



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 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, July 5, 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.
Weslaco Crime Stoppers - 2021 Officer of the Year - Aaron Martinez
- 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. REPORTS

- A. Weslaco Economic Development Corporation.
- B. Barbara Jean Garza, President/CEO, Weslaco Area Chamber of Commerce & Visitor 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 Resolution 2022-29 for closure of streets affecting state right-of-way on Texas Blvd/FM 88 between U.S. Business Highway 83 and Sixth Street from 2pm - 11pm on the third (3) Thursday, of the month from August 2022 to February 2023 for Alfresco Weslaco Music & Art and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation. (Staffed by Engineering Department.) Attachment.
- B. Approval to accept Walmart's (Facility #6159) Community Grant Award, Request ID 75442659, in the amount of \$2,000 with NO MATCH and NO RECURRING FEES to purchase supplies and promotional items geared toward Community Policing and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- C. Approval to terminate and approve the Mid Valley Airport Ground Lease Agreement(s) as follows:
Hangar W-5 terminate Tenant Gary N. Wise and approve Tenant Fermin Nevarez;
Hangar W-4 terminate Tenant Ray Walker and approve Tenant Kelly Norman;
Hangar W-17 terminate Tenant Ginger Vaughan and approve Tenant Royce Kirk Norman; and
Hangar W-28 terminate Tenant Clifford R Gardner Jr. and approve Tenant Royce Kirk Norman and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment.
- D. Approval on renewal of the Memorandum of Agreement with Coastal Bend Regional Advisory Council (CBRAC) and City of Weslaco Fire Department to continue participation in the Hospital Preparedness Program (HPP) and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire-EMS Department.). Attachment.
- E. Approval on Resolution(s) 2022-30 through 2022-33 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.
- F. Approval of a Memorandum of Understanding with South Texas ISD for the use of City Hall parking facilities for the purpose of transportation of students for the school year 2022-2023 and authorize the Mayor to execute any related documents. (Staffed by Interim City Manager.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution R-2022-34 appointing a member to the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by EDC.) Attachment.
- B. Discussion and consideration on Resolution R2022-35 appointing a member to the Civil Service Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Interim City Manager.) Attachment.
- C. Discussion and consideration on Resolution R2022-36 appointing one member to the Library Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Library Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration to approve the 2022 Comprehensive Plan Addendum as prepared by UTSA and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning & Code Enforcement Department) Attachment.
- B. Discussion and consideration on approval of a Reimbursement Contract between the City of Weslaco and Domain Development, Corp for the upgrade of a sanitary sewer line from an eight (8) inch to a twelve (12) inch to allow for the extension of sanitary sewer services to the north side of Pike Blvd between Milanos Road and Midway Road in the amount of \$27,670 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration on Ordinance 2022-21 amending Ordinance 2015-12, the City of Weslaco Sign Ordinance Chapter 114, creating new regulations for temporary signage and free standing signage and removing content-based regulations and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-21. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.
- D. Discussion and consideration on Ordinance 2022-22 amending Ordinance 2015-03 the City of Weslaco Electioneering Ordinance and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-22. Possible action. (Staffed by City Secretary Department.) Attachment.
- E. Discussion and consideration to award a Contract for the Water Spray Splash Pad Request for Proposal No.: 2021-22-28 to be installed at Gibson Park for an amount not to exceed \$275,000 to the most responsive advantageous proposal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

- F. Discussion and consideration to approve a contract for landscape architecture services for the Judge Gilbert Garza Park - Soccer Fields project with Heffner Design Team not to exceed \$11,500 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation.) Attachment.
- G. Discussion and consideration to grant an easement and right of way to AEP Texas for the New Public Safety Buildings including the new Police Department and Downtown Fire Station No. 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department) Attachment.
- H. Discussion and consideration to award RFP No. 2021-22-29 for network cabling services, access control system and video surveillance system for the new Police and Fire Station to the most advantageous proposal from Visceral Illumination Code in an amount not to exceed \$333,513 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology.) Attachment.
- I. Discussion and Consideration to approve the Memorandum of Understanding regarding the eTRACE Internet-based firearm tracing application between the City of Weslaco Police Department (WPD) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- J. Discussion and consideration to award the North Waste Water Treatment Plant Lift Station Rehabilitation to Southern Trenchless Solutions LLC, Buyboard vendor contract no. 635-21, in the amount not to exceed \$275,835 (ARPA Funds), as listed on quote #22168, and to authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department). Attachment.
- K. Discussion and consideration of proposed Change Order No. 2 for the Fire and Police Stations Off-Site Improvements Project in the amount of \$4,669 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Engineer.) Attachment.
- L. Discussion and consideration to approve a proposed contract amendment in the amount of \$23,462 with Halff Associates to perform an Archeological Study for the Kansas-Los Torritos Drainage project and authorize the Mayor to execute any related documents. Possible Action. (Staffed by the Engineering Department.) Attachment.

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 Fire Union (IAFF-WFFA Local 3207) as authorized by §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 1st day of July 2022 on or before 5:00 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”.