



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 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, March 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 input on the Adoption and Designation of the Mid Valley International Industrial Park as Weslaco Reinvestment Zone No. 2 pursuant to the City's Guidelines and Criteria Under the Property Redevelopment and Tax Abatement Act, Chapter 312 of the Texas Tax Code. (Staffed by Interim City Manager.) Attachment.
- B. To solicit input on the proposed demolition order for unoccupied buildings as dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 located at:

1. 1502 Mile 5 North being West Tract N383.50'-E220'-W660'FT 795 1.94 AC GR 1.79AC NET, City of Weslaco, Hidalgo County, Texas. Owner: Rogelio & Maria Olvera
2. 101 N. Texas Ave being Gonzalez Addition Lots 1, 2, 3, and 4 Blk 1, City of Weslaco, Hidalgo County, Texas. Owner: Martha Nunez

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 15, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held February 15, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held February 15, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) Approval 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 held February 15, 2022) staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval on amendments and extension from March 7, 2022 to April 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.)
- D. Approval on renewal of the agreement with the Texas Commission on Law Enforcement Contract Training Provider for Weslaco Police Department and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- E. Approval on renewal of the Advanced Education Consultant Agreement between the City of Weslaco and M-5 Texas Enterprises, LLC (Armando A. Martinez) to advance the EMS Training and Continuing Education services and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- F. Approval to authorize solicitation of bids for the following: 1) Street Sweeper for Public Works Streets Division; 2) 1-Sideload Garbage truck and 1-Frontload Garbage Truck for Solid Waste Division; and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Patrick Gonzalez from the Weslaco Economic Development Corporation and approve Resolution 2022-20 to appoint a member to the unexpired term ending December 2, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.

VI. OLD BUSINESS

- A. 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. (This item was tabled February 15, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- B. 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. (There was no action on February 15, 2022; staffed by Police Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on the Adoption and Designation of the Mid Valley International Industrial Park as Weslaco Reinvestment Zone No. 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.
- B. Discussion and consideration on a joint workshop between Weslaco Economic Development Corporation and the City on April 9, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- C. Discussion and consideration to authorize staff to solicit Statement of Qualifications

for General Engineering Services for Planning, Environmental, Engineering Design, Architectural Design, Traffic Impact Studies, and Construction Administration phases for various city-wide projects and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)

- D. Discussion and consideration to authorize staff to solicit Statement of Qualifications for General Engineering Contract for Planning, Environmental, Engineering Design, Architectural Design, and Construction Administration phases for the Weslaco Mid Valley Airport and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- E. Discussion and consideration to ratify Contingency Allowance Expenditure Authorization No. 1 as approved by the Interim City Manager to provide raceway & pullwire with 12" trench at the New Police Department with Municipal Court for an amount not to exceed \$14,479 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- F. Discussion and consideration to authorize Amendment No. 3 to the Professional Services Agreement with ERO Architects for the Weslaco Police Station with Municipal/Judicial Court and New Downtown Fire Station in an amount not to exceed \$26,000 for additional MEP Engineering Services for backup power generators and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- G. Discussion and consideration to award the emergency rehabilitation manhole repair at Milano and Mile 5 (Near Lift Station 37) to Reya Construction, in the amount not to exceed \$179,500, and to authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- H. Discussion and consideration to enter into a contract with Republic Services of Rio Grande Valley for Disposal Services effective March 1, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- I. Discussion and consideration to approve change order #1 with Alvarado Architects & Associates, Inc. in the amount of \$13,500 for a site plan of the Recycling Building Renovations project, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- J. Discussion and consideration to purchase front end commercial bins from Sourcewell vendor Wastequip Manufacturing Company LLC. in an amount not to exceed \$50,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- K. Discussion and consideration of the contract with Boultinghouse Simpson Gates for

architectural services for the New Library/Library Renovation Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment.

- L. Discussion and consideration to renew the three-year contract for Microsoft Office365 licensing, Windows OS licensing and SQL licensing with vendor SHI Government Solutions with first year of contract in the amount of \$83,521.33 with budgeted funds from the FY2021-2022 line item COMPUTER VENDOR SUPPORT and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.) Attachment.
- M. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building as dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 for property located at:
 - 1) 1502 Mile 5 North being West Tract N383.50'-E220'-W660'FT 795 1.94 AC GR 1.79AC NET, City of Weslaco, Hidalgo County, Texas. Owner: Rogelio & Maria Olvera;
 - 2) 101 N. Texas Ave being Gonzalez Addition Lots 1, 2, 3, and 4 Blk 1, City of Weslaco, Hidalgo County, Texas. Owner: Martha Nunez and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

VIII. REPORTS

- A. Presentation of the 2020 Racial Profiling Report submitted by the Weslaco Police Department to the State of Texas. (Staffed by Police Department.) Attachment.
- B. Report on solid waste collection. (Staffed by Public Works 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. Personnel - Discussion, evaluation and selection process for conducting 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. 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.
- 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.

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 25th 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 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”.