



A REGULAR MEETING OF THE WESLACO CITY COMMISSION TUESDAY, NOVEMBER 3, 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, November 3, 2020 at 5:30 pm pursuant to Section 551.045 of the Texas Open Meetings Act.

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. In conjunction with the guidance and provisions provided by the Governor and in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus (COVID-19), there will be a **limit of twenty-five (25) in person attendance to include staff and the governing body.** These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring a large 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: 946 1533 4573.

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 November 3, 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 the City's intent to submit an application for the Flood Infrastructure Fund through the Texas Water Development Board for a Regional Detention Pond Project 2, Phase 1B (Cleckler-Heald). Attachment

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 October 20, 2020.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) Ordinance 2020-32 a rezone request for 2606 N. Westgate. Also being Block 1, Lot 4, Sun Country Estates Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway business district and authorize the Mayor to execute any related documents. (First reading held October 20, 2020; staffed by Planning & Code Enforcement Department.) Attachment
 - 2) Ordinance 2020-33 a rezone request for 2720 N. Westgate. Also being Block 5, Lot 1 & 2, Sun Country Estates Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway business district and authorize the Mayor to execute any related documents. (First reading held October 20, 2020 staffed by Planning & Code Enforcement Department.) Attachment
- C. Approval of the annual subscription renewal to Rio Grande Valley Communications Group for radio communication services to all city departments from October 1, 2020 -September 30, 2021 in the amount of \$44,220 and authorize the Mayor to execute any related documents. (Staffed by Fire Department.) Attachment
- D. Approval of a Mid Valley Airport Hangar Lease Agreement with Aaron Carlson, Hangar E-6, and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment
- E. Approval on amendments and extension from November 7, 2020 to December 7, 2020 for 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.)
- F. Authorization to accept BJA FY 2020 Patrick Leahy Bullet Proof Vest Partnership

award in the amount of \$6,172.50 for the purchase of NIJ complaint bullet proof vests with **NO MATCH and NO REOCCURRING COSTS** required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

- G. Authorization to accept Office of the Governor's State Homeland Security Program - Regular Projects (SHSP-R) Grant #4003601 for the amount of \$4,250.00 with **NO MATCH and NO REOCCURRING FEES** required to purchase a mobile police radio and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- H. Authorization to accept Office of the Governor's CV20 PY21 Coronavirus Emergency Supplemental Funding (CESF) Program Grant #4143201 for the amount of \$204,367.73 with **NO MATCH and NO REOCCURRING FEES** required to pay for overtime, equipment and/or PPE dealing with COVID-19 and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- I. Authorization to accept Office of the Governor's SHSP Regular Solicitation - FY20 Grant #4003501 for the amount of \$34,882.67 with **NO MATCH and monthly reoccurring costs of \$7,367.06** required to purchase Cybersecurity software and hardware for the City of Weslaco and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- J. Authorization to accept Office of the Governor's TP21 PY21 Juvenile Justice & Truancy Prevention Program Grant #4003401 for \$57,847.55 with **NO MATCH and NO REOCCURRING FEES** required for the First Offender Program salary and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- K. Authorization to accept Office of the Governor's DJ19 PY21 Justice Assistance Grant Program Grant #4003001 for \$45,438.73 with **NO MATCH and NO REOCCURRING FEES** required to purchase crime scene equipment (FARO Scanner) and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- L. Authorization to accept Office of the Governor's VA-Victims of Crime Act Formula Grant Program Grant #3814602 for \$41,233.64 with **NO MATCH and NO REOCCURRING FEES** required for the Crime Victim Coordinator salary and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- M. Authorization to accept Office of the Governor's BG21 PY21 Rifle-Resistant Body Armor Grant Program Grant #3494002 for \$3,015.00 with **NO MATCH and NO REOCCURRING FEES** required for the purchase of rifle-resistant body armor and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

- N. Authorization to accept Office of the Governor's BL21 PY21 Local Border Security Program (LBSP) Grant #3407204 for \$95,000.00 with **NO MATCH and NO REOCCURRING FEES** required to pay overtime to sworn and non-sworn employees working LBSP and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment
- O. Authorization to purchase ALPR equipment and accessories from Millenium Products Inc., using GSA Advantage cooperative contract GS-07F-0031W in an amount not to exceed \$149,482.00 - Gulf States Regional Law Enforcement Technology Training and Technical Assistance Initiative Grant #2020-RZ-BX-0018 with **NO MATCH REQUIRED** and \$16,775.37 of **ANNUAL REOCCURRING FEES** required and authorize the Mayor to execute any related documents. (Staffed by Police Department.) Attachment

V. OLD BUSINESS

- A. Discussion and consideration for a six-month extension of the Final Plat for Pleasant View Heights Subdivision– being a 20.33 acres out of Re- Subdivision of Lots 3 & 4, Rev M. Perez Dream Acres Subdivision, Weslaco, Hidalgo County, Texas located approximately 1500 ft. South of Interstate 2 along Pleasantview Dr. and authorize the Mayor to execute any related documents. Possible action. (This item was tabled October 20, 2020; staffed by Planning & Code Enforcement Department.) Attachment

VI. NEW BUSINESS

- A. Discussion and consideration on approval of Resolution 2020-30 to adopt the annual Investment Policy for the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by Finance Department). Attachment
- B. Discussion and consideration to approve Resolution 2020-31 expressing support for application to the Texas Department of Housing and Community Affairs for the 2021 competitive nine-percent housing tax credits for Weslaco Village Apartments and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- C. Discussion and consideration on Resolution 2020-32 in support of Weslaco Village Apartments development under the Southeast Community Revitalization Plan for affordable rental housing located at 1601 S. Bridge and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment

- D. Discussion and consideration on Resolution 2020-33 to approve and adopt the Hazard Mitigation Action Plan for the City of Weslaco and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- E. Discussion and consideration to authorize the submission of an application to the Texas Water Development Board under the Flood Infrastructure Fund (FIF) for a Regional Detention Pond, Project 2, 1B (Cleckler-Heald) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment
- F. Discussion and consideration on termination of Interlocal Agreement between the City of Weslaco Police Department and the City of Mercedes regarding the housing of prisoners in the City of Weslaco's Municipal Jail and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- G. Discussion and consideration authorizing the purchase of two 2021 Patrol Chevy Tahoe in the amount of \$122,830.72 on Goodbuy Contract 20-8F000 Vehicles from Lake Country Chevrolet and one Chevy Malibu CID unmarked police unit with emergency lighting in the amount of \$20,734 on BuyBoard Contract#601-19 from Caldwell Country and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department). Attachment
- H. Discussion and consideration to authorize the purchase of a 2020 Pursuit Dodge Durango from Cowboy Dodge on Goodbuy Contract 20-8F000 in the amount of \$57,689.70 using Operation Stonegarden Grant #3173405 funding (Reimbursed \$51,249.70) and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.) Attachment
- I. Presentation and discussion on construction progress report by Jose Reyes, P.E. of SWG Engineers for the Pleasantview & 11 St Drainage Improvements Project. Possible action. (Staffed by Engineering Department.) Attachment
- J. Discussion and consideration to approve proposed Change Order no. 1 to clear the land for the Regional Detention Facility (RDF) for the Pleasantview & 11 St Drainage Improvements Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering 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. 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. 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 contract deed on Estate of Gilberto Garza and naming the North Side Park on Mile 11th North 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 29th day of October 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: