



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, MAY 19, 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 19, 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 Jamie Gonzalez to rezone 1500 Katie St. Also being Block 6, Lot 12, James M. Black No. 2, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district.
- B. To solicit input on behalf of Melden & Hunt, Inc. to rezone 2732 E. Business 83. Also being 2.394 out of farm tract 710, Block 136, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and highway business district.

- C. To solicit input on behalf of Edna Salas to rezone 920 Dolores Huerta. Also being .70 acres out of farm tract 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district. Attachment

IV. CONSENT AGENDA

The following items are 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.) January 07, 2020;
 - 2.) January 21, 2020; and
 - 3.) Special Meeting of January 28, 2020. (Staffed by City Secretary Department.) Attachment.
- B. Authorization for application to the Patrick Leahy Bulletproof Vest Partnership (BVP) to purchase concealable body armor for officers for an amount not to exceed \$20,000 with a **50% MATCH REQUIRED** and **NO REOCCURRING COSTS** and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- C. Authorization for application to the Criminal Justice Division Coronavirus Emergency Supplemental Funding (CESF) Program Grant 4143201 in an amount not to exceed \$600,000.00 with **NO MATCH REQUIREMENT** and **NO REOCCURRING FEES** and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- D. Authorization to purchase a Two Camera ALPR Message Board trailer from Millenium Products Inc. through the GSA Advantage, a cooperative purchasing program using OPSG grant funding in an amount not to exceed \$49,120.00 with **NO MATCH REQUIRED** and a yearly reoccurring cost of \$525 per camera and authorize the Mayor to sign any related documents. (Staffed by Police Department.) Attachment
- E. Authorization to submit an application to the Texas State Library and Archives Commission CARES Grant program, accept funding of up to \$25,000 upon award, accept additional funding if awarded, and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment

V. OLD BUSINESS

- A. 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. (There was no action on this item on May 05, 2020; Staffed by Airport.) 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. (There was no action on this item on May 05, 2020; Staffed by Public Works Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Jaime Gonzalez to approve Ordinance 2020-10 to rezone 1500 Katie St. Also being Block 6, Lot 12, James M. Black No. 2, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-10. Possible action. (This item requires three-fourths vote as a petition with 20% of the property owners has been received. Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Melden & Hunt, Inc. to approve Ordinance 2020-11 to rezone 2732 E. Business 83. Also being 2.394 out of farm tract 710, Block 136, West and Adams 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 2020-11. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration after public hearing on behalf of Edna Salas to approve Ordinance 2020-12 to rezone 920 Dolores Huerta. Also being .70 acres out of farm tract 31, West Tract Subdivision, Weslaco, Hidalgo County, Texas from R-1 One-family dwelling district to B-1 Neighborhood business district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-12. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration for a six month extension of the Final Plat for Pleasantview Heights Subdivision– being a 20.33 acres out of Re- Subdivision of Lots 3 & 4, Rev M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas located approximately 1500 ft. South of Interstate 2 along Pleasantview Dr. and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- E. Discussion and consideration for a six month extension of the Final Plat for Rangila Subdivision– being a 1.878 acres out of Farm Tracts 29, West Tract Subdivision Vol. 2, Weslaco, Hidalgo County, Texas located, approximately 1900 ft. North of West Frontage Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- F. Discussion and consideration on report on Sales Tax status for Fiscal Year 2019-2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- G. Discussion and consideration on amendment to the inter-local agreement between the City of Weslaco and County of Hidalgo Tax Office for the assessment and collection of property taxes and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- H. Discussion and consideration on amendments and extension of May 19, 2020 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.)
- I. Discussion and consideration of contract award to ERO Architects for Engineering and Design Services for the new Fire and Police Station Projects in an amount not to exceed \$500,000.00 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- J. Discussion and consideration to ratify Purchase Order No. 20-3097 to contract Southern Trenchless Solutions, LLC. for emergency repair/pipe bursting of a sewer line located at N. Bridge Ave. & Victory St. in the amount of \$59,311.52 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- K. Discussion and consideration to award the purchase of Grapple Brush Truck, as specified on RFB No. 2019-20-12 to the vendor who offers the best value and most advantageous bid (as allowed in Local Government Code 252.043), and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- L. Discussion and consideration to award the purchase of a Utility Tractor, as specified on RFB No. 2019-20-13 to H & V Equipment for the best value and most advantageous bid in the amount not to exceed \$29,917.77 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Work Department.) Attachment

- M. Discussion and consideration to award the purchase of a Crew Cab Truck, as specified on RFB No. 2019-20-14 to the best value and most advantageous bidder, GUNN Chevrolet, in the amount not to exceed \$29,932.75 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- N. Discussion and consideration to select SWG Engineers and Cruz-Hogan Consultants to assist with Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) grant applications and subsequent design of two qualifying drainage improvement RDF Projects including Clecker-Heald and the Mayor Pablo Peña Park and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.)

Attachment

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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. Personnel - Discussion on performance of Interim City Secretary Norma A. Cantu as authorized by §551.074 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.
- D. Pending Litigation - Annual Report by City Attorney regarding all pending litigation as provided to City Auditor as authorized by §551.071 of the Texas Government Code.
- E. 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.
- F. 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.
- G. Economic Development Corporation - Discussion and possible action relating to amendment to Project Dock Agreement as authorized by §551.087 of the Texas Government Code.
- H. Attorney Consultation - Saltillo Development v. City of Weslaco as authorized by §551.071 of the Texas Government Code.

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 15th 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 Department 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: