MINUTES OF A REGULAR MEETING
WESLACO CITY COMMISSION
SEPTEMBER 17, 2024

On Tuesday, September 17, 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	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Greg Kerr
	Commissioner	Josh Pedraza
ABSENT:	Commissioner	JP Rodriguez
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, Chris Sanchez, Assistant Fire Chief, Joel Rivera. Police Chief, David Arce, Public Works Director, Omar Rodriguez, Parks and Recreation Director, Lily Alvarez, Airport 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, September 13, 2024.

B. Invocation.

Lay Leader Richard Elkins First Baptist 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 Rodriguez and a quorum present.

E. Mayoral recognition.

1) Hispanic Heritage Month

Mayor Gonzalez and the City Commission recognized the month of September as Hispanic Heritage Month**.**

II. PUBLIC COMMENTS

Juan Cavazos, 1420 N. Kansas Ave, asked for a status regarding a release of lien for a drainage project from 1956 in reference to his property Gonzalez Addition Lots 9, 10 and 10A, Mr. Cavazos stated that all fees owed to city have been paid and requested the city provide a letter to the title company so that he may proceed with the selling of the property.

Randy Hall, 1400 El Paseo Drive, voiced his objections and concerns on the monies being spent for the new library; requested the commission save those monies and look at paying for the library in cash in five years.

III. REPORTS

A. Inframark.

George Quilantan, Inframark, presented his report for August updates on the Water Treatment Plant Reservoir, continue to maintain good water levels and will continue to monitor those level; reported the new blower at the North Water Treatment Plant, no issues and continues to work as expected, new gate valves installed that are designed to isolate clarifiers. The South Water Treatment Plant had a torque overload installed in one of the clarifiers. Lift station 1 had a new well cover installed, making it a safer work environment. Capital and General Repairs are currently in the works for all water treatment plants and lift station 50. Commissioner Farias had concern regarding the cost for the South Water Treatment Plant Golf Course lift station pump repair and requested staff research if an agreement between the city and golf course to aide in financial assistance with these types of repairs had been done. August flows for the Water Treatment Plant was 6.4 mgd, operating at 42% capacity; North Wastewater Treatment Plant flow was 2.52mgd, operating capacity at 51%, South Wastewater Treatment Plant flow was 1.6mgd, operating capacity was at 66%.

B. Animal Care Services

Krista Cheramie, Animal Care Services Manager, reported on a partnership with Petsmart and an adoption event in Harlingen had 5 dogs adopted. During the Lemonade Day event, young entrepreneur Sofia Silva used her earnings and donated 350 lbs. of dog and cat food. Ms. Cheramie reported 30 dogs were rescued and transported to rescue groups to the cities of Corpus Christi and George Town. Petco Loves Director of Live-saving Ms. Chelsea Staley assisted with providing vet care to medical case #1 Shar-Pei, Shar-Pei, was transferred to North American Shar-Pei Rescue. Upcoming adoption events scheduled for Alfresco on Thursday, September 19th and at Tractor Supply Saturday, September 21st. A tentative date for a rabies vaccine clinic at Moreno's is scheduled for September 28th.

C. Mayor Joe V. Sanchez Library Project - Architect's presentation of construction of the new library.

Omar Rodriguez, Parks and Recreation Director, stated Bob Simpson, Boultinghouse, Simpson Gates Architects was in attendance for the status update.

Bob Simpson prepared and presented a copy of spreadsheet showing the Mayor and commissioners a snapshot of the current budget and cost estimates of the new library. The proposed new building cost estimates totaled $8,421,736. Additional cost for demolition, theater wall, Porter Doss demolition, professional engineering architecture fees, furniture and equipment cost totaled $2,196,000. Total project cost estimated at $10,696,521. Mr. Simpson stated that the cost estimate included 3 bid alternatives that may be accepted or rejected which he presented in the documents provided to commission. Stated that bidding and construction scheduled to go out to bid Wednesday, September 25, 2024, the contractors documents will be available November 5th and award bid on November 19th.

IV. PUBLIC HEARING

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

A. To solicit input from the public regarding the City of Weslaco proposed ad valorem property tax rate of .6867 per $100 valuation, pursuant to Texas Tax Code Section 26.05(d). (Staffed by Finance Department.)

Randy Hall voiced objection stating tax rate was being increased by public notice. Mr. Hall voiced the commission needed to be more transparent in informing their constituents on the financials of the city by the debt on record.

Rolando Garza, Chief Appraiser for Hidalgo County, clarified tax rate increase is a result of the increased valuation of the property, not a tax rate increase to its citizens as Chief Appraiser he sets the value of the property based on comparable sales going on in this region.

B. To solicit input on behalf of Reymundo Carrillo to approve a Conditional Use Permit to obtain an On-Premises Mixed Beverage Permit, at 320 W IH 2 Ste B, also being Lot 1, Extreme Nutrition, Weslaco, Hidalgo County, Texas.

No comments.

C. To solicit input on behalf of City of Weslaco to approve the purpose of the moratorium pertaining to applications for duplexes, triplexes, fourplexes and multifamily residential development.

No comments.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. 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 September 3, 2024 (Staffed by City Secretary Department.)

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

1) Ordinance 2024-08 amending Ordinance 2012-02 to increase members for the Animal Shelter Advisory Board and authorize the Mayor to execute any related documents. First rereading held February 20, 2024; staffed by City Secretary.)

2) Ordinance 2024-24, adopting the City of Weslaco's budget appropriations for Fiscal Year 2024-2025 commencing October 1, 2024, and ending September 30, 2025, and authorize the Mayor to execute any related documents. (First reading held September 3, 2024; staffed by Finance Department.)

3) Ordinance 2024-25 amending Ordinance 2023-39 the Master Fee Schedule and authorize the Mayor to execute any related documents. (First reading held September 3, 2024; staffed by Finance Department.)

C. Approval to authorize staff to solicit Request for Qualifications for Financial Advisory Services and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

D. Approval to ratify acceptance of the FY2025 Truancy Prevention and Intervention Program Grant #4003405 for the amount of $123,979.13 for the First Offender Program Coordinator's salary, overtime for peace officers, training and project supplies (no match required) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

E. Approval to ratify acceptance of the Victims of Crime Act Formula Grant #3814606 for the amount of $96,985.57 with a cash match of $24,246.39 to pay for the Crime Victim's Coordinator salary, training, software, shelter, and business cards/flyers and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

F. Approval to solicit bids on renewal Risk and Resilience Assessment and Emergency Response Plan for the City of Weslaco. (Staffed by Inframark/City Manager.)

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve consent agenda withholding item C. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Approval to authorize staff to solicit Request for Qualifications for Financial Advisory Services and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)

Commissioner Lopez stated the consultant is very important as far as fiscal responsibility to the citizens of Weslaco; the current consultant for Advisory Services has been consulting for Weslaco for the past 20 years and has seen the city of Weslaco go through ups and downs. Commissioner Lopez requested the commission upon the solicitation process of the RFQ's, ensure the respondents are experienced and meet all qualifications.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve staff to solicit Request for Qualifications for Financial Advisory Services. The motion carried (4-2); Commissioners Kerr and Lopez against; Mayor Gonzalez was present and voting.

For the record following is the caption of Ordinance 2024-08, Ordinance 2024-24 and Ordinance 2024-25.

ORDINANCE 2024-08

AN ORDINANCE AMENDING ORDINANCE NUMBER 2012-02, THE CITY OF WESLACO ANIMAL SHELTER ORDINANCE; CODIFIED AS CHAPTER 22 DIVISION 8 OF THE WESLACO CODE OF ORDINANCES, ADOPTING NEW REGULATIONS; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

ORDINANCE 2024-24

AN ORDINANCE MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF WESLACO FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025; APPROPRIATING AND ADOPTING THE ANNUAL BUDGET FOR THE CITY OF WESLACO, TEXAS FOR THE 2024-2025 FISCAL YEAR.

ORDINANCE 2024-25

AN ORDINANCE AMENDING ORDINANCE 2023-39, 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 THE RESPECT TO THE SUBJECT MATTER HEREOF.

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. NEW BUSINESS

A. Discussion and presentation of a curbside recycling program. (Staffed by Public Works Department.)

David Arce, Public Works Director, recognized and thanked the Recycle Task Force Committee for their time and service; stated currently 2 recycling centers located on the Northside and Southside (centralized) for Weslaco citizens and averaged about 1,200 visits per month. The Recycling Committee is currently working on bringing a curbside service to Weslaco citizens, 200 bins were ordered and delivered August 23rd for the curbside option. There are currently recycle bins for cardboard only throughout WISD schools. Mr. Arce provided statistics regarding a survey conducted back in March regarding whether citizens would pay a fee for curbside recycling service, numbers showed that out of 550 people surveyed 66 percent would pay a fee. Mr. Arce presented 3 rate options, Option #1 a fee of $5.00 per month, Option # 2 $.17 cents per month for all city customers and $4.00 for those who would opt in for curbside service or Option #3 $50.00 one-time fee and $5.00 monthly service fee.

Martin Garza, City Manager stated this was a presentation item only and would be back to the commission for official action if interested in pursuing.

B. Discussion and consideration after public hearing on behalf of Reymundo Carrillo to obtain an On-Premise Mixed Beverage Permit, at 320 W IH 2 Ste B, also being Lot 1, Extreme Nutrition, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente, Planning and Code Enforcement Director stated six property owners were notified, and no objection received. The Planning and Zoning Commission and staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve a Conditional Use Permit to obtain a Mixed Beverage Permit, at 320 W IH 2 Ste B, Lot 1, Extreme Nutrition as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

C. Discussion and consideration to approve the Final Plat for Monte Cielo Subdivision Phase II being 12.44 acres out of Farm Tracts 214, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 2,640 ft. south of Mile 10 North on the east side of Mile 6 ½ West 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 fifty-four lot subdivision for residential use; located inside the city limits and water serviced by North Alamo Water Supply Corporation and sewer by the city; applicant requested a variance off-site drainage and has provided letters of support from the irrigation and drainage districts. The Planning and Zoning Commission recommended approval with variance, staff recommended approval and compliance with the ordinance on the variance.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve the Final Plat for Monte Cielo Subdivision with variances as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

D. Discussion and consideration after public hearing to adopt Ordinance 2024-26 and accept the presentation into record for the moratorium pertaining to applications for duplexes, triplexes, four-plexes and multifamily residential development and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-26. Possible action. (Staffed by Planning & Code Enforcement Department.)

Rebekah de la Fuente stated a moratorium was necessary to account for the shortage of essential public facilities and to provide the written findings. Rebekah stated as per TLGC 212.135 allowed to evaluate and assess impact fees and determine how the city obtains money when the developers come in to recoup the cost for doing upgrades to water, sewer and to streets. Some of the areas based off the TLGC are water and wastewater treatment plants, lift stations, manholes, drainage etc. Contributing factors that were evaluated for the need of a moratorium was the 2045 Land Use Map, current subdivision ordinance, zoning ordinance, ETJ and CCN.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve Ordinance 2024-26 to accept the presentation for the moratorium pertaining to applications for duplexes, triplexes, four-plexes and multifamily residential development as presented. The motion carried (4-2); Commissioners Kerr and Lopez against; Mayor Gonzalez was present and voting.

E. Discussion and consideration on Ordinance 2024-27, adopting and levying the ad valorem tax rate for Fiscal Year 2024-2025 and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. First and final reading of Ordinance 2024-27. Possible action. (Staffed by Finance Department.)

Rosie Cavazos, Finance Director, recommended to adopt the same tax rate as last year of $0.6867 per $100 valuation; stated two components of the tax rate is $0.4379 for maintenance and operations and $0.2488 for the interest and debt service fund. Staff recommended approval and stated since the tax rate consisted of two components, each must be approved separately.

In response to Mayor Gonzalez, staff stated the tax rate is not being increased. The increase is based on the valuation levied of property.

Mayor Gonzalez called the question on the adoption of tax rate of $0.4379 per $100 valuation for maintenance and operations. By roll call vote the motion carried unanimously; Mayor Gonzalez was present and voting.

Mayor Gonzalez called the question on the adoption of $0.2488 for the interest and debt service fund. By roll call vote the motion carried unanimously; Mayor Gonzalez was present and voting.

Mayor Gonzalez called the question on the adoption of the property tax rate of $0.6867 which is effectively a 4.65% increase in tax as presented. By roll call vote the motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration to approve Resolution 2024-66 nominating Joe Olivarez to the Hidalgo County Appraisal District Board of Directors for the 2025-2027 election and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

Commissioner Kerr seconded by Commissioner Lopez moved to approve Resolution 2024-66 to nominate Joe Olivarez to the Hidalgo County Appraisal District Board of Directors as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

G. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2024-2025 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.)

Commissioner Kerr seconded by Commissioner Pedraza moved to approve the Economic Development Corporation of Weslaco annual budget and work plan for Fiscal Year 2024-2025. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Discussion and consideration of the Boys & Girls Club of Weslaco Solar Project with Synergy Solar Systems of McAllen, TX and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated a presentation was done at the September 3rd City Commission Meeting and direction was too move forward and bring back an agreement for possible action. Staff recommended approval and noted the project was at no cost to the city.

Commissioner Kerr seconded by Commissioner Gonzalez, Jr moved to approve the agreement between the City of Weslaco, the Boys & Girls Club of Weslaco Solar Project with Synergy Solar Systems. The motion carried unanimously; Mayor Gonzalez was present and voting.

I. Discussion and consideration to approve a request from the Mid-Valley Soccer Association for use of Judge Gilbert Garza Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated this was the annual request from Mid-Valley Soccer League to use city facilities. Cassie Fuentes, President of the Association was in attendance. Staff recommended approval of the lease agreement.

In response to the commission, Omar Rodriguez stated information requested (financials) have been submitted including their registration information.

Commissioner Pedraza questioned if staff was present at these gatherings for cleaning purposes, in which Omar responded yes. Commissioner Pedraza also asked if the league would provide the bylaws, organization structure officers and contact information to the city for the purpose of addressing or directing public inquiries to the proper authorities regarding the league activities in which Omar responded that the information has been requested from the board and has not yet been received.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve the lease agreement between the City of Weslaco and the Mid Valley Soccer League. The motion carried unanimously; Mayor Gonzalez was present and voting.

J. Discussion and consideration of a request from the Boys & Girls Club of Weslaco for the use of Mayor Pablo Pena City Park Baseball/Softball Complex to conduct a winter baseball program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez stated this was a new program that the Boys & Girls Club wanted to provide for gap during the season and felt this would help to raise money for the program. Staff recommended approval.

Commissioner Gonzalez, Jr seconded by Commissioner Lopez moved to approve the request from the Boys & Girls Club of Weslaco to use Mayor Pablo Pena City Park Baseball/Softball Complex. The motion carried unanimously; Mayor Gonzalez was present and voting.

K. Discussion and consideration to accept the submission of Construction Documents for the Mayor Joe V Sanchez Library project, approve a budget of cost of work not to exceed $8,500,000 and authorize the architect Boultinghouse Simpson Gates Architects, Inc. to proceed to the next phase of Procurement Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez recommended approval to proceed to the next phase with construction documents, budget and procurement services with architect Boultinghouse Simpson Gates Architects, Inc as presented.

Commissioner Lopez seconded by Commissioner Gonzalez Jr. moved to approve the submission of construction documents and approve a budget of cost not to exceed $8,500.000 and authorize the architect Boultinghouse Simpson Gates Architects, Inc. to proceed to the next phase of Procurement Services. The motion carried unanimously; Mayor Gonzalez was present and voting.

L. Discussion and consideration to authorize staff to solicit bids for the construction of the New Mayor Joe V Sanchez Public Library Project based on an estimated budget of $8,500,000. Possible action. (Staffed by Parks & Recreation Department.)

Omar Rodriguez recommended approval to authorize staff to proceed to solicit bids for construction on library project.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve staff to solicit bids for the construction of the library project. The motion carried unanimously; Mayor Gonzalez was present and voting.

M. Discussion and consideration to approve distribution of communication credit received from BCBS health insurance renewal to employees with dependent care coverage to offset the premium increase incurred for FY 24-25 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Luz Galindo, Human Resources Director, stated a communication credit of $82,000 would be provided by BCBS in the renewal for FY 24-25, the renewal did come with a premium increase; therefore, staff recommended passing the savings to the employees with dependent coverage to offset the premium increase and went over how the credit to an FSA – Flexible Spending Account would be distributed based on the tier coverage the employee selected for the dependents. Staff recommended approval.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve staff to distribute of communication credit received from BCBS to employees with dependent care coverage. The motion carried unanimously; Mayor Gonzalez was present and voting.

