A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 6, 2018

On Tuesday, November 6, 2018, at 5:33 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 members present

Mayor	David Suarez
Mayor Pro-Tem	Gerardo "Jerry" Tafolla
Commissioner	Greg Kerr
Commissioner	Jose "J.P." Rodriguez
Commissioner	Letty Lopez
City Manager	Mike R. Perez
Interim City Secretary	Aida Vega
City Attorney	Juan E. Gonzalez

Also present: Sonia Flores, Interim Finance Director; Olga Garza, Interim Parks and Recreation Director; Leo Gonzalez, Information Technology Director; Joe Pedraza, Interim Planning and Code Enforcement Director; Tony Lopez, Fire Chief; Joel Rivera, Police Chief; Andrew Munoz, Airport Director; Pete Garcia, Public Works Director; and other staff members and citizens.

I. CALL TO ORDER

A. Certification of Public Notice.

Mayor Suarez called the meeting to order and certified the public notice of the meeting as properly posted Friday, October 31, 2018.

B. Invocation.

Father Jose F. Francisco, Saint Joan of Arc Church, led the invocation.

C. Pledge of Allegiance.

Mayor Suarez led the Pledge of Allegiance and Texas Flag.

D. Mayoral Recognition.

None.

E. Roll Call.

Aida Vega, Interim City Secretary, called the roll, noting the absence of Commissioner Pedraza and Commissioner Muñoz and a quorum present.

II. PUBLIC COMMENTS

Alicia Rodriguez thanked the commission and staff in assisting with the concern of her neighbor.

III. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval of the following:
1) Minutes of the Regular Meeting on October 16, 2018; and
2) Minutes of the Special Meeting on October 23, 2018. (Staffed by City Secretary's Office.)

B. Authorization to allow the Mayor Joe V Sánchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during the Holiday Season and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)

C. Authorization of the allocation of $65,000.00 from Capital Outlay 2019 adopted budget for the purchase of two (2) police vehicles. (Staffed by the Police Department)

D. Authorization to use the Court Technology Fund to pay the annual maintenance fee of the Court Case Management Maintenance, Police (non-Incode Interface to Court), and AcuCorp Run Time not to exceed $10,643.63 and authorize the Mayor to execute any related documents. (staffed by Municipal Court).

E. Approval of the annual request to host the 2018 Mid-Valley Christmas Lighted Parade on Saturday, December 8, 2018 on Texas Boulevard from Pike Boulevard to Sixth Street, and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for proposed street closure affecting state right-of-way. (Staffed by Parks and Recreation Department.)

F. Approval of renewal and payment to Rio Grande Valley Communications Group for subscription term October 1, 2018 to September 30, 2019 total of $40,736.00 (Staffed by the Fire Department)

G. Approval on Resolution 2018-67 for the renewal of the Inter-local Agreement with Hidalgo County for the Scofflaw Program to include related agreement with Hamer Enterprises at the Municipal Court for outstanding violations and warrants and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

H. Approval on First Reading of Ordinance 2018-39, authorizing and allowing under the act governing the Texas Municipal Retirement System, "updated service credits" in said system for service performed by qualifying members of such system who presently are members of the City of Weslaco; providing for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the city; and establishing an effective date for such actions. First Reading of Ordinance 2018-39. (Staffed by Finance Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr moved to approve consent agenda items A through H as presented. The motion carried unanimously, Mayor Suarez was present and voting.

Mayor Suarez changed the order of the day to Item V. Old Business.

V. OLD BUSINESS

A. Discussion and consideration after public hearing on behalf of the residents of Austin and Merida Streets who are requesting to close the two streets where they intersect with the drainage canal to allow for unrestricted drainage flow but will impact through traffic. Possible action. (There was no action October 16, 2018; Staffed by Planning and Code Enforcement Department.)

Mayor Pro Tem Tafolla, seconded by Commissioner Lopez moved to approve.

Mike Perez, City Manager, stated Halff Associates assessed the issue on the request of closure of the streets and provide a recommendation. Mr. Miles Bullion, Halff Associates, evaluated and recommended to install two 48" pipes at the two crossings. This will allow the water to convey openly to the drain ditch. They will continue with the study of drainage improvements noting the improvements with the City Engineer during construction design phase.

In response to Mayor Pro Tem Tafolla, the City Manager stated completion could be by the end of the year recommending to proceed as stated from Halff Associates.

The original motion failed unanimously. Mayor Suarez was present and voting.

Mayor Pro Tem Tafolla, seconded by Commissioner Kerr moved to approve the installation of two 48" pipes at the crossing for Meridad and Austin Street improvements. The motion carried unanimously; Mayor Suarez was present and voting.

IV. APPOINTMENTS

A. Discussion and consideration on Resolution 2018-65 appointing a member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department).

Commissioner Lopez, seconded by Commissioner Kerr moved to approve Resolution 2018-65 re-appointing Annette Valadez to the Ambulance Advisory Board as presented. The motion carried unanimously, Mayor Suarez was present and voting.

For the record, following is the resolution.

RESOLUTION 2018-65

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE AMBULANCE ADVISORY BOARD.

WHEREAS, the City of Weslaco has established the Ambulance Advisory Board pursuant to Section 14-1(A) of Ordinance No. 78-39; and

WHEREAS, the terms of the members of this board are for two years; and

WHEREAS, the Ambulance Advisory Board members shall serve without compensation; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Annette Valadez is appointed to serve on the Ambulance Advisory Board and the term will begin on December 3, 2018 and will expire on December 2, 2020.

PASSED AND APPROVED on this 6th day of November, 2018.

CITY OF WESLACO
/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, INTERIM CITY SECRETARY

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

B. Discussion and consideration on Resolution 2018-66 appointing a member to the Board of Directors of the Economic Development Corporation of Weslaco. Possible action. (Staffed by the Weslaco Economic Development Department).

Commissioner Kerr, seconded by Commissioner Rodriguez moved to approve Resolution 2018-66 appointing Benita R. Valadez as a member to the Board of Directors of the Economic Development Corporation of Weslaco.as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, following is the resolution.

RESOLUTION 2018-66

A RESOLUTION OF THE CITY OF WESLACO APPOINTING ONE MEMBER TO THE BOARD OF DIRECTORS OF THE ECONOMIC DEVELOPMENT CORPORATION OF WESLACO

WHEREAS, the City of Weslaco has established the Economic Development Corporation pursuant to the Development Corporation Act of 1979 as amended; and

WHEREAS, the term of one member on this board of this corporation is for three years; and

WHEREAS, The Economic Development Corporation of Weslaco's board members shall serve staggered terms without compensation and limited to two (2) consecutive three (3) year terms; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS THAT Benita R. Valadez appointed to a term as a member of the Board of Directors of the Economic Development Corporation that will expire on 2nd of December 2021

PASSED AND APPROVED on this 6th day of November, 2018.

CITY OF WESLACO

/s/David Suarez, MAYOR

ATTEST:
/s/Aida Vega, INTERIM CITY SECRETARY

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

VI. NEW BUSINESS

A. Discussion and consideration to award the Manhole Rehabilitation Phase II to Southern Trenchless Solutions, Buyboard vendor contract no. 555-18, in the amount not to exceed $98,400.00, and to authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works).

The City Manager recommended approval stating Phase I was completed March 2018 for a total of 32 manholes; phase II has an additional 32 manholes that have been identified in need of repairs.

Commissioner Lopez, seconded by Commissioner Rodriguez moved to approve and award the Manhole Rehabilitation Phase II to Southern Trenchless Solutions, Buyboard vendor contract no. 555-18, in the amount not to exceed $98,400.00 as presented. The motion carried unanimously, Mayor Suarez was present and voting. The motion carried unanimously; Mayor Suarez was present and voting.

B. Discussion and consideration to participate with cost sharing expenses for a rate consultant for intervention on request from AEP Texas Central Company's for rate adjustment to cover losses due to natural disasters and approve settlement agreement authorizing the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.)

Commissioner Kerr abstained from vote and discussion.

The City Manager stated notice had been received that AEP had filed for a rate adjustment to recover expenses from natural disasters and cities were asked to join in the cost of representation for a consultant to review. Since then there has been a settlement agreement that fairly represents AEP and the coalition of cities involved and recommended approval of participation and the settlement agreement

Commissioner Lopez, seconded by Commissioner Rodriguez moved to approve to participate with cost sharing expenses for a rate consultant for intervention on request from AEP Texas Central Company's for rate adjustment to cover losses due to natural disasters and approve settlement agreement as presented. The motion carried; Commissioner Kerr abstained; Mayor Suarez was present and voting.

C. Discussion and consideration to approve an amendment to the Inter-local Agreement with LRGVDC-911 addressing for use of their Spartan Addressing program. Possible action. (Staffed by Planning and Code Enforcement).

Joe Pedraza, Interim Planning and Code Enforcement Director, recommended approval stating the amendment outlines the Extraterritorial Jurisdiction is included in the addressing program.

Commissioner Rodriguez, seconded by Commissioner Lopez moved to approve amendment to the Inter-local Agreement with LRGVDC-911 addressing for use of their Spartan Addressing_as presented. The motion carried unanimously, Mayor Suarez was present and voting.

D. Ordinance 2018-38 amending the Code of Ordinances Chapter 98 Parks and Recreation by adding to Article I Section 98-15 "Dockless Vehicle Permits: Licenses, Permits and Miscellaneous Regulations," supporting a Valley-wide bike share initiative as coordinated by the Lower Rio Grande Valley Development Council. Possible action. (First reading held October 16, 2018; Staffed by City Manager's Office.)

The City Manager recommended no action stating the Lower Rio Grande Development Council has suspended the BikeShare Launch for further evaluation.

There was no action.

E. Discussion and consideration to approve payment to Republic Services in the amount of $149,426.41 for flood debris removal for total payment to date in the amount of $591,637.50. Possible action. (Staffed by Planning and Code Enforcement.)

Joe Pedraza recommended approval stating the payment is for the continuous service of debris pickup resulting from the flood event.

Commissioner Rodriguez, seconded by Commissioner Kerr moved to approve payment to Republic Services in the amount of $149,426.41, as presented. The motion carried unanimously, Mayor Suarez was present and voting.

F. Discussion and authorization to purchase Outdoor Fitness Equipment for the North Side Sports Complex from Kraftsman/Greenfields Outdoor Fitness in the total amount not to exceed $150,000.00 through Buyboard Contract #512-16. Possible Action. (Staffed by Parks and Recreation Department)

Olga Garza, Interim Parks and Recreation Director, stated Knapp Community Care Foundation has allotted funds through a grant for equipment for the proposed North Side Complex park project; invoicing and supporting documentation is needed to receive grant funds. Staff recommends approval to purchase the equipment noting cost would be $116,000 that would be reimbursed from the grant proceeds.

Commissioner Lopez, seconded by Commissioner Rodriguez moved to approve purchase Outdoor Fitness Equipment for the North Side Sports Complex from Kraftsman/Greenfields Outdoor Fitness in the total amount not to exceed $150,000.00 as presented. The motion carried unanimously, Mayor Suarez was present and voting.

G. Discussion and consideration to award RFB No. 2018-19-01 Waterworks Collection and Distribution Materials to the most advantageous bidder, Ferguson Waterworks, for a period of one year. Purchases are to be made on an as needed basis and should not exceed $300,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works)

Pete Garcia, Public Works Director, stated this is the annual process for solicitation of materials for repairs as necessary; materials will be purchased as needed and monies are budgeted. Staff recommends approval of Ferguson Waterworks as the most advantageous respondent.

Commissioner Lopez, seconded by Commissioner Rodriguez moved to approve and award RFB No. 2018-19-01 Waterworks Collection and Distribution Materials to the most advantageous bidder, Ferguson Waterworks, for a period of one year. Purchases are to be made on an as needed basis and should not exceed $300,000.00, as presented. The motion carried unanimously, Mayor Suarez was present and voting.

VII. REPORTS

A. Report by Siemens Technologies on Performance Contracting Agreement

Chad Nobles, Siemens Technologies, reported lighting retrofits 100% complete; HVAC replacement (11 new units) complete; HVAC Armor and re-commissioning complete; traffic signal retrofits addressing ADA compliance to be completed by December and updated meter count 10,912. Concerns raised of high consumption showed an error of billing days identified and corrected. Project completion is early December with contractual obligation by February.

VIII. EXECUTIVE SESSION

At 6:19 p.m. Kerr, seconded by Commissioner Lopez moved to convene the regular meeting in Executive Session. The motion carried unanimously; Mayor Suarez was present and voting.

At 7:11p.m. Mayor Suarez announced the City Commission had completed its Executive Session and reconvened the regular meeting as open to the public.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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

There was no action.

B. Personnel - Discussion with the City Manager regarding employment of an Interim City Secretary as authorized by §551.074 of the Texas Government Code.

Commissioner Lopez, seconded by Commissioner Kerr, moved to appoint Aida Vega, Interim City Secretary. The motion carried; Mayor Suarez was present and voting.

C. Personnel - Discussion regarding the Arbitration of Appeal for Liliana Campos as authorized by §551.074 of the Texas Government Code.

There was no action.

D. Contract Negotiations – 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) as authorized by §551.071 of the Texas Government Code.

E. Legal Consultation - Seek City Attorney opinion relating to the mediation with CDM as authorized by §551.071 of the Texas Government Code.

There was no action.

F. Real Property – Consultation with City Attorney on the purchase of real property legally described as Chelsea Park W6.83AC GR 5.22AC Net on Border Avenue as authorized by §551.072 of the Texas Local Government Code.

There is no action.

G. Real Property – Consultation with City Attorney on the purchase of real property legally described as West Tract W3.67AC-S10AC-N20AC FT 685 at Dawson and Oregon Streets as authorized by §551.072 of the Texas Local Government Code.

There was no action.

H. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Catherine as authorized by §551.087 of the Texas Government Code.

Commissioner Lopez, seconded by Commissioner Rodriguez, moved to approve the terms of the Economic Development incentive program related to Project Catherine as discussed in executive session. The motion carried; Mayor Suarez was present and voting.

X. ADJOURNMENT

Commissioner Kerr, seconded by Commissioner Lopez moved to adjourn the meeting at 7:12 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

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MAYOR, David Suarez

ATTEST:

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INTERIM CITY SECRETARY, Aida Vega

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MAYOR PRO-TEM, Gerardo "Jerry" Tafolla

ABSENT

COMMISSIONER, Leo Muñoz

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COMMISSIONER, Greg Kerr

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COMMISSIONER, Jose “J.P.” Rodriguez

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COMMISSIONER, Letty Lopez

ABSENT
COMMISSIONER, Josh Pedraza