



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 4, 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, April 4, 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.
Proclamation proclaiming the month of April as National Donate Life Month.

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.

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 21, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval to accept a donation in the amount of \$1,000 from Randy Summers to be used for the purchase of equipment in remembrance of Art Cavazos and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)
- C. Approval to accept the donation of 25 Teddy Bears from John Knox Village to be distributed to children transported by Emergency Medical Service units and authorize the Mayor to execute any related documents. (Staffed by Fire Department.)
- D. Approval to accept equipment (LED T-Bar light bulbs) donation from Home Depot in the amount not to exceed \$1,000 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- E. Approval to accept donations for the annual Clean Sweep event scheduled for April 15, 2023 and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement.) Attachment.
- F. Approval to authorize solicitation of bids for existing manhole and sewer line replacement at Chelsea Park Subdivision, and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- G. Approval to solicit proposals from qualified insurance carriers for Workers' Compensation and Property & Casualty Insurance, and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment.
- H. Approval to solicit proposals from qualified insurance carriers for Group Health Insurance and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment.
- I. Approval to solicit proposals from qualified insurance carriers for 125 Cafeteria plan to include supplemental insurance products (dental, vision, short/long term disability, cancer, accident, hospital indemnity, critical illness, basic life & AD&D, and inclusion of flexible spending account) for the City of Weslaco employees at no cost to the City and authorize the Mayor to execute any related documents. (Staffed by Human Resources.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-27 appointing members to the Board

of Adjustments & Appeals - Zoning and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

- B. Discussion and consideration on Resolution 2023-28 re-appointing members to the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration on Ordinance 2023-19 amending Ordinance No. 417 renaming Weslaco Public Library Board to Mayor Joe V. Sanchez Public Library Advisory Board and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-19. Possible action. (Staffed by Library Department.) Attachment.
- B. Discussion and consideration to approve Ordinance 2023-20 amending Ordinance 2012-02 renaming the Animal Shelter ordinance to Animal Care Services and establishing adoption event fees and a provision to accept donations to the shelter and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-20. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration on Resolution 2023-29 adopting the policy for acceptance of donations and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)
- D. Discussion and consideration to approve and select the Architect's rankings in response to RFQ No.: 2022-23-07 for Architectural / Engineering Design Services for a new Municipal Pool, selection of date to interview the top three firms and designation of an interview format and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department) Attachment.
- E. Discussion and consideration to approve the Memorandum of Understanding between South Texas College Continuing Education (CE) and Weslaco Fire Department to participate in the Firefighter Related Trainings coordinated and conducted by the City of Weslaco's Fire Department and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Fire Department.) Attachment.
- F. Discussion and consideration to rescind approval of the purchase of a 250 HP High Service pump station in the amount of \$26,939.36, a transfer pump in the amount of \$44,979.73, and a backwash pump in the amount of \$95,937.50 from Lewis Electric from ARPA funds and authorize the Mayor to execute any related documents. Possible action. (approved Feb 7, 2023; staffed by Finance 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. 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 Drainage Easement matters located at Border and 18th Street as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney relating to legal issues with the proposed agreement for Animal Services as authorized by Section 551.071 of the Texas Government Code.
- E. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of various city-owned real property to Affordable Homes of South Texas, Inc., TuCasa Investments, Inc as authorized by section §551.072 of the Texas Government Code.
- F. Real Property - Consultation with City Attorney on the sale, exchange, lease or value

of real property located at Pike and Vo-Tech as authorized by §551.072 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 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 31st 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”.