



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 18, 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 18, 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) Recognition of National Public Safety Telecommunicators Week.
 - 2) Recognition of Rey A. Banda

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. PRESENTATION

- A. Presentation and update by the Hidalgo County Drainage District No.1 as it relates to the 2023 Drainage Bond Program. Attachment.

IV. REPORTS

- A. Animal Care Services.
- B. Inframark.

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 April 4, 2023
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval 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 held April 4, 2023; staffed by Library Department.) Attachment.
 - 2) Approval on 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 held April 4, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to ratify the application to Firehouse Subs Public Safety Foundation in the amount of \$22,500 with in-kind contribution not to exceed \$2,000 and NO RECURRING cost required to purchase Blue Card Train the Trainer Course for five firefighters and authorize the Mayor to execute any related documents. (Staffed by Fire Department/Grant Writer.) Attachment.
- D. Approval of Resolution 2023-30 to accept FY22 Operation Stonegarden Program Grant #3173408 for the amount of \$282,000 with no match and no recurring costs to pay for officer overtime and police equipment to fulfill goals and objectives for Operation Stonegarden and authorize the Mayor to execute any related documents. (staffed by Police Department.) Attachment.
- E. Approval of Resolution 2023-31 finding that AEP Texas Central Company's application for a distribution cost recovery factor to increase distribution rates within the city should be denied; finding that the city's reasonable rate case expenses shall be reimbursed by the company; and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager.) Attachment.

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-32 appointing members to the Mayor Joe V. Sanchez Public Library Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment.
- B. Discussion and consideration on Resolution 2023-33 appointing a member to the Civil Service Commission for an unexpired term ending July 5, 2025 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.

VII. OLD BUSINESS

- A. Discussion and consideration to approve a lease agreement with the Weslaco Area Chamber of Commerce & Visitor Center for building lease space located at 255 South Kansas Avenue and authorize the Mayor to execute any related documents. Possible action. (There was no action on January 17, 2023; staffed by Asst. City Manager.) Attachment.

VIII. NEW BUSINESS

- A. Discussion and consideration to accept and file the City of Weslaco's Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2022 as presented by Carr, Riggs & Ingram, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- B. Discussion and consideration on Ordinance 2023-21 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-21 Possible action. (Staffed by Finance Department.) Attachment.
- C. Discussion and consideration to accept or reject bid RFB No.2022-23-13 for the sale of real property located on the Northwest Corner of the Intersection of Airport Drive and Interstate 2 to the most advantageous respondent and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.) Attachment.
- D. Discussion and consideration to approve Ordinance 2023-22 to relocate an existing 15-foot utility easement located between Lots 17 through 20, Mid Valley Industrial Park #4 to a 10-foot utility easement located along the south property line of Lot 20, Mid Valley Industrial Park #4 and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-22. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration on Resolution 2023-34 supporting the Artificial Drainage System Legislation filed and authorize the Mayor to execute any related

documents. Possible action. (Staffed by Asst. City Manager/Engineering Department.) Attachment.

- F. Discussion and consideration on the purchase of four dispatch consoles from WatsonConsoles for the amount of \$85,720.12 under HGAC Coop Contract #EC07-20, completely reimbursed with funding from the Rio Grande Valley Emergency Communication District and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- G. Discussion and consideration to accept the Wyatt Ranch Grant Foundation Grant for \$97,000.00 to purchase a 2023 Chevrolet Tahoe PPV for the amount of \$45,900 (Buy Board Contract #601-19) and required police vehicle equipment in the amount of \$36,514.39 (Buy Board Contract 603-20) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- H. Discussion and interviews of the top three ranked firms for consideration of RFQ No.: 2022-23-07 Architectural/Engineering Design Services for a New Pool. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- I. Discussion and consideration of the request from Gerlach Builders for Change Order No. 2 for the New Police Department with Municipal Court and Judicial Court project to extend their contract through July 2, 2023, an additional 77 days due to inclement weather and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- J. Discussion and consideration of the request from TRI-GEN Construction for Change Order No. 2 for the New Downtown Fire Station No. 2 project to extend their contract through June 24, 2023, an additional 74 days due to inclement weather and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- K. Discussion and consideration of Allowance Expenditure Authorization No. 9 for the New Police Department with Municipal Court and Judicial Court project for an amount not to exceed \$16,102 from the project's Owner's Contingency Allowance fund for additional work requested by staff for IT infrastructure and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- L. Discussion and consideration to award Contract for RFP No.: 2022-23-14 Fireworks Display for the Fourth of July for an amount not to exceed \$30,000 to sole proposal received from Pyro Shows of Texas, Inc. with an option to renew for two additional one-year terms with a maximum of 10% cost increase per year and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- M. Discussion and consideration to declare old fire equipment as surplus (bunker gear, station equipment and tools) and authorize the Mayor to execute any related

documents. Possible action. (Staffed by Fire Department.) Attachment.

- N. Discussion and consideration to donate old fire equipment declared as surplus (bunker gear, station equipment and tools) to Rio Bravo Fire Department and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- O. Discussion and consideration to enter into a 5 year mile after mile lease program for a Vactor 2100i from Kinloch Equipment & Supply, Inc., in accordance to TIPS contract # 200206, in the amount of \$97,700 annually to begin March 2024, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.

IX. 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. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property being 35 acres of land more or less located at the corner of Joe

Stephens Ave and Mile 9N Road as authorized by §551.072 of the Texas Local Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 14th day of April 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”.