



**A SPECIAL MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, AUGUST 26, 2014**

On this 26<sup>th</sup> day of August 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	Olga M. Noriega
Commissioner	Gerardo "Jerry" Tafolla
Commissioner	Lupe Rivera
Commissioner	Fidel L. Pena, III
City Manager	Leonardo Olivares
City Secretary	Elizabeth M. Walker
City Attorney	Ramon Vela

Also present: Juan Salas, IT Department; Bret Mann, Finance Director; David Salinas, Public Utilities Director; Mardoqueo Hinojosa, City Engineer/Interim Planning Director; David Arce, Parks and Recreation Director; Interim Chief Sergio Ramirez, Police Department; Rudy Garza, Fire Department; Veronica Ramirez, Human Resources Director; Olga Garza, Public Facilities Assistant Director; Martin Mata, 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, August 22, 2014.
- B. Pledge of Allegiance.  
A citizen led an impromptu invocation. Mayor Suarez recited the Pledge of Allegiance and Mayor Pro-Tem Cuellar recited the Texas flag.
- C. Roll Call.  
Elizabeth Walker, City Secretary, called the roll, noting the absence of Commissioner Fox; Commissioner Tafolla arrived at 5:31 p.m.

**II. PUBLIC COMMENTS**

Mr. David Salinas, Public Utilities Director, stated that the Boil Water Notice issued Sunday evening has since been rescinded and the water pressure has been restored. He requested that citizens continue to conserve water.

**III. PUBLIC HEARINGS**

- A. To solicit input on the proposed municipal tax rate of \$0.6867/\$100.00

valuation, the same rate as last year, for fiscal year 2014-2015 and schedule a record vote September 2 and 16, 2014.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to open the public hearing at 5:35 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

The City Manager stated the proposed municipal tax rate of \$0.6867/\$100.00 valuation is the lowest tax rate of the Mid-Valley area, which he hopes to incrementally lower over the ten-year plan. The effective rate is \$0.6562. He recommended approval of this tax rate.

No comments were received from the public.

Mayor Pro-Tem Cuellar, seconded by Commissioner Tafolla, moved to close the public hearing at 5:39 p.m. The motion carried unanimously; Mayor Suarez was present, but not voting.

#### **IV. APPOINTMENTS**

- A. Discussion and possible action to approve Resolution 2014-37 and Resolution 2014-38 to remove two (2) members of the Parks & Recreation Advisory Board and fill the unexpired terms of the members. (Staffed by Parks & Recreation Department.) Attachment.

The City Manager explained that these appointments are being considered because two current members have missed at least three meetings. The Mayor Pro-Tem noted these are two of the longest-serving members on that board and requested they be contacted about their absence and confirm if they desire to continue to serve.

Mayor Pro-Tem Cuellar, seconded by Commissioner Pena, moved to table this item until September 2, 2014. The motion carried unanimously; Mayor Suarez was present and voting.

#### **V. NEW BUSINESS**

- A. Discussion and possible action to approve a Memorandum of Understanding from Valley Nature Center to reimburse the City of Weslaco for the following Change Orders for the Valley Nature Center Construction Project: C.O. #002 (\$325.00) for Exhaust Fan/Relocate Electric Switch, C.O. #003 (\$625.00) to Relocate A/C temperature and Co2 sensors, C.O. #005 (\$2,580.00) for wrought iron fencing/gate, and C.O. #009-R1 (\$2,700.00) for wall tile at drinking fountain wall area for back splash purposes, authorize a budget amendment as appropriate and authorize the Mayor to execute any related documents. (Staffed by Public Facilities.) Attachment.

The City Manager recommended approval of this agreement so that the Valley Nature Center may reimburse certain change orders; however, the

approval of the agreement would be contingent on the approval of the corresponding items following on this agenda.

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

- B. Discussion and possible action to approve Change Orders #001-R1 (\$17,789.56) for Granite Tops/New Cabinets, C.O. #002 (\$325.00) for Exhaust Fan/Relocate Electric Switch, C.O. #003 (\$625.00) to Relocate A/C temperature and Co2 sensors, C.O. #004 (\$12,956.40) for engineering grading plan, C.O. #005 (\$2,580.00) for wrought iron fencing/gate, C.O. #006 (\$13,200.00) for a monument sign, C.O. #007 (\$3,200.00) for wood trim at staff utility, C.O. #008 (\$4,100.00) for water protection above door no. 114B & south wall, C.O. #009-R1 (\$2,700.00) for wall tile at drinking fountain wall area for back splash purposes, C.O. #010 (\$2,500.00) for access holes at the large classroom and Exhibit Hall, C.O. #011 (\$6,550.00) for demolition and removal of the current ramp and installation of a new ramp, C.O. #012 (\$2,100.00) to install two cut-off switches at water collection tanks, C.O. #013 (\$3,400.00) to provide power and water to island, and C.O. #014 (\$1,410.00) for modifications to Green Roof at Gutter, to the Valley Nature Center construction project, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Public Facilities.) Attachment.

Commissioner Pena, seconded by Mayor Pro-Tem Cuellar, moved to approve Change Order #002, #003, #005, and #009-R1, authorized a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

The Commission considered the remaining Change Orders sequentially. On Change Order #001, Ms. Olga Garza stated staff does not recommend approval as it is not relevant to the occupancy of the building; Ms. Holly Johnston, representing the Valley Nature Center, stated her organization has since abandoned that request. There was no action on this item.

On Change Order #004, Mr. Alex Palacios stated the engineering grading plan is necessary to divert water away from the building; Ms. Johnston stated the intention was to retain water for park irrigation. Mr. Mardoqueo Hinojosa stated he ran the hydraulic calculations and assured he can draw the plans personally and will put such in writing. There was no action on this item.

On Change Order #006, the City Manager noted that this was not part of the original plans, but submitted as an alternate plan. There was no action on this item.

On Change Order #007, Ms. Garza stated it is a decorative element not necessary to the occupancy of the building; Ms. Johnston concurred. There

was no action on this item.

On Change Order #008, Mr. Palacios stated this work already has been completed, since the exposed wood needed to be encapsulated with metal to protect from directional rain. Ms. Garza noted that the City did not approve the change prior to the work.

Commissioner Pena, seconded by Mayor Pro-Tem Cuellar, moved to approve Change Order #008, authorized a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

On Change Order #010, Mr. Palacios noted that to comply with the Fire Inspection, he cut three holes into the drywall which the previous contractor installed prior to any inspection of the sprinkler system; Mr. Garza stated that the original invoice was for two holes, which is all the Fire Marshal stated he requested.

Commissioner Pena, seconded by Commissioner Tafolla, moved to approve Change Order #010, authorized a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

On Change Order #011, Mr. Palacios advised the ramp does not comply with ADA because it is too steep; Ms. Garza recommended doing the work in-house for the cost of concrete; Mr. Hinojosa stated he may certify that work upon completion though he prefers Mr. Palacios do that work.

Commissioner Pena, seconded by Commissioner Tafolla, moved to table Change Order #011 until the ADA inspection is complete. The motion carried unanimously; Mayor Suarez was present and voting.

On Change Order #012, Mr. Palacios stated the request is withdrawn; there was no action on this item. On Change Order #013, Mr. Palacios suggested that a fountain or light might later be wanted in that traffic circle and there is a cost savings to install that utility infrastructure now.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve Change Order #013, authorized a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

On Change Order #014, Mr. Palacios stated he feels strongly this green roof needs improved drainage because the overflow may damage the facility; Ms. Johnston and Ms. Garza concurred.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve Change Order #014, authorized a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

Mr. Palacios stated he has Change Order #015 for consideration, but the City Attorney stated it cannot be discussed because it does not appear on this agenda.

**VI. ADJOURNMENT**

With no other business before the Commission, at 6:40 p.m. Commissioner Tafolla, seconded by Commissioner Rivera, moved to adjourn the August 26, 2014 special meeting. 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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**CITY SECRETARY**, Elizabeth M. Walker

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**MAYOR PRO-TEM**, J.F. "Johnny" Cuellar

(absent)

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**COMMISSIONER**, David R. Fox

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**COMMISSIONER**, Olga M. Noriega

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**COMMISSIONER**, Gerardo "Jerry" Tafolla

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**COMMISSIONER**, Lupe Rivera

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**COMMISSIONER**, Fidel L. Pena, III