N. Discussion and consideration on Resolution 2024-67 to approve "Authorized Signers" for New York Life Insurance and Annuity Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

Luz Galindo stated that New York Life Annuity plan is a grandfathered plan; there are currently 4 members enrolled and 1 member wished to surrender their account. Staff recommended approval to update the "Authorized Signers" of the account which would be the Mayor and City Manager.

Commissioner Kerr seconded by Commissioner Lopez moved to approve Resolution 2024-67 "Authorized Signers" for New York Life Insurance and Annuity Corporation. The motion carried unanimously; Mayor Gonzalez was present and voting.

O. Discussion and consideration of a project award for RFB 2023-24-28 North Wastewater Treatment Plant Aeration Basin Maintenance and Rehabilitation and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana, City Engineer, stated three bids were received for the aeration basin project, two were considered nonresponsive, one was due to no bid bond submitted and the other was incomplete package; respondent CB3 submitted a bid of $785,662. Mr. Aldana stated the budget for the project was $500,000 and staff reviewed to determine any cost savings and recommended the city to do the dewatering for the existing aeration basin that could save $100,000. Mr. Aldana stated legal was consulted and believed they could contact CB3 and asked once awarded would they be agreeable to remove the dewatering cost because the city would do in-house, and they verbally agreed. On September 13th staff received notice that the removal of the dewatering item would not be acceptable and because of that staff recommended to reject the bids and re-advertise for bids.

Juan E. Gonzalez, City Attorney, stated he met with staff regarding the request for bids and voiced the concern that only 1 bid complied with all the requirements; staff indicated to him this was time sensitive because a delay to this project could cause major problems with the blower; stated since the solicitation was a request for bids and not a competitive proposal technically the city could not negotiate the bid and after further discussion with staff regarding the project the question was if the sole bid is accepted and unable to negotiate the bidding process would need to begin all over and for this reason the recommendation was to reject all bids and re-advertise.

Commissioner Kerr voiced the recommendation to re-advertise for bids was in the best interest of the city and its citizens because the project cost could reach a million and the bid amount was already over budget.

In response to Mayor Gonzalez the City Attorney stated the procurement process was done correctly.

Steve Cruz, CB3, addressed the commission and stated he was willing to work with the city; after discussions he had with staff, he advised his attorney on the events and was told he could not negotiate and remove a cost on a contract that had not been awarded to him and advised staff to that effect; conversed with staff to get clarification on addendums issued regarding submittal time of bid and the dewatering item.

City Attorney stated after a bid contract is awarded the city can increase or decrease the work so long as it does not exceed 25% of the original contract price; the commission could award and come back and remove the dewatering cost so long as the difference does not exceed 25% of the awarded contract.

Martin Garza stated the committee composed of staff and Inframark looked for cost savings, it was agreed that the dewatering could be done inhouse and would reduce the cost to the project; requested staff confirm with legal if this component of the bid could be removed (dewatering) and staff approached CB3 if they would agree and was done with good intention based on conversations with legal. Stated the email from CB3 raised a concern with him that he should not have been approached to negotiate based on the Texas Government Code that you cannot negotiate until award of contract and his recommendation was to re-advertise.

Mayor Pro-Tem Farias seconded by Commissioner Gonzalez Jr moved to approve and award CB3 for RFB 2023-24-28 North Wastewater Treatment Plant Aeration Basin Maintenance and Rehabilitation. The motion carried (4-2); Commissioners Kerr and Lopez against; Mayor Gonzalez was present and voting.

P. Discussion and consideration on Ordinance 2024-28 adopting a speed limit change on Westgate Drive between Sugarcane and Mile 10N Road and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-28. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated when the street was widened speed limits were posted but were not officially established by ordinance. Staff performed a speed study that showed speeds were high going north and a significant number of accidents within a three-year period were reported due to failure to control speed. Staff recommended approval to keep and adopt the 45mph speed limit from Covey Street to Mile 10 and to keep and adopt the 35mph from Covey Street to Sugarcane Drive.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr moved to approve Ordinance 2024-28 adopting speed limit on Westgate Drive between Sugarcane and Mile 10N Road. The motion carried unanimously; Mayor Gonzalez was present and voting.

