



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 17, 2015**

On this 17th day of March 2015 at 5:32 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	Olga Noriega
Commissioner	David R. Fox
Commissioner	Greg Kerr
Commissioner	Gerardo "Jerry" Tafolla
Commissioner	Lupe Rivera
Commissioner	Fidel L. Pena, III
Interim City Manager	Mike R. Perez
City Secretary	Elizabeth Walker
City Attorney	Frank Garza

Also present: Juan Salas, IT Department; Sonia Flores, Assistant Finance Director; Veronica Ramirez, Human Resources Director; David Salinas, Public Utilities Director, Trinidad Cantu, Assistant Public Utilities Director; Mardoqueo Hinojosa, City Engineer/Planning Director; Interim Chief Chris Sanchez, Fire Department; Captain Ted Walensky, Police Department; David Arce, Parks and Recreation Director; Olga Garza, Public Facilities Interim Director; Arnold Becho, Library 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, March 13, 2015.
- B. Invocation.
Pastor Art Beckwith from RGV Fellowship Church delivered the invocation.
- C. Pledge of Allegiance.
Mayor Suarez recited the Pledge of Allegiance and the Texas flag.
- D. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting perfect attendance.

II. PUBLIC COMMENTS

Mr. Rene Villarreal thanked the Mayor and Commissioners for the successful event in

Weslaco in support of the VFW, and presented a plaque in appreciation for the City.

III. PUBLIC HEARINGS

- A. To solicit input on behalf of Irene Rodriguez to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16-18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County, Texas.
- B. To solicit input on behalf of Juan L. Sanchez and Katherine Gonzalez to amend Ordinance 320 and the City of Weslaco Zoning map to rezone 730 Victory Drive, also being Lots 7-12, Block 2, Villa Vista Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District.
- C. To solicit input on behalf of Rene Ortiz Jr. to amend Ordinance 320 and the City of Weslaco Zoning map to rezone 1208 South Airport Drive, also being a 0.2725 acre tract of land out of the East ½ of Lot 1-A, Olivarez #5 Subdivision Farm Tract 695, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to open the public hearings concurrently at 5:41 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

In regards to item III. B, Mr. Juan Sanchez stated that he would like to rezone 730 Victory Drive from an R-1 One Family Dwelling District to a B-4 Neighborhood Office District designation to open a home office for a psychiatric care company. He stated it would be for office use only; no patients would be driving to this location, as it will not be a clinic.

Mr. Lupe Montalvo and Ms. Armandina Vasquez spoke in opposition of item III. B, citing reasons of increased traffic flow and speeding incidences in the neighborhood, especially considering the number of children in the area.

In regards to item III. C, Mr. Rene Ortiz stated he would like to use the location at 1208 S. Airport to open administrative offices for his business.

Commissioner Rivera, seconded by Commissioner Fox, moved to close the public hearings concurrently at 6:18 p.m. The motion carried unanimously; Mayor Suarez was present and voting.

IV. 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 Regular Meeting on March 3, 2015. (Staffed by City Secretary's Office.) Attachment.
- B. Approval on Second and Final Reading of Ordinance 2015-09, establishing a Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. (First Reading held on March 3, 2015; Staffed by Finance Department.) Attachment.
- C. Authorization of the termination of the Interlocal Agreement between the City of Weslaco and the City of Edinburg for hosting of the Library's automation system and authorize the Mayor to sign any related documents. (Staffed by Library Department.) Attachment.
- D. Approval of the renewal of an Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System (HCLS) at no cost to the City, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.
- E. Acceptance of the 2014 Racial Profiling compiled by the Weslaco Police Department as required by the Texas Code of Criminal Procedure Article 2.133 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- F. Acceptance of a check from the Texas Comptroller of Public Accounts annual allocation from the Law Enforcement Officer Standards and Educations (LEOSE) in the amount of \$4,256.98 to be utilized for training for the Weslaco Peace Officers and authorize a budget amendment as appropriate. (Staffed by Police Department.) Attachment.
- G. Approval of the request from the South Texas Conjunto Association to host the South Texas Truck Show at Harlon Block Sports Complex on May 17, 2015, to sell beer during the event, to place a banner promoting the event at the intersection of Texas and Pike Boulevard for two weeks prior to the event, and to waive appropriate ordinances associated with the event. (Staffed by Parks and Recreation Department.) Attachment.
- H. Acceptance of a check from Kelly Miller Circus, in the amount of \$1084.00 for the use of Harlon Block Park on February 24-25, 2015 for Circus, deposit it into miscellaneous revenue account, and authorize a budget amendment as appropriate. (Staffed by Parks Department.) Attachment.
- I. Approval of the Memorandum of Understanding (MOU) with the Texas A&M Engineering Extension Service (TEEX) for training of personnel as required by the Texas Commission on Fire Protection and authorize the Mayor to execute any related

documents. (Staffed by Fire Department.) Attachment.

- J. Acceptance of EMS county funds from the Lower Rio Grande Valley Regional Advisory Council on Trauma Service Area V in the amount of \$5,270.40 for the purchase of another stretcher and authorize a budget amendment as appropriate. (Staffed by Fire Department.) Attachment.

Commissioner Tafolla, 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, Ordinance 2015-09 reads as follows:

ORDINANCE 2015-09

AN ORDINANCE OF THE CITY OF WESLACO AMENDING THE CODE OF ORDINANCES CHAPTER 122 ARTICLE III ESTABLISHING A HOTEL OCCUPANCY TAX ADVISORY COMMITTEE; ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.

Whereas, the City of Weslaco collects a Hotel Occupancy Tax from hotels, motels, inns and bed and breakfast and other lodging establishments in the City; and

Whereas, Chapter 352 of the Tax Code outlines specifically how those tax funds may be expended in order to support qualified events, activities and facilities; and

Whereas, the Commission finds an advisory committee should be established for the following purposes:

- To recommend allocation of hotel occupancy tax funds as authorized by the Texas Tax Code, Chapters 351 and 352;
- To receive and review applications from organizations requesting funds;
- To recommend allocation of hotel occupancy tax funding; and
- To review the actual expenditures of hotel occupancy tax funds.

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

Ordinance 2015-09 will be codified in the City of Weslaco Code of Ordinances within Chapter 122 Taxation: Article III. Hotel Room Occupancy Tax and Titled "Hotel Occupancy Tax Advisory Committee," which after second and final reading appear as follows in The City of Weslaco Code of Ordinances:

Section 122-54 - City of Weslaco Hotel Occupancy Tax Advisory Committee: Creation—Membership—Appointment—Terms.

(a) There shall be created a committee known as the "Hotel Occupancy Tax Advisory Committee" (also referred to as the "committee" or the "hotel committee"), and shall have such powers and authority as described herein.

(b) The committee shall be composed of a total of seven (7) members. At least three (3) members of the committee must be voting members; nonvoting members shall participate in committee activities without the power to vote. Members named to the committee may live

outside of the city limits when representing a business or organization located within the city limits. All members shall be appointed by simple majority vote of the city commission. All members appointed to the committee shall not be in arrears in the payment of any taxes or other liabilities due the city. The members of the committee shall be appointed by the city commission for a term of three (3) years or until their successors are appointed and qualified. Terms should stagger.

(c) The membership of the committee shall be composed of at least one representative of the lodging industry as a voting member and one representative of the Weslaco Area Chamber of Commerce as a non-voting member.

(d) If any member of the committee is a representative of any entity eligible to receive disbursement from the Hotel Occupancy Tax Fund, that member shall not be a voting member.

(e) The members shall serve without pay.

(f) Members may elect a Chair and vice-chair of the committee for a one-year term. An officer may continue to serve until a successor is appointed.

(g) The City Manager may assign a staff liaison to perform support services, including maintaining a record of the transactions of the committee such as prepare agendas, post meeting notices, and prepare the minutes of the committee meetings and shall make available to the committee any reports, applications or other information necessary to further the activities of the committee.

Section 122-55 - Duty as advisory committee.

The committee shall act only as an advisory body and provide recommendations to the city commission, and shall perform the following functions: (1) Receive and review applications from businesses and individuals requesting funds for projects that are eligible for hotel occupancy tax funds; (2) Prioritize the requests for such funds and projects and advise the city commission regarding the committee's recommendations; (3) Assist city with oversight of projects and agencies that receive funds and verify that such funds are being used in accordance with state law requirements; (4) Report to city commission regarding the activities of the committee and the agencies and the projects that have received funds; (5) Develop a planning calendar, procedure for evaluation and evaluation criteria to be used when recommending and prioritizing agencies and projects for hotel occupancy tax funds; (6) Recommend advertising and marketing strategies for the city commission to consider and assist the city with oversight of any contracts for advertising and marketing approved by the city commission; (7) Any other function or duty directed by the city commission in regards to the committee.

Section 122-56 – Meetings—Rules and bylaws.

(a) The committee shall meet no less than twice annually, or as needed or as requested by the city manager or city council.

(b) The committee may adopt rules and regulations for the government of their own proceedings, including to stagger inaugural terms, and to carry out the purposes for which the committee is created, not inconsistent with state law, the Charter, this chapter and ordinances of the city.

PASSED AND APPROVED on first reading at a regular meeting of the City Commission this 3rd day of March, 2015.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 17th day of March, 2015.

CITY OF WESLACO

/s/ David Suarez, **MAYOR**

ATTEST:

/s/ Elizabeth M. Walker, **CITY SECRETARY**

APPROVED AS TO FORM:

/s/ Frank Garza, **CITY ATTORNEY**

V. **APPOINTMENTS**

- A. Discussion and consideration to approve Resolutions 2015-22, 2015-23, 2015-24, 2015-25, 2015-26, 2015-27, and 2015-28 appointing inaugural members to the Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (This item was tabled on March 3, 2015; Staffed by Finance Department.) Attachment.

Commissioner Pena, seconded by Commissioner Kerr, moved to remove this item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Pena, seconded by Mayor Pro-Tem Noriega, moved to begin discussion on the item. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Noriega recommended appointing Sergio Lozano to the board. Commissioner Tafolla stated he would like to publicize the vacancies more to allow more citizens to apply for the board.

Commissioner Pena, seconded by Commissioner Tafolla, moved to table this item until the next regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration to select not to exceed four candidates to the Board of Directors for the Military Highway Water Supply Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

Mr. David Salinas explained a portion of the member-owned Military Highway Water Supply Corporation service area is within Weslaco and stated the due date for the ballot is March 29, 2015.

Commissioner Pena, seconded by Commissioner Rivera, moved to appoint Mayor Pro-Tem Noriega to represent the City of Weslaco to cast four votes for the Board of Directors for the Military Highway Water Supply Corporation. The motion carried unanimously; Mayor Suarez was present and voting.

VI. **OLD BUSINESS**

- A. Discussion and reconsideration to award the best qualified, most advantageous bidder for internet services submitted in response to the Request for Proposal within the E-Rate Year 18 Cycle (FY 2015-2016) and authorize the Mayor to execute any related documents. Possible action. (Commission awarded Smartcom on March 3, 2015; Staffed by Library Department.) Attachment.

Mr. Arnold Becho explained that subsequent to the authorization last meeting, the City learned the local match is 20%, not 10% as previously disclosed. The City contribution now is estimated at \$2,600.00/year, still a significant savings for this technology and recommended approval.

Mayor Pro-Tem Noriega, seconded by Commissioner Pena, moved to award Smartcom as the best qualified, most advantageous bidder for internet services submitted in response to the Request for Proposal within the E-Rate Year 18 Cycle (FY 2015-2016) and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and reconsideration to award the best qualified, most advantageous bidder for basic network maintenance of internal connections, equipment, and other computer services submitted in response to the Request for Proposal within the E-Rate Year 18 Cycle (FY 2015-2016) and authorize the Mayor to execute any related documents. Possible action. (Commission awarded Insight on March 3, 2015; Staffed by Library Department.) Attachment.

Similar to the preceding item, Mr. Becho clarified there is a 20% local contribution, increasing the budget about \$20,000.00.

