



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 4, 2022**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Tuesday, January 4, 2022 at 5:30 PM for the purpose of discussing the following items:

NOTE: If during the meeting, any discussion of any item on the agenda should be held in executive or closed session, the Weslaco City Commission will convene in such executive or closed session whether or not such item is posted as an executive session item at any time during the meeting when authorized by the provisions of the Texas Open Meetings Act.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
 - Proclamation - Mayor Joe V. Sanchez
 - Proclamation - 100 Year Celebration - Gregorio Hinojosa
- E. Roll Call.

II. PUBLIC COMMENTS

The Public Comments portion of the meeting promotes a fair and open process for the governance of the City. This portion of the meeting is not intended to be an extended discussion or a debate and is limited to three minutes for each presenter. Due to the Texas Open Meetings Act, the Mayor and City Commissioners do not reply; they listen. Matters under litigation are not to be addressed and comments regarding specific City employees and elected officials may be prohibited.

The Public may comment on anything on the agenda, however if you comment on something not included on the agenda, the Commission cannot take any formal action until it is placed on an agenda and notice of the meeting is properly posted. Registration for Public Comments must be submitted to the City Secretary before the City Commission meeting is called to order. As the Mayor calls upon those who submitted a registration form with the City Secretary, please step to the podium and state your name and address before beginning your presentation.

III. CONSENT AGENDA

The following items are 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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Special Meeting on December 14, 2021
(Staffed by City Secretary Department.) Attachment.

B. Approval on second and final reading of the following:

- 1) Ordinance 2021-50 to rezone 3701 S. Westgate also being 9.98 ac out of Farm Tract 795, West and Adams Tract, Weslaco, Hidalgo County, Texas from M-1 Mobile Home Subdivision to R-1 One Family Dwelling District and authorize the Mayor to execute any related documents. (First reading held December 14, 2021; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) Ordinance 2021-51 to rezone 3210 N Texas also being 18.067ac being a part or portion out of Farm Tracts 108 & 109, The West and Adams Tracts, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to a Planned Unit Development (PUD) and authorize the Mayor to execute any related documents. (First reading held December 14, 2021; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) Ordinance 2021-52 amending Ordinance 2018-02 being the Zoning Ordinance to create a R-4 Residential one family / narrow lot zoning and authorize the Mayor to execute any related documents. (First reading held December 14, 2021; staffed by Planning and Code Enforcement.) Attachment.
- C. Approval on annual renewal of the Affiliation Agreement for Clinical Experience with the City of Weslaco Fire/EMS and Texas State Technical College - Harlingen and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- D. Approval of a Memorandum of Understanding between the City of Weslaco Fire Department and the McAllen Fire Department regarding participation in clinical rotations on ambulance and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- E. Approval on amendments and extension from January 7, 2022 to February 7, 2022 for Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.)
- F. Approval to authorize staff to solicit Request for Proposals for Fines and Fees Collection Services of delinquent municipal court accounts and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2022-01 appointing two members to the Tower of Honor Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

V. NEW BUSINESS

- A. Discussion and consideration of date, time and place for a City Commission Retreat to discuss the following: 1) City of Weslaco Master Plan; 2) Business Plan for Water/Wastewater Collection; 3) Hike and Bike Trails; 4) Sanitation Fees and Master Fee Schedule; 5) Updates Service Credits; 6) Electioneering Ordinance; 7) Financing for Municipal Pool; 8) Street Improvements; and 9) Other Improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- B. Discussion and consideration on the date of January 13, 2022 for a joint workshop with Weslaco Independent School District to discuss joint efforts for Hike and Bike Trails, Regional Detention Facility at Cleckler-Heald School and school lot paving improvements. Possible action. (Staffed by Interim City Manager.)
- C. Discussion and consideration to approve the Wholesale Wastewater Treatment Interlocal Agreement between the City of Weslaco and North Alamo Water Supply Corporation (NAWSC) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration for the City of Weslaco to assume responsibility for the monthly streetlight bill for North Park Place Phase I and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration of proposed change order #16 in the amount of \$40,000 for the Pleasantview & 11th Street Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- F. Discussion and consideration to award a bid for the fencing project at Mayor Pablo Pena Park to Hurricane Fence Company for the amount of \$77,292 to be paid from the TWDB Drainage proceeds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- G. Discussion and consideration to award RFB 2021-22-06 Annual Grounds Maintenance Contract to South Texas Landscaping & Irrigation of Penitas, Texas in the amount of \$37,165 for one year with an option to renew annually up to an additional 4 years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- H. Discussion and consideration on interviews of the top three Architectural firms and possible selection for the New Library/Library Renovation Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment.

VI. EXECUTIVE SESSION

Texas Government Code, Section 551 Open Meetings:

§551.145. Closed Meeting Without Certified Agenda or Tape Recording; Offense; Penalty

(a) A member of a government body commits an offense if the member participates in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a tape recording of the closed meeting is not being made.

(b) An offense under Subsection (a) is a Class C misdemeanor.

§551.146. Disclosure of Certified Agenda or Tape Recording of Closed Meeting; Offense; Penalty; Civil Liability

(a) An individual, corporation, or partnership that without lawful authority knowingly discloses to a member of the public the certified agenda or tape recording of a meeting that was lawfully closed to the public under this chapter:

(1) commits an offense; and

(2) is liable to a person injured or damaged by the disclosure for:

(A) actual damages, including damages for personal injury or damage, lost wages, defamation, or mental or other emotional distress;

(B) reasonable attorney fees and court costs; and

(C) at the discretion of the trier of fact, exemplary damages.

(b) An offense under Subsection (a)(1) is a Class B misdemeanor.

(c) It is a defense to prosecution under Subsection (a)(1) and an affirmative defense to a civil action under Subsection (a)(2) that:

(1) the defendant had good reason to believe the disclosure was lawful; or

(2) the disclosure was the result of a mistake of fact concerning the nature or content of the certified agenda or tape recording. (Added by Acts 1993, 73rd Leg., ch 268, § 1, eff. Sept. 1, 1993.)

NOTE: Any documentation related to the following items will be maintained as part of the certified agenda.

- A. Personnel - Discussion regarding the goals, objectives, and evaluation of the Interim City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- B. Contract Negotiations - Discussion with the Interim City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Police Union (Weslaco Municipal Police Association) as authorized by section §551.071 of the Texas Government Code.
- C. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of city-owned real property legally described as Lot 8, Block 33, Weslaco Original Townsite as authorized by section §551.072 of the Texas Government Code.
- D. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of various city-owned real property to Affordable Homes of South Texas, Inc., TuCasa Investments, Inc as authorized by section §551.072 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- G. Legal Consultation - Consultation with City Attorney relating to 380 Agreement between City of Weslaco and SDI Weslaco Holdings, LLC. as authorized by section §551.071 of the Texas Government Code.

- H. Legal Consultation - Consultation with City Attorney regarding the Performance Contracting Agreement between the City of Weslaco and Siemens Industry Inc. as authorized by section §551.071 of the Texas Government Code
- I. Legal Consultation - Consultation with City Attorney regarding *Cause No. C-4353-21-H Esmeralda Hernandez, Individually and A/N/F of K.G. and R.G. Minors Plaintiffs vs. City of Weslaco Defendant* as authorized by section §551.071 of the Texas Government Code.
- J. Legal Consultation - Consultation with City Attorney regarding *Cause No. C-5114-21-F Yarizel G. Morales vs. City of Weslaco* as authorized by section §551.071 of the Texas Government Code.
- K. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Bridge as authorized by section §551.087 of the Texas Local Government Code.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VIII. ADJOURNMENT

I hereby certify this **Notice of a Regular Meeting of the Weslaco City Commission** was posted in accordance with the Open Meetings Act on the outside bulletin board at City Hall of the City of Weslaco, located at the 255 South Kansas Avenue entrance, visible and accessible to the general public during and after regular working hours. This notice was posted on this 30th of December 2021 at or before 4:00 pm and will remain so posted continuously for at least 72-hours preceding the scheduled time of this meeting in accordance with Chapter 551 of the Texas Government Code.

/s/ Norma A. Cantu, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary Department at (956) 968-3181, Ext. 1001 prior to the meeting date.

Regular Meetings of the Weslaco City Commission stream live online at <http://www.weslacotx.gov/open-government/open-meetings>. Archived video of some meetings are also available.

Removed from Bulletin Board

Date:

Initials:

PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN".

“DE ACUERDO CON LA SECCION 30.06 DEL CODIGO PENAL (INGRESO SIN AUTORIZACION DE UN TITULAR DE UNA LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA SEGUN EL SUBCAPITULO H, CAPITULO 411, CODIGO DEL GOBIERNO (LEY SOBRE LICENCIAS PARA PORTAR PISTOLAS), NO PUEDE INGRESAR A ESTA PROPIEDAD CON UNA PISTOLA OCULTA”.

"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY".

“DE ACUERDO CON LA SECCION 30.07 DEL CODIGO PENAL (INGRESO SIN AUTORIZACION DE UN TITULAR DE UNA LICENCIA CON UNA PISTOLA A LA VISTA), UNA PERSONA CON LICENCIA SEGUN EL SUBCAPITULO H, CAPITULO 411, CODIGO DEL GOBIERNO (LEY SOBRE LICENCIAS PARA PORTAR PISTOLAS), NO PUEDE INGRESAR A ESTA PROPIEDAD CON UNA PISTOLA A LA VISTA”.