



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 7, 2017**

On Tuesday, November 7, 2017, at 5:31 p.m. the City Commission of the City of Weslaco, Texas convened in a Regular Meeting at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

Mayor	David Suarez
Mayor Pro-Tem	Gerardo “Jerry” Tafolla
Commissioner	Leo Muñoz
Commissioner	Greg Kerr
Commissioner	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; Olga Garza, Assistant Public Works Director; Jaime Hernandez, Assistant Fire Chief; Stephen Mayer, Police Chief; Mardoqueo Hinojosa, Planning and Code Enforcement Director and City Engineer; David Arce, Parks and Recreation Director; Arnold Becho, Library Director; Joe Pedraza, Health Official; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, November 3, 2017.

B. Invocation.

Deacon Jessie Aguayo, Saint Joan of Arc Church, led in the invocation.

C. Pledge of Allegiance.

The Mayor led the Pledge of Allegiance and Texas Flag.

D. Mayoral recognition.

There were none presented.

E. Roll Call.

Elizabeth Walker, City Secretary, called the roll, noting a perfect attendance and a quorum present.

II. PUBLIC COMMENTS

None received.

III. PUBLIC HEARING

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to open the public hearing at 5:34 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

A. To solicit input on behalf of Dimas Martinez Jr. to rezone 325 Frost Proof Street also being Lots 22 & 23, Frost Proof Heights Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-2 Duplex and Apartments District.

No comments received.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to close the public hearing at 5:35 p.m. The motion carried unanimously; Mayor Suarez 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 following:

- 1.) Minutes of the Regular Meeting on October 17, 2017 and
- 2.) Record of Joint Workshop on October 26, 2017. (Staffed by City Secretary's Office.)

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

- 1) Ordinance 2017-45, amending Ordinance 2017-06, providing for a new schedule of rates to be charged for certain meter tapping fees and authorize the Mayor to execute any related documents (First reading held October 17, 2017; Staffed by Finance Department.)
- 2) Ordinance 2017-46 amending the Master Fee Schedule with respect to library fees and permit fees, and authorize the Mayor to execute any related documents (First reading held October 17, 2017; Staffed by Finance Department.)

C. Approval on First Reading of Ordinance 2017-47, authorizing and allowing under the act governing the Texas Municipal Retirement System, "updated service credits" in said system for service performed by qualifying members of such system who presently are members of the City of Weslaco; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the city; and establishing an effective date for such actions. First Reading of Ordinance 2017-47. (Staffed by Finance Department.)

D. Approval of a Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of various city park baseball and softball fields. (Staffed by Parks and Recreation Department.)

E. Approval of a Professional Services Agreement with Willacy County for animal care services for 2017-2018 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement.)

F. Approval of the annual radio communication subscription with Rio Grande Communications Group in the amount of \$35,280.00 as budgeted and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)

G. Approval to ratify purchase of an emergency sewer manhole repair located East of 18th St. and Bridge Ave. on October 23, 2017 with the lowest bidder, Southern Trenchless in the amount of \$47,000.00 and authorize the Mayor to execute any related documents. (Staffed by Public Works.)

H. Approval to accept financing proposal from City National - Capital Finance for purchase of Fire Department light duty Ford F550 in the amount of \$225,000.00 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

I. Approval to authorize use of the Court Technology Fund to pay for the final additions for the E-citations project not to exceed \$5,000.00. (Staffed by Municipal Court.)

J. Approval to implement the employee assistance program through the Blue Cross Blue Shield Health Insurance coverage in an amount not to exceed \$5,000.00. (Staffed by Human Resources.)

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

D. Approval of a Memorandum of Understanding with Weslaco Independent School District (WISD) for the use of various city park baseball and softball fields. (Staffed by Parks and Recreation Department.)

Mayor Pro Tem Tafolla requested a workshop with Weslaco Independent School District to discuss this with other issues; the City Manager noted it may be timely as the District recently requested assistance with a parking lot be paved. David Arce, Parks Director, requested temporary use by the District until an agreement is finalized as programming is scheduled this week.

For the record, the following are the ordinances:

ORDINANCE NO. 2017-45

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 77-16, CODIFIED IN THE WESLACO CODE OF ORDINANCES AS SECTION 138.58 "WATER RATES PRESCRIBED" AND AMENDING SECTION 1 OF ORDINANCE 67-10, CODIFIED IN THE WESLACO CODE OF ORDINANCES AS SECTION 138.59 "SEWER RATES PRESCRIBED;" BY PROVIDING FOR A NEW SCHEDULE OF RATES TO BE CHARGED FOR TREATED WATER DELIVERED THROUGH THE SYSTEM OF THE UTILITIES DEPARTMENT OF THE

CITY OF WESLACO; AND PROVIDING FOR A NEW SCHEDULE OF RATES TO BE CHARGED FOR THE USE OF WASTEWATER TREATMENT FACILITIES OF THE CITY OF WESLACO; AND PROVIDING FOR AN EFFECTIVE DATE AFTER THE SECOND PUBLICATION OF THIS ORDINANCE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

SECTION 1. BE IT ORDAINED BY THE CITY OF WESLACO, TEXAS, to amend Section I of Ordinance No. 77-16, adopted on August 16, 1977, and Codified in the Weslaco Code of Ordinances as Section 138.58 and entitled "Water Rates Prescribed", to adopt a new schedule of rates to be charged for treated water delivered through the system of the water department of the City of Weslaco so that after Second and Final Reading of this Ordinance, Weslaco Code of Ordinances Section 138.58, will read as follows:

ARTICLE II. SERVICE CHARGES

Sec. 138.58. Water Rates Prescribed.

There are hereby established the following schedules of rates to be charged for treated water delivered through the system of the water department of the city:

A. Residential Inside City Limits

- (1) Minimum monthly bill, (not including water)..... \$14.75

Minimum monthly bill, (includes 2,000 gallons of water) if applied for by a Resident over 65 years of age, Disabled, or a Veteran\$9.54

- (2) Charge per each 1,000 gallons or portion thereof.....\$2.71

(3)

B. Commercial Inside City Limits

- (1) Minimum monthly bill (not including water):

5/8 inch or 3/4 inch meter..... \$18.07

1 inch meter..... \$21.01

1 1/2 inch meter.....\$27.14

2 inch meter.....\$36.24

3 inch meter.....\$59.11

4 inch meter.....\$88.94

6 inch meter.....\$156.42

8 inch meter.....\$203.04

- (2) Charges per each 1,000 gallons or portion thereof:

0 to 15,000 gallons\$3.03

15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).....\$9.91

15,002 to 30,000 gallons.....\$3.38

30,000 to 35,000 gallons.....\$3.40

35,000 to 35,001gallons (An addition to the base fee when this level is reached.).....\$9.26

Over 35,001gallons.....\$3.40

C. Multi Family Inside City Limits

- (1) Minimum monthly bill (not including water):

5/8 inch or 3/4 inch meter..... \$18.07

1 inch meter.....	\$21.01
1 ½ inch meter.....	\$27.14
2 inch meter.....	\$36.24
3 inch meter.....	\$59.11
4 inch meter.....	\$88.94
6 inch meter.....	\$156.42
8 inch meter.....	\$203.04

Multi Family residents whose water rates increase because of Ordinance 2013-26 affixing the rate structure for “Multi Family Inside City Limits” may request a 2% reduction of their current minimum monthly bill as assigned by the Water Rates prescribed to be “Residential Inside City Limits” from the Weslaco City Manager.

(2)	Charges per each 1,000 gallons or portion thereof:	
	0 to 15,000 gallons	\$3.03
	15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).....	\$9.91
	15,002 to 30,000 gallons.....	\$3.38
	30,000 to 35,000 gallons.....	\$3.40
	35,000 to 35,001 gallons (An addition to the base fee when this level is reached.)	\$9.26
	Over 35,001 gallons.....	\$3.40

D. Irrigation Meters Inside City Limits

(1)	Minimum monthly bill (not including water):	
	5/8 inch or ¾ inch meter.....	\$10.47
	1 inch meter.....	\$14.06
	1 ½ inch meter.....	\$22.35
	2 inch meter.....	\$31.46
	3 inch meter.....	\$54.33
	4 inch meter.....	\$84.16
	6 inch meter.....	\$151.64
	8 inch meter.....	\$198.26
(2)	Charges per each 1,000 gallons or portion thereof:	
	0 to 10,000 gallons	\$2.97
	10,000 to 15,000 gallons.....	\$2.97
	Over 15,000 gallons.....	\$3.07
(3)	Irrigation meters with no associated wastewater service will not be assessed monthly charges for wastewater service.	

E. Service Provided to Customers Residing Outside of the City Limits

(1)	Minimum monthly bill, (not including water).....	\$23.43
(2)	Charge per each 1,000 gallons or portion thereof.....	\$4.07

F. *Commercial Outside City Limits*

- (1) Minimum monthly bill (not including water):
- | | |
|-------------------------------|----------|
| 5/8 inch or ¾ inch meter..... | \$27.11 |
| 1 inch meter..... | \$31.52 |
| 1 ½ inch meter..... | \$40.71 |
| 2 inch meter..... | \$54.36 |
| 3 inch meter..... | \$88.67 |
| 4 inch meter..... | \$133.41 |
| 6 inch meter..... | \$234.63 |
| 8 inch meter..... | \$304.56 |
- (2) Charges per each 1,000 gallons or portion thereof:
- | | |
|--|---------|
| 0 to 15,000 gallons | \$4.55 |
| 15,000 to 15,001 gallons (An addition to the base fee when this level is reached)..... | \$14.87 |
| 15,002 to 30,000 gallons..... | \$5.07 |
| 30,000 to 35,000 gallons..... | \$5.10 |
| 35,000 to 35,001gallons (An addition to the base fee when this level is reached.)..... | \$13.89 |
| Over 35,001gallons..... | \$5.10 |

G. *Multi Family Outside City Limits*

- (1) Minimum monthly bill (not including water):
- | | |
|-------------------------------|----------|
| 5/8 inch or ¾ inch meter..... | \$27.11 |
| 1 inch meter..... | \$31.52 |
| 1 ½ inch meter..... | \$40.71 |
| 2 inch meter..... | \$54.36 |
| 3 inch meter..... | \$88.67 |
| 4 inch meter..... | \$133.41 |
| 6 inch meter..... | \$234.63 |
| 8 inch meter..... | \$304.56 |
- (2) Charges per each 1,000 gallons or portion thereof:
- | | |
|--|---------|
| 0 to 15,000 gallons | \$4.55 |
| 15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).... | \$14.87 |
| 15,002 to 30,000 gallons..... | \$5.07 |
| 30,000 to 35,000 gallons..... | \$5.10 |
| 35,000 to 35,001gallons (An addition to the base fee when this level is reached.)..... | \$13.89 |
| Over 35,001 gallons..... | \$5.10 |

H. *Irrigation Meters Outside City Limits*

- (1) Minimum monthly bill (not including water):

- | | |
|-------------------------------|----------|
| 5/8 inch or ¾ inch meter..... | \$15.71 |
| 1 inch meter..... | \$21.09 |
| 1 ½ inch meter..... | \$33.53 |
| 2 inch meter..... | \$47.19 |
| 3 inch meter..... | \$81.50 |
| 4 inch meter..... | \$126.24 |
| 6 inch meter..... | \$227.46 |
| 8 inch meter..... | \$297.39 |
- (2) Charges per each 1,000 gallons or portion thereof:
- | | |
|-------------------------------|--------|
| 0 to 10,000 gallons | \$4.46 |
| 10,000 to 15,000 gallons..... | \$4.46 |
| Over 15,000 gallons..... | \$4.61 |
- (3) Irrigation meters with no associated wastewater service will not be assessed monthly charges for wastewater service.

I. Tapping Fees.

The following charges shall be made as tapping fees for making connections for the use of any water user (deposit and permit fees are not included):

Meter Size	Inside City	Outside City
5/8"	\$450.00	\$550.00
1"	\$870.76	\$979.60
1 ½"	\$1,187.35	\$1,336.23
2"	\$3,286.06	\$4,929.09
3"	\$4,612.93	\$6,919.39
4"	\$6,936.71	\$10,405.06

For all other size taps, the tapping charge shall be based upon the current cost of the meter, required materials, and labor therefore.

In cases where the developer has installed their own water lines, tapping saddles, corp. stop, tubing and angle stop up to the ground surface, the fees for a 5/8" meter will be \$232.07 for a connection inside the city limits and \$348.10 for a connection outside the city limits.

J. Fire Protection Sprinkler Fees

There shall be no additional charge per month in addition to the other charges listed in this section, for accounts with a fire protection sprinkler system.

SECTION II. BE IT FURTHER ORDAINED BY THE CITY OF WESLACO, TEXAS, to amend Section I of Ordinance No. 67-10, adopted on June 27, 1967, and codified in the Weslaco Code of Ordinances as Section 138.59 and entitled "Sewer Rates Prescribed", so that after Second and Final Reading of this ordinance, Weslaco Code of Ordinances Section 138.59 will read as follows:

ARTICLE II. SERVICE CHARGES

Sec. 138.59. Wastewater Rates Prescribed.

The following rates shall be charged for use of the wastewater treatment facilities of the City of Weslaco, including storm sewer lines if used for the purpose of disposing waste or cooling water. The rates hereby established shall be applicable to all classes of customers using the city sanitary sewer system, except for industrial customers who will continue to be charged under the provisions of the industrial waste ordinance of the City of Weslaco, Ordinance No. 76-16, as amended:

Sewer Service Provided to Customers Residing Outside of the City Limits

- A. *Minimum Charge Inside City Limits:* The minimum monthly charge for all classes of customers using the City of Weslaco wastewater treatment facilities shall be fourteen dollars and fifty-eight cents (\$14.58) per month. The monthly base rate will be nine dollars and forty-four cents (\$9.44) if applied for by a resident over 65 years of age, Disabled, or a Veteran.
- B. *Additional Charges for Single-Family Residential Users Inside City Limits.* In addition to the minimum charge listed above, a charge of one dollar and seventy-seven cents (\$1.77) will be made for each one thousand (1,000) gallons of water used, or portion thereof, for monthly metered consumption up to 35,000 gallons.
- C. *Multifamily Residential and Mobile Homes Inside City Limits.* The charge for the use of the city wastewater treatment facility for duplexes or multifamily apartments or housing where the buildings are generally used solely for permanent or continuous living quarters and mobile home and/or recreational vehicle park owners on master meters shall be as follows:

Minimum monthly bill\$11.81

Charges per each 1,000 gallons of metered water use, or portion thereof:

0 to 15,000 gallons.....\$2.28

15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)....\$10.61

15,001 to 35,000 gallons.....\$2.54

35,000 to 35,001 gallons (An addition to the base fee when this level is reached.)....\$10.27

Over 35,000 gallons.....\$2.54

- D. *Commercial Customers Inside City Limits.* Commercial customers are those customers who discharge wastewater from a private building which is not residential in nature and conduct business activities for the sole purpose of making a profit, and receive an inflow of paying customers for services rendered or the purchase of goods. All sewer accounts required to file for a sales tax number with the state comptroller's office or an employer's federal I.D. number with the Internal Revenue Service shall be deemed as commercial accounts. The charge for commercial users shall be as follows:

Minimum monthly bill\$14.98

Charges per each 1,000 gallons of metered water use, or portion thereof:

0 to 15,000 gallons.....\$2.72

15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).\$8.66

15,001 to 35,000 gallons.....	\$3.03
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$9.03
Over 35,000 gallons.....	\$3.03

- E. *Lawn and Landscape Irrigation.* All accounts shall be exempt from sanitary sewer charges on water metered solely for lawn and landscape irrigation.
- F. *Industrial Users.* All industrial uses, such as canning plants, packing sheds, laundries, bottling works, milk plants and other industrial users, shall be charged a rate computed under Ordinance No. 76.16, as amended.
- G. *Institutional, Etc., Users Inside City Limits.* All customers not classified as aforementioned, including institutional, religious and not-for-profit entities, shall be charged for the use of the wastewater treatment facility as follows:

Minimum monthly bill.....	\$11.81
Charges per each 1,000 gallons of metered water use, or portion thereof:	
0 to 15,000 gallons.....	\$2.28
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)	\$10.61
15,001 to 35,000 gallons.....	\$2.54
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$10.27
Over 35,000 gallons.....	\$2.54

- H. *Commercial Laundries Inside City Limits.* Commercial customers whose principal business is the operation of a commercial laundry shall be charged for use of the city wastewater treatment facility as follows:

Minimum monthly bill.....	\$14.98
Charges per each 1,000 gallons of metered water use, or portion thereof:	
0 to 15,000 gallons.....	\$2.72
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.).....	\$8.66
15,001 to 35,000 gallons.....	\$3.03
35,000 to 35,001 gallons (An addition to the base fee when this level is reached.).....	\$9.03
Over 35,000 gallons.....	\$3.03

Sewer Service Provided to Customers Residing Outside of the City Limits

- I. *Minimum Charge Outside City Limits:* The minimum monthly charge for all classes of customers using the City of Weslaco wastewater treatment facilities shall be Twenty three dollars and eighteen cents (\$23.18) per month.
- J. *Additional Charges for Single-Family Residential Users Outside City Limits.* In addition to the minimum charge listed above, a charge of two dollars and sixty-six cents (\$2.66) will be made for each

one thousand (1,000) gallons of water used, or portion thereof, for monthly metered consumption up to 35,000 gallons.

K. Multi Family Outside City Limits

(1) Minimum monthly bill (not including water):.....	\$17.72	
Charges per each 1,000 gallons or portion thereof:		
0 to 15,000 gallons	\$3.42	
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...	\$15.92	
15,002 to 35,000 gallons.....	\$3.81	
35,000 to 35,001gallons (An addition to the base fee when this level isreached.)....	\$15.41	
Over 35,001 gallons.....	\$3.81	

L. Commercial Outside City Limits

(1) Minimum monthly bill (not including water):.....	\$22.47	
Charges per each 1,000 gallons or portion thereof:		
0 to 15,000 gallons	\$4.08	
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...	\$12.99	
15,002 to 35,000 gallons.....	\$4.55	
35,000 to 35,001gallons (An addition to the base fee when this level isreached.)....	\$13.55	
Over 35,001 gallons.....	\$4.55	

M. Institutional Outside City Limits

(1) Minimum monthly bill (not including water):.....	\$17.72	
Charges per each 1,000 gallons or portion thereof:		
0 to 15,000 gallons	\$3.42	
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...	\$15.92	
15,002 to 35,000 gallons.....	\$3.81	
35,000 to 35,001gallons (An addition to the base fee when this level is reached.)...	\$15.41	
Over 35,001 gallons.....	\$3.81	

N. Commercial Laundries Outside City Limits

(1) Minimum monthly bill (not including water):.....	\$19.47	
Charges per each 1,000 gallons or portion thereof:		
0 to 15,000 gallons	\$3.92	
15,000 to 15,001 gallons (An addition to the base fee when this level is reached.)...	\$18.18	
15,002 to 35,000 gallons.....	\$4.37	
35,000 to 35,001gallons (An addition to the base fee when this level is reached.)...	\$17.61	
Over 35,001 gallons.....	\$4.37	

SECTION III: All other provisions of Chapter 138, Article II, Section 138.58, and Section 138.59, and Ordinance 77-16, and Ordinance 67-10 shall remain in effect and are not being amended by this Ordinance.

SECTION IV: These amendments to Chapter 138, Article II, Section 138.58, and Section 138.59, shall be in effect after Second and Final Reading of this Ordinance.

PASSED AND APPROVED on first reading at regular meeting of the City Commission this 17th day of October, 2017.

PASSED AND APPROVED on second and final reading at regular meeting of the City Commission this 7th day November, 2017.

ORDINANCE 2017-46

AN ORDINANCE AMENDING ORDINANCE 2013-07, THE MASTER FEE SCHEDULE, TO REVISE EXISTING FEES AND ESTABLISH NEW FEES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE, AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

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

SECTION 1. APPROVAL. Ordinance 2013-07 passed and approved on July 2, 2013 as “The Master Fee Schedule Ordinance” and Codified as Section 2-190 of The Weslaco Code of Ordinances is hereby amended so that after final reading it shall read as follows:

ARTICLE VI. MASTER FEE SCHEDULE

Section 2-190. Scheduled established.

The fee schedule attached as an Exhibit to this Ordinance is hereby adopted as if fully forth herein. The City Commission may hereafter amend or replace this fee schedule at any time.

SECTION 2. All other provisions of Ordinance 2013-07 shall remain in full force and effect.

SECTION 3. 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 17th day of October 2017.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 7th day of November 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. OLD BUSINESS

A. Discussion and consideration to approve a Performance Contracting Agreement with Siemens Industry, Inc. for a turn-key solution to implement capital intensive improvements utilizing energy, operational savings and increased revenue to offset the cost of improvements, and

authorize the Mayor to execute any related documents. Possible action. (There was no action on October 17, 2017; Staffed by City Manager's Office.)

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

The City Manager stated as discussed in workshops the scope of the project includes replacing equipment beyond its lifespan, including air conditioning units and water meters that are under reporting actual usage for billing. The recommendation is to approve the contract subject to review of work performance of Siemens by a separate engineering firm and review by legal counsel regarding issues related to mediation procedures.

In response to Commissioner Pedraza, there will be some impact on the citizens in 2-3 years with a possible water rate increase if the program is not adopted.

In response to Commissioner Muñoz, the City Manager stated a re-negotiated fee had a reduction of fees reduction of items omitted was roofing materials and lighting retrofit.

Chad Noble, Siemens Industry, reported after further negotiations a lump sum reduction was done by 5% totaling \$331,000.00; however, the scope of work remained the same with the cost of onsite storage containers removed. Commissioner Muñoz asserted weatherization and building envelope improvements could be done in-house and requested those be removed from the scope of work.

Mayor Pro Tem Tafolla, seconded by Commissioner Pedraza, moved to amend the motion and remove Facility Improvement Measures 4 and 5 from the scope of work and contingent to a third-party audit and legal review. The motion carried unanimously; Mayor Suarez was present and voting.

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

B. Discussion and consideration to accept the lowest and most advantageous proposal for tax exempt financing of certain equipment required in connection with the Energy Savings Performance Contract with Siemens Industry, Inc. as requested in Request for Proposals No. 2017-18-02, and authorize the Mayor to execute any related documents. Possible action. (There was no action on October 17, 2017; Staffed by Finance Department.)

Mary Barrera, Finance Director, stated staff contacted the respondents of the financing proposals requesting a revised proposal based on a revised project cost. Staff evaluated the respondents and reported Frost Bank at 2.55% interest over a period of 15 payments is the lowest; however, the proposal is non-callable. Alternatively, Bank of America/Merrill Lynch proposed 2.58% over the same term but as callable, meaning the City could accelerate payments. The Mayor noted the City is unlikely to pay off any sooner because it needs the cash flow; the City Manager recommended approval of the Frost Bank proposal as it offers a savings of \$411,000.00 on interest.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to accept Frost Bank as the lowest and most advantageous proposal for tax exempt financing of certain equipment required relating to the Energy Savings Performance Contract with Siemens Industry, Inc. The motion carried unanimously; Mayor Suarez was present and voting.

VI. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Dimas Martinez Jr. to approve Ordinance 2017-51 rezoning 325 Frost Proof Street also being Lots 22 & 23, Frost Proof Heights Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling to R-2 Duplex and Apartments District. First reading of Ordinance 2017-51. Possible action. (This item requires three-fourths vote as it was denied by Planning and Zoning Commission; Staffed by Planning and Code Enforcement Department.)

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

Mardoqueo Hinojosa, City Engineer/Director of Code Enforcement and Planning, stated eleven property owners were notified and no objection received. The Planning and Zoning Commission and staff recommended to deny; the property does not conform with the 2040 Future Land Use Map.

The motion failed unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to approve the Final Plat for Weslaco EDC Subdivision No. 1 – being the 20 acres out of Farm Tract 60, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, located on Sugar Cane Road (Mile 9 N.) approximately 200 feet east of Joe Stephens Avenue 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 serviced with an 8-inch water and sewer lines. The Planning and Zoning Commission and staff recommend approval.

Commissioner Kerr, seconded by Commissioner Lopez, moved to approve the Final Plat for Weslaco EDC Subdivision No. 1 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

C. Discussion and consideration to approve the Final Plat for King Estates Subdivision – being the 10.00 acres out of Farm Tract 17, West Tract Subdivision, Weslaco, Hidalgo County, Texas, located on Pleasantview Drive just south of Interstate 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.)

Mardoqueo Hinojosa stated this is a forty-two lot subdivision serviced with an 8-inch water and sewer lines. The Planning and Zoning Commission and staff recommend approval.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, moved to approve the Final Plat for King Estates Subdivision as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to extend the Severn Trent annual agreement two-years for an annual increase capped at 1.3% and authorize the Mayor to execute any related documents. Possible action. (Requested by Severn Trent.)

George Quilantan, with Severn Trent, requested to extend the annual agreement for two years with an annual increase capped at 1.3% instead of 3.31% that could be justified based on the 2017

Consumer Price Index data and with an increase in chemical cost of \$24,000 for increased water production.

The City Manager stated in the original contract with Severn Trent, the City pays all chemicals and when there is an increase in water production the additional calculated cost is added and compounded. He recommends approval subject to verification of the actual cost of chemicals.

The Mayor stated there would be no action on this item.

E. Discussion and consideration regarding proposal submitted by Montalvo Insurance on General Liability and Professional Liability coverage after legal review. Possible action. (Staffed by Human Resources.)

Juan E. Gonzalez, City Attorney, stated he reviewed the Texas Municipal League (TML) policy related to general and professional liability coverages especially for the airport advisory board. TML coverage for board members is vaguely assigned under errors and omissions; the coverage submitted by Montalvo Insurance is specific for board members and has a minimal cost; he recommends the purchase of a supplemental insurance from Montalvo Insurance. He added the conflict of interest provision does not apply to advisory board members.

Andrew Muñoz, Airport Director, stated the cost is \$2,500 annually.

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez, moved to award the proposal submitted by Montalvo Insurance on General Liability and Professional Liability as presented. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Noriega departed the meeting at 6:10 p.m.

F. Discussion and consideration to unseal the sole bid received for Request For Bids No. 2017-18-01, and possibly award bid to the sole bidder, Wall Street Construction, for the Construction for Service Facility / Restrooms at Isaac Rodriguez Park. Possible action. (Staffed by Parks and Recreation Department.)

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to unseal sole bid.

Andrew Muñoz, stated the project cost was estimated at \$80,000 for the facility and \$110,592.58 for the facility plus retention pond. Bids were solicited for a three-week period, extended one week period because only one sole bid was received. Staff recommends unsealing sole bid and accept if \$110,000 or lower. Mayor Suarez unsealed sole bid; the City Manager recommended to allow staff to evaluate and discuss after executive session.

G. Discussion and consideration to approve a change order granting a time extension for rain days within the Library Roof Repair Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.)

Arnold Becho, Library Director, recommended approval honoring the request for an extension because of rain days during the construction time. Staff verified the days and the new date of substantial completion would be November 21, 2017.

Commissioner Kerr, seconded by Commissioner Muñoz, moved to approve change order granting a time extension of 40-days as presented. The motion carried unanimously; Mayor Suarez was present and voting.

H. Discussion and consideration to approve an Interlocal Agreement with the City of Pharr for a manhole replacement program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)

Pete Garcia, Public Works Director, recommended approval stating time and money would be saved by the City. In response to Commissioner Muñoz, additional staff would be added by the contractor, Southern Trenchless Solutions, to handle the work.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to approve an Interlocal Agreement with the City of Pharr for a manhole replacement program as presented. The motion carried with Commissioner Kerr abstaining; Mayor Suarez was present and voting.

I. Discussion and consideration to award the most advantageous bidder, Cintas Corporation, for Industrial Employee Uniforms as requested in Request for Proposals No. 2016-17-32, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works.)

Pete Garcia recommended to award Cintas Corporation to provide new uniforms for employees. The City Manager recommended approval stating the respondent was the low bid meeting specifications and meets the needs of the employees.

Mayor Pro Tem Tafolla, by Commissioner Kerr, moved to award the most advantageous bidder, Cintas Corporation as presented. The motion carried unanimously; Mayor Suarez was present and voting.

J. Discussion and consideration to purchase seven (7) 2018 vehicles from Buyboard vendor Gunn Chevrolet Ltd. under the capital outlay fund 2017-2018 budget:

<u>1. Building Maintenance - 3/4 Ton pickup with service body and lift gate</u>	<u>\$34,782</u>
<u>2. Fleet Maintenance - 1 Ton pickup regular cab with service body</u>	<u>\$36,733</u>
<u>3. Solid Waste (Recycle) - 3/4 Ton pickup regular cab with flatbed</u>	<u>\$29,021</u>
<u>4. Meter Division - 1/2 Ton pickup Regular Cab</u>	<u>\$21,257</u>
<u>5. Distribution Department - 1 Ton pickup with dump body</u>	<u>\$39,033</u>
<u>6. Distribution Department - 1 Ton pickup Crew Cab with service body</u>	<u>\$40,842</u>
<u>7. Collections Department - 1 Ton pickup Regular Cab with service body</u>	<u>\$33,733</u>

and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

David Arce, Parks Director, noted a \$1 difference in price but recommended approval of the purchase from Gunn Chevrolet stating vehicles are equipped with backup camera and all terrain tires for safety.

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

VII. EXECUTIVE SESSION

At 6:22 p.m. Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved the regular meeting to convene in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

At 6:35 p.m. Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action.

B. 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.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr, authorized the City Attorney, City Manager and Mayor to accept the offer from mediation held on November 7, 2017 subject to modifications to settlement agreement as discussed in executive session. The motion carried unanimously; Mayor Suarez was present and voting.

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.

There was no action on this item.

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.

Mayor Pro Tem Tafolla, seconded by Commissioner Muñoz, moved to accept the lease and 380 Agreements as discussed for Project Saddle. The motion carried with Commissioner Kerr abstaining; Mayor Suarez was present and voting.

E. Real Property – Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property consisting of 36.63 acres more or less located on Midway Road as authorized by §551.072 of the Texas Local Government Code.

There was no action on this item

F. Discussion and consideration to unseal the sole bid received for Request For Bids No. 2017-18-01, and possibly award bid to the sole bidder, Wall Street Construction, for the

Construction for Service Facility / Restrooms at Isaac Rodriguez Park. Possible action. (Staffed by Parks and Recreation Department.)

Andrew Muñoz stated staff met with sole respondent who proposed an alternate cost savings by removing items that can be provided by the City, such as air dryers and sinks. Staff recommends approval to Wall Street Construction in an amount not to exceed \$101,780.00.

Commissioner Kerr, seconded by Mayor Pro Tem Tafolla, moved to approve sole bid received from Wall Street Construction in an amount not to exceed \$101,780.00 as presented. The motion carried unanimously; Mayor Suarez was present and voting.

IX. ADJOURNMENT

Commissioner Muñoz, seconded by Mayor Pro Tem Tafolla, moved to adjourn at 6:37 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth Walker

MAYOR PRO-TEM, Gerardo “Jerry” Tafolla

COMMISSIONER, Leo Muñoz

COMMISSIONER, Greg Kerr

ABSENT

COMMISSIONER, Jose “J.P.” Rodriguez

COMMISSIONER, Letty Lopez

COMMISSIONER, Josh Pedraza