



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 16, 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, July 16, 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 - Sarcoma Cancer 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.

- C. Iwo Jima Blue Ribbon Committee on the Corporal Harlon Block Memorial and celebration of the 80th Anniversary of the Battle of Iwo Jima.

IV. PUBLIC HEARING

- A. To solicit input on behalf of James Robles to rezone 412 E 18th St., also being Lot 1, Uptown Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary Highway Business District.
- B. To solicit input on behalf of Chris Fann to rezone 2515 E Sugarcane Dr., also being Lot 2, J.O.W. Subdivision, Weslaco, Hidalgo County, Texas from R-2 Duplex and Apartment District to I- Industrial District.
- C. To solicit input on behalf of Arturo Ramos to approve a Conditional Use Permit to operate an event center at 709 Angelita St., also being Lots 23-25, Pueblo Amistad Subdivision, Weslaco, Hidalgo County, Texas.
- D. To solicit input on behalf of The 956 Teriyaki House LLC. to approve a Conditional Use Permit to obtain an On-Premise Wine and Malt Beverage Retail Dealers at 702 E Interstate Highway 2 Suite 104, also being Lot 2, Shops At N. Bridge, Weslaco, Hidalgo County, Texas.
- E. To solicit input on behalf of Sr. Cruda Ceviche and Micheladas LLC. to approve a Conditional Use Permit to obtain an On-Premise Wine and Malt Beverage Retail Dealers at 702 E Interstate Highway 2 Suite 105, also being Lot 2, Shops At N. Bridge, Weslaco, Hidalgo County, Texas.
- F. To solicit input on behalf of Tacos El Plebe LLC. to approve a Conditional Use Permit to obtain a On-Premise Mixed Beverage Permit at 2307 W Interstate 2 Suite A, also being Lot 4, Town Center Subdivision Lot 2-9, 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 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 June 18, 2024.
(Staffed by City Secretary's Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2024-20 for the installation of stop signs at the existing Hike and Bike Trail Crossing along Westgate Drive between 6th Street and 18th Street and

authorize the Mayor to execute any related documents. (First reading held June 18, 2024; Staffed by Engineering Department.) Attachment.

- C. Approval of a Memorandum of Understanding with South Texas ISD for the use of City Hall parking facilities for the purpose of transportation of students for the school year 2024-2025 and authorize the Mayor to execute any related documents. (Staffed by City Manager.) Attachment.
- D. Approval to solicit Request for Bids (RFB's) for mowing services to address nuisance abatement on weedy lots as defined by Chapter 70, Health and Sanitation Code Section 70-20 and authorize the Mayor to execute any related documents. (Staffed by Planning and Code Enforcement.)
- E. Approval to solicit Statements of Qualifications for Civil Engineering Services on an as needed and rotation basis for various projects throughout the city and authorize the Mayor to execute any related documents. (Staffed by the Engineering Department.)
- F. Approval to solicit Statements of Qualifications for surveying services on an as-needed basis and authorize the Mayor to execute any related documents. (Staffed by Engineering.)
- G. Approval to proceed with declaring miscellaneous items, office furniture and computer equipment located at Porter Doss Building surplus and auctioning such items through Govdeals an online auction portal and authorize the Mayor to execute any related documents. (Staffed by Library Department/Finance Department.)

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2024-60 appointing a member to the Parks and Recreation Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary/Parks and Recreation Department.) Attachment.

VII. OLD BUSINESS

- A. Discussion and consideration on Ordinance 2024-19 amending Electioneering Ordinance 2022-22 regarding the drawing of assigned spaces for electioneering purposes for non-local races and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2024-19. Possible action. (There was no action on July 2, 2024; staffed by City Secretary Department.) Attachment.
- B. Discussion and consideration to approve the Interlocal Agreement between the City of Weslaco and the City of Donna for Sanitary Sewer Utility Services of Midway Estates Subdivision and authorize the Mayor to execute any related documents. Possible action. (There was no action on July 2, 2024; staffed by Planning & Code Enforcement Department.) Attachment.

VIII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of James Robles on

Ordinance 2024-21 to rezone 412 E 18th St., also being Lot 1, Uptown 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 of Ordinance 2024-21. Possible action. Item will require a 3/4 vote. (Staffed by Planning & Code Enforcement Department.) Attachment.

- B. Discussion and consideration after public hearing on behalf of Chris Fann on Ordinance 2024-22 to rezone 2515 E Sugarcane Dr., also being Lot 2, J.O.W. Subdivision, Weslaco, Hidalgo County, Texas from R-2 Duplex and Apartment District to I- Industrial District and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-22. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of Arturo Ramos to approve a Conditional Use Permit to operate an event center at 709 Angelita St., also being Lots 23-25, Pueblo Amistad 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 after public hearing on behalf of The 956 Teriyaki House LLC. to approve a Conditional Use Permit to obtain an On-Premise Wine and Malt Beverage Retail Dealers at 702 E Interstate Highway 2 Suite 104, also being Lot 2, Shops At N. Bridge, Weslaco, Hidalgo County, and Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration after public hearing on behalf of Sr. Cruda and Micheladas LLC. to approve a Conditional Use Permit to obtain an On-Premise Wine and Malt Beverage Retail Dealers at 702 E Interstate Highway 2 Suite 105, also being Lot 2, Shops At N. Bridge, Weslaco, Hidalgo County, and Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration after public hearing on behalf of Tacos El Plebe LLC. to approve a Conditional Use Permit to obtain a On-Premise Mixed Beverage Permit at 2307 W Interstate 2 Suite A, also being Lot 4, Town Center Subdivision Lot 2-9, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and consideration to approve the Final Plat for Ramos Estates Subdivision being 5.00 acres out of Farm Tracts 1038, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 1,700 feet North of the Intersection of FM 1015 & Pike Blvd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.

- H. Discussion and consideration to approve the Final Plat for White Rose Subdivision being 4.644 acres out of Farm Tracts 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 2000 feet North of Intersection on Frontage Road and Bridge Ave. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- I. Discussion and possible action after interviews with the firms that submitted for consideration of the City of Weslaco Internal Controls Audit (RFQ No. 2023-24-29) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- J. Discussion and consideration of renewal agreements with Muniservices for the local hotel occupancy tax program and sales tax audit and administration services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.
- K. Discussion and consideration to purchase a new surveillance trailer from Safeware Inc (Sourcewell contract number 080922-SAF) for the amount of \$43,427.00 with a reimbursement in the amount of \$43,427.00 from OPSG (Stonegarden Grant) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- L. Discussion and consideration to approve the purchase of one new police unit (2024 Chevrolet Terrain SLE) from Gunn Auto Group (Buy Board Contract #724-23) in the amount of \$30,718.75 for the purchase will be made using \$13,050 from a vehicle reimbursement claim and \$17,668.75 from asset forfeiture, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- M. Discussion and consideration to approve the purchase of one new police unit (2024 Ford Expedition) from D& M Leasing Buy Board Contract #652-21) in the amount not to exceed \$56,728.75 the purchase will be made using \$9,325.00 from a vehicle reimbursement claim and \$46,403.75 from asset forfeiture, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment.
- N. Discussion and consideration to authorize the Iwo Jima Blue Ribbon Committee to solicit monetary, in-kind services, and any other materials/supplies needed towards the construction of the Corporal Harlon Block Memorial project and the celebration of the 80th Anniversary of the Battle of Iwo Jima and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)
- O. Discussion and consideration to accept the donation of professional services from the Heffner Design Team towards the Corporal Harlon Block Memorial project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)

- P. Discussion and consideration to authorize staff to solicit services to provide a Drone show and/or Fireworks display for July 4, 2025, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)
- Q. Discussion and consideration to authorize staff to solicit bids for the purchase and installation of a UV Disinfectant System for the South Wastewater Treatment Plant and authorize the Mayor to execute any related documents. Possible action. (Staffed by the Engineering 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 of the applicants/finalists for the Airport Director for the City of Weslaco as authorized by Section §551.074 of the Texas Government Code.
- C. 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.
- D. Real Property - Consultation with City Attorney on the sale, purchase, exchange, lease

or value of real property legally described as north 1.3093 acre out of Lot 1, Block 1, Freedom Park Subdivision Unit 2, 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 legally described as 0.726AC out of Farm Tract 15, northeast of US 83 Expressway, West and Adams Tract subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 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 12th day of July 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”.