MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
JULY 2, 2024

On Tuesday, July 2, 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 (via telephonic)
	Commissioner	JP Rodriguez
	Commissioner	Josh Pedraza
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
ABSENT:	Commissioner	Greg Kerr
STAFF PRESENT:	Martin Garza	City Manager
	Aida Vega	Deputy City Secretary
	Juan E. Gonzalez	City Attorney

Also present: Molly Vallejo, Administrative Assistant, Rosie Cavazos, Finance Director, Rebekah de la Fuente. Director of Planning and Code Enforcement, MariCarmen Garcia, Asst. Library Director, Luz Galindo, HR Director, Albert Aldana, City Engineer, Antonio Lopez, Fire Chief; Armando Espinoza, Asst. Police Chief, David Arce, Public Works Director, Rick Mendoza, IT Director, Rosa Badillo, Court Coordinator, George Quilantan, Inframark, Lily Alvarez, Airport 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, June 28, 2024.

B. Invocation.

Pastor Steven Wagenknecht from Abiding Savior Lutheran Church led the invocation.

C. Pledge of Allegiance.

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

D. Roll Call.

Aida Vega, Deputy City Secretary, called the roll and noted at the time of roll call the absence of Commissioner Kerr and a quorum present.

E. Mayoral Recognition

None.

II. PUBLIC COMMENTS

Sandra Reyna, 217 S. Pat Cannon Street, stated on the intersection traffic light of North Bridge and Pike Street a protected left turn lane was needed because of the long line that form from vehicular traffic wanting to turn left and asked for the commission to look into this; voiced her gratitude to the commission for working with Best Friends Advocacy in coordinating the free clinic to spay/neuter animals and hoped to continue with the goal of controlling the pet population; volunteered at the clinic that was well organized and everyone showed a lot of compassion.

III. PRESENTATION

A. Human Resources Department - 2024 Workplace Safety dividend check earned.

Luz Galindo, Human Resources Director, reported a dividend check was earned from Texas Mutual for workmen's safety was $102,641.01 and last years was $46,517.33.

Ramon Montalvo, Montalvo Insurance, stated the dividend earned is a result of low claims, continuing with Texas Mutual, good management and continued loss control program's done with employees; recognized Villafranca Consulting that works with staff in employee safety awareness; stated the total dividends earned by the city in having the coverage with Texas Mutual is over $180,000; the city has 3 months left in year-to-date losses and hoped for no major losses.

IV. REPORTS

A. Weslaco Economic Development Corporation.

April Castaneda, Director of Business Development WEDC, reported coordinating with the Chamber of Commerce and City on the presentation of the Stars and Stripes Display scheduled for Friday, July 5 downtown area; beginning plans for the monthly event of Alfresco events that will begin in August; seeking donations and sponsors for their "backpack drive" held in August; reported third McDonalds opened, reported new construction is a Starbucks (third one), Murphy Gas and Weslaco Auto Mart; continue recruiting retail and industrial and will follow up with leads from trade shows; promoting the Weslaco 100 and Façade program grants and stated funds available for the businesses.

B. Weslaco Chamber of Commerce & Visitor Center.

Barbara Jean Garza, President/CEO, presented the destination marketing report expenditures for June 2024 totaled $; attended and completed year three the Texas Travel and Tourism College Program that focus on strategic marketing and highlighting a community as a destination to visit ; visitors totaled 283; went over upcoming ribbon and groundbreaking events and noted a mile stone event Cisneros Jewelry celebrating 40 years; reported the legacy project for this year's Leadership Class was a donation of funds through service for I Theater at the Tower for landscaping and renovations, stated a networking lunch event to be held at Jucas and a groundbreaking event for Monday, July 8 for the fuel station at Neighborhood Walmart; the Weslaco Lemonade Day is being organized for Aug 3rd and coordinating their back to school teachers fair and Sabor in Weslaco events.

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 June 4, 2024. (Staffed by City Secretary Department.)

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

1) Ordinance 2024-17 to rezone 2823 S Bridge Ave., also being 11.327-acre tract of land out of Farm Tract 758, West and Adams Tract Subdivision Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. (First reading held June 4, 2024; staffed by Planning & Code Enforcement Department.)

2) Ordinance 2024-18 to rezone 3208 N Westgate Dr., also being Lot 1, Jeshua Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. (First reading held June 4, 2024; staffed by Planning & Code Enforcement Department.)

C. Approval of a Memorandum of Understanding with Region One for provision of free ESL and GED classes and other adult education opportunities within the library and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

D. Approval to solicit Request for Bids (RFBs) for security services at the Mayor Joe V Sanchez Public Library and authorize the Mayor to execute any related documents. (Staffed by Library Department.)

E. Approval to amend the Tyler Technology agreement, which will allow the migration of several modules from ERP 9 to ERP Pro 10 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

F. Approval to solicit bids for the extension of 200 LF of metal beam guardrail fence along Mile 9 N Rd east of FM 1015 and authorize the Mayor to execute any related documents. (Staffed by Engineering Department.)

G. Approval to accept a negotiated settlement agreement regarding AEP Texas Inc's request to increase its electric transmission and distribution rates and charges as recommended by the consultants Lloyd Gosselink Rochelle & Townsend, P.C. (Staffed by City Manager.)

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

Following for the record are ordinance caption(s).

ORDINANCE NO. 2024-17

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 2823 S BRIDGE AVE., ALSO BEING 11.327-ACRE TRACT OF LAND OUT OF FARM TRACT 758, WEST AND ADAMS TRACT SUBDIVISION, WESLACO HIDALGO COUNTY, R-1 ONE FAMILY DWELLING DISTRICT TO R-2 DUPLEX AND APARTMENT DISTRICT ZONING DISTRICT BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

ORDINANCE NO. 2024-18

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2018-02 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF REZONE 3208 N WESTGATE DR., ALSO BEING LOT 1, JESHUA SUBDIVISION, WESLACO, HIDALGO COUNTY, TEXAS FROM R-1 ONE-FAMILY DWELLING DISTRICT TO B-1 Neighborhood Business District BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 18th day of June 2024.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 2nd day of July 2024.

CITY OF WESLACO
/s/Adrian Gonzalez, MAYOR

ATTEST:
/s/Norma A. Cantu, CITY SECRETARY

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

VI. APPOINTMENTS

A. Discussion and consideration on Resolution 2024-59 appointing a member to the Citizens Drainage Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary/Engineering Department.)

Aida Vega, Deputy City Secretary, stated a term was set to expire on this board; interest was received from two individuals. The nominee from Mayor Pro Tem Farias is consideration for Homer Saenz for appointment.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve Resolution 2024-59 appointing Homer Saenz to the Citizens Drainage Advisory Board as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration to approve the Interlocal Agreement between the City of Weslaco and the City of Donna for Sanitary Sewer Utility Services of Midway Estates Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Mayor Gonzalez, recommended to table and allow time for staff to evaluate the flow of water/sewer and the impact it will have on the city's infrastructure.

Martin Garza, City Manager, stated staff was looking into this and time needed to review. The item would come back at the next regular meeting.

The City Attorney recommended no action.

No action.

B. Discussion and consideration on Ordinance 2024-19 amending Electioneering Ordinance 2022-22 regarding the drawing of assigned spaces for electioneering purposes for non-local races and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-19. Possible action. (There was no action on June 4, 2024; staffed by City Secretary Department.)

Aida Vega highlighted on the proposed amendments that included a definition for tent, a camp fee for all local and non-local elections (school, federal/state, county office holders), of a non-refundable $100 fee to be paid prior to the ballot drawing, the number of permitted signs would be limited to 1-4x8 not to exceed 7-feet in height, 1-4x4 and yard signs no larger than 24-inches, voter parking will be designated and tents/canopy shall be 10x10 and cannot be more than 10-feet in height, shall be solid colors with no content (stitched/embroidered) on them. Staff recommended approval.

In response to Commissioner Lopez a candidate would not be permitted to exceed the number of political signs regardless of where placed, such as their assigned parking space or affixed to a trailer or equipment.

After a brief discussion on the number of permitted signs, the commission agreed on no action and have staff look further into this. Staff stated the commission could pass on first reading and any final changes would come back to the commission for second and final reading.

There was no action.

C. Discussion and consideration on the proposed Sixth Amendment letter impacting the FY 2023-2024 budget for the Inframark Water and Wastewater System Operation and Maintenance Agreement and authorize the Mayor to execute any related documents. Possible action. (There was no action on June 4, 2024; staffed by City Manager/Finance Department.)

Rosie Cavazos, Finance Director, stated Inframark proposed contract amendment number 6 that included a CPI increase (Consumer Price Index) of 4.6% for FY 2024, extend the contract 2-year with additional CPI increases of 4.5% for FY 2025 and FY 2026; total cost of amendment #6 for the three years would be an additional $220,607 and the City would have the option to terminate the contract by giving a 60 day advance written notice prior to the September 30, 2026 end date. Staff recommended approval.

Juan E. Gonzalez, City Attorney, recommended a revision on 6.4 first sentence to read that either the city or Inframark may terminate without cause at any time by giving a 60-day advanced written notice to the other party.

Commissioner Gonzalez Jr. seconded by Commissioner Lopez moved to approve Sixth Amendment for the Inframark Water and Wastewater System Operation and Maintenance Agreement with recommended changes noted by City Attorney as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration to approve and accept a financing proposal (RFP 203-24-30) from U.S. Bankcorp Government Leasing and Finance for the purchase of the Fire Department Ferrara 107' Ladder Truck in the amount of $1,230,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos stated five proposals were received and evaluated; U.S. Bankcorp Government Leasing and Finance provided the lowest interest rate and lowest total cost for a 10-year financing period with a proposed 4.66% interest rate for a total interest cost of $336,712.00. Staff recommended approval of U.S. Bankcorp Government.

Commissioner Lopez seconded by Commissioner Rodriguez moved to approve and accept a financing proposal from U.S. Bankcorp Government Leasing and Finance for the purchase of a Ferrara 107' Ladder Truck in the amount of $1,230,000 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration to solicit Request for Qualifications (RFQ's) for the creation of a Tax Increment Reinvestment Zone (TIRZ) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)

Rosie Cavazos stated workshops have been held to discuss a Tax Increment Reinvestment Zone (TIRZ); stated some benefits of a TIRZ included renovating deteriorated, blighted, or under-developed areas, acquisition and/or construction of public works, such as utilities, streets, water and sewer facilities, parks, drainage facilities, public buildings, or parking facilities. Staff recommended approval to solicit qualifications for a TIRZ Consultant, to work closely with staff in the administration, creation and management of a TIRZ and to work with the City's Financial Advisors to create a feasibility analysis to determine the significance a TIRZ will have on the city.

Commissioner Gonzalez Jr. seconded by Commissioner Rodriguez moved to approve and solicit Request for Qualifications (RFQ's) for the creation of a Tax Increment Reinvestment Zone as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration to award bid for RFB. #2023-24-06 New Theater Wall Construction and Demolition of Porter Doss Building to the lowest, responsive, responsible bidder CRC Development & Construction of McAllen, Texas for an amount not to exceed $365,320 and authorize the Mayor to execute any related documents. Possible action. (There was no action on June 4, 2024; staffed by Parks and Recreation Department.)

Omar Rodriguez, Parks and Recreation Director, stated a bid opening on May 31st had three bids received and evaluated; the apparent low bidder retracted his bid as a result of a missed element of work in his quote and could not honor his bid and therefore disqualified him from consideration; second-lowest bidder quote was from CRC Development & Construction Co. for an amount of $365,320. Staff recommended approval and legal reviewed and approved because the second lowest bidder was the most responsible bid.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to approve CRC Development & Construction for an amount not to exceed $365,320 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>G. Discussion and consideration to enter into an agreement with Boultinghouse Simpson Gates Architects, Inc. for architectural design services for the Valley Nature Center - Reroof project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)</u>

Omar Rodriguez stated the commission authorized staff to negotiate a contract with Boultinghouse Simpson Gates Architects for this project at a previous commission meeting; a negotiated fee of 8% of the construction cost was agreed on with consulting services provided by Raba Kistner Consultants and noted a competitive sealed bid process will be utilized for the selection of a contractor. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Gonzalez Jr. moved to approve agreement with Boultinghouse Simpson Gates Architects, Inc. for architectural design services for the Valley Nature Center Reroof project as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>H. Discussion and consideration to approve a proposed one-year term contract with AIM GIS Solutions to assist the city with GIS administrative, IT support, and mapping development services and authorize the mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)</u>

Albert Aldana, City Engineer, stated renewal of the license software for the city's GIS system was nearing; AIM GIS Solutions was hired to assess the city's needs and administer renewal of the licenses; GIS is the platform the city's needed, and AIMS assisted in in development of databases for utilities, drainage dashboard, addresses, and city limits. Staff requested consideration to continue working with AIM GIS Solutions and requested a one-year contract with AIM GIS Solutions to provide GIS Services to the city and continue working with them to assist the city with GIS administrative, IT support, and mapping development and introduced Sergio and Aimee Castro, owners of AIM GIS Solutions.

Sergio Castro, owner, went over his background in working with GIS (Geographical Information System) that has become an important element in 911 with the addressing data, went over the different components a GIS can do for the operations of a local government such as permitting system, mapping of utilities and mapping of parks to name a few; stated GIS technology has become an important tool that can have various information available and with the licenses renewed the city can look at bringing consistency of all the different data platform/information; presented for informational purposes what a GIS online map of the different layers of information would look like based on the application licenses the city had.

