



**MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
APRIL 16, 2024**

On Tuesday, April 16, 2024, 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	Adrian Gonzalez
	Mayor Pro Tem	Adrian Farias
	Commissioner	Josh Pedraza
	Commissioner	JP Rodriguez
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Greg Kerr

ABSENT: None

STAFF PRESENT:	Martin Garza	City Manager
	Norma A. Cantu	City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Aida Vega, Deputy City Secretary, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, Arnold Becho, Library Director, Luz Galindo, HR Director, Albert Aldana, City Engineer, Antonio Lopez, Fire Chief, Joel Rivera, Police Chief, David Arce, Public Works Director, Rick Mendoza, IT Director, Rosa Badillo, Court Coordinator, George Quilantan, Inframark and other staff members.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Gonzalez called the meeting to order and certified the public notice of the meeting as properly posted Friday, April 12, 2024.

B. Invocation.

Pastor Raja Masilamony, Seventh Day Adventists Church led the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

Norma A. Cantu, City Secretary, called the roll noting perfect attendance and a quorum present.

E. Mayoral recognition.

1) Proclamation - Military Connected Students.

Mayor Gonzalez and the City Commission proclaimed the month of April as “Military Connected Children Month”.

2) Proclamation/Recognition - 100th Year Celebration of the Weslaco Fire Department.

Mayor Gonzalez and the City Commission proclaimed and recognized the 100th Anniversary of the Weslaco Fire Department.

3) Proclamation - April as Autism Awareness Month.

Mayor Gonzalez and the City Commission proclaimed month of April as “Autism Awareness Month”.

4) Proclamation - Telecommunicator’s Week April 14-20, 2024.

Mayor Gonzalez and the City Commission proclaimed the week of April 14th through 20th 2024, as “Telecommunicators Week”.

II. PUBLIC COMMENTS

Hiram Gutierrez, Perdue Brandon Fielder Collins & Mott Delinquent Tax Attorneys, addressed the commission regarding the Statements of Qualifications for Delinquent Ad Valorem Tax Services; voiced the submission of their statements of qualification was timely as a confirmation was received; notified by the city they had not timely submitted a complete Statement of Qualifications only their intent to submit; voiced it was due to a technical failure with BIDNET because their SOQ’s had been uploaded on April 9 meeting the deadline; requested favorable consideration to allow them the opportunity to present as under the RFQ’s the commission has the discretion to waive informalities or technicalities in the submission process.

III. REPORTS

A. Inframark.

George Quilantan, Inframark, presented the water flow and capacity levels for the month of March 2024 as follows; Water Treatment Plant flow was 5.7mgd, operating at 44% capacity and getting proposals for assessment of the ground wells; North Wastewater Treatment Plant flow was 2.4mgd, operating capacity at 48% and capital repairs done to the center structure of the contact chambers; and South Wastewater Treatment Plant flow was 1.7mgd, operating capacity was at 68% and repairs done to the rotor ad post aeration blower; presented the call out log for March; reported on repairs to lift station 11 and pumps installed at lift station 36, 42 and 45; reported on capital repairs; continue doing public awareness and presented a video on operations of a lift station from its source, to the local sewer system and to the regional wastewater lift station.

B. Animal Care Services.

No report.

C. Status on North Wastewater Treatment Plant Blower

Albert Aldana, City Engineer, reported the new aeration blower at NWWTP has been installed and ready for startup; blower soft start has been installed and the electrical wiring connections scheduled for April 17- April 22nd Howden technician is scheduled to perform startup, April 23rd Benshaw technician to perform startup of the soft start and existing blower will then be scheduled for maintenance upon successful startup of new blower; maintenance and installation of a new aeration system under way; arrival of aeration system scheduled for the end of June and a request for bids to be prepared and advertised May 2024.

For the record Commission Rodriguez in attendance and participated in the meeting remotely by telephonic conference.

D. Status of traffic light on Airport and 6th Street

David Arce, Public Works Director, reported delays have included the original vendor unable to fulfill the order for the cabinet and traffic light, Quebec became the selected vendor and encountered problems with the representative in filling orders; all traffic lights and cabinets are now on order as advised by the vendor with estimated delivery being 6-months out.

IV. PUBLIC HEARING

A. To solicit input on behalf of Arturo Ramos R&A Real Estate Investments LLC. to rezone 1501 N International Blvd., also being Adams Tract N414'-S517.39'-E526.09'FT 1038 5.00 AC Net, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District.

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

No comments.

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

V. CONSENT AGENDA

All items listed under the Consent Agenda are considered to be routine, and the Governing Body has been furnished with background and support material and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item(s) will be removed from the consent agenda by the Mayor, a Commission member or the City Manager and will be considered separately.

A. Approval of the Minutes of the Regular Meeting on April 2 and March 19, 2024 (Staffed by City Secretary Department.)

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

1) Ordinance 2024-11 adopting a 50% property tax exemption for qualifying child-care facilities in accordance with Senate Bill 1145 and authorize the Mayor to execute any related documents. (First reading held April 2, 2024; staffed by City Manager.)

C. Approval to authorize staff to solicit bids for manhole rehabilitation and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

D. Approval to authorize staff to solicit bid proposals for the demolition of the Porter Doss Library and construction of a new exterior wall to the Theater; and, authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.)

E. Approval of Resolution 2024-46 to enter into an agreement with TxDOT for a public event in the city limits of Weslaco requiring the closure of Farm to Market Rd 88 (Texas Blvd) between US Business 83 Highway and 6th Street from 2:00 pm to 11:00 pm for the 4th of July Drone Display event on July 5, 2024, allowing public consumption of alcohol on the street from US Business 83 Highway to 6th Street; waiving fees and ordinances associated with the event; approving support by City of Weslaco, Weslaco Parks and Recreation, Public Works, Police, Fire, and EMS Department and authorize the Mayor to execute any related documents. (Staffed by Engineering Department.)

F. Approval to accept donation of products as solicited by Glazers. (Staffed by Public Works.)

G. Approval to authorize staff to solicit Request for Proposals (RFP) for Public-Private Partnership(s) for Airport and Hangar Development at the Weslaco Mid-Valley Airport and authorize the Mayor to execute any related documents. (Staffed by Airport Department.)

Mayor Gonzalez requested item F be withheld.

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

F. Approval to accept donation of products as solicited by Glazers. (Staffed by Public Works.)

Commissioner Gonzalez Jr. abstained from vote and discussion.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve to accept donation of products as solicited by Glazers as presented. The motion carried; Commissioner Gonzalez Jr. abstained; Mayor Gonzalez was present and voting.

Following for the record is the caption of Ordinance 2024-11.

ORDINANCE NO. 2024-11

AN ORDINANCE OF THE CITY OF WESLACO ADOPTING A FIFTY (50%) PROPERTY TAX EXEMPTION FOR QUALIFYING CHILDCARE FACILITIES AS AUTHORIZED UNDER TEXAS TAX CODE SECTION

11.36 AND ARTICLE VIII SECTION 1-R OF THE TEXAS CONSTITUTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2024-47 appointing members to the Iwo Jima Blue Ribbon Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary.)

Norma A. Cantu, City Secretary, stated board applications had been received and introduced the nominees as follows; Randy Hall nominated by Mayor Gonzalez, Israel Maldonado nominated by Mayor Pro Tem Farias, Mark McCaleb nominated by Commissioner Kerr, Albert Cavazos nominated by Commissioner Gonzalez Jr., Raul Garcia nominated by Commissioner Pedraza, Ramon Resendez nominated by Commissioner Lopez and Almadelia Gonzalez nominated by Commissioner Rodriguez. Martin Garza, City Manager, stated staff assistance would be Lily Alvarez, Omar Rodriguez and Chief Rivera.

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to approve Resolution 2024-47 appointing Almadelia Gonzalez, Israel Maldonado, Raul Garcia, Ramon Resendez, Randy Hall, Mark McCaleb and to the Iwo Jima Blue Ribbon Committee as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration on Resolution 2024-48 appointing members to the Rebranding Logo Blue Ribbon Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary.)

Norma A. Cantu stated board applications had been received and introduced the nominees as follows; Yolanda Martinez nominated by Mayor Gonzalez, April Ramirez nominated by Mayor Pro Tem Farias, Javier Dominguez nominated by Commissioner Kerr, Charlie Casanova nominated by Commissioner Gonzalez Jr., Arminda Garcia nominated by Commissioner Pedraza, Ramon Resendez nominated by Commissioner Lopez and Sabrina Turner nominated by Commissioner Rodriguez. Martin Garza, City Manager, stated staff assistance would be Jasmine Rico Joens, David Arce and Chief Tony Lopez.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Resolution 2024-48 appointing April Ramirez, Yolanda Martinez, Javier Dominguez, Charlie Casanova, Arminda Garcia, Ramon Resendez and Sabrina Turner to the Rebranding Logo Blue Ribbon Committee as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration after public hearing on behalf of Arturo Ramos R&A Real Estate Investments LLC. on Ordinance 2024-12 to rezone 1501 N International Blvd., also being Adams Tract N414'-S517.39'-E526.09'FT 1038 5.00 AC Net, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-12. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Director of Planning and Code Enforcement, stated twenty-eight property owners were notified with no objection received; the site is the old catholic war veteran's property and is under subdivision review; will be subdivided into three lots with the back of the property to continue with the existing use of an event center and front as a commercial plaza type use. The Planning & Zoning Commission and staff recommended approval based on surrounding use.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve Ordinance 2024-12 to rezone 1501 N International Blvd as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration to approve the Final Plat for Texas Heights Phase II Subdivision being 17.518 acres out of Farm Tracts 108 and 109, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located on Texas Blvd & Northcross Avenue 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 one hundred lot subdivision inside city limits; serviced with water and sewer by the city; is Phase II of Texas Heights Subdivision; developer requested a variance for narrow front lot sizes and a minimum front setback of 20-feet. The Planning and Zoning Commission recommended approval with variance. Staff recommended approval with compliance of the ordinance on the variance.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Final Plat for Texas Heights Phase II Subdivision with variance as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Discussion and consideration to approve Ordinance 2024-13 for the Voluntary Annexation of West and Adams Tract Subdivision – being a 11.327-acre tract of land out of Farm Tract 758, West and Adams Tract Subdivision, Hidalgo County, Texas located approximately 765ft south of E Mile 5 ½ N. and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-13. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the proposed development of Bridge Heights Subdivision was already approved by commission action and the developer is ready to proceed with annexing into the city. The Planning and Zoning Commission and staff recommended approval as the development is contiguous to the existing city limits.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Ordinance 2024-13 for the Voluntary Annexation of West and Adams Tract Subdivision – being a 11.327-acre tract of land out of Farm Tract 758, West and Adams Tract Subdivision as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration to adopt Ordinance 2024-14 amending Ordinance 2018-02, to create new zoning Districts, the city of Weslaco zoning ordinance; codified as chapter 150 of the Weslaco code of ordinances, adopting new regulations; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents.

First reading of Ordinance 2024-14. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated the city is experiencing a growth in multi-family designs and currently the R-2 Apartment and Duplex zone is all-inclusive; the proposed ordinance would allow for different zone classifications for the different types of apartment uses and would also create a Public Zone District for establishments with schools, government buildings, public hospitals and other similar type uses; new proposed zones would be 1) RT-1 Townhomes/Condominium district, 2) R-2 Duplex, Triplex and Fourplex district, 3) R-2-AC Apartment complex district and 4) Public Zoning district for schools, hospitals and government buildings. The Planning and Zoning Commission and staff recommended approval.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Ordinance 2024-14 amending Ordinance 2018-02, to create new zoning Districts, the city of Weslaco zoning ordinance as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration to accept a contractual rate increase of 17.7% from Liquid Environmental for grease trap services provided effective May 1, 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, stated Liquid Environmental submitted a request to increase the cost of grease trap services; current contracted price would allow an increase up to 51.20% and their proposed rate increase is 17.7% that would be a .55-cent increase to be effective May 1; stated there had not been an increase since 2014; price cost now is \$0.31c per gallon and increase would set cost at \$0.365 per gallon that meant for every 1,000 gallons serviced, the price would increase by \$55.00; stated the minimum charge would also increase from \$185 to \$217.75 and all other special fees in the contract would also increase by the 17.7% requested. Staff recommended approval.

In response to Commissioner Kerr, staff stated the vendor has the right under their contract to request an increase, but the city is not obligated; this is a pass-through service paid by a commercial business that has a kitchen; contract in place since 2006; RFQ's were solicited in 2021 and they were the sole respondent. In response to Mayor Pro Tem Farias staff is not aware of other vendors in the area providing this type of services.

Commissioner Kerr requested to table for more information on market rates for this type of services.

Commissioner Kerr seconded by Mayor Pro Tem Farias moved to table as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration to approve a negotiated contract with Raba Kistner for the City of Weslaco Alton Landfill Post-Closure Care Monitoring (RFQ No. 2023-24-15) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)

David Arce, Public Works Director, stated presentations and interviews were conducted with three firms at the last commission meeting; action taken was the selection and approval to negotiate a contract with Raba Kistner; an agreement submitted would be a 4-year term with the same terms outlined in the previous agreement. Staff recommended approval for a total cost of \$190,500.

Commissioner Lopez seconded by Mayor Pro Tem Farias moved to approve negotiated contract with Raba Kistner for the City of Weslaco Alton Landfill Post-Closure Care Monitoring as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration to approve the Interlocal Agreement between City of Weslaco, Hidalgo County and City of Donna for road reconstruction and improvement project to a portion of Midway Road from Business 83 to Expressway 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, stated that the interlocal would be between Weslaco, Hidalgo County Pct. 1 and City of Donna for reconstruction and roadway improvements for Midway Road from Business 83 to Expressway 83; cost for labor and material estimated at \$129,503.40; each city would be responsible for 50% of the project cost that would be \$64,751.70. Staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Kerr moved to approve the Interlocal Agreement between City of Weslaco, Hidalgo County and City of Donna for road reconstruction and improvement project to a portion of Midway Road from Business 83 to Expressway 83 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Discussion and consideration to accept and file the City of Weslaco's Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2023 as presented by Carr, Riggs & Ingram, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos introduced Jonathan Hall and Heather Flores, Carr, Riggs & Ingram, LLC that presented the audit ending fiscal year September 30, 2023.

Jonathan Hall, CPA and Partner, presented the report that included the transmittal letter that provides a profile of the city, management discussion and analysis, fund financial statements, statistical information and compliance section; noted the Finance Department awarded the certificate of excellence for financial reporting ending FY2022; presented two components of the audit; Financial Statement Audit is the basic financial statements of the governmental activities (police, fire, public works, public services and administration) and business activities (water, sewer, solid waste and airport operations); did not audit EDC and is referenced in the report; audited of the Federal Awards (grants) is to ensure compliance with the Office of Management and Budget as related to federal programs and stated one major program audited was use of ARPA funds; stated three reports issued 1) Independent Auditors provides an unmodified opinion on the fair presentation of financial statements, 2) control over financial reporting does not offer an opinion but required for compliance and stated there were no deficiencies and findings to report; 3) an opinion required on the report and compliance of federal award(s) and noted a major program

audited was the ARPA funds and in compliance; went over assets, liabilities and net position for the city; reviewed revenues for governmental activities for 2023 was \$45.2million and business activities \$24.1million in line with other cities as a result of growth; stated sales tax and property taxes increased from last year and stated all reporting similar to last year with no major concerns; expenditures for governmental activities was \$20.5million with the bulk of spending there was public safety and public works; expenditures for business activities (water, sewer, solid waste and airport) was \$14-million; went over the general fund revenues, expenditures and changes in fund balances stated overall was a healthy unassigned fund balance; significant changes was 7.8% increase in sales tax and \$1-million increase in non-property tax revenue; presented a general fund balance comparison for the last ten years; summarized the required communications to staff with no disagreements with management as well as no significant deficiencies from the audit results.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to approve accept and file the City of Weslaco's Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2023as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

I. Discussion and consideration on renewal of the agreement with Armando Martinez dba M-5 Texas Enterprises LLC Consulting Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)

Andrew Munoz, Asst. City Manager, stated there were two changes to the agreement 1) was monthly reports to be submitted to the Fire Chief and 2) would go from a one-year to a two-year agreement. Staff recommended approval.

Mayor Gonzalez stressed open communications was vital for all parties involved to avoid delay of commission action.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve.

Commissioner Rodriguez stated previous discussions was to have performance measures in the agreement and was that included and suggested a one-year contract. Andrew Munoz stated yes and that would be included in the monthly activity report to the Fire Chief for review and he would address performance measures based on the report; the two-year agreement was a recommendation from the consultant and avoid bringing back on a yearly basis as done in the past for renewal and have a two-year with no renewal option. Commissioner Pedraza asked if there was a 30-day clause for termination. Andrew Munoz stated no as the agreement outlined the services from the consultant was more of an oversight to ensure training and compliance of required certification of fire personnel is being done. Commissioner Lopez recommended a one-year term.

Mayor Pro Tem Farias seconded by Commissioner Pedraza amended the motion to include a 30-day non-clause termination and approve a two-agreement with Armando Martinez dba M-5 Texas Enterprises LLC Consulting Services as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

J. Discussion and consideration to amend a consulting agreement with Ares Services DBA the Olympus Group and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)

Andrew Munoz stated the agreement had changes as follows: agreement refers to Company and Consultant and the word Company would change to “City”, venue for litigation would be Hidalgo County, monthly reports and discussions would be required to be submitted to the City Manager and himself and extend the agreement for two years to align with the legislative session. Staff recommended approval and stated agreement had the 30-day non-clause termination and compensation remains the same.

Commissioner Lopez seconded by Commissioner Gonzalez Jr. moved to approve and amend the consulting agreement with Ares Services DBA the Olympus Group as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

K. Discussion and presentation and possible selection for collection services for delinquent ad valorem taxes (SOQ 2023-24-22) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos stated that there were two intent to bid forms submitted but only one Statement of Qualifications was timely submitted from Linebarger, Goggan, Blair & Simpson who would be presenting.

Homer Rhodes, Purchasing Agent, stated the BIDNET lock box was opened April 10; two responsive documents one was a 130 page SOQ from Linebarger, Goggan, Blair & Simpson and a single page document from Perdue, Brandon, Fielder, Collins & Mott; staff notified Perdue who then submitted a 107 page SOQ; BIDNET was contacted and provided a screenshot of the timeline that showed one page submitted by Perdue; BIDNET representative stated there was no error with the city server nor any issues.

Commissioner Lopez voiced her concern that the timestamped from BIDNET showed the file upload was April 9 at 4:55pm and ended at 4:59pm and a one-page document would not take 4 minutes to upload.

Mayor Gonzalez stated to move forward and hear from Linebarger, Goggan, Blair & Simpson.

