



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 19, 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, March 19, 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) Presentation of Knapp Community Care Foundation Check for Gibson Park presented by Weslaco High School FCCLA.
 - 2) Proclamation - Texas Onion Fest Day - March 23, 2024
 - 3) Proclamation - Coach Gabriel Valdez

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.
- C. Expansion/Renovations of the South Wastewater Treatment Plant. (Staffed by Engineering Department.)

IV. PUBLIC HEARING

- A. To solicit input on behalf of Judith Cuellar to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 611 S Texas Blvd, also being Lot 19 & South (20') of lot 20, Block 49, Weslaco Original Townsite, Weslaco, Hidalgo County, and Texas.
- B. To solicit input on behalf of Amber Sanchez to approve a Conditional Use Permit to operate an event center at 588 S Texas Blvd Ste. B, also being Lot 21-24, Block 41, Weslaco Original Townsite, 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 Regular Meeting on February 20 and March 5, 2024 (Staffed by City Secretary Department.) Attachment.
- B. Approval of six-month extension for the Final Plat for Pablo Pena Jr No. 2 – being 5.57 acres out of Farm Tract 145, block 179, The West and Adams Tracts, Weslaco, Hidalgo County, Texas Located on the Northwest corner of n Westgate dr. & Canyon Rd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)
- C. Approval of six-month extension for the Final Plat for Camino De Verdad Subdivision being a 17.83 acres out of 16.76 acre tract of Farm Tract 1021 and 1.07 acre tract of land out of farm tract 1022, Block 113, Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 750 ft. east of FM 1015 on Camino De Verdad Road and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)
- D. Approval of three-month extension for the Final Plat for Milanos Estates Phase II Subdivision being a 27.65 acres out of Farm Tract 720 and 721, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 240 ft. North from the intersection of Mile 5 ½ West Road and Mile 6 ½ West Road. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)
- E. Approval of six-month extension for the Final Plat for The Coves – being 18.48 acres out of Farm Tract 1030, West and Adams Tract Subdivision, Weslaco, Hidalgo

County, Texas located on the Southside of mile 8 N. Rd. approximately 710' East of International Blvd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)

- F. Approval on Resolution 2024-41 to ratify acceptance of FY23 Operation Stone Garden Grant 3173409 (Operation dates 03/01/2024 to 02/28/2025) for an amount of \$300,000 with no match required and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- G. Approval for a software support and maintenance renewal agreement for Tyler Technologies New World System used by Weslaco Police Department with CAD, Mobile Records and Reporting modules in the amount of \$75,827.63 from FY 23-24 Computer Vendor Support account and authorize the Mayor to execute any related documents. (Staffed by Information Technology Department.)
- H. Approval to authorize staff to solicit bids for street materials to include Hot Mix, Caliche, and MC30 Oil and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.)

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Judith Cuellar to obtain an On-Premise Wine and Beer Retailer's Permit at 611 S Texas Blvd, also being Lot 19 & South (20') of lot 20, Block 49, Weslaco Original Townsite, Weslaco, Hidalgo County, and 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 Amber Sanchez to approve a Conditional Use Permit to operate an event center at 588 S Texas Blvd Ste. B, also being Lot 21-24, Block 41, 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 on the request for a six-month extension for the Final Plat for Plaza de Paz being a 3.00-acre out of Lot 13, Block 137, West Tract Subdivision, Weslaco, Hidalgo County, Texas located at 1406 W. Pike Blvd. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.)
- D. Discussion and consideration to approve the Final Plat for Bridge Heights Subdivision being 12.137 acres out of Farm Tract 799, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 765ft South along E. Mile 5 ½ N and North of Mile 5 N Road. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration to approve the Final Plat for Rio Stone Subdivision Phase II being 14.19 acres out of Farm Tracts 648 and 649, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 1055 feet south of Mile 6 ½ North along the west side of South Milanos Road and authorize the Mayor to execute

any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- F. Discussion and consideration to approve the Final Plat for Two Points Subdivision being 2.32 acres out of Lot 9, Block 174, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located on the southwest corner of the Mile 4 W Rd and Mile 12 ½ Rd. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and re-consideration for the Final Plat with the variance request for Vittoria Subdivision being 42.18-acre out of Farm Tract 165 and 166, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located on the southeast corner of Midway and Interstate 2, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- H. Discussion and consideration to authorize the Weslaco Police Department to conduct a weapon/equipment trade in the amount \$34,420 in credit with CTC Gunworks, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)
- I. Discussion and consideration to authorize the Weslaco Police Department to purchase the department's handguns in the amount of \$56,414.12 for sworn staff with \$40,000 from the FY 2023-24 general fund and \$16,414.12 from Asset Forfeiture funds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)
- J. Discussion and consideration on the presentation of the 2023 Racial Profiling Report submitted by the Weslaco Police Department to the State of Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)
- K. Discussion and consideration on an Interlocal Agreement between the City of Weslaco and the Rio Grande Valley Metropolitan Planning Organization, represented by the Lower Rio Grande Valley Development Council, for a cost participation from the City not to exceed \$31,250 for the engagement of a consultant to conduct a corridor study for the Southwest Loop Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- L. Discussion and possible action on Senate Bill 1145 regarding childcare exemptions and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- M. Discussion and consideration to approve Resolution 2024-42 finding that AEP Texas Central Company's application to increase system-wide distribution and transmission rates within the city should be denied; finding that the city's reasonable rate case expenses shall be reimbursed by the company; and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.

- N. Discussion and consideration to solicit Engineering Services to update the City's Water Conservation and Drought Contingency Study and authorize the Mayor to execute any related documents. Possible action. (Staffed by Asst. City Manager.)
- O. Discussion and consideration to solicit Professional Services for the appraisal of Airport Land and Facilities and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.)
- P. Discussion and consideration to approve Ordinance 2024-10 repealing Ordinance 86-11 and adopting the Mid-Valley Rules and Standards for the Weslaco Mid-Valley Airport and authorize the Mayor to execute any related documents. First Reading of Ordinance 2024-10. Possible action. (Staffed by Airport Department.) Attachment.
- Q. Discussion and consideration to accept and file the Quarterly Investment Report for period ending December 31, 2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- R. Discussion and consideration to accept and file the Financial Reports (unaudited) as of December 31, 2023 for the General Fund, Water and Sewer Fund, Solid Waste Fund, and Airport Fund and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- S. Discussion and consideration to accept and file the annual financial audit of the Weslaco Economic Development Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)
- T. Discussion and consideration approving Change Order #4, pay application #21 and final payment for New Downtown Fire Station No. 2 as certified by the Architect and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- U. Discussion and consideration of the Swimming pool project report and seek authorization to proceed with schematic design, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation 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. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property located on 18th St, west of Pleasantview Drive described as being 12.16 acres of land out of a gross 14.82 acre tract of land out of Farm Tract 706, West Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.
- C. Real Property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as the South 12.50' of Lot 3 and Lots 4-9, Block 26, Weslaco Original Townsite, Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 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 the West Tract being an irregular tract of land out the N 416'-S435.45'-E671.78' FT 53 3.84 AC, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding *lawsuit styled Cause No. C-0430-24-H Emmanuel Jimenez v. Fire and Police Civil Service Commission for the City of Weslaco* as authorized by Section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding claim No. LB0000000210212 from Valerie Kramble 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 March 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:
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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”.