MINUTES OF A SPECIAL MEETING
WESLACO CITY COMMISSION
November 6, 2024

On Wednesday, November 6, 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	JP Rodriguez
	Commissioner	Letty Lopez
	Commissioner	Israel Gonzalez Jr.
	Commissioner	Josh Pedraza
ABSENT:	None	
STAFF PRESENT:	Martin Garza	City Manager
	Norma A. Cantu	City Secretary
	Ben Castillo	Interim City Attorney

Also present: Aida Vega, Deputy City Secretary, Rosie Cavazos, Finance Director, Rebekah de la Fuente, Director of Planning and Code Enforcement, MariCarmen, Asst. Library Director, Luz Galindo, HR Director, Albert Aldana, City Engineer, Chris Sanchez, Asst. 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, November 1, 2024.

B. Invocation.

Pastor Ruby Garza, Christian Calvary Center 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 the absence of Commissioner Rodriguez and a quorum present.

E. Mayoral recognition.

1) Recognition of Commissioner Greg Kerr.

Mayor Gonzalez and the City Commission recognized Commissioner Kerr for his 10 years of dedication and service to the City of Weslaco.

2) Proclamation - Small Business Saturday

Mayor Gonzalez and the City Commission proclaimed November 30, 2024 as Small Business Saturday in Weslaco.

II. PUBLIC COMMENTS

None.

III. REPORTS

A. Weslaco Chamber of Commerce Visitor Center.

Barbara Jean Garza, President/CEO, presented the destination marketing report expenditures for October 2024 was $11,551.00; presented the upcoming ribbon cuttings and events; noted as a Mid-Valley Chamber (supporting all Mid-Valley area) the franchise owner of Chick-fil-A in Weslaco is also the franchise owner for her second opening of Chick-fil-A in Donna and will be there for the grand opening; highlighted events reported was the Christmas tree lighting event on November 22nd and the Christmas parade on December 14th; visitors for the month was 14,124 of which 13,307 were voters and stated there building has been one of the top three sites in the RGV for election purposes; facility reservations were 16 and total door counts was 10,123 and thanked the commission for their continued support.

B. Weslaco Economic Development Corporation.

Maria Cisneros, Weslaco EDC, reported the Shops at North Bridge has one available site and in discussions with a prospect; Murphy Gas Sta on Westgate is expected to open this month; reported in the area of 18th Street and Texas Blvd a fourth McDonalds opened; Starbucks will open this month and a gas station will have a soft opening in December with grand opening in February; preparing for travel to Dallas for the ICSC Red River that EDC will have booth; Tractor Supply will be expending their products and added a bathing facility for pets; Alfresco for October well attended with about 6,000; Mid Valley International Industrial Park has 70% of lots sold or under contract and continue to promote it with a mixer with commercial real estate agents and developers recently held.

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 of the Minutes of the Regular Meetings on September 17, 2024, October 1 and 15, 2024, and the Special Meeting on October 21, 2024. (Staffed by City Secretary Department.)

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

1) Ordinance 2024-30 for the Voluntary Annexation of Alto Bonito also being Lot 2 Reisser Subdivision, an 8.172-acre tract of land, Weslaco, Hidalgo County, Texas located West of 18th Street East of South Milanos Rd. and authorize the Mayor to execute any related documents. (First reading held October 15, 2024; staffed by Planning & Code Enforcement Department.)

C. Approval to accept the resignation of Greg Kerr, Commissioner At Large. (Staffed by City Manager.)

D. Approval of an agreement with South Texas College allowing Work Study employment at the Mayor Joe V. Sanchez Public Library. (Staffed by the Library Department.)

E. Approval to authorize Mayor Joe V. Sanchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during Holiday Season, implement a Toy Drive to support local toy drives. (Staffed by Library Department.)

F. Approval to submit a grant application to the Stanton Foundation for $80,000 to support the purchase of a specialized transport van equipped with a rear HVAC system to ensure proper animal care during transport, and a custom wrap to enhance branding and community visibility with no matching funds from the City of Weslaco required. (Staffed by Grant Manager.)

G. Approval to ratify the submission of a grant application to the Department of Energy's, Energy Efficiency and Conservation Block Grant for $71,255.96 to purchase two Ford Maverick Hybrid trucks for Public Works and Five electric patrol bikes for the Weslaco Police Department with no matching funds required from the City of Weslaco. (Staffed by Grant Manager.)

H. Approval on the petition from SAH-Santa Ana Development for the release of real property located in the city's Extraterritorial Jurisdiction described as 51.692 acres out of Farm Tract 1111, The West and Adams Tracts Subdivision, Hidalgo County, Texas. Located along Mile 12 1/2 North approximately 1,300 feet east of FM 1015. (Staffed by Planning and Code Enforcement Department.)

I. Approval of Resolution No. 2024-75 to enter into an agreement with TxDOT for closures of streets for a public event in the city limits of Weslaco being a portion of S. Westgate, E. 6th and 12th Streets, Texas Blvd, Hwy. Business 83 and Airport Drive in support of the 2nd Annual South Texas International Marathon event on December 8, 2024; provision of support by City of Weslaco, Weslaco Parks and Recreation, Public Works, Building Maintenance, Police, Fire, and EMS Department. (Staffed by Fire Department.)

J. Approval to solicit sealed bids for Drone program purchase of equipment, software, training for use in accident reconstruction, search, and tactical operations. (Staffed by the Police Department.)

K. Approval to solicit Request for Qualifications for Engineering Services to conduct a traffic study and redesign of the intersection of Vo-Tech and Pike Blvd. (Staffed by Public Works Department.)

L. Approval to solicit bids for construction of sidewalks, curb ramps, driveways, and other concrete flatwork. (Staffed by the Engineering Department.)

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 is caption of Ordinance 2024-30.

ORDINANCE NO. 2024-30

AN ORDINANCE ANNEXING ADDITIONAL TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF WESLACO, HIDALGO COUNTY, TEXAS ON VOLUNTARY PETITION OF AREA LAND OWNER SUCH LAND BEING 8.172 ACRES OF LAND, LOCATED IN HIDALGO COUNTY, TEXAS, WHICH IS CONTIGUOUS TO THE CITY LIMITS AND HEREINAFTER DESCRIBED; AS SHOWN IN THE ATTACHED EXHIBIT; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS

V. APPOINTMENTS

A. Discussion and consideration on Resolution 2024-72 appointing a member to the Weslaco Economic Development Corporation Board. (Staffed by City Secretary.)

Norma A. Cantu, City Secretary, stated this was a new appointment. Mayor Pro Tem Farias nominated to Hector Solis for appointment.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve Resolution 2024-72 appointing Hector Solis to the Weslaco Economic Development Corporation Board as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

B. Discussion and consideration on Resolution 2024-73 appointing members to the Planning & Zoning Commission. (Staffed by City Secretary/Planning Department.)

Norma A. Cantu stated a reappointment was needed. Commissioner Rodriguez nominee was to reappoint Adrian Torres.

Commissioner Lopez seconded by Commissioner Mayor Pro Tem Farias moved to approve Resolution 2024-73 reappointing Adrian Torres to the Planning & Zoning Commission as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VI. OLD BUSINESS

A. Discussion and consideration to amend an Administrative Services Agreement with Creative Benefits Administrators to include Health Reimbursement Arrangement (HRA). (There was no action on October 15, 2024; staffed by Human Resources Department.)

Luz Galindo, Human Resources Director, stated Javier Leal, Valley Risk Consulting, was in attendance for any questions.

Mayor Pro Tem Farias questioned if there was an HRA already in place and was this request in order. Rosie Cavazos, Finance Director, stated the one in place was with ICMA but limited to Department Heads; Javier Leal, stated the agreement was in order and recommended approval.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve and amend the Administrative Services Agreement with Creative Benefits Administrators to include Health Reimbursement Arrangement (HRA) as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VII. NEW BUSINESS

A. Discussion and consideration to approve the Final Plat for Magnolia Ridge Subdivision being 29.00 acres out of Farm Tracts 655, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the intersection of Mile 6 ½ West and West 6th St. (Staffed by Planning & Code Enforcement Department.)

Joe Pedraza, Asst. Planning and Code Enforcement Director, stated this was a proposed one hundred and ten lot subdivision; located inside the city limits and serviced with water from North Alamo Water Supply and sewer from the city; applicant requested a variance for off-site drainage and has provided letters of support from the irrigation districts. The Planning and Zoning Commission recommended approval with variance; staff recommended approval with compliance with the ordinance on the variance.

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

B. Discussion and consideration to approve agreement with SWG for Professional Engineering Services for a Water Conservation and Drought Contingency Plan in the amount of $34,200.00. (Staffed by Planning & Code Enforcement.)

Joe Pedraza stated previous commission action approved to negotiate an agreement with SWG in June 2024; stated Hidalgo County was also reviewing a county wide plan and staff felt it best to attend meetings of the county to ensure the city's plan aligns with the regional plan proposed by the County.

Dalinda Ramos, Engineer SWG, stated once Hidalgo County completed their regional plan it will be reviewed and make any adjustments to the city's plan as deemed necessary; went over the tasks to be performed as outlined in the agreement.

In response to Commissioner Pedraza, Martin Garza stated Hidalgo County had hired a consultant to prepare a regional plan; SWG was hired to update the city's water conservation and drought plan; as a result of Hidalgo County doing a county wide regional plan, staff felt it was in the best interest to wait for the regional plan proposed by the County was completed and review to ensure Weslaco's water needs for the future and see how the Hidalgo County's regional plan would align with the city's plans. Staff recommended approval.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve SWG for Professional Engineering Services for a Water Conservation and Drought Contingency Plan in the amount of $34,200.00 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>C. Discussion and consideration to approve 2024-2025 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No.B-24-UC-48-0501 setting the City's allotment at $284,266 for activities to be carried out in the City's jurisdiction. (Staffed by the Finance Department.)</u>

Rosie Cavazos, Finance Director, stated the city's allocation for this year from the Urban County CDBG program funds for FY 2024 is $284,266; allotted funds for activities was $271,266 for water/sewer improvements at E. Pike Blvd. (Kansas Ave to Bridge Ave), general program administration $3,000,Senior Services (Amigos del Valle) $5,000 and Health Services (Nuestra Clinica Del Valle) $5,000. Staff recommended approval.

Commissioner Lopez seconded by Commissioner Pedraza moved to approve 2024-2025 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No.B-24-UC-48-0501 setting the City's allotment at $284,266 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

<u>D. Discussion and consideration of an agreement with Alan T. Ozuna, Attorney at Law, for legal services regarding Civil Service and Police and Fire Collective Bargaining matters. (Staffed by City Manager.)</u>

Martin Garza, City Manager, stated the agreement will provide legal services regarding Civil Service, Police and Fire Collective Bargaining negotiations, any grievances and disciplinary matters, attend hearings and meetings. Staff recommended approval and noted Mr. Ozuna has been assisting as needed in the past.

Alan Ozuna, Attorney, thanked the commission for consideration of his proposal, stated there was no duration will serve at the pleasure of the commission and administration, and travel expenses would be billed only for any travel outside of the Rio Grande Valley.

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to approve Alan T. Ozuna, Attorney at Law, for legal services regarding Civil Service and Police and Fire Collective Bargaining matters as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

E. Discussion and consideration to approve a new contract with Valley Risk Consulting Inc., the professional consulting services contract for Roger Garza regarding all employee benefits and risk management programs. (Staffed by Human Resources Department.)

Luz Galindo stated Javier Leal was in attendance for any questions.

Martin Garza stated a change in the agreement would require quarterly reports to staff and the commission that will provide information to them to better prepare for negotiations with vendors regarding employee health benefits and to ensure timely solicitation of proposals to avoid any disruption and fee remained the same.

In response to Mayor Pro Tem Farias, scope of work also included Worker's Compensation, Property and Casualty.

Mayor Pro Tem Farias seconded by Commissioner Gonzalez Jr. moved to approve Valley Risk Consulting Inc., the professional consulting services contract for Roger Garza regarding all employee benefits and risk management programs subject to legal review as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

F. Discussion and consideration to purchase six (6) Self Contained Breathing Apparatus (SCBA) in the amount of $48,600.00 from vendor Metro Fire Apparatus Specialists under Buyboard Contract #698-23 as budgeted. (Staffed by Fire Department.)

Mayor Pro Tem Farias abstained from discussion and vote.

Antonio Lopez, Fire Chief, stated the Self-Contained Breathing Apparatus (SCBA) is the backpacks used by firefighters when entering a structure fire or hazardous scenes; item is budgeted and recommended approval of the purchase.

