



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JUNE 3, 2014**

On this 3rd day of June 2014 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 members present:

Mayor	David Suarez
Mayor Pro-Tem	J.F. "Johnny" Cuellar
Commissioner	David R. Fox
Commissioner	Olga M. Noriega
Commissioner	Gerardo "Jerry" Tafolla
Commissioner	Lupe Rivera
Commissioner	Fidel L. Pena, III
City Manager	Leonardo Olivares
City Secretary	Elizabeth M. Walker
Acting Counsel	George K. Farah

Also present: Juan Salas, IT Department; Bret Mann, Finance Director; Mardoqueo Hinojosa, City Engineer/Interim Planning Director; Chief Sergio Ramirez, Police Department; David Arce, Park & Recreation Director; Chief Santiago Cuellar, Fire Department; Assistant Chief Rudy Garza, Fire Department; Oscar Garcia, Public Facilities Director; Trinidad Cantu, Assistant Public Utilities Director; George Garrett, Aviation Director; Gloria Givilancz, 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, May 30, 2014.
- B. Invocation.
Pastor Rene Vega from Laborers of Love and Hope delivered the invocation.
- C. Pledge of Allegiance.
Mayor Suarez recited the Pledge of Allegiance and recited the Texas flag.
- D. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting the absence of Commissioner Tafolla; Mayor Pro-Tem Cuellar arrived at 5:33 p.m.

II. PUBLIC COMMENTS

There were no comments received.

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes of the following:
 - 1) Regular Meeting on May 6, 2014;
 - 2) Special Meeting on May 13, 2014;
 - 3) Regular Meeting on May 20, 2014;
 - 4) Special Meeting on May 27, 2014. (Staffed by City Secretary's Office.) Attachment.

- B. Approval on Second and Final Reading of Ordinance 2014-06 to amend Ordinance 320 and the City of Weslaco Zoning map to rezone 1901 Maria Isabel Drive, also being Lot 24, Colonia San Francisco de Weslaco, Weslaco, Hidalgo County, Texas, from "R-1 One-Family Dwelling District" to "R-2 Duplex and Apartment District" (requested by Robert Rangel) and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement.) Attachment.

- C. Authorization to advertise for the sealed bids for the purchase of cardiac monitors for the Fire Department, as previously approved on the equipment list, and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.

- D. Authorization to utilize Federal Equitable Sharing funds to renew the Leads Online System contract in an amount not to exceed \$5,000.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- E. Approval of a service agreement for chlorine dioxide chemical and services for the Water Treatment Plant from Evoqua Water Technologies, vendor awarded RFB No. 2012-13-11, in the amount of \$5,000.00 for the installation of equipment (one-time fee) and \$0.90/pound for Chlorine Dioxide Chemical on an "as needed basis", authorize a budget amendment as appropriate, and authorize Mayor to execute any related documents. (Staffed by Public Utilities Department.) Attachment.

- F. Approval of the Notice of Intent to renew the Municipal Separate Storm Sewer System (MS4) Permit and authorize the Mayor to execute any relate documents. (Staffed by Public Utilities Department.) Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the consent agenda as presented. The motion carried unanimously; Mayor Suarez was

present and voting.

For the record, the Ordinance reads as follows:

ORDINANCE NO. 2014-06

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF 1901 MARIA ISABEL DRIVE, ALSO BEING LOT 24, COLONIA SAN FRANCISCO DE WESLACO, WESLACO, HIDALGO COUNTY, TEXAS, FROM "R-1 ONE FAMILY DWELLING DISTRICT" TO "R-2 DUPLEX AND APARTMENT DISTRICT."

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: To rezone from "R-1 Single Family Dwelling District" to "R-2 Duplex and Apartment District," Lot 24, Colonia San Francisco De Weslaco, Weslaco, Hidalgo County, Texas.

SECTION II: That this ordinance shall become effective upon its passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 20th day of May, 2014.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 3rd day of June, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

IV. NEW BUSINESS

- A. Discussion and consideration to broadcast Special Meetings, by television through the City's Public Education and Government (PEG) Channel and/or livestream via internet platforms, authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. Possible action. (Requested by Mayor Pro-Tem Cuellar and Commissioner Tafolla.)

Mayor Pro-Tem Cuellar, seconded by Commissioner Fox, moved to approve the item as presented.

The Mayor Pro-Tem expressed his desire that all meetings of the Commission and its advisory boards, such as Planning and Zoning and Board of Adjustment and Appeals, be televised; Commissioner Fox suggested those meetings additionally be live-streamed online. The Mayor requested clarification of the motion since the agenda reads "the City's Public Education and Government (PEG) Channel;" the Mayor Pro-Tem and Commissioner Fox withdrew the motion.

Mayor Pro-Tem Cuellar, seconded by Commissioner Fox, moved to authorize the recording of special meetings just as regular meetings currently are being recorded, effective immediately. The motion carried unanimously; Mayor Suarez was present

and voting.

