



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, FEBRUARY 18, 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 18, 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.
- 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. PUBLIC HEARING

- A. To solicit input on the adoption of the proposed City of Weslaco Southeast Community Revitalization Plan described as approximately four and one half (4.5) square mile area located Southeast of downtown Weslaco is bounded by IH-2/U.S. 83 Expressway to the North, S. Texas Blvd. to the West, FM 1015 or S. International Blvd. to the East, and W. 18th Street to the South.

IV. 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 of the request from the Weslaco Area Chamber of Commerce to hold the 31st Annual Texas Onion Fest on Saturday, March 28, 2020 at the Mayor Pablo G. Peña City Park, to sell beer during the event, to place a banner promoting the event at the intersection of Texas and Los Torritos St. and Westgate and Frontage for two weeks prior to the event, to waive appropriate fees from ordinances associated with event and authorize the Mayor to execute any related documents. (Requested by Weslaco Area Chamber of Commerce.)
- B. Approval of Memorandum of Understanding between The American Red Cross and City of Weslaco in preparing for, responding to, and recovering from emergencies and disasters and authorize the Mayor to execute any related documents. (Staffed by Weslaco Emergency Management.) Attachment
- C. Approval of a Memorandum of Understanding (MOU) with the City of South Padre Island and City of Weslaco for Weslaco Fire Department AmBus operations during Spring Break 2020 at a cost of \$10,500 and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire-EMS Department.) Attachment
- D. Approval of a one-year renewal Advanced Education Consultant Agreement between the City of Weslaco and Armando A. Martinez to advance the EMS Training and Continuing Education of the Weslaco Fire Department EMS Division and authorize the Mayor to execute any related documents. (Staffed by Weslaco Fire-EMS Department.) Attachment
- E. Approval of a Memorandum of Understanding between U.S. Immigration and Customs Enforcement and Weslaco Police Department for assistance with Homeland Security Investigations and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Authorization to purchase 3 CID unmarked 2020 Chevy Malibus from Lake Country Chevrolet with a GoodBuy Purchasing Program contract and 2 Patrol marked 2020 Chevy Tahoe police units from Caldwell Country Chevrolet through BuyBoard BID contract in an amount not to exceed \$174,570 and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- G. Authorization to ratify Chief of Police Joel Rivera, PhD, signature on a Memorandum of Understanding (MOU) between Weslaco Police Department (WPD) and the Texas

Department of Public Safety regarding License Plate Reader Information and authorize Mayor to execute any related documents. (Staffed by Police Department.) Attachment

- H. Authorization to enter into an Interlocal Cooperation Act Agreement between the City of Weslaco Police Department and the Texas Department of Public Safety for the use of the Weslaco Police Department's Shooting Range for Training and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- I. Authorization of Resolution 2020-08 authorizing the submission to the Office of the Governor's Local Border Security Program (LBSP) Grant application in an amount not to exceed \$160,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.)
- J. Authorization of Resolution 2020-09 authorizing the submission to the Office of the Governor's Criminal Justice Program 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
- K. Authorization of Resolution 2020-10 authorizing the submission to the Office of the Governor's General Victim Assistance Grant Program application in an amount not to exceed \$75,000 with **20% MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- L. Authorization of Resolution 2020-11 authorizing the submission to the Office of the Governor's Juvenile Justice and Truancy Prevention Grant Program application in an amount not to exceed \$80,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- M. Authorization of Resolution 2020-12 authorizing the submission to the Office of the Governor's Rifle-Resistant Body Armor Grant Program application in an amount not to exceed \$5,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- N. Authorization of Resolution 2020-13 authorizing the submission to the Office of the Governor's Texas Conversion to the National Incident-Based Reporting System (NIBRS) Grant application in an amount not to exceed \$500,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

- O. Authorization of Resolution 2020-14 authorizing the submission to the Office of the Governor's Operation Stonegarden Grant application in an amount not to exceed \$230,000 with **NO MATCH REQUIRED**, authorize acceptance upon award and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to accept the resignation of Diana Fuentes Aguilar from the Weslaco Economic Development Corporation and approve Resolution 2020-15 appointing a member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration to approve Proposal PSF20-013-00 from Raba Kistner Environmental, Inc. in the amount not to exceed \$190,800 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. (This item was tabled on February 4, 2020; Staffed by Public Works Department.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration after public hearing to adopt the proposed City of Weslaco Southeast Community Revitalization Plan described as approximately four and one half (4.5) square mile area located Southeast of downtown Weslaco bounded by IH-2/U.S. 83 Expressway to the North, S. Texas Blvd. to the West, FM 1015 or S. International Blvd. to the East, and W. 18th Street to the South and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- B. Discussion and consideration to adopt Resolution 2020-16 authorizing the project known as Weslaco Village Apartments as a development that will contribute most significantly to the concerted revitalization efforts of the City of Weslaco- Southeast Community Revitalization Plan and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- C. Discussion and consideration to execute a Utility Easement between Auriel Investments and the City of Weslaco for the construction of a sanitary sewer line for the proposed Harbor Freight development and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment

- D. Discussion and authorization to combine Clean Sweep/Census Event on April 18, 2020. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- E. Discussion and consideration for the Final Plat for Harbor Freight Subdivision – A Tract of land containing 4.015 acres being a part or portion out of Farm Tract 137, Block 162, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately 726 ft. East of the intersection of Westgate Drive & U.S. Expressway 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration to approve a Professional Services Agreement with Montalvo Insurance Agency for Loss Control and Risk Management and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- G. Discussion and consideration on request from Inframark on proposed amendment letter for FY 2019-2020 budget to the Fourth Amendment to the Water and Wastewater System Operation and Maintenance Agreement and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- H. Discussion and consideration to approve demolition of residential structure at South Cemetery RDF as recommended by Drainage Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- I. Discussion and consideration to award a contract for Request for Bids No. 2019-20-10 for Aviation Fuel and Service for the Weslaco Mid Valley Airport and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- J. Discussion and consideration on possible dates for a joint workshop with the Weslaco School Board. Possible action. (Staffed by City Manager.)
- K. Discussion and consideration to approve the submission of the final proposed annual work plan for the City of Weslaco under the Hidalgo County Urban County Program, approve Resolution 2020-17 for year 33 (2020) and to accept the allocation of approximately \$285,782 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- L. 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

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 - Seek City Attorney opinion relating to the lawsuit with CDM as authorized by section §551.071 of the Texas Government Code.
- C. Legal Consultation – Seek City Attorney opinion on arbitration proceedings by the Weslaco Firefighters Association (IAFF-WFFA Local 3207) as authorized by section §551.071 of the Texas Government Code.
- D. 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 section §551.072 of the Texas Government Code.
- E. 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 section §551.072 of the Texas Government Code.

- F. Legal Consultation - Consultation with City Attorney regarding Justin Becerra as authorized by section §551.071 of the Texas Government Code.
- G. Legal Consultation - Seek City Attorney opinion regarding service contract with Republic Services as authorized by section §551.071 of the Texas 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 14th day of February, 2020 at 5:00 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.

Removed from Bulletin Board

Date:

Initials: