



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 20, 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 20, 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) Recognition/presentation from VFW Post 12178 Lupita Perez, Commander.
 - 2) Proclamation - 2024 Farmworker Appreciation Day

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 the proposed demolition order for unoccupied buildings as dilapidated, substandard, unfit for human habitation and a hazard to the health, safety

and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 located at:

1. 615 N. Republic St. being Hudges Addition Blk 3 Lots 3 & 4. Owner: Altagarcia Viramontes & ET AL
 2. 219 S. Texas Blvd being Original Townsite of Weslaco Blk 13 E31' - Lot 26. Owner: Norma Lopez & Tomasita Hernandez
 3. 804 N. Palmas, being Esplanada Subdivision Blk 19 Lots 12-14. Owner: Jose Sosa
 4. 516 N. Sinclair, being Villa Vista No. 2 Subdivision Blk 9 Lots 9 & 10. Owner: Tomar Amador
 5. 413 E. Agostadero St., being Gonzales Subdivision Blk 13 Lot 14. Owner: Felipa Nila
 6. 617 E. Plaza being Ramona Addition Subdivision Blk 7 Lot 25, Weslaco, Hidalgo County, Texas. Owner: Jose & Victoria Garza
(Staffed by Planning & Code Enforcement Department.)
- B. To solicit input on behalf of Tomasita Hernandez to approve a Conditional Use Permit to operate an event center at 219 S Texas Blvd., also being Lot 26, Block 13, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas.
- C. To solicit input on behalf of Alan Dewaikat to approve a Conditional Use Permit for Stefano's Pizza Express to obtain a Wine and Malt Beverage Retailer's On-Premise Permit at 636 E Interstate Highway 2, Suite 105, also being Lot 3, Shops at North Bridge Subdivision, Weslaco, Hidalgo County, Texas.

IV. REPORTS

- A. Inframark.
- B. Animal Care Services.

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 and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item(s) will be removed from the consent agenda by the Mayor, a Commission member or the City Manager and will be considered separately.

- A. Approval on request from Texas Rio Grande Legal Aid for closure of 3rd Street from the corner of Texas Blvd to the corner of Missouri Street on March 15, 2024 for the 2024 Farmworker Appreciation Day and authorize the Mayor to execute any related documents. (Staffed by Public Relations Officer.) Attachment.

- B. Approval to submit a grant to the Texas Water Development Board Flood Infrastructure Fund (FIF) for the Harlon Block Park Sports Complex and Surrounding Areas Project and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager.)
- C. Approval of Resolution 2024-20 to ratify the authorizing signatory for FMA grant to the Texas Water Development Board and FEMA for the Harlon Block Park Sports Complex RDF project and authorize the Mayor to execute any related documents. (Staffed by Asst. City Manager.) Attachment.
- D. Approval on the renewal of the Interlocal Agreement 2024 - 2026, an agreement that governs the provision of 9-1-1 services between the Rio Grande Valley Emergency Communication District (referred to as "RGV9-1-1") and the City of Weslaco Police Department and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- E. Approval of Resolution 2024-21 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No.3814605 FY2024 General Victim Assistance Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- F. Approval of Resolution 2024-22 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No.3407207 for FY2023 Local Border Security Program (LBSP) as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- G. Approval of Resolution 2024-23 authorizing the designated grantee's official, Adrian Gonzalez, Mayor, for Grant No.4003404 the FY2024 Juvenile Justice and Truancy Prevention Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- H. Approval of Resolution 2024-24 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 4507601 FY2023 Violence Against Women Justice and Training Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- I. Approval of Resolution 2024-25 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 4271603 FY2024 Project Safe Neighborhoods Grant Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by the Police Department)
- J. Approval of Resolution 2024-26 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 4507602 Violence Against Woman's Justice and Training as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department)
- K. Approval of Resolution 2024-27 authorizing the designated grantee's official, Adrian Gonzalez, Mayor for Grant No. 4367802 FY24 Body-Worn Camera Grant as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by Police Department.)

- L. Approval of Resolution 2024-28 authorizing the designated grantee's official as Adrian Gonzalez, Mayor for Grant No. 3173408 FY22 Operation Stonegarden Program as requested by the grant funding agency and authorize the Mayor to execute any related documents. (Staffed by the Police Department.)

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2024-29 appointing members to the Recycling Task Force Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- B. Discussion and consideration to approve Resolution 2024-30 appointing member(s) 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 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 along South Bridge Avenue approximately 1800 feet north of Mile 5 North and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-07. Possible action. (There was no action on February 6, 2024; staffed by Planning & Code Enforcement Department.) Attachment.

VIII. NEW BUSINESS

- A. Discussion and consideration after public hearing to authorize the demolition order for an unoccupied building as dilapidated, substandard, unfit for human habitation and a hazard to the health, safety and welfare of the citizens of the City of Weslaco as per Weslaco Code of Ordinances Chapter 26 Article VIII Unsanitary & Dangerous Buildings, §26-225 for property located at:
 - 1. 219 S. Texas Blvd being Original Townsite of Weslaco Blk 13 E31' - Lot 26. Owner: Norma Lopez & Tomasita Hernandez.
 - 2. 615 N. Republic St. being Hudges Addition Blk 3 Lots 3 & 4. Owner: Altagarcia Viramontes & ET AL.
 - 3. 804 N. Palmas, being Esplanada Subdivision Blk 19 Lots 12-14. Owner: Jose Sosa.
 - 4. 516 N. Sinclair, being Villa Vista No. 2 Subdivision Blk 9 Lots 9 & 10. Owner: Tomar Amador.
 - 5. 617 E. Plaza being Ramona Addition Subdivision Blk 7 Lot 25. Owner: Jose & Victoria Garza.

6. 2307 E. Plaza St. being West Tract, 0.339AC, S14.4711, AC-N20CA Farm Tract 17; .0339 acres net. Owner: Pedro C. Gonzales .

7. 413 E. Agostadero St., being Gonzales Subdivision Blk 13 Lot 14. Owner: Felipa Nila.

8. 3716 Canan St, being Tierra Prometida Lot 19, Weslaco, Hidalgo County, Texas. Owner: Abiel Ramon.

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 Tomasita Hernandez to approve a Conditional Use Permit to operate an event center at 219 S Texas Blvd., also being Lot 26, Block 13, Weslaco Original Townsite, 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 after public hearing on behalf of Alan Dewaikat to obtain a Wine and Malt Beverage Retailer's On-Premise Permit for Stefano's Pizza Express located at 636 E Interstate Highway 2, Suite 105, also being Lot 3, Shops at North Bridge 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 on Ordinance 2024-01 for dis-annexation request from the property owner of 1802 S International Blvd. being a 1.166 AC out of North 210.10 FT of the East 242.00 FT. of Farm Tract 1009, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Southwest corner of intersection FM 1015 and Mile 6 North and authorize the Mayor to execute any related documents. First reading on Ordinance 2024-01. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration on Ordinance 2024-08 amending Ordinance 2012-02 to increase members for the Animal Shelter Advisory Board and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-08. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment.
- F. Discussion and consideration to award RFB No. 2023-24-12 for a New Belly Dump Trailer to the lowest bidder, Brazos Trailers LLC, for an amount not to exceed \$37,010 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- G. Discussion and consideration on an Interlocal Agreement between Hidalgo and Cameron Counties Irrigation District No. 9 and City of Weslaco for hike and bike trails and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

- H. Discussion and consideration on the Lease Agreement for the use of Harlon Block Park Sports Complex for the Weslaco Little League youth baseball and softball league program from March 4, 2024- July 31, 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- I. Discussion and consideration to authorize staff to solicit proposals for a customized lighted drone show for downtown fourth of July celebration and authorize the Mayor to execute any related document. Possible action. (Staffed by Parks & Recreation Department.)
- J. Discussion and consideration to rescind the purchase of a new model 2025 Freightliner XT Pro 56 Forestry Truck as approved January 16th per sales quote QU17225 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed \$172,839 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.)
- K. Discussion and consideration to purchase a new model 2024 Freightliner XT Pro 56 Forestry Truck per sales quote QU17235 from vendor Custom Truck One Source under Southwell Contract 110421-TER, for an amount not to exceed \$166,667 as budgeted and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- L. Discussion and consideration to purchase a Bosch CDR 900 tool kit, Software, and Cable Bundle, vehicle collision data retrieval system in the amount of \$29,250 from Sole Source Crash Data Group, and authorize the Mayor to execute any related items. Possible action. (Staffed by Police Department). Attachment.
- M. Discussion and consideration to purchase Taser Equipment (13 Handheld Tasers, replacement, and re-certification equipment) from Axon Enterprise Incorporated through Contract BuyBoard Proposal No. 698.23, in the amount of \$25,946 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- N. Discussion and consideration on Resolution 2024-31 to establish the Weslaco Blue Ribbon Committee for the purpose of redesigning and/or rebranding a new city logo and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- O. Discussion and consideration on Resolution 2024-32 to establish the Weslaco Blue Ribbon Committee for the Iwo Jima memorial monument recognizing Corporal Harlon Block and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- P. Discussion and consideration to authorize staff to solicit Statements of Qualifications for the collection of delinquent taxes and authorize the Mayor to execute any related

documents. Possible action. (Staffed by City Manager.)

- Q. Discussion and possible action on the Professional Services contract for City Prosecutor's services for the Weslaco Municipal Court and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- R. Discussion and consideration prescribing meeting days will be held on the first and third Monday or Wednesday during the months of March, April and May 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- S. Discussion and consideration on Resolution 2024-33 supporting the Workin Texas as a primary platform for increasing job matching activity in Hidalgo County and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- T. Discussion and consideration to approve renewal of the Loss Control/Risk Management contract set to expire March 02, 2024 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources 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. Personnel - Discussion regarding the administrative investigation of a complaint filed by a firefighter as authorized by Section §551.074 of the Texas Government Code.
- C. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property being 35.28 acres except the southeast 1.90 acre for a 33.38 net acres of land out of Farm Tract 59, West Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.
- D. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property being 25 acres out of 53.97 acres of land out of Farm Tracts 807 and 808, Block 139, West Tract Subdivision, Weslaco Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.
- E. Real Property – Consultation with City Attorney on the purchase, exchange, lease or value of real property located on the Northeast corner of Interstate 2 and North Airport Drive intersection as authorized by Section §551.072 of the Texas Local Government Code.
- F. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at E Mile 5 North described as the net 7.09 acres out of the West Tract 9.688 acres being an irregular tract out of the E407.92'-W663.22'-N1210.73' EXC N209.42'-E208', out of Farm Tract 828, Weslaco Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.
- G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Empire 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 16th day of February 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.

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”.