



**A REGULAR MEETING
OF THE WESLACO CITY COMMISSION
TUESDAY, NOVEMBER 17, 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 17, 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 17, 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. OTHER BUSINESS

- A. Discussion and consideration to convene as the local canvassing authority to canvass the election returns and approve Resolution 2020-34 certifying the results of the November 3, 2020 City of Weslaco General and Special Election in accordance with Texas Election Code 67.004(a). Possible action. (Staffed by City Secretary Department.) Attachment
- B. Conduct Oaths of Office and file Statements of Elected Officers.
- C. Appointment of a Mayor Pro Tem in accordance with Resolution 2017-85 and

authorizing the Mayor to execute any related documents. Possible action. (Staffed by the City Secretary Department.) Attachment

III. 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.

IV. PUBLIC HEARING

- A. To solicit input on behalf of Roberto Acevedo to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 521 E. Business 83, also being Lot 1 & 2, Block 2, Gray Subdivision, Hidalgo County, Texas.
- B. To solicit input on behalf of Rashad Javed Rana to rezone 403 E Pike Blvd. Also being Lot 1, Rana Minor Subdivision, Hidalgo County, Texas from R-1 One-family dwelling district to B-2 Secondary and Highway business district.

V. 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 November 3, 2020.
(Staffed by City Secretary Department.) Attachment.
- B. Authorization to purchase a 6" Gorman-Rupp Pump from Precision Pump Systems, Buyboard Vendor No. 589-19, in the amount not to exceed \$36,500.00 as stated on quote no. JS-201000; and authorize the Mayor to execute any related documents.
(Staffed by Public Works Department.) Attachment
- C. Authorization for application to The National Association of VOCA Assistance Administrators and Office for Victims of Crime Community Awareness Grant in the amount not to exceed \$5,000 to promote public awareness of victim's rights and services in our community during the 2021 National Crime Victim's Rights Week and

authorize the Mayor to execute any related documents (Staffed by Police Department).

- D. Authorization to declare the following as surplus vehicles: a gray 2008 Dodge Charger 4 door vehicle CID Unit and a white 2012 Chevy Tahoe SUV Patrol Unit to sell through propertyrooms.com and authorize the Mayor to execute any related documents (Staffed by Police Department).
- E. Authorization to allow city staff to solicit proposals for industrial employee uniforms and authorize the Mayor to execute any related documents. (Staffed by Public Works Department.) Attachment

VI. APPOINTMENTS

- A. Discussion and consideration on Resolution 2020-35 appointing three members to the Weslaco Economic Development Corporation Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Weslaco Economic Development Corporation.) Attachment
- B. Discussion and consideration on Resolution 2020-36 appointing a member to the Ambulance Advisory Board and authorize the Mayor to execute any related documents. Possible action. (Staffed by Fire Department.) Attachment
- C. Discussion and consideration on Resolution 2020-37 appointing five members to the Planning and Zoning Commission and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement.) Attachment

VII. NEW BUSINESS

- A. Discussion and consideration on contract extension with American Financial Bureau or solicit proposals for delinquent Municipal Court Fines and Fees Collection Services and authorize the Mayor to execute any related documents. Possible action. (Staffed by Municipal Court.) Attachment
- B. Discussion and consideration to authorize a one-time supplement to all full-time and permanent part-time non-civil service employees and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- C. Discussion and consideration after public hearing on behalf of Roberto Acevedo to approve a Conditional Use Permit to obtain an On-Premise Wine and Beer Retailer's Permit at 521 E. Business 83, also being Lot 1 & 2, Block 2, Gray Subdivision, Hidalgo County, Texas and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment

- D. Discussion and consideration after public hearing on behalf of Rashad Javed Rana to approve Ordinance 2020-34 a rezone request for 403 E Pike Blvd. Also being Lot 1, Rana Minor 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 on Ordinance 2020-34. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration to approve Ordinance 2020-35 for a budget amendment and authorize the purchase of one 2021 F-150 Super Crew unit with emergency lighting in the amount of \$48,584.00 from Caldwell County Buy Board Contract #601-19 and one 2021 F-150 Regular Cab in the amount of \$21,764.00 from Boggus Motor Co. Harlingen and authorize the Mayor to execute any related documents. First reading of Ordinance 2020-35. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- F. Discussion and consideration for the Final Plat for Paseo del Rio— being a 2.00 acre tract of land comprised a called .64 acres out of Farm Tract 41, Block 143, West and Adams Tract Subdivision, Weslaco, Hidalgo County, Texas located approximately 688' east Paseo del Norte North of Pike Blvd and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- G. Discussion and consideration to accept, open, award or reject the sole proposal received for Grease Trap Waste Collection for the city from Liquid Environmental Solutions and authorize the Mayor to execute any related documents. Possible action. (Staffed by Planning and Code Enforcement Department.) Attachment
- H. Presentation and discussion of Summary Report by Interns on projects worked on and completed during their tenure with the City of Weslaco. (Staffed by Engineering Department.)
- I. Discussion and consideration on approval of proposed Change Order #2 for the Pleasantview & 11th St Drainage Improvements Project to construct approximately 2,000 LF of berm around the low points of 23-acres detention pond area and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment
- J. Discussion and consideration to allow Honorably Retired Police Officer Alberto Ponce to purchase his previously assigned duty firearm, a Glock 22, Gen 4 (.40 caliber) with serial number #WXN022 for the fair market value of \$278.50 as authorized under Texas Government Code, Section 411.020 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Police Department.)
- K. Discussion and consideration to accept, reject and/or award to the most advantageous

respondent for Waterworks Collection/Distribution Materials RFB NO. 2020-21-02 and authorize the Mayor to execute any related documents. Possible action. (Public Works Department.) Attachment

- L. Discussion and consideration on Resolution 2020-38 for a Texas Water Development Board Flood Infrastructure Fund application for a Regional Detention Pond, Project 2, 1B drainage improvements (Cleckler-Heald) and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment
- M. Discussion and consideration to amend the Application Filing and Authorized Representative Resolution for project Category 3 of the Flood Infrastructure Fund through the Texas Water Development Board for Kansas and Los Torritos Drainage Project Improvements to Mayor Pablo Pena Park – Phase 1 Project and authorize the Mayor to execute any related documents. (Staffed by Airport Department.) Attachment

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. Personnel - Discussion regarding the goals, objectives, and evaluation of the City Secretary for the City of Weslaco as authorized by section §551.074 of the Texas Government Code.

- C. 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.
- D. Legal Consultation -- Consultation with City Attorney regarding Christopher De Leon as authorized by section §551.071 of the Texas Government Code.
- E. 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.
- F. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for potential industrial and commercial development as authorized by section §551.087 of the Texas Local Government Code.
- G. Real Property - Consultation with City Attorney on the purchase, sale, exchange, lease or value of property described as a 50x100 tract of land out of Trails End East Mobile Home Subdivision as authorized by section §551.072 of the Texas Government Code.
- H. 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.
- I. Real Property - Consultation with City Attorney on the Commercial Real Estate Listing Agreement of real property located at 400 South Illinois as authorized by section §551.072 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 13th day of November 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: