



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 1, 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, August 1, 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. 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 July 18, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held July 18, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held July 18, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of Resolution 2023-46 adopting the 2019 updated Water Conservation Plan and Drought Contingency Plan and authorize the Mayor to execute any related documents. (Staffed by City Manager.) Attachment.
- D. Approval to accept the negotiated agreement regarding AEP 2024 Energy Efficiency Cost Recovery Factor application filed June 1, 2023 and authorize the Mayor to execute any related documents. (Staffed by City Manager.)
- E. Approval of an agreement with South Texas College allowing Work Study employment at the Mayor Sanchez Public Library and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment.
- F. Approval to renew the Memorandum of Understanding between Texas A&M Task Force 1 (TX-TF1) and the City of Weslaco Fire Department and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- G. Approval of Amendment No. 1 to Contract Number 25-111158-01 between Texas A&M Engineering Extension Service and Weslaco Fire Department & EMS and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- H. Approval on renewal of the Interlocal Agreement between the City of Weslaco and the City of Mercedes regarding housing prisoners in the City of Weslaco's municipal jail and authorize the Mayor to execute any related documents. (Staffed by the Police Department.) Attachment.
- I. Approval to apply to the BJA FY23 Edward Byrne Memorial Justice Assistance Grant

(JAG) Program award for the amount of \$13,371 to be used for purchasing law enforcement equipment and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- J. Approval on Resolution 2023-47 regarding 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. (Staffed by Planning & Code Enforcement Department.) Attachment.

V. NEW BUSINESS

- A. Discussion and consideration on the Notice Order of Election calling the General Election on November 7, 2023 for City of Weslaco Mayor, Single Member Commissioner District 1 and Single Member Commissioner District 2 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary Department.) Attachment.
- B. Discussion and consideration on Resolution No. R2023-48 accepting a Texas Department of Transportation General Aviation Non-Primary Entitlement grant and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport Department.) Attachment.
- C. Discussion and consideration to approve Resolution No. R2023-49 accepting a Texas Department of Transportation General Aviation grant and authorize the Mayor to execute any related documents. Possible Action (Staffed by Airport Department.) Attachment.
- D. Discussion and consideration to award the Group Health Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- E. Discussion and consideration to award the Cafeteria 125 Plan Services and Voluntary Supplemental Insurance Products (short/long term disability, vision, dental, cancer, accident, hospital indemnity, critical illness, flexible spending account, basic life and AD&D) for the City of Weslaco employees at no cost to the City to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- F. Discussion and consideration to award the Employer Paid Life Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- G. Discussion and consideration to accept and file the Financial Reports (unaudited) as of June 30, 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 to accept and file the Quarterly Investment Report for the period ending June 30, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- I. Discussion and consideration of a proposed Memorandum of Agreement (MOA) with Research Applied Technology Education Service, Inc (RATES) for the preparation of a Regional Texas Pollutant Discharge Elimination System (TPDES) Stormwater Program Plan and Permit. Possible action. (Staffed by the Engineering Department.) Attachment.
- J. Discussion and consideration of the proposed Memorandum of Agreement (MOA) with Research Applied Technology Education Service, Inc (RATES) for the use of the City's Public Works Facility located at 1902 N Stephens Blvd. Possible action. (Staffed by the Engineering 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. Personnel - Evaluation and interview of Municipal Judges and possible selection of Municipal Judges for the City of Weslaco as authorized by §551.074 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. 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.

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 28th 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”.