In response to Mayor Gonzalez, Chief Lopez stated the department annually will request to replace those that will be at end of life and surplus the equipment or donate to a Sister City as the equipment that has reached end of life use can no longer be used under regulations.

Commissioner Lopez seconded by Commissioner Gonzalez Jr. moved to approve purchase of six (6) Self Contained Breathing Apparatus (SCBA) in the amount of $48,600.00 from vendor Metro Fire Apparatus Specialists as presented. The motion carried; Mayor Pro Tem Farias abstained; Mayor Gonzalez was present and voting.

G. Discussion and consideration to approve Ordinance 2024-32 authorizing and allowing under the act governing the Texas Municipal Retirement System, "Updated Service Credit", and establish an effective date for such action. First reading of Ordinance 2024-32. (Staffed by Human Resources Department.)

Luz Galindo recommended approval and stated the updated service credits and COLA for retirees is done annually as required by the Texas Municipal Retirement System.

Commissioner Lopez seconded by Commissioner Gonzalez Jr. moved to approve Ordinance 2024-32 authorizing and allowing under the act governing the Texas Municipal Retirement System, "Updated Service Credit" as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. Discussion and consideration of approval to authorize issuance of a PO for B2Z Engineering in the amount of $64,899.00 for construction materials testing for the new library project in accordance with the main agreement executed on October 3, 2023, and work authorization #5 executed on October 11, 2024. (Staffed by Engineering Department.)

Albert Aldana, City Engineer, stated a list of engineers to provide construction materials testing on a rotation basis was approved June 20, 2023; the next on list is B2Z Engineering and a work authorization was issued for construction material testing for the new library; cost exceeded the threshold, and a purchase order could not be issued until commission approval. Staff recommended approval for B2Z to do the construction materials testing for the new library in the amount of $64,899.00.

Commissioner Lopez seconded by Mayor Pro Tem Farias moved to approve B2Z Engineering in the amount of $64,899.00 for construction materials testing for the new library project as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

I. Discussion and consideration to renew annual software support and maintenance of the ERP Pro 10 (Incode) system from Tyler Technologies for an amount not to exceed $70,558.78 as budgeted. (Staffed by Information Technology Department.)

Rick Mendoza, Information Technology Director, stated the Enterprise Resource Planning (ERP) is the software system (Incode) that assists all departments such as finance and code enforcement streamline operations and management of the city. Staff recommended approval, noted this is an annual renewal and budgeted.

Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to approve annual software support and maintenance of the ERP Pro 10 (Incode) system from Tyler Technologies for an amount not to exceed $70,558.78 as presented. The motion carried unanimously; Mayor Gonzalez was present and voting.

VIII. EXECUTIVE SESSION

At 6:23 p.m. Commissioner Pedraza seconded by Commissioner Gonzalez Jr. moved to convene the special meeting into Executive Session. The motion carried unanimously; Mayor Gonzalez was present and voting.

At 8:10 p.m. Mayor Gonzalez stated the City Commission had completed its Executive Session and reconvened the special 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. Legal Consultation - Consultation with City Attorney on legal opinion related to the appointment of a Municipal Judge 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 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.

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

No action.

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

No action.

F. Legal Consultation - Consultation with the City Attorney regarding the status of City of Weslaco vs CDM as authorized by Section §551.071 of the Texas Government Code.

No action.

G. Legal Consultation - Consultation with City Attorney regarding lawsuit styled C-1678-22-A Christopher De Leon Aircraft Maintenance Professional vs. City of Weslaco and Andrew Muñoz, individually as authorized by Section §551.071 of the Texas Government Code.

Commissioner Pedraza seconded by Commissioner Lopez moved to approve and proceed with action as recommended by representing counsel as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

H. 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.

No action.

I. Legal Consultation - Consultation with City Attorney regarding pending claims and contemplated litigation as authorized by Section §551.071 of the Texas Government Code.

No action,

J. 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.

Commissioner Pedraza seconded by Mayor Pro Tem Farias moved to approve lease agreements as discussed in executive session. The motion carried unanimously; Mayor Gonzalez was present and voting.

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

No action.

X. ADJOURNMENT

Mayor Pro Tem Farias seconded by Commissioner Pedraza moved to adjourn the special meeting of November 6, 2024, at 8:12 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**