



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

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, July 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: 890 2125 2400.

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 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. 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 Minutes of the Regular Meeting on July 7, 2020 (Staffed by City Secretary Department.) Attachment
- B. Approval on second and final reading of the following:
 - 1) Approve Ordinance 2020-15 adopting a midyear budget amendment and authorize the Mayor to execute any related documents. (First reading held July 7, 2020; staffed by Finance Department.) Attachment
 - 2) 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 held July 7, 2020; staffed by Public Works Department.) Attachment
 - 3) Approve 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 held July 7, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- C. Authorization to purchase Faro Laser Scanner (with tripod and training) for an amount not to exceed \$70,000 with no reoccurring costs and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- D. Approval to terminate a Mid Valley Airport Ground Lease Agreement with Tenant Clifford Robert Gardner, Jr. for Hangar W-26 and approval of a Mid Valley Airport Ground Lease Agreement with Tenant Johnathan Job Latham Enterprises, LLC., for Hangar W-26, and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment
- E. Approve AARP Foundation Senior Company Service Employment Program Host Agency Agreement Renewal and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment

IV. APPOINTMENTS

- A. Discussion and consideration on Resolution 2020-25 to appoint Parks and Recreation

Board two members and sanctioning of terms to expire August 1st of each year in compliance with Ordinance 83-15 Section 98-86 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration on purchasing equipment, vehicles and approving proposed improvements to city facilities relating to COVID-19 (CARES Act.) prioritized as follows:

POLICE

Unmarked SUV w/ emergency lighting and universal storage unit box (1) \$52,458

AIRPORT

Building skin-to store PPE delivered by State (1) \$500,000

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BUILDING MAINTENANCE

Ion Generator for HVAC System for disinfection of duct system:

1. Weslaco PD \$9,215.83 (*)
2. Weslaco Public Library \$8,294.25 (*)
3. Weslaco Auditorium \$2,764.75
4. Porter Doss \$1,843.17
5. Station 1 North \$1,843.17 (*)
6. Station 2 Downtown \$2,464.42 (*)
7. Station 3 18th Street \$1,843.17 (*)
8. Fire Admin Office \$1,843.17 (*)
9. Fire Marshall Office \$921.58 (*)
10. Weslaco City Hall \$4,870.33 (*)
11. Old City Hall \$921.58
12. Weslaco PD Substation \$1,843.17
13. Service Center & Old Park Ofc \$4,307.58
14. Tower Theatre \$1,843.17
15. Weslaco Nature Center \$6,451.08
16. Weslaco Public Works \$5,850.42 (*)
17. Weslaco Airport/CBP Bldg \$3,686.33 (*)

Total Price \$60,807.17 (*\$40,832.67)

ALL DEPARTMENTS

Surface pro Directors/Assistant Dir./Chief/Assistant Chief/EOC

Mayor and Commissioners/City Manager (15) not to exceed \$23,000

Name Department

Albert Aldana Engineering

Omar Rodriguez Parks

Pete Garcia Public Works

Chief Joel Rivera Police

Asst Chief Robert Lopez Police

Chief Antonio Lopez Fire

Asst Chief James Hdz Fire
Rebekah De La Fuente Planning
Joe Pedraza Code Enforcement
Sonia Flores Finance
Arnold Becho Library
Mayor
Norma Cantu City Secretary
Vidal Roman Finance
Staff EOC
Staff IT

and authorize the Mayor to execute any related documents. Possible action. (These items were tabled July 7, 2020; staffed by City Manager.) Attachment

- B. 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. (This item was tabled July 7, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- C. 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 (This item was tabled July 7, 2020; staffed by Human Resources Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration on Ordinance 2020-19 first and final reading approving a negotiated resolution between the City of Weslaco and Texas Gas Service regarding the company's Cost of Service Adjustment tariff filing declaring an effective date and authorize the Mayor to execute any related documents. First and final reading of Ordinance 2020-19. Possible action. (Staffed by Finance Department.) Attachment
- B. Discussion and consideration to approve Ordinance 2020-20 for dis-annexation request from the property owner of Mira Vista Phase II also being a 3.63 acre tract of land out of Farm Tract 1020, and out of Lots 11 and 12, Block 113, West and Adams Tracts Subdivision, Hidalgo County, Texas, and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-20. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- C. Discussion and consideration for a six-month extension of the Final Plat for Lockheart Subdivision— being a 2.12 acre tract of land being a portion of Farm Tract 284 a West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 310 ft. South of Orlando Tijerina Rd. along Martin Morales Rd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment

- D. Discussion and consideration to accept GIGNAC's Cost Estimate for the North Side Sports Project, solicit Requests for Bids and authorize the Mayor to execute any related documents. Possible action (Staffed by City Manager.) Attachment
- E. Discussion and consideration to appoint a Health Authority for the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- F. Discussion and consideration on amendments to the Disaster Declaration Order (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.)
- G. Discussion and consideration on utility reimbursement agreement for Total Commitment for the sewer line improvements on Pleasantview Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- H. Discussion and consideration on final payment to Total Commitment for the sewer line improvements on Pleasantview Drive in the amount of \$21,074.50 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- I. Discussion and consideration on Business Associate Agreement between the City of Weslaco and Weslaco Independent School District relating to sharing of Hidalgo County Health Department information and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police 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. Legal Consultation - Consultation with City Attorney regarding Felix Sanchez as authorized by section §551.071 of the Texas Government Code.
- C. Legal Consultation - Consultation with City Attorney regarding Steven Sosa as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation - Consultation with City Attorney regarding Saltillo v. City of Weslaco as authorized by section §551.071 of the Texas Government Code.
- E. 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 17th 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: