



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, JULY 7, 2020**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, July 7, 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: 879 7583 3086.

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 July 7, 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. 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. 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 following:
 - 1) Minutes of the Regular Meeting on June 16, 2020;
 - 2) Minutes of the Special Meeting on June 22, 2020; and
 - 3) Minutes of the Special Meeting on July 1, 2020 (Staffed by City Secretary's Office.) Attachment.
- B. Authorization to receive Department of Justice Office of Justice Programs Coronavirus Emergency Supplemental Funding Program Grant #2020-VD-BX-1579 in the amount of \$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

IV. **APPOINTMENTS**

- A. Discussion and consideration to approve Resolution 2020-24 appointing three members to expired terms on the Weslaco Drainage Advisory Committee and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment

V. **OLD BUSINESS**

- A. 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. (This item was tabled June 16, 2020; staffed by Weslaco Office of Emergency Management.) Attachment
- B. Discussion and consideration on purchasing equipment, vehicles and approving proposed improvements to city facilities relating to COVID-19 (CARES Act.) prioritized as follows:

<u>FIRE/EMS</u>		<u>Total Cost</u>
infectious disease response unit (IDRU ambulance)	(1)	\$450,000
Auto- pulse CPR machine (hands free CPR)	(3)	42,660
CAPR Systems - system/filters/covers/cuffs/batteries/ replacement parts.....	(20)	32,177

<u>POLICE</u>		
COVID Special OPS vehicle/response unit for public management/control	(1)	59,027
4X4 unmarked pickup Crew Cab - transport / store PPE and equipment	(1)	63,721
Unmarked SUV w/ emergency lighting and universal storage unit box	(1)	52,458
4X4 pickup crew cab w/partition for suspected COVID prisoners	(1)	63,721

Transit passenger van XL for transport of prisoners/patients	(1)	68,980
Big Tex tandem axle trailer to carry barricades, cones and stop signs	(1)	5,200

INFORMATION TECHNOLOGY

ZOOM 12 month subscription	(1)	11,000
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AIRPORT

Building skin-to store PPE delivered by State	(1)	500,000
Forklift-for use to upload PPE delivered by State	(1)	28,000

EOC

EOC communication dispatch radio	(2)	20,000
RGIFS - OCE Systems	(1)	10,000
Servers for COVID data storage	(1)	10,000

WESLACO ECONOMIC DEVELOPMENT CORPORATION

Incentive Plan		300,000
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LIBRARY

Glass barriers at service points	(1)	3,500
Wireless outdoor access point	(1)	1,800

PLANNING

EOC software solution : VEOCI emergency & operations management	(1)	11,500
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INFORMATION TECHNOLOGY

Network Monitoring switches - professional services	(60)	9,000
Cloud1) computing services - infrastructure as a service	(1)	21,000

BUILDING MAINTENANCE

Electrostatic disinfectant sprayers (Library and City Hall)	(2)	3,000
Ion Generator for HVAC System for disinfection of duct system	(1)	4,900

FINANCE

Drive thru pay station Building; Utility Billing/Library	(1)	300,000
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PARKS

20' Trailer for Barriers and perimeter fence	(1)	300,000
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ALL DEPARTMENTS

Surface pro Directors/Assistant Dir./Chief/Assistant Chief/EOC		
Mayor and Commissioners/City Manager	(31)	46,500

BUILDING MAINTENANCE

Automated doors; outer doors, lobby, Legislative Chamber	(1)	35,000
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and authorize the Mayor to execute any related documents. Possible action. (this item was tabled July 1, 2020; staffed by City Manager.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to adopt Ordinance 2020-16 amending the Utility Extension Ordinance Codified as Article III Section 5 regarding the approval of a

Utility Reimbursement Agreement and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-16. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

- B. Discussion and consideration of Ordinance 2020-18 for dis-annexation request from the property owner of 5000 S. Border Avenue also being the West 22.0 acres of Farm Tract 799 excluding the W3.68 acres for improvements 18.32 acres gross, West Tract Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-18. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration on presentation of the financials for the General, Water/Wastewater and Solid Waste funds as of June 30,2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- D. Discussion and consideration to approve Ordinance 2020-15 adopting a mid-year budget amendment and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-15. Possible action. (Staffed by Finance Department.) Attachment
- E. Discussion and consideration of a Memorandum of Understanding (MOU) between the City of Weslaco and Hidalgo County Drainage District No. 1, Phase I Flood Control Project and authorize the Mayor to execute and related documents. Possible action. (Staffed by Engineering Department.) Attachment
- F. Discussion and consideration to approve Allowance Expenditure Authorization No.5 for the North Side Fire Station Project as presented by Alvarado Architects and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport.) Attachment
- G. Discussion and consideration to approve Change Order No.3 - Final Change Order for the North Side Fire Station Project as presented by Alvarado Architects and authorize the Mayor to execute any related documents. Possible action (Staffed by Airport.) Attachment
- H. Discussion and consideration to approve final payment for North Fire Station Project to Tri-Gen Construction for an amount not to exceed \$162,010.59 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment
- I. Discussion and consideration to approve final payment for North Fire Station Project to Alvarado Architects for an amount not to exceed \$18,288.43 and authorize Mayor to execute any related documents. Possible action. (Staffed by Airport.) Attachment

- J. Discussion and consideration to amend the City of Weslaco's Drug and Alcohol Policy and authorize the Mayor to execute any related documents. Possible action (Staffed by Human Resources.) Attachment
- K. Discussion and consideration to adopt the City of Weslaco's Criminal History Record Information (CHRI) Proper Access, Use and Dissemination Procedures and authorize the Mayor to execute any related documents. Possible action (Staffed by Human Resources.) Attachment
- L. Discussion and consideration on amendments and extension of July 10, 2020 to August 7, 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.)
- M. Discussion and consideration to purchase a 2020 Volvo EC300EL Track Excavator in an amount not to exceed \$233,206.00 from ROMCO Equipment Co., through Buyboard Contract #597-19, authorize a budget amendment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- N. Discussion and consideration to approve Ordinance 2020-17 a budget amendment in the amount not to exceed \$233,206.00 and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-17. 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 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.
- C. 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.
- D. Legal Consultation - Consultation with City Attorney regarding claim by Jaime Castaneda as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Felix Sanchez as authorized by section §551.071 of the Texas Government Code.
- F. Legal Consultation - Consultation with City Attorney regarding Steven Sosa 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 Christopher De Leon 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 3rd day of July 2020 at 3:30 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, 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: