



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 19, 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 19, 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 Basilio Mendoza

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 Tim Llaoa to approve a Conditional Use Permit to obtain a Wine and Malt Beverage Retailer's On-Premise Permit and Food and Beverage Certificate at 2455 N International Blvd. also being Lot 1, J. Valderas Subdivision, Weslaco, Hidalgo County, Texas, 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 Special Meeting on November 28, 2023.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held December 5, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held December 5, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) 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 held December 5, 2023; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of six-month extension for the Conditional Use Permit to obtain On Premise Mixed Beverage Restaurant Permit, and Late Hours Permit to Host Live Music at 509 S. Texas Blvd., also being Lot 39 & 40, Weslaco Original Townsite Subdivision, 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 Mi Fortuna Estates being a 4.52-acre out of farm tract 790, West Tract Subdivision, Weslaco, Hidalgo County, Texas Located on the Southwest corner of Mile 5 North & Westgate Drive and authorize the Mayor to execute any related documents. (Staffed by Planning & Code

Enforcement Department.) Attachment.

- E. Approval of six-month extension for the Final Plat for The District North Weslaco Ph. II Subdivision— being 39.988 acres out of Farm Tract 179, BLK 160, West Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately on the southeast corner of Mile 5 ½ W & Mile 11 N. Rd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Approval to ratify acceptance of FY2024 Project Safe Neighborhoods Grant Program #4271603 for the amount of \$51,600 with NO MATCH or recurring costs to pay for overtime to create safer neighborhoods through a sustained reduction of violent crime and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- G. Approval to solicit uniform rental bids for parks, building maintenance, and public works staff and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- H. Approval to solicit bids for the purchase of a belly dump trailer and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- I. Approval to solicit bids for the purchase of a used day cab truck and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- J. Approval of Ordinance 2023-53 amending Ordinance 2023-49 authorizing and allowing under the act governing the TMRS system for updated service credit, transfer updated service credits and annuity increase (COLA) for retirees and their beneficiaries, establishing an effective date for such action and authorize the Mayor to execute any related documents. First and final reading on Ordinance 2023-53. (Staffed by Human Resources Department.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration to approve the Final Plat for E. M. C. Subdivision being 1.73 acre out of Farm Tracts 771, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 850' west of Pleasantview along south side of E. 18th Street and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration to approve the Final Plat for Milanos Estates Phase III Subdivision being 22.88 acre out of Farm Tracts 720 and 721, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 500 feet south from the intersection of Mile 5 ½ West Road and Mile 6 ½ West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code

Enforcement Department.) Attachment.

- C. Discussion and consideration after public hearing on behalf of Tim Llaoa to obtain a Wine and Malt Beverage Retailer's On-Premise Permit and Food and Beverage Certificate at 2455 N International Blvd. also being Lot 1, J. Valderas 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 a request from Hidalgo County Drainage District #1 for a letter of support for the Southwest Weslaco Regional Detention Facility Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- E. Discussion and consideration to ratify the purchase order of an item approved April 18, 2023, a Vac Truck from Kinloch Equipment and Supply Inc, to Doggett Freightliner of South Texas, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- F. Discussion and consideration to ratify a purchase order for Southern Trenchless Solutions for emergency repairs on a collapsed manhole located near 607 Chrysolite Dr at Cornerstone Subdivision for the amount of \$56,575 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- G. Discussion and consideration regarding Lonestar National Bank Depository Contract for an update to the Termination Clause and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- H. Discussion and consideration to accept financing acquisition proposal from First American Equipment Finance for the acquisition of a Front Wheel Loader and Asphalt Zipper in the amount of \$506,218 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance 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. 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. Contract Negotiations – Discussion with the City Manager and City Attorney relating to the City's rights, duties, privileges, and obligations in connection to the Collective Bargaining Agreement with the Fire Union (IAFF-WFFA Local 3207) FY October 1, 2022 – September 30, 2025, as authorized by Section §551.071 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 15th 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:
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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”.