



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, APRIL 21, 2020**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, April 21, 2020 at 5:30 pm pursuant to Section 551.045 of the Texas Open Meetings Act.

This meeting will be closed to in person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. The meeting will be recorded and uploaded to the City website following the conclusion of the meeting.

Telephonic conferencing capabilities will be utilized to allow member of the public to participate remotely via Toll Free Dial In Number: 1-877-853-5247; Meeting ID: 873 1123 5970.

Members of the public who wish to participate in Public Comment on an agenda item must send their name, address and phone number via email to nacantu@weslacotx.gov by 12:00 pm on April 21, 2020. A staff member will contact you with instructions via phone call to address your public comment.

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.

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 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 held March 17, 2020; staffed by Finance Department.) Attachment
- 2) Approval on Ordinance 2020-07 after public hearing 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, 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 held March 17, 2020; staffed by Planning & Code Enforcement Department.) Attachment
- 3) Approval on 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 held March 17, 2020; staffed by Planning & Code Enforcement Department.) Attachment

B. Authorization for application to US Department of Justice CFDA#16.034 Coronavirus Emergency Supplemental Funding Program FY2020 Formula Grant Solicitation for an amount not to exceed \$38,412.00 with NO MATCH REQUIRED and NO REOCCURRING COSTS and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

C. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Economic Development Corporation of Weslaco for Hanger E24 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant CIL Hangars, LLC. for Hangar E24 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

IV. OLD BUSINESS

- A. 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. (This item was tabled on March 17; staffed by Planning and Code Enforcement Department.) Attachment

V. NEW BUSINESS

- A. Discussion and consideration on the purchase of a Cyber Security Appliance to protect city's network and city's data for an amount of \$34,665.34 approved for FY 2019-2020 Capital Outlay expenditures through IK Network Technologies with Texas TIPS Contract #18050101 and authorize the Mayor to execute any related documents. Possible action. (Staffed by IT Department.) Attachment
- B. Discussion and consideration on Ordinance 2020-09 amending Ordinance 2020-02 to postpone Special Election of May 2, 2020 and hold on August 25, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Secretary Department.)
- C. Discussion and consideration relating to policy for no disconnect of water during this COVID-19 Pandemic and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- D. Discussion and consideration to authorize solicitation for seal bids for repairs to the generator for North Wastewater Treatment Plant (NWWTP) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- E. Discussion and consideration to approve the Quarterly Investment Report for the period ending March 31, 2020 and December 31, 2019 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- F. Discussion and consideration to approve the Urban County Re-qualification Cooperation Agreement for Fiscal Years 2021-2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- G. Discussion and consideration on presentation of the financials for the General, Water/Wastewater and Solid Waste funds as of March 31, 2020 and authorize Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- H. Discussion and consideration on amendments and extension of Disaster Declaration (COVID-19) and any reports related to such executive orders and authorize the Mayor to execute any related documents. Possible action. (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. 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.
- C. Real Property - Discussion with City Attorney on the purchase of real property located at the corner of Witmer Street and South Bridge Avenue as authorized by §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 17th day of April 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/ Norma A. Cantu, Interim City Secretary

NOTE: If any accommodation for a disability is required, please notify the City Secretary Department at (956) 968-3181, Ext. 1100 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: