



**MINUTES OF A SPECIAL MEETING
WESLACO CITY COMMISSION
MAY 14, 2024**

On Tuesday, May 14, 2024, at 5:30 p.m. the City Commission of the City of Weslaco, Texas convened in a Special 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.

ABSENT:	Commissioner	Greg Kerr
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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, MariCarmen Garcia, Asst. 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, May 10, 2024.

B. Invocation.

Pastor Manuel Portillo, The Way of the Redeemed 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 at the time of roll call the absence of Commissioner Kerr and Pedraza and a quorum present.

E. Mayoral Recognition.

1) Proclamation - National Public Works Week.

Mayor Gonzalez and City Commission proclaimed May 18-25, 2024 as Public Works Week in Weslaco.

2) Proclamation - Economic Development Corporation of Weslaco Week.

Mayor Gonzalez and City Commission proclaimed May 6 through May 10, 2024, as Economic Development Week in Weslaco.

II. PUBLIC COMMENTS

None.

III. REPORTS

A. Weslaco Economic Development Corporation.

Mitchell Garcia, WEDC, reported that staff attended two trade shows being the San Antonio Manufacturing Association and Viva Fresh; celebrated EDC Week; staff attended Game of Life at Weslaco East presenting to students about economic development and government; upcoming travel is the International Conference of Shopping Centers; hosted a Financial Education Seminar for the business community; Texas Roadhouse opens May 20; reported a successful joint workshop with the City Commission was held; elevator repairs were needed at the UTRGV facility that were done and covered by Noble Builders the contractor and staff participated with RGV Star-Up.

B. Weslaco Chamber of Commerce & Visitor Center.

Barbara Jean Garza, President/CEO, presented the destination marketing report expenditures for April 2024 totaled \$10,716; visitors for the month was 1,076 comprised of voters, in and out of state visitors and event guests; door traffic tracker had 2,039; facility reservation were 16; went over upcoming events and ribbon cuttings; ribbon cutting for Texas Roadhouse May 20; went over community events noting solar eclipse kits were given out and well received and appreciated; celebrated National Small Business Week with a variety events to include a job fair; stated they were in the process of finalizing the details for Lemonade Day in Weslaco a program open to youth business entrepreneurs and will officially be held August 3 and noted Weslaco is now 1 of 3 cities that are licensed holder of this program.

IV. 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 on second and final reading of the following:

1) Ordinance 2024-15 renaming West Mile 6 1/2 N Rd between Milanos and Midway Road to Maritza Drive and authorize the Mayor to execute any related documents. (First reading held May 7, 2024; staffed by Planning & Code Enforcement Department.)

B. Approval on the request from First Baptist Church for street closure from 8:00am to 1:00pm beginning June 10 through June 13, 2024 from 6th Street to 7th Street for vacation bible school and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

C. Approval of Resolution No 2024-51 dedicating 10.26 acres of wetlands/open space/parkland located in the southwest quadrant of Judge Gilbert Park as open space/natural land for perpetuity, as required by the Texas Parks and Wildlife Department and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.)

D. Approval on renewal of a Facilities Usage Agreement with South Texas College for use of Mayor Pablo G. Pena City Park Tennis Courts, 300 North Airport Drive, from June 1, 2024 to May 31, 2025 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

E. Approval to continue enrollment in the Texas LESO (Law Enforcement Support Office) Program for one year to allow the transfer of excess Department of Defense personal property to our agency and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

Mayor Pro Tem Farias requested item D be withheld.

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

D. Approval on renewal of a Facilities Usage Agreement with South Texas College for use of Mayor Pablo G. Pena City Park Tennis Courts, 300 North Airport Drive, from June 1, 2024 to May 31, 2025 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)

In response to Mayor Pro Tem Farias, Omar Rodriguez stated there was no time stipulated as STC was waiting for enrollment and then determine time for the classes and they were advised lighting not available at this time.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve consent agenda item D as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

Following for the record is the caption of Ordinance 2024-15.

ORDINANCE NO. 2024-15

AN ORDINANCE DESIGNATING A PUBLIC ROADWAY: "MILE 6 1/2 N RD" TO MARITZA DRIVE ("MILE 6 1/2 N RD"); AND PROVIDING FOR A SEVERABILITY CLAUSE; CUMULATIVE CLAUSE; EFFECTIVE DATE

V. NEW BUSINESS

A. Discussion and consideration to approve the requirement under Texas Govt. Code 2254 for the City to provide a written statement and finding of the City's need for specialized contingent fee for legal services with Linebarger Goggan Blair & Sampson, LLP and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, stated action is required under the statute of the Texas Govt. Code 2254 that provides a written statement on why the hiring of a law firm for specialized services is necessary (collection of delinquent taxes). Staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve the requirement under Texas Govt. Code 2254 for the City to provide a written statement and finding of the City's need for specialized contingent fee for legal services with Linebarger Goggan Blair & Sampson, LLP as presented. The motion carried; Commissioner Lopez against; Mayor Gonzalez was present and voting.

B. Discussion and consideration to approve an agreement with Linebarger, Goggan, Blair & Simpson for collection services of delinquent ad valorem taxes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos stated previous commission action awarded Linebarger, Goggan Blair & Simpson for collection of delinquent ad valorem taxes; agreement would be for three years beginning June 1, 2024 through March 31, 2027. Staff recommended approval.

Juan E. Gonzalez, City Attorney, requested approval be contingent to removal of section 7.02 – Arbitration clause. There was no objection from Michael Cano, Linebarger, Goggan Blair & Simpson.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to approve agreement with Linebarger, Goggan, Blair & Simpson for collection services of delinquent ad valorem taxes as subject to the Arbitration clause Section 7.02 be removed as presented. The motion carried; Commissioner Lopez against; Mayor Gonzalez was present and voting.

C. Discussion and consideration of Resolution 2024-52 setting penalties imposed under Texas Tax Code Sections 33.07 and 33.08 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos recommended approval and stated the Resolution sets the penalties that may be imposed by Linebarger, Goggan, Blair & Simpson under the tax code which is 15% and is the same as what is currently in place.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve Resolution 2024-52 setting penalties imposed under Texas Tax Code Sections 33.07 and 33.08 as presented. The motion carried; Commissioner Lopez against; Mayor Gonzalez was present and voting.

D. Discussion and consideration to accept and file the Quarterly Investment Report for period ending March 31, 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos presented the Quarterly Investment Report for period ending March 31, 2024 as follows; deposits remain consistent; interest received outpace projections; interest earned to date is \$1,525,705 noting the General fund recognized \$396,514.73 and the remaining balance went to other capital projects funds. Staff recommended approval to accept and file Quarterly Investment Report for period ending March 31, 2024.

Commissioner Rodriguez seconded by Commissioner Lopez moved to accept and file the Quarterly Investment Report for period ending March 31, 2024 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration to accept and file the Financial Reports (unaudited) as of March 31, 2024 for the General Fund, Water and Sewer Fund, Solid Waste Fund, and Airport Fund and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos presented the financial reports (unaudited) as of March 31, 2024 as follows: general fund has a positive change in fund balance of \$8.1M, revenues collected were at \$23.2M expenditures at \$15.7M with an operating surplus of \$7.5M; sales tax collected is at 50% of projections, interest earned \$460K and number of day strong at 170 with 92.95% of our ad valorem tax collected; water & wastewater fund had a negative change in fund balance of \$657,568, 47 days of working capital and noted bond obligations were due that caused the decrease in the number of days of working capital; sanitation fund had a positive change in fund balance of \$724,666, 63 days of working capital and continued to see a positive trend in their fund balance and number of working capital days; airport fund had a negative net change of \$94,180 and continued with a negative number of working capital days. Staff recommended approval to accept and file the Financial Reports (unaudited) as of March 31, 2024.

Commissioner Pedraza seconded by Commissioner Lopez moved to accept and file the Financial Reports (unaudited) as of March 31, 2024 for the General Fund, Water and Sewer Fund, Solid Waste Fund, and Airport Fund as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration on Ordinance 2024-16 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. Possible action. First reading of Ordinance 2024-16. Possible action. (Staffed by Finance Department.)

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Rosie Cavazos stated the ordinance presented will adopt those mid-year budget amendments done as a result of unanticipated expenditures due to repairs of equipment, overtime, cost of fuel and other supplies price increase; reported the General fund had a negative impact \$307,327, Water & Sewer fund negative impact to combined fund balance of \$822,326, Solid Waste had a negative impact to net position of \$115,200, Airport fund had a negative impact of \$40,000, ARPA fund impact was \$200,000 in revenues and \$677,452 in expenditures, the impact to the debt funds had an increase to the projections, the impact to the Capital Improvement funds recognized interest earned with updated project estimates, with the Boys & Girls Club expansion ready to proceed fund 102 reactivated fund to help track of the project expenditures and amended other small governmental funds with immaterial impacts. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve Ordinance 2024-16 adopting a mid-year budget amendment as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration to enter into an Interlocal Cooperation Agreement with the County of Hidalgo for American Rescue Plan Act Recovery Funds establishing a partnership to create the Hidalgo County American Rescue Plan Act Recreational Development Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, recommended approval and stated the interlocal allows Hidalgo County Precinct 1 to reimburse funds in the amount of \$150,000 approved under their ARPA funding for playground equipment installed at Judge Gilbert Garza Park.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve an Interlocal Cooperation Agreement with the County of Hidalgo for American Rescue Plan Act Recovery Funds establishing a partnership to create the Hidalgo County American Rescue Plan Act Recreational Development Program as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Discussion and consideration to authorize the Mayor to provide a letter of support to the Boys & Girls Club of Weslaco Expansion project application to Knapp Community Care Foundation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation.)

