MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
OCTOBER 17, 2023

On Tuesday, October 17, 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
	Mayor Pro Tem	JP Rodriguez
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Adrian Farias
ABSENT:	Commissioner	Greg Kerr
STAFF PRESENT:	Martin Garza	City Manager
	Aida Vega	Deputy City Secretary
	Juan E. Gonzalez Jr.	City Attorney

Also present: Aida Vega, Deputy City Secretary, Molly Vallejo, Administrative Assistant, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Maricarmen Garcia, Asst. Library Director, Luz Galindo, HR Director, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, Public Works Director, Rosa Badillo, Court Coordinator, and George Quilantan, Inframark 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, October 13, 2023.

B. Invocation.

Pastor David McCann, First Baptist Church led the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

Aida Vega, Deputy City Secretary, called the roll noting the absence of Commissioner Kerr and a quorum present.

E. Mayoral recognition.

1) Proclamation for Down Syndrome Awareness

Mayor Suarez proclaimed the month of October as Down Syndrome Awareness month.

II. PUBLIC COMMENTS

None.

III. REPORTS

A. Inframark.

George Quilantan, Inframark, stated at the last commission meeting Stage II of the water conservation plan was approved; stated the main source of water comes from the canal for the water plant that then travels to the reservoir that is a 55million gallon reservoir and has enough water for a 7-seven day supply; went over the chemicals used in the Water Treatment Plant and North Wastewater Treatment Plant; South Wastewater Treatment Plan is chemical free and uses UV disinfection; work orders for the month of September preventive were 395 opened and closed 541 higher as a result of carry overs from last month; lift station pumps and float cleaning continues for various lift stations; presented the lift station call out log for September that are addressed by staff after 5pm.

B. Animal Care Services.

Milva Orellana, Animal Control Officer, went over the monthly live release rates for August and September that increased; three new partners formed were Murphy's Safe Haven, Nail Goddess and Walmart Neighborhood Market; with La Michelada Y Mas; August is "Clear the Shelters" for the month of August had 72 cats and dogs adopted the goal was 30 adoptions and that was reached in seven days; ShelterLuv has been a success, since the inception of this donation totals to date was $1,719 to help with medical expenses; reported on adoption events that included travel to Chicago on personal time with Tracy Paws that had 15-20 dogs adopted and the majority from Weslaco; PetSmart Adoption event had 34 dogs and cats in the last 4 months adopted; National Night Out had 7 dogs adopted; reported on upcoming events for adoption and rabies clinic happening in October and November.

The order of the day was changed, and Consent Agenda was introduced. There was no objection.

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 to accept BJA FY23 Edward Byrne Memorial Justice Grant (JAG) Program Local #15PBJA-23-GG-03799-JAGX for the amount of $13,371.00 to purchase humane restraint devices that will enable its officers to restraint uncooperative subjects without inflicting pain or minimizing it and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

B. Approval to accept the FY24 Local Border Security Program Grant #3407207 for the amount of $115,000 to pay for overtime for sworn officers, jailers, clerical assistants and finance who work to meet the goals and objectives set forth by this grant and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

C. Approval to ratify acceptance of the FY24 Rifle-Resistant Body Armor Grant #4740801 for the amount of $46,223 to purchase and equip sworn officers with rifle-resistant body armor and authorize the Mayor to execute any related documents. (Staff by Police Department .)

D. Approval to accept the FY23 Patrick Leahy Bulletproof Vest Partnership (BVP) program for the amount of $21,835.00 to purchase bullet-proof vest with NO MATCH and NO RECURRING Costs and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval of six-month extension for the Final Plat for Rock Ridge – being 15.092 acres out of Farm Tract 631 & 633, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 500 ft west of Bus. 83 and Westgate on the south side of Bus. 83 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

F. Approval to authorize the use of the Court Technology Fund to pay for Incode Municipal Justice Annual Fees for the Court Case Management, Police (non-Incode Interface to Court), and the Third Party System Software Non SQL Maintenance not to exceed the amount of $13,843.02 and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

G. Approval to allow Honorably Retired Peace Officer Jose A Cano to purchase his service weapon, a Glock Gen 4 with engraving "WESLACO PD" Model 22, caliber .40 with serial # 61XN052 for an amount of $255 as allowed under Texas Government Code Section 614.051 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

H. Approval to renew agreement with Quick Med Claims, LLC to continue to provide EMS billing and reimbursement services for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

I. Approval of the annual subscription renewal to Rio Grande Valley Communications Group for radio communication services to all city departments from October 1, 2023 - September 30, 2024 in the amount of $113,634.00 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

J. Approval to renew agreement with Hidalgo County Community Service Agency to continue to provide emergency assistance to low-income households for water services in the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

K. Approval on the request from First Baptist Church for street closure from 3:30 pm to 8:30 pm on October 31, 2023 from Kansas Street between 6th and 7th Street for their Halloween Fall Festival and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

L. Approval on the request from WISD for street closure from 12:00 noon to 10:00 pm on Saturday, November 4, 2023 from the alley by the Eatery on 4th Street to Texas Street to the alley behind Dance Time on 4th Street for Dia de los Muertos Art Walk and Sidewalk Chalk Contest and request to waive any required fees associated with the event and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

M. Approval to authorize staff to solicit Request for Qualifications regarding the City of Weslaco Alton Landfill Post-Closure Care Monitoring and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

H. Approval to renew agreement with Quick Med Claims, LLC to continue to provide EMS billing and reimbursement services for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve consent agenda withholding item H as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Approval to renew agreement with Quick Med Claims, LLC to continue to provide EMS billing and reimbursement services for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

Antonio Lopez, Fire Chief, reported the revenues for EMS billing in 2021 were $1.1-million, 2022 had $1.2-million and current year (2023) is about $1.3 million; 2024 will be the first year that Quick Med Claims will report actual revenues collected by them that will not reflect any capture of past billing. Chief Lopez recommended approval to renew.

In response to Commissioner Farias, prior to 2021 (2020) revenues collected was estimated at $1.1 million. Rosie Cavazos, Finance Director, stated the highest collection of revenues was in 2014, $1.8 million and since then collections have averaged $1 million seeing an increase the last three years. Staff stated to bring back in house may not see a cost savings because of wages and benefits estimated at $40,000 per employee and noted EMS staff was 3 full time and 1-part time positions. Quick Med Claims fee is 6% based on collections received. In response to Mayor Suarez, Chief Lopez stated billing is estimated at $2.8 million and a return of about 50% depending on the paying agency guidelines of reimbursement as well as any other programs (federal and state) that will supplement reimbursement. Staff was asked for a comparison of collections done prior to Quick Med and now.

Commissioner Farias seconded by Mayor Pro Tem Rodriguez moved to approve and renew agreement with Quick Med Claims, LLC. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Suarez introduced Public Hearing item C with no objection.

IV. PUBLIC HEARING

Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to open the public hearing at 6:08 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

C. To solicit input in compliance with the Consolidated Plan for Community Planning and Development (CDBG) Urban County Program Fiscal Year 37 (FY2024) Needs Assessment Plan.

Jenny Rivera, Nuestra Clinica Del Valle Inc., requested funds in the amount of $5,000 to help provide services to 40 adults and children from Weslaco who are uninsured or low-income individuals; they assist with medical, dental, behavioral services and OBGYN services and stated any funding received will be for the Weslaco residents.

Jesus Sanchez, Executive Director Children Advocacy Center, stated they have been in Weslaco since 2022 and have assisted with over 700 counseling sessions for the community; have a waiting list and working on bringing UTRGV Doctorial students in clinical psychology to assist; requested funding in the amount of $7,500; if funded services to be provided included forensic interviews, medical evaluations, crisis intervention, victim support, counseling services as well as case review from different law enforcement agency assistance for an effective prosecution.

