



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 5, 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, April 5, 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.

Pursuant to Texas Government Code Section 551.127, on a regular, non-emergency basis, the Weslaco City Commission may attend and participate in the meeting remotely by telephonic conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral Recognition.
Recognition of the retirement of Officer Billy Pemelton from the Weslaco Police Department.
- 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 Regular Meeting on March 15, 2022 and Special Meetings on March 16 and 28, 2022. (Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2022-10 amending the Code of Ordinances of the City of Weslaco Chapter 82 Offenses and Miscellaneous Provisions by adding a new article and section to be entitled Article XI Section 82.252 Sex Offenders and authorize the Mayor to execute any related documents. (First reading held March 15, 2022; staffed by Police Department.) Attachment.
- C. Approval on agreement with the Weslaco Independent School District (WISD) Facility Rental Cost Sheet to allow Weslaco Police Department (WPD) to use WISD's facilities for training purposes and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- D. Approval to apply to Wal-Mart's Community Grant Program (Store #6159) for an award of \$2,000 with NO MATCH and NO RECURRING FEES to purchase promotional items that enhance community policing initiatives and authorize Mayor to execute any related documents. (Staffed by Police Department.)
- E. Approval on Externship/Practicum (MOU) Agreement between South Texas Vocational Technical Institute and City of Weslaco Fire Department to provide clinical and practical learning experience for students in the medical field programs and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- F. Approval of six-month extension for the Final Plat for Milanos Estates 1 Subdivision—being a 26.43 acres being out of and forming a portion of Farm Tract 720 and 721, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of Mile 5 ½ West and Mile 6 ½ Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Approval of a six-month extension for the Final Plat for Pike District Subdivision—being 36.052 acres out of Farm Tract 163, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located at the southeast corner of West Pike Blvd. and Milanos Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Approval on amendments and extension from April 7, 2022 to May 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.)

- I. Approval to submit a letter of intent to TxDOT General Aviation for Airport Terminal Grant and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment.
- J. Approval of the Mid Valley Airport Hangar Lease Agreement with Coastal Bend Regional Advisory Council and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment.
- K. Approval to authorize staff to solicit Statement of Qualifications (SOQ) for Civil Engineering Services for the Mayor Joe V Sanchez Public Library Project Alterations and Addition to the existing building and authorize the Mayor to execute any related documents. (Staffed by Engineering Department.)
- L. Approval on Resolution(s) 2022-22 through 2022-25 to update signatories on legal financial documents identified with the PNC, Navy Army Community Credit Union, Greater State Bank and Tex-Pool for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.
- M. Approval to hold a live auction on Saturday, April 30, 2022 utilizing auctioneer services with Valley Wide Auctioneer Services and authorize Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.

IV. NEW BUSINESS

- A. Discussion and consideration to approve the Final Plat for Moonlight Subdivision– being a 4.00 acres out of Farm Tract 175, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 330’ north of Mile 10N along the Westside of F.M. 88 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration to approve the Final Plat for Sugarcane Estates Subdivision– being a 5.963 acre tract of Farm Tract 141, The West and Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas located on Mireles Road & W. Sugarcane Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and reconsideration to approve the Final Plat for Highland Manor PH 2– being a re-subdivision of 13.46 acres out of Farm Tract 238 and 239, West And Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on FM 1015 & Mile 11 North and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- D. Discussion and consideration to approve Ordinance 2022-11 for the Voluntary Annexation of 211 S Milanos Road – being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, Hidalgo County, Texas located Milanos Road and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-11. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration to award RFB No.: 2021-22-18 Grounds Maintenance - Re-Bid to the most advantageous bid from JC3 Lawn & Landscape of Weslaco, Texas in an amount not to exceed \$57,830 and authorize the Mayor to execute any related documents. Possible action. (Parks & Recreation Department.) Attachment.
- F. Discussion and consideration to award RFB No. 2021-22-17 for Street Materials to the most advantageous bidders: Frontera Materials, Terra Firma Materials, and Asphalt Oil Express based on Street Material-Bid Tabulation, price agreement effective for one year starting on date of award with an option for an additional year renewal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- G. Discussion and consideration to award RFB #2021-22-15 for the pavement markings project to the most advantageous bidder, Pavement Markings Inc. based on tabulation and price agreement and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- H. Discussion and consideration to approve the sole source purchase of a single-stage centrifugal blower for the North Wastewater Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- I. Discussion and consideration to approve solicitation of bids for installation of a replacement centrifugal air blower at the North Wastewater Treatment Plant and authorize the Mayor to sign any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.

V. 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. Legal Consultation - Attorney consultation regarding tuition reimbursement as related to Article 18 - Wages and Salary, Section 5 of the Collective Bargaining Labor Agreement with Weslaco Municipal Police Union Police Officers as authorized by §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 - Annual Report by the City Attorney regarding all pending litigation as provided to the City Auditor as authorized by §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. 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 Cool Air as authorized by section §551.087 of the Texas Local Government Code.

- J. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of city-owned property described as Lot 1, Block 1, Weslaco Public Services Subdivision as authorized by section §551.072 of the Texas Government Code.

VI. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VII. 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 1st day of April 2022 on or before 4:00 p.m. 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".