 74-6002544, engaged in Municipal business under the name of the City of Weslaco, and that the following is a correct copy of the resolution adopted at a meeting of the City Commission duly and properly called and held on March 20, 2018. This resolution appears in the minutes of this meeting and has not been rescinded or modified.
2. Be it Resolved that,

   (a) BBVA Compass Bank is designated as a depository for the funds of the City of Weslaco.

   (b) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by this Financial Institution.

(c) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City of Weslaco with this financial institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.

(d) Any of the persons named below, so long as they act in a representative capacity as agents of the City of Weslaco, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this financial institution, concerning funds deposited in this financial institution, moneys borrowed from this financial institution or any other business transacted by and between the City of Weslaco and this financial institution subject to any restrictions stated below.

(e) Any and all prior resolutions adopted by the City Commission of the City of Weslaco and certified to this Financial Institution as governing the operations of the City of Weslaco's account(s), are in full force and effect, unless supplemented or modified by this authorization.

(f) The City of Weslaco agrees to the terms and conditions of any account agreement, properly opened by any authorized representative(s) of the City of Weslaco, and authorizes the financial institution named above, at anytime, to charge the City of Weslaco for all checks, drafts, or other orders, for the payment of money, that are properly drawn on this financial institution, and contain the required number of signatures for this purpose.

3. The officials designated below are authorized to conduct business as indicated:

	Name and Title	Signature
(A)	Mike R. Perez, City Manager	______________________________________
(B)	Maria Barrera, Finance Director	______________________________________
(C)	Sonia Flores, Assistant Finance Director	______________________________________

Indicate A, B, and C

A – C	(1)	Exercise all of the powers listed (2) through (9)
A –C	(2)	Open any deposit or checking account(s) in the name of the City of Weslaco
A – C	(3)	Endorse checks and orders for the payment of money and withdraw funds on deposit with this financial institution. Number of authorized signatures required for this purpose 2. Number of authorized signatures required for payroll purpose 1.
A – C	(4)	Open any certificate of deposit account and withdraw or transfer funds from the certificate of deposit on deposit with this financial institution. Number of authorized signatures required for this purpose 2.
A – C	(5)	Transfer funds from operations account to the payroll account, investment account or paying agent approved by City Commission by telefax or other electronic means. Number of authorized signatures required for this purpose 1.
A – C	(6)	Borrow money on behalf and in the name of the City of Weslaco executes and delivers promissory notes or other evidences of indebtedness. Number of authorized signatures required for this purpose 2.

A – C (7) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the City of Weslaco as security for sums borrowed and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.
Number of authorized signatures required for this purpose 1.

A – C (8) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this financial institution.
Number of authorized signatures required to gain access and to terminate the lease 1.

A – C, (9) Authorized to make inquiries as to status, account balance pertaining to the City of Weslaco.

4. I further certify that the City Commission of the City of Weslaco has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the power granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of this Corporation on March 20, 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

VI. APPOINTMENTS

A. Discussion and consideration to approve Resolution 2018-29, 2018-30, 2018-31 and 2018-32 appointing four members to expired terms on the Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve Resolutions 2018-29, 2018-30, 2018-31 and 2018-32 re-appointing Rafael Caballero Jr., Omar Rodriguez, Roberto Palomares and Ruben Villanueva to expired terms on the Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the resolutions are as follows:

RESOLUTION NO. 2018-29

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE HOTEL OCCUPANCY TAX ADVISORY COMMITTEE

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Rafael Caballero Jr. is appointed to a term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7th day of April 2021.

PASSED AND APPROVED on this 20th day of March, 2018.

RESOLUTION NO. 2018-30

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE HOTEL OCCUPANCY TAX ADVISORY COMMITTEE

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Omar Rodriguez is appointed to a term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7st day of April 2021.

PASSED AND APPROVED on this 20th day of March, 2018.

RESOLUTION NO. 2018-31

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE HOTEL OCCUPANCY TAX ADVISORY COMMITTEE

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Robeerto Palomares is appointed to a term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7th day of April 2021

PASSED AND APPROVED on this 20th day of March, 2018.

RESOLUTION NO. 2018-32

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE HOTEL OCCUPANCY TAX ADVISORY COMMITTEE

WHEREAS, the City of Weslaco has established the Hotel Occupancy Tax Advisory Committee pursuant to Ordinance 2015-09; and

WHEREAS, the term of one member on the Hotel Occupancy Tax Advisory Committee is for three (3) years; and

WHEREAS, The Hotel Occupancy Tax Advisory Committee's board members shall serve staggered terms without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Ruben Villanueva is appointed to a term as a member of the Hotel Occupancy Tax Advisory Committee that will expire not later than the 7th day of April 2021.

PASSED AND APPROVED on this 20th day of March, 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

VII. OLD BUSINESS

A. Discussion and consideration to approve an inter local agreement with the Weslaco Independent School District for the paving of certain school parking lots and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 6, 2018; requested by Weslaco Independent School District.)

Mike Perez, City Manager, stated during a recent joint workshop with the Weslaco-ISD board there were discussions about shared efforts for paving certain school parking lots. The school will pay for materials and the City will do the work; the District will provide a prioritized list based that hopefully may be completed during the Summer. The City Manager noted the Weslaco East High entrance was done during spring break and the Superintendent expressed her gratitude. Staff recommends approval.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to approve an Interlocal agreement with the Weslaco Independent School District for the paving of certain school parking lots. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Abel Sanchez to approve a Conditional Use Permit to obtain a Wine and Beer Retailers On-Premise Permit, pool tables and coin operated machines at 4024 E. Expressway 83 also being Lot 3, Royal Subdivision, Weslaco, Hidalgo County, Texas. Possible action. (Staffed by the Planning and Code Enforcement Department.)

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

Mardoqueo Hinojosa, City Engineer/Director of Planning and Code Enforcement, stated the applicant requests a permit for Wine and Beer Retailers On-Premise, pool tables and coin operated machines. The Planning and Zoning Commission and staff recommend approval with the exception of coin operated machines.

In response to Commissioner Pedraza, current use is a bar and had a change of ownership. Mayor Suarez noted the property was grandfathered in as an existing use when annexation of the area was done.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to amend the motion and approve a permit for Wine and Beer Retailers On-Premise and pool tables with the exception of coin operated machines. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Javier Pena to approve Ordinance 2018-08 rezoning 1905 Hollow Drive also being Lot 97, Westgate Village Phase II Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2018-08. Possible action. (Staffed by the Planning and Code Enforcement Department.)

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to approve.

Commissioner Muñoz rescinded his second and abstained from vote and discussion, filing a conflicts disclosure statement. Commissioner Lopez seconded the motion.

Mardoqueo Hinojosa stated nineteen property owners were notified with no objection received. The Planning and Zoning Commission and staff recommend approval of Ordinance 2018-08 rezoning 1905 Hollow Drive.

The original motion to approve Ordinance 2018-08 rezoning 1905 Hollow Drive also being Lot 97, Westgate Village Phase II Subdivision. The motion carried with Commissioner Muñoz abstaining; Mayor Suarez was present and voting.

C. Discussion and consideration to accept the check for $111,900.00, on behalf of Pat Serquina, for the repairs of parking garage located near the intersection of Third Street and Missouri Avenue and authorize Mayor to execute any related documents. (There was no action on February 6, 2018; Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated proposals received are less than the check amount; staff recommends accepting the payment in the amount of $111,900.00

Commissioner Lopez, seconded by Commissioner Muñoz, moved to accept the check for $111,900.00, on behalf of Pat Serquina, for the repairs of parking garage located near the intersection of Third Street and Missouri Avenue and authorize Mayor to execute any related documents. The motion carried; Mayor Suarez was present and voting.

D. Discussion and consideration to award Request For Proposals 2018-19-09 for the Repairs of the Villa de Cortez Parking Garage and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated two quotes were received, with the lowest proposal from Structural Concrete Systems in the amount of $75,952.00 or an alternate proposal in the amount of $49,625.00 for repairs only.

In response to Mayor Suarez, the repairs would need to be structurally certified by an Engineer. Commissioner Muñoz stated he would prefer a new product over repairs only and Commissioner Lopez agreed for safety purposes. The City Manager recommended the alternate proposal as a structural engineer will certify as safe. Any difference in funds would be applied to the fund balance.

Mayor Pro Tem Tafolla, seconded by Mayor Suarez, moved to amend the original motion and award the alternate proposal from Structural Concreted Systems in the amount of $49,625.00. The motion carried with Commissioners Muñoz and Lopez opposed (4-2); Mayor Suarez was present and voting.

E. Discussion and consideration to approve the Final Plat for El Porvenir Subdivision, being a 6.00 acre tract of land Farm Tract 267, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the East side of Mile 4 West Road, 990 feet South of Mile 12 North Road. Possible action. (Staffed by Planning and Code Enforcement Department.)

Mardoqueo Hinojosa stated the subdivision is a one-lot subdivision outside city limits serviced through North Alamo Water Supply. The developer is requesting a variance for off-site sanitary. The Planning and Zoning Commission and staff recommend approval with variance.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to approve Final Plat for El Porvenir Subdivision with variance. The motion carried unanimously; Mayor Suarez was present and voting.

F. Discussion and consideration to approve the Interlocal Agreement between the City of Weslaco and The Weslaco Independent School District granting a Drainage Detention Easement and authorize the Mayor to execute any related documents. Possible action. (Requested by the Weslaco Independent School District.)

The City Manager stated the school district indicated at the joint workshop that the drainage detention facility at Sugarcane Drive is not meeting school needs. Staff recommends payment to the district of $60,000 and the district would have the responsibility to fix and maintain. The City Manager requested the City Attorney prepare a letter of transmittal to accompany payment that upon deposit no other request may be made regarding this drainage detention facility.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to approve the Interlocal Agreement between the City of Weslaco and The Weslaco Independent School District granting a Drainage Detention Easement as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve an amended Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of open space area at Memorial Elementary and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks Director, reported other discussions at the same joint workshop with the school district involved the shared use of play space at Memorial Elementary; this amendment removes the playground but allows access through Harlon Block Park to the open area and basketball court. The City will relocate the gate. Staff recommends approval.

In response to Commissioner Pedraza, custodial staff would be in place until 9 p.m., locking the gates at 8:45 p.m.; the District is responsible for maintenance, the City is responsible for any damages.

Commissioner Lopez, seconded by Commissioner Pedraza, moved to approve an amended Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of open space area at Memorial Elementary. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve an amended Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of open space area at Clecker-Heald Elementary and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks and Recreation Director, stated the amendment is the same as previous item. Staff recommends approval.

Commissioner Lopez, seconded by Commissioner Pedraza, moved to approve an amended Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of open space area at Clecker-Heald Elementary. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration to accept financing acquisition proposal from City National - Capital Finance for the purchase of nine (9) police pursuit vehicles for the Weslaco Police Department utilizing capital lease proceeds in the amount of $450,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Mary Barrera, Finance Director, stated the original budget is $450,000 with additional monies from forfeiture funds for cost of the lease purchase. Three proposals were received with City National – Capital Finance as the most advantageous with financing of 2.92%. Staff recommends approval of City National – Capital Finance.

Commissioner Muñoz, seconded by Commissioner Pedraza, moved to accept the financing acquisition proposal from City National - Capital Finance for the purchase of nine (9) police pursuit vehicles for the Weslaco Police Department utilizing capital lease proceeds in the amount of $450,000.00 and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and approval to modify provisions of Section 6.06(e) of the Property Tax Code and continue payment of City of Weslaco's allocated annual entity assessment due to the Hidalgo County Appraisal District on a quarterly basis. Possible action. (Staffed by Finance Department.)

Mary Barrera, Finance Director, stated the Hidalgo County Chief Appraiser requests to document in writing how the annual assessment payments are received from all entities. They request payments quarterly as follows: February 2, April 10, July 10 and October 10. Staff recommends approval.

Commissioner Pedraza, seconded by Commissioner Muñoz, moved to modify provisions of Section 6.06(e) of the Property Tax Code and continue payment of City of Weslaco's allocated annual entity assessment due to the Hidalgo County Appraisal District on a quarterly basis. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to approve Ordinance 2018-11 amending the Master Fee Schedule to reflect fees associated with Library Hotspot loan and authorize the Mayor to execute any related documents. First Reading of Ordinance 2018-11. Possible action. (Staffed by the Library Department.)

Martin Mata, Assistant Library Director, stated the Library Board approved a Hotspot Loan Program through the Marion Booth Endowment funds. The program offers 19 hot spots that provide free access to internet. Proposed late fees are $4/per day and $70 if lost. Staff recommends approval amending the Master Fee schedule.

Commissioner Lopez, seconded by Commissioner Rodriguez, moved to approve Ordinance 2018-11 amending the Master Fee Schedule to reflect fees associated with Library Hotspot loan and authorize the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

L. Discussion and consideration to select a name for the apartments project. Possible action. (Staffed by City Manager.)

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to approve.

The City Manager stated Tri-Gen Construction, which was awarded the contract to build apartments, suggested naming them University Apartments to recognize the university presence here. He stated construction begins next week and will be ready by August 1.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to amend and select the name University Apartments. The motion carried unanimously; Mayor Suarez was present and voting.

The original motion carried.

M. Discussion and consideration to approve Change Order No. 001 with Noble Texas Builders on the University of Texas Rio Grande Valley Center for Innovation and Commercialization project to decrease the project sum by $96,956.00 per value engineering items and authorize the Mayor to execute any related documents. Possible action. (Requested by Economic Development Corporation.)

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

Marie McDermott, Economic Development Director, stated original contract amount is $3,150,000,00; this change order would decrease that amount by $96,956.00 primarily through MEP and HVAC items. The City Manager stated these reductions do not affect the structural integrity of the project.

Commissioner Muñoz asked, "Shouldn't the General Contractor also reduce its profit and overhead since it appears only the subcontractors reduced their costs? This would also reduce the cost of general liability." Mayor Pro Tem rescinded his motion.

There was no action on this item.

IX. EXECUTIVE SESSION

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

At 7:10 p.m. Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action.

B. Personnel - Discussion with the City Manager regarding an employment agreement with Joel Rivera as Police Chief as authorized by §551.074 of the Texas Government Code.

Mayor Pro Tem Tafolla, seconded by Commissioner Rodriguez, moved to ratify the employment contract with Joel Rivera as Police Chief, which identifies a one year term with a 12-month severance and after one year of employment severance pay of 6 months; the annual salary is $109,000.00. The motion carried unanimously; Mayor Suarez was present and voting.

C. 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.

D. Legal Consultation - Seek City Attorney opinion relating to the demand letter from Noble Texas as authorized by §551.071 of the Texas Government Code.

Commissioner Pedraza, seconded by Mayor Pro Tem Tafolla, moved to authorize the City Attorney to negotiate with legal counsel of Noble Texas as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

XI. ADJOURNMENT

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to adjourn at 7:11 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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MAYOR, David Suarez

ATTEST:

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CITY SECRETARY, Elizabeth Walker

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MAYOR PRO-TEM, Gerardo "Jerry" Tafolla

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COMMISSIONER, Leo Muñoz

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COMMISSIONER, Greg Kerr

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COMMISSIONER, Jose "J.P." Rodriguez

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COMMISSIONER, Letty Lopez

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COMMISSIONER, Josh Pedraza