Commissioner Pena, seconded by Commissioner Fox, moved to award Insight as the best qualified, most advantageous bidder for basic network maintenance of internal connections, equipment, and other computer services submitted in response to the Request for Proposal within the E-Rate Year 18 Cycle (FY 2015-2016) and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration to approve a Special Services Agreement on Hotel/Motel Room Occupancy Tax Proceeds between the City of Weslaco and the Economic Development Corporation of Weslaco. Possible action. (This item was tabled on February 17, 2015; Requested by Economic Development Corporation of Weslaco.) Attachment.

Commissioner Kerr, seconded by Commissioner Fox, moved to remove the item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

Commissioner Kerr, seconded by Commissioner Fox, moved to approve. Mr. Joey Trevino explained the Economic Development Corporation already expended some funds on advertising, such as the Winter Texan guide books and billboards; pursuant to the agreement approved last meeting, the Chamber of Commerce will assume these duties going forward. The Mayor stated he would prefer to limit the scope of this agreement to current invoices; the Mayor Pro-Tem expressed reservations about the scope of the term of the proposed agreement through the end of the fiscal year. Commissioner Kerr withdrew the original motion.

Commissioner Pena, seconded by Commissioner Rivera, moved to table the item until the next regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

- D. Discussion and consideration to approve on Second and Final Reading Ordinance 2015-03 amending the Code of Ordinances §114-17, "Political signs and banners; removal," adding such sections to provide for the placement of political signs on private property, to provide for the regulation of electioneering on public property and election polling places; to provide a repealing clause; to provide a severability clause; to provide a penalty for each offense; and to provide an effective date. Possible action. (This item was tabled on February 3, 2015; First reading held January 20, 2015; Staffed by City Secretary's Office.) Attachment.

Commissioner Tafolla, seconded by Commissioner Fox, moved to remove the item from the table. The motion carried unanimously; Mayor Suarez was present and voting.

Mayor Pro-Tem Noriega, seconded by Commissioner Tafolla, moved to begin discussion on the item. The City Manager recommended a more studious review of this proposed ordinance during the next Commission workshop. Mayor Pro-Tem Noriega withdrew her motion.

Commissioner Pena, seconded by Commissioner Kerr, moved to table the item until the April 21, 2015 meeting. The motion carried unanimously; Mayor Suarez was present and voting.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Irene Rodriguez to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16-18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County, Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Kerr, seconded by Commissioner Pena, moved to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 1400 North Westgate Drive, Suite 400, also being Lots 16-18, Block D, Expressway Heights Subdivision, Weslaco, Hidalgo County. The motion carried unanimously; Mayor Suarez was present and voting.

- B. Discussion and consideration after public hearing on behalf of Juan L. Sanchez and Katherine Gonzalez to approve Ordinance 2015-10 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 730 Victory Drive, also being Lots 7-12, Block 2, Villa Vista Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District. First Reading of Ordinance

2015-10. Possible action. (Requires three-fourths vote as Planning and Zoning Commission recommended denial; Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Mardoqueo Hinojosa stated a petition was received from ten property owners; the Planning and Zoning Commission recommended denial. The City Attorney stated five of seven Commissioners must approve to pass as three-fourths vote.

Commissioner Kerr, seconded by Commissioner Tafolla, moved to approve Ordinance 2015-10 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 730 Victory Drive, also being Lots 7-12, Block 2, Villa Vista Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District. The motion failed unanimously; Mayor Suarez was present and voting.

- C. Discussion and consideration after public hearing on behalf of Rene Ortiz Jr. to approve Ordinance 2015-11 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 1208 South Airport Drive, also being a 0.2725 acre tract of land out of the East ½ of Lot 1-A, Olivarez #5 Subdivision Farm Tract 695, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District. First Reading of Ordinance 2015-11. Possible action. (Requires three-fourths vote as Planning and Zoning Commission recommended denial; Staffed by Planning and Code Enforcement Department.) Attachment.

Mr. Mardoqueo Hinojosa state that fourteen property owners were notified and no comments were received; the property adjacent to the north is commercial. The Planning and Zoning Commission recommended denial because of the Comprehensive Plan; he stated the proposed Comprehensive Plan maintains the property as residential.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve Ordinance 2015-11 amending Ordinance 320 and the City of Weslaco Zoning map to rezone 1208 South Airport Drive, also being a 0.2725 acre tract of land out of the East ½ of Lot 1-A, Olivarez #5 Subdivision Farm Tract 695, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, from R-1 One Family Dwelling District to B-4 Neighborhood Office District. The motion carried unanimously; Mayor Suarez was present and voting.

- D. Discussion and consideration to approve Ordinance 2015-12 repealing Ordinance 2004-23, the “City of Weslaco Sign Ordinance.” codified as Chapter 114 of the Weslaco Code of Ordinances, to adopt new regulations and ordain other matters with respect to the subject matter hereof. First Reading of 2015-12. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Pena, seconded by Commissioner Tafolla, moved to table the item

until the April 21, 2015 meeting. The motion carried unanimously; Mayor Suarez was present and voting.

- E. Discussion and consideration to approve final payment Southern Trenchless for the Rehabilitation of sanitary sewer manholes on 18th street in the amount of \$54,850.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Utilities Department.) Attachment.

Mr. David Salinas reported the Commission originally approved as \$45,000.00; however, there were change orders to replace additional manholes approved by the Interim City Manager under his spending authority.

Commissioner Kerr, seconded by Commissioner Rivera, moved to approve the final payment to Southern Trenchless for the Rehabilitation of sanitary sewer manholes on 18th street in the amount of \$54,850.00, 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.

- H. Discussion and consideration to approve an Interlocal agreement with Hidalgo County for reconstruction and repaving of Eighteenth Street from FM 1015 to South Airport and South Airport from Eighteenth Street to Mile 5 ½ North and Mile 5 ½ North from South Airport Drive to Pleasantview Drive in an amount not to exceed \$200,000.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Mayor Suarez requested to change the order of the day to consider items VII. H. and I immediately.

Mr. Mardoqueo Hinojosa reported this agreement would facilitate a two inch overlay, expanding the width from 120 to 124 feet. AS only half the road is in City limits, there will be no curb and gutter. The Mayor clarified Precinct 1 will do the work and the City will pay for materials; Mr. Raul Lozano stated should it stop raining, they anticipate starting the work in May with thirty days to complete the project.

Commissioner Kerr, seconded by Commissioner Tafolla, moved to approve an Interlocal agreement with Hidalgo County for reconstruction and repaving of Eighteenth Street from FM 1015 to South Airport and South Airport from Eighteenth Street to Mile 5 ½ North and Mile 5 ½ North from South Airport Drive to Pleasantview Drive in an amount not to exceed \$200,000.00, 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.

- I. Discussion and consideration to approve an Interlocal agreement with Hidalgo County for reconstruction and repaving of Votech from Pike Boulevard to Mile 9

North/Sugarcane Drive in an amount not to exceed \$200,000.00, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Similar to the preceding item, the City will provide materials for a two inch overlay to follow the other project.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to approve an Interlocal agreement with Hidalgo County for reconstruction and repaving of Votech from Pike Boulevard to Mile 9 North/Sugarcane Drive in an amount not to exceed \$200,000.00, 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.

- F. Discussion and consideration regarding street projects and their paving schedule and establish priorities. Possible action. (Staffed by City Manager's Office.)

Ms. Olga Garza presented a map of the proposed streets, and projected a five-month paving schedule between April and August, while school is out for summer. All work will be done in-house. Mayor Pro-Tem requested Sixth Street to Milano, with an interlocal agreement if necessary.

Commissioner Pena, 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 select the best qualified, most advantageous respondent for the roadway improvements for Request For Bids 2014-15-17 Border Avenue Road and Waterline Improvements, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to begin discussion on the item.

In response to Commissioner Tafolla, Mr. Mardoqueo Hinojosa stated that after the difficulties with the Sugarcane project, the City will conduct additional materials testings and assign one inspector on site both in the morning and afternoon. He reported that TEDSI Engineers recommended the base plus bid one, including sidewalks, but not bid 2, and the waterline. The project will consist of two inches of asphalt over ten inches of caliche; there will be sidewalks on both sides, curb and gutter, and two lanes with a center turning lane. The project cost is split 48% City, 52% County, with the waterline 100% City cost. Mr. Raul Lozano stated that the County doesn't ordinarily participate in sidewalks but is making an exception for this project.

The Mayor Pro-Tem lamented there is no bike lane. Mr. Hijonosa stated that the groundbreaking is expected April 1 with 250 calendar days to completion.

Commissioner Tafolla, seconded by Commissioner Rivera, moved to award Texas Cordia Construction as the best qualified, most advantageous respondent for the roadway improvements for Request For Bids 2014-15-17 Border Avenue Road and Waterline Improvements, 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.

- J. Discussion and consideration to authorize the use of forfeiture funds and utilize Federal Equitable Sharing Funds in an amount of \$16,000.00 for payment of overtime for Task Force operations with the Drug Enforcement Administration (DEA), and for the renewal of the six-month lease agreement with CAPPs Rent A Car, Inc. for DEA Task Officer, authorize a budget amendment as appropriate, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.

Captain Ted Walensky stated \$10,000.00 would be applied to overtime and \$6,000.00 would be allocated for the final six months of the vehicle lease; this is not taxpayer money, but forfeiture funds.

Commissioner Rivera, seconded by Commissioner Kerr, moved to approve to authorize the use of forfeiture funds and utilize Federal Equitable Sharing Funds in an amount of \$16,000.00 for payment of overtime for Task Force operations with the Drug Enforcement Administration (DEA), and for the renewal of the six-month lease agreement with CAPPs Rent A Car, Inc. for DEA Task Officer, authorize a budget amendment as appropriate, and authorized the Mayor to execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

VIII. REPORT

- A. Report on Water Treatment Plant expansion project by Briones Engineering.

Mr. Rolando Briones reported on the Water Treatment Plant expansion project, stating that the new plant #5 has been producing clean water for over three weeks and expects to comply with the Texas Commission on Environmental Quality Agreed Order by the assigned date of May 26. Presently the project is \$3 million under budget; of the thirteen bid packages, only two were not awarded to the lowest bidder. Mr. David Salinas clarified that though the plant is running it is not yet pushing water into the system as the City is still working out kinks in the alarm and firewall systems.

IX. EXECUTIVE SESSION

At 7:38 p.m., the Mayor announced the regular meeting to convene in Executive Session. At 8:14 p.m., the Mayor announced the City Commission had completed its

Executive Session and reconvened the regular meeting as open to the public.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

- A. Personnel - Discussion with the Interim City Manager regarding the Police Chief and Fire Chief applicants as authorized by §551.074 of the Texas Government Code.

There was no action on this item.

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

There was no action on this item.

- C. Personnel - Discussion regarding the extension of current interim contract or the appointment of a City Manager for the City of Weslaco as authorized by §551.074 of the Texas Government Code.

Mayor Pro-Tem Noriega, seconded by Commissioner Tafolla, authorized an employment contract with Mike R. Perez in the amount of \$180,000.00/annually for a period of two years and authorized the Mayor to negotiate the details and execute any related documents. The motion carried unanimously; Mayor Suarez was present and voting.

- D. 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.

XI. ADJOURNMENT

With no other business before the Commission, at 8:15 p.m. Commissioner Pena, seconded by Commissioner Tafolla, moved to adjourn the March 17, 2015 regular meeting. The motion carried unanimously; Mayor Suarez was present and voting.

CITY OF WESLACO

MAYOR, David Suarez

ATTEST:

CITY SECRETARY, Elizabeth Walker

;

MAYOR PRO-TEM, Olga Noriega

COMMISSIONER, David R. Fox

COMMISSIONER, Greg Kerr

COMMISSIONER, Gerardo "Jerry" Tafolla

COMMISSIONER, Lupe Rivera

COMMISSIONER, Fidel L. Pena, III