



A REGULAR MEETING OF THE WESLACO CITY COMMISSION TUESDAY, DECEMBER 1, 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, December 1, 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 December 1, 2020. A staff member will contact you with instructions via phone call to address your public comments.

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 of a 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 17, 2020.
(Staffed by City Secretary Department.) Attachment.
- B. Approval on second and final reading of the following:
 - 1) 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 held November 17, 2020. (Staffed by Planning & Code Enforcement Department.) Attachment
 - 2) 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 held November 17, 2020. (Staffed by Planning & Code Enforcement Department.) Attachment
- C. Approval on amendments and extension from December 7, 2020 to January 7, 2021 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.)
- D. Approval on the annual acceptance of donated monies and fits from local vendors and/or the public for library programming within Fiscal Year 2020-2021 and authorize the Mayor to execute any related documents. (Staffed by the Library Department.) Attachment

IV. 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. (This item was tabled November 17, 2020; 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. (this item was table November 17, 2020; 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. (This item was tabled November 17, 2020; staffed by Planning and Code Enforcement Department.) Attachment
- D. Discussion and consideration to accept the resignation of Oscar Caballero from the Parks and Recreation Board and approve Resolution 2020-39 to appoint a member to an unexpired term and authorize the Mayor to execute any related documents. Possible action. (Staffed by Parks and Recreation Department.) Attachment

V. NEW BUSINESS

- A. Discussion and consideration on Resolution 2020-40 amending Resolution 2014-62 for appointment qualifications for board/committee members to include criteria on the removal, suspension, replacement, attendance and eligibility for concurrent board appointments and authorize the Mayor to execute any related documents. Possible action. (Staffed by City Manager.) Attachment
- B. Discussion and consideration to award the Request for Bid No. #2020-21-03 to the lowest and most advantageous respondent for the North Side Sports Park Project and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment
- C. Discussion and consideration to accept or deny the single bid for grant management relating to Texas General Land Office (GLO) Request for Proposal No. 2019-20-25 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Airport Department.) Attachment
- D. Discussion and consideration to revoke the Conditional Use Permit for Sr Mostacho located at 2307 W Interstate 2. Suite A, also being Lot 4, Town Center Subdivision Lots 2-9, Weslaco Original Townsite, Weslaco, Hidalgo County, Texas for violating approved conditions. Possible action. (Staffed by Planning & Code Enforcement Department.) Attachment
- E. Discussion and consideration to award FY 2020/2021 Manhole Rehabilitation Phase IV to Southern Trenchless Solutions, LLC., Buyboard vendor contract #555- 18, in the amount not to exceed \$98,400.00, and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- F. Discussion and consideration on 2020-2021 Street Improvement projects and prioritization list and authorize the Mayor to execute any related documents. Possible action. (Staffed by Engineering Department.) Attachment

- G. Discussion and consideration of the City of Weslaco Residential and Commercial Sanitation Timeline regarding procurement of sanitation services equipment and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) Attachment
- H. Discussion and consideration to approve the purchase of six Peterbilt residential garbage trucks, five Peterbilt commercial garbage trucks and one Peterbilt garbage container handler truck from purchasing co-op vendor; Rush Truck Centers - Texas Pack & Load (Buyboard contract #601-19) in the amount not to exceed \$3,210,534.17 and authorize the Mayor to execute any related documents. Possible action. (Staffed by Public Works Department.) 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. 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.
- E. 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.
- F. 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.
- G. Real Property– Consultation with City Attorney on the acquisition of real property legally described as 36.56 acres net and 1 acre net out of Farm Tract 1056 and the acquisition of the adjacent east 46.57 net acres as authorized by §551.072 of the Texas Local Government Code.
- H. Economic Development - Consultation with City Attorney regarding financial offer or other incentives for Project Myra as authorized by section §551.087 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 25th 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:

