



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JANUARY 18, 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 18, 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 on the recognition of Investigator James Rivera by the United States Marshals Service.
- 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. PUBLIC HEARING

- A. To solicit input on behalf of Javier Hinojoza to rezone 1402 W Mile 5 North Rd. Also being 4.07 ac out of Farm Tract 795, West and Adams Tract, Weslaco, Hidalgo County, Texas from M-1 Mobile home subdivision to R-2 Duplex and Apartment district.
- B. To solicit input on behalf of Javier Hinojosa to rezone 3631 S Westgate. Also being 5.94 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.

- C. To solicit input on behalf of Melden & Hunt Inc. to rezone 1402 W Sugarcane Dr. Also being 6.06 acres, out of the East 13.46 acres of Farm Tract 141, Block 161, West Tract Subdivision, Hidalgo County, Texas from R-2 Apartment & duplex district to R-4 Residential one family / narrow lot zoning
- D. To solicit input on behalf of George Cavazos. to rezone 505 S Oklahoma Ave. Also being lot 16- OT lot 10-11, Canal Blks 38-38-A, Weslaco Original Townsite, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.
- E. To solicit input on behalf of Caliente Restaurant Bar LLC to approve a Conditional Use Permit to obtain a On Premise Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco, Hidalgo County, Texas.

IV. 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 Regular Meeting on January 4, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval to amend the New World Tyler Technologies NIBRS Grant Project contract to remove the Alamo Police Department, Donna Police Department, and San Juan Police Department and add the Progreso Police Department and La Villa Police Department and authorize the Mayor to execute any related documents (Staffed by Police Department.) Attachment.
- C. Approval to ratify Purchase Order No. 22-1272 to contract Southern Trenchless Solutions, LLC. for emergency manhole repairs at 602 West Mile 5 North (RFB No. 2021-22-08) in the amount of \$ 225,000.00 and authorize a budget amendment as may be required. (Staffed by Public Works Department.) Attachment.
- D. Approval on request from the Weslaco Area Chamber of Commerce to consider Resolution 2022-02 for closure of a state highway from Business 83 to Sixth Street and closures of side streets (3rd, 4th, 5th and 6th) to hold the Texas Onion Fest on Saturday, March 26, 2022 and allow placement of banners and signs promoting the event on Texas Blvd. Westgate, South Kansas Street and around town, waiver of appropriate fees from ordinances associated with the event and authorize the Mayor to execute any related documents to include those as may be required by the Texas Department of Transportation. (Staffed by Weslaco Area Chamber of

Commerce.) Attachment.

- E. Approval for a software support and maintenance renewal agreement for Tyler Technologies New World system used by Weslaco Police Department with CAD, Mobile, Records and Reporting modules in the amount of \$72,672.04 from FY21-22 Computer Vendor Support account, and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.)
- F. Approval to authorize solicitations of bids for network cabling services, network security camera system and access control system for the new Weslaco Police Department building and the new Fire Station building and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.)

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2022-03 appointing members to the Ambulance Advisory Board for terms set to expire and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

VI. OLD BUSINESS

- A. 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. (There was no action on January 4, 2022; staffed by Planning & Code Enforcement Department.)
- B. 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. (There was no action on January 4, 2022; staffed by Engineering Department.) Attachment.
- C. Discussion and consideration on the selection of an Architectural firm for the New Library/Library Renovation Project and authorize the Mayor to execute any related documents. Possible action. (There was no action on January 4, 2022; staffed by the Library Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Javier Hinojosa on Ordinance 2022-01 to rezone 1402 W Mile 5 North Road also being 4.07 ac out of Farm Tract 795, West and Adams Tract, Weslaco, Hidalgo County, Texas from M-1 Mobile home subdivision to R-2 Duplex and Apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-01. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- B. Discussion and consideration after a public hearing on behalf of Javier Hinojosa on Ordinance 2022-02 to rezone 3631 S Westgate, also being 5.94 acre 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 of Ordinance 2022-02. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after a public hearing on behalf of Melden & Hunt Inc. on Ordinance 2022-03 to rezone 1402 W Sugarcane Dr. also being 6.06 acres, out of the East 13.46 acres of Farm Tract 141, Block 161, West Tract Subdivision, Hidalgo County, Texas from R-2 Apartment & duplex district to R-4 Residential one family / narrow lot zoning and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-03. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration after a public hearing on behalf of George Cavazos on Ordinance 2022-04 to rezone 505 S Oklahoma Ave. also being lot 16- OT lot 10-11, Canal Blks 38-38-A, Weslaco Original Townsite, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-04. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration to approve the Final Plat for Punta Del Cielo Subdivision– being a 26.657 acre tract of land out of Farm Tracts 104, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas Located approximately on the west side of Mile 4 1/2 W, 1320 Ft South of Mile 10 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration after public hearing on behalf of Caliente Restaurant Bar LLC to approve a Conditional Use Permit to obtain a On Premise Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and consideration to authorize the demolition of the Fire Administration building / GYM located at 119 E. 5th Street and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.
- H. Discussion and consideration to reject and/or award RFB 2021-22-01 for the proposed 12" Interconnect Water Line Improvements project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.

- I. Discussion and consideration to approve Change Order #2 for the Airport Corporate Hangar Project for an amount of \$135,994 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- J. Discussion and consideration to award a contract to repair and update Skate Park ramps at Isaac Rodriguez Park to American Ramp Company for an amount not to exceed \$37,622 budgeted in the Parks Capital Improvement Fund and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- K. Discussion and consideration to award a contract to Musco Lighting through Buy Board vendor contract no. 592-19 for a New Sports Lighting System at Mayor Pablo Pena Park Tennis Courts, Basketball Court, and Baseball Fields in an amount not to exceed \$1,151,104 from the Park's Capital Improvement Fund and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- L. Discussion and consideration on selection of contractor from the Request for Bids 2021-22-05 for the Fire and Police Departments Off-Site Improvements project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- M. Discussion and consideration to reject and/or award a bid for the remodeling of the Weslaco Recycling Building located on S Border Ave. and Mile 5 N Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)
- N. Discussion and consideration to declare old fire equipment as surplus (hoses, breathing apparatus and uniforms) and donate it to El Carmen, Nuevo Leon Fire Department and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

VIII. REPORTS

- A. Report on Public Safety Complex Construction (Staffed by Parks & Recreation Department.)

IX. 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 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.
- D. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- F. 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.
- G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Dove as authorized by section §551.087 of the Texas Local Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 public during and after regular working hours. This notice was posted on this 14th day of January 2022 on

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”.