



**A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
MONDAY, OCTOBER 3, 2022**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Special Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Monday, October 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.
 - Proclamation - Proclaiming October as Breast Cancer Awareness month.
 - Proclamation - Proclaiming Daniel "Danny" Saenz Day
 - Proclamation - Recognition of World Teacher Day
- 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. Inframark.

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 20, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval 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 September 20, 2022;staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held September 20, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of a request from the Valley Nature Center to close Gibson Park to the public on November 12, 2022 for the Brew in the Woods annual fundraiser and allow to serve alcohol during the event and authorize the Interim City Manager to execute any related documents. (Staffed by Parks & Recreation Department.)
- D. Approval on the request of the City's support from HEB for the 20th Annual "Feast of Sharing" to be scheduled for Saturday, December 17, 2022 at St. Joan of Arc Catholic Church Hall and waiver of any related fees for permits and approve assistance from various city departments and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.)
- E. Approval to renew the Federal Work-Study America Reads Challenge and Community Service Challenge agreements with the University of Texas Rio Grande Valley and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.
- F. Approval to submit an application renewing the ERate 2022-2023 grant program, accept funds upon award, accept additional funding if awarded during the grant year, and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.

- G. Approval to purchase a Bush Hog 2815 Flex-Wing Rotary Cutter from vendor Valadez Equipment & Trailer LLC for an amount not to exceed \$22,500, and authorize the Mayor to execute any related documents (Staffed by Public Works Department.) Attachment.
- H. Approval of an amendment to the interlocal agreement with Hidalgo County Tax Assessor for assessment and collections of property taxes and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.

V. **NEW BUSINESS**

- A. Discussion and consideration to negotiate with the sole bidder, FR Green Thumb Landscaping of Edinburg, Texas, for Judge Gilbert Garza soccer field project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)
- B. Discussion and consideration to lease/purchase of a New John Deere 6145M Cab Tractor with Diamond 30' Ditch Bank Mower from Buyboard vendor Deere & Company (Tellus Equipment Solutions) through a municipal lease program for an amount not to exceed \$60,000 a year for 4 years for a total of \$240,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- C. Discussion and consideration to approve a Memorandum of Agreement (MOA) between Lower Rio Grande Valley TPDES Stormwater Task Force Partnership, Inc. and the City of Weslaco for preparation of a stormwater Permit Application and Stormwater Plan for the Weslaco Airport and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- D. Discussion and consideration of proposed change order #3 in the amount of \$8,034.25 to the contract with Castle Enterprises for the construction of off-site improvements for the new fire and police stations project and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- E. Discussion and consideration on first and final reading on Ordinance 2022-39 proposing a speed limit increase from 30 MPH to 45 MPH for Westgate Drive between 18th St and 34th St (Mile 5N Rd) and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2022-39. Possible action. (Staffed by the Engineering Department.) Attachment.
- F. Discussion and consideration on a Memorandum of Understanding between the City of Weslaco and Knapp Medical Center to allow the hospital to participate in the Federal drug discount program established under Section 340B of the Public Health

Services Act that provides healthcare services to low-income individuals and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

- G. Discussion and consideration on the purchase of one X690 extreme network switch and three 5320 extreme network switches for the new police station building in the amount of \$42,934 through vendor IK Network Solutions with Texas DIR Contract # 2668 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department.) Attachment.
- H. Discussion and consideration authorizing the EDC to purchase from Hidalgo & Cameron County Irrigation District 9 (HCCID) an easement within the property boundaries of the new Mid Valley International Industrial Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.) Attachment.
- I. Discussion and consideration regarding acceptance of an easement from the Weslaco EDC for the construction of a new lift station and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.)

VI. 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.
- C. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project No Sock as authorized by section §551.087 of the Texas Local Government Code.
- D. Legal Consultation - Consultation with the City Attorney regarding requirements and factors used in consideration of awarding bids, contracts and economic development projects as authorized by section §551.071 of the Texas Government Code.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VIII. ADJOURNMENT

I hereby certify this **Notice of a Special 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 30th day of September 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”.