



**A REGULAR MEETING  
OF THE WESLACO CITY COMMISSION  
TUESDAY, MAY 3, 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, May 3, 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.

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.
- 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. PRESENTATION**

- A. Steve Valdez, Executive Director, Weslaco Economic Development Corporation.
- B. Barbara Jean Garza, President/CEO, Weslaco Area Chamber of Commerce & Visitors Center.

#### **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 April 19, 2022.  
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
  - 1) Ordinance 2022-14 to rezone 211 S Milanos Road also being a 8.00 acre tract of land out of Farm Tract Six Hundred Thirty-One (631), West Tract Subdivision, 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 April 19, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of the inter-local contract with the Lower Rio Grande Valley Development Council to accept and appropriate grant award for the Regional Solid Waste Grant in the amount of \$24,375 approve a budget amendment as required and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- D. Approval of application to the South Texas Literacy Coalition free book distribution program; acceptance of books upon award and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.

#### **V. OLD BUSINESS**

- A. Discussion and consideration to amend the Personnel Policies of the City of Weslaco for On-Call Pay in adherence to FLSA overtime provisions and authorize the Mayor to execute any related documents. Possible action. (There was no action on March 15, 2022; staffed by Human Resources Department.) Attachment.

#### **VI. NEW BUSINESS**

- A. Discussion and consideration on request to amend the Weslaco Economic Development Corporation Articles of Incorporation and By-Laws regarding unexpired terms and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.
- B. Discussion and consideration on presentation of the financials for the General, Water/Wastewater, Solid Waste and Airport funds for the period ending March 31,

2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

- C. Discussion and consideration to approve the Quarterly Investment Report for the period ending March 31, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- D. Discussion and consideration on Ordinance 2022-15 adopting a mid-year budget amendment and authorize the Mayor to execute and related documents. First reading of Ordinance 2022-15. Possible action. (Staffed by Finance Department.) Attachment.
- E. Discussion and consideration to award Buyboard vendor Precision Pump Systems for a new 8" Gorman Rupp pump for lift station 12 for an amount not to exceed \$24,188 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- F. Discussion and consideration to submit a Letter of Intent to the Knapp Community Care Foundation for an amount not to exceed \$750,000 for a new swimming pool and authorize the Mayor and Interim City Manager to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- G. Discussion and consideration to submit a Letter of Support to WISD- Weslaco High School for a grant submission to the Knapp Community Care Foundation for a Music Playscape at Gibson Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- H. Discussion and consideration authorizing the City of Weslaco to submit a joint application with Hidalgo County for Congressional Earmark/Community Project Funding and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.)
- I. Discussion and consideration to authorize staff to solicit Requests for Qualifications for grant assistance, environmental study and engineering design services for the Texas General Land Office CDBG-DR 2018 and 2019 Infrastructure Competitions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- J. Discussion and consideration to approve ERO Amendment #3 Professional Services Agreement AIA G808-2017 in an amount not to exceed \$16,349.92 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.

## **VII. REPORTS**

- A. Construction Report - New Police Department and Municipal Court

B. Construction Report - New Downtown Fire Station No. 2

**VIII. 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 - 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.
- D. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Steele as authorized by section §551.087 of the Texas Local Government Code.

**IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION**

**X. 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 29th day of April 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”.