A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 19, 2017

On Tuesday, September 19, 2017, at 5:37 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 Pro-Tem	Gerardo "Jerry" Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	Olga Noriega
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; Jose Pena, Information Technology Director; Pete Garcia, Public Works Director; Tony Lopez, Fire Chief; Stephen Mayer, Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Martin Mata, Library Assistant Director; 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, September 14, 2017.

B. Invocation.

Pastor Joey Aguilar, First Baptist Church, led in the invocation.

C. Pledge of Allegiance.

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

D. Mayoral recognition.

Mayor Pro-Tem Tafolla issued proclamations on behalf of the Mayor recognizing the "Weslaco Reads, Weslaco Succeeds" initiative with the Weslaco Independent School District as well as Roberto "La Alemanza" Garcia Day.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting the absence of Mayor Suarez and a quorum present.

II. PUBLIC COMMENTS

Alejandro Cantu, 1400 Texas Blvd., voiced his concern of individuals driving on the shoulder of the street.

Dr. Nina Torkelson introduced herself as an applicant for the Parks Advisory Board, stating she was an avid user of the parks.

Maria Espinoza, 410 N. Republic, voiced her opposition to the proposed rezone of 400 N. Republic.

III. PUBLIC HEARING

Commissioner Kerr, seconded by Commissioner Noriega, moved to open the public hearings at 6:00 p.m. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

A. To solicit input on behalf of Armando Alaniz to rezone 400 N Republic Street also being Lots 12, 13, and 14, STAATS Addition Subdivision, Weslaco, Hidalgo County, Texas, from R-2 Duplex and Apartments District to B-4 Neighborhood Office District.

Sylvia Sanchez, 320 N. Republic, opposed the rezone citing concerns with traffic and parking as it is a narrow block; also, she expressed concern because of the uncertainty of the type of businesses to be located there.

Armando Alaniz, applicant, stated he intends to restore the building with low impact tenants such as realtors, attorney, and accountants—no retail or restaurants; he is acquiring lots behind the building to install twelve additional parking spaces. He requests favorable consideration.

B. To solicit input on behalf of Bill Carlson to rezone 1210 Valley View also being Lot 6, Ashmelmont Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District.

There were no comments received.

C. To solicit input on behalf of Francisco Perez to rezone 1319 E. 18th Street also being Lot 24, Margo Terrace Estates Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District.

There were no comments received.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to close the public hearing at 6:11 p.m. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

IV. 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 September 5, 2017. (Staffed by City Secretary's Office.)

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

1) Ordinance 2017-29 authorizing a budget amendment as appropriate for the purchase of two (2) recycling trailers in an amount not to exceed $30,000.00 and authorize the Mayor to execute any related documents. (First reading held June 20, 2017; Staffed by Public Works.)

C. Approval of the renewal of the Uniting Neighbors In Drug Abuse Defense (UNIDAD) Coalition memorandum of understanding and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

D. Authorization of the Finance Director to conduct any required audit of forfeiture funds as per Article 59.06 of the Code of Criminal Procedure. (Staffed by Finance Department.)

E. Authorization of solicitation of bids for the Rehabilitation of Lift Station No. 37 and authorize the Mayor to execute and related documents. (Staffed by Planning & Code Enforcement Department.)

F. Approval of the Election Services Contract with the Hidalgo County Elections Department to conduct the City of Weslaco General Election of November 7, 2017 pursuant to Texas Election Code Chapter 271, and authorize the Mayor to execute any related documents. (Staffed by City Secretary's Office.)

G. Approval of Resolution 2017-62 on the submission of an application grant to the Office of the Governor Criminal Justice Division from the Weslaco Fire Department for Rifle-Resistant Body Armor Grant Program and authorize the Mayor to execute any related documents. (Staffed by the Fire Department.)

H. Authorization to reapply and renew the Reading Is Fundamental (RIF) grant for FY 2017-2018 to accept funds upon award throughout the year, to provide local matching funds not to exceed 25% of the total granted amount in each instance and not to exceed $700.00 total annually, and to allow the Mayor to execute any associated documents. (Staffed by Library Department.)

I. Acceptance of donated monies and gift donations from local vendors and/or the public for library programming within Fiscal Year 2017– 2018. (Staffed by Library Department.)

J. Approval of Resolution 2017-66 authorizing the submission of a grant for Northside Park to Texas Parks and Wildlife Department and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

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

For the record, the following is the ordinance:

ORDINANCE 2017-29

AN ORDINANCE AMENDING ORDINANCE NUMBER 2016-31, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, FINDING NEED TO AMEND THE 2016-2017 MUNICIPAL BUDGET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

WHEREAS, the City Commission of the City of Weslaco utilized diligent thought and attention to the preparation of the 2016-2017 budget; and

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

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

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

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

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

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

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

SECTION 4. APPROVAL. The 2016-2017 Official Budget, adopted by Ordinance 2016-31, is hereby reallocated, revised, amended and approved as set forth in the attached Exhibit.

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

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

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

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 20th day of June, 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 19th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

For the record, the following are the resolutions:

RESOLUTION NO. 2017-62

WHEREAS, The City of Weslaco finds it in the best interest of the citizens of Weslaco, Hidalgo County, Texas that the Rifle-Resistant Body Armor Grant Program be begin between January 1 and March 1, 2018 and not exceed 12 months; 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 Rifle-Resistant Body Armor Grant Program 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 Rifle-Resistant Body Armor Grant Program to the Office of the Governor.

Passed and approved this 19th day of September, 2017.

RESOLUTION 2017-66
Local Park Grant Program Resolution Authorizing Application

A resolution of the City of Weslaco, Texas as hereinafter referred to as "Applicant," designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "Department," for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "Program"; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the Parks and Recreation Department of the City of Weslaco, Texas to act for the Applicant in dealing with the Department for the purposes of the Program, and that David Arce is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as North Park in the City of Weslaco of Hidalgo County or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

Introduced, read and passed by an affirmative vote of the "Applicant" on this 19th day of September, 2017

CITY OF WESLACO

/s/David Suarez, MAYOR

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

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

V. APPOINTMENTS

A. Discussion and consideration to remove Julian Flores from the Parks and Recreation Advisory Board and approve Resolution 2017-61 appointing one member to that unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation.)

Commissioner Noriega, seconded by Commissioner Muñoz, moved to remove Julian Flores and approve Resolution 2017-61 appointing Nina Torkelson to the unexpired term to the Parks and Recreation Advisory Board as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-61

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PARKS & RECREATION BOARD.

WHEREAS, the City of Weslaco has established the Parks & Recreation Board pursuant to Section 98-83 of the Weslaco Municipal Code of Ordinances; and

WHEREAS, the terms of the members of this board are for three years; however, following the restructuring of this Board to consist of seven members, certain terms shall be assigned for two years so that terms are staggered such that no quorum of members expires simultaneously; and

WHEREAS, the Parks & Recreation Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS

THAT Nina Torkelson is appointed to serve an unexpired term on the Parks & Recreation Board and the term will begin on September 20, 2017 and end on October 22, 2019.

PASSED AND APPROVED on this 19th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

B. Discussion and consideration to accept the resignation of Clemente Mena from the Planning and Zoning Commission and approve Resolution 2017-65 appointing one member to that unexpired term. Possible action. (Staffed by Planning and Code Enforcement.)

Commissioner Kerr, seconded by Commissioner Lopez, moved to accept the resignation of Clemente Mena and approve Resolution 2017-65 appointing Raul Cabaza to an unexpired term with the exception of serving on two boards concurrently. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting

For the record, following is the resolution:

RESOLUTION NO. 2017-65

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE PLANNING AND ZONING COMMISSION BOARD.

WHEREAS, the City of Weslaco created and established the Planning and Zoning Commission Board pursuant to Subsection 2-36 of Ordinance No. 291, as codified in the City of Weslaco Code of Ordinances.

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

WHEREAS, the Planning and Zoning Commission Board members shall serve without compensation and unlimited terms; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Raul Cabaza is appointed to serve an unexpired term on the Planning and Zoning Commission Board and your term will expire on the 3rd day of December, 2017.

PASSED AND APPROVED on this 19th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

C. Discussion and consideration to approve Resolution 2017-63 appointing an official member and an alternate member to the Amigos del Valle, Inc. Board of Directors for Fiscal Year 2017-2018 and authorize the Mayor to execute any related documents. Possible action. (Requested by Amigos del Valle.)

Commissioner Kerr, seconded by Commissioner Pedraza, moved to approve Resolution 2017-63 reappointing Mayor Pro-Tem Tafolla as the official member and Commissioner Noriega as the alternate member to the Amigos del Valle, Inc. Board of Directors for Fiscal Year 2017-2018 and authorize the Mayor to execute any related documents as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

For the record, the following is the resolution:

RESOLUTION NO. 2017-63

THE STATE OF TEXAS	§	A RESOLUTION APPOINTING A MEMBER AND AN ALTERNATE MEMBER TO THE AMIGOS DEL VALLE, INC. BOARD OF DIRECTORS FOR FISCAL YEAR 2017-2018
COUNTY OF HIDALGO	§	
CITY OF WESLACO	§	

WHEREAS, the Amigos del Valle, Inc. has requested that a City of Weslaco elected official be appointed to serve as the official member of the Amigos del Valle, Inc. Board of Directors; and

WHEREAS, the City of Weslaco may elect to appoint an individual of the City of Weslaco to serve in place of the official member; and

WHEREAS, the Amigos del Valle, Inc. has requested that a City of Weslaco elected official be appointed to serve as an alternate member of the Amigos del Valle, Inc. Board of Directors; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO that Mayor Pro Tem Gerardo "Jerry" Tafolla be appointed as the official member of the Amigos del Valle, Inc. Board of Directors.

BE FURTHER RESOLVED that Olga Noriega, City Commissioner be appointed as an alternate member of the Amigos del Valle, Inc. Board of Directors and a copy of this Resolution shall be delivered to the Amigos del Valle, Inc. to evidence these appointments.

PASSED AND APPROVED this 19th day of September, 2017.

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. OLD BUSINESS

A. Discussion and consideration on second and final reading to approve Ordinance 2017-37 adopting the City of Weslaco's budget appropriation for the fiscal year October 1, 2017 to September 30, 2018 and authorize the Mayor to execute any related documents. Possible action. (First Reading held September 5, 2017; Staffed by Finance Department.)

Commissioner Muñoz, seconded by Commissioner Lopez, moved to discuss.

Mike Perez, City Manager, stated it was an important document reviewed in ten workshops over three weeks and recommended approval.

Commissioner Lopez, seconded by Commissioner Pedraza, moved to approve second and final reading of Ordinance 2017-37 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

For the record, following is the ordinance:

ORDINANCE NO. 2017-37

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF WESLACO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018; APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET FOR THE CITY OF WESLACO, TEXAS, FOR THE 2017-2018 FISCAL YEAR.

WHEREAS, the budget appended here as Exhibit A, for the fiscal year beginning October 1, 2017, and ending September 30, 2018, was duly presented to the City Commission by the City Manager, that due and timely public notice that a Public Hearing on such budget would be held on August 22, 2017, was given and made in accordance with state law and within the time limits set forth by law; that such Public Hearing was held in accordance with the law on August 22, 2017; now therefore,

BE IT ORDAINED BY CITY OF WESLACO, TEXAS:

SECTION 1. That the appropriations for the fiscal year beginning October 1, 2017, and ending September 30, 2018, for the support of the general government of the City of Weslaco, Texas be fixed and determined for said terms in accordance with the expenditures shown in the City's Fiscal Year 2017-2018 Budget, a copy of which is appended hereto as Exhibit A;

SECTION 2. That the Budget, as shown in words and figures in Exhibit A, is hereby approved in all respects and adopted as the City's Budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018.

SECTION 3. That there is hereby appropriated the amount shown in said budget necessary to provide for a sinking fund for the payment of the principal and interest and the retirement of the bonded debt requirements of Fiscal 2017-2018 of the City of Weslaco.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 5th day of September, 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 19th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

B. Discussion and consideration on second and final reading to approve Ordinance 2017-38 adopting and levying the ad valorem tax rate for the 2017-2018 fiscal year and authorize the Mayor to execute any related documents. Possible action. (First Reading held September 5, 2017; Staffed by Finance Department.)

The City Manager stated the tax rate remained the same as last year and recommended approval adopting $0.6667/100.00 as the ad valorem tax rate.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve Ordinance 2017-38 adopting and levying the ad valorem tax rate for the 2017-2018 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

For the record, following is the ordinance:

ORDINANCE NO. 2017-38

AN ORDINANCE LEVYING AN AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE CITY OF WESLACO, TEXAS FOR THE TAX YEAR 2017, FIXING THE TAX RATE FOR THE USE AND SUPPORT OF THE GENERAL GOVERNMENT AND FOR THE INTEREST AND SINKING FUND FOR THE REDEMPTION OF BONDS AND OTHER INDEBTEDNESS OF THE CITY OF WESLACO, TEXAS, AND FIXING A LIEN ON ALL TAXABLE PROPERTY.

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

I.

THAT, there is hereby levied and there shall be collected for the use and support of the municipal government of the City of Weslaco for the 2017-2018 fiscal year, upon all property, real, personal and mixed, within the corporate limits of said City subject to taxation, a tax of $0.6667 on each $100 valuation of property, said tax being so levied and apportioned to the specific purposes here set forth:

a. Maintenance and operation of the General Government (General Fund) for fiscal year 2017-2018, $0.5146 on each $100 valuation of property. THIS TAX RATE WILL RAISE LESS TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE AND WILL DECREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A $100,000 HOME BY APPROXIMATELY $44.00.

b. Interest and sinking fund for debt service payments for fiscal year 2017-2018, $0.1521 on each $100 valuation of property for the purpose of paying interest on and providing a sinking fund for the redemption of outstanding indebtedness of the City of Weslaco.

II.

THAT there is hereby fixed on each and every item of taxable property a lien for the purpose of securing the payment of the taxes assessed thereon, and said lien shall continue to exist against any item of property against which a tax is assessed here under until such tax, together with all interest shall be paid.

III.

IF, any person shall neglect or refuse to pay the taxes herein imposed on him or his property, on or before January 31, 2018 the tax collector shall apply the following schedule of penalty and interest rates for use in calculating the total amount due on delinquent tax bills:

February 2018	7.0%
March 2018	9.0%
April 2018	11.0%
May 2018	13.0%
June 2018	15.0%
July 2018	18.0%

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 5th day of September 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 19th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

C. <u>Discussion and consideration on second and final reading to approve Ordinance 2017-39 ratifying the property tax increase reflected in the 2017-2018 fiscal year budget and authorize the Mayor to execute any related documents. Possible action. (First reading held September 5, 2017; Staffed by Finance Department.)</u>

The City Manager stated state law requires an additional approval is required when total collection of property tax is more than the last year and recommended approval.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve Ordinance 2017-39 ratifying the property tax increase reflected in the 2017-2018 fiscal year as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting

For the record, following is the ordinance:

ORDINANCE NO. 2017-39

AN ORDINANCE OF THE CITY OF WESLACO, TEXAS RATIFYING THE PROPERTY TAX INCREASE REFLECTED IN THE 2017-2018 FISCAL YEAR BUDGET; PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 102.007 of the Texas Local Government Code provides in part that the adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget; and

WHEREAS, section 102.007 of the Texas Local Government Code requires that this ratification be in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tex. Tax Code, or other law; and

WHEREAS, the fiscal year 2017-2018 Budget, as adopted, requires raising more revenue from property taxes than in the previous year by 2.76%, and the City Commission desires by adoption of this Ordinance to ratify the property tax increase reflected in the City's Fiscal Year 2017-2018 Budget.

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

SECTION 1. That the Weslaco City Commission, as the governing body of the City of Weslaco, having adopted the 2017-2018 Fiscal Year Budget that will require raising more revenue from property taxes than in the previous year by 2.76%, hereby ratifies the property tax increase reflected in the 2017-2018 Fiscal Year Budget.

SECTION 2. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof.

SECTION 3. This Ordinance shall be in full force effective from and after its passage and approval.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 5th day of September, 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 19th day of September, 2017.

CITY OF WESLACO

/s/David Suarez, MAYOR

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

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

D. Discussion and reconsideration to award the sole bidder, Mr. Victor's LLC, for Request For Bids No. 2016-17-26 to purchase Two Recycling Trailers in the amount not to exceed $30,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)

Pete Garcia, Public Works Director, reported that at the Commission's request, staff renegotiated with Mr. Victor's and recommends approval of one 16-foot trailer with four bins and one 20-foot trailer with five bins for a total amount not to exceed $30,000.00.

Commissioner Kerr, seconded by Commissioner Lopez, moved to award the sole bidder, Mr. Victor's LLC two recycling trailers not to exceed $30,000.00 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Armando Alaniz to approve Ordinance 2017-40 rezoning 400 N Republic Street also being Lots 12, 13, and 14, STAATS Addition Subdivision, Weslaco, Hidalgo County, Texas, from R-2 Duplex and Apartments District to B-4 Neighborhood Office District. First reading of Ordinance 2017-40. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa, City Engineer/Director of Planning, stated thirty-one (31) property owners were notified with seven letters of opposition received which is less than twenty percent. Planning and Zoning Commission and staff recommend approval; parking will be addressed during the permitting process.

In response to Commissioner Kerr, Mr. Hinojosa stated the Land Use map does not apply as the B-4 zone is permitted in the Neighborhood district. The City Manager stated parking must be on-site; the street will be striped so no parking in front of the property; owner will replace the chain link fence with a cedar fence to screen parking.

Commissioner Lopez voiced her opposition citing the efforts from the neighbors to submit a petition indicates lack of communication within the area.

Commissioner, Kerr, seconded by Commissioner Muñoz, moved to approve Ordinance 2017-40 rezoning 400 N Republic Street also being Lots 12, 13, and 14, STAATS Addition Subdivision on first reading as presented. The motion carried with Commissioner Lopez opposed; Mayor Pro-Tem Tafolla was present and voting.

B. <u>Discussion and consideration after public hearing on behalf of Bill Carlson to approve Ordinance 2017-41 rezoning 1210 Valley View also being Lot 6, Ashmelmont Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District. First reading of Ordinance 2017-41. Possible action. (Staffed by Planning and Code Enforcement.)</u>

Mardoqueo Hinojosa stated eighteen (18) property owners were notified with two letters of opposition received. The Planning and Zoning Commission and staff recommend approval with parking proposed behind the house.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-41 rezoning 1210 Valley View also being Lot 6, Ashmelmont Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District on first reading as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting

C. <u>Discussion and consideration after public hearing on behalf of Francisco Perez to approve Ordinance 2017-42 rezoning 1319 E. 18th Street also being Lot 24, Margo Terrace Estates Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-1 Neighborhood Business District. First reading of Ordinance 2017-42. Possible action. (Staffed by Planning and Code Enforcement.)</u>

Mardoqueo Hinojosa stated eight (8) property owners were notified and no objections received. The Planning and Zoning Commission and staff recommended approval. This property had been identified in an earlier land use map revision.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-42 rezoning 1319 E. 18th Street also being Lot 24, Margo Terrace Estates Subdivision from R-1 One Family Dwelling District to B-1 Neighborhood Business District on first reading as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

D. Discussion and consideration to approve the Final Plat for M.A. Subdivision, being a 9.00-acre tract of land out of Farm Tract 99, Block 145, West Tract Subdivision, Hidalgo County, Texas, located on the west side of Mile 4½ West, one quarter mile South of Mile 11 North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated this is a two lot subdivision in the extraterritorial jurisdiction (ETJ). Water is being serviced North Alamo Water Supply Corporation through a 6" waterline; though sewer services are by the City, there is not a connection within one mile. Therefore, the developer requests and staff recommends approval with the variance to allow septic.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to approve Final Plat for M.A. Subdivision with variance for sanitary sewer as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

