



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, OCTOBER 15, 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, October 15, 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 - Chamber of Commerce Week
 - 2) Proclamation - TX1015 Sweet Onion Day
 - 3) Proclamation - Fire Prevention 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. Drainage Improvements update - Drainage Committee

IV. PUBLIC HEARING

- A. To solicit input on behalf of Gloria Salazar to approve a Conditional Use Permit to operate an event center at 2611 N Texas Blvd. Ste. 5, also being Lot 3, Block 1, Tejas Development, Weslaco, Hidalgo County, Texas.
- B. To solicit input in compliance with the Consolidated Plan for Community Planning and Development (CDBG) Urban County Program Fiscal Year 38 (2025) Needs Assessment Plan. 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 First Baptist Church for street closure from 2:00 pm to 8:00 pm on October 31, 2024, from Kansas Street between 6th and 7th Street for their Halloween Fall Festival and authorize the Mayor to execute any related documents. (Staffed by City Manager.) Attachment.
- B. Approval to ratify acceptance of the FY25 Violence Against Women Act (VAWA) Justice and Training Program #4507603 for the amount of \$21,487.67 with a cash match of \$9,209.01 to pay for training in violence against women and family violence and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- C. Approval on Resolution 2024-70 to apply for the FY2025 Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant in the amount not to exceed \$61,000 with 20% match required not to exceed \$12,200 to purchase fixed lpr cameras and have access to software data, and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment.
- D. Approval to use the Court Technology Fund to pay for the yearly maintenance fee for Tyler Technologies Incode Software System for Municipal Court, which includes the following services: Court Case Management, and Third Party System Software (System Software Non SQL Maintenance) in the amount not to exceed \$11,643.88 and authorize the Mayor to execute any related items. (Staffed by the Municipal Court.) Attachment.

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Gloria Salazar to approve a Conditional Use Permit to operate an event center at 2611 N Texas Blvd. Ste. 5, also being Lot 3, Block 1, Tejas Development, 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 to approve Ordinance 2024-30 for the Voluntary Annexation of Alto Bonito also being Lot 2 Reisser Subdivision an 8.172-acre tract of land, Weslaco, Hidalgo County, Texas located West of 18th Street East of South Milanos Rd. and authorize the Mayor to execute any related documents. First reading of Ordinance 2024-30. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration to approve the Final Plat for Altamura Subdivision being 41.06 acres out of Farm Tracts 242 and 249, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 170 feet south of Mile 12 North and Mile 5 West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration to approve the Final Plat for the Amended Plat of Mid-Valley International Industrial Park Subdivision being 146.09 acres out of Farm Tracts 1056,1057 and 1058 Blk 116, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of the intersection of Mile 9 & 1015 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 Water Rights Fees be waived for Texas Heights Phase II Subdivision being 22.192 acres out of Farm Tracts 108 and 109, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas. Located on Texas Blvd & Northcross Avenue and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- F. Discussion and consideration on the petition from Greener Pastures Mobile Home Subdivision for the release of 3.94 acre tract of land being Lots 82,133,134,135 and 136, Greener Pastures Mobile Home Subdivision, Hidalgo County, Texas real property located in the city's Extraterritorial Jurisdiction and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment.
- G. Discussion and consideration to approve Ordinance 2024-31 adopting a final budget amendment to the General fund and Water/Wastewater, Solid Waste, Airport and other funds presented and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2024-31. Possible action. (Staffed by Finance Department.) Attachment.
- H. Discussion and consideration on Resolution 2024-71 to approve participation with the cities served by AEP Texas Inc., authorizing hiring of Lloyd Gosselink Attorneys and Consulting Services to review the AEP's Resiliency Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by City

Manager.) Attachment.

- I. Discussion and consideration to accept the resignation of the City Attorney and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment.
- J. Discussion and consideration to appoint an Interim City Attorney and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- K. Discussion and consideration to award the Airport Appraisals Rent Study Contract to AMCG for a fixed fee of \$29,195 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment.
- L. Discussion and consideration to amend an Administrative Services Agreement with Creative Benefits Administrators to include Health Reimbursement Arrangement (HRA) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources) Attachment.
- M. Discussion and consideration to award bid for RFB #2023-24-36 to the most advantageous bidder, Cornett Construction, LLC out of La Feria, Texas, in the amount of \$1,853,024.99 for the proposed new Lift Station #12 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 - Consultation with City Attorney on legal opinion related to the appointment of a Municipal Judge 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 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. 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.
- E. Legal Consultation – Consultation with City Attorney regarding Liquid Environmental as authorized by Section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with the City Attorney regarding the status of City of Weslaco vs CDM as authorized by Section §551.071 of the Texas Government Code.
- G. Economic Development - Consultation with the City Attorney regarding financial offer or other incentives for Project Blue Diamond 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 11th day of October 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”.