



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MARCH 17, 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, March 17, 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 behalf of Texas Regional Bank to rezone 1325 Dolores Huerta. Also being 4.50 Acres Gross being the W650.3'-S422.39' of Farm Tract 31 West Tract Subdivision, Weslaco, Hidalgo County, and Texas from R-1 One-family dwelling district to B-2 Secondary and highway business district.

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 on second and final reading of the following:

- 1) Approval on Ordinance 2020-03 renaming Tanglewood South Drive recorded as part of Westgate Wood Subdivision Unit 2 to Meadow Wood South Drive and authorize the Mayor to execute any related documents. (First reading held March 3, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- 2) Approval on Ordinance 2020-04 renaming Paseo del Norte Avenue to Dolores Huerta Avenue and authorize the Mayor to execute any related documents. (First reading held March 3, 2020; staffed by Planning & Code Enforcement Department.) Attachment
- 3) Approval on Ordinance 2020-05 amending the Master Fee Schedule Ordinance 2019-41 Sect. Planning & Zoning Residential Construction Fees and authorize the Mayor to execute any related documents. (First reading held March 3, 2020; staffed by Planning and Code Enforcement Department.) Attachment

B. Acceptance to continue with the Memorandum of Understanding between the United States Marshal Service Task Force and Weslaco Police Department and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

C. Acceptance of the 2019 Racial Profiling Report compiled by the Weslaco Police Department (WPD) as required by the Texas Code of Criminal Procedures Article 2.132 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

D. Approval on renewal of the Affiliation Agreement for Clinical Experience with the City of Weslaco Fire/EMS and Texas State Technical College-Harlingen and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment

E. Approval to solicit competitive sealed bids for the construction of the North Side Sports Complex located at 320 East Mile 11 Road (RFB No.: 2019-20-01) and authorize the Mayor to execute any related documents. (Staffed by Airport.)

V. **APPOINTMENTS**

A. Discussion and consideration to approve Resolution 2020-18 appointing one (1) member to the Parks and Recreation Board to an unexpired term through August 01, 2020, and authorize the Mayor to execute any related documents. Possible action.

(This item was tabled March 3, 2020; staffed by Parks and Recreation Department.) Attachment

- B. Discussion and consideration to approve Resolution 2020-19 appointing members to the Weslaco Recycling Task Force and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- C. Discussion and consideration on Resolution 2020-20 appointing one (1) board member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment

VI. OLD BUSINESS

- A. Discussion and consideration and approval of Allowance Expenditure No. 4 regarding the North Side Fire Station Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment

VII. NEW BUSINESS

- A. Discussion to accept and file the City of Weslaco's Comprehensive Annual Financial Report (CAFR) for fiscal year ending September 20, 2019 as presented by Carr, Riggs & Ingram, LLC and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- B. Discussion and consideration to approve Ordinance 2020-06 amending the City of Weslaco's budget for the Water and Sewer Capital Projects Fund in the amount of \$63,010 for capital outlay acquisition and authorize the Mayor to execute any related documents. First reading of Ordinance of 2020-06. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Texas Regional Bank to approve Ordinance 2020-07 to rezone 1325 Dolores Huerta. Also being 4.50 Acres Gross being the W650.3'-S422.39' of Farm Tract 31 West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and highway business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-07. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to adopt Ordinance 2020-08 amending Ordinance 2007-54 being the Access Management Policy Ordinance to allow for 30' curb cuts for residences with u-shaped driveways and three (3) car garages and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-08. Possible Action. (Staffed by Planning & Code Enforcement Department.) Attachment

- E. Discussion and consideration on the variance request to section 26-27(k)(2) pertaining to the dedication of half streets for Weslaco Plaza Subdivision – being a re-subdivision of 6.595 acres being all of Lots 1 and 2, Limon Subdivision, Weslaco, Hidalgo County, Texas, located approximately 1,150 feet East of Westgate Dr. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration for the Final Plat for Highland Manor Subdivision – being 8.25 acres out of Farm Tract 238, West & Adams Tract Subdivision, Weslaco, Hidalgo County, Texas, approximately on the Northwest corner of Mile 11 North and Mile 5 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- G. Discussion and re-consideration of the Final Plat for San Jacinto Estates No10. Phase II Subdivision – being 13.49-acre tract of land out of Farm Tract 94, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately on the Northwest corner of Mile 10 North Road and Mile 4 West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- H. Discussion and consideration on COPS School Violence Prevention Program (SVPP) grant in the amount of \$500,000 with a **25% MATCH REQUIREMENT** to fund improvements to security at schools and on school grounds and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- I. Authorization to enter into an Asset Disposition Services Agreement with PropertyRoom.com and the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- J. Discussion and consideration on final payment to RGV Industrial Machine Shop and Pumps in the amount of \$67,038.00 for their work on IBWC Levee Project and authorize Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)
- K. Discussion and consideration to authorize city staff to solicit competitive sealed bids or use a cooperative purchasing organization (i.e. Buy Board etc.) for the purchase of brush service equipment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works 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 - 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 purchase , sale, exchange, lease or value of real property located at the Southeast corner of East Pike Boulevard and Vo-Tech Drive as authorized by section §551.072 of the Texas Government Code.
- E. Legal Consultation - Seek City Attorney opinion relating to Interlocal Agreement for Sale of Water to City of Donna as authorized by section §551.072 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 13th day of March, 2020 at 5:30 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/ Norma A. Cantu, Interim 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: