



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 17, 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 17, 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.
 - †Yadira Elizabeth Ramos
 - Recognition of Larissa Nicole Rodriguez for the Presidential Volunteer Award
 - Proclamation for Nueva Luz on Mental Health Awareness Month
- 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 AEC Engineering to rezone 842 N. International also

being a 6.17 acre tract of land out of Farm Tract 1030, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.

- B. To solicit input on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On Premise Permit at 623 W Business 83, also being Lot 5-8, West Tract Subdivision Weslaco, Hidalgo County, Texas
- C. To solicit input on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On Premise Permit at 1302 N Texas Blvd., also being Block 1, Lot 3, Wal-Mart Subdivision Weslaco, Hidalgo County, Texas

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 on second and final reading of the following:
 - 1) Ordinance 2022-15 adopting a mid-year budget amendment and authorize the Mayor to execute and related documents. (First reading held May 3, 2022; staffed by Finance Department.) Attachment.
- B. Approval to accept FY22 Border Zone Fire Departments (BZFD) Grant Award #4391301 in the amount of \$78,735.25 with NO MATCH and no RECURRING costs to purchase two off-road wildland firefighting UTVs and authorize the Mayor to execute any related documents (Staffed by Fire Department.) Attachment.
- C. Approval of a six-month extension for the Final Plat for Vaquero Estates Phase V– being a re-subdivision of 86.961 acres being all of farm tract 1072 and out of Farm Tract 1065,1066 & 1071, 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. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Approval of six-month extension for the Final Plat for Bridge Crossing Ph II– being a re-subdivision of 16.273 acres being part or portion out of farm tract 744, The West And Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1370 ft east of the intersection of 18th St & mile 5 ½ and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.

- E. Approval to renew the application for participation in the annual Texas Law Enforcement Support Office (LESO) program and authorize the Mayor to execute any related documents (Staffed by Police Department.) Attachment.
- F. Approval to renew the lease with Weslaco Youth Football League for the "Summer Flag & 7 on 7 Football" program at Harlon Block Sports Complex as requested from May 30, 2022 through July 2, 2022 and authorize the Mayor to execute any related documents. (Staffed by the Parks and Recreation Department.) Attachment.
- G. Approval of Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Air Methods Corporation for Hangar E-30 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment.

V. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of AEC Engineering on Ordinance 2022-16 to rezone 842 N. International. Also being a 6.17 acre tract of land out of Farm Tract 1030, West and Adams 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 of Ordinance 2022-16. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On Premise Permit at 623 W Business 83, also being Lot 5-8, West Tract Subdivision Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of Ayvaz Pizza to approve a Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's On Premise Permit at 1302 N Texas Blvd., also being Block 1, Lot 3, Wal-Mart Subdivision Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration to approve the Final Plat for the District North Weslaco Ph. II Subdivision— being 39.988 acres out of Farm Tract 179, BLK 160, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately on the southeast corner of Mile 5 ½ W & Mile 11 N. Rd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and re-consideration to approve the Final Plat for Pleasant View Village Subdivision— being a 8.55 out of Farm Tract 709, Block 136, The West and Adams

Tracts, Weslaco, Hidalgo County, Texas Located approximately 1,300 ft South of Business 83 & Pleasantview Dr and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- F. Discussion and re-consideration to approve the Final Plat for Ten Fifteen Subdivision—being 10.33 acres being a resubdivision of lots 1A,2A,3A, 4A,5A and 6A, out of Plaza Diez Quince Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of F.M. 1015 and Mile 6 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 Ordinance 2022-17 for the Voluntary Annexation of Mid Valley Estates – being a 40.00 acre tract of land out of Farm Tract 715, West Tract Subdivision, Hidalgo County, Texas, located on the southwest corner of Mile 6 North and Mile 6 ½ West and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-17. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Discussion and consideration to approve the construction of a cementitious manufacturing factory located at 615 E Business 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- I. Discussion and consideration to approve solicitation of proposals from qualified insurance carriers for Group Health Insurance to include EAP (employee assistance program) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment.
- J. Discussion and consideration to accept renewal of the group Dental Insurance and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- K. Discussion and consideration on Resolution 2022-27 adopting the updated Parks, Recreation, and Open Space Masterplan and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Parks & Recreation Department.) Attachment.
- L. Discussion and consideration to submit a letter of support to the United States Department of Transportation for the International Bridge Trade Corridor (IBTC) Project located in Hidalgo County, Texas, for funding under the INFRA/MEGA Grant Program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.
- M. Discussion and consideration to approve Resolution 2022-28 in support of the funding application for the proposed Weslaco Pedestrian Connection 2022 Project through

Section 5310 Grant Program by the Lower Rio Grande Valley Development Council and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.

- N. Discussion and consideration on request from the Leadership Mid Valley Class XVI to place benches in the Weslaco Downtown area and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.
- O. Discussion and consideration to reject the sole-bid received for RFB 2021-22-26 in the amount of \$73,100 from FSG for the Weslaco Street Poles Banner Project and authorization to re-bid the project, and authorize the Mayor to execute any related documents. Possible action (staffed by the Engineering Department.) Attachment.
- P. Discussion and consideration to approve the price increase for the purchase of an aeration blower for the North Wastewater Treatment Plant from \$305,700 to \$386,390, a previously approved sole-source purchase from Howden Roots, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- Q. Discussion and consideration to purchase a 2'-24' Magna rotor/50hp Blades with fasteners from sole source providers at a price not to exceed \$48,000 and authorize the Mayor to execute any related documents (ARPA funding). Possible action. (Staffed by Finance/Inframark.) Attachment.
- R. Discussion and consideration of purchasing and installation of a new rotor on the South Wastewater Treatment Plant to the lowest quote not to exceed \$27,800 and authorize the Mayor to execute any related documents (ARPA funding). Possible action. (Staffed by Finance/Inframark.) Attachment.

VI. REPORTS

- A. Report by Inframark

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. Legal Consultation - Consultation with City Attorney regarding compromise and settlement with Frank Montalvo as authorized by section §551.071 of the Texas 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 13th day of May 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”.