Rolando Flores, Area Agency of Aging, requested $20,000 for this fiscal year, assisted 475 individuals with health maintenance, home makers services, transportation, residential repairs, medical supplies, and benefit counseling and stated local funds (such as CDBG) are expedited quicker and able to assist individuals faster.

Commissioner Pedraza seconded by Commissioner Lopez moved to close the public hearing. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to open the public hearing items A and B. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Tortilleria & Carniceria Progreso, LLC. to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's Off Premise Permit, at 2717 W Business 83 also being Lot 6 Blk 1, Westview Estates Subdivision, Weslaco, Hidalgo County, Texas.

No comments.

B. To solicit input on behalf of Alex Valdez to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On- Premise Permit at 2517 N Texas Blvd. also being Lot 5, Block 1, Tejas Development Subdivision, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

No comments.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to close the public hearing. The motion carried unanimously; Mayor Suarez was present and voting.

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2023-56 appointing two members to the Board of Adjustments and Appeals-Zoning Ordinance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.)

Commissioner Pedraza seconded by Commissioner Lopez moved to discuss.

Aida Vega, Deputy City Secretary, stated two appointments to the Board of Adjustments and Appeals-Zoning Ordinance were needed and both members sought reappointment. The nominee from Commissioner Lopez was to re-appoint Nick Carranza and the nominee from Commissioner Pedraza was to re-appoint Orlando Villarreal.

Commissioner Farias seconded by Mayor Pro Tem Rodriguez moved to approve Resolution 2023-56 reappointing Nick Carranza and Orlando Villarreal to the Board of Adjustments and Appeals-Zoning Ordinance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration to approve Resolution 2023-57 and the Buyout of Service Agreement between the City of Weslaco and North Alamo Water Supply Company (NAWSC) for The Coves Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning & Code Enforcement Director, stated this was a proposed sixty lot subdivision with a mixed-use development of four-plex and apartment use; final plat for The Coves was approved September 20, 2022; construction plans submitted for the infrastructure and ready to move forward; the property is currently in the Certificate of Convenience and Necessity (CCN) of North Alamo Water Supply (NAWSC) and developer is pursuing a buyout agreement from NAWSC in the amount of $57,456.00. Staff recommended approval and stated the City Attorney provided the agreement and approved.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve Resolution 2023-57 and the Buyout of Service Agreement between the City of Weslaco and North Alamo Water Supply Company (NAWSC) for The Coves Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration after public hearing on behalf of Tortilleria & Carniceria Progreso, LLC. to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's Off Premise Permit, at 2717 W Business 83 also being Lot 6 Blk 1, Westview Estates 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 twenty property owners were notified and no objection received; this is a new building near construction completion and applicant requested a retail Dealer's Off Premise beverage permit for the location. The Planning and Zoning Commission and staff recommended approval.

Commissioner Farias seconded by Commissioner Pedraza moved to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's Off Premise Permit, at 2717 W Business 83 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration after public hearing on behalf of Alex Valdez to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On- Premise Permit at 2517 N Texas Blvd. also being Lot 5, Block 1, Tejas Development 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 twenty-one property owners were notified and no objection received; site is an existing restaurant with sales being primarily food. The Planning and Zoning Commission and staff recommended approval.

Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On- Premise Permit at 2517 N Texas Blvd. as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to approve the Final Plat for Pleasantview Terrace Subdivision being 27.498 acre out North 100 feet of the South 280 feet of South 15 acres of Farm Tract 20, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 1100 ft North of Bus. 83 on the west side of Pleasantview Dr. 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 eighty-five lot subdivision; located inside city limits and serviced with water and sewer by the city; applicant requested a variance for off-site drainage and has provided letters of support from the irrigation and drainage districts. The Planning and Zoning Commission recommended approval with variance, staff recommended approval and compliance with the ordinance on the variance.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the Final Plat for Pleasantview Terrace Subdivision with variance as presented. The motion carried unanimously; Mayor Suarez was present and voting.

E. Discussion and consideration on the purchase of a 2024 GMC Sierra 1500 2WD Regular Cab from Gunn Auto Group Buyboard contract #601-19 in the amount of $42,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Commissioner Farias abstained from discussion and vote.

Rebekah de la Fuente stated the original budgeted amount was $35,000.00 but due to inflation the price had gone up to $42,000.00 to purchase the vehicle, lighting, and logos. Staff recommended approval.

Commissioner Lopez seconded by Mayor Pro Tem moved to approve the purchase of a 2024 GMC Sierra 1500 2WD Regular Cab from Gunn Auto Group Buyboard contract #601-19 in the amount of $42,000.00 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

F. Discussion and consideration to reschedule or cancel the regular meeting of November 7, 2023. Possible action. (Staffed by City Manager.)

Commissioner Lopez seconded by Commissioner Gonzalez Jr. moved to discuss.

Martin Garza recommended to reschedule the November 7 regular meeting to Monday, November 6 or any other date so wished by the commission. The consensus was to re-schedule to Monday, November 6, 2023.

Mayor Pro Tem Rodriguez seconded by Lopez moved to reschedule the regular meeting of November 7, 2023 to Monday, November 6, 2023 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

G. Discussion and consideration to approve the selection of a Graphic Designer from RFQ No. 2022-23-30 for Graphic Design Services for a logo refresh and negotiate a contract with top ranked firm and authorize the Mayor to execute any related documents. Possible action. (Staffed by Jasmine Rico-Joens, Public Relations Officer.)

Commissioner Lopez seconded by Mayor Pro Tem Rodriguez moved to discuss.

Jasmine Rico-Joens, Public Relations Officer, stated a request for qualifications for a logo refresh had been approved; five responded through the BidNet process and were evaluated. Staff recommended to approve the negotiation of a contract with the top ranked firm Luna.

In response to Commissioner Farias, staff stated once the firm is awarded a contract negotiation can begin on fee. Juan E. Gonzalez, City Attorney, stated the selection to award a contract is made based on qualifications then staff negotiate a fee.

Commissioner Farias requested no action to allow more time to review the information presented.

Mayor Suarez stated no action.

H. Discussion and consideration to approve and award the Depository Services Contract to the most advantageous respondent from RFP 2022-23-24 Best and Final Offer 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.)

Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to discuss.

Rosie Cavazos, Finance Director, stated best and final offers had been received from Lone Star National Bank, Plains Capital Bank, PNC Bank and Texas National Bank; presented a summary of all proposed offers that included investable balance, interest rate and potential interest earning as well as the benefits from each of the five respondents.

In response to the Mayor and Commission, Rosie Cavazos, stated Lone Star National Bank did not reference a minimum deposit and fees are waived for the duration of the contract, PNC is offering good interest rates but other fees will be incurred; no fee incurred to employees during the transition process; unavoidable cost mentioned ($35,000) is for the transition, should the depository bank change (staff time and supplies); there is no cap on the depository amount required and was a staff decision to maintain at least a $5million balance and keep the majority of the money in the Pools that are offering better rates.

In response to Commissioner Farias, the recommendation based on a fiduciary responsibility as the Finance Director would be to recommend Lone Star National Bank based on the highest potential interest earned for the city and fees for the term of the contract is waived. Staff would abide by the wishes of the commission.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Lone Star National Bank the Depository Services Contract beginning October 1, 2023 and ending September 30, 2026 with an option to renew the contract for two (2) years as presented. The motion carried unanimously; Mayor Suarez was present and voting.

I. Discussion and consideration of contract award in the amount of $2,784,636.00 to Rhyner Construction Services, Inc, the lowest and most advantageous bid (RFB #2022-23-22) for the proposed Cleckler-Heald RDF Construction Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Orlando Cruz, President of Cruz-Hogan Engineering, stated the city received bids for this project that will be partially funded by the TWDB and the City through low interest loans and grants; interest was from seven contractors but only two responded; Rhyner Construction Services bid was $2,784,636.00 and NM Contracting LLC was $3,659,520.66. Staff evaluated the bids and met with Rhyner Construction to ensure the bid was firm to which respondent stated yes; construction budget with the TWDB is $2,526,500 so already slightly over. The recommendation is to award Rhyner Construction Services subject to available funding and move forward with the project.

In response to Commissioner Farias, if awarded, contractor will have two weeks to return contract with all required documentation (insurance and bonding); city will review and if in order it goes to the TWDB for approval; notice to proceed to contractor could be early to mid-December with a completion of 120 days to contractor subject to any unforeseen obstacles like weather and school concerns such as safety and fencing of the site. Mr. Cruz noted the dirt that will be excavated will also be moved as part of the bid and school concerns were addressed by both parties and outcome acceptable.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve a contract in the amount of $2,784,636.00 to Rhyner Construction Services, Inc, for the proposed Cleckler-Heald RDF Construction Project as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to purchase 26 Flap Gates of various sizes from Municipal Valve and Equipment Company in the amount of $277,260.00 in accordance with bid awarded in November of 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Homer Rhodes, Purchasing Agent, stated in 2019 a sole bid was received for flap gates installation for drainage improvements as outlined in the Drainage Master Plan; the sole bid was from Municipal Valve and awarded for Phase I for installation of 30 flap gates and is completed; Phase II is 26 flap gates in the amount of $277,260.00. Staff along with the City Attorney reviewed and advised the city could continue with Phase II with Municipal Valve and Equipment under the original award contingent to commission approval. Staff recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the purchase of 26 Flap Gates of various sizes from Municipal Valve and Equipment Company in the amount of $277,260.00 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

K. Discussion and consideration to purchase 11 baseball backstops for various parks to Hurricane Fence Company Buyboard Contract #657-21 for an amount not to exceed $39,389 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Commissioner Farias abstained from vote and discussion.

Omar Rodriguez, Parks & Recreation Director, stated backstops would be added to Judge Gilbert Garza Park (5), Villa Verda Park (2) Pecan Grove (1) and Harlon Park (3). Staff recommended approval.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to approve to purchase 11 baseball backstops for various parks to Hurricane Fence Company Buyboard Contract #657-21 for an amount not to exceed $39,389 as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

L. Discussion and consideration to purchase a new CAT 416 Backhoe Loader with cab from Sourcewell vendor Holt Cat for an amount not to exceed $130,514 for drain ditch division and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Public Works Director, stated the purchase is a budgeted item; will be assigned to the drain ditch division; equipment has a hydraulic thumb on the rear bucket that will be used for grabbing, will also have hydraulic hoses in the front for attachment of a grapple bucket in the future. Staff recommended approval with a delivery date of May 2024.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve purchase of a new CAT 416 Backhoe Loader with cab from Sourcewell vendor Holt Cat for an amount not to exceed $130,514 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

M. Discussion and consideration to purchase a new Asphalt Reclaimer 720Xi from cooperative purchasing HGAC vendor Asphalt Zipper for an amount not to exceed $291,310 to include the approval to trade in the current asphalt zipper for an amount of $30,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce stated the city had a 2008 Asphalt Zipper and trailer that has a trade-in of $30,000 that would go towards the purchase of a new asphalt reclaimer. Staff recommended approval, stated the item is budgeted; delivery date is July 2024 and would be used in the streets division.