Kelly Rivera Salazar, Linebarger, Goggan, Blair & Simpson, introduced staff attorneys Michael Cano, Jimmy Gonzalez and specialized team members Robert Garza and Roger Gonzalez. Michael Cano went over their credentials founded in 1976 with more than 1,000 employees with 120 attorneys, serving 2,665 clients in 33 states; are a Texas based firm with 35 offices serving cities, school district, counties and other taxing entities; in operations since 1984 in the RGV with offices in Edinburg, Brownsville and 6 additional payment stations; serve all five counties in the RGV having over 90% of the taxing entities for collection of delinquent taxes; highlighted on their performance results; presented before and after comparisons of 8-year tax collections for some of their clients and Weslaco showing their performance exceeded the other firms in collections.

In response to questions from the Commission if within the last five years has any member of the commission current or past have been employed by them, Ms. Salazar was not aware of any stated any conflicts would have been filed as ethically required under the SOQ's ; reporting is at the discretion of the client of how often reports are done and there is no guarantee collections will increase every year.

After further discussion regarding submittal from Perdue, BIDNET process, confirmations of the submittal, the City Attorney stated the commission has the authority to accept/reject all and allow a late submittal although in the past it has not done so as to not set a precedence; that is why staff only invited one party to present their proposal but ultimately the commission can make any allowances they so wish.

Mayor Gonzalez entertained the wishes of the commission and consensus was allow Perdue to present.

Janelle Caso, Attorney with Perdue, Brandon, Fielder, Collins & Mott, stated Hiram Guitierrez, Partner was also present; went over the Weslaco team; have been in business for 53 years with 15 offices in Texas and multiple satellite locations, local office in Edinburg and Brownsville, 59 licensed attorneys across the state and 400+ support staff nationwide that allows them to meet clients' needs, local office has twenty employees with an attorney client to ratio of 1 to 4 in the Edinburg office; have represented Weslaco since 2015 and have collected more than \$3.8 million in base tax revenue, have decreased the delinquent tax level over 22% and is the highest in Hidalgo County; are committed to involvement in the community; stated have a performance of high collection rates, 54 years' of experience and over 2,500 governmental clients; stated they also serve clients in Hidalgo, Cameron and Willacy County; are a Tier 4 data center that is the highest tier in security measures, go above and beyond to serve the client; work with the tax payer and filing a tax suit is a last resort; went over other services they do for the city such as bankruptcy representation and property tax sale services. Hiram Gutierrez presented the delinquent tax levy collected and current collections noting they have decreased the tax delinquency; went over comparison of collections of other cities and school districts that increased yearly.

In response to questions from the Commission no member of the commission current or past been employed by them; they have one consultant that assists in the area; collections will vary depending on the entity.

Rosie Cavazos stated upon scoring the evaluations, rankings had Linebarger, Goggan, Blair & Simpson as No. 1 and Perdue, Brandon, Fielder, Collins & Mott No. 2.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve Linebarger, Goggan, Blair & Simpson for collection services for delinquent ad valorem taxes as presented. The motion carried; Commissioners Lopez and Kerr against; Mayor Gonzalez was present and voting.

VIII. EXECUTIVE SESSION

At 8:10 p.m. Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 8:30 p.m. Mayor Gonzalez 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. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property located on 18th St, west of Pleasantview Drive described as being 12.16 acres of land out of a gross 14.82-acre tract of land out of Farm Tract 706, West Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.

No action.

C. Real Property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as the South 12.50' of Lot 3 and Lots 4-9, Block 26, Weslaco Original Townsite, Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Government Code.

No action.

D. Real Property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as the West Tract being an irregular tract of land out the N 416'-S435.45'-E671.78' FT 53 3.84 AC, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Government Code.

No action.

E. Legal Consultation - Consultation with City Attorney regarding potential litigation as submitted by The Castellanos Law Group as authorized by Section §551.071 of the Texas Government Code.

No action.

X. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to adjourn the regular meeting of April 16, 2024 at 8:32 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**