



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 15, 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 15, 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 input on behalf of Felix de la Cruz to rezone 105 W Adelita St. Also being Lot 8, San Francisco Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District.
- B. To solicit input on behalf of Felix de la Cruz to rezone 108 W. Adelita St. also being Lot 25, San Francisco Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District.
- C. To solicit input on behalf of Oscar Zarate to rezone 1719 W. Business 83 also being

7.092 acres out of Farm Tract 633, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to R-2 Duplex and Apartment District.

- D. To solicit input on behalf of Rosa Sanchez to rezone 4027 E Expressway 83. Also being lot 4, Dellinger Subdivision, Weslaco, Hidalgo County, Texas from R-1 One Family Dwelling District to B-2 secondary and highway business district.

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 February 1, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
- 1) 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 held February 1, 2022; staffed by Finance Department.) Attachment.
- C. Approval to submit an application to the Walmart Community Grant for an amount not to exceed \$5,000 with NO MATCH and NO RECURRING FEES required to be used for community events and Christmas Toy Drive and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- D. Approval to accept the VA-Victim of Crime Act Formula Grant Program #3814603 award in the amount of \$16,587.20 with NO MATCH REQUIRED AND NO RECURRING FEE REQUIRED and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- E. Approval to renew the Interlocal Agreement between the City of Weslaco and the City of Mercedes regarding participation in the Mid Valley Regional Communications Center and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- F. Approval to accept a donation from Lowe's Home Centers LLC, Store #WLX 2980 in the amount of \$1,730.08 worth of supplies, equipment and a storage shed with NO MATCH REQUIRED and NO RECURRING COSTS REQUIRED and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- G. Approval of a six-month extension for the Final Plat for Verona Subdivision– being a 20 acres out of Farm Tract 1038, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1800 ft. North of mile 8 on FM 1015 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Approval of an Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment.
- I. Approval to authorize staff to solicit bids for street materials to include Hot Mix, Cold Mix and MC30 Oil and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- J. Approval to authorize staff to solicit Statement of Qualifications for engineering services (General Engineering Contract) for various city-wide projects and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.)
- K. Approval to authorize staff to solicit Statement of Qualifications for engineering services (General Engineering Contract) for the Weslaco Mid Valley Airport and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.)
- L. Approval on request from Aurora House Foundation for the following; 1)use Mayor Pablo Pena Park for the annual 80's Retro Glow Run 5k and 1 Mile event on February 26, 2022 from 5:30pm to 9:30pm; 2) assistance with traffic control on major intersections; and 3) waiver of any associated fees and authorize Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2022-18 for appointment of members to the Weslaco Recycling Task Force Committee for terms set to expire and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.

VI. OLD BUSINESS

- A. Discussion and consideration on the final Lease Agreement(s) 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 with the Weslaco Softball/ Baseball League 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. Possible action. (Staffed by Parks & Recreation Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration on request from Habitat for Humanity to serve alcoholic beverages at the inaugural “Fiesta del Hogar” on May 5, 2022 at the Mayor Joe V. Sanchez Public Library and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Felix de la Cruz on Ordinance 2022-06 to rezone 105 W Adelita St. Also being Lot 8, San Francisco Subdivision, Weslaco, 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 2022-06. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of Felix de la Cruz on Ordinance 2022-07 to rezone 108 W Adelita St. Also being Lot 25, San Francisco Subdivision, Weslaco, 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 2022-07. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration after public hearing on behalf of Oscar Zarate on Ordinance 2022-08 to rezone 1719 W Business 83. Also being 7.092 acres out of Farm Tract 633, West and Adams Tract Subdivision, Weslaco, 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 2022-08. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration after public hearing on behalf of Rosa Sanchez on Ordinance 2022-09 to rezone 4027 E Expressway 83. Also being lot 4, Dellinger Subdivision, Weslaco, Hidalgo County, and Texas from R-1 One Family Dwelling District to B-2 secondary and highway business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-09. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration to approve the Final Plat for Kingdom Estates Subdivision– being a 26.20 acre tract of land out of Farm Tracts 221, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately on the west side of Mile 6 ½ W, 757.92 Ft South of Mile 11 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and consideration to approve the Final Plat for A&J Subdivision– being a 1.47 acres of land out of Farm Tracts 662, West and Adams Tracts, Weslaco, Hidalgo County, Texas located approximately on the southeast corner of intersection of 6th

Street and Westgate Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- H. Discussion and consideration to send notice of contract termination to Perdue, Brandon, Fielder, Collins & Mott, LLP and authorize staff to solicit proposals for the collection of delinquent taxes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- I. Discussion and consideration regarding Waterline Access Agreements between the City of Weslaco and North Alamo Water Supply Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- J. Discussion and consideration on request from Weslaco Economic Development Corporation to solicit proposals for bank depository services for all funds and securities of the Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- K. Discussion and consideration to approve Resolution 2022-19 adopting the 2022 Work Plan and Budget for the thirty-fifth (35th) Urban County Program in the amount of \$300,037 and correcting the Work plan on the Water/Sewer Improvement projects to read Sinclair St from Witmer to Los Torritos instead of 2nd Street (Kansas to Bridge Avenue) and authorizing the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- L. Discussion and consideration to approve an Interlocal Agreement between the City of Weslaco and the City of Mercedes regarding the housing of prisoners in the City of Weslaco's municipal jail and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- M. Discussion and consideration to accept and award Barcom Technology Solutions as the vendor for Basic Maintenance of Internal Connections in response to the Library's Request for Proposal within the E-Rate Year 25 cycle, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment.
- N. Discussion and consideration to rescind RFB 2021-22-06 Annual Grounds Maintenance Contract bid awarded to South Texas Landscaping & Irrigation and authorize staff to re-bid the project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- O. Discussion and consideration on the request from Valley Nature Center for closure of Gibson Park parking lot for the Spring Feast event on Saturday, April 23, 2022, for the day and waiver of any associated fees and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation

Department.) Attachment.

- P. Discussion and consideration to approve renewal of the Loss Control/Risk Management contract set to expire March 1, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed Human Resources)
- Q. Discussion and consideration to exercise one (1) year extension on the current fuel purchasing agreement from RFB NO: 2020-21-12 with PICO Propane and Fuels for FY2022-2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Public Works Department.) Attachment.

VIII. REPORTS

- A. Report by Inframark concerning wastewater odors.

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. Personnel - Discussion, evaluation and selection of a short list for interviews for the position of City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- C. 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.

- 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. Pending Litigation - Consultation with City Attorney regarding Cause No. CL-20-4540-G, Gloria Oliva vs. City of Weslaco as authorized by Section §551.071 of the Texas Government Code.
- H. Potential Litigation - Consultation with City Attorney regarding Tri-Gen Construction LLC and the City of Weslaco Airport and Hanger Infrastructure Improvements Project as authorized by Section §551.071 of the Texas Government Code.
- I. 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 general public during and after regular working hours. This notice was posted on this 11th day of February 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 CARRIEDHANDGUN), 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”.