



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 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, August 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) Childhood Cancer Awareness

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 Kimley-Horn to approve a Conditional Use Permit to obtain an Off-Premise Wine only Package Store at 1710 S Texas Blvd., also being Lot 3, Block 1, Southgate Center, Weslaco, Hidalgo County, Texas. Attachment.
- B. To solicit input on behalf of Joel Garcia to approve a Conditional Use Permit to obtain an On-Premise Wine and Malt Beverage Retail Permit at 601 S Texas Blvd., also being Lot 23 & 24, Blk 49, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas. Attachment.
- C. To solicit input on behalf of Nathan Smith to approve a Conditional Use Permit to obtain an Off-Premise Wine only Package Store at 1601 W Bus 83 Ste. C., also being IRR TR S134.79'LT 3 & All Lot 4, Westgate Center, Weslaco, Hidalgo County, Texas. 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 on the request from RGV Partnership is requesting closure of the 300 block of South Missouri Ave., on Wednesday, September 25, 2025 from 3:00 pm to 9:00 pm for the celebration of the RGV Chamber/Partnership 80th Anniversary Party and authorize the Mayor to execute any related documents. (Staffed by City Manager.)
- B. Approval of six-month extension of the Conditional Use Permit to obtain a Wine and Malt Beverage retail Dealer's Off Premise Permit, at 601 N Westgate Dr. also being West Tract E280'-N362'.32'-S457.6' & N55.28'-S95.28'-W74.64'-E280', FT 148 2.42AC GR 2.17Net, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)
- C. Approval of two-month extension of 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 North Westgate Dr. & Canyon Rd. and authorize the Mayor to execute any related documents. (Staffed by Planning & Code Enforcement Department.)
- D. Approval of Resolution 2024-62 for the renewal of the Inter-local Agreement with Hidalgo County for the Scofflaw Program to include a related agreement with Hamer Enterprises at the Municipal Court for outstanding violations and warrants and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.)

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2024-63 appointing members to the Weslaco Recycling Task Force and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary/Public Works Department.) Attachment.
- B. Discussion and consideration on Resolution 2024-64 appointing a member(s) to the Animal Care Services Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Kimley-Horn to approve a Conditional Use Permit to obtain an Off-Premise Wine only Package Store at 1710 S Texas Blvd., also being Lot 3, Block 1, Southgate Center, 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 Joel Garcia to approve a Conditional Use Permit to obtain an On-Premise Wine and Malt Beverage Retail Permit at 601 S Texas Blvd., also being Lot 23 & 24, Blk 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.
- C. Discussion and consideration after public hearing on behalf of Nathan Smith to approve a Conditional Use Permit to obtain an Off-Premise Wine only Package Store at 1601 W Bus 83 Ste. C., also being IRR TR S134.79'LT 3 & All Lot 4, Westgate Center, Weslaco, Hidalgo County, and Texas 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 fail-safe server/storage for an amount of \$29,776.74 from Dell, of which \$22,332.55 will be reimbursed through the Weslaco Body Worn Camera Program Grant #4367802 and the required 25% cash match of \$7,444.19 will be funded through asset forfeiture and authorize the Mayor to execute any related documents. Possible action. (Staffed by Information Technology Department / Police Department.)
- E. Discussion and consideration to award the highest ranking Graphic Design Firm in response to solicitation RFQ No.: 2022-23-30 Graphic Design Services for City Logo and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Relations Officer.) Attachment.
- F. Discussion and consideration to accept the calculation of the No-New-Revenue and Voter-Approval tax rates for the 2024 tax year by the Hidalgo County Tax Assessor-Collector Pablo Villarreal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment.

- G. Discussion and consideration to approve Resolution 2024-65 proposing an ad valorem tax rate and setting dates on which the Commission will hold a public hearing, and a date to adopt the 2024-2025 ad valorem tax rate and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.) Attachment.
- H. Discussion and consideration to purchase an E450 Chassis and Conversion from Essential Equipment Sourcewell contract #120721-RVL, an amount not to exceed \$116,103 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Waste Water Department.) Attachment.
- I. Discussion and consideration to approve an Interlocal Agreement between the City of Weslaco and North Alamo Water Supply for the sale of water for the Mid-Valley Industrial Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment.
- J. Discussion and consideration to approve a 1-year renewal option of Employee Health Insurance with BCBS and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- K. Discussion and consideration to approve solicitation of proposals from qualified insurance carriers for Group Health Insurance, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- L. Discussion and consideration to approve renewal of the Property/Liability & Cybersecurity Insurance with TML and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- M. Discussion and presentation regarding a policy for the use and rental of parks for sports activities and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.)
- N. Discussion and consideration of Amendment No. 3 to the Professional Services Agreement with BSG Architects, Inc. for the Mayor Joe V. Sanchez Library in an amount not to exceed \$39,050 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment.
- O. Discussion and consideration to award security services bid at the Mayor Joe V Sanchez Public Library to the lowest and most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment.
- P. Discussion and consideration to solicit bids for the proposed Lift Station #12 improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.

- Q. Discussion and consideration of approval to solicit bids for the Kansas & Los Torritos Phase I and II Drainage Improvement project contingent on receiving a notice to proceed from the Texas Department of Emergency Management (TDEM) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- R. Discussion and consideration to approve a class II service for the upkeep and maintenance of the old blower at the North Wastewater Treatment Plant for the amount of \$37,149.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- S. Discussion and consideration to solicit bids for the Mid-Valley Airport Stormwater Project Part I and Part II and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.

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. 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.

- 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 Weslaco Municipal Police Union (WMPU) as authorized by Section §551.071 of the Texas Government Code.
- D. Legal Consultation – Consultation with City Attorney regarding Liquid Environmental as authorized by Section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with the City Attorney regarding the status of City of Weslaco vs CDM as authorized by §551.071 of the Texas Government Code.
- F. Legal Consultation – Consultation with the City Attorney regarding Weslaco Fire Union (IAFF-WFFA Local 3207) vs City of Weslaco 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 16th day of August 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”.