



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 7, 2023**

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, March 7, 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. Roll Call.
- E. Mayoral Recognition.
 - 1) Award from the Government Finance Officers Association to the City of Weslaco Finance Department for Excellence in Financial Reporting fiscal year ending September 30, 2021.
 - 2) Proclamation in support of Hidalgo County's Prosperity Task Force.

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 RGV Superior Development, LLC. to rezone 320 S Pleasantview Drive. Also being 27.498 acre out of the following tracts: North 100 feet of the South 280 feet of the South 15 acres of Farm Tract 20, 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 Maria Elva Alaniz to rezone 409 N Kansas. Also being Lot 16, Block 4, Gonzalez Addition Subdivision, Hidalgo County, Texas from R-2 Duplex and Apartment District to B-1 Neighborhood Business District.

IV. REPORTS

- A. Weslaco Area Chamber of Commerce & Visitor Center.
- B. Weslaco Economic Development Corporation.

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 February 7, 2023 and Special Meeting on February 20, 2023 (Staffed by City Secretary Department.) Attachment.
- B. Approval on Resolution 2023-23 to apply to the FY2024 Local Border Security Program (LBSP) for the amount of \$250,000 with NO MATCH REQUIRED and NO RECURRING FEES required for law enforcement personnel and staff overtime and to purchase equipment, in support of Local Border Security Program goals and objectives and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- C. Approval of the renewal of payment to Core and Main for annual hosting fees on meters and hardware maintenance in the amount of \$25,115.77 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.
- D. Approval of the six-month extension for the Final Plat for South Point Subdivision—being a 12.889 acre being all of Lot 2, VBMH Subdivision and out of Farm tract 133, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located East Expressway 83, between North Westgate Drive and Border Avenue and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Approval of a three-month extension for the Final Plat for Milanos Estates 1 Subdivision— being a 26.43 acres 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 authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.

- F. Approval on renewal of an Interlocal Cooperation Agreement with the County of Hidalgo and City of Weslaco for participation in the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-24 appointing members to the Library Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of RGV Superior Development, LLC on Ordinance 2023-14 to rezone 320 S Pleasantview Drive. Also being 27.498 acres out of the following tracts: North 100 feet of the South, 280 feet of the South 15 acres of Farm Tract 20, 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 2023-14. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Maria Elva Alaniz on Ordinance 2023-15 to rezone 409 N Kansas also being Lot 16, Block 4, Gonzalez Addition Subdivision, Hidalgo County, Texas from R-2 Duplex and Apartment District to B-1 Neighborhood Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-15. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration to approve the Final Plat for Milanos Estates Phase II Subdivision being a 27.65 acres out of Farm Tract 720 and 721, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 240 ft. North from the intersection of Mile 5 ½ West Road and Mile 6 ½ West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration on the variance request to section 26-38 Perimeter Sidewalk Requirement for Mid Valley Estates Subdivision being a 40.00-acre tract of Farm Tract 715, The West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southwest corner of Mile 6 North and Mile 6 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- E. Discussion and consideration to approve Ordinance 2023-16 for the Voluntary Annexation of Ranchettes on 18th St Subdivision being a 12.16 acres of land out of a 14.82 acre tract of land out of Farm Tract 706, West Tract Subdivision, Hidalgo County, Texas located approximately 500 ft. West from the intersection of 18th Street and Pleasantview Dr. and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-16. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration to approve retainage payment for the Weslaco Mid Valley Airport Corporate Hangar Project for an amount not to exceed \$173,716.64 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- G. Discussion and consideration on the petition, acquisition and purchase of Class A Municipal Water Rights from Hidalgo and Cameron Counties Irrigation District No. 9 and authorize the Mayor to execute any related documents. Possible Action. (Staffed by Asst. City Manager.) Attachment.
- H. Discussion and consideration to approve Resolution 2023-25 and submittal of an application to the SAFER Program Grant, requesting six new Firefighter positions for an amount not to exceed \$395,000 with NO MATCH REQUIRED and NO RECURRING FEES and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department/Grant Writer.) Attachment.
- I. Discussion and consideration to approve the purchase of body-worn cameras and relevant equipment in the amount of \$101,825 (Sourcewell Contract #010720-WCH) with an amount of \$75,900.83 to be reimbursed by the FY22 Body-Worn Camera Program Grant #4367801 with a 25% local match (\$25,924.17) from Motorola Solutions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- J. Discussion and consideration to authorize staff to solicit Statements of Qualifications for Architectural/Engineering Services for various parks projects including new restroom/concession stands, sports field lighting and irrigation systems, and playgrounds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)
- K. Discussion and consideration on the project by the Weslaco Economic Development Corporation for the construction of offsite sanitary sewer improvement for the Mid Valley International Industrial Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) 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 City Manager for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- B. Contract Negotiations – Discussion with the 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) FY October 1, 2022 – September 30, 2025 as authorized by section §551.071 of the Texas Government Code.
- C. 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.
- D. Legal Consultation - Consultation with City Attorney regarding 2023 New Opioid Settlement Participation for Subdivisions 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 3rd day of March 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 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:
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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”.