



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 5, 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, September 5, 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 the retirement of Officer Alex Casares from the Weslaco Police Department.
 - 2) Weslaco East High School ROTC Certificate Presentation.

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. Presentation by Engineering Interns.

- B. Weslaco Chamber of Commerce.
- C. Weslaco Economic Development Corporation.

IV. PUBLIC HEARING

- A. Public Hearing to solicit input from the public regarding the City of Weslaco's Proposed Budget for Fiscal Year 2023-2024 commencing October 1, 2023 and ending on September 30, 2024, pursuant to Local Government Code 102.006. (Staffed by Finance Department.) Attachment.
- B. Public Hearing to solicit input from the public regarding the City of Weslaco proposed ad valorem property tax rate of .6967 per \$100 valuation, pursuant to Texas Tax Code Section 26.05(d). (Staffed by Finance Department.) Attachment.

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 15, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held August 15, 2023. (Staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held August 15, 2023. (Staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) 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 held August 15, 2023. (Staffed by Planning & Code Enforcement Department.) Attachment.
 - 4) 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 held August 15, 2023. (Staffed by Planning & Code Enforcement Department.) Attachment.

- C. Approval on Resolution 2023-52 of the annual request to host the Weslaco Lighted Christmas Parade on Saturday, December 9, 2023 along with Santa Dash fun run by the Chamber & RGV Theme Runs from 4:00 to 9:00 pm; request for street closures on Texas Blvd from Pike Street to Sixth Street, approval of the use of City Hall parking lot to stage fun run participants for start and end of run, request for support from Weslaco PD, Public Works and Parks & Recreation Departments. Request to waive any required fees and authorize the Mayor to execute any related documents as may be required by the Texas Department of Transportation for a proposed street closure affecting state right-of-way. (Staffed by Engineering/Weslaco Chamber of Commerce.) Attachment.
- D. Approval to allow Honorably Retired Peace Officer Alex Casares to purchase his service weapon, a Glock Gen 4 with engraving "WESLACO PD" Model 22, caliber .40 with serial #WXN025 for an amount of \$255.00 as allowed under Texas Government Code Section 614.051 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- E. Approval to submit an application to D&M Leasing Buy Board Contract 652-21 to lease 10 police units (eight marked police units and two unmarked units) and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- F. Approval of a Memorandum of Understanding with Region One for provision of free GED, ESL, and other adult education classes within the library and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.
- G. Approval of Interlocal Agreement(s) with the following entities for Animal Care Services:
 - 1. City of Alamo
 - 2. City of Donna
 - 3. City of Edcouch
 - 4. City of Elsa
 - 5. City of La Villa
 - 6. City of Mercedes
 - 7. City of Penitas
 - 8. City of Pharr
 - 9. City of San Juan
 - 10. Willacy Countyand authorize the Mayor to execute any related documents. (Staffed by Weslaco Animal Care Services.) Attachment.

- H. Approval on renewal of a lease agreement with the Mid-Valley Soccer Association for the Judge Gilbert Garza Park Soccer Complex as requested from September 2023 through April 2024 and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.) Attachment.
- I. Approval on renewal of a lease agreement with the Weslaco Youth Football League for the use of Harlon Block Sports Park as requested from September 2023 through February 2024, and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.) Attachment.

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-53 appointing a member to the Parks and Recreation Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.

VII. OLD BUSINESS

- A. 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. (There was no action on August 15, 2023; staffed by Human Resources Department.) Attachment.
- B. 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. (There was no action August 15, 2023; staffed by Finance Department.) Attachment.

VIII. NEW BUSINESS

- A. Discussion and consideration to approve Ordinance 2023-37, adopting the City of Weslaco's budget appropriations for Fiscal Year 2023-2024 commencing October 1, 2023 and ending September 30, 2024 and authorize the Mayor to execute any related documents. **ROLL CALL VOTE REQUIRED.** First reading of Ordinance 2023-37. Possible action. (Staffed by Finance Department.) Attachment.
- B. Discussion and consideration on Ordinance 2023-38, adopting and levying the ad valorem tax rate for Fiscal Year 2023-2024 and authorize the Mayor to execute any related documents. **ROLL CALL VOTE REQUIRED.** First reading of Ordinance 2023-38. Possible action. (Staffed by Finance Department.) Attachment.
- C. Discussion and consideration on Ordinance 2023-39 amending Ordinance 2022-05 the Master Fee Schedule and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-39. Possible action. (Staffed by Finance

Department.) Attachment.

- D. Discussion and consideration to approve the Fiscal Year 2023 Interlocal Agreement with the County of Hidalgo under the Urban County Program setting the amount for the city at \$294,597 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.) Attachment.
- E. Discussion and consideration for staff to proceed with asbestos abatement at the Weslaco Service Center and former Parks & Recreation office located at 1200 E. 6th Street and convert buildings to open air pavilions and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation.) Attachment.
- F. Discussion and consideration on Ordinance 2023-40 amending the Code of Ordinances Chapter 134 Traffic Article III, Stopping, Standing and Parking amending Section 134-133 prohibiting stopping and parking during certain hours on certain streets and authorizing the Mayor to execute any related documents. First and final reading of Ordinance 2023-40. Possible action. (Staffed by the Engineering Department.) Attachment.
- G. Discussion and consideration of Ordinance 2023-41 for a proposed multi-way stop at the intersection of 18th Street and Airport Drive and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2023-41. Possible action. (Staffed by the Engineering Department.) Attachment.
- H. Discussion and consideration on the purchase of Provision to be used for interview/interrogation rooms in the new police department for the amount of \$21,840.00 and an annual recurring cost of \$3,360.00, the most advantageous quote, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)
- I. Discussion and consideration to authorize staff to solicit Request for Qualifications for Professional Services - Graphic Designer to refresh the City of Weslaco logo and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Relations Officer.)
- J. Discussion and consideration to declare city vehicles and other miscellaneous items as surplus and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Finance Department.) Attachment.
- K. Discussion and consideration to contract with GovDeals for use of the online auction portal, to sell city surplus vehicles and miscellaneous items and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- L. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2023-2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco

Economic Development Corporation.) Attachment.

IX. 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 - Discussion regarding the goals, objectives, and evaluation of the Assistant City Manager for the City of Weslaco as authorized by Section §551.074 of the Texas Government Code.
- C. Personnel - Discussion regarding the decision of the arbitrator for Fire Department Personnel as authorized by Section §551.074 of the Texas Government Code.
- D. Personnel - Discussion regarding request for arbitration for Police Department personnel as authorized by Section §551.074 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney relating to the lawsuit with CDM as authorized by Section §551.071 of the Texas Government Code.
- F. Legal Consultation - Discussion regarding potential litigation regarding the construction of a driveway in adjoining commercial developments as authorized by Section §551.071 of the Texas Government Code.
- G. Real Property - Consultation with City Attorney on the sale, purchase, exchange, lease or value of real property located at Pike and Vo-Tech as authorized by section

§551.072 of the Texas Local Government Code.

- H. Real Property - Consultation with City Attorney on the sale, purchase, exchange, lease or value of real property legally described as Lots 4, 5, Block 4, James M. Black Subdivision, Weslaco, Hidalgo County, Texas as authorized by section §551.072 of the Texas Local Government Code.
- I. Real Property - Consultation with City Attorney on the sale, purchase, exchange, lease or value of real property legally described as Lots 6, 7, 8, Block 4, James M. Black Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.
- J. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Beauty and the Beast as authorized by Section §551.087 of the Texas Local Government Code.

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

XI. 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 1st day of September 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:
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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”.