- B. Discussion and consideration of the following:
1. Streetlight(s) at the Wildwood Forest Subdivision and on Westmont Drive;
 2. Stop sign for Republica and Llano Grande in lieu of Republica and Agostadero;
 3. Deaf signage at intersection of Republica and Llano Grande;
 4. Repair plans for the streets Airport and 18th south of 22nd street towards Springwood subdivision;
 5. Flooding concerns in the alley from Illinois Ave. to Iowa Ave. caused by Allied Waste removing excessive dirt when pushing brush to the ends;
 6. Schedule of the sweeping services;
 7. Repainting crosswalks and curbs, as well as placing reflective bumps, either on existing cross walks or at intersection with Llano Grande;
 8. List of alleys scheduled to be cleaned during the summer;
 9. Wastewater lines and pavement sinks at Forest Lane and North Forest Lane intersection;
 10. A schedule of Clean Sweep.

Possible action. (Requested by Commissioners Noriega and Pena.)

Commissioner Noriega, seconded by Commissioner Pena, moved to begin discussion of this item. The Mayor Pro-Tem noted the list of items appears to be administrative issues, typically addressed by the City Manager; however, changes in the Texas Open Meetings Act no longer allow for general reports during the meeting and requested counsel suggest how each district may make a similar report in rotation each meeting. Commissioner Noriega stated she has a paper trail that these administrative issues have not been resolved.

1. Commissioner Noriega explained the need for streetlights at the Wildwood Forest Subdivision and on Westmont Drive, noting the increased rate of burglaries in that area. In response to Commissioner Noriega, Mr. Mardoqueo Hinojosa stated that after a survey of the neighborhood, the subdivision needs three more, as well as upgrades to allow for increased wattage at two existing streetlights, to comply with the current ordinance which calls for streetlights to be placed every 400 feet. The City Manager noted such ordinance was not in effect when the subdivision was developed; today, that cost is borne by the developer. The process takes three to five weeks since AEP installs each streetlight. Commissioner Pena, seconded by Mayor-Pro Tem Cuellar, requested a study of the streetlights with cost analysis and available grants at the next regular meeting.
2. The City Manager recommended a stop sign be put in this area, due to high traffic volume and its close proximity of South Texas College. Because the Commission dissolved the Traffic Safety Committee, the Traffic Safety Officer can address this issue administratively. Commissioners Pena, Rivera, and Fox suggested other devices to slow traffic in the same neighborhood, but light synchronization to manage traffic flow in other

corridors, such as Airport Drive.

3. Mr. Hinojosa stated staff does not recommend this item, as the Manual of Traffic Controls no longer includes any information regarding deaf signage; however, such signage is not illegal should that be the will of the Commission.
4. The City Manager stated that various workshops have been held to discuss this matter; however, assistance from the County will be needed to complete this project. Residents Derek Galvan and Daniel Cameron lamented road conditions; Mr. Oscar Garcia reported that the cost to repair that stretch of road would be \$163,000.00, eligible for a 50/50 cost split with the county. The Mayor Pro-Tem stated savings from the Sugarcane road project may be applied here.
5. Mr. Oscar Garcia explained that Allied Waste uses a backhoe to clear the alley, then the City backfills the same alley; in perfect world, all alleys would be paved, and more personnel would load a truck with a grafter. However, the priority is to pave streets over alleys.
6. Mr. Oscar Garcia explained the current sweeping services schedule, with only one sweeper working each of four quadrants in turn and sweeping Texas Boulevard and Business 83 every Wednesday at 4 a.m.; that sweeper has been down 84 days already this year, costing \$14,000.00 to repair. He estimated \$212,602.50 to replace it. Commissioner Rivera recommended hiring an additional sweeper; Commissioners Noriega and Fox suggested outsourcing the work.
7. Mr. Garcia explained that the repainting of crosswalks and curbs had been done annually, but Public Facilities now is using a thermal paint which should last three years.
8. There was no discussion on this item.
9. Mr. Trinidad Cantu stated that there is some settling along 2,000 linear feet of this line, presumably due to how the line was compacted at the time of installation; he estimated \$300,000.00 to repair it. In response to Commissioner Noriega as to why this had not been repaired to date, he cited the need for \$15 million in other priorities just to repair existing wastewater lines in worse condition.
10. Mr. Cantu explained that a Clean Sweep usually is conducted annually. The last sweep was August 2013, another is expected this summer. Commissioner Noriega requested an update at the next meeting. Commissioner Rivera lamented the odor and potential contamination along Dolores Huerta Avenue; Mr. Cantu explained the line is not appropriately sized for that area and the lift station there has issues daily.

There was no action on this item.

- C. Discussion and consideration to authorize the use of forfeiture funds for payment not to exceed \$80,000.00 to Fleet Safety Equipment Inc., Buyboard Vendor contract #432-13, for the purchase of fourteen new laptops and payment not to exceed \$46,500.00 to Professional and Technical Software Solutions (PTS), sole

source vendor, for the cost of new software licenses for each laptop, authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.

In response to Commissioner Noriega, Mr. Bret Mann explained the total cost is \$126,000.00 for hardware and software and stated a budget amendment would be required since forfeiture funds are statutorily restricted.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

D. Discussion and consideration to extend current policies, authorize self-insured options, or authorize staff to solicit proposals for the following:

1. Worker's Compensation Insurance;
2. Employer's Liability;
3. Commercial Package (Commercial Property Insurance, Commercial General Liability, Airport Liability, Commercial Crime Liability, Law Enforcement Liability, Commercial Automobile Insurance, Error and Omissions Liability, Umbrella Liability Coverage, etc.);
4. Basic Life & Accidental Death & Dismemberment; and/or
5. Group Health Insurance

and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment.

The City Manager stated this item was not ready to be discussed at this meeting since staff is still obtaining quotes from vendors. There was no action on this item.

E. Discussion and consideration to approve Resolution 2014-27 authorizing a grant agreement with Texas Department of Transportation (TxDOT) Aviation Division, with ten percent local match, to develop a Marketing Plan for the future growth of Weslaco Mid Valley Airport, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Mid Valley Airport.) Attachment.

The City Manager explained that the City could through this grant leverage a \$12,000.00 local contribution to market the \$7 million in improvements at the airport.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

For the record, the resolution reads as follows:

RESOLUTION 2014-27

WHEREAS, the CITY OF WESLACO intends to make certain improvements to the Weslaco Mid Valley Airport; and

WHEREAS, the general description of the project is described as Comprehensive Marketing Plan; and

WHEREAS, the CITY OF WESLACO intends to request financial assistance from the Texas Department of Transportation for these improvements; and

WHEREAS, the CITY OF WESLACO will be responsible for 10% of the total project costs currently estimated to be \$120,000.00; and

WHEREAS, the CITY OF WESLACO names the Texas Department of Transportation as its agent for the purposes of applying for, receiving and disbursing all funds for these improvements and for the administration of contracts necessary for the implementation of these improvements.

NOW, THEREFORE, BE IT RESOLVED, that the MAYOR hereby directs MAYOR DAVID SUAREZ to execute on behalf of the CITY OF WESLACO, at the appropriate time, and with the appropriate authorizations of this governing body, all contracts and agreements with the State of Texas, represented by the Texas Department of Transportation, and such other parties as shall be necessary and appropriate for the implementation of the improvements to the WESLACO MID VALLEY AIRPORT.

PASSED AND APPROVED this 3rd day of June, 2014.

/s/ David Suarez, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

- F. Discussion and consideration to approve the Cooperation Agreement with the County of Hidalgo for years twenty-eight, twenty-nine, and thirty of Community Development Block Grant funding, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager's Office.) Attachment.

The City Manager stated this serves as a renewal to a very successful program; currently \$380,000.00 in improvements are underway in Original Townsite. In response to Commissioner Fox, Mr. Mann stated that the population threshold is 50,000 to become an entitlement community to self-administer these funds.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- G. Discussion and consideration to authorize the purchase of a 2015 Ford F350 Crew Cab 4x2 and Crane from Buyboard vendor Caldwell Country, Contract No. 430-13, in the amount not to exceed \$53,044.00 for the Wastewater Collections Division, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

The City Manager explained that this vehicle would replace one involved in an accident. Mr. Trinidad Cantu clarified that claim has been processed since the City was not responsible for the accident; this purchase had been budgeted, originally to increase the number of vehicles, but with the crane as proposed this vehicle would serve dual purposes.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- H. Discussion and consideration to authorize the purchase of a portable six inch (6”) trailer mounted Sewer Trash Pump for Wastewater Collections from DBA Goodwin Pumps, an H-GAC vendor, Contract No. CM02-13, utilizing additional vendor Xylem, in the amount not to exceed \$40,252.04, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

The City Manager stated this pump would replace a pump no longer repairable. Mr. Mann explained that H-GAC is a cooperative, like Buyboard, but is often better for certain products, like this pump.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented. The motion carried unanimously; Mayor Suarez was present and voting.

- I. Discussion and consideration to reject all bids from RFP/RFQ No. 2013-14-07 Comprehensive Water Conservation Program and authorize the re-bid of the project in the attempt to obtain more favorable bids, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the item as presented.

Mr. Trinidad Cantu stated that of the six potential contractors initially interested in the project, only one bid was received. Mr. Farah suggested the City should attempt to negotiate with this company before making the decision to reject their bid.

Mayor Pro-Tem Cuellar and Commissioner Rivera withdrew the motion. There was no action on this item.

V. EXECUTIVE SESSION

The Commission did not convene in executive session.

VI. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

- A. Pending Litigation – Consultation with Special Counsel regarding Cause No. C-5929-13-H City of Weslaco, Texas v. City of Mercedes, Texas in the 389th Judicial District Court of Hidalgo County pursuant to §551.071 of the Texas Government Code.

There was no action on this item.

VII. ADJOURNMENT

With no other business before the Commission, at 7:22 p.m. Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to adjourn the June 3, 2014 regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth M. Walker

MAYOR PRO-TEM, J.F. “Johnny” Cuellar

COMMISSIONER, David R. Fox

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo “Jerry” Tafolla

COMMISSIONER, Lupe Rivera

COMMISSIONER, Fidel L. Pena, III