



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 2, 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, May 2, 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 and swearing in of Officer Shayne - Weslaco Police Department's Community Support Service Officer.
 - 2) Proclamation proclaiming National Small Business Week April 30 - May 6, 2023.
 - 3) Proclamation proclaiming Municipal Clerks Week April 30 - May 6, 2023.

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

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 April 18, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval on Ordinance 2023-21 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. (First reading held April 18, 2023; staffed by Finance Department.) Attachment.
 - 2) Approval on 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 held April 18, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to renew the Summer Seamless Food Program, accepting meals at no charge from Weslaco Independent School District Food Services Department for distribution to school age children within the 2023 Summer Reading Program and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.
- D. Approval to renew the Remote Birth Access contract with Department of State Health Services for the period of September 1, 2023 through August 31, 2027 and authorize the Mayor to execute any related documents. (Staffed by City Secretary Department.) Attachment.
- E. Approval of the Lease Agreement for the use of Mayor Pablo Pena City Park Baseball/Softball Fields 1, 2, & 3 for youth programs by the Boys & Girls Club of Weslaco from June 12, through July 21, 2023 and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.) Attachment.
- F. Approval of Lease Agreement with the Weslaco Youth Football League to use Harlon Block Sports Complex East and West sports fields for youth 7 on 7 and Flag Football program from May 29th through July 15th 2023 and authorize the Mayor to execute

any related documents. (Staffed by Parks and Recreation Department.) Attachment.

- G. Approval to solicit proposals from qualified insurance carriers for employer paid Group Life and AD&D Insurance and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment.
- H. Approval to apply to the FY2023 COPS Hiring Program Grant to hire police officers to be assigned as School Resource Officers and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- I. Approval to apply to the FY2023 COPS School Violence Prevention Program to purchase communication equipment, a partnership with the Weslaco Police Department and the Weslaco Independent School District to improve security at schools and on school grounds through the implementation of evidence-based school safety programs and technology and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-35 appointing a member to the Planning and Zoning Commission for an unexpired term ending December 17, 2023 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 to approve final payment and release retainage in an amount not to exceed \$27,107 for Judge Gilbert Garza Soccer Fields project RFB No.: 2021-22-36 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- B. Discussion and consideration for staff to negotiate a contract with the top ranked firm in consideration of RFQ No.: 2022-23-07 Architectural/Engineering Design Services for a New Municipal Swimming Pool and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- C. Discussion and consideration to grant a 10 foot AEP Electrical easement being a .048 acre tract of land out of Farm Tract 50, West Tract Subdivision, Hidalgo County, Texas to AEP Texas for Mayor Pablo Pena City Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- D. Discussion and consideration to submit a letter of intent with the Knapp Community Care Foundation in regards to funding for a park project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation and Grant Writer.)

- E. Discussion and consideration on Resolution 2023-36 to adopt the annual Investment Policy for the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- F. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending March 31, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- G. Discussion and consideration to accept and file the Financial Reports (unaudited) as of March 31, 2023 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.
- H. Discussion and consideration on the request from Infarmark for the purchase of pumps for the Water Treatment Plant, Wastewater Treatment Plant and Lift Stations out of ARPA funds not to exceed \$70,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- I. Discussion and consideration to award Manhole Rehabilitation Phase VIII to Southern Trenchless Solutions, buyboard vendor contract no. 635-21, in the amount not to exceed \$306,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- J. Discussion and consideration to approve manhole and sewer line replacement at Chelsea Park Subdivision 2022-23-15, to OMT Services in the amount of \$29,916 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- K. Discussion and consideration to pay invoice #031872 in the amount of \$30,229.08 from Doggett Heavy Machinery Services for engine repair of a John Deere 310L EP backhoe and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- L. Discussion and consideration of RATES Invoice #957 in the amount of \$15,876.00 in accordance with MOU #R-RGV-TF-2019-0007 for aiding in maintaining compliance with TCEQ Stormwater Management rules and regulations and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering 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. 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.
- D. Real Property - Consultation with the City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue as authorized by section §551.072 of the Texas 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 28th 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”.