



**A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
MONDAY, FEBRUARY 20, 2023**

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, February 20, 2023 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.
 - 1) Recognition of Officer Pablo Tovar as Weslaco Crime Stoppers Officer of the Year.
- 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.
- B. City of Weslaco Animal Care Services.

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 on second and final reading of the following:

- 1) Ordinance 2023-08 to rezone 208 S Kansas Ave. Also being Lot 4 & 5, Blk 13, Weslaco Original Townsite 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 held February 7, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- 2) Ordinance 2023-10 to rezone 3024 W Pike Blvd. Also being 30.07 acre tract of land out of Farm Tracts 165 and 166, West 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 held February 7, 2023 staffed by Planning & Code Enforcement Department.) Attachment.
- 3) Ordinance 2023-11 to rezone 3227 W Interstate 2. Also being 12.11 acre tract of land out of Farm Tracts 165 and 166, West Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway Business district and authorize the Mayor to execute any related documents. (First reading held February 7, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- 4) Ordinance 2023-12 to rezone 715 E Sugarcane Dr. Also being 2.349 acre tract of land out of Farm Tract 57, West 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 held February 7, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- 5) Ordinance 2023-13 amending Ordinance 2013-08 City of Weslaco Landscaping and Buffering Ordinance and authorize the City Manager to execute any related documents and authorize the Mayor to execute any related documents. (First reading held February 7, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- 6) 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 held February 7, 2023;

staffed by Planning and Code Enforcement Department.) Attachment.

- B. Approval to purchase (and issue to) Honorably Retired Peace Officer Captain Robert De La Cerda's service weapon, a Glock Gen 4 Model 27 used handgun with a serial number WYX004 for the amount of \$279.50, as allowed under Texas Government Code Section 614.051 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- C. Approval to purchase body-worn cameras and relevant equipment in the amount of \$101,201.11 with an amount of \$75,900.83 to be reimbursed by the FY22 Body-Worn Camera Program Grant #4367801 with a 25% local match (\$25,300.28) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- D. Approval to apply and accept Walmart's Community Grant (Store #6159) in the amount of \$2,000 with NO MATCH and NO RECURRING cost to purchase police promotional items and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- E. Approval to apply for Walmart's Community Grant (Store #1041) in the amount of \$5,000 with NO MATCH and NO RECURRING cost to purchase police promotional items and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- F. Approval to renew Chapter 59 Local Agreement on Forfeitures between the Hidalgo County Criminal District Attorney and the Weslaco Police Department and authorize Joel Rivera, Chief of Police, to execute any related documents. (Staffed by the Police Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-22 appointing members to the Drainage Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration on approval to enter into agreement between the City of Weslaco, a home-ruled municipality (City) by and through the City of Weslaco Police Department (WPD) and South Texas College (STC) for Shooting Range Use and Training and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- B. Discussion and consideration to approve an increase to Purchase Order 22-3442 from \$333,213 to \$414,842 for vendor Visceral Illumination Code to cover the Police Station's additional cabling services for the jail intercom system, jail phones, surveillance cameras, access control system, patch panels, gate entry system, software licenses and authorize the Mayor to execute any related documents. Possible action.

(Staffed by Information Technology Department.) Attachment.

- C. Discussion and consideration to approve renewal of the Loss Control & Risk Management Contract set to expire March 01, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources.) Attachment.
- D. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending December 31, 2022 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- E. Discussion and consideration to accept and file the Financial Reports (unaudited) as of December 31, 2022 for the General Fund, Water and Sewer Fund, Solid Waste Fund, and Airport Fund and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- F. Discussion and consideration to accept financing acquisition proposals from Baystone Government Finance for the acquisition of two 2022 Ambulance remounts in the amount of \$286,381.80 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- G. Discussion and consideration on the Interlocal Agreement between the City of Weslaco and the Weslaco Independent School District to overlay parking lots on the school parking lots, to begin after the school year and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- H. Discussion and consideration to approve a purchase from HGAC vendor IPL, for 715 residential Omnicart trash bins for an amount not to exceed \$41,011, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- I. Discussion and consideration on approval of Waterline Access Agreement for Tony Subdivision with North Alamo Water Supply Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning Department.) Attachment.
- J. Discussion and consideration to provide a letter of support to the Rio Grande Valley Regional Transit Authority Feasibility Study (RGV RTA Feasibility Study) application under the Federal Transit Administration's Areas of Persistent Poverty Grant Program (AoPP) and authorize the Mayor to execute any related documents. Possible action. (Staffed by RGVMPPO.) Attachment.
- K. Discussion and consideration to ratify the application to the DHS/FEMA Assistance for Firefighters Grant program relating to equipment for an amount not to exceed \$328,482 with 10% MATCH REQUIRED and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department/Grant Writer.)

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 claims by the City against Castle Enterprises 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 relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- D. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Brown as authorized by section §551.087 of the Texas Local Government Code.
- E. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Good Times as authorized by section §551.087 of the Texas Local Government Code.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

IX. 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 17th day of February 2023 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 Office at (956) 968-3181, Ext. 1001 prior to the meeting date.

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”.