Mayor Pro Tem Rodriguez seconded by Commissioner Farias moved to approve the purchase of a new Asphalt Reclaimer 720Xi from cooperative purchasing HGAC vendor Asphalt Zipper for an amount not to exceed $291,310 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

N. Discussion and consideration to authorize staff to solicit Request for Proposals (RFP) for financing of a Front Wheel Loader and Asphalt Zipper for public works and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce recommended approval to allow staff to solicit Request for Proposals for financing lease options for a front wheel loader and asphalt zipper for the public works department. The commission approved the purchase of said equipment October 10, 2023.

Mayor Pro Tem Rodriguez seconded by Commissioner Lopez moved to approve staff to solicit Request for Proposals (RFP) for financing of a Front Wheel Loader and Asphalt Zipper as presented. The motion carried unanimously; Mayor Suarez was present and voting.

O. Discussion and consideration to award a purchase agreement for the purchase of Unleaded, Diesel and Bulk DEF Fuel with Pico Propane & Fuels and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce stated 3 bids were received and evaluated. Staff recommended Pico Propane and Fuels to supply fuels for the city that included unleaded, diesel, DEF, and Dyed Diesel.

Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to award the purchase of Unleaded, Diesel and Bulk DEF Fuel to Pico Propane & Fuels as presented. The motion carried unanimously; Mayor Suarez was present and voting.

P. Discussion and consideration to purchase a new Kubota MX5400HSTC utility cab tractor with cutter from Sourcewell vendor Kubota Tractor Corporation (Eliff Motors) for an amount not to exceed $45,707.59 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce recommended approval on the purchase of new Kubota MX5400HSTC utility cab tractor for an amount not to exceed $45,707.59; item is budgeted and is below the budgeted amount; will be used in maintaining right-of-way and weedy lots as needed and had an estimated delivery date of February 2024.
Commissioner Lopez seconded by Mayor Pro Tem Rodriguez moved to approve the purchase of a new Kubota MX5400HSTC utility cab tractor with cutter from Sourcewell vendor Kubota Tractor Corporation (Eliff Motors) for an amount not to exceed $45,707.59 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Q. Discussion and consideration to purchase a new 2023 Chevrolet Silverado 3500HD 4WD Crew Cab from Buyboard 601-19 vendor Caldwell Country Chevrolet, for an amount not to exceed $77,306 for water distribution division and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

Commissioner Farias abstained from vote and discussion.

David Arce recommended approval on the purchase of a new 3500HD Chevrolet Silverado Crew Cab 4x4 Pick-Up in the amount not to exceed $77,306; truck is budgeted, and any overage would come within the water division budget; the truck will be for water distribution division use to haul parts for the water breaks to include a trailer for the mini excavator and estimated delivery is November 2023.

Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to approve the purchase of a new 2023 Chevrolet Silverado 3500HD 4WD Crew Cab from Buyboard 601-19 vendor Caldwell Country Chevrolet, for an amount not to exceed $77,306as presented. The motion carried; Commissioner Farias abstained; Mayor Suarez was present and voting.

VIII. EXECUTIVE SESSION

At 7:08 p.m. Commissioner Pedraza seconded by Mayor Pro Tem Rodriguez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 8:03 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 City Manager for the City of Weslaco as authorized by Section §551.074 of the Texas Government Code.

No action.

B. Personnel - Discussion regarding the administrative investigation of the complaint filed by a firefighter as authorized by section §551.074 of the Texas Government Code.

No action.

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

Mayor Pro Tem Rodriguez seconded by Commissioner Pedraza moved to authorize the City Attorney to settle the lawsuit with CDM as discussed in executive session and to authorize the Mayor to sign any necessary documents. The motion carried unanimously; Mayor Suarez was present and voting.

D. Legal Consultation - Discussion regarding potential litigation regarding the construction of a driveway in adjoining commercial developments as authorized by Section §551.071 of the Texas Government Code.

No action.

E. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Blue Diamond as authorized by Section §551.087 of the Texas Local Government Code.

No action.

X. ADJOURNMENT

Commissioner Farias seconded by Commissioner Pedraza moved to adjourn the regular meeting of October 17, 2023, at 8:04 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**