



## REGULAR MEETING

A MEETING OF THE CITY OF EDCOUCH WILL BE HELD BY  
TELECONFERENCE/VIDEOCONFERENCE VIA ZOOM : 1-800-000-0000 ACCESS CODE:  
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ON THURSDAY JULY 22, 2021  
COMMENCING AT 6:00 P.M.

THIS CITY OF EDCOUCH MEETING WILL BE HELD USING TELE CONFERENCE SYSTEM/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](mailto: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. **Regular Meeting Minutes 07/01/21**
  - 2. **Special Meeting Minutes 06/22/21**
- G. **Discussion and Possible Action on Ordinance No. 2021-20 ; Order of Elections for the City of Edcouch Municipal Elections November 02, 2021.**
- H. **Discussion and Possible Action to approve and accept Contract terms with Kasal Construction for the Areanna Estates Property**
- I. **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 19<sup>th</sup> day of July 2021 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 19<sup>th</sup> DAY OF July 2021.**

\_\_\_\_\_  
**Victor H. De La Cruz**  
**City Manager**



**MINUTES**  
**REGULAR MEETING**  
**CITY OF EDCOUCH**  
211 W. SOUTHERN AVE., EDCOUCH, TEXAS  
THURSDAY, JULY 22, 2021  
COMMENCING AT 6:00 P.M.

**AGENDA**

- J. Call Meeting to Order** Meeting was called to Order by **Mayor V Gonzalez at 6:02 pm**
- K. Roll Call** Roll call was called by **Mr. Manuel Hernandez Jr** as follows:

	Present	Absent	City Staff:
<b>Mayor: Virginio Gonzalez Jr.</b>	<u>  X  </u>	_____	<b>Victor H. De La Cruz, City Manager</b>
<b>Mayor Pro Tem: Flores</b>	<u>  X  </u>	_____	<b>Manuel Hernandez Jr., Fin./Grants</b>
<b>Alderman: Joel Segura</b>	<u>  X  </u>	_____	<b>Police Chief., Roel Guerra</b>
<b>Alderman: John Chapa</b>	<u>  X  </u>	_____	<b>Fire Chief., Victor Nieves</b>
<b>Alderman: Robert Gutierrez</b>	_____	<u>  X  </u>	
<b>Alderman: Lorenzo Cabrera</b>	<u>  X  </u>	_____	
<b>City Attorney: Orlando Jimenez</b>			
<b>EDC Consultant: Ernesto Rosales</b>			

**Mayor, we have a quorum.**

- L. Pledge of Allegiance** Pledge of Allegiance was led by **Manny Hernandez**
- M. Invocation** Invocation was led by **OJ Jimenez**
- N. Public Comments** No Public Comments
- O. Discussion and Possible Action on Approval of Minutes**

- 1. Regular Meeting Minutes of 07-01-21
- 2. Special Meeting Minutes of 06-22-2021

**A motion to approve Discussion and Possible Action on Approval of Regular Meeting Minutes of 07-01-21 and Special Meeting Minutes of 06-22-2021 was made by Alderman Flores , 2<sup>nd</sup> by Alderman Segura . All Voted Aye/ Motion Carried.**

- P. Discussion of Possible Action on Ordinance No. 2021-20; Order of Elections for the City of Edcouch Municipal Elections November 02, 2021.**

**Mr De La Cruz:** Mayor at this time we are recommending approval for this item. This is for the upcoming election so that we can go ahead and move forward with all the necessary items that involve the election.

**A motion to approve Ordinance No. 2021-20; Order of Elections for the City of Edcouch Municipal Elections was made was made by Alderman: Segura , 2<sup>nd</sup> by Alderman Chapa . All Voted Aye/ Motion Carried**

**Q. Discussion and Possible Action to approve and accept Contract terms with Kasal Construction for the Areanna Estates Property**

**Mr De La Cruz:** Mayor at this time (inaudible) excuse me?

**Commissioner Cabrera:** I have a question first. Mr Jimenez

**Mr De La Cruz:** Can I make my recommendation first?

**Commissioner Cabrera:** Yes

**Mr De La Cruz:** Ok, mayor I recommend, at this time that we approve this item pending legal to let us know what he reviewed on the contract.

**Mayor:** Ok, we have a recommendation by our city manager, and we have a question by Commissioner Cabrera. What is the question Mr. Cabrera?

**Commissioner Cabrera:** I would like to go through the contract. I had already text Mr. Jimenez to email me the contract so I could go over it to what are they offering the City of Edcouch. I need to go through it before I cast my vote on approving this item.

**Commissioner Flores:** Is Mr. Rosales on? I think he could explain the benefits that the city would get

**Commissioner Cabrera:** I need a copy of the actual contract. I had already asked Mr. Jimenez about it.

**Mr Rosales:** Mayor if I may interject. First of all I would like to apologize for not being able to be on video, I am driving so I am unavailable at this time. But what seems to be happening and Com Cabrera you might not have been up to date with contract, we have been in constant negotiation with the developer I think that this development is in better state that it has ever been. I know that the commission went ahead and approved it and it was unanimous when it was approved. Because of Covid it has taken a little bit longer. Because of the cost of construction it has taken longer for us to finalize this deal. But the contract was not furnished Comm. Cabrera because at the time it was not available, we have finally done all the final details to the contract. It has been sent to Kasal and to the city for the city to sign and for the developer to sign. **Cabrera:** Yeah but we as commissioners we need to look at the contract to. **De La Cruz:** Commissioner if I may, one of the main jobs of the commission is to bring in legal to represent the city. Legal has reviewed the contract and I am going to take the recommendation that legal gives me. **Cabrera:** Yes Mr. De La Cruz but that does not mean that I cannot get a copy of the contract. I need to go through it before I vote. **De La Cruz:** Let me ask you a question Mr. Cabrera, Do you want the city to prosper. **Cabrera:** Why are you asking me questions, I m suppose to be asking the questions and I am asking that I need the contract. I want to go through it. I want to see the truth and fact with my own eyes. **De La Cruz:** Are you an attorney? **Cabrera:** I m not saying I am an attorney. I m just telling you that I want to go through the contract. I want to go through it. **De La Cruz:** What I m saying is that you job 3 years ago was to hire an attorney and you did, and that attorney has been given the confidence from the city to make the recommendation and it s his recommendation that I am going to take and that is the recommendation that I am going to give. **Cabrera:** I am asking something from you Mr. De La Cruz and I need it please. I want to go through with the contract

before I cast my vote sir. (08:41) That's what I want to do with my own eyes is go through the contact and that's it Mr. De La Cruz. I need a copy of it. **Mayor:** You can review the contract Mr. Cabrera, you can review the contract, Mr. Jimenez has been given the order to review the contract for us. So at the moment he made a recommendation to Mr. De La Cruz. **Flores:** Mr. De La Cruz if you can, what would be the benefit of this development, and if anybody can answer that as well. **De La Cruz:** Mayor Pro Tem, let me just say this, the city has had that property for many years and that property had no service to the city. The city is in dire need of extra income, for year. **Cabrera:** Yes I understand that. The thing is ..... **Flores:** Let him explain. **Cabrera:** The question is that we had already given this company the opportunity to build there, and instead of moving forward, we are going to backwards. And we had already given them the opportunity to do something and it is the same company. **Flores:** Mr. Cabrera, again I don't believe you understand the situation, and you need to stop talking over me, you need to understand that there was a pandemic, Cabrera: (interrupting ) There wasn't a pandemic, if we could get it on record that ..... **De La Cruz:** Mayor call the question. **Mayor:** Ok I understand that everyone has a question, Mr Cabrera also has a question, We..... **Cabrera:** But they are interrupting me. They don't let me talk they are talking over me. **Chapa:** Your doing the same thing to everybody. **Cabrera:** I'm just telling you that I need a copy of contract Mr. De La Cruz. **De La Cruz:** And you will get it sir. **Cabrera:** Before I cast my vote. **Flores:** Ok, now it's going to be my turn, I want to know the benefits, what would be the benefits of this project Mr. De La Cruz, and I will not talk over you, you can explain it to me, can you allow him to explain it to me and the other commissioners Lencho? **Mayor:** Go ahead Mr. De La Cruz. We already noted that Mr. Cabrera wants a copy of the contract. That has already been noted Mr. Cabrera we appreciate that. **Cabrera:** Put this on record, we had already given that property a year and a half ago to make that subdivision and they didn't go through with it, now you given them another opportunity, plus we gave them all the other properties and If they didn't go through the first property how are they going to go through the other ones that we gave to them. And I am going to ask you one question Mr. Jimenez. Is it legal or illegal to us to give all the land that the city of Edcouch has to them? **Flores:** Mr. Cabrera I don't think we gave all the land. **Cabrera:** You are talking over me again. **Flores:** Because you are not making any sense Mr. Cabrera. Again me as a contractor I know material costs have gone up in this year. There was a pandemic, it has doubled in price. **Cabrera:** It went up right, your saying it went up. Why didn't they start building when it wasn't up. **Flores:** Look Mr. Cabrera, things don't happen over night. There is process and procedures. **Cabrera:** Yeah but we did them all. **Flores:** Mr. Cabrera we did not do them all. **Mayor:** Mr Cabrera you will get copy of contract and then we will get legal to chime in in whatever he has to do. **Cabrera:** No but I asked Mr. Jimenez a question, is it legal for us, and put it on record Mr. Hernandez. Is it legal or illegal to give all the land to the city. **De La Cruz:** At the end of this call the question Mayor. There is going to be a vote here today, and you will get a copy as soon as I get it. **Cabrera:** I'm not asking for a copy of the contract I am asking a question to Mr. Jimenez, because I don't want to get in trouble for this, put it on the record Mr. Hernandez. **Hernandez:** Yes sir. **Cabrera:** I don't want to get into trouble, is it legal or illegal to have the same construction company, Kasal Const with the land the city owns to go with one construction company? **Hernandez:** Mayor if I may, Mayor, Mr. Cabrera, I got Mr. De La Cruz here trying to speak, Mr. Cabrera, I'm sorry for interrupting. Mr De La Cruz you have the floor. **De La Cruz:** Ok all I am going to say, I am going to ask the Mayor that there is an item and I am going to ask the Mayor to go forward and I am going to make a recommendation, whatever question Mr. Cabrera has, It's obvious a year and a half ago of whatever your talking about you did not have any problem because your.....**Cabrera:** (interrupting) I am asking you a question....(**De La Cruz** ) Let me finish, if this going to continue

I am just going to ask for a vote. It s obvious that Mr. Cabrera does not want to see the city prosper, because now he is in a different faction. So its obvious that we are not going to get anywhere and just move over to a vote mayor. **Cabrera:** Remember Mr. De La Cruz, I m the one that went with you to Austin to make our city prosper. It was me, u and Mr. Hernandez. (A lot of arguing between) **Mayor:** Everyone that is enough. We already know you have a question for Mr. Jimenez and he is going to give you the answer you are looking for. We also have a Mr. De La Cruz trying to explain... **Cabrera:** (interrupting) He is still not answering my question, is it legal or illegal to give the same company Kasal Construction all our properties to them? Why couldn't we get other construction companies to give them the same opportunities that we gave them in the past. **De La Cruz:** Why don't you ask yourself, that question, you voted for it. **Cabrera:** I m asking Mr. Jimenez and stop interrupting me. **De La Cruz:** Why don't you ask yourself that question. You voted for that. **Cabrera:** I m not asking you that question, I m asking Mr. Jimenez. **Mayor:** Mr. Jimenez. **De La Cruz:** Are you questioning Mr. Jimenez education, are you questioning his integrity. **Cabrera:** You are interrupting sir. **Flores:** I think the one that is interrupting is you sir. **Mayor:** Lets wait for the answer, Mr. Jimenez is that something that we can speak at the moment? **Mr Jimenez:** Mr. Cabrera, with absolute respect, with absolute reverence, I take your question as an insult. Because I would never allow the city Of Edcouch or my friends, to do anything, absolute anything, that would even resemble illegality. So I hope that answers your question. I am disappointed in you, but I think I understand why you are doing this. To answer your question, I would never allow the city, my client, to do anything illegal sir. **Mayor:** We have verification from Mr. Jimenez, (Cabrera interrupting) Lencho, Lencho! At the moment I have the floor, we had a question from you, legal already explained and we have the recommendation from our city manager. The recommendation is to move forward, so at he moment I will ask for a motion. **Cabrera:** Anything that I say I want them to put it on record. **Hernandez:** Yes sir, its on record. **Mayor:** Manny has the record, so I am asking for a motion. **De La Cruz:** Mayor Just for the record, on this project, once it begins. We are looking for this project, will give the city over 200,000 a year in taxes. It will give 41 new water accounts, that will give over 10,000 in water accounts to the city. And In addition to that we will be getting 1,000 dollars to every property that will be sold. And I would like to commend that commissioners that have voted on this, because they are looking our for the well being of the city of Edcouch. The city has been kept in the dark by people like Mr. Cabrera. **Cabrera:** No sir you are very mistaken. Remember who went over there Mr. De La Cruz, me you and Manny Hernandez went over there to Austin. **Flores:** Lencho that has nothing to do with this Lencho. And your wrong you went to Austin for your benefit. **Cabrera:** No sir I went for the benefit of the people of the city of Edcouch. **Mayor:** Thank you, the motion has been approved. Mr. De La Cruz has already made a comment. Mr. Jimenez, thank you for the believing in the City of Edcouch. **Ernie:** Mayor can I be excused.

**A motion to approve and accept Contract with Kasal Construction for the Areanna Estates Property was made by Alderman \_Segura\_\_\_\_\_, 2<sup>nd</sup> by Alderman \_Chapa\_\_\_\_\_. 3 voted Aye/ Cabrera Voted Nay Motion Carried.**

**R. Adjournment**

Time is 6:23pm A motion to Adjourn was made by Alderman Chapa, 2<sup>nd</sup>  
by Flores. All voted Aye/ Motion Carried.

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Take Notice that this are the true and correct minutes taken of the Regular Meeting of the  
City of Edcouch held on Thursday, July 22, 2021.

Passed and Approved by the Board of Aldermen on this 22 nd day of July 2021.

ATTEST

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**Manuel Hernandez**  
City of Edcouch