



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 21, 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 21, 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) Proclamation - Texas Onion Festival

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. Animal Care Services
- B. Parks - Baseball Fields
- C. 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 March 7, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held March 07, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held March 07, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) 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 held March 07, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to purchase (and issue to) Honorably Retired Peace Officer Captain Jose A Coronado's service weapon, a Glock Gen 4 Model 22 (.40) used handgun with serial number WXN040 for the amount of \$271.50, as allowed under Texas Government Code Section 614.051 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- D. Approval to purchase Fortinet software from IK Network Solutions for an amount not to exceed \$52,223 which will be fully reimbursed by the FY23 State Homeland Security Program (SHSP) - Regular Projects Grant #4508001 with no match and no recurring costs required and authorize the Mayor to execute any related documents. (Police Department and IT Department.) Attachment.
- E. Approval to accept donation of materials, and services to stripe and paint the

Baseball/Softball Complex parking lot at Harlon Block Park as solicited by the Weslaco Little League. (Staffed by Parks and Recreation Department.)

- F. Approval to solicit Requests for Proposals (RFP) for Fireworks Display for the 4th of July Celebration and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.)
- G. Approval to apply to The Department of Homeland Security Fire Prevention and Safety Grant Program for the amount not to exceed \$32,033.72 with 5% match required and no recurring fees to purchase a Digital Fire Extinguisher Training System and authorize the Mayor to execute any related documents. (Staffed by Fire Department/Grant Writer.) Attachment.
- H. Approval of Resolution 2023-26 amending Resolution 2023-20 State Legislative Agenda to include funding in the amount of \$5 Million for hangar expansion at the Weslaco Mid-Valley Airport and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager.) Attachment.

V. NEW BUSINESS

- A. Discussion and consideration on Ordinance 2023-17 establishing Series 2023 Construction Fund and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2023-17. Possible action. (Staffed by the Finance Department.) Attachment.
- B. Discussion and consideration on Ordinance 2023-18 approving the franchise agreement with Texas Gas Service and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2023-18. Possible action. (Staffed by Asst. City Manager.) Attachment.
- C. Discussion and consideration to amend the agreement for Buyout of Service Agreement between the City of Weslaco and North Alamo Water Supply Company (NAWSC) for Mid Valley Estates Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.) Attachment.
- D. Discussion and consideration of approval to request statement of qualifications (RFQ) for construction materials testing services from qualified consultants and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- E. Discussion and presentation regarding a new Vac Truck for wastewater in 2024, to continue the mile by mile lease program and authorize the Mayor to execute any related document. Possible action. (Staffed by Public Works Department.) Attachment.
- F. Discussion and consideration to exercise the one year extension option with Frontera Materials for Street Materials and Asphalt Oil Express for MC30 oil and authorize the

Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.

- G. Discussion and consideration for staff to solicit Statements of Qualifications for Architectural/Engineering Design services for the renovation and remodeling of the Weslaco Service Center and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation.)
- H. Discussion and consideration to approve an agreement with Digitech to administer the Charity Policy and process the Cost Report - ASSPP on behalf of the City of Weslaco at a fee of 6.5% of received collections and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- I. Discussion and consideration on a proposed project by the Weslaco Economic Development Corporation for street widening improvements on Mile 9 North Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.

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 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 relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding lawsuit styled C-1678-22-A Christopher De Leon Aircraft Maintenance Professional vs. City of Weslaco and Andrew Muñoz, individually as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Drainage Easement matters located at Border and 18th Street 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 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 17th 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:

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”.