



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 20, 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, September 20, 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.
Proclamation for Martin J. Mata - Retirement after 37 years of Service
- 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 Javier Hinojosa to rezone 2625 Mile 6 ½ West Road. Also being 23.05 acre tract of land out of Farm Tract 648 and 649, 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 Aaron Garcia to approve a Conditional Use Permit to obtain a On Premise Mixed Beverage Restaurant Permit, and Late Hours Permit to Host Live Music at 509 S. Texas Blvd., also being Lot 39 & 40, Weslaco Original Townsite Subdivision, Hidalgo County, Texas.

IV. CONSENT AGENDA

All items listed under the Consent Agenda are considered to be routine and the Governing Body has been furnished with background and support material on each item and will be acted by one motion. Any Commissioner may remove items from the consent agenda by making such request prior to a motion and voting on the Consent Agenda.

- A. Approval of the Minutes of the Regular Meeting on September 6, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval of Ordinance 2022-33, adopting the City of Weslaco's budget appropriations for Fiscal Year 2022-2023 commencing October 1, 2022 and ending September 30, 2023 and authorize the Mayor to execute any related documents. (First reading held September 6, 2022; staffed by Finance Department.) Attachment.
 - 2) Approval of Ordinance 2022-34, adopting and levying the ad valorem tax rate for Fiscal Year 2022-2023 and authorize the Mayor to execute any related documents. (First reading held September 6, 2022; staffed by Finance Department.) Attachment.
- C. Approval of six-month extension for the Final Plat for South Point Subdivision—being a resubdivision of 12.889 acres being all of lot 2 VBMH Subdivision, and out of Farm Tract 133, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on between N Westgate Dr. and Border Ave. East Expressway 83, 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 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 Border Ave. East Expressway 83, and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Approval of Resolution 2022-47 to submit an application to the Firehouse Subs Public Safety Foundation relating to firefighter equipment for an amount not to exceed \$35,000 and authorize the Mayor to execute any related documents. (Staffed

by Grant Writer) Attachment.

- F. Approval of Resolution 2022-48 FY23 for the Bullet Resistant Shield Grant Program for an amount not to exceed \$250,000 to purchase and equip peace officers with bullet-resistant shields with NO MATCH required and NO RECURRING FEES and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- G. Approval of Resolution 2022-49 for the FY2023 ALERRT Travel Assistance Grant for peace officer overtime, travel expenditure and training stipends associated with ALERRT training for an amount not to exceed \$250,000 with NO MATCH REQUIRED and NO RECURRING COSTS and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- H. Approval of Resolution 2022-50 to submit an application to Valley Baptist Legacy Foundation Responsive Grant Program up to \$50,000 for Architectural Consulting Services for the New Municipal Swimming Pool Project and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2022-51 appointing members to the Weslaco Recycling Committee Task Force and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Javier Hinojosa on Ordinance 2022-36 to rezone 2625 Mile 6 ½ West Road. Also being 23.05 acre tract of land out of Farm Tract 648 and 649, 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 2022-36. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Aaron Garcia to approve a Conditional Use Permit to obtain a On Premise Mixed Beverage Restaurant Permit, and Late Hours Permit to Host Live Music at 509 S. Texas Blvd., also being Lot 39 & 40, Weslaco Original Townsite Subdivision, 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 to approve Ordinance 2022-37 for the Voluntary Annexation of Gilberto Estates Subdivision— being a 4.56-acre tract of land out of

Farm Tract 101, West and Adams Tract Subdivision, Hidalgo County, Texas located northwest corner of mile 10 N Rd & Mile 4 ½ West Rd and authorize the Mayor to execute any related documents. First reading of Ordinance 2022-37. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- D. Discussion and consideration to approve the Final Plat for Mi Linda Phase I being a 23.05-acre out of farm tracts 648 & 649, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located approximately 340 ft south of mile 6 ½ north along the west side of Milano Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration to approve the Final Plat for Mi Linda Phase II being a 14.19-acre out of farm tracts 648 & 649, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located approximately 340 ft south of mile 6 ½ north along the west side of Milano Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration to approve the Final Plat for The Coves – being 18.48 acres out of Farm Tract 1030, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southside of mile 8 N. Rd. approximately 710' east of International Blvd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and consideration to purchase a Police personnel locker system (85 mens / 18 women) for the new Weslaco Police Department for an amount not to exceed \$208,884.79 from authorized dealer Southwest Solutions Group through Sourcewell Contract 010920-SPC awarded to SpaceSaver Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- H. Discussion and consideration to approve Contingency Allowance Expenditure Authorization No. 3 for the New Downtown Fire Station No. 2 decreasing the Owner's Contingency Fund by \$1,595.98, leaving a balance of \$9,036.14 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation.) Attachment.
- I. Discussion and consideration to ratify the expenditure of the installation of an 8" sewer line at the North Waste Water Plant with Southern Trenchless Solutions in the amount of \$22,250, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- J. Discussion and consideration to approve the Fiscal Year 2022 Interlocal Agreement with the County of Hidalgo under the Urban County Program setting the amount for

the city at \$286,199 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.) Attachment.

- K. Discussion and consideration to approve Ordinance 2022-38 adopting a final budget amendment to the General, Water/Wastewater, Solid Waste, Airport, and other funds presented and authorize the Mayor to execute any related documents. First reading and final reading of Ordinance 2022-38. Possible action. (Staffed by Finance Department.) Attachment.
- L. Discussion and consideration to extend the professional services contract with Carr, Riggs and Ingram LLC for the municipal audit of fiscal years ending 2022 and 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)
- M. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2022-2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.
- N. Discussion and consideration on request by the Economic Development Corporation of Weslaco on Resolution 2022-52 authorizing the sale of wine and beer by a TABC licensed vendor and allowing public consumption of alcohol on Texas Blvd. from U.S. Business Highway 83 and Sixth Street during Alfresco Weslaco Music & Art on the Street; in addition, waiving fees and ordinances associated with the event; provision of support by City of Weslaco, Weslaco Parks and Recreation, Public Works, Police, Fire, and EMS Department and authorize the Mayor to execute any related documents. (Staffed by Weslaco Economic Development Corporation.) Attachment.
- O. Discussion and consideration to approve a Letter of Commitment to the Rio Grande Valley Metropolitan Planning Organization in support of the Department of Transportation's Reconnecting Communities Pilot Program for the Business 83 Corridor Study and authorize the Mayor to execute any related documents. Possible action. (Staffed by RGVMPPO and Grant Writer). Attachment.
- P. Discussion and consideration on the Election Services Contract with Hidalgo County Elections Department to conduct the General Election of November 8, 2022 pursuant to Texas Election Code Chapter 271, and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary Department.) Attachment.
- Q. Discussion and consideration to reschedule or cancel the October 4, 2022 regular meeting. Possible action, (Staffed by Interim City Manager.)

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 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 16th day of September 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”.