



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 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, December 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 Brandon Figueroa
- 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. Police Department.
- B. Inframark.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Willie Arratia to rezone 3920 E Pike. Also being 28.34 acres out of Farm Tract 1036, West and Adams Tract, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.
- B. To solicit input on behalf of Wilfredo & Cristela Aviles to rezone 808 & 812 W 10th St. Also being Lot 6 & 7, Laura Raquel Trejo Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and Apartment District.
- C. To solicit input on behalf of Dreamland Estates to approve a Conditional Use Permit to operate an event center Permit at 909 E James, also being Block 1, Lot 2A, Ro-Ellen Addition Ut. No. 3, Hidalgo County, Texas.

V. 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 December 6, 2022.
(Staffed by City Secretary's Department.) Attachment.
- B. 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.
- C. Approval of 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 an 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 Greener Pastures Mobile Home Subdivision PH II– being A 3.94 acre tract of land out of Lot 82,133,134,135 and 136, Greener Pastures Mobile Home Subdivision, Weslaco, Hidalgo County, Texas located approximately on Main Gate Drive and Corral Drive and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Approval of the Memorandum of Understanding between the constituent agencies of the Texas Anti-Gang (TAG) Center - Rio Grande Valley and authorize the Mayor to

execute any related documents. (Staffed by Police Department.) Attachment.

- F. Approval to enter into an agreement with Tyler Technology to participate in the Early Adopter Program at no cost to the city and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- G. Approval of Resolution 2022-63 to accept the National Highway Traffic Safety Administration STEP-Impaired Driving Mobilization Grant (2023-WeslacoPD-IDM-00049) Award in the amount of \$29,986.76 with a \$6,021.76 match and no recurring fees and authorize the Assistant Chief Robert Lopez to electronically sign grant agreements and amendments as the Grant Administrator on TxDOT Traffic Safety eGrants portal and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- H. Approval to accept FY23 Project Safe Neighbors Grant Program Award #4271602 in the amount of \$32,731.99 with NO MATCH and NO RECURRING costs for overtime for all peace officers, to purchase equipment and project supplies and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- I. Approval of a District Office Lease Agreement beginning January 3, 2023 and ending January 2, 2025 with Congressman Vicente Gonzalez for office space located at 255 S. Kansas Avenue and authorize the Mayor to execute any related documents. (Staffed by Assistant City Manager.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration on first and final reading of Ordinance 2022-44 amending Ordinance 2022-19 regarding the process and standards for all appointments to Advisory Boards, Committee and Commissions and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Willie Arratia on Ordinance 2022-45 to rezone 3920 E Pike. Also being 28.34 acres out of Farm Tract 1036, West and Adams Tract, 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 2022-45. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of Wilfredo & Cristela Aviles on Ordinance 2022-46 to rezone 808 & 812 W 10th St. Also being Lot 6 & 7, Laura Raquel Trejo 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 2022-46. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- D. Discussion and consideration after public hearing on behalf of Dreamland Estates to approve a Conditional Use Permit to operate an event center at 909 E James Ste E, also being block 1, Lot 2A, Ro-Ellen Addition Ut. No. 3, Hidalgo County, Texas 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 Dominion Subdivision being 20-acres out of Farm Tracts 164, Block 178, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 700 ft. east of Midway Rd on Bus 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration on Ordinance 2022-47 for dis-annexation request from the property owner of Angelita Estates Subdivision– being 8.35 acres, being part or portion of Farm Tracts 799, 800 and 804 West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 805ft. South of Tierra Santa St along FM 88. and authorize the Mayor to execute any related documents. First reading on Ordinance 2022-47. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.
- G. Discussion and re-consideration to adopt Ordinance 2022-48 amending ordinance 2021-41 to increase a 10- foot utility easement along the Westside of lot C-1 Re-Plat of Apostolic Church Subdivision to a 15-foot utility easement along the Westside of lot C-1 Re-Plat of Apostolic Church Subdivision and authorize the Mayor to execute any related documents. First reading of O2022-48. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Discussion and consideration to award a negotiated contract with Norris Leal, LLC for RFB No. 2021-22-31 Mayor Pablo Pena City Park Sports Field Lighting and Isaac Rodriguez Skate Park Lighting project or to reject the contract and authorize staff to go out for bids and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- I. Discussion and consideration on first and final reading of Ordinance 2022-49 that revises speed limits on International Blvd. (FM 1015) between Western Rd and Mile 5 North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department). Attachment.
- J. Discussion and consideration of purchasing a SCBA Compressor under BuyBoard contract # 603-20 for an amount not to exceed \$53,823 from Metro Fire for the New Fire Station and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- K. Discussion and consideration to award RFB No. 2022-23-04 Waterworks Collection and Distribution Materials to the sole bidder, Aguaworks Pipe & Supply, LLC., for a

period of one year, for material to be purchased on an as-needed basis not to exceed \$500,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works 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 City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- B. Legal Consultation - Consultation with City Attorney regarding potential claims by the City against Castle Construction regarding the Police and Fire Station Project as authorized by Section §551.071 of the Texas Government Code.
- C. Legal Consultation - Consultation with City Attorney regarding lawsuit styled C-1678-22-A Christopher De Leon DBA De Leon Aircraft Maintenance Professional vs City of Weslaco and Andrew Munoz, Individually as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM 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 December 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”.