



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 17, 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, September 17, 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) Hispanic Heritage 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. Mayor Joe V. Sanchez Library Project - Architect's presentation of construction of the new library.

IV. PUBLIC HEARING

- A. To solicit input from the public regarding the City of Weslaco proposed ad valorem property tax rate of .6867 per \$100 valuation, pursuant to Texas Tax Code Section 26.05(d). (Staffed by Finance Department.) Attachment.
- B. To solicit input on behalf of Reymundo Carrillo to approve a Conditional Use Permit to obtain an On-Premise Mixed Beverage Permit, at 320 W IH 2 Ste B, also being Lot 1, Extreme Nutrition, Weslaco, Hidalgo County, Texas.
- C. To solicit input on behalf of City of Weslaco to approve the purpose of the moratorium pertaining to applications for duplexes, triplexes, fourplexes and multifamily residential development.

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 September 3, 2024 (Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held February 20, 2024; staffed by City Secretary.) Attachment.
 - 2) Ordinance 2024-24, adopting the City of Weslaco's budget appropriations for Fiscal Year 2024-2025 commencing October 1, 2024, and ending September 30, 2025, and authorize the Mayor to execute any related documents. (First reading held September 3, 2024; staffed by Finance Department.) Attachment.
 - 3) Ordinance 2024-25 amending Ordinance 2023-39 the Master Fee Schedule and authorize the Mayor to execute any related documents. (First reading held September 3, 2024; staffed by Finance Department.) Attachment.
- C. Approval to authorize staff to solicit Request for Qualifications for Financial Advisory Services and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment.

- D. Approval to ratify acceptance of the FY2025 Truancy Prevention and Intervention Program Grant #4003405 for the amount of \$123,979.13 for the First Offender Program Coordinator's salary, overtime for peace officers, training and project supplies (no match required) and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- E. Approval to ratify acceptance of the Victims of Crime Act Formula Grant #3814606 for the amount of \$96,985.57 with a cash match of \$24,246.39 to pay for the Crime Victim's Coordinator salary, training, software, shelter, and business cards/flyers and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- F. Approval to solicit bids on renewal Risk and Resilience Assessment and Emergency Response Plan for the City of Weslaco. (Staffed by Inframark/City Manager.)

VI. NEW BUSINESS

- A. Discussion and presentation of a curbside recycling program. (Staffed by Public Works Department.)
- B. Discussion and consideration after public hearing on behalf of Reymundo Carrillo to obtain an On-Premise Mixed Beverage Permit, at 320 W IH 2 Ste B, also being Lot 1, Extreme Nutrition, 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 to approve the Final Plat for Monte Cielo Subdivision Phase II being 12.44 acres out of Farm Tracts 214, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located approximately 2,640 ft. south of Mile 10 North on the east side of Mile 6 ½ West 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 to adopt Ordinance 2024-26 and accept the presentation into record for the moratorium pertaining to applications for duplexes, triplexes, four-plexes and multifamily residential development and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-26. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- E. Discussion and consideration on Ordinance 2024-27, adopting and levying the ad valorem tax rate for Fiscal Year 2024-2025 and authorize the Mayor to execute any related documents. **ROLL CALL VOTE REQUIRED.** First and final reading of Ordinance 2024-27. Possible action. (Staffed by Finance Department.) Attachment.
- F. Discussion and consideration to approve Resolution 2024-66 nominating Joe Olivarez to the Hidalgo County Appraisal District Board of Directors for the 2025-2027 election and authorize the Mayor to execute any related documents. Possible action.

(Staffed by City Manager.) Attachment.

- G. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2024-2025 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment.
- H. Discussion and consideration of the Boys & Girls Club of Weslaco Solar Project with Synergy Solar Systems of McAllen, TX and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- I. Discussion and consideration to approve a request from the Mid-Valley Soccer Association for use of Judge Gilbert Garza Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- J. Discussion and consideration of a request from the Boys & Girls Club of Weslaco for the use of Mayor Pablo Pena City Park Baseball/Softball Complex to conduct a winter baseball program and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- K. Discussion and consideration to accept the submission of Construction Documents for the Mayor Joe V Sanchez Library project, approve a budget of cost of work not to exceed \$8,500,000 and authorize the architect Boultinghouse Simpson Gates Architects, Inc. to proceed to the next phase of Procurement Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks & Recreation Department.) Attachment.
- L. Discussion and consideration to authorize staff to solicit bids for the construction of the New Mayor Joe V Sanchez Public Library Project based on an estimated budget of \$8,500,000. Possible action. (Staffed by Parks & Recreation Department.)
- M. Discussion and consideration to approve distribution of communication credit received from BCBS health insurance renewal to employees with dependent care coverage to offset the premium increase incurred for FY 24-25 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- N. Discussion and consideration on Resolution 2024-67 to approve “Authorized Signers” for New York Life Insurance and Annuity Corporation and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment.
- O. Discussion and consideration of a project award for RFB 2023-24-28 North Wastewater Treatment Plant Aeration Basin Maintenance and Rehabilitation and authorize the Mayor to execute any related documents. Possible action. (Staffed by

Engineering Department.)

- P. Discussion and consideration on Ordinance 2024-28 adopting a speed limit change on Westgate Drive between Sugarcane and Mile 10N Road and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-28. Possible action. (Staffed by Engineering Department.) Attachment.
- Q. Discussion and consideration on Ordinance 2024-29 adopting a speed limit change on Westgate Drive between 18th Street and 6th Street and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-29. Possible action. (Staffed by Engineering Department.) Attachment.
- R. Discussion and consideration of approval of proposed change order #1 to the Cleckler-Heald RDF Project increasing the existing contract by \$121,213.05 for fencing improvements and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment.
- S. Discussion and consideration of award of RFB 2023-24-34 Mile 9 N Rd Metal Beam Guard fence Installation to the most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering 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. 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 City Attorney regarding potential litigation relating to prescriptive easement legally described Lots 22-25, Block 8, L.D. Morgans Addition, Weslaco, Hidalgo County, Texas as authorized by Section §551.071 of the Texas Government Code.
- F. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Rip Wheeler as authorized by Section §551.087 of the Texas Local Government Code.
- G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project 5 Guys as authorized by Section §551.087 of the Texas Local 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 13th day of September, 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.

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”.