



REGULAR MEETING

A MEETOF THE CITY OF EDCOUCH WILL BE HELD BY
TELECONFERENCE/VIDEOCONFERENCE VIA ZOOM : 1-800-000-0000 ACCESS CODE:
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ON THURSDAY JUNE 18, 2020
COMMENCING AT 6:30 P.M.

THIS CITY OF EDCOUCH MEETING WILL BE HELD USING TELE CONFERENCE
SYTEM/VIDEO CONFERENCING VIA ZOOM AND IS AUTHORIZED BY THE GOVERNOR
GREG ABBOT'S TEMPORARY SUSPENSION OF CERTAIN ASPECTS OF TEXAS OPEN
MEETINGS ACT WHICH ALLOWS FOR A GOVERNING BODY TO HOLD A "VIRTUAL"
MEETING SO AS TO AVOID GATHERING MEMBERS OF THE PUBLIC AND/ OR BOARD
MEMBERS, AND STAFF IN A PHYSICAL SETTING THAT MIGHT CONSTITUTE A PUBLIC
HEALTH RISK.

PUBLIC COMMENTS WILL ONLY BE ACCEPTED IN WRITING NO LATER THAN THIRTY
(30) MINTUES IN ADVANCE OF THE MEETING BY THEM TO MANNY HERNANDEZ AT
mannyhernandez@cityofedcouch.org. In the body of the email please include date, your name, your
address, phone number, agenda item # if applicable of subject of discussion, and your comments.
DISCUSSION AND POSSIBLE ACTION ON THE FOLLOWING MATTERS:

AGENDA

- A. **Call Meeting to Order**
- B. **Roll Call**
- C. **Pledge of Allegiance**
- D. **Invocation**
- E. **Public Comments**
- F. **Discussion and possible action on approval of Minutes:**
 1. **Special Meeting Minutes of 06/11/2020**
- G. **Discussion and Possible Action to approve Petition by the Citizens of the City of Edcouch to amend City Charter to set the term of the office of The Mayor and All Aldermen to four years**
- H. **Discussion and Presentations by Forged Technology to discuss and update on technology that will added into the Library that will be built inside our Community Center**
- I. **Discussion and Possible action to approve on Interlocal Agreement with County of Hidalgo for Cares Act Funds.**
- J. **Discussion and Possible action to approve Orozco Auditor for 2019 Audit.**

K. Discussion and Possible action to approve on abandoning the cities right of way of certain portions of Colonia Juarez subdivision so the neighbors lots would be consistent in property lines. See exhibit A, B, and C.

L. Adjournment

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

City Hall is Wheelchair accessible & accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this Meeting. Please contact the City Secretary's Office at 956-262-2140 or Fax 956-262-2920 for further information. Braille is not available.

If during the course of the meeting, The City Council should determine that a Closed Session or meeting is authorized by section 551.071, 551.072, 551.074, 551.075, 551.076, 551.084, 551.086 of the Government Code or Vernon's Texas Codes Annotated, notice of Closed or Executive Session will be given after the commencement of the meeting covered by this notice pursuant to Section 551.101 of the Local Government Code. Should any final motion, decision, or vote be required in the opinion of the council with regards to any item during the meeting, then such final action, decision, or vote shall be made during the open meeting covered by this notice upon the reconvening of the Public Meeting.

I, the undersigned authority, do hereby certify that the above notice of said Regular Meeting of the Board of Aldermen of the City of Edcouch was posted on the main entrance to Edcouch City Hall on the 15th day of June at 5:00 pm and will remain posted continuously for at least 72 hours prior to the scheduled time of said meeting, in compliance with Chapter 551 of the Government Code, Vernon's Texas Codes, Annotated (Open Meetings Act).

WITNESS MY HAND AND SEAL, THIS 15^h DAY OF JUNE 2020.

Victor H. De La Cruz
City Manager



**MINUTES
REGULAR MEETING
CITY OF EDCOUCH**

211 W. SOUTHERN AVE., EDCOUCH, TEXAS
THURSDAY, JUNE 18, 2020
COMMENCING AT 6:30 P.M.

AGENDA

- M. Call Meeting to Order** Meeting was called to Order by **Mayor Gonzalez at 6: 30p.m.**
- N. Roll Call** Roll call was called by **Mr. Manuel Hernandez Jr** as follows:

	Present	Absent	City Staff:
Mayor: Virginio Gonzalez Jr.	<u> X </u>	_____	Victor H. De La Cruz, City Manager
Mayor Pro Tem: Flores	<u> X </u>	_____	Manuel Hernandez Jr., Fin./Court Admin
Alderman: Joel Segura	<u> X </u>	_____	Interim Chief: J. Quintana
Alderman: John Chapa	_____	<u> X </u>	
Alderman: Robert Gutierrez	<u> X </u>	_____	
Alderman: Lorenzo Cabrera	<u> X </u>	_____	
City Attorney: Orlando Jimenez			

Mayor, we have a quorum.

- O. Pledge of Allegiance** Pledge of Allegiance was led by **Victor H De La Cruz**
- P. Invocation** Invocation was led by **Victor H De La Cruz**
- Q. Public Comments**
- R. Discussion and possible action on approval of Minutes:**

- 1. **Special Meeting Minutes of June 11, 2020. Mr. De La Cruz:** Minutes are on your package if you have any questions.

A motion to approve the Regular Meeting Minutes of June 11,2020 was made by Alderman Flores , 2nd by Alderman Segura . All Voted Aye/ Motion Carried.

- S. Discussion and Possible Action to approve Petition by the Citizens of the City of Edcouch to amend City Charter to set the term of the office of the Mayor and All Alderman to four years**

Hugo: Mayor, we had a citizen come up and did a request of signatures for, and I can read this, it says , the citizens of The City of Edcouch have the right to petition for a charter amendment. The petition is for the question: shall the city charter be amended to set the term of the office for the mayor and aldermen to four years? I have in my hand Mayor, about a total of about one hundred and fifty four signatures and I believe that is the amount, and I will pass it on to OJ, to legal, to some percentage and I believe that we hit that percentage so we're asking for approval here tonight.

OJ: Mayor, city council, it is my understanding that there is a petition and so I am going to review it. I have not had the opportunity to review that petition but if it does have the required information, which Im pretty sure it should have the required information which is the name,

address, the voter's registration, so if it does have that there should be no issue as to why the board should not accept the petition and then approve it.

Hugo: Let me say before you all vote I do have to mention since you mentioned that, council, on the voter ID section of this it is very simple name, address, date of birth, voter's ID and signature then the date. The voter ID that was used a lot of people did not have their voter ID so there was a list requested, from what I understand, and some of these numbers are not matching so we called the Voter's Registration and they are going to actually match them based on name and date of birth.

A motion to approve the Petition by the Citizens of the City of Edcouch to amend City Charter to set the term of the office of the Mayor and All Alderman to four years was made by Alderman Flores. 2nd by Alderman Cabrera. All Voted Aye/ Motion Carried

T. Discussion and presentation by Forged Technology to discuss and update on technology that will added into the Library that will be built inside our Community Center

Hugo: Mayor, at this time I would like to table this item. I requested that Forge Technology provide the commission with a virtual look of the library. The way they were going to be presenting tonight was they were going to be presenting computer series, model numbers and all that and I did not really feel like it was information that you all wanted. I explained to them that it is important that you all visually see how the library is going to look. And so they called me yesterday and told me that they are going to provide a virtual tour of how the library is going to look. So I gave them another two weeks.

A motion to table Forged Technology to discuss and update on technology that will added into the Library that will be built inside our Community Center was made by Alderman Segura. 2nd by Alderman Flores. All Voted Aye/Motion Carried

U. Discussion and Possible Action to approve Interlocal Agreement with County of Hidalgo for Cares Act Fuds

Hugo: Mayor, I am going to bring up a screen here of the actual Interlocal. First of all, I would like for you all to take a look at the memorandum, it should be coming up on your screen. That is the actual memorandum, I will leave it there on the screen so you can take a look at it.

Manny: Mr De La Cruz, we are not getting the memorandum. We are just getting the files.

Hugo: Give me a second. Do you all see it now?

Everyone: Yes

Hugo: Basically, the memorandum just talks about the commission voting on the CARES Act Interlocal cooperation agreement. Now, before I bring up the agreement, there was an issue with the way this whole thing went down. We got a final draft for us to take a look at. I sent an email to Precinct 1 and I attached everybody, and I told them this is not the way The City of Edcouch does business. I have to say that because some of the items on the Interlocal agreement were misleading

and so I wanted to show you and I am going to bring that up now, do you see the Interlocal agreement?

Mayor: Not yet

Hugo: Ok so I had this Interlocal waiver, I sent that out. This is the final draft and they sent that and what I did was I sent that to our attorney and so there are some areas that he wants to mention where there are some concerns there and then I will explain to you some of the information that I covered.

OJ: Mr Mayor, city council we did not get a chance to review the Interlocal agreement the first time that they sent it to us like Mr De La Cruz said unfortunately it was a final draft. It really did not give us the opportunity to comment and actually offer any suggestions that we had. Now it seems like they really do not care because they kind of brushed under the rug our comments our suggestions and our concerns. When I reviewed this this afternoon, it had the same concerns. One of the more troubling and problematic things on page three. On page three of that Interlocal agreement specifically on paragraph 3.2, it very clearly states that if the monies are not expended by August 31st then the county has the right to reallocate and reapportion those amounts. And the reason that it's troubling is because on the same page on the top and where it defines what the CARES Act is, which is actually part of the Federal Government, it states that you can use the payments that cover March 1st to December 30th so what this Interlocal agreement does is it actually limits the Federal Government's authority over the county and what it appears to be is that the county is only allowing, not just The City of Edcouch, but if this contract or this Interlocal agreement is the same one that other municipalities have received then that is really troubling and I have not had the opportunity to review other cities Interlocal agreement, but again I do not represent them, so I don't really care about them I care about our city and our contracts and our interlocals and this interlocal agreement is very lateral, very one-sided and more importantly it goes against the guidelines of the federal government. So it is very important that we note that. It is very important that I bring that up to you so that way you know about it and you can make a decision based on that information.

Hugo: Ok and I will add to this that I agree 100%, I just want to make that clear > I agree 100% with what OJ is saying. The thing is that everyday that passes by we are wasting valuable time. Now there is, and I know we can't see other municipalities and their contracts, they are all the same pretty much from the information that I got is that the county is not budging. The December 31st deadline refers to monies that the county, as a whole, has to spend by December 31st. So I guess, and I can't really speak for what the county is thinking right, but they are saying if we do not spend that money by August 31st it will revert back to them and they will find a way to spend the money before December 31st. So basically, there is two end dates here, one the end date that the federal government gave to Hidalgo County and then number two August 31st which was the county giving that end date to the cities. Now just to add to that our budget is complete and as of the now the city is close to spending the \$300,000 right now. The total amount that is allocated is \$114 per capita and it is a total of \$377,000 plus change and we are right now our budget, our expenditures right now are equally close to 300,000. We believe that by August 31st we can spend the 377,000.

Mayor: Yeah we need to spend it as fast as we can.

Hugo: Now if you give me a chance like I said I agree with OJ 100% but as time goes we are wasting valuable time and we need to start recouping. I am going to skip this and bring up what is on our screen, you all see the proposed budget there? And the way it's broken down, of course it's broken down by the public health expenses and the first one is medical expenses, public health expenses, cat 3 which is the biggest one of all is payroll expenses and expenses of actions to comply with public health expenses with actions to comply with COVID 19 and these include the food bank

and any other safety measures that we put in place like masks hand sanitizers and all of that on this particular one we are also adding tele network cost and public Wi Fi costs. Number 5 expenses associated with the provision of economic support, they put this on there but we are expecting a different grant, this one is associated with the losses the city has incurred such as water collection expenses we incurred, where we were not able to collect certain water and we gave waivers and stuff like that. With that said, the last one is for administrative expenses, the 22,000 that will be paid in the next 6 months to Hollis Rutledge, Frank San Martin is actually the one handling our budget, my main concern with all of this and agreeing with OJ, I want to be very cautious saying all of this, but these are proposed costs, they can always reject them, now if they reject them then we will have different troubles but we have already planned for some of these things and at a later date I can explain to you how we are going to be preparing our buildings, we have to get our buildings up to par and get the new buildings we are working on COVID ready as well. So we are very sure that we can manage to do this and we feel pretty strong that we can spend those funds, before the allocated funds. I would ask OJ if it came down to it if we don't get those funds is there anything we can do not to spend that money. **OJ** There is provisions in the interlocal agreement that if the county does not approve certain eligible expenses then you define prohibited costs so if whatever reason the county does not allow that then we can go back I believe it does have the correct eligible expenses, we can figure out a way to maybe stay within that category so maybe we can figure out another way of calling it so we may get funding. The county unfortunately are the ones that are holding the money so they decide if it goes in and out. But we don't want to be the ones that go against the terms of this interlocal agreement cause the county at anytime, without justification terminate this contract, so we would really want to work with them and you hit the nail right in the head when you say the budget is done and this is one of those things where we would want to act quickly so if they do comeback or email us or call us they say well 82,000 is not going to be approved, well the next question is why and how can we get it approved and that way we can spend all the money before the Aug 31st deadline.

A motion to approve Interlocal Agreement with the County of Hidalgo for the Cares Act Funds was made by Alderman __Flores_____. 2nd by Alderman __Segura_____.

All voted Aye/Motion Carried

V. Discussion and Possible Action to approve Orozco Auditor for 2019 Audit

Hugo: With everything we have been talking about there is other grants that need to be approved. As a matter of fact there is the library grant, that will require atleast that we start our Audit, we will be sending last years audit but I just want to be safe and actually start working on the Audit so we cannot get delayed, there is other grants that we are looking at that are going to require us to have the audit, its something that we can go with, and I think that as soon as we finish this audit hopefully we can start on the current and we can be current and show everyone that the city of Edcouch is on top of there game. **Mayor:** Are you going to give Orozco a timeline? **Hugo** I am going to reach out to Orozco, that we set up the agenda to go that route, the reason I am bringing up Orozco is because they are the ones that have done that past Audits, so I think it will be easier for them because they have already done it. Adding to that Mayor, I don't know there schedule and once I sit down with Mr. Orozco, I can go ahead and explain to them how important the timelines are. At this point I am asking permission to move forward and get with Orozco and I don't know if the item itself, lets say we go with Orozco and Orozco says due to Covid I can t do it I don't know if we would have to comeback with item and go with a different firm? **OJ** We would have him resign from the post and then reappoint someone else. **Hugo** And that would be done during the meeting? I guess tonight is

what I am asking is for the commission to allow me to move forward with Orozco being the Auditor and go ahead and get the Audit started. **OJ** One of the things, if I may quickly, I just remembered, if its time sensitive, the city can by Mr. De La Cruz the city can hire an independent contractor for that particular purpose as well depending on the time frame as well.

A motion to approve Orozco Auditor for 2019 Audit was made by Alderman
Segura . 2nd **by Alderman** **Cabrera** . **All Voted Aye/Motion**
Carried

W. Discussion and Possible to approve on abandoning the cities right of way of certain portions of Colonia Juarez subdivision so the neighbors lots would be consistent in property lines. See Exhibit A, B, C

Hugo: Mayor you should have this on your screen and I will go ahead and pass this to Mr. Hernandez.

Manny: Good afternoon mayor and City Council members this item was brought to my attention a couple months ago by Ms Paula Olivarez here on Southern St instigated this project, what happen was Me and Mr De La Cruz got a call a couple months ago where she was concerned because she wanted to throw a driveway on her property because she is claiming that her property flooded last June and it floods anytime that it rains it gets flooded. So we went out there and found out what the problem was that part of it was lying on a property that belonged to the City of Edcouch. Speaking to legal we found out that I guess back in the 1960 s there used to be a little plaza there where people would go out and listen to music and dance and what happens that there is 3 properties where the edge of these properties belong to the city of Edcouch and upon further investigation we contacted CSJ group Mr Eddie Saenz and he agreed that he would create some meets and bounds, so on this Exhibts A B and C there is new meets and bounds in which were created for Olivarez, De La Cruz and Escobedo we have new property descriptions, and we are asking city council to abandon there right a ways so that they may extend there property all the way to street, which is Southern St. so they may not have any problems such as throwing a driveway and that property may belong to them. Any questions on this? **Mayor:** Are there any sewer lines, water lines under that easement that we are abandoning **Manny:** I m sure there are sewer lines that run through there because they are connected to sewer line and water line, but by abandoning this property we are giving them the right a way and we did create new meets and bounds which are described in the exhibits, I send you guys an email so you guys could review. I did pass it through legal, so OJ if you want to comment on this. **OJ** So there is a difference between the right of way of property and easement. The easement is where the infrastructure is. That has already been dedicated once upon a time and the city still has access to that if something goes wrong with these utilities, whether it be sewer of water, even electrical company, the utility easement is still in place. This here which appears to be a piece of land in front of these individuals, is kind of a missing tooth. These new meets and bounds that were created are the missing links. So there is no issue with the infrastructure on utility easement and no issue in reverting and abandoning this strip of land, the only thing is that what I did tell Manny or ask Manny rather was the that across the street is the same problem, so I told him is that I think it would be fair that the people across the street if they wanted to that, then offer it to them. They would have to pay a survey to get it done. But if we set it up and the city allows it on one side it will be good on the other side. And again it's a little extra land the people have and then they would also have to pay taxes on it. **Hugo** Now Manny How much is cost, I know there is a cost involved for this? **Manny** What happen in order to create new meets and bounds CSJ group charges 500 dollars and I did bring the point to each of these homeowners, and none of these

homeowners had a problem with it. The 500 dollars would be made out to CSJ group. CSJ group did do the work and if you guys approve it tonight they already know that they have to do there own warranty deed to switch whole property under there name. The city by no means will take care of any costs and there already in agreement. **Hugo:** Value of property was how much before that? **Manny** It was 2,600 and we spoke bout it and we felt it was fair since that had been maintaining property to gift it to them

A motion to approve on abandoning the cities right of way of certain portions of Colonia Juarez subdivision so the neighbors lots would be consistent in property lines was made by Alderman ___ Flores _____. 2nd by Alderman ___ Segura _____. All voted Aye/Motion Carried

X. Adjournment

At 7:02__ pm, a motion to adjourn was made by Alderman:Segura _____, 2nd by Alderman: Flores _____. All Voted Aye. Motion Carried.

Take Notice that this are the true and correct minutes taken of the Regular Meeting of the City of Edcouch held on Thursday, April 2, 2020.

Passed and Approved by the Board of Aldermen on this 18th day of June 2020.

ATTEST

**Manuel Hernandez
City of Edcouch**