E. Discussion and consideration to approve final payment to Castle Enterprises for the Sugarcane Drive Detention Pond Project for an amount not to exceed $21,144.90 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mardoqueo Hinojosa recommended approval on final payment stating the contractor graded and expanded inlet; there is a reduction of $9,658.40 applied to the contract.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve final payment to Castle Enterprises for the Sugarcane Drive Detention Pond Project for an amount not to exceed $21,144.90 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

F. Discussion and consideration to approve final payment for DDI, Doug's Drip Irrigation and Sprinklers, for an amount not to exceed $3,647.20 for the irrigation system installed for the Sugarcane Drive Detention Pond and authorize Mayor to execute any related documents. Possible action. (Staffed by Planning and Code and Enforcement)

Mardoqueo Hinojosa recommended approval of final payment to DDI Doug's Drip stating the project was completed under budget.

Commissioner Muñoz, seconded by Commissioner Kerr, moved to approve final payment for DDI, Doug's Drip Irrigation and Sprinklers, for an amount not to exceed $3,647.20 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

G. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco Group Health Insurance (RFP No. 2016-17-28) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez, HR Director, stated three proposals were received and evaluated by staff and Jesse Salazar, Valley Risk Consulting. Mr. Salazar stated Allegiant has been acquired by Blue

Cross Blue Shield of Texas and was the only respondent to the proposal as fully-funded. Self-funded options were evaluated and determined not beneficial to the City. After review and evaluation, the recommendation is to award Blue Cross Blue Shield option 1 as the best respondent. This has an 8.95% increase with co-pay remaining the same, co-insurance dropping 5% and out-of-pocket deductible increasing from $3,000.00 to $4,500.00.

In response to Commissioner Kerr, a 5% commission to the agent of record is calculated into the premiums; Commissioner Kerr noted the City could save money on the agent of record contract to reduce the increase to employees. In clarification to Mayor Pro-Tem Tafolla, Blue Cross and Blue Shield identified two agents of record and the City may select one or both. Both Mr. Carlos Tamez and Ms. Araceli Everitt, on behalf of the respective agencies, confirmed they are willing to work together or separately.

Commissioner Muñoz stated the City could negotiate best and final terms; Mr. Carlos Tamez stated with leverage of the bid lost, it would be difficult to negotiate but he would try. The City Manager noted there could be an additional $17,000 in savings if BCBS was awarded dental insurance.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to award Blue Cross Blue Shield of Texas as the most advantageous respondent, appoint Tamez Financial and Jeff Everett as agents of record, and authorize negotiations of best and final terms. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

H. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Commercial Package (RFP No. 2016-17-30) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

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

Veronica Ramirez stated two proposals were received for the commercial package, one complete (TML) and one partial (Montalvo Agency). The recommendation upon evaluation of both proposals was to award to Texas Municipal League Intergovernmental Risk Pool for all items.

In response to Commissioner Kerr, premiums were lower despite an increase in property value.

The City Manager stated concerns were raised by airport members regarding volunteer coverages; Luis Valdez, on behalf of TML, indicated all boards have coverage. The City Manager suggested providing TML with a copy of the additional policy as proposed and requesting TML confirm coverage; separately, he recommends authorizing the City Attorney to research any potential conflict as the agent who proposed the additional policy volunteers on the airport board.

Commissioner Lopez, seconded by Muñoz, amended the motion to award all items for the Commercial Package to TML and instruct TML to review the policy submitted by Montalvo and provide a letter to City Attorney on coverage; if coverage is not the same, bring that policy back to the Commission mindful the City Attorney verifies there is no conflict. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

The original motion carried.

I. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco Worker's Compensation Insurance (RFP No. 2016-17-29) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez stated three responses were received to the solicitation for fully-funded proposals. Staff and consultant evaluated the proposals and recommend to award TML as the most advantageous as a fully-funded plan offering a savings of $37,392.00. The City Manager noted a self-funded plan can have more exposure and recommends avoiding any potential risks at this time.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to award Texas Municipal Intergovernmental Risk Pool as the best qualified, most advantageous respondent for the Worker's Compensation Insurance as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

J. Discussion and consideration to award the best qualified, most advantageous response to the Request for Proposals for the City of Weslaco 125 Cafeteria Plan Voluntary Supplemental Insurance Products (RFP No. 2016-17-31) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.)

Veronica Ramirez stated thirteen proposals for the voluntary supplemental insurance products were received. Proposals were tabulated by staff and consultant, clarifying two changes to the memorandum to recommend different products for dental and accident policies. The final recommendation is as follows:

Voluntary Product	**Awarded To**	**Agent(s)**
FSA/125	Ameriflex	Joe Salazar
Vision	Eyetopia	Carlos Tamez & Jeff Everitt
Dental	Blue Cross Blue Shield	Carlos Tamez
Critical Illness	Combined	Joe Salazar
Accident	Cigna	Albert Salinas Jr.
Cancer	Colonial Life	Joe Salazar
STD/LTD	The Standard	Jeff Everitt
Term Life & ADD	The Standard	Jeff Everitt

Commissioner Muñoz expressed preference to keep the agents the same as those identified on the Group Health Insurance awarded in item G. However, Commissioner Pedraza noted the consultant identified named agents as respondents for each product.

Commissioner Pedraza, seconded by Commissioner Lopez, moved to award the City of Weslaco 125 Cafeteria Plan Voluntary Supplemental Insurance Products as recommended. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

K. Discussion and consideration to approve Resolution 2017-64 nominating a candidate to the Hidalgo County Appraisal District Board of Directors for the 2018-2019 election and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Office of the City Secretary.)

Commissioner Muñoz, seconded by Commissioner Lopez, moved to approve Resolution 2017-64 nominating a candidate to the Hidalgo County Appraisal District Board of Directors for the 2018-2019 election. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

Commissioner Muñoz, seconded by Commissioner Lopez, amended the motion to reflect the nomination of David Hernandez. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting

For the record, the resolution is as follows:

RESOLUTION NO. 2017-64

STATE OF TEXAS	§	RESOLUTION NOMINATING A CANDIDATE TO
COUNTY OF HIDALGO	§	HIDALGO COUNTY APPRAISAL DISTRICT BOARD OF
CITY OF WESLACO	§	DIRECTORS FY2018-2019

WHEREAS, the City of' Weslaco, a governmental unit entitled to vote in the selection of a Board of Directors for the Hidalgo County Appraisal District, has been notified by the Chief Appraiser of Hidalgo County, Texas, that nominations to the said Board of Directors should be submitted in Resolution form to the Chief Appraiser before October 16, 2017; and

WHEREAS, the City wishes to nominate David Hernandez as candidate for Director of the Hidalgo County Appraisal District.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISISON OF THE CITY OF WESLACO as follows:

1. The City Commission of the City of Weslaco does hereby nominate David Hernandez as a candidate for the Director of Hidalgo County Appraisal District.

2. A certified copy of this Resolution shall be delivered to the Chief Appraiser Hidalgo County, Texas, to evidence this nomination.

PASSED AND APPROVED this 19th day of September, 2017.

CITY OF WESLACO
/s/David Suarez, MAYOR

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

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

L. Discussion and consideration to approve Mid Valley Airport Ground Lease Agreements, with a reversion clause, for the following Hangers: A)Tenant Art Beckwith for Hangars W-22 and W-30; and B) Tenant Terry Barbee, D/B/A WTB Trading Company, for Hangars W-12, W-13, W-21, W-26, and W-28 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Andrew Muñoz, Aviation Director, stated the leases are for various west side hangers, for a seven-year term, at a rental rate of $0.22 per square foot. The Airport Advisory Board and staff recommend approval.

