



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 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, July 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.

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. Human Resources - 2023 Workplace Safety Dividend Check Earned
- B. Inframark.
- C. Animal Care Services.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Peruvian Alliance, LLC. to rezone 820 N International also being 6.764 acres out of Farm Tract 1029, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from I Industrial District to R-2 Duplex and Apartment District.
- B. To solicit input on behalf of Ronnie Cruz to rezone 635 S Airport Dr. also being 0.50 acre being West Tract E 117'- W470'-N187'-S907" out of Farm Tract 701, Weslaco, Hidalgo County, Texas from R-2 Duplex and Apartment District to B-1 Neighborhood Business District.
- C. To solicit input on behalf of Roadhouse Enterprises, Inc. to approve a Conditional Use Permit to obtain a On-premise mixed beverage, Food and Beverage and Late Hours Certificate at 626 E IH 2, also being Lot 1, Replat of Lots 4, 7 and 8 Shops at N. Bridge Subdivision, Weslaco, Hidalgo County, Texas.
- D. To solicit input on behalf of Mario Mendiola to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On- Premise Permit at 400 S Kansas Ave. also being Lot 1-6, Block 33, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas.

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 Special Meeting on July 3, 2023 (Staffed by City Secretary's Department.) Attachment.
- B. Approval of Resolution 2023-44 supporting the efforts of the Lower Rio Grande Valley Development Council for Mexico to comply with the terms of the 1944 Treaty and authorize the Mayor to execute any related documents. (Staffed by City Manager.) Attachment.
- C. Approval to authorize staff to solicit RFP No.: 2022-23-21 for the Renovation and Expansion of Fire Station No. 3 and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager)
- D. Approval for staff to solicit Request for Qualifications (RFQ) for Architectural/Engineering Design Services for the new hangar at Weslaco Mid Valley Airport and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment.

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-45 appointing a member to the

Parks and Recreation Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration to approve the solicitation of statements of qualifications from qualified engineers for the development of plans and grant application for the proposed drainage regional detention facility at Harlon Block Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- B. Discussion and consideration to approve the Buyout of Service Agreement between the City of Weslaco and North Alamo Water Supply Company (NAWSC) for Heron's Landing Subdivision and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)
- C. Discussion and consideration after public hearing on behalf of Peruvian Alliance, LLC. on Ordinance 2023-30 to rezone 820 N International also being 6.764 acres out of Farm Tract 1029, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from I Industrial District to R-2 Duplex and Apartment District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-30. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration after public hearing on behalf of Ronnie Cruz on Ordinance 2023-31 to rezone 635 S Airport Dr. also being 0.50 acre being West Tract E 117'- W470'-N187'-S907" out of Farm Tract 701, Weslaco, 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 of Ordinance 2023-31. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration after public hearing on behalf of Roadhouse Enterprises, Inc. to approve a Conditional Use Permit to obtain a On-premise mixed beverage, Food and Beverage and Late Hours Certificate at 626 E IH 2, also being Lot 1, Replat of Lots 4, 7 and 8 Shops at N. Bridge Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration after public hearing on behalf of Mario Mendiola to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On-Premise Permit at 400 S Kansas Ave. also being Lot 1-6, Block 33, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- G. Discussion and consideration to approve the Final Plat for Monte Cielo Subdivision Phase I being 33.97-acres out of Farm Tract 214, West Tract Subdivision out of Llano Grande Grant, Weslaco, Hidalgo County, Texas. Located approximately 2,500 ft. south of Mile 10 North on the east side of Mile 6 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Discussion and consideration to approve the Final Plat for Rio Meadows Subdivision being 20.3 acre out of Farm Tract 625, and 626, Block 178, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 1,400 ft south of E Business 83 on the east side of Midway St. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- I. Discussion and consideration on amending the Weslaco Chamber of Commerce Lease agreement and authorize the Mayor to execute any related documents. Possible action. (Staffed by Assistant City Manager.) Attachment.
- J. Discussion and consideration to accept or reject Bid RFB: 2022-23-16 for the sale of various properties to the most advantageous respondent and authorize the Mayor to execute any related documents. Possible action. (Staffed by Assistant City Manager.) Attachment.
- K. Discussion and consideration to amend the Additional and Supplemental Services Agreement with Boltinghouse Simpson Gates for the Mayor Joe V. Sanchez Public Library Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Assistant City Manager.) Attachment.
- L. Discussion and consideration to authorize staff to solicit Request for Proposals for the application, management, preparation, project implementation, planning services and submission requirements associated with the approval of a Hazardous Mitigation Planning Grant and Plan Development and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- M. Discussion and consideration to authorize staff to cancel an order with Trafficware, LLC and approve the purchase two (2) traffic cabinets in the amount of \$31,200 plus shipping, from Texas Highway Products, LTD and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- N. Discussion and consideration on the purchase of a Motorola Solutions 4RE Watchguard System to be used for interview/interrogation rooms in the new police department for the amount of \$52,097.53 BuyBoard Contract 2171265 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- O. Discussion and consideration to approve a contract with Sam Garcia Architect, LLC

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.

- P. Discussion and consideration to ratify Allowance Expenditure Authorization No. 12 as approved by the Mayor to install an additional electrical circuit in the Juvenile Processing area A202 at the New Police Department with Municipal Court for an amount not to exceed \$1,090 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment.
- Q. Discussion and consideration to solicit Request for Qualifications (RFQ) for Engineering Consulting Services to develop scope of work and preparations for construction documents for the necessary repairs to the North Wastewater Treatment Plant and authorize the Mayor to execute any related documents. (Staffed by the Engineering Department.) Attachment.

VIII. 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 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.
- 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 the contract with Construct-Ability LLC as authorized by section §551.071 of the Texas Government Code.
- F. Real property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as Lot 5, Block 43, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas as authorized by Section 551.072 of the Texas Government Code.
- G. Real Property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as Lots 18, 19, 20, 21 & 22, Block 42, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas as authorized by Section 551.072 of the Texas Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. 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 July 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”.