



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JUNE 16, 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, June 16, 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.

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: 842 5525 4842.

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 June 16, 2020. A staff member will contact you with instructions via phone call to address your public comment.

III. PUBLIC HEARING

- A. To solicit input on behalf of Fernando Gutierrez is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 900 N. Border Ave. Suite C, also being a 1.59 acres tract of land being the W210'-S330' Farm Tract 123, West Tract Subdivision, Weslaco, Hidalgo County, Texas.
- B. To solicit input on behalf of Sr. Mostacho, LLC, Raul H. Ugalde is requesting a Conditional Use Permit to obtain an On Premise Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2, Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco, Hidalgo County, Texas

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.) February 18, 2020;
 - 2.) June 02, 2020. (Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Approval on Ordinance 2020-13 amending Ordinance 2020-02 to postpone Special Election of May 2, 2020 and move to General Election on November 03, 2020 and authorize the Mayor to execute any related documents. (First reading held on June 02, 2020; Staffed by City Secretary Department.) Attachment
- C. Authorization to apply for the FY 2020 Texas State Library Interlibrary Loan Lending Reimbursement Program and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment
- D. Approval of the purchase of five desk top computers and six monitors to include accessories in an amount not to exceed \$7,746.54 from the Court Technology Fund and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.) Attachment

- E. Authorization to submit application to Defense Logistics Agency to continue to participate in the Law Enforcement Support Office to acquire military surplus of property, equipment, and vehicles at NO CHARGE or CASH MATCHING and NO REOCCURRING FEES and approve the State Plan of Operation and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- F. Approval of Mid Valley Airport Ground Lease Agreement with Ray Walker for Hangar W-11, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- G. Approval of a Mid Valley Airport Hangar Lease Agreement with Paula Pesavento, Hangar E-5, and authorize the Mayor to execute any related documents. (Staffed by Airport.) Attachment
- H. Approval on renewal of Interlocal Agreement with Community Council of the Rio Grande Valley for 2-1-1 Texas Program and authorize the Mayor to execute any related documents. (Staffed by City Manager) Attachment

V. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2020-23 appointing a member to unexpired term to the Weslaco Hotel Occupancy Tax Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration after public hearing on behalf of Fernando Gutierrez is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 900 N.Border Ave. Suite C, also being a 1.59 acres tract of land being the W210'-S330' Farm Tract 123, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- B. Discussion and consideration after public hearing on behalf of Sr. Mostacho, LLC, Raul H. Ugalde is requesting a Conditional Use Permit to obtain an On Premise Mixed Beverage Permit, Mixed Beverage late hours permit and Beverage cartage Permit at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- C. Discussion and consideration to extend franchise agreement for 8 months effective August 1, 2020 with Liquid Environmental Solutions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- D. Discussion and consideration on amendment to Republic Services waste collection contract to include debris removal during a natural disaster and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Office of Emergency Management.) Attachment
- E. Discussion and consideration of the 4th of July fireworks display and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- F. Discussion and consideration to extend existing contract or authorize staff to solicit proposals for Depository Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.)
- G. Discussion and consideration on amendments and extension of June 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.)
- H. Discussion and consideration on Interlocal Agreement between City of Weslaco and County of Hidalgo on COVID-19 CARES Funds and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- I. Discussion and consideration on submittal of reimbursement to County of Hidalgo for CARES Act for COVID-19 response and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- J. Discussion and consideration to select Halff Associates to assist with Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) grant application and subsequent design of Kansas and Los Torritos Drainage Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- K. Discussion and authorization to submit an application for funding to the Texas Water Development Board Flood Infrastructure (FIF) Program for the Kansas and Los Torritos Drainage Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment

- L. Discussion and consideration on sale of a Fire Skid and one (1) Tank to the City of Progreso and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- M. Discussion and consideration to accept the second lowest proposal for the acquisition and funding of Brush related equipment and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.)
- N. Discussion and consideration to contract Southern Trenchless Solutions, LLC., the lowest bidder for the repairs of a collapsed manhole and sewer line located on Mile 5 North Rd. and Sawgrass St. in the amount not to exceed \$162,188.95 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment

VII. 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 of possible purchase of Vantage Bank property located at 501 S. Kansas Avenue as authorized by §551.072 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 section §551.072 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding Felix Sanchez as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Steven Sosa as authorized by section §551.071 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 - Consultation with City Attorney regarding Saltillo v. City of Weslaco as authorized by section §551.071 of the Texas Government Code.
- H. Legal Consultation - Consultation with City Attorney regarding the termination of a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Jeremy Reily for Hanger B, E27 as authorized by section §551.071 of the Texas Government Code.

VIII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

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 12th day of June, 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, 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: