



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 4, 2020**

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, February 4, 2020 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.

I. CALL TO ORDER

- A. Certification of Public Notice.
- B. Invocation.
- C. Pledge of Allegiance.
- D. Mayoral recognition.
Proclamation - February 2020 as Young Hearts Matter Teen Dating Violence Prevention Month.
- E. Roll Call.

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. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

A. Approval on second and final reading of the following:

- 1) Approval on Ordinance 2019-50 to convert the 1/2 of a twenty (20) foot alley running between Lots 1-20, Block 4, Gonzalez Addition into a utility easement and authorize the Mayor to execute any related documents. (First reading held January 21, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- 2) Approval on Ordinance 2020-01 amending Ordinance 2016-03 the Equipment Replacement Fund Section One 50-80(c) and authorize the Mayor to execute any related documents. (First reading held January 21, 2020; staffed by City Manager.) Attachment

B. Approval of a request by Valley Nature Center to utilize Gibson Park parking lot on April 18, 2020 from 8 a.m. – 10 p.m. for the 6th Annual Spring Feast, waive any fees that may be associated with the event and authorize the Mayor to execute any related documents. (Requested by Valley Nature Center.)

C. Approval of the renewal of the lease agreement with Weslaco Little League for use of Isaac Rodriguez Park Multi-Purpose Field and Minor Field and Concession Stands and Harlon Block/Sports Complex Field #1, Field #2, Field #3 and the Concession Stands effective February 1, 2020 through July 7, 2020 and authorize the Mayor to execute any related documents. (Requested by Weslaco Little League.) Attachment

D. Approval on renewal of the Facility License Agreement with Weslaco Softball Baseball for use of the Softball/Baseball Field 1, 2 and 3 and Concession Stand at Mayor Pablo G. Peña City Park effective February 1, 2020 through July 7, 2020 and authorize the Mayor to execute any related documents. (Requested by Weslaco Softball Baseball.) Attachment

E. Approval on renewal of License Agreement for Annual “Movies at the Park” at Mayor Pablo G. Peña City Park located at 300 N. Airport Drive for the 2020 season and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

F. Approval on renewal of the lease agreement with I Theatre, Inc. for the use of the Tower Theatre and Tower House effective January 1, 2020 - December 31, 2020 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

- G. Approval on renewal of the lease agreement with Mid Valley Youth Soccer League for use of Pablo G. Pena City Park soccer fields and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment
- H. Approval on request from the Boys & Girls Club of Weslaco, Inc. to use Mayor Pablo Pena Park Baseball/Softball Complex for programs beginning July 8, 2020 through November 30, 2020 and authorize the Mayor to execute any related documents. (Staffed by Parks & Recreation Department.) Attachment
- I. Approval of Resolution 2020-03 authorizing the submittal of FY2020/2021 Solid Waste Grant Application to the Lower Rio Grande Valley Development Council in the amount of \$25,000.00 for the City of Weslaco Recycle Center, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Public Works.) Attachment
- J. Approval of Resolution 2020-04 authorizing designated individuals as signatories on certain legal financial documents with Lone Star National Bank for the \$240,000 Marion Booth Endowment Certificate of Deposit and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment
- K. Approval of Memorandum of Understanding (MOU) with South Texas College for implementation of Continuing Education opportunities through the Learner Web Program and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- L. Approval of an Interlocal Cooperation Agreement with the County of Hidalgo for participation within the Hidalgo County Library System and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- M. Authorization to enter into a Memorandum of Understanding (MOU) between Weslaco Police Department (WPD) and the U. S. Department of Justice, Drug Enforcement Administration (DEA) regarding License Plate Reader Information and authorize Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- N. Approval of Resolution 2020-05 authorizing the submission to Office of the Governor's State Homeland Security Program-LETPA Projects (SHSP-L) Grant application in an amount not to exceed \$250,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute and sign any related documents. (Staffed by Police Department.) Attachment

- O. Authorization of Resolution 2020-06 authorizing the submission to the Office of the Governor's State Homeland Security Program-Regular Projects (SHSP-R) Grant application in an amount not to exceed \$150,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- P. Authorization of Resolution 2020-07 authorizing the submission to the Office of the Governor's Violence Against Women Justice and Training Program Grant application in an amount not to exceed \$30,000 with **30% MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

IV. **OLD BUSINESS**

- A. Discussion and clarification of the Utility Policy Ordinance as codified under Article II Section 4 (5) (d) Utility Reimbursement Agreement Filing Deadline for Saltillo Plaza Subdivision and authorize the Mayor to execute any related documents. Possible action. (This item was tabled January 21, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration on Ambulance Services Agreement between City of Weslaco and VHS Harlingen Hospital Company, LLC dba Valley Baptist Micro-Hospital Weslaco for ambulance transportation services and authorize the Mayor to execute any related documents. Possible action. (This item was tabled January 21, 2020; staffed by Fire Department.) Attachment
- C. Discussion and consideration to select a firm from the Request for Qualifications #2019-20-07 for Architectural / Engineering Design Services for a New Fire Station and Police Station with Municipal / Judicial Court and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- D. Discussion and consideration on Ordinance 2020-02 to order a Special Municipal election for May 02, 2020 for charter amendments and authorize the Mayor to execute any related documents. Possible action. (First reading held January 28, 2020; staffed by City Secretary Department.)

V. **NEW BUSINESS**

- A. Discussion and consideration to accept the most advantageous bidder, Insight Public Sector, as the vendor for Basic Network Maintenance and Equipment Services submitted in response to the Library's Request for Proposal within the E-Rate Year 23 cycle , and authorize the Mayor to execute any related documents. Possible action. (Staffed by Library Department.) Attachment
- B. Discussion and acceptance of a \$158,500 grant from the Texas Emergency Medical Task Force (EMTF) for the purchase of equipment for the EMTF-11 Multi Patient Vehicle-MPV 11-01 Weslaco Ambulance Bus (AmBus) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.)
- C. Discussion and consideration to enter into a Development Agreement between the City of Weslaco and Dreamland Estates, LLC for Citrus 674 Subdivision Drainage Detention Area maintenance, the establishment of a Home Owners Association (HOA) and the assessment of a monthly maintenance fee from the property owners as part of their utility bill and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement.) Attachment
- D. Discussion and consideration to extend the collection agency (American Financial Bureau) contract for delinquent municipal accounts for another year or give authorization to staff to solicit Request for Qualifications for Fines and Fees Collection Services of delinquent municipal accounts, authorize a budget amendment as needed, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Municipal Court.) Attachment
- E. Discussion and consideration to approve Proposal PSF20-013-00 from Raba Kistner Environmental, Inc. in the amount not to exceed \$190,800.00 for the four-year Landfill Post Closure Care Monitoring as stated on RFQ 2019-20-05 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- F. Discussion and consideration on Notice and Order of a Special Election held to be held May 2, 2020 for charter amendments and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary Department.) Attachment

VI. REPORTS

- A. Report by Weslaco Chamber of Commerce.
- B. Report by Economic Development Corporation of Weslaco.
- C. Report by Inframark.
- D. Report by Public Works.

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 §551.074 of the Texas Government Code.
- B. Legal Consultation - Seek City Attorney opinion relating to the lawsuit with CDM as authorized by §551.071 of the Texas Government Code.
- C. Consultation – Seek City Attorney opinion on arbitration proceedings by the Weslaco Firefighters Association (IAFF-WFFA Local 3207) as authorized by §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding the Weslaco Firefighter's Association violation of Collective Bargaining Contract as authorized by §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Justin Becerra as authorized by §551.071 of the Texas Government Code.
- F. Economic Development – Consultation with City Attorney regarding Economic Development incentive program related to Project Dock as authorized by §551.087 of the Texas Government Code.

- G. Real Property - Consultation with City Attorney on the sale, exchange, lease or value of real property located at Bridge Avenue and Highway Business 83 as authorized by §551.072 of the Texas Government Code.
- H. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 0.87 acre tract of land out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Government Code.
- I. Real Property– Consultation with City Attorney on the acquisition of real property legally described as Lot 16, Block 2, La Paloma De La Sombras Subdivision for the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Government Code.
- J. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 14.82 acre of land out of Farm Tract 706, West Tract Subdivision for the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Government Code.
- K. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 5.24 acre tract of land out of the South 10.0 acres out of the North 20.0 acres out of Farm Tract 705 West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas Government Code.
- L. Real Property– Consultation with City Attorney on the acquisition of real property legally described as a 23.84 acre of land consisting of 10.0 acres out of Farm Tract 705 and 13.84 acres out of Farm Tract 706, West Tract Subdivision the Pleasantview drainage improvements project as authorized by §551.072 of the Texas 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 31st day of January, 2020 at 4:30 p.m. 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/ Myra Ayala, City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary's Office at (956) 968-3181, Ext. 3100 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.

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