



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 6, 2024**

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, February 6, 2024 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 proclaiming February as "Black History Month".

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 Teresa Ramos to approve a Conditional Use Permit to operate an event center at 2420 E Business 83, also being West Tract N355.23' IRR TR LOT 1 FT 702 1.44AC GR 1.30AC NET., Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.

- B. To solicit input on behalf of Glazer's Beer and Beverage of Texas LLC. to approve a Conditional Use Permit to obtain a Wholesaler's Permit and Branch Distributor's License, at 3311 Development Drive, also being Lot 12, Mid-Valley International Industrial Park Subdivision, Weslaco, Hidalgo County, Texas.

IV. REPORTS

- A. Weslaco Chamber of Commerce & Visitor Center.
- B. Weslaco Economic Development Corporation.
- C. Engineering Department - Status on RDF Projects

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 January 16, 2024.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2024-02 to rezone 3640 N Texas Blvd., also being 35.932-acre tract out of Farm Tract 109 and 110, West & Adams Tract 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 January 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) Ordinance 2024-03 to rezone 3702 N Texas Blvd., also being 2.817-acre tract out of Farm Tract 109, Block 144, West & 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 January 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) Ordinance 2024-04 to rezone 311 S Indiana, also being Lot 7, Block 23, 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 January 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
 - 4) Ordinance 2024-05 to rezone 2827 Mile 6 ½ North Rd., also being 14.19 acres out of Farm Tract 648 and 649, West Tract 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 January 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.

- 5) Ordinance 2024-06 to amend Ordinance 2013-22, to create water rights, the City of Weslaco Subdivision Ordinance; codified as Appendix B of the Weslaco Code of Ordinances, adopting new regulations; and ordaining other matters with respect to the subject hereof and authorize the Mayor to execute any related documents. (First reading held January 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to solicit RFQ's of engineering services for drafting of a new Subdivision Ordinance, Zoning Ordinance, Utility Impact fee Study and Street Impact Fee Study and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)
- D. Approval on request from the Weslaco Area Chamber of Commerce to consider Resolution 2024-01 for closure of a state highway from Business 83 to Sixth Street and closures of side streets (3rd, 4th, 5th, and 6th) and Kansas Ave. on Friday, March 22, 2024 (evening) for setup and Saturday, March 23, 2024 (all day) to hold the Texas Onion Festival. Additionally, to allow placement of banners/event signs on Texas Blvd. Westgate, South Kansas Street and around town, waiver of appropriate fees from ordinances associated with the event, and support from city departments and authorize the Mayor to execute any related documents to include those as may be required by the Texas Department of Transportation. (Staffed by Weslaco Area Chamber of Commerce.) Attachment.
- E. Approval prohibiting vending of goods, any type of beverages and food on a public sidewalk, parkway, pedestrian path or other public right- of-way at the Onion Fest event on March 23, 2024 unless authorized by the city and authorize the Mayor to execute any related documents. (Staffed by City Manager.)
- F. Approval authorizing the sale and consumption of alcoholic beverages (beer) to Glazers Beer and Beverages, a TABC licensed vendor, at Onion Fest on March 23, 2024, and authorize the Mayor and/or City Manager to execute any related documents. (Staffed by City Manager.)
- G. Approval of the renewal of payment to Core and Main for annual hosting fees on meters and hardware maintenance in the amount of \$27,015.21 and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.
- H. Approval on the request to close Kansas Ave between 5th Street and 6th Street in front of the Library from 12:00 pm to 5:00 pm, March 2, 2024, for the third annual Mayor Joe V. Sanchez Memorial Book Festival and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment.

- I. Approval for staff to solicit request for qualifications regarding City of Weslaco Alton landfill Post-closure care monitoring and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- J. Approval of Resolution 2024-03 authorizing submittal of FY2024-25 Solid Waste Grant Application in the amount of \$30,000 for the City of Weslaco Solid Waste Division and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- K. Approval to solicit bids for Waterworks Storm, Collection and Distribution materials and supplies and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment.
- L. Approval on renewal of the lease agreement with I Theatre, Inc. for the use of the Tower Theatre and Tower House effective January 1, 2024 - December 31, 2024, including an option to extend lease through December 31, 2025, and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.) Attachment.
- M. Approval on Resolution 2024-04 for submission of a grant application for the FY2025 Border Zone Departments (BZFD) to the Office of the Governor, Public Safety Office Homeland Security Grants Division for specialized equipment, maintenance, and medical supplies to support emergency services associated with border security activities with NO MATCH REQUIRED, and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment.
- N. Approval of Resolution 2024-05 and authorization to apply to the FY2025 General Victim Assistance Grant Program with a 20% match and no recurring costs to pay for salary, training, equipment and supplies for the Crime Victim Coordinator and Crime Victim Services Case Manager and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- O. Approval of Resolution 2024-06 and authorization to apply to the FY2025 Juvenile Justice & Truancy Prevention Grant Program with No Match Required to pay for salary, training, equipment and supplies and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- P. Approval of Resolution 2024-07 and authorization to apply to the FY2025 Projects Safe Neighborhood Grant Program with No Match Required to pay for overtime, equipment and supplies with No Match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- Q. Approval of Resolution 2024-08 and authorization to apply to the FY2025 Violence Against Women Justice and Training Program with a 30% match to pay for training and travel for law enforcement officers, judges, other court personnel, and prosecutors and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.

- R. Approval of Resolution 2024-09 and authorization to apply to the FY2025 Bullet-Resistant Shield Grant Program with No Match Required to purchase bullet resistant shields and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- S. Approval of Resolution 2024-10 and authorization to apply to the FY2025 Rifle-Resistant Body Armor Grant Program with No Match required to purchase rifle-resistant body armor and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- T. Approval of Resolution 2024-11 and authorization to apply to the FY2025 Body-Worn Camera Grant Program with a 25% match to purchase body-worn cameras, accessories, hard drive, storage or servers and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- U. Approval of Resolution 2024-12 and authorization to apply to the FY2025 Criminal Justice Grant Program with no match required to pay for salary, training, equipment and supplies and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- V. Approval of Resolution 2024-13 and authorization to apply to the FY2025 Internet Crimes Against Children Grant Program with no match required to pay for overtime to investigate crimes against children, purchase equipment and supplies and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- W. Approval of Resolution 2024-14 and authorization to apply to the Federal Fiscal Year 2024 State Homeland Security Program - LETPA Projects with no match required to pay for overtime, equipment, and/or supplies and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- X. Approval of Resolution 2024-15 and authorization to apply to the State Homeland Security Program - Regular Projects (SHSP-R) - Federal Fiscal Year 2024 with No Match Required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- Y. Approval of Resolution 2024-16 to apply for the FY2025 First Responder Mental Health Program with a 20% match required to pay for overtime, training and travel and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- Z. Approval of Resolution 2024-17 to update signatories on legal financial documents identified with all accounts with PNC and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.
- AA. Approval for declaration of surplus items from various departments and authorize sale

through online portal GovDeals and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2024–18 appointing two members to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.

VII. OLD BUSINESS

- A. Discussion and consideration of approval to accept Design Development documents and authorize the architect, Boultonhouse Simpson Gates, to proceed with construction and bidding documents for the new Mayor Joe V. Sanchez Public Library Project and authorize the Mayor to execute any necessary related documents. Possible action. (There was no action January 16, 2024; staffed by the Library Department.) Attachment.

VIII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Teresa Ramos to approve a Conditional Use Permit to operate an event center at 2420 E Business 83, also being West Tract N355.23' IRR TR LOT 1 FT 702 1.44AC GR 1.30AC NET, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of Glazer's Beer and Beverage of Texas, LLC. to approve a Conditional Use Permit to obtain a Wholesaler's Permit and Branch Distributor's License, at 3311 Development Drive, also being Lot 12, Mid-Valley International Industrial Park Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration to approve the Final Plat for Villas on Sugar Cane Subdivision being 2.349 acre out of Farm Tract 57, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located on the North side of Mile 9 North Road, approximately 500ft west of Mile 4 ½ West Road 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 Rio Orchards Estates Subdivision being 19.45 acres out of Farm Tracts 757 and 758, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 730ft east of the intersection of Bridge & E Mile 5 N on the North Side and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- E. Discussion and consideration to approve Ordinance 2024-07 for the Voluntary Annexation of West and Adams Tract Subdivision – being a 11.327-acre tract of land out of Farm Tract 758, West and Adams Tract Subdivision, Hidalgo County, Texas and located approximately 765ft south of E Mile 5 ½ N. and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-07. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration to approve the Interlocal Agreement between City of Weslaco and Hidalgo County on cost participation for roadway improvements not to exceed \$1,615,890.60 for Mile 10 N from Mile 6 to FM 1015 (Phase III) project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- G. Discussion and consideration to repair brakes and suspension of unit 580 ladder truck with vendor Siddons-Martin Emergency Group, in the amount of \$33,859.43 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- H. Discussion and consideration to approve the purchase of rescue tools from Siddons-Martin Emergency Group in the amount not to exceed \$44,330; funds approved through the FY 23-24 budget, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- I. Discussion and consideration to amend the cooperative that was initially approved as an agreement with D&M Leasing Buy Board Contract #652-21 to lease 10 police units to additionally include 1 fire unit (captains truck) in the amount not to exceed \$90,717.75 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- J. Discussion and consideration to approve Resolution 2024-19 adopting the 2024 Work Plan and Budget for the thirty-seventh (37th) Urban County Program in the amount of \$294,597.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- K. Discussion and consideration to purchase four new scoreboards for Harlon Block Park Sports Complex from vendor NEVCO under TX Buy Board Contract 665-22 for an amount not to exceed \$26,878.80 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- L. Discussion and consideration to approve a contract with Heffner Design Team, PLLC in consideration of RFQ No.: 2022-23-12 Architectural/Engineering Design Services for various parks and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- M. Discussion and consideration to approve Buyboard quote #24-204-404 by Southern

Trenchless Solutions for the Rehabilitation of Lift Station #3, located near the intersection of Stone St and Tula Ave, in the amount of \$231,726 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.

- N. Discussion and consideration to approve a proposed Memorandum of Agreement #R-RGV-TF-2024 between the City of Weslaco and the LRDV TPDES Stormwater Task Force for the collaboration of the development of grant applications with the Texas Water Development Board Flood Infrastructure Fund Program for flood warning systems and authorize the Mayor to execute related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- O. Discussion and consideration to approve final payment in the amount not exceed \$22,014.00 to contractor Visceral Illumination Code, LLC for services and installation that include: network cabling, door access control and surveillance camera system at the new police/fire department and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks/IT Department) Attachment.
- P. Discussion and consideration to award RFB No. 2023-24-13 for a used day cab truck to the most advantageous bidder Vanguard Truck Center, in an amount not to exceed \$83,076.04 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) 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. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Emerge 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 2nd day of February 2024 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”.