



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 7, 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, May 7, 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 - National Small Business Week.
 - 2) Proclamation - Mental Health Awareness 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. REPORTS

- A. Inframark.

- B. Animal Care Services.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Marisol Puente to approve a Conditional Use Permit to operate a daycare in a residential area at 3005 Thicket Dr., also being Lot 50, Quail Hollow North Subdivision, Weslaco, Hidalgo County, and Texas.
- B. To solicit input on behalf of the City of Weslaco for an extension of 120 days regarding the moratorium of applications for duplexes, triplexes, fourplexes and multifamily residential development. Attachment.

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 of the Minutes of the Regular Meeting on April 16, 2024.
(Staffed by City Secretary's Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2024-12 to rezone 1501 N International Blvd., also being Adams Tract N414'-S517.39'-E526.09'FT 1038 5.00 AC Net, 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 April 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) Ordinance 2024-13 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, located approximately 765ft south of E Mile 5 ½ N. and authorize the Mayor to execute any related documents. First reading held April 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
 - 3) Ordinance 2024-14 amending Ordinance 2018-02, to create new zoning Districts, the city of Weslaco zoning ordinance; codified as chapter 150 of the Weslaco code of ordinances, adopting new regulations; and ordaining other matters with respect to the subject matter hereof and authorize the Mayor to execute any related documents. (First reading held April 16, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval of Resolution 2024-49 as requested by the Office of the Governor, Public

Safety Office (PSO) through the FY23 Homeland Security Program (SHSP-R) grant identifying the project (Ambus Communication and Decontamination Equipment) for which grant funding was requested under Resolution 2023-12 and authorize the Mayor to execute any related documents. (Staffed by Grant Writer.)

- D. Approval of ORION Consortium Participation Agreement for provision of Fiber Optic Internet Connectivity to the Mayor Joe V. Sanchez Public Library and authorize the Mayor to execute any related documents. (Staffed by Library Department.)
- E. Approval of Memorandum of Understanding with Behavioral Health Solutions for provision of free Youth and Family Prevention Programing within the library and authorize the Mayor to execute any related documents. (Staffed by the Library Department.)
- F. Approval to renew the Summer Seamless Food Program, accepting meals at no charge from Weslaco Independent School District Food Services Department for distribution to school age children within the 2024 Summer Reading Program, at Gibson Park, and at Judge Gilbert Garza Park, and authorize the Mayor to execute any related documents. (Staffed by Library Department.)
- G. Approval for staff to solicit Auditing Services for Internal Controls and authorize the Mayor to execute any related documents. (Staffed by Finance Department.)
- H. Approval for the use of the Court Technology Fund to pay for an Incode interface to download citations from the New in Blue ticket writer system for an amount not to exceed \$5,250.00 and authorize the Mayor to execute any related documents. (Staffed by Municipal Court Department.) Attachment.
- I. Approval of Lease Agreement with the Weslaco Youth Football League to use Harlon Block Sports Complex East and West sports fields for youth 7 on 7 and Flag Football program from June 1 through July 15th 2024 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment.
- J. Approval of six-month extension for the Final Plat 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. (Staffed by Planning & Code Enforcement Department.) Attachment.
- K. Approval of six-month extension for the Final Plat for Rock Ridge – being 15.092 acres out of Farm Tract 631 & 633, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 500 ft west of Bus. 83 and Westgate on the south side of Bus. 83 and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.) Attachment.
- L. Approval of annual renewal for Cybersecurity hardware, software and support - Firewall, Email Security and Endpoint Security (Anti-Virus) in the amount not to exceed \$30,430.40 and authorize the Mayor to execute any related documents. (Staffed by IT Department.)
- M. Approval of a Memorandum of Understanding between the City of Weslaco and

Texas Senate Member, Honorable Morgan LaMantia for lease of office space located at 255 S. Kansas Avenue and authorize the Mayor to execute any related documents. (Staffed by City Manager.)

VI. APPOINTMENTS

- A. Resolution 2024-50 appointing a member to fill an unexpired term on the Mayor Joe V Sanchez Public Library Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary/Library Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Marisol Puente to approve a Conditional Use Permit to operate a daycare in a residential area at 3005 Thicket Dr., also being Lot 50, Quail Hollow North Subdivision, 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 on Ordinance 2024-15 renaming West Mile 6 1/2 N Rd between Milanos and Midway Road and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-15. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration to approve the Final Plat for E 6 Ranch Subdivision being 2.89 acres out of Farm Tracts 112, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately a ½ mile North from the intersection of Mile 10 North Rd and Mile 5 West Rd. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration to purchase a new model 2024 GMC Sierra 1500 Pro Long Box Pickup Truck from Gunn Auto Group under Buy Board contract #724-23, for an amount not to exceed \$39,778 as budgeted and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- E. Discussion and consideration to award a contract for a Drone Show for an amount not to exceed \$30,000 to Sky Elements LLC of North Richland Hills, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- F. Discussion and consideration of Change Order No. 2 for RFB No.: 2021-22-31 Mayor Pablo Pena City Park Sports Field Lighting and Isaac Rodriguez Skate Park Lighting Project to extend the contract 90 days; and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.

- G. Discussion and consideration of Amendment No. 2 to the Professional Services Agreement with BSG Architects for the Mayor Joe V. Sanchez Public Library Project for Supplemental Services not to exceed \$4,398 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- H. Discussion and consideration to reject the sole bid for RFB 2023-24-09 for the Villa De Cortez Parking Garage Structure Repairs and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department.) Attachment.
- I. Discussion and consideration on rescheduling or canceling the regular meeting of May 21, 2024. Possible action. (Staffed by City Manager.)
- J. Discussion and consideration to approve the renewal of ESD #1 Contract services and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- K. Discussion and consideration after the public hearing on behalf of the City of Weslaco to approve an extension of 120 days on the temporary moratorium pertaining to recent applications for duplexes, triplexes, fourplexes and multifamily residential development and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager/ Planning and Code Enforcement Department.) Attachment.
- L. Discussion and consideration on approval of a Memorandum of Understanding between Weslaco Fire Department and Texas Department of Public Safety for the use of interoperability or mutual aid radio channels and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment.
- M. Discussion and consideration to award RFB No. 2023-24-16 for Industrial Uniform Rental Service to the most advantageous bidder: Unifirst, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- N. Discussion and consideration to award RFB No. 2023-24-23 for Street Materials to the most advantageous bidders: Synolo Materials, LLC, and Frontera Materials Inc., based on Street Material-Bid Tabulation, price agreement effective for one year starting on date of award with an option for an additional year renewal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- O. Discussion and consideration to purchase eight (8) patrol unit radios for new leased units from Motorola Solutions(Contract # 17724 - HGAC (TX)-RA05-21) in the amount of \$27,810.56. The city will invoice D& M Leasing for the amount and D& M will issue a check for that amount for the city to pay Motorola, the amount of the

purchase will be added to the previous approved leasing program, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)

- P. Discussion and consideration for continuation of a contract with Mary Ann Peralez (Breath Test Services), the sole-source to provide technical supervision for the alcohol breath test program (Intoxilyzer 9000) for a term of one year beginning October 1, 2024, in the amount of \$8,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Police Department).
- Q. Discussion and consideration of a proposed professional services agreement with SWG Engineering, LLC to provide engineering plan reviews for a fee of \$3,000.00 per month for a term of one-year and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering Department)

VIII. 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 goals, objectives, and evaluation of the Assistant City Manager/Airport Director for the City of Weslaco as authorized by Section §551.074 of the Texas Government Code.
- C. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property legally described as the South 12.50' of Lot 3 and Lots 4-9, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas as

authorized by section §551.072 of the Texas Government Code

- D. Real Property - Consultation with City Attorney regarding the sale price of real property with LASCO Development for property located at 901 N. Airport Drive as authorized by §551.072 of the Texas Local Government Code.
- E. Real Property - Consultation with City Attorney on the sale of real property located at Mid Valley Airport, 1909 Joe Stephens relating to Hanger B from Sky King Aviation Inc. as authorized by Section §551.072 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding potential litigation as submitted by Attorney at Law Fidel Luis Pena III as authorized by Section §551.071 of the Texas Government Code.
- G. Legal Consultation – Consultation with City Attorney regarding Liquid Environmental as authorized by Section §551.071 of the Texas Government Code.
- H. Legal Consultation – 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.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. 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 3rd day of May 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”.