



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JUNE 6, 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, June 6, 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 proclaiming National Emergency Medical Services (EMS) Week.

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 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 May 16, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2023-24 to rezone 1813 W Bus 83. Also being 0.34 acre tract being E100'-W450.81'- N150' out of Farm Tract 633, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 neighborhood business district and authorize the Mayor to execute any related documents. (First reading held May 16, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) Ordinance 2023-25 to rezone 502 N International Blvd. Also being 6.78 acres tract being S441'-W710' out of farm tract 1030, Adams Tracts Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to I Industrial district and authorize the Mayor to execute any related documents. (First reading held May 16, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) Ordinance 2023-26 to rezone 715 E Mile 10 North. Also being 4.56 acre out of the of Farm Tract 101, West Tract Subdivision, Weslaco, 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 May 16, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval on renewal of the Memorandum of Understanding between the County of Hidalgo Community Service Agency and The Mayor Joe V. Sanchez Public Library to participate in the AmeriCorps Seniors Program and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.
- D. Approval of renewal agreements with Muniservices for the local hotel occupancy tax program and sales tax audit and administration services and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.
- E. Approval to solicit proposals for the capital financing of (2) 2024 Peterbilt garbage trucks in the amount of \$645,754.02 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)
- F. Approval to use the Court Technology Fund to purchase five computers with all the accessories needed for each one in the amount not to exceed \$7,552.70 and authorize the Mayor to execute any related documents. (Staffed by Municipal

Court.) Attachment.

- G. Approval to submit the annual application for participation in the Law Enforcement Support Office (LESO) Program with no required fees, no match or recurring fees to allow Weslaco Police Department to receive transfers of excess Department of Defense property as needed for law enforcement use and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- H. Approval to ratify dedication of an Easement and Right-of-Way to AEP Texas Inc. for electric distribution lines for the Weslaco Mid Valley Airport Hanger Expansion Project and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment.

V. NEW BUSINESS

- A. Discussion and consideration to host Weslaco's Wagging Pageant: Pet Fundraiser, and accept monetary donations through Crowdfunding which will be strictly allocated to Weslaco Animal Care Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Jasmine Rico Joens, Public Relations Officer, and Maggie Perez, Grant Writer.) Attachment.
- B. Discussion and consideration to extend existing contract or authorize staff to solicit proposals for Depository Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- C. Discussion and consideration to approve AEA No. 11 for the New Police Department and Municipal Court to apply a stucco finish with base coat to all exterior tilt up panels including form lined panels at building entries and building monument signage for an amount not to exceed \$21,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)
- D. Discussion and consideration to amend the Weslaco Economic Development Corporation Lease agreement and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.) Attachment.
- E. Discussion and consideration rescinding Ordinance 2011-16 relating to the process and criteria for naming public facilities, transportation improvements and other facilities, establishing a public facilities transportation improvements naming committee and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. Possible action (Staffed by Assistant City Manager.) Attachment.
- F. Discussion and consideration on the Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez, M-5 Texas Enterprises LLC, to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents. Possible action. (Staffed by Assistant City Manager.) Attachment.

- G. Discussion and consideration to approve contract agreement with Cruz-Hogan Consultants, Inc for the design of storm drainage improvements along North Border Avenue and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department). Attachment.
- H. Discussion and consideration to ratify Purchase Order No. 23-3052 to contract Southern Trenchless Solutions LLC for emergency repairs on a collapsed manhole located at 2513 S Petunia in the amount of \$118,154 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- I. Discussion and consideration to purchase the Conference Room Video/Audio System from Visceral Illumination Code DBA Insight security Group in the amount of \$36,050.92 under TIPS Contract #230202 (Security Systems Products and Services) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) 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 the City Attorney regarding real property legally described as Lot 13, Block 9, Original Townsite Weslaco, Hidalgo County, Texas as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- E. 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.
- F. Legal Consultation - Consultation with City Attorney regarding Economic Development Corporation of Weslaco versus Sunil Wadhvani, Nolana Self-Storage LLC, Harjinder Singh, Gerardo Tafolla, Ricardo Quintanilla and Leo Lopez Cause No. C-0295-20-L 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 2nd day of June 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”.