



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 19, 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, November 19, 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 - Benita Valadez, Weslaco Economic Development Board Member.
 - 2) Recognition - Weslaco East Wildcat Cross Country District Champions
 - 3) Proclamation - Valley Nature Center - 40th Year Anniversary
 - 4) Proclamation - Children's Grief 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. Animal Care Services.
- B. Inframark.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Abraham Martinez to approve a Conditional Use Permit to operate an event center at 505 W Bus 83., also being an 4.22ac Net, out of FT 1507 Lot 1 & AN IRR TR N394.11' Lot 8, West Tract Subdivision, Weslaco, Hidalgo County, Texas.
- B. To solicit input on behalf of All Valley UPull It, LLC., to rezone 236 Mile 2 ½ W. Rd., also being 7.45-acres out of Farm Tract 1034 Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to I – Industrial District.
- C. To solicit input on behalf of Franco Ramirez to rezone 503 S Illinois, also being Lots 20- 22, Block 44, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary & Highway Business District.
- D. To solicit input on behalf of the City of Weslaco to reauthorize Guidelines and Criteria governing Tax Abatement Agreements.
- E. To solicit input on behalf of the City of Weslaco for designation of the Weslaco Reinvestment Zone No. 3 for property legally described as the N1000'-E929.77' & W59.17'-E345.89'-S286.72', Farm Tract 1028, 21.67 acres gross 20.75 net, Adams Tract Subdivision, 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 Special Meeting on November 6, 2024.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 was held November 6, 2024. (Staffed by Human Resources Department.) Attachment.

- C. Approval of six-month extension for the Final Plat for J&P Estates Subdivision being 4.00 acres out of the South 20.00 acres out of Farm Tract 130, Block 162, West Tract Subdivision, Weslaco, Hidalgo County, Texas located on the southwest corner of Cypress and North Border Ave. (Staffed by Planning & Code Enforcement Department.)
- D. Approval of three-month extension for the Final Plat for Pleasantview Terrace Subdivision being 27.498 acre out North 100 feet of the South 280 feet of South 15 acres of Farm Tract 20, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1100 ft North of Bus. 83 on the west side of Pleasantview Dr. (Staffed by Planning & Code Enforcement Department.)
- E. Approval to renew the lease agreement for the building located at Mayor Pablo G. Pena Park with the Boys & Girls Club of Weslaco for a new 2-year term ending September 30, 2026. (Staffed by Parks & Recreation Department.)
- F. Approval to apply for the ERate 2024-2025 Grant program to be used for computing infrastructure within the new library, accept funds upon award, accept additional funding if awarded. (Staffed by Library Department.)
- G. Approval to accept donated monies and gift donations from local vendors and/or the public for library programming within Fiscal Year 2024-2025. (Staffed by Library Department.)
- H. Approval to accept the Operation Lone Star Grant in the amount of \$250,000 (Grant # 5165301) for the Police Department for use of overtime on border security with no local match required. (Staffed by Police Department.)
- I. Approval to accept FY25 Border Zone Fire Departments (BZFD) Grant Award #5103501 in the amount of \$82,500.00 with NO MATCH and no RECURRING costs to purchase portable radios for the Fire Department (Staffed by Fire Department.)
- J. Approval of the annual subscription renewal to Rio Grande Valley Communications Group for radio communication services to all city departments from October 1, 2024 - September 30, 2025 in the amount of \$120,040.00. (Staffed by Fire Department.)
- K. Approval on the Order for the Special Run-Off Election on December 14, 2024, for City of Weslaco Commissioner At Large. (Staffed by City Secretary.) Attachment.
- L. Approval of a one (1) year renewal from RFB 2022-23-31 with Pico, our current fuel supplier. (Staffed by Public Works Department.) Attachment.
- M. Approval of Resolution 2024-76 for the annual request to host the Weslaco Lighted Christmas Parade on Saturday, December 14, 2024, along with Santa Dash 5k/fun run hosted by the Weslaco Area Chamber of Commerce from 4 p.m. to 9 p.m., request for street closures on Texas Boulevard from Pike Boulevard to Sixth Street, approval of the use of City Hall parking lot to stage 5k/fun run participants for start and end of run, request for support from Weslaco PD, Public works and Parks and Recreation Departments. Request to waive any required fees and approve agreement required by the Texas Department of Transportation for the proposed street closure affecting state right of-way. (Requested by the Weslaco Chamber of Commerce.)

- N. Approval to declare surplus items/vehicles and authorization to sell through online auction portal GovDeals or dispose of such declared surplus deemed unsafe. (Staffed by Finance.) Attachment.
- O. Approval to solicit bids for the Weslaco Pedestrian 2022 Project, Phase 2 funded under the Lower Rio Grande Development Council's 5310 Program. (Staffed by Engineering Department.) Attachment.

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2024-77 appointing a member to the Planning & Zoning Commission. (Staffed by City Secretary/Planning Department.) Attachment.

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Abraham Martinez to approve a Conditional Use Permit to operate an event center at 505 W Bus 83., also being an 4.22ac Net, out of FT 1507 Lot 1 & AN IRR TR N394.11' Lot 8, West Tract Subdivision, Weslaco, Hidalgo County, Texas. (Staffed by Planning & Code Enforcement Department.) Attachment.
- B. Discussion and consideration after public hearing on behalf of All Valley UPull It, LLC., on Ordinance 2024-33 to rezone 236 Mile 2 ½ W. Rd., also being 7.45-acres out of Farm Tract 1034 Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to I – Industrial District. First reading of Ordinance 2024-33. (Staffed by Planning & Code Enforcement Department.) Attachment.
- C. Discussion and consideration after public hearing on behalf of Franco Ramirez on Ordinance 2024-34 to rezone 503 S Illinois, also being Lots 20–22, Block 44, Weslaco Original Townsite Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-Family Dwelling District to B-2 Secondary & Highway Business District. First reading of Ordinance 2024-34. (Staffed by Planning & Code Enforcement Department.) Attachment.
- D. Discussion and consideration to approve purchase of a 2024 Chevrolet 1500 Silverado budgeted on FY 24-25 budget from Caldwell County Buy board Contract #724-23 in the amount not to exceed \$38,324.00 (Staffed by Planning and Code Enforcement.) Attachment.
- E. Discussion and consideration to approve electrical upgrades at the Weslaco Animal Care Services facility not to exceed \$35,000.00. (Staffed by Planning and Code Enforcement/Animal Care Division.)
- F. Discussion and consideration to approve lease agreement of a 2024 Chevrolet Tahoe as support vehicle budgeted on FY 24-25 budget from D&M Commercial Leasing

under Buyboard Contract #652-21 in the amount not to exceed \$50,284.41. (Staffed by Fire Department.) Attachment.

- G. Discussion and consideration on Resolution 2024-78 electing to participate in Tax Abatement Agreements and approve the guidelines and criteria for Tax Abatement Agreements and providing an effective date. (Staffed by Finance Department.) Attachment.
- H. Discussion and consideration on Resolution No. 2024-79 for adoption and designation of the Weslaco Reinvestment Zone No. 3 for property legally described as the N1000'-E929.77' & W59.17'-E345.89'-S286.72', Farm Tract 1028, being 21.67 gross acres and 20.75 acres net, Adams Tract Subdivision, Weslaco, Hidalgo County Texas. (Staffed by Finance Department.) Attachment.
- I. Discussion and consideration to accept and file the Financial Reports (unaudited) as of September 30, 2024 for the General Fund, Water and Sewer Fund, Solid Waste Fund, and Airport Fund. (Staffed by Finance Department.) Attachment.
- J. Discussion and consideration to accept and file the Quarterly Investment Report for period ending September 30, 2024. (Staffed by Finance Department.) Attachment.
- K. Discussion and consideration to approve the close out of the Mile 6 Expansion Joint Project with Hidalgo County Precinct #1 and authorize final payment of any outstanding invoices in an amount not to exceed \$668,753.72. (Staffed by Finance Department.) Attachment.
- L. Discussion and consideration to approve Resolution 2024-80 regarding the City Manager's hiring authority. (Staffed by City Manager.) Attachment.
- M. Discussion and consideration to amend the Public Affairs Consultant agreement with Prisylla Jasso. (Staffed by City Manager.) Attachment.
- N. Discussion and consideration to approve Resolution 2024-81 to allocate votes in the election for the 2025-2027 Board of Directors of the Hidalgo County Appraisal District pursuant to §6.03(e) of the Texas Property Tax Code. (Staffed by City Manager.) Attachment.
- O. Discussion and consideration on Resolution 2024-82 authorizing a one-time retention stipend of \$1,000 for eligible non-civil service employees. (Staffed by City Manager.) Attachment.
- P. Discussion and consideration to award RFB No.: 2023-24-05 City of Weslaco Public Library Construction Project to NM Contracting of McAllen, Texas for the base bid, alternates No. 1, No.2, and No.5 for an amount not to exceed \$9,571,600. (Staffed by Parks & Recreation Department.) Attachment.
- Q. Discussion and consideration to submit to an agreement with D&M Leasing Contract

#652-21 to lease 3 police Tahoe units with emergency equipment for an amount not to exceed \$225,000.00. (Staffed by the Police Department.) Attachment.

- R. Discussion and consideration of the purchase of a New Vermeer Jetter VX75-500 from Buyboard contract 684-22 vendor Vermeer Texas-Louisiana in the amount of \$178,118.82 for collections department (Staffed by Public Works Department.) Attachment.
- S. Presentation and interview of the top three ranked firms for RFQ #2024-25-03 GIS Solutions and Services Project. (Staffed by Engineering Department.) Attachment.
- T. Discussion and consideration of contract award for RFQ No. 2024-25-03 GIS Solutions and Services to the most qualified and advantageous respondent. (Staffed by Engineering 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 – 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 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.
- F. 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.
- G. Legal Consultation - Consultation with City Attorney regarding pending claims and contemplated litigation as authorized by Section §551.071 of the Texas Government Code.
- H. Real Property - Consultation with City Attorney on the acquisition, sale, exchange, lease or value of real property being 35.28 acres except the southeast 1.90 acre for 33.38 net acres of land out of Farm Tract 59, West Tract Subdivision, Weslaco, Hidalgo County, Texas as authorized by Section §551.072 of the Texas Local Government Code.
- I. 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 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 15th 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 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”.