



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, AUGUST 18, 2020**

NOTICE IS HEREBY GIVEN THAT the City Commission of the City of Weslaco, Texas will hold a Regular Meeting on Tuesday, August 18, 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: 922 5760 3785

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 18, 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 Special Meeting on July 31, 2020;
- 2) Minutes of the Regular Meeting on August 4, 2020 (Staffed by City Secretary Department.) Attachment

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

- 1) 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 held August 4, 2020; staffed by City Secretary Department.) Attachment
- 2) 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 held August 4, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- 3) 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 held August 4, 2020; staffed by Planning and Code Enforcement Department.) Attachment

C. Authorization to renew the America Reads and Community Service Agreements with UTRGV to allow for employment of work-study students and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment

D. Authorization to receive OPSG (Stonegarden) Grant Award in an amount not to exceed \$230,000.00 with NO MATCH REQUIRED and NO REOCCURRING COST to pay overtime to officers, dispatchers and M&A working Operation Stonegarden and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

- E. Approval to terminate a Weslaco Mid Valley Airport Ground Lease Agreement with Tenant Clifford Robert Gardner, Jr. for Hanger W13 and approval of a Weslaco Mid Valley Ground Lease Agreement with Tenant Scott Fuller for Hangar W13 and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment
- F. Approval on renewal of a Facilities Usage Agreement with South Texas College for use of Harlon Block Park (Fields), 1020 W. 18th Street, Weslaco, Texas, from August 24, 2020 – August 13, 2021 and authorize the Mayor to execute any related documents. (Staffed by Parks and Recreation Department.) Attachment

IV. NEW BUSINESS

- A. Discussion and consideration to accept the calculation of the No-New-Revenue (Effective) and Voter Approval (Rollback) tax rates for 2020 tax year by Hidalgo County Tax Assessor-Collector Pablo Villarreal and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- B. Discussion and consideration to approve Resolution 2020-27 proposing an ad valorem tax rate and setting dates on which the Commission will hold public hearing, and a date to adopt the 2020-2021 ad valorem tax rate and authorize the Mayor to execute any related documents. ROLL CALL VOTE REQUIRED. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration to accept and file the Quarterly Investment Report for period ending June 30, 2020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- D. Discussion and consideration on Ordinance 2020-24 authorizing and allowing under the act governing the TMRS system "Updated Service Credit" and establishing an effective date for such actions and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-24. Possible action. (Staffed by Finance Department.) Attachment
- E. Discussion and consideration on Ordinance 2020-25 for a budget amendment to purchase a 2020 Ford Explorer Police Unit for an amount not to exceed \$42,770.52 to replace a 2018 Ford Explorer Police Unit deemed a total loss by insurance carrier and authorize the Mayor to execute any related documents. First reading on Ordinance 2020-25. Possible action. (Staffed by Police Department.) Attachment
- F. Discussion and consideration to award the Group Health Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)

- G. Discussion and consideration to award the Cafeteria 125 Plan Services and Voluntary Supplemental Insurance Products (short/long term disability, vision, dental, cancer, accident, hospital indemnity, critical illness, flexible spending account, basic life and AD&D) for the City of Weslaco employees at no cost to the City to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- H. Discussion and consideration to award the Workers' Compensation Insurance to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.) Attachment
- I. Discussion and consideration to award the Commercial Insurance Package to the best qualified, most advantageous bidder and authorize the Mayor to execute any related documents. Possible action. (Staffed by Human Resources Department.)
- J. Discussion and consideration for the Final Plat for Moonlight Subdivision - being a 4.00 acres out of Farm Tract 175, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 330' north of Mile 10 North along the Westside of F.M. 88 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- K. Discussion and consideration for the Final Plat for Professional & Medical Ph. 2 Subdivision – being 5.474 acres out of Farm Tract 17, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 420' South of U.S Expressway 83 on Professional Drive and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- L. Discussion and consideration for the Final Plat for Verona Subdivision - being a 20 acres out of Farm Tract 1038, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 1800 ft. North of Mile 8 on FM 1015 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- M. Discussion and consideration for the Final Plat for Villa Event Center Subdivision - being a 3.11 acre tract of land of Farm Tract 31, West and Adams Subdivision, Hidalgo County, Texas located on the Northeast corner of Bridge and Dolores Huerta and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- N. Discussion and consideration to ratify Purchase Order No. 20-4309 for a collapsed manhole emergency repair located South of 111 Peña Ave. on August 10, 2020 with Southern Trenchless in the amount of \$58,112.50 and authorize the Mayor to execute

any related documents. Possible action. (Staffed by Public Works Department.) Attachment

- O. Discussion and consideration to approve Interlocal Agreement with City of Donna for the acceptance and disposal of clean brush and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.)
- P. Discussion and consideration to award to the best qualified, most advantageous respondent for bid RFB No. 2019-20-22 Pleasantview and 11th St Drainage improvements Project #6 and authorize the Mayor to execute any related documents. (Staffed by Engineering Department.) Attachment
- Q. Discussion and consideration on request for reimbursement from Gilbert Garza for repairs to sanitary sewer line and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- R. Discussion and consideration on contract extension with Republic Services for Solid Waste Collection and Disposal Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment

V. **REPORTS**

- A. Report by Inframark. Attachment

VI. **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 regarding goals and objectives for Human Resources Director for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.
- C. Legal Consultation - Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- D. Legal Consultation: Consultation with City Attorney regarding Republic Services as authorized by section §551.071 of the Texas Government Code.
- E. Legal Consultation - Consultation with City Attorney regarding Saltillo v. City of Weslaco as authorized by section §551.071 of the Texas Government Code.
- F. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of property from the Lions Club located at 307 W. 3rd Street legally described as E28'-W108'-Lots 11, 12 and E32' out of Lots 11-12, Block 23, Weslaco Original Townsite as authorized by section §551.072 of the Texas Government Code.
- G. Real Property – Consultation with City Attorney on the purchase, sale, exchange, lease or value of real property located at 400 South Illinois as authorized by section §551.072 of the Texas Government Code.
- H. Real Property - Discussion and consultation with City Attorney regarding Police and Fire Public Safety project development for property located at the corner of Witmer Street and S. Bridge Avenue as authorized by §551.072 of the Texas Government Code.
- I. 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.
- J. Real Property – Consultation with City Attorney on the acquisition of real property located North of Industrial Park and North East of Mile 9 and International Blvd. as authorized by §551.072 of the Texas Local Government Code.

VII. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

VIII. 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 14th day of August 2020 at 4:00 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: