



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 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, December 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.

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. PUBLIC HEARING

- A. To solicit input on behalf of Julio Seguy to rezone 3825 E IH 2 also being 1.89 acre-4.89 acre N of Expwy-W25.07 acre FT 1100 Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District.
- B. To solicit input on behalf of S2 Engineering PLLC. to rezone 2806 S Texas Blvd.

Also being 15.32 acres N20.0ac,13.84ac Net, out of Farm Tract 745, West Tract Subdivision, Hidalgo County, and Texas from R-1 One-family dwelling district to R-4 Residential one family / narrow lot zoning.

- C. To solicit input on behalf of Nancy Valdes to approve a Conditional Use Permit to operate an Event Center, at 916 W Pike, also being West Tract W88.40'-E377.6'-S452.70' FT 133 0.92AC GR 0.86AC Net, Weslaco, Hidalgo County, Texas.
- D. To solicit input on behalf of Javier Hernandez to rezone 105 N Kansas also being Lot 18 and 19, Block 1, Gonzales Addition Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to R-2 Duplex and Apartment District.

IV. REPORTS

A. Engineering and Drainage Projects

- 1. Cleckler-Heald.
- 2. Los Torritos Kansas Street.
- 3. Harlon Block.
- 4. Bridge and 10th Street.
- 5. Border North of Sugarcane.
- 6. Flap gates.
- 7. Striping Improvements 18th and Airport and Westgate.
- 8. Traffic Signal Bridge

B. Parks Improvements update.

- 1. Mayor Pablo Pena Park.
- 2. Isaac Rodriguez.
- 3. Harlon Block.
- 4. Judge Gilbert Garza Park.
- 5. Villa Verda.
- 6. Service Center.
- 7. Municipal Swimming Pool.

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 November 15, 2023.
(Staffed by City Secretary's Department.) Attachment.
- B. Approval on second and final reading of the following:

- 1) Ordinance 2023-49 authorizing and allowing under the act governing the TMRS system "Updated Service Credit" and establishing an effective date for such action and authorize the Mayor to execute any related documents. First reading held November 28, 2023; staffed by Human Resources Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Javier Hernandez on Ordinance 2023-50 to rezone 105 N Kansas also being Lot 18 and 19, Block 1, Gonzales Addition 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 2023-50. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Julio Seguy on Ordinance 2023-51 to rezone 3825 E IH 2 also being 1.89 acre- 4.89 acre N of Expwy-W25.07 acre FT 1100 Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-51. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of S2 Engineering PLLC. on Ordinance 2023-52 to rezone 2806 S Texas Blvd. Also being 15.32 acres N20.0ac,13.84ac Net, out of Farm Tract 745, West Tract Subdivision, Hidalgo County, and Texas from R-1 One-family dwelling district to R-4 Residential one family / narrow lot zoning and authorize the Mayor to execute any related documents. First reading of Ordinance 2023-52. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration after public hearing on behalf of Nancy Valdes to approve a Conditional Use Permit to operate an Event Center, at 916 W Pike, also being West Tract W88.40'-E377.6'-S452.70' FT 133 0.92AC GR 0.86AC Net, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration on presentation of the unaudited financials for the General Fund, Water/Wastewater and Solid Waste funds for period ending September 30, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- F. Discussion and consideration to accept and file the Quarterly Investment Report for the period ending September 30, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

- G. Discussion and consideration to approve the purchase of 1,375 water meters from the sole source vendor, Core & Main in an amount not to exceed \$588,751 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- H. Discussion and consideration to approve the purchase of TCC-P25P-P25 Portable Radios from Tri-County Communications through Buyboard Contract #698-23 in the amount not to exceed \$29,114.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- I. Discussion and consideration to authorize staff to submit an application for Flood Mitigation Assistance (FMA) grant with the Texas Water Development Board for the Harlon Block Regional Detention Facility (RDF) project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)
- J. Discussion and consideration to purchase fifteen (15) bunker gear sets to replace end of life equipment at a cost of \$59,850.00 from vendor Metro Fire Apparatus Specialist under BuyBoard Contract #698-23 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- K. Discussion and consideration to solicit Request for Bids for Annual Grounds Maintenance for various city properties and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)
- L. Discussion and consideration to award Manhole Rehabilitation Phase IX to Southern Trenchless Solutions, Buyboard vendor contract no. 635-21, in the amount not to exceed \$249,384 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- M. Discussion and consideration to award sewer line pipe bursting to Southern Trenchless Solutions, Buyboard vendor contract no. 635-21, in the amount not to exceed \$89,250 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- N. Discussion and consideration to authorize staff to send non-renewal notice to Alsco Linen and Uniform Rental Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- O. Discussion and consideration of an application to TxDOT HSIP Funding Program for a project to upgrade the vehicular detection system and traffic controllers on six existing signalized intersections on Westgate Dr between US Business 83 and IH-2 Eastbound Frontage Rd at a cost of \$290,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- P. Discussion and consideration to award the Request for Qualification No. 2023-24-02 for Engineering Services for Expansion of South Wastewater Treatment Plant to the

highest ranking firm and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.

- Q. Discussion and consideration to approve Change Order No. 1 in the amount of \$13,000 to Sweats Mechtech Solutions, LLC for the additional electrical components required for the connection of the Howden Aeration Blower at the North Wastewater Treatment Plant approved as an emergency installation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- R. Discussion and consideration on placing a moratorium on the development of duplexes, tri-plexes, four-plexes and apartment complex subdivisions and authorize the Mayor to execute any related documents. Possible action. (Requested by Mayor Gonzalez and Commissioner Pedraza.)

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. 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, Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas 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 1st day of December 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”.