



**A SPECIAL MEETING
OF THE WESLACO CITY COMMISSION
WEDNESDAY, NOVEMBER 6, 2024**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Special Meeting in the Legislative Chamber of City Hall, located at 255 South Kansas Avenue, on Wednesday, November 6, 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) Recognition of Commissioner Greg Kerr.
 - 2) Proclamation - Small Business Saturday

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. Weslaco Chamber of Commerce Visitor Center.

- B. Weslaco Economic Development Corporation.

IV. 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 Meetings on September 17, 2024, October 1 and 15, 2024, and the Special Meeting on October 21, 2024. (Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
- 1) 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 held October 15, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to accept the resignation of Greg Kerr, Commissioner At Large. (Staffed by City Manager.) Attachment.
- D. Approval of an agreement with South Texas College allowing Work Study employment at the Mayor Joe V. Sanchez Public Library. (Staffed by the Library Department.)
- E. Approval to authorize Mayor Joe V. Sanchez Public Library to implement a Food for Fines program supporting local food drives and the RGV Food Bank during Holiday Season, implement a Toy Drive to support local toy drives. (Staffed by Library Department.)
- F. Approval to submit a grant application to the Stanton Foundation for \$80,000 to support the purchase of a specialized transport van equipped with a rear HVAC system to ensure proper animal care during transport, and a custom wrap to enhance branding and community visibility with no matching funds from the City of Weslaco required. (Staffed by Grant Manager.)
- G. Approval to ratify the submission of a grant application to the Department of Energy's, Energy Efficiency and Conservation Block Grant for \$71,255.96 to purchase two Ford Maverick Hybrid trucks for Public Works and Five electric patrol bikes for the Weslaco Police Department with no matching funds required from the City of Weslaco. (Staffed by Grant Manager.)
- H. Approval on the petition from SAH-Santa Ana Development for the release of real property located in the city's Extraterritorial Jurisdiction described as 51.692 acres out of Farm Tract 1111, The West and Adams Tracts Subdivision, Hidalgo County, Texas. Located along Mile 12 1/2 North approximately 1,300 feet east of FM 1015. (Staffed

by Planning and Code Enforcement Department.) Attachment.

- I. Approval of Resolution No. 2024-75 to enter into an agreement with TxDOT for closures of streets for a public event in the city limits of Weslaco being a portion of S. Westgate, E. 6th and 12th Streets, Texas Blvd, Hwy. Business 83 and Airport Drive in support of the 2nd Annual South Texas International Marathon event on December 8, 2024; provision of support by City of Weslaco, Weslaco Parks and Recreation, Public Works, Building Maintenance, Police, Fire, and EMS Department. (Staffed by Fire Department.) Attachment.
- J. Approval to solicit sealed bids for Drone program purchase of equipment, software, training for use in accident reconstruction, search, and tactical operations. (Staffed by the Police Department.)
- K. Approval to solicit Request for Qualifications for Engineering Services to conduct a traffic study and redesign of the intersection of Vo-Tech and Pike Blvd. (Staffed by Public Works Department.) Attachment.
- L. Approval to solicit bids for construction of sidewalks, curb ramps, driveways, and other concrete flatwork. (Staffed by the Engineering Department.)

V. APPOINTMENTS

- A. Discussion and consideration on Resolution 2024-72 appointing a member to the Weslaco Economic Development Corporation Board. (Staffed by City Secretary.) Attachment.
- B. Discussion and consideration on Resolution 2024-73 appointing members to the Planning & Zoning Commission. (Staffed by City Secretary/Planning Department.) Attachment.

VI. OLD BUSINESS

- A. Discussion and consideration to amend an Administrative Services Agreement with Creative Benefits Administrators to include Health Reimbursement Arrangement (HRA). (There was no action on October 15, 2024; staffed by Human Resources Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration to approve the Final Plat for Magnolia Ridge Subdivision being 29.00 acres out of Farm Tracts 655, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the intersection of Mile 6 ½ West and West 6th St. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration to approve agreement with SWG for Professional Engineering Services for a Water Conservation and Drought Contingency Plan in the

amount of \$34,200.00. (Staffed by Planning & Code Enforcement.) Attachment.

- C. Discussion and consideration to approve 2024-2025 Interlocal Agreement with County of Hidalgo for the implementation of the Community Development Block Grant (CDBG) under Grant No.B-24-UC-48-0501 setting the City's allotment at \$284,266 for activities to be carried out in the City's jurisdiction. (Staffed by the Finance Department.) Attachment.
- D. Discussion and consideration of an agreement with Alan T. Ozuna, Attorney at Law, for legal services regarding Civil Service and Police and Fire Collective Bargaining matters. (Staffed by City Manager.)
- E. Discussion and consideration to approve a new contract with Valley Risk Consulting Inc., the professional consulting services contract for Roger Garza regarding all employee benefits and risk management programs. (Staffed by Human Resources Department.) Attachment.
- F. Discussion and consideration to purchase six (6) Self Contained Breathing Apparatus (SCBA) in the amount of \$48,600.00 from vendor Metro Fire Apparatus Specialists under Buyboard Contract #698-23 as budgeted. (Staffed by Fire Department.) Attachment.
- G. Discussion and consideration to approve Ordinance 2024-32 authorizing and allowing under the act governing the Texas Municipal Retirement System, "Updated Service Credit", and establish an effective date for such action. First reading of Ordinance 2024-32. (Staffed by Human Resources Department.) Attachment.
- H. Discussion and consideration of approval to authorize issuance of a PO for B2Z Engineering in the amount of \$64,899.00 for construction materials testing for the new library project in accordance with the main agreement executed on October 3, 2023, and work authorization #5 executed on October 11, 2024. (Staffed by Engineering Department.) Attachment.
- I. Discussion and consideration to renew annual software support and maintenance of the ERP Pro 10 (Incode) system from Tyler Technologies for an amount not to exceed \$70,558.78 as budgeted. (Staffed by Information Technology 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 - 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. Legal Consultation - Consultation with City Attorney regarding lawsuit styled C-1678-22-A Christopher De Leon Aircraft Maintenance Professional vs. City of Weslaco and Andrew Muñoz, individually as authorized by Section §551.071 of the Texas Government Code.
- H. 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.

- I. Legal Consultation - Consultation with City Attorney regarding pending claims and contemplated litigation as authorized by Section §551.071 of the Texas Government Code.
- J. Real Property - Consultation with the City Attorney regarding the purchase, exchange, lease or value of real property legally described as the South 12.50' of Lot 3 and Lots 4-9, Block 26, Weslaco Original Townsite, Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Government Code.
- K. 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.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. ADJOURNMENT

I hereby certify this **Notice of a Special 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 1st day of November 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 Office at (956) 968-3181, Ext. 1001 prior to the meeting date.

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”.