



**A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
MONDAY, NOVEMBER 6, 2023**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Special Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Monday, November 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 - UTRGV
 - 2) Proclamation Small Business 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. PRESENTATION

- A. UTRGV President Dr. Guy Bailey - presentation on state and national rankings of UTRGV.

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 Special Meeting on October 10, 2023 and Regular Meeting on October 17, 2023. (Staffed by City Secretary Department.) Attachment.
- B. Approval to authorize the Mayor Joe V. Sanchez Public Library staff to implement a Food for Fines program supporting local food drives and the RGV Food Bank during Holiday Season, implement a Toy Drive to support local toy drives and authorize the Mayor to execute any related document. (Staffed by Library Department.) Attachment.
- C. Approval to accept donated monies and gift donations from local vendors and/or the public for library programming within Fiscal Year 2023-2024 and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment.
- D. Approval to accept BC- Body Worn Camera (BWC) Program Grant # 4367802 for the amount of \$26,957.91 with a 25% match (\$8,985.97) and a total project cost of \$35,943.88 to purchase a server/storage/backup, body-worn cameras and installation service and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- E. Approval of the six-month extension for the Final Plat for Sayyed Commercial Development being a 2.960-acre out of farm tracts 1065, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southeast corner of Mile 11 North & FM 1015 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Approval of six-month extension for the Final Plat for Rio Stone Subdivision Phase I being a 23.05-acre out of farm tracts 648 & 649, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 340 ft south of mile 6 ½ north along the west side of Milano Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Approval of a six-month extension for the Final Plat for Rio Stone Subdivision Phase II being a 14.19-acre out of farm tracts 648 & 649, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 340 ft south of mile 6 ½ north along the west side of Milano Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Approval of six-month extension for the Final Plat for Greener Pastures Mobile Home Subdivision PH II– being A 3.94 acre tract of land out of Lot 82,133,134,135 and 136,

Greener Pastures Mobile Home Subdivision, Weslaco, Hidalgo County, Texas located approximately on Main Gate Drive and Corral Drive and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.

- I. Approval of the correction of a cooperative that was initially approved as buyboard to HGACBuy Contract # FS12-19 for the purchase of a Spartan Rescue Pumper through Metro Fire Apparatus at a cost not to exceed the amount of \$1,582,819 out of the Fire Department Apparatus Replacement Program and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- J. Approval for software maintenance and support renewal agreement for Tyler Technologies Incode system with Financial, Billing, Utility and Payroll software applications in the amount of \$67,181.89 and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.) Attachment.

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2023-58 appointing members to the Weslaco Economic Development Corporation Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration to adopt Ordinance 2023-48 amending ordinance 2013-22 Subdivision Ordinance Section 26-67 Inspection fees and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-48. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration to authorize the purchase of a new playground structure through GameTime c/o Cunningham Recreation as awarded by the GameTime/Texas Recreation and Parks Society Statewide Program funding in an amount not to exceed \$287,000 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- C. Discussion and consideration of request from the Boys & Girls Club of Weslaco to expand the existing city building located at Mayor Pablo Pena City Park and authorize staff to solicit statements of qualifications for architectural and engineering design services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- D. Discussion and consideration to accept financing acquisition proposal from First American Equipment Finance for the acquisition of two 2024 Peterbuilt GarbageTrucks in the amount of \$645,754.02 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

- E. Discussion and consideration on the Memorandum of Understanding between the City of Weslaco Fire Department and Edcouch Elsa Independent School District for provision of Emergency Medical Technician training and lessons and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- F. Discussion and consideration to award RFQ No.: 2022-23-26 Grant Application and Hazard Mitigation Plan to Grant Works for an amount not to exceed \$52,500 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.) Attachment.
- G. Discussion and consideration of expanding Airport Apron Lighting using BuyBoard Contract #642-21 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- H. Discussion and consideration to approve the Construction Hangar Agreement with KSA for an amount of \$276,104 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- I. Discussion and consideration to approve Resolution 2023-59 to allocate votes in the election for the 2024-2025 Board of Directors of the Hidalgo County Appraisal District pursuant to §6.03(e) of the Texas Property Tax Code and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- J. Discussion and consideration on the Emergency Interconnect Agreement between North Alamo Water Supply Corporation and the City of Weslaco regarding the sale of potable water and delivery during emergency, drought and/or scarcity of water and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- K. Discussion and consideration to purchase front end commercial bins and roll off bins from Sourcewell vendor Wastequip Manufacturing Company LLC. in an amount not to exceed \$89,245 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- L. Discussion and consideration to purchase a T6 Diesel Driven Gorman-Rupp Pump with John Deere 4045T engine from Precision Pump Systems, Buyboard Vendor No. 577-22, for an amount not to exceed \$69,803.08 as stated in quote no. PD231010; and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- M. Discussion and consideration to approve an agreement with D&M Leasing Buy Board Contract #652-21 to lease 10 police units and authorize Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- N. Discussion and consideration to purchase gym equipment from the 360Sports (lowest

bid/quote) for an amount not to exceed \$21,000 and to purchase gym mats from local vendor Tractor Supply for an amount not to exceed \$1,000 to be used by police department personnel and will be paid using Asset Forfeiture funds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.

- O. Discussion and consideration of proposed change order no. 1 to existing contract with TRAF-TEX, Inc regarding the Weslaco Traffic Signal Improvements Project in the amount of \$9,136.55 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department). Attachment.
- P. Discussion and consideration of a contract award to the highest ranked firm for RFQ#2023-2024-04 Professional Services for a Flood Infrastructure Fund and/or Flood Mitigation Assistance Grant Program for Harlon Block Park and surrounding areas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- Q. Discussion and consideration on request from Pete Castorena, RGV Angle Car Show, to close Harlon Block Sports Complex Saturday, November 18, 2023 from 8:00am - 11:00pm and Sunday, November 19, 2023 from 11:00 am to 11:00 pm for the RGV Angle Car Show event; authorizing the sale of alcoholic beverages (beer) by a TABC licensed vendor, authorizing the consumption of alcoholic beverages, approval of entry fee to be charged, approval to allow food vendors subject to compliance with ordinances and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)

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. Personnel - Discussion regarding the administrative investigation of the complaint filed by a firefighter as authorized by section §551.074 of the Texas Government Code.
- C. Legal Consultation - Consultation with the City Attorney regarding a Memorandum of Agreement to amend the FY Oct 1, 2021 – October 1, 2024. Collective Bargaining Agreement between the City of Weslaco and the Weslaco Municipal Police Union for expedited hiring of entry-level police officers 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 33.12 acres out of a part or portion of Tract 59, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Government Code.
- E. Real property - Consultation with the City Attorney on the sale, purchase, exchange, lease or value of various city-owned real property in the City of Weslaco, Weslaco Hidalgo County, Texas as authorized by Section §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 Special 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 3rd day of November 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”.