Omar Rodriguez stated staff had met with Boys & Girls Club representatives regarding their funding from Congressman Vicente Gonzalez was \$1.7M for the expansion project that had a total estimated project cost of \$2.5million; for additional funding towards the project, they will be submitting an application to the Knapp Care Community Foundation and the letter of support will show the project is a city priority. Staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve for the Mayor to provide a letter of support to the Boys & Girls Club of Weslaco Expansion project application to

Knapp Community Care Foundation as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

I. Discussion and consideration to approve a services agreement with ERO Architects for Architectural and Engineering services for the Boys & Girls Club of Weslaco Expansion Preliminary Design Report not to exceed \$50,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated ERO had been selected as the architect for the project; the first phase was to have a site analysis done showing existing building, expansion and proposed RDF; they will work with Boys & Girls Club staff to prepare and submit environmental study to HUD so funds may be released and would also present programing and schematic design of the new building to present an estimated project cost; staff will then negotiate the basic services agreement of their contract. Staff recommended approval of a Preliminary Design Report not to exceed \$50,000 be done by ERO Architects.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve a service agreement with ERO Architects for Architectural and Engineering services for the Boys & Girls Club of Weslaco Expansion Preliminary Design Report not to exceed \$50,000 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

J. Discussion and consideration to authorize staff to solicit Statements of Qualifications for Architectural and Engineering design services to re-roof the Valley Nature Center Building and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated in the past staff had received two opinions from contractors who specialize in reroofing that agreed that the re-roofing of the Valley Nature Center needed to be done; stated an architectural engineer would need to be hired to prepare a bid package for the scope of work required. Staff recommended approval to solicit Statements of Qualifications for Architectural and Engineering design services to re-roof the Valley Nature Center.

Mayor Pro Tem Farias questioned if bid specifications were not on file from the previous Architect/Engineer (Boultinghouse) for the Valley Nature Center that could be used. Omar Rodriguez stated it could be searched and looked for but there could still be a cost to review those specs, analyze the work performance and recommendations to mitigate any issues.

Juan E. Gonzalez recommended staff could go back and see what specs are in place that could be used and save time. Omar Rodriguez stated Boultinghouse was going to see what files they had but no discussions on cost has been discussed.

No action taken and allow time for staff to discuss further with the original architect on file, Boultinghouse for any plans retained.

K. Discussion and consideration to create a Weslaco Police Department PayPal Account for the Sole Source of all Walmart Grant funds and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Police Department.)

Joel Rivera, Police Chief, stated annually they apply for grants from Walmart stores (North and South); their application process now required a PayPal account for funds to be released when awarded. Staff recommended approval noting Finance and IT Departments had been advised and no objection to the request.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve to create a Weslaco Police Department PayPal Account for the Sole Source of all Walmart Grant funds as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

L. Discussion and consideration on the request from Cameron County Regional Mobility Authority for a letter of support designating the Pharr District office as Pharr District Metro District Designation and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Martin Garza, City Manager, recommended approval on the request from Cameron County Regional Mobility Authority for a letter of support to the Texas Department of Transportation Chairman designating the Pharr District office as one of the Texas six top ranked metro districts; designation will enhance funding to ensure appropriate growth and infrastructure needed in the Rio Grande Valley is recognized.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve the request from Cameron County Regional Mobility Authority for a letter of support designating the Pharr District office as Pharr District Metro District Designation as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VI. EXECUTIVE SESSION

At 6:15 p.m. Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 7:15 p.m. Mayor Gonzalez stated the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

No action.

B. Personnel - Discussion regarding the goals, objectives, and evaluation of the Assistant City Manager/Airport Director for the City of Weslaco as authorized by Section §551.074 of the Texas Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the City Manager and City Attorney proceed as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Real Property - Consultation with City Attorney regarding the sale price of real property with LASCO Development for property located at 901 N. Airport Drive as authorized by §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Rodriguez moved to approve a 30-day extension to the contract and begin with negotiations with LASCO as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Legal Consultation – Consultation with City Attorney regarding Liquid Environmental as authorized by Section §551.071 of the Texas Government Code.

No action.

E. Legal Consultation – Discussion with the City Manager and City Attorney relating to the City’s rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) FY October 1, 2022 – September 30, 2025, as authorized by Section §551.071 of the Texas Government Code.

No action.

VIII. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to adjourn the special meeting of May 14, 2024 at 7:14 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**