



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 5, 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, May 5, 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

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discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes of the Regular Meeting on
 - 1.) Regular Meeting on March 03, 2020;
 - 2.) Regular Meeting of March 17, 2020; Record of Special Emergency Meeting of March 17, 2020;
 - 3.) Record of Special COVID-19 Meeting of April 09, 2020; and Regular Meeting of April 21, 2020. (Staffed by City Secretary Department.) Attachment.
- B. Approval to renew contract for Unleaded and Diesel Fuel with Meritum Energy Holdings LP, DBA Pico Propane & Fuels for an additional year and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment
- C. Approval to renew contract for Hot Mix, Cold Mix, Caliche, and Oil with Terra Firma Materials, CAPA Materials, Frontera Materials, and Asphalt Oil Express for one year and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment
- D. Approval to accept the Regional Solid Waste Grant Program Contract through Lower Rio Grande Valley Development Council in the amount of \$23,810.00 to purchase a truck for the City of Weslaco Recycling Program and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment
- E. Approval on renewal of the Weslaco Mid Valley Airport Lease Agreement with Tenant Gloria Brady for Hangars E-8 and E-9 and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2020-20 appointing a member to the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

VI. OLD BUSINESS

- A. 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. First reading of Ordinance 2020-09. Possible action. (This item was tabled on April 21; staffed by City Secretary Department.) Attachment

- B. 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. (This item was tabled on April 21; staffed by Finance Department.) Attachment
- C. 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; there was no action on this item on April 21, 2020.)

VII. NEW BUSINESS

- A. Discussion and consideration on Amendment No. 2 for Interlocal Cooperation Agreement Mile 10 Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- B. Discussion and consideration to review status report of FY 2019-2020 Street Improvement Project List and approval of any possible changes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- C. Discussion and approval to negotiate a contract with the lowest and most advantageous vendor to RFB #2019-20-01 Weslaco North Side Sports Complex and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) 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. 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.
- C. Pending Litigation - Annual Report by City Attorney regarding all pending litigation as provided to City Auditor as authorized by §551.071 of the Texas Governor Code.
- D. Contract Negotiations - 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) as authorized by §551.071 of the Texas Government Code.
- E. 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.

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 1st day of May, 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 Office 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: