



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 1, 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, February 1, 2022 at 5:30 PM for the purpose of discussing the following items:

NOTE: If during the course of 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.
- 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 public comments on the redistricting plan of the City's Single-Member and At-Large Commission Districts in which there will be four (4) single member districts and two (2) at large members and establish new district boundary lines based on the 2020 Census Data for the Weslaco City Commission.

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 18, 2022
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval 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 held January 18, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) Approval 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 held January 18, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) Approval 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 held January 18, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
 - 4) Approval on Ordinance 2022-04 to rezone 505 S Oklahoma Ave. also being lot 16-OT lot 10-11, Canal Blks 38-38A, 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 held January 18, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to renew agreement with Valley Risk Consulting to assist with the city's RFP process for Health & Supplemental Insurances; and Workers' Compensation and Property & Casualty Insurance and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment.
- D. Approval on renewal of the interlocal Cooperation Agreement with the County of Hidalgo for Rural Emergency Services and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire-EMS Department.) Attachment.
- E. Approval to purchase five (5) Portable Ventilators from Zoll Medical Corporation at a

cost not to exceed \$44,982 out of the EMS Capital Outlay FY21-22 funds and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.

- F. Approval of an expenditure not to exceed \$2,000 of the Marion Booth Endowment Funds for the purchase of books, furniture, and supplies as approved by the Library Board. (Staffed by Library Department.)
- G. Approval of Resolution 2022-04 authorizing submittal of an application to the FY2023 Rifle-Resistant Body Armor Grant Program for an amount not to exceed \$10,000 with NO MATCH and NO RECURRING COSTS for the purchase of rifle-resistant vests and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- H. Approval of Resolution 2022-05 authorizing submittal of an application to the FY2023 General Victim Assistance Grant Program for an amount not to exceed \$70,000 with NO MATCH and NO RECURRING COSTS for Crime Victim Coordinator salary, software and hardware purchase and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- I. Approval of Resolution 2022-06 authorizing staff to submit an application to the FY2023 Project Safe Neighborhoods Grant Program for an amount not to exceed \$70,000 with NO MATCH and NO RECURRING COSTS to pay for overtime and surveillance equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- J. Approval of Resolution 2022-07 authorizing staff to submit an application to the FY2023 Juvenile Justice and Truancy Prevention Grant Program for an amount not to exceed \$70,000 with NO MATCH and NO RECURRING COSTS to pay for the First Offender Coordinator's salary and purchase software and hardware needed and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- K. Approval of Resolution 2022-08 authorizing submittal of an application to the FY2023 Violence Against Women Justice and Training Grant Program for an amount not to exceed \$30,000 with a 30% MATCH and NO RECURRING COSTS required to pay for violence against women training related expenses and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- L. Approval of Resolution 2022-09 authorizing submittal of an application to the 2022 State Homeland Security Program - Competitive National Priority Areas Project (SHSP-NPA) grant for an amount not to exceed \$100,000 with NO MATCH and NO RECURRING COSTS required for the purchase enhancements to our cybersecurity and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- M. Approval of Resolution 2022-10 authorizing submittal of an application to the FY2023 Internet Crimes Against Children Grant Program for an amount not to exceed \$70,000 with NO MATCH or some RECURRING COSTS required for the purchase of Cellbrite software/hardware and pay for overtime and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- N. Approval of Resolution 2022-11 authorizing submittal of an application to the FY2023 Criminal Justice Grant Program for an amount not to exceed \$100,000 with NO MATCH and NO RECURRING COSTS required to pay for overtime, equipment and training in law enforcement and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- O. Approval of Resolution 2022-12 authorizing submittal of an application to the 2022 State Homeland Security Program - Regular projects (SHSP-R) for an amount not to exceed \$100,000 with NO MATCH and NO RECURRING COSTS required for the purchase of WebOEC software/hardware and phone applications and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- P. Approval of Resolution 2022-13 authorizing submittal of an application to the 2022 State Homeland Security Program - LETPA projects (SHSP-L) for an amount not to exceed \$100,000 with NO MATCH and NO RECURRING COSTS required for the purchase of drones and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- Q. Approval of Resolution 2022-14 authorizing submittal of an application to the FY2023 Local Border Security Program (LBSP) grant for an amount not to exceed \$150,000 with NO MATCH and NO RECURRING COSTS required for LBSP overtime and Intel sharing equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- R. Approval to authorize solicitation of sealed bids on P25 Trunking 700/800 Portable Radios, with programming and specific radio template and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- S. Approval of Resolution 2022-15 authorizing submittal of FY2022-23 Solid Waste Grant Application in the amount of \$25,000 for the City of Weslaco Solid Waste Division and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- T. Approval of Lease Agreement renewal with Weslaco Little League for the use of the Isaac Rodriguez Park Sports Fields and Harlon Block Sports Complex baseball/softball fields from February 1 - July 4, 2022 and authorize the Mayor to execute any related documents. (Staff by Parks & Recreation Department.) Attachment.

- U. Approval of Lease Agreement renewal with Weslaco Softball Baseball for the use of Mayor Pablo Pena City Park Softball Baseball Complex from February 1 - July 31, 2022 and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.) Attachment.
- V. Approval on amendments and extension from February 7, 2022 to March 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.)

V. 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 and 18, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- 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 and 18, 2022; staffed by Engineering Department.) Attachment.
- C. 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. (There was no action January 18, 2022; staffed by Airport Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing to approve Resolution 2022-16 adopting the map and data for a new single member Redistricting Plan defining (4) single-member and two (2) at-large commission districts and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.
- B. Discussion and consideration on Ordinance 2022-05 amending Ordinance 2019-41 the Master Fee Schedule for the City Secretary, Human Resources, Library and Fire/EMS departmental fees and authorizing the Mayor to execute any related documents. First reading of Ordinance 2022-05. Possible action. (Staffed by Finance Department.) Attachment.
- C. Presentation and consideration to accept and file the Quarterly Investment Report for the period ending December 31, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

- D. Presentation and consideration to accept and file the Financials for the General, Water/Wastewater, Solid Waste and Airport Funds for the period ending December 31, 2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- E. Discussion and review Employee Personnel Policies for the following: Employee Conduct, Direct Leave Donation, Requirements for Employment, Vacation Leave, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- F. Discussion and consideration to approve change order #15 to the Pleasantview & 11th St Drainage Improvements Project which extends project completion by three months to March 31, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.

VII. 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.
- H. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Good Times as authorized by section §551.087 of the Texas Local Government Code.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

IX. 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 28th 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. 1100 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”.