



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, SEPTEMBER 15, 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, September 15, 2020 at 5:30 PM for the purpose of discussing the following items:

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: 977 9092 9646.

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 September 15, 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.
 - Proclamation proclaiming "Small Business Week"
- 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 Juan Gonzalez to approve Conditional Use Permit to operate an indoor shooting range at 2949 N. Texas Blvd., also being Lot C-1, Amended Apostolic Assembly Church Subdivision, Hidalgo County, Texas.
- B. To solicit input on behalf of Ezequiel Reyna rezone 3702 S. Westgate. Also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 AC NET Hidalgo County, Texas from R-1 One-family dwelling district to R-2 Duplex and apartment district.
- C. To solicit input on behalf of Cynthia Villa to approve Conditional Use Permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 501 W. Pike Blvd., also being Block 1, Lot 1-4, Hughes Subdivision, 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 September 1, 2020 (Staffed by City Secretary Department.) Attachment.
- B. Authorization to purchase PowerPhone Software in an amount not to exceed \$75,509.00 and authorize the Mayor to execute any related documents. (Staffed by Police Department). Attachment
- C. Authorization to use the Court Technology Fund to pay the annual maintenance fee of the Court Case Management Maintenance, Police (non-Incode Interface to Court) and AcuCorp Run Time not to exceed \$11,734.60 and authorize the Mayor to execute any related documents. (Staffed by Municipal Court.) Attachment
- D. Authorization on approval of the Texas State Library & Archives Commission CARES Cycle 1 Grant contract, a sub-recipient award from the Institute of Museum and Library Services not to exceed \$24,937.00 and authorize the Mayor to execute any related documents. (Staffed by Library Department.) Attachment
- E. Approval on First Amendment of the Interlocal Agreement between City of Weslaco and County of Hidalgo on COVID-19 CARES Act and authorize the Mayor to execute any related documents. (Staffed by Finance Department.) Attachment

- F. Approval to ratify Jeff Everitt & Associates as Agent Record for Group Health Insurance and authorize the Mayor to execute any related documents. (Staffed by Human Resources Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration to increase purchase order #20-0829 for Resident Project Representative Services for SWG on the Pleasantview & 11th St Drainage Improvements from \$392,500.00 to \$434,500.00 and authorize the Mayor to execute any related documents. Possible action. (There was no action on September 1, 2020; staffed by Engineering Department.) Attachment
- B. Discussion and consideration to approve Ordinance 2020-27, adopting the City of Weslaco's budget appropriation for Fiscal Year 2020-2021 commencing October 1, 2020 and ending on September 30, 2021 and authorize the Mayor to execute any related documents. Possible action. (First reading held September 1, 2020; staffed by Finance Department.) Attachment
- C. Discussion and consideration to approve Ordinance 2020-28, adopting and levying ad valorem tax rate for Fiscal Year 2020-2021 and authorize the Mayor to execute any related documents. Possible action. (First reading held September 1, 2020; staffed by Finance Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration to approve the Economic Development Corporation of Weslaco annual budget and work plan for fiscal year 2020-2021 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco EDC.) Attachment
- B. Discussion and consideration on approval for a 16 month Contract extension with Republic Services for Residential, Commercial and Industrial Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- C. Discussion and consideration on first and final reading to approve Ordinance 2020-30 authorizing the issuance of "City of Weslaco, Texas Limited Tax Refunding Bonds, Taxable Series 2020"; a paying agent/registrar agreement, and an escrow agreement providing for the sale of such bonds; delegating authority to city representatives to select obligations to be refunded and approve final terms of the bonds; and approving all other matters related thereto and authorize the Mayor to execute any related documents. First and final reading on Ordinance 2020-30. Possible action. (Staffed by City Manager) Attachment

- D. Discussion and consideration adopting policy to disconnect utility customers for nonpayment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department.) Attachment
- E. Discussion and consideration for the Final Plat for Milanos Estates Phase I Subdivision– being a 26.43 acres being out of and forming a portion of Farm Tract 720 and 721, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located on the Northeast corner of Mile 5 ½ West and Mile 6 ½ Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration for the Final Plat for Airport Heights being 27.080 acre Tract of land of Farm Tract 21 & 22, Block 135, West and Adams Tract Subdivision, Hidalgo County, Texas located approximately on the North corner of Airport and Business 83 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- G. Discussion and consideration for a six-month extension of the Final Plat for Tejas Cuatro Phase II Subdivision – being a 21.21 acre tract of land out of Farm Tract 172, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 2000 ft North of the intersection of W. Sugar Cane Dr. along Mile 5 ½ West and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- H. Discussion and consideration for a six-month extension of the Final Plat for San Jacinto Estates No 10. Phase I Subdivision – being 13.49-acre tract of land out of Farm Tract 94, West & Adams Tract Subdivision, Hidalgo County, Texas. Approximately on the Northwest corner of Mile 10 North Road and Mile 4 West Road and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- I. Discussion and consideration after public hearing on behalf of Juan Gonzalez to approve a Conditional Use Permit to operate an indoor shooting range at 2949 N. Texas Blvd., also being Lot C-1, Amended Apostolic Assembly Church Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- J. Discussion and consideration after public hearing on behalf of Ezequiel Reyna to approve Ordinance 2020-31 a rezone request for 3702 S. Westgate also being West Tract E1065'-S501.97' Farm Tract 790 being 12.27 AC GR 11.92 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 on Ordinance 2020-31. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment

- K. Discussion and consideration after public hearing on behalf of Cynthia Villa to approve a Conditional Use Permit to obtain a Wine and Beer Retailer's Off-Premise Permit at 501 W. Pike Blvd., also being Block 1, Lot 1-4, Hughes Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- L. Discussion and consideration of Amendment #1 and Final - Siemens Industry , Inc. Building Technologies Division Performance Contracting Agreement for Facility Improvement Measures on City facilities executed November 21, 2017 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment
- M. Discussion and consideration to accept Siemens Industry Inc. Building Technologies Division - Annual Performance Assurance Report and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department/Siemens Industry.) Attachment
- N. Discussion and consideration on approval on the size of the Police and Fire Public Safety Building and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager) Attachment

VII. REPORTS

- A. Report by Public Works.
- B. Report by Parks & Recreation.
- C. Report by Fire Department.
- D. Report by Police Department.

VIII. 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. 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 section §551.071 of the Texas Government Code.
- C. 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.
- D. Economic Development – Consultation with City Attorney regarding Economic Development incentive programs related to Project Z & L as authorized by section §551.087 of the Texas Government Code.

IX. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

X. 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 11th day of September 2020 on or before 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: