A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 4, 2020

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, August 4, 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: 860 7326 9193

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 August 4, 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. PUBLIC HEARING

A. To solicit input on behalf of 100% Antojitos Mexicanos, Inc. is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 1311 West IH 2 Ste A, also being Lot 1, Weslaco Plaza Subdivision, Hidalgo County, Texas

B. To solicit input on behalf of Chris Cuellar is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit and Local Cartage Permit at 200 S. Border Ave. Suite C, also being Block 2, Lot 8, 9, 10 & 11, West Highway Subdivision, Weslaco, Hidalgo County, Texas

C. To solicit input on behalf of Ezequiel Reyna Jr. to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

D. To solicit input on behalf of Melden & Hunt, Inc to rezone 321 S Airport, Also being 27.080 acre Tract of land of Farm Tract 21 & 22, Block 135, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.

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 July 21, 2020.
(Staffed by City Secretary Department.) Attachment.

B. Approval on second and final reading of the following:

1) Approve 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 held July 21, 2020; staffed by Planning and Code Enforcement Department.) Attachment

2) 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 held July 21, 2020; staffed by Planning and Code Enforcement Department.) Attachment

C. Authorization to apply to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2020 Local Formula Solicitation to purchase Victim Services Software and other office hardware in an amount not to exceed $10,633 with NO MATCH REQUIRED with annual reoccurring cost of $1,700 and authorize the Mayor to execute any related documents (Staffed by Police Department.) Attachment

D. Approval of application to the South Texas Literacy Coalition free book distribution program; accept books upon award and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment

E. Approval of a Mid Valley Airport Hangar Lease Agreement with Felipe Leal, Hangar E-7, and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

F. Approval to solicit Requests for Qualifications for grant application assistance, environmental study and engineering design services for the Texas General Land Office CDBG-MIT Competition and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

G. Approval to solicit Requests for Qualifications for grant administration for the Texas General Land Office CDBG Grant Competition and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

V. APPOINTMENTS

A. Discussion and consideration on Resolution 2020-26 appointing a member to an expired term on the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Zoning Department.) Attachment

VI. NEW BUSINESS

A. Discussion and consideration to approve Ordinance 2020-21 to call the General Election on November 03, 2020 for the City of Weslaco, City Commissioner Single Member District 2, and City Commissioner Single Member District 3 pursuant to Texas Election Code Chapter 271 and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-21. Possible action. (Staffed by City Secretary Department.) Attachment

B. Discussion and consideration on amendments and extension of August 7, 2020 to September 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.)

C. Discussion and consideration after public hearing on behalf of 100% Antojitos Mexicanos, Inc. 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

D. Discussion and consideration after public hearing on behalf of Chris Cuellar is requesting a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit and Local Cartage Permit at 200 S. Border Ave. Suite C, also being Block 2, Lot 8, 9, 10 & 11, West Highway Subdivision, Weslaco, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

E. Discussion and consideration after public hearing on behalf of Ezequiel Reyna Jr. to approve Ordinance 2020-22 to rezone 3701 S. Westgate. Also being West Tract S330' & E440'-S495'-N990'FT 795 15 AC GR 14.77 AC NET, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-22. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

F. Discussion and consideration after public hearing on behalf of Melden & Hunt, Inc. to approve Ordinance 2020-23 to rezone 321 S Airport, Also being 27.080 acre Tract of land of Farm Tract 21 & 22, Block 135, West and Adams Tract Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-23. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

G. Discussion and consideration for Final Plat for Mira Vista Phase II Subdivision– being a 13.49 acres out of Farm Tract 1020 and out of Lot 11 and 12, BLK 113, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1150ft. East of F.M. 1015 Road. Possible Action and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment

H. Discussion and consideration to purchase a 2020 Ford Transit F250 configured as a three compartment jail transport van with emergency lighting and necessary equipment in an amount not to exceed $62,085.98 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment

I. Discussion and consideration to approve and award the Depository Services Contract with the most advantageous respondent from RFP 2019-20-23 for three year contract beginning October 1, 2020 and ending September 30, 2023 with an option to renew the contract for two (2) years and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

J. Discussion and consideration to approve Fiscal Year 2020 Interlocal Agreement with County of Hidalgo under the Urban County Program setting the amount for the city at $301,060 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

K. Discussion and consideration on amendment to the Cooperation agreement between the City of Weslaco and Hidalgo County Urban County Program for fiscal years 2021-2023 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment

L. Discussion and consideration to award Southern Trenchless Solutions (Buyboard No. 555-18) to conduct emergency repairs to three collapsed manholes as a result of Hurricane Hanna, in an amount not to exceed $183,838.50 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 or 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 Christopher De Leon as authorized by section §551.071 of the Texas Government Code.

C. Legal Consultation: Consultation with City Attorney regarding Republic Services as authorized by section §551.071 of the Texas Government Code.

D. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Flour as authorized by §551.087 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 31st day of July 2020 at 4:30 a.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: