



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, DECEMBER 3, 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, December 3, 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 - Weslaco East Wildcat Cross Country District Champions
 - 2) Recognition - Walmart
 - 3) Recognition - Dr. Joel Rivera, Chief of Police

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 Economic Development Corporation.
- B. Weslaco Chamber of Commerce Visitor Center.

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 Special Meeting and Workshop on November 18, 2024. (Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held November 19, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
 - 2) 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 held November 19, 2024; staffed by Planning & Code Enforcement Department.) Attachment.
- C. Approval to accept the Office of Governor’s Grant in the amount of \$22,506.21 (Grant # 4367803) with a local match required of \$7,502.07 for body worn camera server. (Staffed by Police Department.)
- D. Approval to accept the Local Border Security Program (LBSP) Grant in the amount of \$125,000 (Grant # 3407208) for border security operations with no local match required. (Staffed by Police 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 of a District Office Lease Agreement beginning January 2, 2025 and ending January 2, 2027 with Congressman Vicente Gonzalez for office space located at 255 S. Kansas Avenue. (Staffed by City Manager.)

V. NEW BUSINESS

- A. Discussion and consideration to approve the Interlocal Agreement between the City of Weslaco and the City of Donna to provide sanitary sewer services for Midway Estates

Subdivision. (Staffed by Planning & Code Enforcement Department.) Attachment.

- B. Discussion and consideration to reject all SOQ's and re-solicit for 2023-24-18 SOQ for Engineering / Planning Services to Conduct Feasibility Studies for Street, Utility Impact Fees, Capital Improvement Plan and Land Use Assumptions Plan and to Update the City's Subdivision, Zoning and Building Ordinances. (Staffed by Planning & Code Enforcement Department.)
- C. Discussion and consideration to approve a contract with TXP, INC for professional consulting services related to the Tax Increment Reinvestment Zone (TIRZ) administration and feasibility. (Staffed by Finance Department.) Attachment.
- D. Discussion and consideration to review proposal from Luna Creative in the amount of \$11,935 for the creation of a new City of Weslaco logo and style guide. (Staffed by Communications and Media Department.) Attachment.
- E. Discussion and consideration to authorize staff to work with the PONY organization to establish a youth baseball and softball program in Weslaco. (Staffed by Parks & Recreation Department.) Attachment.
- F. Discussion and consideration to approve a request from Weslaco PONY Baseball/Softball to waive fees for the PONY Road to the International World Series. (Staffed by Parks & Recreation Department.) Attachment.
- G. Discussion and consideration to ratify approval of Allowance Expenditure Authorization No. 1 for the MJVSPL - New Theater Wall & Porter Doss Building Demolition project in an amount not to exceed \$12,200. (Staffed by Parks & Recreation Department.) Attachment.
- H. Discussion and consideration to authorize Heffner Design team to proceed to the Design Development Phase of the Isaac Rodriguez and Mayor Pablo Pena City Parks improvements project. (Staffed Parks & Recreation Department.) Attachment.
- I. Discussion and consideration to approve purchase of 20 portable radios and 1 mobile radio in the total amount of \$81,520.00 from Tri-County Communications, LLC, **Buyboard Contract #698-23** with the FY25 Border Zone Fire Departments (BZFD) grant award # 5103501. (Staffed by Fire Department.) Attachment.
- J. Discussion and consideration to approve a five (5) year subscription agreement with Motorola Solutions South Texas Communications under **Buyboard Contract #648-21** for body worn EMS cameras as budgeted for first year term cost of \$15,540.40 and the total amount for five year term of \$51,982.00. (Staffed by Fire Department.) Attachment.
- K. Discussion and consideration to approve the Covered Applications & Prohibited Technology Policy pursuant to Senate Bill 1893 and amend the COW Personnel Policies to include Prohibited Technology Policy. (Staffed by Human

Resources.) Attachment.

- L. Discussion and consideration to approve the updated Salary Grades and Ranges pay schedule for non-civil service employees to reflect the COLA increase for FY 21-22; FY 22-23; and FY 23-24 as approved by City Commission and as required by city policy. (Staffed by Human Resources Department.) Attachment.
- M. Discussion and consideration to award RFB No: 2024-25-02 Weslaco Mid-Valley Airport Drainage Improvements/Project 1 to G-8 Utilities, LLC of McAllen, TX for the Base Bid and Additive Alternate No. 1 in the amount of \$630,120.00. (Staffed by Mid-Valley Airport.) Attachment.
- N. Discussion and presentation of Code of Ordinance City of Weslaco, Texas, Chapter 142, Vehicle Wrecker and Towing Services (Staffed by Police Department.) Attachment.
- O. Discussion and consideration to approve the purchase of MdE ADORE Field Training Software with a first-year activation and annual subscription fee of \$5,720.00, with an annual recurring cost of \$1,430.00 from the Asset Forfeiture funds. (Staffed by Police Department.) Attachment.
- P. Discussion and consideration of proposed Change Order #2 for CB3's NWWTP Aeration Basin Maintenance & Rehabilitation Project in the amount of \$40,000 to perform repairs of walls within the anoxic zone. (Staffed by Engineering Department.) Attachment.
- Q. Discussion and consideration to approve the most advantageous respondent for RFB #2024-25-05 Border Road Sidewalk Improvements Project. (Staffed by Engineering Department.) Attachment.
- R. Discussion and consideration on the appointment of a Municipal Judge. (Staffed by City Manager.)
- S. Discussion and consideration to confirm the appointment of an Interim Police Chief. (Staffed by City Manager.)

VI. 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. Personnel - Deliberation to confirm the appointment of an Interim Chief of Police as authorized by Section §551.074 of the Texas Government Code.
- C. Legal Consultation - Consultation with City Attorney regarding matters related to the appointment of a Municipal Judge, including but not limited to conducting Municipal Judge candidate interviews as authorized by Section §551.071 and 551.074 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 Fire Union (IAFF-WFFA Local 3207) FY October 1, 2022 – September 30, 2025, 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 City Attorney regarding *Cause No. C-5009-24-I Eliana Santana v City of Weslaco and Enrique Sanchez Rios*, Weslaco, Hidalgo County, Texas as authorized by Section §551.071 of the Texas Government Code.
- G. Legal Consultation - Consultation with the City Attorney regarding Ethan Iasaia Carrillo TMLIRP Claim No. TX226942 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.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VIII. 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 27th 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:
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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”.