In response to Mayor Gonzalez, Albert Aldana stated their services would consist of creating the different applications of the data collected by staff. Commissioner Pedraza questioned the urgency to hire, did bids need to be solicited and cost of contract. Albert Aldana stated the city's licenses were set to expire and to determine what licenses were needed staff would not have sufficient time to assess the needs of all the departments. The City Attorney stated the scope of work performed is considered Professional Services and would not require the procurement of bidding, but for transparency he would suggest to any local entity to solicit bids/proposal when possible. Sergio Castro stated cost was $3,000 monthly, included 20hrs and their services was for all departments to assist with GIS operations to include desktop applications and web management.

After a brief discussion regarding the need for procurement the consensus of the commission was to retain a legal opinion if services fall under Professional Services. Commissioner Gonzalez asked for input from IT. Rick Mendoza, IT Director, stated he met with Mr. Castro and brings a wealth of knowledge regarding GIS and contracting out could be cost effective for the city.

No action.

I. Discussion and consideration to approve the continuation of the interlocal agreement with Weslaco Independent School District for eight (8) law enforcement officers and one (1) Sergeant to serve as school resource security officers (SRO), to be reimbursed in the amount not exceed $492,153.90 for the 2024-2025 school year and $513,851.37 for the 2025-2026 school year based on 5% increase per year, as well as a contingency reimbursement of $3,000 per year per SRO for training and equipment, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

Armando Espinoza, Assistant Police Chief, recommended approval to continue with resource security officers with Weslaco ISD for another 2 years; the interlocal agreement would have eight (8) law enforcement officers and one (1) Sergeant and the cost for those officers would be reimbursed from the school.

In response to Commissioner Rodriguez, Armando Espinoza stated a Lieutenant is assigned that coordinates community events and does oversee the SRO but this position is not included in the interlocal.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the interlocal agreement with Weslaco Independent School District for eight (8) law enforcement officers and one (1) Sergeant to serve as school resource security officers (SRO), as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

J. Discussion and consideration to approve the continuation of the interlocal agreement between the City of Mercedes and Weslaco Police Department regarding the housing of prisoners in the City of Weslaco's municipal jail for a period of (4) four months term beginning

<u>July 1, 2024, until October 31, 2024, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)</u>

Armando Espinoza stated the interlocal would allow to continue to assist with the housing of prisoners for Mecedes PD as needed for another 4-month period. Staff recommended approval Weslaco PD can accommodate, the terms and fees did not change and would come back to the commission if Mercedes PD would need to extend the time.

Commissioner Rodriguez seconded by Commissioner Pedraza moved to approve the Interlocal Agreement between the City of Mercedes and Weslaco Police Department regarding the housing of prisoners as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VIII. EXECUTIVE SESSION

At 6:45 p.m. Commissioner Rodriguez seconded by Mayor Pro Tem Farias moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 7:45 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

<u>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.</u>

No action.

<u>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.</u>

No action.

<u>C. Legal Consultation – Consultation with City Attorney regarding Liquid Environmental as authorized by Section §551.071 of the Texas Government Code.</u>

No action.

<u>D. 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.</u>

Commissioner Rodriguez seconded by Commissioner Lopez moved to approve staff proceed with the request for arbitration with the Fire Union IAFF-WFFA Local 3207 as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

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

Commissioner Lopez seconded by Commissioner Pedraza moved to approve the financial offer or other incentives for Project Brady Bunch as presented by Weslaco EDC and discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. 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 Section §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to proceed with the sale price of real property located at 901 N. Airport Drive with LASCO Development as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Real Property - Consultation with City Attorney on the sale, purchase, exchange, lease or value of real property legally described as north 1.3093 acre out of Lot 1, Block 1, Freedome Park Subdivision Unit 2, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize the City Manager proceed with negotiations for the exchange of real property legally described as north 1.3093 acre out of Lot 1, Block 1, Freedom Park Subdivision Unit 2 as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Real Property – Consultation with City Attorney on the purchase, exchange, lease or value of real property legally described as 0.726AC out of Farm Tract 15, northeast of US 83 Expressway, West and Adams Tract subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to authorize the City Manager proceed with negotiations for the exchange sale price of real property legally described as 0.726AC out of Farm Tract 15, northeast of US 83 Expressway, West and Adams Tract as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

IX. ADJOURNMENT

Commissioner Lopez seconded by Commissioner Rodriguez. moved to adjourn the regular meeting of July 2, 2024 at 7:48 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

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Adrian Gonzalez, **MAYOR**

ATTEST:

Norma A. Cantu, **CITY SECRETARY**