In response to Commissioner Kerr, staff will clarify payment preference of annually or monthly and have tenant initial the term.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Mid Valley Airport Ground Lease Agreements, with a reversion clause, for tenant Art Beckwith for Hangars W-22 and W-30 and tenant Terry Barbee, D/B/A WTB Trading Company, for Hangars W-12, W-13, W-21, W-26, and W-28 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

M. Discussion and consideration to approve the following Mid Valley Airport Ground Lease Agreements for Hangers, with a non-reversion clause: A) Tenant Art Beckwith for Hangar E-26; and B) Tenant Terry Barbee, D/B/A WTB Trading Company, for Hangars E-11 through E-14 and E-19 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.)

Andrew Muñoz stated the rate for the east side hangers is $0.27 per square foot with a 10-year term and an option to renew 10 years, however, there is no obligation to renew. The Airport Advisory Board and staff recommend approval. A non-reversion clause preserves the ability for the tenant to sell the hangar.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Mid Valley Airport Ground Lease Agreements for Hangers, with a non-reversion clause for tenant Art Beckwith for Hangar E-26 and tenant Terry Barbee, D/B/A WTB Trading Company, for Hangars E-11 through E-14 and E-19 as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

N. Discussion and consideration to authorize solicitation of bids for the Isaac Rodriguez Park Restroom/Maintenance Facility Construction Project and authorize the Mayor to execute and related documents. Possible action. (Staffed by Parks and Recreation.)

Andrew Muñoz stated the City is ready to go out for bids for a maintenance room and restroom, three stalls each men and women, with metal roof adjacent to the proposed splash pad. Project completion is November with a budget of $80,000.00. Staff recommends approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to authorize solicitation of bids for the Isaac Rodriguez Park Restroom/Maintenance Facility Construction Project as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

O. Discussion and consideration to approve Ordinance 2017-43 authorizing a budget amendment as appropriate for the Solid Waste Account in the amount of $27,000.00 and authorize the Mayor to execute any related documents. First reading of Ordinance 2017-43. Possible action. (Staffed by Public Works.)

Pete Garcia recommended approval stating the budget amendment will allow the continuation of roll-containers at the Public Works department.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve Ordinance 2017-43 authorizing a budget amendment as appropriate for the Solid Waste Account in the amount of

$27,000.00 on first reading as presented. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

P. Discussion and consideration to approve the FY 2017-2018 Proposed Street Improvement Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)

The City Manager requested no action, requesting the Commission to review the inventory of the streets. He stated he would bring back for action at the next meeting.

There was no action on this item.

VIII. EXECUTIVE SESSION

Mayor Pro-Tem Tafolla announced the regular meeting to convene in executive session at 8:09 p.m. Mayor Pro-Tem Tafolla announced the City Commission had completed its Executive Session at 8:57 p.m. 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 §551.074 of the Texas Government Code.

There was no action on the item.

B. Pending Litigation - Consultation with City Attorney regarding City of Weslaco v. Briones Consulting and Engineering as authorized by §551.071 of the Texas Government Code.

There was no action on this item.

C. Economic Development – Consultation with City Attorney regarding Economic Development opportunities and incentive programs related to Project Chicken Hatch "B" as authorized by §551.087 of The Texas Government Code.

Commissioner Muñoz, seconded by Commissioner Lopez, moved to authorize the Weslaco Economic Development Corporation to purchase the property in amount of $225,000.00 as discussed in executive session. The motion carried unanimously; Mayor Pro-Tem Tafolla was present and voting.

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

Commissioner Kerr abstained from vote and discussion.

Commissioner Muñoz, seconded by Commissioner Lopez, moved authorize the City Manager, City Attorney, Mayor and Mayor Pro-Tem Tafolla to negotiate the terms with the construction company as discussed in executive session. The motion carried with Commissioner Kerr abstaining; Mayor Pro-Tem Tafolla was present and voting.

X. ADJOURNMENT

Commissioner Noriega, seconded by Commissioner Muñoz, moved to adjourn at 8:59 p.m. The motion carried unanimously; Mayor Pro Tem Tafolla was present and voting.

CITY OF WESLACO

ABSENT

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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

____
COMMISSIONER, Leo Muñoz

____
COMMISSIONER, Greg Kerr

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COMMISSIONER, Olga Noriega

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COMMISSIONER, Letty Lopez

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COMMISSIONER, Josh Pedraza