



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 15, 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 15, 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 Weslaco Texas Amateur Athletic Federation (TAAF).
 - 2) Recognition of Weslaco Little League.

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. Inframark.
- B. Animal Care Services.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Alma D Berrones to rezone 109 W Esplanada also being Lot 15 and 16, Block 7, Esplanada Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.
- B. To solicit input on behalf of David & Dora Ybarra to rezone 500 S Iowa also being Lot 1, Block 44, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.
- C. To solicit input on behalf of April Lugo and Andrew Bermudez to approve a Conditional Use Permit to operate an Event Center, at 300 N Texas, also being Lot 10 and 11, Block 4, Tenn-Tex, 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 Regular Meeting on August 1, 2023
(Staffed by City Secretary Department.) Attachment.
- B. Approval of six-month extension for the Final Plat for The Woods Subdivision– being a 0.75 gross acre out of Farm Tract 1076, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 600 ft west of FM 1015 along the North side of Hernandez St. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of six-month extension for the Final Plat for Pablo Pena Jr. No. 2 Subdivision– being a 5.57 acres out of Farm Tract 145, block 179, The West and Adams Tracts, Weslaco, Hidalgo County, Texas located on the Northwest corner of N Westgate Dr. & Canyon Rd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Approval of six-month extension for the Final Plat for Plaza De Paz Subdivision– being a 3.00-acre out of Lot 13, Block 137, West Tract Subdivision, Weslaco, Hidalgo County, Texas located at 1406 W. Pike Blvd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Approval to renew the Federal Work-Study America Reads Challenge and Community Service Challenge agreements with the University of Texas Rio Grande Valley and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.

- F. Approval to authorize solicitation of bids for the delivery of fuel, to include gasoline, diesel, and DEF for all city units and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- G. Approval to authorize solicitation of bids for various street sign supplies and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- H. Approval of the renewal of the Host Agency Agreement with AARP Foundation for the Senior Community Service Employment Program at no cost to the city and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment.
- I. Approval to modify the contractual date of the Interlocal Agreement between the City of Weslaco and the City of Mercedes to commence January 1, 2023 regarding housing prisoners in the City of Weslaco's municipal jail and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Alma D Berrones on Ordinance 2023-32 to rezone 109 W Esplanada also being Lot 15 and 16, Block 7, Esplanada 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 of Ordinance 2023-32. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of David & Dora Ybarra on Ordinance 2023-33 to rezone 500 S Iowa also being Lot 1, Block 44, Weslaco Original Townsite, 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 of Ordinance 2023-33. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of April Lugo and Andrew Bermudez to approve a Conditional Use Permit to operate an Event Center, at 300 N Texas, also being Lot 10 and 11, Block 4, Tenn-Tex, Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration to approve the Final Plat for J&P Estates Subdivision being 4.00 acres out of the South 20.00 acres out of Farm Tract 130, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the southwest corner of Cypress and North Border Ave and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- E. Discussion and consideration to approve the Final Plat for Highland Manor Phase 3 Subdivision being 12.90 acres out of Farm Tract 238, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 900 ft. North of the intersection of W Mile 11 N Road & North Mile 5 ½ W Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration to approve Ordinance 2023-34 for the Voluntary Annexation of EMC Subdivision– being a 1.79-acre tract of land out of Farm Tract 771, West Tract Subdivision, Hidalgo County, Texas located 750' west of Pleasantview along the south side of E 18th St. and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-34. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and consideration to approve Ordinance 2023-35 for the Voluntary Annexation of Parma Subdivision– being a West Tract BNC an IRR TR S330'-N660'-E660' FT 109 5.0 AC Net, West Tract Subdivision, Hidalgo County, Texas located North Texas approximately 1,600 feet south of Mile 10 North and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-35. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Discussion and consideration to authorize staff to utilize Shelterluv software for shelter operations and adoptions and authorize staff to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- I. Discussion and consideration to accept the calculation of the No-New-Revenue and Voter-Approval tax rates for the 2023 tax year by the Hidalgo County Tax Assessor-Collector Pablo Villarreal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- J. Discussion and consideration to approve Resolution 2023-50 proposing an ad valorem tax rate and setting dates on which the Commission will hold a public hearing, and a date to adopt the 2023-2024 ad valorem tax rate and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.) Attachment.
- K. Discussion and consideration to approve and award the Depository Services Contract to the most advantageous respondent from RFP 2022-23-24 for a three-year contract beginning October 1, 2023 and ending September 30, 2026 with an option to renew the contract for two (2) years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- L. Discussion and consideration on Resolution 2023-51 supporting the Rio Grande Valley Partnership "One Region, One Voice" initiative to foster economic growth, job creation, community development and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.

- M. Discussion and consideration to purchase Ticket on the Go software from ADCOMP Systems Inc. (New in Blue Inc.) and Apple iPads for an amount not to exceed \$25,000 with an annual recurring cost of \$16,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- N. Discussion and consideration to approve final payment for RFP No.: 2021-22-28 Splash Pad for Gibson Park to South Texas Pools for an amount not to exceed \$13,425 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- O. Discussion and consideration to solicit Request for Qualifications for Professional Engineering Services to complete the planning, design, procurement preparation, permitting and construction administration for expansion of the City's Southside Wastewater Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)
- P. Discussion and consideration to solicit Request for Qualifications for Professional Engineering/Consulting Services for the evaluation/analysis of infrastructure related to water and wastewater facilities and for utility management services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)
- Q. Discussion and consideration to approve on first and final reading of Ordinance 2023-36 to establish a one-way traffic flow for the newly constructed Railroad Street between Witmer Street and Bridge Avenue with traffic flowing in a southern direction and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2023-36. Possible action. (Staffed by Engineering Department.) Attachment.
- R. Discussion and consideration to declare old and expired fire equipment as surplus, such as retired ladders, Retired EMS stretcher, bunker coats/pants and other items and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- S. Discussion and consideration to donate surplus fire equipment such as retired ladders, retired EMS stretcher, bunker coats/pants and other items to Edcouch-Elsa Independent School District Fire Academy and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- T. Discussion and consideration to purchase lift station pumps from buyboard vendor Zone Industries, in the amount not to exceed \$33,391.20 for lift stations, #3 and #10, with ARPA funds, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- U. Discussion and consideration to purchase pumps for lift stations #35 and #36 from sole source vendor Xylem Water Solutions USA for the amount of \$51,448.30 with ARPA funds and authorize Mayor to execute any related documents. Possible action.

(Staffed by Public Works Department.) Attachment.

- V. Discussion and consideration to award the Worker's Compensation 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.
- W. Discussion and consideration to award the Commercial Insurance Package to the best qualified, most advantageous bidder and authority to negotiate with the selected bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources 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. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM 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. Real Property - Consultation with City Attorney on the sale, exchange, lease or value

of real property located at Pike and Vo-Tech as authorized by §551.072 of the Texas Local 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 11th day of August 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”.