



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 1, 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, November 1, 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 Anti-Bullying (requested by WISD)
Proclamation Weslaco Crime Stoppers 2021 Texas Productivity Award
- 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. Weslaco Area Chamber of Commerce & Visitor Center.

- C. Presentation by Inframark on the Annual Maintenance and Repair Cap underspent funds. (Requested by 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 October 18, 2022.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval on Ordinance 2022-40 to rezone 835 N Martinez. Also being Lot 1&2, Block 5, Villa Vista Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 neighborhood business district and authorize the Mayor to execute any related documents. (First reading held October 18, 2022; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to apply for the Cybersecurity and Infrastructure Security Agency (CISA) and Federal Emergency Management Agency (FEMA) FY22 State and Local Cybersecurity Grant Program in the amount of \$49,500 with a \$5,500 MATCH required for the purchase of FortiGuard Incident Readiness Subscription Service, with NO RECURRING FEES, and authorize the Mayor to execute and related documents. (Staffed by IT Department/Grant Writer.)
- D. Approval to solicit bids for Waterworks Storm, Collection and Distribution materials and supplies and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- E. Approval to ratify and accept FY23 Local Border Security Program (LBSP) Grant #3407206 for the amount of \$105,000 with no MATCH and NO RECURRING fees required to pay for overtime for sworn officers and support personnel to meet the goals and objectives of LBSP grant and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- F. Approval to ratify and accept FY23 State Criminal Justice Planning Funds - Juvenile Justice and Truancy Prevention Grant Program #4003403 award in the amount of \$78,868.28 with NO MATCH and NO RECURRING fees required to pay for First Offender Program Coordinator's Salary and sworn officers overtime and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- G. Approval to ratify and accept FY23 State Homeland Security Program (SHSP) - LETPA Grant #4507901 in the amount of \$11,400 with NO MATCH and NO RECURRING fees allowed to purchase law enforcement specific protective gear and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- H. Approval to ratify and accept FY23 State Homeland Security Program (SHSP) - Regular Projects Grant #4508001 in the amount of \$52,677 with NO MATCH and NO RECURRING fees required to purchase a cybersecurity firewall for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- I. Approval on renewal of the agreement with the Drug Enforcement Administration of State and Local HIDTA Task Force cooperation for the Fiscal Year 2022-2023 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- J. Approval to ratify authorization to apply to the Texas Department of Transportation 2023 Impaired Driving Mobilization Grant in the amount of \$24,000 with a 20% match and no recurring fees to pay for overtime to conduct driving while intoxicated enforcement waves and authorize the Mayor to execute any related documents (Staffed by Police Department.) Attachment.
- K. Approval of a Memorandum of Understanding (MOU) with the Department of Homeland Security, U.S. Customs, and Border Patrol Protection, Port of Progreso for Emergency Medical Services Clinical Field ride outs and training and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- L. Approval for Mayor Joe V. Sanchez Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for Basic Maintenance of Internal Connections within the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate) and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment.
- M. Approval of application to the South Texas Literacy Coalition Free Book Distribution and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment.
- N. Approval to terminate and approve the Mid Valley Airport Ground Lease Agreement for Hangar W-3 Tenant Art Beckwith and approve Tenant Gary Wise and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment.
- O. Approval of the Mid Valley Airport Hangar Lease Agreement (s) as follows:
Hangar E-1 tenant Hendrickson Flying Service;

Hangar E-5 tenant David J. Garza;
Hangar E-6 tenant Aaron Carlson;
Hangar E-7 tenant Felipe Leal;
Hangar E-8 tenant Gloria Brady;
Hangar E-9 tenant Gloria Brady;
Corporate Hangar 3 tenant Sergio Saenz and authorize the Mayor to execute any related documents (Staffed by Airport Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2022-56 appointing members to the Board of Adjustments and Appeals to the Building Codes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment.
- B. Discussion and consideration on Resolution 2022-57 appointing members to the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.) Attachment.
- C. Discussion and consideration on Resolution 2022-58 appointing members to the Animal Shelter Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

VI. OLD BUSINESS

- A. Presentation and discussion of the programing proposal from Boultinghouse Simpson Gates, and consideration of approval of a project program for the New Library/Library Renovation Project. Possible action. (Staffed by the Library Department.) Attachment.
- B. Discussion and re-consideration on the Final Plat for Gilberto Estates being a 4.56-acre out of farm tract 101, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Northeast corner of Mile 4 ½ W & Mile 10 N and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration to purchase Front End Commercial bins under sourcewell contract #040621-WQI from vendor Wastequip Manufacturing Company LLC. for an amount not to exceed \$60,639 authorizing a mid-year budget amendment, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- B. Discussion and consideration to purchase a 3-point boom mower attachment from

Buyboard contract #611-20, vendor Valadez Equipment & Trailer LLC, for an amount not to exceed \$38,845, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.

- C. Discussion and consideration to approve a Letter of Support to the Rio Grande Valley Metropolitan Planning Organization in support of the proposed passenger rail service S4 Higher-Speed Railroute between San Antonio and Brownsville, and authorize the Mayor to execute any related documents. Possible action. (Staffed by RGVMPO and Grant Writer.) Attachment.
- D. Discussion and consideration to approve the purchase of rescue tools from Siddons-Martin Emergency Group in the amount not to exceed \$40,330; funds approved through the FY 22-23 budget, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- E. Discussion and consideration on request from Inframark for an amendment to expand the City's rebatable account to include chemicals and sludge with no CPI increase to the base for FY 2022-2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Interim City Manager.) Attachment.
- F. Discussion and consideration to authorize the Weslaco Public Library to advertise and solicit prospective vendors to submit Request for Proposals (RFPs) for network equipment and internal connections within the New Library Facility through the confines of the Schools and Libraries Program of the Universal Service Administrative Fund (E-rate). Possible action. (Staffed by the Library Department.) Attachment.
- G. Discussion and consideration on the Interlocal Agreement between the County of Hidalgo and the City of Weslaco for certain improvements to Mile 10 North from Mile 6 to FM 1015 Phase II and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.

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 Fire Union (IAFF-WFFA Local 3207) as authorized by section §551.071 of the Texas Government Code.
- C. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at 901 N. Airport Drive as authorized by §551.072 of the Texas Local Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding claims made against the City by Frankenmuth Surety and Castle Construction regarding the Police and Fire Station Project as authorized by Section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with 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.

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 28th day of October 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”.