Q. Discussion and consideration on Ordinance 2024-29 adopting a speed limit change on Westgate Drive between 18th Street and 6th Street and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-29. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated previous commission action approved the installation of stop signs at the proposed Hike and Bike Trail Project being done by Hidalgo County Precinct 1; staff performed a speed study to determine what the appropriate speed limit should be after stop signs were put in and factors considered was the existing speed, accident activity, and the proposed future geometry of the road of how they are going to install a median. Staff recommended lowering the existing speed of 45mph to 35mph from 6th Street to 18th Street.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr moved to approve Ordinance 2024-29 to change the existing speed limit of 45mph to 35mph from 6th Street to 18th Street. The motion carried unanimously; Mayor Gonzalez was present and voting.

R. Discussion and consideration of approval of proposed change order #1 to the Cleckler-Heald RDF Project increasing the existing contract by $121,213.05 for fencing improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.)

Albert Aldana stated Orlando Cruz Principal Engineer of Cruz-Hogan Consultants was in attendance for the status update.

Mr. Cruz went over concerns received from WISD in reference to the fencing of the Cleckler-Heald RDF Project. WISD requested 8ft fencing instead of the originally proposed 6ft fencing. Mr. Cruz stated that the original plan was approved by WISD in previous meetings with them which at the time were not an issue. Mr. Cruz stated they went out for bids and a contractor was secured, however a change in administration at B. Garza Middle School occurred which is now prompting the change from 6ft fence to 8ft fence between the RDF and B. Garza Middle School. As per Mr. Cruz the school administrator is asking for the fence to be like what they currently have which is steel fencing and for the current 6ft fence on Sugarcane and Border to be upgraded to 8ft steel fence. The contractor was asked to provide a cost estimate with the new changes which caused the original estimate to increase.

Martin Garza clarified the change of the proposed 6ft fencing to 8ft fencing resulted because of new legislation passed regarding the perimeter security fencing for schools under the Texas Education Agency.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve change order #1 to the Cleckler-Heald RDF Project increasing the existing contract by $121,213.05 for fencing improvements. The motion carried unanimously; Mayor Gonzalez was present and voting.

S. Discussion and consideration of award of RFB 2023-24-34 Mile 9 N Rd Metal Beam Guard Fence Installation to the most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Albert Aldana stated that 3 bids were received and evaluated, Camarillo Contractors with a bid of $38,740, Go Underground with a bid of $45,900 and RGV Renovations $22,500. Staff recommended to award RGV Renovations and noted RGV Renovations was the general contractor that assisted L&G contractors to install the existing metal beam guard fence.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve to award RFB 2023-24-34 Mile 9 N Rd Metal Beam Guard Fence Installation to RGV Renovations. The motion carried unanimously; Mayor Gonzalez was present and voting.

VII. EXECUTIVE SESSION

At 8:25 p.m. Commissioner Pedraza 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 9:20 p.m. Mayor Gonzalez stated 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 Section §551.074 of the Texas Government Code.

No action.

B. 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.

C. 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 Weslaco Municipal Police Union (WMPU) as authorized by Section §551.071 of the Texas Government Code.

Commissioner Kerr seconded by Commissioner Pedraza moved to approve the City Manager and negotiating team proceed with negotiations as discussed in executive session. The motion carried; 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 - Consultation with City Attorney regarding potential litigation relating to prescriptive easement legally described Lots 22-25, Block 8, L.D. Morgans Addition, Weslaco, Hidalgo County, Texas as authorized by Section §551.071 of the Texas Government Code.

Mayor Pro Tem Farias seconded by Commissioner Lopez moved to approve to provide notice to the owner of Lots 22-25m Block 8, L.D. Morgans Addition as discussed in executive session. The motion carried; Mayor Gonzalez was present and voting.

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

Commissioner Kerr abstained from discussion and vote.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the incentives for Project Rip Wheeler as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Gonzalez was present and voting.

G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project 5 Guys as authorized by Section §551.087 of the Texas Local Government Code.

Commissioner Kerr abstained from discussion and vote.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve the financial offer or other incentives to Project 5 Guys as discussed in executive session. The motion carried; Commissioner Kerr abstained; Mayor Gonzalez was present and voting.

X. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to adjourn the regular meeting of September 17, 2024, at 9:21 p.m. The motion carried unanimously; Mayor Gonzalez was present and voting.

CITY OF WESLACO

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Adrian Gonzalez, **MAYOR**

ATTEST:

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Norma A. Cantu, **CITY SECRETARY**